

**APPLICATIONS:****DEPARTMENT OF CITY PLANNING APPLICATION***THIS BOX FOR CITY PLANNING STAFF USE ONLY*

Case Number _____

Env. Case Number _____

Application Type _____

Case Filed With (Print Name) _____

Date Filed _____

Application includes letter requesting:

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

Related Case Number(s): _____

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.*All terms in this document are applicable to the singular as well as the plural forms of such terms.**Refer to the Department of City Planning Application Filing Instructions ([CP-7810](#)) for more information.***1. PROJECT LOCATION**Street Address¹ 12101 W. Olympic Blvd., Los Angeles, CA 90064 Unit/Space Number _____Legal Description² (Lot, Block, Tract) Lot: C; Block: None; Tract: PM 4059Assessor Parcel Number 4259-019-008 Total Lot Area 207,209 sf**2. PROJECT DESCRIPTION**Present Use CommercialProposed Use Supermarket within a new Mixed Use DevelopmentProject Name (if applicable) Gelsons MarketDescribe in detail the characteristics, scope and/or operation of the proposed project MPA to allow the sale of full line of alcohol for off-site consumption, on-site instructional tastings and on-site consumption at a new 33,196 sf Gelsons Market with on-site cafe. Hours of operation 7am to 11pm daily.Additional information attached ☐ YES ☒ NO

Complete and check all that apply:

Existing Site Conditions☐ Site is undeveloped or unimproved (i.e., vacant)☒ Site has existing buildings (provide copies of building permits)☐ Site is/was developed with uses that could release hazardous materials on soil and/or groundwater (e.g., dry cleaning, gas station, auto repair, industrial)☐ Site is located within 500 feet of a freeway or railroad☐ Site is located within 500 feet of a sensitive use (e.g., school, park)☐ Site has special designation (e.g., National Historic Register, Survey LA)¹ Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)² Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

Proposed Project Information

(Check all that apply or could apply)

- ☐ Demolition of existing buildings/structures
- ☐ Relocation of existing buildings/structures
- ☐ Removal of any on-site tree
- ☐ Removal of any street tree
- ☐ Removal of protected trees onsite / public right-of-way
- ☐ Grading
- ☐ Haul Route

- ☐ New construction: _____ square feet
- ☐ Additions to existing buildings
- ☒ Interior tenant improvement
- ☐ Exterior renovation or alteration
- ☐ Change of use and/or hours of operation
- ☐ Uses or structures in public right-of-way
- ☐ Phased project

Housing Component Information

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

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

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

Mixed Use Projects, Amount of Non-Residential Floor Area: N/A square feet

Public Right-of-Way Information

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

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

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

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

3. ACTION(S) REQUESTED

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

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

Authorizing Code Section 12.24-M

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

Action Requested, Narrative: MPA to allow sale of full line of alcohol for off-site consumption, on-site tastings & on-site consumption at a new Gelsons Market with cafe. Hours of oper 7am-11pm daily

Authorizing Code Section _____

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

Action Requested, Narrative: _____

Additional Requests Attached ☐ YES ☒ NO

4. RELATED DEPARTMENT OF CITY PLANNING CASES

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

If YES, list all case number(s) CPC-2013-2567-GPA-VZC-HD-CU-MCUP-CUX-ZV-SPR

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

⁴ As determined by the Housing and Community Investment Department

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

Case No. CPC-2013-2567-GPA-VZC-HD

Ordinance No.: _____

☐ Condition Compliance Review

☐ Clarification of Q (Qualified) Condition

☐ Modification of Conditions

☐ Clarification of D (Development) Limitation

☐ Revision of Approved Plans

☐ Amendment to T (Tentative) Classification

☐ Renewal of Entitlement

☒ Plan Approval subsequent to Main Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? ☐ YES ☒ NO

Have you filed, or is there intent to file, a Subdivision with this project? ☐ YES ☒ NO

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

5. RELATED DOCUMENTS / REFERRALS

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

Specialized Requirement Form N/A

Geographic Project Planning Referral To be requested for Exposition Corridor Transit Neighbor. Plan

