APPLICATIONS

CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

☐ **ED1 Eligible** ☐ **AB 2097 Eligible**

Case Number: _____

Env. Case Number: _____

Application Type: _____

Case Filed With (Print Name): _____ **Date Filed:** _____

Application includes letter requesting:

☐ Waived Hearing ☐ Concurrent hearing ☐ Hearing not to be scheduled on a specific date (e.g. vacation hold)

Related Case Number(s): _____

THIS SECTION TO BE COMPLETED BY THE APPLICANT

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. Refer to the City Planning Application Filing Instructions (CP13-7810) for more information.

1. PROJECT LOCATION

Street Address[1]: 355 S Ogden Drive, Los Angeles, CA 90036 **Unit/Space Number:** 100

Legal Description[2] (Lot, Block, Tract): Pt Lot 12, Tract 215

Assessor Parcel Number: N/A **Total Lot Area:** 322,220.5 Sq. Ft.

2. PROJECT DESCRIPTION

Present Use: Whole Foods Market

Proposed Use: Whole Foods Market (no change)

Project Name (if applicable): Whole Foods Market - Bloom on Third (formerly Town & Country)

[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).

Describe in detail the characteristics, scope and/or operation of the proposed project:

A Conditional Use Permit for the sale of a full line of alcoholic beverages, (ABC Type 21 off-site, Type 86 tasting, and Type 47 on-site) in conjunction with an existing Whole Foods Market in the C2-1-O Zone with operations from 6 a.m. - 12 a.m., daily. This application is for the same use on the same lot as it currently exists, and for which a current CUB is in existence. This CUP is for a nearby location on the same lot in the same shopping center. Whole Foods will move its operations to the newly built location on this lot. Please see the attached Project Description for full details.

Additional Information Attached: ☒ **YES** ☐ **NO**

EXISTING SITE CONDITIONS

Complete and check all that apply:

- ☐ Site is undeveloped or unimproved (i.e., vacant)
- ☒ Site has existing buildings (provide copies of building permits)
- ☐ Site is/was developed with uses that could release hazardous materials on soil and/or groundwater (e.g., dry cleaning, gas station, auto repair, industrial)
- ☐ Site is located within 500 feet of a freeway or railroad
- ☒ Site is located within 500 feet of a sensitive use (e.g., school, park)
- ☐ 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
- ☐ Removal of any on-site tree
- ☐ Removal of any street tree
- ☐ Removal of protected trees onsite/in public right-of-way
- ☐ Grading
- ☐ Haul Route
- ☐ New construction: _____ square feet
- ☐ Additions to existing buildings
- ☒ Interior tenant improvement
- ☐ Exterior renovation or alteration
- ☐ Change of use and/or hours of operation
- ☐ Uses or structures in public right-of-way
- ☐ Phased project

HOUSING COMPONENT INFORMATION

Number of Residential Units: Existing 311 - Demolish(ed)[3] See DIR-2018-2770- + Adding See DIR-2018-2770- = Total 311

Number of Affordable Units[4]: Existing See DIR-2018-2770- - Demolish(ed) See DIR-2018-2770- + Adding See DIR-2018-2770- = Total See DIR-2018-2770-

Number of Market Rate Units: Existing See DIR-2018-2770- - Demolish(ed) See DIR-2018-2770- + Adding See DIR-2018-2770- = Total See DIR-2018-2770-

Mixed Use Projects, Amount of Non-Residential Floor Area: 83,994 square feet

[3] Number of units to be demolished and/or which have been demolished within the last five years.
[4] As determined by the Los Angeles Housing Department.

PARKING INFORMATION

Is the project utilizing AB 2097? ☒ YES ☐ NO

If Yes, provide a date-stamped ZIMAS Parcel Profile Report including AB 2097 Eligibility information.

Provided # of Parking Spaces: 1,146 Required # of Parking Spaces: See DIR-2018-2770-SPR-WDI

Parking Minimum Checklist

The following checklist will determine if parking minimums can be imposed on a Project under AB 2097. Parking minimums cannot be imposed if the proposed project meets any of the following criteria.

Check all that apply: See DIR-2018-2770-SPR-WDI

- ☐ Include a minimum of 20 percent of the total dwelling units for Very Low, Low, or Moderate-Income households, students, the elderly, or persons with disabilities
- ☐ Contain fewer than 20 dwelling units
- ☐ Are subject to parking reductions of any other applicable law (by satisfying the applicable eligibility requirements)

PUBLIC RIGHT-OF-WAY INFORMATION

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

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

If so, what is/are the dedication requirement(s)? N/A feet

If dedications are required on multiple streets, identify as such: 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, and follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC Section 13A.2.10. of Chapter 1A? ☐ YES ☒ NO

Authorizing Code Section: 12.24W,1; 13B.2.2

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

Action Requested: A Conditional Use Permit for the sale of a full line of alcoholic beverages as an ancillary use to a grocery store w/ tastings and small restaurant in a C2-1-O Zone. ABC T21,T86,T47

Authorizing Code Section: _____

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

Action Requested: _____

_____

Additional Requests Attached: ☐ **YES** ☒ **NO**

4. RELATED 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): ZA-2012-0690(CUB); ZA-2012-0690(CUB) Letter of Correction DIR-2018-2770-SPR-WDI

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.: _____ Ordinance No.: _____

- ☐ Condition Compliance Review
- ☐ Modification of Conditions
- ☐ Revision of Approved Plans
- ☐ Renewal of Entitlement
- ☐ Clarification of Q (Qualified) Condition
- ☐ Clarification of D (Development) Limitation
- ☐ Amendment to T (Tentative) Classification
- ☐ Plan Approval subsequent to Main Conditional Use

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, provide a copy of any applicable form and reference number if known.

Are there any recorded Covenants, affidavits or easements on this property?

☐ **YES (provide copy)** ☒ **NO** None known.

6. PROJECT TEAM INFORMATION (COMPLETE ALL APPLICABLE FIELDS)

APPLICANT

Applicant[5] Name: Mrs. Gooch's Natural Food Markets, Inc. c/o Ryan Bissett

Company/Firm: DBA: Whole Foods Market

Address: 550 Bowie Street **Unit/Space Number:**

City: Austin **State:** TX **Zip Code:** 78703

Telephone: 512-542-3768 **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): TF REG LLC Ray Kayacan, VP Investments

Address: 915 Wilshire Blvd **Unit/Space Number:** 200

City: Los Angeles **State:** CA **Zip Code:** 90017

Telephone: 213-553-2217 **E-mail:** raykayacan@regencycenters.com

AGENT / REPRESENTATIVE NAME: Stephen Allen Jamieson

Company/Firm: Solomon, Satsman & Jamieson

Address: 426 Culver Blvd. **Unit/Space Number:**

City: Playa del Rey **State:** CA **Zip Code:** 90293

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

[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 agent/representative is someone filing an application on behalf of a client.

OTHER (E.G. ARCHITECT, ENGINEER, CEQA CONSULTANT): N/A

Name: _____

Company/Firm: _____

Address: _____ **Unit/Space Number:** _____

City: _____ **State:** _____ **Zip Code:** _____

Telephone: _____ **E-mail:** _____

Primary Contact for Project Information[6]

(Select only one. Email address and phone number required.)

☐ 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.

[6] As of June 8, 2022, the Primary Contact for Project is required to have an Angeleno Account and register with the Ethics Commission for Significant Project Entitlements, as defined in LAMC Section 49.7.37(A)(6). An email address and phone number shall be required on the DCP Application Form, and the email address provided shall match the email address used to create the Angeleno Account.

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 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 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).** An 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 the 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:** 12/19/25

Print Name: TF REG, LLC Ray Kayacan, VP Investments

Signature: _____ **Date:** _____

Print Name: _____

SPACE BELOW FOR NOTARY'S USE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT **CIVIL CODE '1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

On December 19, 2025 before me, Alisha Silva, Notary Public
(Insert Name of Notary Public and Title)

personally appeared Ray Kayacan, who proved to me on the basis of satisfactory evidence to be the person(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 authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature

ALISHA SILVA
Notary Public - California
Los Angeles County
Commission # 2488869
My Comm. Expires Apr 30, 2028

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.

h. 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. I understand that the City is protected by numerous statutory immunities from liability for damages that may be caused by its land use regulatory actions, as set forth in Government Code, section 818, et seq. For instance, the City cannot be held liable for personal or property injuries or damages allegedly caused by its approval and issuance of any discretionary permit, entitlement or approval (Gov. Code § 818.4), or its failure to inspect or its negligence in inspecting a property for the purpose of determining whether the property complies with or violates any permit, entitlement or approval or contains or constitutes a hazard to health or safety (Gov. Code § 818.6).

j. 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 <u>does not</u> need to be notarized.

Signature: _____ **Date:** 11/11/2025

Print Name: Jay Warren - Secretary, Mrs. Gooch's Natural Food Markets, Inc.

NEIGHBORHOOD CONTACT SHEET (OPTIONAL)

7. SIGNATURES

Signatures of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (Print)	SIGNATURE	ADDRESS	KEY # ON MAP

REVIEW of the project by the applicable Neighborhood Council is not required but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).

ATTACHMENT TO APPLICATION FOR CONDITIONAL USE PERMIT FOR WHOLE FOODS MARKET AT 3RD AND FAIRFAX, 355 S Ogden St, Unit #100, Los Angeles, CA 90036

Project Description

Whole Foods Market, operated by Mrs. Gooch's Natural Food Markets, Inc., submits this Conditional Use Permit (CUB) application pursuant to Los Angeles Municipal Code (LAMC) Section 12.24-W,1 and Section 13B.2.2 of Chapter 1A.

A Whole Foods Market has been operating at this location for over two decades. The owner of the real property is now completing a newly constructed mixed-use building with commercial retail uses on the lower floors with residential uses above it. One of the retail uses in this new building will be the new space devoted to Whole Foods Market. This building and the space for this Whole Foods Market, including its grocery store with ancillary alcohol uses, along with a small bona-fide eating places with ancillary alcohol, was approved in DIR-2018-2770-SPR-WDI. Upon completion of that construction the Whole Foods Market will move its operations into the newly constructed space.

This request, therefore, seeks to authorize the continued off-site sale of a full line of alcoholic beverages (ABC Type 21 License) and ancillary instructional tastings (ABC Type 86 License) within an approximately 63,082 square foot specialty grocery store located at this same site at the corner of 3rd Street and Fairfax, however, because of the newly constructed building the street address for same has been now modified to be identified as 355 South Ogden Drive, Unit 100, Los Angeles, CA 90036. The store will continue to operate daily from 6:00 a.m. to 12:00 a.m. (midnight), as it is currently, and has been historically, operating except that it will then be in the newly constructed building; and thus will continue to provide full-service grocery offerings, with ancillary alcohol, in this location that has served the neighborhood for over 20 years, and has proven itself to be a responsible retailer. In addition, this Whole Foods Market intends to now include a small bona-fide restaurant space on the first floor with full alcohol service (ABC Type 47 License) as well a small café on the third floor of the premises with solely beer and wine sales (ABC Type 41 License) so that families and friends can take care of their grocery needs as well as have an opportunity to sit and have a meal as part of that process. The first floor restaurant space is designated on the Floor Plan as "Restaurant A", and the third floor café space is designated on the Floor Plan as "Restaurant B".

This Whole Foods Market has successfully operated at this site since 2001 and will continue operations in the newly constructed tenant space. The grocery store specializes in organic, natural, and health-conscious food products and includes full-service departments such as meat, deli, bakery, and kitchen. This application reflects continuity of use rather than a change in operation and the newly constructed tenant space will now include two small bona fide eating spaces within the Whole Foods Market, which will of course be demarcated and separated for ABC licensing purposes. Previous CUBs and ABC licenses issued over the past two decades have included both on- and off-site alcohol licenses (Types 21, 42, and 86). See: Case No. ZA-2004-1376-CUB, and Case No. ZA-2008-0736-CUB, and Case No. ZA 2012-0690(CUB).

The history of CUB approvals at this location illustrates consistent oversight and regulatory compliance. These approvals demonstrate that Whole Foods Market has operated responsibly and in compliance with City regulations for the sale of alcoholic beverages. This history and tradition will continue with this same Whole Foods Market in the newly constructed space. The alcohol sales and tastings remain ancillary to the primary grocery use and will continue to be conducted under strict conditions and responsible management practices. As the store has

demonstrated for over two decades, these operations do not adversely affect the surrounding community. The location is designated for Community Commercial land use and is zoned C2-1-O, which allows for the requested use. The store is not located in a Specific Plan area and remains in full compliance with zoning regulations and the intent of the Wilshire Community Plan. It bears repetition that DIR-2018-2770-SPR-WDI was recently approved for the uses that will now be provided by Whole Foods Market.

Consistent with past findings, the sale of alcoholic beverages within a full-service grocery environment offers added convenience to the public while maintaining neighborhood compatibility. Prior Zoning Administrator determinations emphasized that such a use is desirable for public welfare and contributes to the area's commercial vitality. Wine tastings and educational offerings enhance the store's service model while fostering a responsible approach to alcohol sales, all within the context of a larger retail shopping experience. The inclusion now of two small bona-fide eating places which also provides alcohol as an ancillary aspect of its meals within the context of this larger retail shopping experience will continue to be a benefit to this community and comply with all local and state regulations.

This Conditional Use Permit application seeks to continue a long-established use that has consistently operated in harmony with the surrounding neighborhood. The off-site and on-site sale of alcoholic beverages, along with instructional tastings, have not generated adverse impacts over the last 20 years and will continue under the operational standards that have been proven to be effective for Whole Foods Market at this location.

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY

ADDRESS VERIFICATION FORM FOR PCIS PERMITS

(Use black ink only to complete this form)

TO BE COMPLETED BY APPLICANT

Date of Request: 12/29/25

Requested Address by Applicant: David Weintraub

TO BE COMPLETED BY PUBLIC WORKS/BUREAU OF ENGINEERING

Verified Address: 355 S Ogden Dr **Zip Code:** 90036

Tentative Address Only: _____ **Zip Code:** _____
(To start permitting process)

Legal description:

Tract: TR 215 APN: 5509018005,5509018004,5509018009,5509018010,5509018012, 5509018013

Lot: 12 PIN: 138B177-796, 138B177-1150, 135B177-586, 135B177-587, 135B177-588, 138B177-1154

Arb. Unit: 1 Block: N/A

Xochitl Arquieta
Bureau of Engineering

12/29/25
Date

Prior to directing an applicant to BOE Check-In for a "Verification of Address", permit issuing staff should direct the applicant to LADBS Records Section to obtain a copy of the original building permit. If no permit can be found, then a Certificate of Occupancy will be accepted. If neither documents can be found, the customer needs to be redirected to the L.A. County Assessor's Office to obtain the records. The applicant should have the requested records before visiting BOE Check-In.

FINDINGS/SPECIAL REQUIREMENTS

ALCOHOL & ENTERTAINMENT ESTABLISHMENTS
Class 2 Conditional Use Permit (Chapter 1 Zoning)

Related Code Sections

This form applies to properties subject to zoning established in Chapter 1 of the Los Angeles Municipal Code (LAMC). For properties subject to zoning established in Chapter 1A of the LAMC, please use form CP13-7773.A. For more information on a property's applied zoning, visit zimas.lacity.org.

Los Angeles Municipal Code (LAMC) Section 12.24 W.1 (Class 2 Conditional Use Permit) of Chapter 1 authorizes applications for alcohol establishments (CUB); and Section 12.24 W.18 (Class 2 Conditional Use Permit) of Chapter 1 authorizes applications for entertainment establishments (CUX). Procedures for a Class 2 Conditional Use Permit are governed by LAMC Section 13B.2.2. of Chapter 1A.

Public Hearing and Notice

Notification of a public hearing for the above process includes Property Owners and Occupants (i.e., tenants) within 300 feet from the boundaries of the subject site and the Certified Neighborhood Council representing the area in which the property is located, as well as on-site posting of the notice. This is for informational purposes only and not required at the time of filing, unless otherwise requested. Refer to the Mailing Procedures Instructions (CP13-2074) and Posting Instructions (CP-7762) for applicable requirements.

Specialized Requirements

When filing for the above application, the following items are required in addition to those specified in the City Planning Application Filing Instructions (CP13-7810).

Radius Map Requirements

Requests for alcohol establishments pursuant to LAMC Section 12.24 W.1 of Chapter 1 are required to include the following. Note that these requirements are separate from the Public Noticing requirements detailed in the Mailing Notification Procedures (CP13-2074), which will be requested by the Project Planner 6-8 weeks prior to the public hearing.

- ☑ A 600-foot radius map showing land uses. See Radius Map Guidelines (CP-7826) for applicable additional requirements.
- ☑ A list of alcohol establishments between 600 and 1,000 feet of the site. Include the type of license and address.

☑ A list of the following types uses within 600 feet:

- Residential uses and type (e.g., single-family, apartment, hotel)
- Churches
- Schools, including nursery schools and child-care facilities
- Hospitals
- Parks, public playgrounds, and recreational areas
- Establishments dispensing, for consideration, alcoholic beverages for consumption on or off premises

Additional Requirements for Main CUBs or CUXs

☑ A separate sheet containing a table identifying all CUB or CUX requests on the subject site, indicating the:

- Type of alcohol permit sought
- Square footage of each particular restaurant, bar, or event space
- Address or suite/unit number corresponding to each CUB or CUX request
- Tenant-operator of each alcohol or adult entertainment establishment (if known)

Specialized Questions

The items below cover important information which will help acquaint the decision maker with your request. The information is required but should not be considered as a limitation upon materials to be submitted. The applicant is encouraged to include any additional relevant materials. In the space below, or on separate paper, if necessary, complete the following:

Physical Development of the Site

1. What is the total square footage of the building or center in which the establishment is located?
   426,994 Sq Ft.
2. What is the total square footage of the space the establishment will occupy? 63,082
3. What is the total occupancy load of the space as determined by the Fire Department? TBD
4. What is the total number of seats that will be provided: Indoors? 141 Outdoors? 48
5. If there is an outdoor area, will there be an option to consume alcohol outdoors?
   ☑ YES ☐ NO ☐ N/A

6. If there is an outdoor area, is it located on private property or the public right-of-way, or both?

   Private

7. If an outdoor area is within the public right-of-way, has a revocable permit been obtained?
   ☐ YES ☐ NO ☑ N/A

8. Is floor area being added? ☐ YES ☑ NO

   If YES, how much is enclosed? N/A *Outdoors?* N/A

9. Is the site located within 1,000 feet of any schools (public, private, or nursery), churches or parks? ☑ YES ☐ NO

10. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Businesses as defined by LAMC 12.70 B.17 of Chapter 1?
    ☐ YES ☐ NO

Parking

11. How many parking spaces are available on the site? 1,146

12. Are they shared or designated for the subject use? Shared

13. If adding floor area, what is the parking requirement as determined by the Department of Building and Safety (LADBS)?

    N/A

14. Have any arrangements been made to provide off-site parking? ☐ YES ☑ NO

    If YES, is the parking secured via a private lease or a covenant/affidavit approved by LADBS?

    N/A

    Note: *Required parking must be secured via a covenant pursuant to LAMC Section 12.26 E.5 of Chapter 1. A private lease is only permitted by a Variance.*

15. Provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve.

16. Will valet service be available? ☐ YES ☑ NO

17. Will the service be for a charge? ☐ YES ☑ NO

Operation of the Establishment

18. Has the use been discontinued for more than a year? ☐ YES ☑ NO

*If YES, it is **not eligible** for the Plan Approval process.*

If NO, the applicant may be required to prove that the discontinuance of the use did not occur. See LAMC Section 12.23 B.9 or 12.24 Q of Chapter 1.

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

	M	Tu	W	Th	F	Sa	Su
Proposed Hours of Operation	6am - 12am	6am - 12am	6am - 12am	6am - 12am	6am - 12am	6am - 12am	6am - 12am

20. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc.? ☐ YES ☑ NO

If YES, describe: _____

***Note:** An establishment that allows for dancing needs a Class 2 Conditional Use Permit pursuant to 12.24 W.18 of Chapter 1.*

21. Will there be minimum age requirements for entry? ☐ YES ☑ NO

If YES, what is the minimum age requirement and how will it be enforced? _____

22. Will there be any accessory retail uses onsite? ☑ YES ☐ NO

If YES, what will be sold? Those typical of a full service, specialty grocery store

Security

23. How many employees will be on the site at any given time? 50

24. Will security guards be provided onsite? ☐ YES ☑ NO

If YES, how many and when? _____

25. Has LAPD issued any citations or violations? ☐ YES ☑ NO

If YES, provide copies.

Alcohol

26. Will there be beer & wine only, or a full line of alcoholic beverages available? Both

27. Will "fortified" wine (greater than 16% alcohol) be sold? ☑ YES ☐ NO

28. Will alcohol be consumed on any adjacent property under the control of the applicant? ☐ YES ☑ NO

29. Will there be signs visible from the exterior that advertise the availability of alcohol? ☐ YES ☑ NO

Food

30. Will there be a kitchen on the site? ☑ YES ☐ NO

31. Will alcohol be sold without a food order? ☑ YES ☐ NO

32. Will the sale of alcohol exceed the sale of food items on a quarterly basis? ☐ YES ☑ NO

33. Provide a copy of the menu if food is to be served.

On-Site

34. Will a bar or cocktail lounge be maintained incidental to a restaurant? ☐ YES ☑ NO

If YES, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.

35. Will off-site sales of alcohol be provided accessory to on-site sales ("Take Out")? ☑ YES ☐ NO

If YES, a request for off-site sales of alcohol is also required.

36. Will discounted alcoholic drinks ("Happy Hour") be offered at any time? ☑ YES ☐ NO

Off-Site

37. Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises? ☐ YES ☑ NO

38. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 750 ml? ☑ YES ☐ NO

Note: *Contact the California Department of Alcoholic Beverage Control (ABC) regarding its requirements at http://www.abc.ca.gov/.*

Caldera Bill (CA Business and Professions Code Section 23958 and 23958.4)

39. Is this application a request for on-site or off-site sales of alcoholic beverages?

☑ YES ☐ NO

If YES, is the establishment a bona-fide eating place (restaurant) or hotel/motel?

Grocery store with T21/T86 ABC licenses and two bona-fide eating places with T41 and T47.

If NO, contact ABC to determine whether the proposed site is located in an area where issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or if issuance would result in, or add to an undue concentration of licenses.

***Notes:** If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for **public convenience** or **necessity**. This is in addition to obtaining the Conditional Use Permit or Plan Approval. Contact the ABC regarding its requirements at http://www.abc.ca.gov/.*

Findings

The decision maker must decide if the facts presented in the record support the findings (i.e., criteria for approval) established in the LAMC. On a separate sheet, provide a detailed justification/explanation of how the proposed project conforms with the following:

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

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

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

Supplemental Findings

In addition to the above findings for approval, the decision maker must also consider the following matters. The information is required but should not be considered as a limitation upon materials to be submitted. The applicant is encouraged to include any additional relevant materials.

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

2. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of

the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

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

BA20242014160

STATE OF CALIFORNIA
Office of the Secretary of State
STATEMENT OF INFORMATION
LIMITED LIABILITY COMPANY

California Secretary of State
1500 11th Street
Sacramento, California 95814
(916) 657-5448

For Office Use Only

-FILED-

File No.: BA20242014160

Date Filed: 11/14/2024

Entity Details

Limited Liability Company Name	TF REG, LLC
Entity No.	201831010275
Formed In	DELAWARE

Street Address of Principal Office of LLC

Principal Address	1 INDEPENDENT DRIVE SUITE 114 JACKSONVILLE, FL 32202-5019

Mailing Address of LLC

Mailing Address	1 INDEPENDENT DRIVE SUITE 114 JACKSONVILLE, FL 32202-5019
Attention	

Street Address of California Office of LLC

Street Address of California Office	None

Manager(s) or Member(s)

Manager or Member Name	Manager or Member Address
+ Regency Centers, L.P.	1 INDEPENDENT DRIVE, SUITE 114 JACKSONVILLE, FL 32202-0195

Agent for Service of Process

California Registered Corporate Agent (1505)	UNITED AGENT GROUP INC. Registered Corporate 1505 Agent

Type of Business

Type of Business	COMMERCIAL REAL ESTATE

Email Notifications

Opt-in Email Notifications	Yes, I opt-in to receive entity notifications via email.

Chief Executive Officer (CEO)

CEO Name	CEO Address
None Entered	

Labor Judgment

No Manager or Member, as further defined by California Corporations Code section 17702.09(a)(8), has an outstanding final judgment issued by the Division of Labor Standards Enforcement or a court of law, for which no appeal is pending, for the violation of any wage order or provision of the Labor Code.

Electronic Signature

☒ By signing, I affirm under penalty of perjury that the information herein is true and correct and that I am authorized by California law to sign.

Ana Duteau, Special Manager — Signature

11/14/2024 — Date

B3194-5051 11/14/2024 4:56 PM Received by California Secretary of State

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS
R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
FERNANDO TOVAR
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA

ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF CITY PLANNING
MICHAEL J. LOGRANDE
DIRECTOR

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200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012
(213) 978-1318
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February 7, 2013

William Jordan (A)
Whole Foods Market
15315 Magnolia Boulevard, #320
Sherman Oaks, CA 91403

Third Fairfax, LLC (O)
6380 Wilshire Boulevard, #800
Los Angeles CA 90048

Lanny Kusaka (R)
TMG Solutions
6733 South Sepulveda Boulevard, #265
Los Angeles, CA 90045

CASE NO. ZA 2012-0690(CUB)
CONDITIONAL USE
6350 West 3rd Street
Wilshire Planning Area
Zone : C2-1-O
D. M. : 135B177, 138B177
C. D. : 4
CEQA : ENV 2008-442 -MND(REC1)
Legal Description: Pt. Lot 12, Tract 215

Pursuant to Los Angeles Municipal Code Section 12.24-W,1, I hereby APPROVE:

a conditional use to permit an upgrade from the sale of beer and wine only to a full line of alcoholic beverages for off-site consumption, and the continued sale and dispensing of beer and wine only for on-site consumption for wine tasting events, in conjunction with an existing food market [Whole Foods] on a property located in the C2 Zone,

upon the following additional terms and conditions:

1. 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.

2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan stamp dated December 24, 2012 and marked Exhibit "A", except as may be revised as a result of this action.

3. 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 Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. 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 Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or 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.

7. The subject grant shall be for a period of 10 years from the effective date of the subject grant, after which a new grant should be approved to continue the sale of alcohol. The new entitlement application shall include condition compliance review with supporting documents showing that the required conditions have been complied with.

   Further, at any time during the period of validity of this grant, should documented evidence be submitted showing a violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require the applicant to file for a plan approval application together with associated fees, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. The applicant/petitioner(s) shall provide a summary and supporting documentation of how compliance with each condition of the grant has been attained. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct the public hearing for nuisance abatement/revocation purposes.

   The instant conditional use supersedes all terms and conditions of Case No. ZA-2008-0736(CUB) which is hereby terminated.

8. The hours of operation shall be limited from 6 a.m. to 12 midnight daily. The operating hours shall be posted at the entrance of the market.

9. The market shall not exceed 41,593 square feet of floor area. Wine tasting area shall be limited to 110 square feet of floor area.

10. The consumption of alcoholic beverages on the premises shall be limited to wine tasting events only for a maximum of 30 attendees during the hours between 12 noon and 10 p.m. daily.

11. Light appetizers such as cheese, nuts or fruit shall be made available at no charge to all participants of each wine tasting event.

12. All persons wishing to participate in wine tasting events shall obtain a ticket from the Customer Service representative of the store.

13. Areas devoted to trash storage or other storage shall not be located adjacent to a residential use, or shall be buffered or enclosed so as not to result in noise, odor or debris impact on any adjacent residential use.

14. Exterior lighting on the building shall be maintained and provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible. Said lighting shall be directed in such a manner so as not to illuminate any nearby residence.

15. Coin operated game machines, pool tables, billiard tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.

16. Outside pay phones shall not be allowed.

17. The conditions of this grant shall be retained on the premises at all times and be provided immediately upon request of any Los Angeles Police officer or Department of Alcoholic Beverage Control investigator. The manager and all employees shall be knowledgeable of these Conditions.

18. The conditions of the subject grant shall be provided to employees for their review.

    Prior to the utilization of the grant, a statement signed by the employees stating that they reviewed and agree to comply with the conditions shall be submitted to the Zoning Administrator.

19. Prior to the utilization of this grant, all personnel acting in the capacity of a manager of the premise and all personnel who serve/sell alcoholic beverages shall complete the STAR session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months. The STAR training shall be conducted for all new hires within 60 days of their employment.

    The applicant shall request written confirmation of completion of the training from the Police Department and shall concurrently submit a copy of such confirmation to the Zoning Administrator along with a list of employees who sell/serve alcoholic beverages. The written confirmation of completion of the STAR training and the follow-up sessions as well as the STAR training for new hires shall be retained on the premises at all times and be immediately produced upon request of any Los Angeles Police officer or Department of Alcoholic Beverage Control investigator. The manager and all employees shall be knowledgeable of these Conditions.

20. The parking required for the store shall be provided in compliance with the code and to the satisfaction to the Department of Building and Safety.

21. The applicant/business operator shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.

22. Prior to the sale of any alcoholic beverages, 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 premise at each point-of-sale location. The device(s) shall be maintained in operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage.

23. The business operator shall install video surveillance cameras and monitors inside and/or outside the premises. The business operator shall maintain the tapes for at least 30 days and make them available to the Police Department upon request.

    Prior to the utilization of this grant, evidence of compliance with this condition shall be submitted to the Office of Zoning Administration.

24. Recycling bins shall be provided at appropriate locations inside a market to promote recycling of paper, metal, glass and other recyclable material.

25. Trash pick-up shall not be permitted before 8 a.m. daily.

26. The applicant, the market owner and/or operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:

    - posted at the entrances to the store,
    - responded to within 24-hours of any complaints/inquiries received on this hot line, and
    - documented in a log and available for review by the Los Angeles Police Department and the Zoning Administrator upon request on when the calls were received, returned and the action taken at a minimum.

27. The following mitigation measures included in Case No. ENV 2008-0442-MND-REC shall be complied with.

    a. Aesthetics (Graffiti)

        1) 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.

2) 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.

b. Public Services (Police)

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. Contact the Community Relations Division, located at 100 West 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

c. Utilities (Solid Waste)

Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

28. Within 30 days of the effective date of this grant or prior to the sale of any alcoholic beverages, whichever comes first, the property owner shall record a covenant acknowledging and agreeing to comply with all the terms and conditions established herein in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

> "A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than $2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after FEBRUARY 22, 2013, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at http://planning.lacity.org**. Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

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.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning Analyst thereon, the statements made at the public hearing on December 18, 2012, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use permit under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

The property consists of seven adjoining lots, is a level, irregular-shaped (right-angled trapezoid), 7.1-acre parcel with approximately 537 feet of frontage along Fairfax Avenue, 686 feet of frontage along 3rd Street, 437 feet along Ogden Drive and a 675-foot property line with Hancock Park Elementary School.

The property is improved with five one-story structures constructed from 1961 through 1962, with tenants including a retail bank, restaurant, pharmacy, discount retailer, newsstand, boutique retail and the subject supermarket.

The existing site provides a total of 486 parking spaces serving the entire site, including the applicant and other tenants at the site.

To the north and across 3rd Street, adjacent land uses include the Farmer's Market, The Grove commercial center, and surface parking lots in the C2-2D-O Zone.

To the south property is developed with the Hancock Park Elementary School in the PF-1XL-O Zone.

To the east and across Ogden Drive are properties developed with surface parking and commercial uses including a Ross department store in the [Q]C2-2D Zone.

To the west across and Fairfax Avenue properties are developed with retail uses and the Writer's Guild of America in the C2-1VL-O and C2-1LD-O Zones.

On May 15, 2012, staff investigated ABC license No. 381835 assigned to the applicant on the California Department of Alcoholic Beverage Control License Query System which reviled no disciplinary action or holds.

On November 29, 2012, Staff conducted an on-site observation of the establishment, property, and immediate vicinity. Staff was met by a store manager who provided access to the establishment. The property and immediate surrounding area appeared relatively free of graffiti, littler, trash and debris. The submitted plans approximate the store layout with minor deviation related to the arrangement of shelves and displays.

3rd Street, adjoining the property to the north, is a designated Secondary Highway dedicated to a variable 73- to 75-foot width and improved with curb, gutter and sidewalk.

Fairfax Avenue, adjoining the property to the west, is designated a Secondary Highway dedicated to a variable 70- to 75-foot width and improved with curb, gutter and sidewalk.

Ogden Drive, adjoining the property to the east, is a Local Street dedicated to a 60-foot width and improved with curb, gutter and sidewalk.

Previous zoning related actions on the site/in the area include:

Subject Property

Case No. ZA 2012-0737(CUB) – On March 19, 2012, a request was filed for conditional use to allow the sale of beer and wine for on-site consumption in conjunction with an existing 4,080 square-foot restaurant expanding to 5,583 square feet seating 154 patrons and having hours of operation from 10 a.m. to 10 p.m. daily, located at 6332 West 3rd Street, #18, the easterly adjoining building.

Case No. ZA 2008-0736(CUB) – On October 31, 2008, the Associate Zoning Administrator approved the sale of beer and wine for on- and off-site consumption in conjunction with the expansion of a 29,928 square-foot food market to 41,055 square feet on property located in the C2 Zone, located at 6350 West 3rd Street. [Subject market, Whole Foods]

Case No. ZA 2004-1376(CUB) – On June 10, 2004, the Associate Zoning Administrator approved the sale of wine for on-site consumption for wine tasting purposes only. [Subject market, Whole Foods]

Case No. ZA 87-1491(E) – On March 31, 1988, the Associate Zoning Administrator determined a 30-seat restaurant to be exempt from the requirements of Sections 12.21 and 12.24 of the Los Angeles Municipal Codes for the sale of beer and wine for on-site consumption for a 30-seat restaurant at 6332 West 3rd Street.

Surrounding Properties:

Case No. ZA 2012-0566(CUB) – On July 25, 2012, the Associate Zoning Administrator approved the continued sale of a full line of alcoholic beverages for on-site consumption in conjunction with a 2,640 square-foot restaurant (Chipotle Mexican Grill) in the C2-2D-O Zone, located at 110 South Fairfax Avenue, Suite A12.

Case No. ZA 2012-0800(CUB) – On July 17, 2012, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption and live entertainment in conjunction with a proposed new restaurant, in the C2-2D-O, [T][Q]C2-2D, and [T]C2-2D-O Zones, located at 101 South the Grove Drive.

Case No. ZA 2012-0144(CUB) – On April 13, 2012, the Associate Zoning Administrator approved the sale of beer and wine for onsite consumption in conjunction with a 3,255 square-foot full service restaurant and an adjacent 1,844 square-foot patio in the C2-2D-O Zone, located at 189 The Grove Drive, Suite C-10.

Case No. ZA 2011-0977(CUB) – On October 26, 2011, the Associate Zoning Administrator modified a conditional use permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the operation of a ~~11,259~~ 11,036 square-foot restaurant located in the C2-2D-O Zone, located at 6333 West 3rd Street, Suites 020.

Case No. ZA 2011-0977(CUB) – On August 16, 2011, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in conjunction with the operation of a 11,259 square-foot restaurant located in the C2-2D-O Zone, located at 6333 West 3rd Street, Suites 020 and P20.

Case No. ZA 2011-0250(CUB) – On June 8, 2011, the Associate Zoning Administrator, approved a Conditional Use Permit to allow the sale and dispensing of beer and wine for onsite consumption in conjunction with a 3,136 square-foot restaurant in the C2-2D-O Zone, located at 11 0 South Fairfax Avenue, #A-1 6.

Case No. ZA 2010-0526(CUB)(CUX) – On January 14, 2011, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on- and off-site consumption and to allow patron dancing; all in conjunction with a proposed restaurant/pub, located at 175 South Fairfax Avenue.

Case No. ZA 2010-0524(CUB) – On January 14, 2011, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on- and off-site consumption incidental to retail sales for beverage sampling; all in conjunction with a proposed grocery pharmacy retail store, located at 161-169 South Fairfax Avenue.

Case No. ZA 2010-2453(CUB) – On June 17,2011, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in conjunction with an 1,800 square-foot restaurant in the C2-2D-O Zone, located at 6333 West 3rd Street, Stall #110.

Case No. ZA 2008-0736(CUB) – On October 31,2008, the Associate Zoning Administrator approved the sale of beer and wine for on- and off-site consumption in conjunction with the expansion of a 29,928 square-foot food market to 41,055 square feet on property located in the C2 Zone at 6350 West 3rd Street.

Case No. ZA 2008-4593(CUB) – On September 25, 2009, the Associate Zoning Administrator issued a Letter of Modification deleting condition No. 20: "Alcohol sales shall cease 30 minutes before the closing of the location".

Case No. ZA 2008-4593(CUB) – On June 19, 2009, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant which is authorized to sell beer and wine, located at 189 The Grove Drive, Suite 0-10.

Case No. ZA 2006-1667(CUB)-1A – On March 9, 2007 the Central Area Planning Commission, denied the appeal and sustained the action of the Zoning Administrator dated August 23, 2006.

Case No. ZA 2006-1667(CUB) – On August 23, 2006, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in a new restaurant in the C2-2D-O Zone, Located at 110 South Fairfax Avenue.

Case No. ZA 2005-9141(CUB) – On May 17, 2006, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in conjunction with an existing 7,300 square-foot restaurant, located at 189 The Grove Drive, #F-I 0.

Case No. ZA 2004-6883(CUB)(ZV) – On March 31, 2005, the Associate Zoning Administrator approved the sale of beer and wine for on-site consumption in conjunction with a proposed restaurant; and, a variance to permit four parking spaces in lieu of the required five parking spaces, located at 361 South Fairfax Avenue.

Case No. ZA 99-0318(CUB)(CUZ)(ZV)(SP) – On November 3, 1999, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in conjunction with a maximum of 14 restaurants, including one restaurant in a proposed department store; and, a conditional use to permit the sale and dispensing for consideration of a full line of alcoholic beverages for on-site consumption in conjunction with a theater complex which includes a restaurant/café/bar, and a separate luxury auditorium with adjacent bar/lounge and considered one establishment with one license; and, a conditional use to permit the sale and dispensing for consideration of beer and wine for on-site consumption in conjunction with two existing stalls (Stall Nos. 326 and 408) in the original Farmer's Market currently covered by one license and considered herein as one establishment, Stall Nos. 120 and 826 and three proposed restaurants for a total of six establishments; and, a conditional use to permit the sale and dispensing for consideration off-site of a full line of alcoholic beverages in conjunction with one existing market, .one proposed department store and one grocery store for a total of three establishments; and, a conditional use to permit the sale and dispensing for consideration off-site beer and wine in conjunction with two existing stalls (Stall Nos.

150 and 236) in the original Farmer's Market and one proposed specialty food and import store for a total of three establishments; and, a conditional use to permit the construction, use and maintenance of wireless telecommunications facilities; and a variance to permit the installation and operation of one facility for games of skill and science, arcade video games, virtual reality systems and similar type of arcade-type games; and, a variance to permit dancing in conjunction with a maximum of three full-service restaurants; and, a variance to permit outdoor eating areas of approximately 18,000 square feet on the ground and second floors; and, a variance from the provisions of Ordinance. No. 166,657 "D" Development Limitation which limits restaurant facilities, excluding outdoor dining areas, to 12,000 square feet so as to allow a maximum of 39,000 square feet of restaurant facilities, excluding outdoor dining areas; and, a variance to permit one freestanding monument sign that will not exceed 8 feet in height in the C1.5 Zone; and, a to permit open air kiosks and sales carts and to permit kiosks with advertising in the C1.5 Zone; and, a Zoning Administrator's Determination to permit two or more uses to share off-street parking, located at 6301 West 3rd Street.

Case No. ZA 97-0436(CUB) – On September 5, 1997, the Associate Zoning Administrator approved the sale of beer and wine as an accessory use to a restaurant, located at 7910 West 3rd Street.

The following was received to the file.

- An e-mail from the Los Angeles Police Department to the applicant's representative stating that "....At this point we do not anticipate any issues with the applications and upgrade to full line...."

- The letter from Mid City West Community Council indicating that the Community Council voted to support the subject application.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24-W of the Los Angeles Municipal Code. In order for the sale of a full line of alcoholic beverages for off-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the four standard findings for most other conditional use categories.

FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

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

   The subject site was previously allowed to have the sale of beer and wine for on- and off-site consumption by prior grants, which were approved under Case Nos. ZA

2004-1376(CUB) and ZA 2008-0736(CUB). The sale of beer and wine for on-site consumption was limited only for wine tasting events only. The subject grant is an upgrade of a beer and wine license to allow the sale of a full line of alcoholic beverages for off-site consumption with the sale of beer and wine for on-site consumption for wine tasting only as previously required.

The entire block bounded by 3rd Street, Fairfax Avenue, Colgate Avenue and Ogden Drive is improved with a shopping center, which is occupied by various retail uses and the subject market [Whole Foods] with an associated parking lot except that the southerly portion of the block is occupied by Hancock Park Elementary School.

The surrounding area is characterized by a variety of major commercial and residential developments, including the Farmer's Market and The Grove on the north side of 3rd Street across from the property, and Park La Brea residential units to the south. More traditional commercial development fronts along both sides of Fairfax Avenue.

The Whole Foods market will provide grocery items and general household merchandise goods as well as a full line of alcoholic beverages. A wine tasting area in the market will offer sample tastings of specialty wines. The local residents can walk or drive a short distance to the market to go grocery shopping and to purchase alcoholic beverages and may attend wine tasting sessions, which are offered at the market as education to learn about specialty beer and wine. The sale of alcoholic beverages will be incidental to the goods and services provided by the grocery market. The sale of a full line of alcoholic beverages will provide a one-stop shopping convenience to the patrons; therefore, the location of the proposed market will be desirable for public convenience or welfare.

2. **The location is proper in relation to adjacent uses or the development of the community and the use will not be materially detrimental to the character of the development in the immediate neighborhood.**

The sale of alcoholic beverages is usual and customary in large grocery stores. Most patrons of large supermarkets expect to have the convenience of purchasing alcohol along with their regular food items. The grant authorized herein incorporates a number of conditions that have been imposed upon the use. These conditions will continue to make the use more compatible with other uses in the surrounding community.

The operation of the subject market as conditioned is not anticipated to be detrimental given its location on major thoroughfares, 3rd Street and Fairfax Avenue. Employees are also required to undergo training regarding the sale of alcohol conducted by the Los Angeles Police Department. The installation of a surveillance camera system is required. In order to address noise complaints from trash pick-up early in the morning, a condition is required to prohibit trash pick-up before 8 a.m. daily.

The subject grant for the sale of alcoholic beverages is authorized for a term of 10 years after which time the applicant will need to file a new entitlement application for the same request. The term grant provides the City an opportunity to review the operation of the market anew. If the operation has been conducted appropriately and without creating problems for the neighborhood, then a subsequent decision on a new application may take that into favorable consideration. A record of poor compliance and/or nuisance complaints would allow the City the discretion to not grant a conditional use and thus avoid the need to proceed with prolonged nuisance abatement proceedings. Further, at any time during the period of validity of this grant, should documented evidence be submitted showing a violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require the applicant to file for a plan approval application, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct the public hearing for nuisance abatement/revocation purposes. As conditioned, the use is not anticipated to be materially detrimental to the development of the immediate neighborhood

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

The Wilshire Community Plan Map designates the property for Community Commercial land uses with corresponding zones of CR, C2, C4, P, PB, RAS3, and RAS4 and Height District No. 1 . The property is within the area of the Department of Conservation, and Division of Oil & Gas Clearance (ZI 1195).

The Community Plan text does not specifically address the requested conditional use for the sale of alcoholic beverages. However, the Los Angeles Municipal Code authorizes the Zoning Administrator to grant the requested conditional use in the zones corresponding to the Plan land use designation. The General Plan promotes the provision of services throughout the city in locations that are convenient to the public yet do not impact nearby properties. Given the content of the conditions and limitations established herein, including a 10-year term limit, the surrounding land uses should be protected from potential impacts of the proposed use. Therefore, the subject request is in harmony with the various elements and objectives of the General Plan.

ADDITIONAL FINDINGS FOR THE SALE OF ALCOHOLIC BEVERAGES:

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

Permitting the sale of alcoholic beverages at any location raises the possibility that other properties will be negatively impacted by intoxicated patrons driving under the influence or causing other inappropriate behavior on foot. The approval, as conditioned, is intended to avert any substantial impact on the welfare of residents

in the area by including a provision that requires limited operating hours, limitations on noise generation, and the monitoring of loitering on and around the site.

The full line of alcoholic beverages for off-site consumption is in conjunction with a grocery market in which other merchandise items are available for purchase. Permitting the sale of alcoholic beverages as conditioned should not substantially impact the welfare of the area given the stated focus of the store, which is the sale of grocery and general merchandise with the sale of a full line of alcoholic beverages and wine tasting playing a secondary and occasional role.

A specialty grocery, which sells a wide range of products, including alcoholic beverages, will help accommodate the wide range of needs for the community. The specialty grocery will meet a broader range of the community's needs and create a stronger, stable, and more competitive commercial environment in the area. The project will provide a neighborhood-oriented complement to the other neighborhood-oriented commerce along 3rd Street and Fairfax Avenue, as well as to the already strong, more regionally oriented uses, including the Original Farmers Market, The Grove, and the Town and Country Shopping Center. The sale and dispensing of alcoholic beverages within the specialty grocery will not interfere with the economic stability or welfare of the community. Therefore, the approval of the conditional use will not adversely affect the economic welfare of the community.

5. **The proposed use will not result in an undue concentration of premises for the sale or dispensing of alcoholic beverages in the area of the City involved giving consideration to applicable State laws and the California Department of Alcoholic Beverage Control's guidelines for undue concentration, the crime rate in the area, and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, 2 on-sale and 1 off-sale licenses are allocated to subject Census Tract No. 2145.01. There are currently 17 on-site and 5 off-site licenses in this Census Tract.

Within a 1,000-foot radius of the subject property, the following types of alcoholic beverage licenses are active or pending:

(2) Type 20 – Off-Sale – Beer and Wine
(3) Type 21 – Off-Sale – General
(0) Type 40 – On-Sale – Beer
(8) Type 41 – On-Sale – Beer and Wine – Eating Place
(3) Type 42 – On-Sale – Beer and Wine – Public Premises
(12) Type 47 – On-Sale – General – Eating Place
(0) Type 48 – On-Sale – General – Public Premises

According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 734, which has jurisdiction over the subject property, a total of 239 crimes were reported in 2011, compared to the citywide average of 144 crimes and the high crime reporting district average of 173 crimes for the same period.

In 2011, there were 3 Narcotics, 0 Liquor Law, 1 Public Drunkenness, 0 Disturbing the Peace, 0 Disorderly Conduct, and 7 DWI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Based upon the numbers reported by these two agencies, the Zoning Administrator concludes that an undue concentration of on-site facilities does exist, and the Conditions imposed in this determination are necessary in order to justify the increase in intensity of use occasioned by this request. The Zoning Administrator is aware that the number of allocated licenses is primarily calculated based upon resident population and that the employment and visitor populations of the area far exceed the resident population of this census tract. The subject site is located in a commercial corridor where a concentration of markets is evident and thus the higher number of alcoholic beverage licenses is anticipated.

The crime rate numbers are higher than those rates identified for the City. The public safety measures to mitigate nuisance and criminal activities have been incorporated into the grant to assure better oversight including the installation of a surveillance camera. An e-mail received from the Los Angeles Police Department [LAPD] states that the LAPD does not anticipate any problems or issues with an upgrade of a beer and wine license to allow the sale of a full line of alcoholic beverages at the subject premise.

It is further noted that the subject grant is an upgrade of a beer and wine license to allow the sale of a full line of alcoholic beverages for off-site consumption with the sale of beer and wine for on-site consumption for wine tasting events only; therefore, the subject grant will not result in an increase in the total number of alcoholic beverage licenses in the area.

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

The following sensitive uses were observed within a 1,000-foot radius of the subject property:

Congregation Atzel Chaum –	8018 West 3rd Street
Hancock Park Elementary School –	408 South Fairfax Avenue
Youth Academy of Dramatic Arts –	8115 West 3rd Street
Pan Pacific Park –	7600 Beverly Boulevard

No correspondence was received from any of these institutions noted above. The project site is surrounded by commercial uses. As noted, since the site is located in a prime commercial corridor, the diversity amongst the uses is not uncommon. This

grant has placed numerous conditions on the proposed project. Such imposition of conditions, as well as the imposition of a 10-year term grant, will make the use a more compatible and accountable neighbor to the surrounding uses than would otherwise be the case. The Zoning Administrator believes the restrictions established herein will protect any unspoken legitimate interests of those groups.

ADDITIONAL MANDATORY FINDINGS

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas determined to be outside 500-year flood plain.

8. On December 12, 2012, a Mitigated Negative Declaration (ENV 2008-0442-MND-REC) 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 (and identified in this determination), there is no substantial evidence that the proposed project will have a significant effect on the environment (Section 15074, State CEQA Guidelines). I hereby adopt that action. This 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.

SUE CHANG
Associate Zoning Administrator
Direct Telephone No. (213) 978-3304

SC:lmc

cc: Councilmember Tom LaBonge
Fourth District
Adjoining Property Owners

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS
R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
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August 2, 2013

William Jordan (A)
Whole Foods Market
15315 Magnolia Boulevard, #320
Sherman Oaks, CA 91403

Third Fairfax, LLC (O)
6380 Wilshire Boulevard, #800
Los Angeles CA 90048

Lanny Kusaka (R)
TMG Solutions
6733 South Sepulveda Boulevard, #265
Los Angeles, CA 90045

CASE NO. ZA 2012-0690(CUB)
LETTER OF CORRECTION
6350 West 3rd Street
Wilshire Planning Area
Zone : C2-1-O
D. M. : 135B177, 138B177
C. D. : 4
CEQA : ENV 2008-442 -MND(REC1)
Legal Description: Pt. Lot 12, Tract 215

On February 7, 2013, the Zoning Administrator issued a determination authorizing a request pursuant to Los Angeles Municipal Code Section 12.24-W,1, approving:

> a conditional use to permit an upgrade from the sale of beer and wine only to a full line of alcoholic beverages for off-site consumption, and the continued sale and dispensing of beer and wine only for on-site consumption for wine tasting events, in conjunction with an existing food market [Whole Foods] on a property located in the C2 Zone.

On July 12, 2013, the applicant's representative (TMG Solutions, Lanny Kusaka) requested that a correction be issued to permit the operator to conduct instructional tastings of a full line of alcohol in association with the continued operation of an existing full service supermarket (Whole Foods) at the subject location.

The following facts are established in the record:

- The *original* Master Land Use Application (MLUA) and its attachments maintained in case file ZA 2012-0690, dated March 14, 2012, submitted by the applicant/applicant's representative, does not include a request for on-site instructional tastings in association with off-site licensing, full line, or refer to Type 86 licensing.

- The requested correction is consistent with the proposed entitlements considered and approved by the Planning and Land Use Committee of the Mid City West Community Council at their June 5 and June 12, 2012 proceedings.

- Email correspondence from OZA staff to the applicant's representative dated November 26, 2012, as well as notations on the OZA "Case Comments" sheet (dated March 22, 2012, attached to the case file), reflect that interaction occurred between the applicant's representative and OZA staff referencing the "on-site instructional tasting license" prior to the public hearing. The applicant's representative submitted information regarding the ABC Type 86 licensing at the instructional tasting at the Zoning Administrator's public hearing.

- The November 26, 2012 email, "Case Comments", and the Mid-City West Community Council minutes establish the intent of the applicant to seek approval for on-site instructional tasting in association with off-site licensing (via an ABC Type 86 license). Based on that evidence, and not the modified MLUA application form submitted by the applicant with the July 12, 2013 letter, the request for correction to the grant for ZA 2012-0690(CUB) was accepted by the Office of Zoning Administration.

The Zoning Administrator recognizes that evidence in the record substantiates the applicant's intent to include instructional tasting for off-sale licensees (full line of alcohol) as part of the store's operation presented to the Zoning Administrator for consideration of ZA 2012-0690(CUB). The Findings of the grant acknowledged the store's operation with sale and distribution of a full line of alcoholic beverages, stating, "The full line of alcoholic beverages for off-site consumption is in conjunction with a grocery market in which other merchandise items are available for purchase. Permitting the sale of alcoholic beverages as conditioned should not substantially impact the welfare of the area given the stated focus of the store, which is the sale of grocery and general merchandise with the sale of a full line of alcoholic beverages...." The Findings also state that tasting activities would play a secondary role in relation to the store's primary functions. Extending the terms of the grant to include the on-site instructional tasting for off-sale licensees (full-line of alcohol) is consistent with these findings.

Therefore, in consideration of the above-noted facts, the Zoning Administrator hereby revises the grant clause to be shown as follows (new grant terms underlined):

> a conditional use to permit an upgrade from the sale of beer and wine only to a full line of alcoholic beverages for off-site consumption; on-site instructional tasting for off-sale licensees (full line of alcohol); and, the continued sale and dispensing of beer and wine only for on-site consumption for wine tasting events, in conjunction with an existing food market [Whole Foods] on a property located in the C2 Zone.

In order to effectuate this correction to the grant, the applicant shall record with the Los Angeles County Recorder's Office, a covenant and agreement to include this Letter of Correction. A copy of the recorded document(s) shall be submitted to the Office of Zoning Administration for inclusion in the case file ZA 2012-0690(CUB).

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

The *applicant's requested revision* to Condition No. 10 is noted below (with new terms as requested by the applicant underlined), and provides the ABC an opportunity to address

the specific conduct of alcohol sales and distribution in association with the Conditional Use granted by the Zoning Administrator.

> The consumption of alcoholic beverages on the premises shall be limited to wine tasting events for a maximum of 30 attendees during the hours between 12 noon and 10 p.m., daily (beer and wine only), and to instructional tasting on-site (full line of alcoholic beverages) limited to the hours between 12 noon and 9 p.m. daily.

The Zoning Administrator notes that the Office of Zoning Administration implemented a change in formatting and procedure specific to conditions related to alcoholic beverage sales and consumption (March, 2013). In identifying the applicant's requested revisions to Condition No. 10 herein, the Office of Zoning Administration acknowledges the State of California Department of Alcoholic Beverage Control (ABC) as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. Even if such Conditions have been volunteered or negotiated by the applicant, the Office of Zoning Administration and the Zoning Administrator have no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

All other terms and conditions of Case No. ZA 2012-0690(CUB) shall remain as originally granted. Any further modification to the determination may be subject to consideration by the Planning Department pursuant to Los Angeles Municipal Code Section 12.24-M.

LINN K. WYATT
Chief Zoning Administrator
Telephone No. (213) 978-1318

LKW:aln

cc: Department of Alcoholic Beverage Control
888 South Figueroa Street, Room 320
Los Angeles, CA 90010-2339
Department of Building and Safety
201 North Figueroa Street
Los Angeles, CA 90012
STOP 115

DEPARTMENT OF
CITY PLANNING

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DIRECTOR'S DETERMINATION
SITE PLAN REVIEW
WAIVER OF DEDICATION AND IMPROVEMENTS

Determination Issuance Date: February 8, 2022

Last Day to File an Appeal: February 23, 2022

Applicant
Tom Warren
NASH–Holland 3rd & Fairfax Investors, LLC
5000 East Spring Street #500
Long Beach, CA 90815

Owner
TF REG, LLC
6300 Wilshire Boulevard #1800
Los Angeles, CA 90048

Representative
Jim Ries
Craig Lawson & Co., LLC
3221 Hutchison Avenue, Suite D
Los Angeles, CA 90034

Case No.:	DIR-2018-2770-SPR-WDI
Related Case:	N/A
CEQA:	ENV-2018-2771-EIR SCH No. 2019029111
Location:	300-370 South Fairfax Avenue; 6300-6370 West 3rd Street; and 347 South Ogden Drive
Council District:	5 – Koretz
Neighborhood Council:	Mid City West
Community Plan Area:	Wilshire
Land Use Designation:	Community Commercial
Zone:	C2-1-O
Legal Description:	Lot PT 12, Tract TR 215

DETERMINATION – SITE PLAN REVIEW, WAIVER OF DEDICATION AND IMPROVEMENTS

As designee of the Director of City Planning, I hereby:

FIND that pursuant to California Public Resources Code 21081.6 and 21082.1(c), the Director of Planning has reviewed and considered the information contained in the Environmental Impact Report prepared for this project, which includes the Draft EIR, No. ENV-2018-2771-EIR (SCH No. 2019029111) dated February 2021, and the Final EIR, dated December 2021 (3rd and Fairfax Mixed-Use Project EIR), as well as the whole of the administrative record, and

CERTIFY the following:

a. The 3rd and Fairfax Mixed-Use Project EIR has been completed in compliance

with the California Environmental Quality Act (CEQA);

b. The 3rd and Fairfax Mixed-Use Project EIR was presented to the Director of Planning as a decision-making body of the lead agency; and

c. The 3rd and Fairfax Mixed-Use Project EIR reflects the independent judgment and analysis of the lead agency.

ADOPT all of the following:

a. The related and prepared 3rd and Fairfax Mixed-Use Project Environmental Findings; and

b. The Mitigation Monitoring Program prepared for the 3rd and Fairfax Mixed-Use Project EIR.

Pursuant to Los Angeles Municipal Code (LAMC) Sections 16.05 and 12.37-I, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

1. **Approve with Conditions** a Site Plan Review for a project which will result in an increase of more than 50 dwelling units;

2. **Approve with Conditions** a Waiver of Dedication and Improvements to waive the otherwise required dedication and improvements along:

    a. the entirety of the Project Site's frontage on the east side of Fairfax Avenue; and

    b. the westernmost 267'-3" segment of the Project Site's frontage on the south side of 3rd Street as measured from Fairfax Avenue; and

3. **Adopt** the attached Findings.

CONDITIONS OF APPROVAL

Site Plan Review

Pursuant to Sections 16.05 of the LAMC, the following conditions are hereby imposed upon the use of the subject property:

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," dated February 1, 2022 and attached to the subject case file. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions. Changes beyond minor deviations required by other City Departments or the LAMC may not be made without prior review by the Department of City Planning and written approval by the Director of Planning. Each change shall be identified and justified in writing.

2. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects section shall confirm, via signature on the plans, that the project's

building plans substantially conform to the conceptual plans stamped "Exhibit A," dated February 1, 2022.

3. **Building Height.** The project shall be limited to a maximum building height of 100 feet, with limited exceptions for stairwells, elevator shafts, and rooftop structures, etc. as permitted by the LAMC.

4. **Floor Area.** The Project Site shall be limited to a maximum Floor Area Ratio (FAR) of 1.5 to 1.

5. **Screening.** With the exception of vehicle and pedestrian entrances and fresh air intake grilles, above-grade parking levels within the parking garage shall be completely enclosed or wrapped by active uses or landscaping or decorative features along all sides of the building such that no vehicle lights are visible from the public right-of-way or adjacent properties.

    a. Architectural screening of the above-grade parking levels shall complement and be consistent with the materials and design of the building as a whole, such that the project's west, east and south facades are consistent with the exterior materials and design shown in Exhibit A.

6. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.

    a. Trees provided within and along the project's ground-floor open space plaza on the northern frontage with 3rd Street shall be canopy trees, consistent with the Exhibit A landscaping plans. Palm trees are not permitted within or along this 3rd Street ground-floor open space plaza.

7. **Pedestrian Pathway.** Direct pedestrian pathways from the sidewalk to the proposed new mixed-use building shall be provided along 3rd Street.

8. **Pedestrian Paseo.**

    a. The project shall provide a pedestrian paseo from Ogden Drive through the eastern portion of the project site connecting to existing retail uses on the western portion of the project site, in substantial conformance with Exhibit A.

    b. The portion of this pedestrian paseo that passes through the interior of the ground-floor parking garage shall be improved with an arts program, pedestrian-scale lighting, and other such components to create an inviting and pedestrian-friendly environment.

    c. The pedestrian paseo shall remain open and accessible to the public during business operating hours, seven (7) days a week.

    d. Any public original art mural or public art installation shall comply with all applicable City regulations, including Section 22.119 of the Los Angeles Administrative Code and approval from the Department of Cultural Affairs, if deemed necessary.

9. The outdoor plaza area that abuts the west elevation of the new mixed-use building, and located immediately to the south of the vehicular entrance into the above grade parking, shall

be landscaped, shall provide outdoor seating, and shall provide a wood-finished screen wall, consistent with Exhibit A.

10. **Driveways**. The project shall be limited to the maximum number of driveways, loading dock driveways, and vehicular access driveway lanes as shown on Exhibit A. The project may reduce the number and width of the vehicular driveways shown on Exhibit A if approved by the Department of Transportation.

    a. Unless otherwise required by the Department of Transportation, the resident area drop-off vehicular driveway, accessed from Ogden Drive and located immediately to the south of the Lobby/Leasing space as shown on Exhibit A, shall be limited to ingress only and shall not exceed the minimum standard driveway widths required by the Department of Transportation.

11. **Privacy.** The 4th level podium deck shall incorporate a landscaped area along the entire perimeter of its southern façade to maintain privacy for the adjacent school, and no balconies shall be located on the residential units on the southern building façade, as depicted on the "Exhibit A" plans.

12. **Mechanical Equipment.** All mechanical equipment shall be screened from view on all exposed sides.

13. **Lighting.** Outdoor lighting shall be designed and installed with shielding such that the light source does not directly illuminate adjacent properties, the public right-of-way, or the above night skies.

14. **Signage.** On-site signs shall be in conformance with the applicable provisions of the LAMC. No approval of any signage has been granted herein.

15. **Trash.** All trash collection and storage areas shall be located on-site. Trash enclosures shall not be visible from the public right-of-way.

Waiver of Dedication and Improvement

Pursuant to Section 12.37-I of the LAMC, the following conditions are hereby imposed upon the use of the subject property:

16. **Waiver of Dedication and Improvement.**

    a. No dedication or improvements shall be required along:

        i. the entirety of the Project Site's frontage on the east side of Fairfax Avenue; and

        ii. the westernmost 267'-3" segment of the Project Site's frontage on the south side of 3rd Street as measured from Fairfax Avenue; and

    b. All other dedication and/or improvement requirements along 3rd Street and Ogden Drive fronting the Project Site shall be provided in accordance with LAMC 12.37 and the Mobility Plan 2035 street standards to the satisfaction of the City Engineer, including:

i. Remove and reconstruct any damaged or off-grade asphalt concrete pavement along the property frontage.

ii. Repair and/or replace any broken curb and gutter.

iii. Remove and replace any non-ADA compliant sidewalk adjacent to the property with new sidewalk to achieve ADA compliance.

iv. Close any unused driveways.

Environmental Conditions

17. **Implementation**. The Mitigation Monitoring Program (MMP), that is part of the case file and attached as Exhibit B, shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each Project Design Features (PDF) and Mitigation Measure (MM) and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF and MM has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request.

18. **Construction Monitor**. During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of PDFs and MMs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

19. The Construction Monitor shall also prepare documentation of the Applicant's compliance with the PDFs and MMs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the PDFs and MMs within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

20. **Substantial Conformance and Modification**. After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

    The Project shall be in substantial conformance with the PDFs and MMs contained in the MMP. The enforcing departments or agencies may determine substantial conformance with PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the

modifications to or deletion of the PDFs or MMs. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or the other basis for modifying or deleting the PDF or MM, and that the modification will not result in a new significant impact consistent with the requirements of CEQA. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

Administrative Conditions

21. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.

22. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.

23. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.

24. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.

25. **Corrective Conditions.** 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 or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers' opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

26. **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 assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

27. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the LAMC, Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code

compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

28. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.

29. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.

30. **Indemnification and Reimbursement of Litigation Costs.**

    Applicant shall do all of the following:

    (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

    (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out, in whole or in part, of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

    (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

    (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

    (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

    The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

PROJECT BACKGROUND

The Project Site is located at 300-370 South Fairfax Avenue, 6300-6370 West 3rd Street, and 347 South Ogden Drive. It is comprised of seven legal lots totaling approximately 327,121 square feet of area (7.51 acres) and is generally bounded by 3rd Street to the north, Ogden Drive to the east, Hancock Park Elementary School to the south, and Fairfax Avenue to the west. The proposed Development Site occupies the eastern portion of the Project Site and includes 137,280 square feet (3.15 acres) of lot area.

Primary street access is provided by Fairfax Avenue, 3rd Street, and Ogden Drive. Fairfax Avenue, which borders the Project Site to the west, is a two-way street providing two travel lanes in each direction. Within the Project area, Fairfax Avenue is classified as an Avenue II roadway in the Mobility Plan 2035. 3rd Street, which borders the Project Site to the north, is a two-way street providing two to three travel lanes in each direction and is also designated as an Avenue II within the Project area. Ogden Drive, which borders the Project Site to the east, is a two-way street providing one travel lane in each direction and is a Standard Local Street.

The Project Site is currently developed with five commercial and retail buildings with an ancillary surface parking lot. The existing structures within the Project Site have a combined floor area of approximately 214,736 square feet. The westerly portion of the Project Site is currently developed with 63,688 square feet of commercial retail uses, while the easterly portion of the Project Site (the Development Site) is currently developed with 151,048 square feet of commercial retail uses. The remainder of the Project Site is improved with an existing paved surface parking lot containing a total of 497 spaces, of which 237 spaces are located on the eastern portion and 260 spaces are located on the western portion. Vehicular access to the Project Site is provided via two driveways on the east side of Fairfax Avenue (one providing access to the main parking lot and one to the loading driveway), two driveways on the south side of 3rd Street (providing access to the main parking lot), and two driveways on the west side of Ogden Drive (one providing access to the surface parking lot and one providing access to the loading driveway).

On the western portion of the Project Site, a one-story building, containing approximately 14,496 square feet, is occupied by a CVS pharmacy/drug store. South of the CVS pharmacy building is an adjacent one-story retail building containing approximately 1,746 square feet, and a separate storage shed with approximately 900 square feet. The retail space east of the CVS pharmacy building is occupied by a 40,104 square foot Whole Foods grocery store. In addition, there is a one-story bank, containing approximately 6,442 square feet located at the corner of Fairfax Avenue and 3rd Street. All of these uses on the western portion of the Project Site would remain.

On the eastern portion of the Project Site, there is a two-story commercial building with a basement that contains approximately 131,873 square feet and was occupied by a Kmart store that closed in November 2018. There is also a combined outdoor patio space and 19,175 feet of retail shops between the Whole Foods building and the remaining retail buildings. All these existing uses on the eastern portion of the Project would be demolished. The Project would also involve the partial demolition of the existing surface parking lot located on the Development Site.

The Project would then involve the construction of an eight-story, 100-foot-tall, mixed-use building containing up to 83,994 square feet of new commercial space and 331 residential dwelling units for a total new floor area of 426,994 square feet within the Development Site. The new commercial uses would occupy two stories within the mixed-use development, while the residential units (comprised of a mix of studio, one-bedroom, two-bedroom, and three-bedroom units) would be located on Levels 4 through 8, above the proposed commercial/retail spaces and parking podium.

