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DEPUTY DIRECTOR

October 30, 2020

Steven J. Prough (A)  
Ralphs Grocery Store  
1100 West Artesia Boulevard  
Compton, CA 90220

Crenshaw Plaza I, LLC, (O)  
Crenshaw Plaza II, LLC  
145 West Magnolia Boulevard  
Burbank, CA 91502

Maria Impala (R)  
Art Rodriguez Associates  
444 East Huntington Drive, Unit 208  
Arcadia, CA 91006

CASE NO. ZA 2020-2766-CUB  
CONDITIONAL USE  
3300 West Slauson Avenue  
(3240-3314 West Slauson Avenue)  
West Adams-Baldwin Hills-Leimert  
Community Plan  
Zone : C2-2D-SP  
D.M. : 108B185  
C.D. : 8  
CEQA : ENV-2020-2767-CE  
Legal Description: Lot B, Tract PM 58

Pursuant to California Quality Act (CEQA) Guidelines Section 15301, I hereby  
DETERMINE:

based on the whole of the administrative record, that the Project is exempt from  
CEQA pursuant to CEQA Guidelines, Section 15301 and there is no substantial  
evidence demonstrating that an exception to a categorical exemption pursuant to  
CEQA Guidelines, Section 15300.2 applies, and

Pursuant to Los Angeles Municipal Code (LAMC) Section 12.24-W,1, I hereby  
APPROVE:

a Conditional Use Permit to allow the sale of a full-line of alcoholic beverages for  
off-site consumption in conjunction with an existing Ralph's Grocery Store in the  
C2-2D-SP Zone;

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other  
applicable government/regulatory agencies shall be strictly complied with in the

development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
7. Authorized herein is the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with an existing 46,295 square-foot existing grocery store subject to the following conditions:
  - a. Hours of operation shall be limited to 6:00 a.m. to 12:00 a.m., daily.
  - b. No after hours if permitted except for routine clean up. This includes, but is not limited to, private or promotional events, special events, excluding any activities which are issued film permits from the City.
8. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 60 days and are intended for use by the Los Angeles Police Department.

9. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not adversely affect or detract from the quality of life adjoining residents, property owners, and businesses.
10. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
11. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and the facility to discourage illegal and criminal activities and any exterior area over which the building owner exercises control, in effort to ensure no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism, and truancy occur.
12. The applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
13. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.
14. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted.
15. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of any outdoor dining/entrance and at any other utilized by the public.
16. The applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
17. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will required to modify or eliminate the source of the noise or

retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.

18. There shall be no dancing has been requested or approved herein. Dancing is prohibited.
19. **Complaint log.** A telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
  - a. Entry, visible to pedestrians
  - b. Customer service desk, front desk or near the reception area.

Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved.

20. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department “Standardized Training for Alcohol Retailers” (STAR) or Department of Alcoholic Beverage Control “Licensee Education on Alcohol and Drugs” (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completing of such training, the applicant shall request the Police Department of Department of Alcohol and Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.

## ADMINISTRATIVE CONDITIONS

21. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per LAMC Section 19.01-E, 3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.
  - a. Within 12 to 18 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess the compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
  - b. The owner/operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed may result in additional corrective conditions imposed by the Zoning Administrator.

22. Should there be a change in ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or business. Evidence that a copy of this determination including the conditions required herewith had been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30-days of the beginning day of his/her new operation of the establishment along any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.
23. The Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be review the operation of the new premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

#### **INDEMNIFICATION AND REIMBURSTMENT OF LITIGATION COSTS**

24. Applicant shall do the following:
  - a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
  - b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgements or awards against the City (including an award of attorney's fees), damages, and /or settlement costs.

- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from the responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of this action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

### **OBSERVANCE OF CONDITIONS – TIME LIMIT – LAPSE OF PRIVILEGES**

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within a said time and



carried on diligently to completion, the authorization shall terminate and become void.

