

ATTACHMENT C

VESTING TENTATIVE TRACT MAP FINDINGS

VENTURA/TYRONE REDEVELOPMENT PROJECT

14311 Ventura Boulevard
Sherman Oaks, CA 91423

PROJECT OVERVIEW/REQUEST

The Applicant, 14311 Ventura Development, LLC, proposes the construction, use, and maintenance of an approximately 52,433-square foot specialty grocery store over two levels of parking (ground level and one subterranean level) containing 240 parking spaces (the “proposed Project”), within the C2-1VL Zone and the Ventura/Cahuenga Boulevard Corridor Specific Plan (the “Specific Plan”) area, on the property located at 14311 Ventura Boulevard on the northeast corner of Ventura Boulevard and Tyrone Avenue (the “Subject Property”).

With respect to the instant request, the Applicant is seeking a **VESTING TENTATIVE TRACT MAP (VTTM-74577)**, pursuant to Los Angeles Municipal Code (“LAMC”) Section 17.15, for the merger of the Subject Property into one ground lot. As part of VTTM-74577, the Applicant requests the following from the Advisory Agency:

- a. The merger of a portion of the public alley that bisects the Subject Property, running from existing Lot 246 of Tract 9275 to Moorpark Street to the north;
- b. Modifications/waivers of the dedication and widening requirements along two street frontages, as follows:
 - i. A 2-foot dedication along Ventura Boulevard, in lieu of 7 feet; and
 - ii. No dedication along Tyrone Avenue, in lieu of 12 feet; and
- c. Designate Ventura Boulevard and Moorpark Street frontages as front yards, as the Subject Property is a through-lot, and all other yards are side yards.

VESTING TENTATIVE TRACT MAP FINDINGS

The following information has been developed to support the request for **Vesting Tentative Tract Map (“VTTM”) No. 74577**, pursuant to Los Angeles Municipal Code (“LAMC”) Section 17.15, and Pursuant to the Subdivision Map Act & Government Code Sections 66473.1, 66474.60, 66474.61 & 66474.63.

- 1. The proposed subdivision is consistent with the applicable general and specific plans.**

The General Plan Framework Element sets out to guide the long-term growth and development of the City of Los Angeles through its goals, objectives, and policies, which are implemented through individual Community Plans and Specific Plans. Each element of the

General Plan addresses a different, but equally important, component of development that must be viewed in the context of development on a citywide basis. As such, it is essential for proposed developments to meet the intent of the applicable elements to implement the City’s vision for its future. The proposed Project has been designed to provide a use that will be consistent with the purposes, intent, and provisions of the General Plan and applicable Community and Specific Plans. The proposed subdivision is located within the Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass Community Plan (the “Community Plan”) and the Ventura/Cahuenga Boulevard Corridor Specific Plan (the “Specific Plan”).

The legal standard that governs determinations of consistency with land use plans provides that a project must only be in “harmony” with the applicable land use plan to be consistent with that plan. (See *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 717-18.) As the Court explained in *Sequoyah Hills Homeowners Assn.*, “state law does not require an exact match between a proposed subdivision and the applicable general plan.” (Id. at p. 717.) To be “consistent” with a general plan, a project must be “compatible with the objectives, policies, general land uses, and programs specified in the applicable plan,” meaning, the project must be “in agreement or harmony with the applicable plan.” (Id. at pp. 717-18; see also *Greenebaum v. City of Los Angeles* (1984) 153 Cal.App.3d 391, 406; *San Franciscans Upholding the Downtown Plan v. the City and County of San Francisco* (2002) 102 Cal.App.4th 656, 678.) Further, “[a]n action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.” (*Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807, 817.) A review of the relevant and applicable General Plan goals, objectives, policy, with which the proposed Project is compatible, is presented below.

General Plan Framework Element

The General Plan Framework Element provides the strategies and policies related to long-term growth citywide. The proposed subdivision request will allow for the construction, use, and maintenance of an approximately 52,433-square foot neighborhood-serving grocery store on the Subject Property. The proposed Project, including its use, design, and the subdivision request is in conformance with the following purposes of the General Plan Framework:

- GOAL 3A:** *A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.*

- Objective 3.1:** Accommodate a diversity of uses that support the needs of the City’s existing and future residents, businesses, and visitors.
- Objective 3.2:** Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.
- Policy 3.2.4:** Provide for the siting and design of new development that maintains the prevailing scale and character of the City’s stable residential neighborhoods and enhance the character of commercial and industrial districts.
- Objective 3.4:** Encourage new multi-family residential, retail commercial, and office development in the City’s neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhood districts.
- GOAL 3H:** Lower-intensity, highway-oriented and local commercial nodes that accommodate commercial needs outside centers and districts.
- Policy 3.12.1:** Accommodate the development of uses in areas designated as “General Commercial” in the community plans in accordance with Tables 3-1 and 3-7. The range and densities/intensities of uses permitted in any area shall be identified in the community plans.
- GOAL 3K:** Transit stations to function as a primary focal point of the City’s development.
- Objective 3.15:** Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.
- GOAL 5A:** A livable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.
- Objective 5.2:** Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.
- Objective 5.5:** Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

- GOAL 7A:** *A vibrant economically revitalized City.*
- GOAL 7B:** *A City with land appropriately and sufficiently designated to sustain a robust commercial and industrial base.*
- Objective 7.2:** *Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.*
- GOAL 7C:** *A City with thriving and expanding businesses.*
- Objective 7.3:** *Maintain and enhance the existing businesses in the City.*

The proposed subdivision is in harmony with the General Plan Framework Element because it will allow the proposed specialty grocery store to be constructed on the Subject Property, in place of an underutilized, antiquated, and generally less desirable use. The proposed Project meets the intention to provide viable commercial developments that revitalize the economy of the City and local community, and to expand and encourage developments within commercial corridors that are well served by public transit and function as commercial centers for the surrounding community. The proposed Project is ideally located within the existing Ventura Boulevard commercial corridor, and in close proximity (well within approximately 1,500 feet) of several public transportation opportunities and a mix of multi-family and single-family residential neighborhoods with medium to high density. As such, the proposed Project will help enhance the livability of this neighborhood, as it will provide a convenient, necessary, and beneficial use for the employees, residents, and patrons of the area.

Additionally, the proposed Project will substantially improve the aesthetic value of the Subject Property, and the portion of the commercial corridor in which it is located. As shown on the enclosed Landscape Plans (Sheet LP1.0), the Subject Property will include well designed landscaping and screening consistent with the Sherman Oaks Streetscape Plan and Design Guidelines, to ensure that the proposed Project is compatible with adjacent properties and uses. The proposed Project will employ a variety of high quality building materials, architectural articulations, and landscaping to add visual interest, activate adjacent streets, and create compatibility with neighboring properties and use. The proposed Project is designed to be easily accessible to pedestrians and bicyclists, with a welcoming main lobby entrance on Ventura Boulevard and a combined total of 52 long-term and short-term bicycle parking spaces.

