

Exhibit “C”  
Pacific Palisades Commercial Village Redevelopment Project  
Specific Plan Amendment Findings

Introduction

The Applicant proposes amendments to the Pacific Palisades Commercial Village and Neighborhood Specific Plan (the “Specific Plan”). In accordance with Charter Section 556 and Los Angeles Municipal Code (“LAMC”) Section 12.32(C)(7), and based on the following findings, the requested amendments to the Specific Plan (the “Specific Plan Amendments”) are in substantial conformance with the purposes, intent, and provisions of the applicable portions of the City of Los Angeles General Plan (the “General Plan”). In accordance with Charter Section 558 and LAMC Section 12.32(C)(7), and based upon the following findings, the Specific Plan Amendments are in conformity with public necessity, convenience, general welfare, and good zoning practice.

Background

The Specific Plan was adopted on December 31, 1985 (Ordinance No. 160,515) and amended on October 26, 2002 (Ordinance No. 168,246) and the Project Site is located within the Pacific Palisades Commercial Village subarea (“Village”) as identified on Map 2. The Village generally runs along Sunset Boulevard from just west of Carey Street to about one block west of Via De La Paz that is the westernmost north-south street of the Commercial Village. To its east is Swarthmore Avenue which also generally runs north-south and to its west, is the curving La Cruz Drive that connects the south end of Swarthmore Avenue past Sunset Boulevard to Monument Street.

The Village is characterized by numerous boutique shops, restaurants, banks, coffee shops, grocery stores, pharmacies, dry cleaners, nail salons, office uses, and a hardware store. There are also several schools in the Village, the Palisades branch of the Los Angeles Public Library and a park. Every Sunday morning there is a fresh-produce Farmer’s Market on Swarthmore north of Sunset which is heavily attended. The Palisades Village remains as one of the very few true California coastal villages with a low-key and family friendly atmosphere.

Project Site Description

The Project Site is comprised of thirteen irregularly shaped parcels in three distinct clusters developed with approximately 54,609 square feet of retail buildings, a surface parking lot, and a gas station. The Site is roughly bounded by Sunset Boulevard to the southwest, Monument Street to the east and Swarthmore Avenue bisecting the Site. The most northerly portion of the Site abuts Albright Street. The Site’s three clusters of properties are described below

*North Swarthmore Properties*

The North Swarthmore Properties include four parcels fronting on the northwest side of Swarthmore Avenue that contain approximately 35,900 square feet of lot area and are developed with three buildings with a small surface parking located to the rear. The North Swarthmore Properties include approximately 225 feet of frontage on Swarthmore, 110 feet of frontage on Monument Street, and 231 feet of frontage on Albright Street.

#### *South Swarthmore Properties*

The South Swarthmore Properties include three parcels fronting on the southwest side of Swarthmore Avenue that contain approximately 69,353 square feet of lot area and are developed with two retail buildings with a large surface parking lot to the rear. The South Swarthmore Properties include approximately 300 feet of frontage on Swarthmore on the northwest side, 460 feet of frontage on Monument Street on the northeast side, and 460 feet of frontage on a 20 foot wide public alley on the southeast side.

#### *Sunset Properties*

The Sunset Properties include six properties fronting on the northeast side of Sunset Boulevard that contain approximately 30,260 feet of lot area. The northeast portion of the Sunset Properties at the northeast corner of Sunset and Swarthmore is developed with a Mobile gas station. Adjacent to the east of the gas station is a 20 feet wide public right-of-way alley that is improved with a pedestrian walkway and landscaping. To the east of the pedestrian alley are two additional properties developed with retail buildings. A 20 foot wide east-west alley is located to the rear of Sunset Properties that provides one-way vehicular access from Swarthmore to Monument.

Local access to the Site is provided by a number of arterial and local roadways. Access to the North Swarthmore Properties is provided via Albright Street from the north or via Swarthmore Avenue from Sunset Boulevard or Monument Street. The southerly portions of the Site, including the South Swarthmore Properties and Sunset Properties are accessed via the public alley from Swarthmore Avenue or Monument Street.

The Project Site represents the largest assemblage of property held under common ownership within the Village subarea. The existing buildings within the Project Site predate creation of Specific Plan and were constructed in an eight-year period from 1950-1958 with the exception of the gas station at the corner of Swarthmore and Sunset which was built in 1989.

#### Project Description

The Project proposes redevelopment of the Project Site and includes demolition of the existing buildings and surface parking lots and construction of a mixed-use development with nine new buildings with a total floor area of approximately 116,215 square feet comprised of retail and restaurant uses, a neighborhood cinema with five screens and approximately 300 seats, eight apartment units, a specialty grocery market, offices, and ancillary uses all connected by

pedestrian walkways and paseos, plazas, landscaping, and open space (the “Project”). Upon completion, the Project would revitalize the Village that was once the bustling heart of the Palisades that has experienced a gradual decline over the years with a number of neglected vacant storefronts and create a pedestrian oriented neighborhood centerpiece with a variety of retail, dining, personal services, and community gathering spaces.

The proposed Specific Plan Amendments include the creation of a subarea within the Village subarea specific to the Project Site referred to as the North Swarthmore Subarea. From the outset, the Project has been carefully designed to comply within the Specific Plan’s development parameters as much as feasible. The Project’s proposed mix of uses is consistent with the existing and permitted uses in the Village subarea’s commercial zones, the proposed floor area of 116,215 square feet is approximately 40% of what is allowed with a 2.0 FAR (276,610sf) in the Commercial Village for mixed-use developments, the Project is consistent with the landscape and urban design regulations, the Project’s height from finished floor to ceiling is consistent with the 27 foot height limitation, and the Project complies with the signage regulations with the exception of the proposed cinema marquee which serves as a defining architectural element of the Project. As noted, the Specific Plan was created in 1985 and predates development of the Village and existing buildings on the Site and was envisioned to provide development controls for improvements to existing buildings and development of individual buildings and did not contemplate a scenario for a development comprised of several acres. Given the assemblage of properties by the Applicant and the unique opportunity to create a vibrant new Village to replace the unfortunate declining series of storefronts, buildings, and streetscape that currently define the Project Site, there is a need to create a new subarea specific to the Project Site with limited new development standards to facilitate the Project as envisioned which include the following:

Land Uses: Clarify that land uses currently permitted in the Village subarea C2 zones are permitted on all portions in the proposed subarea and Project Site. The proposed Project is consistent with the existing and permitted uses within the Village commercial zones and would not introduce a prohibited or incompatible use. The Project is designed to comply with the existing regulation to provide ground floor retail uses on at least 75 percent of the street frontage and limits the proposed eight residential apartment uses to the second story on proposed Building H.

