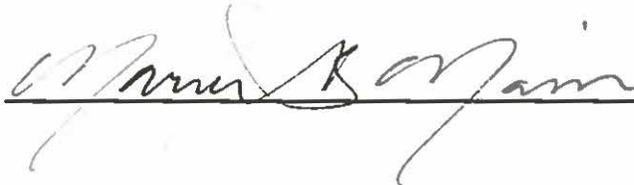


Regional Planning Commission Transmittal Checklist

Hearing Date
04/08/2015
Agenda Item No.
7

Project Number: R2006-02261-(1)
Case(s): Conditional Use Permit Case No. 200600209
Planner: Steve Mar

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statements
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- Sheriff's Comment Email
- ABC B&P Worksheet

Reviewed By: 



Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012

PROJECT NUMBER

R2006-02261-(1)

HEARING DATE

April 8, 2015

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 200600209

PROJECT SUMMARY

OWNER / APPLICANT

AXAR INC / same as owner

MAP/EXHIBIT DATE

8/22/14

PROJECT OVERVIEW

The project is a request for a conditional use permit (CUP) to allow the sale of beer and wine for off-site consumption (Type 20 alcohol license) at an existing gas station mini-mart in the C-1 (Neighborhood Business) zone pursuant to Los Angeles County Code Section 22.28.110.

LOCATION

15955 E. San Bernardino Rd., Covina (East Irwindale)

ACCESS

via San Bernardino Rd. and Irwindale Ave.

ASSESSORS PARCEL NUMBER(S)

8435-010-015

SITE AREA

0.52 Acre

GENERAL PLAN / LOCAL PLAN

Los Angeles County General Plan

ZONED DISTRICT

Irwindale

LAND USE DESIGNATION

1 – Low Density Residential

ZONE

C-1 (Neighborhood Business)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

1 to 6 du/ac

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit burden of proof requirements)
 - 22.56.195 (Alcoholic Beverage Sales Burden of Proof Requirements)
 - 22.28.120 (C-1 Zone Development Standards)

CASE PLANNER:

Steve Mar

PHONE NUMBER:

(213) 974 - 6435

E-MAIL ADDRESS:

smar@planning.lacounty.gov



R2006-02261-(1) / CUP200600209

15955 E. San Bernadino Rd., Covina

Printed: Mar 24, 2015



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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) to allow the sale of beer and wine for off-site consumption (Type 20) at an existing gas station mini-mart in the C-1 (Neighborhood Business) Zone pursuant to County Code Section 22.28.110.

PROJECT DESCRIPTION

The project is a request for a conditional use permit (CUP) to allow the sale of beer and wine for off-site consumption (Type 20) at an existing gas station mini-mart in the C-1 (Neighborhood Business) zone pursuant to Los Angeles County Code Section 22.28.110.

EXISTING ZONING

The subject property is zoned C-1 (Neighborhood Business), in the Irwindale Zoned District.

Surrounding properties are zoned as follows:

North: R-1-5500 (Single-family Residence – 5,500 sq. ft. Minimum Required Area)
South: A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area)
East: C-1 (Neighborhood Business), C-H (Commercial Highway),
A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area)
West: A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area)

EXISTING LAND USES

The subject property is developed as a gas station with a mini-mart.

Surrounding properties are developed as follows:

North: Single-family Residences
South: Single-family Residences, Shopping Center, Church
East: Restaurant, Office, Single-family Residences
West: Single-family Residences

PREVIOUS CASES/ZONING HISTORY

The Zoning History of this parcel is as follows: A-1 (January 4, 1939), A-1-6000 (September 4, 1953), C-1 (January 21, 1966).

Plot Plan No. 14989 – authorized the conversion of a 2,426 sq. ft. repair garage into a mini-mart and gas station in April 1996.