The proposed Project will furthermore be compatible with the adjacent uses and will preserve the character of residential districts because the surrounding uses are comprised of a mix of retail, commercial, professional, and service uses. The Subject Property is also well buffered from any sensitive uses since there are no abutting residential properties. The proposed Project utilizes commercially zoned land located within a highway- and transit-oriented node that already functions as a local commercial district for the community.

The proposed Project is consistent with the intent of the “General Commercial” section of the Framework Element for the use of the Subject Property as a neighborhood grocery store, and will revitalize and reinvigorate this key corner of the Ventura Boulevard commercial corridor by capturing customers and patrons from the local area as well as those already passing by the

Subject Property on their way to and from other destinations. The proposed neighborhood-serving use will be an asset to the community that will help attract future investment and will overall stimulate and support the local economy through greater job opportunities, market demand for specialty food products, and tax revenues. Moreover, the proposed Project will be a symbiotic use for the existing commercial corridor, as it will be convenient use for those that already work, live, and visit the existing retail and commercial uses, while also attracting and encouraging patronage of surrounding uses. As such, the proposed subdivision that will allow a neighborhood-serving specialty grocery store is consistent with the General Plan Framework Element.

General Plan Mobility Element (Mobility Plan 2035)

The Mobility Plan 2035 is the element of the General Plan that defines the high-level priorities for Los Angeles’s transportation system, in the context of development, environmental constraints, public health issues, access, and infrastructure. The proposed Project helps to meet the following policies set forth by the Mobility Plan 2035.

- Policy 2.10:** Facilitate the provision of adequate on and off-street loading areas.*
- Policy 3.3:** Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*
- Policy 3.8:** Provide bicyclists with convenient, secure, and well-maintained bicycle parking facilities.*
- Policy 3.9:** Discourage the vacation of public rights-of-way.*
- Policy 5.2:** Support ways to reduce vehicle miles traveled (VMT) per capita.*

The proposed Project aligns with these policies of the Mobility Plan 2035 because it will promote alternative modes of transportation, including biking, walking, and the use of public transit. The proposed Project provides a total of 52 combined long-term and short-term bicycle parking spaces, and has several pedestrian entrances. The proposed Project is centrally located along an existing commercial corridor with a mix of commercial, retail, and professional uses, and is located in close proximity to multi-family and single-family residential neighborhoods. Additionally, the following public transportation services are located within a 1,500-foot radius of the Subject Property: Metro Local Line 155 Bus, Metro Local Line 233 Bus, Metro Rapid Line 750 Bus, Metro Rapid Line 744 Bus, Metro Local Line 150/240 Bus, Metro Local Line 158 Bus, and the Van Nuys/Studio City DASH Bus Line.

As a result of its location, the proposed specialty grocery store will be convenient for the substantial populations that work, live, and visit the Sherman Oaks community. Due to the Subject Property’s proximity to public transportation and convenient location, the proposed Project has the potential to result in fewer vehicle trips and to attract consumers who already pass through the area during their daily routine.

Additionally, the proposed Project will provide adequate on-site loading areas, including a 740-square foot enclosed loading dock for deliveries. As shown on the enclosed Ground Floor Level Plan (Sheet A1.2), all truck maneuvers will occur within property lines in order to reduce any potentially adverse impacts to circulation on the adjacent street.

While the proposed Project will merge a portion of the abutting public alley, the Applicant will also provide an alley easement for public use and access that will provide the same ingress and egress functions of the existing alley, with through access from Moorpark Street to the existing alley. The alley easement for public use will also provide a connection to the vehicular circulation route on-site. For all intents and purposes, the alley easement for public use will function as a relocation of the existing public alley, and will provide the same public circulation and access functions for the Subject Property and adjacent properties to the east. Substantial physical constraints would result if the proposed merger of the public alley were not permitted. In particular, the properties that are under common ownership could not be used in a manner that would allow for a unified development and use. Because the function of the current public alley will remain as a result of the proposed Project (and the provision of the publically accessible alley easement), there is absolutely no loss of public circulation or access while accommodating the re-use of the Subject Property with a well-designed and appropriate neighborhood serving grocery store.

Health and Wellness Element (Plan for a Healthy Los Angeles)

As part of the General Plan, the Plan for a Healthy Los Angeles provides guidelines to help create healthier and more sustainable communities throughout Los Angeles, and to promote public health agenda in the context of new development. The proposed Project for a neighborhood-serving grocery store along an existing commercial corridor is consistent with several of the goals within this element, as follows:

- Policy 4.2:*** *Promote the development of a local food system and industry that will increase access to affordable and fresh food in underserved communities, create jobs and economic opportunities, attract tourism, and reduce distribution costs and pollution associated with transporting foods over long distances.*
- Policy 4.4:*** *Pursue funding, public, private, and nonprofit partnerships, and develop financial land use and similar incentives and programs to encourage the equitable availability of healthy, affordable food outlets within close proximity of all residences.*
- Policy 4.6:*** *Encourage the conservation of resources throughout the food cycle.*
- Policy 4.7:*** *Foster and promote local initiatives and partnerships that empower, educate, and train Angelenos to grow and eat healthy food.*

The proposed Project meets these goals by utilizing commercially zoned infill land for a commercial use that will stimulate the local and citywide economy in close proximity to several transit services, and provide a more healthful living environment. The proposed Project for an approximately 52,433-square foot grocery store located within an urbanized commercial corridor meets the instant policies related to food and health issues and policies within Los Angeles. Chapter 4 of the “Plan for a Healthy Los Angeles” states, “Research indicates that food retail options have a significant effect on residents’ health. Residents with greater access to grocery stores stocked with affordable, health food are more likely to have healthier diets, and in turn, have better health outcomes”¹. The proposed Project’s location on a major commercial thoroughfare, Ventura Boulevard, that is well-served by public transportation services, will help to meet these policies since it will increase access to fresh food for local residents living in close proximity to the Project and numerous patrons and visitors of this commercial corridor.

In addition to their regular full line of grocery products, the proposed grocery operator also provides an in-house brand of organic food products, which is competitively and affordably priced. This product line still meets the operator’s high quality standards, with no artificial flavorings, colorings, sweeteners, preservatives and hydrogenated fats. As such, affordable, healthy foods will be more available and accessible to those who live and work nearby the proposed Project, as well as visitors and patrons of the existing commercial corridor where it is located. The availability of these healthier, high quality, and affordable foods will improve the general welfare of these populations, with potentially greater health outcomes in the long term.