The Project would also include residential amenities including, but not limited to, a residential lobby, mail and parcel area, leasing office, outdoor courtyards, pool deck, and amenity rooms. Level four would provide two common open space courtyards on the southern portion of the building. The southernmost courtyard would feature a pool and hot tub, multiple grills and outdoor dining areas as well as an outdoor fitness area that connects with a two-story gym through sliding partitions. The second courtyard on level four has a westward orientation and provides tenants with an outdoor yoga space on the interior portion, while the middle section of this courtyard would be programmed for outdoor co-working. At the end of the east courtyard overlooking the shopping center, the court includes a grill, fire pit and outdoor dining seating areas as one approaches the exterior. Level five has two courtyards which are primarily oriented north. The easternmost courtyard on level five has a variety of small to mid-size gathering spaces interspersed among multiple fire pits, a BBQ and dining area, reading nooks and landscaping. The second courtyard connects with the clubhouse and kitchen and is primarily designed for group gatherings though multiple BBQ and dining areas, larger fire pits and seating, ping pong table, and seating along the northern exterior to enjoy views. The outdoor patio on level seven would provide also views of the Hollywood Hills to the north and beach cities to the west with BBQ and dining area groupings as well fire pits and seating areas.

Parking for the Project would be provided on the Development Site within three levels of above-grade parking and two levels of subterranean parking with a total of 996 spaces. In addition to vehicular parking areas, the below grade parking garage would house building mechanical equipment, service areas, long-term bicycle parking and bike maintenance areas. Access to the parking garage would be provided via three driveways on the westerly side of Ogden Drive and an ingress/egress connection from the Development Site parking garage to the existing surface parking lot on the west side of the Project Site. The southerly driveway on Ogden Drive would provide access to the parking structure and the southerly service driveway for loading purposes. Access to the surface parking areas within the western portion of the Project Site would continue to be provided via one driveway each along Fairfax Avenue and 3rd Street.

In conjunction with the existing 63,688 square feet of existing commercial and retail uses to remain on the western portion of the site, after development of the Project, the Project Site would total approximately 147,682 square feet of commercial retail space (63,688 square feet of existing commercial retail space to remain on the western portion of the Project Site, plus 83,994 square feet of new commercial retail space on the Development Site), for a total of 490,682 square feet of both commercial and residential development, resulting in a Floor Area Ratio (FAR) of 1.5 to 1. The total amount of parking provided within the Project Site after development of the Project would be 1,146 automobile parking spaces and 258 bicycle parking spaces.

In order to develop the proposed project, the applicant is requesting a Site Plan Review (SPR) for a project which will result in an increase of more than 50 dwelling units, as well as a Waiver of Dedication and Improvements (WDI) to waive the dedication and improvement requirements along Fairfax Avenue abutting the entirety of the Project Site as well as the westernmost 267'-3" segment of 3rd Street as measured from Fairfax Avenue, for the frontages along the portion of the Project Site which contains the existing development to remain.

The Project Site is located within the Wilshire Community Plan Area. The adopted Community Plan designates the subject property for Community Commercial land uses corresponding to the CR, C2, C4, P, PB, RAS3, RAS4, P, and PB Zones. The subject property is zoned C2-1-O and is thus consistent with the existing land use designation. The site is located within an "O" Oil Drilling Supplemental Use District where the drilling of oil wells or the production from the wells of oil, gases, or other hydrocarbon substances is permitted pursuant to LAMC Section 13.01. However, neither the existing or proposed uses involve oil drilling or production. As such, the provisions of said code section do not apply to the Project Site. The site is located within a City of Los Angeles Transit Priority Area; it is not located within any specific plan, community design overlay, or interim control ordinance.

The properties surrounding the Project Site include commercial/retail uses, multi-family residential uses, a school, offices, and surface parking lots. Properties to the north of 3rd Street are zoned C2-2D-O with a General Plan Land Use designation of Community Commercial, similar to the Project Site, and developed with the Original Farmers Market, comprised of one- to two-story commercial buildings and a surface parking lot, and the Grove, comprised of one- to three-story commercial buildings and an eight-level parking lot. Properties to the west of S. Fairfax Avenue are zoned C2-1VL-O and C2-1LD-O with a General Plan Land Use designation of Neighborhood Office Commercial and developed with the Writer's Guild office building. Properties further to the west are zoned R2-1-O, [Q]R3-1-O, and R3-1-O with a General Plan Land Use designation of Medium Residential and developed with residential uses. Properties to the east of Ogden Drive are zoned [Q]C2-2D with a General Plan Land Use designation of Community Commercial, similar to the Project Site, and developed with a one-story commercial building with surface parking lots and four five-story multi-family residential buildings. Properties to the southeast are zoned RD1.5-1-O with a General Plan Land Use designation of Medium Residential and developed with five-story multi-family residential buildings (Park La Brea housing complex). The property immediately abutting the Project Site to the south is the Hancock Park Elementary School, comprised of one- to two-story buildings. The elementary school is zoned PF-1XL-O with a General Plan Land Use designation of Public Facilities. Properties further south, across Colgate Avenue are zoned RD1.5-1-O with a General Plan Land Use designation of Low Medium II Residential and are developed with two-story, townhome style multi-family residential buildings (Park La Brea housing complex).

Streets and Circulation

Fairfax Avenue, adjoining the subject property to the west, is an Avenue II under the Mobility Plan 2035, which has a designated 86-foot right-of-way width (43-foot half right-of-way), including a 56-foot roadway (28-foot half roadway) and 15-foot sidewalks. The portion of Fairfax Avenue adjoining the project site is improved with a 30-foot half right-of way, as measured from its centerline. The Applicant has requested a WDI to waive all dedication and improvements along Fairfax Avenue. No new development will be located along this frontage.

3rd Street, adjoining the subject property to the north, is an Avenue II under the Mobility Plan 2035, which has a designated 86-foot right-of-way width (43-foot half right-of-way), including a 56-foot roadway (28-foot half roadway) and 15-foot sidewalks. The portion of 3rd Street adjoining the project site is improved with a 30-foot half right-of-way, as measured from its centerline. The Applicant has requested a WDI to limit this dedication to the easternmost 381'-8" segment of the Project Site abutting the Development Site as measured from Ogden Drive and waive dedication and improvements along the westernmost 267'-3" segment of 3rd Street, as measured from Fairfax Avenue. No new development will be located along this portion of the frontage requesting a WDI.

Ogden Drive, adjoining the subject property to the east, is a Local Street - Standard, with required 60-foot right-of-way (30-foot half right-of-way), including a 36-foot roadway (18-foot half roadway) and 12-foot sidewalks. The portion of Ogden Drive adjoining the project site is currently improved with a 37.5-foot half right-of-way.

SITE PLAN REVIEW FINDINGS

1. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.

The elements in the General Plan establish policies and provide the regulatory environment for managing the city and for addressing concerns and issues. The majority of the policies derived from the elements in the General Plan are in the form of Code Requirements, which collectively form the LAMC. With the exception of the requested waiver of street dedication and improvements herein, the project does not propose to deviate from any of the requirements of the LAMC.

General Plan Framework

The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide polices regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives, and policies relevant to the Proposed Project:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources,

conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more livable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses and visitors.

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

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

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

Goal 5A: A livable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

Objective 5.2: Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

Policy 5.2.2: Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed

and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime. Additionally, develop these areas so that they are compatible with surrounding neighborhoods.

Policy 5.2.3: Encourage the development of housing surrounding or adjacent to centers and along designated corridors, at sufficient densities to support the centers, corridors, and the transit system.

The proposed mixed-use Project supports the needs of the City's existing and future residents by providing 331 new dwelling units designed in a variety of configurations and sizes to serve the needs of the City. The new residents would be located near some of the region's most frequented retail, dining, and entertainment destinations, job opportunities, and a variety of transit options, including the Metro Rapid Bus Line on Fairfax Avenue and several Metro Bus Lines on Fairfax Avenue and 3rd Street. The bus lines on Fairfax Avenue are accessible to the employment center located along Wilshire Boulevard in addition to the future Metro Rail Station to be located approximately one-half mile away at Fairfax Avenue and Wilshire Boulevard. These transit options afford residents the opportunity to reduce vehicular trips and vehicle miles traveled. The neighborhood surrounding Fairfax Avenue and 3rd Street is developed with commercial businesses that serve the community. The existing commercial and mixed-use neighborhood would be conserved and enhanced with the development of multi-family housing in a mixed-use development. The Project would not demolish any existing dwelling units and would be buffered from nearby residentially zoned neighborhoods by immediately surrounding, non-residential uses. The Project would be built to scale with the surrounding neighborhood, which is planned to facilitate and encourage this type of mixed-use development. All of these factors combined contribute toward and facilitate the City's long-term economic viability and vision of a more livable city.

Land Use Element – Wilshire Community Plan

The Project Site is located within the Wilshire Community Plan Area. The adopted Community Plan designates the subject property for Community Commercial land uses corresponding to the CR, C2, C4, P, PB, RAS3, RAS4, P, and PB Zones. The subject property is zoned C2-1-O and is thus consistent with the existing land use designation. The site is located within an "O" Oil Drilling Supplemental Use District where the drilling of oil wells or the production from the wells of oil, gases, or other hydrocarbon substances is permitted pursuant to LAMC Section 13.01. However, neither the existing or proposed uses involve oil drilling or production. As such, the provisions of said code section do not apply to the Project Site. The Project Site is not located within any specific plan or community design overlay.

The uses proposed as part of the requested development, including multi-family residential and commercial and retail space, are all permitted in the C2 Zone. In conjunction with the requests herein, the project would be in substantial conformance with the General Plan as it is reflected within the Wilshire Community Plan. The development of the project represents the opportunity to achieve the overarching goals, objectives, and policies of the Wilshire Community Plan, as follows:

Goal 1: Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Wilshire community.

Objective 1-1: Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.

Policy 1-1.1: Protect existing stable single family and low density residential neighborhoods from encroachment by higher density residential uses and other uses that are incompatible as to scale and character, or would otherwise diminish quality of life.

Policy 1-1.3: Provide for adequate Multiple Family residential development.

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

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

Policy 1-4.1: Promote greater individual choice in type, quality, price and location of housing.

Policy 1-4.2: Ensure that new housing opportunities minimize displacement of residents.

Policy 1-4.3: Encourage multiple family residential and mixed use development in commercial zones.

The creation of 331 dwelling units on a site that is primarily occupied by surface parking areas and outdated commercial buildings results in a development that provides a safe and secure environment by activating the streets with a 24-hour per day population. The new 331 units would provide a supply of much needed housing to meet the needs of a diverse group of potential residents in proximity to several public transit options. The availability of convenient public transit is likely to encourage many residents to reduce their vehicular trips while affording easy access to employment centers, schools, shopping, entertainment and dining opportunities.

Goal 2: Encourage strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire community through well-designed, safe and accessible areas, while preserving historic and cultural character.

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

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

Policy 2-1.2: Protect existing and planned commercially zoned areas, especially in Regional Commercial Centers, from encroachment by standalone residential development by adhering to the community plan land use designations.

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

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

The commercial component of the mixed-use project would promote the economic vitality and serve the needs of the Wilshire Community. The proposed development of the mixed-use project would protect this commercially zoned area from a stand-alone residential development. The presence of residents in 331 new residential units in a mixed-use project would, however, preserve and strengthen viable commercial development and create new opportunities for retail businesses that would serve the existing neighborhood and support the needs of new local residents, while remaining compatible with the neighborhood. Introducing a new mixed-use project with residential units and retail spaces would serve to promote a distinctive commercial district while simultaneously stimulating pedestrian activity and street activation. The Project would replace an outdated commercial center and surface parking with 83,994 square feet of newly constructed commercial, retail and restaurant space within a modern mixed-use building, thereby strengthening viable commercial development and encouraging a strong and competitive commercial sector within a commercially-zoned parcel. Moreover, the Project would enhance the pedestrian-oriented environment by removing a significant portion of the surface parking and replacing it with a new commercial building oriented to the street.

Housing Element

The Housing Element of the General Plan will be implemented by the recommended action herein. The Housing Element is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element contains the following goals and objectives:

Goal 1: A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.

Objective 1.2: Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.

Policy 1.2.2: Facilitate the construction of a range of different housing types that addresses the particular needs of the city's diverse households.

The Housing Element encourages new construction of a range of different housing types that address the needs of the City's diverse households. The proposed development included a mix of unit typologies from studios to three-bedroom units geared to various income levels and generations on a site that currently does not provide any housing. The Project would preserve existing housing stock, as it would not demolish any existing dwelling units or displace existing residents.

Mobility Element

The Mobility Plan 2035 (Adopted August 11, 2015) is "*an update to the City's General Plan Transportation Element (last adopted in 1999)*" … and, "… *incorporates 'complete streets' principles and lays the policy foundation for how future generations of Angelenos interact with their streets.*" (Mobility Plan 2035, Page 13). In conjunction with the approval of the requested Waiver of Dedication and Improvements, the project would continue to observe right-of-way improvements consistent with abutting development along 3rd Street, Fairfax Avenue, and Ogden Drive.

Furthermore, the project meets the following goals and objectives of Mobility Plan 2035:

Policy 2.3: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

The project would encourage pedestrian activity as a result of the commercial space to be located on the ground floor. The design of the project would enhance the pedestrian experience with landscaping, open space and other improvements, resulting in a safe and comfortable walking environment for area residents and visitors.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.4: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

Policy 3.5: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project's proximity to existing Metro Rapid and Local bus routes as well as future Metro rail will reduce vehicular trips to and from the project, vehicle miles traveled, and improve air pollution; and its ground floor treatment will encourage pedestrian activity within an active commercial district through pedestrian-friendly design. In addition, the project will provide Code-required bicycle parking supporting "first-mile, last-mile solutions", enabling residents and visitors improved access to the project. The project site is also situated in a location with proximate access to numerous jobs, destinations, and other neighborhood services, including The Grove and other nearby retail uses along 3rd Street and Fairfax Avenue

As such, the project is in substantial conformance with the purposes, intent and provisions of the General Plan and Wilshire Community Plan.

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

The Project would involve the construction and operation of a new mixed-use development within the eastern portion of an existing shopping center site that is currently developed with retail and commercial uses and surface parking. The proposed development activities would be limited to the eastern portion of the Project Site and include the demolition of 151,048 square feet of existing retail uses and the construction of a mid-rise, eight-story mixed-use structure with two levels of subterranean parking, for a maximum height of 100 feet. The residential component of the Proposed Project would include up to 331 multi-family dwelling units and 83,994 square feet of newly developed commercial space for a total new floor area of 426,994 square feet. The western portion of the Project Site would remain and is not proposed to be demolished, altered, or developed as part of the Project.

The Project will be compatible with existing and future development on neighboring properties, which include commercial/retail uses, multi-family residential uses, a school, offices, and surface parking lots. The Project Site is in a heavily urbanized area developed with a variety of other similar and compatible uses and is zoned and designated to allow

the uses proposed. Accordingly, the project has been designed such that its significant features and improvements will be compatible with the surrounding area, as follows:

Height, Bulk, and Setbacks

Arrangement of the Project's building and site features, including bulk, massing, height, and setbacks, will be compatible with surrounding development. The Project comprises an eight-story building with 331 dwelling units, approximately 83,994 square feet of commercial space, two subterranean parking levels, and three above-grade parking levels with frontage along Fairfax Avenue, 3rd Street, and Ogden Drive.

In terms of bulk and massing, the Project will be arranged in a manner similar to other development in its vicinity. Projects in this area, such as Palazzo or Villas at Park La Brea, are mid-rise structures with their residential floor area evenly distributed across their lots. This Project will follow a similar arrangement. The building's frontage on 3rd Street will mostly feature pedestrian-oriented, low-rise, small-scale retail, a typology already seen immediately to the west of the Project Site along 3rd Street. Set back across the landscaped parking lot from the street frontages will be larger-format retail stores, situated in a manner similar to other larger stores in the immediate area such as Ross, The Container Store, and the property as it exists currently. Its massing is broken by variety in articulation and materiality.

The Project provides a 30-foot side yard along the southern property line where the Development Site abuts the neighboring elementary school. This exceeds the LAMC requirement for an 11-foot side yard for the proposed development. In addition, the Project is conditioned to provide a landscaped buffer at the fourth floor outdoor residential area abutting the school, and is prohibited from allowing south-facing balconies along the southern façade, in order to provide additional buffering and privacy for the school. In accordance with the mixed-use yard exception outlined in LAMC Section 12.22-A,18(c)(3), the Project is not required to have, and will not provide, front yards along Fairfax Avenue and Ogden Drive and a side yard along 3rd Street where the Project faces the street.

Off-Street Parking Facilities and Loading Areas

The Project meets the automobile parking requirements of the Code and provides all of its 996 automobile parking spaces on-site. While some of the existing retail surface parking will remain, the automobile parking spaces serving the new mixed-use building will be located below-grade or, where they are above-grade, will be blocked from exterior view by retail uses, residential uses, or screening. In addition, the Project will provide an internal pedestrian paseo running from Ogden Drive through the Development Site connecting to the existing retail to remain on the western portion of the Project Site. This paseo will improve pedestrian permeability and accessibility of the Project Site. As conditioned, the paseo will also provide pedestrian-friendly components to activate the portion which traverses through the above-grade parking garage such as an arts program and pedestrian-scaled lighting.

Long-term residential and commercial bicycle parking spaces will be secured in the first subterranean P1 level. Short-term bicycle parking spaces will be located at the residential entrance and along retail frontages to be consistent with LAMC bicycle parking regulations.

The two new loading areas (both with trash pick-up) will be located next to each other on-site and accessible from Ogden Drive. These areas are situated to minimize visibility from surrounding properties to the greatest extent feasible. Locating these areas on-site will minimize disruptions to traffic flow, as service trucks will be parked within the Project and not on the street.

Lighting

Lighting will be provided per LAMC requirements. The project is conditioned to provide outdoor lighting that shines downward, is installed with shielding, and is directed on the Project Site, so that the light source does not directly illuminate any adjacent properties or the above night skies.

Landscaping

The Project is designed to comply with all landscaping requirements of the LAMC. As shown on the "Exhibit A" plans, landscaping elements would be incorporated into the ground floor areas fronting 3rd Street, Ogden Drive and within the courtyard between the mixed-use building and the existing retail uses to remain on the western portion of the Project Site. Landscaped residential open space areas would also be provided within the 4th, 5th, and 7th Levels of the proposed building. Additionally, all open areas not used for buildings, driveways, parking areas, recreational facilities or walkways are to be landscaped and maintained in accordance with a landscape plan to be approved by the Director of Planning or their designee, as conditioned.

Trash Collection

Trash enclosures will be located on the ground floor near the commercial loading areas and will be entirely enclosed and on-site. The location of the trash enclosures facilitates street access along Ogden Drive while minimizing potential impacts on neighboring properties and, accordingly, will not adversely affect existing and future development nearby.

For the reasons stated above, the Project and its pertinent improvements will be compatible with existing and future development on neighboring properties.

3. Any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.

The Proposed Project will redevelop the site with 331 residential dwelling units consisting of a combination of studio, one-bedroom, two-bedroom, and three-bedroom units. Pursuant to LAMC Section 12.21-G, the project is required to include 37,225 square feet of usable open space and is providing that amount. Common open space will include outdoor courtyards, a roof deck, a pool deck, and amenity rooms. Private open space will be provided via residential balconies, although these areas are not counted in order to meet the minimum LAMC residential open space requirements. Additionally, a minimum of 25 percent of open space would be landscaped with a variety of drought-tolerant plant species and 83 on-site trees would be provided (at a ratio of one tree for every four dwelling units) in accordance with LAMC requirements.

As shown on the "Exhibit A" plans, landscaping elements would be incorporated into the ground floor areas fronting 3rd Street, Ogden Drive and within the courtyard between the mixed-use building and the existing retail uses on the Project Site. Landscaped residential open space areas would be provided within the 4th, 5th, and 7th Levels of the proposed building. The 4th Level roof deck would be improved with residential amenities including a swimming pool and poolside deck areas. The southern portion of the 4th Level roof deck would include a setback from the southern building edge and a landscaped screening element to reduce noise and screen views onto the neighboring school playground. The 5th Level roof deck provides two courtyards surrounded by the residential units and overlooks 3rd Street with a terrace on the western façade. The Level 7 roof deck would be positioned to the north, fronting 3rd Street and would include outdoor tables and lounge areas. Additionally, the ground floor level provides hardscaped and pedestrian pass-through access, separated from parking areas for safety, from Ogden Drive to the new uses on the Development Site.

As proposed, the Project will be providing open space compliant with the zoning code and has programmed the spaces to take into consideration the varying recreational needs of the future residents of the proposed building. As such, the project has provided recreational and service amenities to improve the habitability for its residents and minimize impacts on neighboring properties.

WAIVER OF DEDICATION AND IMPROVEMENT FINDINGS

4. Pursuant to LAMC Sections 12.37-I,2(b) and 12.37-I,3, the Director may waive, reduce or modify the required dedication or improvement as appropriate after making any of the following findings, based on substantial evidence in the record:

a. The dedication or improvement requirement does not bear a reasonable relationship to any prcject impact;

b. The dedication or improvement is not necessary to meet the City's mobility needs for the next 20 years based on the guidelines the Street Standards Committee has established; or

c. The dedication or improvement requirement is physically impractical.

In this case, the Director can make both Findings "a" and "c" even though only one finding is required pursuant to the LAMC to grant the requested WDI. The Director finds, based on substantial evidence in the record that:

a. **The dedication or improvement does not bear a reasonable relationship to any project impact.**

The Project construction and operation would only occur within a 3.51-acre portion of the 7.15-acre Project Site, on the eastern half of the Project Site. The development footprint and extent of physical disturbances associated with the discretionary approvals would remain solely within the 3.51-acre Development Site boundary, located along Odgen Drive, and the eastern portion of 3rd Street. The western half of the Project Site, however, would remain and is not proposed to be demolished, altered, or developed as part of the Project.. No development would occur along the Fairfax Avenue frontage or the western portion of the 3rd Street frontage. Due to the large scale of the single 7.15-acre lot, it would be unreasonable to require street dedications

and improvements for over 536 linear feet of frontage on Fairfax Avenue and 267 linear feet of frontage on 3rd Street, where no Project development is occurring. Accordingly, the Project should only be subject to all applicable improvement requirements along the Development Site, including those areas adjacent to the new structures and along the roadway frontages on Ogden Drive (418'-7" linear feet) and a portion of 3rd Street (381'-8" linear feet). These dedication and improvement areas bear a reasonable relationship to the Project and therefore would be fulfilled as part of any Project permitting requirements.

The Draft EIR analyzed all impacts associated with the Project and determined that it would have no significant environmental effects relating to traffic, circulation, transit operations, or pedestrian movements. The Draft EIR considered that the western portion of the Project Site – including the sidewalks and street frontages – would remain as is and would not be demolished, altered, or developed as part of the Project. The Draft EIR contains substantial evidence and concluded that the Project has no significant impacts on the environment and does not otherwise impact the western portion of the site. Therefore, the dedication or improvement requirement (for the western portion of the site) does not bear a reasonable relationship to any Project impact; dedication and improvement requirements need not apply to such portion of the Project Site.

c. **The dedication or improvement requirement is physically impractical.**

The Project would not modify any structures on the western portion of the 7.15-acre site or change any existing conditions of the sidewalks or public rights-of-way. The existing structures, setback and frontage conditions would remain as is, including the placement of existing structures located along Fairfax Avenue and the western portion of the 3rd Street. Therefore, the dedications along Fairfax Avenue and the western stretch of 3rd Street, abutting the portion of the Project Site outside of the Development Site, are physically impractical because some of the existing structures would be located in areas subject to street dedication and improvement. Both frontages contain existing buildings and site features that would be located within the otherwise required 13-foot dedication areas along Fairfax Avenue and 3rd Street and, thus, physically prevent implementation of consistent right-of-way widenings or improvements. These buildings and site features include the retail building housing CVS pharmacy (fronting Fairfax Avenue at the southwest corner of the site), the bank building housing Citibank (fronting Fairfax Avenue and 3rd Street at the northwest corner of the site), and existing parking, hardscape, and landscape areas. In order to accommodate the dedications and improvements, either the structures and improvements would need to be demolished or removed, or dedicated areas would need to be created a sawtooth configuration and inconsistent width to accommodate each existing building. Therefore, the dedication and improvement requirements in this area are physically impractical.

ENVIRONMENTAL FINDINGS

CEQA FINDINGS

I. Introduction.

This Environmental Impact Report (EIR), consisting of the Draft EIR and the Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and environmental impacts of the 3rd and Fairfax Mixed-Use Project (Project or Proposed Project). The Project is located at 300-370 South Fairfax Avenue; 6300-6370 West 3rd Street; and 347 South Ogden Drive, Los Angeles, California 90036 (Project Site). The Project Site is currently developed with retail and commercial uses known as the Town & Country Shopping Center (Center or Project Site). The Project would redevelop the eastern portion of the Center, which is referred to in the EIR as the Development Site. The Project would include the demolition of 151,048 square feet of existing retail uses and the construction of a mid-rise, eight-story mixed-use structure with 331 multi-family dwelling units and 83,994 square feet of newly developed commercial space for a total new floor area of 426,994 square feet. The western portion of the Project Site would remain, and is not proposed to be demolished, altered, or developed as part of the Proposed Project.

The City of Los Angeles (City), as Lead Agency, has evaluated the environmental impacts of implementation of the Project by preparing an environmental impact report (EIR) (Case Number ENV-2018-2771-EIR/State Clearinghouse No. 2019029111). The EIR was prepared in compliance with the California Environmental Quality Act of 1970 (CEQA), Public Resources Code (PRC) Section 21000 et seq. and the California Code of Regulations Title 15, Chapter 6 (CEQA Guidelines). The findings discussed in this document are made relative to the conclusions of the EIR.

CEQA Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." CEQA Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in CEQA Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See CEQA Section 21081[a]; CEQA Guidelines Section 15091[a].) For each significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding, based on substantial evidence in light of the whole record, reaching one or more of the three possible findings, as follows:

1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR.
2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been, or can or should be, adopted by that other agency.

3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts analyzed in the Final Environmental Impact Report for the Project as fully set forth therein. Although Section 15091 of the CEQA Guidelines does not require findings for environmental impacts that an EIR identifies as merely "potentially significant" or "less than significant", the findings below nevertheless account for such effects identified in the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each environmental issue analyzed in the EIR, the following information is provided, where applicable:

The findings provided below include the following:

- Description of Significant Effects - A description of the environmental effects identified in the EIR.
- Project Design Features - A list of the project design features or actions that are included as part of the Project.
- Mitigation Measures - A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts.
- Finding - One or more of the three possible findings set forth above for each of the significant impacts.
- Rationale for Finding - A summary of the rationale for the finding(s).
- Reference - A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings based on substantial evidence, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's benefits rendered acceptable its unavoidable adverse environmental effects. (CEQA Guidelines Sections 15093, 15043[b]; see also CEQA § 21081[b].) As demonstrated in the Draft EIR and Final EIR, after implementation of feasible mitigation measures, the Project does not result in any significant and unavoidable impacts and therefore the City is not required to adopt a statement of overriding consideration in this case.

II. Environmental Review Process.

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes (but is not limited to) the following documents:

Initial Study. The Project was reviewed by the City of Los Angeles Department of City Planning (Lead Agency) in accordance with the requirements of the CEQA (PRC 21000 et seq.). The City prepared an Initial Study in accordance with Section 15063(a) of the State CEQA Guidelines.

Notice of Preparation. Pursuant to the provisions of Section 15082 of the State CEQA Guidelines, the City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 30-day period commencing on February 20, 2019 and ending on March 22, 2019. The NOP also provided notice of a Public Scoping Meeting held on March 6, 2019. The purpose of the NOP and Public Scoping Meeting was to formally inform the public that the City was preparing a Draft EIR for the Project, and to solicit input regarding the

scope and content of the environmental information to be included in the Draft EIR. Written comment letters responding to the NOP and the Scoping Meeting were submitted to the City by various public agencies, interested organizations and individuals. The NOP and Initial Study are included in Appendix A of the Draft EIR. The NOP comment letters are included in Appendix B of the Draft EIR.

Draft EIR. The Draft EIR evaluated in detail the potential effects of the Project. It also analyzed the effects of a reasonable range of alternatives to the Project, including a "No Project" alternative. The Draft EIR for the Project (State Clearinghouse No. 2019029111) incorporated herein by reference in full, was prepared pursuant to CEQA and State, Agency, and City CEQA Guidelines (City of Los Angeles California Environmental Quality Act Guidelines). The Draft EIR was circulated for a 45-day public comment period beginning on February 11, 2021 and ending on March 29, 2021. A Notice of Availability (NOA) was distributed on February 11, 2021 to all property owners within 500 feet of the Project Site and interested parties, which informed them of where they could view the document and how to comment. The Draft EIR was available to the public at the City of Los Angeles, Department of City Planning. A copy of the document was also posted online at https://planning.lacity.org and notices were filed with the County Clerk.

Notice of Completion. A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse for distribution to State Agencies on February 10, 2021 and notice was provided in newspapers of general and/or regional circulation.

Final EIR. The City released a Final EIR for the Project on December 29, 2021, which is hereby incorporated by reference in full. The Final EIR constitutes the second part of the EIR for the Project and is intended to be a companion to the Draft EIR. The Final EIR also incorporates the Draft EIR by reference. Pursuant to Section 15088 of the CEQA Guidelines, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Section II, Responses to Comments, of the Final EIR. On December 29, 2021 responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the EIR pursuant to CEQA Guidelines Section 15088(b). Notices regarding availability of the Final EIR were also sent to anyone who commented on the Draft EIR, and interested parties.

III. Record of Proceedings.

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes (but is not limited to) the following documents and other materials that constitute the administrative record upon which the City approved the Project. The following information is incorporated by reference and made part of the record supporting these Findings of Fact:

- All Project plans and application materials including supportive technical reports;
- The Draft EIR and Appendices, and Final EIR and Appendices, and all documents relied upon or incorporated therein by reference;
- The Mitigation Monitoring Program (MMP) prepared for the Project;
- The City of Los Angeles General Plan and related EIR;
- The Southern California Association of Governments (SCAG)'s 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and related EIR (SCH No. 2019011061));

- Municipal Code of the City of Los Angeles, including but not limited to the Zoning Ordinance and Subdivision Ordinance;

- All records of decision, resolutions, staff reports, memoranda, maps, exhibits, letters, minutes of meetings, summaries, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project;

- Any documents expressly cited in these Findings of Fact, in addition to those cited above; and

- Any and all other materials required for the record of proceedings by PRC Section 21167.6(e).

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City has based its decision are located in and may be obtained from the Department of City Planning, as the custodian of such documents and other materials that constitute the record of proceedings, located at the City of Los Angeles, Figueroa Plaza, 221 North Figueroa Street, Room 1350, Los Angeles, CA 90012.

In addition, copies of the Draft EIR and Final EIR are available on the Department of City Planning's website at https://planning.lacity.org/development-services/eir (to locate the documents, search for either the environmental case number or project title in the Search Box). The Final EIR is also available at the following four Library Branches:

- Los Angeles Central Library—630 West Fifth Street, Los Angeles, CA 90071
- Fairfax Branch Library - 161 S. Gardner Street, Los Angeles, CA 90036
- John C. Fremont Branch Library, 6121 Melrose Avenue, Los Angeles, CA 90038
- Memorial Branch Library, 4625 W. Olympic Boulevard, Los Angeles, CA 90019

IV. Project Description The Proposed Project would involve the construction and operation of a new mixed-use development within the eastern portion of the existing Town & Country Shopping Center (Center or Project Site) that is currently developed with retail and commercial uses. The proposed development activities would be limited to the eastern portion of the Center (referred to as the Development Site in the Draft EIR) and would include the demolition of 151,048 square feet of existing retail uses and the construction of a mid-rise, eight-story mixed-use structure with two levels of subterranean parking, for a maximum height of 100 feet. The residential component of the Proposed Project would include up to 331 multi-family dwelling units and 83,994 square feet of newly developed commercial space for a total new floor area of 426,994 square feet. The western portion of the Project Site would remain and is not proposed to be demolished, altered, or developed as part of the Proposed Project. In conjunction with the existing 63,688 square feet of commercial and retail uses to remain, the Project Site would include approximately 147,682 square feet of commercial retail space, for a total of 490,682 square feet of development and a Floor Area Ratio (FAR) of 1.5 to 1.

V. No Impact or Less than Significant without Mitigation

Impacts of the Project that were determined to have no impact or be less than significant in the EIR (including having a less than significant impact as a result of implementation of project design features and compliance with existing regulations) and that require no mitigation are identified below. The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by the Project and therefore, no additional findings are needed. The following information does not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR.

Impact Summary

Aesthetics
The Proposed Project qualifies as an infill project within a transit priority area (TPA), as defined by SB 743 and confirmed by ZI File No. 2452, and accordingly, any potential aesthetics impacts of the Proposed Project are not considered to be significant. (Refer to the Initial Study, Section 4(I) Aesthetics, checklist questions (a) through (d), at pages 40-43.)

Agriculture and Forestry Resources
The Initial Study concluded that because no farmland or agricultural activity exists on the Project Site, nor are there any farmland, agricultural, or forestland activities in the vicinity of the Project Site, no impact to agricultural lands or forestry resources would occur. (Refer to the Initial Study, Section 4(II) Agriculture and Forestry Resources, checklist questions (a) through (e), at pages 43-44.)

Air Quality
The Proposed Project would not conflict with or obstruct implementation of the applicable air quality plan; would not generate a cumulatively considerable increase in emissions of the pollutants for which the Basin is in non-attainment; and would not expose sensitive receptors to substantial pollutant concentrations.

The Proposed Project is an infill development near transit within an existing urbanized area that would concentrate new residential uses within a SCAG-designated High Quality Transit Area (HQTA). Thus, the Proposed Project advances regional goals to reduce VMT and related air emissions. Moreover, the Proposed Project would not exceed any SCAQMD significance thresholds for air quality emissions, and thus would not increase the frequency of air quality violations.

This Draft EIR quantitatively analyzed regional emissions of ROG, NOX, CO, SO2, PM_{10} and $PM_{2.5}$ and localized concentrations of NO_2 as NO_X, CO, PM_{10}, and $PM_{2.5}$ for daily emissions during construction to ascertain potential effects and to determine if there is a potential for such emissions to cause or affect a violation of an applicable ambient air quality standard. As shown in Table IV.A-7 and Table IV.A-9, neither regional nor localized construction emissions would exceed the applicable significance thresholds.

In addition, the Draft EIR also quantitively analyzed potential regional operational emissions and localized operational emissions from on-site activities. As shown in Table IV.A-8 and Table IV.A-10, neither regional operational nor localized operational impacts would exceed the applicable thresholds of significance. As such, the Proposed Project would not increase the frequency or severity of existing air quality violations, cause or contribute to new air quality violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.

The Proposed Project would not introduce substantial stationary sources of emissions. CO is the preferred benchmark pollutant for assessing local area air quality impacts from post-construction motor vehicle operations. (Refer to Section IV.A, Air Quality (3)(d), at pages IV.A-46 through IV.A-71, of the Draft EIR.)

Additionally, as discussed in the Initial Study, no objectionable odors are anticipated as a result of either construction or operation of the Proposed Project as it would not include land uses

associated with odor complaints. (Refer to the Initial Study, Section 4(III) Air Quality, checklist question (d) at page 47.)

Project Design Features

AQ-PDF-1: Where power poles are available, electricity from power poles and/or solar-powered generators rather than temporary diesel or gasoline generators will be used during construction.

Biological Resources

The Proposed Project would not conflict with an adopted or approved local, regional, or state habitat conservation plan. The Proposed Project would not have a substantial adverse effect, either directly or through habitat modifications, 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 Wildlife or U.S. Fish and Wildlife Service. (Refer to the Initial Study, Section 4(IV) Biological Resources, checklist questions (a) through (f), at pages 47-50).

Cultural Resources

As discussed in the Initial Study, Section 4(V) Cultural Resources, the Proposed Project would have no significant direct impacts on historical resources, as there are no such resources located on the Project Site. Additionally, the Proposed Project would have a less than significant impact on the potential historical resources in the study area. Unknown human remains could be found on the Project Site during construction activities, particularly during the grading/excavation phase; however, compliance with regulatory compliance measures would ensure any potential impacts related to the disturbance of unknown human remains, including those interred outside of dedicated cemeteries, would be less than significant. (Refer to the Initial Study, Section 4(V) Cultural Resources, checklist questions (a) and (c), at pages 51-52 and page 56).

Energy

The Proposed Project would not cause wasteful, inefficient, and unnecessary consumption of energy during the construction and operation. Additionally, the Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. (Refer to Section IV.B Energy (3)(d), at pages IV.B-21 through IV.B-43, of the Draft EIR.)

Project Design Features
See AQ-PDF-1 (above) and GHG-PDF-1 (below).

Geology and Soils

The Proposed Project can be developed from a geotechnical engineering standpoint, provided that the Proposed Project would comply with the recommendations specified in the Geotechnical Investigation Report and to the satisfaction of the Department of Building and Safety (LADBS). Thus, with compliance with regulatory measures, construction and operation of the Proposed Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving soil instability, strong seismic ground shaking, and erosion or loss of topsoil (Refer to the Initial Study, Section 4(VII) Geology and Soils, checklist questions (a) through (e), at pages 58-63.)

Greenhouse Gas Emissions

The Proposed Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of Greenhouse Gases (GHG). With respect to emissions, by furthering implementation of SB 375, the Proposed Project supports regional land use and transportation GHG reductions consistent with State climate targets for 2020 and beyond. The Proposed Project's post-2030 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets and Executive Orders S-3-05 and B-30-15. (Refer to Section IV.C Greenhouse Gas Emissions (3)(d), at pages IV.C-46 through IV.C-66, of the Draft EIR.)

Project Design Features

PDF-GHG-1: The Proposed Project will not include any hearths and/or fireplaces within any of the residential units.

PDF-GHG-2: The Proposed Project will provide a pedestrian portal through the parking level on the ground floor to facilitate a safe pedestrian access from S. Ogden Drive to the Center parking lot.

Hazards and Hazardous Materials

The Proposed Project is not 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 not create a significant hazard to the public or the environment caused in whole or in part from exacerbation of existing environmental conditions. The Project Site is not within the vicinity of an airport land use plan, and no impacts involving airport-related safety hazards would occur. The Project Site is not located in a Very High Fire Hazard Severity Zone and would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. (Refer to the Initial Study, Section 4(IX) Hazardous and Hazardous Materials, checklist questions (d), (e) and (g), at pages 71-72.)

Hydrology and Water Quality

Through compliance with applicable City grading regulations, and treatment of dewatering water prior to discharge, the Proposed Project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality during construction. During operation, appropriate Low Impact Development (LID) Stormwater Quality Control Measures will be implemented. The Proposed Project would not decrease groundwater supplies or interfere substantially with groundwater recharge. In addition, the Proposed Project would not create or contribute runoff water which would exceed the capacity of the existing storm drain system, nor is there a risk of release of pollutants due to inundation of the Project Site. (Refer to the Initial Study, Section 4(X) Hydrology and Water Quality, checklist questions (a) through (e) at pages 72-77.)

Land Use and Planning

The Proposed Project's land uses are permitted uses in the C2 zone and would, therefore, remain compatible with the surrounding land uses. Thus, the Proposed Project would not have the potential to physically divide an established community. (Refer to the Initial Study, Section 4(XI) Land Use and Planning, checklist questions (a) at page 77.)

The Proposed Project would not conflict with applicable regional or local land use plans, policies, and zoning adopted for the purpose of avoiding or mitigating an environmental effect. (Refer to Section IV.E Land Use and Planning, (3)(d), at pages IV.E-19 through IV.E-33, of the Draft EIR.)

Mineral Resources

The Project Site is not located within a Mineral Resource Zone Area (MRZ-2) and is not used for mineral extraction. No mineral resources or mineral extraction activities currently exist on the Project Site. The development of the Proposed Project would not 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; nor would it 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. (Refer to the Initial Study, Section 4(XII) Mineral Resources, checklist questions (a) and (b), at page 79.)

Noise

The Proposed project would not expose people residing or working in the project area to excessive noise levels associated with a public airport or public use airport. No impact would occur with respect to noise levels from airports and private airstrips. (Refer to the Initial Study, Section 4(XIII) Noise, checklist question (c), at page 81.)

Population and Housing

The Proposed Project would be consistent with the applicable growth projections of the Southern California Association of Governments (SCAG) 2016-2040 and 2020-2045 Regional Transportation Plan/Sustainable Communities Strategies (RTP/SCS) and with the goals and policies of the General Plan's Housing Element, Framework Element, Wilshire Community Plan, and 2016-2040 and 2020-2045 RTP/SCS. The Proposed Project would not induce substantial unplanned population growth, either directly or indirectly, in the area. (Refer to Section IV.G-10 Population and Housing (3)(d), at pages IV.G-15 through IV.G-25, of the Draft EIR, and pages III-16 to III-20 of the Final EIR.)

The Proposed Project would not displace substantial numbers of existing housing or people and would not necessitate the construction of replacement housing elsewhere. (Refer to the Initial Study, Section 4(XIV) Population and Housing, checklist question (b), at page 82.)

Public Services

The Proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection, police protection, school, park and recreation, or library facilities, or create a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable performance objectives for public services. (Refer to Section IV. H-1 Fire Protection (3)(d), at pages IV.H-15 through IV.H-24; IV.H-2, Police Protection (3)(d), at pages IV.H-35 through IV.H-43; IV.H-3 Schools (3)(d), at pages IV.H-53 through IV.H-61; IV.H-4 Parks and Recreation (3)(d), at pages IV.H-73 through IV.H-80; and IV.H-5 Libraries (3)(d), at pages IV.H-88 through IV.H-91, of the Draft EIR.)

Project Design Features

PDF-POL-1: During construction, the Project applicant will implement temporary security measures, including security fencing (e.g., chain-link fencing), low-level security lighting, and locked entry (e.g., padlocked gates or guard-restricted access) to limit access

by the general public. Regular security patrols during non-construction hours (e.g., nighttime hours, weekends, and holidays) will also be provided.

PDF-POL-2: Prior to the issuance of a building permit, the Project Applicant will submit a diagram of the Project Site to the LAPD Wilshire Area Commanding Officer that includes access routes and any additional information that might facilitate police response.

PDF-POL-3: The Proposed Project will include nighttime security lighting of building entries and walkways, a closed circuit security camera system monitored by on-site professional security, and secure parking facilities with sufficient lighting to maximize visibility and reduce areas of concealment.

See also PDF-Traffic-1

Traffic/Transportation

The Proposed Project would be consistent with all applicable transportation plans, policies, and programs. Development of the Proposed Project would not result in any roadway improvements or incompatible uses such that safety hazards would be introduced adjacent to the Project Site. Furthermore, the design and implementation of new driveways would comply with the City's applicable emergency access requirements as set forth by Los Angeles Department of Transportation (LADOT) and the Los Angeles Fire Department (LAFD). The Proposed Project design would also be reviewed by the Department of City Planning, LADBS and the LAFD during the City's plan review process to ensure all applicable requirements are met and therefore, no impacts would occur. (Refer to Section IV.I Transportation (3)(d), at pages IV.I-23 through IV.I-53, of the Draft EIR.)

Project Design Features

PDF-TRAFFIC-1 The Applicant will, prior to construction, develop a Construction Traffic Control/Management Plan (the "Plan") to be approved by LADOT to minimize the effects of construction on vehicular and pedestrian circulation and assist in the orderly flow of vehicular and pedestrian circulation in the area of the Proposed Project. The Plan will identify the location of any roadway closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. The Plan will also address the potential conflicts associated with concurrent construction activities of related projects, if applicable.

PDF-TRAFFIC-2 No less than two weeks prior to the initiation of construction activities, the Project Manager for the Proposed Project, or their designee, will notify the Los Angeles Unified School District (LAUSD) Transportation Branch of the expected start and ending dates for various portions of the project that may affect traffic near the campus. The following language shall be incorporated into the contractor specifications and work program:

- Site access and exit will prohibit construction vehicles and haul trucks from utilizing Colgate Avenue.
- Construction activities will not preclude school buses from having unrestricted access to the campus.
- Construction trucks and other vehicles are required to stop when encountering school buses using red-flashing-lights must-stop-indicators per the California Vehicle Code.

- Contractors will install and maintain appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.
- Contractors will maintain ongoing communication with LAUSD school administrators, providing notice at least two weeks in advance of construction activities to forewarn children and parents when existing vehicle or pedestrian routes to school may be constrained.
- Parents dropping off children will have access to the passenger loading areas on Colgate Avenue fronting Hancock Park Elementary School.

PDF-TRAFFIC-3 The following language will be incorporated into the contractor specifications and work program:

- No staging or parking of construction-related vehicles, including worker-transport vehicles, shall occur on or immediately adjacent to the Hancock Park Elementary School campus.
- Funding for crossing guards at the contractor's expense is required when safety of construction-related activities may affect school crossings.
- Barriers and/or fencing shall be installed to secure construction equipment and to minimize trespassing, vandalism, short-cut attractions, and attractive nuisances.
- Contractors will be required to provide security patrols (at their expense) to minimize trespassing, vandalism, and short-cut attractions.

Public Utilities

The Proposed Project would not require or result in the construction or relocation of new or expanded water, wastewater, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. The Proposed Project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. The Proposed Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, and would comply with federal, state and local management and reduction statutes and regulations related to solid waste. (Refer to Section IV.K-1 Water Supply (3)(d), at pages IV.K-29 through IV.K-40; Section IV.K-2 Wastewater (3) (d),at pages IV.K-54 through IV.K-60; Section IV.K-3 Solid Waste (3)(d), at pages IV.K-78 through IV.K-85; and Section IV.-4 Electric Power, Natural Gas and Telecommunications Infrastructure (3) (d), at pages IV.K-93 through IV.K-98.)

Wildfire

The Project Site is located in an urbanized area with no natural vegetation. There are no state responsibility areas or lands classified as Very High Fire Hazard Severity Zones (VHFHSZ) on or near the Project Site. Therefore, the Proposed Project would not subject people or structures to a significant risk of loss, injury, or death as a result of exposure to wildfires. (Refer to the Initial Study, Section 4(XX) Wildfire, checklist questions (a) through (d) at pages 92 and 93.)

VI. Less than Significant Impacts with Mitigation

The EIR determined that the Project has potentially significant environmental impacts in the areas discussed below. The EIR identified feasible mitigation measures to avoid or substantially reduce the environmental impacts in these areas to a level of less than significant. Based on the information and analysis set forth in the EIR, the Project would not have any significant

environmental impacts in these areas, as long as all identified feasible mitigation measures are incorporated into the Project. The City again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR.

Cultural Resources

Archaeological Resources

Impact Summary
The Archaeological Resources Assessment prepared for the Proposed Project concluded that there are no known archaeological resources present on the Project Site but given the Project's proximity to the La Brea Tar Pits and other natural resources, the Project has a moderate sensitivity for containing unknown Historic-period (non-Native American) archaeological resources and Prehistoric-period or Historic-period Native American archaeological resources. Construction activities on the Development Site would comply with applicable regulatory measures to minimize impacts on known and unknown archaeological resources. In addition, considering the location of the Project Site, and the potential for archaeological resources to be present on it, the Archaeological Resources Assessment contains measures designed to reduce potential impacts to less than significant levels. These measures include retaining a qualified archaeologist, preparing an Archaeological Resources Mitigation Monitoring Program, conducting Worker Environmental Awareness Program Training, and conducting archaeological resources monitoring (MM Arch-1 through MM Arch 4). (Refer to the Initial Study, Section 4(V) Cultural Resources, checklist questions (b) at pages 52-56.)

Project Design Features
No Project Design Features were proposed to address environmental impacts related to archaeological resources.

Mitigation Measures

MM ARCH-1: Retain a Qualified Archaeologist. Prior to the issuance of a demolition permit, the project proponent shall retain a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's (SOI) Standards for professional archaeology, during the excavation phase to carry out and ensure proper implementation of the mitigation measures related to archaeological resources. The qualified archaeologist shall submit a letter of retention to the project proponent and City of Los Angeles Department of City Planning (DCP) no fewer than 15 days before demolition or excavation activities commence. The letter shall include a resume for the qualified archaeologist that demonstrates fulfillment of the SOI standards.

MM ARCH-2: Prepare an Archaeological Resources Monitoring and Mitigation Program (ARMMP). Prior to the commencement of demolition and excavation, an ARMMP shall be prepared. The components and performance standards for the ARMMP shall include, but not be limited to, a construction worker training program (described in MM Arch-3), monitoring protocol for demolition and excavation activities, discovery and processing protocol for inadvertent discoveries of archaeological resources, and identification of a curation facility should artifacts be collected. The ARMMP shall identify areas that require monitoring, provide a framework for assessing the geoarchaeological setting to determine whether sediments capable of preserving archaeological remains are present, and include a protocol for identifying the conditions under which additional or reduced levels of monitoring (e.g., spotchecking) may be appropriate. The duration and timing of the monitoring shall be determined based on the rate of excavation, geoarchaeological

assessment, and, if present, the quantity, type, and spatial distribution of archaeological resources identified. The ARMMP shall also summarize the requirements for tribal coordination in the event of an inadvertent discovery of Native American archaeological resources, including the applicable regulatory compliance measures or conditions of approval for the inadvertent discovery of tribal cultural resources to be carried out in concert. The ARMMP shall be prepared in compliance with Public Resources Code Section 5024.1, Title 14 California Code of Regulations, Section 15064.5 of the CEQA Guidelines, and PRC Sections 21083.2 and 21084.1.

MM ARCH-3: Worker Environmental Awareness Program (WEAP) Training. Before the commencement of initial demolition or excavation at the project site, the retained qualified archaeologist or their designee shall provide a WEAP training to on-site project personnel responsible for supervising demolition and excavation (i.e., foreman or supervisor) and machine operators. The WEAP training shall brief construction crews regarding the regulatory compliance requirements and applicable mitigation measures that must be adhered to during demolition and excavation activities for the protection of archaeological resources. As an element of the WEAP training, the qualified archaeologist or their designee shall advise the construction crews on proper procedures to follow if an unanticipated archaeological resource is discovered during construction. The qualified archaeologist or their designee shall also provide the construction workers with contact information for the qualified archaeologist and their designee(s) and protocols to follow if inadvertent discoveries are made. In addition, workers shall be shown examples of the types of archaeological resources that would require notification of the archaeologist, if encountered. Once the ground disturbances have commenced, the need for additional or supplemental WEAP training shall be determined through consultation with the qualified archaeologist, project proponent or their designated project supervisor. Within 5 days of completing a WEAP training, a list of those in attendance shall be provided by the qualified archaeologist to the project proponent.

MM ARCH-4: Monitor for Archaeological Resources. Before the commencement of demolition or excavation activities, an archaeological monitor shall be present during ground disturbing activities as stipulated in the ARMMP. The qualified archaeologist may designate an archaeologist to conduct the monitoring under their direction. The monitor shall have the authority to temporarily halt or redirect construction activities in soils that are likely to contain potentially significant archaeological resources, as determined by the qualified archaeologist. The monitor shall complete. a daily log documenting construction activities and observations. The field observations shall include assessment of the geoarchaeological setting and whether sediments are identified that are no longer capable or unlikely to contain archaeological material (i.e., sterile), which may be encountered prior to reaching the total depth of excavation expected for the project. If initial archaeological monitoring identifies low archaeological sensitivity (i.e., sterile soil strata) below a certain depth or within a certain portion of the project site, a corresponding reduction of monitoring coverage would be appropriate. In the event that potentially significant archaeological resources are exposed during construction, work in the immediate vicinity of the find (within 8 meters [25 feet]) shall stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas in coordination with the qualified archaeologist. If the discovery is determined by the qualified archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to PRC 21083.2(g), the qualified archaeologist shall coordinate with the project proponent and DCP to develop a formal treatment plan that would reduce impacts to the resource(s). The treatment plan established for the resource(s) shall be in accordance with CEQA Guidelines Section

15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment and if it is determined avoidance is not feasible, treatment may include archaeological data recovery (i.e., excavation, laboratory processing and analysis) to remove the resource(s) and reduce potential impacts to less than significant.

Within 14 days of concluding the archaeological monitoring, the qualified archaeologist shall prepare a memo stating that the archaeological monitoring requirement of the mitigation measure have been fulfilled and summarize the results of any archaeological finds. The memo shall be submitted to the project proponent and DCP. Following submittal of the memo, the qualified archaeologist shall prepare a technical report documenting the methods and results of all work completed under the ARMMP, including, if any, treatment of archaeological materials, results of artifact processing, analysis, and research, and evaluation of the resource(s) for the California Register of Historical Resources. Once laboratory analysis is complete, any recovered archaeological materials shall be curated at a public, non-profit research institution that will ensure their long-term preservation and allow access to interested scholars. Should no such institutions accept the materials, they shall be donated to an educational institution or historical society. The format and content of the report shall follow the California Office of Historic Preservation's Archaeological Resource Management Reports (ARMR): Recommended Contents and Format. Any archaeological resources identified shall be documented on appropriate California Department of Parks and Recreation 523-Series Forms. The report shall be prepared under the supervision of a qualified archaeologist and submitted to DCP within 120 days of completion of the monitoring. The final draft of the report shall be submitted to the South Central Coastal Information Center.

Finding
Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Rationale for Finding
Mitigation measures Arch-1 through Arch-4 contain performance standards to ensure that any discovered archaeological resources are not significantly impacted. Therefore, regulatory compliance and adherence to these mitigation measures will reduce impacts of the Project to archaeological resources to a less-than-significant level. The basis for this rationale also incorporates the discussion and analysis in the Initial Study and its Appendix A-C: Archeological Resources Assessment.

Reference
SWCA, Archaeological Resources Assessment for the 6300 W. Third Street Project, Los Angeles, Los Angeles County, CA, February 2019 (Refer to Appendix C of the Initial Study).

Geology and Soils
Paleontological Resources

Impact Summary
The Paleontological Resources Report prepared for the Proposed Project concluded that there are no known paleontological resources present on the Project Site. Construction activities on the Project Site would comply with applicable regulatory measures to minimize impacts on unknown paleontological resources. In addition, considering the location of the Project Site and the potential for paleontological resources to be present on it, the Paleontological Resources Report contains

measures designed to reduce potential impacts to less than significant levels. These measures include: retaining a qualified paleontologist, preparing an Paleontological Resources Mitigation Monitoring Program, conducting a worker environmental awareness program, and monitoring for fossil resources (MM PALEO-1 through MM PALEO-4). (Refer to the Initial Study, Section 4(VII) Geology and Soils, checklist questions (f) at pages 63 and 64.)

Project Design Features

No Project Design Features were proposed to address environmental impacts related to paleontological resources.

Mitigation Measures

MM PALEO-1: Retain a Qualified Paleontologist. Prior to the issuance of a grading permit, the project proponent shall retain a qualified paleontologist, defined as a paleontologist who meets the Society of Society of Vertebrate Paleontology (SVP) standards for a Principal Investigator or Project Paleontologist, to carry out all mitigation measures related to paleontological resources. The qualified paleontologist shall submit a letter of retention to the project proponent no fewer than 15 days before any grading or excavation activities commence. The letter shall include a resume for the qualified paleontologist that demonstrates fulfillment of the SVP standards.

MM PALEO-2: Prepare Paleontological Resources Monitoring and Mitigation Program (PRMMP). Before any grading activities start, the qualified paleontologist shall prepare a PRMMP. This program shall contain specific monitoring and mitigation requirements including construction worker training, monitoring protocols, protocol for identifying the conditions under which additional or reduced levels of monitoring (e.g., spot-checking) may be appropriate, fossil salvage and data collection protocols in the event of an unanticipated discovery, curation facilities for any significant fossils that may be salvaged, and a final report summarizing the results of the program. The PRMMP shall adhere to and incorporate the performance standards and practices from the 2010 SVP Standard procedures for the assessment and mitigation of adverse impacts to paleontological resources. The qualified paleontologist shall submit the final PRMMP to the project proponent and the Department of City Planning (DCP) for their records before project excavation activities start.

MM PALEO-3: Worker's Environmental Awareness Program (WEAP). The qualified paleontologist shall develop and oversee implementation of a WEAP to train the construction crew on the requirements for preserving fossil resources, as well as procedures and standards to follow, in the event of a fossil discovery. This training program shall be given to the crew before excavation work commences and shall include documentation for the workers that includes that memorializes the standards and protocols of the WEAP training.

MM PALEO-4: Monitor for Fossil Resources. All ground disturbances in the project site that occur in undisturbed sediments mapped as older alluvium (Qao) shall be monitored. Excavation or any other ground disturbances occurring in the southeast corner of the project site within younger alluvial sediments shall be monitored when the ground disturbances exceed one meter (three feet) in depth. Monitoring shall be conducted by a qualified paleontologist or under the supervision of qualified paleontologist, as stipulated in the PRMMP. The qualified paleontologist may periodically inspect construction activities to adjust the level of monitoring in response to subsurface conditions. Full-time monitoring

can be reduced to part-time inspections or stopped entirely if determined adequate by the qualified paleontologist. Paleontological monitoring shall include inspection of exposed sedimentary units during active excavations within sensitive geologic sediments.

In the event of a fossil discovery, whether by the paleontological monitor or a member of the construction crew, all work shall cease in a 15-meter (50-foot) radius of the find while the qualified paleontologist assesses the fossil and documents its discovery. Paleontological monitors shall record pertinent geologic data and collect sediment samples from the fossil localities. The qualified paleontological monitor shall follow the SVP's 2010 Standard procedures for the assessment and mitigation of adverse impacts to paleontological resources if the resource requires salvage. A repository, e.g., LACM, shall be identified and a curatorial arrangement shall be signed prior to collection of fossils. Recovered fossils shall be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility.

Within 14 days of concluding the paleontological monitoring, the qualified paleontologist shall prepare a memorandum stating that the paleontological monitoring requirement has been fulfilled and summarize the results of any paleontological finds. The memo shall be submitted to the project proponent and DCP. Following submittal of the memo, the qualified paleontologist shall prepare a technical report documenting the methods and results of all work completed under the PRMMP, including, if any, treatment of paleontological materials, results of specimen processing, analysis, and research, and final curation arrangements.

Finding
Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Rationale for Finding
Mitigation measures PALEO-1 through PALEO-4 contain performance standards and required procedures to ensure that any discovered resources are not significantly impacted. Therefore, regulatory compliance and adherence to these mitigation measures will reduce impacts of the Project to paleontological resources to a less-than-significant level. The basis for this rationale also incorporates the discussion and analysis in the Initial Study and its Appendix A-D: Paleontological Resources Assessment.

Reference
SWCA, Paleontological Resources Technical Report for the 6300 W. Third Street Project, Los Angeles, Los Angeles County, CA, February 2019 (Refer to Appendix D of the Initial Study).

Hazards and Hazardous Materials

Impact Summary
During construction and operation of the Proposed Project, potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations, which include requirements for disposal of hazardous materials at a facility licensed to accept such waste based on its waste classification and the waste acceptance criteria of the permitted disposal facilities. Adherence to all applicable rules and regulations pertaining to the use, storage, and transport of potentially hazardous materials would reduce potentially significant impacts to less-than-significant levels. With respect to soils, the Project would comply with the South Coast Air Quality Management District (SCAQMD) Rule 1166 requirements.

Additionally, prior to beginning any construction activity for the Proposed Project, including site clearing and demolition work, a construction Stormwater Pollution Prevention Plan (SWPPP) would be prepared and would implement applicable best management practices (BMPs) identified in the SWPPP. The SWPPP, any amendments, and monitoring reports are to be posted to the State Water Resources Control Board's (SWRCB) Stormwater Multiple Application and Report Tracking System (SMARTS) website. BMPs will be designed and maintained as part of the implementation of the SWPPP in compliance with the Construction General Stormwater Permit. The Proposed Project would be built with a methane system that would incorporate all components listed for a Design Level V passive system from Table 71 of LAMC Section 91.7109, to ensure compliance with Los Angeles Department of Building and Safety (LADBS) requirements.

The Hancock Park Elementary School, a Los Angeles Unified School District school, is located immediately south of the Project Site at 408 S. Fairfax Avenue. The Proposed Project would demolish structures that contain Asbestos Containing Materials (ACM) and Lead-Based Paints (LBP). The demolition is subject to strict regulatory controls that ensure construction activities do not emit hazardous materials in a manner that could impact the school. The Proposed Project does not contain land uses that would emit hazardous emissions or handle hazardous materials. Impacts would be less than significant with the required regulatory compliance and the implementation of mitigation measures and project design features. (Refer to Section IV.D Hazardous and Hazardous Materials (3)(d), at pages IV.D-44 through IV.D-56.)

Project Design Features

PDF-HAZ-1 Methane: The Proposed Project will be designed and constructed in accordance with the recommendations in the Methane Report, and to the satisfaction of LADBS. The foundation for the structures on the Development Site will include a V-Bottom that satisfies Level V requirements, including the following elements:

- Areas with a Mat Foundation shall be fitted with an impermeable methane barrier membrane.
- The bottom side of the foundation slab shall have a one percent "V" Bottom slope to serve as the pressure relief venting system.
- A minimum four-inch thick aggregate layer shall be placed beneath the slab to assist in conveying methane gas from beneath the structure.
- An impermeable methane gas/waterproofing/tar barrier shall be installed at all below grade walls.
- If an Oil Well is located on the property beneath a new building, it shall be fitted with a Vent Cone and Venting System as required by the State of California Division of Oil and Gas.
- Electrical & communications conduit seals that prevent methane gas intrusion shall be installed at all dry utility conduits.
- Utility trench dams that prevent methane gas intrusion shall be installed at the exterior sides of the building.
- Gas Detection Systems will be installed throughout the lowest level parking garage in the buildings which will continuously monitor the interior space for methane gas and will be capable of activating the building's ventilation system and contacting a central alarm service if methane is detected.

Mitigation Measures

MM-HAZ-1: A Soil Management Plan (SMP) shall be prepared that would provide guidance to contractors for appropriate handling, screening, and management of potentially impacted or impacted soils from historical operations that may be encountered at the Development Site during grading and excavation activities. These procedures would include training for construction personnel on the appropriate procedures for identification of suspected impacted soils with TPH concentrations that exceed the RWQCB soil screening level for protection of groundwater of 100 mg/kg and the U.S. EPA residential screening level of 110 mg/kg for residential development; requirements for testing and collection of potentially contaminated soils; segregation of potentially impacted soils; and applicable soil handling and disposal procedures. The SMP shall also contain procedures to be followed in the event that undocumented subsurface features of potential environmental concern (e.g., USTs, abandoned oil wells, sumps, hydraulic lifts, clarifiers, buried drums) are encountered during the excavation grading, and/or other earthmoving activities. These procedures would include safety training, testing protocols, decontamination and decommission.

The SMP shall also include procedures for handling and transportation of soils with respect to nearby sensitive receptors, such as nearby residential uses, religious uses, and schools. In accordance with SCAQMD Rule 1166 requirements, impacted soil removed from the Project Site shall comply with the following:

- Be transported to an approved treatment/disposal facility.
- When loading into trucks is completed, and during transportation, no excavated material shall extend above the sides or rear of the truck or trailer.
- Prior to covering/tarping, loaded impacted soil shall be wetted by spraying with dust inhibitors.
- The trucks or trailers shall be completely covered/tarped prior to leaving the Project Site to prevent particulate emissions to the atmosphere.
- The exterior of the trucks (including the tires) shall be cleaned off prior to the trucks leaving the excavation location.

Finding
Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Rationale for Finding
The Proposed Project would include Mitigation Measure MM-HAZ-1 to further minimize potential hazardous materials impacts. This measure would require a Soil Management Plan (SMP) be prepared to guide contractors regarding appropriate handling, screening, and management of potentially impacted or impacted soils from historical operations on the Development Site that may be encountered during grading and excavation activities. With implementation of MM-HAZ-1, in conjunction with Project Design Feature PDF-HAZ-1, the construction of the Proposed Project will not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials or the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and also would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school, and impacts would be reduced to less than significant. The basis for this rationale also incorporates the discussion

and analysis in the Draft EIR, Section IV.D, Hazardous Materials and its Appendices A-F.1 through A-F.5.

References

Evista Industries, Inc., Limited Asbestos and Lead Inspection, 3rd and Fairfax – 6300 West 3rd Street, Los Angeles, California, February 13, 2018. (Refer to Appendix A to the Draft EIR).
Evista Industries, Inc., Hazardous Materials Inventory Report, 3rd and Fairfax – 6300 West 3rd Street, Los Angeles, California, February 2, 2018. (Refer to Appendix A to the Draft EIR).
Arcadis U.S., Inc., Phase I Environmental Site Assessment Report, Town & Country Retail, 6310-6360 W. Third Street, Los Angeles, California 90036, May 26, 2017. (Refer to Appendix A to the Draft EIR).
Northgate Environmental Management, Inc., Phase I Environmental Site Assessment, 3rd and Fairfax – 6300 to 6332 West 3rd Street, Los Angeles, California, January 30, 2018. (Refer to Appendix K to the EIR).
Northgate Environmental Management, Inc., Phase I Environmental Site Assessment Update, 3rd and Fairfax – 6300 to 6332 West 3rd Street, Los Angeles, California, October 23, 2018. (Refer to Appendix K to the Draft EIR).
Northgate Environmental Management, Inc., Phase II Environmental Site Assessment, 3rd and Fairfax – 6300 to 6332 West 3rd Street, Los Angeles, California, March 1, 2018. (Refer to Appendix A to the Draft EIR).
Terra-Petra Environmental Engineering, Report of Methane Soil Gas Investigation, Proposed Redevelopment, 370 S. Fairfax Ave., 6300-6370 W. 3rd Street & 347 S. Ogden Drive, Los Angeles, CA, January 31, 2019. (Refer to Appendix A to the Draft EIR).

Noise

Construction Noise and Vibration

Impact Summary

Construction of the Proposed Project would require demolition, earthwork, and building construction activities that would generate noise on a temporary and intermittent basis throughout the duration of the construction process. Construction activities would be performed in accordance with all applicable state and federal laws, and City Codes and policies with respect to building construction and activities. Construction noise levels would increase exterior ambient noise levels at off-site noise-sensitive receptors by more than 5 dBA Leq during the construction of the Proposed Project. As such, construction noise impacts would be considered significant before mitigation.

Construction activities that would occur within the Development Site would have the potential to generate low levels of groundborne vibration on a temporary and intermittent basis during construction. The projected unmitigated maximum peak particle velocity (PPV) levels at each sensitive receptor would not exceed the applicable threshold of significance for building damage criteria. Additionally, the projected maximum velocity in decibels (VdB) levels would not exceed the human annoyance threshold at sensitive receptor location noise and vibration sensitive receptors (NVSR) Hancock Elementary School (NVSR-1) within the Main Building, the Park La Brea Apartments – Palazzo West at the Grove Apartments (NVSR-2), or at Park La Brea Apartments – Alandele Park Apartments (NVSR-3). However, the construction vibration levels would exceed the human annoyance threshold at sensitive receptor location NVSR-1 within the Bungalow Classrooms. As such, construction activities would have the potential to result in significant vibration annoyance impacts upon NVSR-1 on a short term and temporary basis, before mitigation is imposed. With mitigation, construction noise and vibration would be reduced to less than significant levels. (Refer to the Draft EIR, Section IV.F-4, Noise, (3)(d), at pages IV.F-28 through IV.F-55.)

