

Regional Planning Commission Transmittal Checklist

Hearing Date
10/10/2012
Agenda Item No.
6

Project Number: R201~~1~~-00938-(4)
Case(s): Conditional Use Permit Case No. 201100090
Planner: Anthony Curzi

- Factual
- Property Location Map
- Staff Analysis
- 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
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



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

PROJECT NUMBER **HEARING DATE**
 R2011-00938-(4) October 10, 2012

REQUESTED ENTITLEMENT
 Conditional Use Permit No. 201100090

PROJECT SUMMARY

OWNER / APPLICANT

Han Y. Chen / The Walgreen Company

MAP/EXHIBIT DATE

12/01/2009

PROJECT OVERVIEW

The applicant, the Walgreen Company, is requesting a conditional use permit (CUP) to authorize the sale of alcoholic beverages for off-site consumption (ABC Type 20: beer and wine) from an existing 11,748-square-foot Walgreens drug store. The Walgreens was approved through plot plans RPP 200601577 and RPP 200601578 on January 9, 2007.

The site is not in an area with an undue concentration of alcohol sales, as determined by the State, and is in a high crime reporting district. There are 15 establishments that sell alcoholic beverages within 600 feet of the existing Walgreens, including 12 for on-site consumption and three for off-site consumption. The Walgreens is open and operating. Total shelf space devoted to alcoholic beverages will not exceed 4.3 percent. Beer will occupy a 10-foot-wide cooler and wine will be limited to 30 feet of shelf space. The Sheriff's Department does not object to the granting of the CUP. No new construction is proposed with this permit.

LOCATION

18308 Colima Road, Rowland Heights, CA 91748

ACCESS

Fullerton and Colima Roads

ASSESSORS PARCEL NUMBERS

8270-021-045, 8270-021-026, 8270-021-046

SITE AREA

1.10 Acres

GENERAL PLAN / LOCAL PLAN

Rowland Heights Community General Plan

ZONED DISTRICT

Puente

LAND USE DESIGNATION

C (Commercial)

ZONE

C-2-BE (Neighborhood Business – Billboard Exclusion)

PROPOSED UNITS

NA

MAX DENSITY/UNITS

NA

COMMUNITY STANDARDS DISTRICT

Rowland Heights

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

STAFF RECOMMENDATION

Approval.

CASE PLANNER:

Anthony Curzi

PHONE NUMBER:

(213) 974-6443

E-MAIL ADDRESS:

acurzi@planning.lacounty.gov



ENTITLEMENTS REQUESTED

- Conditional Use Permit (“CUP”) pursuant to Los Angeles County (“County”) Code Section 22.28.160 for the sale of alcoholic beverages (beer and wine, ABC Type 20) for off-site consumption in the C-2-BE (Neighborhood Business – Billboard Exclusion) zone.

PROJECT DESCRIPTION

The applicant, the Walgreen Company, is requesting a CUP to authorize the sale of alcoholic beverages (ABC Type 20 - beer and wine) for off-site consumption in an existing, 11,748-square-foot Walgreens drug store located at 18308 Colima Road in Rowland Heights. Total shelf space dedicated to alcoholic beverages will not exceed 4.3 percent. Beer will occupy a 10-foot-wide cooler, and wine will be limited to 30 feet of shelf space.

SITE PLAN DESCRIPTION

The site plan depicts the subject property with the existing Walgreens drugstore setback from the intersection of Fullerton and Colima Roads. Fifty-one (51) parking spaces are depicted, including 19 compact, three accessible, and 30 standard. Landscaping is depicted along the frontage of Fullerton and Colima Roads. A drive thru lane is depicted to the south of the building. Access to the site is provided via two 30-foot-wide driveways, one each on Fullerton and Colima. A trash enclosure area is depicted immediately east of the Walgreens building. A smaller, 966-square-foot retail building is depicted along the eastern property boundary.

EXISTING ZONING

The subject property is zoned C-2-BE (Neighborhood Business Zone – Billboard Exclusion), in the Puente Zoned District.

Surrounding properties are zoned as follows:

North: C-1 (Restricted Business), C-2-BE

South: R-3-30U (Limited Multiple Residence – 30 Dwelling Units per Acre)

East: C-2-BE, A-1-6,000 (Light Agricultural – 6,000 Square Foot Minimum Required Lot Area)

West: C-3-BE (Unlimited Commercial – Billboard Exclusion), C-2-BE, R-3-30U

EXISTING LAND USES

The subject property is developed with an existing 11,748-square-foot commercial establishment (drugstore), 966-square-foot retail establishment and appurtenant parking.

Surrounding properties are developed as follows:

North: Bakery, restaurants, salon, pharmacy, clothes vendors, dentist, cell phone vendor, and television vendor.

South: Single/multi-family residences.

East: Single-family residences, vacant land, office building, restaurants, medical office, jewelry vendor, salon, clothes vendor, market, bakery, photocopy service.

West: Medical office building, restaurants, clothes vendors, laundry mat, music studio, salons, video store, cell phone vendor, single-family residences.

PREVIOUS CASES/ZONING HISTORY

- Plot Plan 200601577 approved the existing retail buildings on January 9, 2007 (amended on August 1, 2007).
- Plot Plan 200601578 approved the signage for the Walgreens and retail store on January 9, 2007.
- Ordinance No. 12141 established the C-2-BE zone on April 24, 1980.

ENVIRONMENTAL DETERMINATION RECOMMENDATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption – Existing Facilities), as permitted by the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project is for the sale of alcoholic beverages for off-site consumption in an existing drug store and no new development is proposed. 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 "C" (Commercial) land use category of the Rowland Heights Community General Plan ("Community Plan") and "C" (Major Commercial) of the Los Angeles County General Plan ("General Plan").

The Commercial land use designation of the Community Plan and the Major Commercial designation of the General Plan are intended for retail commercial, service, and office uses. The proposed project is for the sale of alcoholic beverages (ABC Type 20: beer and wine) for off-site consumption from an existing retail establishment (drug store) and is therefore consistent with the permitted uses of the underlying land use categories.

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

- *General Policy No. 20 – "Maintain and conserve sound existing development."*
The project site is located at the intersection of Fullerton and Colima Roads in Rowland Heights in an area containing many existing retail, office, and residential uses. Colima Road is considered a commercial corridor. As such, allowing the sale of alcoholic beverages at the existing Walgreens will benefit the neighborhood by providing another convenient location for residents to purchase alcoholic beverages. Alcohol sales will generally occur as an ancillary activity as the store's main source of revenue will come from the sale of other products. Furthermore, alcoholic beverages will comprise less than five percent of the shelf space of the store.

The Community Plan is silent on the issue of alcohol sales. However, the proposed sale of alcohol will occur inside an existing retail establishment that complies with all required development standards. The sale of alcohol will not adversely affect the community, nor will it conflict with the overriding goals of the Community Plan.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.28.170 of the County Code, establishments in the C-2 Zone are subject to the following development standards:

- That 10 percent of the net area of the lot be occupied by landscaping;
- That parking facilities be provided as required by Part 11 of Chapter 22.52;
- That a building or structure not exceed a height of 35 feet;
- That no outside display be permitted, with the exception of certain uses, or unless otherwise permitted by a temporary use permit;
- That no outside storage be permitted.

