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Via Email Only: Clerk.PCN@LACity.Org

Los Angeles City Council
c/o City Clerk's Office
City of Los Angeles
200 N. Spring Street, Rm. 360
Los Angeles, CA 90012

RE: Thatcher's LLC / 11718 San Vicente Blvd., Los Angeles, CA 90049
Case No. ZA-2023-5618-CUB
Application for Determination of Public Convenience or Necessity Pursuant to Business and Professions Code section 23958.4 for a Type 20 Alcoholic Beverage Control ("ABC") License

Dear Honorable City Council:

My office represents Thatcher's LLC ("Applicant") with respect to the above-mentioned matter. The Applicant recently submitted and was approved for a Conditional Use Permit ("CUP") for the off-site sale of wine and on-site wine tasting in conjunction with the operation of a wine specialty store located at 11718 San Vicente Blvd., in the city of Los Angeles.

The proposed business will require a California Department of Alcoholic Beverage Control ("ABC") Type 20 license for the sale of wine for off-site consumption and a Type 86 license for Instructional Wine Tasting on the premises. The project site is in Census Tract 2643.03. According to the ABC one (1) off-sale license is authorized in this census tract and currently one (1) off-sale license is active. Thus, the Applicant hereby submits its application for a Determination of Public Convenience or Necessity ("PC or N").

As part of the CUP application, the Applicant conducted outreach within the community in an effort to address any potential concerns related to the sale of beer and wine. Specifically, we met with the Brentwood Community Council and also reached out to the West Los Angeles Division of the Los Angeles Police Department ("LAPD"). The Brentwood Community Council voted for the non-opposition of the request for the off-site sale of beer wine and on-site instructional tastings at this location at their Board meeting on September 13, 2023. The LAPD confirmed via email that they have no concerns regarding the proposed wine store at this location. Furthermore, in correspondence with Traci Park's staff, the Council Office confirmed they do not have any issues with the CUP application.

The Zoning Administrator ("ZA") hearing took place on November 28, 2023, and subsequently, on December 1, 2023, the ZA issued a Letter of Determination approving the off-site sale of beer and wine at the location. The ZA then issued a supplemental Letter of Clarification on January 25, 2024.

The site is located in Census Tract 2643.03; the Census Tract authorizes one (1) off-sale license and currently one (1) exists. Thus, a determination of Public Convenience or Necessity ("PC or N") pursuant to Business and Professions Code section 23958.4 is required as the addition of an off-sale ABC license will result in two (2) off-sale licenses within the Census Tract. Although, a PC or N determination is needed, the Brentwood Community Council, LAPD, and Council Office did not oppose the CUP application and/or issuance of the ABC license and there are adequate conditions within the CUP to protect the community. Moreover, as found by the Zoning Administrator, in the CUP approval,

[i]n this case, the granting of the application will not result in undue concentration as the project will enable the provision of an additional service and destination to complement the neighborhood. Although the number of existing licenses exceeds the number of allocated to the subject census tract, a higher number of alcohol-serving establishments is to be expected in an area which functions as a major commercial center with a variety of jobs, commercial services, and amenities.

(Letter of Determination, page 16).

Project Description

Pursuant to Los Angeles Municipal Code ("LAMC") section 12.24-W.1, a Conditional Use Permit ("CUP") for the off-site sale of wine and on-site wine tasting in conjunction with the operation of a wine specialty store was approved at 11718 San Vicente Blvd., in the city of Los Angeles.

The premises is an existing retail front located on San Vicente Boulevard in the Brentwood-Pacific Palisades Community Plan Area. The site is developed with one-story commercial buildings occupied with commercial uses. Vehicular access is via a driveway off San Vicente Blvd. The subject property is comprised of commercial uses within an area designated for Community Commercial land uses. The project site is zoned C1.5 1VL and is consistent with the existing land use designation. The proposed business will require a California Department of Alcoholic Beverage Control ("ABC") Type 20 license for the sale of wine for off-site consumption and a Type 86 license for Instructional Wine Tasting on the premises.

A variety of commercial uses are an intrinsic part of the service amenities necessary for the conservation and development of a vibrant neighborhood. The proposed wine specialty retail store will provide neighboring residents, the surrounding workforce, and the local community a viable and convenient neighborhood-friendly option for the purchase of specialty wines that will promote pedestrian activity in the area. The proposed project will enhance the built environment in the surrounding neighborhood and will provide a service that is beneficial to the community, city and region. The proposed wine specialty store, with adherence to any imposed conditions, proper management and supervision, will provide a retail service that is beneficial to the community.

The Public Convenience or Necessity Will be Served by the Issuance of a Type 20 ABC License at this Location

The proposed wine specialty store with the sale of wine for off-site consumption and on-site instructional wine tastings is consistent with this zone and land use designation. The proposed project fulfills the intent of the Brentwood-Pacific Palisades Plan provisions regarding land use compatibility by preserving and

strengthening existing commercial uses within an established commercial district while maintaining desirable characteristics of surrounding residential neighborhoods.

The project will replace a prior commercial operator at this location, thereby strengthening the vibrancy and longevity of the commercial corridor along San Vicente Boulevard and the surrounding neighborhood. The project's design, both in terms of physical layout and operations, is intended for the sale and dispensing of wine for off-site consumption to cater to the neighborhood-serving characteristics of this commercial corridor. The proposed neighborhood serving wine specialty store with applicable conditions of approval will be compatible with surrounding uses. The store will provide neighboring residents and the local workforce with a convenient option that will bolster pedestrian activity in the neighborhood. Therefore, the project will perform a function that will be beneficial to the community and surrounding neighborhood.

The subject property is zoned and developed in a manner that is consistent with both the land use designation and the surrounding area. The establishment's intended operations and site design shall reduce the likelihood of any potential harmful impacts on the neighboring properties. The proposed project at this location will reinforce the character of the area. The specialty wine store will serve to strengthen the economic vitality of the area. Negative impacts commonly associated with the sale of alcoholic beverages shall be mitigated by imposition of applicable conditions. The ABC will impose their own set of conditions, if necessary. Both Conditions of Approval and the requirements of the California Department of Alcoholic Beverage Control are intended to protect the public health, welfare, and safety. Thus, while the legal standard is public convenience *or* necessity, this location actually meets both public convenience *and* necessity.

Conclusion

As set forth above, there is good basis for, and it is respectfully requested that the City of Los Angeles City Council make a finding with respect to California Business and Professions Code section 23958 and 23958.4 that the issuance of a Type 20 Alcoholic Beverage Control license for the off-site sale of beer and wine will serve the Public Convenience or Necessity of this community.

Thank you for your consideration.

Very truly yours,

SOLOMON SALTSMAN & JAMIESON



JENNIFER ODEN
Licensed in California

cc: Client (via email only)
Land Use (via email only)
Council Office (via email only)