

Hearing Officer Transmittal Checklist

Hearing Date
1/6/15
Agenda Item No.
7

Project Number: R2014-02452-(4)
Case(s): Conditional Use Permit Case No. 201400117
Planner: Steve Mar

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof 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
- Sheriff's Letter and Crime Stats
- ABC B&P Worksheet
- HHIA Comment Letter

Reviewed By: 



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

PROJECT NUMBER
 R2014-02452-(4)

HEARING DATE
 January 6, 2015

REQUESTED ENTITLEMENTS
 Conditional Use Permit No. 201400117

PROJECT SUMMARY

OWNER / APPLICANT

PK II Bixby Hacienda Plaza LP / Tawa Inc.

MAP/EXHIBIT DATE

3-31-14

PROJECT OVERVIEW

The applicant, Tawa Inc., is requesting a conditional use permit (CUP) for a Type-21 alcohol license for full-line alcohol for off-site consumption at a new 44,128 sq. ft. market (168 Market) located within an existing shopping center (Bixby Hacienda Shopping Plaza) in the C-2 (Neighborhood Business) zone pursuant to Los Angeles County Code Sections 22.28.160 and 22.56.195.

LOCATION

17120 Colima Rd., Hacienda Heights

ACCESS

via Colima Rd. and Azusa Ave.

ASSESSORS PARCEL NUMBER(S)

8295-012-159, -158

SITE AREA

6.9 Acres

GENERAL PLAN / LOCAL PLAN

Hacienda Heights Community Plan

ZONED DISTRICT

Hacienda Heights ZD

LAND USE DESIGNATION

CG – General Commercial

ZONE

C-2 (Neighborhood Business)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Hacienda Heights Community Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.28.170 (C-2 Zone Development Standards)

CASE PLANNER:

Steve Mar

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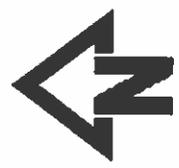


17120 Colima Rd., Hacienda Heights

Proj #R2014-02452-(4) / CUP #201400117

Printed: Nov 24, 2014

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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) for a Type-21 alcohol license for full-line alcohol for off-site consumption at a new market in the C-2 (Neighborhood Business) Zone pursuant to County Code Section 22.28.160.

PROJECT DESCRIPTION

The applicant, Tawa Inc., is requesting a conditional use permit (CUP) for a Type-21 alcohol license for full-line alcohol for off-site consumption at a new 44,128 sq. ft. market (168 Market) located within an existing shopping center (Bixby Hacienda Shopping Plaza) in the C-2 (Neighborhood Business) zone pursuant to Los Angeles County Code Sections 22.28.160 and 22.56.195. The hours of operation for the market are 9:00 a.m. to 9:00 p.m., seven days a week.

SITE PLAN DESCRIPTION

The site plan depicts the 44,128 sq. ft. market located in a tenant space at a shopping center with 492 parking spaces located along Colima Road. The market's shelf plan shows that alcoholic beverages will take up 4.97% of the market's total shelf space.

EXISTING ZONING

The subject property is zoned C-2 (Neighborhood Business).

Surrounding properties are zoned as follows:

North: C-2 (Neighborhood Business), IT (Institutional), R-A (Residential Agricultural)
South: C-2 (Neighborhood Business), R-3 (Limited Multiple Residence), RPD-6000-6U (Residential Planned Development)
East: C-2 (Neighborhood Business), O-S (Open Space)
West: RPD-6000-20U (Residential Planned Development)

EXISTING LAND USES

The subject property is developed with a multi-tenant shopping center.

Surrounding properties are developed as follows:

North: Shopping Center, Commercial, Single-family Residences
South: Hotel, Multi-unit Senior Living, Single-family Residences
East: Medical Offices, Schabarum Regional Park
West: Multi-family Residences

PREVIOUS CASES/ZONING HISTORY

The previous zoning history of the subject parcel is as follows: A1-10000 (4/28/48), C-3 (6/7/68), C-3 (11/6/70), C-3-BE (6/15/82), C-2 (4/1/10).

Plot Plan No. 201400419 – Approved 4/28/14 for tenant improvements to a 44,128 sq. ft. retail space due to a change of ownership from Albertson's Supermarket to 168 Market.

