

OFFICE OF ZONING ADMINISTRATION  
200 N. SPRING STREET, ROOM 763  
LOS ANGELES, CA 90012-4801  
(213) 978-1318

ESTINEH MAILIAN  
CHIEF ZONING ADMINISTRATOR

**ASSOCIATE ZONING ADMINISTRATORS**

JACK CHIANG  
HENRY CHU  
JONATHAN A. HERSHEY, AICP  
THEODORE L. IRVING, AICP  
CHARLES J. RAUSCH JR.  
CHRISTINA TOY LEE

**CITY OF LOS ANGELES  
CALIFORNIA**



ERIC GARCETTI  
MAYOR

**LOS ANGELES DEPARTMENT  
OF CITY PLANNING  
EXECUTIVE OFFICES**

VINCENT P. BERTONI, AICP  
DIRECTOR

SHANA M.M. BONSTIN  
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

[planning.lacity.org](http://planning.lacity.org)

October 5, 2021

Juresha Alemayehu (A)  
Dawit Alemayehu  
DJA Twenty Investments Inc  
9601 West Venice Boulevard  
Los Angeles, CA 90232

Victor Bardack (O)  
BGI Properties  
9401 Wilshire Boulevard, Unit 777  
Beverly Hills, CA 90212

CASE NO. ZA-2021-1974-CUB  
CONDITIONAL USE - ALCOHOL  
9601 and 9603 West Venice Boulevard  
Palms-Mar Vista-Del Rey Community Plan  
Zone: MU(EC)  
C.D: 5  
D.M.: 0120B165  
CEQA: ENV-2021-1975-CE  
Legal Description: Lots 23-25, Block 9,  
Tract 2444

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 (Existing Facilities) and Section 15305, Class 5 (Minor Alterations in Land Use Limitations), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

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

a conditional use to permit the sale and dispensing of beer and wine for off-site consumption, in conjunction with an existing market in the MU(EC) 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 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. Within 30 days of the effective date 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 Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for inclusion in the case file.
7. **Authorization.** Authorized herein is the sale of beer and wine only for off-site consumption, in conjunction with an existing 880 square foot market. The grant shall be subject to the following limitations:
  - a. The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m., daily.
8. After hour use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the city.
9. **Complaint Log.** Prior to the utilization of this grant, 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. Cash cashier

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.

10. **STAR/LEAD 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), Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter to the Department of City Planning identifying which employees completed the training. STAR or LEAD training shall be conducted for all new hires within three months of their employment and all employees every 24 months thereafter.
11. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
12. Upon receipt of any violations issued by any City department or other public jurisdictions relating to such operation's alcohol service, the applicant shall submit a copy of the violation, within five business days, to the Development Services Center, Department of City Planning, for inclusion in the administrative case file.
13. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.01, 115.02, 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 be 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.
14. A camera surveillance system shall be installed, in consultation with the Los Angeles Police Department, 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 30 days and are intended for use by the Los Angeles Police Department. All data shall be made available to law enforcement agencies upon request.
15. The applicant/business operator/manager shall regularly monitor the Cardiff Avenue side of the building and the rear of the building to proactively ensure that no loitering, public drinking, or other nuisance activities are occurring there.
16. Adequate lighting shall be installed in all areas within the business in conformance with the LAMC. The lighting shall be such that it renders all objects and persons clearly visible.

17. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
18. The exterior windows and glass doors of the restaurant shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height so as to permit surveillance into the restaurant by Police and private security.
19. Only the front door or entryway shall be used for patron access. All other doors shall be equipped on the inside with an automatic locking device and shall be kept closed at all times other than to permit temporary access for delivery of supplies and trash removal. These doors shall not consist solely of a screen or ventilated security door, but shall be solid.
20. The applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
21. 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, including on the rear of the building.
22. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
23. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
24. The applicant(s) 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.
25. The applicant/business operator/manager 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 for adjoining residents, property owners, and businesses.
26. Conditions of this grant shall be retained at all times on the premises and shall be made immediately available upon request by the LAPD, ABC, Building and Safety, or City Planning. The manager and all employees shall be knowledgeable of the conditions herein.



