

Hearing Officer Transmittal Checklist

Hearing Date 4/3/2012
Agenda Item No. 5

Project Number: 01-003-(2)
Case(s): Conditional Use Permit No. 201100157
Planner: Phillip Estes, AICP *pe*

- Factual
- Property Location Map
- Staff Report
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- GIS-Net Map
- Aerial Image(s)
- Tentative Tract / Parcel Map
- Site Plan, Floor Plan
- Exhibit Map
- Landscaping Plans

Reviewed By: *Shawlette*



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6443
PROJECT NO. 01-003-(2)
CONDITIONAL USE PERMIT 201100157

PUBLIC HEARING DATE 4/3/12	AGENDA ITEM 5
RPC CONSENT DATE	CONTINUE TO

APPLICANT Arya Development, LLC	PROPERTY OWNER Ersel Shakibuko	REPRESENTATIVE King R. Woods
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PROJECT DESCRIPTION
 To authorize the continued sale of alcoholic beverages (beer and wine) for off-site consumption in conjunction with an existing gas station and convenience store.

REQUESTED ENTITLEMENTS
 Conditional use permit to authorize the sale of alcoholic beverages in the C-M (Commercial Manufacturing) Zone, pursuant to Sec. 22.28.260.

LOCATION/ADDRESS
 1800 East Slauson Avenue, Los Angeles, CA 90058

SITE DESCRIPTION
 The site plan shows an existing 2,932 square foot commercial building, gas pump islands, and landscaping. There are a total of 37 (18 compact, 19 standard) parking spaces. Sixteen (16) of these parking spaces are located on Lot No. 17 across the alley. A monument sign is located at the northwest corner of the parcel. (The existing building and parking were approved by Plot Plan No. 17907 in January 2000.) The floor plan shows the display of alcoholic beverages: five coolers identified with beer and wine along the western side of the store and two gondola shelves identified with beer and wine located near the fountain beverage service area.

ACCESS Slauson Avenue and Holmes Avenue	ZONED DISTRICT Gage Holmes
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ASSESSORS PARCEL NUMBER 6009-001-009, -010, -017, -039	COMMUNITY Florence-Firestone
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SIZE 1.2 acres	COMMUNITY STANDARDS DISTRICT Florence-Firestone
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	EXISTING LAND USE	EXISTING ZONING
Project Site	Gas station, mini-market, parking	C-M
North	Manufacturing, warehouse, retail, residential	City of Los Angeles
East	Parking, manufacturing	C-M
South	Manufacturing, auto sales, warehouse	C-M
West	Manufacturing, scrap yard	C-M

GENERAL PLAN/COMMUNITY PLAN General Plan	LAND USE DESIGNATION I – Major Industrial	MAXIMUM DENSITY N/A
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ENVIRONMENTAL DETERMINATION
 Class 1 Categorical Exemption – Existing Facilities

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

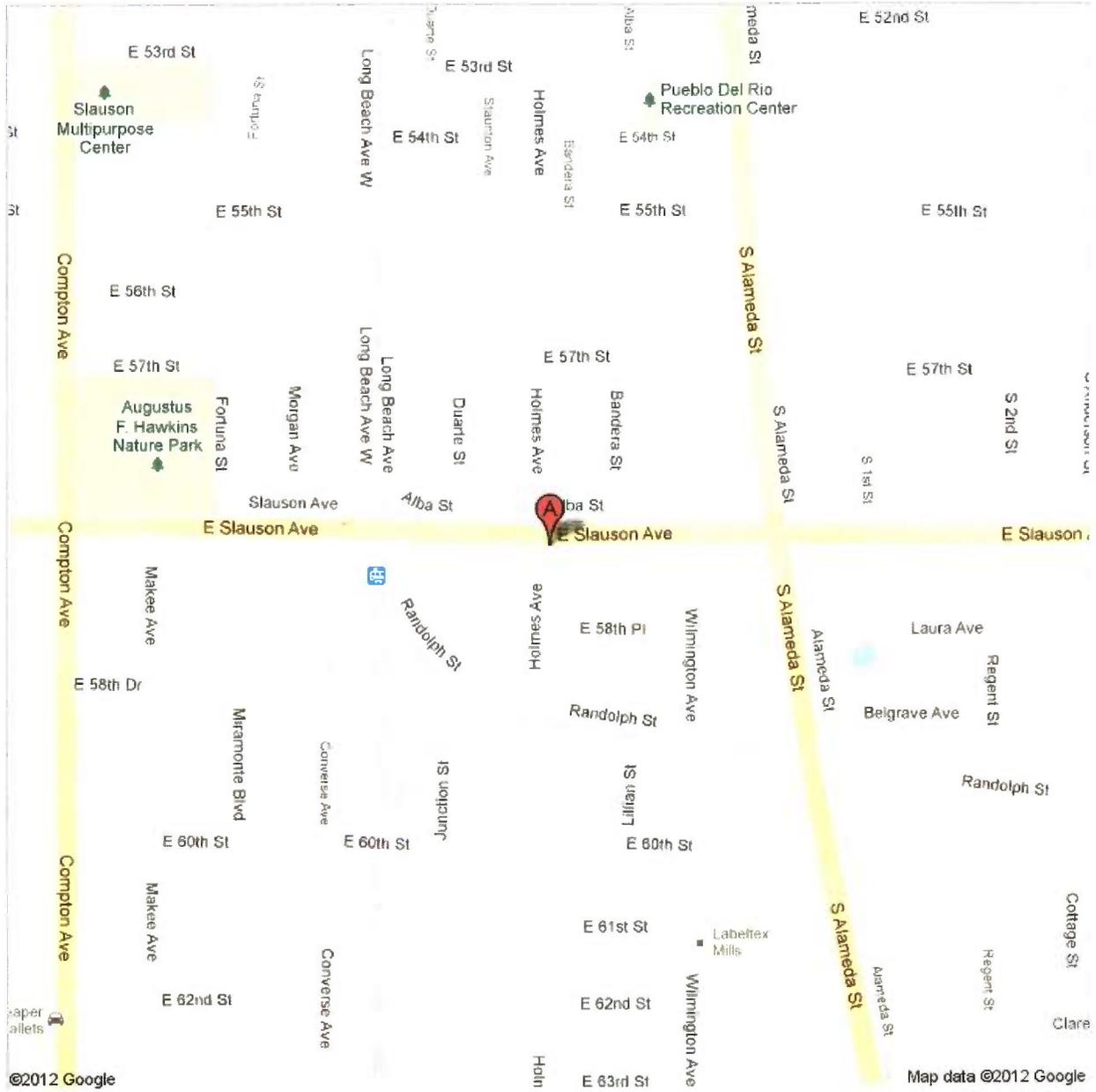
STAFF CONTACT: Phillip Estes (pestes@planning.lacounty.gov)		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