Height: The Specific Plan currently limits height to two stories and 30 feet and provides that no building shall exceed 27 feet in height, as measured from grade to the ceiling of the upper story. All nine buildings are designed to comply with the 27 foot height rule (grade to uppermost ceiling) and are no more than two stories in height. Five of the nine buildings are one-story in height and comply with the 30 foot limitation. The Project seeks to allow varying building heights and roof lines above 30 feet up to 36 feet in height for the remaining four building to allow architectural variation and elements such as pitched rooflines to create an organic aesthetic and street appearance. In addition, the Project proposes to allow an architectural clock tower adorning the northwest corner of Building F approximately 10 feet above the main roofline and

to permit a cinema marquee to extend approximately 15 feet higher than the cinema parapet which is an integral architectural element of Building B. Lastly, the Project proposes to add a definition to measure height given the significant grade elevation differential across the Project Site.

Setbacks: To permit zero setbacks in lieu of two feet for portions of buildings located adjacent to a public sidewalk consistent with the existing buildings on the Project Site and current Planning practice for commercial districts. The two foot setback was established to create areas for landscape opportunities and the proposed narrowing of Swarthmore will create larger sidewalks and areas for landscape planting and street trees.

Parking: The Specific Plan currently requires parking for each individual use. The Project proposes to provide parking based on Shared Parking Demand Study that determines the amount of parking that would satisfy the Project's peak parking demand for all uses. The proposed parking for the Project would meet the peak parking demand and would eliminate over parking the Project which is consistent with current Planning policy.

Signage: The Project would comply with the existing Specific Plan signage regulations with the exception of the proposed cinema marquee which serves as a defining architectural element of the Project. The Amendment would allow the marquee to exceed the maximum 100 square feet for any individual sign to permit a 700 foot marquee which includes the square footage of the entire sign structure. The portion of the marquee containing the Bay script and movie listings type (sign area) would be significantly less than that. The amendment would also allow the marquee to project outward from Building B, and extend 15 feet above the roof of Building B.

Open Space: There is currently no requirement in the Specific Plan for the Project to provide open space. The Amendments would add a development standard to provide a minimum of 10,000 square feet of contiguous open space within the proposed subarea. This requirement would also satisfy the minor amount of open space required for the eight residential units under the Zoning Code.

Alcohol: The Amendments propose adding provisions to regulate the limited sale and consumption of alcohol within the Project's restaurants, cinema, and market. Alcohol is typically permitted in the Zoning Code with approval of a Conditional Use Permit (CUP) by the Zoning Administrator. The Amendments would set a limit on the maximum number of establishments within the Project that may offer alcohol and create a regulatory framework to approve such uses.

Streetscape: The Amendments include adding a provision to create streetscape plan to guide the improvement of Swarthmore Avenue that includes street configuration, paving materials, landscaping, street tress, street lighting, and street furnishings.

The Specific Plan Amendments further the purposes of the Specific Plan as follows:

- To assure that the Village continues to function as significant commercial area and that any future development is compatible with the surrounding residential community and character of the commercial area;
- To enhance the aesthetic qualities of development, protect the low intensity, community-oriented uses and preserve the individual qualities of the areas;
- To enhance the pedestrian-orientation of Village;
- To assure that commercial uses are consistent with the general character of the Pacific Palisades community;
- To assure that development along Sunset Boulevard incorporates design characteristics that provide a unifying element to the Village while providing a beautifying element to the Village and Neighborhoods landscaping and other means;
- To provide guidelines and a process for review and approval of exterior and site design, signs for buildings and structures and other developments;
- To promote orderly, attractive and harmonious development, minimize environmental effects of development, stabilize land values and investments and promote the general welfare by prohibiting buildings, structures or uses which are inconsistent with the purposes or standards of this Specific Plan or which are inappropriate to their sites, surroundings, traffic circulation impacts or their environmental setting.

### Findings

1. The Specific Plan Amendment Is in Conformance with the Purposes, Intent and Provisions of the City of Los Angeles General Plan.

Los Angeles City Charter Sections 556 and 558 and LAMC Section 12.32.C.2 require that prior to adopting a land use ordinance, the Planning Commission make findings that the ordinance is in substantial conformance with the purposes, intent and provisions of the General Plan. The proposed amendments to the Pacific Palisades Commercial Village and Neighborhood Specific would be in conformance with the purposes, intent and provisions of the General Plan in that it would conform to the goals, objectives and policies of the Brentwood-Pacific Palisades Community Plan, General Plan Framework, and General Plan Transportation Element, as discussed below.

### ***Brentwood-Pacific Palisades Community Plan***

The Community Plan is the official guide to future development within Pacific Palisades. It is intended to promote an arrangement of land uses, streets and services that will encourage and contribute to the health, safety, welfare and convenience of the people who live and work in the

community and create a healthful and pleasant environment. The Community Plan sets forth goals to maintain the community's distinctive character by improving the function, design and economic vitality of the commercial areas. The Community Plan recognizes the Pacific Palisades Commercial Village as a pedestrian oriented area and encourages "pedestrian-friendly commercial development" and identifies the goal to "build on successful commercial areas."

The Project and proposed Specific Plan Amendments would be consistent with the following objectives and policies of the Community Plan:

**Goal 2:** A strong and competitive commercial sector which best serves the need of the community through maximum efficiency and accessibility while preserving the unique character of the community.

**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 2-1.3:* Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

The existing buildings and appearance of the Project Site have experienced a gradual decline over the years with a number of vacant storefronts and neglect of building facades, landscaping, and streetscape elements. As a result, this area which once served as the vibrant, commercial hub of the Palisades Village has become an eyesore and has left the Palisades community without needed and desired commercial uses and services.