Pursuant to Section 22.44.132 of the County Code, establishments in the Rowland Heights Community Standards District (CSD) in the C-2 zone are subject to the following development standards:

- All new signs shall conform to Part 10 of Chapter 22.52;
- Roof signs shall be prohibited;
- Freestanding signs shall be permitted on any lot or parcel of land for each street frontage having a continuous distance of 100 feet or more;
- The maximum height of a freestanding sign shall be 20 feet;
- Freestanding signs shall not be located in nor extended above any public right-of-way, including sidewalk areas;
- Freestanding business signs shall also be subject to the provisions of subsection D.2.a.iii.(B), related to business signs;
- The total sign area of a new freestanding sign shall not exceed 80 square feet per sign face plus three-fourth square foot of sign area for each one foot of street or highway frontage in excess of 100 feet.

Neighborhood Impact/Land Use Compatibility

The proposed use is compatible with the neighborhood. The proposed use is consistent with the zoning and land use designation of the subject site. Surrounding uses consist of single- and multi-family residences, various retail, restaurants, commercial services, and medical and professional offices. The sale of alcoholic beverages will occur for off-site consumption from an existing drug store and less than five percent of the shelf space will be devoted to the sale of alcoholic beverages, which will be limited to beer and wine. The State Alcoholic Beverage Control (ABC) office has confirmed that, according to their regulations, the location of the proposed use is not in an area with an undue concentration of establishments selling alcoholic beverages. The establishment is, however, within a high crime reporting district. There are 15 establishments that sell alcoholic beverages within 600 feet of the existing Walgreens, including 12 for on-site consumption and three for off-site consumption. Moreover, under the County Code, an undue concentration exists whenever there is another location selling alcoholic beverages within 500 feet. When an undue concentration exists under County

regulations, a requirement is put into effect limiting shelf space devoted to alcohol sales to five percent. The subject establishment will limit alcohol shelf space to 4.3 percent, and it, therefore, complies with the County's requirements.

According to the Walnut/Diamond Bar Station of the County Sheriff's Department (Sheriff's Department), there were six reported incidents of crime from August 1, 2006, to July 31, 2011, involving burglary and petty theft, but the Sheriff's Department does not object to the granting of the CUP.

The Walgreens has existed at the present location since 2008 and features a contemporary design with adequate fenestration and decorative awnings. Both required parking and landscaping are provided on-site.

The addition of another location in the community selling a small selection of beer and wine will be a benefit to the area by providing a convenience to shoppers wishing to purchase such beverages. It is not uncommon for similar establishments to sell limited quantities of alcohol, and the applicant has a proven track record of responsibly selling alcohol in its other locations. As such, allowing the establishment to sell alcoholic beverages will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site.

The Walgreens is located at the intersection of two major roads: Fullerton Road, a 64-foot-wide street and Colima Road, an 84-foot-wide street. As such, the site is served by adequately sized streets to accommodate the traffic such use would generate.

There are no places used exclusively for religious worship, school, park, playground, or similar use within 600 feet of the establishment proposed for alcohol sales. Therefore, there will be no adverse impact to such uses from the proposed sale of alcohol.

The applicant is a pharmacy and retail store, and has an established history of selling alcoholic beverages and other regulated products. The applicant has adopted sales and security measures that guide of sale of regulated goods. These measures ensure that alcoholic beverages will be sold only with a high degree of responsibility and conscientiousness. Such measures include: (1) requiring alcohol sales training for all employees, (2) having all employees sign a policy acknowledgement letter at the beginning of each shift, (3) requiring employees to request identification for all customers who appear to be under the age of 40, (4) employing the use of sales registers that prompts employees to request identification before proceeding with the transaction

Nearby residential uses are adequately buffered from the Walgreens by streets and a private driveway in such manner as to not create an adverse effect. The nearest residential use is located approximately 140 feet to the south.

Burden of Proof

The applicant is required to substantiate all facts identified by Sections 22.56.040 and 22.56.090 of the County Code. The Burden of Proof with applicant's responses is attached. Staff believes that the applicant has met the burden of proof.

The Walgreens has existed at the present location since 2008 and features a contemporary design with adequate fenestration and decorative awnings. Both required parking and landscaping are provided on-site.

The addition of another location in the community selling a small selection of beer and wine will be a benefit to the area by providing a convenience to shoppers wishing to purchase such beverages. It is not uncommon for similar establishments to sell limited quantities of alcohol, and the applicant has a proven track record of responsibly selling alcohol in its other locations. As such, allowing the establishment to sell alcoholic beverages will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site.

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Nearby residential uses are adequately buffered from the Walgreens by streets and a private driveway in such manner as to not create an adverse effect. The nearest residential use is located approximately 140 feet to the south.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Staff has received a comment letter from the Sheriff's Department (Sheriff's Department). The Sheriff's Department does not object to the granting of the CUP for alcohol sales for off-site consumption.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

Staff has received a report from the State ABC. ABC's report states that the applicant's site is within a high crime reporting district and not in an area with an undue concentration.

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 a letter from the Rowland Heights Community Coordinating Council stating that they have no objection to the proposed application for an alcohol CUP.

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 R2011-00938-(4), Conditional Use Permit Number 201100090, subject to the attached conditions.

SUGGESTED APPROVAL MOTION

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND ADOPT THE CATEGORICAL EXEMPTION.

I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT NUMBER 201100090 WITH FINDINGS AND CONDITIONS.

Prepared by Anthony Curzi, Regional Planning Assistant II
Reviewed by Susan Tae, Supervising Regional Planner, Zoning Permits North

Attachments:
Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Site Photographs, Aerial Image
Site Plan, Land Use Map

SMT:amc
October 10, 2012

**DRAFT FINDINGS AND ORDER OF THE
REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2011-00938-(4)
CONDITIONAL USE PERMIT NO. 201100090**

1. **ENTITLEMENT REQUESTED.** The applicant, the Walgreen Company, is requesting a conditional use permit ("CUP") to authorize the sale of alcoholic beverages (ABC Type 20: beer and wine) for off-site consumption in the C-2-BE (Neighborhood Business – Billboard Exclusion) Zone pursuant to Los Angeles County ("County") Code Section 22.28.160.
2. **HEARING DATE.** October 10, 2012.
3. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION.**
4. **PROJECT DESCRIPTION.** The applicant, the Walgreen Company, is requesting a CUP to authorize the sale of alcoholic beverages (beer and wine) for off-site consumption in an existing, 11,748-square-foot Walgreens drug store in Rowland Heights. Total shelf space dedicated to alcoholic beverages will not exceed 4.3 percent. Beer will occupy a 10-foot-wide cooler and wine will be limited to 30 feet of shelf space.
5. **LOCATION.** The subject site is located at 18308 Colima Road in Rowland Heights. The location is within the Fourth Supervisorial District of Los Angeles County and within the Rowland Heights Community Standards District ("CSD") and Puente Zoned District. The Assessor's Parcel Numbers are 8270-021-045, 8270-021-026, and 8270-021-046.
6. **SITE PLAN DESCRIPTION.** The site plan depicts the subject property with the existing Walgreens drugstore setback from the intersection of Fullerton and Colima Roads. Fifty-one (51) parking spaces are depicted, including 19 compact, three accessible, and 30 standard stalls. Landscaping is depicted along the frontage of Fullerton and Colima Roads. A drive thru lane is depicted to the south of the building. Access to the site is via two 30-foot-wide driveways, one each off of Fullerton and Colima Roads. A trash enclosure area is depicted immediately east of the Walgreens building. A smaller, 966-square-foot building containing retail is depicted along the eastern property boundary.
7. **EXISTING ZONING.** The existing zoning of the subject property is C-2-BE in the Puente Zoned District.