*(O) = Opponents (F) = In Favor



Address **1800 E Slauson Ave**
Los Angeles, CA 90058

01-003-(2)
CUP 201100157



STAFF ANALYSIS
PROJECT NO. 01-003-(2)
CONDITIONAL USE PERMIT NO. 201100157

PROJECT DESCRIPTION

To authorize a conditional use permit (CUP) for the continued sale of alcoholic beverages (beer and wine) for off-site consumption in conjunction with an existing gas station and convenience store ("Project").

REQUIRED ENTITLEMENT

A conditional use permit (CUP) to authorize the sale of alcoholic beverages (beer and wine) for off-site consumption in conjunction with the sale of motor fuel, in the C-M (Commercial Manufacturing) Zone, pursuant to Section 22.28.260 of the Los Angeles County Code ("Zoning Ordinance").

LOCATION

1800 East Slauson Avenue, Los Angeles, CA 90058. The Assessor's parcel numbers are 6009-001-009, -010, -018, -039.

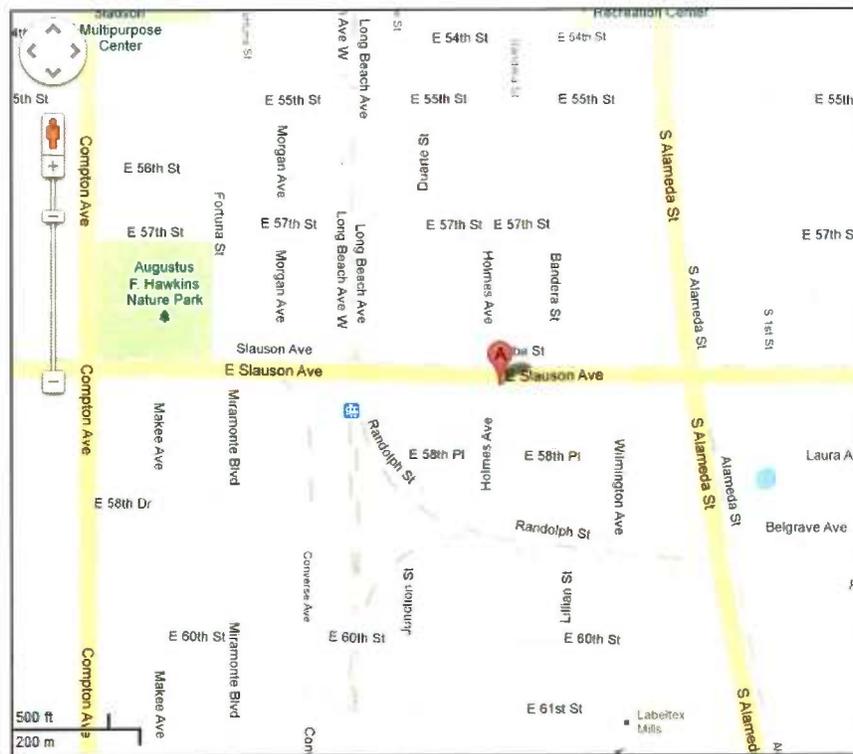


Figure 1 - Vicinity Map

SITE PLAN DESCRIPTION

The site plan (Figure 2) shows an existing 2,932 square foot commercial building, gas pump islands, and landscaping. There are a total of 37 (18 compact, 19 standard) parking spaces. Sixteen (16) of these parking spaces are located on Lot No. 17 across the alley. A monument sign is located at the northwest corner of the parcel. Access is via Slauson Avenue (a fully-improved major highway) and Holmes Avenue.