Additionally, the proposed Project will provide a combined total of 52 short-term and long-term bicycle parking spaces for the uses contained on-site, which will enable residents living nearby and visitors to utilize alternative forms of transportation that reduce air pollution. The proposed Project will include various design elements that would promote pedestrian circulation and connectivity to the surrounding area, including the street entrances located along Ventura Boulevard and an open restaurant deck on the second story, consistent with the design elements addressed in the Community Plan, Specific Plan Streetscape Guidelines, Walkability Checklist, and the Citywide Commercial Design Guidelines. The proposed Project will also create opportunities for jobs within the local economy and greater Los Angeles economy, by increasing demand for on-site staff as well as demand for goods and services to meet the operational needs of a typical grocery store.

Moreover, the proposed grocery store operator’s practices meet several of the aforementioned policies. The proposed operator strives to achieve the following: selling the highest quality natural and organic products available, supporting team member employee happiness, practicing and advancing environmental stewardship, serving and supporting local and global communities, and promoting the health of stakeholders through healthy eating education. The operator’s grocery model focuses on sustainable, organic, and responsibly-sourced food, and strives to ensure that a range of diet needs are met through their products, and will provide a wide array of fresh food and product options, including affordable, specialty, and high-end products. As such, the proposed Project will help ensure that a range of affordable and

¹ Page 67, Chapter 4: “Food that Nourishes the Body, Soul, and Environment” of the Health and Wellness Element of the General Plan, the “*Plan for a Healthy Los Angeles*”.

specialty fresh food products are available to a greater number of Los Angeles residents, and will promote healthier foods and a more environmentally sustainable food cycle, consistent with the goals of the Health and Wellness Element of the General Plan.

The Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass Community Plan

The proposed grocery store use is also consistent with the applicable Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass Community Plan, which is a component of the Land Use Element of the General Plan, as follows:

Residential

- Policy 1-1.4** *Protect the quality of the residential environment through attention to the appearance of communities, including attention to building and site design.*
- Policy 1-1.6** *The City should promote neighborhood preservation, particularly in existing single family neighborhoods, as well as in areas with existing multi-family residences.*
- Policy 1-3.1** *Seek a high degree of compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.*
- Policy 1-5.1** *Limit development according to the adequacy of the existing and assured street circulation system within the Plan Area and surrounding areas.*
- Policy 1-5.4** *Require that any proposed development be designed to enhance and be compatible with adjacent development.*

Commercial

- GOAL 2:** *A strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while preserving the historic commercial and cultural character of the district.*
- Objective 2-1:** *To conserve and strengthen viable commercial development.*
- Policy 2-1.1:** *New commercial uses shall be located in existing established commercial areas or existing shopping centers.*
- Policy 2-1.2:** *Protect commercially planned/zoned areas outside transit and pedestrian orientated districts from encroachment by residential only development.*
- Policy 2-1.3:** *Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.*

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

Policy 2-3.3: Ensure that commercial infill projects achieve harmony with the best of existing development.

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

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

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

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

Parking

GOAL 15: *A sufficient system of well designed and convenient on-street parking and off-street parking facilities throughout the plan area.*

Objective 15-1: *To provide parking in appropriate locations in accord with Citywide standards and community needs.*

Policy 15-1.1: Consolidate parking where appropriate, to minimize the number of ingress and egress points onto Major and Secondary Highways.

Policy 15-1.3: New parking lots and new parking garages shall be developed in accordance with design standards.

The proposed Project includes development of a community-serving specialty grocery store along Ventura Boulevard on land that is zoned and designated for such use in an urbanized portion of the City that contains a variety of commercial and residential land uses. The proposed Project will not impinge on any residential neighborhoods but rather will provide a neighborhood servicing use while improving this corner property through design and landscaping. The proposed Project is in harmony with the goal to create a strong and competitive commercial sector, as the proposed specialty grocery store is a commercial use that will revitalize this portion of the Ventura Boulevard commercial corridor and serve the members of the community. As a result, the proposed Project will help to preserve the character of the district, and will be an aesthetic and economic improvement for this portion of the commercial corridor. The proposed specialty grocery store will meet the demand for organic, natural, and health foods, and will provide healthy market competition for existing grocery stores in the vicinity, strengthening the viability of the local economy. The P Zone that the proposed Project will eliminate would not have permitted the proposed viable commercial development, in direct contrast to the stated goals and objectives of the Community Plan and the Community Plan designation of the Subject Property.

Additionally, the proposed new specialty grocery store has been designed to be compatible with the adjacent properties and mix of commercial, retail, service, and professional

uses, and to enhance the existing built environment along this corridor. The proposed Project will substantially improve the aesthetic value of the Subject Property with landscaping, high-quality building materials, and a thoughtful design that encourages the utilization of multi-modal transportation with pedestrian oriented-entrances and a combined total of 52 long-term and short-term bicycle parking spaces. The new, modernized grocery store will screen the ground floor level parking, as well as the parking circulation ramp, with extensive landscaping that is consistent with the Sherman Oaks Streetscape Plan and Design Guidelines. Moreover, the proposed restaurant component of the Project will help activate this corner with connectivity to the street and pedestrian activity.

The Project proposes to eliminate a total of 8 existing curb cuts and provide a total of two new curb cuts for vehicular/customer access to the grocery store, with one along Ventura Boulevard and one along Moorpark Street. The proposed Project will incorporate sufficient off-street parking facilities for the proposed uses on site, with 240 parking spaces, 12 spaces in excess of the 228 parking spaces required. The proposed Project will also provide safe and convenient vehicular ingress and egress, with an entrance on Ventura Boulevard and Moorpark Street, and will provide a fully enclosed loading dock area in order to mitigate any potential negative impacts associated with those activities. As part of the instant request, the Project will merge a portion of the adjacent public alley with the Subject Property, but will maintain the existing function and circulation of the public alley by providing an alley easement for public use and access.