More than two dozen Plot Plan cases on the site have been approved for various tenant improvements and signage for businesses located in the shopping center. There are no other existing Conditional Use Permits on the site.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project is a request to sell alcoholic beverages for off-site consumption at a new market in an existing shopping center and is not requesting any major exterior improvements. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the CG – General Commercial land use category of the Hacienda Heights Community Plan. This land use designation is intended for lands suitable for a variety of retail, offices, restaurants, businesses, and service establishments that meet the needs of residential neighborhoods. The proposed sale of full-line alcohol for off-site consumption at a market provides a retail service to the nearby residential community and is therefore consistent with the permitted uses of the underlying land use category.

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

- *Place major emphasis on channeling new intensive commercial development into multipurpose centers.*
- *Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls.*
- *Encourage clustering of well designed highway oriented commercial facilities in appropriate and conveniently spaced locations.*

The project proposes to sell alcoholic beverages at a new market in a retail space that was previously occupied by another market at an existing shopping center located along Colima Road. The selling of alcoholic beverages at a new market would not intensify the commercial use that was previously located at the project site and will provide goods and services to the surrounding neighborhood.

The following policies of the Hacienda Heights Community Plan are applicable to the proposed project:

- *Maintain and improve existing commercial areas.*
- *Require signage within commercial areas to be clear, attractive, and cohesive.*
- *Maintain buildings, parking areas, and landscaping in a clean and orderly manner.*

The project will provide goods and services that are similar to the previous market tenant at the project site. No changes are proposed to expand the building, modify the parking lot, or modify existing landscaping. The project site's signage will continue to be regulated by the Department of Regional Planning.

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:

- Landscaping
- Parking
- Maximum Height
- Outside display
- Outside storage

The shopping center on the project site was built in 1986 and conformed to the development standards at the time it was built. The project proposes the sale of full-line alcoholic beverages at a new market in a tenant space that was previously occupied by another market. The project is not proposing to expand the building, modify the parking lot, or modify existing landscaping and there will be no intensification of use from what previously existed at the site. The project is not proposing any outside display or outside storage.

Neighborhood Impact/Land Use Compatibility

The selling of alcoholic beverages at a market on the subject property is compatible with the surrounding neighborhood and provides a retail service to the community. The selling of alcoholic beverages is a permitted use in the C-2 Zone and the market is consistent with the scale of surrounding development.

The sale of alcoholic beverages at supermarket on the subject property is compatible with the surrounding neighborhood and provides a needed service to the community. Alcoholic beverage sales is a permitted use in the C-2 Zone once a CUP is obtained. Currently, there are eight other establishments within a 500-ft. radius of the subject property that sell alcohol. These licenses include one Type 21 license for off-site full line alcohol sales at another market (99 Ranch Market), one Type 20 license for off-site beer and wine sales at a gas station mini mart (Circle K / Unocal 76), and six licenses (one Type 47 and five Type 41) for on-site alcohol sales at eating establishments. Although this constitutes an undue concentration under County code, the sale of full line of alcohol would serve as a public convenience and necessity to the surrounding community by providing products and services that are consistent with other markets in the area. The shelf space devoted to alcoholic beverages shall be limited to no more than five percent of the total shelf space in the market. The market is proposing 4.97% of its total shelf space to the display of alcoholic beverages and meets this requirement.

The subject property is located within 600 ft. of two sensitive uses. These uses include an after school tutoring center (C2 Education Center) and one park (Schabarum Regional Park). Since the subject market is in an existing shopping plaza and the former market it replaces previously operated as such, the off-site sale of alcoholic beverages will not bring any additional adverse effects to these sensitive uses. The applicant will operate in a responsible manner to avoid detrimental effects. With the proposed draft conditions, the project shall remain consistent and compatible with the surrounding community.

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

- A. That the requested use at the location proposed will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

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

The property is located in an existing shopping plaza zoned for commercial use. The proposed 168 Market will be located in a space that was previously an Albertson's Market which also provided the sale of full-line alcohol for off-site consumption. Therefore, the project will not add any new adverse impacts to the neighborhood and will operate in a manner that is sensitive to the neighborhood.

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 new market will be located in a tenant space that was previously used by another market. The project is not proposing any new changes or intensification of use and is not proposing any exterior changes to the site. The shopping center adhered to the development standards as prescribed in Title 22 at the time it was built.