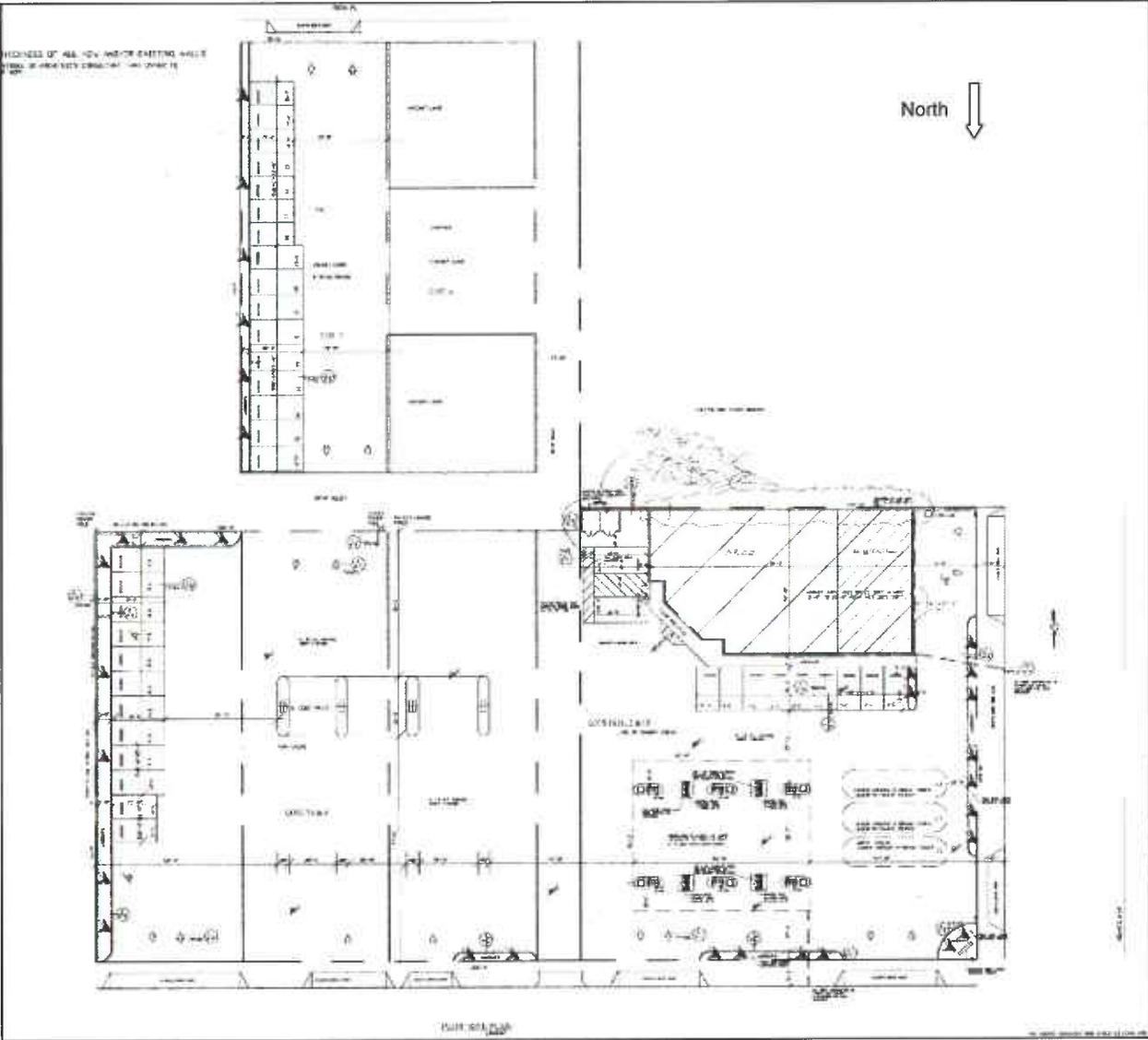


Figure 2 Site Plan, existing

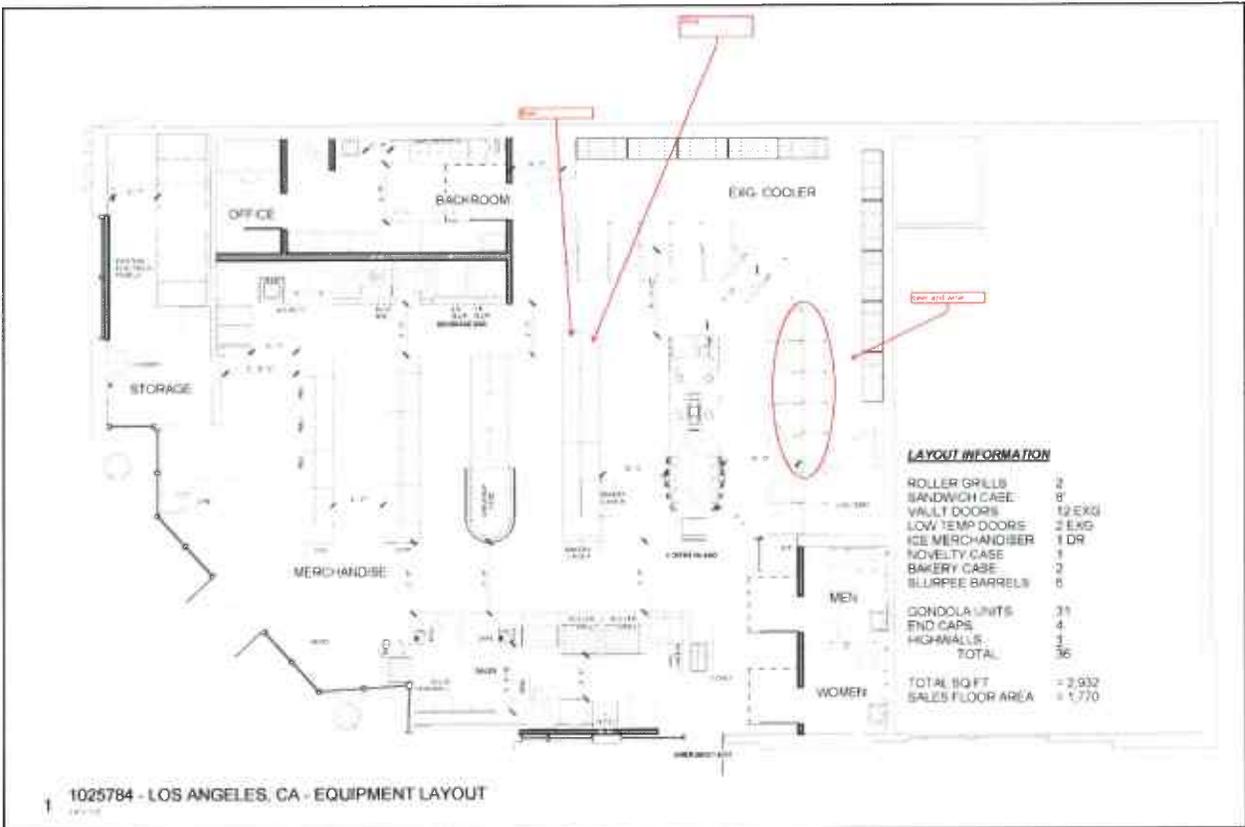


Figure 3 Floor Plan, proposed

FLOOR PLAN DESCRIPTION

The floor plan (Figure 3) shows the display of alcoholic beverages: five coolers identified with beer and wine along the western side of the store and two gondola shelves identified with beer and wine located near the fountain beverage service area. The total shelf space devoted to the sale of alcoholic beverages is no more than five percent. Approximately 27 feet separate the cash register and the display of alcoholic beverages. Additionally, the floor plan shows general merchandise and food shelving, a backroom and office, storage, utility room, cooler storage area, restrooms, an automatic teller machine, and the cashiering area. The unit adjacent to the convenience store is currently vacant.

LAND USE

The property is developed with a gas station and convenience store, parking, and landscaping.