The Ventura/Cahuenga Boulevard Corridor Specific Plan

The Ventura/Cahuenga Boulevard Corridor Specific Plan is also a part of the Land Use Element of the General Plan, and sets forth purposes for the uses and types of development desired for the community. With the exception of the Specific Plan Exceptions relative to lot coverage, height, and step backs for the portions of the building above 25 feet in height (See *Attachment G – Specific Plan Exception Findings*), the proposed Project is substantially consistent with the Specific Plan. The proposed Project is consistent with the following applicable purposes:

- Purpose A:*** *To assure that an equilibrium is maintained between the transportation infrastructure and land use development in the Corridor and within each separate community of the Ventura/Cahuenga Boulevard Corridor Specific Plan area.*
- Purpose C:*** *To provide building and site design guidelines to promote attractive and harmonious multi-family and commercial development.*
- Purpose D:*** *To assure a balance of commercial land uses in the Specific Plan area that will address the needs of the surrounding communities and greater regional area.*

- Purpose G:** *To enhance the plan area landscaping by providing guidelines and a process for a coordinated landscaping program of public and private property for the Specific Plan’s communities.*
- Purpose H:** *To promote an attractive pedestrian environment which will encourage pedestrian activity and reduce traffic congestion.*
- Purpose M:** *To preserve alleys, wherever possible, in the corridor to facilitate traffic flow.*

The Subject Property is Community Plan designated for General Commercial Land Uses, which corresponds to the proposed C2-1VL Zone, and is located within the Neighborhood and General Commercial Plan Designation area of the Specific Plan. With regard to use, the Specific Plan limits, regulates, and prohibits certain uses, such as automotive uses, and drive-through establishments. The Subject Property is located within a Pedestrian Development District of the Specific Plan, which specifically does not permit these types of uses. Other than these identified uses, the Specific Plan defers to the uses permitted by the underlying zone and land use designation set forth in the regulations of the LAMC.

The proposed Project for an approximately 52,433-square foot grocery store is in harmony with the Subject Property’s land use designation of General Commercial under the Community Plan as well as the C2-1VL Zone. As part of the instant request, the Applicant is seeking a Vesting Zone Change on a portion of the Subject Property from the [Q]P-1VL to the C2-1VL Zone, consistent with the zoning designation of the remainder of the Subject Property and the Community Plan designation. Since the General Commercial land use designation promotes uses permitted in the C2 Zone, and the C2 Zone allows grocery stores, the proposed Project is in harmony with the intended land uses for the Subject Property. The proposed Project will also replace previous improvements on site, including a collision/auto body center and car wash, which are uses that are not desired within the Specific Plan area.

Additionally, the Specific Plan defines the Neighborhood and General Commercial Plan designation as “a focal point for surrounding residential neighborhoods and containing a diversity of land uses, such as restaurants, retail outlets, grocery stores, child care facilities, small professional offices, community meeting rooms, pharmacies, religious facilities, and other similar services”². Consistent with these intents, the proposed Project is for a neighborhood-serving grocery store that will provide goods and services for the surrounding multi-family and single-family residential neighborhoods within approximately 1,500 feet of the Subject Property. As such, the proposed Project fulfills the intent for the use of the Subject Property in the context of the Specific Plan.

Furthermore, the proposed Project is centrally located along the Ventura Boulevard commercial corridor in close proximity to several public transportation opportunities and major thoroughfares. The proposed Project will be a convenient use for many of the workers, residents, and visitors of the local community, as well as for patrons of the adjacent retail, commercial, and professional uses. The proposed Project will fulfill a substantial demand for organic, natural,

² Page 6, Section 4: Definitions, Ventura/Cahuenga Boulevard Corridor Specific Plan.

and health food products in which the grocery store operator specializes, and will boost the local economy with greater job opportunities and increased tax revenues.

The Applicant will also provide an alley easement for public use and access that will provide the same ingress and egress functions as the existing alley, with through access from Moorpark Street to the existing alley. The alley easement for public use will also provide a connection to the on-site vehicular circulation. For all intents and purposes, the alley easement for public use will function as a relocation of the existing public alley, and will provide the same circulation and access functions for the Subject Property and adjacent properties to the east. Substantial physical constraints would result if the proposed merger of the public alley were not permitted. In particular, the properties that are under common ownership could not be used in a manner that would allow for a unified development and use. Because the function of the current public alley will remain as a result of the proposed Project (and the provision of the publically accessible alley easement), there is absolutely no loss of public circulation or access while accommodating the re-use of the Subject Property with a well-designed and appropriate neighborhood serving grocery store.

The proposed Project will enhance the built environment along this corridor and will replace underutilized and less desirable uses. As shown on the enclosed Landscape Plans (Sheet LP1.0), the Subject Property will include landscaping and screening consistent with the Sherman Oaks Streetscape Plan and Design Guidelines, to ensure that the proposed Project is compatible with adjacent properties and uses. The proposed Project is designed to be easily accessible to pedestrians and bicyclists, with a welcoming main lobby entrance on Ventura Boulevard and a combined total of 52 long-term and short-term bicycle parking spaces. The proposed Project for a neighborhood-serving grocery store is in compliance with the intent of the Specific Plan for the use of the Subject Property, and will revitalize and reinvigorate this key corner of the Sherman Oaks Ventura Boulevard commercial corridor by attracting new customers and patrons.

In consideration of the above with regards to the Goals, Objectives, and Policies of the General Plan Framework Element, Mobility Element, the Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass Community Plan, and the Ventura/Cahuenga Boulevard Corridor Specific Plan, the proposed Project for a new grocery store located in an urbanized area on an existing commercial corridor that is well served by transit aligns with the intent and policies of all elements of the General Plan and related planning documents.

2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

As described in Finding 1 above, the proposed subdivision and proposed Project is consistent with the General Plan, Community Plan, Specific Plan, and any other applicable zoning provisions and policies. The design of the proposed Project is similarly consistent with the General Plan since it is consistent with the applicable design guidelines of the Community Plan and Specific Plan for commercial development. The proposed Project is for a new, approximately 52,433-square foot retail grocery store over two levels of parking, with one ground level and one subterranean level within the proposed C2-1VL Zone.

The Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass Community Plan Design Policies for Commercial Uses

The Community Plan, a component of the General Plan, sets forth design policies and standards for commercial developments in order to promote a pleasant built environment that maintains visual continuity of streetscapes, and encourages pedestrian and economic activity. The design of the proposed subdivision is consistent with these guidelines, as follows:

Site Planning:

Structures shall be oriented towards the main commercial street where a parcel is located and shall avoid pedestrian/vehicular conflicts by:

Providing front pedestrian entrances for businesses fronting on main commercial streets.

Providing landscaping strips between driveways and walkways accessing the rear of properties.

Height and Building Design:

No structure should exceed two stories in height within 15 feet and 30 feet of front and rear property lines, respectively.

Maximizing the area devoted to transparent building elements, for front facades and facades facing rear parking.

Requiring the enclosure of trash areas for all projects.

Parking Structures:

Designing parking structure exteriors to match the style, materials and color of the main building.

Landscaping to screen parking structures not architecturally integrated with the main building.

Light and Glare:

Installing on-site lighting along all pedestrian walkways and vehicular access ways.

