

Regional Planning Commission Transmittal Checklist

Hearing Date 5/13/15
Agenda Item No. 7

Project Number: R2015-00161-(4)
Case(s): Conditional Use Permit Case No. 201500006
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 Correspondence
- ABC B&P Worksheet

Reviewed By: 



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

PROJECT NUMBER
 R2015-00161-(4)

HEARING DATE
 May 13, 2015

REQUESTED ENTITLEMENTS
 Conditional Use Permit No. 201500006

PROJECT SUMMARY

OWNER / APPLICANT

Royal Properties, LLC / American Royal Petroleum, Inc.

MAP/EXHIBIT DATE

8/17/12 (Site Plan), 1/16/15 (Floor Plan)

PROJECT OVERVIEW

The applicant, American Royal Petroleum, Inc., is requesting a conditional use permit (CUP) to authorize the sale of beer and wine for off-site consumption (Type 20 alcohol license) at an existing gas station mini-mart in the C-2-BE (Neighborhood Business – Billboard Exclusion) zone in the Whittier Downs Zoned District pursuant to Los Angeles County Code Section 22.28.160.

LOCATION

11025 Washington Blvd., Whittier (West Whittier – Los Nietos)

ACCESS

via Washington Blvd. & Norwalk Blvd.

ASSESSORS PARCEL NUMBER(S)

8176-016-029

SITE AREA

0.4 Acres

GENERAL PLAN / LOCAL PLAN

Los Angeles County General Plan

ZONED DISTRICT

Whittier Downs ZD

LAND USE DESIGNATION

1 – Low Density Residential (1 to 6 du/ac)

ZONE

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

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 Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.56.195 (Alcoholic Beverage Sales Burden of Proof Requirements)
 - 22.28.170 (C-2 Zone Development Standards)

CASE PLANNER:

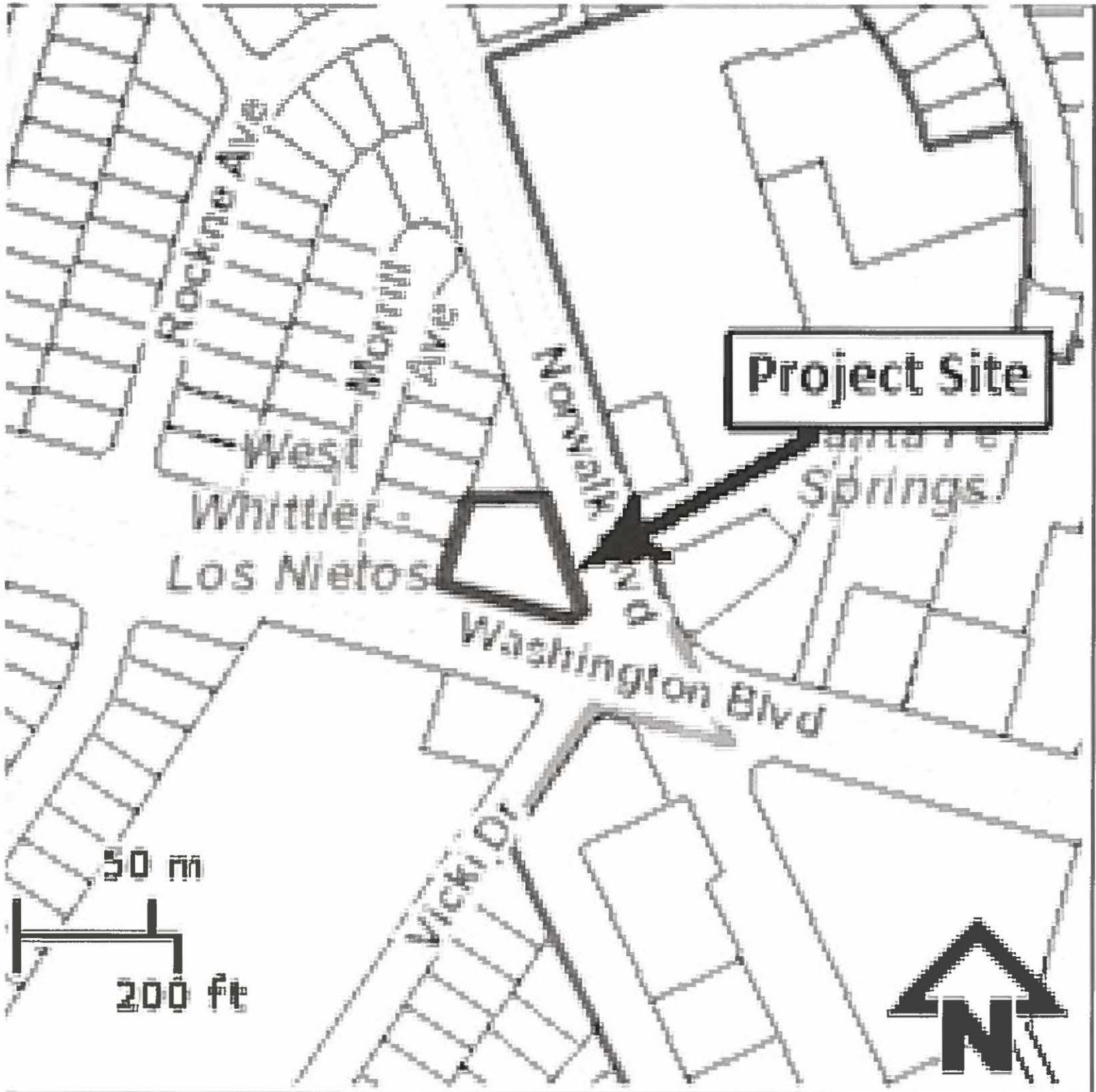
Steve Mar

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Project Site

West Whittier
Los Nietos

Santa Fe Springs

Washington Blvd

VICTORIA

50 m
200 ft



ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) to authorize the sale of beer and wine for off-site consumption (Type 20 alcohol license) at an existing gas station mini-mart in the C-2-BE (Neighborhood Business – Billboard Exclusion) Zone pursuant to County Code Section 22.28.160.

PROJECT DESCRIPTION

The applicant, American Royal Petroleum, Inc., is requesting a conditional use permit (CUP) to authorize the sale of beer and wine for off-site consumption (Type 20 alcohol license) at an existing gas station mini-mart in the C-2-BE (Neighborhood Business – Billboard Exclusion) zone in the Whittier Downs Zoned District.

SITE PLAN DESCRIPTION

The site plan depicts the existing gas station and mini-mart site on a 0.4 acre irregular-shaped lot located near the northwest corner of Washington Blvd. and Norwalk Blvd. The site provides parking for nine automobiles. Access to the site is via driveways off of Washington Blvd. and Norwalk Blvd. The shelf plan shows that alcoholic beverages will take up 4.97% of the mini-mart's total shelf space.

EXISTING ZONING

The subject property is zoned C-2-BE (Neighborhood Business – Billboard Exclusion).

Surrounding properties are zoned as follows:

North: C-2-BE (Neighborhood Business – Billboard Exclusion)
South: C-1 (Restricted Business), R-4 (Unlimited Residence)
East: N/A (City of Santa Fe Springs)
West: R-1 (Single-family Residence)

EXISTING LAND USES

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

Surrounding properties are developed as follows:

North: Single-family Residences, Supermarket
South: Church, Commercial Office and Retail Center, Single-family Residences
East: Dental Office, Donut Store, Fast Food Restaurant, Restaurant
West: Single-family Residences

PREVIOUS CASES/ZONING HISTORY

The previous zoning history of the subject parcel is as follows: A-1 (11/1/39), C-2 (10/5/49).

Plot Plan No. 200601010 – Approved 7/27/06 for temporary vapor extraction and C-Sparge system for an existing service station.

Plot Plan No. 201200819 – Approved 1/28/13 for a new 2,345 sq. ft. convenience store at an existing gas station.

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 conditional use permit to allow the sale of alcoholic beverages at an existing gas station mini-mart and is not proposing any interior or exterior improvements. Therefore, staff recommends that the Regional Planning Commission determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the 1 – Low Density Residential land use designation of the General Plan. The 1 – Low Density Residential land use designation is intended for areas suitable for low density residential development, in addition to a variety of use types and intensities. Such uses typically include local commercial and industrial services, schools, churches, local parks and other community-serving public facilities. It is not the intent of General Plan policy to preclude further development or expansion of other uses within areas depicted as residential on the Land Use Policy Map. Furthermore, the draft 2035 General Plan designates the project site as being within the CG – General Commercial land use designation intended for areas suitable for local-serving commercial uses. The selling of beer and wine for off-site consumption at a gas station mini-mart does not interfere with the existing residential and commercial land uses of the 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:

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

Zoning Ordinance and Development Standards Compliance

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

- Landscaping – The project is required to maintain a minimum of 10% lot area for landscaping. The project proposes 11% of the lot's area for landscaping and fulfills this requirement.
- Parking – Based on the square footage of the mini-mart, the project is required to provide parking for nine automobiles and fulfills this requirement.
- 35 ft. height limit – The project does not propose to exceed maximum height allowed.
- Outside Display – Outside display for automobile service stations is limited to automobile accessories and facilities necessary to dispensing petroleum products only. The project is not proposing any outdoor display and the display of alcoholic beverages is strictly prohibited.