The following indicates the existing land uses within 500 feet of the subject property, as indicated on the applicant's land use map:

- North: Manufacturing, warehouse, retail, residential
- East: Parking, manufacturing
- South: Manufacturing, auto sales, warehouse
- West: Manufacturing, scrap yard



Figure 4 - Aerial view perspective (2008). The yellow structure was removed and is no longer present.

ZONING

The following indicates the existing zoning within 500 feet of the subject property:

- North: City of Los Angeles
- East: C-M
- South: C-M
- West: C-M

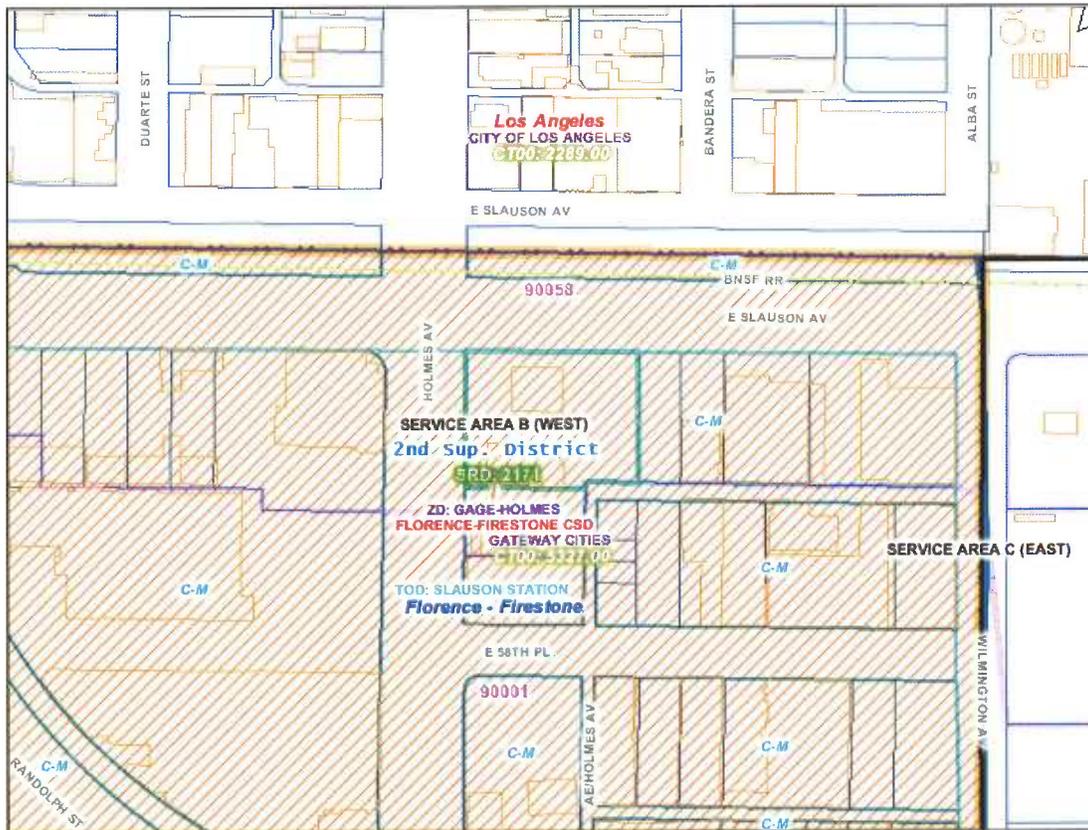


Figure 5 - Land Use Plan and Zoning Map

ENVIRONMENTAL DETERMINATION

The project is Categorically Exempt Class 1 – Existing Facilities, pursuant to the California Environmental Quality Act (CEQA) reporting requirements.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to Sections 22.60.174 and 22.60.175 of the Zoning Ordinance, the community was adequately notified of the public hearing by mail, a legal advertisement, posting of a hearing notice sign, library package distribution, and case-related materials were published on the Los Angeles County Department of Regional Planning (“Regional Planning”) website.

PREVIOUS ZONING PERMIT CASES

Plot Plan No. 17907 approved the development of the existing gas station and convenience store on January 20, 2000.

CUP No. 01-009 authorized the sale of beer and wine for off-site consumption on July 10, 2001 and it expired on July 30, 2011.

STAFF EVALUATION

General Plan Consistency

The property is located in category I (Major Industrial) of the Los Angeles County ("County") General Plan ("General Plan"), which principally permits major industrial uses including manufacturing of all types, warehousing, storage, and product research and development. Pursuant to the General Plan, commercial uses such as gas stations and convenience stores are permitted to serve the area. The sales of alcoholic beverages are customarily associated with convenience stores. As such, the Project is compatible with the plan category and the General Plan.

Zoning Ordinance and Development Standards Compliance

The property is located in the C-M Zone, which permits the sale of alcoholic beverages with an authorized CUP. The existing gas station and convenience store are in conformance with Plot Plan No. 17901, which was approved in 2000. As such, the site conforms to existing developments standards, parking, and landscaping.

Pursuant to Sec. 22.56.245 of the County Code, there are additional regulations sale of beer and wine in conjunction with the sale of motor vehicle fuel. The Project complies with the following conditions: The sale of beer or wine is displayed more than five feet of the cash register and the front door. There are no advertisements of alcoholic beverages displayed at motor fuel islands, no advertising for alcoholic beverages located on buildings or windows. The sale of alcoholic beverages is only from inside the store and not through a drive-in window. There is no display of beer or wine from an ice tub. Also, employees that sell alcoholic beverages are at least 21 years of age.

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by Section 22.56.040 of the Zoning Ordinance. The applicant's Burden of Proof statements are attached.

The Zoning Ordinance identifies the burden of proof criteria which must be met in order for a CUP to be granted. Upon reviewing the merits of this request and the criteria for granting a CUP, staff concludes that the applicant has satisfied the Burden of Proof.

Conditional Use Permit Burden of Proof Analysis

1. That the requested use at the location will not:
 - a. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - b. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety of general welfare.

Staff Comments:

The Project will satisfy all building code requirements and development standards for the C-M Zone. The Project has operated at this location for over ten years without known incidences or of having a detrimental effect on the community. The operation of a gas station and convenience store is suitable at this location and in the C-M Zone. General merchandise, food items, and alcohol sales are customary at such establishments. The Project site is located within a high crime reporting district. The Century Station Sheriff was consulted and does not oppose reinstating this grant. As such, staff concludes that the continued sale of beer and wine will not be detrimental to the health, peace, comfort and welfare of persons in the surrounding area and will not negatively affect property values.

2. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

Staff Comments:

The subject property is in compliance with approved Plot Plan No. 17901 and is therefore accommodates the required setbacks, parking, landscaping, and loading facilities. Therefore, staff concludes that the Project is sufficiently integrated with the surrounding area and the site adequately accommodates the Project, required yards and landscaping.

3. That the proposed site is adequately served:
 - a. By highways or streets of sufficient width, and improved as necessary to carry the kind of quantity of traffic such use would generate, and
 - b. By other public or private service facilities as are required.

Staff Comments:

Existing public improvements are sufficient to accommodate the proposed use and will not unduly burden existing traffic flows, water, or sewer services. The subject property is located on a corner lot at Slauson Avenue, a fully-improved major highway, and Holmes Avenue. Therefore, staff concludes there are no anticipated impacts to local streets, highways, or other public or private facilities.

Alcoholic Beverage Sales Burden of Proof Analysis

1. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and

Staff Comments:

A school is located approximately 550 feet to the south of the property at Holmes Avenue and Randolph Street. The Project and the school are sufficiently separated by existing industrial and commercial uses. There are no other establishments that currently sell alcoholic beverages located within 500 feet of the subject property. Therefore, staff concludes there are no anticipated adverse impacts to any religious facility, school, park, playground or other similar use in the vicinity from this request.

2. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and

Staff Comments:

Residential uses are located approximately 325 feet north of the Project across Slauson Avenue, a fully improved major highway. The Project and the residences are sufficiently separated by existing industrial and commercial uses and the highway. There are no other establishments that currently sell alcoholic beverages located within 500 feet of the subject property. Therefore, staff concludes there are no anticipated adverse impacts to residential areas within the immediate vicinity.

3. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

Staff Comments:

There are no other known establishments that currently sell alcoholic beverages located within 500 feet of the subject property.

4. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and

Staff Comments:

The Project has operated at this location for over ten years without any known incidences or knowledge of having a detrimental effect on the community. The operation of a gas station and convenience store is suitable at this location, as it is located along a busy commercial and industrial thoroughfare and in the C-M Zone. General merchandise, food items, and alcohol sales are customarily sold at such establishments. As such, staff concludes that the Project will not be detrimental to the economic welfare of the nearby community.

5. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

Staff Comments:

The property conforms to Plot Plan No. 17901 with regard to height, setbacks, parking, signage, and landscaping. The height, style, bulk, and exterior appearance of the property and building are generally consistent with other properties located in the community. The property is free of trash, there is no graffiti present, and the landscaping appears to be in a healthy condition. To ensure compatibility, staff recommends that the exterior of the building be painted within 30 days of the permit effective date. As such, staff concludes that the

Project will not cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

PUBLIC COMMENTS

To date, staff has received no comments from the public.

OTHER COUNTY DEPARTMENTS COMMENTS

The County Sheriff was consulted and has indicated no opposition to granting this request, as indicated in a letter dated February 2, 2012.

FEES / DEPOSITS

If approved, fees identified in the attached conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony or documentary evidence presented at the public hearing.

Staff concludes that the applicant has satisfied the burden of proof and, therefore, recommends **APPROVAL** of Conditional Use Permit No. 201100157, for a fifteen (15) year term, subject to the attached conditions.

Prepared by: Phillip Estes, AICP, Principal Regional Planner

Reviewed by: Susan Tae, AICP, Supervising Regional Planner

Attachments: Draft Findings, Draft Conditions, Burden of Proof, Photographs, Site Plan, Land Use Map, County Sheriff letter dated 2/2/12.

SMT:PE
3/28/12

**DRAFT FINDINGS AND ORDER THE HEARING OFFICER
COUNTY OF LOS ANGELES**

PROJECT NO.: 01-003-(2)

CONDITIONAL USE PERMIT NO.: 201100157

REQUEST: To authorize a conditional use permit (CUP) for the continued sale of alcoholic beverages (beer and wine) for off-site consumption in conjunction with the sale of motor fuel and convenience store, located in the C-M (Commercial Manufacturing) Zone in the Gage-Holmes Zoned District.

HEARING DATE: April 3, 2012

PROCEEDINGS BEFORE THE HEARING OFFICER:

April 3, 2012 Public Hearing

To be completed after the proceedings.

Findings

1. The applicant requested a conditional use permit ("CUP") to authorize the continued sale of alcoholic beverages (beer and wine) for off-site consumption in conjunction with the sale of motor fuel and convenience store ("Project").
2. The Project is located at 1800 East Slauson Avenue, in the Gage-Holmes Zoned District.
3. The Assessor's parcel numbers are 6009-001-009, -010, -018, -039.
4. Access to the property is provided by Slauson Avenue, a fully-improved, 90 feet-wide major highway and Holmes Avenue, a 100 feet-wide public right-of-way.
5. Plot Plan No. 17907 approved the development of the gas station and convenience store on January 20, 2000. CUP No. 01-009 authorized the sale of beer and wine for off-site consumption on July 10, 2001 and it expired on July 30, 2011.
6. There are no known zoning ordinance violations.
7. The property is located in the C-M Zone, which permits the sale of alcoholic beverages with an authorized CUP.
8. Surrounding properties are located in the following zones:
 - North: City of Los Angeles
 - East: C-M
 - South: C-M
 - West: C-M
9. Surrounding land uses within 500 feet are:
 - North: Manufacturing, warehouse, retail, single- and multi-family residential
 - East: Parking, manufacturing
 - South: Manufacturing, auto sales, warehouse
 - West: Manufacturing, scrap yard