Redevelopment of the Site and construction of a mixed-use development with nine new buildings comprised of retail, personal services, restaurant uses, a neighborhood cinema, eight apartment units, and a specialty grocery market, connected by pedestrian walkways and paseos, landscaping, and open space would revitalize the Village and create a pedestrian-oriented neighborhood centerpiece that would strengthen this commercial sector.

The Project is designed to achieve a high level of quality, distinctive character, and would be compatible with existing development in the Village and respectful of nearby residential neighborhoods. The architectural language for the Project is varied in form, style and articulation with distinctive facades and elegant, rich details to create an organic street character with unique storefronts and timeless elements that reflects the Palisades distinctive coastal village character. Building materials will be authentic and warm and contain a combination of flat and pitched rooflines and other architectural elements to provide articulation and avoid a monotonous feel along the public streets. The architectural design for all the buildings would create a credible streetscape that integrates with and enhances the existing village-like urban fabric and texture of

the area with no two buildings being alike. The Project includes nine distinct buildings lined with over forty individual storefronts, all with unique facades. From quaint cottage style stores to crisp mid-century-modern corners and beach style houses with canopied balconies, all the new buildings combine to celebrate a natural coastal village character that is friendly, comfortable, safe, relatable and stimulating to residents and visitors alike

**Objective 2-3:** To enhance the appearance of commercial districts and to identify pedestrian-oriented areas.

*Policy 2-3.1:* Pedestrian-oriented areas are to be identified and preserved.

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

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

*Policy 2-3.4:* New development in pedestrian oriented areas shall provide parking at the rear of the property or underground.

*Policy 2-3.5:* Require that the first floor street frontage of structures, including mixed use projects and parking structures located in pedestrian oriented districts, incorporate commercial uses directed at pedestrian traffic.

*Policy 2-3.6:* Promote mixed-use projects along transit corridors, and in appropriate commercial areas.

The Community Plan identifies the Commercial Village as a pedestrian-oriented area and seeks to preserve and enhance the existing pedestrian-oriented character. Central to the Project vision is to create a more pedestrian friendly Village with approximately scaled buildings that include a diverse array of retail, entertainment, dining, and personal service options. The core principles of creating a pedestrian friendly environment and enhancing walkability in the Village is achieved with wider sidewalks and pedestrian promenades and paseos between buildings that connect to a series of courtyards, parks, plazas and gathering places. Complementing the pedestrian experience are enhanced streetscape and landscape elements that include new mature trees, flowerbeds and other plantings, and street café seating and dining terraces along Swarthmore and throughout the Project. A large, landscaped open space park is proposed within a portion of the existing surface parking lot flanked with retail spaces and restaurants with outdoor terraces and is designed to accommodate occasional events, group activities and relaxation. Throughout the Project, gathering places include planting areas, flowerbeds, mature trees and overhead string lights to create a warm and inviting ambiance.

Parking for the Project would be provided within two subterranean levels underneath the Sunset Properties and the South Swarthmore Properties with a total of 470 parking spaces which more than doubles the amount of existing parking on the Project Site. Locating all the parking in two subterranean levels would minimize pedestrian and vehicular conflict, facilitate active uses, and create opportunities for open spaces at the street level.

**Objective 2-4:** To enhance the appearance of commercial districts consistent with the character of, and quality of the surrounding neighborhoods.

*Policy 2-4.1:* Establish commercial areas and street identity and character through appropriate sign control, landscaping and street scape.

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

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

The Project would enhance the appearance of the Project Site consistent with the character and quality of the surrounding neighborhoods. The Project is designed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development of the Village. The architectural language for the Project is varied in form, style and articulation with distinctive facades and elegant, rich details to create an organic street character with unique storefronts and timeless elements that reflects the Palisades distinctive coastal village character. Complementing the buildings are beautiful streetscape and landscape elements that include new mature trees, flowerbeds and other plantings, and street café seating and dining terraces along Swarthmore and throughout the Project.

A large, landscaped open space park is proposed within a portion of the existing surface parking lot flanked with retail spaces and restaurants with outdoor terraces and is designed to accommodate occasional events, group activities and individual relaxation. Throughout the Project the sidewalks and gathering places include planting areas, flowerbeds, mature trees and overhead string lights to create a warm and inviting ambiance.

Parking for the Project would be provided within two subterranean levels that would improve safety by minimizing minimize pedestrian and vehicular conflict and facilitate active uses and open spaces at the ground level.

Low key building signage, building lighting, street lighting, street signage, utility and service elements are carefully designed and integrated into the Project aesthetic to complement the pedestrian scale experience and organic building composition. New custom designed ornamental lantern-like street lighting is an integral part of the overall Project design to highlight pedestrian paths and entrances, and to create a comfortable pedestrian experience at all times. These new fixtures will be installed along the length of Swarthmore Avenue, around the



perimeter of the Project and internally at all pedestrian walkways, promenades and other open spaces. The design and placement of lighting fixtures will be carefully considered to avoid uneven light distribution, harsh shadows and any light spill onto adjacent properties.

## **Urban Design**

The Project substantially complies with the Community Plan's Urban Design policies as set forth below.

### *Site Planning*

- Eliminates existing surface parking and locates all parking within two subterranean parking levels.
- Maximizes retail and commercial service uses at the ground level along Swarthmore and Sunset.
- Provides front pedestrian entrances for businesses fronting Swarthmore and Sunset.
- Incorporates pedestrian promenades and paseos between buildings that connect to a series of courtyards, parks, plazas and gathering places.
- Includes streetscape and landscape elements that include new mature trees, flowerbeds and other plantings along Swarthmore and Sunset and throughout the Project.
- Utility equipment such as electrical transformers will be screened from view from the public right-of-way through landscape buffering and screening.
- Rooftop equipment will be screened from view from the public right-of-way either by dedicated screen walls or by careful building roofscape and massing.
- Trash compactors and other service equipment shall be screened from view from the public right-of-way through the use of gates, screens and landscape buffering.