Case Consultation Referral Form N/A

Redevelopment Project Area – Administrative Review and Referral Form N/A

HPOZ Authorization Form N/A

Affordable Housing Referral Form N/A

Transit Oriented Communities Referral Form N/A

Preliminary Zoning Assessment Referral Form (Plan Check #) N/A

Housing Development Project determination (PZA Sec. II) N/A

Optional HCA Vesting Preliminary Application N/A

Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form N/A

Mello Form N/A

Citywide Design Guidelines Compliance Review Form N/A

GPA Initiation Request Form N/A

Expedite Fee Agreement N/A

Department of Transportation (DOT) Referral Form N/A

Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) N/A

Hillside Referral Form (BOE) N/A

Building Permits and Certificates of Occupancy to be submitted following TI completion.

Order to Comply N/A

Low Impact Development (LID) Referral Form (Stormwater Mitigation) N/A

Replacement Unit Determination (LAHD) N/A

Are there any recorded Covenants, affidavits or easements on this property? ☐ YES (provide copy) ☒ NO

PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant⁵ name Mark Motsenbocker

Company/Firm Gelsons Market

Address: 13833 Freeway Dr. Unit/Space Number _____

City Santa Fe Springs State CA Zip Code: 91331

Telephone (310) 638-2842 E-mail: mmotsenbocker@gelsons.com

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

Property Owner of Record ☐ Same as applicant ☒ Different from applicant

Name (if different from applicant) Philena Investment Holdings, LLC

Address 444 S. Flower St. Unit/Space Number 2100

City Los Angeles State CA Zip Code: 90071

Telephone (213) 624-3229 E-mail: Varun.Akula@hines.com

Agent/Representative name Brett Engstrom

Company/Firm LiquorLicense.com

Address: 2222 Damon St. Unit/Space Number _____

City Los Angeles State CA Zip: 90021

Telephone (626) 993-7350 E-mail: brett@liquorlicense.com

Other (Specify Architect, Engineer, CEQA Consultant etc.) N/A

Name _____

Company/Firm _____

Address: _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Primary Contact for Project Information

(select only one)

☐ Owner

☒ Agent/Representative

☐ Applicant

☐ Other

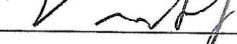
To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List and the Abutting Property Owners List.

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

PROPERTY OWNER

7. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts an officer of the ownership entity so authorized may sign as stipulated below.
- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC, or trust, a disclosure identifying an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
 - **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC, or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
 - **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
 - **Multiple Owners.** If the property is owned by more than one individual (e.g., John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.
- a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC, or trust as evidenced by the documents attached hereto.
- b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

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

Signature 

Date 8/31/22

Print Name Varun Akula

Signature _____

Date _____

Print Name _____

Space Below for Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

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

State of California

County of Los Angeles

On 8/31/2022 before me, Ashley Thompson, Notary Public
(Insert Name of Notary Public and Title)

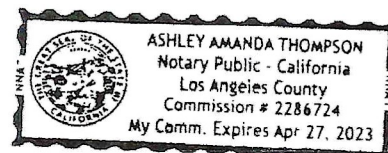
personally appeared Vann Arana, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s)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

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

WITNESS my hand and official seal.

[Signature]
Signature

(Seal)



CALIFORNIA ACKNOWLEDGMENT

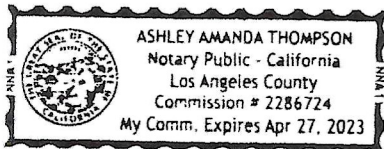
CIVIL CODE § 1189

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

State of California

County of LOS Angeles }On 8/31/2022 before me, ASHLEY THOMPSON, Notary Public
Date Here Insert Name and Title of the Officerpersonally appeared VARM AKULA
Name(s) of Signer(s)

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



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

WITNESS my hand and official seal.