Neighborhood Impact/Land Use Compatibility

The selling of alcoholic beverages for off-site consumption on the subject property is compatible with the surrounding neighborhood and provides a needed service, because commercial uses of this type are expected in the C-2 Zone and the existing gas station and mini-mart are developed at a scale that is consistent with the scale of surrounding development.

Alcoholic beverage sales is a permitted use in the C-2 Zone once a CUP is obtained. Currently, there are four other establishments within a 500-ft. radius of the subject property that sell alcohol:

<u>Establishment</u>	<u>License Type</u>	<u>License Description</u>
Prime Liquor Mart	Type 21	Off-site full-line
Mariscos Sol Y Mar	Type 41	On-site beer & wine
Rite Aid Drug Store	Type 21	Off-site full-line
Food 4 Less	Type 21	Off-site full-line

Therefore, there is an undue concentration of alcoholic beverages around the project site under County code. The sale of beer and wine for off-site consumption at the subject property would provide a public convenience and necessity to the neighborhood by providing goods and services that are customarily found at a convenience-type store. The gas station mini-mart is a different type of commercial business than the other four establishments and would be the only gas station mini-mart to sell alcoholic beverages within at least a 500 ft. radius from the project site. The mini-mart's shelf space devoted to the display of alcoholic beverages will be no more than 4.97% of the store's total shelf space. The subject property is located within 600 ft. of one sensitive use (First Fundamental Bible Church). With the proposed draft conditions, the project shall remain consistent and compatible with the surrounding community. The applicant will also be required to purchase an existing or retired alcohol license within the West Whittier – Los Nietos community for its own use.

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 sale of beer and wine will be an incidental service to the existing convenience store that sells a variety of products. The project site is located in an urbanized location with a nearby mix of residential, commercial, retail and entertainment uses. The project site will continue to be maintained as a market and enhances the aesthetic environment of the neighborhood and street corner. Residential and other properties are buffered from the site by major streets, sidewalks, landscaping, and a 6' high masonry wall.

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 subject site is a newly developed corner that enhances the local community. The existing building on the site has been improved with new interior finishes and there is adequate parking on the site to reduce traffic concerns.

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 sufficiently served with streets and highways to carry traffic flow to and from the site. The sale of alcoholic beverages is not expected to generate more traffic on the site. The site is currently served by public service facilities and additional facilities are not required.

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.

The project is located within 600 ft of a church. The church is sufficiently buffered from the project site by Washington Blvd. The project will utilize security cameras and have sufficient exterior lighting to mitigate concerns regarding crime from the site.

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area. Residential areas adjacent to the site are buffered from the site by block 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.

Currently there are four (4) other establishments within 500 ft. of the subject property that sell alcoholic beverages. These establishments include three (3) Type 21 licenses for off-site full line sales and one (1) Type 41 license for on-site beer and wine sales. Therefore there is an undue concentration of establishments that sell alcoholic beverages according to County Code. According to the California Department of Alcoholic Beverage Control, an undue concentration of alcohol serving establishments does exist within the census tract that the subject property is

located within. The mini-mart will restrict the shelf space for alcoholic beverage display to 4.97% of the store's total shelf space.

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

The project will not change the commercial nature of the existing mini-mart and is expected to enhance the economic welfare for the surrounding 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 exterior appearance of the location will not be inconsistent with the surrounding community and fits in with other commercial development in the neighborhood.

Burden of Proof

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

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Sheriff's Station

The County of Los Angeles Sheriff's Department, Pico Rivera Station, researched the subject property's calls for service for over the past five years. During that time, the Department responded to 13 calls for service, including robbery alarm – silent, person with a gun – just occurred, person acting suspiciously, petty theft report, and rescue responding. The Sheriff's Department expressed concern for the project's close proximity to Nelson Elementary School, located about 800 ft. from the project site. The Sheriff's Department neither recommended approval nor was opposed to the 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 site of the subject request is located in a high crime reporting district. The subject property is in Reporting District 1576. The average number of offenses reported per district is 85.7 and the total number of crimes reported for District 1576 is 284.

The subject property lies within Census Tract 5022. There are currently 5 existing alcohol licenses in this census tract and 4 licenses are allowed. Therefore an undue concentration of alcoholic beverages exists within Census Tract 5022. Although this would constitute an undue concentration, the sale of alcoholic beverages for off-site consumption would serve as a public convenience and necessity to the surrounding community by providing products and services that are consistent with products and services provided by other markets in the area.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

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

PUBLIC COMMENTS

Staff has not received any comments at this time.