### *Pedestrian-Oriented, Height and Building Design*

- The proportion and scale of all new buildings is at pedestrian scale.
- The buildings are articulated to provide variation and visual interest, and enhance the streetscape by providing continuity.
- Building materials are employed to provide relief to bland untreated portions of exterior facades.
- All buildings are no more than two stories and composed of varied storefronts, architectural styles, and rooflines.
- Building design employs articulations, recesses, varying massing, and other elements to avoid long, flat building facades.
- Includes accenting, complementary building materials to building facades.
- Maximizing the application of architectural features or articulations or building facades.
- Screens mechanical and electrical equipment from public view.

- Screens rooftop equipment and building appurtenances from public view.
- Includes enclosed trash areas.

#### *Entryway Improvements*

- Provides improvements along principal streets and at major streetscapes and entries. Such improvements include elements such as signage, landscaping, vertical pylons and/or other distinctive treatments.

#### *Streetscape*

- Includes a coordinated streetscape design that includes street lighting, street furniture, and sidewalk/crosswalk improvements, and identification signage along Sunset, Swarthmore, and the alley.
- Establishes a comprehensive streetscape and landscape improvement program.
- Proposes to narrow Swarthmore to create a safer and pedestrian-friendly street experience with wider sidewalks, provide opportunities for abundant landscape plantings and street trees, and accommodate outdoor dining and seating areas.

#### *Street Trees*

- Incorporates street species which enhance the pedestrian character of Swarthmore and Sunset, convey a distinctive high quality visual image for the streets
- Includes ornamental planting along the street frontages, along proposed pedestrian walkways and plazas and outdoor dining areas.

#### *Street Lighting*

- Install new street lights which are pedestrian oriented, attractive design, compatible in design with facades and other street furniture, to provide adequate visibility, security and a festive night time environment.

#### *Sidewalks/Paving*

- Create new sidewalks and crosswalks that may include brick pavers, concrete, or other safe, non-slip materials to create a distinctive pedestrian environment.
- Incorporate sidewalk “pull-outs” along Swarthmore to accommodate landscaping and street furniture and reduce the width of the crosswalk.

### *Open Space and Plazas*

- Includes pedestrian promenades and paseos between buildings that connect to a series of courtyards, parks, plazas and gathering places.
- A large, landscaped open space park is proposed within a portion of the existing surface parking lot flanked with retail spaces and restaurants with outdoor terraces and is designed to accommodate occasional events, group activities and relaxation.
- Throughout the Project, gathering places include planting areas, flowerbeds, mature trees and overhead string lights to create a warm and inviting ambiance.

### ***General Plan Framework Element***

The General Plan Framework, adopted in December 1996, establishes the City's long-range comprehensive growth strategy and provides guidance on Citywide land use and planning policies, objectives, and goals. The Framework defines Citywide policies for land use, housing, urban form and urban design, open space and conservation, transportation, infrastructure and public spaces. The Project is consistent with the goals, objectives and policies of the General Plan Framework.

### Land Use

The Project Site is identified as a Community Center. Community Centers are intended to be identifiable focal points and activity centers for surrounding groups of residential neighborhoods and contain a diversity of neighborhood-oriented uses. Generally, Community Centers range from FAR 1.5:1 to 3:1 and the scale and density of community centers would be greater than the neighborhood districts, generally with building heights ranging from two- to six-stories depending on the character of the surrounding area. Community Centers should be planned for both night and day use. Street, pedestrian, and area lighting shall be provided to recognized standards commensurate with planned nighttime use.

Within the Land Use chapter of the Framework Element, the following goals, objectives and policies relevant to the Community Center are applicable to the Project:

**Goal 3:** Pedestrian-oriented, high activity, multi- and mixed-use centers that support and provide identity for Los Angeles' communities.

Objective 3.9: Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime.

*Policy 3.9.5:* Promote pedestrian activity by the design and siting of structures in accordance with Pedestrian-Oriented District Policies 3.16.1 through 3.16.3.

*Policy 3.9.6:* Require that commercial and mixed-use buildings located adjacent to residential zones be designed and limited in height and scale to provide a transition with these uses, where appropriate.

*Policy 3.9.7:* Provide for the development of public streetscape improvements, where appropriate.

*Policy 3.9.8:* Support the development of public and private recreation and small parks by incorporating pedestrian-oriented plazas, benches, other streetscape amenities and, where appropriate, landscaped play areas.

The proposed Project would revitalize the Village commercial center, the long recognized hub of the Palisades community that has experienced a gradual decline over the years with a number of vacant storefronts and neglect of building facades, landscaping, and streetscape elements. The Project would accommodate a broad range of uses that includes retail, personal services, restaurant uses, a neighborhood cinema, residential uses, a specialty grocery market, and fitness studios with is compatible with the Specific Plan's vision for the Village and wanted by Palisades residents who desire to have convenient options within their neighborhood rather than driving to more distant locations such as Santa Monica.

Central to the Project vision is to create a more pedestrian friendly Village with appropriately scaled buildings that include a diverse array of retail, entertainment, dining, and personal service options. The core principles of creating a pedestrian friendly environment and enhancing walkability in the Village is achieved with wider sidewalks and pedestrian promenades and paseos between buildings that connect to a series of courtyards, parks, plazas and gathering places. Complementing the pedestrian experience are beautiful streetscape and landscape elements that include new mature trees, flowerbeds and other plantings, and street café seating and dining terraces along Swarthmore and throughout the Project.

A large, landscaped open space park is proposed within a portion of the existing surface parking lot flanked with retail spaces and restaurants with outdoor terraces and is designed to accommodate occasional events, group activities and individual relaxation. Throughout the Project the sidewalks and gathering places include planting areas, flowerbeds, mature trees and overhead string lights to create a warm and inviting ambiance.

The Project respects the surrounding low density residential uses with buildings no more than two stories in height, consistent with the existing scale of development on the Project Site and surrounding commercial buildings in the Village. Building materials will be authentic and warm

Thus, the proposed Specific Plan Amendments would be consistent with these Framework policies.