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 close to the Pomona Freeway SR-60 and is located at the corner of two major arterial streets, Colima Road and Azusa Avenue. The streets are sufficient to carry the kind of traffic generated by the market.

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

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

There are two sensitive uses within 600 ft. of the project site (C2 Education Center and Schabarum Regional Park). Since the subject market is in an existing shopping plaza and the former market it replaces previously operated as such, the off-site sale of alcoholic beverages will not bring any additional adverse effects to these sensitive uses. The applicant will operate in a responsible manner to avoid detrimental effects.

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

The market is located in a commercially zoned area and is mostly surrounded by other commercial uses. The project site is buffered from adjacent residences by concrete block walls on the western and southern property lines. Residences to the north are buffered by Colima Road and concrete block sound walls.

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

space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

There are eight (8) establishments within 500 ft. of the project site that sell alcoholic beverages (two off-sale and six on-sale). Therefore, an undue concentration of establishments that sell alcoholic beverages exists near the project site. The sale of full-line alcohol for off-site consumption at the new market would be a service that is comparable with other markets in the area and would serve as a public convenience and necessity to the neighborhood. The market's shelf space that would be devoted to the display of alcoholic beverages would be 4.97% of the market's total shelf space.

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

The market will provide goods and services to the surrounding community and will add to the economic welfare of the community.

E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

The market will ensure that any changes to the façade will match the surrounding uses and structures. The market will not diminish or impair property values in the neighborhood.

Burden of Proof

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

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Sheriff's Station

The County of Los Angeles Sheriff's Department, Industry Station, researched the subject property's calls for service history for the past five years from September 10, 2009 to October 15, 2014. The Sheriff's Department noted that there is an issue of transients on the property, but they are, for the most part, not drunk and just panhandling. More recently, there have been calls due to alarm activations, but these calls occurred while the previous Albertson's store located on the property was boarded up.

The Sheriff's Department had no further issues regarding the proposed project.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

California Department of Alcoholic Beverage Control

Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the subject property is located in a high crime reporting district. The subject property is in Reporting District 1470. The average number of offenses reported per district (out of 557 total reporting districts) is 85.7 and the actual number of crimes reported for District 772 is 147.

The subject property lies within Census Tract 4086.28. There are currently four existing alcohol licenses in this census tract and only three licenses are allowed. Therefore an undue concentration of alcoholic beverage licenses exists within Census Tract 4086.28.

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

Hacienda Heights Improvement Association

The Hacienda Heights Improvement Association reviewed the project at its October 20, 2014 meeting and voted unanimously to support the project.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

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 R2014-02452-(4), Conditional Use Permit Number 201400117, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201400117 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

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

Attachments:

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

MM:SM
1/6/15

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02452-(4)
CONDITIONAL USE PERMIT NO. 201400117**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400117 ("CUP") on January 6, 2015.
2. The permittee, Tawa Inc. ("permittee"), requests the CUP to authorize a Type 21 alcohol license for full-line alcohol for off-site consumption ("Project") at a new 44,128 sq. ft. market (168 Market) located within an existing shopping center (Bixby Hacienda Shopping Plaza) on a property located at 17120 Colima Road in the unincorporated community of Hacienda Heights ("Project Site") in the C-2 (Neighborhood Business) zone pursuant to Los Angeles County Code ("County Code") Sections 22.28.160 and 22.56.195.
3. The Project Site is 6.9 acres in size and consists of two legal lots. The Project Site is rectangular in shape with flat topography and is developed with a multi-tenant shopping center.
4. The Project Site is located in the Hacienda Heights Zoned District and is currently zoned C-2 (Neighborhood Commercial).
5. The Project Site is located within the CG – General Commercial land use category of the Hacienda Heights Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: C-2 (Neighborhood Business), IT (Institutional), R-A (Residential Agricultural)
 - South: C-2 (Neighborhood Business), R-3 (Limited Multiple Residence), RPD-6000-6U (Residential Planned Development)
 - East: C-2 (Neighborhood Business), O-S (Open Space)
 - West: RPD-6000-20U (Residential Planned Development)
7. Surrounding land uses within a 500-foot radius include:
 - North: Shopping Center, Commercial, Single-family Residences
 - South: Hotel, Multi-unit Senior Living, Single-family Residences
 - East: Medical Offices, Schabarum Regional Park
 - West: Multi-family Residences
8. The Project Site was zoned from A1-10000 to C-3 on June 7, 1968, to C-3-BE on June 15, 1982, and to C-2 on April 1, 2010. On April 28, 2014, Plot Plan No. 201400419 was approved for tenant improvements to a 44,128 sq. ft. retail space due to a change of ownership from Albertson's Supermarket to 168 Market. More than two dozen other Plot Plan cases on the Project Site have been approved for various tenant improvements and signage for businesses located in the shopping center. There are no other existing Conditional Use Permits on the Project Site.
9. The site plan for the Project depicts the 44,128 sq. ft. market located in a tenant space at a shopping center with 492 parking spaces located along Colima Road. The market's shelf plan shows that alcoholic beverages will take up 4.97% of the market's total shelf space.