Surrounding properties are zoned as follows:

North: C-1 (Restricted Business), C-2-BE

South: R-3-30U (Limited Multiple Residence – 30 Dwelling Units per Acre)

East: C-2-BE, A-1-6,000 (Light Agricultural – 6,000 Square Foot Minimum Required Lot Area)

West: C-3-BE (Unlimited Commercial – Billboard Exclusion), C-2-BE, R-3-30U

8. **EXISTING LAND USES.** The land use on the subject site is an existing Walgreens drugstore with appurtenant parking and separate 966-square-foot retail store.

Surrounding properties are developed as follows:

North: Bakery, restaurants, salon, pharmacy, clothes vendors, dentist, cell phone vendor, and television vendor.

South: Single/multi-family residences.

East: Single-family residences, vacant land, office building, restaurants, medical office, jewelry vendor, salon, clothes vendor, market, bakery, photocopy service.

West: Medical office building, restaurants, clothes vendors, laundry mat, music studio, salons, video store, cell phone vendor, single-family residences.

9. **PREVIOUS CASES/ZONING HISTORY.** Plot Plan 2006 approved the existing Walgreens and retail store on January 9, 2007 (Amended August 1, 2007). Plot Plan 200601578 approved the signage for the Walgreens and retail store on January 9, 2007. Ordinance No. 12141 established the C-2-BE zone on April 24, 1980.

10. **GENERAL PLAN/COMMUNITY PLAN CONSISTENCY.** The project site is located within the "C" (Commercial) land use category of the Rowland Heights Community General Plan ("Community Plan") and "C" (Major Commercial) of the County General Plan ("General Plan").

The Commercial land use designation of the Community Plan and the Major Commercial designation of the General Plan are intended for retail commercial, service, and office uses. The proposed project is for the sale of alcoholic beverages (ABC Type 20: beer and wine) for off-site consumption from an existing retail establishment (drug store) and is therefore consistent with the permitted uses of the underlying land use categories.

11. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** The project complies with all requirements of the County Zoning Ordinance and Development Standards and the Rowland Heights CSD.

The following are some applicable development standards from the zoning ordinance:

- That 10 percent of the net area of the lot be occupied by landscaping;
- That parking facilities be provided as required by Part 11 of Chapter 22.52;
- That a building or structure not exceed a height of 35 feet;
- That no outside display be permitted, with the exception of certain uses, or unless otherwise permitted by a temporary use permit;
- That no outside storage be permitted.

The following are some applicable standards from the CSD:

- All new signs shall conform to Part 10 of Chapter 22.52;
- Roof signs shall be prohibited;
- Freestanding signs shall be permitted on any lot or parcel of land for each street frontage having a continuous distance of 100 feet or more;
- The maximum height of
- Freestanding signs shall not be located in nor extended above any public right-of-way, including sidewalk areas;
- Freestanding business signs shall also be subject to the provisions of subsection D.2.a.iii.(B), related to business signs;

- The total sign area of a new freestanding sign shall not exceed 80 square feet per sign face plus three-fourth square foot of sign area for each one foot of street or highway frontage in excess of 100 feet.

12. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The proposed use is compatible with the neighborhood. The proposed use is consistent with the zoning and land use designation of the subject site. Surrounding uses consist of single- and multi-family residences, various retail, restaurants, commercial services, and medical and professional offices. The sale of alcoholic beverages will occur for off-site consumption from an existing drug store and less than five percent of the shelf space will be devoted to the sale of alcoholic beverages, which will be limited to beer and wine. The State Alcoholic Beverage Control (ABC) office has confirmed that, according to their regulations, the location of the proposed use is not in an area with an undue concentration of establishments selling alcoholic beverages. The establishment is, however, within a high crime reporting district. There are 15 establishments that sell alcoholic beverages within 600 feet of the existing Walgreens, including 12 for on-site consumption and three for off-site consumption. Moreover, under the County Code, an undue concentration exists whenever there is another location selling alcoholic beverages within 500 feet. When an undue concentration exists under County regulations, a requirement is put into effect limiting shelf space devoted to alcohol sales to five percent. The subject establishment will limit alcohol shelf space to 4.3 percent, and it, therefore, complies with the County's requirements.

According to the Walnut/Diamond Bar Station of the County Sheriff's Department ("Sheriff's Department"), there were six reported incidents of crime from August 1, 2006 to July 31, 2011, involving burglary and petty theft, but the Sheriff's Department does not object to the granting of the CUP.

The Walgreens has existed at the present location since 2008 and features a contemporary design with adequate fenestration and decorative awnings. Both required parking and landscaping are provided on-site.

The addition of another location in the community selling a small selection of beer and wine will be a benefit to the area by providing a convenience to shoppers wishing to purchase such beverages. It is not uncommon for similar establishments to sell limited quantities of alcohol, and the applicant has a proven track record of responsibly selling alcohol in its other locations. As such, allowing the establishment to sell alcoholic beverages will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site.

13. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** One letter was received from the Sheriff's Department. The Sheriff's Department does not object to the granting of the CUP for alcohol sales for off-site consumption.
14. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.** Staff has received a report from the State ABC. ABC's report states that the applicant's site is within a high crime reporting district and not in an area with an undue concentration.
15. **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 and property posting.

16. **PUBLIC COMMENTS.** Staff has received a letter from the Rowland Heights Community Coordinating Council stating that they have no objection to the proposed application for an alcohol CUP.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

17. The proposed use is consistent with the goals and policies of the Rowland Heights Community General Plan (Plan). The Plan category of the location is "C" (Commercial), which allows for retail commercial, service, and office uses. The Community Plan is silent on the issue of alcohol sales. However, the proposed sale of alcohol will occur inside an existing retail establishment that complies with all required developments standards. The sale of alcohol will not adversely affect the community, nor will it conflict with the overriding goals of the Community Plan.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

18. The applicant is a pharmacy and retail store, and has an established history of selling alcoholic beverages and other regulated products. The applicant has adopted sales and security measures that guide of sale of regulated goods. These measures ensure that alcoholic beverages will be sold only with a high degree of responsibility and conscientiousness. Such measures include: (1) requiring alcohol sales training for all employees, (2) having all employees sign a policy acknowledgement letter at the beginning of each shift, (3) requiring employees to request identification for all customers who appear to be under the age of 40, (4) employing the use of sales registers that prompts employees to request identification before proceeding with the transaction.

Nearby residential uses are adequately buffered from the subject site by streets and a private driveway in such manner as to not create an adverse effect. The nearest residential use is located approximately 140 feet to the south.

Therefore, the requested use at the location proposed 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.

19. The existing Walgreens pharmacy and retail store were approved by a plot plan in 2007 and meets all required developments standards, including those required for parking and landscaping. The sale of alcoholic beverages inside the establishment will not require any new construction and can be accommodated inside the existing Walgreens.

Therefore, 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, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

20. The Walgreens is located at the intersection of two major roads: Fullerton Road, 64-foot-wide street, and Colima Road, an 84-foot-wide street. Access to the subject property is provided via two 30-foot-wide driveways, one each on Fullerton and Colima Roads.

Therefore, 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.

21. There are no places used exclusively for religious worship, school, park, playground or similar use within 600 feet of the facility proposed for the sale of alcoholic beverages.

Therefore, 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.

22. The facility is located in an area with other commercial uses and is sufficiently buffered from existing residential uses to the south by a private driveway and streets.

Therefore, 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.

