



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-4854
PROJECT NO. 97108-(5)
CONDITIONAL USE PERMIT NO. 200900137

PUBLIC HEARING DATE 12/20/2011	AGENDA ITEM
RPC CONSENT DATE	CONTINUE TO

APPLICANT E & T Foods Inc.	OWNER John A. Roesch Trust	REPRESENTATIVE Art Rodriguez & Associates
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PROJECT DESCRIPTION
 The applicant is requesting a Conditional Use Permit to authorize the continued sale of beer and wine for off-site consumption at the existing Baja Ranch Market. A Conditional Use Permit is needed to authorize the sale of alcoholic beverages (beer and wine) for off-site consumption at a market as per 22.28.210 of the Los Angeles County Code.

REQUIRED ENTITLEMENTS
 The applicant is requesting a Conditional Use Permit to authorize the continued sale of beer and wine for off-site consumption at the existing Baja Ranch Market. A Conditional Use Permit is needed to authorize the sale of alcoholic beverages (beer and wine) at a market as per 22.28.210 of the Los Angeles County Code.

LOCATION/ADDRESS
 2515 Fair Oaks Avenue, Altadena 91001

SITE DESCRIPTION
 The site plan depicts the approximately 36,000 sq ft property with an existing super market (Baja Ranch Market) which is approximately 13,100 sq ft in size, 46 standard parking spaces and two (2) handicapped spaces, a T-mobile wireless telecommunications facility, a trash bin, and ingress and egress to the market.

ACCESS Access is taken via Fair Oaks Avenue and Ventura Street	ZONED DISTRICT Altadena
ASSESSORS PARCEL NUMBER 5835-011-020	COMMUNITY Altadena
SIZE 0.73 Acres	COMMUNITY STANDARDS DISTRICT Altadena

	EXISTING LAND USE	EXISTING ZONING
Project Site	Super Market	C-3 (Unlimited Commercial)
North	Lodge	C-3 (Unlimited Commercial)
East	Single-Family Residential	R-1-7500 (Single-Family Residential with 7500 sq ft minimum lot size)
South	Vacant Land	C-3 (Unlimited Commercial)
West	Single-Family Residential	R-1-7500 (Single-Family Residential with 7500 sq ft minimum lot size)

GENERAL PLAN/COMMUNITY PLAN Altadena Community Plan	LAND USE DESIGNATION CB - Commercial/Business	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 PERSON: Jeff Lemieux		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) 0 (F) 0	PETITIONS (O) 0 (F) 0	LETTERS (O) 0 (F) 0

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

LOS ANGELES COUNTY LETTERGRAM

TO	Sam Dea	FROM	Jeff Lemieux
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Subject: Environmental Determination for CUP 200900137 **Date:** November 9, 2011

PROJECT DESCRIPTION: The proposed project is a request to continue off-site sales of beer and wine at an existing supermarket in the C-3 (Unlimited Commercial) zone.

As such, this project qualifies for Class 1 Categorical Exemption –Existing Facilities- that consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.

The staff of the Special Projects Section has reviewed the above-mentioned project to determine the appropriate environmental document. It is our opinion that the project qualifies for a Categorical Exemption since it meets the criteria set forth in Class 1 of the State EIR Guidelines (Article 19, Categorical Exemptions) and Class 1 of the County Guidelines (Appendix G, Categorically Exempt Projects).

If you have any questions regarding the above determination or environmental document preparation, please contact Jeff Lemieux of the Special Projects Section at (213) 974-4854.

NOTICE TO LEAD SECTION: A NOTICE OF EXEMPTION MAY BE FILED WITH THE COUNTY CLERK UPON APPROVAL OF THIS PROJECT.

COMMENTS: _____

SAMPLE

NOTICE OF PUBLIC HEARING

The Los Angeles County Hearing Officer will conduct a public hearing on the following project. The project is exempt from the California Environmental Quality Act (CEQA). You will have an opportunity to testify or submit written comments.

Date and Time: Tuesday, December 20, 2011 at 9:00 a.m.