10. The Project Site is accessible via Colima Road to the north. Primary access to the Project Site will be via an entrance/exit on Colima Road. Secondary access to the Project Site will be via an entrance/exit on S. Azusa Avenue.
11. The County of Los Angeles Sheriff's Department, Industry Station, researched the subject property's calls for service history for the past five years from September 10, 2009 to October 15, 2014. The Sheriff's Department noted that there is an issue of transients on the property, but they are, for the most part, not drunk and just panhandling. More recently, there have been calls due to alarm activations, but these calls occurred while the previous Albertson's store located on the property was boarded up.

The Sheriff's Department had no further issues regarding the proposed project.

12. Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the subject property is located in a high crime reporting district. The subject property is in Reporting District 1470. The average number of offenses reported per district (out of 557 total reporting districts) is 85.7 and the actual number of crimes reported for District 772 is 147.

The subject property lies within Census Tract 4086.28. There are currently four existing alcohol licenses in this census tract and only three licenses are allowed. Therefore an undue concentration of alcoholic beverage licenses exists within Census Tract 4086.28.

13. Prior to the Hearing Officer'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 at a new market in a retail space previously occupied by another market, with negligible or no expansion of use beyond that which was previously existing.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. The Hacienda Heights Improvement Association reviewed the project at its October 20, 2014 meeting and voted unanimously to support the project.
16. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*
17. The Hearing Officer finds that the project site is located within the CG – General Commercial land use category of the Hacienda Heights Community Plan. This land use designation is intended for lands suitable for a variety of retail, offices, restaurants, businesses, and service establishments that meet the needs of residential neighborhoods. The proposed sale of full-line alcohol for off-site consumption at a market provides a retail service to the nearby residential community and is therefore consistent with the permitted uses of the underlying land use category.
18. The Hearing Officer finds that the Project complies with the zoning and development standards prescribed in the C-2 Zone. The selling of alcoholic beverages at a market on the

subject property is compatible with the surrounding neighborhood and provides a retail service to the community. The selling of alcoholic beverages is a permitted use in the C-2 Zone and the market is consistent with the scale of surrounding development.

19. The Hearing Officer finds that the property is located in an existing shopping plaza zoned for commercial use. The proposed 168 Market will be located in a space that was previously an Albertson's Market which also provided the sale of full-line alcohol for off-site consumption. Therefore, the project will not add any new adverse impacts to the neighborhood and will operate in a manner that is sensitive to the neighborhood.
20. The Hearing Officer finds that the new market will be located in a tenant space that was previously used by another market. The project is not proposing any new changes or intensification of use and is not proposing any exterior changes to the site. The shopping center adhered to the development standards as prescribed in Title 22 at the time it was built.
21. The Hearing Officer finds that the site is close to the Pomona Freeway SR-60 and is located at the corner of two major arterial streets, Colima Road and Azusa Avenue. The streets are sufficient to carry the kind of traffic generated by the market.
22. The Hearing Officer finds that there are two sensitive uses within 600 ft. of the project site (C2 Education Center and Schabarum Regional Park). Since the subject market is in an existing shopping plaza and the former market it replaces previously operated as such, the off-site sale of alcoholic beverages will not bring any additional adverse effects to these sensitive uses. The applicant will operate in a responsible manner to avoid detrimental effects.
23. The Hearing Officer finds that the market is located in a commercially zoned area and is mostly surrounded by other commercial uses. The project site is buffered from adjacent residences by concrete block walls on the western and southern property lines. Residences to the north are buffered by Colima Road and concrete block sound walls.
24. The Hearing Officer finds that there are eight (8) establishments within 500 ft. of the project site that sell alcoholic beverages (two off-sale and six on-sale). Therefore, an undue concentration of establishments that sell alcoholic beverages exists near the project site. The sale of full-line alcohol for off-site consumption at the new market would be a service that is comparable with other markets in the area and would serve as a public convenience and necessity to the neighborhood. The market's shelf space that would be devoted to the display of alcoholic beverages would be 4.97% of the market's total shelf space.
25. The Hearing Officer finds that the market will provide goods and services to the surrounding community and will add to the economic welfare of the community.
26. The Hearing Officer finds that the market will ensure that any changes to the façade will match the surrounding uses and structures. The market will not diminish or impair property values in the neighborhood.
27. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 15 years.
28. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and