FEES/DEPOSITS

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

STAFF RECOMMENDATION

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

Staff recommends **APPROVAL** of Project Number R2015-00161-(1), Conditional Use Permit Number 201500006, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201500006 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
5/13/15

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2015-00161-(4)
CONDITIONAL USE PERMIT NO. 201500006**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201500006 ("CUP") on May 13, 2015.
2. The permittee, American Royal Petroleum, Inc. ("permittee"), requests the CUP to authorize the sale of beer and wine for off-site consumption (Type 20 alcohol license) at an existing gas station mini-mart ("Project") on a property located at 11025 Washington Blvd. in the unincorporated community of West Whittier – Los Nietos ("Project Site") in the C-2-BE zone pursuant to Los Angeles County Code ("County Code") section 22.28.160.
3. The Project Site is 0.4 acres in size and consists of one legal lot. The Project Site is irregular in shape with flat topography and is developed with a gas station and mini-mart.
4. The Project Site is located in the Whittier Downs Zoned District and is currently zoned C-2-BE.
5. The Project Site is located within the 1 – Low Density Residential land use category of the Los Angeles County General Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: C-2-BE (Neighborhood Business – Billboard Exclusion)
 - South: C-1 (Restricted Business), R-4 (Unlimited Residence)
 - East: N/A (City of Santa Fe Springs)
 - West: R-1 (Single-family Residence)
7. Surrounding land uses within a 500-foot radius include:
 - North: Single-family Residences, Supermarket
 - South: Church, Commercial Office and Retail Center, Single-family Residences
 - East: Dental Office, Donut Store, Fast Food Restaurant, Restaurant
 - West: Single-family Residences
8. The Project Site was zoned A-1 in 1939 and rezoned to C-2 in 1949. On July 27, 2006, Plot Plan No. 200601010 approved the placement of a temporary vapor extraction and C-sparge system at the existing gas service station on the site. Plot Plan No. 201200819, approved January 28, 2013, approved a new 2,345 convenience store at the existing gas station.
9. The site plan for the Project depicts the existing gas station and mini-mart site on a 0.4 acre irregular-shaped lot located near the northwest corner of Washington Blvd. and Norwalk Blvd. The site provides parking for nine automobiles. Access to the site is via driveways off of Washington Blvd. and Norwalk Blvd. The shelf plan shows that alcoholic beverages will take up 4.97% of the mini-mart's total shelf space.
10. The Project Site is accessible via Washington Boulevard to the south and Norwalk Boulevard to the east. Primary access to the Project Site will be via an entrance/exit on

Washington Blvd. Secondary access to the Project Site will be via an entrance/exit on Norwalk Blvd.

11. The Project provides a total of nine (9) parking spaces.
12. The County of Los Angeles Sheriff's Department, Pico Rivera Station, researched the subject property's calls for service for over the past five years. During that time, the Department responded to 13 calls for service, including robbery alarm – silent, person with a gun – just occurred, person acting suspiciously, petty theft report, and rescue responding. The Sheriff's Department expressed concern for the project's close proximity to Nelson Elementary School, located about 800 ft. from the project site. The Sheriff's Department neither recommended approval nor was opposed to the project.

Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located in a high crime reporting district. The subject property is in Reporting District 1576. The average number of offenses reported per district is 85.7 and the total number of crimes reported for District 1576 is 284.

The subject property lies within Census Tract 5022. There are currently 5 existing alcohol licenses in this census tract and 4 licenses are allowed. Therefore an undue concentration of alcoholic beverages exists within Census Tract 5022. Although this would constitute an undue concentration, the sale of alcoholic beverages for off-site consumption would serve as a public convenience and necessity to the surrounding community by providing products and services that are consistent with products and services provided by other markets in the area

13. Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project is a conditional use permit to allow the sale of alcoholic beverages at an existing gas station mini-mart and is not proposing any interior or exterior improvements and there will be no expansion of use beyond that which currently exists on the site.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. Staff has not received any public comments regarding the Project.
16. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*
17. The Commission finds that the project site is located within the 1 – Low Density Residential land use designation of the General Plan. The 1 – Low Density Residential land use designation is intended for areas suitable for low density residential development, in addition to a variety of use types and intensities. Such uses typically include local commercial and industrial services, schools, churches, local parks and other community-serving public facilities. It is not the intent of General Plan policy to preclude further development or expansion of other uses within areas depicted as residential on the Land Use Policy Map.

