



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT



City Planning Commission

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

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

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

PROJECT LOCATION: 3650-3670 South Crenshaw Boulevard

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

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

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

RECOMMENDED ACTIONS:

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

S. GAIL GOLDBERG, AICP
Director of Planning

Jim Tokunaga, Senior City Planner

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

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PROJECT ANALYSIS

Project Summary

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

Background

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

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

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

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

Community Plan

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

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

Crenshaw Corridor Specific Plan

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

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

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

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

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

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

Metropolitan Transit Authority

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

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

Walkability Checklist

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

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

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

Issues

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

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

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

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

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

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

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

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

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

Conclusion

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

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

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

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

CONDITIONS OF APPROVAL

A. Entitlement Conditions

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

B. Other Conditions

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

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

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

14. **Bicycle Parking.** Bicycle racks/storage facilities shall be provided on-site, as required by the LAMC Section 12.21-A, 16,
 - a. A portion of the bicycle parking spaces shall be provided near the retail entrances at Crenshaw Boulevard and Rodeo Road.
 - b. The bicycle parking space shall be shown on the revised plans and the majority shall be located at ground level.

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

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

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

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

C. Alcohol Sales (Off-Site)

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

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

D. Environmental Conditions

26. Aesthetics (Landscaping).

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

27. Aesthetics (Graffiti)

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

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

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

30. Greenhouse Gas Emissions.

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

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

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

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

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

- If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
- b. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
 - c. *Discuss and confer* means the meaningful and timely discussion careful consideration of the views of each party.
 - d. If any archaeological materials are encountered during the course of project development, all further development activity shall halt and: The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and evaluate the impact.
 - e. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 - f. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
 - g. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

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

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

35. Cultural Resources (Paleontological)

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

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

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

40. General Construction.

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

41. Liquefaction.

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

42. Explosion/Release (Asbestos Containing Materials).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

E. Administrative Conditions of Approval

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

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

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

FINDINGS

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

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

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

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

Policies

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

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

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

Policies

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

Objective 1-6 To enhance the appearance of Commercial districts

Policies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6. Conditional Use Findings – (Transitional Height)

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

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

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

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

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

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

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

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

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

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

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

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

7. Conditional Use – (Alcohol Beverages)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The proposed hours of operation are as follows:

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

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

8. **Environmental.** A Mitigated Negative Declaration (ENV-2007-4661-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.

PUBLIC HEARING AND COMMUNICATIONS

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

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

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

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

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

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