property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Hacienda Heights community. On November 26, 2014, a total of 318 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 Hacienda Heights Zoned District and to any additional interested parties.

29. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer'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 HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
- G. The requested use at the proposed location will 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.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit No. 201400117, subject to the attached conditions.

**[DRAFT] CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02452-(4)
CONDITIONAL USE PERMIT NO. 201400117**

PROJECT DESCRIPTION

The project is a Conditional Use Permit (CUP) for a Type-21 alcohol license for full-line alcohol for off-site consumption at a new market in the C-2 (Neighborhood Business) Zone subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition 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 January 6, 2030.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) biennial (one every other year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development 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 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.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

19. The conditions of this grant shall be retained on the premises at all times and shall be 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 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 abide by all requirements, licensing or otherwise, established for the sale of alcoholic beverages by the State Department of Alcoholic Beverage Control;
25. This grant authorizes the sale of alcoholic beverages from 9:00 a.m. to 9:00 p.m., seven days a week;
26. 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;
27. No sale of alcoholic beverages shall be made from a drive-in window;
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. 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;
32. No malt liquors and/or malt based products with alcoholic content greater than five percent by volume shall be sold;
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. There shall be no beer sold in containers under one quart or in less than six-pack quantities;
35. The permittee shall provide adequate lighting above all entrances and exits to the premises;
36. The permittee shall provide adequate lighting in all parking areas and walkways under control of the permittee or required as a condition of this grant;
37. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties;



CONDITIONAL USE PERMIT BURDEN OF PROOF

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

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

<p>A. That the requested use at the location will not:</p> <ol style="list-style-type: none"> 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
<p>The property is located in an existing plaza zoned commercial/ industrial , where a retail use is permitted. The proposed 168 Market is taking over what was previously an Albertson's Market which also provided the sale of a full line of alcohol. Thus, the sale of a full-line of alcohol will not result in adverse effects. The market shall continue to operate with sensitivity to the neighborhood Through professional business practices the market will avoid any detrimental effects to residences, properties or general welfare in the surrounding area.</p>
<p>B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.</p>
<p>168 Market will operate in an existing commercial property in a tenant spaces that was previously an Albertsons Market for several years. Applicant believes that when the property was developed for this use, it was done so to the County of Los Angeles standards as it pertains to yards, walls, fences, parking, etc</p>
<p>C. That the proposed site is adequately served:</p> <ol style="list-style-type: none"> 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and 2. By other public or private service facilities as are required.
<p>The site is close to the Pomona Freeway (60), and is located on the corner of two major arterials, Colima Rd. and Azusa Ave. It is sufficient to carry the kind and quantity of traffic the subject market would generate. It also allows the market to utilize major thoroughfares for delivery and business purposes, avoiding unnecessary traffic through residential neighborhoods. In addition, there are 492 parking spaces designated for the plaza and uses within.</p>



**Los Angeles County
Department of Regional Planning**



Planning for the Challenges Ahead

ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

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

ABC License Type No(s): 21 (e.g. Type 20, Type 41)