Plot Plan No. 200602507 – authorized the demolition of the gas station and approved construction of a new gas station with a 2,425 sq. ft. mini-mart in November 2006. The Plot Plan was amended in March 2007 to authorize the relocation and expansion of the mini-mart to 2,640 sq. ft.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project requires no new construction or physical alterations to the existing facilities and does not change the original use or function of the project site. Therefore, staff recommends that the Regional Planning Commission determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the 1 – Low Density Residential land use designation of the General Plan. The 1 – Low Density Residential land use designation is intended for areas suitable for low density residential development, in addition to a variety of use types and intensities. Such uses typically include local commercial and industrial services, schools, churches, local parks and other community-serving public facilities. It is not the intent of General Plan policy to preclude further development or expansion of such uses within areas depicted as residential on the Land Use Policy Map. The proposed sale of beer and wine for off-site consumption at the existing gas station is consistent with the surrounding residential and commercial land uses and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Maintain and conserve sound existing development.*
The proposed project does not change the existing gas station use and complements the existing use by providing additional goods and services at the mini-mart.
- *Promote the recognition and orderly development of the regional core and linear activity areas.*
- *Maintain and reinforce the multifocused pattern of regional linear activity areas and centers.*
The proposed project adds a complementary service and additional products to the existing gas station and mini-mart and is in line with existing commercial development along San Bernardino Road. The sale of alcoholic beverages provides a commercial service to the residential communities located along San Bernardino Road and Irwindale Ave.
- *Encourage a strong, diversified economy that will provide business opportunities, an adequate number of jobs for this county's labor force and an improved standard of living.*
The sale of beer and wine for off-site consumption at the existing gas station would not provide additional jobs. However, the project will add an additional service to the community and improve the economic vitality of the area.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.28.120 of the County Code, establishments in the C-1 Zone are subject to the following development standards:

- That not to exceed 90 percent of the net area be occupied by buildings, with a minimum of 10 percent of the net area landscaped. The project meets this requirement.
- That parking shall be provided per Part 11 of Section 22.52, which states that each parcel of land shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure. The 2,640 square foot gas station requires eleven parking spaces, one of which must be handicapped. The station currently meets the required parking.
- That the proposed use provide sufficient front and/or corner side yards. The project provides the required yard distances.

- The architectural and general appearance of the proposed project is in character of the neighborhood and will not be detrimental to the public health, safety and general welfare of the community.
- The project's buildings and structures do not exceed the maximum allowable height of 35 feet above grade.
- Outside display is allowed for automobile service stations. The project currently has a 23'-9" sign on the southwest corner of the property.
- No outside storage is permitted in the C-1 zone. The project does not propose any outside storage.

Neighborhood Impact/Land Use Compatibility

The selling of alcoholic beverages for off-site consumption on the subject property is compatible with the surrounding neighborhood and provides a needed service, because commercial uses of this type are expected in the C-1 Zone and the existing gas station and mini-mart are developed at a scale that is consistent with the scale of surrounding development.

Alcoholic beverage sales is a permitted use in the C-1 Zone once a CUP is obtained. Currently, there are two other establishments within a 500-ft. radius of the subject property that sell alcohol (7-Eleven (Type 21, off-site full-line) and Avolio's Italian Restaurant (Type 41, on-site beer and wine)). Therefore, there is an undue concentration of alcoholic beverages around the project site under County code. The sale of beer and wine for off-site consumption at the subject property would provide a public convenience and necessity to the neighborhood by providing goods and services that are customarily found at a convenience-type store. The project would be the only gas station mini-mart to sell alcoholic beverages within at least a 500 ft. radius from the project site. The mini-mart's shelf space devoted to the display of alcoholic beverages will be 4.86% of the store's total shelf space. The subject property is located within 600 ft. of two sensitive uses (Missionary Church of Jesus Christ and Trinity Lutheran Church). With the proposed draft conditions, the project shall remain consistent and compatible with the surrounding community.

The applicant carries the Burden of Proof to substantiate all facts as follows:

- A. That the requested use at the location proposed 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 business is currently open and operating as a full service gas station with mini-mart. The addition of off-site beer and wine sales will not be a detriment to the community and will not devalue property or be a nuisance.

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

The existing gas station and mini-mart adheres to all design requirements as prescribed in Title 22.

- 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 project site is currently served by adequate streets and public services to accommodate the proposed project.

Additionally, the applicant carries the Burden of Proof to substantiate all facts as related to Alcoholic Beverage Sales as follows:

- 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.