27. The applicant/business operator/manager of the premise permitted by this action shall maintain on the premise, and present upon request to any law enforcement officer, a copy of the business permit and insurance information.
28. 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 that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
29. The applicant/owner/operator and on-site manager(s) shall comply with all applicable laws and conditions and shall properly manage the facility to discourage illegal, criminal, and/or nuisance activity on the subject premises including any accessory parking areas which have been made available or are commonly used for patron parking.
30. The applicant/business operator/manager shall be responsible for mitigating the potential negative impacts of its operation on surrounding uses.
31. The manager and all employees of the facility shall be knowledgeable of the conditions herein. Additionally, a copy shall be provided to all employees who shall sign an acknowledgment form stating that they have read and understood all the ABC conditions as well as all the conditions of this grant. Said form shall be maintained at the location by the owner and/or manager who shall present it to Police personnel, ABC investigators or any other City agency upon request.
32. The applicant/business operator/manager shall attend periodic (no less than once per year) meetings with the LAPD, the Council Office, and community members to discuss ongoing operations and complaints, and shall make revisions to operational procedures in order to address identified issues. A copy of the meeting agenda, a list of attendees, and minutes of the meeting shall be submitted to the Department of City Planning, Development Services Center, for inclusion in the administrative case file.

#### **ADMINISTRATIVE CONDITIONS**

33. **MVIP - Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C Section 19.01-E,3 - Monitoring of Conditional Use Permits, Inspection, and Field Compliance for Review of Operations, and Section 19.04 - Miscellaneous ZA Sign Offs shall be paid to the City.
  - a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess 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 and 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.
34. Should there be a change in the ownership and/or the operator of the business, the property owner and/or 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 the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Development Services Center, 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 Development Services Center, Department of City Planning, within 30 days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.
35. Should there be a change in the ownership and/or the operator of the business, 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. The application, in association with the appropriate fees, shall be submitted to the Development Services Center, Department of Planning, within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the 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 a public hearing, that may also be conducted for nuisance abatement/revocation purposes.
36. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (upon their own initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall file for a plan approval application together with associated fees, prepare a radius map, and cause notification to be mailed to all

owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

**37. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS**

Applicant shall do all of 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, the environmental review 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 judgments 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 in 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 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 notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

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 the action, void its approval of the entitlement, or take any other 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 said time and carried on diligently to completion, the authorization shall terminate and become void.

### **TRANSFERABILITY**

This 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 **October 20, 2021**, 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

**San Fernando Valley**  
Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Boulevard,  
Room 251  
Van Nuys, CA 91401  
(818) 374-5050

**West Los Angeles**  
West Los Angeles  
Development Services Center  
1828 Sawtelle Boulevard,  
2nd Floor  
Los Angeles, CA 90025  
(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 subsequent contact regarding this determination must be with the staff assigned to this 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 September 9, 2021, 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 approval under the provisions of Section 12.24 have been established by the following facts:

### **BACKGROUND**

The property, consisting of three adjacent lots, is level, rectangular-shaped, corner, approximately 10,627 square-foot (0.243 acres) parcel of land with an 76-foot frontage on the north side of Venice Boulevard and an approximately 115-foot frontage along the west side of Cardiff Avenue. The property has a generally even width and depth of 85 feet and 125 feet, respectively. There is a 10-foot Building Line along Venice Boulevard, established by Ordinance No. 63,572.

The property is located within the Palms-Mar Vista-Del Rey Community Plan, which designates the site for Community Commercial Land Uses. The site is located in the Exposition Corridor Transit Neighborhood Plan Specific Plan (ZI-2490), Transit Priority Area (ZI-2452), a BOE Special Grading Area, and within 1.04 kilometers (0.64 miles) of the Newport-Inglewood Fault Zone.