Place Notary Seal and/or Stamp Above

Signature

Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____☐ Partner – ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____☐ Partner – ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____

APPLICANT

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

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

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

Signature: _____

Date: _____

Print Name: _____



FINDINGS / SPECIALIZED REQUIREMENTS:

PLAN APPROVAL FOR ALCOHOL AND ADULT ENTERTAINMENT ESTABLISHMENTS (PA/PAD/PAB)

ZONE CODE SECTIONS: 12.24 M for alcohol establishments subject to 12.24 W1 or 12.24 X2, or for adult entertainment establishments subject to 12.24 W18.

The Plan Approval Findings/Justification is a required attachment to the *DEPARTMENT OF CITY PLANNING APPLICATION*(CP-7771.1)

Public Notice Requirements: This entitlement requires notification of property owners abutting the project site. Please note the original or most recent decision letter may specify a different notice requirement that may be greater.

Continuing Term-Limited Conditional Uses (ZA Memo 122): This form is to be completed when utilizing the provisions established in ZA Memorandum No. 122. The memorandum allows for applicants to continue any **still valid** approval that has been term-limited, through the Plan Approval procedure. Applicants are advised that the Plan Approval must take effect **before** the original approval expires in order for it to remain valid – there can be no lapse in time. For example, if the original approval dated 1/1/2010 was approved for a term-limit of 5 years (expiring on 1/1/2015), and if the average case processing time is 1 year, the applicant would be advised to file **latest** on 1/1/2014. Therefore, filing **well before** the expiration date is strongly recommended.

ADDITIONAL INFORMATION/FINDINGS FOR APPROVAL OF A PLAN APPROVAL:

In order to grant your request, the following additional information and findings must be provided on this form and/or on a separate sheet:

1. **Original Approval**

- Provide a copy of the original entitlement, together with any appeals.
- If there is no original entitlement, and the Plan Approval is being filed on a Deemed-to-be-Approved Conditional Use establishment (PAD), provide a copy of the Building Permit, Certificate of Occupancy, or other documentation that originally permitted the use.

2. **Condition Compliance (on a separate sheet)**

- Provide supplemental information that verifies compliance with all current conditions of approval. List the condition number, the text of the condition, and an explanation or documented proof of how the condition has been met.
- *For example:* Condition 22 – No dancing or dance floor is permitted.
Proof: The attached floor plan and accompanying photos show fixed seats and tables throughout the venue with no room for a dance floor or dancing.

3. **Findings (on a separate sheet)**

a. **General Conditional Use**

- i. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.
- ii. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

- iii. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

b. Additional Findings

- i. Explain how the approval of the application will not result in, or contribute to an undue concentration of such establishments.
- ii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

4. Questions Regarding the Physical Development of the Site

- a. What is the total square footage of the building or center the establishment is located in?
807,200 sf
- b. What is the total square footage of the space the establishment will occupy?
33,196 sf
- c. What is the total occupancy load of the space as determined by the Fire Department?
TBD
- d. What is the total number of seats that will be provided indoors? 49 Outdoors?
24
- e. If there is an outdoor area, will there be an option to consume alcohol outdoors?
Yes
- f. If there is an outdoor area, is it on private property or the public right-of-way, or both?
Private property
- g. If an outdoor area is on the public right-of-way, has a revocable permit been obtained? N/A
- h. Are you adding floor area? No If yes, how much is enclosed? N/A Outdoors?
N/A
- i. **Parking**
 - i. How many parking spaces are available on the site?
1,548
 - ii. Are they shared or designated for the subject use?
These are shared spaces
 - iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety?
N/A
 - iv. Have any arrangements been made to provide parking off-site?
No.
 - 1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety?
N/A

- **Note:** *Required* parking must be secured via a covenant pursuant to AMC section 12.26 E 5. A private lease is only permitted by a Zone Variance.

2. Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve.
3. Will valet service be available? No Will the service be for a charge?
N/A

j. Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks?
Yes

k. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Businesses as defined by LAMC 12.70 B17?
N/A

5. **Questions Regarding the Operation of the Establishment**

a. Has the use been discontinued for more than a year? No

- i. If yes, it is **not eligible** for the Plan Approval process.
- ii. If no, the applicant may be required to prove that the discontinuance of the use did not occur – see LAMC section 12.23 B9 or 12.24 Q.