Project Design Features

PDF-NOI-1: Project construction will not include the use of impact driven pile systems (i.e., pile drivers).

PDF-NOI-2: All construction equipment will utilize mufflers and other devices to minimize noise levels.

Mitigation Measures

MM-NOI-1 School Property Noise Barrier. A temporary 10-foot high sound blanket shall be installed on top of the existing concrete wall located along the southern property line adjacent to the Development Site prior to commencement of construction activities, as shown in Figure IV.F-4, Proposed Construction Noise Barrier Diagram. The sound blanket can be any solid material with a density no less than 2 lb. per square foot. Materials meeting this requirement include 3/4-inch thick wood, 3/4-inch outdoor plywood, and 16-gauge steel sheet. Support frames shall be constructed in sections which allow overlapping between barrier panels when multiples are attached. Gaps between barrier units and between the bottom edge of barrier panels where they meet the top of the existing concrete wall shall be covered or sealed with material of no less 2 pounds per cubic foot (pcf) density. These barriers shall be capable of achieving a minimal Sound Transmission Class (STC) rating of 32. Use of equivalent noise barrier systems shall be reviewed and approved by the acoustical engineer verifying the required level of noise attenuation. Barrier design and construction shall be approved by a structural engineer. The design details and materials for the movable noise barriers and supports shall be prepared for approval and stamped by a Professional Engineer licensed in the state of California and submitted to the Department of City Planning prior to issuance of the first demolition or building permit.

MM-NOI-2 Ogden Drive Noise Barrier. A temporary 10-foot high noise barrier shall be erected along Ogden Drive, as shown in Figure IV.F-4, Proposed Construction Noise Barrier Diagram. The sound blanket can be any solid material with a density no less than 2 lb. per square foot. Materials meeting this requirement include 3/4-inch thick wood, 3/4-inch outdoor plywood, and 16-gauge steel sheet. Support frames should be constructed in sections which allow overlapping between barrier panels when multiples are attached. These barriers shall be capable of achieving a minimal Sound Transmission Class (STC) rating of 32. Use of equivalent noise barrier systems shall be reviewed and approved by the acoustical engineer verifying the required level of noise attenuation. Barrier design and construction shall be approved by a structural engineer. The design details and materials for the movable noise barriers and supports shall be prepared for approval and stamped by a Professional Engineer licensed in the state of California and submitted to the Department of City Planning prior to issuance of the first demolition or building permit.

MM-NOI-3: Setback Distance. Heavy machinery (excavators, dozers, cranes and drill rig) must work at least 70 feet from the exterior wall of the nearest occupied School Bungalow Buildings (Classrooms 21 and 28) while school is in session. Compliance with this measure shall be enforced through a written Construction Management Plan and shall be verified through written field notes documenting the location and date/time of heavy machinery relative to the Hancock Park Elementary School classroom schedule.

Finding
Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Rationale for Finding
The Proposed Project's construction noise activities were modeled with the mitigation measures identified above. Construction noise levels would increase exterior ambient noise levels at off-site noise-sensitive receptors by less than 5 dBA L_{eq} and thus are considered less than significant impacts based on applicable thresholds of significance. During the construction of the Proposed Project, setback distance attenuation during school hours would reduce the vibration annoyance levels to a less than significant level with the incorporation of Mitigation Measure MM-NOI-3. As such, construction noise and vibration impacts would be considered less than significant with mitigation. The basis for this rationale also incorporates the discussion and analysis in the Draft EIR, Section IV.F, Noise, and its Appendix F.1: Construction Noise and Vibration Technical Report and Appendix F.2: Operational Noise Calculation Worksheets.

References
California Department of Transportation (Caltrans) Technical Noise Supplement, 2009.
Caltrans Transportation and Construction Vibration Guidance Manual, September 2013.
Federal Transit Administration Transit Noise and Vibration Impact Assessment, May 2006.
Federal Transit Administration Noise and Vibration Impact Assessment Manual, September 2018.
Federal Highway Administration's (FHWA) Roadway Construction Noise Model (RCNM)
Veneklasen Associates, Construction Noise and Vibration Technical Report, October 9, 2020 (Refer to Appendix F to the EIR).
Parker Environmental Consultants, Operational Noise Calculations Worksheets, October 2020 (Refer to Appendix F to the EIR).

Transportation
Consistency with CEQA Guidelines section 15064.3, subdivision (b)

Impact Summary
In accordance with the screening procedures identified in the LADOT Transportation Assessment Guidelines (TAG), a Vehicle Miles Traveled (VMT) calculation was prepared for the Proposed Project. The VMT Calculator estimates that the Proposed Project would generate 6,571 daily vehicle trips and with a daily VMT of 43,914. The Proposed Project would exceed the applicable Household VMT per Capita prior to mitigation. The Proposed Project would not generate a significant Work VMT because its work-related trips are generated by local-serving retail trips. The Development Site is part of local-serving retail center, and the Proposed Project includes a mix of residential and local-serving retail land uses. The TAG provides that local-serving retail developments tend to shorten trips and reduce VMT compared to regional-serving retail development and single-land-use type of developments. As such, the VMT Calculator, when applied to this Project demonstrates that Work VMT would be less than significant without mitigation. In summary, considering the above, the Proposed Project would have a less than significant impact with mitigation for Household VMT per Capita; and would have a less than significant impact with respect to Work VMT without the need for mitigation. (Refer to the Draft EIR, Section IV.I, Transportation, (3)(d)(1)(b), at pages IV.I-42 through IV.I-46.)

Project Design Features
No Project Design Features were proposed to address environmental impacts related to transportation.

Mitigation Measures

MM-TRAFFIC-1: The Proposed Project shall incorporate the following Transportation Demand Management (TDM) Strategies as part of the ongoing Project operations:

- *Unbundle Parking.* The Proposed Project shall unbundle the parking costs from the property costs, requiring those who wish to purchase parking spaces to do so at an additional cost from the property cost. This strategy is applicable for residential components of development projects.

- *Promotions and Marketing.* The Proposed Project shall utilize marketing and promotional tools to educate and inform residents and employees about alternative transportation options and the effects of their travel choices. This strategy includes providing passive educational and promotional materials, such as posters, information boards, or a website with information that residents and employees can choose to read at their own leisure.

- *Bike Parking.* The Proposed Project shall provide the required number of short-term and long-term bicycle parking spaces for the residential and commercial components pursuant to LAMC. The Project should provide a maximum commitment to implementing/improving on-street bicycle facilities, providing bicycle parking per the LAMC, and providing secure ancillary bike facilities such as indoor bicycle parking/lockers, showers, and repair stations.

Finding
Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Rationale for Finding
The TDM strategies included in MM-TRAFFIC-1 include unbundled parking, promotions and marketing, and bike parking per the LAMC, which are consistent with the type of measures allowed by LADOT to reduce VMT. With the implementation of the TDM strategies in MM-TRAFFIC-1, the Proposed Project will have a less than significant VMT impact. Thus, the Proposed Project would not conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). The basis for this rationale also incorporates the discussion and analysis in the Draft EIR, Section IV.I, Transportation, and its Appendix H.1: CEQA Transportation Analysis and Appendix H.2: Non-CEQA Transportation Analysis.

References
Transportation Impact Study Memorandum of Understanding (approved by the Los Angeles Department of Transportation), May 3, 2018 (Refer to Appendix A of Appendix H.2(A) to the Draft EIR).
Linscott, Law & Greenspan Engineers, Traffic Impact Study prepared, July 17, 2019 (Refer to Appendix H.2(A) to the Draft EIR).
Linscott, Law & Greenspan Engineers, Vehicle Miles Traveled Analysis (VMT Analysis), November 20, 2019 (see Appendix H.1(B) to this Draft EIR).
Supplemental Operational Delay Analysis for Fairfax Avenue & 3rd Street, February 19, 2020 (Refer to Appendix H.2(B) to the Draft EIR).
Los Angeles Department of Transportation, Traffic analysis approval letter from (DOT Case No. CEN 18-47030), March 26, 2020 (Refer to Appendix H.1(A) to the Draft EIR).

Tribal Cultural Resources

Impact Summary

The Project Site was identified as potentially sensitive for containing unknown tribal cultural resources. This determination is based on the potential level of sensitivity of the area and its proximity to an asphaltum source, the prehistoric Native American remains found at the La Brea Tar Pits, and the types of alluvial sediments in the area that are capable of preserving tribal cultural resources. The level of sensitivity for the Project Site indicates that the Project could reasonably result in a foreseeable direct or indirect impact to tribal cultural resources if adequate mitigation is not provided. Thus, the Proposed Project without mitigation may cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). (Refer to the Draft EIR, Section IV.J, Tribal Cultural Resources, (3)(d)(1)(a), at pages IV.J-19 through IV.J-27.) As noted below, the Draft EIR requires mitigation measures that reduce the potential impacts on tribal cultural resources to less than significant.

Project Design Features

No Project Design Features were proposed to address environmental impacts related to Tribal Cultural Resources.

Mitigation Measures

MM-TCR-1 Retain a Tribal Consultant and Qualified Archaeologist. Prior to any ground-disturbing activities on the project site associated with the Proposed Project, the project proponent shall retain a tribal consultant and qualified archaeologist to monitor ground-disturbing activities to ensure proper implementation of the final measures related to tribal cultural resources. For the purposes of these mitigation measures, ground disturbing activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity at the project site. A tribal consultant is defined as one who is on the NAHC's Tribal Contact list (contained in Appendix I in this Draft EIR). The tribal consultant will provide the services of a representative, known as a tribal monitor. The tribal monitor shall be present on-site and carry out actions described in the Tribal Cultural Resources Monitoring and Mitigation Program and any actions required to comply with mitigation measures for tribal cultural resources. The Gabrieleño Band of Mission Indians-Kizh Nation, as a consulting party for the project, shall be contacted first and given 10 days to respond with a complete scope of work for tribal monitoring. If the terms of service (consistent with industry standard terms) cannot be agreed upon, or if no response is received within 10 days of soliciting a request, the project proponent may contact another California Native American tribe included on the NAHC Tribal Contact List and request the services of a tribal consultant. The project proponent or their designee will submit to the City of Los Angeles Department of City Planning (DCP) a letter of retention from the Tribal Consultant prior to the start of demolition. Should the Gabrieleño Band of Mission Indians-Kizh not be retained, the project proponent or their designee shall also submit a letter to DCP documenting that a reasonable and good faith effort was made to retain a tribal consultant from the Gabrieleño Band of Mission Indians-Kizh Nation.

A qualified archaeologist is defined as one who meets the Secretary of the Interior's (SOI) Professional Qualifications Standards (PQS) for archaeology. The qualified archaeologist shall submit a letter of retention to the project proponent and DCP no fewer than 15 days before demolition or excavation activities commence. The letter shall include a resume for the qualified archaeologist that demonstrates fulfillment of the SOI PQS.

MM-TCR-2 Prepare a Tribal Cultural Recourses Monitoring and Mitigation Program (TCRMMP). Prior to any ground-disturbing activities on the project site associated with the Proposed Project, a TCRMMP shall be prepared in substantial conformance with TCRMMP in Appendix E or the Tribal Cultural Resources Assessment contained in this Draft EIR. The TCRMMP shall include, but not be limited to, a construction worker training program (described in TCR-3), monitoring protocols for ground-disturbing activities, discovery and processing protocol for inadvertent discoveries of tribal cultural resources. The TCRMMP shall identify areas that require monitoring, provide a framework for assessing the geoarchaeological setting to determine whether sediments capable of preserving tribal cultural resources are present, and include a protocol for identifying the conditions under which additional or reduced levels of monitoring (e.g., spot-checking) may be appropriate. The duration and timing of the monitoring shall be determined by the qualified archaeologist in consultation with the tribal consultant based on the rate of excavation, geoarchaeological assessment, and, if present, the quantity, type, and spatial distribution of the materials identified. The TCRMMP shall also summarize the requirements for tribal coordination during monitoring and in the event of an inadvertent discovery of a tribal cultural resource or potential tribal cultural resource including the applicable regulatory compliance measures for the inadvertent discovery of tribal cultural resources to be carried out in concert. The TCRMMP shall be prepared in compliance with Public Resources Code (PRC) Section 5024.1, Title 14 California Code of Regulations, Section 15064.5 of the CEQA Guidelines, and PRC Sections 21083.2 and 21084.1. The TCRMMP shall be submitted to the DCP at least 15 days prior to initiating ground-disturbing activities.

MM-TCR-3 Worker Environmental Awareness Program (WEAP). Prior to any ground-disturbing activities on the project site associated with the Proposed Project, the retained qualified archaeologist and tribal consultant or their designees shall provide a WEAP training to on-site project personnel responsible for supervising ground-disturbing activities (i.e., foreman or supervisor) and machine operators. The WEAP training will be in accordance with the WEAP provided in Appendix E or the Tribal Cultural Resources Assessment contained in this Draft EIR. The WEAP training shall brief construction crews regarding the regulatory compliance requirements and applicable mitigation measures that must be adhered to during ground-disturbing activities for the protection of tribal cultural resources. As an element of the WEAP training, the qualified archaeologist and tribal consultant or their designees shall advise the construction crews on proper procedures to follow if an unanticipated tribal cultural resource is discovered during construction. The qualified archaeologist and tribal consultant or their designees shall also provide the construction workers with contact information for the qualified archaeologist and tribal consultant and their designee(s) and protocols to follow if inadvertent discoveries are made. In addition, workers shall be shown examples of the types of tribal cultural resources that would require notification of the archaeologist and tribal consultant, if encountered. Once the ground disturbances have commenced, the need for additional or supplemental WEAP training shall be determined through consultation with the qualified archaeologist, tribal consultant and project proponent or their designated project supervisor. Within 5 days of completing a WEAP training, a list of those in attendance shall be provided by the qualified archaeologist to the project proponent and DCP.

MM-TCR-4 Monitoring for Tribal Cultural Resources. Prior to any ground disturbing activities on the project site associated with the Proposed Project, an archaeological and tribal monitor shall be present during ground-disturbing activities as stipulated in the TCRMMP. The tribal monitor shall be designated by the tribal consultant. The qualified archaeologist may designate an archaeologist to conduct the monitoring under their direction. The monitors shall have the authority to temporarily halt or redirect construction activities in soils that are likely to contain potential tribal cultural resources, as determined by the qualified archaeologist in consultation with the tribal monitor. The monitors shall each complete a daily log documenting construction activities and observations. The field observations shall include assessment of the geoarchaeological setting and whether sediments are identified that are no longer capable or unlikely to contain tribal cultural resources (i.e., sterile), which may be encountered prior to reaching the total depth of excavation expected for the project. If initial monitoring identifies low sensitivity (i.e., sterile soil strata) below a certain depth or within a certain portion of the project site, a corresponding reduction of monitoring coverage would be appropriate. The reasoning for and scale of the recommended reduction shall be communicated to the DCP in writing prior to reduction.

In the event that tribal cultural resources or potential tribal cultural resources are exposed during construction, work in the immediate vicinity of the find shall stop within a minimum of 8 meters [25 feet] or as determined by the qualified archaeologist in consultation with the tribal consultant based on the nature of the find and the potential for additional portions of the resource to remain buried in the unexcavated areas of the project site. The qualified archaeologist in consultation with the tribal consultant will evaluate the significance of the find and implement the protocol described in the TCRMMP before work can resume in the area surrounding the find that is determined to have sensitivity. Construction activities may continue in other areas of the project site in coordination with the qualified archaeologist and tribal consultant.

If human remains are encountered during construction all ground-disturbing work will be immediately diverted from the discovery as determined by the tribal consultant and qualified archaeologist based on consideration of the possibility that additional or multiple Native American human remains are may be located in the project site. Upon discovery of human remains, whether or not the archaeological or Tribal monitor is present, the Los Angeles County Coroner's Office shall be notified, as prescribed in PRC Section 5097.98 and Health and Safety Code Section 7050.5. If the Coroner determines that the remains are of Native American origin, the Coroner shall proceed as directed in Section 15064.5(e) of the State CEQA Guidelines, and as specified in the TCRMMP, which require the coroner to notify the NAHC who will appoint a Most Likely Descendent (MLD). Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated accordingly. While the coroner determines whether the remains are Native American and the MLD is designated and notified, the discovery is to remain confidential and secure to prevent any further disturbance.

Within one month of concluding the tribal cultural resources monitoring, the qualified archaeologist shall prepare a memo stating that the monitoring requirements have been fulfilled and summarize the results of any finds and any actions taken by the tribal monitor to implement the final measures related to tribal cultural resources. The memo shall be submitted to the project proponent and DCP and attached to a final monitoring report prepared by the qualified archaeologist. Following submittal of the memo, the qualified archaeologist shall prepare a technical report documenting the methods and results of all

work completed by the tribal and archaeological monitor under the TCRMMP and incorporating input received during construction from the tribal consultant, including, if any, treatment of any collected materials, results of artifact processing, analysis, and research, and evaluation of the resource(s) for the California Register of Historical Resources. The format and content of the report shall follow the California Office of Historic Preservation's Archaeological Resource Management Reports (ARMR): Recommended Contents and Format. Any tribal cultural resources identified shall be documented on appropriate California Department of Parks and Recreation 523-Series Forms. The report shall be prepared under the supervision of a qualified archaeologist and submitted to DCP within one year of completing the monitoring. The final draft of the report shall be submitted to the South Central Coastal Information Center.

Finding
Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Rationale for Finding
Mitigation measures TCR-1 through TCR-4 contain, but are not limited to, programs, performance standards, and monitoring during construction activities to ensure that the Project does not significantly impact any tribal cultural resources that may be discovered during demolition, grading of building activities. Therefore, regulatory compliance and adherence to these mitigation measures will reduce impacts of the Project to Tribal Cultural Resources to a less-than-significant level. The basis for this rationale also incorporates the discussion and analysis in the Draft EIR, Section IV.J, Tribal Cultural Resources and its Appendix I: Tribal Cultural Resources Assessment.

Reference
SWCA Environmental Consultants, Tribal Cultural Resources Assessment for the 6300 West Third Street Project, Los Angeles, California, October 12, 2020 (revised February 2, 2021) (See Appendix I of the Draft EIR).

VII. Significant and Unavoidable Impacts

The Final EIR determined that the Project would not result in any significant and unavoidable impacts. As discussed above, all of the environmental impacts resulting from the construction and operation of the Proposed Project were found to either have no impact, be less than significant prior to implementation of mitigation measures, and/or reduced to less than significant levels with implementation of mitigation measures. As such, the City finds that none of the impacts described in the Final EIR are significant and unavoidable.

VIII. Alternatives

The alternative analysis included in the Draft EIR, therefore, identified a reasonable range of project alternatives focused on avoiding or substantially reducing the project's significant impacts:

1. No Project Alternative
2. Mixed-Use Office Alternative
3. Reduced Density Alternative
4. Retail/Office Alternative

Summary of Findings
The City finds that no feasible alternative will substantially lessen any significant effect of the project, or avoid any significant effect the project would have on the environment.

Project Objectives

1. Provide "smart-growth" infill development that is generally consistent with the zoning and land use designation identified in the Wilshire Community Plan for the Development Site;
2. Enhance and activate an existing commercial retail center by replacing a portion of the existing surface parking lot and commercial uses with an economically viable and aesthetically attractive mixed-use development that will be physically and programmatically compatible with the existing on-site uses to remain as well as surrounding uses in the vicinity;
3. Improve the visual appearance and appeal of the neighborhood by replacing older commercial buildings with a modern mid-rise building and providing enhanced streetscape design and pedestrian-oriented amenities;
4. Support a reduction in vehicle miles traveled by providing high-density multi-family housing and employment opportunities in a designated Transit Priority Area;
5. Create an arrangement of land uses and new development that encourage and contribute to the economic, social, and physical health of the expanding residential community in the Wilshire Community Plan area;
6. Create a sustainable neighborhood with scalable design that fits with the unique context of the adjacent on- and off-site land uses.
7. Maximize the provision of housing units on an urban infill site to increase multi-family housing supply for the City and Wilshire Community Plan area.

Alternatives Analyzed

1. No Project Alternative

Description of Alternative

In accordance with the CEQA Guidelines, the No Project Alternative for a development project on an identifiable property consists of the circumstance under which the proposed Project does not proceed. CEQA Guidelines (Section 15126.6(e)) provides that the "no project" analysis shall discuss the existing conditions at the time the Notice of Preparation is published, as well as what can reasonably be expected to occur in the foreseeable future if the project is not approved based on current plans and consistent with available infrastructure and community services. In February 2019, at the time the NOP was published for the Proposed Project, the Development Site was developed with 151,048 square feet of commercial uses including a 131,873 square-foot K-Mart building, 13,090 square feet of retail, and 6,085 square feet of restaurant space.

Under the No Project Alternative, no buildings would be demolished, and no new buildings would be constructed. Building repair and upgrades would be necessary for the commercial uses to be occupied and viable. While it may be possible for commercial vacancies to fluctuate over time, the No Project Alternative assumes that the leasable area in the existing structure would remain similar to current conditions. As such, the Development Site's active land uses would include operational commercial tenants in the approximately 131,873 square-foot K-Mart building and the 19,175 square feet of patio shops.

Impact Summary

In comparison to the Proposed Project, the No Project Alternative would have no impact with respect to all of the environmental categories evaluated in the EIR.

Under the No Project Alternative, the existing uses on-site would continue operating and no new buildings would be developed. As such, the No Project Alternative would not meet any of the Project objectives listed above and in Section II, Project Description. Specifically, the No Project Alternative would not meet the objective of providing "smart-growth" infill development that is generally consistent with the zoning and land use designation identified in the Wilshire Community Plan for the Project Site, as no new development would occur.

The No Project Alternative would not enhance or activate an existing commercial retail center by replacing a portion of the existing surface parking lot and commercial uses with an economically viable and aesthetically attractive mixed-use development that will be physically and programmatically compatible with the existing on-site uses to remain as well as surrounding uses in the vicinity, as no new development would occur.

The No Project Alternative would not improve the visual appearance and appeal of the neighborhood by replacing older commercial buildings with a modern mid-rise building and providing enhanced streetscape design and pedestrian-oriented amenities, as no new development would occur.

The No Project Alternative would not support a reduction in vehicle miles traveled by providing high-density multi-family housing and employment opportunities in a designated Transit Priority Area, as no new development would occur.

The No Project Alternative would not create an arrangement of land uses and new development that encourage and contribute to the economic, social, and physical health of the residential community in the Wilshire Community Plan area, as no new development would occur.

The No Project Alternative would not create a sustainable neighborhood with scalable design that fits with the unique context of the adjacent on and off-site land uses, as no new development would occur.

The No Project Alternative would not maximize the provision of housing units on an urban infill site to increase multi-family housing supply for the City and Wilshire Community Plan area, as no new development would occur.

Finding

The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly skilled workers, make infeasible the mitigation measure or alternative identified in the EIR.

Rationale for Finding

Although the No Project Alternative would result in no impacts, compared to the Proposed Project's less than significant impacts for air quality, energy, greenhouse gas emissions, land use and planning, population and housing, public services, and public utilities, and the Proposed Project's less than significant impacts with mitigation for hazardous materials, noise, transportation, and tribal cultural resources, this Alternative would not meet any of the identified Project objectives. The No Project Alternative would also not meet the underlying purpose of the Project to transform an aging commercial retail center into an integrated smart-growth, mixed-use

development that provides mid-rise residential, retail and restaurant uses in the Wilshire Community Plan area.

Reference
Refer to the Draft EIR, Section V. Project Alternatives, (B) No Project Alternative, at pages V-9 through V-19.

2. Mixed-Use Office Alternative

Description of Alternative
The Mixed-Use Office Alternative would consist of demolition of the existing uses on the Development Site and the construction of a mid-rise, eight-story mixed-use structure with two levels of subterranean parking, for a maximum height of approximately 100 feet. Similar to the Proposed Project, the Mixed-Use Office Alternative would include 331 multi-family dwelling units and 83,994 square feet of commercial space for a total net new floor area of 426,994 square feet. However, under this Alternative, the approximately 63,082 square feet of supermarket space that is proposed on Level 3 would be converted to office space. The scale and massing of the structure proposed under the Mixed-Use Office Alternative would be the same as the Proposed Project. As such, the floor area, density, and building height would be the same as described for the Proposed Project. The open space and recreational amenities, vehicular and pedestrian access plan, and architectural features would also be the same as described under the Proposed Project. The parking requirements for office uses are lower than general retail uses. As a result, the parking requirements for the Mixed-Use Office Alternative would be 126 spaces lower than the Proposed Project, resulting in a surplus of 211 spaces above the code minimum.[1]

Impact Summary
In comparison to the Proposed Project, the Mixed-Use Office Alternative would have similar less-than-significant impacts as compared to the Proposed Project with respect to land use and planning, public services, (fire protection, police protection, schools, parks, libraries), solid waste, and electric power, natural gas, and telecommunications. The Mixed-Use Office Alternative would have reduced less-than-significant impacts as compared to the Proposed Project with respect to air quality, energy (electricity, natural gas, transportation), greenhouse gas emissions, population and housing. The Mixed-Use Office Alternative would have increased less-than-significant impacts as compared to the Proposed Project for water and wastewater. It is anticipated that this alternative would generate additional water demands and wastewater flows than the Proposed Project. However, impacts associated with water demand and wastewater treatment capacity would remain less than significant under this Alternative. Further, the Mixed-Use Office Alternative would result in similar less than significant impacts with mitigation for hazardous materials and tribal cultural resources, as compared to the Proposed Project; with increased less than significant impacts with mitigation for noise. Furthermore, this alternative would result in less than significant transportation impacts and would not require mitigation, compared to the Proposed Project's less than significant impacts with mitigation.

Finding
The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly skilled workers, make infeasible the mitigation measure or alternative identified in the EIR.

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[1] *The Proposed Prcject has a surplus of 85 spaces. If the amount of code required parking is reduced by 126 spaces, there would be a total of 211 surplus spaces (85+126= 211).*

Rationale for Finding
The Mixed-Use Office Alternative would not meet the underlying purpose of the Proposed Project, which is to transform an aging commercial retail center into an integrated smart-growth, mixed-use development that provides mid-rise residential, retail and restaurant uses in the Wilshire Community Plan area of the City of Los Angeles, to the same extent as the Proposed Project, because the alternative would include office uses instead of either retail and restaurant uses. The land uses associated with the Proposed Project are designed to be community serving and respond to the economic, social, and demographic conditions in the vicinity of the Project Site. The Mixed-Use Office Alternative would meet some of the objectives listed in Section II, Project Description, but not to the same extent as the Proposed Project. In particular, the Mixed-Use Office Alternative would not meet the objective to the same extent as the Proposed Project to enhance and activate an existing commercial retail center by replacing a portion of the existing surface parking lot and commercial uses with an economically viable and aesthetically attractive mixed-use development that will be physically and programmatically compatible with the existing on-site uses to remain as well as surrounding uses in the vicinity; or the objective to create a sustainable neighborhood with scalable design that fits with the unique context of the adjacent on- and off-site land uses, because the existing character around the Project Site is composed of primarily community- and regional-serving retail uses, mostly residential communities, and an adjacent public school, all of which provide an urban context that is more compatible with retail uses than it is with office uses.

In addition, as the Mixed-Use Office Alternative would generate additional water demands and wastewater flows compared to the Proposed Project, this Alternative would have increased impacts on water demand and wastewater treatment capacity as compared to the Proposed Project, although such impacts would remain less than significant.

Reference
Refer to the Draft EIR, Section V. Project Alternatives, (C) Mixed-Use Office Alternative, pgs. V-20 through V-48.

3. Reduced Density Alternative

Description of Alternative
The Reduced Density Alternative would consist of demolition of the existing uses on the Development Site and the construction of a mixed-use project with 150 multi-family townhome units and approximately 20,912 square feet of commercial space for a total new floor area of 395,912 square feet. Under this alternative, all of the commercial and residential guest parking spaces would be provided at grade level. The parking for the townhome units would be provided within the townhome units. Thus, earthwork and grading activities would be limited to surface grading and soil export would be limited to approximately 3,000 cubic yards. The Reduced Density Alternative would be comprised of two- to three level townhome units and single story retail uses at the ground floor. The height of the townhome structures would be a maximum of 35 feet. Common open space and recreational amenities would be provided consistent with the LAMC requirements.

Impact Summary
In comparison to the Proposed Project, the Reduced Density Alternative would have reduced less than significant impacts as compared to the Proposed Project with respect to air quality, energy (electricity, natural gas, transportation fuel), greenhouse gas emissions, population and housing, public services, (fire protection, police protection, schools, parks, libraries), water, wastewater, and solid waste. The Reduced Density Alternative would have similar less-than-significant

impacts as compared to the Proposed Project with respect to land use and planning and public services – electric power, natural gas, and telecommunications. Further, the Reduced Density Alternative would result in similar less than significant impacts with mitigation for hazardous materials, as compared to the Proposed Project; with reduced less than significant impacts with mitigation for noise and tribal cultural resources. Furthermore, this alternative would result in less than significant transportation impacts and would not require mitigation, compared to the Proposed Project's less than significant impacts with mitigation.

Finding

The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly skilled workers, make infeasible the mitigation measure or alternative identified in the EIR.

Rationale for Finding

Under the Reduced Density Alternative, similar land uses as the Proposed Project would be developed, but the number of dwelling units would be reduced from 331 to 150 (a reduction of 181 units) and the commercial/retail component would eliminate the 63,082 square-foot supermarket resulting in a total of 20,912 square feet of commercial retail area instead of 83,994 square feet as proposed under the Proposed Project. The Reduced Density Alternative would meet some of the Project Objectives but not to the same extent as the Proposed Project. Specifically, the Reduced Density Alternative would not meet, to the same extent as the Project, the objective to maximize the provision of housing units on an urban infill site to increase multifamily housing supply for the City and Wilshire Community Plan area, as this alternative would provide 181 fewer residential dwelling units. This Alternative would also not meet, to the same extent as the Project, the objective to support a reduction in vehicle miles traveled by providing high-density multi-family housing and employment opportunities in a designated Transit Priority Area, because it reduces dwelling unit density by over 50% (from 331 units to 150 units) on a site designated and zoned to accommodate high-density uses per the LAMC and community plan. Neither would this alternative provide the same extent of employment opportunities, as the Proposed Project, because it would reduce commercial uses by approximately twenty five percent, which in turn results in a net loss of employment opportunities on the Development Site. Lastly, this Alternative would not meet, to the same extent as the Proposed Project, the objective to create a sustainable neighborhood with scalable design that fits with the unique context of the adjacent on and off-site land uses. The Reduced Density Alternative would be comprised of two- to three level townhome units and single story retail uses at the ground floor. The height of the townhome structures would be a maximum of 35 feet. However, townhomes would not fit, to the same extent as the high-density apartments in the Proposed Project, with the high-intensity commercial context of a currently operating commercial center on the Project Site and with nearby regional-serving commercial and multi-family residential uses.

Reference

Refer to the Draft EIR, Section V. Project Alternatives, (D) Reduced Density Alternative, pages V-49 through V-79.

4. Retail/Office Alternative

Description of Alternative

The Retail/Office Alternative would include the demolition of the 151,048 square feet of existing uses on the Development Site and the construction of a mixed-use retail/office project with approximately 30,000 square feet of ground floor commercial space (including approximately 22,500 general commercial/retail space and 7,500 square feet of restaurant space) and 396,994

square feet of office space. The Retail/Office Alternative would not include any residential dwelling units. Under this Alternative, the proposed structure would include two levels of subterranean parking, at-grade retail/restaurant space and three levels of office space. The structure would be four levels above grade with a maximum height of 65 feet. Access to the subterranean parking garage would be through one driveway entering from the adjacent retail parking lot, and two driveways on S. Ogden Drive. The service driveway/loading dock would also be accessed from S. Ogden Drive.

Impact Summary

In comparison to the Proposed Project, the Retail/Office Alternative would have similar less than significant impacts as compared to the Proposed Project with respect to land use and planning, population and housing, public services - electric power, natural gas, and telecommunications. The Retail/Office Alternative would have reduced less-than-significant impacts as compared to the Proposed Project with respect to air quality, energy (natural gas, transportation), GHG emissions, public services, (fire protection, police protection, parks, libraries), and public utilities (water, wastewater). The Retail/Office Alternative would have increased less-than-significant impacts as compared to the Proposed Project for energy (electricity) and public services (schools) and public utilities (solid waste). It is anticipated that this alternative would generate additional electricity demands and solid waste than the Proposed Project. However, impacts associated with electricity demand, schools, and solid waste landfill capacity would remain less than significant under this Alternative. Further, the Retail/Office Alternative would result in similar less than significant impacts with mitigation for hazardous materials and tribal cultural resources, as compared to the Proposed Project; with reduced less than significant impacts with mitigation for noise. Furthermore, this alternative would result in less than significant transportation impacts and would not require mitigation, compared to the Proposed Project's less than significant impacts with mitigation.

Finding

The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly skilled workers, make infeasible the mitigation measure or alternative identified in the EIR.

Rationale for Finding

The Retail/Office Alternative only proposes general office and commercial/retail uses. Therefore, the Retail/Office Alternative would not meet the underlying purpose of the Proposed Project, which is to transform an aging commercial retail center into an integrated smart-growth, mixed-use development that provides mid-rise residential, retail and restaurant uses in the Wilshire Community Plan area of the City of Los Angeles. Neither would the Retail/Office Alternative meet most of the Project objectives. Specifically, because the Retail/Office Alternative does not provide any housing, it fails to meet project objectives that would support a reduction in vehicle miles traveled by providing high-density multi-family housing and employment opportunities in a designated Transit Priority Area, nor to maximize the provision of housing units on an urban infill site to increase multifamily housing supply for the City and Wilshire Community Plan area.

In addition, the Retail/Office Alternative would not meet, to the same extent as the Proposed Project, the objectives to create a sustainable neighborhood with scalable design that fits with the unique context of the adjacent on and off-site land uses, or the objective to enhance and activate an existing commercial retail center by replacing a portion of the existing surface parking lot and commercial uses with an economically viable and aesthetically attractive mixed-use development that will be physically and programmatically compatible with the existing on-site uses to remain as well as surrounding uses in the vicinity, because it is office building that would be placed within

the off-site context that includes a school, residential, and retail uses. Whereas the Proposed Project develops uses (residential, retail, and restaurants) that fit into the existing neighborhood context and provide for sustainable neighborhood growth. This Alternative would not meet, to the same extent as the Proposed Project, the objective to provide "smart-growth" infill development that is generally consistent with the zoning and land use designation identified in the Wilshire Community Plan for the Development Site, because two key elements of smart growth are to provide a mix of land uses and to create a range of housing opportunities and choices by development in existing communities. This Alternative would not meet, to the same extent as the Proposed Project, the objective to create an arrangement of land uses and new development that encourage and contribute to the economic, social, and physical health of the residential community in the Wilshire Community Plan area because its commercial-only land uses do not create a diverse arrangement of land uses, and it does not contribute residential units to the residential community in the Wilshire Community Plan area.

In addition, the Retail/Office Alternative would have increased less-than-significant impacts as compared to the Proposed Project for energy (electricity) and public services (schools) and public utilities (solid waste).

Reference
Refer to the Draft EIR, Section V. Project Alternatives, (D) Reduced Density Alternative, pages V-79 through V-105.

Alternatives Rejected as Infeasible
As set forth in CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate an alternative from detailed consideration are the alternative's failure to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts.

CEQA Guidelines Section 15126.6(b) states that "the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." The environmental impact analyses contained in Section IV, Environmental Impact Analysis of the Draft EIR concluded that the Proposed Project would result in less than significant impacts or less than significant impacts with mitigation for all impact categories addressed in the EIR. Impacts found to be less than significant with mitigation include noise, hazardous materials, transportation, and tribal cultural resources. Thus, the consideration of feasible alternatives was focused on further reducing the severity of impacts that were already determined to be less than significant with mitigation.

Alternatives to the Project that were considered and rejected as infeasible include the following:

In accordance with CEQA Guidelines Section 15126.6(c), an analysis of an alternative project site was rejected from further consideration. As a basic matter, the Proposed Project is consistent with the zoning and land use designations that apply to the Project Site and would implement existing planning policies, which limits the need to analyze an alternative site. Also, as stated above, no unavoidable significant environmental impacts would occur as a result of the Proposed Project. Thus, the selection of an alternative project site would not eliminate the occurrence of a significant unavoidable impact. An alternative site would not meet the project objective to transform an aging commercial retail center into an integrated smart-growth, mixed-use

development that provides mid-rise residential, retail and restaurant uses in the Wilshire Community Plan area of the City of Los Angeles.

Furthermore, the Project Applicant cannot reasonably acquire, control, or access an alternative site in a timely fashion that would result in implementation of a project with similar uses and square footage. Additionally, considering the mixes of uses in the surrounding area, including sensitive uses, development of the Proposed Project at an alternative site could potentially produce other environmental impacts that would otherwise not occur at the current Project Site and result in greater environmental impacts when compared with the Proposed Project. Therefore, an alternative site is not considered feasible as the Applicant does not own another suitable site that would achieve the underlying purpose and objectives of the Proposed Project, and an alternative site would not likely further reduce the Proposed Project's less than significant impacts with mitigation. Thus, this alternative was rejected from further consideration.

Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives.

The environmentally superior alternative would be the No Project Alternative. The No Project Alternative would eliminate the Proposed Project's less than significant impacts after mitigation related to hazardous materials, construction noise and vibration, traffic impacts, and tribal cultural resources. As discussed above, the No Project Alternative would not achieve any of the Applicant's stated Project Objectives. However, as required by CEQA, when the No Project Alternative is shown to be environmentally superior over the Proposed Project, a separate Environmentally Superior Project Alternative shall be identified among the alternatives analyzed within the EIR. Accordingly, the Draft EIR identified the Reduced Density Alternative as the Environmentally Superior Alternative.

IX. Significant Irreversible Environmental Changes

Section 15126.2(d) of the CEQA Guidelines indicates that an EIR should evaluate any significant irreversible environmental changes that would occur should the proposed project be implemented. The types and level of development associated with the project would consume limited, slowly renewable, and non-renewable resources. This consumption would occur during construction of the project and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation. The Project Site contains no energy resources that would be precluded from future use through Project implementation. For the reasons set forth in Section VI, Other CEQA Considerations of the Draft EIR, the Project's irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant, and the limited use of nonrenewable resources is justified.

Building Materials and Solid Waste

Construction and operation of the Proposed Project would result in the irretrievable commitment of limited, slowly renewable, and non-renewable resources, which would limit the availability of these resources in the future. While the commitment of such resources could potentially result in both primary and secondary impacts, the Proposed Project's use of non-renewable resources would be on a relatively small scale and consistent with regional and local growth forecasts and

development goals for the area. The loss of such resources would not be highly accelerated when compared to existing conditions. Therefore, although irreversible environmental changes would result from the Proposed Project, such changes would be considered less than significant.

The Proposed Project's demolition and construction activities are estimated to generate approximately 13,188 tons of construction and demolition debris. Under the requirements of the City's AB 939 Compliance Permit process and pursuant to LAMC Section 66.32, all construction and demolition debris would be delivered to a Certified Construction and Demolition Waste Processing Facility. Implementation of regulatory compliance measures would effectively achieve a 65 percent reduction in the Proposed Project's solid waste disposal needs upon area landfills. Assuming a 65 percent reduction in construction and demolition debris, the total amount of C&D debris to be disposed of at area landfills is estimated to be approximately 4,616 tons.

Operation of the Proposed Project would generate solid waste throughout the lifespan of the Project. The Proposed Project would generate approximately 4,101 pounds (2.05 tons) of solid waste per day, or approximately 748 tons per year. This estimate is conservative, as it does not factor in the amount of solid waste being recycled as a result of implementing on-site recycling areas. The Proposed Project would be required to comply with LAMC Section 12.21 A.19, which requires new development to provide an adequate recycling area or room for collecting and loading recyclable materials. Additionally, the Proposed Project would be required to comply with CALGreen Code and the L.A. Green Building Code waste reduction measures for the operation of the Proposed Project. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins would be emptied and recycled accordingly as a part of the Proposed Project's regular solid waste disposal program. Thus, the Proposed Project would be compliant with the City's solid waste reduction policies such that the Proposed project would not result in inefficient or wasteful use of the limited landfill capacity in the region.

Water

The Proposed Project's consumption of water during construction and operation of the Project is addressed in Section IV.K.1, Utilities and Service Systems—Water Supply, of this Draft EIR. As evaluated in the Draft EIR, construction activities for the Proposed Project would result in a temporary demand for water associated with dust control, equipment and site cleanup, excavation and export, soil compaction and earthwork, and other short-term related activities throughout construction of the Proposed Project. The amount of water used during construction would vary depending on soil conditions, weather, and the specific activities being performed. As shown in the Energy Demand Calculation Worksheets included in Appendix D of this Draft EIR, a conservative estimate of construction-related water use is approximately 7,953 gallons per day. This estimate would be less than the estimated existing water consumption of the uses to be removed of 7,552 gpd. Construction of the Project would be complete by 2023. Therefore, the Proposed Project's temporary and intermittent demand for water during construction would represent a slight decrease in the utilization of water during the construction period.

As discussed in Section IV.K.1,of the Draft EIR, the projected net water demand of the Proposed Project is 70.6 AFY. The Proposed Project would include sustainable design to meet all current LA Green Building Code requirements. As such, the development would incorporate water saving and low-flow fixtures and drought tolerant planting to promote water conservation methods. As discussed in the water reliability section of the 2015 Urban Water Management Plan (UWMP), the Department of Water and Power (LADWP) expects to have a reliable supply of up to 675,700 acre-feet of water in 2040.[2] As further discussed in the UWMP, LADWP expects to maintain a

[2] *Los Angeles Department of Water and Power, 2015 Urban Water Management Plan, page ES-23.*

reliable water supply through conservation, increased recycled water use (including both non-potable and potable reuse), increasing the City sources of water and reducing purchases from the MWD.[3] Between 2015 and 2040, the City's locally developed supplies are planned to increase from 14 percent to 49 percent of total water supply usage in dry years, or to 47 percent in average years.[4] The City's imported supplies will decrease significantly from 86 percent to 51 percent of water supply use in dry years, or to 53 percent in average years. With its current water supplies, planned future water conservation, and planned future water supplies, LADWP has available supplies to meet all demands under all three hydrologic scenarios (normal, dry, and multiple dry years) through the 25-year planning period covered by the 2015 UWMP.

Energy Consumption and Air Quality

(a) Electricity

(i) Construction

The Proposed Project's construction activities would increase the demand for electricity use related to the treatment and conveyance of water for dust suppression activities during the excavation and grading phase. As compared to the existing electricity demand (approximately 2,607,637 kWh/year), the amount of annual electricity use during construction would be approximately 20,943 kWh/year, which represents approximately 0.9 percent of the existing annual electricity use at the Development Site. As such, the energy requirements and energy use during construction would not cause wasteful, inefficient, and unnecessary use of energy, and impacts would be less than significant.

(ii) Operation

Development of the Proposed Project would increase the existing demand for electricity service in the Project Area. The total electricity demand from the Proposed Project would be approximately 6,512,372 kWh/year. The existing buildings and parking lot use within the Development Site generate a demand for approximately 2,607,637 kWh/year. Therefore, the Proposed Project's estimated net increase in electricity demand is approximately 3,904,735 kWh/year.

As required by the City of Los Angeles Green Building Code and 2019 Title 24 Standards the Proposed Project would be required to incorporate eco-friendly building materials, systems, and features, including Energy Star appliances, water saving and low-flow fixtures, drought tolerant planting, and high performance building envelopment. With these modern energy-efficient fixtures and appliances, the Proposed Project would promote energy conservation in accordance with the policies identified in Title 24, the LA Green Building Code, L.A's Green New Deal - Sustainable City pLAn 2019, LADWP's 2017 SLTRP, and the City of Los Angeles General Plan Framework. As such, the energy requirements and energy use of the Project related to electricity during operation would not cause wasteful, inefficient, and unnecessary use of energy, and impacts would be less than significant.

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[3] *Los Angeles Department of Water and Power, 2015 Urban Water Management Plan, page ES-1.*
[4] *Los Angeles Department of Water and Power, 2015 Urban Water Management Plan, page ES-20.*

(b) Natural Gas

(i) Construction

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Accordingly, natural gas would not be supplied to support Project construction activities; thus, there would be no expected demand generated by construction of the Project.

(ii) Operation

The Proposed Project would increase demand for natural gas service on the Development Site. The Proposed Project's net natural gas demands are estimated to be approximately 4,505,873 kBTU/year, or approximately 367,981 cf/month. The Proposed Project would promote energy conservation in accordance with the policies identified in 2019 Title 24 Standards, the LA Green Building Code, and LA's Green New Deal - Sustainable City pLAn 2019. The Proposed Project would also not include any hearths and/or fireplaces, which require natural gas (see GHG-PDF-1). Similar to electricity use, the increased energy conservation factors resulting from compliance with the 2016 Title 24 Standards are accounted for in the CalEEMod's calculation of the Proposed Project's natural gas use. Implementation of regulatory compliance measures mandated by the LA Green Building Code would further reduce demand for natural gas, which are not included in the Proposed Project's estimated natural gas demand as a conservative estimate. As such, the energy requirements and energy use of the Proposed Project related to natural gas during operation would not cause wasteful, inefficient, and unnecessary use of energy, and impacts would be less than significant.

(c) Transportation Fuel

(i) Construction

Transportation energy would be consumed during the demolition, excavation, and construction phases of the Proposed Project in the form of petroleum-based fuels associated with the use of off-road construction vehicles and equipment on the Development Site, construction worker travel to and from the Development Site, and delivery and haul truck trips (e.g., hauling of demolition material to off-site reuse and disposal facilities). As discussed in greater detail in Section IV.B, Energy, of the Draft EIR, construction of the Proposed Project would consume a total of approximately 185,815 gallons of transportation fuel, including 132,033 gallons of diesel and 53,782 gallons of gasoline.

Trucks and equipment used during proposed construction activities would comply with California Air Resources Board's (CARB) anti-idling regulations as well as the In-Use Off-Road Diesel-Fueled Fleets regulation. In addition to reducing criteria pollutant emissions, compliance with the anti-idling and emissions regulations would also result in efficient use of construction-related energy and reduce fuel consumption. In addition, on-road vehicles (i.e., haul trucks, worker vehicles) would be subject to Federal and state fuel efficiency requirements. Therefore, the Proposed Project's construction activities would comply with existing energy standards with regard to transportation fuel consumption. As such, the demand for petroleum-based fuel during construction would not cause wasteful, inefficient, and unnecessary use of energy.

(ii) Operation

The Proposed Project would generate a demand on fossil fuels as a result of the vehicle trips traveling to and from the Development Site. It is conservatively estimated that the operation of the Proposed Project would generate an increased net demand for approximately 23,118 gallons of diesel and 158,436 gallons of gasoline per year over existing conditions.

As discussed in Section IV.I, Transportation of the Draft EIR, the Proposed Project would include TDM strategies including unbundled parking, promotions, and marketing of alternative transportation options, and providing bicycle parking pursuant to the LAMC. The incorporation of these TDM strategies would reduce average weekday vehicle trips from 6,571 trips to 6,143 trips and would result in an approximate reduction of 1,154,625 VMTs per year as compared to the Proposed Project without mitigation. As related to the Proposed Project's transportation fuel use, this reduction in VMT would result in a reduction of 6,450 gallons of diesel fuel and 40,574 gallons of gasoline on an annual basis (see Appendix D, Energy Demand Calculations). Therefore, the Proposed Project's operational transportation fuel use would be further reduced with implementation of TDM strategies. As such, the energy requirements and energy use of the Proposed Project as related to petroleum-based fuels during operation would not cause wasteful, inefficient, and unnecessary use of energy, and impacts would be less than significant.

Environmental Hazards

As discussed in Section IV.D, Hazards and Hazardous Materials of the Draft EIR, the types and amounts of hazardous materials that would be used in connection with the Project would be typical of those used for residential and commercial developments. Specifically, operation of the Project would be expected to involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents, painting supplies, pesticides for landscaping, and petroleum products. Construction of the Project would also involve the temporary use of potentially hazardous materials, including vehicle fuels, paints, oils, and transmission fluids. However, all potentially hazardous materials would be used and stored in accordance with manufacturers' instructions and handled in compliance with applicable federal, state, and local regulations. In addition, there are regulations aimed at establishing specific guidelines regarding risk planning and accident prevention, protection from exposure to specific chemicals, and the proper storage of hazardous materials. The Project would be in full compliance with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials. Any associated risk would be reduced to a less than significant level through compliance with these standards and regulations. Additionally, although the Project Site is located in a Methane Zone, the Project will be designed and constructed in accordance with the recommendations in the Methane Report and to the satisfaction of LADBS. As such, compliance with regulations, standards, and incorporation of PDF-HAZ-1 (Methane) would serve to protect against significant and irreversible environmental change that could result from environmental accidents associated with the project

X. Growth-Inducing Impacts

Section 15126.2(e) of the CEQA Guidelines requires a discussion of the ways in which a proposed project could induce growth. This includes ways in which a project would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth or increases in the population which may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Additionally, consideration must be given to characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily

beneficial, detrimental, or of little significance to the environment. As noted above, the Project does not result in significant impacts on the environment in any category, including growth-inducing impacts.

The Proposed Project would construct and operate a mixed-use project with 331 multi-family dwelling units and 83,994 square feet of newly developed commercial space, with an estimated buildout year of 2023. The 331 multi-family dwelling units are anticipated to create 801 new residents in the Wilshire Community Plan area. The Proposed Project's population growth represents approximately 0.73 percent of the total population growth anticipated to occur within the City of Los Angeles between 2019 and 2023, as stated in SCAG's 2016-2040 RTP/SCS. On a regional scale, the Proposed Project represents only 0.64 percent of the growth that is expected to occur in the SCAG region between 2019 and 2023, and approximately 0.12 percent of the Citywide total growth for the period of 2019 to 2040. The 801 new residents anticipated to be generated by the Proposed Project would result in a negligible increase in the City's population growth forecast and would be within SCAG's regional population growth projection.

During construction, the Project would create temporary construction-related jobs. However, the work requirements of most construction projects are highly specialized such that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. Thus, construction workers would not be expected to relocate to the vicinity of the Project Site as a direct consequence of working on the Project. Therefore, the Project would not be considered growth inducing from a short-term employment perspective. Rather, the Project would provide a benefit by providing new employment opportunities during the construction period.

With respect to employment during operation of the Proposed Project, the 83,994 square feet of new commercial uses would generate a need for approximately 319 new employees, with an overall net increase of 5 employees when considering the existing uses on the Development Site. These employment opportunities would include a range of full-time and part-time positions that are typically filled by persons already residing in the vicinity of the workplace and surrounding communities, and who generally do not locate their households due to such employment opportunities. As such, the commercial component of the Proposed Project would be unlikely to create an indirect demand for additional dwelling units in the area. Therefore, the potential growth associated with Proposed Project's employees would be less than significant.

The Project Site is located in an infill property and is adequately supported by existing roadways and is already served by existing infrastructure associated with sewer systems, potable water delivery systems, electricity, and natural gas. Additionally, the Project Site is adequately served by public services including fire, police, schools, parks, and libraries and would not generate the need for additional services or service provider infrastructure to serve the Project Site. Based on the analysis presented in Sections IV.H, Public Services, and Section IV.K, Utilities and Service Systems, the Proposed Project would result in less than significant impacts.

Overall, the Project would be consistent with the growth forecast for the City of Los Angeles Subregion and would be consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of VMT. In addition, the Project would not require any major roadway improvements nor would the Project open any large undeveloped areas for new use. Any access improvements would be limited to driveways necessary to provide immediate access to the Project Site and to improve safety and walkability. Therefore, direct and indirect growth-inducing impacts would be less than significant.

XI. Energy Conservation

The Proposed Project's consumption of energy resources is discussed in Section IV, B Energy Conservation of the Draft EIR. As discussed in Section II, Project Description of the Draft EIR, the Proposed Project would be constructed to incorporate environmentally sustainable building features and construction protocols required by the Los Angeles Green Building Code and CALGreen. These standards would reduce energy and water usage and waste and, thereby, reduce associated greenhouse gas emissions and help minimize the impact on natural resources and infrastructure. The Proposed Project would be designed to meet the minimum energy efficiency standards of the Los Angeles Green Building Code and will demonstrate that it meets the City's standard of sustainability by meeting the intent of the criteria for certification at the U.S. Green Building Council's (USGBC) Leadership in Energy Efficiency and Design (LEED) certified level or equivalent.

XII. Statement of Overriding Considerations

The Draft EIR and Final EIR determined that the Project would not result in any significant and unavoidable impacts. As discussed above, all of the environmental impacts resulting from the construction and operation of the Project were found to either be less than significant prior to implementation of mitigation measures and/or reduced to less than significant levels with implementation of mitigation measures. As such, a Statement of Overriding Considerations is not required for the Project.

General Findings

1. The City, acting through the Department of City Planning, is the "Lead Agency" for the project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.

2. The EIR evaluated the following potential project and cumulative environmental impacts: air quality, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, population and housing, public services, transportation, utilities and service systems, energy, Tribal Cultural Resources, alternatives, and other CEQA considerations. Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes and Growth Inducing Impacts. The significant environmental impacts of the project and the alternatives were identified in the EIR.

3. The City finds that the EIR provides objective information to assist the decision makers and the public at large in their consideration of the environmental consequences of the project. The public review periods provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review periods and responds to comments made during the public review periods.

4. The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of City Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received

nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.

5. The Final EIR documents changes to the Draft EIR. Having reviewed the information contained in the Draft EIR, the Final EIR, and the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there is no new significant impact, substantial increase in the severity of a previously disclosed impact, significant new information in the record of proceedings or other criteria under CEQA that would require additional recirculation of the Draft EIR, or that would require preparation of a supplemental or subsequent EIR. Specifically, the City finds that:

   - The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.

   - The City has thoroughly reviewed the public comments received regarding the project and the Final EIR as it relates to the project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.

   - None of the information submitted after publication of the Final EIR, including testimony at the public hearings on the project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.

   - The mitigation measures identified for the project were included in the Draft EIR and Final EIR. The final mitigation measures for the project are described in the Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP is incorporated into the project. The City finds that the impacts of the project have been mitigated to the extent feasible by the mitigation measures identified in the MMP.

6. CEQA requires the Lead Agency approving a project to adopt a MMP or the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City and revised in the MMP as adopted by the City serve that function. The MMP includes all of the mitigation measures and project design features adopted by the City in connection with the approval of the project and has been designed to ensure compliance with such measures during implementation of the project. In accordance with CEQA, the MMP provides the means to ensure that the

mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code Section 21081.6, the City hereby adopts the MMP.

7. In accordance with the requirements of Public Resources Code Section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the project.

8. The custodian of the documents or other materials which constitute the record of proceedings upon which the City decision is based is the City of Los Angeles, Department of City Planning.

9. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

10. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the project.

11. The EIR is a project EIR for purposes of environmental analysis of the project. A project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the project by the City and the other regulatory jurisdictions.

TIME LIMIT AND TRANSFERABILITY

The authorization granted herein shall be for a three year period from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. There are no time extensions available beyond this three year period. Furthermore, this grant is not a permit or license and that permits and licenses required by all applicable laws must be obtained from the proper agency.

In the event the property is sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise such person or corporation regarding the conditions of this authorization. If any portion of the authorization is utilized, the conditions and requirement of the grant will become operative and must be strictly observed.

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code.

APPEAL PERIOD - EFFECTIVE DATE

The Determination in this matter will become effective after 15 days from the date of mailing of this determination unless an appeal there from is filed with the City Planning Department.

Pursuant to LAMC Section 16.05-H, the applicant, any officer, board, department, or bureau of the City, or any interested person aggrieved by the decision of the Director may appeal this determination.

Pursuant to LAMC Section 12.37-I(d), the determination may only be appealed by any person required to dedicate land or make improvements pursuant to LAMC Section 12.37.

COVID-19 INTERIM APPEAL FILING PROCEDURES: Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, the Department of City Planning is implementing new procedures for the filing of appeals that eliminate or minimize in-person interaction. There are two options for filing appeals, which are effective immediately and described in the Interim Appeal Filing Procedures attached to this Letter of Determination. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received by the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at www.planning.lacity.org.

Planning Department public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Suite
251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
Development Services Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2901

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:

Milena Zasadzien
Senior City Planner

Prepared by:

William Lamborn
City Planner

Courtney Shum
City Planner

Attachments:
Interim Appeal Filing Procedures
Exhibit A: Architectural Plans
Exhibit B: Mitigation and Monitoring Program

COVID-19 UPDATE
Interim Appeal Filing Procedures

Fall 2020

LOS ANGELES CITY PLANNING

Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC
(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC
(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC
(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/and or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment

PROJECT INFORMATION

Site Addresses:
6300-6370 W. 3rd Street
300-370 S. Fairfax Avenue
347 S. Ogden Drive
Los Angeles, CA 90036

OWNERSHIP:
TF REG, LLC
915 Wilshire Blvd. #2200
Los Angeles, CA 90017
Contact: John Mehigan
T. 213.553.2273

LANDSCAPE:
LRM Landscape Architecture | Urban Design
10335 Jefferson Boulevard,
Culver City, CA 90232
Contact: Charles Elliott
T. 310.839.660 F. 310.559.1310

ARCHITECT:
MVE + Partners
1900 Main Street
Irvine, CA 92614
Contact: Matthew McLarand
T. 949.809.3388 F. 949.809.3399

LAND USE CONSULTANT:
Craig Lawson & Co., LLC
3221 Hutchison Avenue, Suite D
Los Angeles, CA 90034
Contact: Jim Ries
T. 310.838.2400 F. 310.838.2424

PROJECT DESCRIPTION

Demolition of 151,048 SF of existing commercial floor area and new construction of 8 story mixed use project including 83,994 SF of new commercial floor area and 5 stories of multi-family residential over 3 levels of above-grade parking and retail, and 2 levels of underground parking

LEGAL DESCRIPTION*

All that certain real property situated in the county of Los Angeles, State of California, described as follows:

That Portion of lot 12 of Tract No. 215, in the city of Los Angeles, in the county of Los Angeles, State of California, as per map recorded in book 14, pages 42 and 43 of maps, in the office of the county recorder of said county. Reference Exhibit A on the MLUA for full legal description.

*This Legal Description describes the entire 7.5-acre retail center (also known as the Project Site). The Development Site comprises the eastern portion of the Project Site as shown on Sheet A0.00 & A0.01

ZONE

CURRENT ZONE

LOT	ZONE	GENERAL PLAN DESIGNATION
APN 5509-018-003, 004, 005, 009, 010, 012, 013	**C2-1-O**	COMMUNITY COMMERCIAL

PROPOSED ZONE - no change

HEIGHT

(8 Total Stories over 2 Levels underground parking)	(Top of Roof Appurtenances included)
Height District 1 Max. Height Allowed	No Limit
Proposed Building Height	100'-0"

LOT AREA

Lot Area (Net Pre-dedicated)	327,121 sf (7.5097 Acres)
Lot Area (Post-dedicated)	312,620 sf (7.1768 Acres)
*Buildable Area	327,121 sf (7.5097 Acres)

*Per LAMC Section 12.03 C2 zone buildable area shall have the same meaning as lot area.

FLOOR AREA

Allowed Floor Area (1.5 x 327,121 sf)	490,682 sf
Existing Commercial Floor Area	214,736 sf
Proposed Commercial Demolition	151,048 sf
Existing Commercial to Remain	63,688 sf
Proposed New Commercial Floor Area	83,994 sf
Total Commercial	147,682 sf
Proposed Residential Floor Area	343,000 sf
Total Floor Area	**490,682 sf (1.5:1 FAR)**

NET NEW FLOOR AREA BY LEVEL

Level	Retail	Amenities	Lobby/Leasing	Residential
Roof				
Level 8				74,936 sf
Level 7				74,936 sf
Level 6				74,936 sf
Level 5		2,117 sf		71,226 sf
Level 4		3,540 sf		38,934 sf
Level 3	48,741 sf			
Level 2				
Level 1	35,253 sf		2,375 sf	
Total	**83,994 sf**		**343,000 sf**	

RESIDENTIAL UNITS

*Per LAMC Section 12.14, C2 zone residential density is one dwelling unit per 400 square feet of lot area.

Studio	70 Units
1 Bedroom	162 Units
2 Bedroom	66 Units
3 Bedroom	33 Units
Total	**331 Units**

PARKING

REQUIRED

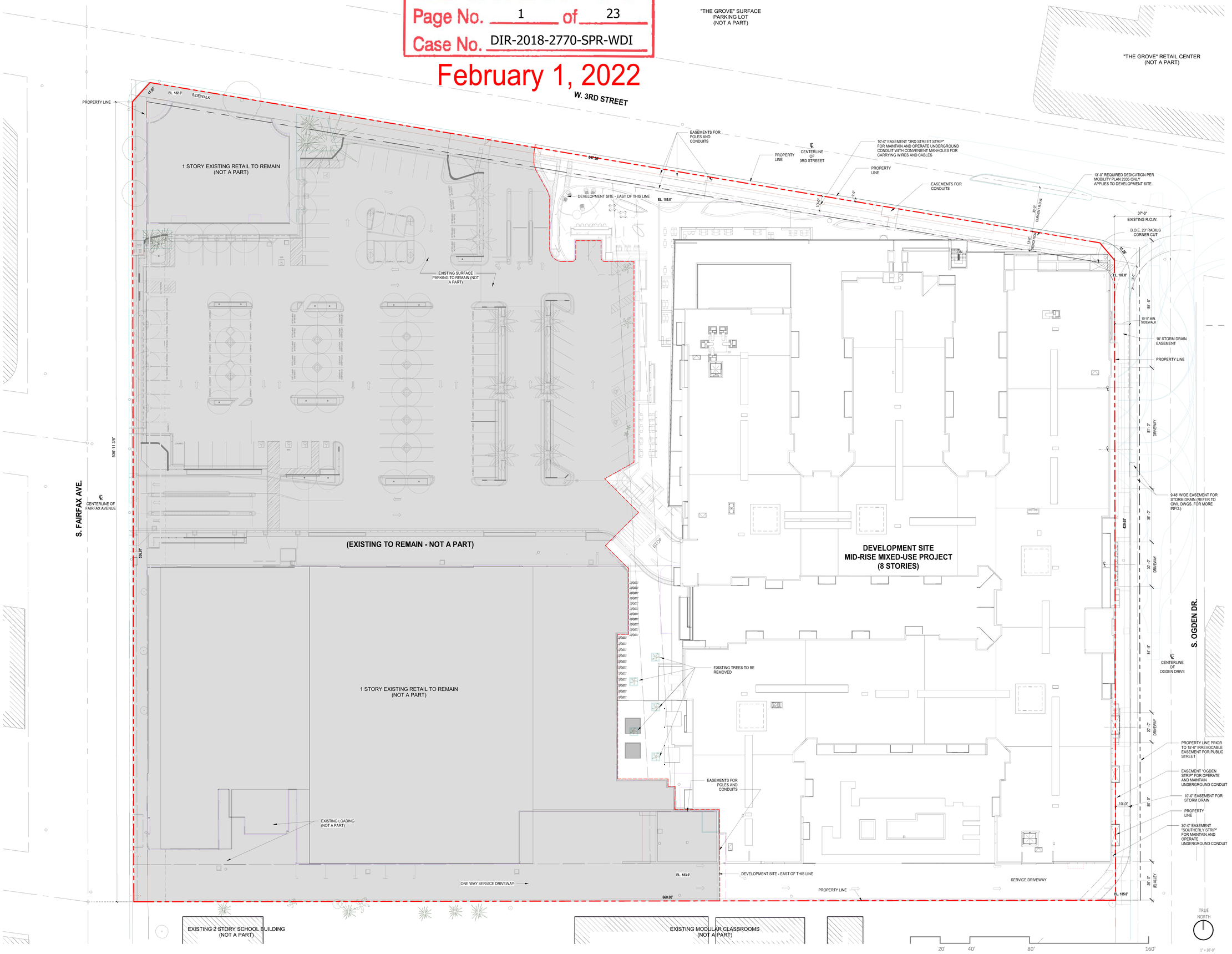
Residential			
Units with 3 or less Habitable Rooms	70 Units x 1.00	=	70 Spaces
Units equal to 3 Habitable Rooms	162 Units x 1.50	=	243 Spaces
Units with more than 3 Habitable Rooms	99 Units x 2.00	=	198 Spaces
Total Required Residential Spaces		**=**	**511 Spaces**
Commercial (Retail)			
New Supermarket	63,082 sf @ 4 per 1,000 SF	=	252 Spaces
New Commercial Retail	13,412 sf @ 4 per 1,000 SF	=	54 Spaces
New Commercial Restaurant	7,500 sf @ 1 per 100 SF	=	75 Spaces
Total Required Commercial Spaces		**=**	**381 Spaces**

PROPOSED

Residential	511 Spaces
Commercial	485 Spaces
Total Proposed	**996 Spaces**

GENERAL NOTES:
1. GREY SHADED REGION OF PLANS ON SHEETS A0.00 & A0.01 INDICATE EXISTING TO REMAIN - NOT A PART
2. REFER TO SHEET A0.01 FOR ADDITIONAL INFORMATION.