The property is improved with an existing one-story, L-shaped mini-shopping center/commercial corner development totaling approximately 5,349 square feet of floor area. Tenants include the subject market (Star Mini-Mart), a restaurant, a beauty salon, and a laundromat. Ten (10) existing shared parking spaces are located on the property.

The applicant requests a Conditional Use authorization to allow the sale of beer and wine for off-site consumption in conjunction with an existing 880 square foot market. The store's hours of operations will be limited to 7:00 a.m. to 11:00 p.m., daily.

According to the information submitted by the applicant,

The subject property has been planned and zoned for commercial uses that provide for, support, and serve its surrounding community. As such, the request to allow the convenience store to sell beer and wine for off-site consumption would provide an amenity not available within at least 1000-ft. of the subject property. Thus, approval of the request would provide a convenient, safe location for the community to pick-up quick various sundries on their way home and/or within walking distance from home.

Moreover, with the approval of this request, the business would be providing a service that is unique to the community, thus driving additional customers to the general area and subsequently increasing taxable revenue from all local businesses, inclusive of the additional taxable revenue to be generated with the additional hours of operations from the subject use.

Moreover, the subject property recently underwent major renovations to upgrading the site with ample parking and clean, clear storefronts; creating an inviting shopping center.

Furthermore, the Applicant has chosen to volunteer a self-imposed condition to provide additional security cameras and have a plan for the location and placement



of the cameras, be reviewed by the Los Angeles Police Department, if approved, to ensure the surrounding neighborhood and community's health, safety and welfare.

Additional information from the applicant indicates that no "fortified" wines (greater than 16% alcohol) will be sold.

The applicant has submitted 26 signatures from patrons in support of the request.

According to the submitted plans, the beer and wine would be sold from a cooler located toward the rear of the market, adjacent to the register area.

### **Surrounding properties**

The property to the northwest, across from the alley, is zoned R3-1 and developed with multi-family residential uses. The property to the northeast, across Cardiff Avenue, is zoned MU(EC) and developed with office, retail uses and a restaurant. Properties to the southeast, across Venice Boulevard, are zoned OS-1XL and MU(EC) and are developed with open space, office, retail uses and a restaurant. The property to the west is zoned MU(EC) and developed with office and retail uses.

### **Streets**

Venice Boulevard, adjoining the property to the south is designated Boulevard II, with a designated right-of-way width of 110 feet and roadway width of 80 feet, and is currently dedicated to approximately 160-foot right-of-way, with a median that is zoned OS-1XL, and varying adjacent roadway width of 45 to 55 feet, and improved with curb, gutter and sidewalk.

Cardiff Avenue, adjoining the property to the east is designated Local Street-Standard, with a designated right-of-way width of 60 feet and roadway width of 36 feet, and is currently dedicated to approximately 60-foot-right-of-way and roadway width of 30 feet, and improved with curb, gutter and sidewalk.

Alley, adjoining the rear of the property to the northwest, has a substandard 10-foot dedication and is improved with asphalt paving.

### **Previous Cases, Affidavits, and Orders**

City Planning staff, utilizing the Department's Zoning Information and Map Access System (ZIMAS) and the Planning Case Tracking System (PCTS), reviewed current and prior actions associated with the subject property and those within a 500-foot radius of the subject property and found the following:

#### **Subject Property:**

Case No. ZA-2014-1446-CUB – On August 24, 2014, the Zoning Administrator approved a Conditional Use Permit to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with the operation of an existing 1,650 square-foot restaurant having 32 seats interior and 36 seats exterior, for a limited

term of 5 years, on property located within the C2-1 zone, at 9609 West Venice Boulevard.

**Surrounding Properties:**

Case No. ZA-2018-0295-CUB – On June 30, 2018, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the 49-seat outdoor patio area of a new market (located within the City of Culver City), on property located within the C2-1 Zone, at 9355 Culver Boulevard.