Furthermore, the draft 2035 General Plan designates the project site as being within the CG – General Commercial land use designation intended for areas suitable for local-serving commercial uses. The selling of beer and wine for off-site consumption at a gas station mini-mart does not interfere with the existing residential and commercial land uses of the community and is therefore consistent with the permitted uses of the underlying land use category.

18. The Commission finds that the selling of alcoholic beverages for off-site consumption on the subject property is compatible with the surrounding neighborhood and provides a needed service, because commercial uses of this type are expected in the C-2 Zone and the existing gas station and mini-mart are developed at a scale that is consistent with the scale of surrounding development. Currently, there are four other establishments within a 500-ft. radius of the subject property that sell alcohol. Therefore, there is an undue concentration of alcoholic beverages around the project site under County code. The sale of beer and wine for off-site consumption at the subject property would provide a public convenience and necessity to the neighborhood by providing goods and services that are customarily found at a convenience-type store. The gas station mini-mart is a different type of commercial business than the other four establishments and would be the only gas station mini-mart to sell alcoholic beverages within at least a 500 ft. radius from the project site. The mini-mart's shelf space devoted to the display of alcoholic beverages will be no more than 4.97% of the store's total shelf space. The subject property is located within 600 ft. of one sensitive use (First Fundamental Bible Church). With the proposed draft conditions, the project shall remain consistent and compatible with the surrounding community. The applicant will also be required to purchase an existing or retired alcohol license within the West Whittier – Los Nietos community for its own use.
19. The Commission finds that the sale of beer and wine will be an incidental service to the existing convenience store that sells a variety of products. The project site is located in an urbanized location with a nearby mix of residential, commercial, retail and entertainment uses. The project site will continue to be maintained as a market and enhances the aesthetic environment of the neighborhood and street corner. Residential and other properties are buffered from the site by major streets, sidewalks, landscaping, and a 6' high masonry wall.
20. The Commission finds that the subject site is a newly developed corner that enhances the local community. The existing building on the site has been improved with new interior finishes and there is adequate parking on the site to reduce traffic concerns.
21. The Commission finds that the site is sufficiently served with streets and highways to carry traffic flow to and from the site. The sale of alcoholic beverages is not expected to generate more traffic on the site. The site is currently served by public service facilities and additional facilities are not required.
22. The Commission finds that the project is located within 600 ft of a church. The church is sufficiently buffered from the project site by Washington Blvd. The project will utilize security cameras and have sufficient exterior lighting to mitigate concerns regarding crime from the site.
23. The Commission finds that residential areas adjacent to the site are buffered from the site by block walls.

24. The Commission finds that currently there are four (4) other establishments within 500 ft. of the subject property that sell alcoholic beverages. These establishments include three (3) Type 21 licenses for off-site full line sales and one (1) Type 41 license for on-site beer and wine sales. Therefore there is an undue concentration of establishments that sell alcoholic beverages according to County Code. According to the California Department of Alcoholic Beverage Control, an undue concentration of alcohol serving establishments does exist within the census tract that the subject property is located within. The mini-mart will restrict the shelf space for alcoholic beverage display to 4.97% of the store's total shelf space.
25. The Commission finds that the project will not change the commercial nature of the existing mini-mart and is expected to enhance the economic welfare for the surrounding community.
26. The Commission finds that the exterior appearance of the location will not be inconsistent with the surrounding community and fits in with other commercial development in the neighborhood.
27. The Commission finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the conditional use permit to 15 years.
28. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the West Whittier – Los Nietos community. On April 6, 2015, a total of 59 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 one notice to those on the courtesy mailing list for the Whittier Downs 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 Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

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

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
- G. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit No. 201500006, subject to the attached conditions.

ACTION DATE: May 13, 2015

MM:SM
5/13/15

c: Each Commissioner, Zoning Enforcement, Building and Safety

**[DRAFT] CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2015-00161-(4)
CONDITIONAL USE PERMIT NO. 201500006**

PROJECT DESCRIPTION

The project is Conditional Use Permit (CUP) to authorize the sale of beer and wine for off-site consumption (Type 20 alcohol license) at an existing gas station mini-mart 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 May 13, 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 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 **July 13, 2015**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must 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 - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

19. The conditions of this grant shall be retained on the premises at all times and shall be made available upon request of any County Sheriff, Zoning Inspector or Department of

Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein;

20. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
21. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request;
22. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures;
23. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced;
24. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public;
25. The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises;
26. No sale of alcoholic beverages shall be made from a drive-in window;
27. Any conditions on hours of alcohol sale should be consistent with store operating hours. Alcohol sales shall be prohibited between 2:00 a.m. to 6:00 a.m., seven days a week, consistent with California state law;
28. There shall be no beer sold in containers under 32 fluid ounces (one quart) or in less than six-pack quantities;
29. No display of alcoholic beverages shall be made from an ice tub;
30. The permittee shall display alcoholic beverages only in the cooler or shelving designated for storage of said beverages as depicted on the "shelf plan" labeled Exhibit 'A'. No additional display of alcoholic beverages shall be provided elsewhere on the premises;
31. The licensed premises shall have no coin operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, with the exception of official State Lottery machines;
32. Employees on duty from the hours of 10:00 p.m. and 2 a.m. who sell alcohol shall be at least 21 years old (pursuant to Title 22);

33. No beer or wine advertising shall be located on motor fuel islands (pursuant to Title 22);
34. No alcoholic beverages shall be displayed within five feet of the cash register or the front door unless it is in a permanently affixed cooler;
35. Beer in containers of 32 fluid ounces (one quart) or less shall not be sold by single container, but must be sold in manufacturer pre-packaged multi-unit quantities. The permittee shall post signs on the coolers and cashier station stating the selling of single containers of beer of 32 fluid ounces (one quart) or less is prohibited;
36. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities;
37. No malt liquors and/or malt based products with alcoholic content greater than five percent by volume shall be sold;
38. The permittee shall provide adequate lighting above all entrances and exits to the premises and in all parking areas and walkways under control of the permittee or required as a condition of this grant;
39. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties;
40. The sale of fortified wines shall be prohibited;
41. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way; and
42. The permittee is required to purchase or to retire, for its own use, an existing alcohol license within the West Whittier – Los Nietos community no later than **August 13, 2015**. If, despite evidence provided to the Director of Regional Planning ("Director") of best efforts to obtain or retire a license, the permittee requires additional time, then the permittee may request additional time in writing from the Director. If the Director determines that the permittee has been unable to acquire or retire a license despite best efforts, the Director shall grant an extension or extensions which cumulatively shall not exceed one year. The rights granted hereunder shall expire and lapse in the event that the permittee fails to acquire a license within the time frame set forth in this condition

Conditional Use Permit Burden of Proof
Conditional Use Permit
11025 Washington Blvd, Whittier, CA 90606

That the requested use at this location will not:

- A. The proposed location is located on a commercially zoned and developed section of Washington Blvd and Norwalk Blvd. The surrounding area has compatible and similar uses that of the proposed use. The subject property is classified as commercial within the 4th Supervisor District. The newly developed property is located and designed to encourage business and job growth within the city. Parking will be provided on site.
1. **The requested use at the proposed location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.** The sale of beer and wine incidental to a convenience store that provides a variety of products over 2,500 that serve those who live and work nearby will permit them to patronize a neighborhood establishment rather than driving elsewhere. The convenience store will also offer packaged items, fresh food, hot food, dairy products, fruits, vegetables, meats, breads, coffee station, beauty products and other essential products used for daily living. 76-Market pride themselves on their new image, being the neighborhood market and making a tremendous investment into the communities they serve. The newly developed site and improvements will only enhance and benefit the surrounding uses. This location will have state of the art security cameras and crime deterrence program that will help ensure the peace, comfort and welfare of the surrounding community. The approval of this project will allow the applicant to offer the community a variety of products at one convenient stop.
2. **This location will not be materially detrimental to the quiet use, enjoyment of property of others persons located in the vicinity of the site.** The conditions of approval will ensure that the use is maintained as a market with beer and wine as an incidental use. Given the urbanized location and encouraged mix of residential, commercial, retail, and entertainment in the area, 76-Market will enhance the aesthetic environment and improve the corner by providing a continuing well-lit corner and a merchant presence on the site. In addition, the newly developed corner will encourage and bring in other merchants to the area and thus revitalize the surrounding area. The off-site of alcoholic beverages with the conditions of approval imposed by the county of Los Angeles will promote a diverse economy base and long-term economic contribution to the surrounding area. Residential zoned properties are buffered from site and sound of other surrounding businesses. In addition, major streets, sidewalks landscaping with scrubs, trees and a 6' masonry wall, separate this location. The building is designed to face away from residential uses and lighting is illuminated not to shine or disturb these residential uses nearby.
3. **The approval of the conditional use permit will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.** The operation of the proposed use will provide a viable use, which

residents and employees within the immediate area can benefit from. 76-Market is appropriate in terms of the surrounding uses and will offer a well-lit location for patrons to shop and feel safe. This location will enhance the thriving area of this community of the subject property. This proposed request will allow the applicant to include beer and wine in a newly developed site. This location will have very minimal noise impact; it will also offer a different shopping environment, different services and a different mix of merchandise. These properties will not be affected by allowing this inclusion of beer and wine to their beverage department at a neighborhood market. Further more, 76-Market operates 24 hours and has security measures such as: security cameras, sufficient parking lot lighting for safety of its customers and community and a zero tolerance loitering program in front of our store to protect our customers or any passer-by. 76-Market hours of operation will be 24 hours with limited hours on all alcohol seven days a week.

