



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

July 16, 2014

Armstrong Development  
Attn: Christian Charbonnet, Project Manager  
3652 Empire Drive #2  
Los Angeles, CA 90034

**REGARDING: PROJECT NO. R2013-01635-(1)  
CONDITIONAL USE PERMIT NO. 201300133  
3601 Cesar E. Chavez Avenue & 420 Rowan Avenue (5232-027-027)**

The Regional Planning Commission, by their action of **July 16, 2014**, has **APPROVED** the above-referenced project. Enclosed are the Regional Planning Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **July 30, 2014. Appeals must be delivered in person.**

**Appeals: To file an appeal, please contact:**  
Regional Planning Commission, Attn: Commission Secretary  
Room 1350, Hall of Records  
320 West Temple Street, Los Angeles, CA 90012  
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Michele Bush of the Zoning Permits East Section at (213) 974-6435, or by email at [mbush@planning.lacounty.gov](mailto:mbush@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner

  
Maria Masis, Supervising Regional Planner  
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement;  
Paragon Commercial Group, Attn: Erwin Bucy, 800 Parkview Drive North, El Segundo, CA  
90245

MM:mrh

CC 060412

**FINDINGS OF THE REGIONAL PLANNING COMMISSION  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2013-01635-(1)  
CONDITIONAL USE PERMIT NO. 201300133**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201300133 ("CUP") on July 16, 2014.
2. The applicant, requests the CUP to authorize the sale of beer, wine and distilled spirits for off-site consumption at a proposed CVS store (approved under separate permit – RPP 201300594). The Project Site is located at 3601, 3615, 3617, 3627 Cesar E. Chavez Avenue and 420 N. Rowan Avenue in the unincorporated community of East Los Angeles ("Project Site") in the R-2 (Two-Family Residence) and C-3 (Unlimited Commercial) zone pursuant to Los Angeles County Code ("County Code") section 22.28.210.
3. The Project Site is 0.93 acres in size and consists of five legal lots tied together through a Certificate of Compliance (RCOC 201300096). The Project Site is rectangular in shape, relatively flat and is currently developed with an auto body shop, commercial/office uses, a commercial/residential combination use and a church including a parking lot.
4. The Project Site is located in the East Los Angeles Zoned District and is zoned R-2 (Two-Family Residence) and C-3 (Unlimited Commercial).
5. The Project Site is located within the CC (Community Commercial) land use category of the East Los Angeles Community Plan.
6. Surrounding Zoning within a 500-foot radius includes:
  - North: R-2 (Two-Family Residence)
  - South: C-3-DP (Unlimited Commercial-Development Program)
  - East: R-2 and C-3-DP
  - West: R-2 and C-3-DP
7. Surrounding land uses within a 500-foot radius include:
  - North: Church and Residential uses
  - South: Commercial use
  - East: Commercial use
  - West: Commercial and Residential uses
8. The subject Project Site has contained a mix of commercial and residential/commercial combination uses for more than 20 years. Several commercial uses have been approved and located on the Project Site, including CP

93059, approved on July 22, 1993 allowing an auto body shop and market. The existing uses will be demolished for the construction of the proposed CVS store.

9. The site plan for the Project depicts the Project Site with a new 14,250-square-foot CVS pharmacy structure, with required parking (57 spaces). Two driveways are depicted, one on E. Cesar Chavez Avenue and the other on N. Rowan Avenue, each to be used for both ingress and egress. An additional driveway is depicted along Dozier Street, for egress only. The site plan includes the shelf plan for the proposed sale of beer, wine and distilled spirits for off-site consumption showing 4.14 percent reserved as such. The shelf space thereby does not exceed five percent of the total shelf space in the establishment.
10. Based on information from the California Department of Alcoholic Beverage Control (ABC), an undue concentration of licenses exists within the Census tract. Two (2) alcohol licenses are allowed and six (6) exist. There are currently three establishments selling alcohol within 500 feet of the Project Site, two with Type 21 licenses (Cesar Chavez Liquor and Superior Grocers), and one with a Type 40 (on sale beer) license (Thai Daily BBQ). There is currently a church (S. California Tenrikyo Church) within 600 feet of the subject property. The church is located 486 feet northeast of the Project Site, within the residential neighborhood. No other sensitive uses are located within 600 feet of the site.

Staff received Business and Practices Worksheets (one for each parcel) from the ABC dated November 14, 2013. The worksheets include crime reporting district and Census tract based statistics on reported criminal activity and existing alcohol licenses. According to the worksheets, the subject Project Site is located in crime reporting district number 0276 where 384 offenses occurred. The average number of offenses per reporting districts was 90.9; therefore reporting district 0276 is considered a high crime reporting district. The subject property is located in Census tract number 5309.01.