Hearing Location: Room 150, 320 West Temple Street, Los Angeles, CA 90012

Permit(s): 97108-(5), Conditional Use Permit 200900137

Project Location: 2515 Fair Oaks Avenue Altadena

Description: The applicant is requesting a Conditional Use Permit to authorize the continued sale of beer and wine for off-site consumption at the Baja Ranch Market. A Conditional Use Permit is needed to authorize the sale of alcoholic beverages (beer and wine) at a market as per 22.28.210 of the Los Angeles County Code.

Add'l Info: Review case materials online at <http://planning.lacounty.gov/case> or at Altadena Library 600 E. Mariposa St. Altadena, CA. 91001 or La Canada Library 4545 N. Oakwood Avenue, La Canada, CA. 91011

Contact: Jeff Lemieux, Dept. of Regional Planning, 320 W. Temple St., Los Angeles, CA 90012
Telephone: 213-974-4854 Fax: 213-626-0434 E-mail: jlemieux@planning.lacounty.gov

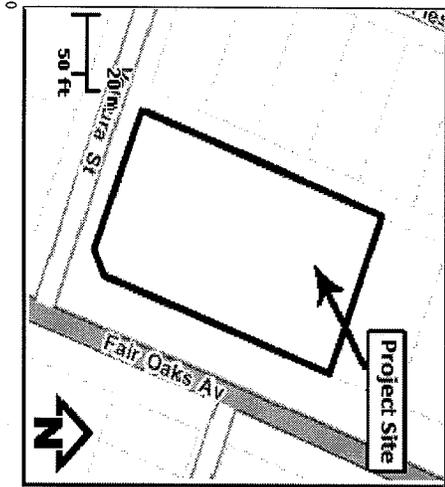
If you need reasonable accommodations or auxiliary aids, contact the Americans with Disabilities Act (ADA) Coordinator at 213-974-6488 (Voice) or 213-617-2292 (TDD) at least 3 business days' notice.

Si necesita más información por favor llame al 213-974-6466.



Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles CA 90012

SAMPLE



NOTICE OF PUBLIC HEARING

LOS ANGELES COUNTY LETTERGRAM

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COMMENTS: _____



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



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.

See attached responses.

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.

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.

CONDITIONAL USE PERMIT CASE – BURDEN OF PROOF

APPLICANT: E&T Foods, Inc.

PROJECT LOCATION: 2515 Fair Oaks Dr., Altadena, CA 91101

Request: Applicant is requesting a Conditional Use Permit to allow the continued sale of alcoholic beverages (beer & wine) for off-site consumption in conjunction with the operation of a 13,100 sq. ft. Baja Ranch Market grocery store.

The Burden of Proof will address the following questions:

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

Baja Ranch Market understands the unique responsibilities of operating a retail store where alcoholic beverages are sold and maintains an excellent record of compliance with the ABC. Patrons who purchase beer and wine will be monitored by the store's staff. No alcohol will be sold or served to anyone under the legal drinking age. Furthermore, Baja Ranch Market has operated out of this location for quite some time and has never received a violation from the Department of Alcoholic Beverage Control.

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the state

As this is a CUP renewal, there will be no interruption of services or any traffic generated by the proposed use that will impose an undue burden upon the streets and highways. The market will generate traffic within the capacity of adjacent streets and not interfere with their efficient use. The approval of the conditional use will allow neighborhood residents the opportunity to purchase alcoholic beverages at the same time they shop for their groceries. Baja Ranch Market will operate accordingly and will adhere to the County General Plan.

3. Jeopardize, endanger or otherwise continue a menace to the public health, safety, or general welfare

The proposed use will not jeopardize, endanger, or constitute a problem in regards to public health. As mentioned earlier, this application is for a renewal to an existing CUP. The sale of beer and wine for off-site consumption is an accepted usage within a grocery store as it provides for one-stop shopping, particularly within a store like Baja Ranch Market.

