



APPLICATIONS:

DEPARTMENT OF CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

1 ZA-2020-2673-CUB

Case Number

Env. Case Number

Application Type

Case Filed With (Print Name)

ENV-2020-2674-CE

Condition Use Beverage

Edwin Cano

Date Filed

11/21/20

Application includes letter requesting:

Waived hearing

Concurrent hearing  
Related Case Number

Hearing not be scheduled on a specific date (e.g. vacation hold)

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.

All terms in this document are applicable to the singular as well as the plural forms of such terms.

Detailed filing instructions are found on form CP-7810

1. PROJECT LOCATION

Street Address<sup>1</sup> 5401 S. Figueroa Street

Unit/Space Number 8&9

Legal Description<sup>2</sup> (Lot, Block, Tract) Lots 1,2,3 and 4, Block. A, The McCarthy Company's Subdivision of Toberman Tract

Assessor Parcel Number 5001 024 034

Total Lot Area 23,433.1 sq ft

2. PROJECT DESCRIPTION

Present Use convenience store

Proposed Use convenience store

Project Name (if applicable)

Describe in detail the characteristics, scope and/or operation of the proposed project Conditional Use Permit for convenience store to operart 24-hours daily and to permit the sale of beer and wine for off-site consumption

Additional information attached  YES  NO

Complete and check all that apply:

Existing Site Conditions

Site is undeveloped or unimproved (i.e. vacant)

Site is located within 500 feet of a freeway or railroad

Site has existing buildings (provide copies of building permits)

Site is located within 500 feet of a sensitive use (e.g. school, park)

<sup>1</sup> Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—http://zimas.lacity.org)

<sup>2</sup> Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)



- Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)

- Site has special designation (e.g. National Historic Register, Survey LA)

**Proposed Project Information**

(Check all that apply or could apply)

- Demolition of existing buildings/structures
- Relocation of existing buildings/structures
- Interior tenant improvement
- Additions to existing buildings
- Grading
- Removal of any on-site tree
- Removal of any street tree

- Removal of protected trees on site or in the public right of way
- New construction: \_\_\_\_\_ square feet
- Accessory use (fence, sign, wireless, carport, etc.)
- Exterior renovation or alteration
- Change of use and/or hours of operation
- Haul Route
- Uses or structures in public right-of-way
- Phased project

**Housing Component Information**

Number of Residential Units: Existing \_\_\_\_\_ - Demolish(ed)<sup>3</sup> \_\_\_\_\_ + Adding \_\_\_\_\_ = Total \_\_\_\_\_  
 Number of Affordable Units<sup>4</sup> Existing \_\_\_\_\_ - Demolish(ed) \_\_\_\_\_ + Adding \_\_\_\_\_ = Total \_\_\_\_\_  
 Number of Market Rate Units Existing \_\_\_\_\_ - Demolish(ed) \_\_\_\_\_ + Adding \_\_\_\_\_ = Total \_\_\_\_\_  
 Mixed Use Projects, Amount of Non-Residential Floor Area: \_\_\_\_\_ square feet

**Public Right-of-Way Information**

Have you submitted the Planning Case Referral Form to BOE? (required)  YES  NO  
 Is your project required to dedicate land to the public right-of-way?  YES  NO  
 If so, what is/are your dedication requirement(s)? \_\_\_\_\_ ft.  
 If you have dedication requirements on multiple streets, please indicate: \_\_\_\_\_

**3. ACTION(S) REQUESTED**

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36?  YES  NO

**Authorizing Code Section** 12.24W27

**Code Section from which relief is requested (if any):** 12.22A23.10

**Action Requested, Narrative:** Conditional Use to allow convenience store to operate 24-hours daily 7 days per week in lieu of Commercial Corner hours of 7:00 a.m. to 11:00 p.m. daily.

**Authorizing Code Section** 12.24W.1

**Code Section from which relief is requested (if any):** 12.24

**Action Requested, Narrative:** Conditional Use to permit the sale of beer and wine for off-site consumption

Additional Requests Attached  YES  NO

<sup>3</sup> Number of units to be demolished and/or which have been demolished within the last five (5) years.

<sup>4</sup> As determined by the Housing and Community Investment Department



**4. RELATED DEPARTMENT OF CITY PLANNING CASES**

Are there previous or pending cases/decisions/environmental clearances on the project site?  YES  NO

If YES, list all case number(s) ZA 2011-2900 CUB CU

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. ZA 2011-2900 CUB CU

Ordinance No.: \_\_\_\_\_

- |   |  |
|---|--|
| <input type="checkbox"/> Condition compliance review                        | <input type="checkbox"/> Clarification of Q (Qualified) classification               |
| <input type="checkbox"/> Modification of conditions                         | <input type="checkbox"/> Clarification of D (Development Limitations) classification |
| <input type="checkbox"/> Revision of approved plans                         | <input type="checkbox"/> Amendment to T (Tentative) classification                   |
| <input checked="" type="checkbox"/> Renewal of entitlement                  |  |
| <input type="checkbox"/> Plan Approval subsequent to Master Conditional Use |  |

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project?  YES  NO

Have you filed, or is there intent to file, a Subdivision with this project?  YES  NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

**5. RELATED DOCUMENTS / REFERRALS**

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide a copy of any applicable form and reference number if known.