10. There are no other establishments that sell alcoholic beverages located within a 600 feet radius of the subject property.
11. There is one sensitive land use, an elementary school (Lillian Street Elementary School), located approximately 550 feet to the south of the subject property.
12. With the approved Plot Plan No. 17907 and an approved CUP, the Project satisfies the development standards of the C-M Zone.
13. The property is located in category I (Major Industrial) of the Los Angeles County ("County") General Plan ("General Plan"), which principally permits major industrial uses including manufacturing of all types, warehousing, storage, and product research and development. Pursuant to the plan, commercial uses such as gas stations and convenience stores are permitted to serve the area. The sales of alcoholic beverages are customary associated with similar convenience stores. As such, the Project is compatible with the plan category and the General Plan.
14. The Project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area because the Project has operated for approximately ten years without any known conflicts with or adverse impacts to surrounding properties or persons residing or working in the community.
15. The Project will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site because the Project. The property is consistent in appearance and in operations with similarly developed properties in the vicinity and, therefore, will not negatively impact other land uses located in the vicinity.
16. The Project will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare because the Project will comply with State and local regulations for the dispensing motor fuel. It is sufficiently located away from any sensitive land use and, therefore, will not impact land uses located in the vicinity.
17. The property is adequate in size and shape to accommodate the Project and applicable development standards. The existing building, parking, gas station, and convenience store were approved with Plot Plan No. 17907, and as such, the Project satisfies the development standards for C-M Zone.
18. The property is adequately served by highways of sufficient width necessary to carry the volume kind of expected traffic the project will generate and by other public or private facilities as are required. Access to the subject property is provided by Slauson Avenue and Holmes Avenue. Sufficient utilities are available to support the Project.
19. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius because the Project has operated since about September 2001 without any known incidences and is sufficiently located away from an elementary school located about 550 feet to the south.

20. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area. Adjacent to the Project are industrial and commercial uses. To the north commercial uses are located between the subject property and residential uses. As such, the Project will not adversely affect residential uses located in the vicinity.
21. There are no other known establishments that currently sell alcoholic beverages located within 500 feet of the subject property, as such; the requested use at the proposed location does not result in an undue concentration of similar premises.
22. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community as it is sufficiently buffered in distance from the sensitive land use.
23. With a fresh coat of paint applied to the building exterior, the exterior appearance of the structure is consistent with the exterior appearance of similar commercial structures located in the immediate neighborhood and it will not cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.
24. The Los Angeles County Sheriff was consulted and has indicated no opposition to granting this permit, in a letter dated February 2, 2012.
25. The Project is a Class 1 (Existing Facilities) categorical exemption, pursuant to the California Environmental Quality Act ("CEQA") reporting requirements.
26. Pursuant to Sections 22.60.174 and 22.60.175 of the County Code, the community was adequately notified of the public hearing by mail, newspaper advertisement, hearing notice sign, library package, and published on the County Department of Regional Planning ("Regional Planning") website.
27. No comments were received from the public.
28. To ensure continued compatibility between the use of Project and surrounding land uses, the Hearing Officer determined that it is necessary to limit the term of the grant to 15 years with eight (8) periodic inspections.
29. The documents and other materials constituting the record of proceedings upon which the decision is based are located at Regional Planning, 320 W. Temple St., Los Angeles, CA 90012.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

1. That the proposed use is consistent with the adopted general plan for the area.
2. That the requested use at the location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with uses in the surrounding area.
4. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
5. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
6. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
7. The requested use at the proposed location will not result in an undue concentration of similar premises.
8. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
9. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.56.040 and 22.56.090 of the Los Angeles County Code.

HEARING OFFICER ACTION:

1. I have considered the Class 1 Categorical Exemption for this project and certify that it is consistent with the finding by the State Secretary for Resources and local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201100157 is **APPROVED** for a fifteen (15) year term, subject to the attached conditions.

SMT:PE
3/28/12

**DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. 01-003-(2)
CONDITIONAL USE PERMIT NO. 201100157**

PROJECT DESCRIPTION

The project is conditional use permit (CUP) to authorize for the continued sale of alcoholic beverages (beer and wine) for off-site consumption in conjunction with the sale of motor fuel and a convenience store, in the C-M (Commercial Manufacturing) Zone, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and

duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on April 3, 2027.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, the continued sale of alcoholic beverages and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) inspections** (one every other year). Inspections may be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director.
14. All development pursuant to this grant shall conform to the requirements of County Department of Public Works.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, the required number of copies of the modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit the required number of copies of the plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS

18. Permittee shall comply with all requirements of the State Department of Alcoholic Beverage Control (ABC).
19. Permittee shall maintain the premises in a neat and orderly fashion, free of litter and debris at all times.

20. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, County Zoning Inspector or State Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
21. The County Sheriff Department shall be consulted, as needed, for recommendations regarding any additional security measures to provide adequate protection for shoppers, employees and nearby residents. Security features may also include implementation of a surveillance system, installation of locks and alarms where appropriate and security lighting.
22. A sign or signs shall be posted on the site and in the parking lots being used by the store in English and Spanish in a clear view of any interested person containing a name and telephone number and the property manager to be contacted in the event that the operation of the store is causing concerns or problems in the adjacent neighborhood resulting from the subject use.
23. A sign shall be prominently posted near the point of sale (cash register) in English and Spanish stating that "California state law prohibits sale of alcoholic beverages to persons who are under 21 years of age." All regulations of the State of California prohibiting the sale of alcoholic beverages to persons under the age of 21 years shall be strictly enforced.
24. Signs (12 inches by 12 inches) stating "No Loitering or Public Drinking" shall be posted inside, outside and in all parking lot areas used by the subject facility.
25. The Permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.
26. **Within six months of the use of this grant**, all staff and management of the store who sell alcoholic beverages are required to complete the LEAD (Licensee Education on Alcohol and Drugs) training program regarding alcohol sales, unless staff has completed such training within the prior 12 months. A copy of completion of such training shall be forwarded to Zoning Enforcement for inclusion in the file.

The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to complete training. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.

27. Employees on duty who sell alcoholic beverages shall be at least 21 years of age.
28. The Permittee shall not promote or advertise the availability of alcoholic beverages on the exterior of any structure, including windows, walls, fences, and motor fuel islands.
29. This grant authorizes the sale of alcoholic beverages daily from 6:00 a.m. to 2:00 a.m.