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February 1, 2022



HOLLAND PARTNER GROUP | MVE + PARTNERS | 6300 W. 3rd Street, Los Angeles, CA 90036 | PLOT PLAN | RETDES CO | A0.00

Note: Conceptual Design Package Subject To Change

10/27/2021 11:04:46 AM

PROJECT INFORMATION (CON'T)

BICYCLE PARKING

REQUIRED

Residential					
1-25 Units	2.5	(Short Term)	/	25	(Long Term)
26-100 (75 Units)	5	(Short Term)	/	50	(Long Term
101-200 (100 Units)	5	(Short Term)	/	50	(Long Term)
201-331 (131 Units)	3.3	(Short Term)	/	33	(Long Term)
Commercial					
Proposed	42	(Short Term)	/	42	(Long Term)
Total Required	**58**	**(Short Term)**	/	**200**	**(Long Term) = 258 Spaces**

PROPOSED

Residential	16	(Short Term)	/	158	(Long Term)
Commercial					
Proposed	42	(Short Term)	/	42	(Long Term)
Total Proposed	**58**	**(Short Term)**	/	**200**	**(Long Term) = 258 Spaces**

OPEN SPACE

REQUIRED	UNIT COUNT	OPEN SPACE
Units with less than 3 Habitable Rooms (100 sf. Required per Unit)	232 Units	23,200 sf
Units with 3 Habitable Rooms (125 sf. Required per Unit)	66 Units	8,250 sf
Units with more than 3 Habitable Rooms (175 sf. Required per Unit)	33 Units	5775 sf
Total Open Space Required	**331 Units**	**37,225 sf**

PROPOSED

Common Open Space 'Indoor'	
Level 4 Amenity	3,223 sf
Level 5 Amenity	1,963 sf
Total Common Open Space 'Indoor'	5,186 sf
Common Open Space 'Outdoor'	
Level 4 Roof Deck	16,537 sf
Level 5 Roof Deck	13,572 sf
Level 7 Roof Deck	1,930 sf
Total Common Open Space 'Outdoor'	32,039 sf
Total Common Open Space 'Indoor' (Max. 25% of Required Open Space = 9,550 sf)	5,186 sf
Total Common Open Space 'Outdoor'	32,039 sf
Total Proposed Open Space	**37,225 sf**
Planted Area Required (25% of Proposed "Outdoor" Common Open Space)	**8,000** sf
Planted Area Provided	**8,000 sf**

TREES

REQUIRED (1 per 4 Units)	83 Trees
PROVIDED (1 per 4 Units)	**83 Trees**

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February 1, 2022

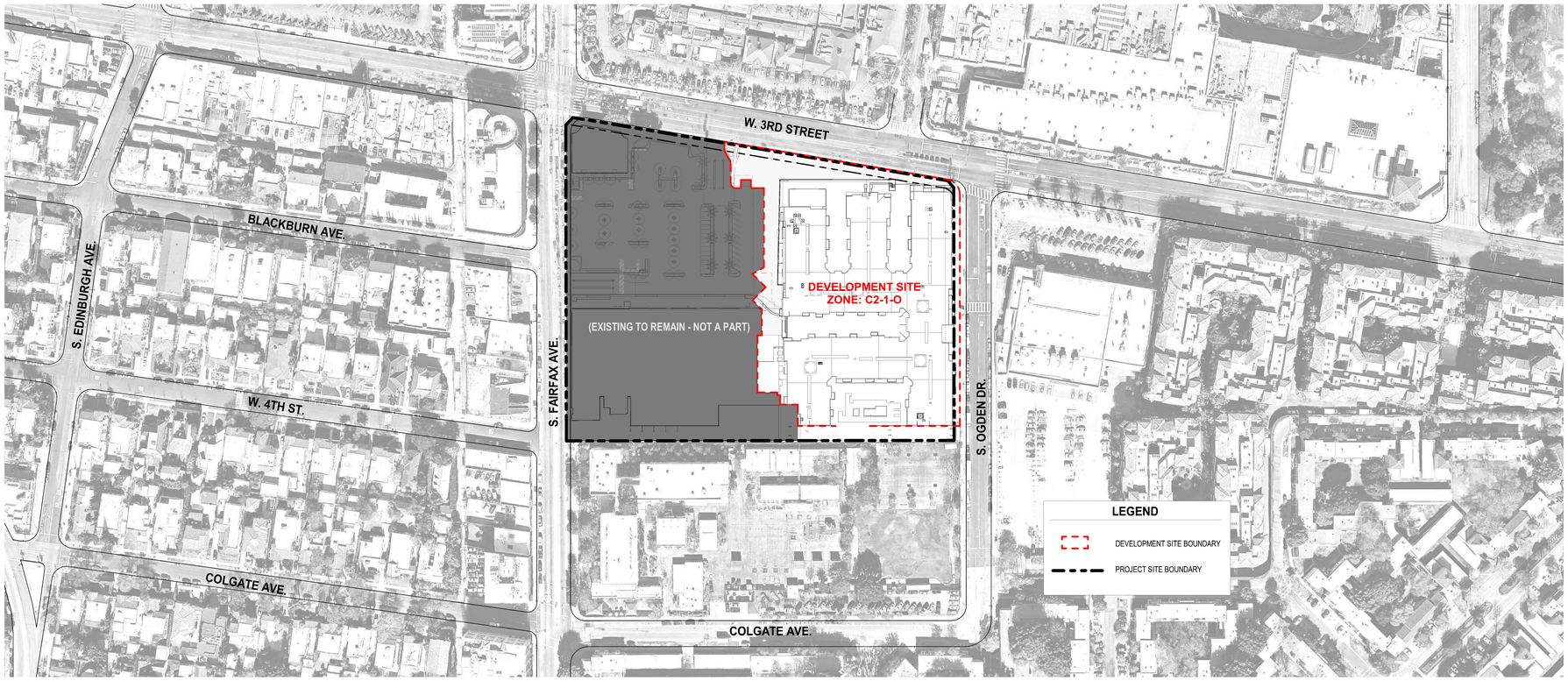


Existing Site Plan & Floor Area 1" = 40'-0" 1

Sec. 12.03 of Zoning Code Defines Floor Area:
Is that area in square feet confined within the exterior walls of a building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing building-operating equipment or machinery, parking areas with associated driveway and ramps, space for the landing and storage of helicopters, and basement storage areas.

EXISTING FLOOR AREA CALCULATIONS:

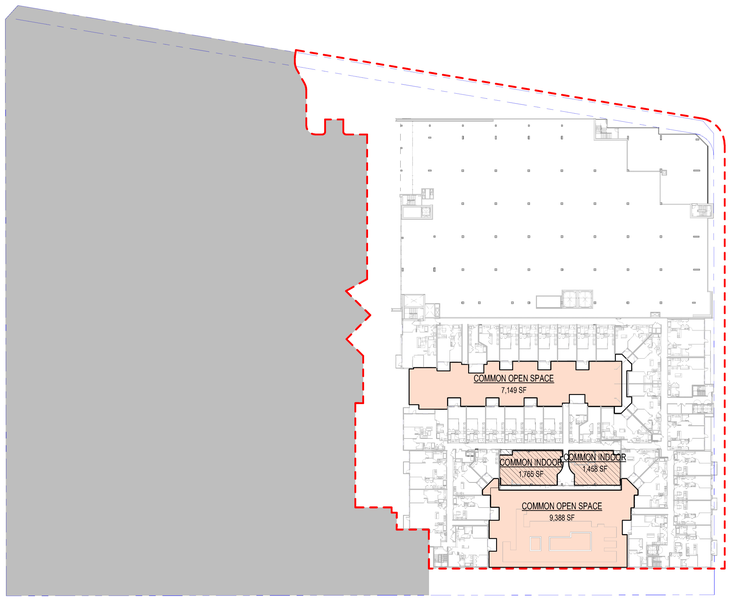
Total Existing Floor Area	**214,736**	**SF**
Patio Shops East	19,174.52	SF
KMart	131,873.00	SF
Total Area to be Demolished	**151,048**	**SF**
Pad Buildings	6,442.30	SF
Patio Shops West	11,449.00	SF
Grocery Store	28,655.01	SF
Drug Store	14,496.14	SF
Storage Shed	900	SF
SW Corner Store	1,746.00	SF
Total Area to Remain	**63,688**	**SF**



Contextual Site Plan 1" = 80'-0" 2

TRUE NORTH

NOTES:
1. SEE SHEET A1.04 & A1.05 FOR DIMENSIONS OF OPEN SPACE AREAS.



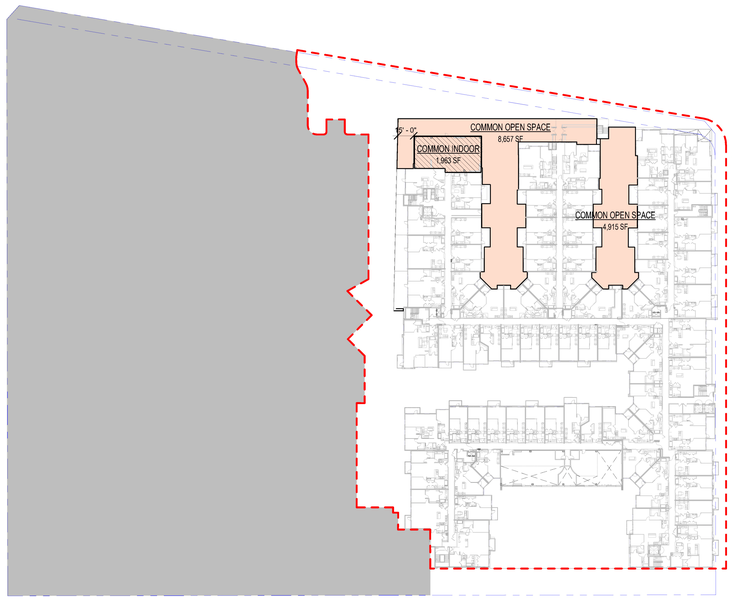
Level 4 1" = 50'-0" 1

OPEN SPACE LEGEND
- COMMON OPEN SPACE 'OUTDOOR'
- COMMON OPEN SPACE 'INDOOR'
- PRIVATE PATIO SPACE 'OUTDOOR'

(REFERENCE LANDSCAPE PLANS)

FLOOR SUMMARY

COMMON OPEN SPACE 'OUTDOOR' =	16,537 SF
COMMON OPEN SPACE 'INDOOR' =	3,223 SF
PRIVATE PATIO SPACE 'OUTDOOR' =	0 SF



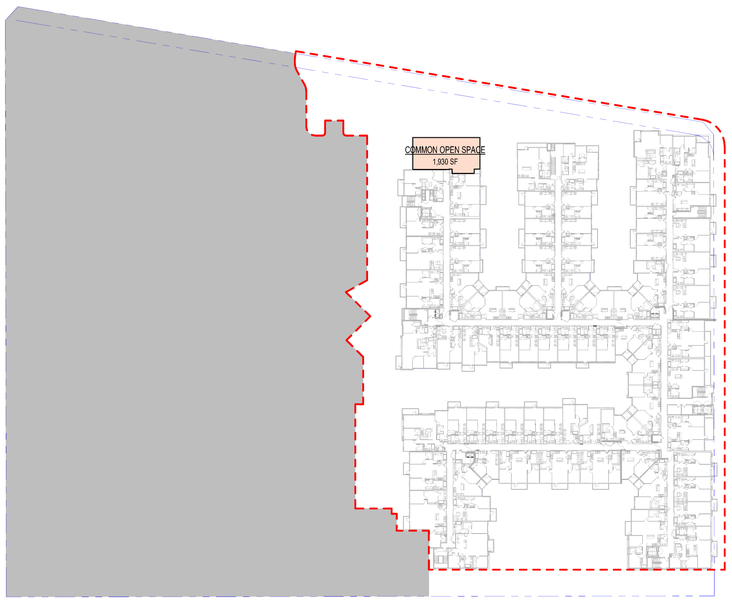
Level 5 1" = 50'-0" 2

OPEN SPACE LEGEND
- COMMON OPEN SPACE 'OUTDOOR'
- COMMON OPEN SPACE 'INDOOR'
- PRIVATE PATIO SPACE 'OUTDOOR'

(REFERENCE LANDSCAPE PLANS)

FLOOR SUMMARY

COMMON OPEN SPACE 'OUTDOOR' =	13,572 SF
COMMON OPEN SPACE 'INDOOR' =	1,963 SF
PRIVATE PATIO SPACE 'OUTDOOR' =	0 SF



Level 7 1" = 50'-0" 3

OPEN SPACE LEGEND
- COMMON OPEN SPACE 'OUTDOOR'
- COMMON OPEN SPACE 'INDOOR'
- PRIVATE PATIO SPACE 'OUTDOOR'

(REFERENCE LANDSCAPE PLANS)

FLOOR SUMMARY

COMMON OPEN SPACE 'OUTDOOR' =	1,930 SF
COMMON OPEN SPACE 'INDOOR' =	0 SF
PRIVATE PATIO SPACE 'OUTDOOR' =	0 SF

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TRUE NORTH

50' 100' 200' 400'

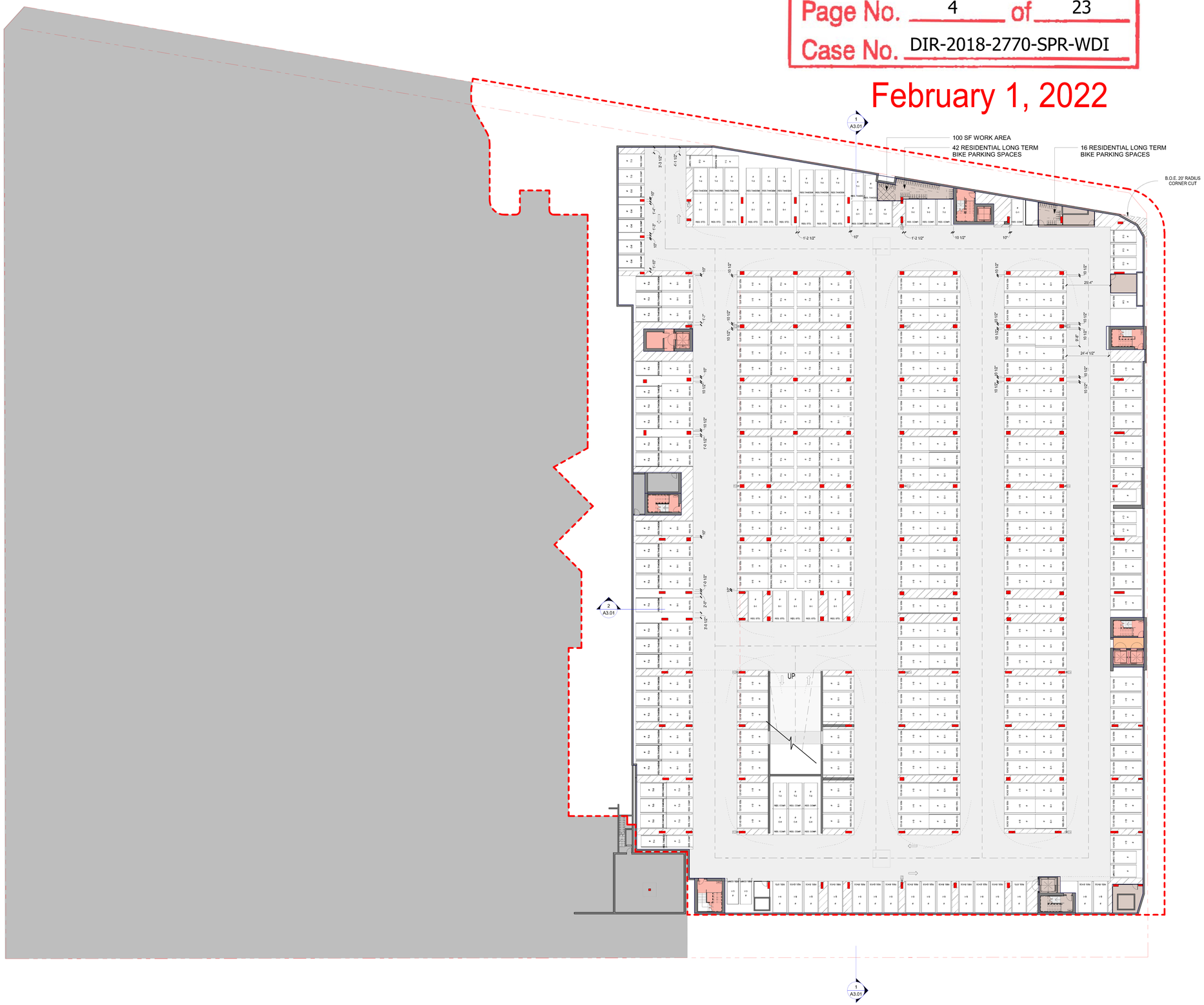
As indicated

Note: Conceptual Design Package Subject To Change

10/27/2021 11:05:00 AM

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TRUE NORTH

20' 40' 80' 160'

1" = 20'-0"

HOLLAND PARTNER GROUP | MVE + PARTNERS

6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

FLOOR PLAN - LEVEL P2

RETDES CO

A1.0A

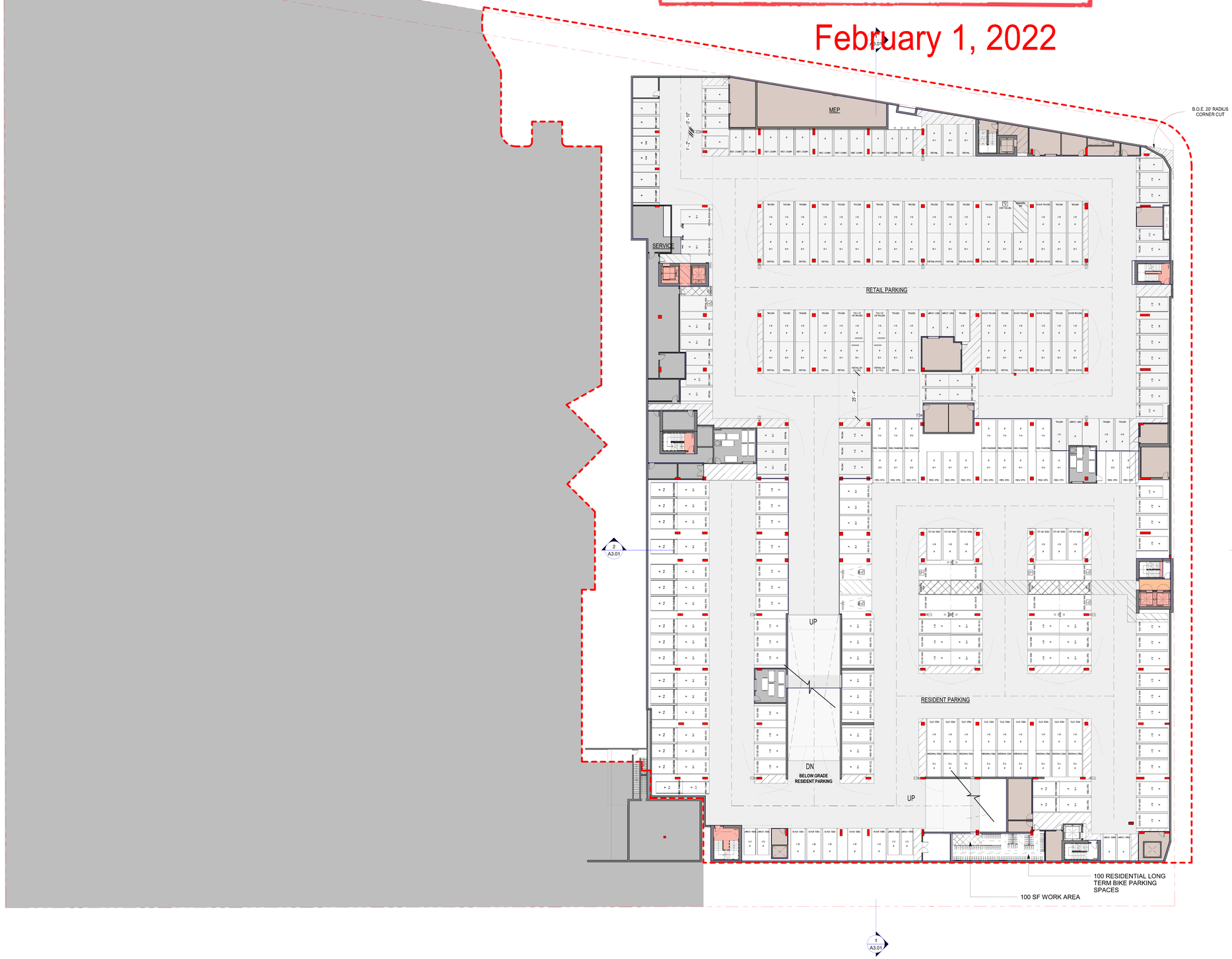
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TRUE NORTH

20' 40' 80' 160'

1" = 20'-0"

HOLLAND PARTNER GROUP | MVE + PARTNERS

6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

FLOOR PLAN - LEVEL P1

A1.0B

10/27/2021 11:58:30 AM

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February 1, 2022

182.1'

186.8'

180.8'

182.5'

185.6'

178.7'

184.3'

EXISTING RETAIL TO REMAIN

EXISTING SURFACE PARKING TO REMAIN

EXISTING RETAIL TO REMAIN

EXISTING RETAIL TO REMAIN

RETAIL TERRACE ABOVE

RETAIL ACCENT ROOF ABOVE

W 3RD STREET

1 A3.01

2 A3.01

B.O.E. 20' RADIUS CORNER CUT

186.20 FF ELEV.

RETAIL

RETAIL BOH

LOBBY

CORE

RETAIL MEP

TRASH

LOADING

100 SF WORK AREA

42 LONG TERM RETAIL BIKE PARKING SPACES

RETAIL MEP

RETAIL F.F. 185'

PICK/STAGING AREA

LOADING

F.F. 186'

TRASH

CORE

CART

PASEO & RESIDENT ACCESS TO RETAIL

STOP

ENTRY EXIT

S OGDEN DR

RETAIL UNCOVERED SHORT-TERM BIKE 20 BIKES

RETAIL COVERED SHORT-TERM BIKE 22 BIKES

MEP

UP LEVEL 2 RETAIL PARKING

RETAIL PARKING

RAMP

RAMP

DN LEVEL P1 RETAIL PARKING

LOBBY / LEASING

ELEVATOR LOBBY

ENHANCED PAVING THROUGHOUT DROP-OFF GARAGE LOBBY

RESIDENT ENTRY WITH SECURITY GATE

RESIDENT ENTRY DROP-OFF AREA

16 SHORT TERM RESIDENTIAL BIKE PARKING SPACES

BELOW GRADE RESIDENT PARKING

RAMP

DN 9.6%

DN

RETAIL EXIT

RESIDENT LOADING / MOVE-IN

STAIR

MEP

RESIDENT LOADING

26' U-HAUL TRUCK

RESIDENT EXIT WITH SECURITY GATE

TRUE NORTH

20' 40' 80' 160'

1" = 20'-0"

HOLLAND PARTNER GROUP

MVE + PARTNERS

6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

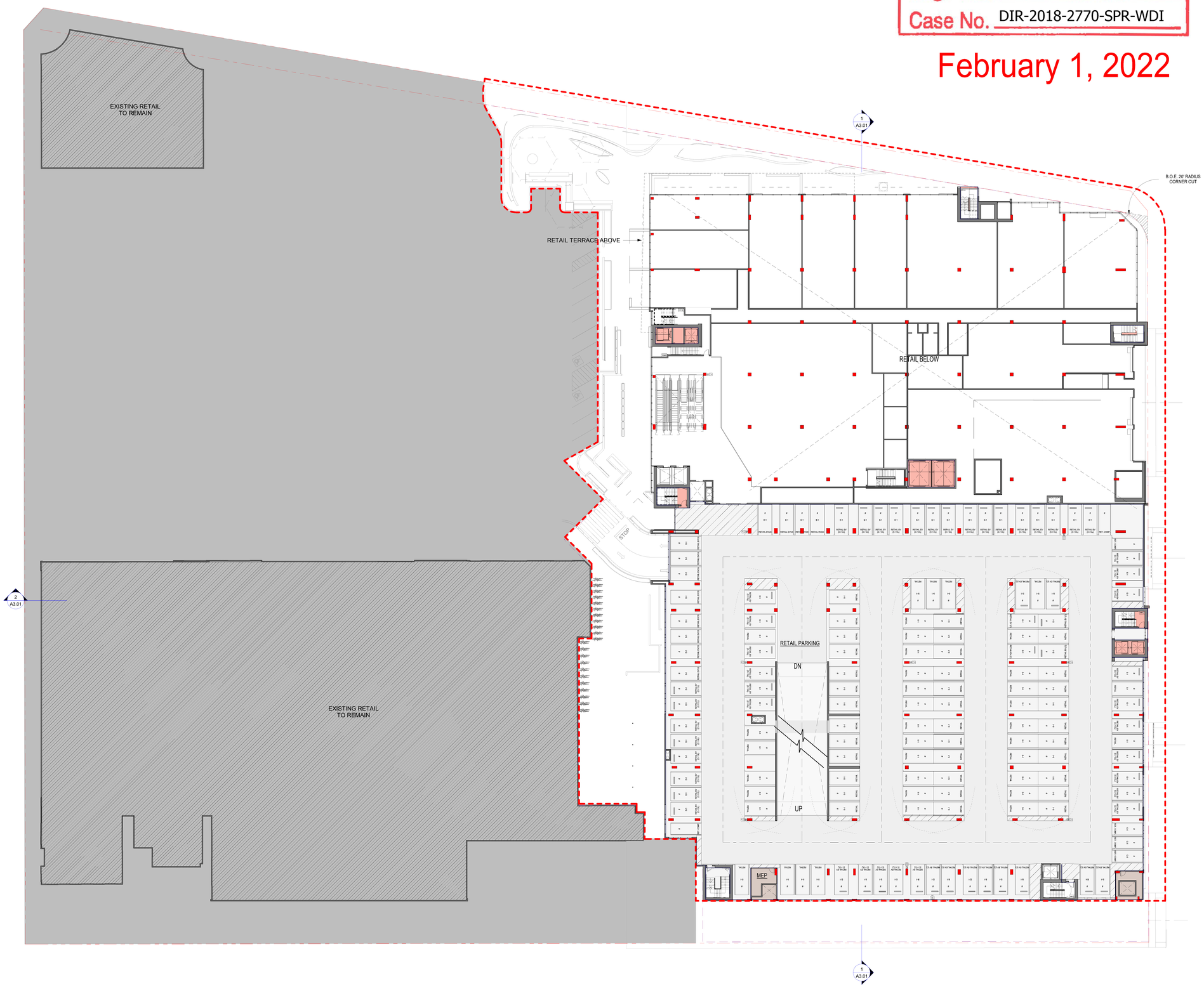
FLOOR PLAN - LEVEL 1

A1.01

10/27/2021 11:58:38 AM

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TRUE NORTH

20' 40' 80' 160'

1" = 20'-0"

HOLLAND PARTNER GROUP | MVE + PARTNERS

6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

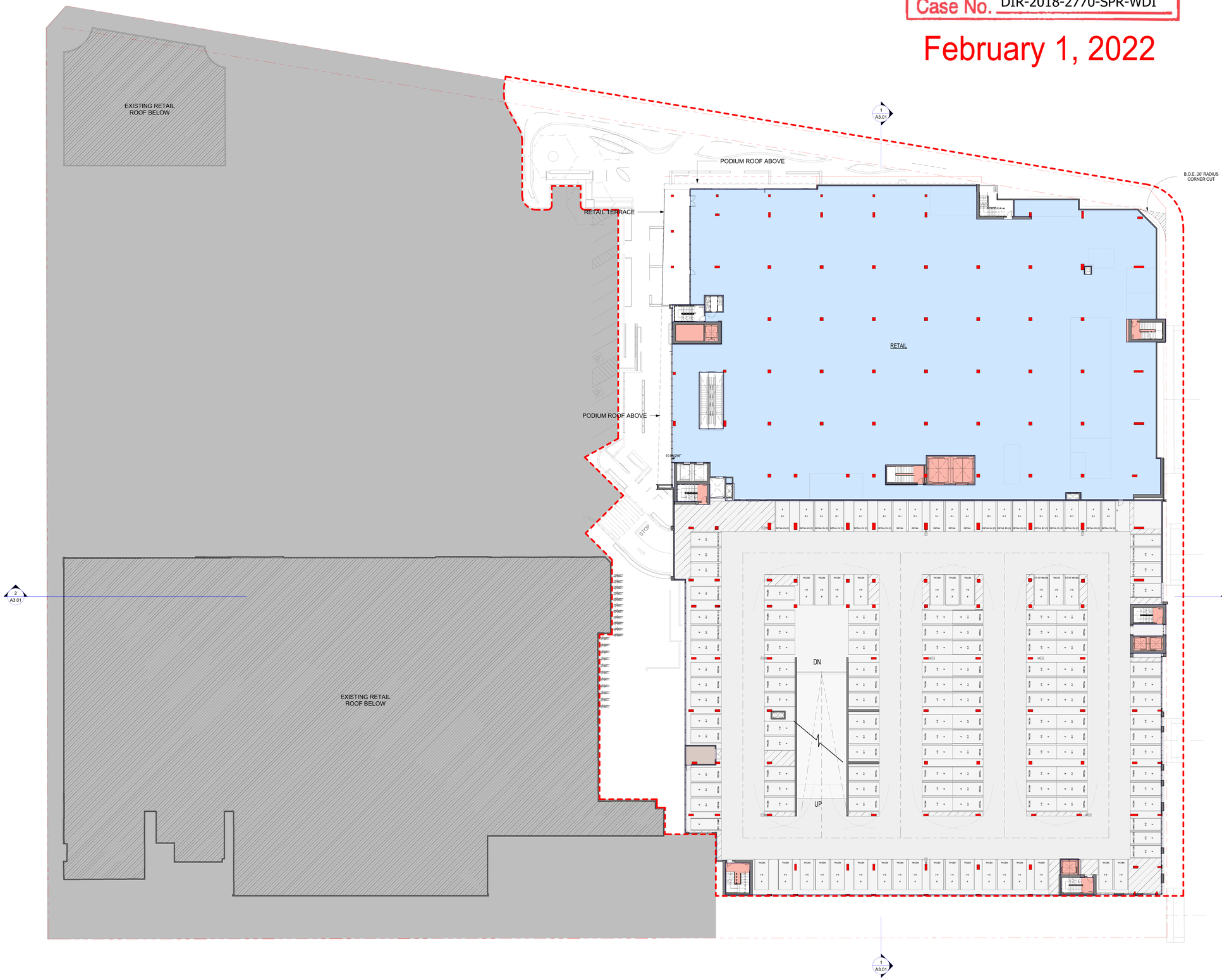
FLOOR PLAN - LEVEL 2

A1.02

10/27/2021 11:58:44 AM

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TRUE NORTH

20' 40' 80' 160'

1" = 20'-0"

HOLLAND PARTNER GROUP | MVE + PARTNERS | 6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

FLOOR PLAN - LEVEL 3

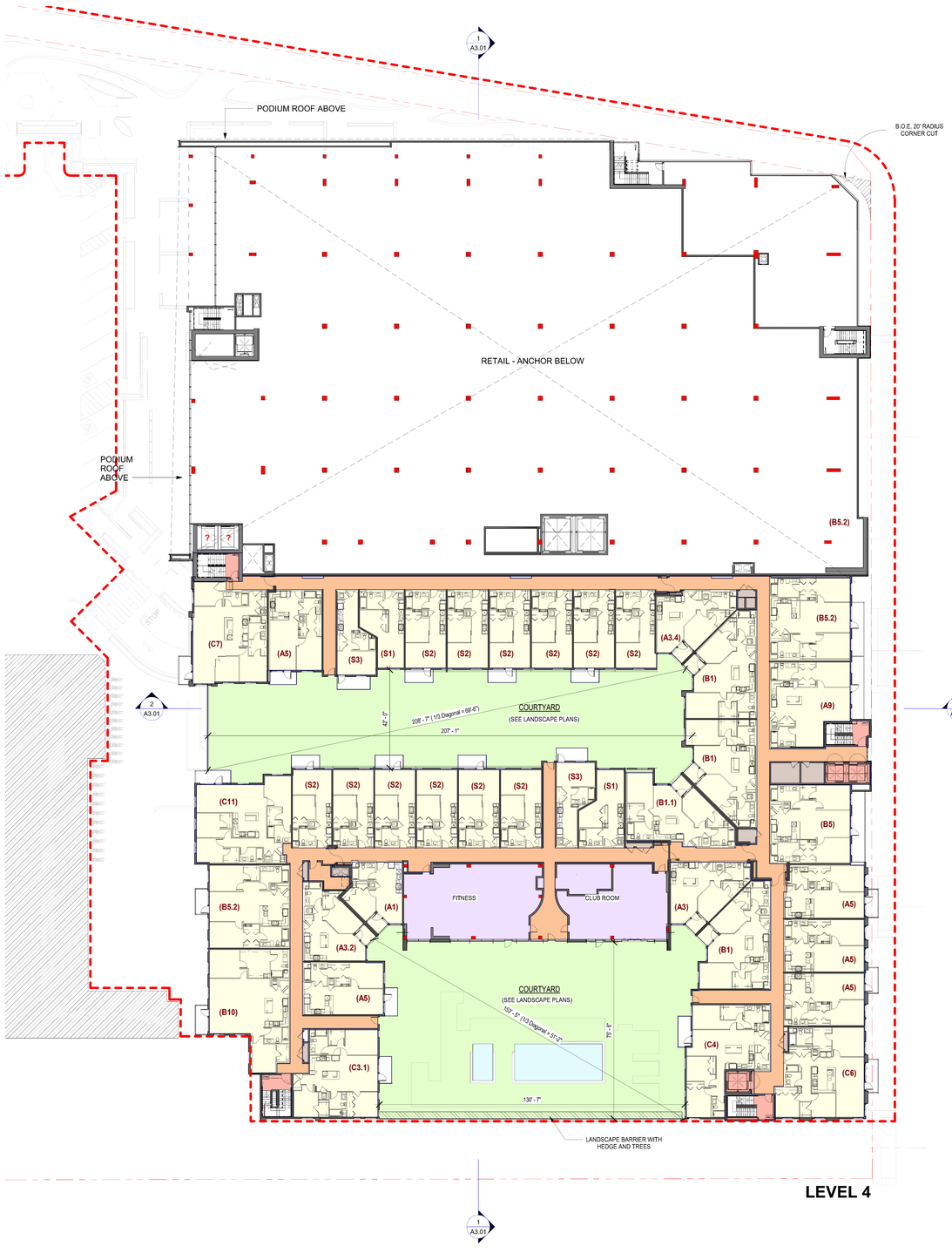
RETDES CO

A1.03

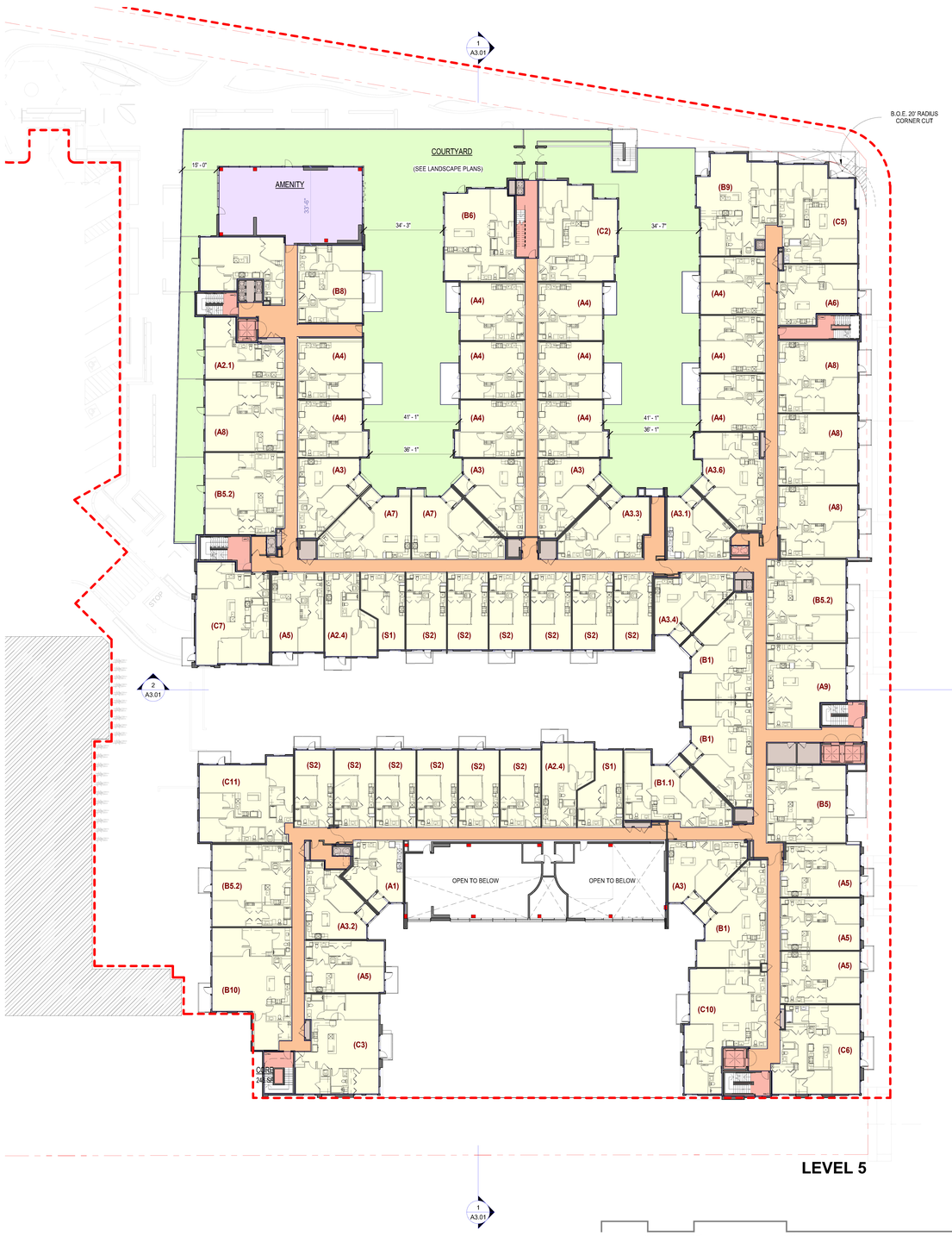
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LEVEL 4



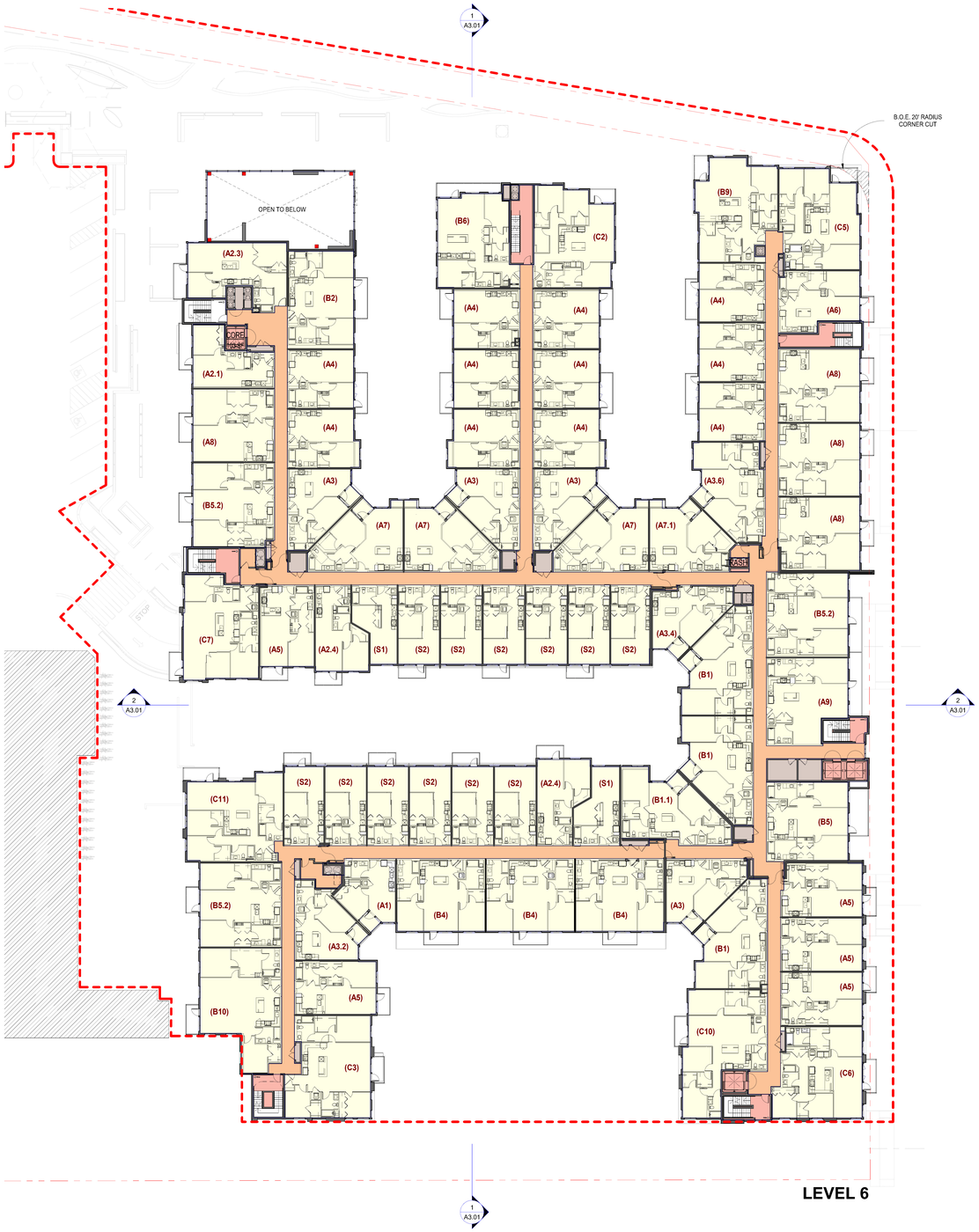
LEVEL 5

TRUE NORTH

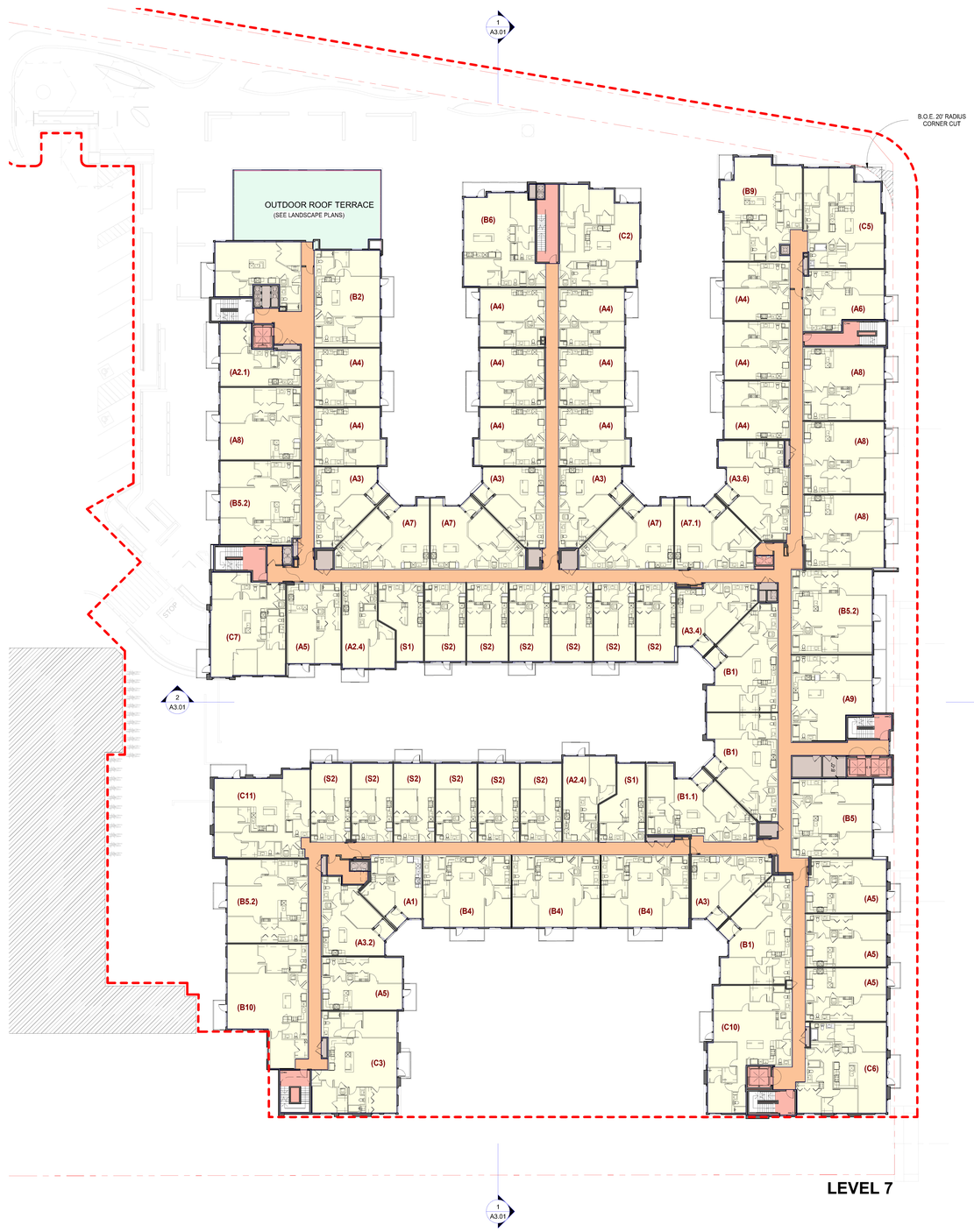
1" = 20'-0"

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LEVEL 6



LEVEL 7

TRUE NORTH

20' 40' 80' 160'

1" = 20'-0"

HOLLAND PARTNER GROUP | MVE + PARTNERS

6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

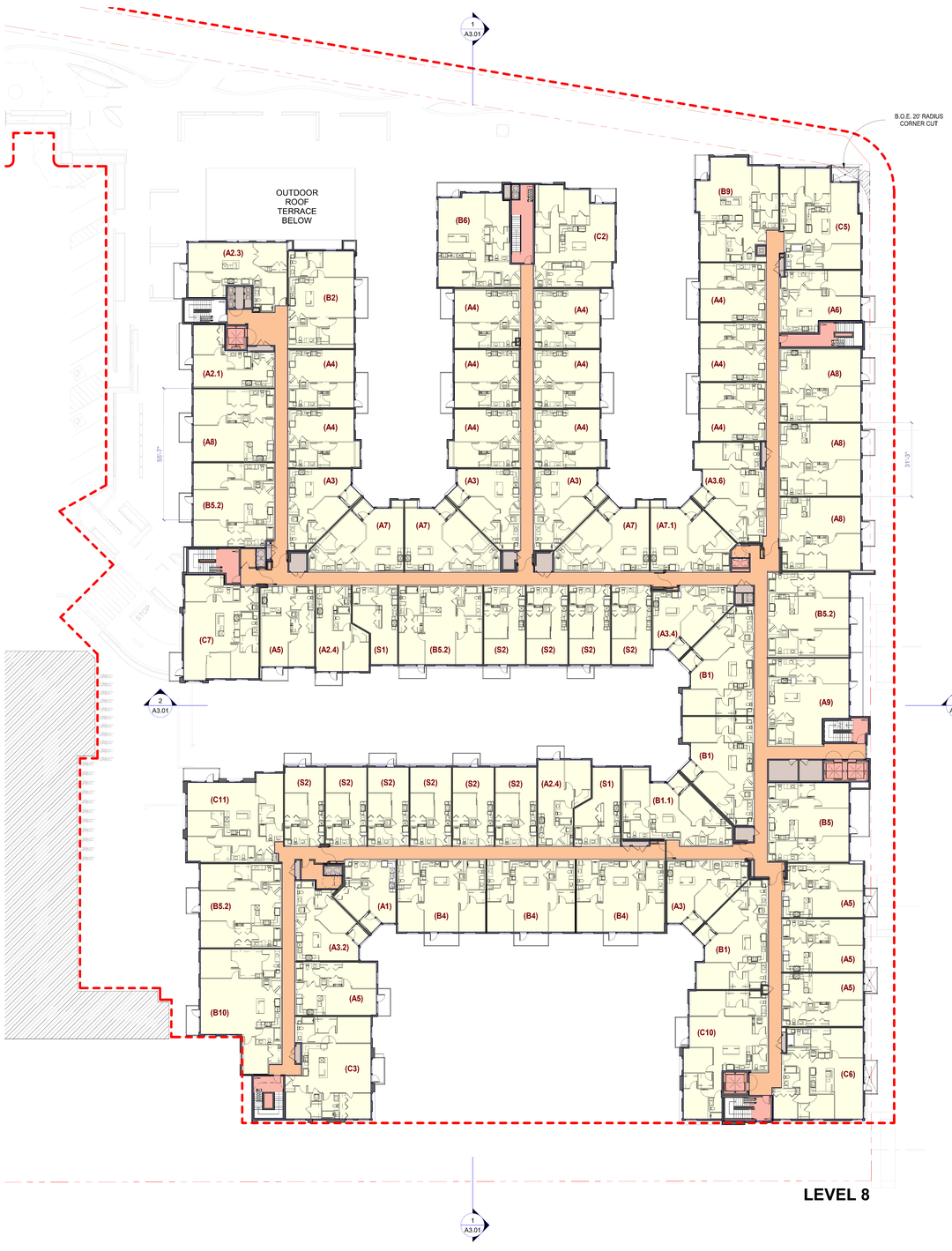
FLOOR PLAN - LEVELS 6 & 7

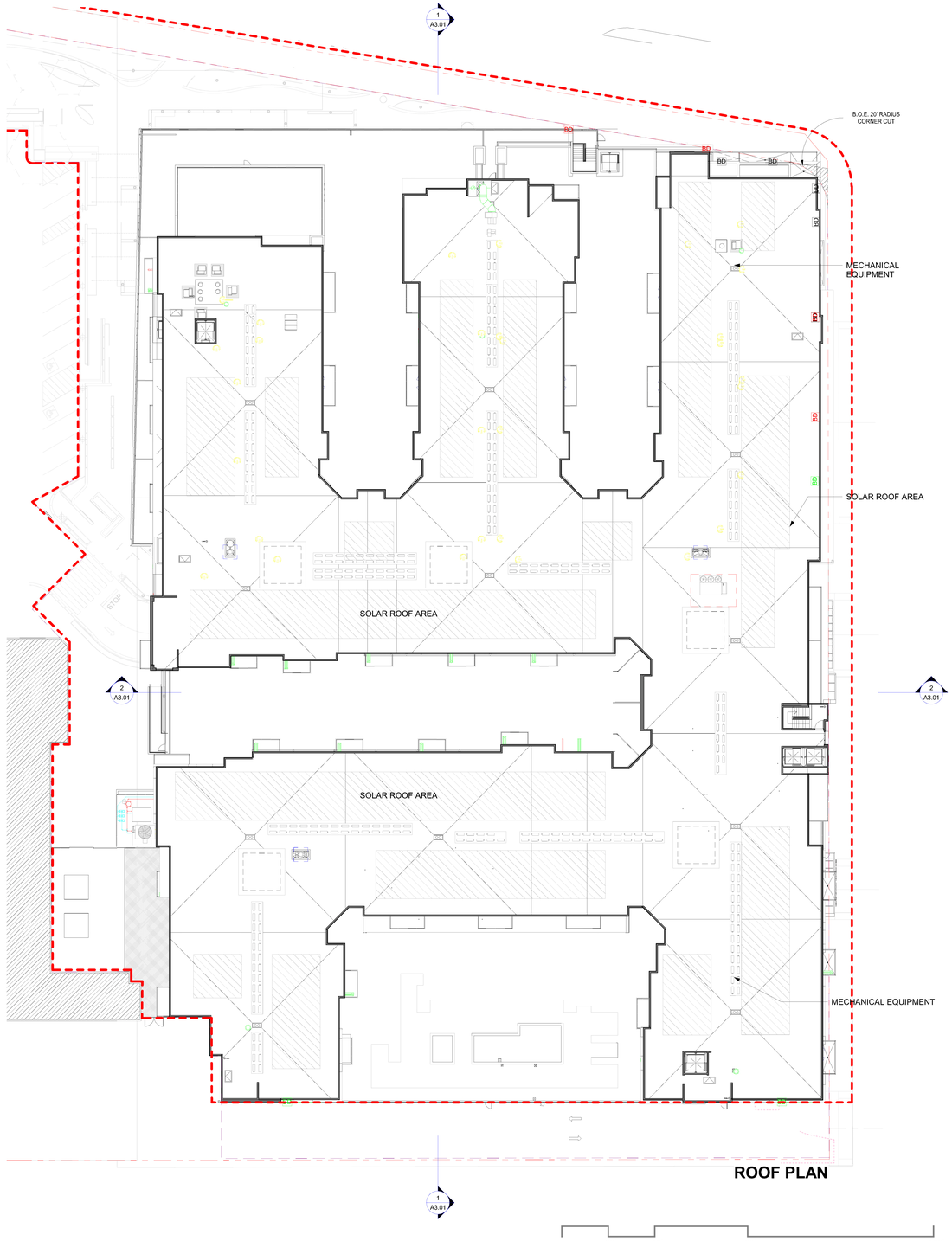
A1.05

10/27/2021 11:59:03 AM

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February 1, 2022





TRUE NORTH

1" = 20'-0"

HOLLAND PARTNER GROUP | MVE + PARTNERS | 6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

FLOOR PLAN - LEVEL 8 & ROOF

RETDES CO

A1.06

10/27/2021 11:59:17 AM

STUCCO MATERIALS

S-01 STUCCO MATERIAL COARSE (16/20) ; "WARM WHITE" COLOR (or comparable material)

S-02 STUCCO MATERIAL COARSE (16/20) ; "TAN" COLOR (or comparable material)

S-03 STUCCO MATERIAL COARSE (16/20) ; "DARK GRAY" COLOR (or comparable material)

S-04 PASEO ENTRIES- STUCCO MATERIAL; "LIMEGREEN" (or comparable material)

S-05 SMOOTH COAT STUCCO / CAST IN PLACE CONCRETE (or comparable material)

ACCENT MATERIALS

RESIDENTIAL

A-01 "WOOD" ACCENT CLADDING; COMPOSITE MATERIAL COLOR - 'WALNUT' (or comparable material)

A-03 AT CORE; COMPOSITE MATERIAL COLOR - DARK GRAY (or comparable material)

LOUVERS

A-02 "WOOD" LOUVERS AT AMENITY ; ALUMINUM LINK & LOCK SYSTEM; COLOR - 'WALNUT' (or comparable material)

RETAIL

M-01 METAL SIDING COLOR - CHAMPAGNE FINISH - CLEAR FINISH (or comparable material)

M-02 METAL SIDING COLOR FINISH - CLEAR FINISH (or comparable material)

ARCHITECTURAL TREATMENTS

BALCONY

G-03 FRITTED GLASS ; FRAME COLOR - UC106686F COSMIC GRAY MICA (or comparable material)

M-04 STEEL PICKETS RAILING ; COLOR - BLACK ANODIZED FINISH - MATTE (or comparable material)

WINDOWS

G-01 ALUMINUM STOREFRONT GLASS; MULLION COLOR - UC106686F COSMIC GRAY MICA (or comparable material)

G-02 VINYL WINDOWS ; FRAME COLOR - UC106686F COSMIC GRAY MICA (or comparable material)

METAL FRAMES AT RETAIL

M-03 METAL "FRAME" AT RETAIL ENTRIES COLOR - BLACK FINISH - CLEAR FINISH (or comparable material)

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February 1, 2022



SOUTH ELEVATION 1/16" = 1'-0" **1**



EAST ELEVATION 1/16" = 1'-0" **2**

0' 16' 32' 64' 128'

1/16" = 1'-0"

STUCCO MATERIALS

S-01 STUCCO MATERIAL COARSE (16/20) ; "WARM WHITE" COLOR (or comparable material)

S-02 STUCCO MATERIAL COARSE (16/20) ; "TAN" COLOR (or comparable material)

S-03 STUCCO MATERIAL COARSE (16/20) ; "DARK GRAY" COLOR (or comparable material)

S-04 PASEO ENTRIES- STUCCO MATERIAL; "LIMEGREEN" (or comparable material)

S-05 SMOOTH COAT STUCCO / CAST IN PLACE CONCRETE (or comparable material)

ACCENT MATERIALS

RESIDENTIAL

A-01 "WOOD" ACCENT CLADDING; COMPOSITE MATERIAL COLOR - 'WALNUT' (or comparable material)

A-03 AT CORE; COMPOSITE MATERIAL COLOR - DARK GRAY (or comparable material)

LOUVERS

A-02 "WOOD" LOUVERS AT AMENITY ; ALUMINUM LINK & LOCK SYSTEM; COLOR - 'WALNUT' (or comparable material)

RETAIL

M-01 METAL SIDING COLOR - CHAMPAGNE FINISH - CLEAR FINISH (or comparable material)

M-02 METAL SIDING COLOR FINISH - CLEAR FINISH (or comparable material)

ARCHITECTURAL TREATMENTS

BALCONY

G-03 FRITTED GLASS ; FRAME COLOR - UC106686F COSMIC GRAY MICA (or comparable material)

M-04 STEEL PICKETS RAILING ; COLOR - BLACK ANODIZED FINISH - MATTE (or comparable material)

WINDOWS

G-01 ALUMINUM STOREFRONT GLASS; MULLION COLOR - UC106686F COSMIC GRAY MICA (or comparable material)

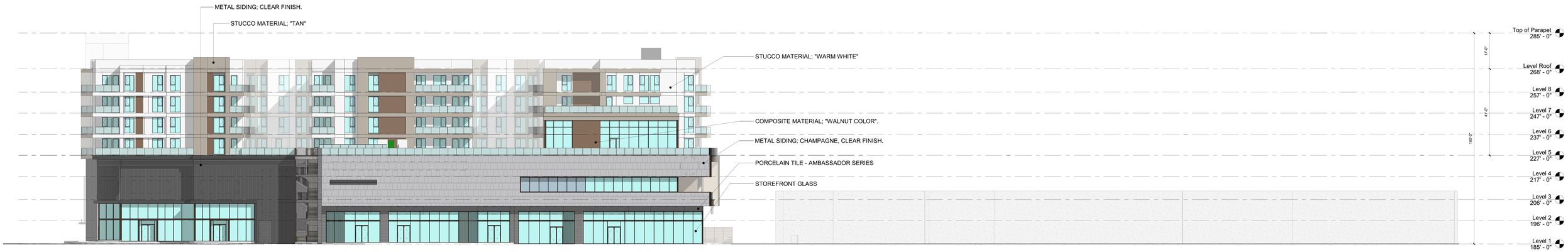
G-02 VINYL WINDOWS ; FRAME COLOR - UC106686F COSMIC GRAY MICA (or comparable material)

METAL FRAMES AT RETAIL

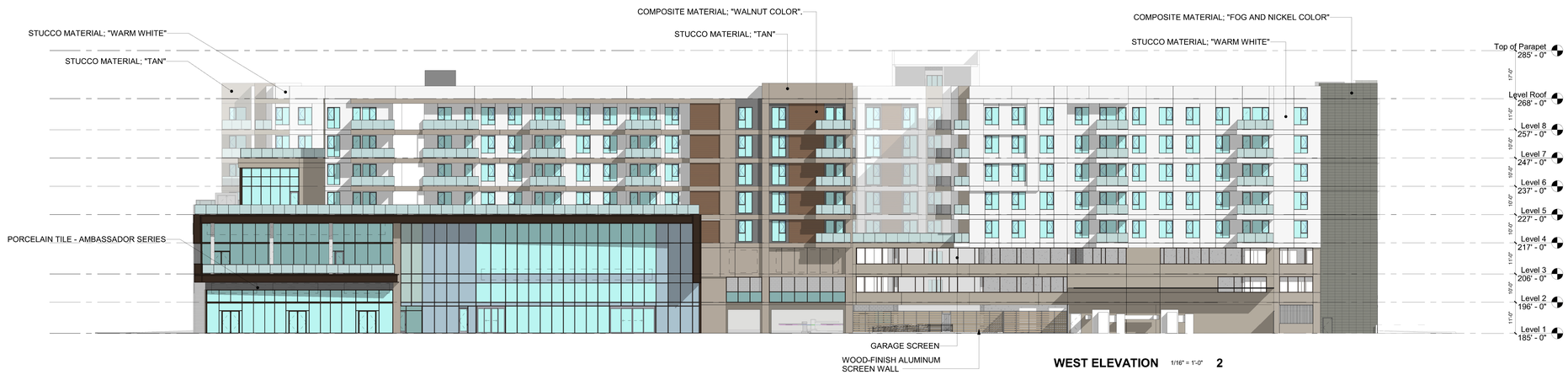
M-03 METAL "FRAME" AT RETAIL ENTRIES COLOR - BLACK FINISH - CLEAR FINISH (or comparable material)

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NORTH ELEVATION 1/16" = 1'-0" **1**



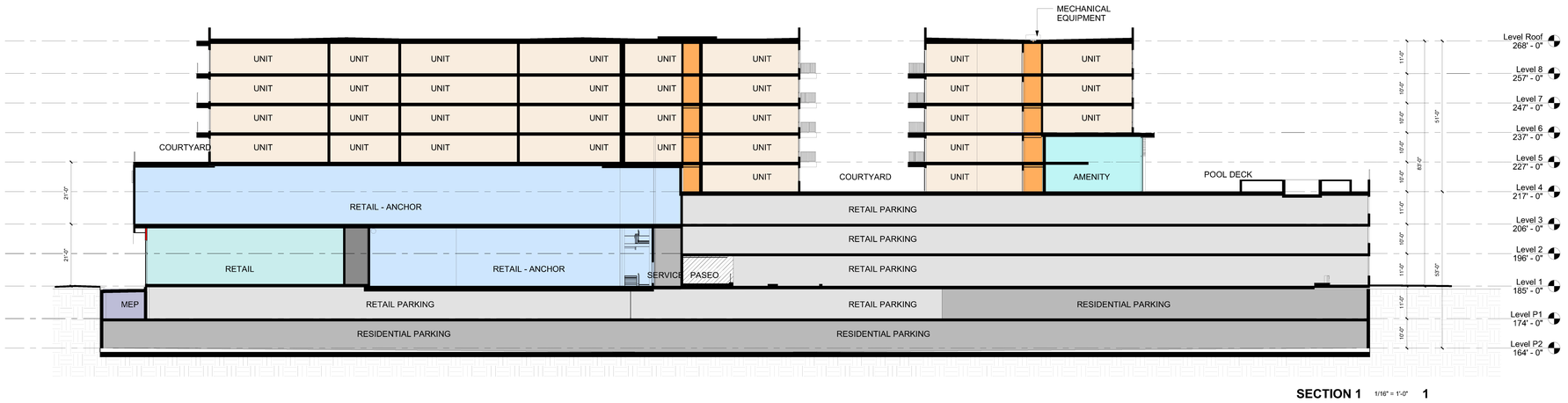
WEST ELEVATION 1/16" = 1'-0" **2**

0' 16' 32' 64' 128'

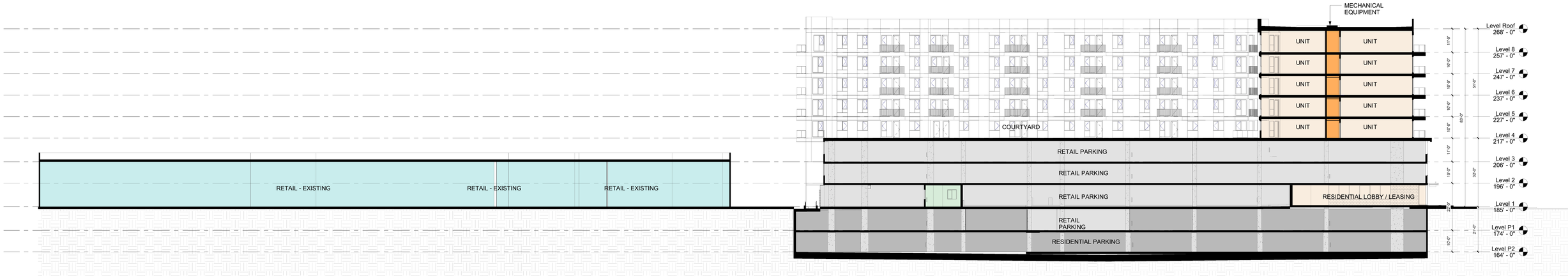
1/16" = 1'-0"

February 1, 2022

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SECTION 1 1/16" = 1'-0" **1**



Entitlement Section 2 1/16" = 1'-0" **2**

0' 16' 32' 64' 128'

1/16" = 1'-0"

HOLLAND PARTNER GROUP | MVE + PARTNERS

6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

SITE SECTIONS - TRANSVERSE & LONGITUDINAL

A3.01

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LANDSCAPE CALCULATIONS

TOTAL OPEN SPACE REQUIRED	37,225SF
TOTAL PROPOSED OPEN SPACE	37,225SF
TOTAL COMMON OPEN SPACE 'OUTDOOR'	32,039SF
PLANTED AREA REQUIRED (25% OF PROPOSED 'OUTDOOR' COMMON OPEN SPACE)	8,000 SF (25%)
PLANTED AREA PROVIDED	8,000 SF (25%)

QUANTITY OF UNITS IN DEVELOPMENT	331
QUANTITY OF TREES REQUIRED (1 TREE/ 4 UNITS)	83
QUANTITY OF TREES PROVIDED	83
CANOPY TREE	24
SPECIMEN TREE	10
PALM TREE	5
HEDGE	44

NOTE:
SHRUBS AND/OR TREES SHALL BE CONTAINED WITHIN PERMANENT PLANTERS AT LEAST 30-INCHES IN DEPTH, AND LAWN OR GROUND COVER SHALL BE AT LEAST 12-INCHES IN DEPTH.