Case No. ZA-2016-0169-CUB-ZV – On May 17, 2016, the Zoning Administrator approved a Conditional Use Permit to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption and to allow the sale of beer and wine only for on-site consumption in conjunction with a retail bottle shop and tasting bar; and a Zone Variance to allow three on-site spaces in lieu of the required eight parking spaces; all on property located within the C2-1 zone, at 9620 West Venice Boulevard.

**Correspondence**

Robert Green – In an email dated September 14, 2021, Mr. Green states his opposition to the request. He states that he's been working on the property 6 days a week for the past 3 years, and observes that this area is an attractive nuisance for the neighborhood; he regularly deals with individuals passed out drunk, loitering, engaging in narcotics use, public urination, and littering. He feels that the sale of alcoholic beverages at this location will exacerbate the problems already being experienced here. There are other liquor stores nearby and another one is not needed. He has attached photographs to illustrate his comments.

**PUBLIC HEARING**

A Notice of Public Hearing was sent to abutting property owners and/or occupants residing near the subject site for which an application was filed with the Department of City Planning. All interested persons were invited to attend the public hearing where they could listen, ask questions or present testimony regarding the project. Interested parties were also invited to submit written comments regarding the request prior to the public hearing. A public hearing was held before the Zoning Administrator on September 9, 2021 at 1:00 p.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the hearing was conducted entirely telephonically. 5 individuals participated in the meeting. The purpose of the hearing was to obtain public testimony from affected and/or interested persons regarding the application.

Ariel Gutierrez, representative for the applicant, summarized the project and request as follows:

- This is a request for a Conditional Use for off-sale beer and wine in conjunction with an existing market, having hours of operation from 7 a.m. to 11 p.m. daily.
- The community has been requesting this service.

- Beer and wine sales would be ancillary to the existing market.
- The applicant wants to expand their product offerings with additional food, and prepared food items.
- There are four existing type 21 licenses within the Census Tract.
- We have reached out to LAPD, but have not received any comment yet.
- The City Council District Office has not expressed any concerns.
- We have reached out to the local Neighborhood Council; they have not expressed any concerns.

Following this, the general public was invited to provide testimony concerning the request:

Robert Green

- I own the apartment building under construction on Cardiff Avenue.
- This corner and alley is a problem.
- I oppose this project.

Debbie Dyner Harris, Deputy, Council District 5

- We are supportive of businesses, but there is a problem in this area.
- Would like conditions on how beer and wine is sold: Limit on the types of sales, hours, no advertising, no single-sales, no on-site consumption, so sales to intoxicated persons, installation of security lighting.
- Generally support the request.

Juresha Alemayehu, applicant

- I am from this community.
- Over the last two years, customers have been asking for this service.
- We have security, video, and lighting.
- We provide local goods that the community needs.
- We've seen increases in homelessness within the community.
- I want to expand food services in the market.
- Alcohol sales are anticipated to represent less than 50% of overall sales.
- 5% or less of available shelf space will be for alcohol.

Charles Bohner

- I live less than a block away.
- The property has a problem with loitering.
- Beer and wine sales will make problems worse.
- Homelessness is increasing in the area.

At the conclusion of general testimony, the applicant's representative was given an opportunity to respond to comments heard.



Ariel Gutierrez

- We sympathize with the stated concerns of the neighbors.
- The City can condition use to address these issues.
- There are other venue which offer alcohol without problems.
- We can provide more cameras.
- We can post signs prohibiting off-site consumption of alcohol.
- We will work with LAPD.
- We can meet with affected neighbors to address problems.
- We can provide a hotline to respond to problems.

At the close of the public hearing, the Zoning Administrator declined to announce whether the request would be approved or not, stating that he would need time to think about how best to serve the needs of the community.