30. The grant restricts the sale of alcoholic beverages to beer and wine only. The consumption of alcoholic beverages and loitering on the premises is prohibited.
31. The sale of alcoholic beverages from any window is prohibited.
32. The display of alcoholic beverages from an ice tub or similar display is prohibited.
33. The permittee shall display alcoholic beverages only in the cooler or shelving designated for storage of said beverages as depicted on the "shelf plan" labeled Exhibit 'A'. The display of alcoholic beverages within five feet of the cash register or the front door is prohibited, unless located within a permanently installed cooler.
34. Beer in containers of 16 ounces or less shall not be sold by single container, but must be sold in manufacturer pre-packaged multi-unit quantities. The permittee shall post signs on the coolers that indicates the "sale of single container beer is prohibited."
35. No malt liquors or malt-based products with alcoholic content greater than 15% by volume shall be sold.
36. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. Wine coolers shall not be sold in less than four-pack quantities. No miniatures of any type may be sold.
37. No wine shall be sold with an alcoholic content of greater than 15% by volume, except corked, finished products aged two years or more.
38. Any exterior lights shall be installed such that the light is directed onto the subject site and shielded to prevent the light source from being a nuisance to adjacent uses. Exterior lighting shall be shielded and aimed so that illumination is directed to the designated areas. Exterior lighting installations shall be designed to avoid harsh contrasts in lighting levels. Outside lighting shall be adequately supplied to provide for safety and security on the site. Such lighting shall illuminate any person in the front or sides of the building at night.
39. Coin operated amusements, such as pool tables, juke boxes, video games, carousel rides or similar children's riding machines are prohibited. Official State Lottery machines are permitted.
40. Permittee shall maintain the building, exterior painting, signs, landscaping, parking lot, and the premises in good repair and condition at all times, to the satisfaction of the Director of Planning.
41. **Within thirty days months of the use of this grant**, the Permittee shall paint the exterior of the building, to the satisfaction of the Director of Planning.

SMT:PE
3/28/12



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The subject mini-market/service station was approved by the County in 2001 to sell beer and wine. The project has operated in this community in harmony with the community and will not be detrimental to the community.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The subject application is a request to continue the sell of beer & wine at an existing location. Parking is to code.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

The site is 4800 in size with parking to code with excellent ingress and egress.



01-003



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.195, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

ABC License Type No(s): Type 20 (e.g. Type 20, Type 41)

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

The subject service Station /mini market has been at location for more than ten years.The sale of beer

and wine was first allowed in 2001 under CUP No. 01-003-(2)This application is for a continuance of the CUP.

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

The subject property is located in an Industrial area and is buffered from residential uses,therefore,will not

adversely affect this area.

C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

The subject request is for the continued sell of beer and wine at an existing location.

D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

The sell of beer and wine at this location will continue to add to the tax base of the County and not adversely

affect the economic welfare of the surrounding community

E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

The existing Mini market/service station is a clean structure with architecture and appearance that is in

harmony with the surrounding structures.

01-003



County of Los Angeles
Sheriff's Department Headquarters

*4700 Ramona Boulevard
Monterey Park, California 91754-2169*



Leroy D. Baca, Sheriff

February 2, 2012

Phillip Estes, Principal Regional Planner
Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012-3225

Dear Mr. Estes:

I received your letter, dated January 17, 2010, in which you requested information regarding a Conditional Use Permit for the sale of off-site beer and wine at 1800 East Slauson Avenue.

My staff has reviewed the records and conducted a site visit. The Sheriff Department does not oppose the Regional Planning Department reinstating this permit. If you have any questions regarding this issue, please contact Lieutenant John Babbitt at (323) 586-7250.

Sincerely,

LEROY D. BACA, SHERIFF

Joseph M. Gooden, Captain
Commander, Century Station



TO: PHILLIP ESTES
 23958.4 B & P
CENSUS TRACT REQUEST SHEET

01-003

Please provide the bold underlined information in order to best help you with your request. Allow 3 to 4 working days for us to fax your request.

Name PLANNING

FAX Number _____ **Telephone Number** 213 626 0434

ADDRESS:
1800 E Slauson Ave
La Ca

LICENSE TYPE: ON SALE _____ OFF SALE

1. CRIME REPORTING DISTRICT

Reporting District Number: 1233 . Provided by local Police department

_____ Jurisdiction unable to provide statistical data.

Total number of reporting districts: 1135 .

Total number of offenses: 266,457 .

Average number of offenses per district: 235 .

120% of average number of offenses: 282 .

Total offenses in district: 324 .

Location is within a high crime reporting district: Yes / No

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract Number: 5329 .

Number of licenses allowed: 3 .

Number of existing licenses: 5 .