0' 20' 40' 80' 160'

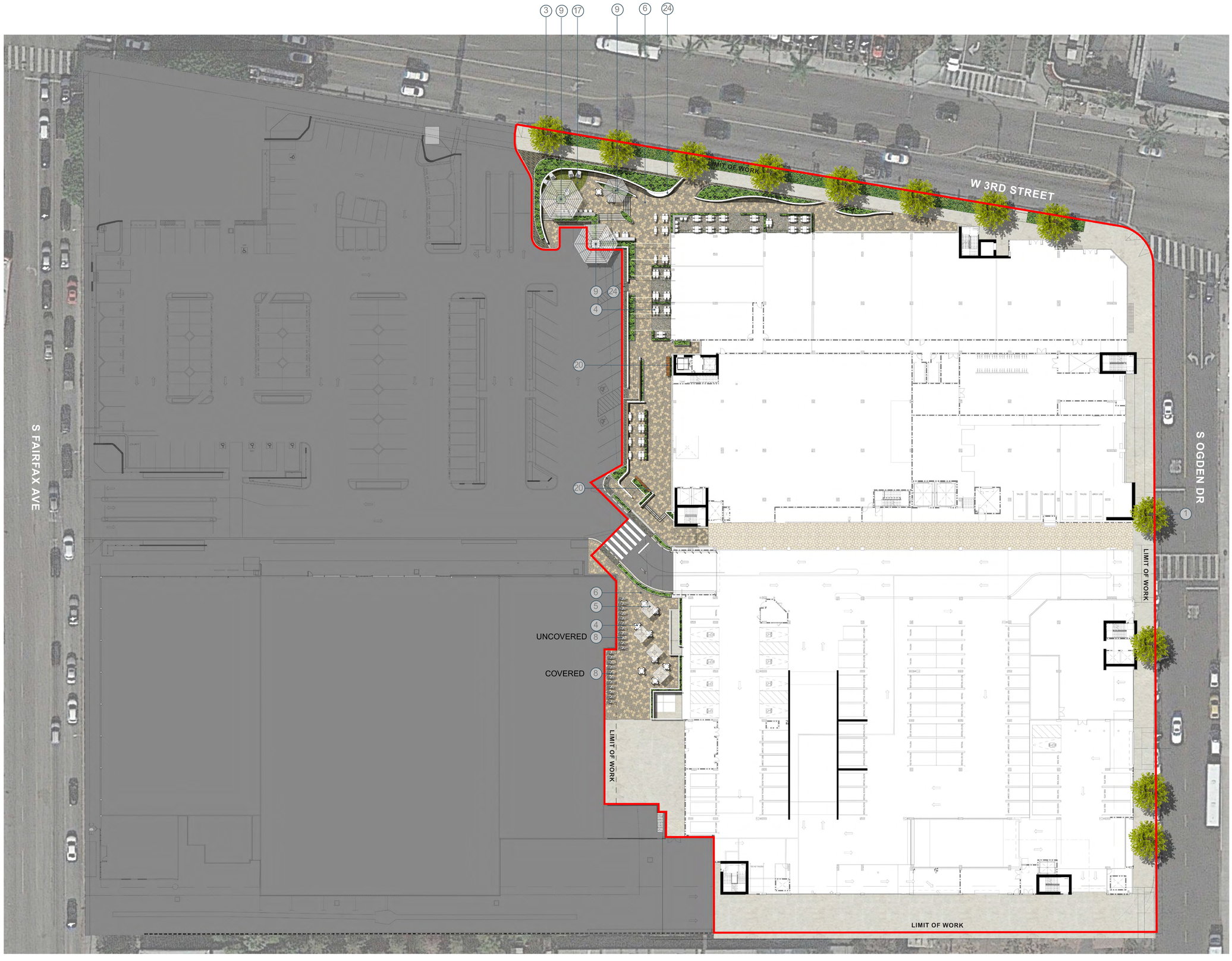
TRUE NORTH
NORTH
1"=20'-0"

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LEGEND

1. PROPOSED CANOPY STREET TREE (BAUHINIA VARIEGATA), QTY. 4
2. PROPOSED CANOPY TREE
3. PROPOSED CANOPY STREET TREE (KOELREUTERIA BIPINNATA), QTY. 8
4. OUTDOOR TABLE AND CHAIRS
5. UMBRELLA
6. ENHANCED PAVING
7. OVERHEAD CANOPY
8. BIKE RACK: SHORT TERM UNCOVERED BIKE PARKING: QTY 22, SHORT TERM COVERED BIKE PARKING: QTY 22
9. SHADE STRUCTURE
10. PROPOSED SPECIMEN TREE
11. POOL
12. SPA
13. CABANAS
14. CHAISE LOUNGE SEATING
15. BBQ COUNTER AND BAR WITH SHADE STRUCTURE
16. FAMILY TABLE AND CHAIRS
17. ARTIFICIAL TURF
18. LOUNGE FURNITURE WITH FIRE PIT
19. PING PONG TABLE
20. SEAT WALL
21. UNIT PATIO
22. POOL ENCLOSURE
23. BBQ COUNTER
24. BUILT-IN BANQUETTE SEATING
25. LANDSCAPE BARRIER WITH HEDGE AND TREES
26. PROPOSED PALM TREE



TRUE NORTH
NORTH
1"=20'-0"

0' 20' 40' 80' 160'

HOLLAND PARTNER GROUP | MVE + PARTNERS

6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

LANDSCAPE - LEVEL 1

LRM

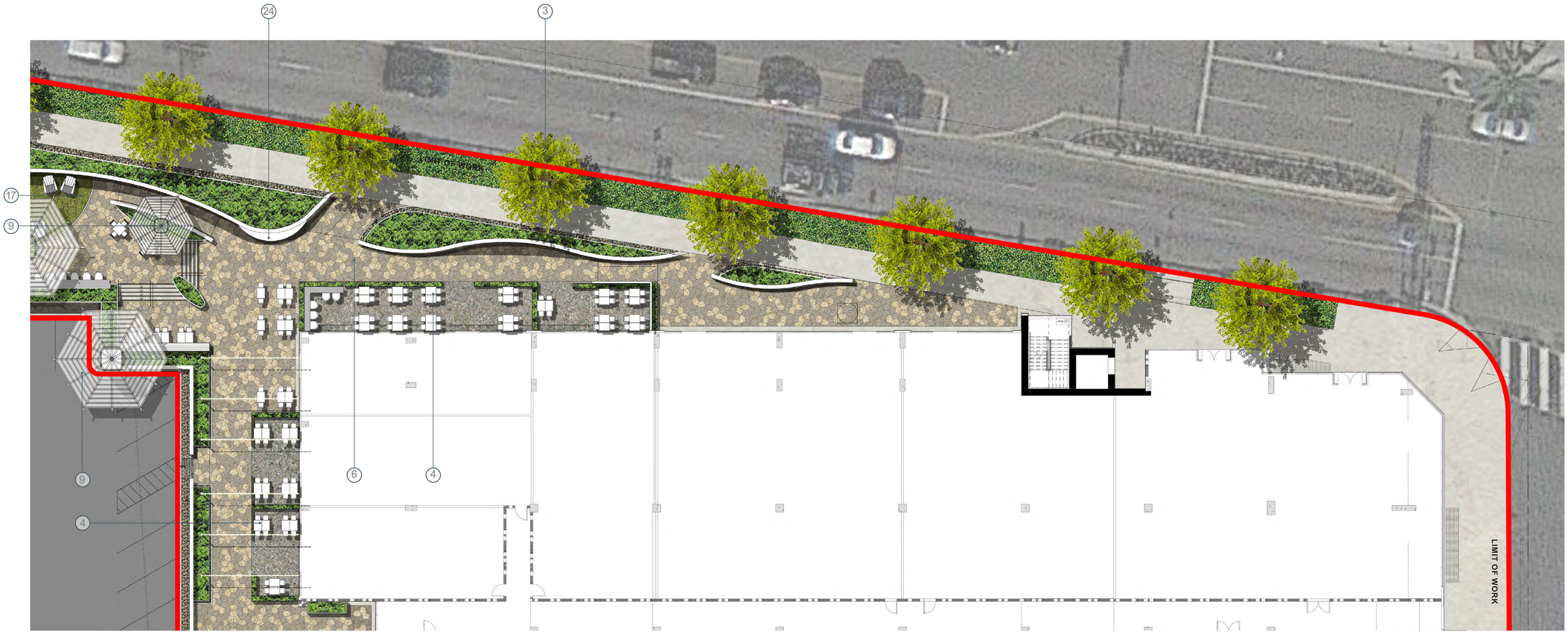
L1.01

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26. PROPOSED PALM TREE



0' 10' 20' 40' 80'

TRUE NORTH
NORTH
1"=10'-0"

HOLLAND PARTNER GROUP | MVE + PARTNERS | 6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

LANDSCAPE - LEVEL 1 ENLARGEMENT

LRM

L1.02

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LEGEND

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26. PROPOSED PALM TREE



TRUE NORTH
NORTH
1"=8'-0"
0' 8' 16' 32' 64'

HOLLAND PARTNER GROUP | MVE + PARTNERS

6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

LANDSCAPE - LEVEL 4 ROOF DECK

LRM

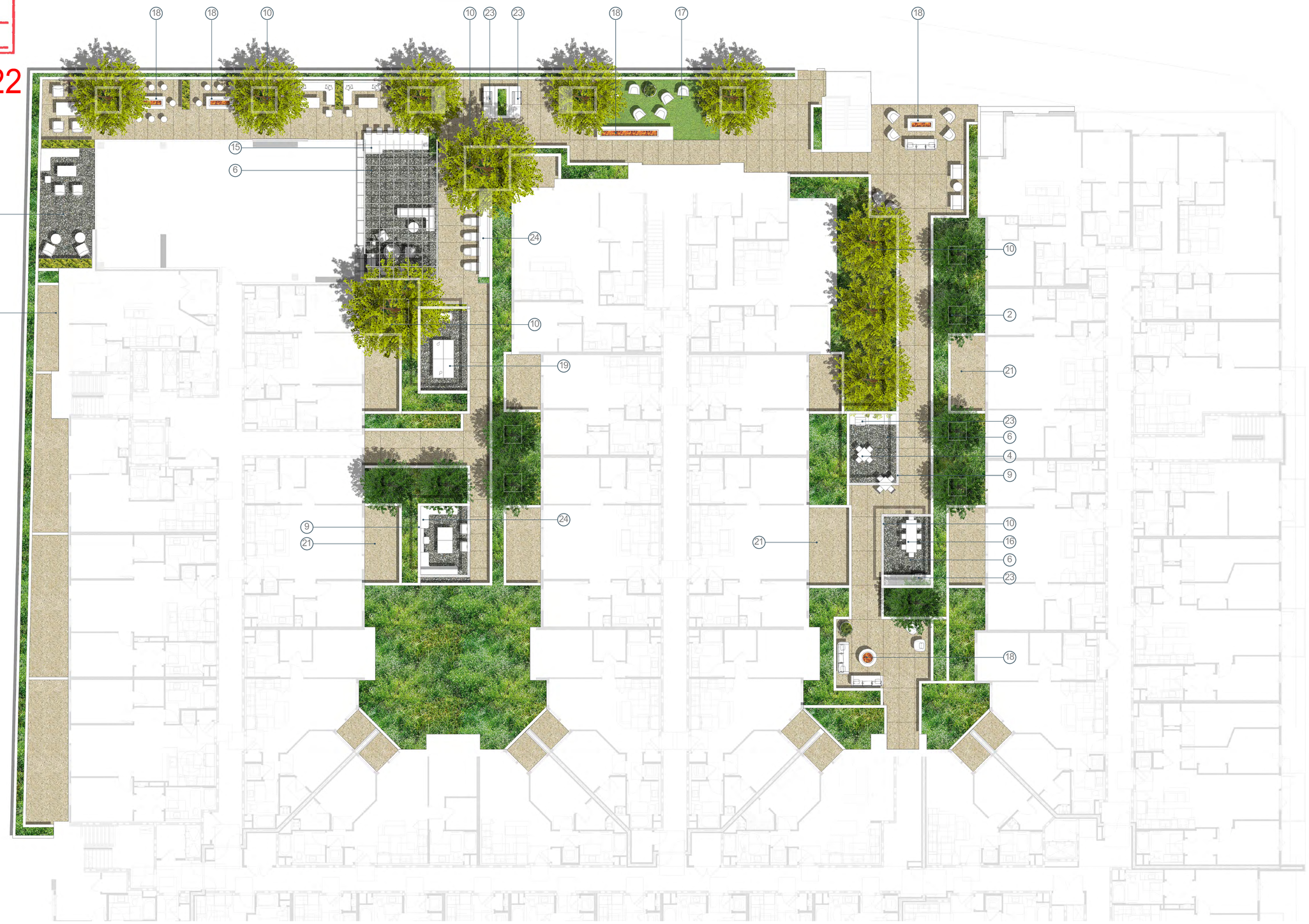
L1.03

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LEGEND

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TRUE NORTH
NORTH
1"=8'-0"
0' 8' 16' 32' 64'

HOLLAND PARTNER GROUP | MVE + PARTNERS | 6300 W. 3rd Street, Los Angeles, CA 90036

Note: Conceptual Design Package Subject To Change

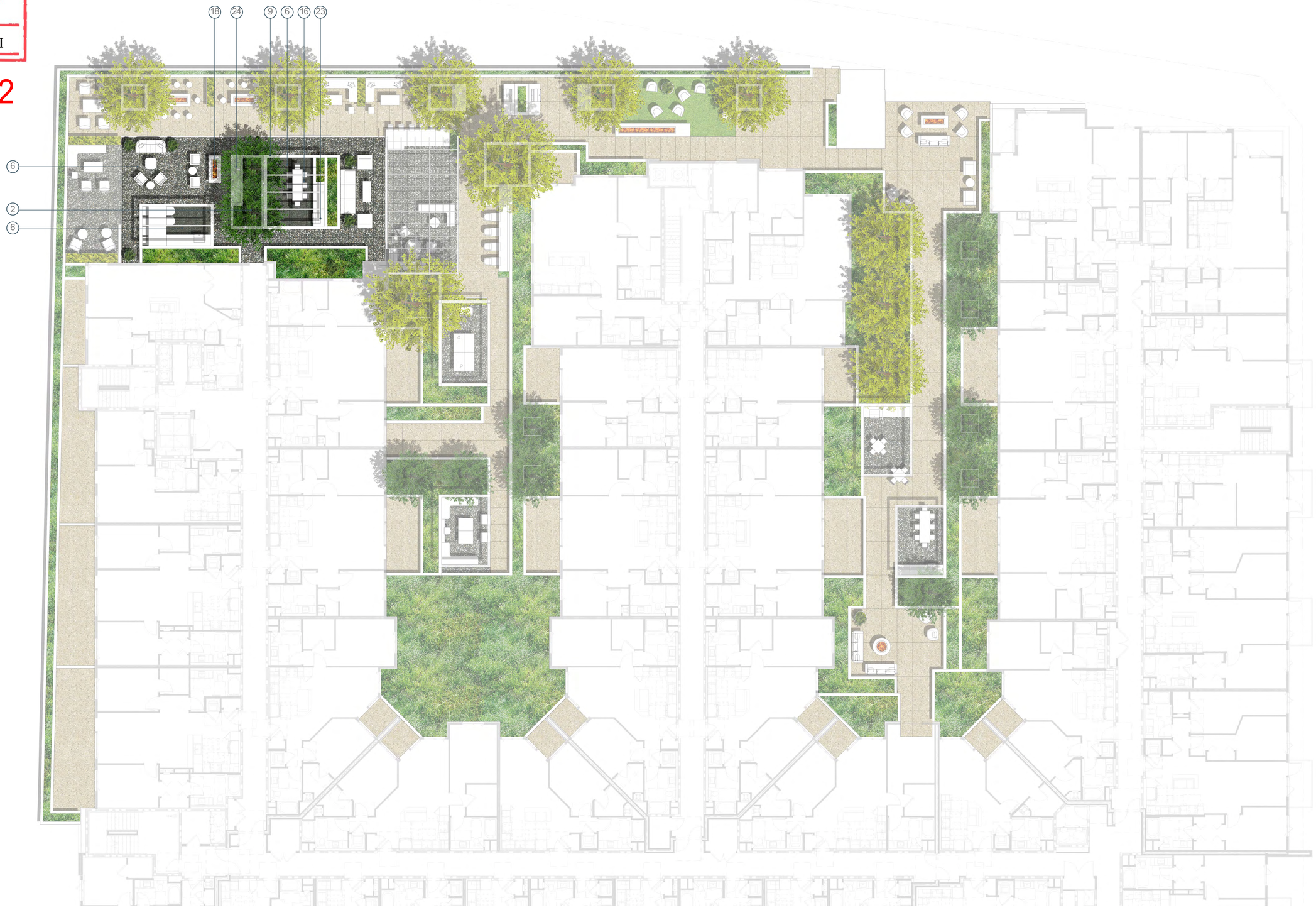
LANDSCAPE - LEVEL 5 ROOF DECK

LRM

L1.04

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26. PROPOSED PALM TREE

0′ 8′ 16′ 32′ 64′

TRUE NORTH
NORTH
1″=8′-0″

GROUNDCOVER



ACORUS GRAMINEUS ‘OGON’

1 GAL @ 12” O.C.



DYMONDIA MARGARETAE
silver carpet
SODDED FROM FLATS



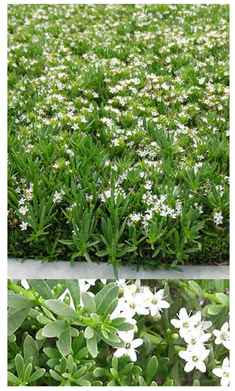
FESTUCA GLAUCA ‘ELIJAH BLUE’
blue fescue
1 GAL @ 12” O.C.



FESTUCA RUBRA
red fescue
FROM SOD



LAWN
FROM SOD



MYOPORUM PARVIFOLIUM
‘PUTAH CREEK’
creeping myoporum
4” POTS @ 8” O.C.



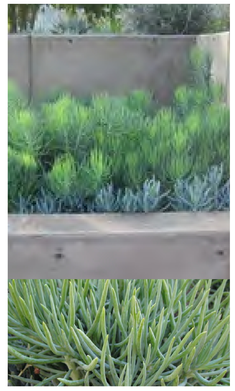
SEDUM ALBUM
white stonecrop
4” POTS @ 8” O.C.



SENECIO MANDRALISCAE
blue chalk sticks
1 GAL @ 12” O.C.



SENECIO SERPENS
blue chalk sticks
1 GAL @ 12” O.C.



SENECIO VITALIS
narrow leaf chalk sticks
1 GAL @ 12” O.C.

GRASSES



LEYMUS CONDENSATUS
‘CANYON PRINCE’
canyon prince wild rye
1 GAL @ 12” O.C.



NASSELLA TENUISSIMA
mexican feather grass
1 GAL @ 12” O.C.



PENNISETUM ‘FAIRY TAILS’
everygreen fountain grass
1 GAL @ 12” O.C.



PENNISETUM SPATHIOLATUM
slender veldt grass
1 GAL @ 12” O.C.

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SHRUBS



AGAVE AMERICANA
century plant
15 GAL @ 30”X30”

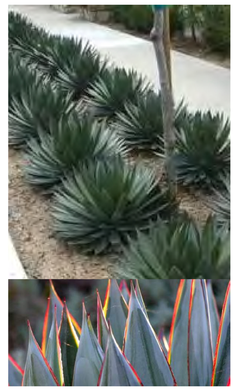


AGAVE ATTENUATTA
fox tail agave -MIX TO CREATE NATURAL CLUMP
5 GAL @ 18” O.C.
15 GAL @ 24” O.C.



AGAVE ‘BLUE FLAME’

5 GAL @ 18” O.C.



AGAVE ‘BLUE GLOW’
blue glow agave
5 GAL @ 18” O.C.



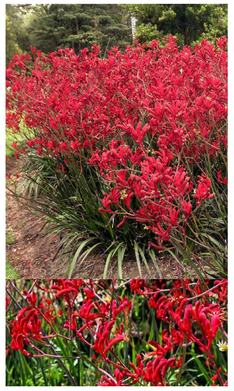
AGAVE DESMETTIANA
smooth agave
15 GAL @ 30”X30”



AGAVE VILMORINIANA
octopus agave
15 GAL @ 30”X30”



ALOE ARBORESCENS
tree aloe
5 GAL @ 24” O.C.



ANIGOZANTHOS ‘BIG RED’
red kangaroo paw
5 GAL @ 18” O.C.



ANIGOZANTHOS ‘BUSH GOLD’
yellow kangaroo paw
5 GAL @ 18” O.C.



ANIGOZANTHOS ‘BUSH TANGO’
orange kangaroo paw
5 GAL @ 18” O.C.



CHONDROPETALUM TECTORUM
small cape rush
5 GAL @ 18” O.C.



DIANELLA CAERULEA ‘CASSA BLUE’

5 GAL @ 18” O.C



DIANELLA TASMANICA ‘VARIEGATA’

5 GAL @ 18” O.C



FURCRAEA FOETIDA ‘MEDIOPICTA’
variegated mauritius hemp
15 GAL @ 30”X30”



LIRIOPE ‘GIGANTEA’
giant lily turf
5 GAL @ 18” O.C.



LOROPETALUM CHINENSE ‘RAZZLEBERRY’

5 GAL @ 24” O.C.



PITTOSPORUM CRASSIFOLIUM
karo
5 GAL @ 24” O.C.



PHORMIUM ‘AMAZING RED’

5 GAL @ 18” O.C.



PHORMIUM ‘BRONZE BABY’

5 GAL @ 24” O.C.



PHORMIUM ‘YELLOW WAVE’

5 GAL @ 18” O.C.



ROSMARINUS OFFICINALIS ‘PROSTRATUS’
trailing rosemary
5 GAL @ 18” O.C.



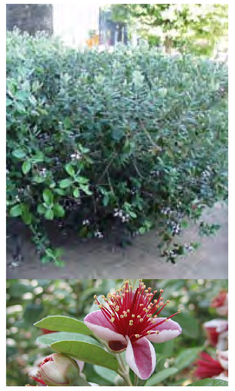
WESTRINGIA FRUTICOSA ‘MORNING LIGHT’
coast rosemary
5 GAL @ 24” O.C.

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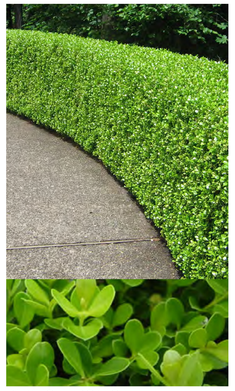
HEDGES



PITTOSPORUM CRASSIFOLIUM
karo
15 GAL @ 24” O.C.



FEIJOA SELLOWIANA
pineapple guava
15 GAL @ 24” O.C.



BUXUS JAPONICA
japanese boxwood
15 GAL @ 24” O.C.



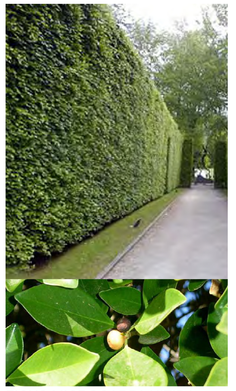
LIGUSTRUM TEXANUM
waxleaf privet
15 GAL @ 24” O.C.



PODOCARPUS GRACILIOR
fern podocarpus
15 GAL @ 24” O.C.



PODOCARPUS MACROPHYLLUS
yew podocarpus
15 GAL @ 24” O.C.



FICUS MICROCARPA NITIDA
‘GREEN GEM’

15 GAL @ 24” O.C.



PITTOSPORUM TENUIFOLIUM
‘SILVER SHEEN’
silver sheen kohuhu
15 GAL @ 24” O.C.



WESTRINGIA ‘WYNYABBIE GEM’
coast rosemary
15 GAL @ 24” O.C.

CANOPY/SPECIMEN TREES



ACACIA BAILEYANA
golden mimosa tree
24” BOX MIN.



ARBUTUS ‘MARINA’
marina strawberry tree
24” BOX MIN.



CERCIDIUM ‘DESERT MUSEUM’
desert museum palo verde
24” BOX MIN.



JACARANDA MIMOSIFOLIA
jacaranda tree
24” BOX MIN.



KOELREUTERIA BIPINNATA

24” BOX MIN.



KOELREUTERIA PANICULATA
goldenrain tree
24” BOX MIN.



LAGERSTROEMIA INDICA
crape myrtle
24” BOX MIN.



METROSIDEROS EXCELSUS
new zealand christmas tree
24” BOX MIN.



OLEA EUROPAEA
olive
24” BOX MIN.



PLATANUS X ACERIFOLIA
london plane
24” BOX MIN.



PLATANUS RACEMOSA
california sycamore
24” BOX MIN.



PRUNUS CERASIFERA
‘KRAUTER VESUVIUS’
krauter vesuvius purple leaf plum
24” BOX MIN.



TIPUANA TIPU
tipu tree
24” BOX MIN.



ULMUS PARVIFOLIA
chinese elm
24” BOX MIN.

PALMS



ARCHONTOPHOENIX
CUNNINGHAMIANA
KING PALM
16’-18’ BTH



PHOENIX DACTYLIFERA
DATE PALM
18’ BTH



WASHINGTONIA ROBUSTA
MEXICAN FAN PALM
18’-30’ BTH

CANOPY STREET TREE



BAUHINIA VARIEGATA
orchid tree
24” BOX MIN.



KOELREUTERIA BIPINNATA

24” BOX MIN.

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Exhibit B - DIR-2018-2770-SPR-WDI

IV . MITIGATION AND MONITORING PROGRAM

1.1 INTRODUCTION

This Mitigation Monitoring Program (MMP) has been prepared pursuant to Public Resources Code Section 21081.6, which requires a Lead Agency to adopt a "reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." In addition, Section 15097(a) of the State CEQA Guidelines requires that a public agency adopt a program for monitoring or reporting mitigation measures and project revisions, which it has required to mitigate or avoid significant environmental effects. This MMP has been prepared in compliance with the requirements of CEQA, Public Resources Code Section 21081.6 and Section 15097 of the State CEQA Guidelines.

The City of Los Angeles is the Lead Agency for the Project and therefore is responsible for administering and implementing the MMP. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation; however, until mitigation measures have been completed, the Lead Agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the Project. The evaluation of the Project's impacts in the EIR takes into consideration the project design features (PDF) and applies mitigation measures (MM) needed to avoid or reduce potentially significant environmental impacts. This MMP is designed to monitor implementation of the PDFs and MMs identified for the Project.

1.2 PURPOSE

It is the intent of this MMP to:

1. Verify compliance with the project design features and mitigation measures identified in the EIR;
2. Provide a framework to document implementation of the identified project design features and mitigation measures;
3. Provide a record of mitigation requirements;
4. Identify monitoring and enforcement agencies;
5. Establish and clarify administrative procedures for the clearance of project design features and mitigation measures;
6. Establish the frequency and duration of monitoring; and
7. Utilize the existing agency review processes wherever feasible.

1.3 ORGANIZATION

As shown on the following pages, each identified project design feature and mitigation measure for the Project is listed and categorized by environmental impact area, with accompanying identification of the following:

- Enforcement Agency: the agency with the power to enforce the PDF or MM.
- Monitoring Agency: the agency to which reports involving feasibility, compliance, implementation, and development are made.
- Monitoring Phase: the phase of the Project during which the PDF or MM shall be monitored.
- Monitoring Frequency: the frequency at which the PDF or MM shall be monitored.
- Action(s) Indicating Compliance: the action(s) by which the Enforcement or Monitoring Agency indicates that compliance with the identified PDF or required MM has been implemented.

1.4 ADMINISTRATIVE PROCEDURES AND ENFORCEMENT

This MMP shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each PDF and MM and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF and MM has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request.

During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of PDFs and MMs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the PDFs and MMs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to report to the Enforcement Agency of any non-compliance with the MMs and PDFs within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

1.5 PROGRAM MODIFICATION

After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

The Project shall be in substantial conformance with the PDFs and MMs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modifications to or deletion of the PDFs or MMs. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or the other basis for modifying or deleting the PDF or MM, and that the modification will not result in a new significant impact consistent with the requirements of CEQA. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

1.6 MITIGATION MONITORING PROGRAM

A. Air Quality

Prcject Design Features

PDF-AQ-1: Where power poles are available, electricity from power poles and/or solar-powered generators rather than temporary diesel or gasoline generators will be used during construction.

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Ongoing during field inspection
- **Action Indicating Compliance:** Field inspection sign-off

Mitigation Measures

No mitigation measures are required for the Proposed Project.

B. Cultural Resources

Prcject Design Features

No Project Design Features were identified for the Proposed Project.

Mitigation Measures

MM Arch-1: Retain a Qualified Archaeologist. Prior to the issuance of a demolition permit, the project proponent shall retain a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's (SOI) Standards for professional archaeology, during the excavation phase to carry out and ensure proper implementation of the mitigation measures related to archaeological resources. The qualified archaeologist shall submit a letter of retention to the project proponent and City of Los Angeles Department of City Planning (DCP) no fewer than 15 days before demolition or excavation activities commence. The letter shall include a resume for the qualified archaeologist that demonstrates fulfillment of the SOI standards.

- **Enforcement Agency:** Los Angeles Department of City Planning, Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of City Planning, Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction
- **Monitoring Frequency:** Prior to issuance of demolition or grading permit; Ongoing during earthwork and grading activities
- **Action Indicating Compliance:** Issuance of demolition or grading permit; Field inspection sign-off

MM Arch-2: Prepare an Archaeological Resources Monitoring and Mitigation Program (ARMMP). Prior to the commencement of demolition and excavation, an ARMMP shall be prepared. The components and performance standards for the ARMMP shall include, but not be limited to, a construction worker training program (described in MM Arch-3), monitoring protocol for demolition and excavation activities, discovery and processing protocol for inadvertent discoveries of archaeological resources, and identification of a curation facility should artifacts be collected. The ARMMP shall identify areas that require monitoring, provide a framework for assessing the geoarchaeological setting to determine whether sediments capable of preserving archaeological remains are present, and include a protocol for

identifying the conditions under which additional or reduced levels of monitoring (e.g., spotchecking) may be appropriate. The duration and timing of the monitoring shall be determined based on the rate of excavation, geoarchaeological assessment, and, if present, the quantity, type, and spatial distribution of archaeological resources identified. The ARMMP shall also summarize the requirements for tribal coordination in the event of an inadvertent discovery of Native American archaeological resources, including the applicable regulatory compliance measures or conditions of approval for the inadvertent discovery of tribal cultural resources to be carried out in concert. The ARMMP shall be prepared in compliance with Public Resources Code Section 5024.1, Title 14 California Code of Regulations, Section 15064.5 of the CEQA Guidelines, and PRC Sections 21083.2 and 21084.1.

- **Enforcement Agency:** Los Angeles Department of City Planning
- **Monitoring Agency:** Los Angeles Department of City Planning, Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction
- **Monitoring Frequency:** Prior to issuance of demolition or grading permit; Ongoing during earthwork and grading activities
- **Action Indicating Compliance:** Issuance of demolition or grading permit; Field inspection sign-off

MM Arch-3: Worker Environmental Awareness Program (WEAP) Training. Before the commencement of initial demolition or excavation at the project site, the retained qualified archaeologist or their designee shall provide a WEAP training to on-site project personnel responsible for supervising demolition and excavation (i.e., foreman or supervisor) and machine operators. The WEAP training shall brief construction crews regarding the regulatory compliance requirements and applicable mitigation measures that must be adhered to during demolition and excavation activities for the protection of archaeological resources. As an element of the WEAP training, the qualified archaeologist or their designee shall advise the construction crews on proper procedures to follow if an unanticipated archaeological resource is discovered during construction. The qualified archaeologist or their designee shall also provide the construction workers with contact information for the qualified archaeologist and their designee(s) and protocols to follow if inadvertent discoveries are made. In addition, workers shall be shown examples of the types of archaeological resources that would require notification of the archaeologist, if encountered. Once the ground disturbances have commenced, the need for additional or supplemental WEAP training shall be determined through consultation with the qualified archaeologist, project proponent or their designated project supervisor. Within 5 days of completing

a WEAP training, a list of those in attendance shall be provided by the qualified archaeologist to the project proponent.

- **Enforcement Agency:** Los Angeles Department of City Planning, Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of City Planning, Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Prior to issuance of demolition or grading permit; Ongoing during earthwork and grading activities
- **Action Indicating Compliance:** Issuance of demolition or grading permit; Field inspection sign-off

MM Arch-4: Monitor for Archaeological Resources. Before the commencement of demolition or excavation activities, an archaeological monitor shall be present during ground disturbing activities as stipulated in the ARMMP. The qualified archaeologist may designate an archaeologist to conduct the monitoring under their direction. The monitor shall have the authority to temporarily halt or redirect construction activities in soils that are likely to contain potentially significant archaeological resources, as determined by the qualified archaeologist. The monitor shall complete. a daily log documenting construction activities and observations. The field observations shall include assessment of the geoarchaeological setting and whether sediments are identified that are no longer capable or unlikely to contain archaeological material (i.e., sterile), which may be encountered prior to reaching the total depth of excavation expected for the project. If initial archaeological monitoring identifies low archaeological sensitivity (i.e., sterile soil strata) below a certain depth or within a certain portion of the project site, a corresponding reduction of monitoring coverage would be appropriate. In the event that potentially significant archaeological resources are exposed during construction, work in the immediate vicinity of the find (within 8 meters [25 feet]) shall stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas in coordination with the qualified archaeologist. If the discovery is determined by the qualified archaeologist to constitute a "historical resource" pursuant to CEQA Guidelines Section 15064.5(a) or a "unique archaeological resource" pursuant to PRC 21083.2(g), the qualified archaeologist shall coordinate with the project proponent and DCP to develop a formal treatment plan that would reduce impacts to the resource(s). The treatment plan established for the resource(s) shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment and if it is determined avoidance is not

feasible, treatment may include archaeological data recovery (i.e., excavation, laboratory processing and analysis) to remove the resource(s) and reduce potential impacts to less than significant.

Within 14 days of concluding the archaeological monitoring, the qualified archaeologist shall prepare a memo stating that the archaeological monitoring requirement of the mitigation measure have been fulfilled and summarize the results of any archaeological finds. The memo shall be submitted to the project proponent and DCP. Following submittal of the memo, the qualified archaeologist shall prepare a technical report documenting the methods and results of all work completed under the ARMMP, including, if any, treatment of archaeological materials, results of artifact processing, analysis, and research, and evaluation of the resource(s) for the California Register of Historical Resources. Once laboratory analysis is complete, any recovered archaeological materials shall be curated at a public, non-profit research institution that will ensure their long-term preservation and allow access to interested scholars. Should no such institutions accept the materials, they shall be donated to an educational institution or historical society. The format and content of the report shall follow the California Office of Historic Preservation's Archaeological Resource Management Reports (ARMR): Recommended Contents and Format. Any archaeological resources identified shall be documented on appropriate California Department of Parks and Recreation 523-Series Forms. The report shall be prepared under the supervision of a qualified archaeologist and submitted to DCP within 120 days of completion of the monitoring. The final draft of the report shall be submitted to the South Central Coastal Information Center.

- **Enforcement Agency:** Los Angeles Department of City Planning
- **Monitoring Agency:** Los Angeles Department of City Planning, Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Prior to issuance of demolition or grading permit; Ongoing during earthwork and grading activities
- **Action Indicating Compliance:** Issuance of demolition or grading permit; Field inspection sign-off; Compliance report by qualified archaeologist

C. Geology/Soils

Prcject Design Features

No Project Design Features were identified for the Proposed Project.

Mitigation Measures

MM Paleo-1: Retain a Qualified Paleontologist. Prior to the issuance of a grading permit, the project proponent shall retain a qualified paleontologist, defined as a paleontologist who meets the Society of Society of Vertebrate Paleontology (SVP) standards for a Principal Investigator or Project Paleontologist, to carry out all mitigation measures related to paleontological resources. The qualified paleontologist shall submit a letter of retention to the project proponent no fewer than 15 days before any grading or excavation activities commence. The letter shall include a resume for the qualified paleontologist that demonstrates fulfillment of the SVP standards.

- **Enforcement Agency:** Los Angeles Department of City Planning or Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of City Planning or Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Prior to issuance of grading permit.
- **Action Indicating Compliance:** Issuance of grading permit; Field inspection sign-off

MM Paleo-2: Prepare Paleontological Resources Monitoring and Mitigation Program (PRMMP). Before any grading activities start, the qualified paleontologist shall prepare a PRMMP. This program shall contain specific monitoring and mitigation requirements including construction worker training, monitoring protocols, protocol for identifying the conditions under which additional or reduced levels of monitoring (e.g., spot-checking) may be appropriate, fossil salvage and data collection protocols in the event of an unanticipated discovery, curation facilities for any significant fossils that may be salvaged, and a final report summarizing the results of the program. The PRMMP shall adhere to and incorporate the performance standards and practices from the 2010 SVP Standard procedures for the assessment and mitigation of adverse impacts to paleontological resources. The qualified paleontologist shall submit the final PRMMP to the project proponent and the Department of City Planning (DCP) for their records before project excavation activities start.

- **Enforcement Agency:** Los Angeles Department of City Planning
- **Monitoring Agency:** Los Angeles Department of City Planning, Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Prior to issuance of grading permit

- **Action Indicating Compliance:** Issuance of grading permit; Field inspection sign-off

MM Paleo-3: Worker's Environmental Awareness Program (WEAP). The qualified paleontologist shall develop and oversee implementation of a WEAP to train the construction crew on the requirements for preserving fossil resources, as well as procedures and standards to follow, in the event of a fossil discovery. This training program shall be given to the crew before excavation work commences and shall include documentation for the workers that includes that memorializes the standards and protocols of the WEAP training.

- **Enforcement Agency:** Los Angeles Department of City Planning
- **Monitoring Agency:** Los Angeles Department of City Planning, City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Prior to issuance of grading permit.
- **Action Indicating Compliance:** Issuance of grading permit; Field inspection sign-off

MM Paleo-4: Monitor for Fossil Resources. All ground disturbances in the project site that occur in undisturbed sediments mapped as older alluvium (Qao) shall be monitored. Excavation or any other ground disturbances occurring in the southeast corner of the project site within younger alluvial sediments shall be monitored when the ground disturbances exceed one meter (three feet) in depth. Monitoring shall be conducted by a qualified paleontologist or under the supervision of qualified paleontologist, as stipulated in the PRMMP. The qualified paleontologist may periodically inspect construction activities to adjust the level of monitoring in response to subsurface conditions. Full-time monitoring can be reduced to part-time inspections or stopped entirely if determined adequate by the qualified paleontologist. Paleontological monitoring shall include inspection of exposed sedimentary units during active excavations within sensitive geologic sediments.

In the event of a fossil discovery, whether by the paleontological monitor or a member of the construction crew, all work shall cease in a 15-meter (50-foot) radius of the find while the qualified paleontologist assesses the fossil and documents its discovery. Paleontological monitors shall record pertinent geologic data and collect sediment samples from the fossil localities. The qualified paleontological monitor shall follow the SVP's 2010 Standard procedures for the assessment and mitigation of adverse impacts to paleontological resources if the resource requires salvage. A repository, e.g., LACM, shall be identified and a curatorial arrangement shall be signed prior to collection of fossils. Recovered fossils shall be prepared to the point of

curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility.

Within 14 days of concluding the paleontological monitoring, the qualified paleontologist shall prepare a memorandum stating that the paleontological monitoring requirement has been fulfilled and summarize the results of any paleontological finds. The memo shall be submitted to the project proponent and DCP. Following submittal of the memo, the qualified paleontologist shall prepare a technical report documenting the methods and results of all work completed under the PRMMP, including, if any, treatment of paleontological materials, results of specimen processing, analysis, and research, and final curation arrangements.

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Ongoing during earthwork and grading activities
- **Action Indicating Compliance:** Field inspection sign-off; Memorandum by qualified paleontologist

D. Greenhouse Gas Emissions

Prcject Design Features

PDF-GHG-1: The Proposed Project will not include any hearths and/or fireplaces within any of the residential units.

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction, Construction
- **Monitoring Frequency:** Once during plan check; Ongoing during field inspection
- **Action Indicating Compliance:** Issuance of building permit (Pre-Construction); field inspection sign-off (Construction)

PDF-GHG-2: The Proposed Project will provide a pedestrian portal through the parking level on the ground floor to facilitate a safe pedestrian access from S. Ogden Drive to the Center parking lot.

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction, Construction
- **Monitoring Frequency:** Once during plan check; Ongoing during field inspection

- **Action Indicating Compliance:** Issuance of building permit (Pre-Construction); field inspection sign-off (Construction)

Mitigation Measures

No mitigation measures were required for the Proposed Project.

E. Hazardous Materials/Risk of Upset

Prcject Design Features

PDF-HAZ-1 (Methane): The Proposed Project will be designed and constructed in accordance with the recommendations in the Methane Report, and to the satisfaction of LADBS. The foundation for the structures on the Development Site will include a V-Bottom that satisfies Level V requirements, including the following elements:

- Areas with a Mat Foundation will be fitted with an impermeable methane barrier membrane.
- The bottom side of the foundation slab will have a one percent "V" Bottom slope to serve as the pressure relief venting system.
- A minimum four-inch thick aggregate layer will be placed beneath the slab to assist in conveying methane gas from beneath the structure.
- An impermeable methane gas/waterproofing/tar barrier will be installed at all below grade walls.
- If an Oil Well is located on the property beneath a new building, it will be fitted with a Vent Cone and Venting System as required by the State of California Division of Oil and Gas.
- Electrical & communications conduit seals that prevent methane gas intrusion will be installed at all dry utility conduits.
- Utility trench dams that prevent methane gas intrusion will be installed at the exterior sides of the building.
- Gas Detection Systems will be installed throughout the lowest level parking garage in the buildings which will continuously monitor the interior space for methane gas and will be capable of activating the building's ventilation system and contacting a central alarm service if methane is detected.

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction, Construction
- **Monitoring Frequency:** Once during plan check; Ongoing during field inspection
- **Action Indicating Compliance:** Building and Safety permit signoff

Mitigation Measures

MM-HAZ-1: A Soil Management Plan (SMP) shall be prepared that shall provide guidance to contractors for appropriate handling, screening, and management of potentially impacted or impacted soils from historical operations that may be encountered at the Project Site during grading and excavation activities. These procedures shall include training for construction personnel on the appropriate procedures for identification of suspected impacted soils with TPH concentrations that exceed the RWQCB soil screening level for protection of groundwater of 100 mg/kg and the U.S. EPA residential screening level of 110 mg/kg for residential development; requirements for testing and collection of potentially contaminated soils; segregation of potentially impacted soils; and applicable soil handling and disposal procedures. The SMP shall also contain procedures to be followed in the event that any undocumented subsurface features of potential environmental concern (e.g., USTs, abandoned oil wells, sumps, hydraulic lifts, clarifiers, buried drums) are encountered during the excavation grading, and/or other earthmoving activities. These procedures shall include safety training, testing protocols, decontamination and decommission.

The SMP shall also include procedures for handling and transportation of soils with respect to nearby sensitive receptors, such as nearby residential uses, religious uses, and schools. In accordance with SCAQMD Rule 1166 requirements, impacted soil removed from the Project Site shall comply with the following:

- Be transported to an approved treatment/disposal facility.
- When loading into trucks is completed, and during transportation, no excavated material shall extend above the sides or rear of the truck or trailer.
- Prior to covering/tarping, loaded impacted soil shall be wetted by spraying with dust inhibitors.
- The trucks or trailers shall be completely covered/tarped prior to leaving the Project Site to prevent particulate emissions to the atmosphere.
- The exterior of the trucks (including the tires) shall be cleaned off prior to the trucks leaving the excavation location.

- **Enforcement Agency:** Los Angeles Department of Building and Safety; Los Angeles Fire Department; South Coast Air Quality Management District; Department of Toxic Substances Control; or Los Angeles Regional Water Quality Control Board

- **Monitoring Agency:** Los Angeles Department of Building and Safety; or Los Angeles Fire Department
- **Monitoring Phase:** Pre-Construction, Construction
- **Monitoring Frequency:** Once prior to issuance of grading permit; Ongoing with periodic field inspections during construction for Soil Management Plan implementation
- **Action Indicating Compliance:** Approval of Soil Management Plan by regulatory agency (Pre-Construction); issuance of grading permit; written compliance report by a qualified environmental consultant (Construction)

F. Noise

Prcject Design Features

PDF-NOI-1: Project construction will not include the use of impact driven pile systems (i.e., pile drivers).

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Once during plan check; ongoing with periodic field inspection during construction
- **Action Indicating Compliance:** Issuance of building permit; field inspection sign-off

PDF-NOI-2: All construction equipment will utilize mufflers and other devices to minimize noise levels.

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-off

Mitigation Measures

MM-NOI-1: School Property Noise Barrier. A temporary 10-foot high sound blanket shall be installed on top of the existing concrete wall located along the southern property line adjacent to the Development Site prior to commencement of construction activities, as shown in Figure IV.F-4, Proposed Construction Noise Barrier Diagram. The sound blanket can be any solid material with a density no less than 2 lb. per square foot. Materials meeting this requirement include 3/4-inch thick wood, 3/4-inch outdoor plywood, and 16-gauge steel sheet. Support frames shall be constructed in

sections which allow overlapping between barrier panels when multiples are attached. Gaps between barrier units and between the bottom edge of barrier panels where they meet the top of the existing concrete wall shall be covered or sealed with material of no less 2 pounds per cubic foot (pcf) density. These barriers shall be capable of achieving a minimal Sound Transmission Class (STC) rating of 32. Use of equivalent noise barrier systems shall be reviewed and approved by the acoustical engineer verifying the required level of noise attenuation. Barrier design and construction shall be approved by a structural engineer. The design details and materials for the movable noise barriers and supports shall be prepared for approval and stamped by a Professional Engineer licensed in the state of California and submitted to the Department of City Planning prior to issuance of the first demolition or building permit.

- **Enforcement Agency:** Los Angeles Department of City Planning, Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Plan check; Field inspection
- **Action Indicating Compliance:** Issuance of demolition or building permit (Pre-Construction); Field inspection sign-off (Construction)

MM-NOI-2: Ogden Drive Noise Barrier. A temporary 10-foot high noise barrier shall be erected along Ogden Drive, as shown in Figure IV.F-4, Proposed Construction Noise Barrier Diagram. The sound blanket can be any solid material with a density no less than 2 lb. per square foot. Materials meeting this requirement include 3/4-inch thick wood, 3/4-inch outdoor plywood, and 16-gauge steel sheet. Support frames should be constructed in sections which allow overlapping between barrier panels when multiples are attached. These barriers shall be capable of achieving a minimal Sound Transmission Class (STC) rating of 32. Use of equivalent noise barrier systems shall be reviewed and approved by the acoustical engineer verifying the required level of noise attenuation. Barrier design and construction shall be approved by a structural engineer. The design details and materials for the movable noise barriers and supports shall be prepared for approval and stamped by a Professional Engineer licensed in the state of California and submitted to the Department of City Planning prior to issuance of the first demolition or building permit.

- **Enforcement Agency:** Los Angeles Department of City Planning; or Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of City Planning; or Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Plan check; Field inspection

- **Action Indicating Compliance:** Issuance of demolition or building permit (Pre-Construction); Field inspection sign-off (Construction)

MM-NOI-3: Setback Distance. Heavy machinery (excavators, dozers, cranes and drill rig) must work at least 70 feet from the exterior wall of the nearest occupied School Bungalow Buildings (Classrooms 21 and 28) while school is in session. Compliance with this measure shall be enforced through a written Construction Management Plan and shall be verified through written field notes documenting the location and date/time of heavy machinery relative to the Hancock Park Elementary School classroom schedule.

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department Transportation, Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-off of field notes included in compliance report

G. Public Services

Prcject Design Features

PDF-POL-1: During construction, the Project applicant will implement temporary security measures, including security fencing (e.g., chain-link fencing), low-level security lighting, and locked entry (e.g., padlocked gates or guard-restricted access) to limit access by the general public. Regular security patrols during non-construction hours (e.g., nighttime hours, weekends, and holidays) will also be provided.

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-off

PDF-POL-2: Prior to the issuance of a building permit, the Project Applicant will submit a diagram of the Project Site to the LAPD Wilshire Area Commanding Officer that includes access routes and any additional information that might facilitate police response.

- **Enforcement Agency:** Los Angeles Police Department
- **Monitoring Agency:** Los Angeles Police Department
- **Monitoring Phase:** Pre-Construction

- **Monitoring Frequency:** Once, prior to issuance of building permit
- **Action Indicating Compliance:** Sign-off on LAPD reviewed diagrams; issuance of building permit

PDF-POL-3: The Project will include nighttime security lighting of building entries and walkways, a closed circuit security camera system monitored by on-site professional security, and secure parking facilities with sufficient lighting to maximize visibility and reduce areas of concealment.

- **Enforcement Agency:** Los Angeles Department of Building and Safety; or Los Angeles Police Department
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Operation
- **Monitoring Frequency:** Ongoing during field inspection
- **Action Indicating Compliance:** Final Certificate of Occupancy

Mitigation Measures

No mitigation measures are required.

H. Transportation

Prcject Design Features

PDF-TRAFFIC-1: The Applicant will, prior to construction, develop a Construction Traffic Control/Management Plan (the "Plan") to be approved by LADOT to minimize the effects of construction on vehicular and pedestrian circulation and assist in the orderly flow of vehicular and pedestrian circulation in the area of the Proposed Project. The Plan will identify the location of any roadway closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. The Plan will also address the potential conflicts associated with concurrent construction activities of related projects, if applicable.

- **Enforcement Agency:** Los Angeles Department of Transportation
- **Monitoring Agency:** Los Angeles Department of Transportation
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Once, prior to issuance of demolition, grading or building permit; Periodic field inspections during construction
- **Action Indicating Compliance:** Approval of Construction Traffic Control/Management Plan by Los Angeles Department of Transportation prior to issuance of demolition, grading or building permit (Pre-Construction); compliance certification report submitted by Project contractor (Construction)

PDF-TRAFFIC-2: No less than two weeks prior to the initiation of construction activities, the Project Manager for the Proposed Project or their designee, will notify the LAUSD Transportation Branch of the expected start and ending dates for Project construction activities that may affect traffic, and school bus routes in effect at that time, near the Hancock Park Elementary School campus. The following language will be incorporated into the contractor specifications and work program:

- Site access and exit will prohibit construction vehicles and haul trucks from utilizing Colgate Avenue.
- Construction activities will not preclude school buses from having unrestricted access to the campus.
- Construction trucks and other vehicles are required to stop when encountering school buses using red-flashing-lights must-stop-indicators per the California Vehicle Code.
- Contractors will install and maintain appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.
- Contractors will maintain ongoing communication with LAUSD school administrators, providing notice at least two weeks in advance of construction activities to forewarn children and parents when existing vehicle or pedestrian routes to school may be constrained.
- Parents dropping off children will have access to the passenger loading areas on Colgate Avenue fronting Hancock Park Elementary School.

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Once, prior to initiation of construction; Ongoing as needed to notify LAUSD school administrators of construction activities
- **Action Indicating Compliance:** Correspondence with LAUSD Transportation Branch (Pre-Construction); Ongoing correspondence with LAUSD Transportation Branch (Construction)

PDF-TRAFFIC-3: The following language will be incorporated into the contractor specifications and work program:

- No staging or parking of construction-related vehicles, including worker-transport vehicles, shall occur on or immediately adjacent to the Hancock Park Elementary School campus.
- Funding for crossing guards at the contractor's expense is required when construction-related activities may affect school crossings.

- Barriers and/or fencing will be installed to secure construction equipment and to minimize trespassing, vandalism, short-cut attractions, and attractive nuisances.
- Contractors will be required to provide security patrols (at their expense) to minimize trespassing, vandalism, and short-cut attractions.

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Once prior to issuance of demolition, grading or building permit; Ongoing field inspections
- **Action Indicating Compliance:** Issuance of demolition, grading or building permit; Field inspection sign-off

Mitigation Measures

MM-TRAFFIC-1: The Proposed Project shall incorporate the following Transportation Demand Management (TDM) Strategies as part of the ongoing Project operations:

- **Unbundle Parking.** The Proposed Project shall unbundle the parking costs from the property costs, requiring those who wish to purchase parking spaces to do so at an additional cost from the property cost. This strategy is applicable for residential components of development projects
- **Promotions and Marketing.** The Proposed Project shall utilize marketing and promotional tools to educate and inform residents and employees about alternative transportation options and the effects of their travel choices. This strategy includes providing passive educational and promotional materials, such as posters, information boards, or a website with information that residents and employees can choose to read at their own leisure.
- **Bike Parking.** The Proposed Project shall provide the required number of short-term and long-term bicycle parking spaces for the residential and commercial components pursuant to LAMC. The Project should provide a maximum commitment to implementing/improving on-street bicycle facilities, providing bicycle parking per the LAMC, and providing secure ancillary bike facilities such as indoor bicycle parking/lockers, showers and repair stations.

- **Enforcement Agency:** Los Angeles Department of Transportation
- **Monitoring Agency:** Los Angeles Department of Transportation
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Once during plan check; once during construction
- **Action Indicating Compliance:** Field inspection sign-off; Issuance of Final Certificate of Occupancy

I. Tribal Cultural Resources

Prcject Design Features

No Project Design Features were identified for the Proposed Project.

Mitigation Measures

MM-TCR-1: Retain a Tribal Consultant and Qualified Archaeologist. Prior to any ground-disturbing activities on the project site associated with the Proposed Project, the project proponent shall retain a tribal consultant and qualified archaeologist to monitor ground-disturbing activities to ensure proper implementation of the final measures related to tribal cultural resources. For the purposes of these mitigation measures, ground disturbing activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity at the project site. A tribal consultant is defined as one who is on the NAHC's Tribal Contact list (contained in Appendix I in this Draft EIR). The tribal consultant will provide the services of a representative, known as a tribal monitor. The tribal monitor shall be present on-site and carry out actions described in the Tribal Cultural Resources Monitoring and Mitigation Program and any actions required to comply with mitigation measures for tribal cultural resources. The Gabrieleño Band of Mission Indians-Kizh Nation, as a consulting party for the project, shall be contacted first and given 10 days to respond with a complete scope of work for tribal monitoring. If the terms of service (consistent with industry standard terms) cannot be agreed upon, or if no response is received within 10 days of soliciting a request, the project proponent may contact another California Native American tribe included on the NAHC Tribal Contact List and request the services of a tribal consultant. The project proponent or their designee will submit to the City of Los Angeles Department of City Planning (DCP) a letter of retention from the Tribal Consultant prior to the start of demolition. Should the Gabrieleño Band of Mission Indians-Kizh not be retained, the project proponent or their designee shall also submit a letter to DCP documenting that a reasonable and good faith effort was made to retain a tribal consultant from the Gabrieleño Band of Mission Indians-Kizh Nation.

A qualified archaeologist is defined as one who meets the Secretary of the Interior's (SOI) Professional Qualifications Standards (PQS) for archaeology. The qualified archaeologist shall submit a letter of retention to the project proponent and DCP no fewer than 15 days before demolition or excavation activities commence. The letter shall include a resume for the qualified archaeologist that demonstrates fulfillment of the SOI PQS.

- **Enforcement Agency:** Los Angeles Department of Building and Safety; or Los Angeles Department of City Planning
- **Monitoring Agency:** Los Angeles Department of Building and Safety; or Los Angeles Department of City Planning
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Once, prior to demolition; Ongoing during construction activities
- **Action Indicating Compliance:** Letter of Retention submitted to Los Angeles Department of City Planning (Pre-Construction) and issuance of demolition permit; Field inspection sign-off from qualified archaeologist (Construction)

MM-TCR-2: Prepare a Tribal Cultural Resources Monitoring and Mitigation Program (TCRMMP). Prior to any ground-disturbing activities on the project site associated with the Proposed Project, a TCRMMP shall be prepared in substantial conformance with TCRMMP in Appendix E or the Tribal Cultural Resources Assessment contained in this Draft EIR. The TCRMMP shall include, but not be limited to, a construction worker training program (described in TCR-3), monitoring protocols for ground-disturbing activities, discovery and processing protocol for inadvertent discoveries of tribal cultural resources. The TCRMMP shall identify areas that require monitoring, provide a framework for assessing the geoarchaeological setting to determine whether sediments capable of preserving tribal cultural resources are present, and include a protocol for identifying the conditions under which additional or reduced levels of monitoring (e.g., spot-checking) may be appropriate. The duration and timing of the monitoring shall be determined by the qualified archaeologist in consultation with the tribal consultant based on the rate of excavation, geoarchaeological assessment, and, if present, the quantity, type, and spatial distribution of the materials identified. The TCRMMP shall also summarize the requirements for tribal coordination during monitoring and in the event of an inadvertent discovery of a tribal cultural resource or potential tribal cultural resource including the applicable regulatory compliance measures for the inadvertent discovery of tribal cultural resources to be carried out in concert. The TCRMMP shall be prepared in compliance with Public Resources Code (PRC) Section 5024.1 Title 14 California Code of Regulations, Section 15064.5 of the CEQA Guidelines, and PRC Sections 21083.2 and 21084.1. The TCRMMP shall be submitted to the DCP at least 15 days prior to initiating ground-disturbing activities.

- **Enforcement Agency:** Los Angeles Department of City Planning, Los Angeles Department of Building and Safety

- **Monitoring Agency:** Los Angeles Department of City Planning, Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Once, before issuance of grading permit (approval); Ongoing during construction (implementation)
- **Action Indicating Compliance:** Approval of TCRMMP (Pre-Construction) and issuance of grading permit; Field inspection sign-off from qualified archaeologist (Construction)

MM-TCR-3: Worker Environmental Awareness Program (WEAP) Training. Prior to any ground-disturbing activities on the project site associated with the Proposed Project, the retained qualified archaeologist and tribal consultant or their designees shall provide a WEAP training to on-site project personnel responsible for supervising ground-disturbing activities (i.e., foreman or supervisor) and machine operators. The WEAP training will be in accordance with the WEAP provided in Appendix E or the Tribal Cultural Resources Assessment contained in this Draft EIR. The WEAP training shall brief construction crews regarding the regulatory compliance requirements and applicable mitigation measures that must be adhered to during ground-disturbing activities for the protection of tribal cultural resources. As an element of the WEAP training, the qualified archaeologist and tribal consultant or their designees shall advise the construction crews on proper procedures to follow if an unanticipated tribal cultural resource is discovered during construction. The qualified archaeologist and tribal consultant or their designees shall also provide the construction workers with contact information for the qualified archaeologist and tribal consultant and their designee(s) and protocols to follow if inadvertent discoveries are made. In addition, workers shall be shown examples of the types of tribal cultural resources that would require notification of the archaeologist and tribal consultant, if encountered. Once the ground disturbances have commenced, the need for additional or supplemental WEAP training shall be determined through consultation with the qualified archaeologist, tribal consultant and project proponent or their designated project supervisor. Within 5 days of completing a WEAP training, a list of those in attendance shall be provided by the qualified archaeologist to the project proponent and DCP.

- **Enforcement Agency:** Los Angeles Department of City Planning
- **Monitoring Agency:** Los Angeles Department of City Planning
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Once, prior to issuance of grading permit; Ongoing, as determined through consultation with qualified archaeologist and tribal consultant

- **Action Indicating Compliance:** WEAP training sign-off of participants (Pre-Construction; Construction, as needed)

MM-TCR-4: Monitoring for Tribal Cultural Resources. Prior to any ground disturbing activities on the project site associated with the Proposed Project, an archaeological and tribal monitor shall be present during ground-disturbing activities as stipulated in the TCRMMP. The tribal monitor shall be designated by the tribal consultant. The qualified archaeologist may designate an archaeologist to conduct the monitoring under their direction. The monitors shall have the authority to temporarily halt or redirect construction activities in soils that are likely to contain potential tribal cultural resources, as determined by the qualified archaeologist in consultation with the tribal monitor. The monitors shall each complete a daily log documenting construction activities and observations. The field observations shall include assessment of the geoarchaeological setting and whether sediments are identified that are no longer capable or unlikely to contain tribal cultural resources (i.e., sterile), which may be encountered prior to reaching the total depth of excavation expected for the project. If initial monitoring identifies low sensitivity (i.e., sterile soil strata) below a certain depth or within a certain portion of the project site, a corresponding reduction of monitoring coverage would be appropriate. The reasoning for and scale of the recommended reduction shall be communicated to the DCP in writing prior to reduction.

In the event that tribal cultural resources or potential tribal cultural resources are exposed during construction, work in the immediate vicinity of the find shall stop within a minimum of 8 meters [25 feet] or as determined by the qualified archaeologist in consultation with the tribal consultant based on the nature of the find and the potential for additional portions of the resource to remain buried in the unexcavated areas of the project site. The qualified archaeologist in consultation with the tribal consultant will evaluate the significance of the find and implement the protocol described in the TCRMMP before work can resume in the area surrounding the find that is determined to have sensitivity. Construction activities may continue in other areas of the project site in coordination with the qualified archaeologist and tribal consultant.

If human remains are encountered during construction all ground-disturbing work will be immediately diverted from the discovery as determined by the tribal consultant and qualified archaeologist based on consideration of the possibility that additional or multiple Native American human remains are may be located in the project site. Upon discovery of human remains, whether or not the archaeological or Tribal monitor is present, the Los Angeles County Coroner's Office shall be notified, as prescribed in PRC Section 5097.98 and

Health and Safety Code Section 7050.5. If the Coroner determines that the remains are of Native American origin, the Coroner shall proceed as directed in Section 15064.5(e) of the State CEQA Guidelines, and as specified in the TCRMMP, which require the coroner to notify the NAHC who will appoint a Most Likely Descendent (MLD). Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated accordingly. While the coroner determines whether the remains are Native American and the MLD is designated and notified, the discovery is to remain confidential and secure to prevent any further disturbance.

Within one month of concluding the tribal cultural resources monitoring, the qualified archaeologist shall prepare a memo stating that the monitoring requirements have been fulfilled and summarize the results of any finds and any actions taken by the tribal monitor to implement the final measures related to tribal cultural resources. The memo shall be submitted to the project proponent and DCP and attached to a final monitoring report prepared by the qualified archaeologist. Following submittal of the memo, the qualified archaeologist shall prepare a technical report documenting the methods and results of all work completed by the tribal and archaeological monitor under the TCRMMP and incorporating input received during construction from the tribal consultant, including, if any, treatment of any collected materials, results of artifact processing, analysis, and research, and evaluation of the resource(s) for the California Register of Historical Resources. The format and content of the report shall follow the California Office of Historic Preservation's Archaeological Resource Management Reports (ARMR): Recommended Contents and Format. Any tribal cultural resources identified shall be documented on appropriate California Department of Parks and Recreation 523-Series Forms. The report shall be prepared under the supervision of a qualified archaeologist and submitted to DCP within one year of completing the monitoring. The final draft of the report shall be submitted to the South Central Coastal Information Center.

- **Enforcement Agency:** Los Angeles Department of City Planning
- **Monitoring Agency:** Los Angeles Department of City Planning
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Once prior to issuance of grading permit; Ongoing during field inspection
- **Action Indicating Compliance:** Issuance of grading permit; Field inspection sign-off included in daily log and compliance memo to be completed by the qualified archaeologist

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February 7, 2013

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Whole Foods Market
15315 Magnolia Boulevard, #320
Sherman Oaks, CA 91403

Third Fairfax, LLC (O)
6380 Wilshire Boulevard, #800
Los Angeles CA 90048

Lanny Kusaka (R)
TMG Solutions
6733 South Sepulveda Boulevard, #265
Los Angeles, CA 90045

CASE NO. ZA 2012-0690(CUB)
CONDITIONAL USE
6350 West 3rd Street
Wilshire Planning Area
Zone : C2-1-O
D. M. : 135B177, 138B177
C. D. : 4
CEQA : ENV 2008-442 -MND(REC1)
Legal Description: Pt. Lot 12, Tract 215

Pursuant to Los Angeles Municipal Code Section 12.24-W,1, I hereby APPROVE:

a conditional use to permit an upgrade from the sale of beer and wine only to a full line of alcoholic beverages for off-site consumption, and the continued sale and dispensing of beer and wine only for on-site consumption for wine tasting events, in conjunction with an existing food market [Whole Foods] on a property located in the C2 Zone,

upon the following additional terms and conditions:

1. 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.

2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan stamp dated December 24, 2012 and marked Exhibit "A", except as may be revised as a result of this action.

3. 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 Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. 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 Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or 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.

7. The subject grant shall be for a period of 10 years from the effective date of the subject grant, after which a new grant should be approved to continue the sale of alcohol. The new entitlement application shall include condition compliance review with supporting documents showing that the required conditions have been complied with.

   Further, at any time during the period of validity of this grant, should documented evidence be submitted showing a violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require the applicant to file for a plan approval application together with associated fees, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. The applicant/petitioner(s) shall provide a summary and supporting documentation of how compliance with each condition of the grant has been attained. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct the public hearing for nuisance abatement/revocation purposes.

   The instant conditional use supersedes all terms and conditions of Case No. ZA-2008-0736(CUB) which is hereby terminated.

8. The hours of operation shall be limited from 6 a.m. to 12 midnight daily. The operating hours shall be posted at the entrance of the market.

9. The market shall not exceed 41,593 square feet of floor area. Wine tasting area shall be limited to 110 square feet of floor area.

10. The consumption of alcoholic beverages on the premises shall be limited to wine tasting events only for a maximum of 30 attendees during the hours between 12 noon and 10 p.m. daily.

11. Light appetizers such as cheese, nuts or fruit shall be made available at no charge to all participants of each wine tasting event.

12. All persons wishing to participate in wine tasting events shall obtain a ticket from the Customer Service representative of the store.

13. Areas devoted to trash storage or other storage shall not be located adjacent to a residential use, or shall be buffered or enclosed so as not to result in noise, odor or debris impact on any adjacent residential use.

14. Exterior lighting on the building shall be maintained and provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible. Said lighting shall be directed in such a manner so as not to illuminate any nearby residence.

15. Coin operated game machines, pool tables, billiard tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.

16. Outside pay phones shall not be allowed.

17. The conditions of this grant shall be retained on the premises at all times and be provided immediately upon request of any Los Angeles Police officer or Department of Alcoholic Beverage Control investigator. The manager and all employees shall be knowledgeable of these Conditions.

18. The conditions of the subject grant shall be provided to employees for their review.

    Prior to the utilization of the grant, a statement signed by the employees stating that they reviewed and agree to comply with the conditions shall be submitted to the Zoning Administrator.

19. Prior to the utilization of this grant, all personnel acting in the capacity of a manager of the premise and all personnel who serve/sell alcoholic beverages shall complete the STAR session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months. The STAR training shall be conducted for all new hires within 60 days of their employment.

    The applicant shall request written confirmation of completion of the training from the Police Department and shall concurrently submit a copy of such confirmation to the Zoning Administrator along with a list of employees who sell/serve alcoholic beverages. The written confirmation of completion of the STAR training and the follow-up sessions as well as the STAR training for new hires shall be retained on the premises at all times and be immediately produced upon request of any Los Angeles Police officer or Department of Alcoholic Beverage Control investigator. The manager and all employees shall be knowledgeable of these Conditions.

20. The parking required for the store shall be provided in compliance with the code and to the satisfaction to the Department of Building and Safety.

21. The applicant/business operator shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.

22. Prior to the sale of any alcoholic beverages, 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 premise at each point-of-sale location. The device(s) shall be maintained in operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage.

23. The business operator shall install video surveillance cameras and monitors inside and/or outside the premises. The business operator shall maintain the tapes for at least 30 days and make them available to the Police Department upon request.

    Prior to the utilization of this grant, evidence of compliance with this condition shall be submitted to the Office of Zoning Administration.

24. Recycling bins shall be provided at appropriate locations inside a market to promote recycling of paper, metal, glass and other recyclable material.

25. Trash pick-up shall not be permitted before 8 a.m. daily.

26. The applicant, the market owner and/or operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:

    - posted at the entrances to the store,
    - responded to within 24-hours of any complaints/inquiries received on this hot line, and
    - documented in a log and available for review by the Los Angeles Police Department and the Zoning Administrator upon request on when the calls were received, returned and the action taken at a minimum.

27. The following mitigation measures included in Case No. ENV 2008-0442-MND-REC shall be complied with.

    a. Aesthetics (Graffiti)

        1) 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.

2) 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.

b. Public Services (Police)

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. Contact the Community Relations Division, located at 100 West 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

c. Utilities (Solid Waste)

Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

28. Within 30 days of the effective date of this grant or prior to the sale of any alcoholic beverages, whichever comes first, the property owner shall record a covenant acknowledging and agreeing to comply with all the terms and conditions established herein in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

> "A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than $2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after FEBRUARY 22, 2013, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at http://planning.lacity.org**. Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

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.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning Analyst thereon, the statements made at the public hearing on December 18, 2012, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use permit under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

The property consists of seven adjoining lots, is a level, irregular-shaped (right-angled trapezoid), 7.1-acre parcel with approximately 537 feet of frontage along Fairfax Avenue, 686 feet of frontage along 3rd Street, 437 feet along Ogden Drive and a 675-foot property line with Hancock Park Elementary School.

The property is improved with five one-story structures constructed from 1961 through 1962, with tenants including a retail bank, restaurant, pharmacy, discount retailer, newsstand, boutique retail and the subject supermarket.

The existing site provides a total of 486 parking spaces serving the entire site, including the applicant and other tenants at the site.

To the north and across 3rd Street, adjacent land uses include the Farmer's Market, The Grove commercial center, and surface parking lots in the C2-2D-O Zone.

To the south property is developed with the Hancock Park Elementary School in the PF-1XL-O Zone.

To the east and across Ogden Drive are properties developed with surface parking and commercial uses including a Ross department store in the [Q]C2-2D Zone.

To the west across and Fairfax Avenue properties are developed with retail uses and the Writer's Guild of America in the C2-1VL-O and C2-1LD-O Zones.

On May 15, 2012, staff investigated ABC license No. 381835 assigned to the applicant on the California Department of Alcoholic Beverage Control License Query System which reviled no disciplinary action or holds.

On November 29, 2012, Staff conducted an on-site observation of the establishment, property, and immediate vicinity. Staff was met by a store manager who provided access to the establishment. The property and immediate surrounding area appeared relatively free of graffiti, littler, trash and debris. The submitted plans approximate the store layout with minor deviation related to the arrangement of shelves and displays.