- a. Specialized Requirement Form \_\_\_\_\_
- b. Geographic Project Planning Referral \_\_\_\_\_
- c. Citywide Urban Design Guidelines Checklist \_\_\_\_\_
- d. Affordable Housing Referral Form \_\_\_\_\_
- e. Mello Form \_\_\_\_\_
- f. Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form \_\_\_\_\_
- g. HPOZ Authorization Form \_\_\_\_\_
- h. Management Team Authorization \_\_\_\_\_
- i. Expedite Fee Agreement \_\_\_\_\_
- j. Department of Transportation (DOT) Referral Form \_\_\_\_\_
- k. Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) \_\_\_\_\_
- l. Order to Comply \_\_\_\_\_
- m. Building Permits and Certificates of Occupancy \_\_\_\_\_
- n. Hillside Referral Form \_\_\_\_\_
- o. Low Impact Development (LID) Referral Form (Storm water Mitigation) \_\_\_\_\_
- p. Proof of Filing with the Housing and Community Investment Department \_\_\_\_\_
- q. Are there any recorded Covenants, affidavits or easements on this property?  YES (provide copy)  NO



**PROJECT TEAM INFORMATION** (Complete all applicable fields)

**Applicant<sup>5</sup> name** Mike Jammu  
Company/Firm AJ2, Inc. dba 7-Eleven  
Address: 5401 S. Figueroa St. Unit/Space Number 8&9  
City Los Angeles State CA Zip Code: 90037  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_  
Are you in escrow to purchase the subject property?  YES  NO

**Property Owner of Record**  Same as applicant  Different from applicant  
Name (if different from applicant) Donel Investments, LLC. Benjamin Donel  
Address 6125 Washington Blvd. Unit/Space Number \_\_\_\_\_  
City Culver City State CA Zip Code: 90232  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

**Agent/Representative name** Armen D. Ross  
Company/Firm The Ross Group, Inc.  
Address: 5482 Wilshire Blvd. Unit/Space Number 415  
City Los Angeles State CA Zip: 90036  
Telephone 323.712.5800 E-mail: armenross@yahoo.com

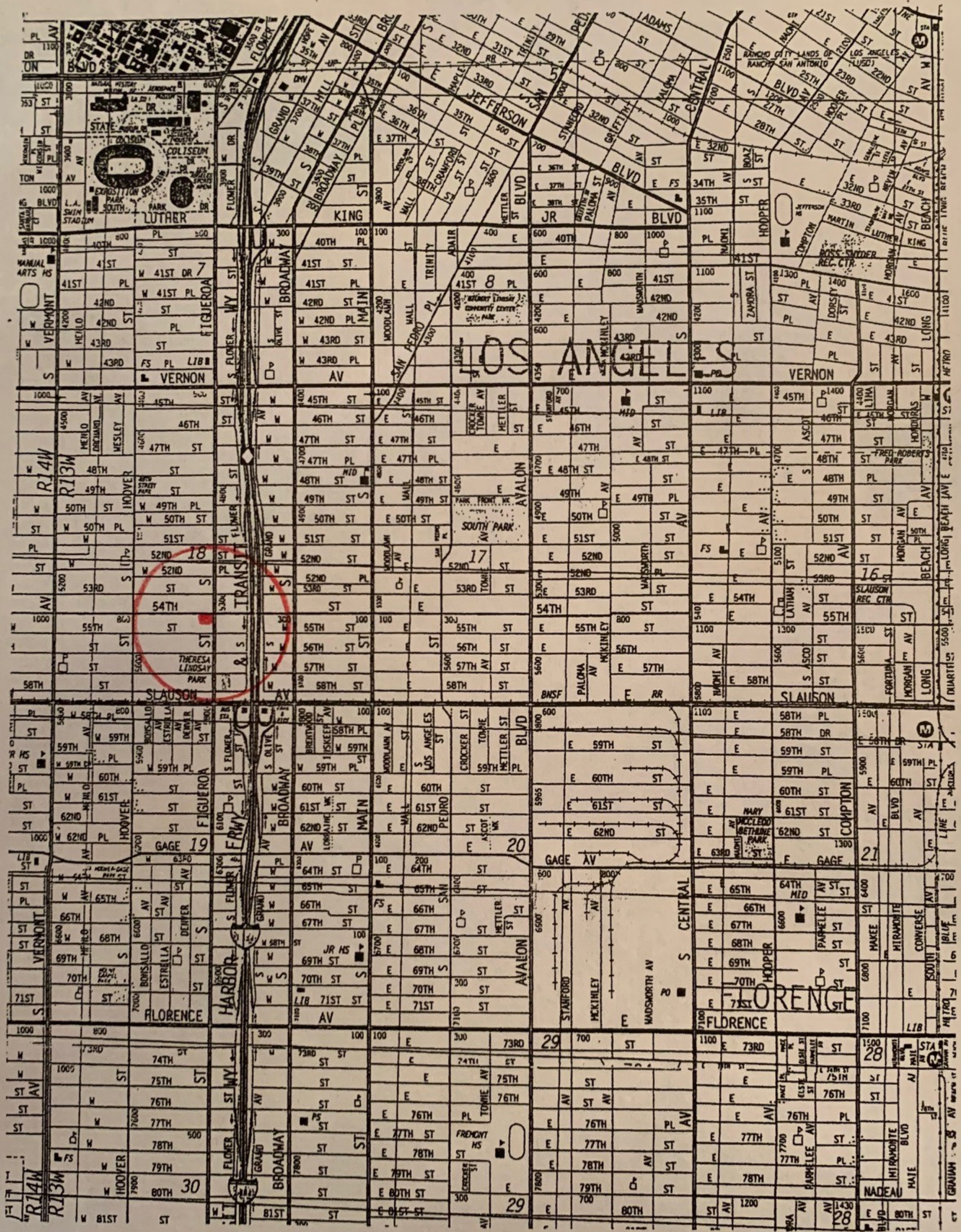
**Other** (Specify Architect, Engineer, CEQA Consultant etc.) \_\_\_\_\_  
Name \_\_\_\_\_  
Company/Firm \_\_\_\_\_  
Address: \_\_\_\_\_ Unit/Space Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