<p>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.</p>
<p>There are 3 sensitive uses with 600 ft of the property. Since the subject market is in an existing plaza and has previously operated as such, the off-site sale of alcohol will not have an adverse effect on the surrounding area. the applicant will keep operating in a responsible matter to avoice detrimental effects.</p>
<p>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.</p>
<p>The market is located in a commercial/industrial zone. The adjacent uses include other commercial or industrial. there are residential uses around the immediate vicinity, however since the plaza and space are existing, applicant believes that methods of buffering associated with retail stores are utilized.</p>
<p>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.</p>
<p>The subject site was previously an Albertson's Market that surrendered their Type# 21 license on November 12, 2013. the applicant is thus seeking to obtain a new type#21 for 168 market. this will not result in an undue concentration of similar premises.</p>
<p>D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.</p>
<p>168 Market is taking over an exisitng spaces previously occupied by Albertsons Market; thus the use is the same. the requested use will not affect the economic welfare of the surrounding communtiy. the market will provide a needed and valuable service to those residing and working in the area, as well as increase additional tax dollars to the county.</p>
<p>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.</p>
<p>168 Market will make sure that changes to the façade will match the surrouding uses and structures. The building will remain in a suitable state, with no blight or disrepair, and will not substantially diminish or impair property values in the neighborhood.</p>

Sheriff's

Steven Mar

From: Gill IV, Henry A. [HGill@lasd.org]
Sent: Thursday, October 16, 2014 1:07 PM
To: Steven Mar
Subject: RE: CUP No. 201400117 - Consultation for the Sale of Alcohol
Attachments: 17120 Colima Rd 2009-2014.doc

Sir,

Please see attached. As you can see, there is an issue of transients, but they're for the most part not drunk; just panhandling, etc.

Recent calls were for alarm activations, but that was while the property was no longer an Albertsons and boarded up.

No issues from our Town Sheriff in regards to this project.

IV

DBA: "168 Market"

Location: 17120 Colima Rd; Hacienda Heights

Date Range: 09/10/2009 to 10/15/2014 (5+ years)

Reports at location: 25

- 09/21/09 for grand theft
- 10/27/09 for vehicle burglary
- 11/07/09 for GTA
- 11/16/09 for petty theft
- 03/23/10 for access card theft
- 03/24/10 for petty theft
- 07/15/10 for forgery
- 08/03/10 for criminal threats
- 10/16/10 for petty theft
- 01/29/11 for forgery
- 02/07/11 for access card theft
- 02/10/11 for forgery
- 04/09/11 for forgery
- 04/28/11 for access card theft
- 05/23/11 for burglary
- 06/14/11 for vandalism
- 08/09/11 for missing person
- 12/14/11 for GTA
- 01/25/12 for petty theft
- 02/15/12 for battery
- 03/14/12 for petty theft
- 06/05/12 for drunk in public
- 09/14/12 for 5150 hold
- 09/19/12 for missing person
- 12/18/12 for burglary

Calls-for-Service: 76

- 09/21/09 @ 1231hrs. Person stole razors from store and left in vehicle. Report taken
- 10/07/09 @ 1643hrs. Informant advised by customer that someone stole cart full of items. Contact informant; non-desirous and did not see anything
- 10/08/09 @ 2214hrs. Call for fire. Person injured self
- 10/27/09 @ 0935hrs. Burglary to vehicle report taken
- 10/31/09 @ 1628hrs. Theft incident two days prior. Reviewed video; elements of crime not met
- 11/11/09 @ 0801hrs. Grand theft of fork lift. Report taken
- 11/16/09 @ 2154hrs. Petty theft; informant's purse taken. Report taken
- 12/14/09 @ 1854hrs. Business disturbance; juveniles disturbing customers. Area checked okay
- 12/23/09 @ 1755hrs. Person selling CDs in parking lot and asked to leave; refused to leave. Contact person, Warn / Advise and wilco
- 01/13/10 @ 0557hrs. Burglary alarm; call cancelled by informant