There are two churches located within a 600 ft. radius from the project site. The churches are buffered from the project site by San Bernardino Rd. (a four lane arterial road).

- 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.

Residences immediately to the north of the project site are buffered from the business by an existing 7'-8' high brick wall with no direct access to the project site. Residences to the south and west of the site are buffered by San Bernardino Rd. and Irwindale Ave.

- 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.

There are two other businesses within 500 ft. of the subject property that sell alcoholic beverages (7-Eleven and Avolio's Italian Restaurant). The selling of alcoholic beverages for off-site consumption at the mini-mart provides a public convenience and necessity by offering products and services that are typically found at a mini-mart business. The store's shelf space devoted to the display of alcoholic beverages will be 4.86% of the store's total shelf space.

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

The selling of alcoholic beverages at the existing mini-mart will not adversely affect the economic welfare of the community and will provide new goods and services to the neighborhood.

- 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 gas station and mini-mart conforms to the commercial character of other businesses in the community. The property is regularly maintained to be free of litter and debris.

Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.040 and 22.56.195 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Sheriff's Department

The County of Los Angeles Sheriff's Department, San Dimas Station, reviewed the project request and had no issues with the sale of alcoholic beverages at the project site.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

California Department of Alcoholic Beverage Control

Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located in a high crime reporting district. The subject property is in Crime Reporting District No. 865. The average number of offenses reported per District is 90.9 and the actual number of crimes reported for District 865 is 237.

The subject property lies within Census Tract 4054. There are currently 3 existing alcohol licenses in this census tract and 3 licenses are allowed. Therefore an undue concentration of alcoholic beverage licenses exists within Census Tract 4054. Although this constitutes an undue concentration within the Census Tract, the sale of beer and wine for off-site consumption would serve as a public convenience and necessity to the surrounding community because the sale of beer and wine for off-site consumption at the project site is a typical service and product type sold at a convenience-type store. The project would be the only gas station mini-mart within at least a 500 ft. radius to sell alcoholic beverages. The shelf space devoted to the sale of alcoholic beverages will be limited to 4.86% of the mini-mart's total shelf space in accordance to the applicant's shelf plan.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has received no public comments regarding the proposed project at this time.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

STAFF RECOMMENDATION

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

Staff recommends **APPROVAL** of Project Number R2006-02261-(1), Conditional Use Permit Number 200600209, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 200600209 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Steven Mar, Regional Planning Assistant II, Zoning Permits East
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East

Attachments:

- Draft Findings, Draft Conditions of Approval
- Applicant's Burden of Proof statement
- Correspondence
- Site Plan, Floor Plan/Shelf Plan, Land Use Map

MM:SM
4/8/15

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2006-02261-(1)
CONDITIONAL USE PERMIT NO. 200600209**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 200600209 ("CUP") on April 8, 2015.
2. The permittee, AXAR INC ("permittee"), requests the CUP to authorize the sale of beer and wine for off-site consumption (Type 20) at an existing gas station with a 2,640 sq. ft. mini-mart ("Project") on a property located at 15955 E. San Bernardino Rd. in the unincorporated community of East Irwindale ("Project Site") in the C-1 (Neighborhood Business) zone pursuant to Los Angeles County Code ("County Code") Section 22.28.110.
3. The Project Site is 0.52 acres in size and consists of one legal lot. The Project Site is square in shape with flat topography and is developed with a Chevron gas station with an accessory mini-mart.
4. The Project Site is located in the Irwindale Zoned District and is currently zoned C-1 (Neighborhood Business).
5. The Project Site is located within the 1 – Low Density Residential land use category of the Los Angeles County General Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: R-1-5500 (Single-family Residence – 5,500 sq. ft. Minimum Required Area)
 - South: A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area)
 - East: C-1 (Neighborhood Business), C-H (Commercial Highway), A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area)
 - West: A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area)
7. Surrounding land uses within a 500-foot radius include:
 - North: Single-family Residences
 - South: Single-family Residences, Shopping Center, Church
 - East: Restaurant, Office, Single-family Residences
 - West: Single-family Residences
8. The Project Site was first zoned A-1 in 1939 and was rezoned to A-1-6000 in 1953, and to C-1 in 1966. In April 1996, Plot Plan Case No. 14989 authorized the conversion of a 2,426 sq. ft. repair garage into a mini-mart and gas station. In November 2006, Plot Plan Case No. 200602507 authorized the demolition of the gas station and mini-mart and approved construction of a new gas station with a 2,425 sq. ft. mini-mart. In March 2007, Plot Plan Case No. 200601507 was amended to authorize the relocation and expansion of the mini-mart to 2,640 sq. ft.
9. The site plan for the Project depicts the existing gas station with a canopy over four gas refueling islands and the existing 2,640 sq. ft. mini-mart on a 0.52 acre square-shaped property containing 11 parking spaces located on the northeast corner of E. San Bernardino