**Primary Contact for Project Information**  Owner  Applicant  
(select only one)  Agent/Representative  Other

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

<sup>5</sup> An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

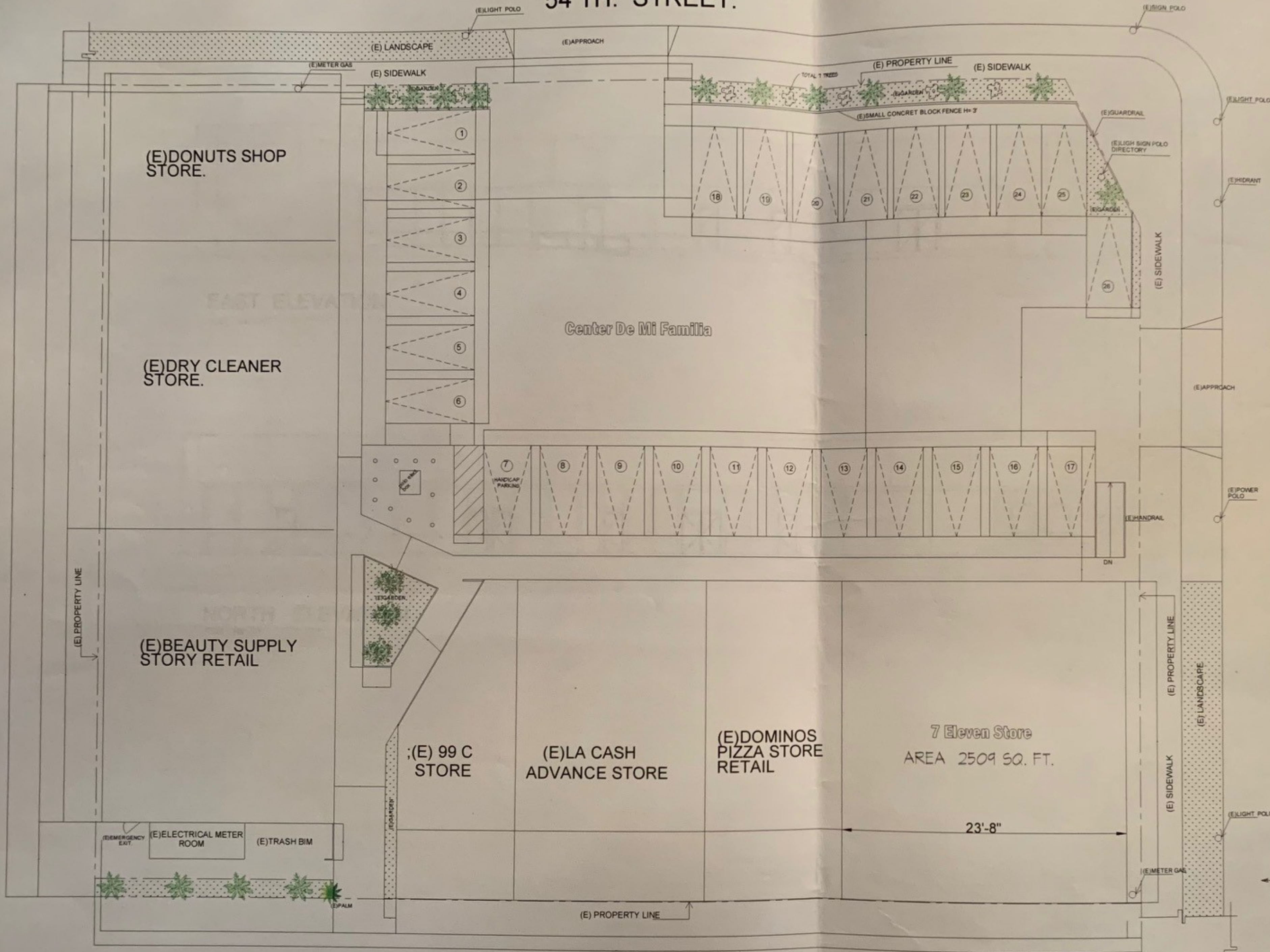




VICINITY MAP  
 SCALE 1" = 2800'



54 TH. STREET.



SCHEDULE AREA.	
DESCRIPTION	TOTAL SQFT.
LOT SIZE 60' X 58'5"	REGULAR
LOT AREA	23,433.1
EX BUILDING AREA APROX.	11,220.
TOTAL PARKING PROVIDED	26
PARKING REQUIRED	23