**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, 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.

The following conditions are submitted for consideration:

- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant
- No signs are permitted on the outside of the building or directed from the inside to the outside which display or advertise the availability of alcoholic beverages.
- No "fortified" wine (alcohol content greater than 16%) shall be sold.
- The single unit sales of malt liquors and/or malt-based products shall be prohibited.
- The single unit sales of beer in pre-packaged units of less than four, or wine in containers smaller than 750 ml, shall be prohibited.
- Alcohol sales to intoxicated individuals shall not be permitted.
- No sale of alcohol shall be permitted at any self-service, automated check-out station (checkout conducted primarily by the customer, with assistance by a store monitor) if such are available on the site. All sales of alcohol shall be conducted at a full-

service checkout station directly attended by a cashier/checkout clerk specifically assigned solely to that station.

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

A particular type of development is subject to the conditional use 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 of the Los Angeles Municipal Code. In order for the sale and dispensing of a beer and wine 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.

### **FINDINGS**

Following 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 property, consisting of three adjacent lots, is level, rectangular-shaped, corner, approximately 10,627 square-foot (0.243 acres) parcel of land with an 76-foot frontage on the north side of Venice Boulevard and an approximately 115-foot frontage along the west side of Cardiff Avenue. The property has a generally even width and depth of 85 feet and 125 feet, respectively. There is a 10-foot Building Line along Venice Boulevard, established by Ordinance No. 63,572.

The property is improved with an existing one-story, L-shaped mini-shopping center/commercial corner development totaling approximately 5,349 square feet of floor area. Tenants include the subject market (Star Mini-Mart), a restaurant, a beauty salon, and a laundromat. Ten (10) existing shared parking spaces are located on the property.

The property to the northwest, across from the alley, is developed with multi-family residential uses. The property to the northeast, across Cardiff Avenue, is developed with office, retail uses and a restaurant. Properties to the southeast, across Venice Boulevard, are developed with open space, office, retail uses and a restaurant. The property to the west is developed with office and retail uses.

The applicant requests a Conditional Use authorization to allow the sale of beer and wine for off-site consumption in conjunction with an existing 880 square foot market. The store's hours of operations will be limited to 7:00 a.m. to 11:00 p.m., daily.

According to the information submitted by the applicant,

The subject property has been planned and zoned for commercial uses that provide for, support, and serve its surrounding community. As such, the request to allow the convenience store to sell beer and wine for off-site

consumption would provide an amenity not available within at least 1000-ft. of the subject property. Thus, approval of the request would provide a convenient, safe location for the community to pick-up quick various sundries on their way home and/or within walking distance from home.

Moreover, with the approval of this request, the business would be providing a service that is unique to the community, thus driving additional customers to the general area and subsequently increasing taxable revenue from all local businesses, inclusive of the additional taxable revenue to be generated with the additional hours of operations from the subject use.

Moreover, the subject property recently underwent major renovations to upgrading the site with ample parking and clean, clear storefronts; creating an inviting shopping center.

Furthermore, the Applicant has chosen to volunteer a self-imposed condition to provide additional security cameras and have a plan for the location and placement of the cameras, be reviewed by the Los Angeles Police Department, if approved, to ensure the surrounding neighborhood and community's health, safety and welfare.

Additional information from the applicant indicates that no "fortified" wines (greater than 16% alcohol) will be sold.

The applicant has submitted 26 signatures from patrons in support of the request.

According to the submitted plans, the beer and wine would be sold from a cooler located toward the rear of the market, adjacent to the register area.

City Council District 5 expressed conditional support for the request.

Testimony received at the public hearing expressed concern about introducing beer and wine sales into an environment that is already experiencing loitering, homelessness, and other nuisance activities. Conditions have been imposed as a part of this approval that will minimize nuisance activities associated with the property.