The applicant states that the seriousness of loitering, delinquency, crime and underage drinking is recognized. In light of such issues, CVS provided information that showed, that through over 40 years of experience, CVS has developed stringent operational standards and training programs to teach techniques for the lawful selling of alcoholic beverages. CVS will require all employees selling alcoholic beverages to complete its training program and execute a semi-annual acknowledgement of its alcohol sales policies. In addition CVS is open to operating conditions that the County considers necessary to ameliorate any significant concerns that exist.

Staff received a letter from the County of Los Angeles Sheriff's Department, East Los Angeles Station, dated February 26, 2014. The letter stated that calls for service at the location of the proposed CVS were not conducted because the existing businesses will be removed for the construction of the CVS. Since the CVS is not yet operating, that information would not be useful to ascertain impacts caused by CVS. The letter also stated that currently, the policing area of unincorporated East Los Angeles consists of 7.89 square miles. It is comprised of 27 Census tracts with

approximately 168 retail liquor licenses. If the business is granted a CUP, the Sheriff's Department stated that it hoped the operator of the proposed CVS would be a responsible business and not allow consumption of alcohol at their location and/or allow intoxicated individuals to congregate outside their business. The Sheriff's Department did not advocate support or opposition to the Project request.

CVS stated that it is committed to operating a retail store that allows for safe family oriented shopping. To that end, the following design elements are incorporated into the security plan: adequate lighting levels both on the interior and exterior of the store, employee supervision of the facility, a closed circuit video monitoring system, with cameras located strategically throughout the property, and careful window sign and landscaping placement to avoid obstruction of visibility into and out of the facility.

11. 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 involved the sale of alcoholic beverages in an approved CVS pharmacy.
12. Prior to the Commission's public hearing, the Department of Regional Planning ("Regional Planning") staff received one email from an area resident expressing the need for limitations on the hours during which alcohol can be sold, and the concern that the proposed Project would reduce property values in the area; and one letter from an area resident expressing concerns regarding increased traffic levels, operating hours of the store and the addition of a business selling alcohol. Seven letters of support were also submitted to staff.
13. A duly noticed public hearing was held on July 16, 2014 before the Commission. Commissioners Valadez, Shell, Louie and Pedersen were present. Commissioner Modugno was absent. The Commission heard a presentation from Regional Planning staff, during which staff indicated a Condition of Approval (Condition #25) would be added to reflect the requirement for the applicant (CVS) to purchase a retired or expired alcohol license. The Condition states the following:

The permittee is required to purchase for its use or to retire an existing alcohol license in the area as a condition to the issuance of the certificate of occupancy for the building. If at the time of occupancy, despite evidence provided to the Planning Director of best efforts, the permittee requires additional time, the permittee may request additional time in writing from the Director of Planning. The Director of Planning will have the discretion to allow occupancy and grant time to purchase the required license.

The applicant's representative, Erwin Bucy, presented testimony in favor of the request and answered questions presented by the Commission. The Commission also heard testimony from other representatives of the applicant and members of the

public. Three members of the community spoke in opposition to the proposed project, expressing concerns with the addition of an alcohol use in an area that has an overconcentration of alcohol uses, an increase in traffic levels and crime in the area. A petition signed by 39 local residents was submitted, echoing the concerns raised by Project opponents at the hearing. There being no further testimony, the Commission closed the public hearing and adopted the recommended changes by staff (the addition of Condition #25 to the Conditions of Approval) and agreed to by the applicant.

14. The Commission finds that the Project is consistent with the goals and policies of the East Los Angeles Community Plan. The subject property is located within the CC (Community Commercial) land use category. This designation allows for businesses that are basically oriented to serving the needs of surrounding neighborhood and have little regional attraction. The proposed sale of alcohol for off-site consumption will be located within a CVS pharmacy store, which provides goods and services to the surrounding community. The proposed CVS will be located at an intersection which is developed on all four corners with commercial uses and is easily accessible to the community.

15. The Commission finds that the Project is consistent with the Zoning Code. Section 22.28.210 of the County Code permits the sale of alcoholic beverages for either on-site or off-site consumption in the C-3 zone, provided a conditional use permit has first been obtained.

Section 22.56.195 of the County Code requires that an applicant for a project that does not currently, but proposes to sell alcoholic beverages, for either on-site or off-site consumption must provide information sufficient to substantiate certain findings.

16. The proposed Project will be located at an intersection with other commercial property. The project will significantly improve the aesthetics and availability of parking in the area. Accordingly, the Commission finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare.

17. The proposed Project will be located at an intersection with other commercial property. The Project has been designed with appropriate ingress and egress, adequate landscaping and parking to serve the use. The project will significantly improve the aesthetics and availability of parking in the area. Accordingly, the Commission finds that the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping, and other development features as is required in order to integrate the Project into the surrounding area. The use proposed is allowed within the C-3 (Unlimited Commercial) zone, provided that a conditional use permit is obtained, and will be a compliment to the surrounding community.