- 02/06/10 @ 1228hrs. Call for fire; M/Adult laying on floor not breathing. Met with fire and unable to locate person
- 03/03/10 @ 1531hrs. Claim of theft. Video did not show items being stolen
- 03/12/10 @ 1952hrs. Persons attempted to steal merchandise. Contact informant; no crime
- 03/24/10 @ 2200hrs. Fraudulent charges to informant's card. Report taken
- 03/26/10 @ 1153hrs. Pick up video for previous report
- 03/26/10 @ 1705hrs. Petty theft incident; report taken
- 03/29/10 @ 2151hrs. Business disturbance; person with stroller harassing customers. Unable to locate individual
- 04/12/10 @ 1227hrs. Pick up video to prior incident
- 04/25/10 @ 1313hrs. Person panhandling. Contact person, Warn / Advise and wilco
- 06/15/10 @ 0815hrs. Burglary alarm to bank inside loc. Bank found closed and secured
- 10/16/10 @ 1630hrs. Person left cellphone at loc. Missing property report taken.
- 10/27/10 @ 1231hrs. Business disturbance; person refusing to leave location. Contact manager
- 12/22/10 @ 1310hrs. Business disturbance; person will not leave store. Person not there upon arrival
- 12/24/10 @ 1214hrs. Person harassing people and refusing to leave. Unable to locate
- 01/11/11 @ 1740hrs. Person yelling at employees; possibly 11550. Gone prior to arrival
- 01/18/11 @ 2124hrs. Panhandler at loc. Contact described person; no crime, only walking around loc
- 01/25/11 @ 1956hrs. Transient loitering and panhandling. Contact person, Warn / Advise and wilco
- 02/02/11 @ 1851hrs. Panhandler at loc. Unable to locate upon arrival
- 02/27/11 @ 1615hrs. Person with infant panhandling. Warn / Advise person and wilco
- 03/07/11 @ 0542hrs. Bank at loc had safe room motion activation. Loc checked okay
- 05/09/11 @ 2154hrs. Person selling food in front of loc. Contact person; Warn / Advise student selling fundraiser and wilco
- 05/23/11 @ 1509hrs. Bank at loc with person trying to withdraw with fake ID. Report taken
- 06/14/11 @ 0623hrs. Vandalism to vehicle. Report taken
- 06/14/11 @ 1216hrs. Suspicious person; checked okay
- 06/17/11 @ 0210hrs. Transient standing in middle of street near loc. Unable to locate
- 06/23/11 @ 2054hrs. Vehicle club gathering and blocking parking lot. Contact people No crime or veh violation observed
- 06/29/11 @ 1901hrs. Persons asking people for money. Warn / Advise persons and wilco
- 07/08/11 @ 0150hrs. Large group of juvies loitering. Work party at nearby loc.
- 08/10/11 @ 1314hrs. Person with baby panhandling. Unable to locate
- 08/11/11 @ 1123hrs. Grand theft of handheld computer/printer. Report taken
- 08/18/11 @ 1036hrs. Forged check at bank. Attempted to contact informant
- 08/19/11 @ 1433hrs. Forged check at bank. Report taken
- 08/24/11 @ 2140hrs. Petty theft of wallet taken from counter. Informant left prior to arrival. No info for report
- 09/27/11 @ 1852hrs. Person asking for beer money. Unable to locate
- 10/29/11 @ 1347hrs. Informant's wallet taken from loc. Informant cancelled call

- 11/21/11 @ 2258hrs. Suspicious person; homeless person sitting in front of loc. Contact person, Warn / Advise and wilco
- 11/23/11 @ 2109hrs. Transient refusing to leave loc. Warn / Advise person and wilco
- 12/16/11 @ 1819hrs. Petty theft to business. Informant non-desirous of report
- 01/10/12 @ 1315hrs. Person refusing to leave loc. Warn / Advise transient to leave loc; cleaned up trash on ground and left
- 01/25/12 @ 0913hrs. Manager calling of person pushing cart full of recyclables and worried transient broke into recycling storage. Arrested described person on burglary charges
- 02/15/12 @ 1459hrs. Person pushed manager after shoplifting. Batter report taken
- 04/02/12 @ 2006hrs. Silent alarm from bank vault. Location checked okay; left open by employee
- 04/25/12 @ 2040hrs. Call for fire; person hearing voices. Unable to locate
- 05/08/12 @ 1652hrs. Informant having mental issues. Contact person; not suicidal or 5150
- 06/01/12 @ 1759hrs. Homeless person laying on bench in front of loc and refusing to leave. Unable to locate
- 06/05/12 @ 1708hrs. Person drinking booze from bag in front of loc. Arrested person for being drunk in public
- 07/03/12 @ 0405hrs. Burglary alarm; location checked secure
- 07/05/12 @ 0315hrs. Burglary alarm; checked okay
- 07/06/12 @ 0302hrs. Burglary alarm; accidental activation by employee
- 07/16/12 @ 2230hrs. Male and female arguing in front of loc. Unable to locate either parties
- 07/25/12 @ 1717hrs. Children in front of loc selling candy bars refusing to leave. Contact manager who states he is okay with the sales
- 08/08/12 @ 0317hrs. Burglary alarm; checked okay
- 09/03/12 @ 1131hrs. Burglary alarm; accidental activation
- 09/14/12 @ 2106hrs. Person on payphone; attempt suicide. Transported by fire on 5150
- 09/16/12 @ 0343hrs. Burglary alarm; checked okay
- 10/12/12 @ 2003hrs. Bank silent alarm. Location checked okay
- 10/18/12 @ 2145hrs. Burglary alarm; checked okay
- 10/23/12 @ 2115hrs. Burglary alarm; false alarm
- 11/16/12 @ 1124hrs. Burglary alarm; checked okay
- 12/09/12 @ 0311hrs. Burglary alarm; checked okay
- 12/18/12 @ 1159hrs. Burglary to business. Report taken
- 02/02/13 @ 0848hrs. Robbery/silent alarm. Call cleared
- 04/01/13 @ 1118hrs. Burglary alarm; checked okay
- 05/25/13 @ 1854hrs. Strong natural gas odor in area. Assist fire on call