Shielding and directing of on-site lighting onto driveways and walkways, directed away from adjacent residential uses.

The proposed Project meets these guidelines, as it is oriented towards Ventura Boulevard to encourage multi-modal forms of transportation, to accommodate pedestrian activity and access, and to ensure compatibility with surrounding properties and uses. The proposed Project is a podium-style grocery store over ground level and one subterranean level of parking. While the proposed Project will exceed 30 feet in height pursuant to a request for a Specific Plan Exception, the structure will not exceed two stories, and is consistent with the heights permitted in the vicinity. The proposed Project has been designed to screen the parking structure from

view by pedestrians and adjacent buildings with a variety of plants and trees. As shown in the Landscape Plan (Sheet LP1.0), the Project proposes to provide a total of 38 trees on-site and within the public right-of-way, and will locate several of these trees around the perimeter of the parking structure with minimal spacing between them in order to adequately buffer the parking structure from adjacent uses.

With regards to trash areas, the proposed Project aligns with the guideline to ensure trash areas are buffered and screened from sidewalks, streets, or residential uses, and are designed to be compatible with the architecture of new and existing buildings. As shown on the enclosed Ground Level Plan (Sheet A1.2), the on-site trash area will be located along the proposed alley, and will be enclosed with 6-foot high masonry walls with a stucco exterior and to be accessed by a secured gate. This location and enclosure will ensure that the trash area is not a nuisance to pedestrian or residential areas, and will diminish adverse impacts to those areas with regards to odor and aesthetics.

The proposed Project has also been designed to accommodate and encourage alternative modes of transportation, with safe bicycle and pedestrian access. The proposed Project will provide a combined total of 52 short-term and long-term bicycle parking spaces for the uses contained on-site, which will enable residents living nearby and visitors to utilize alternative forms of transportation that reduce air pollution. The Subject Property is located within walking distance of several multi-family and single-family residential neighborhoods, as well as commercial and office uses, making it a convenient location for the nature of the use. The proposed Project will also include various design elements that would promote pedestrian circulation and connectivity to the surrounding area, including the street entrances located along Ventura Boulevard and an open restaurant deck on the second story, consistent with the design elements addressed in the Community Plan, Sherman Oaks Streetscape Plan and Design Guidelines, Walkability Checklist, and the Citywide Commercial Design Guidelines.

The proposed Project will provide lighting that is directed on site and will not be directed towards adjacent properties. Lighting for the proposed parking structure will also be directed only towards the parking structure and will not produce glare onto adjacent uses.

The Sherman Oaks Streetscape Plan and Design Guidelines

The design of the proposed subdivision also complies with the Sherman Oaks Streetscape Plan and Design Guidelines, which were specifically created for the Sherman Oaks area of the Ventura/Cahuenga Boulevard Corridor Specific Plan. The Subject Property is located within Subarea D of the Streetscape Guidelines, which has its own distinct street tree, planting, and design recommendations.

In compliance with these guidelines, the proposed Project will provide eight Maidenhair Trees, which is a tree species included in the recommended street tree list. The Maidenhair Tree is specifically recommended for Subarea D, as shown in Table 1 (Section 2.2.1), and the proposed Project will provide eight Evergreen Pear and fourteen Drake Elms in addition to these recommended trees. Section 2.3 of the Streetscape Guidelines also recommends that Projects extend the plantings and improvements to Off-Boulevard/Extended Streetscape areas, which are streets crossing or abutting Ventura Boulevard. In harmony with this guideline, the proposed

Project will continue the tree schedule throughout the Subject Property and along its Off-Boulevard frontages on Tyrone Avenue and Moorpark Street. Additionally, the Streetscape Guidelines provide “On-Site Improvement Standards and Design Guidelines”, of which the following are applicable to the proposed Project.

Section 6.3: Lighting

Lighting should be directed onto the site, and be adequately aimed and shielded so as to not spill over to adjacent properties, especially in to areas planned and zoned for residential uses.

Lighting in parking structures should be sited and designed to reduce glare and be directed to only light the parking structure.

Section 6.4.1: Parking Lot/Structure Landscaping

Parking areas should be adequately buffered/screened from adjacent rights-of-way and less intense uses.

Parking structures shall integrate with the design of the building they serve.

Parking structures and garages shall be screened with shrubs and various plant species within the roof, façade, or setbacks, and may incorporate planters, planter boxes, trellises, etc, as part of the landscape design.

The view of parking areas shall be softened from adjacent uses, buffered, and concealed from view with sufficient planting material.

Section 6.6.1: On-Site Circulation and Access

Driveways, loading docks/areas, and trash areas should not be located adjacent to areas planned and zoned for less intensive uses. Where this is not feasible, a landscape/architectural buffer zone should be provided between the areas.

Loading docks and areas should be designed to adequately accommodate the maneuvering, parking, and waiting areas for the size of delivery and loading vehicles to be used at the site.

Trash areas should be buffered and screened from sidewalks, streets, or residential uses, and should be designed to be compatible with the architecture of new and existing buildings.

The proposed Project will provide lighting that is directed on site and will not be directed towards adjacent properties, including residential uses. Lighting for the associated parking structure will also be directed only towards the parking structure and will not produce glare onto adjacent uses.

Also accordant with these guidelines, the proposed Project's parking area will be adequately buffered and screened from adjacent rights-of-way and less intensive uses with sufficient planting material, including shrubs and trees within the setbacks that are incorporated with the landscaped design. As shown on the enclosed Landscape Plan (Sheet LP1.0), the proposed Project will screen the parking structure from view with a variety of plants and trees. In total, the proposes to provide a total of 38 trees on-site and within the public right-of-way, and will locate several of these trees around the perimeter of the parking structure with minimal spacing between them in order to adequately buffer the parking structure from adjacent uses.

Additionally, the ground floor façade of the parking structure has been designed to be integrated with the design of the building for which it serves in order to provide greater aesthetic continuity. As shown on the enclosed Elevation Plans (Sheet A2.0-A2.1), perforated metal panels are proposed along the upper portions of the building's exterior. The ground-floor parking level is proposed to be screened with similar perforated metal panels so as to integrate the parking screening with the grocery store design and facade.

The proposed Project will include loading docks on-site that will accommodate the maneuvering, parking, and waiting areas for delivery and loading vehicles. As shown on the enclosed Ground Level Plan (Sheet A1.2), the loading dock for delivery, loading, and unloading activities normally associated with a grocery store use will be located within the ground floor parking structure on the Subject Property's Moorpark Street frontage. As demonstrated on the plans, all truck maneuvers will be able to occur within the Subject Property's boundaries, and the loading dock will be fully enclosed in order to diminish the potentially adverse impacts associated with these activities, such as sound and aesthetics, on adjacent properties. Additionally, the proposed Project will comply with permitted delivery hours under the Commercial Corner Conditions of Operation, which are from 7:00 AM to 8:00 PM Monday through Friday, and 10:00 AM to 4:00 PM on Saturday and Sunday, and will include landscape screening around the parking structure to further reduce impacts to adjacent properties.