23. There are 15 establishments within 500 feet that sell alcoholic beverages, including 12 for on-site and three for off-site. However, given the large number of retail establishments, office uses, and residences in the area, another location selling alcoholic beverages for off-site consumption would provide a convenience to the community. The site proposed for the sale of alcoholic beverages is not in an area with an undue concentration of establishments selling alcohol. Furthermore, total shelf space devoted to the sale of alcoholic beverages will be limited to less than five percent.

Therefore, the requested use at the proposed location will result in an undue concentration, as determined by the State, 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.

24. The proposed sale of alcoholic beverages will occur inside an existing Walgreens drugstore and will provide a convenience to the community by providing another location to purchase alcoholic beverages. The sale of alcohol will serve to strengthen the economic well-being of the existing store. Increased revenue from the sale of alcoholic beverages will generate additional sales tax which will also contribute positively to the economic welfare of the community.

Therefore, the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.

25. The proposed sale of alcoholic beverages will occur inside an existing Walgreens that features a contemporary design with adequate fenestration on a property with required landscaping. No construction is proposed with this request.

Therefore, 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.

26. Los Angeles County ("County") Staff recommended that this project qualifies for a Class 1 Categorical Exemption (Existing Facilities), as permitted by the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project is for the sale of alcoholic beverages for off-site consumption in an existing drug store and no new development is proposed. Therefore, staff recommends that the Regional Planning Commission determine that the project is categorically exempt in accordance with CEQA.

Therefore, the project qualifies as a Categorical Exemption and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

27. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to ten (10) years.
28. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning 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, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed 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; and
- C. 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, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. 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; and
- 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; and

- 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; and
- G. 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
- H. 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; and
- I. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- J. 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 Section 22.28.160 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

- 1. The Regional Planning Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by 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. 201100090 is APPROVED subject to the attached conditions.

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

SMT:amc

c: Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2011-00938-(4)
CONDITIONAL USE PERMIT NO. 201100090**

PROJECT DESCRIPTION

The project is a request for a conditional use permit (CUP) to authorize the sale of alcoholic beverages (ABC Type 20: beer and wine) for off-site consumption at an existing Walgreens drugstore, 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 \$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 October 3, 2022.** 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 three (3) 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 **\$1,000.00**. 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 **five (5) 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.
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 with 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, **three (3) copies** of a 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 **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.
18. 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, 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.
19. This grant authorizes the sale of alcoholic beverages (ABC Type 20: beer and wine) for off-site consumption from an existing Walgreens drug store located at 18308 Colima Road, Rowland Heights, with a maximum shelf space of 4.3 percent as shown on the approved Exhibit "A."
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. Alcohol sales shall be prohibited between 2:00 a.m. to 6:00 a.m., consistent with California state law.
28. No display of alcoholic beverages shall be made from an ice tub.
29. 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.
30. 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.
31. Employees on duty after 10:00 pm shall be at least 21 years of age.
32. 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 and cashier station stating this prohibition.
33. 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.
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. No malt liquors and/or malt-based products with alcoholic content greater than five percent by volume shall be sold.
36. The permittee shall provide adequate lighting above all entrances and exits to the premises.
37. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernible 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.
38. The sale of fortified wines shall be prohibited.

39. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way.

**ATTACHMENT A
PROJECT DESCRIPTION
CONDITIONAL USE PERMIT FOR OFF-SITE SALES OF ALCOHOLIC BEVERAGES
THE WALGREEN COMPANY
18308 COLIMA ROAD, ROWLAND HEIGHTS, LOS ANGELES COUNTY, CA**

THE APPLICANT

This application is made by The Walgreen Company (the “**Applicant**”). The Applicant is the second largest drugstore chain in the country and operates 7,000 stores in all 50 states, the District of Columbia and Puerto Rico. The Applicant provides access to consumer goods and services and pharmacy, health and wellness services through its retail drugstores, Walgreens Health Services division and Walgreens Health and Wellness division. These drugstores sell prescription and non-prescription drugs, and general merchandise. The Applicant’s general merchandise comprises beauty care, personal care, household items, candy, photofinishing, greeting cards, seasonal items, and convenience food. The Applicant is an active member in each community performing outreach that revolves around access to health services and education. In 2008, the Applicant worked with the nation’s largest network of food banks to provide \$24 million worth of products and provided more than a million free health screenings as part of the Take Care Health Tour 2008. The Applicant was founded in 1901 and is based in Deerfield, Illinois.

PROJECT DESCRIPTION

The Applicant seeks a Conditional Use Permit (“**CUP**”) pursuant to Title 22, Section 22.56 of the Los Angeles County Code (“**LACC**”) for the existing Walgreens store located at 18308 Colima Road (the “**Facility**”) in the Rowland Heights community of the unincorporated area of the County of Los Angeles (the “**County**”). The Facility has been operating continuously at the current location since approximately April 2008. The Applicant proposes to offer a limited selection of beer and wine that will make up a small portion of the existing facility floor area. The modest selection will be tailored to provide a safe, convenient alternative to meet the needs of the Applicant’s existing customers. The Applicant will not sell distilled spirits, malt liquor, single servings or any other variation. Beer will occupy a 10.0-foot-wide cooler and wine will make up 30.0 feet (width) of the beverage aisle that comprises less than 1% of the approximate total 11,748 square feet of floor area or approximately 120 square feet in the existing Facility. The Facility involves no structural change to the interior space (other than some minor internal rearrangement of merchandise, shelving and coolers) nor to the building envelope, building exterior, parking or landscaping. These minor interior changes will involve no grading, construction or construction equipment to the exterior of the Facility.

LOCATION

The Facility is a freestanding building with associated parking, physically located generally on the southeast corner of Colima Road and Fullerton Road.

ZONING AND GENERAL PLAN DESIGNATION

The Facility is zoned C-2-BE Neighborhood Commercial with billboard exclusion combining zone and the land use designation is C Commercial in the General Plan.

SURROUNDING ZONING/LAND USE

- North: C-1 Restricted Commercial. The land use designation is C-Commercial and development consists of a large shopping center.
- South: R-3-30U Limited Multiple-residential. The land use is U 4.0 Urban 4 (12.0 to 22.0 du/ac) and consists of multi- family residences.
- East: C-2-BE Neighborhood Commercial. The land use designation is C-Commercial and consists of retail shops.
- West: C-2-BE Unlimited Commercial. The land use designation is C-Commercial and development consists of retail shops and a bank.

CASE FILE HISTORY

RPP 200601577. Approved on 01/09/2007 (amended 08/01/2007) for an approxiamte 11,748-square-foot Walgreens and 966-square-foot retail store with 51 parking spaces.

RPP 200601578. Approved 01/09/2007 for signage for Walgreens and retail store.

SALES POLICIES AND SECURITY MEASURES

As in hundreds of locations across the country where the Applicant currently sells beer and wine, beer and wine will be merchandised and sold with a high degree of responsibility and conscientiousness. As a pharmacy, the Applicant possesses significant experience selling regulated products and complying with laws governing them. This expertise will ensure lawful and responsible beer and wine sales. Detailed policies and procedures are already in place and are strictly enforced without exception. The Applicant's employees for each eligible store must undergo extensive training prior to beer and wine availability at an individual location. Once trained, all employees regardless of age must sign a Sale of Alcoholic Beverages Policy acknowledgement letter at the beginning of each shift. All employees will also complete any local or state required training before they can sell beer or wine. Alcohol sales training and policy acknowledgements are conducted annually every March. Employees are automatically enrolled in these training courses and new employees also will complete the alcohol sales training and policy procedures on their first day of employment. The Applicant's established policy states that employees must request identification for any customer attempting to purchase alcohol who appears to be under the age of 40. The register prompts the employee before proceeding with the transaction and all under age employees are required to seek the assistance of a manager.