Rd. and Irwindale Ave. A total of 2,399 sq. ft. of landscaping (11% of the lot's total area) is provided on the site. The Project's floor plan shows that mini-mart's shelf space devoted to the display of alcoholic beverages will take up 4.86% of the store's total shelf space.

10. The Project Site is accessible via E. San Bernardino Road to the south and Irwindale Avenue to the west. Primary access to the Project Site will be via driveways off of these two streets.
11. The County of Los Angeles Sheriff's Department, San Dimas Station, reviewed the project request and had no issues with the sale of alcoholic beverages at the project site.
12. Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located in a high crime reporting district. The subject property is in Crime Reporting District No. 865. The average number of offenses reported per District is 90.9 and the actual number of crimes reported for District 865 is 237.

The subject property lies within Census Tract 4054. There are currently 3 existing alcohol licenses in this census tract and 3 licenses are allowed. Therefore an undue concentration of alcoholic beverage licenses exists within Census Tract 4054. Although this constitutes an undue concentration within the Census Tract, the sale of beer and wine for off-site consumption would serve as a public convenience and necessity to the surrounding community because the sale of beer and wine for off-site consumption at the project site is a typical service and product type sold at a convenience-type store. The project would be the only gas station mini-mart within at least a 500 ft. radius to sell alcoholic beverages. The shelf space devoted to the sale of alcoholic beverages will be limited to 4.86% of the mini-mart's total shelf space in accordance to the applicant's shelf plan.

13. Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project requires no new construction or physical alterations to the existing facilities and does not change the original use or function of the project site.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearing by mail, newspaper, and property posting.
15. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*
16. The Commission finds that the project site is located within the 1 – Low Density Residential land use designation of the General Plan. The 1 – Low Density Residential land use designation is intended for areas suitable for low density residential development, in addition to a variety of use types and intensities. Such uses typically include local commercial and industrial services, schools, churches, local parks and other community-serving public facilities. It is not the intent of General Plan policy to preclude further development or expansion of such uses within areas depicted as residential on the Land Use Policy Map. The proposed sale of beer and wine for off-site consumption at the existing gas station mini-mart is consistent with the surrounding residential and commercial land uses and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Maintain and conserve sound existing development.*
The proposed project does not change the existing gas station use and complements the existing use by providing additional goods and services at the mini-mart.
- *Promote the recognition and orderly development of the regional core and linear activity areas.*
- *Maintain and reinforce the multifocused pattern of regional linear activity areas and centers.*
The proposed project adds a complementary service and additional products to the existing gas station and mini-mart and is in line with existing commercial development along San Bernardino Road. The sale of alcoholic beverages provides a commercial service to the residential communities located along San Bernardino Road and Irwindale Ave.
- *Encourage a strong, diversified economy that will provide business opportunities, an adequate number of jobs for this county's labor force and an improved standard of living.*
The sale of beer and wine for off-site consumption at the existing gas station would not provide additional jobs. However, the project will add an additional service to the community and improve the economic vitality of the area.

17. The Commission finds that pursuant to Section 22.28.120 of the County Code, establishments in the C-1 Zone are subject to the following development standards.