- B. **This proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, loading facilities, landscaping and other development features prescribed in title 22, or otherwise required in order to integrate said use with the uses in the surrounding area.** The subject site is a newly developed corner that enhances the local community. 76-Market has improve the existing building with new interior finishes that advances the goal of the community. The project will continue to result in economic growth and promote jobs. Parking will be provided on site and will not create a traffic concern.
- C. **The proposed site is adequately served.** The newly developed building exterior appearance is consistent within the community.
1. The proposed site is served with sufficient streets and Highways to carry traffic flow. The proposed use and inclusion of beer and wine will not generate more traffic on this site. This site has been newly developed and approved for this type of use in accordance with title 22.
 2. The proposed site is adequately served and no other public or private facilities are required.

Burden of Proof
Alcoholic Beverage Sales Section 22.56.195
11025 Washington Blvd, Whittier, CA 90606

- A. **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' radius.** Our location is located at the NWC intersection of Washington Blvd and Norwalk Blvd and is buffered by streets and other business between our location and the existing nearby church. In addition, these two uses are separated by a major street across and down the block from one another. Our presence, cameras and exterior lighting will help to mitigate concerns and deter crime in the immediate area. 76-Market will not adversely affect any portion of the surrounding area or place of worship with limited worship times once a week. 76-Market has been a responsible retailer of alcoholic beverages nationwide. Permitting the sale of beer and wine at this site will not change this, but will 'round-out 76-Market's concept at this site. This request will only benefit the community, since there is no other business that offers the variety at one stop in the immediate area. Since the site is located in a prime commercial area, the diversity amongst the uses is not uncommon. In additional this is a newly remodeled upscale Market.
- 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.** Residential zoned and developed properties are buffered from site and sound of other surrounding businesses and major streets. These properties will not be affected by allowing beer and wine at a family neighborhood market. This newly developed site will enhance the area and continue to bring jobs in the area.
- C. **The requested use at the proposed location will not result in an undue concentration of similar premises;** Our location has been newly developed offering jobs and enhancing a much-needed area. This requested use at the proposed location would not adversely affect the economic welfare of the surrounding community. The grant of this use will incorporate a number of conditions which address concerns that would otherwise be associated with this type of request. In addition, beer and wine are 3% percent of the site's shelf space, only a small portion of 76-Markets's total square feet of 2,400; it is nerveless necessary in order to provide the public a complete range of products and public convenience.

- D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.** The subject property is zoned as commercial use. The proposed use will provide the area with a viable use which residents and employees within the immediate area can benefit from approval. 76-Market realizes that a healthy community translates to healthy business, and is willing to accept the County's imposition of these conditions when a license is issued in order to ensure that the economic welfare are protected. In-short 76-Market is committed to protecting the economic welfare of the community, and will take appropriate steps to do so. The sale of beer and wine will not threaten these important concerns.
- 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 not to cause a blight, deterioration, or substantially diminish or impair property values within said neighborhood.** The exterior appearance of the location will not be inconsistent with the surrounding community. This location is newly developed to the general plan and offers a beautiful building to enhance property values.

Steven Mar

From: Mesta, Jennifer L. [JLMesta@lasd.org]
Sent: Wednesday, March 04, 2015 10:27 AM
To: Steven Mar
Subject: FW: CUP No. 201500006 - Consultation for the Sale of Alcohol
Attachments: 11025 WASHINGTON BLVD, WHI - RAPS.pdf; 11025 WASHINGTON BLVD, WHI - LARCIS.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Steve,

Here is the station's response to CUP No. 2015000006. Please let me know if you need anything else.

- 1) Summary of service calls and crime history for the project site over the last five years:
 - The Sheriff's Department has responded to thirteen calls for service at 11025 Washington Blvd, Whittier in the past five years. Of those calls, one call each for robbery alarm – silent, person with a gun – just occurred, person acting suspiciously, petty theft report, and rescue responding. The CFS report is attached. Additionally, The Sheriff's Department has taken one crime incident report for petty theft.
- 2) Comment/recommended conditions:
 - The Sheriff's Department does not recommend approval nor is opposed to the project, however, the close proximity to Nelson Elementary School is a concern.