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

	M	Tu	W	Th	F	Sa	Su
Proposed Hours of Operation	7am-11pm	7am-11pm	7am-11pm	7am-11pm	7am-11pm	7am-11pm	7am-11pm
Proposed Hours of Alcohol Sale	7am-11pm	7am-11pm	7am-11pm	7am-11pm	7am-11pm	7am-11pm	7am-11pm

c. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc...? Please specify:
No entertainment is proposed.

- **Note:** An establishment that allows for dancing needs a conditional use pursuant to LAMC section 12.24 W18.

d. Will there be minimum age requirements for entry? No If yes, what is the minimum age requirement and how will it be enforced?
N/A

e. Will there be any accessory retail uses on the site? Yes What will be sold?
Main operation of the business is a retail supermarket.

f. **Security**

- i. How many employees will you have on the site at any given time?
5-45
- ii. Will security guards be provided on-site?
No
1. If yes, how many and when when?
N/A

- iii. Has LAPD issued any citations or violations? No If yes, please provide copies.

g. Alcohol

- i. Will there be beer & wine only, or a full-line of alcoholic beverages available?
A full line of alcohol.
- ii. Will "fortified" wine (greater than 16% alcohol) be sold?
Fortified wines will not be sold.
- iii. Will alcohol be consumed on any adjacent property under the control of the applicant?
No.
- iv. Will there be signs visible from the exterior that advertise the availability of alcohol?
No.

v. Food

1. Will there be a kitchen on the site?
Yes.
2. Will alcohol be sold without a food order?
Yes.
3. Will the sale of alcohol exceed the sale of food items on a quarterly basis?
No.
4. Provide a copy of the menu if food is to be served.

vi. On-Site

1. Will a bar or cocktail lounge be maintained incidental to a restaurant?
No.
▪ If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.
2. Will off-site sales of alcohol be provided accessory to on-site sales ("Take Out")?
Request is for both off-site sales and on-site sales.
▪ If yes, a request for off-site sales of alcohol is required as well.
3. Will discounted alcoholic drinks ("Happy Hour") be offered at any time?
Yes.

vii. Off-Site

1. Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises?
No, not for consumption on the premises.
2. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)?
Items will be sold in pre-determined quantities as delivered by the distributor.

- viii. Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements --
<http://www.abc.ca.gov/>.

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

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

Both on-site and off-site sales.

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

A portion of the business is a bona-fide eating establishment.

1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:

- issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or
- if issuance would result in, or add to an undue concentration of licenses.

- b. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for **public convenience** or **necessity**.

- Please note that this is **in addition** to obtaining the Conditional Use Permit or Plan Approval.

APPLICATION TO THE ZONING ADMINISTRATOR FOR MAIN PLAN APPROVAL – ALCOHOLIC BEVERAGES (MPA)

APPLICANT: GELSONS MARKET

**PROPERTY: 12101 W. OLYMPIC BLVD.
LOS ANGELES, CA 90064**

**REFERENCE: SALE OF A FULL LINE OF ALCOHOL FOR OFF-SITE CONSUMPTION,
ON-SITE CONSUMPTION AND ON-SITE INSTRUCTIONAL TASTINGS IN
CONJUNCTION WITH A NEW GELSONS MARKET WITH ON-SITE CAFE IN
THE HJ(EC) ZONE.**