The Applicant uses a variety of security strategies at other store with sales of alcohol to ensure the safety of their customers as well as the security of their merchandise. Security cameras and public view monitors are installed to deter criminal activity and promote a safe environment. The digital images captured from these devices are stored for up to 90 days on a Digital Video Recorder and give Loss Prevention the capability to share images of thieves with the stores and local law enforcement agencies. Additionally, beer and wine will be positioned on the opposite end of the store from where the entrance is located. This will force customers to walk the length of the store serving as an additional deterrent.

CUP FINDINGS -- BURDEN OF PROOF

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

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**

Any adverse affects to the health, peace, comfort or welfare to the people living or working in the surrounding area are minimized through the Sales and Security Measures that The Applicant has adopted. As in hundreds of locations across the country where the Applicant currently sells beer and wine, beer and wine will be merchandised and sold with a high degree of responsibility and conscientiousness. As a pharmacy, the Applicant possesses significant experience selling regulated products and complying with laws governing them. This expertise will ensure lawful and responsible beer and wine sales. Detailed policies and procedures are already in place and are strictly enforced without exception. The Applicant's employees for each eligible store must undergo extensive training prior to beer and wine availability at an individual location. Once trained, all employees regardless of age must sign a Sale of Alcoholic Beverages Policy acknowledgement letter at the beginning of each shift. All employees will also complete any local or state required training before they can sell beer or wine. Alcohol sales training and policy acknowledgements are conducted annually every March. Employees are automatically enrolled in these training courses and new employees also will complete the alcohol sales training and policy procedures on their first day of employment. The Applicant's established policy states that employees must request identification for any customer attempting to purchase alcohol who appears to be under the age of 40. The register prompts the employee before proceeding with the transaction and all under age employees are required to seek the assistance of a manager.

The Applicant uses a variety of security strategies at other store with sales of alcohol to ensure the safety of their customers as well as the security of their merchandise. Security cameras and public view monitors are installed to deter criminal activity and promote a safe environment. The digital images captured from these devices are stored for up to 90 days on a Digital Video Recorder and give Loss Prevention the capability to share images of thieves with the stores and local law enforcement agencies. Additionally, beer and wine will be positioned on the opposite end of the store from where the entrance is located. This will force customers to walk the length of the store serving as an additional deterrent.

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

The Applicant proposes to offer a limited selection of beer and wine that will make up a small portion of the existing Facility floor area. The modest selection will be tailored to provide a safe, convenient alternative to meet the needs of the Applicant's existing customers. The Applicant will not sell distilled spirits, malt liquor, single servings or any other variation. Beer will occupy a 10.0 foot-wide cooler and wine will make up 30.0 feet (width) of the beverage aisle that comprises less than 1% of the approximate total 11,748 square feet of floor area or approximately 120 square feet in the existing Facility. The

Applicant has adopted extensive Sales and Security Measures that are designed to protect the customers and the general public in the vicinity of the Facility.

There will be no material detriment to the use, enjoyment or valuation of the property in the vicinity because of the secure method sales of alcoholic beverages and the onsite security measures that will assure that there will be no onsite consumption, loitering, littering, noise or other activities that might disrupt the neighborhood.

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

The selling of a limited selection of beer will make up a small portion of the overall store floor area and sales and is tailored to provide a safe, convenient alternative to meet the needs for existing customers of the Facility. The safest and most desirable manner of selling beer and wine is from within a larger store whose merchandise is varied, thereby precluding some of the loitering and public safety issues that can arise with liquor sales. The modest selection of beer and wine will add to the variety of products available to customers that include non-prescription and prescription drugs, and general merchandise that includes beauty care, personal care, household items, candy and convenience food, photofinishing, and greeting cards. The addition of beer and wine will add a desired amenity sold in a safe, convenient location by a trusted brand with over 100 years of experience. As conditioned herein, operational and alcohol-related issues have been comprehensively addressed to safeguard and insure the public welfare and to provide for their convenience.

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 existing Facility site was deemed to be adequate in size and shape to accommodate the Facility and all of the yards, setbacks, walls, fences, landscaping and other features as approved in RPP 200601577. The proposed use will not change that approval. The Applicant proposes to offer a limited selection of beer and wine that will make up a small portion of the existing Facility floor area. Beer will occupy a 10.0-foot-wide cooler and wine will make up 30.0 feet (width) of the beverage aisle that comprises less than 1% of the approximate 11,748 square feet total floor area or approximately 120 square feet in the existing Facility. The proposed CUP for offsite sales of beer and wine involves no structural change to the interior space (other than some minor internal rearrangement of merchandise, shelving and coolers) nor to the building envelope, building exterior, parking or landscaping. These minor interior changes will involve no grading, construction or construction equipment to the exterior of the Facility. It is likely that no one will notice any change without actually entering the Facility to shop.

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

The Facility abuts streets and highways that are properly designed and adequate in width and pavement type to carry the type and quantity of traffic generated by the proposed off-site sales of beer and wine use. There are no proposed changes to the existing floor area or

the intensity of uses for the Facility that would cause any additional traffic generation and therefore necessitate any changes to the streets and highways that abut the Facility as originally approved with the RPP 200601577.

The intent behind offering beer and wine at this store fulfills the Applicant's commitment to save its customers time and money with the convenience of one-stop shopping. Thus, the same customers who currently shop at the Facility will continue to shop there, with the new option of being able to purchase beer and wine at the Facility as opposed to some other possibly more distant and inconvenient location. As such, the sale of beer and wine for off-site consumption will not change the existing numbers of customers at the store and because of the volume of goods the Facility sells on a daily basis, devoting this small amount of shelf and refrigerator space to sell beer and wine will not materially increase the number of truck deliveries or vehicles that currently come to the store. In addition, there will be no additional traffic generated by the addition of beer and wine, and as a result, there will be no need for additional parking or loading spaces.

2. By other public or private service facilities as are required.

The proposed use does not require any special public or private facilities because the proposed off-site sales of beer and wine will be incorporated into the existing Facility and will require no changes to any of the existing service facilities which were deemed to be adequate at the time the Facility was built in approximately 2007.

ADDITIONAL FINDINGS PREREQUISITE TO PERMIT, LACC Sec. 22.56.195.

In addition to the findings required pursuant to subsection A of Section 22.56.090, the planning agency shall approve an application for a conditional use permit for alcoholic beverage sales where the information submitted by the applicant, or presented at public hearing, substantiates the following findings:

- 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**

There does not appear to be any religious facilities, schools, parks, playgrounds or other similar uses within a 600 foot radius of the Facility. Any such uses would not be adversely affected by the sales of such a small amount of beer and wine that is sold only to those of a legal drinking age. Furthermore, the Applicant has in place established strict Sales and Security Measures at its other facilities that sell alcoholic beverages and will implement such measures at this Facility.

- 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**

The proposed off-site sales of beer and wine will be conducted within the Facility and will be positioned on the opposite end of the store from where the entrance is located. This will force customers to walk the length of the store serving as an additional deterrent. There will be no external evidence that alcoholic beverages are sold at the facility. Otherwise, there will be no on-site consumption, loitering or littering permitted in connection with the sales of alcoholic beverages. There will be no exterior indication that alcoholic beverages are sold at the Facility.