With regards to trash areas, the proposed Project aligns with the guideline to ensure trash areas are buffered and screened from sidewalks, streets, or residential uses, and to be designed to be compatible with the architecture of new and existing buildings. As shown on the enclosed Ground Level Plan (Sheet A1.2), the on-site trash area will be located on the ground level adjacent to the public alley, and will be enclosed with 6-foot high masonry walls with a stucco exterior, to be accessed by a secured gate. This location and enclosure will ensure that the trash area is not a nuisance to pedestrian or residential areas, and will diminish adverse impacts to those areas with regards to odor and aesthetics

As stated above, the design of the proposed subdivision is consistent with the applicable Community Plan and Specific Plan, which are components of the General Plan Land Use Element. Additionally, the design of the subdivision will allow for the merger of a portion of the abutting public alley in order to accommodate the layout of the proposed Project.

This proposed alley design will be consistent with the intent of the Community Plan and Specific Plan. The Applicant will provide an alley easement for public use and access that will provide the same ingress and egress functions as the existing alley proposed to be merged into the Subject Property. The alley easement for public use will also provide a connection to the on-

site vehicular circulation. For all intents and purposes, the alley easement for public use will function as a relocation of the existing public alley, and will provide the same circulation and access functions for the Subject Property and adjacent properties to the east. Substantial physical constraints would result if the proposed merger of the public alley were not permitted. In particular, the properties that are under common ownership could not be used in a manner that would allow for a unified development and use. Because the function of the current public alley will remain as a result of the proposed Project (and the provision of the publically accessible alley easement), there is absolutely no loss of public circulation or access while accommodating the re-use of the Subject Property with a well-designed and appropriate neighborhood serving grocery store. The easement will also ensure that the proposed Project will be conveniently and functionally accessible to the public, and will allow a use that is consistent with the intent of the General Plan, Community Plan, and Specific Plan to be physically accommodated on-site. As such, the design of the proposed subdivision is in conformance with the goals and guidelines of the General Plan, Community Plan, and Specific Plan.

3. The site is physically suitable for the type of development.

The Subject Property is physically suitable for the proposed commercial development of an approximately 52,433-square foot grocery store over one level of ground floor parking and one level of subterranean parking. The Subject Property is an irregular-shaped, generally level parcel of land with a gross lot area of approximately 78,801.89 square feet (1.8 acres), before any dedications or merger. The gross lot area after the merger of the Subject Property with a portion of the public alley totaling approximately 3,699 square feet of area, is approximately 82,514 square feet, and the net lot area after the requested dedications and merger of this portion of the public alley is approximately 80,891 square feet. The Subject Property has approximately 365.6 feet of frontage along Ventura Boulevard, approximately 351.58 feet of frontage along Tyrone Avenue, and approximately 274.53 feet of frontage along Moorpark Street. The Subject Property is bisected from north to south by a public alley, with Lot 246 of Tract 9275 abutting to the south, Moorpark Street to the north, Lot 1 of Tract 24637 abutting to the west, and Lot FR 273 of Tract 9275 abutting to the east.

The Subject Property was most previously improved with 6 retail and commercial structures, totaling approximately 23,680 square feet in floor area, and associated surface parking, which are in the process of being demolished. These structures include an approximately 6,648-square foot car wash, a 10,910-square foot collision/auto body center, a 300-square foot restaurant, and a 5,822-square foot specialty retail space. The Subject Property is physically suitable for the proposed Project construction, as it is located in a developed, urbanized area that has substantial demand for a grocery store use, and is located along a commercial corridor with existing uses that are compatible with the proposed use.

The proposed Project will revitalize a currently underutilized parcel of commercially zoned land that is advantageously located along an existing corridor that supports and encourages a variety of commercial and retail uses. The surrounding uses of the Subject Property include one to three story structures occupied with car sales, car services, public library, restaurant, fitness, professional services, general retail, and parking uses. The closest residential

use is a multi-family residential building located at the northwest corner of the intersection of Tyrone Avenue and Moorpark Street, and the residentially zoned property directly opposite the Subject Property on Moorpark Street is the Sherman Oaks Branch of the Los Angeles Public Library. The proposed Project will be in harmony with the adjacent existing commercial and retail uses, and is well buffered from the closest residential neighborhoods. The proposed Project will revitalize this portion of the Ventura/Cahuenga Boulevard Corridor, and improve the quality of life for both current and future residents, employees, and patrons of the area.

The Subject Property's location, in an area rich with transit opportunities, also makes this property physically suitable for the proposed grocery store use. As detailed in *Attachment A – Request/Background Information*, the Subject Property is within 1,500 feet of the following public transportation services: Metro Local Line 155 Bus, Metro Local Line 233 Bus, Metro Rapid Line 750 Bus, Metro Rapid Line 744 Bus, Metro Local Line 150/240 Bus, Metro Local Line 158 Bus, and the Van Nuys/Studio City DASH Bus Line. These public transportation services will connect a wider population to the Subject Property, and will provide greater access to the benefits of a grocery store use. The proposed Project will also provide a combined total of 52 short-term and long-term bicycle parking spaces for the uses contained on-site, which will enable residents living nearby and visitors to utilize alternative forms of transportation that reduce air pollution. The advantageous location of the proposed Project will also attract residents, employees, and patrons of the community to utilize the existing commercial services available in the local area, providing a boost to the local economy, and quite possibly reducing vehicular trips by capturing customers and patrons from the local area as well as those already passing by the Subject Property on their way to and from other destinations. The Subject Property's close proximity to public transportation and inclusion of multi-modal-friendly features creates an opportune location for a neighborhood-serving commercial use such as the proposed grocery store.

Moreover, the design of the building, will further encourage the use of existing transit services, and enhance the connectivity of the proposed Project to the public realm. The proposed Project includes various design elements that promote pedestrian circulation and connectivity to the surrounding area, including the prominent pedestrian street entrances located along Ventura Boulevard and an open restaurant deck on the second story. The proposed Project is also consistent with the design elements addressed in the Community Plan, Specific Plan Streetscape Guidelines, Walkability Checklist, and the Citywide Commercial Design Guidelines.

Given the nature of the proposed use, the location along a major commercial corridor, the surrounding uses, and the proximity to public transit opportunities, the Subject Property is physically suitable for the proposed subdivision and improvements.