- That not to exceed 90 percent of the net area be occupied by buildings, with a minimum of 10 percent of the net area landscaped. The project meets this requirement.
- That parking shall be provided per Part 11 of Section 22.52, which states that each parcel of land shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure. The 2,640 square foot gas station requires eleven parking spaces, one of which must be handicapped. The station currently meets the required parking.
- That the proposed use provide sufficient front and/or corner side yards. The project provides the required yard distances.
- The architectural and general appearance of the proposed project is in character of the neighborhood and will not be detrimental to the public health, safety and general welfare of the community.
- The project's buildings and structures do not exceed the maximum allowable height of 35 feet above grade.
- Outside display is allowed for automobile service stations. The project currently has a 23'-9" sign on the southwest corner of the property.
- No outside storage is permitted in the C-1 zone. The project does not propose any outside storage.

18. The Commission finds that the selling of alcoholic beverages for off-site consumption on the subject property is compatible with the surrounding neighborhood and provides a needed service, because commercial uses of this type are expected in the C-1 Zone and the existing gas station and mini-mart are developed at a scale that is consistent with the scale of surrounding development.

Alcoholic beverage sales is a permitted use in the C-1 Zone once a CUP is obtained. Currently, there are two other establishments within a 500-ft. radius of the subject property that sell alcohol (7-Eleven (Type 21, off-site full-line) and Avolio's Italian Restaurant (Type 41, on-site beer and wine)). Therefore, there is an undue concentration of alcoholic beverages around the project site under County code. The sale of beer and wine for off-site consumption at the subject property would provide a public convenience and necessity to the neighborhood by providing goods and services that are customarily found at a convenience-type store. The project would be the only gas station mini-mart to sell alcoholic beverages within at least a 500 ft. radius from the project site. The mini-mart's shelf space devoted to the display of alcoholic beverages will be 4.86% of the store's total shelf space. The subject property is located within 600 ft. of two sensitive uses (Missionary Church of Jesus Christ and Trinity Lutheran Church). With the proposed draft conditions, the project shall remain consistent and compatible with the surrounding community.

19. The Commission finds that the business is currently open and operating as a full service gas station with mini-mart. The addition of off-site beer and wine sales will not be a detriment to the community and will not devalue property or be a nuisance.
20. The Commission finds that the existing gas station and mini-mart adheres to all design requirements as prescribed in Title 22.
21. The Commission finds that the project site is currently served by adequate streets and public services to accommodate the proposed project.
22. The Commission finds that there are two churches located within a 600 ft. radius from the project site. The churches are buffered from the project site by San Bernardino Rd. (a four lane arterial road).
23. The Commission finds that residences immediately to the north of the project site are buffered from the business by an existing 7'-8' high brick wall with no direct access to the project site. Residences to the south and west of the site are buffered by San Bernardino Rd. and Irwindale Ave.
24. The Commission finds that there are two other businesses within 500 ft. of the subject property that sell alcoholic beverages (7-Eleven and Avolio's Italian Restaurant). The selling of alcoholic beverages for off-site consumption at the mini-mart provides a public convenience and necessity by offering products and services that are typically found at a mini-mart business. The store's shelf space devoted to the display of alcoholic beverages will be 4.86% of the store's total shelf space.
25. The Commission finds that the selling of alcoholic beverages at the existing mini-mart will not adversely affect the economic welfare of the community and will provide new goods and services to the neighborhood.

26. The Commission finds that the existing gas station and mini-mart conforms to the commercial character of other businesses in the community. The property is regularly maintained to be free of litter and debris
27. The Commission finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 15 years.
28. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the East Irwindale community. On March 3, 2015, a total of 97 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site. There are currently no addresses listed on the courtesy mailing list for the Irwindale Zoned District.
29. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. 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.
- D. 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.
- E. 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.
- F. 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.
- G. The requested use at the proposed location will result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue

concentration; the Commission finds 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 other facilities selling alcoholic beverages for either on-site or off-site consumption, and the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

- H. The requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.
- I. 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.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit No. 200600209, subject to the attached conditions.

ACTION DATE: April 8, 2015

**[DRAFT] CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2009-02261-(1)
CONDITIONAL USE PERMIT NO. 200600209**

PROJECT DESCRIPTION

The project is a conditional use permit to allow the sale of beer and wine for off-site consumption at an existing gas station mini-mart in the C-1 (Neighborhood Business) 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 Nos. 10 and 11. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 9, and 11 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 8, 2030.** 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 two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
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) biennial (one every other year)** inspections. Inspections shall 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 to the satisfaction of said department.
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 of Regional Planning ("Director").
14. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control
16. 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.