There is residentially zoned multi-family residences located to the south and are buffered by a solid landscaped hedge and parking lot at the facility and a private drive that completely separates the residences from the Facility. There is no direct driveway or pedestrian access from the residences to the Facility. Although these buffers will serve protect the residential areas in the vicinity, the proposed modest selection of beer and wine for off-site consumption is such that it is a convenience for the customers shopping at the pharmacy and not the principal use and purpose of the Facility. Based on the modest quantity and the nature of how the alcoholic beverages are sold for off-site consumption, there would be no adverse affect to the surrounding area.

- 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; and**

According to the Land use Map prepared by Quality Mapping there are 15 outlets that sell alcoholic beverages within 600 feet of the Facility. Of that number there are three off-site sales businesses listed and one of which has a surrendered license leaving two off-site sales licenses.

The other 12 licenses are on-site sales that sell alcoholic beverages to be consumed on-site in connection with the sales of food.

Although the California Alcoholic Beverage Control (“ABC”) data is somewhat different from the physical location of some alcohol licenses, the ABC generally controls the saturation of alcohol licenses within each census tract. According the ABC data for Census Tract No. 4087.24 the following licenses are active:

- One Type 21 General retail off-site sales
- Two Type 41 General retail onsite sales (with food)
- One Type 86 Instructional/tasting onsite

According to the ABC records for Census Tract No. 4087.24 there are six licenses allowed and four existing. There are no other Type 20 off-site beer and wine licenses in this census tract similar to what the Applicant proposes. Therefore, the ABC does not consider this census tract over concentrated.

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

The approval of the CUP for off-site sales of beer and wine will not adversely affect the economic welfare of the community because the addition of such products for sale will serve to strengthen the financial well-being of the existing store. The use will further the economic welfare of the community by generating additional sales tax which will also contribute positively to the economic welfare of the 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.

There will be no change to existing facility as it was approved and built in 2007 by RPP 200601577. At that time it is assumed that the appearance of the Facility was determined to be consistent with the other commercial facilities within the same C3 zone and provide necessary services to the local neighborhood. The Facility is part of a multi-structure planned commercial development with off-street parking, setbacks and landscaping that is newly constructed within the last five years. Therefore, since the addition of beer and wine for off-site consumption is entirely located within the existing Facility, there are no changes proposed to the structure and appearance that would be inconsistent to the approved Facility that could result in blight or diminish the property values of the neighborhood.

Anthony Curzi

From: Ted Ebenkamp [te44444@hotmail.com]
Sent: Thursday, September 06, 2012 8:43 AM
To: Anthony Curzi
Subject: RE: Walgreens Alcohol CUP application materials

Anthony,

Thank you for sending the Walgreen's CUP application material.

After reviewing the material supplied the RHCCC will not be opposing this application and therefore see no reason to meet with the applicant's representative.

Ted Ebenkamp
Development Committee Chair
Rowland Heights Community Coordinating Council (RHCCC)
909 594-0429

From: acurzi@planning.lacounty.gov
To: tebenkamp@alumni.usc.edu
CC: gerald.wells@verizon.net
Subject: Walgreens Alcohol CUP application materials
Date: Mon, 27 Aug 2012 17:52:03 +0000

Mr. Ebenkamp,

Let me know if you need any other information.

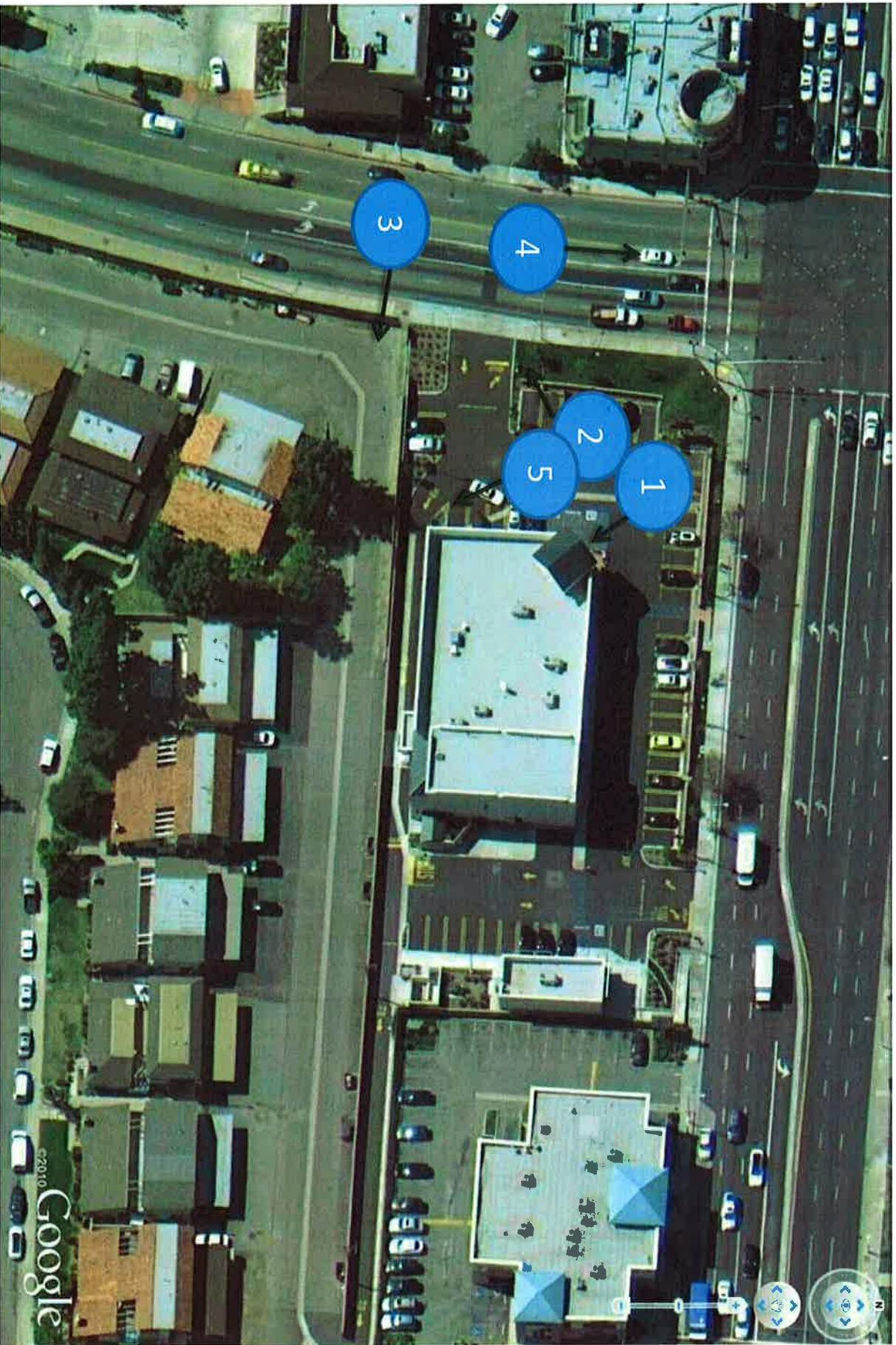
Anthony Curzi

Los Angeles County Department of Regional Planning
320 West Temple Street, Room 1348
Los Angeles, CA 90012
(213) 974-6443 ComLine 264



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Walgreens @ 18308 Colima Road