ZONE : C2-ML  
 LEGEND: (E) REPRESENTS EXISTING

DEVELOPER:  
 DONEL INVESTMENTS  
 6003 COMPTON AVE  
 LOS ANGELES, CA. 90001  
 323 923 4100

LEGAL DESCRIPTION:  
 LOT Fr 1,2,3,4 BLOCK A  
 TRACT 175x136'  
 APN 5001024034

REVISIONS	BY



7 ELEVEN STORE  
 AJ2, INC.

5401 S. FIGUEROA STREET, LOS ANGELES, CA. 90037

DRAWN	
CHECKED	
DATE	2-2-19
SCALE	1/8" = 1'-0"
JOB	
FILENAME	AJ2, INC.
SHEET	A-1

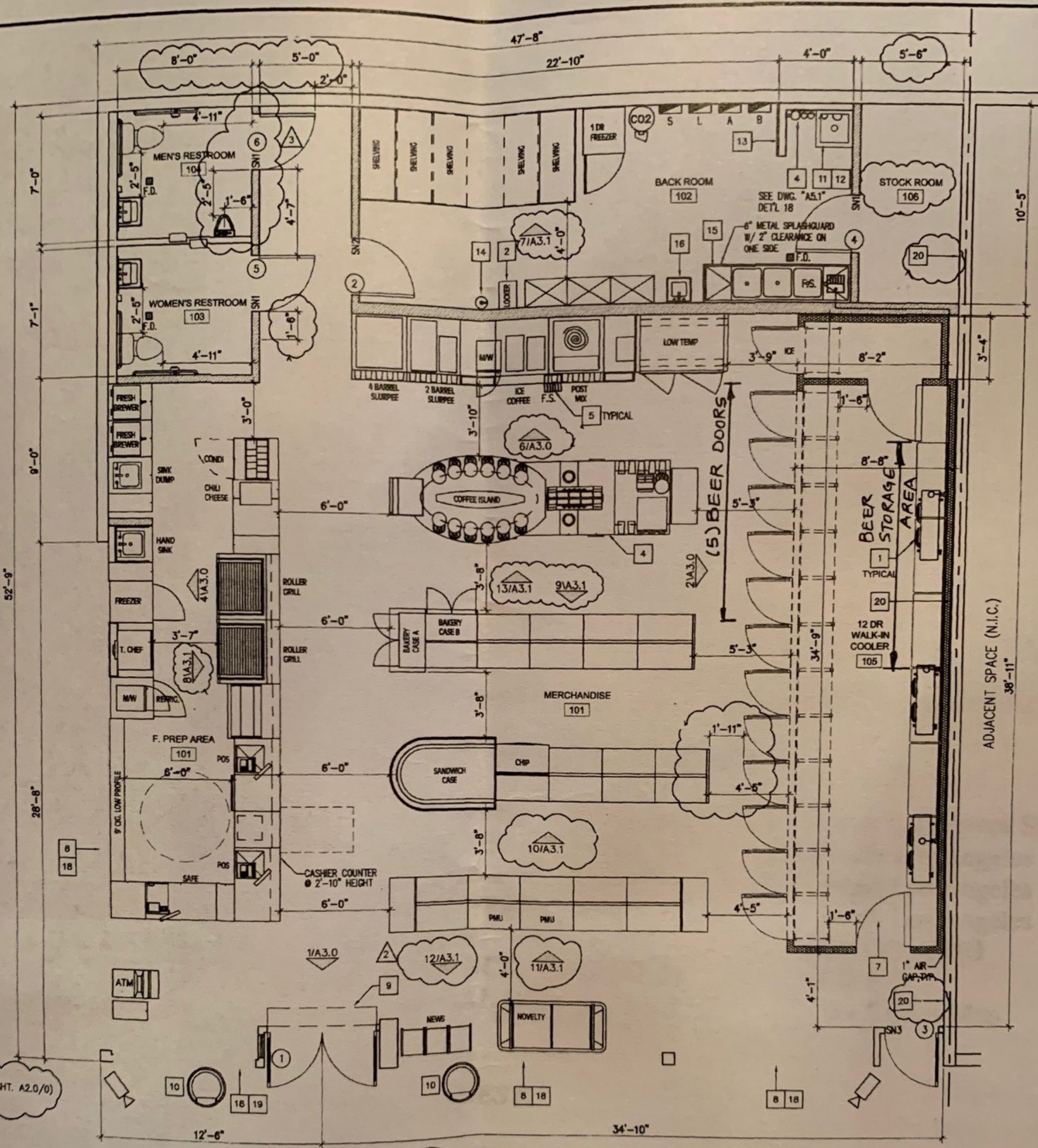
# PLOT PLAN

SCALE : 1/8" = 1'-0"

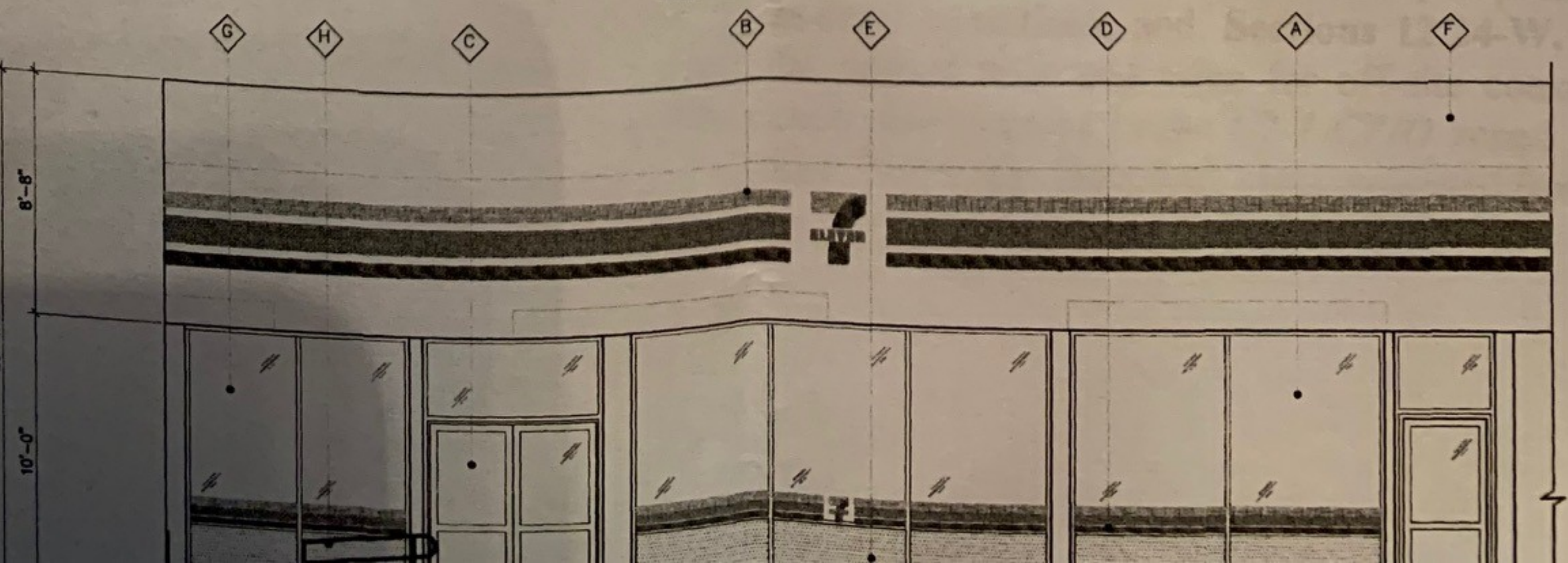
5401 S. FIGUEROA ST.