4. The site is physically suitable for the proposed density of development.

Density of development is typically a measure related to residential uses, and the proposed Project is for a non-residential use therefore, this measure does not necessarily apply. However, a more appropriate measure for the proposed Project would be the proposed intensity of development, as detailed below.

In conjunction with the proposed subdivision, the Applicant is seeking a Vesting Zone Change from the [Q]P-1VL to the C2-1VL Zone for approximately 27,291.3 square feet (0.6 acres) of the Subject Property. As a result of the Vesting Zone Change and the merger of an approximately 3,699-square foot portion of the abutting public alley, the Subject Property will have a gross lot area of approximately 82,514 square feet within the C2-1VL Zone. After the proposed merger and dedications as well as the required yard/setback areas, the Subject Property will have a net buildable lot area of approximately 79,304 square feet.

The C2-1VL Zone generally permits a maximum Floor Area Ratio (“FAR”) of 1.5:1 under the zoning regulations of the LAMC. However, the Subject Property is located within a Neighborhood and General Commercial Plan Designation area of the Specific Plan, and is thus limited to a maximum FAR of 1:1, which would permit a building with maximum floor area of approximately 79,304 square feet. The proposed Project falls well below both of these development limitations, with a proposed FAR of 0.66:1, for approximately 52,433 square feet of floor area. As measured by the permitted and proposed FAR of the zoning regulations of the LAMC and the limitations of the Specific Plan, the proposed Project’s intensity of development is physically suitable for the Subject Property and far less than otherwise permitted.

5. The design of the subdivision or the type of improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The proposed design of the subdivision and related improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The Subject Property is located in a highly urbanized area of the City of Los Angeles and is currently improved with a variety of buildings, cement paving, and minimal landscaping. Previous uses included a car wash, collision/auto body center, a restaurant, and specialty retail. Given that the proposed Project will be an urban infill development on a property previously used for commercial purposes, the proposed Project will not cause substantial environmental damage that would injure fish or wildlife or their habitat.

Based on the current conditions of the Subject Property, the instant Project will have no impact on biological resources, including candidate, sensitive, or special status species and their habitats, riparian habitats, wetlands, migratory fish or bird species, or adopted conservation plans. The proposed Project has undergone an analysis of its potential environmental impacts through the completion of an Expanded Mitigated Negative Declaration (“MND”). Any potential environmental impacts from the proposed Project are identified, analyzed, and mitigated. Specific measures adopted as part of the MND will mitigate and reduce the severity of potential adverse environmental damage and any potential impact to fish or wildlife or their habitat.

6. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The design of the proposed subdivision and improvements will not likely cause serious public health problems. The proposed Project will provide safe and convenient vehicular ingress

and egress, with access to the Subject Property provided by a 30-foot wide driveway located off of Ventura Boulevard and by a 30-foot wide driveway located off of Moorpark Street. As shown in the plans, secondary vehicular access will be provided from the existing public alley that will continue to be accessed from Calhoun Avenue to the east. While the portion of the alley that bisects the Subject Property is proposed to be merged with the Subject Property, the proposed Project will maintain the existing function and circulation of the public alley by providing an alley easement for public use and access. This design will function as a relocation of the existing alley, as it will provide a continued connection between the public alley and Moorpark Street.

On-site circulation will be continuous, with all access drives on the ground floor connected throughout, as well as connected to the circular ramp that provides access to the subterranean parking level. The thoughtful design of the on-site vehicular circulation will not cause any public health problems, as vehicles will be able to safely and easily travel from the parking area to adjacent streets with continuous access. The proposed Project will also provide a fully enclosed loading dock area in order to mitigate any potential negative impacts associated with those activities. As shown on the enclosed Ground Floor Level Plan (Sheet A1.2), all truck maneuvers will occur within property lines in order to reduce any potentially adverse impacts to circulation on the adjacent street.

With regards to trash areas, the proposed Project aligns with the guideline to ensure trash areas are buffered and screened from sidewalks, streets, or residential uses, and are designed to be compatible with the architecture of new and existing buildings. As shown on the enclosed Ground Level Plan (Sheet A1.2), the on-site trash area will be located along the proposed alley, and will be enclosed with 6-foot high masonry walls with a stucco exterior and to be accessed by a secured gate. This location and enclosure will ensure that the trash area is not a nuisance to pedestrian or residential areas, and will diminish adverse impacts to those areas with regards to odor and aesthetics. The enclosed design of the trash areas will also help to prevent or mitigate any potential public health problems with pests or rodents.

The proposed Project has also been designed to accommodate and encourage alternative modes of transportation, with safe bicycle and pedestrian access. The proposed Project will provide a combined total of 52 short-term and long-term bicycle parking spaces for the uses contained on-site, which will enable residents living nearby and visitors to utilize alternative forms of transportation that reduce air pollution. Pedestrian access will be provided through the primary lobby entrance on Ventura Boulevard, where patrons will be able to utilize escalators and shopping cart conveyors to access the grocery store on the second floor above. The main entrance will be distinguished by the glass facade along its entire length, and will be easily accessible to pedestrians from Ventura Boulevard and patrons that have parked within both levels of the connected parking structure. In addition, there will be a secondary pedestrian access point on Ventura Boulevard, east of the main lobby.

The design of the proposed Project is also in harmony with the designation of the Subject Property as a Pedestrian Development District within the Specific Plan, which are designated areas where greater pedestrian activity is encouraged. In order to further promote safe pedestrian access to the Subject Property and ensure a more pedestrian-friendly environment overall, the proposed Project will eliminate eight of the existing curb cuts around the perimeter of the

property and proposes a total of two proposed curb cuts along the street. In addition, the proposed Project will provide a paved sidewalk along Moorpark Street, where there is currently no improved sidewalk, and connect the project to all sidewalks with landscaped setbacks and trees. The design and improvements will reduce the potential for public health hazards with regards to pedestrian safety, and produce an environment that encourages greater pedestrian activity.

As a result of its location, the proposed specialty grocery store will be convenient for the substantial populations that work, live, and visit the Sherman Oaks community. Due to the Subject Property's proximity to public transportation and convenient location, the proposed Project has the potential to result in fewer vehicle trips and to attract consumers who already pass through the area during their daily routine. This will be a potential benefit to the public health of the community in improving air quality.

With regards to the Health and Wellness Element of the General Plan (Plan for a Healthy Los Angeles), the proposed Project is also consistent with the aims to provide a use that will provide greater access to healthy natural and organic foods that are sustainably/locally sourced, as detailed in Finding 1 above. As such, the nature of the proposed Project's use will not cause public health problems, but will potentially have beneficial effects for public health.