PHOTO

1



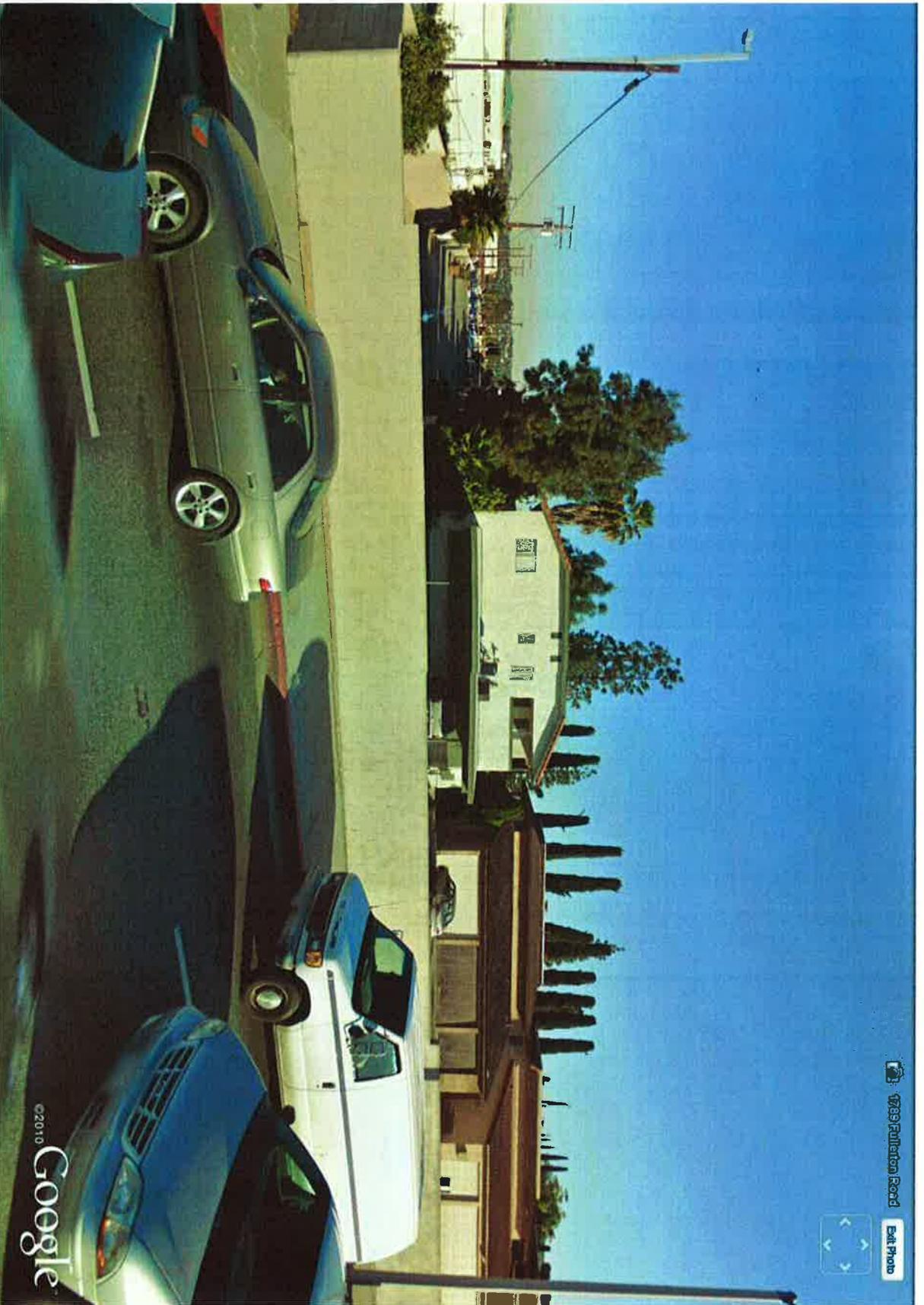
PHOTO

2



PHOTO

3



PHOTO

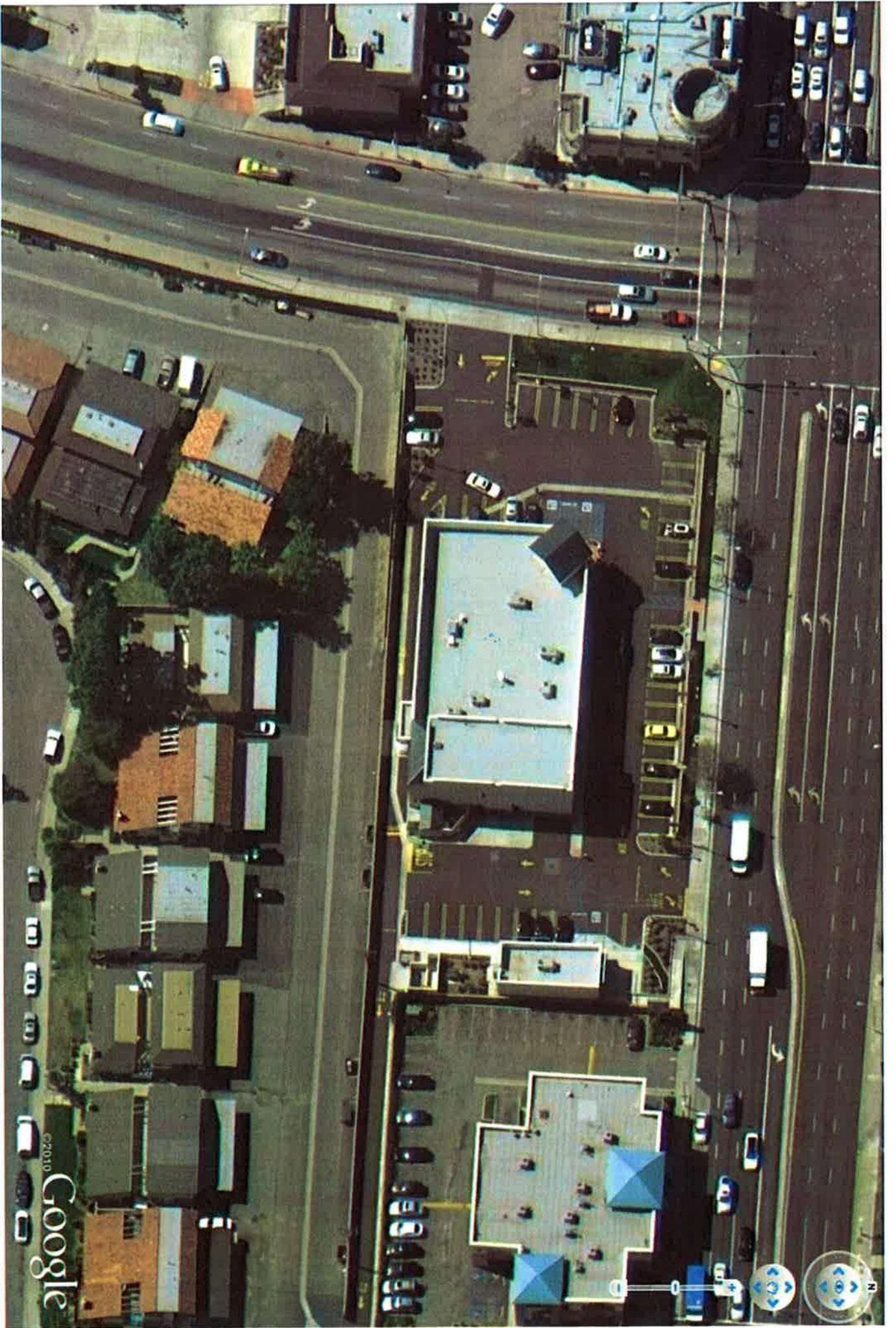
4



PHOTO

5





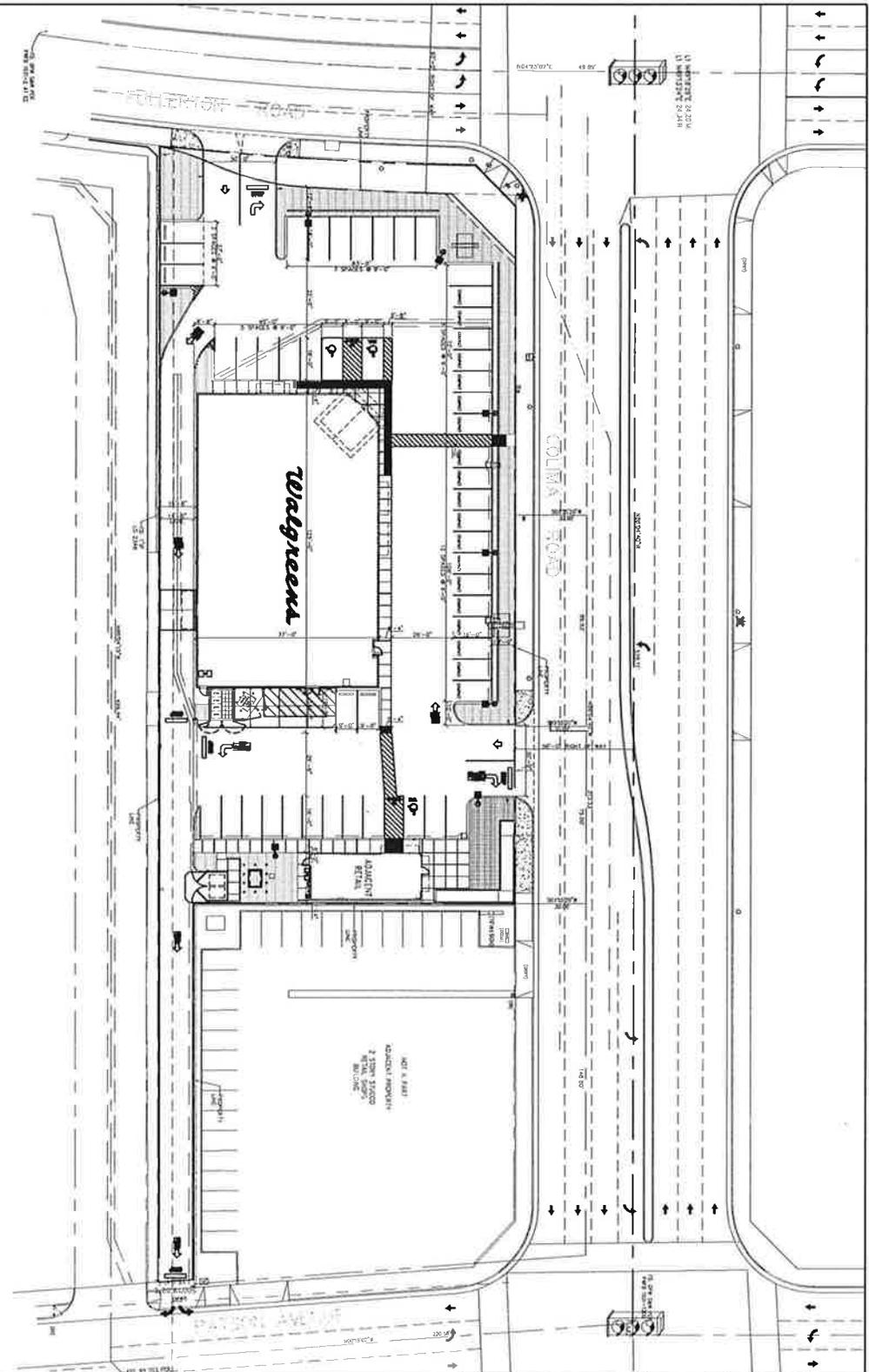
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Walgreens
 FACILITIES PLANNING DESIGN & ENGINEERING
 DESIGN FOR CONSTRUCTION
 PROJECT TYPE

STANDARD SYMBOLS AND NOTATION
 1. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 4. DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.
 5. DIMENSIONS ARE TO CENTERLINE OF CURB UNLESS OTHERWISE NOTED.
 6. DIMENSIONS ARE TO CENTERLINE OF ROAD UNLESS OTHERWISE NOTED.
 7. DIMENSIONS ARE TO CENTERLINE OF RAILROAD UNLESS OTHERWISE NOTED.
 8. DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT TAXIWAY UNLESS OTHERWISE NOTED.
 9. DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT RUNWAY UNLESS OTHERWISE NOTED.
 10. DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT OBSTACLE FREE ZONE UNLESS OTHERWISE NOTED.
 11. DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT OBSTACLE FREE SURFACE UNLESS OTHERWISE NOTED.
 12. DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT OBSTACLE FREE SURFACE UNLESS OTHERWISE NOTED.
 13. DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT OBSTACLE FREE SURFACE UNLESS OTHERWISE NOTED.
 14. DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT OBSTACLE FREE SURFACE UNLESS OTHERWISE NOTED.
 15. DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT OBSTACLE FREE SURFACE UNLESS OTHERWISE NOTED.

GENERAL NOTES