NOTE :  
 COMBINE STORE RETAIL AND BEAUTY SALON FOR NEW 7-ELEVEN STORE  
 2,509. SQ.FT.





1 PROPOSED FLOOR PLAN  
 SCALE: 1/4"=1'-0"





**Conditional Use Permit - FINDINGS**

Mike Jammu ( A )  
c/o AJ2, Inc. dba 7-Eleven  
5401 S. Figueroa Street, Units 8&9  
Los Angeles, CA 90037

Benjamin Donel ( O )  
C/o Donel Investments, LLC.  
6125 Washington Blvd.  
Culver City, CA 90232

Mr. Armen Ross ( R )  
The Ross Group, Inc.  
5482 Wilshire Blvd., #415  
Los Angeles, CA 90036

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**LAND USE INFORMATION:**

<b>PROPERTY ADDRESS:</b>	5401 S. Figueroa Street, Units 8&9
<b>AREA PLANNING:</b>	South Los Angeles
<b>COMMUNITY PLAN:</b>	South Los Angeles
<b>SPECIFIC PLAN:</b>	South Los Angeles Alcohol Sales
<b>ZONE:</b>	C2-1VL-CPIO
<b>COUNCIL DISTRICT:</b>	CD 9
<b>LEGAL DESCRIPTION:</b>	See Radius Map

**REQUEST:**

A **Conditional Use Permit** pursuant to the provisions of **Section 12.24.W, 27 of the Los Angeles Municipal Code**; deviations from the code, to permit a 2,509-sf convenience store (7-Eleven) having 24-hour operations, and, **Sections 12.24-W, 1 of the Los Angeles Municipal Code** to permit the sale of beer and wine for off-site consumption in conjunction with the proposed convenience store located in the *C2-1-CPIO* zoned property within the Southeast Los Angeles Community Plan Area. Beer and sales requested from 7:00 a.m. to 11:00 p.m. daily.



### Project Description

The subject property is a level corner parcel of land approximately 23,433.1 sq. ft. in size. It is located at the southwest corner of Figueroa Street and 54<sup>th</sup> Street. The subject site currently operates 24-hours daily as a 7-Eleven store selling beer and wine for off-site consumption. The retail store/mini market occupies approximately 2509 sq. ft. of space. The convenience store has operated at the site since 2012 with a Conditional Use Permit to operate 24-hours daily and to sale beer and wine. The owner inadvertently allowed the CUP to expire and is now renewing the same.

The property is zoned *C2-1-CPIO* and has a total lot area of 232,433.1 square feet. All commercial properties at the intersection of Figueroa and 54<sup>th</sup> Street are similarly zoned as the subject site. The site sits at an intersection with commercial properties on all four corners.

Again, the owner is looking forward to continuing serving the surrounding community with a state-of-the-art convenience store that has proven over the years to be an asset for not only other commercial uses, but most importantly, an asset to the nearby residential neighborhoods. The proposed and requested hours of operation are 24 hours per day 7 days per week.

### **CONDITIONAL USE**

[ 12.24.W, 27]

- 1. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, City or region.**

The applicant has operated the convenience store since 2012 and has been and continues to be an asset to the immediately surrounding community. The majority of customers are from the surrounding community and many of the employees have come from the community. Applicant wishes to continue his contributions to the community by continuing providing convenience store options for customers, the latest hot and cold beverages, and the latest fresh and healthy food offerings from a world leader in the convenience store industry. The 2,905 sf 7-Eleven convenience store has code off-street parking. A professional design, color schemes and texture provide a professionally designed structure and significantly enhance the area along Figueroa Street.

**24-Hour Operation (12.22.A, 23):** A 24-Hour convenience store provides a retail function that affords citizens quick means of purchasing a wide variety of consumable products and services. Customers hoping to avoid busy times can shop for items at their leisure. In the event of illnesses, over-the-counter medications such as pain relievers and stomach relief medications are available throughout the night to customers in need. Late night shift workers also have the availability to buy food items, personal care items before, during or after their shifts. Patrol officers often visit the site for coffee during evening and early morning shifts. Typically, convenience stores such as 7-Eleven have friendly relationships with local law enforcement. Granting the 24-Hour request will provide a retail function and service that will continue to be beneficial to the community.



- 2. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

Surrounding properties to the North, South, East and West of the subject site are similarly zoned C2-1VL-CPIO and R2-1 and developed with a variety of commercial and residential uses. The existing use is a convenience store that has been operating at this site since 2012. There have been no criminal incidents at the site and the community has greatly benefitted from the use. This request is to allow for the convenience store to continue to operate 24-hours daily and continue to sale beer and wine for off-site consumption. The 2,905 sf convenience store will continue to provide a much needed necessity for the neighborhood. The major tenant improvements made to the subject site continue to be compatible with adjacent properties and has not cause adverse effects to, or, degraded the surrounding area in any way. The tenant improvements made to the existing structure are consistent and will continue to be consistent with the character and pattern of development in this neighborhood.

The 24-Hour operation will serve the nearby community by expanding shopping conveniences for nearby residents. However, 24-Hour operations often raise questions regarding safety. 7-Eleven stores have set the standard for enhancing safety for 24-Hour convenience store operations. Employees are trained to implement best management practices and reputable policies that ensure the responsible operation of their stores. Security cameras, money handling, and lighting along with control procedures work to prevent theft and ensure public safety.