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 to integrate said uses with the uses in the surrounding area

As this application is simply a CUP renewal that will not require any structural changes to the market, there is no question that the existing site is adequate in size and shape to accommodate yards, walls, fences and parking spaces that are already in place. The location of the store is appropriate given other commercial uses along Fair Oaks Ave., and the site has been developed according to Los Angeles County code conditions.

C. That the proposed site is adequately served:

1. By highways or streets sufficient width, and improved as necessary to carry the kind and quantity of traffic such would generate

Fair Oaks Ave. and Ventura St. are both sufficient thoroughfares for vehicle access that has access to commercial properties on the north and retail surrounding. Fair Oaks Ave., in particular, will be the route primarily used to access various areas within the community as well as access freeways and neighboring cities/communities. In addition, the fact that there are two entrances to the parking lot from both Fair Oaks Ave. and Ventura St. show that there are ample points of ingress and egress when visiting the store; traffic congestion is not affected by the existence of the store. Loading dock access for trucks and other vehicles is through an alley accessible from Ventura St.; traffic on Fair Oaks Ave. is not impeded by these trucks or other vehicles.

2. By other public or private facilities as are required

Public and Private facilities already exist, including all utility and sewer services. These utilities have clear access to the market. Additionally, a cellular phone tower exists in front of the store – there is ample access to this tower by way of the alley that serves trucks and other vehicles.



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): 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.

See Attached Responses.

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.

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.

D. That the requested use at the proposed location will 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.

ALCOHOLIC BEVERAGE SALES – BURDEN OF PROOF

APPLICANT: E&T Foods, Inc.

PROJECT LOCATION: 2515 Fair Oaks Dr., Altadena, CA 91101

Request: Applicant is requesting a Conditional Use Permit to allow the continued sale of alcoholic beverages (beer & wine) for off-site consumption in conjunction with the operation of a 13,100 sq. ft. Baja Ranch Market grocery store.

The Burden of Proof will address the following questions:

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:

Although there are three sensitive uses nearby (St. Paul Christian Church, Hillside Tabernacle Church, and Charles White Park), Baja Ranch Market will continue to operate with sensitivity and in a conscientious manner to any possible detriment. Employees at Baja Ranch Market will most definitely refuse the sale of alcoholic beverages to those that appear to be intoxicated and/or are minors. Baja Ranch Market is a well-established and respected store in the community – employees act in full cooperation of the law and in full adherence regarding sales of alcoholic beverages. Selling beer and wine at this location provides a safe and responsible location for alcoholic beverage in a location that has visibility to a large portion of the community.

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

Although the location of the store has adjacent residential uses to the east of the property, there is a 6 foot high metal fence and an alley way that serves as a buffer. Baja Ranch Market operates harmoniously with the community and is not detrimental to the general welfare. Baja Ranch market operates in a way that all customers and neighbors are treated with the utmost respect, and the store is responsive to any possible complaints that may arise.

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 existing use will not result in an undue concentration of alcohol licenses, as Baja Ranch Market is simply renewing a Conditional Use Permit and not bringing any new licenses into the area. There are two other off-sale licenses in the area, but none are within a full-service market such as Baja Ranch Market. As indicated by the attached shelf plan for the store, beer and wine sales constitute 4.41% of the store's shelf space, falling well under the 5% threshold set by Los Angeles County Zoning Code.

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

Baja Ranch Market provides a full-service grocery store for the community, a vital amenity that generates valuable sales tax revenue for the community. There are no other similar grocery stores in the immediate area, particularly those that cater to the community's various ethnic groups in the manner of Baja Ranch Market. The off-site sale of beer and wine at the store provides customers a convenient, one-stop shopping experience. The presence of the store and its sale of beer and wine only enhance the economic welfare of the entire 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.

As this application calls for a Conditional Use Permit renewal for alcoholic beverage sales, there will be no alterations made to the exterior of the store that would impact the character or consistency of appearance in the neighborhood. As it currently stands, the store fits in with the character of both existing residential neighborhoods as well as other commercial establishments along Fair Oaks Ave.