### Pedestrian-Oriented Districts

The General Plan Framework Element encourages the establishment of commercial and mixed-use districts that promote pedestrian activity. Such districts can become community-oriented focal points that are differentiated from the prevailing pattern of development and reduce the use of the automobile. In designated pedestrian-oriented districts, new structures should be located to form common and semi-continuous building “walls” along primary street frontages and pedestrian sidewalks. The ground floor of structures shall primarily contain uses that are characterized by a high level of customer use and their facades designed to promote pedestrian interest. Outdoor restaurants should be encouraged. Sidewalks should incorporate amenities to make pedestrian activity a pleasant experience, such as street trees and landscaping, benches, trash receptacles, pedestrian-oriented lighting and signage, and attractive paving materials, bicycle amenities, and other “slow street” techniques.

**Goal 3L:** Districts that promote pedestrian activity and provide a quality experience for the City's residents.

Objective 3.16: Accommodate land uses, locate and design buildings, and implement streetscape amenities that enhance pedestrian activity.

*Policy 3.16.1:* Enhance pedestrian activity in areas designated as a Pedestrian-Oriented District by the design and siting of buildings in accordance with the policies contained in Chapter 5: Urban Form and Neighborhood Design.

*Policy 3.16.2:* Locate parking in pedestrian districts to the rear, above, or below the street-fronting uses.

The Project accommodates land uses, location and building design, and streetscape amenities that enhance pedestrian activity with wider sidewalks and pedestrian promenades and paseos between buildings that connect to a series of courtyards, parks, plazas and gathering places. Complementing the pedestrian experience are streetscape and landscape elements that include new mature trees, flowerbeds and other plantings, and street café seating and dining terraces along Swarthmore and throughout the Project.

A large, landscaped open space park is proposed within a portion of the existing surface parking lot flanked with retail spaces and restaurants with outdoor terraces and is designed to accommodate occasional events, group activities and individual relaxation. Throughout the Project the sidewalks and gathering places include planting areas, flowerbeds, mature trees and overhead string lights to create a warm and inviting ambiance.

Parking for the Project would be provided within two subterranean levels underneath the Sunset Properties and the South Swarthmore Properties which would minimize pedestrian and vehicular conflict and facilitate active uses and open spaces at the ground level which facilitate pedestrian activity.

### Urban Form and Neighborhood Design

Within the Urban Form and Neighborhood Design chapter of the Framework Element, the following policies would be applicable to the Project:

Objective 5.1: Translate the Framework Element’s intent with respect to citywide urban form and neighborhood design to the community and neighborhood levels through locally prepared plans that build on each neighborhood’s attributes, emphasize quality of development, and provide or advocate “proactive” implementation programs.

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

*Policy 5.2.1:* Designate centers and districts in locations where activity is already concentrated and/or where good transit service is, or will be provided.

*Policy 5.2.2:* Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale and built form allowed and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime.

The Project would directly implement Objective 5.1 of the Framework Element by complying with the urban design standards already established in the Specific Plan as identified above. Consistent with Policy 5.2.1, the Project Site is located in an established area where commercial uses are already concentrated and the Project proposes a range of uses already existing in the Village, envisioned, and permitted under the Specific Plan. Further, consistent with Policy 5.2.2, the revitalized Village would result in additional business, retail, and development near public transit available on Sunset Boulevard and within close walking distance to the surrounding residential neighborhoods and retail and office uses in other commercial areas in the Palisades.

### Open Space and Conservation

Within the Open Space and Conservation chapter of the Framework Element, the following policies are applicable to the proposed Project:

*Policy 6.4.10(a):* Provide for the joint use of open space with existing and future public facilities, where feasible.

The Project includes a large, landscaped open space park within a portion of the existing surface parking lot flanked with retail spaces and restaurants with outdoor terraces and is designed to accommodate occasional events, group activities and individual relaxation available to the public. Thus, the proposed Specific Plan would be consistent with Policy 6.4.10(a) of the Framework Element.

### Economic Development

The following Economic Development policies are applicable to the Project:

*Policy 7.3.2:* Retain existing neighborhood commercial activities within walking distance of residential areas.

The Project would enhance commercial activities at the Project Site, which is within walking distance of residential areas, by attracting local Palisades visitors and creating an urban and interactive pedestrian environment.

### ***Transportation Element of the General Plan***

The Project would be consistent with the following objectives and policies of the Transportation Element of the General Plan:

Objective 3: Support development in regional centers, community centers, major economic activity areas along mixed-use boulevards as designated in the Community Plans.

As described above, the Project envisions development of a mix of uses on the Project Site, which is located in an existing economic activity and mixed-use area, the commercial center of the Palisades, consistent with Object 3 of the Transportation Element.

*Policy 3.13: Enhance pedestrian circulation in neighborhood districts, community centers, and appropriate locations and regional centers and along mixed-use boulevards.*

The Project create a more pedestrian friendly Village and enhancing walkability with wider sidewalks and pedestrian promenades and paseos between buildings that connect to a series of courtyards, parks, plazas and gathering places. Design elements include streetscape improvements intended to create an attractive, functional, safe and enjoyable street experience consistent with Policy 3.13 of the Transportation Element.

*Policy 3.15: Enhance bicycle access to neighborhood districts, community centers, and appropriate locations in regional centers and mixed-use boulevards.*

Objective 10: Make the street system accessible, safe, and convenient for bicycle, pedestrian, and school child travel.

The Project would incorporate new short and long term bicycle parking spaces throughout the Project in compliance with the Zoning Code and the Applicant also intends to develop an onsite bike share program for residents to use traversing to and from the Project Site.

2. The Proposed Specific Plan Amendments Would Conform to Public Necessity, Convenience, General Welfare and Good Zoning Practice.