- 3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable Community Plan, and any Specific Plan.**

The South Los Angeles Community Plan designates the subject site for Neighborhood Commercial. The plan does not specifically address 24-Hour uses in the text. The site is located within the South Los Angeles Alcohol Sales Specific Plan and a request to continue an existing beer and wine license is being requested by this Conditional Use Permit. There is an existing beer and wine license at this site, therefore, no new license will be added to the list already existing with the State of California Alcoholic Beverage Control. The applicant inadvertently allowed the previous CUP to expire and wishes to renew the CUP by this action. The continued use of the CUP complies with the Specific Plan. The proposed project will provide an amenity and service on this commercially zoned property that is consistent with the goals and objectives of the General Plan.

#### **ADDITIONAL FINDINGS FOR 24-HOUR OPERATION – CONDITIONAL USE**

- 4. Based on data provided by the City Department of Transportation or by a licensed traffic engineer, ingress to and egress from the project will not create a traffic hazard or cause significant congestion or disruption of vehicular circulation on adjacent streets.**



The proposed 2,509 sf 7-Eleven convenience store is a continuation of an existing convenience store selling beer and wine. The use as a convenience store has been since 2010. Vehicular ingress and egress will not change from the existing design. Therefore, the pattern of traffic will not cause a traffic hazard or significant traffic congestion, or disruption of vehicular circulation on adjacent streets.

**5. Project approval will not create or add to a detrimental concentration of mini-shopping centers or commercial corner developments in the vicinity of the proposed project.**

The proposed use is a continuation of a previous CUP for 24-hour operations and for the sale of beer and wine for off-site consumption that the Applicant inadvertently allowed to expire. The existing use, convenience store, has been operating since the 2012. A retail or commercial function is well established at this site. This request will not contribute to any detrimental concentration of such uses in the area.

**a. Are you going to develop any or all of the following?**

- |   |             |
|---|-------------|
| 1. A drive-thru fast food establishment?  | <u>No.</u>  |
| 2. A business open any time between 11 p.m. and 7 a.m.?                                       | <u>Yes.</u> |
| 3. A multi-residential use?   | <u>No.</u>  |
| 4. An amusement enterprise as enumerated in Sec. 12.14 A 3 of the Los Angeles Municipal Code? | <u>No.</u>  |
| 5. An automobile laundry or wash-rack?  | <u>No.</u>  |
| 6. A commercial swimming pool?  | <u>No.</u>  |

**b. How many parking spaces are being provided?**  
26 parking spaces are provided.

**c. What is the height and number of stories of the project?**  
One story

**d. List all the uses to be included in the development their hours of operation, square footage of the total development to be occupied by each.**

Convenience Store operating hours 24-hours daily with requested hours of alcohol sales from 7 a.m. to 11 p.m., daily. Approximate square footage of store is 2,905 sf.

**Describe any security measures that will be taken to prevent loitering, theft, vandalism, etc.**

The development will provide standard security lighting. Management will work to prevent loitering or any criminal activity in and around the subject property as well as the owner and operator of the subject use.



- e. **For drive-through fast food establishments submit plans showing points of ingress and egress, the location of speakers, driveways, and queuing lanes.**

Not applicable.

- f. **In additional, specify each and every requirement of Section 12.22 A 23 LAMC that cannot or do not comply with, and explain.**

The subject project requires a Conditional Use Permit to deviate Commercial Corner Development/Mini Shopping Center Standard: to allow the hours of operation from 24-hours daily and for the sale of beer and wine for off-site consumption.

- **Hours of Operation:** The hours of operation for the subject alcohol sales will be from 7:00 a.m. to 11:00 p.m. seven days a week; with 24-hour operations for the convenience store.

#### **CONDITIONAL USE PERMIT – 12.24-W, 1**

- i. **That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.**

The proposed use is located on a spacious corner lot with easy access from Figueroa and 54<sup>th</sup> Streets. The applicant is proposing to continue with 24-hour operations and alcohol sales from 7:00 a.m. to 11:00 p.m., daily. The property will continue to be kept meticulously clean and is well-lit during the evening hours. The site bears no graffiti marks and has ample parking for customers. Applicant is committed to maintaining an attractive and inviting location for the benefit of its customers and the surrounding neighborhood.

The area surrounding the property is a mix of commercial and multi-family uses. The convenience store will serve the neighboring areas and the large number of residents and area employees patronizing the market as they commute to work and home. The current convenience store was opened in 2012 and will continue to serve the surrounding community with a variety of healthy foods, fresh foods, gourmet coffee, and sundry items. The current use has had an alcohol license on the site since 2012 so alcohol usage is well established in relationship to the surrounding uses.

The sale of alcohol is a logical addition to the convenience store given the proximity to high volume commuter traffic on a Major Highway or Secondary Highways. Commuters along Figueroa and 54<sup>th</sup> Streets have appreciated the convenience of purchasing beer and wine along with other necessities as they commute homeward. Providing alcohol sales at a convenience store is not unusual such that is provided by many other convenience stores in the Los Angeles City in general, that is, the



ancillary sale of alcohol for off-site consumption is standard operating procedure for the convenience store industry.

The convenience store is thoroughly buffered from any sensitive uses or residential uses because it is located on a corner lot and faces a busy urban intersection. The store is solidly constructed of masonry and there are no windows or door facing residential property. The footprint of the proposed convenience store is limited and is expected to attract business from the existing neighborhood rather than becoming a specific destination for the purchase of alcohol. Hence, it is believed that the conditional use will have a negligible impact on area traffic.

Applicant respectfully submits that the convenience store will continue to successfully coexist with the other land uses in the vicinity, and will not adversely affect or degrade adjacent properties, the surrounding neighborhood, or health, welfare and safety of the general public.