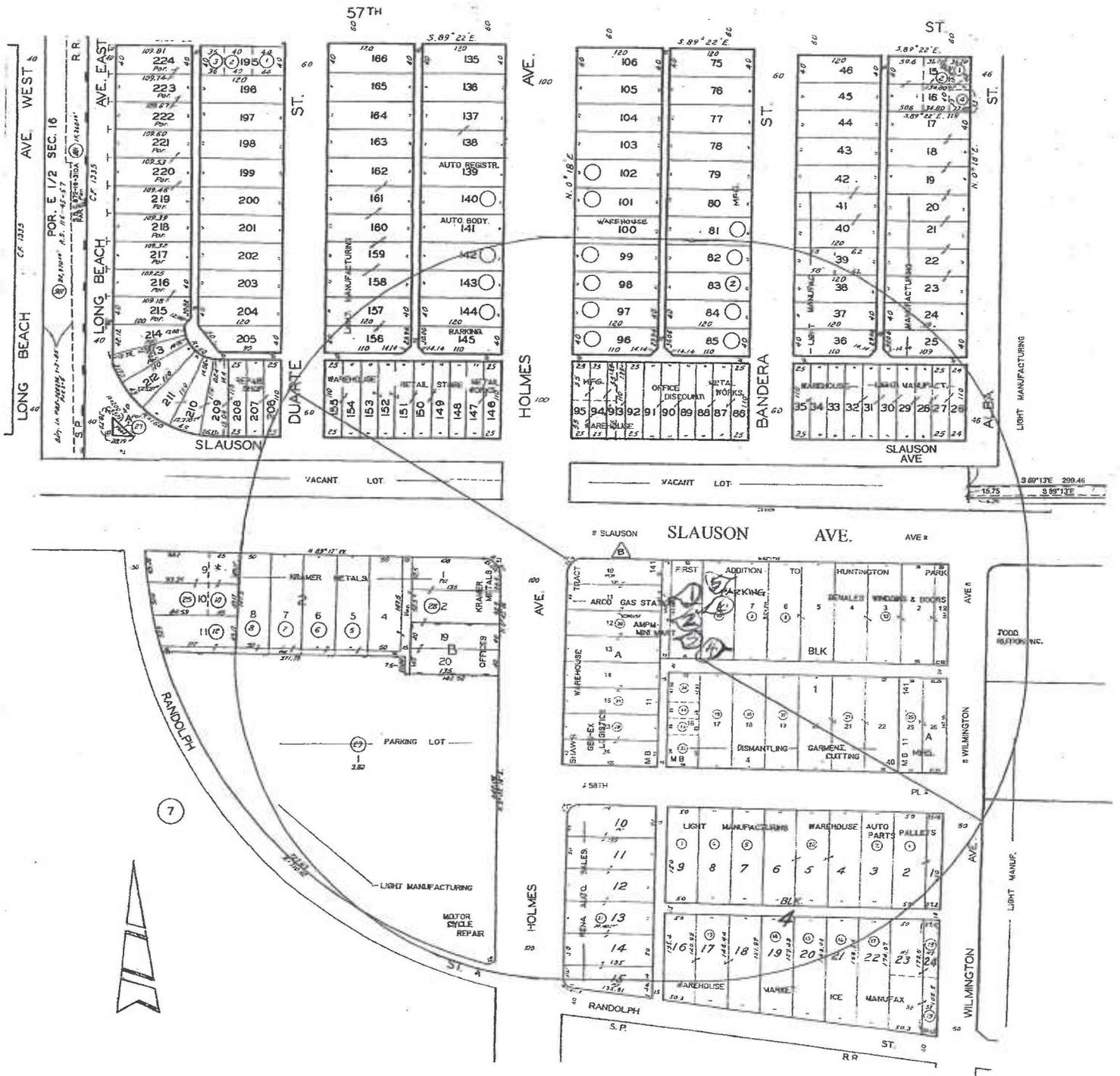
Does overconcentration exist: Yes / No.

Letter of public convenience or necessity required: Governing Body/Applicant. Yes / No

Three time publication required: Yes / No

One Time Publication required: Yes / No

Over



LAND USE MAP

PHOTO INDEX
MAP

SITE ADDRESS : 800 E. SLAUSON AVE.
LOS ANGELES, CA 90058

DATE : NOVEMBER 24, 2011

LEGAL DESCRIPTION :

VACANT ALLEY ADJ. W. AND LOT 9 BLK 1 MB 4-40. AND LOTS 10 THRU 13
BLK A SHAW'S TRACT

01-003
CUP 2011 00157

#1



KRAMER METALS
213 587-2277

METALS ALLOYS SCRA
EL

Clearance 14 6

Homes Ave

414

ARC

#2



am
pm

KRAMER METALS
215 507 2277

MIXED ALLOYS SCRAP

#3



#4



#5



#6



am
pm

1000

HAMMER METALS
213 587-2277



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Legend

- Parcel Boundary
- Arterial Street
- Highway
- Freeway
- Master Plan of Highways
 - Expressway - (e)
 - Expressway - (p)
 - Ltd. Secondary Highway - (e)
 - Ltd. Secondary Highway - (p)
 - Parkway - (e)
 - Parkway - (p)
 - Major Highway - (e)
 - Major Highway - (p)
 - Secondary Highway - (e)
 - Secondary Highway - (p)
 - (e) = Existing (p) = Proposed
- Railroad or Rapid Transit
 - Railroad
 - Rapid Transit
 - Underground Rapid Transit
- Significant Ridgelines
 - Catastic CSD Primary
 - Catastic CSD Secondary
 - SMMNA Significant
- Census Tract (2000)
 - Assessor Map Book (AMB) Bdy
 - Zoning InLex Map Grid
 - Zoning Map Grid
 - USGS Quad Sheet Grid
 - The Thomas Guide Grid
 - TB Internal Page Grid
 - Very High Fire Hazard Severity Zone
- Community Standards District (CSD)
 - CSD Area Specific Boundary
 - SEA (Coast Only)
 - Significant Ecological Area (SEA)
- Section Line
 - Township and Range
 - National Forest
 - Equestrian District (EQD)
 - Transit Oriented District (TOD)
 - Setback District
 - Zoned District (ZD)
 - Supervisorial District Boundary
- Safety Related Stations (From TB)
 - Fire Station
 - Highway Patrol
 - Police Station
 - Ranger Station
 - Sheriff Station
- Zoning (Boundary)
 - Zone A-1
 - Zone A-2
 - Zone B-1
 - Zone B-2
 - Zone C-1
 - Zone C-2
 - Zone C-3
 - Zone C-H
 - Zone C-M
 - Zone CPD
 - Zone C-R
 - Zone D-2
 - Zone D-3
 - Zone IT
 - Zone M-1
 - Zone M-1.5
 - Zone M-2
 - Zone M-3
 - Zone MPD
 - Zone MXD
 - Zone O-5
 - Zone P-R
 - Zone R-1
 - Zone R-2
 - Zone R-3 (JU)
 - Zone R-4 (JU)
 - Zone R-A
 - Zone RPD
 - Zone R-R
 - Zone R-S
 - Zone SR-D
 - Zone W
- Landuse Policy (Not in Comm/ Area Plan)
 - 1 - Low Density Residential (1 to 6 du/ac)
 - 2 - Low/Medium Density Residential (6 to 12 du/ac)
 - 3 - Medium Density Residential (12 to 22 du/ac)
 - 4 - High Density Residential (22 or more du/ac)
 - C - Major Commercial
 - I - Major Industrial
 - O - Open Space
 - P - Public and Semi-Public Facilities
 - RC - Rural Communities
 - R - Non-Urban
 - TC - Transportation Corridor
- Inland Waterbody
 - Perennial
 - Intermittent
 - Dry

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use "Display Map Legend tab" on the top left side of screen.