### **TRANSFERABILITY**

The authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

### **VIOLATIONS OF THESE CONDITIONS A MISDEMEANOR**

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

### **APPEAL PERIOD – EFFECTIVE DATE**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **NOVEMBER 16, 2020**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>**. Public offices are located at:

**Downtown**

Figueroa Plaza  
201 North Figueroa Street, 4th Floor  
Los Angeles, CA 90012  
[\(213\) 482-7077](tel:(213)482-7077)

**San Fernando Valley**

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Boulevard, Room 251  
Van Nuys, CA 91401  
[\(818\) 374-5050](tel:(818)374-5050)

**West Los Angeles**

West Los Angeles Development  
Services Center  
1828 Sawtelle Boulevard,  
2nd Floor  
Los Angeles, CA 90025  
[\(310\) 231-2598](tel:(310)231-2598)

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

### NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on October 21, 2020, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use plan approval under the provisions of Section 12.24-W have been established by the following facts:

### **BACKGROUND**

The applicant is requesting a Conditional Use Permit to allow the sale of a full-line of alcoholic beverages for off-site consumption in conjunction to an existing 46,295 square-foot Ralph's grocery store with hours of operation from 6:00 a.m. to 12:00 a.m., daily.

The subject Ralph's grocery store has operated with the sale of alcoholic beverages since 1984 and was previously approved under Case No. ZA-2000-1915-CUB-PA1 to allow the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with the operation of a 46,243 square-foot market. The applicant is requesting a new Conditional Use permit as their previous grant has expired.

The subject property is located on the southeast corner of Crenshaw Boulevard and Slauson Avenue on a 136,873 square-foot irregular shaped lot. The property is located within a shopping center that contains several commercial establishments including



restaurants, a fitness gym, a Rite-Aid pharmacy, and various retail stores. The subject property and surrounding uses share a surface-level parking lot with 457 vehicle spaces.

The West Adams-Baldwin Hills-Leimert Community Plan Map designates the property for Community Commercial with corresponding CR, C1.5, C2, C4, R3, R4, RAS3, RAS4, and R5 zones. The project is zoned C2-2D-SP and thus consistent with the existing land use designation. The subject property is also located within a Redevelopment Project Area: Crenshaw/Slauson (ZI-2488), State Enterprise Zone: Los Angeles (ZI-2374), Crenshaw Corridor Specific Plan (ZI-2332), the South Los Angeles Alcohol Sales Specific Plan (ZI-1231), MTA Right-of-Way Project Area (ZI-117), and Transit Priority Area in the City of Los Angeles (ZI-2452).

Properties to the north are zoned C2-2D-SP and R3-1 with land use designations Community Commercial and Medium Residential and developed with one-story commercial uses and one-story residential structures. Properties to the east are zoned C2-2D-SP and R3-1 with land use designations Community Commercial and Medium Residential and developed with one-story commercial uses and one and two-story residential structures. Properties to the south are zoned C2-2D-SP and R2-1 with land use designations Community Commercial and Low Medium I Residential and developed with one and two-story residential structures. Properties to the west are zoned C2-2D-SP with a land use designation of Community Commercial and developed with one-story commercial uses and one and two-story residential structures.

## **STREETS**

Slauson Avenue, adjacent to the property is designated as Modified Avenue II with a right-of-way width of 76 feet and a roadway width of 56 feet and improved with asphalt roadway, concrete curb, and sidewalk.

Crenshaw Boulevard, adjoining the property is designated as Modified Boulevard I with a right-of-way width of 160 feet and roadway width of 130 feet and improved with asphalt roadway, concrete curb, and sidewalk.

## **Previous Cases, Affidavits, Permits, and Orders on the Applicants Property:**

Case No. ZA-2000-1915-CUB-CU-ZV-CLQ: On January 19, 2001, the Zoning Administrator approved a Conditional Use permit to demolish an existing 30,856 square-foot market and 9,920 square feet of adjacent retail to rebuild the Ralph's Grocery store to provide a new 46,243 square-foot market and to redesign the parking area to add 46 parking spaces and a Conditional Use permit to allow the sale and dispensing of a full-line of alcoholic beverages for off-site consumption in conjunction with the operation of a 46,243 square-foot market.

Case No. ZA-2000-1915-CUB-CU-ZV-CLQ-PA1: On August 26, 2005, the Zoning Administrator approved a Plan Approval to allow a determination that compliance has been satisfactory with the conditions established pursuant to Case No. ZA-2000-1915-

CUB for the sale of alcoholic beverages for off-site consumption in conjunction with a grocery market.

**Previous Cases, Affidavits, Permits, and Orders on Surrounding Properties (since 2010):**

N/A

**Public Correspondence**

On October 14, 2020 the Park Mesa Heights Community Council submitted a letter in support to allow the continued sale of alcoholic beverages for off-site consumption.

**Public Hearing**

The public hearing was held telephonically on Monday, October 26, 2020 at 10:00 a.m. in conformance with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19. The hearing was attended by the applicant's representative, Janet Rodriguez.