3rd Street, adjoining the property to the north, is a designated Secondary Highway dedicated to a variable 73- to 75-foot width and improved with curb, gutter and sidewalk.

Fairfax Avenue, adjoining the property to the west, is designated a Secondary Highway dedicated to a variable 70- to 75-foot width and improved with curb, gutter and sidewalk.

Ogden Drive, adjoining the property to the east, is a Local Street dedicated to a 60-foot width and improved with curb, gutter and sidewalk.

Previous zoning related actions on the site/in the area include:

Subject Property

Case No. ZA 2012-0737(CUB) – On March 19, 2012, a request was filed for conditional use to allow the sale of beer and wine for on-site consumption in conjunction with an existing 4,080 square-foot restaurant expanding to 5,583 square feet seating 154 patrons and having hours of operation from 10 a.m. to 10 p.m. daily, located at 6332 West 3rd Street, #18, the easterly adjoining building.

Case No. ZA 2008-0736(CUB) – On October 31, 2008, the Associate Zoning Administrator approved the sale of beer and wine for on- and off-site consumption in conjunction with the expansion of a 29,928 square-foot food market to 41,055 square feet on property located in the C2 Zone, located at 6350 West 3rd Street. [Subject market, Whole Foods]

Case No. ZA 2004-1376(CUB) – On June 10, 2004, the Associate Zoning Administrator approved the sale of wine for on-site consumption for wine tasting purposes only. [Subject market, Whole Foods]

Case No. ZA 87-1491(E) – On March 31, 1988, the Associate Zoning Administrator determined a 30-seat restaurant to be exempt from the requirements of Sections 12.21 and 12.24 of the Los Angeles Municipal Codes for the sale of beer and wine for on-site consumption for a 30-seat restaurant at 6332 West 3rd Street.

Surrounding Properties:

Case No. ZA 2012-0566(CUB) – On July 25, 2012, the Associate Zoning Administrator approved the continued sale of a full line of alcoholic beverages for on-site consumption in conjunction with a 2,640 square-foot restaurant (Chipotle Mexican Grill) in the C2-2D-O Zone, located at 110 South Fairfax Avenue, Suite A12.

Case No. ZA 2012-0800(CUB) – On July 17, 2012, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption and live entertainment in conjunction with a proposed new restaurant, in the C2-2D-O, [T][Q]C2-2D, and [T]C2-2D-O Zones, located at 101 South the Grove Drive.

Case No. ZA 2012-0144(CUB) – On April 13, 2012, the Associate Zoning Administrator approved the sale of beer and wine for onsite consumption in conjunction with a 3,255 square-foot full service restaurant and an adjacent 1,844 square-foot patio in the C2-2D-O Zone, located at 189 The Grove Drive, Suite C-10.

Case No. ZA 2011-0977(CUB) – On October 26, 2011, the Associate Zoning Administrator modified a conditional use permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the operation of a ~~11,259~~ 11,036 square-foot restaurant located in the C2-2D-O Zone, located at 6333 West 3rd Street, Suites 020.

Case No. ZA 2011-0977(CUB) – On August 16, 2011, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in conjunction with the operation of a 11,259 square-foot restaurant located in the C2-2D-O Zone, located at 6333 West 3rd Street, Suites 020 and P20.

Case No. ZA 2011-0250(CUB) – On June 8, 2011, the Associate Zoning Administrator, approved a Conditional Use Permit to allow the sale and dispensing of beer and wine for onsite consumption in conjunction with a 3,136 square-foot restaurant in the C2-2D-O Zone, located at 11 0 South Fairfax Avenue, #A-1 6.

Case No. ZA 2010-0526(CUB)(CUX) – On January 14, 2011, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on- and off-site consumption and to allow patron dancing; all in conjunction with a proposed restaurant/pub, located at 175 South Fairfax Avenue.

Case No. ZA 2010-0524(CUB) – On January 14, 2011, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on- and off-site consumption incidental to retail sales for beverage sampling; all in conjunction with a proposed grocery pharmacy retail store, located at 161-169 South Fairfax Avenue.

Case No. ZA 2010-2453(CUB) – On June 17,2011, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in conjunction with an 1,800 square-foot restaurant in the C2-2D-O Zone, located at 6333 West 3rd Street, Stall #110.

Case No. ZA 2008-0736(CUB) – On October 31,2008, the Associate Zoning Administrator approved the sale of beer and wine for on- and off-site consumption in conjunction with the expansion of a 29,928 square-foot food market to 41,055 square feet on property located in the C2 Zone at 6350 West 3rd Street.

Case No. ZA 2008-4593(CUB) – On September 25, 2009, the Associate Zoning Administrator issued a Letter of Modification deleting condition No. 20: "Alcohol sales shall cease 30 minutes before the closing of the location".

Case No. ZA 2008-4593(CUB) – On June 19, 2009, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant which is authorized to sell beer and wine, located at 189 The Grove Drive, Suite 0-10.

Case No. ZA 2006-1667(CUB)-1A – On March 9, 2007 the Central Area Planning Commission, denied the appeal and sustained the action of the Zoning Administrator dated August 23, 2006.

Case No. ZA 2006-1667(CUB) – On August 23, 2006, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in a new restaurant in the C2-2D-O Zone, Located at 110 South Fairfax Avenue.

Case No. ZA 2005-9141(CUB) – On May 17, 2006, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in conjunction with an existing 7,300 square-foot restaurant, located at 189 The Grove Drive, #F-I 0.

Case No. ZA 2004-6883(CUB)(ZV) – On March 31, 2005, the Associate Zoning Administrator approved the sale of beer and wine for on-site consumption in conjunction with a proposed restaurant; and, a variance to permit four parking spaces in lieu of the required five parking spaces, located at 361 South Fairfax Avenue.

Case No. ZA 99-0318(CUB)(CUZ)(ZV)(SP) – On November 3, 1999, the Associate Zoning Administrator approved the sale of a full line of alcoholic beverages for on-site consumption in conjunction with a maximum of 14 restaurants, including one restaurant in a proposed department store; and, a conditional use to permit the sale and dispensing for consideration of a full line of alcoholic beverages for on-site consumption in conjunction with a theater complex which includes a restaurant/café/bar, and a separate luxury auditorium with adjacent bar/lounge and considered one establishment with one license; and, a conditional use to permit the sale and dispensing for consideration of beer and wine for on-site consumption in conjunction with two existing stalls (Stall Nos. 326 and 408) in the original Farmer's Market currently covered by one license and considered herein as one establishment, Stall Nos. 120 and 826 and three proposed restaurants for a total of six establishments; and, a conditional use to permit the sale and dispensing for consideration off-site of a full line of alcoholic beverages in conjunction with one existing market, .one proposed department store and one grocery store for a total of three establishments; and, a conditional use to permit the sale and dispensing for consideration off-site beer and wine in conjunction with two existing stalls (Stall Nos.

150 and 236) in the original Farmer's Market and one proposed specialty food and import store for a total of three establishments; and, a conditional use to permit the construction, use and maintenance of wireless telecommunications facilities; and a variance to permit the installation and operation of one facility for games of skill and science, arcade video games, virtual reality systems and similar type of arcade-type games; and, a variance to permit dancing in conjunction with a maximum of three full-service restaurants; and, a variance to permit outdoor eating areas of approximately 18,000 square feet on the ground and second floors; and, a variance from the provisions of Ordinance. No. 166,657 "D" Development Limitation which limits restaurant facilities, excluding outdoor dining areas, to 12,000 square feet so as to allow a maximum of 39,000 square feet of restaurant facilities, excluding outdoor dining areas; and, a variance to permit one freestanding monument sign that will not exceed 8 feet in height in the C1.5 Zone; and, a to permit open air kiosks and sales carts and to permit kiosks with advertising in the C1.5 Zone; and, a Zoning Administrator's Determination to permit two or more uses to share off-street parking, located at 6301 West 3rd Street.

Case No. ZA 97-0436(CUB) – On September 5, 1997, the Associate Zoning Administrator approved the sale of beer and wine as an accessory use to a restaurant, located at 7910 West 3rd Street.

The following was received to the file.

- An e-mail from the Los Angeles Police Department to the applicant's representative stating that "....At this point we do not anticipate any issues with the applications and upgrade to full line...."

- The letter from Mid City West Community Council indicating that the Community Council voted to support the subject application.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24-W of the Los Angeles Municipal Code. In order for the sale of a full line of alcoholic beverages for off-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the four standard findings for most other conditional use categories.

FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

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

   The subject site was previously allowed to have the sale of beer and wine for on- and off-site consumption by prior grants, which were approved under Case Nos. ZA

2004-1376(CUB) and ZA 2008-0736(CUB). The sale of beer and wine for on-site consumption was limited only for wine tasting events only. The subject grant is an upgrade of a beer and wine license to allow the sale of a full line of alcoholic beverages for off-site consumption with the sale of beer and wine for on-site consumption for wine tasting only as previously required.

The entire block bounded by 3rd Street, Fairfax Avenue, Colgate Avenue and Ogden Drive is improved with a shopping center, which is occupied by various retail uses and the subject market [Whole Foods] with an associated parking lot except that the southerly portion of the block is occupied by Hancock Park Elementary School.

The surrounding area is characterized by a variety of major commercial and residential developments, including the Farmer's Market and The Grove on the north side of 3rd Street across from the property, and Park La Brea residential units to the south. More traditional commercial development fronts along both sides of Fairfax Avenue.

The Whole Foods market will provide grocery items and general household merchandise goods as well as a full line of alcoholic beverages. A wine tasting area in the market will offer sample tastings of specialty wines. The local residents can walk or drive a short distance to the market to go grocery shopping and to purchase alcoholic beverages and may attend wine tasting sessions, which are offered at the market as education to learn about specialty beer and wine. The sale of alcoholic beverages will be incidental to the goods and services provided by the grocery market. The sale of a full line of alcoholic beverages will provide a one-stop shopping convenience to the patrons; therefore, the location of the proposed market will be desirable for public convenience or welfare.

2. **The location is proper in relation to adjacent uses or the development of the community and the use will not be materially detrimental to the character of the development in the immediate neighborhood.**

The sale of alcoholic beverages is usual and customary in large grocery stores. Most patrons of large supermarkets expect to have the convenience of purchasing alcohol along with their regular food items. The grant authorized herein incorporates a number of conditions that have been imposed upon the use. These conditions will continue to make the use more compatible with other uses in the surrounding community.

The operation of the subject market as conditioned is not anticipated to be detrimental given its location on major thoroughfares, 3rd Street and Fairfax Avenue. Employees are also required to undergo training regarding the sale of alcohol conducted by the Los Angeles Police Department. The installation of a surveillance camera system is required. In order to address noise complaints from trash pick-up early in the morning, a condition is required to prohibit trash pick-up before 8 a.m. daily.

The subject grant for the sale of alcoholic beverages is authorized for a term of 10 years after which time the applicant will need to file a new entitlement application for the same request. The term grant provides the City an opportunity to review the operation of the market anew. If the operation has been conducted appropriately and without creating problems for the neighborhood, then a subsequent decision on a new application may take that into favorable consideration. A record of poor compliance and/or nuisance complaints would allow the City the discretion to not grant a conditional use and thus avoid the need to proceed with prolonged nuisance abatement proceedings. Further, at any time during the period of validity of this grant, should documented evidence be submitted showing a violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require the applicant to file for a plan approval application, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct the public hearing for nuisance abatement/revocation purposes. As conditioned, the use is not anticipated to be materially detrimental to the development of the immediate neighborhood

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

The Wilshire Community Plan Map designates the property for Community Commercial land uses with corresponding zones of CR, C2, C4, P, PB, RAS3, and RAS4 and Height District No. 1 . The property is within the area of the Department of Conservation, and Division of Oil & Gas Clearance (ZI 1195).

The Community Plan text does not specifically address the requested conditional use for the sale of alcoholic beverages. However, the Los Angeles Municipal Code authorizes the Zoning Administrator to grant the requested conditional use in the zones corresponding to the Plan land use designation. The General Plan promotes the provision of services throughout the city in locations that are convenient to the public yet do not impact nearby properties. Given the content of the conditions and limitations established herein, including a 10-year term limit, the surrounding land uses should be protected from potential impacts of the proposed use. Therefore, the subject request is in harmony with the various elements and objectives of the General Plan.

ADDITIONAL FINDINGS FOR THE SALE OF ALCOHOLIC BEVERAGES:

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

Permitting the sale of alcoholic beverages at any location raises the possibility that other properties will be negatively impacted by intoxicated patrons driving under the influence or causing other inappropriate behavior on foot. The approval, as conditioned, is intended to avert any substantial impact on the welfare of residents

in the area by including a provision that requires limited operating hours, limitations on noise generation, and the monitoring of loitering on and around the site.

The full line of alcoholic beverages for off-site consumption is in conjunction with a grocery market in which other merchandise items are available for purchase. Permitting the sale of alcoholic beverages as conditioned should not substantially impact the welfare of the area given the stated focus of the store, which is the sale of grocery and general merchandise with the sale of a full line of alcoholic beverages and wine tasting playing a secondary and occasional role.

A specialty grocery, which sells a wide range of products, including alcoholic beverages, will help accommodate the wide range of needs for the community. The specialty grocery will meet a broader range of the community's needs and create a stronger, stable, and more competitive commercial environment in the area. The project will provide a neighborhood-oriented complement to the other neighborhood-oriented commerce along 3rd Street and Fairfax Avenue, as well as to the already strong, more regionally oriented uses, including the Original Farmers Market, The Grove, and the Town and Country Shopping Center. The sale and dispensing of alcoholic beverages within the specialty grocery will not interfere with the economic stability or welfare of the community. Therefore, the approval of the conditional use will not adversely affect the economic welfare of the community.

5. **The proposed use will not result in an undue concentration of premises for the sale or dispensing of alcoholic beverages in the area of the City involved giving consideration to applicable State laws and the California Department of Alcoholic Beverage Control's guidelines for undue concentration, the crime rate in the area, and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, 2 on-sale and 1 off-sale licenses are allocated to subject Census Tract No. 2145.01. There are currently 17 on-site and 5 off-site licenses in this Census Tract.

Within a 1,000-foot radius of the subject property, the following types of alcoholic beverage licenses are active or pending:

(2) Type 20 – Off-Sale – Beer and Wine
(3) Type 21 – Off-Sale – General
(0) Type 40 – On-Sale – Beer
(8) Type 41 – On-Sale – Beer and Wine – Eating Place
(3) Type 42 – On-Sale – Beer and Wine – Public Premises
(12) Type 47 – On-Sale – General – Eating Place
(0) Type 48 – On-Sale – General – Public Premises

According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 734, which has jurisdiction over the subject property, a total of 239 crimes were reported in 2011, compared to the citywide average of 144 crimes and the high crime reporting district average of 173 crimes for the same period.

In 2011, there were 3 Narcotics, 0 Liquor Law, 1 Public Drunkenness, 0 Disturbing the Peace, 0 Disorderly Conduct, and 7 DWI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Based upon the numbers reported by these two agencies, the Zoning Administrator concludes that an undue concentration of on-site facilities does exist, and the Conditions imposed in this determination are necessary in order to justify the increase in intensity of use occasioned by this request. The Zoning Administrator is aware that the number of allocated licenses is primarily calculated based upon resident population and that the employment and visitor populations of the area far exceed the resident population of this census tract. The subject site is located in a commercial corridor where a concentration of markets is evident and thus the higher number of alcoholic beverage licenses is anticipated.

The crime rate numbers are higher than those rates identified for the City. The public safety measures to mitigate nuisance and criminal activities have been incorporated into the grant to assure better oversight including the installation of a surveillance camera. An e-mail received from the Los Angeles Police Department [LAPD] states that the LAPD does not anticipate any problems or issues with an upgrade of a beer and wine license to allow the sale of a full line of alcoholic beverages at the subject premise.

It is further noted that the subject grant is an upgrade of a beer and wine license to allow the sale of a full line of alcoholic beverages for off-site consumption with the sale of beer and wine for on-site consumption for wine tasting events only; therefore, the subject grant will not result in an increase in the total number of alcoholic beverage licenses in the area.

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

The following sensitive uses were observed within a 1,000-foot radius of the subject property:

Congregation Atzel Chaum –	8018 West 3rd Street
Hancock Park Elementary School –	408 South Fairfax Avenue
Youth Academy of Dramatic Arts –	8115 West 3rd Street
Pan Pacific Park –	7600 Beverly Boulevard

No correspondence was received from any of these institutions noted above. The project site is surrounded by commercial uses. As noted, since the site is located in a prime commercial corridor, the diversity amongst the uses is not uncommon. This

grant has placed numerous conditions on the proposed project. Such imposition of conditions, as well as the imposition of a 10-year term grant, will make the use a more compatible and accountable neighbor to the surrounding uses than would otherwise be the case. The Zoning Administrator believes the restrictions established herein will protect any unspoken legitimate interests of those groups.

ADDITIONAL MANDATORY FINDINGS

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas determined to be outside 500-year flood plain.

8. On December 12, 2012, a Mitigated Negative Declaration (ENV 2008-0442-MND-REC) 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 (and identified in this determination), there is no substantial evidence that the proposed project will have a significant effect on the environment (Section 15074, State CEQA Guidelines). I hereby adopt that action. This 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.

SUE CHANG
Associate Zoning Administrator
Direct Telephone No. (213) 978-3304

SC:lmc

cc: Councilmember Tom LaBonge
Fourth District
Adjoining Property Owners

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS
R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
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August 2, 2013

William Jordan (A)
Whole Foods Market
15315 Magnolia Boulevard, #320
Sherman Oaks, CA 91403

Third Fairfax, LLC (O)
6380 Wilshire Boulevard, #800
Los Angeles CA 90048

Lanny Kusaka (R)
TMG Solutions
6733 South Sepulveda Boulevard, #265
Los Angeles, CA 90045

CASE NO. ZA 2012-0690(CUB)
LETTER OF CORRECTION
6350 West 3rd Street
Wilshire Planning Area
Zone : C2-1-O
D. M. : 135B177, 138B177
C. D. : 4
CEQA : ENV 2008-442 -MND(REC1)
Legal Description: Pt. Lot 12, Tract 215

On February 7, 2013, the Zoning Administrator issued a determination authorizing a request pursuant to Los Angeles Municipal Code Section 12.24-W,1, approving:

> a conditional use to permit an upgrade from the sale of beer and wine only to a full line of alcoholic beverages for off-site consumption, and the continued sale and dispensing of beer and wine only for on-site consumption for wine tasting events, in conjunction with an existing food market [Whole Foods] on a property located in the C2 Zone.

On July 12, 2013, the applicant's representative (TMG Solutions, Lanny Kusaka) requested that a correction be issued to permit the operator to conduct instructional tastings of a full line of alcohol in association with the continued operation of an existing full service supermarket (Whole Foods) at the subject location.

The following facts are established in the record:

- The *original* Master Land Use Application (MLUA) and its attachments maintained in case file ZA 2012-0690, dated March 14, 2012, submitted by the applicant/applicant's representative, does not include a request for on-site instructional tastings in association with off-site licensing, full line, or refer to Type 86 licensing.

- The requested correction is consistent with the proposed entitlements considered and approved by the Planning and Land Use Committee of the Mid City West Community Council at their June 5 and June 12, 2012 proceedings.

- Email correspondence from OZA staff to the applicant's representative dated November 26, 2012, as well as notations on the OZA "Case Comments" sheet (dated March 22, 2012, attached to the case file), reflect that interaction occurred between the applicant's representative and OZA staff referencing the "on-site instructional tasting license" prior to the public hearing. The applicant's representative submitted information regarding the ABC Type 86 licensing at the instructional tasting at the Zoning Administrator's public hearing.

- The November 26, 2012 email, "Case Comments", and the Mid-City West Community Council minutes establish the intent of the applicant to seek approval for on-site instructional tasting in association with off-site licensing (via an ABC Type 86 license). Based on that evidence, and not the modified MLUA application form submitted by the applicant with the July 12, 2013 letter, the request for correction to the grant for ZA 2012-0690(CUB) was accepted by the Office of Zoning Administration.

The Zoning Administrator recognizes that evidence in the record substantiates the applicant's intent to include instructional tasting for off-sale licensees (full line of alcohol) as part of the store's operation presented to the Zoning Administrator for consideration of ZA 2012-0690(CUB). The Findings of the grant acknowledged the store's operation with sale and distribution of a full line of alcoholic beverages, stating, "The full line of alcoholic beverages for off-site consumption is in conjunction with a grocery market in which other merchandise items are available for purchase. Permitting the sale of alcoholic beverages as conditioned should not substantially impact the welfare of the area given the stated focus of the store, which is the sale of grocery and general merchandise with the sale of a full line of alcoholic beverages...." The Findings also state that tasting activities would play a secondary role in relation to the store's primary functions. Extending the terms of the grant to include the on-site instructional tasting for off-sale licensees (full-line of alcohol) is consistent with these findings.

Therefore, in consideration of the above-noted facts, the Zoning Administrator hereby revises the grant clause to be shown as follows (new grant terms underlined):

> a conditional use to permit an upgrade from the sale of beer and wine only to a full line of alcoholic beverages for off-site consumption; on-site instructional tasting for off-sale licensees (full line of alcohol); and, the continued sale and dispensing of beer and wine only for on-site consumption for wine tasting events, in conjunction with an existing food market [Whole Foods] on a property located in the C2 Zone.

In order to effectuate this correction to the grant, the applicant shall record with the Los Angeles County Recorder's Office, a covenant and agreement to include this Letter of Correction. A copy of the recorded document(s) shall be submitted to the Office of Zoning Administration for inclusion in the case file ZA 2012-0690(CUB).

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

The *applicant's requested revision* to Condition No. 10 is noted below (with new terms as requested by the applicant underlined), and provides the ABC an opportunity to address

the specific conduct of alcohol sales and distribution in association with the Conditional Use granted by the Zoning Administrator.

> The consumption of alcoholic beverages on the premises shall be limited to wine tasting events for a maximum of 30 attendees during the hours between 12 noon and 10 p.m., daily (beer and wine only), and to instructional tasting on-site (full line of alcoholic beverages) limited to the hours between 12 noon and 9 p.m. daily.

The Zoning Administrator notes that the Office of Zoning Administration implemented a change in formatting and procedure specific to conditions related to alcoholic beverage sales and consumption (March, 2013). In identifying the applicant's requested revisions to Condition No. 10 herein, the Office of Zoning Administration acknowledges the State of California Department of Alcoholic Beverage Control (ABC) as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. Even if such Conditions have been volunteered or negotiated by the applicant, the Office of Zoning Administration and the Zoning Administrator have no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

All other terms and conditions of Case No. ZA 2012-0690(CUB) shall remain as originally granted. Any further modification to the determination may be subject to consideration by the Planning Department pursuant to Los Angeles Municipal Code Section 12.24-M.

LINN K. WYATT
Chief Zoning Administrator
Telephone No. (213) 978-1318

LKW:aln

cc: Department of Alcoholic Beverage Control
888 South Figueroa Street, Room 320
Los Angeles, CA 90010-2339
Department of Building and Safety
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October 31, 2008

Mrs. Gooch's Natural Food
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Third Fairfax, LLC (O)
Arba Group
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Lanny Kusaka (R)
TMG Solutions
6733 South Sepulveda Boulevard, #265
Los Angeles, CA 90045

CASE NO. ZA 2008-0736(CUB)
CONDITIONAL USE
6350 West 3rd Street
Wilshire Planning Area
Zone : C2-1-O
D. M. : 135B177/138B177
C. D. : 4
CEQA : ENV 2008-0442-MND
Legal Description : Pt. Lot 12,
Tract 215

Pursuant to Los Angeles Municipal Code Section 12.24-W,1, I hereby APPROVE:

a conditional use to permit the sale and dispensing of beer and wine for on- and off-site consumption in conjunction with the expansion of a 29,928 square-foot food market to 41,055 square feet on property located in the C2 Zone,

upon the following additional terms and conditions:

1. 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.

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

3. 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 Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. 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 Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.

6. 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.

7. The instant conditional use supercedes all terms and conditions of Case No. ZA-2004-1376(CUB) which is hereby terminated. The instant grant shall be valid for a period of ten years. Thereafter, a new conditional use permit shall be required to continue the sale of alcoholic beverages for consumption on and off the premises.

8. This conditional use authority to sell alcohol shall apply only to the subject facility and not to any other facility within the subject ownership.

9. Hours of operation of the facility shall not exceed 6 a.m. to 12 midnight, daily.

10. Consumption of alcoholic beverages on the premises shall be limited to wine tasting events only. Otherwise, the use of the facility shall be strictly limited to a retail use.

11. Wine tasting shall be limited to a floor area not exceeding 1,050 square feet. Wine tasting events shall be limited to between the hours of 3 p.m. and 10 p.m. and a maximum of 30 attendees.

12. Light appetizers such as cheese, nuts or fruit shall be made available at no charge to all participants of each wine tasting event.

13. All persons wishing to participate in wine tasting events shall obtain a ticket from the Customer Service representative of the store.

14. The applicant shall install and maintain an ID screening machine or electronic age verification device to check the age of persons attempting to purchase alcoholic beverages for either on- or off-site consumption. This machine shall be maintained in an operational condition and all employees shall be instructed in its proper use prior to the sale of any alcoholic beverage.

15. No amusement games or video games shall be permitted in the premises.

16. The applicant shall be responsible for discouraging loitering on the subject property.

17. The subject facility, including any parking facilities, shall be maintained in an attractive condition and be kept free of trash and debris at all times.

18. Areas devoted to trash storage or other storage shall not be located adjacent to a residential use, or shall be buffered or enclosed so as not to result in noise, odor or debris impact on any adjacent residential use.

19. No pay phone shall be maintained on the exterior of the premises.

20. Exterior lighting on the building shall be maintained and provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible. Said lighting shall be directed in such a manner so as not to illuminate any nearby residence.

21. A copy of the conditions of this letter of determination shall be retained on the premises at all times and be immediately produced upon the request of any peace officer, employee of the State Department of Alcoholic Beverage Control, or the City's Planning Department. The store manager and all employees of the store shall be knowledgeable of the conditions herein.

22. Within six months of the issuance of the alcoholic beverage license by the Department of Alcoholic Beverage Control all managers involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers (STAR)". Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employee(s) completed the training, in conjunction with which licensed premise, (name and address of store/restaurant/bar, etc). The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. These training programs shall be required of all new staff involved with the sale of alcoholic beverages.

23. All conditions of Environmental Clearance No. ENV 2008-0442-MND (Exhibit 'B', attached) are hereby made full conditions of this grant and shall be strictly complied with.

24. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19.01-C (Plan Approval CU 12.24-M $2,292 or as in effect at the time of filing,), the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause a notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office, and the Los Angeles Police Department corresponding Division. The applicant shall also submit a summary and any supporting

documentation of how compliance with each condition of this grant has been attained. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

25. Within 30 days of the date of effectiveness of this action, 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 form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION

All terms and Conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for one additional period not to exceed one year, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

> "A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than $1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after NOVEMBER 17, 2008, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at www.lacity.org/pln**. Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

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.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning Analyst thereon, the statements made at the public hearing on September 8, 2008, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for

authorizing a conditional use permit under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

The subject site is a level, irregular-shaped, dual corner lot consisting of 7.1 acres, bound by Fairfax Avenue to the west, 3rd Street to the north, and Ogden Drive to the east. The property is improved with a single-story commercial central with several retail tenants. The site is zoned C2-1-O and has a Community Commercial land use designation in the Wilshire Community Plan Area.

The existing site provides a total of 486 parking spaces serving the entire site, including the applicant and other tenants at the site.

To the north and across 3rd Street, adjacent land uses include the Farmer's Market, The Grove commercial center, and surface parking lots in the C2-2D-O Zone.

To the south property is developed with the Hancock Park Elementary School in the PF-1XL-O Zone.

To the east and across Ogden Drive are properties developed with surface parking and commercial uses including a Ross department store in the [Q]C2-2D Zone.

To the west across and Fairfax Avenue properties are developed with retail uses and the Writer's Guild of America in the C2-1VL-O and C2-1LD-O Zones.

3rd Street, adjoining the property to the north, is a designated Secondary Highway dedicated to a variable 73- to 75-foot width and improved with curb, gutter and sidewalk.

Fairfax Avenue, adjoining the property to the west, is designated a Secondary Highway dedicated to a variable 70- to 75-foot width and improved with curb, gutter and sidewalk.

Ogden Drive, adjoining the property to the east, is a Local Street dedicated to a 60-foot width and improved with curb, gutter and sidewalk.

Previous zoning related actions on the site/in the area include:

Subject Property

Case No. ZA 2004-1376(CUB) – On June 10, 2004, the Zoning Administrator approved the sale for on-site consumption of wine for wine tasting purposes only.

Case No. ZA 87-1491(E) – On March 31, 1988, the Zoning Administrator approved the sale of alcoholic beverages for a 30-seat restaurant at 6332 West 3rd Street.

Surrounding Properties

Case No. ZA 2006-1667(CUB) – On August 23, 2006, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of a full line of

alcoholic beverages for on-site consumption in a new restaurant at 110 South Fairfax Avenue.

Case No. ZA 2005-9141(CUB) – On May 17, 2006, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing 7,300 square-foot restaurant at 189 The Grove Drive, #F-10.

Case No. ZA 2004-6883(CUB)(ZV) – On March 31, 2005, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine only for on-site consumption in conjunction with a proposed restaurant; and approved a Variance to permit four parking spaces in lieu of the required five parking spaces at 361 South Fairfax Avenue.

Case No. ZA 99-0318(CUB)(CUZ)(ZV)(SP) – On November 3, 1999, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a maximum of 14 restaurants, including one restaurant in a proposed department store; and a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a theater complex which includes a restaurant/café/bar, and a separate luxury auditorium with adjacent bar/lounge and considered one establishment with one license; and a Conditional Use Permit to allow the sale and dispensing for consideration of beer and wine for on-site consumption in conjunction with two existing stalls (Stall Nos. 326 and 408) in the original Farmer's Market currently covered by one license and considered herein as one establishment, Stall Nos. 120 and 826 and three proposed restaurants for a total of six establishments; and a Conditional Use Permit to allow the sale and dispensing for off-site consumption of a full line of alcoholic beverages in conjunction with one existing market, one proposed department store and one grocery store for a total of three establishments; and a Conditional Use Permit to permit the sale and dispensing for off-site consumption of beer and wine in conjunction with two existing stalls (Stall Nos. 150 and 236) in the original Farmer's Market and one proposed specialty food and import store for a total of three establishments at 6301 West 3rd Street.

Case No. ZA 99-0268(CUB) – On September 2, 1999, the Zoning Administrator approved a Conditional Use Permit to allow modifications of the terms and conditions of ZA Case No. 97-0436(CUB) so as to now permit the sale and dispensing of a full line of alcoholic beverages in conjunction with an expanded restaurant at 7910-7918 West 3rd Street.

Case No. ZA 97-0436(CUB) – On September 5, 1997, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine only as an accessory use to a restaurant at 7910 West 3rd Street.

Case No. ZA 96-0774(CUB)(CUZ)(ZV) – On May 15, 1997, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of alcoholic beverages for off-site consumption in a shopping center operating 24 hours-a-day, seven days a week; and approved a variance to permit early start of the expansion

and reconfiguration of the shopping center in the existing R4-2 Zone pending zone change and plan amendment at 6220-6298 West 3rd Street.

Case No. ZA 95-0347(CUB)(ZV)(CCR) – On September 5, 1995, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing for consideration of alcoholic beverages including beer and wine for consumption on the premises in conjunction with a proposed food court restaurant; and

approved variances to permit the remodeling, use and maintenance of an existing four-story, 36,000 square-foot retail and office building with 1) three car stacking for parking in the on-site parking area, and 2) 59 percent of the parking spaces on the site as compact spaces, and

approved a Zoning Administrator's Determination to review and impose conditions deemed appropriate in order to protect single-family residential uses in conjunction with the proposed uses located on a C2 zoned corner parcel at 431 South Fairfax Avenue.

Case No. ZA 90-0990(CUB) – On December 28, 1990, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of alcoholic beverages for on- and off-site consumption in conjunction with an existing Farmer's Market shopping area together with a proposed commercial/residential project specifically as follows:

(a) On-site consumption of a full line of alcoholic beverages at 12 locations within the Gilmore Adobe, the anchor stores, the existing Farmer's Market shopping area and eating establishments within the mall.

(b) On-site consumption of beer and wine only at one eating establishment within the mall and at one anchor store restaurant.

(c) Off-site consumption of beer and wine only at five retail stores.

(d) Off-site consumption of a full line of alcoholic beverages for sale at one retail store.

The Zoning Administrator also approved public dancing at various restaurants within the project.

Case No. ZA 90-0293(CUB) – On August 23, 1990, the Zoning Administrator approved a Conditional Use Permit to allow the selling of beer and wine and alcoholic beverages for off-site consumption only in the existing Farmer's Market, selling alcoholic beverages from 10 a.m. to 9 p.m., Monday through Friday, from 10 a.m. to 7 p.m., Saturday and from 11 a.m. to 6 p.m., Sunday and specifically including one establishment (a liquor store) selling a full line of alcoholic beverages for off-site consumption and 10 establishments (within the existing Farmer's Market food area) selling beer and wine for off-site consumption (but only within food baskets); and denied the portion of the request seeking an additional on-site beer and wine license within the existing Farmers Market food complex at 6333 West 3rd

Street. On October 30, 1990, the Board of Zoning Appeals granted the appeal filed by the applicant and modified the prior conditions and findings by the Zoning Administrator.

Case No. ZA 86-0338(CUB) – On June 18, 1986, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine only at 6333 West 3rd Street.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24-W of the Los Angeles Municipal Code. In order for the sale of beer and wine for on-and off-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the four standard findings for most other conditional use categories.

FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

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

The property consists of a 7.1 acres, level, irregular-shaped, double corner, through parcel with frontages of 526 feet on the east side of Fairfax Avenue, 642 feet on the south side of 3rd Street, and 420 feet on the west side of Ogden Drive. It is developed with a one-story shopping center and related surface parking lot.

The applicant requests conditional uses in conjunction with the continued operation of an existing Whole Foods market to:

a. Expand the floor area for the sale and dispensation of beer and wine for off-site consumption [Type 20 License] from 29,928 square feet to 41,055 square feet, and

b. Expand the floor area and hours of sale for on-site consumption [Type 42 License] for wine tasting purposes from 150 square feet to 1,050 square feet.

The property is located at the southeast corner of 3rd Street and Fairfax Avenue. The surrounding area is characterized by a variety of major commercial and residential developments, including the Farmer's Market and The Grove on the north side of 3rd Street across from the property, and Park La Brea residential units to the south. More traditional commercial development front along both sides of Fairfax Avenue. These businesses cater to a substantial local population appreciative of finding services in close proximity to their area of residence, as well as to vast amounts of visitors and other tourists attracted to the fame and quality of development in the immediate area. In this perspective, the continued sale of

alcoholic beverages, and expanded wine tasting, in addition to the take out of food and grocery items, will logically complete the line of products offered by the store.

Proposed as an expansion of a previously approved use accessory to the operation of an existing store, part of a shopping center oriented towards the provision of services to the surrounding and visiting community, the instant request at this location can be found to be desirable to the public convenience and welfare.

2. **The location is proper in relation to adjacent uses or the development of the community and the use will not be materially detrimental to the character of the development in the immediate neighborhood**.

The property is located at the southeast corner of 3rd Street and Fairfax Avenue. There are no immediately adjacent residential uses.

The applicant's representative states: "*The property is classified in the C2-1 Zone which allows an expansive variety of retail uses. It is also one of the few designated for Neighborhood Oriented Commercial in the Community Plan. It is good planning policy to allocate alcohol sales to locations which are planned and zoned for large scale commercial uses, have high quality and professional operations, and where alcohol sales are limited to an ancillary capacity.*

The associated 486 parking spaces for the center will meet parking demand with convenient access from the major arterials. The site is part of a major commercial center with landscaping, orientation and buffering to prevent potential impacts of the on any sensitive use. In addition, Whole Foods offers flexible work schedules so employees can plan hours around available public transportation. Transportation guides are also displayed on bulletin boards or kiosks which are visible for all employees, including local transit routes, schedules and maps, and ridesharing marketing materials."

A public hearing on the matter was held on September 8, 2008, where the applicant's representative described the nature of the project and the request being made, and responded to questions of the Zoning Administrator regarding details of the operation of the existing and proposed uses. No other speaker testified. A letter from the Mid City West Community Council was received in support of the requests. A petition with 179 signatures in support of the requests was submitted for the record. No opposition to the requests was received.

As detailed in Finding No. 1, the property is located in an area characterized by a variety of regionally oriented commercial uses serving not only the local residential community, but attracting vast number of regional and international visitors. Multiple-family complexes and single-family neighborhoods are located along the major thoroughfares and local streets, respectively.

The proposed use, including reasonable operating hours, is in keeping with the character of the immediate area, serving the varied needs of the community. The orientation of the establishment, away from the nearest residential uses, provides an effective buffer to the adjacent neighbors from the proposed activities. The services

provided in this general commercial area including the proposed use, make it a convenience to the immediate community.

As such, it can be found that the proposed use at this location is proper in relation to adjacent uses and the development of the community and will not be materially detrimental to the character of the development in the immediate neighborhood.

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

The property is located in the Wilshire District Plan area and designated for Community Commercial uses with corresponding zones of CR, C4, C2, P, PB, RAS3 and RAS4, and Height District No. 1. It is not located within the area of any Specific Plan or Interim Control Ordinance.

The applicant's representative states: *"The subject site is located within the Wilshire Community Plan, designated for community commercial land uses. The C2 Zone is consistent with this designation. The Plan text makes no references to alcoholic beverages.*

Among the Goals and Policies of the Wilshire Community Plan are:

> *GOAL 2 : ENCOURAGE STRONG AND COMPETITIVE COMMERCIAL SECTORS WHICH PROMOTE ECONOMIC VITALITY AND SERVE THE NEEDS OF THE WILSHIRE COMMUNITY THROUGH WELL-DESIGNED, SAFE AND ACCESSIBLE AREAS, WHILE PRESERVING HISTORIC AND CULTURAL CHARACTER.*
>
> *Objective 2-1 Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.*
>
> *Policies*
>
> *2-1.1 New commercial uses should be located in existing established commercial areas or shopping centers.*
>
> *2-1.3 Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.*

Clearly approval of the proposed modifications to the existing Whole Foods operation is consistent with these Goals and Policies as they support and enhance an existing quality community-serving commercial use in the neighborhood."

Market retail uses are permitted by the plan designation and C2 zone classification of the property. The proposed use is permitted in this zone by Conditional Use. The expansion of the sale of beer and wine for on- and off-site consumption incident to the continued operation of the existing market responds to the diverse needs of the

surrounding community, and provides the community with a complementary service, consistent with the type of services the surrounding residential area would enjoy. At this location, the proposed expansion of the existing use will promote convenience shopping opportunities for both workers and patrons of the area's commercial business community as well as for the nearby residential neighborhoods, thereby contributing to a viable commercial environment of the immediate area.

As such, it can be found that the proposed use at this location will be in harmony with the various elements and objectives of the General Plan.

4. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing of alcoholic beverages in the area.**

According to the State Department of Alcoholic Beverage Control licensing criteria, 8 on-site and 6 off-site licenses are allocated to subject Census Tract No. 2145.00. There are currently 17 on-site and 7 off-site licenses in this Census Tract, including the applicant's current licenses. It must be noted that the instant approval does not result in the addition of any new license.

Statistics from the Police Department reveal that in the subject Crime Reporting District No. 714, which has jurisdiction over the subject property, a total of 261 crimes were reported in 2007, compared to the citywide average of 256 crimes and a high crime reporting district average of 307 crimes for the same period. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this year may reflect crimes reported in previous years.

The applicant's representative states: "*There were no disciplinary actions found for the sale of alcohol at the Whole Foods market, demonstrating that alcohol can be sold at the subject site in a responsible manner.*

It is good planning policy to allocate alcohol sales to locations which are planned and zoned for large scale commercial uses, have high quality and professional operations, and where alcohol sales are limited to an ancillary capacity."

It has been noted that the approval of the instant request will not result in any new license being added to the number of licenses allocated to this census tract. It should further be noted that the immediate area contains a significant amount of service and retail uses, attracting a working and patron population in need of shopping or service venues in close proximity to their shopping or residence sites. The expansion of floor area for the applicant's current licenses corresponds to the expanded need for convenience shopping for the surrounding population. With the sale of beer and wine incident to the continued operation of the market, the proposed expansion of the use will only contribute to the diversity of service available to the workers and patrons of the surrounding commercial office and retail business uses as well as residents of the immediate area.

5. **The proposed use will not detrimentally affect any nearby residentially zoned communities or other sensitive uses.**

The applicant's representative states: "*Alcohol sales have existed on the site for over 32 years. The only change will be providing alcohol sales in a larger market within an envelope of a wider range of goods and services. In addition, Whole Foods has a history of responsible social and business practices and a quality, safe business image to protect.*"

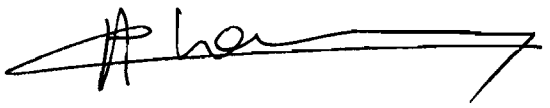
The property is located in the midst of a major commercial area. No residential uses are located immediately adjacent to the property. Sensitive uses identified within 600 feet of the site consist of the Hancock Park Elementary School abutting to the south.

Considering the location and orientation of the property, as detailed above, the limited hours of operation, and the mitigation measures imposed on the project, it can be found that the proposed use will not detrimentally affect any nearby residentially zoned communities or other sensitive uses.

ADDITIONAL MANDATORY FINDINGS

6. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas determined to be outside 500-year flood plain.

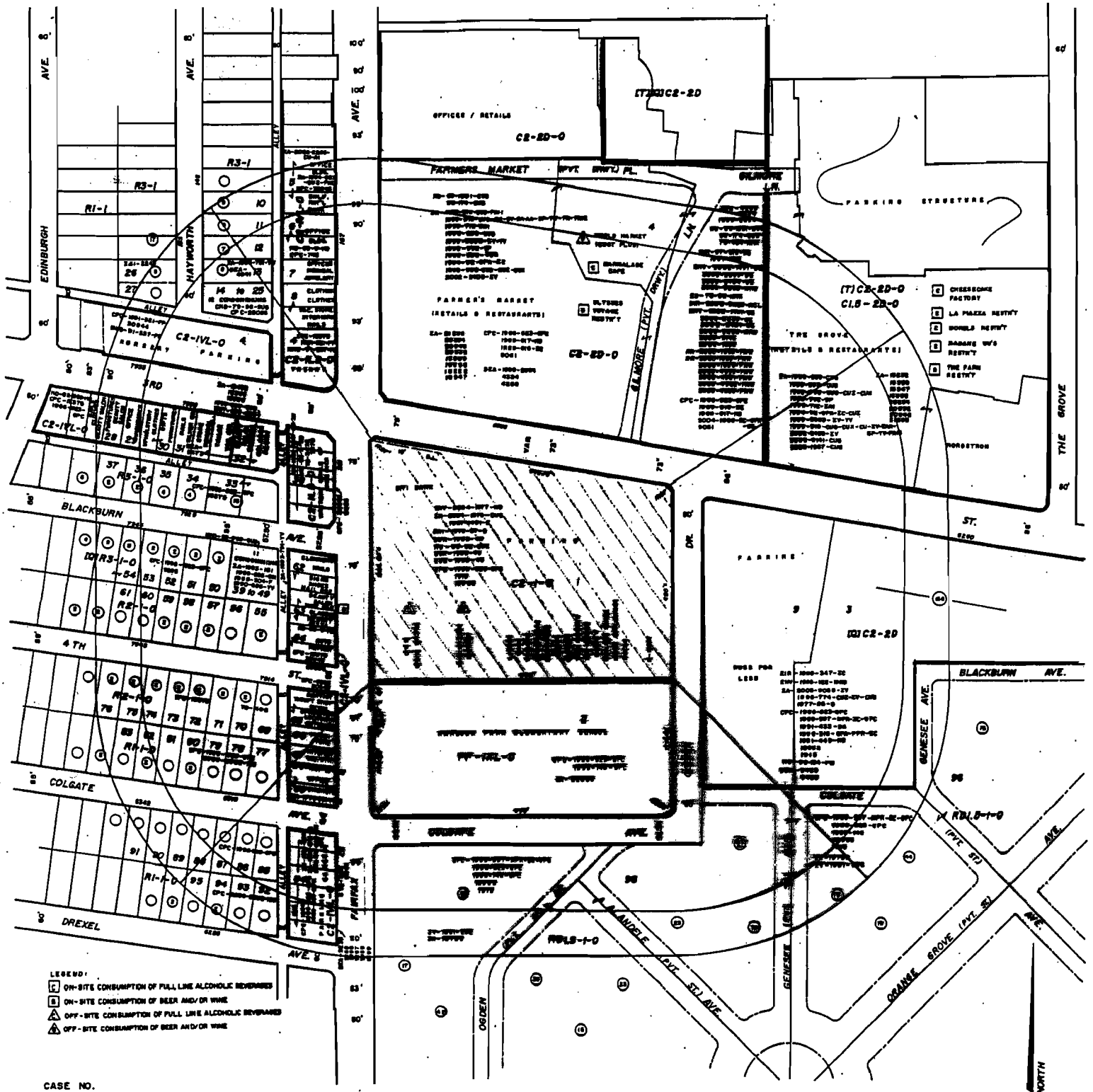
7. On May 21, 2008, a Mitigated Negative Declaration (ENV 2008-0442-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that with imposition of the mitigation measures described in the MND (and identified in this determination), there is no substantial evidence that the proposed project will have a significant effect on the environment. I hereby adopt that action. This 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.



ANIK CHARRON
Associate Zoning Administrator
Direct Telephone No. (213) 978-1307

AC:lmc

cc: Councilmember Tom LaBonge
Fourth District
Adjoining Property Owners
County Assessor



CASE NO.
DATE JAN. 8, 2008
D.M. 135B177, 135B177
SCALE 1" = 100'
USES FIELD

T. B.
PAGE 633 GRID B-1
C.D. 4 C.T. 2145.00
P.A. 106 WIL

LEGAL : PORTION OF LOT 12 (ARB. 1), TRACT NO. 215 M.R. 14-42/43

CONDITIONAL USE - A.B. OFF SITE

TMG SOLUTIONS, INC.
6733 SEPULVEDA BLVD. STE. 265
LOS ANGELES, CA 90045
(310) 337-7290

730 AC.

ZA 2008 736

BUILDING ANALYSIS

EXISTING WHOLE FOODS MARKET 29650 SQ FT
EXISTING RETAIL STORES & RESTAURANT 595 SQ FT
TOTAL FLOOR AREA = 246 SQ FT

BASE ALLOWABLE FLOOR AREA TYPE IB OCCUPANCY

$A_a = A_{a1} + A_{a2}$

$A_a = A_{a1} + A_{a2}$

$A_a = 2500 + 75 + 37500$

$A = 00 + \frac{F}{F} = 025$

$A = \frac{75 \times 50}{250} + \frac{60 \times 05}{250} = \frac{3750}{250} + \frac{300}{250} = 15 + 12$

PER METER ENTIRE BUILDING 46 FT

$A = 00 + \frac{562}{468} = 025 + 6.2\%$

$A_a = 2500 + \frac{2500 \times 62\%}{100} = 2500 + 3306$

$A_a = 2500 + 462 + 37500$

$A_a = 2500 + 462 + 37500 = 50462$ SQ FT = 246 SQ FT

DISABLED ACCESS NOTES

SITE DEVELOPMENT & ACCESSIBLE ROUTE OF TRAVEL

NOTE: Accessible Route of Travel is defined as "a continuous unobstructed path connecting all accessible elements and spaces of an accessible building or facility that can be negotiated by a person with a severe disability using a wheelchair and that is also safe for and usable by persons with other disabilities" (11B-202)

1. Site development and grading shall be designed to provide access to or adjustments to existing physical features such as curbs, sidewalks, or vertical grades of paved, unpaved, or planting areas to provide access to the entrance of a building, from streets, alleys, and accessible parking spaces. The accessible route of travel shall not be less than 36" wide and shall be free of abrupt changes in level greater than 1/2". (11B-206.1)

2. At least one accessible route within the boundary of the site shall be provided from public transportation stops, accessible parking, and accessible passenger loading zones, and public streets or sidewalks, to the accessible building entrance they serve. The accessible route shall, to the maximum extent feasible, coincide with the route for the general public. (11B-206.2.3)

3. The accessible route of travel shall not be more protected against vehicular traffic than the general circulation path. (11B-206.2.1)

4. Where more than one building or facility is entering on a site, accessible routes of travel shall be provided between accessible buildings and accessible site facilities. (11B-206.2.2)

5. Where a building or portion of a building is required to be accessible or adaptable, an accessible route of travel shall be provided from accessible parking facilities and passenger loading zones to the accessible entrance of the building and the public way. (11B-206.4.1)

6. At least one accessible route shall connect the following:

   a. Accessible buildings, facilities, elements and spaces that are on the same site.

   b. Accessible entrance of a building, accessible spaces and accessible elements and spaces within accessible buildings. (11B-206.4.2)

7. Where more than one route is provided, all routes shall be accessible. (11B-206.4.3)

ACCESSIBLE PARKING

NOTE: Each lot or parking structure shall provide parking in proportion to the number of vehicles, persons or compartments shall provide the minimum number of accessible parking spaces (11B-208.1)

1. Parking ____ accessible parking spaces as required by Table ____ (11B-208.2)

2. All facilities providing standard seats and either permanent or temporary removable seats shall provide wheelchair spaces complying with (11B-208.3) as follows:

   a. Assembly areas with seating capacity of 4 to 25 shall provide one wheelchair space. (11B-208.3.1)

   b. Assembly areas with seating capacity of 26 to 300 shall provide four wheelchair spaces. (11B-208.3.1)

   c. Assembly areas with seating capacity of 301 to 500 shall provide six wheelchair spaces. (11B-208.3.1)

   d. Assembly areas with seating capacity of over 500 shall provide six wheelchair spaces plus one additional wheelchair space for each total seating capacity increase of 100. (11B-208.3.1)

3. Accessible parking spaces shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. (11B-208.3.2)

4. In parking facilities that do not serve a particular building, accessible parking shall be located on the same accessible circulation.

Table of number of required accessible parking spaces (11B-208.2)

Total # of parking spaces provided	Total # of disabled spaces required
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1000	2% of total
1001 & over	20 plus 1 for each 100 or fraction thereof over 1001

5. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

6. Where parking spaces are provided for employees, they shall be with one additional space provided for each parking area used by a building that contains spaces for the exclusive use of the public. One street "side" accessible parking shall be provided and shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. Where parking does not serve a particular building, parking for persons with disabilities shall be located on the shortest accessible route of travel to an accessible pedestrian entrance. (11B-208.4.1, Fig 11B-208.4.1)

7. Where more than one commercial or business establishment is located in the same building or structure, each shall provide the required accessible parking. Where it is impractical to provide parking spaces for each establishment, parking spaces may be grouped in one or more locations. (Fig 11B-208, 11B-208.4.2)

8. Each required accessible parking space shall be identified by a permanent above-grade sign bearing the International Symbol of Accessibility. All such signage must be located so that it cannot be obscured by a vehicle parked in the space. (Fig 11B-208, 11B-208.4.3)

9. Where more than 5 spaces are provided for buildings with multiple tenants or those occupancies, each shall be 11'-0" wide and shall be identified by a sign at least 3'-0" high and reserving the space for the use of persons with disabilities. Signs shall be centered on the space at a minimum height of 5'-0" from the bottom of the sign to the ground surface. (11B-208.4.4, Fig 11B-208.4.3)

10. Each required accessible parking space shall be at least 14'-0" wide and shall be marked to define the width, and shall be level with surface slopes not exceeding 1:48 in all directions. (11B-208.5)

11. Accessible parking spaces shall be so located that persons with disabilities will not unnecessarily cross behind of each parked vehicle. Such spaces shall be located on a surface with a slope not exceeding 1:48 in all directions. (11B-208.5.1)

12. Surface repairs of nonconforming parking spaces shall be the minimum necessary. Such repairs shall not reduce the number of parking spaces provided. (11B-208.5.2)

13. All entrances to and exits from a building and vertical obstructions within pedestrian circulation paths, where required by 11B-208.2 or 11B-208.3, shall be protected by guardrails or other approved means. (11B-209.1)

14. Walks and ramps shall be 48" minimum in width. (11B-403.5.1, Fig 11B-403.5.1)

15. Where handrails are required, they shall be provided on at least one side of each ramp run. (11B-403.6, Fig 11B-403.6)

16. Curb ramps shall be provided wherever an accessible path of travel crosses a curb. Curb ramps shall be 48" minimum in width, exclusive of flared sides, and shall have a slope of 1:12 maximum. (11B-403.5.1, Fig 11B-405.3 & 4)

17. Level parking spaces required for persons with disabilities shall be provided in a minimum number as specified in Table 11B-208.2. Such spaces shall be located on the shortest accessible route of travel to an accessible entrance. Where parking facilities do not serve a particular building, parking spaces shall be located on the shortest accessible route of travel to an accessible pedestrian entrance. (11B-208.4.1, Fig 11B-208.4.1)

18. Signs identifying accessible parking spaces shall be posted on a wall at the center end of the parking space or in adjacent planting areas if seating is not permitted. Signs shall be a minimum of 70 square inches in area and shall be 60" above the ground. (11B-208.4.3)

19. Any accessible space which has been provided as a temporary measure in anticipation of future demand may be converted to a standard space when future demand requires. (11B-208.5.3)

20. An unobstructed vertical clearance of 8'-2" minimum shall be maintained over all parking spaces and access aisles. This shall apply to the entire length and width of the parking space and access aisle including any parking spaces for vans. (11B-208.5.4)

21. The surface of each accessible parking space or aisle shall have a surface identification conforming either of the following: (11B-208.5.5, Fig 11B-208.5.5)

   a. By outlining or painting the entire space or aisle in blue and painting the symbol of access in white, as shown in figure 11B-208.5.5, or

   b. By outlining or painting the symbol of access in white on blue background. The paint used shall be equivalent to that approved by the State Department of Public Works for traffic marking and painting purposes. (11B-208.5.5)

NOTE: State agencies are to be free to use equivalent methods of identification. (11B-208.5.5)

22. The surface of each accessible parking space or aisle shall have a surface identification conforming either of the following: (11B-208.5.5, Fig 11B-208.5.5)

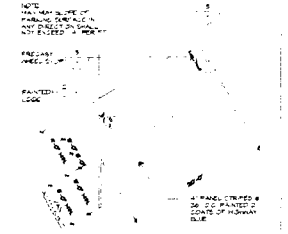
   a. By outlining or painting the entire space or aisle in blue and painting the symbol of access in white, as shown in figure 11B-208.5.5, or

   b. By outlining or painting the symbol of access in white on blue background. The paint used shall be equivalent to that approved by the State Department of Public Works for traffic marking and painting purposes. (11B-208.5.5)

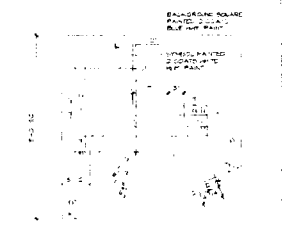
NOTE: State agencies are to be free to use equivalent methods of identification. (11B-208.5.5)

GENERAL NOTES

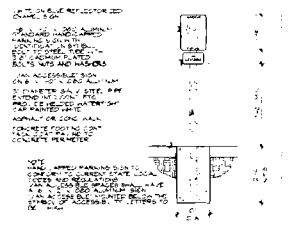
- EXISTING DISABLED ACCESSIBLE PARKING TO REMAIN
- EXISTING DISABLED ACCESS SIGNAGE & PARKING STALL TO REMAIN
- PAINT 6" PATH OF TRAVEL DIAGONALLY 2'-0" C.T.C. BLUE PAINT
- PAINT 6" WIDE CURB LOT PERIMETER AT PATH & NO. 2 PLCS. (TYP.) (TOTAL 24 LF)
- EXISTING SIGNAGE TO BE RELOCATED AT EACH ACCESSIBLE PARKING STALL
- EXISTING PARKING TO REMAIN
- EXISTING DISABLED ACCESS & SIGNAGE @ DRIVEWAYS REPLACE IF DAMAGED OR NOT TO CODE



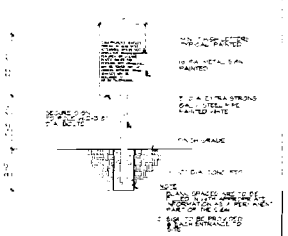
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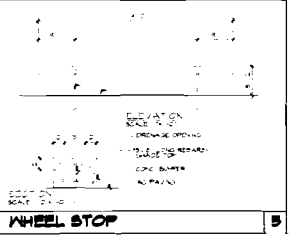
HANDICAP LOGO 2



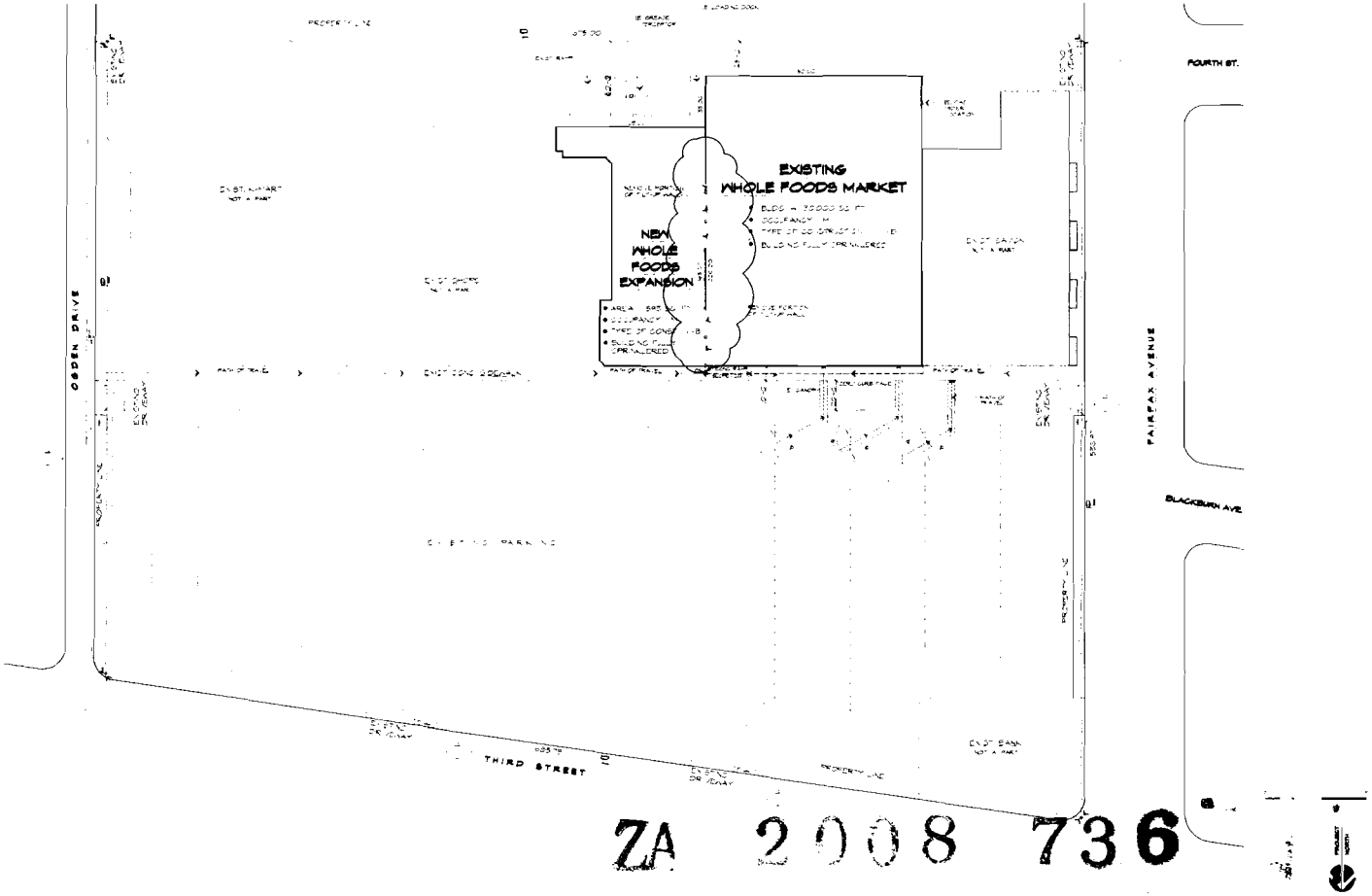
HANDICAP SIGN 3



HANDICAP SIGN 4



WHEEL STOP 5



SITE PLAN

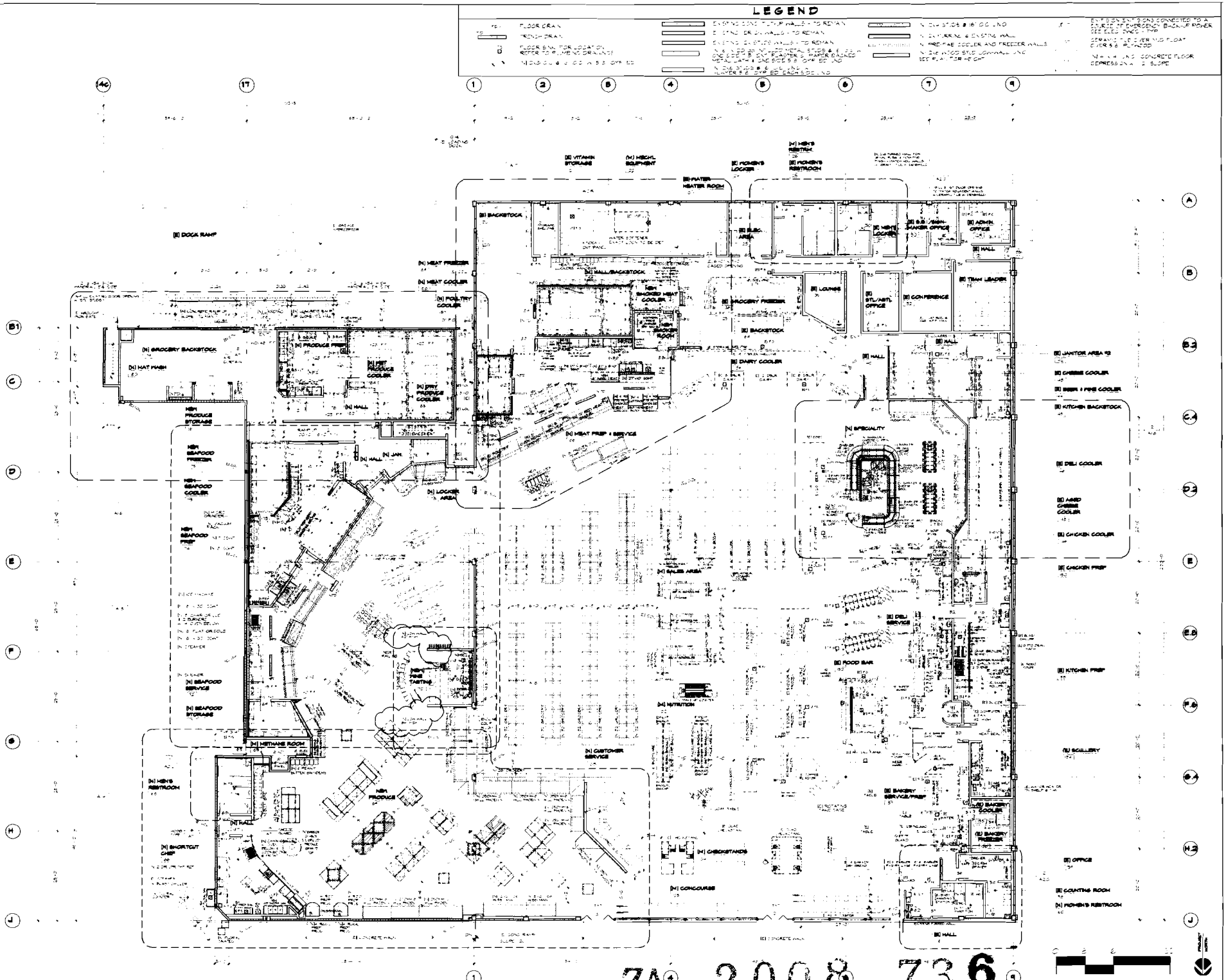
ZA 2008 736

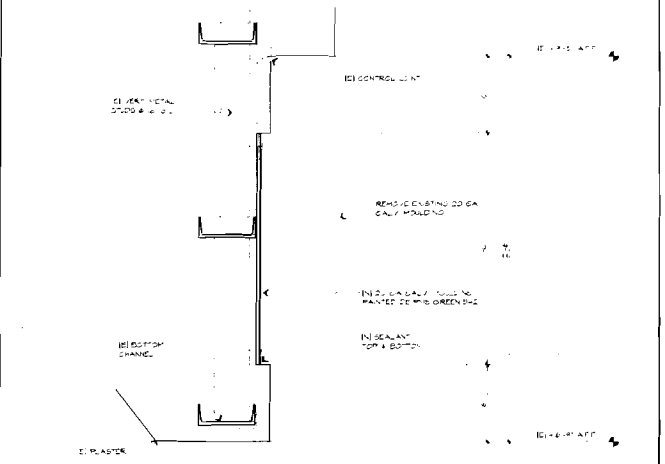
EXHIBIT A

LESTER PALEY AND ASSOCIATES
PLANNING AND ENGINEER
12410 BURBANK BLVD., NORTH HOLLYWOOD CA. 91607
3-5447

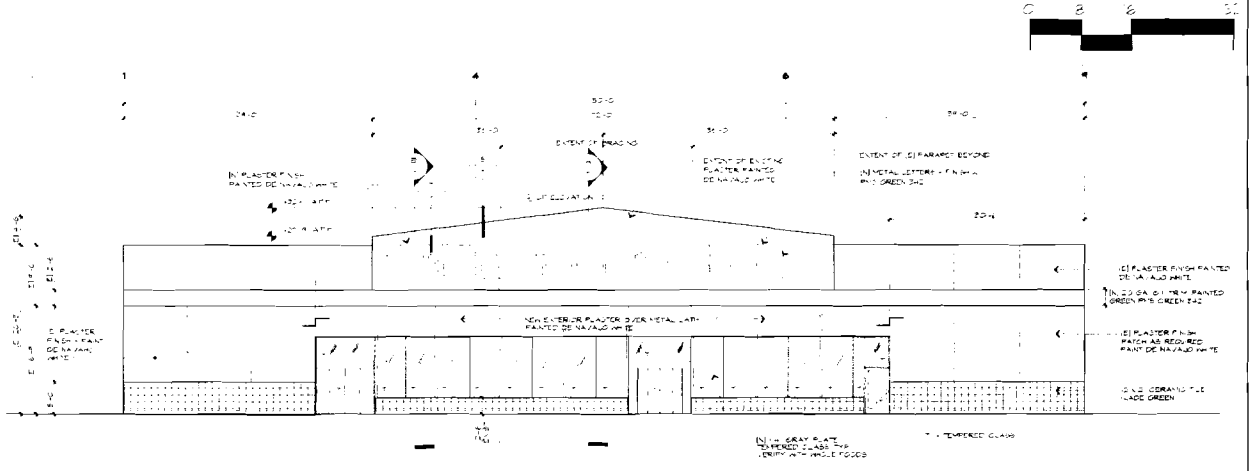
Whole Foods # 26
6350 WEST THIRD STREET
LOS ANGELES, CA 90036

SHEET TITLE: SITE PLAN
SHEET NO: SD-1
JOB NO: 3660

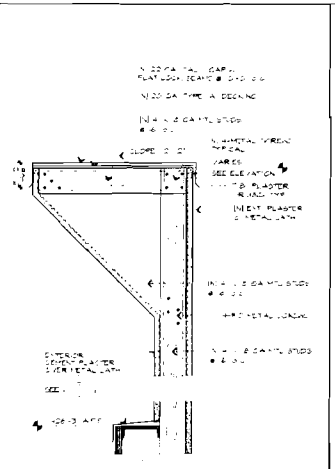

LEGEND
FLOOR DRAIN
TRENCH DRAIN
(E) DOCK RAMP
(N) GROCERY BACKSTOCK
(N) HAT WASH
(N) PRODUCE PREP
(N) PET PRODUCE COOLER
(N) PRT PRODUCE COOLER
(N) MEAT FREEZER
(N) MEAT COOLER
(N) POULTRY COOLER
(N) MEAT PREP + SERVICE
(N) JAN.
(N) LOCKER AREA
(N) HALL
MEN PRODUCE STORAGE
MEN SEAFOOD FREEZER
MEN SEAFOOD COOLER
MEN SEAFOOD PREP
(N) SEAFOOD SERVICE
(N) SEAFOOD STORAGE
(N) MEN'S RESTROOM
(N) WOMEN'S RESTROOM
(N) SHORTCUT CART
MEN PRODUCE
(N) CUSTOMER SERVICE
(N) SALES AREA
(N) NUTRITION
(N) CHECKSTANDS
(N) CONCOURSE
(E) BACKSTOCK
(E) WATER HEATER ROOM
(E) VITAMIN STORAGE
(E) MECHL EQUIPMENT
(E) WOMEN'S LOCKER
(E) WOMEN'S RESTROOM
(E) ELEC. AREA
(E) MEN'S LOCKER
(E) ADMIN. OFFICE
(E) HALL
(E) HALL/BACKSTOCK
(E) SHADED MEAT COOLER
(E) GROCERY FREEZER
(E) LOUNGE
(E) STL/ASTL OFFICE
(E) CONFERENCE
(E) TEAM LEADER
(E) DAIRY COOLER
(E) JANITOR AREA
(E) CHEESE COOLER
(E) BEER + WINE COOLER
(E) KITCHEN BACKSTOCK
(N) SPECIALTY
(E) DELI COOLER
(E) AGED CHEESE COOLER
(E) CHICKEN COOLER
(E) CHICKEN PREP
(E) DELI SERVICE
(E) FOOD BAR
(E) KITCHEN PREP
(E) SCULLERY
(E) BAKERY SERVICE/PREP
(E) BAKERY COOLER
(E) BAKERY FREEZER
(E) OFFICE
(E) COUNTING ROOM
(N) WOMEN'S RESTROOM
(E) HALL
(E) CONCRETE WALL
FLOOR PLAN
ZA 2008 736
LESTER PALEY AND ASSOCIATES
PLANNING AND ENGINEER
12410 BURBANK BLVD., NORTH HOLLYWOOD CA. 91607
Whole Foods # 26
6350 WEST THIRD STREET
LOS ANGELES, CA 90036
FLOOR PLAN
A1.0
3660



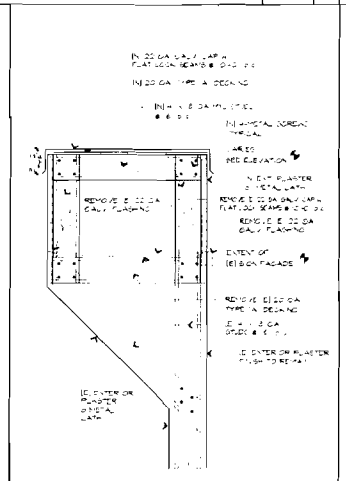
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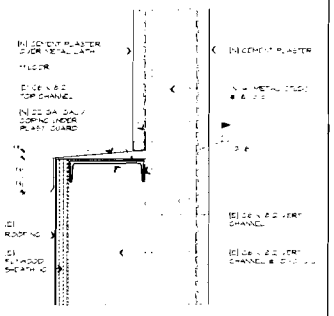
FRONT ELEVATION



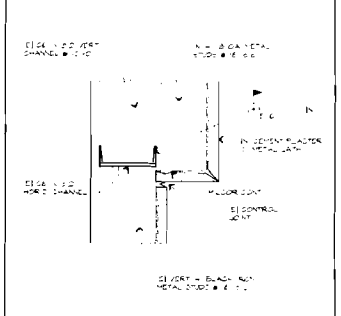
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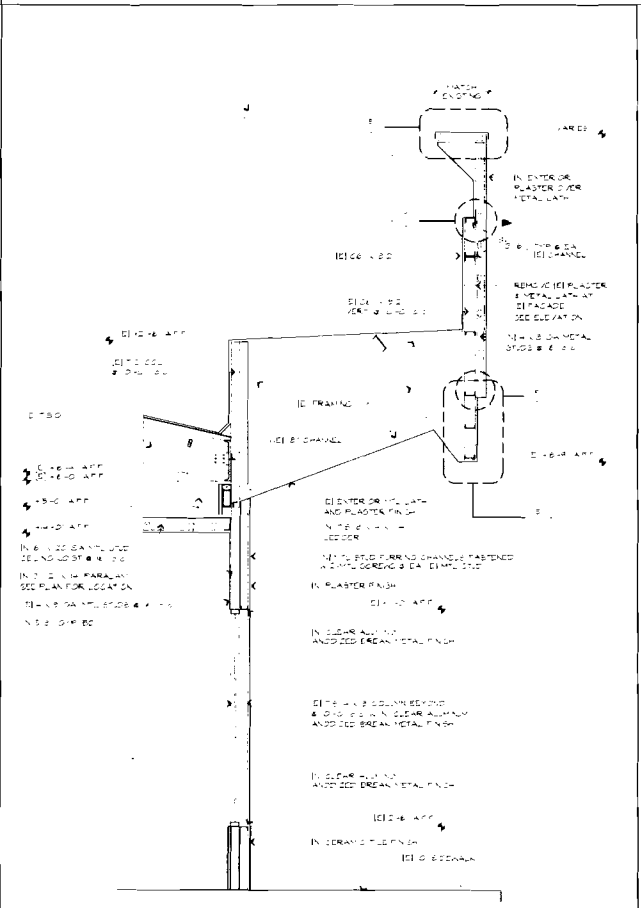
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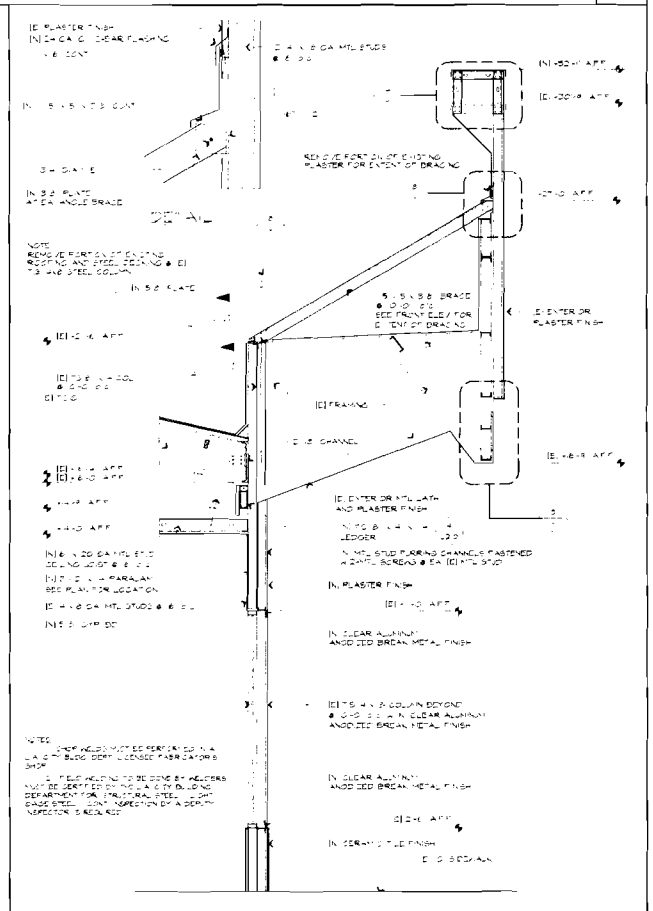
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[N] PLASTER DET. @ FACADE | 6



CANOPY SECTION | B



CANOPY SECTION | A

LESTER PALEY AND ASSOCIATES
PLANNING & ENGINEERING
12410 BURBANK BLVD. NORTH HOLLYWOOD CA. 91607 (818) 508-5447

WHOLE FOODS

Whole Foods # 26
6350 WEST THIRD STREET
LOS ANGELES, 90036

DATE: FEBRUARY 8, 2002

SHEET TITLE: EXTERIOR ELEVATION

SHEET NO: A9.0

JOB NO: 3427

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

JUN 13 2008

PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY	**COUNCIL DISTRICT**
LOS ANGELES CITY PLANNING DEPARTMENT	4
PROJECT TITLE	**CASE NO.**
ENV-2008-0442-MND	ZA-2008-0736-CUB

PROJECT LOCATION
6350 W. 3rd Street

PROJECT DESCRIPTION
A Conditional Use Permit request to permit the sale of beer and wine for off- and on-site consumption in conjunction with the addition of 11,593 square feet of commercial floor area to accommodate a wine tasting room and wine display to an existing 29,928 square-foot Whole Foods Market.