- ii. **That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety**

Commercial enterprises and multi-unit dwellings characterize the pattern of development in this community. The immediate area does not have any major sensitive uses, and likewise, will continue to provide a convenient place to purchase beer and wine along with the wide variety of other fresh food items and other necessities provided by a convenience store.

The proposed use will continue to serve the heavily commercial and residential traffic in this neighborhood. The additional sales of beer and wine for off-site consumption will not affect adjacent properties, as all beer and wine sales, will consist of packaged products that will not be consumed on site. In contrast to a restaurant, nightclub or bar, Applicant's customers are at the site for a relatively short period of time and primarily for the purpose of buying goods. Accordingly, the requested conditional use is not expected to cause parking, noise or crime issues for nearby businesses or residents.

Therefore, the proposed conditional use will provide the public with a valued convenience and will not detract from the character of development in the immediate area. The scale and intensity of the requested use is compatible with the surrounding community and are appropriate for this urban area. The addition of the requested beer and wine use rights for Applicant's convenience store will not disrupt the harmony of the local businesses and residents and will be desirable for the community's convenience and necessity while at the same time, enhancing the development of the community



- ii. **That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.**

The purpose, intent, and provisions of the General Plan, Community Plan, and related Specific Plans all seek to ensure compatibility with surrounding uses, both in development and use, and to encourage economic development through the establishment of new businesses, and the expansion of successful businesses.

The underlying land use is Neighborhood Commercial. Adjacent land uses consist of predominately R2-1, RD2-1 and C2-1VL-CPIO zoned properties along Figueroa and 54<sup>th</sup> Streets.

Moreover, the scale and intensity of the current uses makes this continued use as a convenience store compatible with surrounding buildings and is appropriate for an urban setting, especially within an area designated by the General Plan for neighborhood, community and regional commercial uses. The scale and intensity of Applicant's land use will not be rendered excessive or disruptive if Applicant were to be awarded the right to continue 24-hour daily operations and to continue the sale of beer and wine for off-site consumption. Therefore, the proposed project is in conformance with the spirit and intent of the General Plan, which aims to promote the subject property and its immediate area with healthy and viable commercial activity.

**ADDITIONAL FINDINGS:**

- i. **Explain how the proposed use will not adversely affect the welfare of the pertinent community.**

The location is designated as Neighborhood Commercial by the City's General Plan and is located along a major commercial corridor serving commuters and the local community. It is a critical component of the economic fabric of this community. With the opportunity to sell beer and wine, the applicant will be able provide an additional convenience along with other convenience foods items to residents on their commute homeward. Logically, the continued economic success of the project in proper relation to the surrounding neighborhood will generate much needed tax dollars for the city. Therefore, the approval of this Conditional Use Permit will not adversely affect the economic welfare of the community.

Therefore, the use will not be materially detrimental to the character of the development in the immediate area as evidence by similar uses in the City. Moreover, the conditions of approval would be imposed to ensure the sale and dispensing of beer and wine does not have a detrimental impact and ensure the establishment does not require additional resources of the Los Angeles Police Department to monitor and enforce the conditions of approval.



**ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.**

The existing convenience store has been in use since 2012. The Applicant already possesses, and beer and wine license and that current use ensures that no new off-site beer and wine license will be requested of the State of California Department of Alcoholic Beverages, only a continued use of an existing license. This request should not be considered an undue concentration of such uses.

Over-concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. Therefore, given the above justifications, the approval of this conditional use request will not result in overriding considerations for over concentration of off-site sales.

**iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.**

Although the subject property is near multi-family residential uses, the applicant will continue maintain the subject convenience store problem-free. No outdoor advertising of alcohol sales will be posted, and the site will direct security lighting away from any adjacent uses. As required by state law the alcohol location will not be within 5 feet of the register and will be confined to a small area.

Applicant's business is primarily a convenience store. The sale of beer and wine is itself ancillary to the operation of the convenience store. The conditional use will be limited to the sale of beer and wine for off- site consumption only. Proper security and age confirmation will be required of all buyers. Moreover, Applicant's convenience store will continue to be well-maintained, with no recesses or other areas not illuminated in the evening hours. The applicant will apply policies that dictate stringent age verifications prior to sales of alcoholic beverages to ensure that the convenience store will operate harmoniously and without nuisance to the surrounding uses and trained staff will supervise sales and the subject premises. The approval of this conditional use request then will not detrimentally affect any nearby residentially zoned properties.

**3. Questions Regarding the Physical Development of the Sties**

- a. **What is the total square footage of the building or center the establishment is located in?** Approximately 11,220 square feet.
- b. **What is the total square footage of the space the establishment will occupy?** Approximately 2,905 square feet.



- c. **What is the total occupancy load of the space as determined by Fire Department? Will not exceed LAFD requirements.**
- d. **What is the total number of seats that will be provide indoors? N/A outdoors? N/A**
- e. **If there is an outdoor area, will there be an option to consume alcohol outdoors? N/A**
- f. **If there is an outdoor area, is it on private or the public right-of-way? N/A**
- g. **Are you adding floor area? No If so, how much is enclosed? Outdoors? N/A**
- h. **Parking**
- (i) **How many parking spaces are available on the site? There are 26 parking spaces.**
  - (ii) **Are there shared parking or designed for the subject use? No**
  - (iii) **If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety? N/A**
  - (iv) **Have any arrangements been made to provide parking off-site? N/A**
    - 1. **If yes, is the parking secured via a private lease or covenant/affidavit approved by B&S? N/A**
    - 2. **Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve. N/A**
    - 3. **Will valet service be used? Will the service be for a charge N/A**
- i. **Is the site within 1,000 feet of any schools, churches or parks? Please see attached lists.**
- j. **For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other adult entertainment business as defined by LAMC 12.70B17? N/A**



#### 4. Questions Regarding the Operation of the Establishment

- a. **What are the proposed hours of operation and which days of the week will the establishment be open?**

The proposed hours of beer and wine sales will be from 7 a.m. to 11p.m. seven days a week. The convenience store itself operates 24-hours a day.