Summary of Request

Pursuant to L.A.M.C. Section 12.24-M, the Applicant Gelsons Market is seeking an MPA under governing case CPC 2013-2567 GPA VZC HD CU MCUP CUX ZV SPR to allow the sale of a full line of alcohol for off-site consumption (ABC Type #21), on-site consumption (ABC Type #47) and on-site instructional tastings (Type #86) in conjunction with their new market to be located at 12101 W. Olympic Blvd., Los Angeles, CA 90064. Gelsons will be assuming a 33,196 sf ground floor tenant space within a newly developed mixed use building, which includes 516 dwelling units and 299,000 square feet of commercial and office floor area. Per Condition A.4(c) of the grant, all businesses wishing to sell alcoholic beverages under the MCUP must file a Plan Approval:

c. Plan Approval. The operator shall file a Plan Approval pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Conditional Use Permit authorized. The Plan Approval application shall be accompanied by the payment of appropriate fees and must be accepted as complete by the Condition Compliance Unit. Mailing labels shall be provided by the applicant for all abutting owners, for the Council Office, the Neighborhood Council and for the Los Angeles Police Department. The purpose of the Plan Approval procedure is to review the proposed venue in greater detail and tailor specific conditions for each premise including but not limited to hours of operation, seating capacity, size, security, the length of a term grant and/or any requirement for a subsequent Approval of Plans application to evaluate compliance and effectiveness of the conditions of approval. Conditions herein shall be incorporated into the Plan Approval unless in the opinion of the decision maker the applicant has justified otherwise. A public hearing shall be conducted if the operator proposes to change the conditions. A Plan Approval without a hearing may be granted if the operator agrees to the Conditional Use Permit Conditions.

The subject application has been filed to meet this requirement to utilize the alcohol uses granted in the Main CUP grant. The new supermarket will operate with ABC Types #21, #47 and #86 Licenses. The property is within the HJ(EC) zone, designated Hybrid industrial Neighborhood Office Commercial under the General Plan Land Use designations. It is located within the West Los Angeles Community Plan Area, Council District 11, the West LA Transportation Improvement and Mitigation area and the Exposition Corridor Transit Neighborhood Plan area.

THE APPLICANT

Gelson's opened its first store in Burbank, CA in 1951. More than five decades later they operate over 25 stores throughout Southern California, including Ventura, Santa Barbara, Los Angeles, Orange and San Diego Counties. Gelson's has long been recognized for the outstanding quality of its products and its exceptional customer service. Gelson's customers rely on the company to provide the highest quality produce, meat, seafood, deli, and general grocery items, along with an unmatched selection of beer, wine and distilled spirits. Many of these beverages are selected from boutique wineries and local craft breweries, giving Gelson's customers an opportunity to purchase quality products which may not be readily available elsewhere.

In an effort to further enhance their customer's shopping experience, Gelson's is proposing to offer a small on-site restaurant area. The operation will offer freshly made appetizers, sandwiches, tapas, sushi, etc., which can be accompanied by a small selection of beer, wine and cocktails. The on-site consumption area will include a 1,285 sf interior area with 49 seats and an additional 24 seats in the 526 sf patio area. Both interior and patio consumption areas will be enclosed with permanent railing to delineate the consumption area. The patio area will be located entirely within the parcel and will not encroach on to the public right of way. The on-site restaurant area is not meant to draw additional patrons, but to better serve those already visiting the market. The proposed hours of operation for the on-site beer & wine consumption are the same as the store's general operating hours of 7am to 11pm daily.

Gelson's is also proposing an opportunity for patrons to become familiar with the nuances of the fine wines, craft beers and spirits offered by the store. Under the relatively new ABC Type #86 License, Gelson's would periodically invite its vendors to offer on-site instructional tastings to interested adults. The instructional tasting license Type #86 was created in 2011 pursuant to Business and Professions Code §23396.6 and §25503.56, and is only available to qualified off-sale retail licensed businesses. Per Type #86 guidelines, tasting events can only be held between the hours of 10am and 9pm. Additionally, the events are to be sponsored by an "Authorized Licensee;" winegrower, beer or wine importer, wine rectifier, distilled spirits manufacturer, etc. The same Authorized Licensee will be supplying the showcased beverages to be offered. Tastings of wine and distilled spirits shall not exceed one ounce each, and patrons will be limited to no more than 3 tastings per day. The tasting of beer shall be limited to no more than 8 ounces per patron per day. As an adjunct to Gelson's Type #21 License, the Type #86 license allows tastings to be held in any area within the licensed establishment. While tastings are being conducted, the area will be partitioned off and signs that identify the area for tastings and age requirements will be prominently displayed.