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY
Mrs. Gooch's Natural Food Markets, Inc.
15315 Magnolia Boulevard, #320
Sherman Oaks, CA 91403

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-make may adopt the mitigated negative declariation, 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	**TITLE**	**TELEPHONE NUMBER**
LUCIRALIA IBARRA	City Planning Associate	(213) 978-1394

ADDRESS	**SIGNATURE (Official)**	**DATE**
200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012	Maya E. Zaitzevsky	05/21/2008

RECEIVED
CITY OF LOS ANGELES
JUL 29 2008
CITY PLANNING DEPT
ZONING ADMINISTRATION

EXHIBIT 'B'

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.

XIII b1. Public Services (Police General)

- 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.

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:
- Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

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.

ROBERT JANOVICI
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS
GARY BOOHER
R. NICOLAS BROWN
ANIK CHARRON
EMILY J. GABEL-LUDDY
DANIEL GREEN
LOURDES GREEN
DAVID KABASHIMA
ALBERT LANDINI
JON PERICA

CITY OF LOS ANGELES
CALIFORNIA

JAMES K. HAHN
MAYOR

DEPARTMENT OF
CITY PLANNING
CON HOWE
DIRECTOR

FRANKLIN P. EBERHARD
DEPUTY DIRECTOR

OFFICE OF
ZONING ADMINISTRATION
200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012
(213) 978-1318
FAX: (213) 978-1334

June 10, 2004

Michael Bescanson (A)
Whole Foods Market
15315 Magnolia Boulevard, #320
Sherman Oaks, CA 91403

Third Fairfax, LLC
Ira Smedra
c/o Arba Group
6380 Wilshire Boulevard, #320
Los Angeles, CA 90048

Lester Paley (R)
12410 Burbank Boulevard
North Hollywood, CA 91607

CASE NO. ZA 2004-1376(CUB)
CONDITIONAL USE
6350 West 3rd Street
Wilshire Planning Area
Zone : C2-1-O
D. M. : 135B177; 138B177
C. D. : 4
CEQA : ENV 2004-1377-ND
Fish and Game : Exempt
Legal Description : Parcels A and B, PM 1716

Department of Building and Safety

Pursuant to Los Angeles Municipal Code Section 12.24-W,1, I hereby APPROVE:

a conditional use to permit the sale for on-site consumption of wine [Type 42 license] for wine tasting purposes only,

upon the following additional terms and conditions:

1. 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.

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

3. 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 Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such

Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. No wine product whose primary purpose is that of intoxication shall be made available for wine tasting. This includes certain types of cheap fortified wines such as MD 2020, Night Train, and Thunderbird. Except for fine ports and madeira, fortified wine [greater than 16% alcohol content] shall not be used for wine tasting.

6. Wine tasting shall be limited to 15 persons at one time.

7. Wine tasting shall be limited to 4 events per month and shall not exceed 3 hours each.

8. Hours of wine tasting shall be limited to between 3 p.m. and 10 p.m.

9. No one under the age of 21 shall be allowed in the wine tasting area.

10. All persons wishing to participate in wine tasting events shall buy a ticket from the Customer Service representative of the store.

11. 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 6 feet in height above the ground so as to permit surveillance into the store by Police and private security.

12. A copy of these Conditions shall be maintained on the premises; the managers of the store shall be made aware of the Conditions and inform their employees of same.

13. Prior to the on-site sale of alcoholic beverages, the applicant shall provide to the Zoning Administrator a copy of the City Council action indicating that it has determined that the proposed use will provide a public convenience and necessity (Caldera findings) if such Council action is determined necessary by the Department of Alcoholic Beverage Control.

14. The applicant shall provide the Zoning Administrator a copy of every license, suspension thereof or citation issued by the Department of Alcoholic Beverage Control for the location upon such issuance.

15. The applicant shall request, within 180 days of the effective date of this determination, STAR training from the Police Department with a copy of such written request provided to the Zoning Administrator. Upon completion of the training, the applicant shall provide evidence to the Zoning Administrator that such training was provided.

16. The grant is limited to an approximate 150 square-foot area in the southwest portion of the store as shown more particularly on the floor plan attached to the file.

17. Within 30 days of the effective date of this grant, the property owner shall record a covenant acknowledging and agreeing to comply with all the terms and conditions established herein in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for one additional period not to exceed one year, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

> "A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. The violation of any valid condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than $1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after JUNE 25, 2004, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at www.lacity.org/pln**. Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning Analyst thereon, the statements made at the public hearing on May 20, 2004, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use permit under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

Previous zoning related actions on the site/in the area include:

Subject Property:

Case No. ZA 87-1491(E) - On March 31, 1988, the Zoning Administrator approved the sale of alcoholic beverages for a 30-seat restaurant at 6332 West 3rd Street.

Surrounding Properties:

Case No. ZA 96-0774(CUB)(CUB)(ZV) - On May 15, 1997, the Zoning Administrator approved the expansion and reconfiguration of a retail shopping center with the sale of alcoholic beverages for off-site consumption at 6220 West 3rd Street.

Case No. ZA 90-0990(CUB)(CUX)(CUZ) - On December 28, 1990, the Zoning Administrator approved the sale of alcoholic beverages for on- and off-site consumption; dancing and live entertainment, and game arcade at 6301 West 3rd Street.

Public Hearing

The Zoning Administrator conducted a public hearing at City Hall, Room 1020, on May 20, 2004. Speaking on behalf of the applicant was Lester Paley. Whole Foods market has occupied the location since 2001; previously the market was operated as a Lucky's and, before that, as a Ralphs Market, for 25 years. The market sells alcoholic beverages for off-site consumption. Bristol Farms on Doheny Drive offers wine tasting as does a restaurant nearby at The Grove shopping center. Mr. Paley submitted a monthly calendar of events for this Whole Foods location which includes a book signing, a Mother's Day gift wrapping table, and other store events. Persons interested in wine tasting would be issued a ticket from customer service. The proposed wine tasting area would be able to accommodate a maximum of 15 persons at a time. In conjunction with wine tasting, there will also be topical seminars on diets, popular books, and related matters. The request is for no more than four wine tasting events monthly, each lasting no more than two hours. A fixed charge will be assessed each customer. Some events will be sponsored by specific wine companies while others will be sponsored by the store. Other than a representative of Whole Foods, no other persons attended the hearing. No letters from neighbors or organizations were received. Neither the Council Office nor the Police Department attended the hearing although the Police Department did submit a list of recommended Conditions if the request is approved. The Zoning Administrator stated at the conclusion of the hearing that some Conditions utilized in two particular wine tasting cases would be utilized in this grant for consistency.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located

within Section 12.24-W of the Los Angeles Municipal Code. In order for the sale of wine only for on-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the four standard findings for most other conditional use categories.

FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

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

   The property adjoins the southeast corner of Third Street and Fairfax Avenue, both of which are designated Secondary Highways. Whole Foods Market is a 30,000 square-foot store located within a shopping center of 7.1 acres. The property contains in excess of 300 parking spaces. The area is also served by numerous public bus lines. The market is therefore convenient to those who intend to sample and purchase wine as well as other food and beverage items in the market. The ability to taste wine before buying it suggests that the store will be highly desired by both amateur and professional wine connoisseurs who live in this and surrounding neighborhoods. Limited to only one event a week for 2 or 3 hours each per month, this service is unlikely to bring long lines of customers or significant impulse shopping. The ambience of the store is intended to draw a more sophisticated clientele than the vagrants who frequent some establishments. The hours of operation are fully within the normal hours of operation of the market, reflecting the shopping habits of the market's clientele and the hours of operation of many other businesses nearby. Given all of the features above, the proposed location will be desirable to public welfare and convenience.

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

   The property is classified in the C2-1 Zone which allows an expansive variety of retail uses. There are no wine tasting venues in the neighborhood, indicating either an unserved niche or a lack of consumer demand. A total of 819 notices of public hearing were mailed. None of the owners or tenants or customers of any nearby business or dwelling submitted any written objections to the request, and no one spoke in opposition to the request at the public hearing. The adequacy of on-site parking and the very limited hours of operation point to a compatible use. The absence of cheap wines preferred by panhandlers will further insulate neighboring businesses from vice-related impacts. There are no abutting residential uses.

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

   The use will not attract undue attention to passing motorists. The wine tasting area is toward the back of the store, and not within view of the entrance. It is further located where wines are stocked and will be cordoned off to prevent customers from

"crashing" the event and to maintain maneuverability of shopping carts. The applicant evokes a sense of sophistication that should translate into a store that precludes any "hangout" atmosphere where loitering and panhandling is condoned. There is no apparent scheme to falsely characterize the store as upscale while intentionally catering to the inebriated. The requirement of paying for wine tasting through customer service will preclude those looking for a free ride. The limitation of not more than 15 persons at a wine tasting event precludes a large crowd in relation to the typical level of business conducted in large grocery stores such as this one.

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

The property is located within the Wilshire Plan, a component of the Land Use Element of the General Plan. The Wilshire Plan Map designates the property for Community Commercial land uses. The C2 Zone is consistent with this designation. The Plan Text makes no reference to alcoholic beverages. No other Plans relate to the request. The Conditions of approval serve to protect surrounding properties from potential negative impacts which may occur, based upon evidence in the case file, public testimony, and the judgement of the Zoning Administrator.

5. **The location will not adversely affect the economic welfare of the community or result in an undue concentration of premises for the sale of alcoholic beverages.**

The on-site sale and limited consumption of wine at this location should not impact the welfare of the community if proper identification is checked prior to the tasting of wine, if the property remains well lighted and well maintained, if the business operator has a good working relationship with the Police Department, and if the store provides quality products at reasonable prices. The grant will not affect the physical appearance of the property in any way .

The Department of Alcoholic Beverage Control reports that 10 on-site licenses are allocated to Census Tract No. 2145. There are currently 10 such licenses. Within 600 feet of the site are six on-site licenses. Within 1,000 feet of the site, there are 6 on-site facilities. According to the Police Department, 331 crimes were reported in Reporting District No. 714 during the year 2003 in comparison to the 297 crimes reported in the average reporting district citywide. Based upon these statistics, there is a high concentration of licensed alcoholic beverage establishments in the vicinity of the property but the crime level would have to 20% above the citywide average, or 356, in order to conclude that an undue concentration would exist. The moderate operating hours, the required STAR training administered by the Los Angeles Police Department, the availability of substantial interior and exterior lighting, a large reservoir of on-site parking, and the experience of the applicant in the selection of wines should offer ample protection to the community that the use will not be problematic.

6. **The proposed use will not detrimentally affect the nearby residentially zoned areas, with consideration given to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other alcoholic beverage-dispensing establishments.**

Within 1,000 feet of the property the applicant reports that there is the Hancock Park Elementary School to the immediate south; Congregation Etz Chaim, 8018 West 3rd Street; and Pan Pacific Park, 148 South Gardner Street. The nearest residentially zoned properties are located south of the elementary school and east of Colgate Avenue where it terminates, and west of Fairfax Avenue, behind the commercial frontage and adjacent alley. None of those property owners and institutions voiced any opposition to the request. No homeowner association nor neighborhood council submitted any correspondence on this matter.

ADDITIONAL MANDATORY FINDINGS

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.

8. On May 6, 2004, the City Planning Department Environmental Staff Advisory Committee (ESAC) issued Negative Declaration No. ENV 2004-1377-ND (Article V - City CEQA Guidelines) and determined that this project will not have a significant effect on the environment. I hereby adopt that action. The records upon which this decision is based are with the Environmental Review Section in Room 763, 200 North Spring Street.

9. Fish and Game: The subject project, which is located in Los Angeles County, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.

DANIEL GREEN
Associate Zoning Administrator
Direct Telephone No. (213) 978-1304

DG:lmc

cc: Councilmember Tom LaBonge
Fourth District
Adjoining Property Owners
County Assessor

355 S Ogden Dr

Permit #: **24016 - 10000 - 32393**
Plan Check #: B24LA26641
Printed: 12/09/25 08:07 AM
Event Code:

Bldg-Alter/Repair **GREEN - MANDATORY**
Commercial
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety

APPLICATION FOR BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY

Issued on 12/09/2025
Last Status: Issued
Status Date: 12/09/2025

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
TR 215		12	1	M B 14-42/43	138B177 796	5509 - 018 - ***

3. PARCEL INFORMATION

LADBS Branch Office - LA	Energy Zone - 9	City Street R/W - ROW-29731
Council District - 5	Fire District - 2	Community Plan Area - Wilshire
Certified Neighborhood Council - Mid City West	Lot Cut Date - PRIOR-06/01/1946	Oil Well - 0403715229
Census Tract - 2145.01	Thomas Brothers Map Grid - 633-B1	Oil Well - 0403715230
District Map - 138B177	Area Planning Commission - Central	Near Source Zone Distance - 3.2

ZONES(S): C2-1-O

4. DOCUMENTS

ZI - ZI-1195 Construction Site Review: Depar	ZAI - ZAI-1978-37-B	ZA - ZA-2012-690-CUB	ORD - ORD-74420
ZI - ZI-2452 Transit Priority Area in the Cit	ZA - ZA-1987-1491-E	ZA - ZA-2012-737-CUB	ORD - ORD-97097
ZI - ZI-2498 Local Emergency Temporary Re	ZA - ZA-2004-1376-CUB	ORD - ORD-117030	HCM - CA-097774
ZI - ZI-2512 Housing Element Inventory of Si	ZA - ZA-2008-736-CUB	ORD - ORD-165331-SA1340	DTRM - DIR-2018-2770-SPR-WDI

5. CHECKLIST ITEMS

Pilot - Electronic Plan
Permit Flag - Universal Waste
Permit Flag - Not a Fire Life Safety Project
Std. Work Descr - Seismic Gas Shut Off Valve

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
TF REG LLC
1 INDEPENDENT DR STE 114 JACKSONVILLE FL 32202

Applicant: (Relationship: Agent)
Ian Quinn -
8370 Wilshire Blvd, Suite 330 Beverly Hills 90211
(213) 310-2527

8. DESCRIPTION OF WORK

Interior Tenant Improvement to existing retail portion of mixed use building,
work to portion of retail space for Wholefoods.
- INTERIOR METAL STUD FRAMING
- INTERIOR FINISHES

7. EXISTING USE
(16) Retail

PROPOSED USE

9. # Bldgs on Site & Use:

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Joe Vo
DAS PC By: Norlito Medrano
OK for Cashier: Internet Permit
Coord. OK:
Signature: JOE VO
Date: 12/04/2025

For inspection requests, call toll-free **(888) LA4BUILD (524-2845)**, or request inspections via **www.ladbs.org.** To speak to a Call Center agent, call **311**. Outside LA County, call (213) 473-3231.

For Cashier's Use Only **W/O #: 41632393**

11. PROJECT VALUATION & FEE INFORMATION **Final** Fee Period

Permit Valuation $4,049,197 PC Valuation:

FINAL TOTAL Bldg-Alter/Repair	20,033.02	Permit Issuing Fee	0.00
Permit Fee Subtotal Bldg-Alter/Repair	15,266.56	Linkage Fee	0.00
Handicapped Access			
Plan Check Subtotal Bldg-Alter/Repair	0.00		
Off-hour Plan Check	0.00		
E.Q. Instrumentation	1,133.78		
D.S.C. Surcharge	492.01		
Sys. Surcharge	984.02		
Planning Surcharge	915.99		
Planning Surcharge Misc Fee	10.00		
Planning Gen Plan Maint Surcharge	1,068.66		
CA Bldg Std Commission Surcharge	162.00		
Green Building			

Sewer Cap ID:
Total Bond(s) Due: $0.00

Project:

Payment Date: 12/09/2025
Receipt No: 2244442
Amount: $20,033.02
Method: ECHECK

Building Card No.: 2025ON 81343

12. ATTACHMENTS
Plot Plan



13. STRUCTURE INVENTORY (Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value") **24016 - 10000 - 32393**

(P) NFPA-13 Fire Sprinklers Thru-out
(P) M Occ. Group: 0 Sqft / Sqft
(P) M Occ. Load: 0 Max Occ. / Max Occ.
(P) Parking Req'd for Bldg (Auto+Bicycle): 0 Stalls / Stall
(P) Type I-A Construction

14. APPLICATION COMMENTS: **PDPP Project's Total** **$0.00**

** Approved Seismic Gas Shut-Off Valve may be required. **

In the event that any box (i.e. 1-16) is filled to capacity , it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS		CLASS	LICENSE #	PHONE #
(A) MEYER,, MARIAH B	8131 METCALF, SUITE 300,	OVERLAND PARK, KS 66204		C37440	
(C)			B	596646	
(E) FLANAGAN,, JOSEPH	930 CENTRAL,	KANSAS CITY, MO 64105		C58349	

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 12 months (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inpection within 60 days of receiving a request for final inspection (HS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: B License No.: 596646 Contractor: JOHN LESTER ALDRIDGE

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

(_) I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

(X) I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: Ins. Co. of the West Policy Number: WSD505269105

(_) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING/ SILICOSIS ACKNOWLEGEMENT / UNIVERSAL WASTE

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. I understand that lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323. I understand that silica safe production processes are required for all fabricating and cutting of crystalline silica material per section 5204 of the California Code of Regulations. More Information is available at www.dir.ca.gov. I affirm to abide by the Requirements for Universal Waste (Cal. Code Regs, Tit. 22, Div. 4.5 Ch. 11 Section 66261.9). Note: Refer to the Universal Waste Rule link at: www.dtsc.ca.gov/universalwaste

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): _____ Lender's Address: _____

21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC). I accept all the declarations above and that this permit is being obtained with the consent of the legal owner of the property.

Print John Aldridge Sign: John Aldridge Date: 12/09/2025 [X] Contractor [ ] Authorized Agent

PERMIT INSPECTION RECORD

LA DBS
DEPARTMENT OF BUILDING AND SAFETY

Your feedback is important. Please visit our website to complete a Customer Survey at **www.ladbs.org/LADBSWeb/customer-survey.jsf**. If you would like to provide additional feedback, need clarification, or have any questions regarding plan check or inspection matters, please call our Customer Hotline at (213) 482-0056.

For use by cashier only

2025ON 81343

Payment Date: 12/09/2025
Receipt No: 2244442
Amount: $20,033.02
Method: ECHECK

PERMIT #: **24016 - 10000 - 32393**
ADDRESS: **355 S Ogden Dr**
OWNER: Tf Reg Llc
1 Independent Dr STE 114
JACKSONVILLE FL 32202

Bldg-Alter/Repair
Commercial
Regular Plan Check
Plan Check

JOB DESCRIPTION: Interior Tenant Improvement to existing retail portion of mixed use building, work to portion of retail space for Wholefoods.
- INTERIOR METAL STUD FRAMING

INSPECTION RECORDS AND PLANS MUST BE AVAILABLE DURING INSPECTION

GRADING INSPECTIONS		
TYPE	DATE	INSPECTOR
Initial Grading		
Toe or Bottom		
Soils Report Approved		
DO NOT PLACE FILL UNTIL ABOVE IS SIGNED		
Backfill		
Fill		
Excavation		
Drainage Devices		
Rough Grading		
Approved Compaction Report		
FOOTING INSPECTIONS		
Footing Excavation		
Forms		
Reinforcing Steel		
OK to Place Concrete		
GROUNDWORK INSPECTIONS		
Electrical		
Plumbing		
Plumbing Methane		
Gas Piping		
Heating & Refrigeration		
Fire Sprinklers		
Disabled Access		
Methane		
OK to Place Floor		
DO NOT PLACE FLOOR UNTIL ABOVE IS SIGNED		
ROUGH INSPECTIONS		
Green Code		
Electrical		
Plumbing		
Fire Sprinkler		
Heating & Refrigeration		
Roof Sheathing		
Disabled Access		
Framing		
Insulation		
Suspended Ceiling		
LAFD		
OK to Cover		

FOR INSPECTION REQUESTS, PLEASE CALL
3-1-1 OR OUTSIDE CITY OF LOS ANGELES
888-LA4-BUILD (888)524-2845 or www.ladbs.org

DO NOT COVER UNTIL PREVIOUS IS SIGNED		
TYPE	DATE	INSPECTOR
Exterior Lathing		
Interior Lathing		
Drywall		
DO NOT COVER UNTIL ABOVE IS SIGNED		
WORK OUTSIDE OF THE BUILDING		
Electrical Underground		
Gas		
Heating & Refrigeration		
Sewer		
Disabled Access		
POOL INSPECTIONS		
Excavation		
Reinforcing Steel		
Bonding		
Piping		
Pre-Gunite		
Deck		
Enclosure/Fence		
Pool/Spa Cover		
DO NOT FILL POOL UNTIL ABOVE IS SIGNED		
FINAL INSPECTIONS		
Grading		
Electrical		
Plumbing		
Gas Test		
Gas		
Heating & Refrigeration		
Pressure Vessels		
Elevator		
Fire Sprinkler		
Disabled Access		
Green Building		
LAFD (Title 19 only)		
LAFD Fire Life Safety		
Pool Final		
AQMD Sign-off Provided		
Public Works		
Building		
PROJECT FINAL		

Certificate of Occupancy Required ☐ **YES** ☐ **NO**

SUPPLEMENTAL NOTES:

IMPORTANT NOTICE

* **Prior to the start of any construction work adjacent to any public way, pedestrian protection shall be provided (Sec. 91.3303 L.A.M.C.).**
* Inspection(s) may be requested anytime via the internet or touch tone phone. To request an inspection via the internet, go to www.ladbs.org and click on "Request an Inspection" under Online Services. To request an inspection via touch tone phone, call toll free (888) LA4BUILD (888-524-2845) and select option 1 for Automated Request System. To request an inspection via the Customer Call Center, call 3-1-1 within the City of Los Angeles or (213) 473-3231 outside the City of Los Angeles between 7:00 a.m. and 10:00 p.m.. When requesting an inspection, the following are required: (1) The job address, (2) Type of inspection, (3) Use of building, (4) Permit number, (5) Phone number of a contact person should the department need to reach someone.
* Inspection requests received before 4:00 p.m. Monday through Friday (excluding holidays) will normally be made the next business day. Requests received after 4:00 p.m. will be made following the next business day. The Automated Inspection Call Back System (AICBS) will attempt to telephone the contact phone number to confirm the inspection.
* Permit fees provide for a limited number of inspections. A reinspection fee may be assessed when the work for which an inspection was requested is not complete, when the inspection record or plans are not available, or when there is failure to provide site access to department staff.
* No person shall perform any construction or repair work between the hours of 9:00 p.m. (6:00 p.m. grading) and 7:00 a.m. the following day which results in loud noises to the disturbance of persons occupying sleeping quarters in any dwelling, hotel, motel, apartment, or other place of residence (Sec. 41.40 L.A.M.C.).
* No person, other than an individual homeowner engaged in the repair or construction of his/her single-family dwelling, shall perform any construction or repair work of any kind upon any building or structure located on land developed with residential buildings or perform work within 500 feet of land so occupied, before 8:00 a.m. or after 6:00 p.m. on any Saturday or at any time on Sunday (Sec. 41.40 L.A.M.C.).
* Dust control measures to prevent dust from being blown or deposited over or upon any private property in any residential area must be implemented during any excavation or earth-moving phase of construction, sand blasting, or demolition.
* A separate permit from the State of California Division of Industrial Safety is required prior to starting certain work involving substantial risk to workers such as: construction or demolition exceeding 3 stories or 36 feet in height, or excavations or trenches over 5 feet in depth involving entry by workers.
* Building permits are valid for two years or expire on the 180th day from the date of issuance if the work permitted has not commenced. The department reserves the right to expire any permit where work has been suspended for a period of 180 days or more.
* Inspection services will not be provided when there is an unleashed dog on the premises.

BUILDING AND SAFETY PERMIT AND PLAN CHECK OFFICE LOCATIONS

Downtown Los Angeles
201 N. Figueroa St., 4th Fl.
Los Angeles, CA 90012

Van Nuys
6262 Van Nuys Blvd., 2nd Fl.
Van Nuys, CA 91401

West Los Angeles
1828 Sawtelle Blvd., 2nd Fl.
Los Angeles, CA 90025

San Pedro
638 S. Beacon St., 2nd Fl.
San Pedro, CA 90731

South Los Angeles
8475 S. Vermont Ave., 2nd Fl.
Los Angeles, CA 90044

~~6350 W 3rd St~~ **355 S. Ogden Dr. #100**

Permit Application # : **24016 - 10000 - 32393**

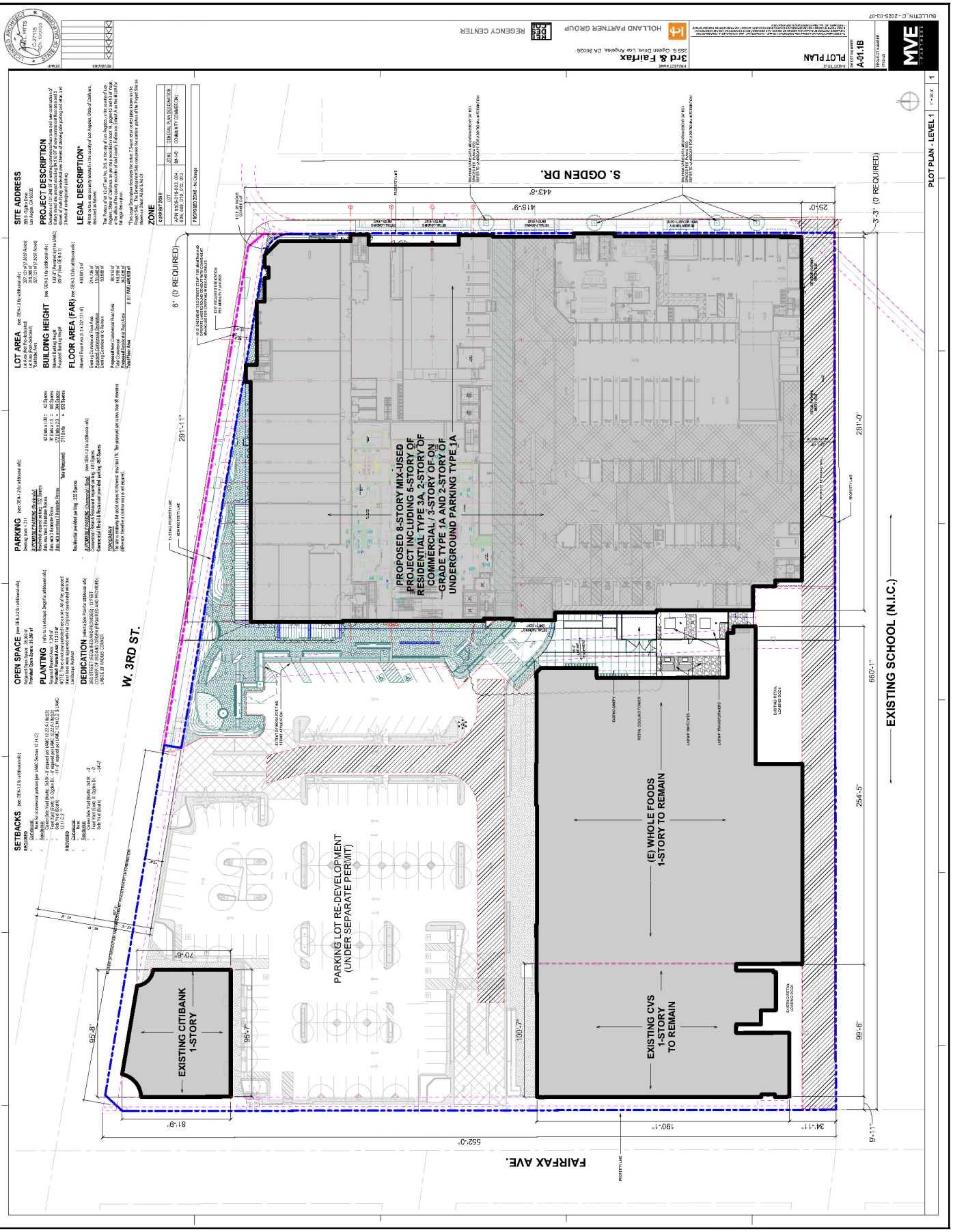
Bldg-Alter/Repair
Commercial
Plan Check

City of Los Angeles - Department of Building and Safety

PLOT PLAN ATTACHMENT

Plan Check #: B24LA26641FO
Initiating Office: METRO
Printed on: 01/21/25 11:51:01

(DO NOT DRAW, WRITE, OR PASTE ATTACHMENTS OUTSIDE BORDER)



COUNCIL DISTRICT: 5 INSPECTION DISTRICT: BIGIM5 PLOT PLAN

ATTACHMENT TO APPLICATION FOR CONDITIONAL USE PERMIT FOR WHOLE FOODS MARKET AT 3RD AND FAIRFAX, 355 S Ogden Drive, Unit #100, Los Angeles, CA 90036

General Conditional Use Findings

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

The Applicant, Mrs. Gooch's Natural Food Markets, Inc. dba: Whole Foods Market submits this Conditional Use Permit Application, pursuant to Los Angeles Municipal Code ("LAMC") Section 12.24-W,1 and Section 13B.2.2 of Chapter 1A Class 2 Conditional Use Permits, to authorize the off-site sale of a full line of alcoholic beverages (ABC Type 21 License), on-site sale of a full line of alcoholic beverages within a ground floor restaurant space, "Restaurant A" as titled in the submitted Floor Plan, (ABC Type 47 License), on-site sale of beer and wine within a third floor café, "Restaurant B" as titled in the submitted Floor Plan (ABC Type 41 License) and ancillary instructional tastings (ABC Type 86 License), all in an approximately 63,082 square foot grocery store, operating daily from 6 a.m. to 12 a.m. (midnight).

The subject site is located at 355 S Ogden Drive, Unit #100, Los Angeles, CA 90036. Whole Foods Market is currently existing and operating at the same shopping center which currently uses an address of 6350 W 3rd Street, however, the physical location of that structure is in a slightly different physical position. Once this Whole Foods moves into the new building, the address will also change to reflect the new position in the new construction that was approved by DIR-2018-2770-SPR-WDI. The currently existing Whole Foods Market is at the south edge of the site whereas the new structure has been built at the north edge of the site, all as depicted in the site plan provided herewith. After an extensive renovation of the existing shopping center pursuant to DIR-2018-2770-SPR-WDI, this Whole Foods Market will continue in the new space at this site which will now bear the address of 355 S Ogden Drive, Unit #100.

The grocery store will, therefore, continue to fulfill a substantial demand for organic, natural, and health food products in which the grocery store operator specializes, and will feature meat and deli departments, an in-store bakery and kitchen. Thus, this Whole Foods Market has been in successful operation in this shopping center at the southeast corner of 3rd and Fairfax since 2001, under the following Conditional Use Permits and ABC Licenses:

On June 10, 2004, pursuant to Los Angeles Municipal Code Section 12.24-W,1, the Zoning Administrator approved a conditional use to permit the sale for on-site consumption of wine (Type 42 license) for wine tasting purposes only. (Case No. ZA-2004-1376-CUB)

On October 31, 2008, pursuant to Los Angeles Municipal Code Section 12.24-W,1, the Zoning Administrator approved a conditional use to permit the sale and dispensing of beer and wine for on- and off-site consumption in conjunction with the expansion of a 29,928 square-foot food market to 41,055 square feet on this property located in the C2 Zone. (Case No. ZA-2008-0736-CUB)

On February 7, 2013, pursuant to Los Angeles Municipal Code Section 12.24-W,1, the Zoning Administrator approved a conditional use to permit an upgrade from the sale of beer and wine only to a full line of alcoholic beverages for off-site consumption, and the continued sale and

dispensing of beer and wine only for on-site consumption for wine tasting events, in conjunction with an existing food market [Whole Foods] on this property located in the C2 Zone. (Case No. ZA-2004-1376-CUB)

On August 2, 2013, pursuant to Los Angeles Municipal Code Section 12.24-W,1, the Zoning Administrator issued a Letter of Clarification amending the approval of the Determination to state, "a conditional use to permit an upgrade from the sale of beer and wine only to a full line of alcoholic beverages for off-site consumption; on-site instructional tasting for off-sale licensees (full line of alcohol); and, the continued sale and dispensing of beer and wine only for on-site consumption for wine tasting events, in conjunction with an existing food market [Whole Foods] on a [this] property located in the C2 Zone" (Case No. ZA-2004-1376-CUB Letter of Clarification). [Bracketed material provided for ease of reference.]

Whole Foods Market will also continue to boost the local economy with greater job opportunities and increased tax revenues. A wide range of employment positions, from entry level to managerial, are necessary to staff the grocery store and restaurant uses. This grocery store is expected to employ up to approximately 200 people to staff the numerous departments and provide customer service to patrons. As such, the grocery store will continue to add viable employment opportunities to the community.

Whole Foods Market is a value to the community and will continue providing uses that are beneficial to the neighborhood. The sale of alcoholic beverages is currently and will continue to be an ancillary use to the grocery uses. The operations, with strict adherence to the imposed conditions and under proper management and supervision, will continue to enhance the environment of the surrounding neighborhood and provide a benefit to the community. The grocery store will continue to offer a beneficial "one-stop" shopping experience in which nearby residents are able to purchase grocery items, medicine, beverages, and/or other necessary retail items, and take time from shopping for grocery items to relax in either the restaurant or the cafe. The subject site has a Community Commercial land use designation and is located in the C2-1-O Zone. The subject property is not located in a Specific Plan. Whole Foods Market is consistent with the uses permitted in the C2-1-O Zone. Therefore, the location and operation of this grocery store are proper in relation to the adjacent uses and the environment in the surrounding neighborhood.

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

This Whole Foods will be the business which was contemplated and approved in DIR-2018-2770-SPR-WDI. The Findings made therein reflect the compatibility of this use in the community and that it will not adversely affect or degrade adjacent properties.

Furthermore, as reflected in the current CUB, this site has operated as a Whole Foods Market for over 20 years (since 2001) and has held a Conditional Use Permit to authorize the sale of alcoholic beverages for off-site and on-site consumption without issue in that time. Thus, this Conditional Use Permit application does not propose anything outside of that which was

previously approved, aside from the change in tenant space. Thus, there is no reason to suggest any adverse change with the approval of this application. Therefore, the project's location, size, height, operations and other significant features will continue to be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety. The proposed project location, height, operations and other significant features of this Whole Foods Market are compatible with and will not adversely affect the surrounding neighborhood or the public health, welfare, and safety.

In Case No. ZA 2012-0690(CUB), the Zoning Administrator determined that:

> "The Whole Foods market will provide grocery items and general household merchandise goods as well as a full line of alcoholic beverages. A wine tasting area in the market will offer sample tastings of specialty wines. The local residents can walk or drive a short distance to the market to go grocery shopping and to purchase alcoholic beverages and may attend wine tasting sessions, which are offered at the market as education to learn about specialty beer and wine. The sale of alcoholic beverages will be incidental to the goods and services provided by the grocery market. The sale of a full line of alcoholic beverages will provide a one-stop shopping convenience to the patrons; therefore, the location of the proposed market will be desirable for public convenience or welfare." (Page 12)

Those findings remain true today with respect to the existing operating Whole Foods at this location and will continue to remain true as Whole Foods shift its operations to this new structure at 3rd and Fairfax.

The grocery store will continue to operate within this shopping center responsibly. The store and subject sales will continue to serve to strengthen the economic vitality of the area. As detailed above, the operations are compatible with the surrounding properties and uses. The project is consistent with the pattern of commercial uses in the immediate vicinity. The operational characteristics of the grocery store are not detrimental to the properties in the immediate vicinity, and the store will continue to operate with due regard for the adjacent uses.

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

This Whole Foods will be the grocery store use which was contemplated and approved in DIR-2018-2770-SPR-WDI. The Findings made therein reflect that the project substantially conforms with the purpose, intent, and provisions of the General Plan, the Community Plan, and Code.

The Subject Property is located within the C2-1-O Zone, and within the Wilshire Community Plan Area which designates the subject property for Community Commercial land uses. (There is no Specific Plan.) The Community Plan is intended to coordinate development among the various parts of the City of Los Angeles and adjacent municipalities in a fashion both beneficial and desirable to the residents of the community. This Community Plan is also intended to promote a variety of land uses, streets, and services which will encourage and contribute to health, safety, welfare and convenience of the people who live and work in the community. The

Findings in Case No. ZA 2012-0690(CUB) state in pertinent part that:

> "The Community Plan text does not specifically address the requested conditional use for the sale of alcoholic beverages. However, the Los Angeles Municipal Code authorizes the Zoning Administrator to grant the requested conditional use in the zones corresponding to the Plan land use designation. The General Plan promotes the provision of services throughout the city in locations that are convenient to the public yet do not impact nearby properties…. Therefore, the subject request is in harmony with the various elements and objectives of the General Plan." (Page 13)

Moreover, the General Plan promotes the provision of services throughout the City in locations that are convenient to the public, but that do not negatively impact neighboring properties. The General Plan is also intended to guide development in order to create a healthful and pleasant environment. The requested use at this site is in conformance with the objectives of the General Plan and Community Plan for Commercial Land Uses. This full-service grocery store will continue to serve the needs of the community and will overall provide products in conformance with the General Plan goals to provide a strong and competitive commercial sector.

The grocery store has operated responsibly with regard for its neighbors and patrons for the last two decades. Whole Foods will continue to be a responsible operator and neighbor with the continuation of this store with off- site sales of alcohol, and ancillary instructional tastings, and small bona-fide eating places which serves alcohol, all in conjunction with the grocery store operating from 6 a.m. to 12 a.m., daily. Whole Foods Market is a neighborhood-serving use and provide customers with many amenities with its wide array of product offerings. This store is in conformance with the zone's design standards and is enclosed in an attractive development, which is an aesthetically pleasing development in this commercial area. See DIR-2018-2770-SPR-WDI. The Whole Foods Market will continue to be consistent with the zone and with the development regulations of the General Plan.

Supplemental Findings

1. **Explain how the proposed use will not adversely affect the welfare of the the pertinent community.**

This Whole Foods will be the grocery store use which was contemplated and approved in DIR-2018-2770-SPR-WDI. The Findings made therein reflect that this project has not over the last several decades, does not, and will not adversely affect the welfare of this community.

The approval and operation of the site to continue as a grocery use with the off-site sale of a full line of alcoholic beverages and on-site sales, as well as instructional tastings, and small restaurant offerings, will continue to provide a benefit to the nearby community and has not, and will not, be detrimental to the character of the immediate area but rather continue to have a positive impact on the welfare of the community. Whole Foods Markets has been operating at this site for over two decades without adverse impacts to the surrounding community because of

Whole Foods Markets' adherence to its corporate policies regarding responsible retailing of alcoholic beverages.

ZA 2012-0690(CUB) concluded that:

> "A specialty grocery, which sells a wide range of products, including alcoholic beverages, will help accommodate the wide range of needs for the community. The specialty grocery will meet a broader range of the community's needs and create a stronger, stable, and more competitive commercial environment in the area. The project will provide a neighborhood-oriented complement to, the other neighborhood-oriented commerce along 3rd Street and Fairfax Avenue, as well as to the already strong, more regionally oriented uses, including the Original Farmers Market, The Grove, and the Town and Country Shopping Center. The sale and dispensing of alcoholic beverages within the specialty grocery will not interfere with the economic stability or welfare of the community. Therefore, the approval of the conditional use will not adversely affect the economic welfare of the community" (Pages 14)

While the "Town and Country Shopping Center" referenced above will now be renamed "Bloom on Third" Shopping Center, these Findings remain true today.

The store and subject sales will continue to serve to strengthen the economic vitality of the area. As detailed above, the proposed operations have been and will be compatible with the surrounding properties and uses. The project is consistent with the pattern of commercial uses in the immediate vicinity. The operational characteristics of the grocery store has not and will not be detrimental to the properties in the immediate vicinity and the store will continue to operate with due regard for the adjacent uses.

2. **Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.**

This Whole Foods will be moved from one location on the same parcel to a slightly different location as explained above. This Whole Foods is already licensed by the ABC and has been selling alcohol at this address for over two decades without incident. It has been serving and will continue to serve the communities convenience and the community at this point finds this product mix at their local grocery store a necessity. The current application, therefore, will neither result in nor contribute to an undue concentration.

There are currently five (5) Active off-sale ABC Licenses, in this Census Tract, CT 2145.01, including this Whole Foods' existing Type 21 ABC License (off-sale, full line), and its existing Type 86 ABC License (on-site tasting). There will, therefore, be no increase in off-sale ABC licenses in this Census Tract by virtue of this application. Furthermore, the Applicant will be applying for a Type 41 (an on-sale license for beer and wine service in a bona-fide eating place) and a Type 47 (an on-sale license for full alcohol service in a bona-fide eating place). Currently, the ABC allocation for on-sale licenses in Census Tract 2145.01, based on population of residents in the Census Tract, is three (3). The allocation is skewed because this an area with few

residents and was intended by the General Plan of the City and the Zoning applicable to this area to include many dining choices. There are, therefore, currently 25 existing on-sale licenses in this Census Tract.

Thus, while the addition of both a Type 41 on-sale license for the bona-fide eating place (located on the third floor in the "Restaurant B" café) and a Type 47 on-sale license for the bona-fide eating place that will be located on the ground floor in the "Restaurant A" restaurant at this newly constructed Whole Foods Market will technically exceed the allocation it will nevertheless serve the community's convenience and meet the necessity for further restaurant with alcohol options in this vibrant commercial corridor. Furthermore, a small restaurant and café within the Whole Foods Market provides additional desirable options to dine while other members of the family shop for groceries. As such, the approval of this Conditional Use Permit for this long-standing community grocery store will certainly not negatively impact this neighborhood.

3. **Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.**

This grocery store use currently and historically has not detrimentally affected nearby residentially zoned properties. The Findings in the Letter of Determination (LOD) in Case No. ZA 2012-0690(CUB) states:

> "The sale of alcoholic beverages is usual and customary in large grocery stores. Most patrons of large supermarkets expect to have the convenience of purchasing alcohol along with their regular food items. The grant authorized herein incorporates a number of conditions that have been imposed upon the use. These conditions will continue to make the use more compatible with other uses in the surrounding community. The operation of the subject market as conditioned is not anticipated to be detrimental given its location on major thoroughfares, 3rd Street and Fairfax Avenue." (Page 12)

These findings remain true today. Whereas in 2012, the LOD stated it was "not *anticipated* to be detrimental", the Whole Foods Market has continued to prove itself to "not detrimentally affect nearby residential zones or uses".

This Whole Foods Market will continue to serve the needs of local businesspeople, shoppers, and residents. The surrounding community is attracting more persons to the area and consequently generating an expanded local work force. This population seeks a diversity of services, one that Whole Foods Market will continue to provide. This grocery store will continue to serve this growing community, and the availability of grocery items, as well as selection of alcoholic beverages provide a desired amenity. The sale of alcoholic beverages is currently and will continue to be ancillary to the main use of the tenant space. The on-sale aspect, the small bona-fide restaurant eating space will provide synergistic additional offering for this community. Furthermore, the combination of proactive security measures and strict company policies ensure the continuation of the safety and well-being of nearby residents.

Thus, the use does not conflict with the adjacent uses and operates in such a manner so as not

to detrimentally affect nearby residentially zoned property, but rather has historically, does now, and will in the future provide convenience to nearby residents.

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Pursuant to Public Resources Code § 21152(b) and CEQA Guidelines § 15062, the notice should be posted with the County Clerk by mailing the form and posting fee payment to the following address: Los Angeles County Clerk/Recorder, Environmental Notices, P.O. Box 1208, Norwalk, CA 90650. Pursuant to Public Resources Code § 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS
Conditional Use Permit

LEAD CITY AGENCY	CASE NUMBER
City of Los Angeles (Department of City Planning)	ENV-
PROJECT TITLE	COUNCIL DISTRICT
[Can be the project address in lieu of a formal title]	CD 5 - Katy Young Taroslavsky

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) ☐ Map attached.
355 S Ogden Dr., Los Angeles, CA 90036

PROJECT DESCRIPTION: ☐ Additional page(s) attached.
A CUB for the sale of alcoholic beverages (ABC Type 21, Type 41, Type 47, and Type 86 tasting) at an existing grocery store.

NAME OF APPLICANT / OWNER:
Mrs. Gooch's Natural Food Markets, Inc.

CONTACT PERSON (If different from Applicant/Owner above)	(AREA CODE) TELEPHONE NUMBER | EXT.
Stephen Jamieson, Solomon, Saltsman & Jamieson	310-822-9848

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

☒ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) _____

☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

_____

JUSTIFICATION FOR PROJECT EXEMPTION: ☐ Additional page(s) attached

☒ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.
☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.
If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE	STAFF TITLE

ENTITLEMENTS APPROVED

DISTRIBUTION: County Clerk, Agency Record
Rev. 6-22-2021

Regency Centers.

915 Wilshire Boulevard
Suite 2200
Los Angeles, CA 90017

213 553 2200
RegencyCenters.com

FINAL INITIAL LANDLORD WORK COMPLETION DATE NOTICE

August 4, 2025

Via Federal Express to:

Mrs. Gooch's Natural Food Markets, Inc.
207 Goode Avenue, 7th Floor
Glendale, California 91203
Attention: Regional President

With copies to:

Whole Foods Market, Inc.
550 Bowie Street
Austin, Texas 78703
Attention: General Counsel

Whole Foods Market, Inc.
Global Lease Administration Team
Email: globalleaseadmin@wholefoods.com

Mrs. Gooch's Natural Food Markets, Inc.
207 Goode Avenue, 7th Floor
Glendale, California 91203
Attention: Construction Team

Senn Visciano Canges P.C.
Wells Fargo Center
1700 Lincoln Street, Suite 4300
Denver, Colorado 80203
Attention: David C. Camp

Re: Lease, dated as of June 22, 2021 (the "Lease"), by and between TF REG, LLC, a Delaware limited liability company ("Landlord") and MRS. GOOCH'S NATURAL FOOD MARKETS, INC., a California corporation, dba Whole Foods Market ("Tenant"), with respect to certain retail premises (the "Demised Premises") located in the Bloom on Third Shopping Center, located at 355 S. Ogden Street #100 Los Angeles, California 90036.

Regency Centers.

915 Wilshire Boulevard
Suite 2200
Los Angeles, CA 90017

213 553 2200
RegencyCenters.com

Ladies and Gentlemen:

In accordance with the provisions of Section 5.2 of the Lease, Landlord hereby informs Tenant that the Initial Landlord Work Completion Date shall take place at 8:00 A.M. on October 4, 2025. This notice shall constitute the Final Initial Landlord Work Completion Date Notice referred to in Section 5.2 of the Lease.

Landlord hereby informs Tenant that the correct street address of the Demised Premises is: 355 S. Ogden Street #100 Los Angeles, California 90036.

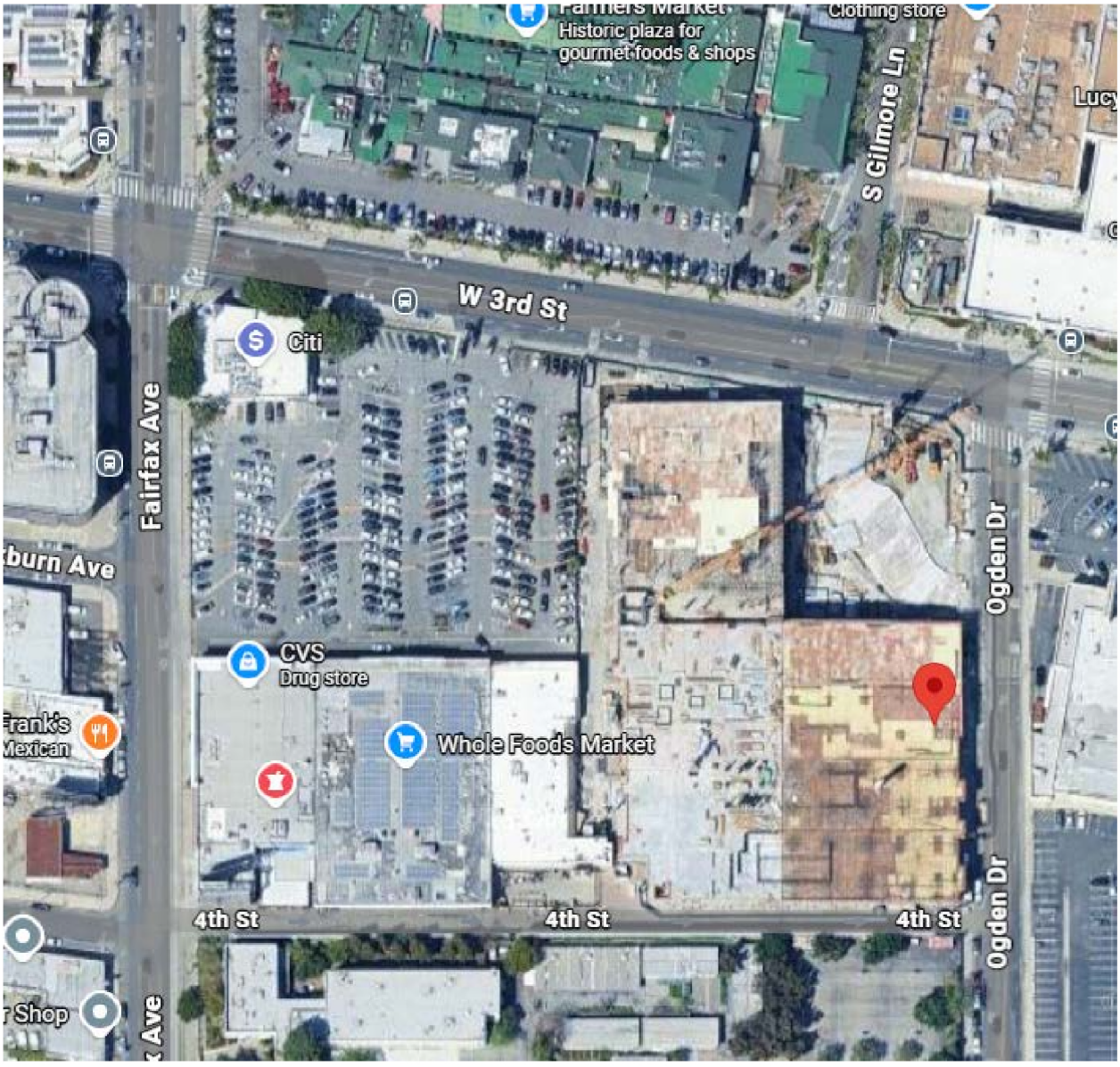
TF REG, LLC,
a Delaware limited liability company

By: Regency Centers, L.P.,
a Delaware limited partnership
Its: Manager

By: Regency Centers Corporation,
a Florida corporation
Its: General Partner

By: _____
Name: RAY KAYACAN
Title: VP, INVESTMENTS

Vicinity Map of 355 S Ogden Drive, Los Angeles, CA 90036



City of Los Angeles
Department of City Planning

11/10/2025
PARCEL PROFILE REPORT

PROPERTY ADDRESSES

6318 W 3RD ST
6316 W 3RD ST
6370 W 3RD ST
6360 W 3RD ST
6358 W 3RD ST
6356 W 3RD ST
6354 W 3RD ST
6352 W 3RD ST
6348 W 3RD ST
6350 W 3RD ST
6346 W 3RD ST
6344 W 3RD ST
6342 W 3RD ST
6340 W 3RD ST
6338 W 3RD ST
6336 W 3RD ST
6334 W 3RD ST
6332 W 3RD ST
6328 W 3RD ST
6326 W 3RD ST
6324 W 3RD ST
6322 W 3RD ST
6320 W 3RD ST
6314 W 3RD ST
6312 W 3RD ST
6310 W 3RD ST
6302 W 3RD ST
6300 W 3RD ST
347 S OGDEN DR
370 S FAIRFAX AVE
300 S FAIRFAX AVE

ZIP CODES

90036

RECENT ACTIVITY

None

CASE NUMBERS

CPC-3069
CPC-2018-3731-GPA-ZC-HD-CDO
CPC-1986-823-GPC
CPC-1948-1915
CPC-10983
ORD-97097
ORD-74420

Address/Legal Information	
PIN Number	138B177 796
Lot/Parcel Area (Calculated)	322,220.5 (sq ft)
Thomas Brothers Grid	PAGE 633 - GRID B1
Assessor Parcel No. (APN)	5509018BRK
Tract	TR 215
Map Reference	M B 14-42/43
Block	None
Lot	PT 12
Arb (Lot Cut Reference)	1
Map Sheet	138B177
	135B177
Jurisdictional Information	
Community Plan Area	Wilshire
Area Planning Commission	Central APC
Neighborhood Council	Mid City West
Council District	CD 5 - Katy Young Yaroslavsky
Census Tract #	2145.01000000
LADBS District Office	Los Angeles Metro
Permitting and Zoning Compliance Information	
Administrative Review	None
Planning and Zoning Information	
Special Notes	None
Zoning	C2-1-O
Zoning Information (ZI)	ZI-2498 Local Emergency Temporary Regulations - Time Limits and Parking Relief - LAMC 16.02.1
	ZI-2452 Transit Priority Area in the City of Los Angeles
	ZI-2512 Housing Element Sites
	ZI-1195 Construction Site Review: Department of Conservation, Division of Oil, Gas, and Geothermal Resources
	ZI-2536 Environmental Protection Measures for Residential Projects with Five or More Units (Oil Wells)
General Plan Land Use	Community Commercial
General Plan Note(s)	Yes
Minimum Density Requirement	No
Hillside Area (Zoning Code)	No
Specific Plan Area	None
Subarea	None
Special Land Use / Zoning	None
Historic Preservation Review	Yes
HistoricPlacesLA	No
Historic Preservation Overlay Zone	None
Other Historic Designations	Yes
Mills Act Contract	None
CDO: Community Design Overlay	None
CPIO: Community Plan Imp. Overlay	None
Subarea	None
CPIO Historic Preservation Review	No

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(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

ORD-165331-SA1340
ORD-117030
DIR-2018-2770-SPR-WDI
ZAI-1978-37
ZA-2012-737-CUB
ZA-2012-690-CUB
ZA-2008-736-CUB
ZA-2004-1376-CUB
ZA-1987-1491-E
CUX-1983-48
AA-2019-1512-PMW
AA-2018-2768-PMLA
ENV-2018-3732-EIR
ENV-2018-2771-EIR
ENV-2012-738-CE
ENV-2008-442-MND
ENV-2004-1377-ND
ND-83-62-CUZ
AF-90-587124-MB
AF-22-0926397-COC
BF-890516
CUZ-1983-48
PRIOR-06/01/1946
ROW-29731

CUGU: Clean Up-Green Up	None
HCR: Hillside Construction Regulation	No
NSO: Neighborhood Stabilization Overlay	No
POD: Pedestrian Oriented Districts	None
RBP: Restaurant Beverage Program Eligible Area	General (RBPA)
ASP: Alcohol Sales Program	No
RFA: Residential Floor Area District	None
RIO: River Implementation Overlay	No
SN: Sign District	No
AB 2334: Low Vehicle Travel Area	Yes
AB 2097: Within a half mile of a Major Transit Stop	Yes
Streetscape	No
Adaptive Reuse Incentive Area	None
Affordable Housing Linkage Fee	
Residential Market Area	Medium-High
Non-Residential Market Area	High
Inclusionary Housing	No
Local Affordable Housing Incentive	No
Targeted Planting	No
Special Lot Line	No
Transit Oriented Communities (TOC)	Tier 3
Mixed Income Incentive Programs	
Transit Oriented Incentive Area (TOIA)	2
Opportunity Corridors Incentive Area	OC-1
Corridor Transition Incentive Area	Not Eligible
TCAC Opportunity Area	High
High Quality Transit Corridor (within 1/2 mile)	Yes
ED 1 Eligibility	Not Eligible
RPA: Redevelopment Project Area	None
Central City Parking	No
Downtown Parking	No
Building Line	10
500 Ft School Zone	Active: Hancock Park Elementary
500 Ft Park Zone	None
Zanja System 1 Mile Buffer	No

Assessor Information

Assessor Parcel No. (APN)	5509018015
APN Area (Co. Public Works)*	2.383 (ac)
Use Code	1500 - Commercial - Shopping Center (Neighborhood, Community) - One Story
Assessed Land Val.	$3,017,725
Assessed Improvement Val.	$18,869,188
Last Owner Change	10/13/2022
Last Sale Amount	$1
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	
Year Built	1999
Number of Units	0
Number of Bedrooms	0
Number of Bathrooms	0
Building Square Footage	126,700.0 (sq ft)
Building 2	
Year Built	1999

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Number of Units	0
Number of Bedrooms	0
Number of Bathrooms	0
Building Square Footage	35,700.0 (sq ft)
Building 3	
Year Built	1961
Building Class	C7A
Number of Units	0
Number of Bedrooms	0
Number of Bathrooms	0
Building Square Footage	13,170.0 (sq ft)
Building 4	
Year Built	1962
Building Class	DX
Number of Units	0
Number of Bedrooms	0
Number of Bathrooms	0
Building 5	
Year Built	1962
Building Class	CX
Number of Units	0
Number of Bedrooms	0
Number of Bathrooms	0
Building Square Footage	133,848.0 (sq ft)
Rent Stabilization Ordinance (RSO)	No [APN: 5509018015]
Assessor Information	
Assessor Parcel No. (APN)	5509018016
APN Area (Co. Public Works)*	0.890 (ac)
Use Code	1500 - Commercial - Shopping Center (Neighborhood, Community) - One Story
Assessed Land Val.	$1,158,808
Assessed Improvement Val.	$0
Last Owner Change	10/13/2022
Last Sale Amount	$1
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	No data for building 1
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 5509018016]
Assessor Information	
Assessor Parcel No. (APN)	5509018017
APN Area (Co. Public Works)*	0.463 (ac)
Use Code	1500 - Commercial - Shopping Center (Neighborhood, Community) - One Story
Assessed Land Val.	$585,707
Assessed Improvement Val.	$0
Last Owner Change	10/13/2022
Last Sale Amount	$1
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	No data for building 1
Building 2	No data for building 2