- b. **Will there be entertainment, such as piano bar, live entertainment, movies, karaoke, video game machines, etc.? N/A**

- c. **Will there be a minimum age requirement for entry and if so, what is the minimum age requirement and how will be enforced? N/A**

- d. **Will there be any accessory uses on the site and if so, what will sold? No other accessory use is onsite.**

##### e. Security

- i. **How many employees will you have on the site at any given time? 3-5.**

- ii. **Will security guards be provided, if so, how many? No security guards will be provided unless otherwise required by this conditional use.**

- iii. **Has LAPD issues any citations or violations? If so, please provide copies.**

No citations have been issued for the convenience store.

##### f. Alcohol

- i. **Will there be beer & wine only, or a full-line of alcoholic beverages available? Beer and wine only.**

- ii. **Will fortified wine (greater than 16% alcohol) be sold? No**

- iii. **Will alcohol be consumed on any adjacent property under the control of the applicant? No**



iv. **Will there be signs visible from the exterior that advertise the availability of alcohol?** No signs will be visible from the exterior of the use.

v. **Food.**

1. **Will there be a kitchen on the site?** No
2. **Will alcohol be sold without a food order?** N/A not a restaurant
3. **Will the sale of alcohol exceed the sale of food items on a quarterly basis?** N/A not a restaurant.
4. **Provide a copy of the menu if food is to be served.**  
N/A

vi. **On site**

1. **Will a bar or cocktail lounge be maintained incidental to a restaurant?** N/A
2. **Will off-site sales of alcohol be provided accessory to on-site sales (take-out)?** N/A
3. **Will discounted alcoholic drink "Happy Hour" be offered at any time?** N/A

vii. **Off-site**

1. **Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises?** Cups will be sold in bulk
2. **Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter?**  
No.

viii. **Contact ABC regarding its requirements.** ABC has been contacted.

5. **Caldera Bill**

- a. **Is this application a request for on-site or off-site sales of alcoholic beverages?** This request is for Off-site only.



i. **If yes, is the establishment a bona-fid eating place or hotel/motel? No**

a. **If no contact CA department of Alcoholic beverage Control (ABC) to determine whether the proposed site is located in high crime. ABC was contacted.**

b. **If issuance would result in or add to an undue concentration. No over-concentration.**

**6. Additional Requirements**

No other alcohol uses are on the subject site.

**SPECIFIC PLAN – 11.5.7**

A Specific Plan Project Compliance to allow the change of use are also requested per Section 11.5.7 of the LAMC

**(a) That the proposed use will not adversely affect the welfare of area residents.**

The location is designated as a Neighborhood Commercial by the City's General Plan and is located along a major commercial corridor serving commuters and the local community. It is a critical component of the economic fabric of this community. With the opportunity to continue selling beer and wine, the Applicant will be able continuing providing an additional convenience along with other convenience foods to community members on their commute homeward. Logically, the economic success of the proposed project in proper relation to the surrounding neighborhood will continue to generate much needed tax dollars for the city. Therefore, the approval of this Conditional Use Permit will not adversely affect the economic welfare of the community.

Therefore, the use will not be materially detrimental to the character of development in the immediate area as evidenced by similar uses in the City. Moreover, the conditions of approval would be imposed to ensure the sale and dispensing of beer and wine will continue to not have a detrimental impact and ensure the establishment does not require additional resources of the Los Angeles Police Department to monitor and enforce the conditions of approval.

The request to continue to allow the sale of beer and wine with requested hours in conjunction with an existing convenience store would not impair the integrity and character of the zone, which is designated for commercial uses similar to the subject project. Thus, the approval of this request will be in harmony with various elements and objectives of the General Plan and with the provisions of the Specific Plan.



**(b) That the granting of such application will not result in an undue concentration in the Area of establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of such establishments within one thousand foot radius of the site, the crime rate in the area and whether revocation or nuisance proceedings have been initiated for any use in the area.**

The existing use, a convenience store operating 24-hours daily, has had a beer and wine license since 2012 that Applicant inadvertently let expire. The proposed continued use will use that existing license which will ensure that no new off-site liquor license is requested to the State of California Department of Alcoholic Beverages. This request should not be considered an undue concentration of such uses.

As previously mentioned, the continued ability to sale beer and wine at this site will utilize a current license already issued with the State of California Department of Alcoholic Beverage Control. No new requested license is being permitted or requested. Therefore, this request is in compliance with the Specific Plan. Over-concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. Therefore, given the above justifications, the approval of this conditional use request will not result in overriding considerations for over concentration of off-site sales.

**(c) That the proposed use will not detrimentally affect nearby residential zoned communities in the Area after giving consideration to the distance of the proposed use from the following;**

- 1. residential building**
- 2. churches, schools, hospitals, play grounds and other similar uses**
- 3. other establishments dispensing, for sale or other consideration, alcohol beverages, including beer and wine.**

As previously mentioned, the existing use is a convenience store operating 24-hours daily and selling beer and wine that has been operating since 2012 at this site and in close proximity to sensitive uses. The Applicant will continue co-exist with the sensitive uses and up to this point that co-existence has been successful.

Providing the area with a convenience store benefits the community by providing a needed necessity to the surrounding neighborhood. The applicants request will utilize the existing beer and wine license and therefore will not add a new license to a restricted area. Furthermore, the proposed continued use will principally provide needed necessities to residents with beer and wine sales not being the primary sale. Currently, the use is primarily used for convenience store items with beer and wine sales ancillary to food and other sundry items making this continued use a benefit to the surrounding residents, sensitive uses, as well as the community. Granting this request would be in substantial compliance with the Specific Plan and in harmony with the intent of the General Plan.