Gelson's believes its request for a Conditional Use Permit for alcohol sales is reasonable as the location is suitable for a retail market, and Gelson's excellent record of compliance with the Department of ABC. The sale of alcohol for off-site consumption is a standard part of any full service grocery store. On-site cafes with alcohol service, as well as on-site instructional tastings have become an increasingly common amenity in high end supermarkets such as Gelson's. These ancillary additions to the market are meant to offer a better overall experience to those patrons already visiting the market. Gelson's proven track record with the Dept. of ABC illustrates their commitment to following required protocols regarding the sale of alcoholic beverages.

Gelson's patrons not only rely on the highest quality of items for purchase, but also for the exceptional customer service and professional manner in which their stores are operated. This responsible and professional approach with attention to detail will continue with the inclusion of alcohol sales. With their overall reputation as a long-standing, responsible company, Gelson's believes the approval of their request for a Conditional Use Permit is proper for this location.

GENERAL FINDINGS

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

Gelson's will be opening this location on the ground floor of a new mixed use development. The market will include a large selection of a shopper's everyday needs, and the sale of alcohol for off-site consumption is an expected amenity in a full service supermarket. The on-site consumption and instructional tastings is an ancillary benefit to those same patrons, whereby they may make their purchases, have a small meal and beverages at a single stop. The new Gelson's Market will provide a service to nearby residents and employees of surrounding businesses. The subject property is located in an area that is accessible to public transportation. The on-site cafe with alcohol consumption is common in many upscale markets and has become an expected amenity in similar markets. The operation of a new Gelson's Market will provide an essential and beneficial service of providing a large selection of quality items for a patron's daily shopping needs.

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

The project site is immediately surrounded by a mix of office, retail, and industrial uses contained in structures ranging from low-rise to high-rise buildings, which are physically separated from the project site by major and secondary highways, and non-arterial streets. The project site sits on a block bounded by Nebraska Avenue to the north, Bundy Drive to the east, Olympic Boulevard to the south and Centinela Avenue to the west. The nearest single family residential neighborhoods are to the north of Nebraska Boulevard, south of Exposition Boulevard, and northeast of the site along La Grange Avenue and Missouri Avenue. The single-family homes along Nebraska Avenue are approximately 1,200 feet away from the project site to the northwest. The homes along Exposition Avenue are approximately 500 feet south of the project site. The homes on La Grange and Missouri are at least 600 feet away from the project site to the northeast.

The sale and dispensing of a full line of alcoholic beverages for off-site consumption is a standard component of a modern market. The addition of on-site consumption in conjunction with an on-site cafe and on-site instructional tastings are becoming expected amenities at any high end market. These aspects in conjunction with a properly operated market will be proper in relation to adjacent uses. The new market will be maintained and operated with suitable lighting to enhance the neighborhood's aesthetics, convenience, livability, and security. Further, operating conditions such as requirements for STAR training and security cameras may be imposed to ensure that the project's operation remains safe and respectful of the surrounding neighborhood. With a responsible and professionally operated market

along a commercial thoroughfare will remain compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

The West LA Community Plan Map designates the property for Hybrid Industrial land uses. The project is located within an area of West Los Angeles characterized by a mix of commercial with some residential uses, with a concentration of commercial and office uses located along Olympic Boulevard and Bundy Drive. The Framework Element recommends that improvement of jobs and housing relationships in subareas of the City may be accomplished through the reuse of commercially zoned corridors and development at transit stations which afford the opportunity for the development of a mix of uses, housing, local retail, and offices, and can improve localized jobs and housing relationships. The Framework Element concludes that should growth and new development in the City occur, most likely it will require the recycling and/or intensification of existing developed properties or conversion of certain uses.

The land use chapter of the Framework Element also encourages development in proximity to rail and bus transportation corridors and stations. Additionally it is intended that a mix of uses be accommodated to provide population support and enhance activity near the stations. This may encompass a range of retail, commercial, offices, personal services, entertainment, restaurants and housing that serve both transit users and local residents. The highest development intensities are targeted generally within one quarter mile of the transit stations. Framework Element Transit Station Goal 3K calls for "transit stations to function as a primary focal point of the City's development."