The proposed Project will also undergo an analysis of its potential environmental impacts through completion of an Expanded Mitigated Negative Declaration ("MND"). Any potential public health matters resulting from the proposed project will be identified and analyzed. To the extent feasible, the MND will identify mitigation measures to reduce the severity of potential public health problems associated with the proposed subdivision. As such, the design of the subdivision, which will provide safe circulation for pedestrians and vehicles, will not cause public health problems.

7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

The instant subdivision request seeks to merge a portion of the public alley with the Subject Property. The portion of the public alley that will be merged is approximately 3,699 square feet in total, and currently bisects the Subject Property from north to south, with Lot 246 of Tract 9275 abutting to the south, Moorpark Street to the north, Lot 1 of Tract 24637 abutting to the west, and Lot FR 273 of Tract 9275 abutting to the east.

As shown on the enclosed plans, the Applicant will provide an alley easement for public use and access that will provide the same ingress and egress functions as the existing alley, with through access from Moorpark Street to the existing alley. The alley easement for public use will also provide a connection to the on-site vehicular circulation. For all intents and purposes, the alley easement for public use will function as a relocation of the existing public alley, and will provide the same circulation and access functions for the Subject Property and adjacent properties to the east. Substantial physical constraints would result if the proposed merger of the public alley were not permitted. In particular, the properties that are under common ownership could not be used in a manner that would allow for a unified development and use. Because the

function of the current public alley will remain as a result of the proposed Project (and the provision of the publically accessible alley easement), there is absolutely no loss of public circulation or access while accommodating the re-use of the Subject Property with a well-designed and appropriate neighborhood serving grocery store.

The alley easement for public use will ensure that the new alley will continue to function in the same manner as the existing public alley and the existing circulation route will not be disrupted. As such, the easement will also ensure that the access through and use of the property within the proposed subdivision will not conflict with the design of the subdivision and improvements, but will instead be conveniently and functionally accessible by the public.

The instant request for the waiver of dedications also will not conflict with any easements for the access through of use of the property. Therefore, the proposed Project will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. The design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

To the extent feasible, the design of the proposed subdivision will provide future passive or natural heating or cooling opportunities in the subdivision. The proposed Project will include features such as, but not limited to, building materials such as Solarban 60 glass, architectural features, and landscaping that will minimize glare and reflected heat, and will provide shade and reduce heat gain. Additionally, the proposed Project will comply with the Green Building Code provisions, which, among other things, are intended to improve the energy performance standards of new construction.

MODIFICATIONS/WAIVERS OF THE DEDICATION AND WIDENING REQUIREMENTS

As part of the proposed subdivision, the Applicant requests waivers/modifications of the required dedications³ along the Subject Property's frontages along Ventura Boulevard and Tyrone Avenue, but will provide the dedication anticipated along the Moorpark Street frontage.

Ventura Boulevard

Ventura Boulevard is a designated Boulevard II under the Mobility Plan 2035. City Standards under the Mobility Plan require a 55-foot half public right-of-way for Boulevard II designations. However, the Specific Plan Appendix requires a 57-foot half public right-of-way width for the eastern leg of the Ventura Boulevard/Beverly Glen intersection, including a 45-foot half roadway and 12-foot sidewalk. The north side of Ventura Boulevard, where it adjoins the Subject Property, is currently improved to a 50-foot half public right-of-way width, including a 35-foot half roadway and 15-foot sidewalk. As such, a 7-foot dedication would be required per the Specific Plan.

³ Required dedications as per the *Mobility Plan 2035 and Ventura/Cahuenga Boulevard Corridor Specific Plan Appendix (Ventura/Cahuenga Boulevard Corridor Specific Plan Dedication Requirements, page 2 of 4, June 19, 1991.)*

A 57-foot half public right-of-way width is typically required by the Specific Plan Appendix for streets that have the potential for double left-turn lanes. However, given that it is unlikely that two westbound left-turn lanes on Ventura Boulevard adjacent to the Subject Property would be improved in the future because Beverly Glen Boulevard south of Ventura Boulevard provides only one southbound lane and therefore cannot receive two lanes of left-turn traffic from Ventura Boulevard, the Applicant is requesting to provide a 2-foot dedication in lieu of 7 feet. This would result in a half public right-of-way requirement of 52 feet, consistent with the street standard for a single (and not a double) left-turn lane section, with a 17-foot sidewalk/parkway that would provide an enhanced pedestrian experience along the Subject Property. The 52-foot half public right-of-way width would be consistent with the Specific Plan half right-of-way requirements for other sections of Ventura Boulevard that provide a single left-turn lane.

Tyrone Avenue

Tyrone Avenue is a designated Avenue II under the Mobility Plan 2035. City Standards require a 43-foot half public right-of-way width for Avenue II designations. The east side of Tyrone Avenue, where it adjoins the Subject Property, has a current half public right-of-way width of 40 feet, including a 28-foot half roadway and 12-foot sidewalk. As such, a 3-foot dedication would be required under the Mobility Plan 2035. However, the Specific Plan Appendix requires a half public right-of-way width of 52 feet for the northern leg of the Ventura Boulevard/Beverly Glen intersection, including a 40-foot half roadway width and a 12-foot sidewalk. As such, the Specific Plan would require a 12-foot dedication.

The Applicant is requesting to provide no dedication along Tyrone Avenue, and to retain the current half roadway and sidewalk width. The existing 28-foot half roadway is consistent with the Avenue II standard. The current cross-section of Tyrone Avenue north of Ventura Boulevard (with two northbound through lanes, one southbound through lane and a center left-turn lane) aligns with the same cross-section of Beverly Glen Boulevard south of Ventura Boulevard. Thus, there are no additional travel lanes that can be physically provided on Tyrone Avenue adjacent to the Subject Property as it would otherwise cause a misalignment with Beverly Glen Boulevard. With respect to the sidewalk, as the improvement requirements under the Specific Plan prevail over the Mobility Plan 2035, the existing 12-foot sidewalk would also be retained along Tyrone Avenue adjacent to the Subject Property, and thus, no additional dedication is needed.

Moorpark Street

Moorpark Street is a designated Avenue II under the Mobility Plan 2035. The Specific Plan is silent regarding the dedications required along Moorpark Street. City Standards require a 43-foot half public right-of-way width, including a 28-foot half roadway and 15-foot sidewalk for Avenue II designations. The south side of Moorpark Street, where it adjoins the Subject Property, is currently improved to a 40-foot half right-of-way width, including a 28-foot half roadway and no improved sidewalk. As such, a 3-foot dedication would be required. The Applicant will provide this 3-foot dedication, and will improve a 15-foot sidewalk along the Subject Property.

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