Ms. Rodriguez made the following statements:

- The applicant is requesting a conditional use for the sale of a full line of alcoholic beverages for off-site consumption at an existing Ralph's grocery market.
- The market hours of operation are from 6 a.m. to 12 a.m., daily.
- There will be on-site instructional tasting in conjunction with the grocery use.
- The Ralph's was first approved for a conditional use in 1985, and has received subsequent approvals in 2001 and a 3<sup>rd</sup> plan approval in 2005. Their recent approval expired.
- Since 1985, Ralph's has provided essential services to the Park Mesa community.
- There has been opposition to the request. Support was received from Council Office and a letter of support from the Park Mesa Heights Community Council was submitted. LAPD's 77<sup>th</sup> Station had no concerns.
- This is a responsible operator. There have been no complaints and no violations.

There were no comments made during the public comment portion of the public hearing. At the conclusion of the public hearing, the Zoning Administrator approved the request but requested revised floor plan be submitted so the Department would have a record of the areas for possible tasting on the site.

**CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES**

In approving the instant grant, the Zoning Administrator has not imposed Conditions

specific to the sale or distribution of alcoholic beverages and instruction on-site tastings, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

### **AUTHORITY FOR PLAN APPROVAL**

Section 12.24-M of the Los Angeles Municipal Code provides in pertinent part:

“M. Development of Uses. (Amended by Ord. No. 173,992, Eff. 7/6/01)

1. Development of Site: On any lot or portion of a lot on which a deemed-approved conditional use is permitted pursuant to the provisions of this section, new buildings or structures may be erected, enlargements may be made to existing buildings, existing uses may be extended on an approved site, as permitted in Subsection L of this Section, provided plans are submitted to an approved by the Zoning Administrator, the Area Planning Commission, or the City Planning Commission, whichever has jurisdiction at that time ...”.

### **BASIS FOR CONDITIONAL USE PERMITS**

A particular type of development is subject to the conditional use plan approval process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24-W of the Los Angeles Municipal Code. In order for sale of a full line of alcoholic beverages for off-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

### **CONDITIONAL USE FINDINGS**

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

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 Conditional Use Permit allows the sale of a full-line of alcoholic beverages for off-site consumption in conjunction to an existing 46,295 square-foot Ralph's grocery store with hours of operation from 6:00 a.m. to 12:00 a.m., daily. The applicant stated instructional tasting will be provided in conjunction with the off-site sales of alcohol with the existing grocery market. Instructional tasting will be regulated by the State Department of Alcoholic Beverage Control.

The subject Ralph's grocery store has operated with the sale of alcoholic beverages since 1984 and was previously approved under Case No. ZA-2000-1915-CUB-PA1 to allow the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with the operation of a 46,243 square-foot market. The applicant is requesting a new Conditional Use permit as their previous grant has expired.

The subject property will continue to provide a beneficial service to the surrounding community as a full-service grocery store that offers fresh produce, organic and fresh meats and seafood, as well as other nutritional goods. The sale of a full-line of alcoholic beverages is ancillary to the primary function of the grocery store which is to offer goods, healthy produce, and other amenities such as a deli and hot foods counter, bakery, and floral department.

The grocery store also meets the goals of the West Adams-Baldwin Hills-Leimert Community Plan as an establishment that serves as a full-service grocery store. The immediate surrounding area consists of low and medium residential housing and commercial retail uses including several fast food restaurants. The continued sale of a full-line of alcoholic beverages will cater to a variety of local residents that prefer to do groceries and have the ability to do one-stop shopping to meet all of their grocery needs. The grant will allow the Ralph's grocery market to continue serving the Park Mesa Heights community.

The approval, with strict adherence to the imposed conditions and under proper management and supervision, will continue to enhance the environment of the surrounding neighborhood and provide a benefit 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.**

The subject property is located on the southeast corner of Crenshaw Boulevard and Slauson Avenue on a 136,873 square-foot irregular shaped lot. The property is located within a shopping center that contains several commercial establishments including restaurants, a fitness gym, a Rite-Aid pharmacy, and various retail stores. The subject property and surrounding uses share a surface-level parking lot with 457 vehicle spaces.