Los Angeles City Charter Section 558 and LAMC Section 12.32.C.2 require that prior to adopting a land use ordinance, the City Planning Commission make findings that the ordinance conforms with public necessity, convenience, general welfare and good zoning practice. The proposed Specific Plan Amendments conforms to public necessity, convenience, general welfare and good zoning practice in the following respects:

The addition of the North Swarthmore Subarea into the Specific Plan area conforms to the public necessity, general welfare, and good zoning practice by fostering a unified development on the Project Site and the existing Specific Plan area. The Specific Plan was created in 1985 and predates development of the existing buildings on the Project Site (with the exception of the gas station) and much of the development of the Village and was envisioned to provide development controls for improvements to existing buildings and/or development of individual buildings. It was not foreseeable at the time the Specific Plan was created that there would be an opportunity for a unified development that encompasses several acres of the Village. Given the assemblage of properties by the Applicant and the unique opportunity to create a vibrant new Village to replace the unfortunate declining series of storefronts, buildings, and streetscape that currently define the Project Site, there is a need to create a new subarea specific to the Project Site with limited new development standards to facilitate the Project as envisioned.

*Uses*

The Specific Plan Amendments propose to allow uses permitted under the Specific Plan within C2 zones within the proposed North Swarthmore Subarea. Although the majority of land within the Project Site is already zoned C2, there is a small portion of land to the rear of the C2 zoned portion of the Project Site along the north side of Swarthmore and the large surface parking on the south side of Swarthmore that is zoned R3P-1VL. The Specific Plan would allow C2 uses within the North Swarthmore Subarea, including the existing R3P-1VL zoned portions. As such, the amendments do not propose any new land uses, but rather uses that the City already has determined are appropriate for this area, and are necessary to facilitate the development of Project as proposed. Without this Specific Plan Amendment, the Applicant could not develop the R3P-1VL zoned portions with mixed-use buildings, promenades, and the large Village green open space area and these areas would likely remain as surface parking or contain multi-level parking structures which would not allow for the pedestrian oriented design as envisioned



by the Applicant and desired by the community. Therefore, the land use amendment conforms to public necessity, convenience, general welfare and good zoning practice.

### *Height*

The Specific Plan Amendments propose to allow portion of the second story buildings to exceed 30 feet in height. The Specific Plan currently limits height to two stories and 30 feet and provides that no building shall exceed 27 feet in height, as measured from grade to the ceiling of the upper story. All nine buildings are designed to comply with the 27 foot height rule (grade to uppermost ceiling) and are none of the buildings are more than two stories in height. The five buildings are one-story in height and comply with the 30 foot limitation. The Project seeks to allow varying building heights and roof lines above 30 feet up to 36 feet in height for the remaining four building in order to provide character, articulation, and varying rooflines. In addition, the Project proposes to allow an architectural clock tower adorning to northwest corner of Building F approximately 10 feet above the main roofline and to permit a cinema marquee to extend approximately 15 feet higher than the cinema parapet which is an integral architectural element of Building B. Lastly, the Project proposes to add a definition to measure height given the significant grade elevations differential across the Project Site.

The Specific Plan was created 30 years ago and the City's policy regarding building design has evolved significantly in recent years. Program 24 of the Implementation Chapter of the General Plan Framework calls for the formulation of citywide development standards to create a livable City and the "Do Real Planning" policy adopted in 2007 by the City Planning Commission adopted calls for basic design standards. In 2014, the City Planning Commission adopted Citywide Guidelines in response to these established policies that include overarching design themes and best practices. The Citywide Guidelines for Pedestrian-Oriented/Commercial and Mixed Use Projects set forth guidelines for Building Form that includes the following:

- In pedestrian-oriented commercial areas with predominantly smaller storefronts, apply vertical breaks and pedestrian-scaled storefront bays to prevent monolithic "box-like" buildings and maintain a storefront rhythm consistent with surrounding buildings.
- Maintain a human scale rather than a monolithic or monumental scale.
- Differentiate the ground floor from upper floors. Changes in massing and architectural relief add visual interest and help to diminish the perceived height of buildings.
- Vary and articulate the building façade to add scale and avoid large monotonous walls.
- Incorporate and alternate different textures, colors, materials, and distinctive architectural treatments that add visual interest while avoiding dull and repetitive façades.
- Integrate varied roof lines through the use of sloping roofs, modulated building heights, setbacks, or innovative architectural solutions.

The Project would comply with the Citywide Design Standards and the buildings are varied in form, style and articulation with distinctive facades and details to create an organic street character with different heights, unique storefronts and timeless elements that reflects the Palisades distinctive coastal village character. The Project contains a combination of flat and pitched rooflines and other architectural elements to provide articulation and avoid a monotonous feel along the surroundings public streets. Allowing the second story portions of four buildings to exceed 30 feet in height would implement the intended Project design aesthetic and is in compliance with current City design guidelines. As noted, the second story portions of these four buildings above 30 feet is only to accommodate pitched and varied rooflines and would not contain habitable floor area. Similarly, the clock tower adorning to northwest corner of Building F approximately 10 feet above the main roofline and to permit a cinema marquee to extend approximately 15 feet higher than the cinema parapet are key architectural elements that would add detail and interest and do not add any usable floor area. With respect to how height is measured, the Project Site has a significant elevation differential and the proposed definition of establishing grade would provide a uniform method to measure height across the Project based on these elevation and grade changes. As such, the height amendment conforms to public necessity, convenience, general welfare and good zoning practice.

### *Setbacks*

The Project proposes to permit zero setbacks in lieu of two feet for portions of buildings located adjacent to a public sidewalk and the request is consistent with the existing buildings on the Project Site which are built to the property line. Moreover, current Planning policy and zoning for commercial districts typically require that buildings be built at the property line consistent with the recently adopted Citywide Design Guidelines to “create a strong street wall by locating building frontages at the required setback or, where no setback requirement exists, at the front property line. Where additional setback is necessary or a prevailing setback exists, activate the area with a courtyard or “outdoor room” adjacent to the street by incorporating pedestrian amenities such as plazas with seating or water features, for example.” The two foot setback was established to create areas for landscape opportunities and the proposed narrowing of Swarthmore will create larger sidewalks and areas for pedestrian amenities, plazas, outdoor dining, landscape plantings and street trees. Therefore, the proposed setback amendment conforms to public necessity, convenience, general welfare and good zoning practice.

