Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

CONDITIONAL USE PERMIT BURDEN OF PROOF

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

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

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

The requested use is a relocation of the existing Acton Market located at 3638 Smith Avenue, Acton, CA.
in as much as the use currently exists in the immediate area and is being relocated to the north west
across crown valley road, there is effectively no negative change or impact to the surrounding area or
its inhabitants by this use. the new location is more visable from crown valley road, the main road in
the area and will provide more convinience for the local neighborhood to access the market.

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

The site is approximately 0.7 acres in size with a 9,500 square foot building and complies with all
zoning requirements relative to yards, walls fences, parking, loading zones and landscaping. the projec
includes the extension of the multi use trail along the crown valley road frontage along with landscape
buffers at all street frontages. the site as designed accomodates greater landscaping than required and
fewer compact parking spaces than allowed by the zoning ordinance.

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

the site is located on crown valley road which is the main thoroughfare in the area. the site has
direct access from crown valley road to the parking lot and a secondary access from smith road.
since the use is a relocation from the immediate area it will not substantially change traffic patterns
in the area. the site is served by la county water with adequate supply and pressure. there is an
existing fire hydrant on the corner with appropriate fire flow and pressure. the site is served by sce
the site has adequate area for an on site sewage disposal system.

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ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.195, the applicant shall substantiate the following:
(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

ABC License Type No(s).: TYPE 21 (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.

There are no places used exclusively for religious worship, school, park, playground or any similar use with in a 600-foot radius of the site, therefore the use will not adversely affect any such uses with in 600-feet of the site.

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.

There is residential area immediately adjacent to the West of the site. This area is seperated from the site by a retaining wall with the residential area approximately 8 feet higher than the site creating a significant buffer. across smith avenue to the south and crown valley road to the east of the site exists residential uses which are buffered by the width of the streets. the use to the north is buffered by the new building.

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

The requested use will replace the market to the South West of the site located at 3638 Smith Avenue, Acton, ca. when the new market opens the existing market will close as the acton market owner is moving the operation to the new location at 32003 crown valley road, acton, ca.

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

The move of the Acton Market to the new site will not have a negative impact on the economic welfare of the surrounding community as the use is already existing and the sales of alcoholic beverages is anticipated to be similar to the existing condition.

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 new Acton Market building and site development has been reviewed by the Acton Town Council which has expressed positive comments regarding the design of the project. The project has been designed to fully comply with the current acton community standards district architectural style guidelines in quality and appearance.