The West Adams-Baldwin Hills-Leimert Community Plan Map designates the property for Community Commercial with corresponding CR, C1.5, C2, C4, R3, R4, RAS3, RAS4, and R5 zones. The project is zoned C2-2D-SP and thus consistent with the existing land use designation. The subject property is also located within a Redevelopment Project Area: Crenshaw/Slauson (ZI-2488), State Enterprise Zone: Los Angeles (ZI-2374), Crenshaw Corridor Specific Plan (ZI-2332), the South Los Angeles Alcohol Sales Specific Plan (ZI-1231), MTA Right-of-Way Project Area (ZI-117), and Transit Priority Area in the City of Los Angeles (ZI-2452).

Properties to the north are zoned C2-2D-SP and R3-1 with land use designations Community Commercial and Medium Residential and developed with one-story commercial uses and one-story residential structures. Properties to the east are zoned C2-2D-SP and R3-1 with land use designations Community Commercial and Medium Residential and developed with one-story commercial uses and one and two-story residential structures. Properties to the south are zoned C2-2D-SP and R2-1 with land use designations Community Commercial and Low Medium Residential and developed with one and two-story residential structures. Properties to the west are zoned C2-2D-SP with a land use designation of Community Commercial and developed with one-story commercial uses and one and two-story residential structures.

The subject property is zoned and developed in a manner consistent with both the City's desired land use designation for the site and the surrounding area. The existing grocery market with the continued sale and dispensing of a full line of alcoholic beverages for off-site consumption is compatible with the function of Crenshaw Boulevard and Slauson Avenue as a commercial street and a desirable use for the location.

No new construction for the subject property is proposed and there are no changes in any existing physical conditions or significant features, including parking. Thus, the project will not have any additional adverse impacts over the existing use and will be compatible with adjacent properties and the surrounding community. Instruction on-site tasting will be regulated by the State Department of Alcoholic Beverage Control. However, this conditional use includes several conditions to ensure the existing grocery market will continue to operate without degrading adjacent uses. Conditions address the potential for nuisances, security and surveillance, mode and character, and responsible operation. As conditioned herein, the continued operation of the facility will not adversely affect or degrade the neighborhood or public health, welfare, and 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 elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The

majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code (LAMC). Except for the entitlement described herein, the project does not propose to deviate from any of the requirements of the LAMC.

The Land Use element of the City's General Plan divides the City into 35 Community Plans. The subject site is located within the Wilshire Community Plan with a land use designation of Neighborhood Office Commercial. The grocery market use and the sale and dispensing of a full line of alcoholic beverages for off-site consumption are consistent with this zone and land use designation.

The subject property is located in the C2-2D-SP zone with a land use designation of Community Commercial within the West Adams-Baldwin Hills-Leimert Community Plan. The West Adams-Baldwin Hills-Leimert Community Plan Community Plan text is silent in regard to alcohol sales. In such cases, the Zoning Administrator must interpret the intent of the Plan. The Wilshire Community Plan serves to address a number of issues and opportunities present in the area and recognizes the importance of retaining a viable and vibrant commercial sector. The grocery market use is consistent with this zone and land use designation. Additionally, the project is consistent with the following objectives and policies of the Community Plan:

**Policy LU16-1** *Protect Commercial Land. Protect commercially planned and zoned land from excessive encroachment by low-intensity residential only development.*

**Policy LU 18-1** *Attract Full-Service Grocery Stores. Incentivize the attraction of larger full-service grocery stores as well as the provision of fresh produce and other healthy foods in local markets.*

**Policy LU 21-7** *Prioritize Full-Service Grocery Store Sites. Promote efforts to prioritize adequately sized vacant and blighted parcels as appropriate sites for the development of full-service grocery stores along commercial and mixed-use boulevards, community and regional centers.*

The subject grant will allow the existing grocery store with the sale of a full line of alcoholic beverages for off-site consumption to continue providing the surrounding community with a viable goods shopping experience. The subject Ralph's grocery store is located within a community with many medium residential structures that benefit from a full-service grocery store due to an abundance in fast food restaurants in the surrounding area. Thus, the project furthers the function and identity of Slauson Avenue and Crenshaw Boulevard and contributes to the preservation of the area as there are no sustainable changes to the project. The project maintains an existing and desirable commercial service within an existing area designated for such uses. The project maintains an existing and desirable commercial pattern of zoning and land use that is consistent and compatible with



other properties and uses in the surrounding neighborhood. Thus, the project substantially conforms with the purpose, intent, and provisions of the General Plan and Community Plan.