17. 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, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **June 8, 2015**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed 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 - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

19. The conditions of this grant shall be retained on the premises at all times and shall be made available upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein;
20. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
21. 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 (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. 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;
22. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures;
23. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced;
24. 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;
25. The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises;
 26. No sale of alcoholic beverages shall be made from a drive-in window;
 27. Any conditions on hours of alcohol sale should be consistent with store operating hours. Alcohol sales shall be prohibited between 2:00 a.m. to 6:00 a.m., seven days a week, consistent with California state law;
 28. There shall be no beer sold in containers under one quart or in less than six-pack quantities;
 29. No display of alcoholic beverages shall be made from an ice tub;
 30. 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'. No additional display of alcoholic beverages shall be provided elsewhere on the premises;
 31. The licensed premises shall have no coin operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, with the exception of official State Lottery machines;
 32. Employees on duty from the hours of 10:00 p.m. and 2 a.m. who sell alcohol shall be at least 21 years old (pursuant to Title 22);
 33. No beer or wine advertising shall be located on motor fuel islands (pursuant to Title 22);
 34. No alcoholic beverages shall be displayed within five feet of the cash register or the front door unless it is in a permanently affixed cooler;
 35. Beer in containers of 32 fluid ounces (quart) 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 and cashier station stating the selling of single containers of beer of 32 fluid ounces (quart) or less is prohibited;
 36. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities;
 37. No malt liquors and/or malt based products with alcoholic content greater than five percent by volume shall be sold;

38. The permittee shall provide adequate lighting above all entrances and exits to the premises and in all parking areas and walkways under control of the permittee or required as a condition of this grant;
39. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties;
40. The sale of fortified wines shall be prohibited; and
41. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way

PROJECT SITE SPECIFIC CONDITIONS

42. The permittee shall provide one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure. The gas station mini-mart building is 2,640 square feet and thus requires eleven parking spaces, one of which must be handicapped. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage or automobile repair.
43. All landscaping indicated on the approved Exhibit "A" (approximately 2,398 sq. ft.) shall be maintained. The permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing, watering and replacement of dead or unhealthful plants.
44. The permittee shall maintain a three (3) ft. high, heavily obscuring, landscaped hedge along the east property line. A variety of plantings may be maintained to provide the obscuring hedge. It is the intent of this condition to obscure views and to provide an attractive landscaped buffer between properties.
45. 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'. No additional display of alcoholic beverages shall be provided elsewhere on the premises. The shelf space devoted to the display of alcoholic beverages shall be no more than 4.86% of the store's total shelf space as depicted in the approved shelf plan.



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.)

<p>A. That the requested use at the location will not:</p> <ol style="list-style-type: none"> 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. 	
<p>The business is currently open and operating as a full service gas station with mini market. The applicant is proposing to add beer/wine to increase pub convenience and provide added services and benefits for the community. The addition of these services will not be a detriment to the community or otherwise devalue property values or become a nuisance.</p>	
<p>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.</p>	
<p>Currently the site exists as a full service gas station. The existing location adheres to all the code requirements, etc.</p>	
<p>It meets the Title 22 requirements</p>	
<p>C. That the proposed site is adequately served:</p> <ol style="list-style-type: none"> 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. 	
<p>The location currently exists and adheres to all the requirements of the county.</p>	



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.

No negative impact to the 2 Churches because they are open on Sun. only and separated by a double wide street and fencing surrounding the Churches. Ingress/egress from the gas station is in opposite direction of the Churches.

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 nearby residential community is buffered from the business by an existing 7-8' high brick wall with no ingress/egress from the property to the residents. The nearest entrs. to the residents is more than 100 feet from the gas station.

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.

Public convenience and necessity is established by the fact that motorists can enjoy purchasing their beer/wine w/o having to make multiple stops for same service. Only 4.8% shelf space beer/wi (see plan)

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

The current use of the gas station with mini-market will not adversely affect the surrounding community. It will provide a place for motorists to purchase their goods and services at one location.