The proposed project, as a mixed-use development providing 516 dwelling units and 299,000 square feet of commercial and office floor area within walking distance to a rail transit station (the Expo/Bundy station), is consistent with the Framework Element's designation of General Commercial and transit-oriented development goals and policies. The proposed project is consistent with the zone and land use designation and would enliven an otherwise under-utilized parcel approximately one block north of the Metro Expo Line's Expo/Bundy Station by adding housing, office and amenities along Bundy Drive and Olympic Boulevard, serving project and area residents and the larger metropolitan region. Moreover, the project would enhance the availability of neighborhood-serving uses in an area that is well-served by existing public transit.

The West Los Angeles Community Plan text includes the following relevant goals, objectives and policies to maintain the community's distinctive character by:

Goal: Improving the function, design and economic vitality of commercial and industrial areas.

Goal: Maximizing development opportunities around future transit systems while minimizing any adverse impacts.

Goal: Preserving and strengthening commercial and industrial developments to provide a diverse job-producing economic base; and through design guidelines and physical improvements, enhance the appearance of these areas.

Goal 2: A strong and competitive commercial sector which promotes economic vitality, serves the needs of the community through well designed, safe and accessible areas while preserving historic and cultural character.

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

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

The proposed project is a new 33,156 sf full service supermarket. The project would provide much-needed jobs and housing to the West Los Angeles Plan area, as well as a neighborhood serving supermarket within walking distance to a light rail station, which would provide local amenities, a high quality designed project and economic vitality to the surrounding area and will therefore be in conformance with the West LA Community Plan.

The Community Plan text does not specifically address the sale of alcohol beverages, however, the Los Angeles Municipal Code authorizes the Department of City Planning to grant the requested conditional use in the zones corresponding to the Plan land use designation. The intent and purpose of the General Plan, is to allow for an arrangement of land uses which are compatible with each other. The Plan encourages the proximity of services to the areas they serve, and the subject request is consistent with these objectives. A quality market with a large variety of a patron's daily shopping needs offers a beneficial service to the area. The proposed market's location is in proximity to residential uses within the mixed use development, as well as other residential properties in the area, and will allow patrons to complete their shopping without the need for vehicles, thereby avoiding an increase in traffic for the area. The sale of alcoholic beverages can be done safely and responsibly through the operator's compliance with regulations and conditions placed on it by the City of LA and the Dept of ABC. Therefore the proposed market operation with alcoholic beverage sales will be in harmony with the general plan's goals and objectives.

ADDITIONAL CUB FINDINGS

i. Explain how the proposed use will not adversely affect the welfare of the pertinent community.

The project site is within a transit oriented district, less than 500 feet away from the Expo/Bundy Light Rail station, which is intended to serve as the focal point for regional commerce, identity, and activity. The area surrounding the project site is primarily a mix of office and retail buildings. The proposed supermarket will be compatible with the surrounding uses, providing a place for office workers, visitors and residents to shop and socialize, contributing to the continued economic vitality of the neighborhood. With responsible management and operation, the approval of the subject MPA request for the sale of alcohol in conjunction with the new market will not adversely affect the welfare of the community. The property is zoned HJ(EC), which allows for the supermarket and cafe use by right. Both the subject MPA request as well as the ABC Licenses applied for in conjunction with the project will incorporate a long list of operating conditions that will guide the operation and ensure the new market will remain compatible with the character of the immediate neighborhood and not adversely affect the welfare of the pertinent community. Operating conditions will likely include security measures such as the installation of a surveillance system, utilization of age verification devices at point(s) of sale to deter underage drinking

and employees mandatory completion of LAPD's own STAR Training program for responsible alcohol retail sales.