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Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 5509018017]
Assessor Information	
Assessor Parcel No. (APN)	5509018018
APN Area (Co. Public Works)*	0.120 (ac)
Use Code	1500 - Commercial - Shopping Center (Neighborhood, Community) - One Story
Assessed Land Val.	$152,040
Assessed Improvement Val.	$0
Last Owner Change	10/13/2022
Last Sale Amount	$1
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	No data for building 1
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 5509018018]
Assessor Information	
Assessor Parcel No. (APN)	5509018019
APN Area (Co. Public Works)*	0.019 (ac)
Use Code	1500 - Commercial - Shopping Center (Neighborhood, Community) - One Story
Assessed Land Val.	$24,107
Assessed Improvement Val.	$0
Last Owner Change	10/13/2022
Last Sale Amount	$1
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	No data for building 1
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 5509018019]
Assessor Information	
Assessor Parcel No. (APN)	5509018020
APN Area (Co. Public Works)*	0.014 (ac)
Use Code	1500 - Commercial - Shopping Center (Neighborhood, Community) - One Story
Assessed Land Val.	$18,103
Assessed Improvement Val.	$0
Last Owner Change	10/13/2022
Last Sale Amount	$1
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	No data for building 1
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 5509018020]
Assessor Information	

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Assessor Parcel No. (APN)	5509018021
APN Area (Co. Public Works)*	0.494 (ac)
Use Code	1500 - Commercial - Shopping Center (Neighborhood, Community) - One Story
Assessed Land Val.	$625,593
Assessed Improvement Val.	$0
Last Owner Change	10/13/2022
Last Sale Amount	$1
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	No data for building 1
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 5509018021]
Assessor Information	
Assessor Parcel No. (APN)	5509018022
APN Area (Co. Public Works)*	0.804 (ac)
Use Code	1500 - Commercial - Shopping Center (Neighborhood, Community) - One Story
Assessed Land Val.	$1,017,981
Assessed Improvement Val.	$0
Last Owner Change	10/13/2022
Last Sale Amount	$1
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	No data for building 1
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 5509018022]
Assessor Information	
Assessor Parcel No. (APN)	5509018023
APN Area (Co. Public Works)*	0.778 (ac)
Use Code	1500 - Commercial - Shopping Center (Neighborhood, Community) - One Story
Assessed Land Val.	$985,790
Assessed Improvement Val.	$0
Last Owner Change	10/13/2022
Last Sale Amount	$1
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	No data for building 1
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 5509018023]
Assessor Information	
Assessor Parcel No. (APN)	5509018024
APN Area (Co. Public Works)*	0.778 (ac)
Use Code	1500 - Commercial - Shopping Center (Neighborhood, Community) - One Story
Assessed Land Val.	$985,790

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Assessed Improvement Val.	$0
Last Owner Change	10/13/2022
Last Sale Amount	$1
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	No data for building 1
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 5509018024]
Assessor Information	
Assessor Parcel No. (APN)	5509018025
APN Area (Co. Public Works)*	0.756 (ac)
Use Code	1500 - Commercial - Shopping Center (Neighborhood, Community) - One Story
Assessed Land Val.	$957,616
Assessed Improvement Val.	$0
Last Owner Change	10/13/2022
Last Sale Amount	$1
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	No data for building 1
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 5509018025]
Additional Information	
Airport Hazard	None
Coastal Zone	None
Coastal Bluff Potential	No
Canyon Bluff Potential	No
Farmland	Area Not Mapped
Urban Agriculture Incentive Zone	YES
Very High Fire Hazard Severity Zone	No
Fire District No. 1	No
Flood Zone	500 Yr
Watercourse	No
Methane Hazard Site	Methane Zone
High Wind Velocity Areas	No
Special Grading Area (BOE Basic Grid Map A-13372)	No
Wells	0403715229
	0403715230
Sea Level Rise Area	No
Oil Well Adjacency	Yes
Plugged (100 ft)	Yes
Any (100 ft)	Yes
Environmental	
Santa Monica Mountains Zone	No
Biological Resource Potential	None
Mountain Lion Potential	None
Monarch Butterfly Potential	No
300-Foot Habitat Buffer	No

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County-Designated SEAs and CRAs	No
USFWS-designated CHAs	No
Wildland Urban Interface (WUI)	No
Criterion 1 Protected Areas for Wildlife (PAWs)	No
Seismic Hazards	
Active Fault Near-Source Zone	
Nearest Fault (Distance in km)	3.1662624
Nearest Fault (Name)	Hollywood Fault
Region	Transverse Ranges and Los Angeles Basin
Fault Type	B
Slip Rate (mm/year)	1.00000000
Slip Geometry	Left Lateral - Reverse - Oblique
Slip Type	Poorly Constrained
Down Dip Width (km)	14.00000000
Rupture Top	0.00000000
Rupture Bottom	13.00000000
Dip Angle (degrees)	70.00000000
Maximum Magnitude	6.40000000
Alquist-Priolo Fault Zone	No
Landslide	No
Liquefaction	No
Preliminary Fault Rupture Study Area	None
Tsunami Hazard Area	No
Economic Development Areas	
Business Improvement District	None
Hubzone	None
Jobs and Economic Development Incentive Zone (JEDI)	None
Opportunity Zone	No
Promise Zone	None
State Enterprise Zone	None
Housing	
Rent Stabilization Ordinance (RSO)	No [APN: 5509018015]
Ellis Act Property	No
Just Cause For Eviction Ordinance (JCO)	No
Housing Crisis Act and Resident Protections Ordinance Replacement Review	Yes
Housing Element Sites	
HE Replacement Required	Yes
SB 166 Units	Appendix 4.1 0.07*
	Appendix 4.1 0.11*
	Appendix 4.1 0.26*
	Appendix 4.1 1.35*
	Appendix 4.3 381
Housing Use within Prior 5 Years	No
Public Safety	
Police Information	
Bureau	West
Division / Station	Wilshire
Reporting District	734
Fire Information	
Bureau	South
Battallion	18
District / Fire Station	61
Red Flag Restricted Parking	No

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CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

Case Number:	CPC-2018-3731-GPA-ZC-HD-CDO
Required Action(s):	GPA-GENERAL PLAN AMENDMENT
	ZC-ZONE CHANGE
	HD-HEIGHT DISTRICT
	CDO-COMMUNITY DESIGN OVERLAY DISTRICT
Project Description(s):	GENERAL PLAN AMENDMENT, ZONE CHANGE, HEIGHT DISTRICT, COMMUNITY DESIGN OVERLAY AMENDMENTS
Case Number:	CPC-1986-823-GPC
Required Action(s):	GPC-GENERAL PLAN/ZONING CONSISTENCY (AB283)
Project Description(s):	AB-283 PROGRAM - GENERAL PLAN/ZONE CONSISTENCY - WILSHIRE AREA- COMMUNITY WIDE ZONE CHANGES AND COMMUNITY PLAN CHANGES TO BRING THE ZONING INTO CONSISTENCY WITH THE COMMUNITY PLAN. INCLUDES CHANGES OF HEIGHT AS NEEDED. REQUIRED BY COURT AS PART OF SETTLEMENT IN THE HILLSIDE FEDERATION LAWSUIT
Case Number:	CPC-1948-1915
Required Action(s):	Data Not Available
Project Description(s):	
Case Number:	DIR-2018-2770-SPR-WDI
Required Action(s):	SPR-SITE PLAN REVIEW
	WDI-WAIVER OF DEDICATIONS AND IMPROVEMENTS
Project Description(s):	PURSUANT TO LAMC SECTION 17.50, A REQUEST FOR AN AIRSPACE PRELIMINARY PARCEL MAP TO CREATE TWO LOTS, AND SITE PLAN REVIEW PER SECTION 16.05, FOR A PROJECT RESULTING IN AN INCREASE OF 50 OR MORE DWELLING UNITS.
Case Number:	ZAI-1978-37
Required Action(s):	Data Not Available
Project Description(s):	
Case Number:	ZA-2012-737-CUB
Required Action(s):	CUB-CONDITIONAL USE BEVERAGE-ALCOHOL
Project Description(s):	PURSUANT TO SECTION 12.24-W.1, A CUB FOR THE SALE AND DISPENSING OF BEER AND WINE FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH A 5,583 SQ FT RESTAURANT CONSISTING OF 154 SEATS AND HOURS OF OPERATION FROM 10 AM TO 10 PM DAILY.
Case Number:	ZA-2012-690-CUB
Required Action(s):	CUB-CONDITIONAL USE BEVERAGE-ALCOHOL
Project Description(s):	CONDITIONAL USE PURSUANT TO SECTION 12.24W1 FOR UPGRADE OF THE OFF-SITE SALE OF BEER AND WINE TO A FULL-LINE OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH THE OPERATION OF A SUPERMARKET. THE CURRENT HOURS OF OPERATION ARE FROM 6 A.M. TO 12 MIDNIGHT, DAILY.
Case Number:	ZA-2008-736-CUB
Required Action(s):	CUB-CONDITIONAL USE BEVERAGE-ALCOHOL
Project Description(s):	CONDITIONAL USE FOR THE EXPANSION OF AN EXISTING MARKET, WITH THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION, AND SALE OF WINE FOR ON SITE CONSUMPTION IN THE C2-1-O ZONE.
Case Number:	ZA-2004-1376-CUB
Required Action(s):	CUB-CONDITIONAL USE BEVERAGE-ALCOHOL
Project Description(s):	CONDITIONAL USE FOR ON-SITE SALE OF ALCOHOLIC BEVERAGES FOR WINE TASTING AND DEEMED TO BE APPROVED STATUS FOR SALE OF ALCOHOLIC BEVERAGES IN EXISTING WHOLE FOODS GROCERY STORE.
Case Number:	ZA-1987-1491-E
Required Action(s):	E-PRIVATE STREET MODIFICATIONS (5TH REQUEST)
	E-- ALL OTHER CONDITIONAL USE CASES, INCLUDING RELATED VARIANCES
Project Description(s):	THIS IS AN EXCEPTION CASE FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES INCIDENTAL TO RESTAURANT SERVICE FOR A TOTAL OF30 SEATS IN THE C2-4-0 ZONE.
Case Number:	AA-2019-1512-PMW
Required Action(s):	PMW-PARCEL MAP WAIVER
Project Description(s):	CERTIFICATE OF COMPLIANCE VERIFYING THAT THE LEASEHOLD PARCELS DESCRIBED IN EXHIBIT A, HAVE BEEN GRANTED A WAIVER OF THE PARCEL MAP REQUIREMENTS PER THE SUBDIVISION MAP ACT SEC. 66412.1 AND LAMC SEC. 17.50.B.3.
Case Number:	AA-2018-2768-PMLA
Required Action(s):	PMLA-PARCEL MAP
Project Description(s):	PURSUANT TO LAMC SECTION 17.50, A REQUEST FOR AN AIRSPACE PRELIMINARY PARCEL MAP TO CREATE TWO LOTS, AND SITE PLAN REVIEW PER SECTION 16.05, FOR A PROJECT RESULTING IN AN INCREASE OF 50 OR MORE DWELLING UNITS.

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Case Number:	ENV-2018-3732-EIR
Required Action(s):	EIR-ENVIRONMENTAL IMPACT REPORT
Project Description(s):	GENERAL PLAN AMENDMENT, ZONE CHANGE, HEIGHT DISTRICT, COMMUNITY DESIGN OVERLAY AMENDMENTS
Case Number:	ENV-2018-2771-EIR
Required Action(s):	EIR-ENVIRONMENTAL IMPACT REPORT
Project Description(s):	PURSUANT TO LAMC SECTION 17.50, A REQUEST FOR AN AIRSPACE PRELIMINARY PARCEL MAP TO CREATE TWO LOTS, AND SITE PLAN REVIEW PER SECTION 16.05, FOR A PROJECT RESULTING IN AN INCREASE OF 50 OR MORE DWELLING UNITS.
Case Number:	ENV-2012-738-CE
Required Action(s):	CE-CATEGORICAL EXEMPTION
Project Description(s):	PURSUANT TO SECTION 12.24-W.1, A CUB FOR THE SALE AND DISPENSING OF BEER AND WINE FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH A 5,583 SQ FT RESTAURANT CONSISTING OF 154 SEATS AND HOURS OF OPERATION FROM 10 AM TO 10 PM DAILY.
Case Number:	ENV-2008-442-MND
Required Action(s):	MND-MITIGATED NEGATIVE DECLARATION
Project Description(s):	ENVIRONMENT ASSEESSMENT FOR ON AND OFF-SITE SALE BEER AND WINE WITH EXSPANSION OF AN EXISTING FOOD MARKET IN THE C2-1-0 ZONE.
Case Number:	ENV-2004-1377-ND
Required Action(s):	ND-NEGATIVE DECLARATION
Project Description(s):	CONDITIONAL USE FOR ON-SITE SALE OF ALCOHOLIC BEVERAGES FOR WINE TASTING AND DEEMED TO BE APPROVED STATUS FOR SALE OF ALCOHOLIC BEVERAGES IN EXISTING WHOLE FOODS GROCERY STORE.
Case Number:	ND-83-62-CUZ
Required Action(s):	CUZ-ALL OTHER CONDITIONAL USE CASES
Project Description(s):	Data Not Available
Case Number:	AF-22-0926397-COC
Required Action(s):	COC-CERTIFICATE OF COMPLIANCE
Project Description(s):	Data Not Available

DATA NOT AVAILABLE

CPC-3069

CPC-10983

ORD-97097

ORD-74420

ORD-165331-SA1340

ORD-117030

CUX-1983-48

AF-90-587124-MB

BF-890516

CUZ-1983-48

PRIOR-06/01/1946

ROW-29731

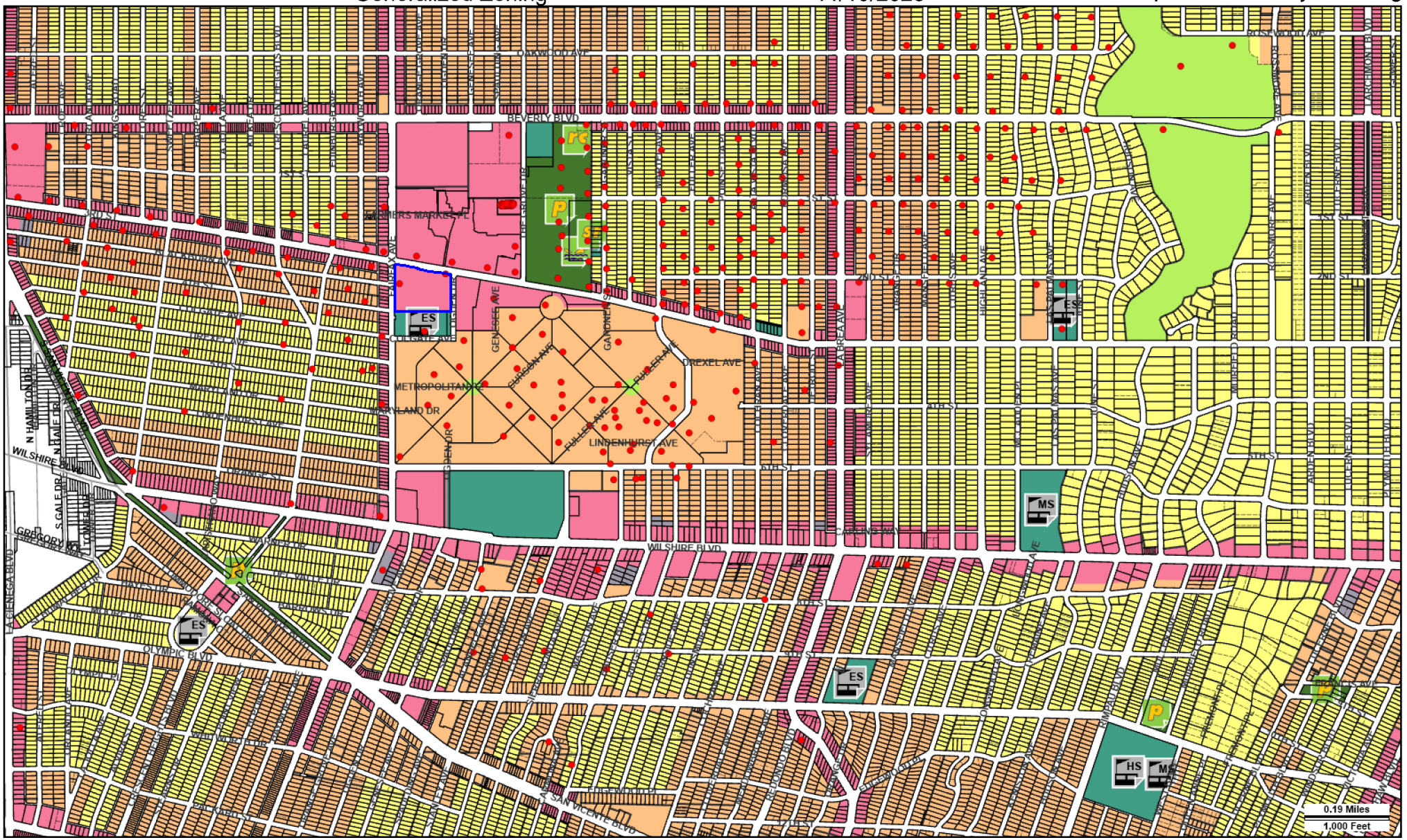
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ZIMAS PUBLIC

Generalized Zoning

11/10/2025

City of Los Angeles
Department of City Planning



Address: 6350 W 3RD ST
APN: 5509018BRK
PIN #: 138B177 796

Tract: TR 215
Block: None
Lot: PT 12
Arb: 1

Zoning: C2-1-O
General Plan: Community Commercial

N
W E
S

LEGEND

GENERALIZED ZONING

- OS, GW
- A, RA
- RE, RS, R1, RU, RZ, RW1
- R2, RD, RMP, RW2, R3, RAS, R4, R5, PVSP
- CR, C1, C1.5, C2, C4, C5, CW, WC, ADP, LASED, CEC, USC, PPSP, MU, NMU
- CM, MR, CCS, UV, UI, UC, M1, M2, LAX, M3, SL, HJ, HR, NI
- P, PB
- PF

GENERAL PLAN LAND USE

LAND USE

RESIDENTIAL

- Minimum Residential
- Very Low / Very Low I Residential
- Very Low II Residential
- Low / Low I Residential
- Low II Residential
- Low Medium / Low Medium I Residential
- Low Medium II Residential
- Medium Residential
- High Medium Residential
- High Density Residential
- Very High Medium Residential

COMMERCIAL

- Limited Commercial
- Limited Commercial - Mixed Medium Residential
- Highway Oriented Commercial
- Highway Oriented and Limited Commercial
- Highway Oriented Commercial - Mixed Medium Residential
- Neighborhood Office Commercial
- Community Commercial
- Community Commercial -Mixed High Residential
- Regional Center Commercial

INDUSTRIAL

- Commercial Manufacturing
- Limited Manufacturing
- Light Manufacturing
- Heavy Manufacturing
- Hybrid Industrial

PARKING

- Parking Buffer

PORT OF LOS ANGELES

- General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
- General / Bulk Cargo - Hazard
- Commercial Fishing
- Recreation and Commercial
- Intermodal Container Transfer Facility Site

LOS ANGELES INTERNATIONAL AIRPORT

- Airport Landside / Airport Landside Support
- Airport Airside
- LAX Airport Northside

OPEN SPACE / PUBLIC FACILITIES

- Open Space
- Public / Open Space
- Public / Quasi-Public Open Space
- Other Public Open Space
- Public Facilities

FRAMEWORK

COMMERCIAL

- Neighborhood Commercial
- General Commercial
- Community Commercial
- Regional Mixed Commercial

INDUSTRIAL

- Limited Industrial
- Light Industrial

CHAPTER 1A LEGEND

General Plan Designation

- Transit Core
- Traditional Core
- Regional Center
- High Residential
- Community Center
- Village
- Neighborhood Center
- Medium Neighborhood Residential
- Medium Residential
- Low Neighborhood Residential
- Low Medium Residential
- Low Residential
- Compact Residential
- Very Low Residential
- Minimum Residential
- Agriculture
- Hybrid Industrial
- Markets
- Light Industrial
- Production
- Industrial
- Open Space
- Public Facilities
- Public Facilities - Freeways

Zone Use Districts

- Open Space
- Agricultural
- Residential Single Family
- Residential Multiple Family
- Residential-Mixed
- Commercial
- Commercial-Mixed
- Industrial
- Industrial-Mixed
- Public
- Freeway

CIRCULATION

STREET

- Arterial Mountain Road
- Collector Scenic Street
- Collector Street
- Collector Street (Hillside)
- Collector Street (Modified)
- Collector Street (Proposed)
- Country Road
- Divided Major Highway II
- Divided Secondary Scenic Highway
- Local Scenic Road
- Local Street
- Major Highway (Modified)
- Major Highway I
- Major Highway II
- Major Highway II (Modified)
- Major Scenic Highway
- Major Scenic Highway (Modified)
- Major Scenic Highway II
- Mountain Collector Street
- Park Road
- Parkway
- Principal Major Highway
- Private Street
- Scenic Divided Major Highway II
- Scenic Park
- Scenic Parkway
- Secondary Highway
- Secondary Highway (Modified)
- Secondary Scenic Highway
- Special Collector Street
- Super Major Highway

FREEWAYS

- Freeway
- Interchange
- On-Ramp / Off- Ramp
- Railroad
- Scenic Freeway Highway

MISC. LINES

- Airport Boundary
- Bus Line
- Coastal Zone Boundary
- Coastline Boundary
- Collector Scenic Street (Proposed)
- Commercial Areas
- Commercial Center
- Community Redevelopment Project Area
- Country Road
- DWP Power Lines
- Desirable Open Space
- Detached Single Family House
- Endangered Ridgeline
- Equestrian and/or Hiking Trail
- Hiking Trail
- Historical Preservation
- Horsekeeping Area
- Local Street
- MSA Desirable Open Space
- Major Scenic Controls
- Multi-Purpose Trail
- Natural Resource Reserve
- Park Road
- Park Road (Proposed)
- Quasi-Public
- Rapid Transit Line
- Residential Planned Development
- Scenic Highway (Obsolete)
- Secondary Scenic Controls
- Secondary Scenic Highway (Proposed)
- Site Boundary
- Southern California Edison Power
- Special Study Area
- Specific Plan Area
- Stagecoach Line
- Wildlife Corridor

POINTS OF INTEREST

- Alternative Youth Hostel (Proposed)
- Animal Shelter
- Area Library
- Area Library (Proposed)
- Bridge
- Campground
- Campground (Proposed)
- Cemetery
- HW Church
- City Hall
- Community Center
- Community Library
- Community Library (Proposed Expansion)
- Community Library (Proposed)
- Community Park
- Community Park (Proposed Expansion)
- Community Park (Proposed)
- Community Transit Center
- Convalescent Hospital
- Correctional Facility
- Cultural / Historic Site (Proposed)
- Cultural / Historical Site
- Cultural Arts Center
- DMV DMV Office
- DWP DWP
- DWP Pumping Station
- Equestrian Center
- HQ Fire Department Headquarters
- Fire Station
- Fire Station (Proposed Expansion)
- Fire Station (Proposed)
- Fire Supply & Maintenance
- Fire Training Site
- Fireboat Station
- Health Center / Medical Facility
- Helistop
- Historic Monument
- Historical / Cultural Monument
- Horsekeeping Area
- Horsekeeping Area (Proposed)
- Horticultural Center
- Hospital
- Hospital (Proposed)
- HW House of Worship
- e Important Ecological Area
- e Important Ecological Area (Proposed)
- Interpretive Center (Proposed)
- JC Junior College
- M MTA / Metrolink Station
- M MTA Station
- MTA Stop
- MWD MWD Headquarters
- Maintenance Yard
- Municipal Office Building
- P Municipal Parking lot
- Neighborhood Park
- Neighborhood Park (Proposed Expansion)
- Neighborhood Park (Proposed)
- Oil Collection Center
- P Parking Enforcement
- HQ Police Headquarters
- Police Station
- Police Station (Proposed Expansion)
- Police Station (Proposed)
- Police Training site
- PO Post Office
- Power Distribution Station
- Power Distribution Station (Proposed)
- Power Receiving Station
- Power Receiving Station (Proposed)
- C Private College
- E Private Elementary School
- Private Golf Course
- Private Golf Course (Proposed)
- JH Private Junior High School
- PS Private Pre-School
- Private Recreation & Cultural Facility
- SH Private Senior High School
- SF Private Special School
- E Public Elementary (Proposed Expansion)
- E Public Elementary School
- E Public Elementary School (Proposed)
- Public Golf Course
- Public Golf Course (Proposed)
- Public Housing
- Public Housing (Proposed Expansion)
- JH Public Junior High School
- JH Public Junior High School (Proposed)
- MS Public Middle School
- SH Public Senior High School
- SH Public Senior High School (Proposed)
- Pumping Station
- Pumping Station (Proposed)
- Refuse Collection Center
- Regional Library
- Regional Library (Proposed Expansion)
- Regional Library (Proposed)
- Regional Park
- Regional Park (Proposed)
- RPD Residential Plan Development
- Scenic View Site
- Scenic View Site (Proposed)
- ADM School District Headquarters
- SC School Unspecified Loc/Type (Proposed)
- Skill Center
- SS Social Services
- Special Feature
- Special Recreation (a)
- SF Special School Facility
- SF Special School Facility (Proposed)
- Steam Plant
- sm Surface Mining
- Trail & Assembly Area
- Trail & Assembly Area (Proposed)
- UTL Utility Yard
- Water Tank Reservoir
- Wildlife Migration Corridor
- Wildlife Preserve Gate

SCHOOLS/PARKS WITH 500 FT. BUFFER

- Existing School/Park Site
- Planned School/Park Site
- Inside 500 Ft. Buffer

- Aquatic Facilities
- Beaches
- Child Care Centers
- Dog Parks
- Golf Course
- Historic Sites
- Horticulture/Gardens
- Skate Parks
- Other Facilities
- Park / Recreation Centers
- Parks
- Performing / Visual Arts Centers
- Recreation Centers
- Senior Citizen Centers
- Opportunity School
- Charter School
- Elementary School
- Span School
- Special Education School
- High School
- Middle School
- Early Education Center

COASTAL ZONE

- Coastal Commission Permit Area
- Dual Permit Jurisdiction Area
- Single Permit Jurisdiction Area
- Not in Coastal Zone

TRANSIT ORIENTED COMMUNITIES (TOC)

- Tier 1
- Tier 2
- Tier 3
- Tier 4

Note: TOC Tier designation and map layers are for reference purposes only. Eligible projects shall demonstrate compliance with Tier eligibility standards prior to the issuance of any permits or approvals. As transit service changes, eligible TOC Incentive Areas will be updated.

WAIVER OF DEDICATION OR IMPROVEMENT

- Public Work Approval (PWA)
- Waiver of Dedication or Improvement (WDI)

MIXED INCOME INCENTIVE PROGRAM (MIIP)

TRANSIT ORIENTED INCENTIVE AREAS (TOIA)

- T-1
- T-2
- T-3
- Outside of TOIA

OPPORTUNITY CORRIDORS (OC)

- OC-1
- OC-2
- OC-3

CORRIDOR TRANSITION INCENTIVE AREAS (CT)

- CT-1
- CT-2
- CT-3

OTHER SYMBOLS

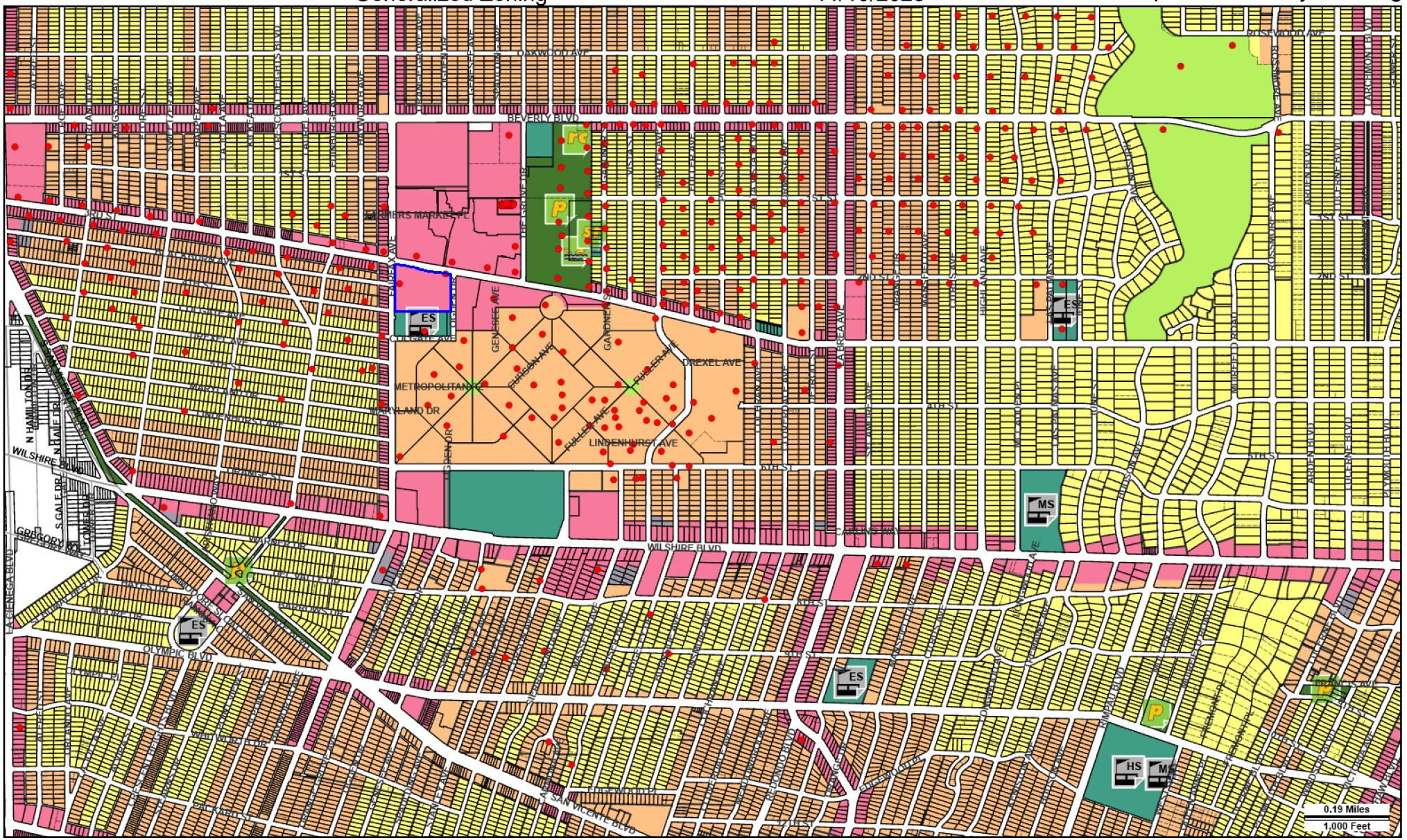
- Lot Line
- Tract Line
- Lot Cut
- Easement
- Zone Boundary
- Building Line
- Lot Split
- Community Driveway
- Building Outlines 2020
- Building Outlines 2017
- Airport Hazard Zone
- Census Tract
- Coastal Zone
- Council District
- LADBS District Office
- Downtown Parking
- Fault Zone
- Fire District No. 1
- Tract Map
- Parcel Map
- Flood Zone
- Hazardous Waste
- High Wind Zone
- Hillside Grading
- Historic Preservation Overlay Zone
- Specific Plan Area
- Very High Fire Hazard Severity Zone
- Wells - Acitive
- Wells - Inactive

ZIMAS PUBLIC

Generalized Zoning

11/10/2025

City of Los Angeles
Department of City Planning



Address: 6350 W 3RD ST
APN: 5509018BRK
PIN #: 138B177 796

Tract: TR 215
Block: None
Lot: PT 12
Arb: 1

Zoning: C2-1-O
General Plan: Community Commercial

N
W E
S

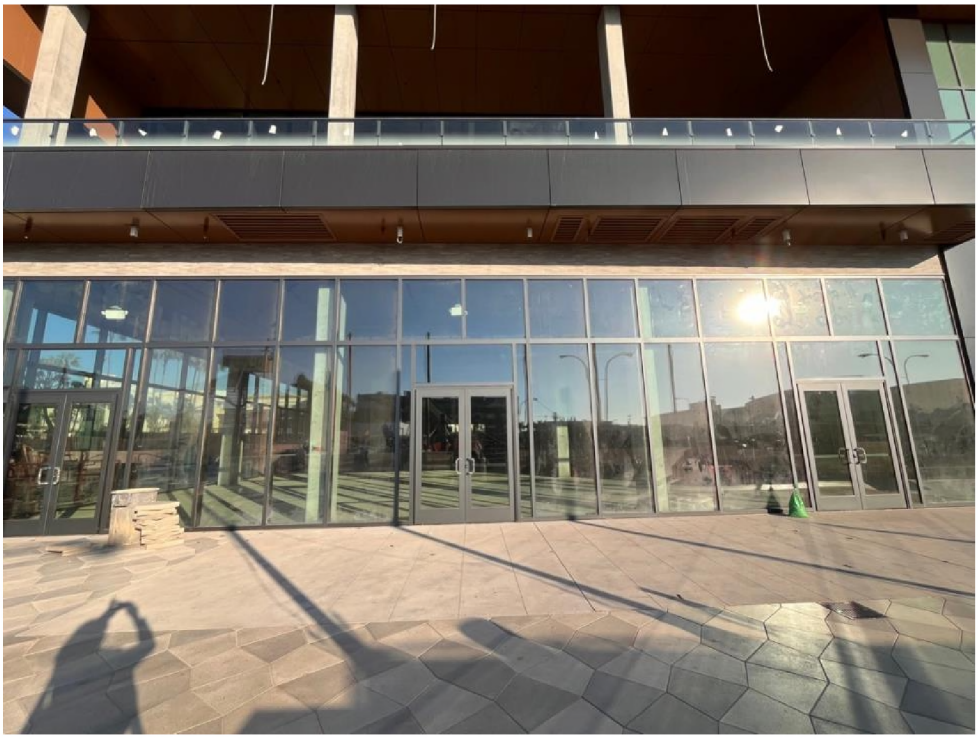
Whole Foods Market- 355 S Ogden Dr.
Photograph



1.



2.



3.



4.



5.



*ALL ALCOHOL STORAGE IS CAGED AND/OR LOCKABLE

RESTAURANT SPACE

AREA NOT IN SCOPE

ALCOHOL DISPLAY/STORAGE

Type 47

Type 21/86

RESTAURANT A
1,478 SF
(55 TOTAL SEATS)

GROCERY STORE
11,835 SF
(OF 60,536 SF TOTAL)

ALCOHOL STORAGE

ALCOHOL DISPLAY

ALCOHOL DISPLAY

ALCOHOL DISPLAY

ALCOHOL DISPLAY

ALCOHOL DISPLAY

ALCOHOL STORAGE

ALCOHOL STORAGE

ALCOHOL STORAGE

NOT IN SCOPE

73'-8"

45'-8"

64'-2"

40'-1"

10'-7"

63'-1"

18'-1"

20'-5"

28'-2"

13'-4"

56'-7"

22'-7"

5'-7"

5'-7"

9'-11"

8'-9"

9'-6"

3'-10"

3'-11"

2'-8"

4'-11"

10'-0"

5'-8"

9'-1"

27'-0"

10'-2"

17'-4"

39'-2"

5'-0"

30'-5"

STAIR #2

STAIR #1

106 LOUNGE AREA

LOUNGE AREA

107 BAR

108 WOMEN'S RR

109 MEN'S RR

110 MECHANICAL ROOM

111 ALL-GENDER RR

112 WINE ROOM

115 STORAGE

116 COOLER BACKSTOCK

117 NETWORK ROOM

118 GROCERY FREEZER

119 RECEIVING STORAGE

120 RECEIVING

121 RECEIVING OFFICE

WINE

101 SALES FLOOR

CHECKOUT
(4 HALF BELTS)

100 ENTRY VESTIBULE

102 CATERING/CURATION STATION

103 SPECIALTY

104 SPECIALTY/CATERING COOLER

105 SPECIALTY SCULLERY

DOWN FROM L2

DOWN FROM L2

UP TO L2

114 BOH CORRIDOR

WFM ELEV. #1

WFM ELEV. #2

WFM ELEV. #3

WFM FREIGHT ELEV. #1

EMPLOYEE STAIR

1 ABC PLAN - LEVEL 1
1/4" = 1'-0"

PLAN

4/24/2025 2:14:22 PM

ARCHITECT OF RECORD

brr

MARIAH B. MEYER
8131 METCALF AVENUE
SUITE 300
OVERLAND PARK, KS 66204

WWW.BRRARCH.COM

TEL: 913-262-9090
FAX: 913-262-9044

CONSULTANT

CLIENT

WHOLE FOODS MARKET

PROJECT TITLE

WHOLE FOODS MARKET
WFM (FXR) 3RD & FAIRFAX
355 S. OGDEN DR. #100, LOS ANGELES, CA 90036

CITY APPROVAL

PROJECT NUMBER
62910415

PROJECT MANAGER	DRAWN BY	CHECKED BY
TJL	TAS	

PROFESSIONAL SEAL

NOT FOR CONSTRUCTION

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ISSUES AND REVISIONS

NUMBER	DATE	DESCRIPTION
0	08/30/24	ORIGINAL ISSUE

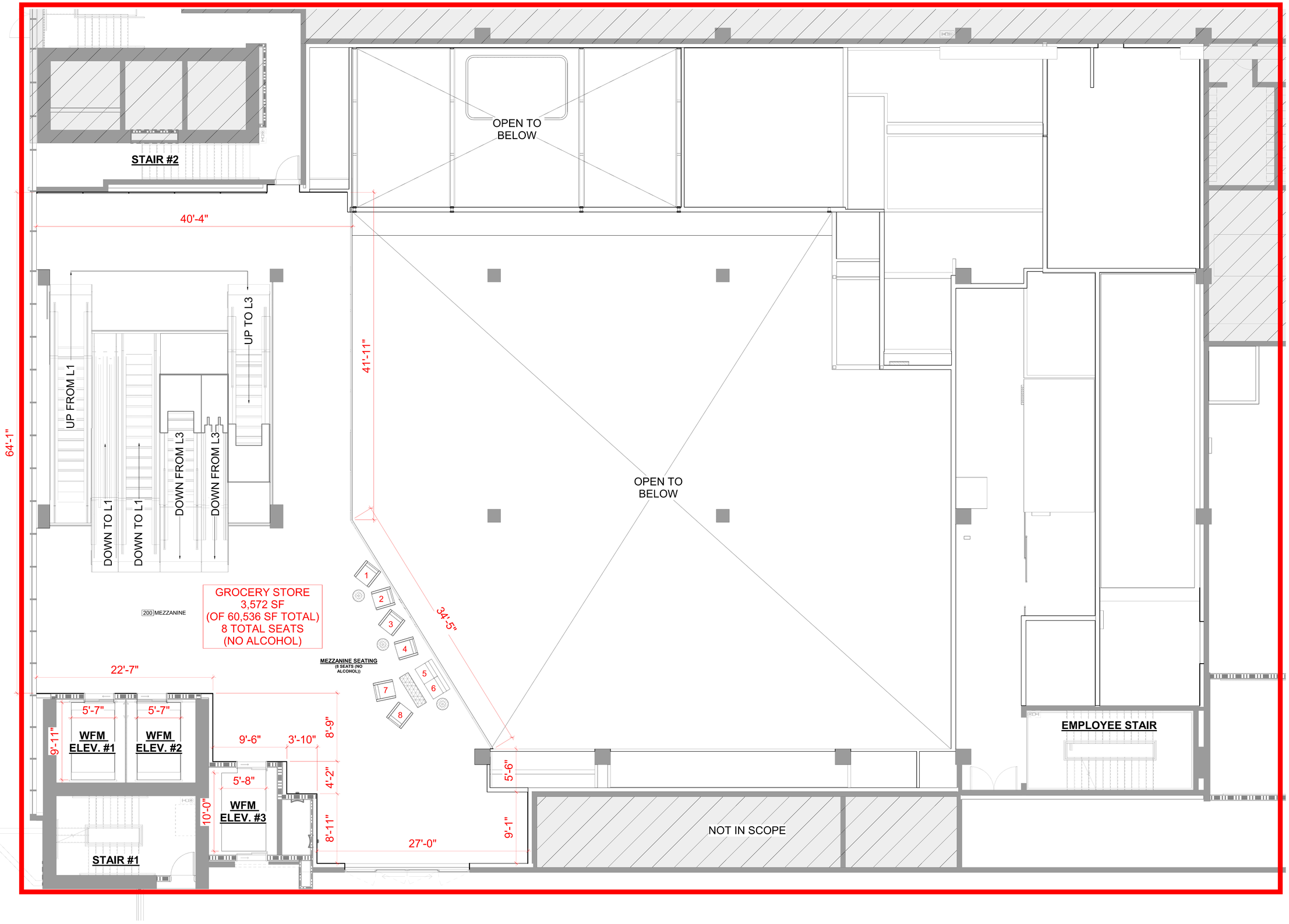
SHEET NAME

ABC PLAN - LEVEL 1

SHEET NUMBER

ABC-L1

BRR ORIGINAL PRINTED ON RECYCLED PAPER



1 ABC PLAN - LEVEL 2 PLAN
1/4" = 1'-0"

5/6/2025 1:12:32 PM

ARCHITECT OF RECORD
brr
MARIAH B. MEYER
8131 METCALF AVENUE
SUITE 300
OVERLAND PARK, KS 66204
WWW.BRRARCH.COM
TEL: 913-262-9095
FAX: 913-262-9044
CONSULTANT

CLIENT
WHOLE FOODS MARKET

PROJECT TITLE
WHOLE FOODS MARKET
WFM (FXR) 3RD & FAIRFAX
355 S. OGDEN DR. #100, LOS ANGELES, CA 90036

CITY APPROVAL

PROJECT NUMBER
62910415

PROJECT MANAGER	DRAWN BY	CHECKED BY
TJL	TAS	

PROFESSIONAL SEAL

NOT FOR CONSTRUCTION

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ISSUES AND REVISIONS

NUMBER	DATE	DESCRIPTION
0	08/30/24	ORIGINAL ISSUE

SHEET NAME
ABC PLAN - LEVEL 2

SHEET NUMBER
ABC-L2

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Room Schedule		
Name	Area	Number
ENTRY VESTIBULE	267 SF	100
SALES FLOOR	7046 SF	101
CATERING/CURATION STATION	85 SF	102
SPECIALTY	478 SF	103
	147 SF	104
	92 SF	105
	1178 SF	106
BAR	171 SF	107

Room Schedule		
Name	Area	Number
WOMEN'S RR	225 SF	108
MEN'S RR	196 SF	109
MECHANICAL ROOM	565 SF	110
ALL-GENDER RR	89 SF	111
WINE ROOM	80 SF	112
FLORA		
BOH C		
STOR		
COOL		
NETWORK ROOM	106 SF	117

Room Schedule		
Name	Area	Number
GROCERY FREEZER	478 SF	118
RECEIVING STORAGE	204 SF	119
RECEIVING	1687 SF	120
RECEIVING OFFICE	45 SF	121
TRASH / COMP.	282 SF	122
BOH CORRIDOR	494 SF	123
WINE ROOM	17 SF	124
ENTRY VESTIBULE	303 SF	300
SALES FLOOR	30233 SF	301

Room Schedule		
Name	Area	Number
FLORAL	104 SF	302
COUNTER	241 SF	303
CUSTOMER SERVICE	120 SF	304
IDF	43 SF	305
SEAFOOD PREP	290 SF	306
SEAFOOD COOLER	219 SF	307
MEAT CLEANING	125 SF	308
MEAT PREP	467 SF	309
MEAT CUTTING	211 SF	310
MEAT COOLER	305 SF	311

Room Schedule		
Name	Area	Number
DAIRY COOLER	505 SF	312
ALL-GENDER RR	70 SF	313
MEN'S RR	221 SF	314
WOMEN'S RR	235 SF	315
BAKERY PREP	622 SF	316
BAKERY COOLER	160 SF	317
PFDS PREP	639 SF	318
JUICE & JAVA	172 SF	319
FINISHING KITCHEN	1203 SF	320
PFD/POULTRY COOLER	240 SF	321

Room Schedule		
Name	Area	Number
SCULLERY	213 SF	322
BOH CORRIDOR	5173 SF	323
PFD/BAKERY FREEZER	269 SF	324
STL/ASTL OFFICE	187 SF	325
CASH UP	106 SF	326
FLEX/QUIET ROOM	94 SF	327
EMP. WOMEN'S RR	135 SF	328
EMP. MEN'S RR	126 SF	329
CONFERENCE ROOM	285 SF	331
PRODUCE COOLER	628 SF	332

Room Schedule		
Name	Area	Number
PRODUCE PREP	261 SF	333
SF/MEAT FREEZER	166 SF	334
COUNTER SEATING	147 SF	338
EMP. ALL-GENDER RR	68 SF	340
MECHANICAL PLATFORM	3889 SF	400
WFM FREIGHT ELEV. #2	188 SF	404
WFM FREIGHT ELEV. #1	189 SF	405

Patio

Type 41

Type 21/86

GROCERY STORE
45,579 SF
(OF 60,536 SF TOTAL)

13'-11" 92'-1" 75'-8" 37'-9" 34'-10"

OUTDOOR SEATING (48 SEATS 2 ACCESSIBLE)
SEATING (78 SEATS 4 ACCESSIBLE)
RESTAURANT B 2,979 SF (78 TOTAL SEATS)
JUICE & JAVA
320 FINISHING KITCHEN
321 PFD/POULTRY COOLER
322 SCULLERY
324 PFD/BAKERY FREEZER
317 BAKERY COOLER
STAIR #3
325 STL/ASTL OFFICE
327 FLEX/QUIET ROOM
326 CASH UP
SPECIALTY (28 LF)
BAKERY (40 LF)
ALCOHOL DISPLAY
ALCOHOL STORAGE
313 ALL-GENDER RR
328 EMP. WOMEN'S RR
329 EMP. MEN'S RR
330 TEAM LOUNGE
340 EMP. ALL-GENDER RR
312 DAIRY COOLER
STAIR #4
DAIRY (102 LF)
323 BOH CORRIDOR
310 MEAT CUTTING
MEAT (28 LF)
309 MEAT PREP
311 MEAT COOLER
308 MEAT CLEANING
CONFERENCE ROOM
332 PRODUCE COOLER
PRODUCE PREP
333
SCOs (10)
STANCHION
305 IDF
BALCONY SEATING 941 SF (48 TOTAL SEATS)
STAIR #2
303 COUNTER
CUSTOMER SERVICE (2)
CHECKSTANDS (6 BELTS)
FLORAL
WHOLE BODY (204 LF)
FROZEN (38 DOORS)
GROCERY (678 LF)
301 SALES FLOOR
PRODUCE (64 LF)
SEAFOOD (22 LF)
BULK (20 LF)
DOWN TO L2
UP FROM L2
COUNTER SEATING (16 SEATS (NO ALCOHOL))
WFM ELEV. #1
WFM ELEV. #2
WFM ELEV. #3
STAIR #1
300 ENTRY VESTIBULE
335 PICK UP / DELIVERY
EMPLOYEE STAIR
WFM FREIGHT ELEV. #1
WFM FREIGHT ELEV. #2
307 SEAFOOD COOLER
334 SF/MEAT FREEZER

66'-7" 69'-11" 68'-4" 46'-4" 6'-6" 14'-6" 20'-5" 3'-1"
42'-10" 28'-6" 19'-4" 12'-0" 10'-0" 13'-0" 8'-9"
12'-5" 8'-5" 5'-0" 4'-6" 1'-4" 45'-9" 7'-7" 16'-4"
20'-0" 11'-4" 22'-9" 15'-6" 16'-6" 9'-2"
39'-7" 10'-3" 2'-6" 7'-10" 11'-7" 15'-5" 5'-6" 30'-1"
22'-6" 13'-4" 9'-11" 5'-8" 5'-7" 5'-8" 2'-0" 4'-5" 3'-2" 9'-9" 30'-0" 16'-1"
195'-2"

SHOWN FOR REFERENCE ONLY; CONFIRM FINAL LOCATIONS W/ WFM CPM

1 ABC PLAN - LEVEL 3 PLAN
1/8" = 1'-0"

4/24/2025 2:14:55 PM

ARCHITECT OF RECORD
brr
MARIAH B. MEYER
8151 METCALF AVENUE
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ISSUES AND REVISIONS

NUMBER	DATE	DESCRIPTION
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SHEET NAME
ABC PLAN - LEVEL 3

SHEET NUMBER
ABC-L3

BRR ORIGINAL PRINTED ON RECYCLED PAPER

3D	8" CONCRETE CURB
5Q	METAL PICKET FENCE, BLACK, MATTE. 7'-0" TALL GATE WITH PANIC HARDWARE, WHERE OCCURS
5X	GRATE
10A	PROVIDE COMPLETE PARKING CONTROL SYSTEMS WITH EMBEDED SENSORS, TICKET DISPENSERS, ARM GATE AND ELECTRICAL POWER. REFER TO TRAFFIC CONTROL DRAWINGS FOR CAMERA REQUIREMENTS
33A	36" DIAMETER PRECASE CONCRETE STORM TANK MANHOLE (REFER TO CIVIL)
33C	60" SQUARE PRETREATMENT LID (REFER TO CIVIL DWGS.)

KEYNOTE LEGEND

EXISTING PROPERTY LINE
NEW PROPERTY LINE
LIMIT OF WORK
ACCESSIBLE PATH OF TRAVEL
FIRE ACCESS TO BUILDING
FLOOR ABOVE
VEHICLE GARAGE DRIVE RAMP ACCESS
FIRE HYDRANT
2'x6' BIKE PARKING LOCATION PER LANDSCAPE

SITE LEGEND

STAMP

REVISIONS

W. 3RD ST.

FAIRFAX AVE.

S. OGDEN DR.

EXISTING SCHOOL (N.I.C.)

STREET CENTER LINE

PROPERTY LINE

(E) CITIBANK
1-story

(E) CVS
1-story

(E) WHOLE FOODS
1-story

FUTURE PARKING (N.I.C.)

EXTENT OF WORK FOR THIS PERMIT APPLICATION

WAIVER OF DEDICATION AND IMPROVEMENT PER LETTER OF DETERMINATION

EASEMENTS FOR POLES AND CONDUITS

EASEMENTS FOR CONDUITS REQ'D

EXISTING PROPERTY LINE

NEW PROPERTY LINE

FLOOR ABOVE

EXISTING CURB

10'-0" EASEMENT "3RD STREET STRIP" FOR MAINTAN AND OPERATE UNDERGROUND CONDUIT WITH CONVENIENT MANHOLES FOR CARRYING WIRES AND CABLES

13'-0" REQUIRED DEDICATION PER MOBILITY PLAN 2035.

FLOOR GRATE GARAGE AIR INTAKE

B.O.E. 20' RADIUS CORNER CUT

10'-0" FUTURE SIDEWALK

EXISTING STORM DRAIN

10' STORM DRAIN EASEMENT

9.48' WIDE EASEMENT FOR STORM DRAIN (REFER TO CIVIL DWGS. FOR MORE INFO.)

OVERHEAD DOOR (OPEN DURING BUSINESS HOURS)

ARM GATE & TICKET DISPENSER

15'-0" WIDE IRREVOCABLE EASEMENT FOR PUBLIC STREET, ROAD OR HIGHWAY (REFER TO CIVIL DWGS FOR MORE INFO.)

PLANTING PER LANDSCAPE DWGS.

10'-0" STORM DRAIN EASEMENT

EXISTING STORM DRAIN

GARAGE EXHAUST SHAFT

10' STORM DRAIN EASEMENT

NONSTANDARD DRIVEWAY PER CIVIL DWGS

RETAIL LOADING ENTRY/EXIT

RESIDENT PARKING ENTRY/EXIT WITH SECURITY GATE

RETAIL 4 156.00' FF
RETAIL 3 156.00' FF
RETAIL 2 156.00' FF
RES. LOBBY
RETAIL 5 156.00' FF
RETAIL 6 185.65' FF
RETAIL 7 185.65' FF
RETAIL 8 185.65' FF
RETAIL 9 185.65' FF
RET. ELEV. 7
RETAIL ELEV. LOBBY
RETAIL 10 186.20' FF
RETAIL 11 186.20' FF
BACK-OF-HOUSE
RETAIL TRASH 2-10
RETAIL RECYCLE RM.
RET. ELEV. 6
RES. ELEV. 4
RES. STAIR 5 156.00' FF
LOCKER RM.
LOCKER RM. 185.65' FF
RETAIL IDF
RETAIL LONG-TERM BIKE 44 BIKES
COMMON AREA NON CONDITIONED
GAS METER ALCOVE
RES. STAIR 7
RETAIL 1 185.00' FF
RETAIL 1 STAGING AREA 189.46' FF
RET. ELEV. 1 (GURNEY) RTE-1
RET. ELEV. 2
RET. ELEV.3
RES. STAIR 4
RESIDENT TRASH CHUTE
RET. ELEV.5
RET. ELEV. 4
RET. STAIR 1
RETAIL 1 TRASH / RECYCLE
RETAIL 1 LOADING DOCK
RESIDENT TRASH CHUTE
RETAIL 2 - 10 STORAGE
PASEO & RESIDENT ACCESS TO RETAIL (No Slope)
OVERHEAD DOOR (CLOSE AFTER BUSINESS HOUR)
RETAIL PARKING ENTRY / EXIT
PARKING UTILITY SERVICES
UP LEVEL 2 RETAIL PARKING
DN LEVEL P1 RETAIL PARKING
RETAIL UNCOVERED SHORT-TERM BIKE 22 BIKES
RETAIL COVERED SHORT-TERM BIKE 22 BIKES
EXISTING CANOPY ABOVE
COOLING TOWERS AREA (REFER TO MECH DWGS.)
SLIDING GATE & CHAINLINK FENCE
TRANSFORMER 2 277/480V/5000A
SWITCHGEAR
TRANSFORMER 1 277/480V/5000A
MAIN ELEC. RM
LOADING DOCK
(E) STAIR (N/C)
(E) RAMP (N/C)
(E) FREIGHT LIFT
(E) WHOLE FOODS Loading Dock
GATE
(E) TRANSFORMER ACCESS LID
(E) FENCE, GATE & BOLLARDS
FIRE HYDRANT
JOINT LINE BETWEEN EXISTING RETAIL DEVELOPMENT AND NEW PROJECT
(N) RETAINING WALL PER CIVIL
(N) RETAINING WALL (REFER TO CIVIL DWGS)
PACKAGE ROOM
RESIDENTIAL LEASING
MAIL
LEASING OFFICE
WORKROOM
CONFERENCE ROOM
MOTHERS ROOM
RESTROOM
FIRE CONTROL ROOM
LEASING LOUNGE
RESIDENT's ENTRY DROP-OFF AREA
RES. LONG-TERM BIKE 10 BIKES
RES. STAIR 1
RES. ELEV. LOBB
RES. ELEV. 2
RES. ELEV. 1 (GURNEY)
RES. ELEV. 3 (MOVE-IN)
RES. STORAGE
RES. STAIR 2
RESIDENT PARKING ENTRY / EXIT
BELOW GRADE RESIDENT PARKING
(N) RETAINING WALL (REFER TO CIVIL DWGS.)
EASEMENTS FOR POLES AND CONDUITS
PROPERTY LINE
GARAGE EXHAUST SHAFT
OVERHEAD DOOR (CLOSE AFTER BUSINESS HOUR)
10' STORM DRAIN EASEMENT

Site Plan 1" = 20'-0" 1

REGENCY CENTER
HOLLAND PARTNER GROUP

PROJECT NAME
3rd & Fairfax
355 S. Ogden Drive, Los Angeles, CA 90036

SHEET TITLE
SITE PLAN

THIS DOCUMENT AND ANY ATTACHMENTS PREPARED BY MVE PARTNERS, INC., AS CONSULTANTS, IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF MVE PARTNERS, INC. AS CONSULTANTS IN CONNECTION WITH THE PROJECT. THIS DOCUMENT SHALL NOT BE USED FOR ANY PURPOSES OTHER THAN THOSE AUTHORIZED BY MVE + PARTNERS, INC. ALL RIGHTS RESERVED. © COPYRIGHT 2021.

SHEET NUMBER
A-01.1

PROJECT NUMBER
1710148

95% CONSTRUCTION DOCUMENTS - 2022-05-27

Secretary's Certificate
of
Regency Centers Corporation

The undersigned, Michael R. Herman, the duly appointed Senior Vice President, General Counsel and Secretary of Regency Centers Corporation, a Florida corporation ("Regency"), hereby certifies as follows:

1. Regency is the sole general partner of Regency Centers, L.P., a Delaware limited partnership ("RCLP").

2. RCLP is a member and manager of TF REG, LLC, a Delaware limited liability company ("TF REG").

3. TF REG is the owner of the property known as Bloom on Third located in Los Angeles, California (the "Property").

4. Attached hereto as Exhibit A is a true, complete and correct copy of resolutions duly adopted by the manager of TF REG and such resolutions have not been amended, rescinded or modified and remain in full force and effect.

5. As of the date hereof the officers listed on Exhibit B attached hereto have been duly elected to the offices of Regency set forth beside their respective names, with authority to act and execute certain certificates, deeds, mortgages, contracts, leases, reports and other instruments on behalf of Regency, RCLP, and TF REG with respect to the Property.

IN WITNESS WHEREOF, I have signed this Secretary's Certificate as of July 8, 2025.

REGENCY CENTERS CORPORATION,
a Florida Corporation

By: _____
Michael R. Herman
Senior Vice President, General Counsel and
Secretary

Ex. A

TF REG, LLC

Manager Consent

Pursuant to Article 5 of the Amended and Restated Limited Liability Company Agreement of TF REG, LLC, a Delaware limited liability company (the "Company"), the undersigned, being the manager of the Company, hereby consents to the adoption of the resolutions set forth on Schedule 1 attached hereto relating to the property known as Bloom on Third located at 3rd and Fairfax, Los Angeles, California 90036.

This Consent which may be executed shall be effective July 8, 2025.

MANAGER:

REGENCY CENTERS, L.P.,
a Delaware limited partnership

Regency Centers Corporation,
a Florida corporation
its General Partner

By: _____
Michael R. Herman
Senior Vice President, General Counsel
and Secretary

TF REG, LLC
Resolutions of the Manager

WHEREAS, Regency Centers Corporation, a Florida corporation ("Regency") is the sole general partner of Regency Centers, L.P., a Delaware limited partnership ("RCLP");

WHEREAS, RCLP is the manager of TF REG, LLC, a Delaware limited liability company (the "Company");

WHEREAS, the Company is in the business of developing, owning and operating commercial real estate and, in connection with the day-to-day conduct of its business, is required from time to time to execute and deliver certificates, deeds, mortgages, contracts, leases, reports and other instruments;

IT IS THEREFORE

RESOLVED, that the President, any Vice President, and any Managing Director of Regency, either individually or jointly with one or more other officers of Regency, is hereby authorized to execute and deliver, on behalf of Regency, for itself and as general partner of RCLP, for itself and on behalf of the Company, any certificates, deeds, mortgages, contracts, leases, reports and other instruments as may be required in the day-to-day conduct of the Company's business and the execution of any instrument by Regency, for itself and as general partner of RCLP, for itself and on behalf of the Company, by any of the foregoing officers shall be conclusive evidence, as to third parties, of his or her authority to act on behalf of Regency, for itself and as general partner of RCLP, for itself and on behalf of the Company; and

FURTHER RESOLVED, that no corporate seal is necessary or required on any document executed on behalf of Regency in order to constitute a valid and binding obligation of Regency.

Ex. B

REGENCY CENTERS CORPORATION
OFFICERS

Allegretti, Joseph J.	Vice President, Market Officer
Argalas, Barry E.	Managing Director, Transactions
Bell, Ernst A.	Associate General Counsel, Vice President – Legal
Caffey, Jill S.	Vice President, Property and Systems Administration
Conroy, Jamie A.	Vice President, Human Resources
Conway, Patrick N.	Managing Director
Damrath, William J.	Vice President, Market Officer
Devereaux, Terah L.	Senior Vice President, Chief Accounting Officer
deVilliers, John H.	Managing Director
Di Iaconi, Krista C.	Managing Director
D'Olimpio, Amy L.	Senior Vice President, Human Resources
Dones, Meghan J.	Senior Vice President, Business Planning & Analysis
Ernest, Devery	Assistant Treasurer
Felderman, Steven J.	Vice President, Project Management
Fields, Gary F.	Vice President, Property Operations
Fitzpatrick, John D.	Vice President, Project Management
Freeman, Patricia M.	Vice President, Market Officer
Gibson, Jason S.	Vice President, Legal – Southeast Transactions
Hanak, Jan X.	Senior Vice President Marketing and Communications
Hawkins, Lauren R.	Vice President, Market Officer
Henson, Scott A.	Vice President, National Construction
Herman, Michael R.	Senior Vice President, General Counsel and Secretary
Johnson, Patrick M.	Senior Vice President, Financial Services
Kabat, Andrew J.	Senior Vice President, Senior Market Officer
Kayacan, Raymond	Vice President, Investments
Kinsella, Michael R.	Senior Vice President, Senior Market Officer
Koglin, Nicholas A.	Vice President, Market Officer
Koleszar, Andre N.	Managing Director
Krejs, Patrick P.	Managing Director
Laufer, Edward M.	Vice President, Legal – West Transactions
Lee, Matthew R.	Vice President, Information Technology
Mas, Michael J.	Executive Vice President, Chief Financial Officer and Treasurer
McDermott Poziombka, Margaret A. "Peggy"	Vice President, Property Operations
McElroy Tulloch, Christine	Senior Vice President, Capital Markets
McKie, Kathryn	Vice President, Investor Relations and Corporate Analysis

McKinley, Patrick J.	Senior Vice President, Senior Market Officer
McNulty, David A.	Vice President, Financial Services
Mehigan, John T.	Senior Vice President, Investments – California
Miskelly, Lizabeth A.	Vice President, Property Operations
Mumford, Andrew J.	Vice President, Joint Ventures Portfolio Management
O'Steen, Jessica E.	Vice President, Business Planning & Analysis
Pacetti, David A.	Senior Vice President, Investments
Palmer, Lisa	President and Chief Executive Officer
Paul, Thomas C.	Senior Vice President, Internal Audit & Business Practices
Perera, Irippuge ("Sean")	Vice President, Corporate Accounting and Financial Reporting
Peternell, Mark A.	Vice President, Sustainability
Prigge, Scott R.	Managing Director, Property Operations
Roth, Alan T.	East Region President and Chief Operating Officer
Sanchez, Christopher M.	Vice President, Market Officer
Shaffer, Douglas W.	Senior Vice President, Senior Market Officer
Smith, Nathan R.	Senior Vice President, Senior Market Officer
Stiebel, Samuel F.	Vice President, Investments
Tompkins, Erik D.	Vice President, Property Operations
Utterback, Kurt G.	Vice President, Market Officer
Vaughan, Taylor P.	Vice President, Market Officer
Waidner, Stephanie J.	Senior Associate General Counsel, Vice President – Legal
Walters, Mitchell L.	Senior Vice President, Chief Information Officer
Wibbenmeyer, Nicholas A.	West Region President and Chief Investment Officer
Widmayer, Christopher A.	Senior Vice President, Investments
Wing, Rebecca	Vice President, Investments
Young, Cassie M.	Vice President, Real Estate Accounting

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Pursuant to Public Resources Code § 21152(b) and CEQA Guidelines § 15062, the notice should be posted with the County Clerk by mailing the form and posting fee payment to the following address: Los Angeles County Clerk/Recorder, Environmental Notices, P.O. Box 1208, Norwalk, CA 90650. Pursuant to Public Resources Code § 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS	SCH NUMBER
DIR-2018-2770-SPR-WDI	
LEAD CITY AGENCY **City of Los Angeles (Department of City Planning)**	CASE NUMBER ENV-2018-2771-EIR
PROJECT TITLE Whole Foods Market	COUNCIL DISTRICT 5 - Yaroslavsky

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) ☐ Map attached.
355 S Ogden Dr, Los Angeles, CA 90036

PROJECT DESCRIPTION: ☐ Additional page(s) attached.
The project requests approval to authorize the continued sale of a full line of alcoholic beverages for off-site consumption and ancillary instructional tastings, as well as a request for the on-site sale of a full line of alcoholic beverages at 2 small restaurant spaces located at the corner of 3rd St and Fairfax. The market will be moving into the newly constructed building on the same lot with the new address of 355 South Ogden Drive, Unit 100, Los Angeles, CA 90036.

NAME OF APPLICANT / OWNER:
Mrs Gooch's Natural Food Markets, Inc.

CONTACT PERSON (If different from Applicant/Owner above)	(AREA CODE) TELEPHONE NUMBER | EXT.
Stephen Jamieson, Solomon, Saltsman, & Jamieson	(310) 822-9848

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

☒ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) **Section 15301, Class 1**

☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

_____

JUSTIFICATION FOR PROJECT EXEMPTION: ☐ Additional page(s) attached

The project is exempt because it simply involves the request for the sale of alcohol at a Whole Foods Market which has existed on this lot for many years. The Whole Foods Market will be moving into the newly built multi-use property on the same lot. The project does not propose any significant changes to its operations upon moving into the new building. This project does not involve the demolition or construction of any existing improvements on the project site. None of the exceptions to the Categorical Exemption Under CEQA Guidelines Section 15300.2 applies to the proposed project. (a) Location: The project is not located within a hillside area nor does the subject site contain an officially mapped environmental resource of hazardous or critical concern. (b) Cumulative Impact: The proposed project will not result in significant cumulative impacts from successive projects of the same type in the same place as it involves the sale of alcoholic beverages in a commercial zone. (c) Significant Effect: The project will not have a significant effect on the environment due to any unusual circumstances. Most lots are developed with commercial, single- and multi-family structures, and the subject site is of similar size and slope to nearby properties. The project site is located in a typical urbanized area of the Wilshire Community Plan Area, and the project would be consistent with the designated zoning and would adhere to all requirements of the LAMC. The project is not unusual for the vicinity of the site, and is similar in scope to other existing commercial uses in the area. Furthermore, there is not a reasonable possibility that the project would have a significant effect on the environment due to unusual circumstances. (d) Scenic Highways: The project is not in the vicinity of a state scenic highway and will not damage scenic resources in a state scenic highway. (e) Hazardous Waste Sites: The project site is not on a list compiled pursuant to Government Code Section 65962.5 related to hazardous waste sites. (f) Historical Resources: Per ZIMAS, this site is listed as a "no" for Historic Places LA.. The project will not cause a substantial adverse change in the significance of a historical resource.

☒ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.
☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.
If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE	STAFF TITLE

ENTITLEMENTS APPROVED