4. **The proposed use will not adversely affect the welfare of the pertinent community.**

The Conditional Use permit to allow the sale and dispensing of a full-line of alcoholic beverages for off-site consumption will not adversely affect the welfare of the community. The subject property is zoned C2-2D-SP, which allows for commercial uses. The subject site along Crenshaw Boulevard and Slauson Avenue enhances the character of the area and provides a beneficial shopping option that is walking distance for the surrounding neighborhood and visitors in the area. The existing grocery store will continue to positively impact the financial health of the property and improve the economic vitality of the area via increased tax revenue.

Conditional authorization for the sale of a full line of alcoholic beverages for off-site consumption is allowed through the approval of the Zoning Administrator, subject to certain findings. Given the scope of the conditions and limitations established herein, the surrounding land uses will not be significantly impacted by any of the proposed conditional uses. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering. Employees will undergo training on the sale of alcoholic beverages, including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retainers (STAR) Program. Additionally, other conditions related to excessive noise, noise prevention, and litter will safeguard the residential community. Therefore, with the imposition of such conditions, the sale and dispensing of a full line of alcoholic beverages for off-site consumption at this location will not adversely affect the welfare of the pertinent community.

5. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, 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 these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California Department of Alcoholic Beverage Control (ABC) licensing criteria, there are four (4) establishments with licenses for off-site consumption of a full-line of alcoholic beverages and one (1) establishment for on-site consumption of beer and wine allocated in the subject census tract (Census Tract 2347.00).

Within 1,000 feet from the subject site there is no other alcohol-selling establishments with an alcohol license from the California Department of Alcoholic Beverage Control (ABC).

According to statistics provided by the Los Angeles Police Department's Central Los Angeles Division Unit, within the Crime Reporting District. 1232, which has jurisdiction over the subject property, a total of 249 crimes and arrests were reported in 2019, including 204 for Part I Crimes and 45 Part for II Arrests, compared to the Citywide average of 170 crimes and arrests, and compared to the High Crimes average of 204 crimes for the same reporting period.

Alcohol-related Part II crimes reported by LAPD include, Narcotic Drug Laws (2), Liquor Laws (0), Public Drunkenness (0), Disturbing the Peace (1), Disorderly Conduct (1), and Driving Under the Influence (3).

The subject property is 46,295 square feet and functions as a full-service grocery store throughout all hours of operation, therefore the approval of the subject Conditional Use Permit will not provoke a higher crime rate in the area. In this case, the project will both provide a unique service to workers, visitors, and residents. The project will also continue to enhance the physical environment and, as conditioned, will not negatively impact the area. As a grocery market operation and surrounding establishments with alcohol licenses in the immediate and surrounding community, the project alone is unlikely to have a significant impact on local crime. The Zoning Administrator has also incorporated numerous operational conditions to the grant that address noise, safety, and security to ensure the proposed use is conducted with due regard for surrounding properties and to reduce any potential crime issues or nuisance activity. Therefore, the granting of the request herein will not result in undue concentration.

6. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The project site is zoned for commercial uses and will continue to be utilized as a grocery market use. The following sensitive uses are located within a 1,000-foot radius of the site:

**Sensitive Uses**

Saint Marks Baptist Church, 5969 South Crenshaw Boulevard  
Highway Ministry, 3430 West Slauson Avenue  
View Park Preparatory Charter School, 5701 South Crenshaw Boulevard  
Flores Family Daycare, 5834 8<sup>th</sup> Avenue  
Divine Word Missionaries, 6028 South Victoria Avenue

**Alcohol Uses**

Rite Aid, 3230 West Slauson Avenue  
Ralph's Supermarket, 3300 West Slauson Avenue  
G&W Liquor, 3504 West Slauson Avenue  
8<sup>th</sup> Liquor Mart Beer, Wine, & Spirits, 6007 8<sup>th</sup> Street

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The grant has been well conditioned, which would protect the health, safety, and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The project is consistent with the zoning and in keeping with the existing uses adjacent to the development. This project will contribute to the neighborhood and will serve the neighboring residents and the local employees as well as visitors. Therefore, as conditioned, the project will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

**ADDITIONAL MANDATORY FINDINGS**

7. The National Flood Insurance Program rate maps, which are part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in a 500-year Flood Zone.

Inquiries requiring this matter shall be directed to Stephanie Escobar, Planning Staff for the Department of City Planning at (213) 978-1492.



HENRY CHU  
Associate Zoning Administrator  
HC:SE:bk

cc: Councilmember Marqueece Harris-Dawson  
Eighth District  
Adjoining Property Owners