The proposed Gelsons Market will provide a broad range of everyday essentials to meet the needs of local residents, workers, and visitors. Alcoholic beverage sales will be incidental to the store's overall retail operations as a grocery market and will not adversely affect the surrounding community when conducted in a responsible manner. The applicant believes that by operating in adherence to suitable operating conditions, the proposed use will not be detrimental to the public welfare of the surrounding community.

ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.

Undue concentration can occur when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. The number of active licenses within the census tract is above the number allocated by ABC guidelines. However the census tract includes an established commercial district, which is home to a large variety of area serving businesses, some of which are ABC licensed establishments.

The sale of alcoholic beverages at the new market will be incidental to groceries and other household items. When conducted in a professional and responsible manner, the sale of alcohol in conjunction with quality grocery operation is not expected to contribute to the area's crime rate or result in nuisance activity. In addition, the incorporation of suitable operating conditions can minimize any possible adverse impact on the welfare of the surrounding area. In this case, the proposed project will not adversely affect community welfare because the proposed full service grocery store is a desirable use in an area designated for commercial uses. The new market will provide a convenience to workers, visitors, and residents in the immediate neighborhood and will not negatively impact the area. As such, approval of the request will not result in an undue concentration of licensed premises.

iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

The Subject Property is located within the HJ(EC) zone, and designated as Hybrid Industrial under the General Plan Land Use designations. The project site is immediately surrounded by a mix of office, retail, and industrial uses contained in structures ranging from low-rise to high-rise buildings, which are physically separated from the project site by major and secondary highways, and non-arterial streets. The project site sits on a block bounded by Nebraska Avenue to the north, Bundy Drive to the east, Olympic Boulevard to the south and Centinela Avenue to the west. The nearest single family residential neighborhoods are to the north of Nebraska Boulevard, south of Exposition Boulevard, and northeast of the site along La Grange Avenue and Missouri Avenue. The single-family homes along Nebraska Avenue are approximately 1,200 feet away from the project site to the northwest. The homes along Exposition Avenue are approximately 500 feet south of the project site. The homes on La Grange and Missouri are at least 600 feet away from the project site to the northeast.

The redevelopment of the subject property was reviewed and subsequently approved under case number CPC 2013-2567 GPA VZC HD CU MCUP CUX ZV SPR which includes up to 100,000 sf of non-residential floor area including ABC licensed establishments. Gelsons will be assuming a 33,196 sf

ground floor tenant space within the newly developed mixed use building. The store's proposed hours of operation of 7am to 11pm are reasonable in relation to adjacent uses, and would eliminate concerns associated with late night operations. The new market is well aware of the on-site residences upstairs within the building, and their ability to quietly enjoy their properties will always be an important consideration in the market's day to day operation.

Gelsons operates numerous stores throughout Southern California, and has an excellent reputation in each of their neighborhoods. The same professional approach will be applied in this new location as well. Gelsons will readily abide by all safety standards placed on the operation by the City of LA and Dept of ABC. With the addition of suitable operating conditions, the proposed market with ancillary alcohol sales will not be detrimental to nearby residents.

COUNTY CLERK'S USE

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Pursuant to Public Resources Code § 21152(b) and CEQA Guidelines § 15062, the notice should be posted with the County Clerk by mailing the form and posting fee payment to the following address: Los Angeles County Clerk/Recorder, Environmental Notices, P.O. Box 1208, Norwalk, CA 90650. Pursuant to Public Resources Code § 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-

PROJECT TITLE

Gelsons Market

COUNCIL DISTRICT

CD11

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)
12101 W. Olympic Blvd., Los Angeles, CA 90064☐ Map attached.

PROJECT DESCRIPTION:

☐ Additional page(s) attached.

CUB to allow the sale of alcohol for off-site & on-site consumption at a new Gelsons Market with on-site cafe.

NAME OF APPLICANT / OWNER:

Gelsons Market

CONTACT PERSON (If different from Applicant/Owner above)

Brett Engstrom - Liquorlicense.com

(AREA CODE) TELEPHONE NUMBER

(626) 993-7350

EXT.

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

☐ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) _____

☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

☐ Additional page(s) attached☒ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

STAFF TITLE

ENTITLEMENTS APPROVED

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021