Thank you,

Jennifer Mesta
Crime Analyst
Pico Rivera Sheriff's Station
562.222.5534

From: Steven Mar [mailto:smar@planning.lacounty.gov]
Sent: Monday, February 09, 2015 9:53 AM
To: Mesta, Jennifer L.
Subject: CUP No. 201500006 - Consultation for the Sale of Alcohol

TO	Pico Rivera Sheriff Station	FROM	Steve Mar Zoning Permits East Section Dept. of Regional Planning 213-974-6435
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The Department of Regional Planning is processing a request for the following permit and is requesting your feedback regarding criminal activity at said business site:

Date Sent: 2/9/15

Comments Due: 3/9/15

Subject: Conditional Use Permit (CUP) Consultation for the Sale of Alcohol

Project No.: R2015-00161-(1)

CUP Permit No.: 201500006

Establishment: 76 gas station

Location: 11025 Washing Blvd., Whittier (West Whittier – Los Nietos)

Description: CUP for the sale of alcoholic beverages (beer and wine only) for off-site consumption at an existing gas station mini-mart.

Please use the attached form to provide any comments on or recommendation for the proposed project by the date specified above. Please attach a service call and crime history report for the project site over the last five years.

Thank you.

Steve Mar

County of Los Angeles | Department of Regional Planning

Zoning Permits East Section

320 West Temple Street, Room 1346

Los Angeles, CA 90012

Phone: (213) 974-6435 | FAX: (213) 626-0434

smar@planning.lacounty.gov

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)		3. LICENSE TYPE
11025 WASHINGTON BLVD, WHITTIER (OUT) CA		20
4. TYPE OF BUSINESS		
<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Hofbrau/Cafeteria	<input type="checkbox"/> Cocktail Lounge
<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern: Beer
<input type="checkbox"/> Bed & Breakfast:	<input type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine
<input type="checkbox"/> Wine only	<input type="checkbox"/> All	<input type="checkbox"/> Private Club
<input type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input checked="" type="checkbox"/> Convenience Market
<input type="checkbox"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline
<input type="checkbox"/> Other - describe:		<input type="checkbox"/> Swap Meet/Flea Market
<input type="checkbox"/> Drive-in Dairy		
5. COUNTY POPULATION	6. TOTAL NUMBER OF LICENSES IN COUNTY	7. RATIO OF LICENSES TO POPULATION IN COUNTY
N/A	N/A <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	1:1,553 <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale
8. CENSUS TRACT NUMBER	9. NO. OF LICENSES ALLOWED IN CENSUS TRACT	10. NO. OF LICENSES EXISTING IN CENSUS TRACT
5022	4 <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale	5 <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale
11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)		
<input checked="" type="checkbox"/> Yes, the number of existing licenses exceeds the number allowed		
<input type="checkbox"/> No, the number of existing licenses is lower than the number allowed		
12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?		
<input checked="" type="checkbox"/> Yes (Go to Item #13) <input type="checkbox"/> No (Go to Item #20)		
13. CRIME REPORTING DISTRICT NUMBER	14. TOTAL NUMBER OF REPORTING DISTRICTS	15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS
1576	557	47,758
16. AVERAGE NO. OF OFFENSES PER DISTRICT	17. 120% OF AVERAGE NUMBER OF OFFENSES	18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT
85.7	103	284
19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)		
<input checked="" type="checkbox"/> Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17		
<input type="checkbox"/> No, the total number of offenses in the reporting district is lower than the total number in item #17		
20. CHECK THE BOX THAT APPLIES (check only one box)		
<input type="checkbox"/> a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.		
<input type="checkbox"/> b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.		
<input checked="" type="checkbox"/> c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.		

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

Beatriz Lozada 03-18-15

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

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

22. APPLICANT SIGNATURE

23. DATE SIGNED

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

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

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

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

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

The sale of beer and wine for off-site consumption at the subject property would provide a public convenience and necessity to the neighborhood by providing goods and services that are customarily found at a convenience-type store. The gas station mini-mart is a different type of commercial business than the other four establishments that sell alcohol within a 500-ft. radius of the subject property and would be the only gas station mini-mart to sell alcoholic beverages within at least a 500 ft. radius from the project site. The mini-mart's shelf space devoted to the display of alcoholic beverages will be 4.97% of the store's total shelf space.

26. CITY/COUNTY OFFICIAL NAME Steve Mar	27. CITY/COUNTY OFFICIAL TITLE Regional Planning Assistant II	28. CITY/COUNTY OFFICIAL PHONE NUMBER (213) 974-6435
29. CITY/COUNTY OFFICIAL SIGNATURE <i>Steve Mar</i>	30. DATE SIGNED 4/28/15	