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

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

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME _____

2. PREMISES ADDRESS (Street number and name, city, zip code) **17120 COLIMA RD, HACIENDA HEIGHTS CA 91745**

3. LICENSE TYPE **21**

4. TYPE OF BUSINESS

<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Hofbrau/Cafeteria	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club
<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club	<input type="checkbox"/> Veterans Club
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern: Beer	<input type="checkbox"/> Fraternal Club
<input type="checkbox"/> Bed & Breakfast:	<input type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine	<input type="checkbox"/> Wine Tasting Room
<input type="checkbox"/> Wine only	<input type="checkbox"/> All		
<input checked="" type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy
<input type="checkbox"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline	
<input type="checkbox"/> Other - describe: _____			

5. COUNTY POPULATION **N/A**

6. TOTAL NUMBER OF LICENSES IN COUNTY **N/A** On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY **1:1,537** On-Sale Off-Sale

8. CENSUS TRACT NUMBER **4086.28**

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT **3** On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT **4** On-Sale Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

Yes, the number of existing licenses exceeds the number allowed

No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER **1470**

14. TOTAL NUMBER OF REPORTING DISTRICTS **557**

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS **47,758**

16. AVERAGE NO. OF OFFENSES PER DISTRICT **85.7**

17. 120% OF AVERAGE NUMBER OF OFFENSES **103**

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT **147**

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17

No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.

b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.

c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name: _____

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

Beatriz Lozada 10-15-14



The Hacienda Heights Improvement Association

November 4, 2014

Mr. Steve Mar
Los Angeles County Department of Regional Planning
320 West Temple Street, Room 1346
Los Angeles, CA 90012

Dear Mr. Mar:

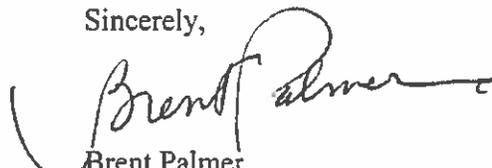
The Hacienda Heights Improvement Association is a California chartered, mutual benefit corporation dealing in matters concerning Hacienda Heights. We serve as an advisory board to Supervisor Knabe on issues related to Hacienda Heights. We have been serving the community for over 60 years.

At our regular monthly Board of Directors meeting on October 20, 2014, Mr. Daniel Lee made a presentation detailing the CUP and ABC Application for a license to sell spirits, beer, and wine at the 168 Market which is proposing to open for business in the building formerly occupied by Albertsons at 17120 Colima Rd, Hacienda Heights, CA 91745. Mr. Lee indicated the 168 Market will continue to operate under permits previously held by Albertsons and that sales of alcoholic beverages will be for off-site consumption only.

The Board voted unanimously to support this conditional use and ABC application assuming that what Mr. Lee presented, outlined above, is accurate. Our support of the conditional use permit is contingent on the store's operating hours remaining unchanged and the purchase of the alcohol is for off-site consumption.

We appreciate the opportunity to input to the CUP application process for the 168 Market. If you have any questions, please feel free to contact me at (310) 972-0102 or by e-mail at brparch@msn.com.

Sincerely,



Brent Palmer
President, HHIA

cc: HHIA Board
Mr. Dickie Simmons, Field Deputy, 4th Supervisorial