 1. THE DESIGNER HAS CONDUCTED VISUAL SURVEYS OF THE SITE AND NEIGHBORING AREAS TO DETERMINE THE LOCATION OF ALL OBSTACLES TO BE AVOIDED IN THE DESIGN OF THIS PROJECT.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.
 5. ALL DIMENSIONS ARE TO CENTERLINE OF CURB UNLESS OTHERWISE NOTED.
 6. ALL DIMENSIONS ARE TO CENTERLINE OF ROAD UNLESS OTHERWISE NOTED.
 7. ALL DIMENSIONS ARE TO CENTERLINE OF RAILROAD UNLESS OTHERWISE NOTED.
 8. ALL DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT TAXIWAY UNLESS OTHERWISE NOTED.
 9. ALL DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT RUNWAY UNLESS OTHERWISE NOTED.
 10. ALL DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT OBSTACLE FREE ZONE UNLESS OTHERWISE NOTED.
 11. ALL DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT OBSTACLE FREE SURFACE UNLESS OTHERWISE NOTED.
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 14. ALL DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT OBSTACLE FREE SURFACE UNLESS OTHERWISE NOTED.
 15. ALL DIMENSIONS ARE TO CENTERLINE OF AIRCRAFT OBSTACLE FREE SURFACE UNLESS OTHERWISE NOTED.

STORAGE
 BUILDING
 TOTAL BUILDING AREA: 12,013 SF
 TOTAL FLOOR AREA: 4,381 SF
 INSULATED STORAGE: 231
 UNINSULATED STORAGE: 11,682



0 10 20 50 100
 1 SITE PLAN

STORE MAINTENANCE SPACES PROJECT NAME: WALGREENS STORE 18308 COLIMA RD RIVERSIDE, CALIFORNIA 92504	
SHEET NO.: A0.1	DATE: 08/14/2013
DRAWN BY: WALGREENS	CHECKED BY: WALGREENS
PROJECT NO.: 18308 COLIMA RD	SHEET NO.: A0.1

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