### *Parking*

The proposed amendments to the Specific Plan seek to require parking for the Project based on a Shared Parking Demand Study. The Specific Plan currently requires parking for each individual use and does not have a mechanism to allow for shared parking between multiple shared uses. The City’s zoning code permits a decision maker to approve shared parking between uses based on a Shared Parking Demand Study and this is a common tool employed for mixed-use projects

with synergistic uses. The amendment would simply extend this common practice within the Project Subarea. A Shared Parking Demand Study was prepared by The Mobility Group that determined the amount of parking that would satisfy the Project's peak parking demand for all uses. The proposed parking for the Project would meet the peak parking demand and would eliminate over parking the Project which is consistent with current Planning policy. Therefore, the proposed parking amendment conforms to public necessity, convenience, general welfare and good zoning practice.

### *Marquee Sign*

The proposed amendments to the Specific Plan would permit the cinema marquee to exceed the maximum 100 square feet for any individual sign, allow the marquee to project outward from Building B, and extend 15 feet above the roof of Building B. Other than the cinema marquee, all the remaining signage for the Project would comply with the existing Specific Plan signage regulations. The Palisades community had a previous cinema named the Bay Theater located at 15140 Sunset Boulevard which operated from 1948 to the mid 1970's. The Project would bring back the Bay Theatre to serve as the focal point for the Project and the design would utilize the original renderings from architect S. Charles Lee in order to create an iconic and defining marquee sign for the cinema as Lee desired to build in 1948 that evokes the great movie theaters of that period and midcentury architectural aesthetic. The cinema is intended as a Project focal point and the marquee would create a defining architectural element. As shown on the Project rendering, the actual sign area containing the script "Bay" and movie listings are limited. Therefore, the proposed cinema marquee signage conforms to public necessity, convenience, general welfare and good zoning practice.

### *Open Space*

The proposed amendments to the Specific Plan would add a provision that requires a minimum of 10,000 square feet of contiguous open space within the Subarea. The Specific Plan and Zoning Code do not require open space for commercial uses and the eight residential uses require a minimal amount of open space (975 square feet) per the Zoning Code. The Project proposes a large, landscaped open space park within a portion of the existing surface parking lot flanked with retail spaces and restaurants with outdoor terraces and is designed to accommodate occasional events, group activities and individual relaxation. The amendment would ensure that this dedicated open space be required from the Project. In addition, this open space would also provide the code required open space for the eight residential uses.

### *Streetscape Plan*

The Amendments include adding a provision to create streetscape plan to guide the improvement of Swarthmore Avenue that includes street configuration, paving materials, landscaping, street tress, street lighting, and street furnishings. The Streetscape Plan will improve Swarthmore using consistent, high quality, elegant materials and furnishings that will complement the proposed Project's architectural and landscape design and create a pedestrian oriented charming street that will support a thriving mix of uses. This amendment conforms to public necessity, convenience, general welfare and good zoning practice.

### *Alcohol*

The Amendments include adding provisions to regulate the limited sale and consumption of alcohol within the Project's restaurants, cinema, and market. Alcohol is typically permitted in the Zoning Code with approval of a Conditional Use Permit (CUP) based on specific findings. The Amendments would set a limit on the number of establishments within the Project that may offer alcohol and create a regulatory framework to approve such uses. As set forth in the Alcohol Findings below (CUP Findings), the amendment conforms to public necessity, convenience, general welfare and good zoning practice.

### **ALCOHOL FINDINGS**

1. The proposed location will be desirable to the public convenience or welfare, is proper in relation to adjacent uses or the development of the community, will not be materially detrimental to the character of development in the immediate neighborhood, and will be in harmony with the various elements and objectives of the General Plan and will not adversely affect the welfare of the pertinent community;

The Specific Plan Amendments proposes to permit the sale of alcohol within a maximum 10 new establishments within the Subarea that includes the onsite sale and consumption of a full line of alcohol at six restaurants with table service, the onsite sale and consumption of a full line of alcohol within the cinema, and offsite sale and consumption of a full line of alcohol for three establishments which are envisioned to include two within the specialty market and one for potential retail store such as sandwich shop/bakery type use.

The alcohol-serving establishments will be desirable to the public convenience and welfare because they will be located in an established commercial district. The availability of additional services, such as dining with the availability of alcoholic beverages or in conjunction with the operation of the cinema and specialty market, will enhance the atmosphere and attractiveness of the Village. The diversity of food service and the ancillary sale of alcoholic beverages provide a desired and expected amenity for patrons and are vital to the success and operation of restaurants and the other proposed establishments. In addition, restaurants promote pedestrian activity and the location of the Project will provide convenient access for Palisades residents in surrounding neighborhood who can walk to quality restaurants and retail uses, as well as provides gathering places where patrons can relax and congregate. Moreover, the establishments serving alcohol beverages will be part of a carefully controlled mixed-use development controlled by the

Applicant with a long successful experience selling alcohol and appropriate security measures will be taken.

In consideration of the location and character of the proposed operations, it is anticipated that the restaurants will attract patrons primarily interested in full meal service or light snacks and accompanying alcohol. The grocery store will attract individuals, likely drawn primarily from surrounding neighborhood and will therefore serve the convenience and/or general welfare of the local public.

With respect to the economic welfare of the community, the proposed establishments will serve as accessory to the primary role of the Project as a mixed-use commercial and residential development. The Project will not contain any type of use which may typically be associated with adverse effects upon the economic health of a neighborhood. The Project will positively affect the economic vitality of the community by comprising a well-balanced development including the market use, restaurant, and retail uses.

The proposed restaurant, cinema, market, and retail uses will positively serve the public welfare by redeveloping the Site and generating additional jobs sales tax and by providing additional short-term and long-term employment opportunities to area residents. Ample on-site parking is accessible and security will be provided as part of the Project. Trash collection areas will be located within the enclosed building and shielded from public view. The Project will provide attractive lighting, properly shielded and directed on-site, as well as sufficient security lighting throughout the Site.

The approval of alcohol will not adversely affect the welfare of the Palisades community. The Project is located within the Village commercial district and will continue to function as such with the proposed mix of uses. The Project will provide much needed economic and community revitalization and retail opportunities to the Palisades community. The proposed uses, along with limited availability of alcohol, would revitalize the Village that was once the bustling heart of the Palisades that has experienced a gradual decline over the years with a number of neglected vacant storefronts and create a pedestrian oriented neighborhood centerpiece with a variety of retail, dining, personal services, and community gathering spaces.