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.

Currently exists as a full service gas station with mini-market. Gas station is maintained free of litter and other debris. Mini-market is of high quality goods and services and is clean and safe place to do business.

Steven Mar

From: Roth, Raymond S. [RSRoth@lasd.org]
Sent: Monday, October 20, 2014 10:57 AM
To: Steven Mar
Cc: Robbins, Rebecca A.
Subject: RE: CUP No. 200600209 - Consultation for the Sale of Alcohol

Follow Up Flag: Follow up
Flag Status: Flagged

Steven, from a Law Enforcement perspective we have no issues with the location. As for the request of Service calls as of this time I have none found that would be pertinent to a Liquor license. From a Detective Bureau standpoint I have none. If you just want a copy of all calls for service I give Rebecca permission to send them to you.

SERGEANT RAYMOND ROTH
SAN DIMAS DB
909-450-2770

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

- Instructions This form is to be used for all applications for original issuance or premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME AXAR INC		
2. PREMISES ADDRESS (Street number and name, city, zip code) 15955 E SAN BERNARDINO RD, COVINA CA 91722-3950		3. LICENSE TYPE 20
4. TYPE OF BUSINESS		
<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Hofbrau/Cafeteria	<input type="checkbox"/> Cocktail Lounge
<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern: Beer
<input type="checkbox"/> Bed & Breakfast:	<input type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine
<input type="checkbox"/> Wine only <input type="checkbox"/> All		<input type="checkbox"/> Private Club
<input checked="" type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market
<input type="checkbox"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline
<input type="checkbox"/> Other - describe:		<input type="checkbox"/> Swap Meet/Flea Market
		<input type="checkbox"/> Drive-in Dairy
5. COUNTY POPULATION N/A	6. TOTAL NUMBER OF LICENSES IN COUNTY N/A <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	7. RATIO OF LICENSES TO POPULATION IN COUNTY 1:1,537 <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale
8. CENSUS TRACT NUMBER 4054	9. NO. OF LICENSES ALLOWED IN CENSUS TRACT 3 <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale	10. NO. OF LICENSES EXISTING IN CENSUS TRACT 3 <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale
11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)		
<input checked="" type="checkbox"/> Yes, the number of existing licenses exceeds the number allowed		
<input type="checkbox"/> No, the number of existing licenses is lower than the number allowed		
12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?		
<input checked="" type="checkbox"/> Yes (Go to Item #13) <input type="checkbox"/> No (Go to Item #20)		
13. CRIME REPORTING DISTRICT NUMBER 865	14. TOTAL NUMBER OF REPORTING DISTRICTS 553	15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS 50,259
16. AVERAGE NO. OF OFFENSES PER DISTRICT 90.9	17. 120% OF AVERAGE NUMBER OF OFFENSES 109.1	18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT 237
19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)		
<input checked="" type="checkbox"/> Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17		
<input type="checkbox"/> No, the total number of offenses in the reporting district is lower than the total number in item #17		
20. CHECK THE BOX THAT APPLIES (check only one box)		
<input type="checkbox"/> a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.		
<input type="checkbox"/> b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.		
<input checked="" type="checkbox"/> c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.		

Governing Body/Designated Subordinate Name: _____

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)
Beatriz Lozada 09-25-14

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22. APPLICANT SIGNATURE

23. DATE SIGNED

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes No See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

The sale of beer and wine for off-site consumption at the subject property would provide a public convenience and necessity to the neighborhood by providing goods and services that are customarily found at a convenience-type store. The project would be the only gas station mini-mart to sell alcoholic beverages within at least a 500 ft. radius from the project site.

26. CITY/COUNTY OFFICIAL NAME

Steve Mar

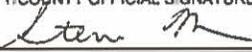
27. CITY/COUNTY OFFICIAL TITLE

Regional Planning Assistant II

28. CITY/COUNTY OFFICIAL PHONE NUMBER

(213) 974-6435

29. CITY/COUNTY OFFICIAL SIGNATURE



30. DATE SIGNED

4/8/15