18. The Project Site is located on a commercial corridor with neighboring retail uses. In addition, there is a transit center in close proximity to the site. Accordingly, the Commission finds that the Project is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate, and by other public or private facilities as are required.
19. There is currently one church within a 600-foot radius of the subject property. The S. California Tenrikyo Church is located 486 feet northeast of the Project Site. The church is situated within the residential neighborhood which buffers it sufficiently from the proposed use. The sale of alcohol will only account for a small percentage of the proposed tenant's sales, as such no uses will be adversely impacted by the sale of a limited supply of alcohol at this location. Accordingly, the Commission finds 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.
20. The Project Site includes existing residential uses to the north and east of the property. The Project proposes a six-foot-high masonry wall and a five-foot-wide landscape buffer along the eastern property line in the parking area adjacent to the residential uses. A three-foot landscape planter with tree diamonds is proposed along the northern property line in the main parking field and the building will extend to the northern and eastern property lines providing sufficient buffering to the adjacent residential areas. Accordingly, the Commission finds 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.
21. There are currently three establishments selling alcohol within 500 feet of the Project Site. The proposed sale of alcohol for off-site consumption at a retail drugstore would add a needed amenity to the neighborhood, as one does not currently exist. The County's Zoning Ordinance requires shelf space to be limited to five percent of the total shelf space in the establishment when such an overconcentration exists. The Project proposes 4.14 percent of shelf space be devoted to alcoholic beverages. Accordingly, the Commission finds that 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 limit to not more than five percent of the total shelf space in the establishment.
22. The proposed project is expected to be an asset to the community. There is currently a demand in this area for the products sold by the proposed tenant including pharmaceuticals, health and beauty items, vitamin and household goods. While alcohol sales will comprise a small percentage of the tenant's overall sales, it is imperative to their success to be able to offer customers a variety of products including alcoholic beverages. Accordingly, the Commission finds that the requested

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

23. The proposed Project will be constructed of industry standard materials and will be consistent with other commercial developments in the area. The building will consist of primarily a stucco finish with CMU block pilasters and wainscoting. Accordingly, the Commission finds 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 the neighborhood.
24. 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 20 years.
25. 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 the Anthony Quinn Library located in the vicinity of East Los Angeles community. On June 10, 2014, a total of 101 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, as well as four notices to those on the courtesy mailing list for the East Los Angeles Zoned District and to any additional interested parties.
26. 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 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; 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 nearby 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 the neighborhood.

**THEREFORE, THE REGIONAL PLANNING COMMISSION:**

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15302 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit 201300133, subject to the attached conditions.

**ACTION DATE: JULY 16, 2014**

**VOTE:**

Concurring: Valadez, Shell, Louie, Pedersen

Dissenting: 0

Abstaining: 0

Absent: Modugno

MM:mrh  
07/16/14

c: Each Commissioner, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2013-01635-(1)  
CONDITIONAL USE PERMIT NO. 201300133**

**PROJECT DESCRIPTION**

The project is a request to authorize the sale of beer, wine and distilled spirits for off-site consumption at a proposed CVS store (approved under separate permit – RPP 201300594) 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 reasonably 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 reasonably 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 July 16, 2034.** 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 **\$2,000.00**. 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 ten (10) 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 pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code 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").
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 conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" 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 **September 14, 2014**.
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 substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### PERMIT SPECIFIC CONDITIONS

19. 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 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 consumption of alcoholic beverages shall be prohibited on the subject property, including interior and exterior locations. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the property.
22. 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, or other similar 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.
23. 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.

24. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
25. The permittee is required to purchase for its use or to retire an existing alcohol license in the area as a condition to the issuance of the certificate of occupancy for the building. If at the time of occupancy, despite evidence provided to the Planning Director of best efforts, the permittee requires additional time, the permittee may request additional time in writing from the Director of Planning. The Director of Planning will have the discretion to allow occupancy and grant time to purchase the required license.
26. 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.
27. This grant authorizes the sale of alcoholic beverages from 9:00a.m. to 10:00p.m., during all days of operation.
28. 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.
29. No display of alcoholic beverages shall be made from a tub or other container containing ice.
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. Shelf space for display of alcoholic beverages shall never exceed five percent of the store's shelf space.
32. 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.
33. Employees on duty after 10:00 pm shall be at least 21 years of age.
34. The 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 the selling of single containers of beer is prohibited.
35. 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.

36. No alcoholic beverages shall be displayed within five feet of the cash register or the front door unless it is in a permanent affixed cooler.
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 to the satisfaction of the Director above all entrances and exits to the premises.
39. The permittee shall provide adequate lighting to the satisfaction of the Director in all parking areas and walkways under control of the permittee.

#### **PROJECT SITE SPECIFIC CONDITIONS**

40. This grant shall authorize the sale of beer, wine and distilled spirits for off-site consumption.
41. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way.
42. The permittee shall maintain a closed circuit video monitoring system, with cameras located strategically throughout the property.
43. Landscaping on the property shall be placed as not to avoid obstruction of visibility into and out of the facility.
44. The permittee shall hire a security guard for the premises and the security guard shall be required to be on the premises during all hours of operation.

MM:mrb  
7/16/14