The alcohol-serving establishments will be proper in relation to adjacent uses and the development of the community. Redevelopment of the Project Site includes the construction of a mixed-use development with nine new buildings with a total floor area of approximately 116,215 square feet comprised of retail and restaurant uses, a neighborhood cinema with five screens and approximately 300 seats, eight apartment units, a specialty grocery market, offices, and ancillary uses all connected by pedestrian walkways and paseos, landscaping, and open space. Upon completion, the Project would revitalize the Village that was once the bustling heart of the Palisades that has experienced a gradual decline over the years with a number of neglected vacant storefronts and create a pedestrian oriented neighborhood centerpiece with a variety of retail, dining, personal services, and community gathering spaces. The alcohol-serving

establishments will be embedded within this development and will serve the primarily serve the local Palisades population.

The sale of alcohol at the establishments describe above will be in harmony with the elements and objectives of the General Plan. Specifically, by permitting the restaurants, cinema, and market within the Project to serve alcohol, the Project will be able to “accommodate a diversity of uses that support the needs of the City’s existing and future residents, businesses, and visitors,” consistent with Objective 3.1 of the General Plan Framework. The permits will also “attract uses which strengthen the economic base and expand market opportunities for new businesses,” consistent with Objective 2.3 of the Community Plans. The permits will induce new full service restaurants to locate within the Project site. These new restaurants will bring visitors to the Project site who currently have limited options in the community for full-service dining and currently need to travel to areas outside of this community. The addition of these facilities will likely encourage these visitors to spend time shopping in and supporting the surrounding community.

The proposed uses will not adversely affect the welfare of the community. The Project will not contain any type of use which may typically be associated with adverse effects upon the health of a neighborhood such as a stand-alone liquor store, bar, or nightclub. Under the proposed amendments, the operators of the alcohol-serving establishments will be required to obtain approvals from the Zoning Administrator, who will review the details of the establishment’s operations for consistency with the Specific Plan regulations and conditions for alcohol approvals. These conditions may include requirements for coordinating with LAPD regarding appropriate security measures, graffiti and litter removal programs, preventing loitering, preventing excessive drinking, and generally maintaining control and decorum on the Project Site. All alcohol sales and service will also be subject to the appropriate regulations as imposed by the California Department of Alcoholic Beverage Control through their permitted process. Thus, the Project would include sufficient monitoring and control of the alcohol uses such that they would not be detrimental to the immediate neighborhood and would not adversely affect the welfare of the community.

2. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control’s guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

According to the State Department of Alcoholic Beverage Control, there are 2 off-site licenses allocated to Census Tract No. 2625.01 while there is 1 existing off-site license, a Type 20 license for beer and wine at the Mobil gas station of the Project. The Applicant is proposing to two off-site licenses to this census tract since the Mobil station would be removed as part of the redevelopment. With respect to on-site sales, there are 3 licenses allocated to Census Tract No. 2625.01 while there are 4 existing off-site licenses which include an existing Type 47 license allocated to the Project. The Project would add nine new on-site licenses to the census tract.

According to ABC, no current revocation or nuisance proceedings have been initiated for any use in the area. Thus, based on the foregoing analysis, approval of the requested alcohol use within the Project Site will not result in or contribute to an undue concentration of establishments for the sale and dispensing of alcohol.

A review of the alcohol establishments within 1,000 feet of the Project Site shows that there are 15 establishments: 12 with on-site only sales and 3 with off-site only sales that include the two onsite licenses on the Project Site. The majority of the on-site licenses are for restaurant uses with ancillary alcohol (no bars) and the off-site licenses are allocated to a pharmacy and two chain grocery stores (no liquor stores).

Two of the proposed off-site alcohol uses are incidental to the operation of the specialty grocery market and one license for a potential retail sandwich type or similar use, one onsite license is incidental to cinema, and the remaining six onsite licenses are for restaurant uses. The Project would not include stand-alone liquor stores, bars or night clubs. The approval of the requested alcohol on the Project Site will not result in an undue concentration of establishments selling alcoholic beverages.

Although there may be an overconcentration of alcohol uses in the Census Tract as defined by ABC, the licensing criteria do not take into consideration that the Project's integrated commercial uses within a commercial district. The existence of an overconcentration of licenses in areas such as the subject vicinity is not automatically inappropriate and does not necessarily constitute an undue concentration. In this case, the restaurants, cinema, and specialty grocery shop will likely attract primarily residents from the surrounding area and will appropriately provide convenient food and beverage sales in this residential and commercial area.

It is not anticipated that the character of the proposed uses would exacerbate existing levels of crime or be a magnet for criminal activity. These uses will be located within an upscale integrated mixed-use development. The property owner will insure that individual operators of the facilities provide appropriate security measures when applications are made for the specific premises under future approvals. Under those applications, a variety of premises-specific characteristics can be determined, including hours of operation, occupancy loads, the precise type of alcoholic beverages permitted, the location of lounges and security measures.

Importantly, the Project is not located in a high crime-reporting district; it is in a very low crime-reporting district. This is significant given the fact that the Census Tract is currently over-concentrated as to alcohol-selling establishments; it doesn't appear this has created a problem. Since the establishments will be part of a carefully controlled, high-quality development, the service of alcoholic beverages will enhance the quality of the Project Site and surrounding area and not result in an undue concentration of premises.

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

The approval of alcohol-serving uses in the subarea will not detrimentally affect nearby residential zones or uses. As shown on the sensitive use list submitted with the application, there are two churches and five schools within 1,000 feet of the Project Site. The new alcohol-serving uses at the Project site will be limited to restaurants, the specialty market, and the cinema. These uses will benefit the community by adding neighborhood services within walking distance to nearby residential neighborhoods. Further, high nuisance related uses, incompatible with residential communities, such as stand-alone bars, lounges, and nightclubs will be prohibited. For these reasons, and the reasons discussed above, the approval of alcohol-serving uses in the subarea will not detrimentally affect nearby residential zones or sensitive uses in the area.