The existing market (Star Mini-Mart) has been in operation since 1991. The market is located directly off of Venice Boulevard, a major commercial corridor, and within a mini-shopping center/commercial corner that includes a restaurant, beauty salon, and laundry mat, making the site a convenient destination for customers. Beer and wine sales will only occupy 5 percent or less of the shelf space within the market and would only represent a lesser fraction of total sales anticipated. There are no other off-site sales of alcohol licenses within 1,000 feet of the property.

A variety of commercial uses, including markets, are an intrinsic part of commercial uses necessary for the conservation, development, and success of a vibrant commercial area. The project will provide a service that is beneficial to the community, city or region. The development in the area caters to a variety of needs

and serves a mixture of residential, office and commercial uses, as well as visitors. The market, offering beer and wine only for off-site consumption, is a contributing part of that mix, and in conjunction with the imposition of several conditions addressing operational issues, will assure that the sale of beer and wine for off-site consumption will not be disruptive to the community. As such, the project will provide a service that is 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.**

The property, consisting of three adjacent lots, is level, rectangular-shaped, corner, approximately 10,627 square-foot (0.243 acres) parcel of land with an 76-foot frontage on the north side of Venice Boulevard and an approximately 115-foot frontage along the west side of Cardiff Avenue. The property has a generally even width and depth of 85 feet and 125 feet, respectively. There is a 10-foot Building Line along Venice Boulevard, established by Ordinance No. 63,572.

The property is improved with an existing one-story, L-shaped mini-shopping center/commercial corner development totaling approximately 5,349 square feet of floor area. Tenants include the subject market (Star Mini-Mart), a restaurant, a beauty salon, and a laundromat. Ten (10) existing shared parking spaces are located on the property.

The property to the northwest, across from the alley, is developed with multi-family residential uses. The property to the northeast, across Cardiff Avenue, is developed with office, retail uses and a restaurant. Properties to the southeast, across Venice Boulevard, are developed with open space, office, retail uses and a restaurant. The property to the west is developed with office and retail uses.

The applicant requests a Conditional Use authorization to allow the sale of beer and wine for off-site consumption in conjunction with an existing 880 square foot market. The store's hours of operations will be limited to 7:00 a.m. to 11:00 p.m., daily.

According to the information submitted by the applicant,

Furthermore, the Applicant has chosen to volunteer a self-imposed condition to provide additional security cameras and have a plan for the location and placement of the cameras, be reviewed by the Los Angeles Police Department, if approved, to ensure the surrounding neighborhood and community's health, safety and welfare.

Additional information from the applicant indicates that no "fortified" wines (greater than 16% alcohol) will be sold.

The applicant has submitted 26 signatures from patrons in support of the request.

According to the submitted plans, the beer and wine would be sold from a cooler located toward the rear of the market, adjacent to the register area.

City Council District 5 expressed conditional support for the request. No comment has been received from the Los Angeles Police Department concerning this location.

Testimony received at the public hearing expressed concern about introducing beer and wine sales into an environment that is already experiencing loitering, homelessness, and other nuisance activities. Conditions have been imposed as a part of this approval that will minimize nuisance activities associated with the property.

Furthermore, the Zoning Administrator has imposed numerous conditions to prevent adverse impacts and integrate the use into the neighborhood. The applicant is required to maintain a log and respond to complaints in a timely fashion; all staff involved in the sale of alcoholic beverages are required to attend specialized training conducted by either the Los Angeles Police Department or the Department of Alcoholic Beverages Control; surveillance cameras with a recording device, is required to be maintained; regular monitoring of Cardiff Avenue and the rear alleyway is required; the interior and exterior of the business is required to be sufficiently illuminated; the adjacent sidewalk and parking areas are required to be maintained free of litter and trash; the applicant is required to participate in regular meetings with the community, police department, and City Council Office to address on-going problems; and the applicant is on notice that should evidence of non-compliance be submitted, or that the conditions have been ineffective in addressing concerns, they can be compelled to file for a Plan Approval, at which time conditions may be amended.

Several conditions have been recommended to the Department of Alcoholic Beverages Control for consideration as part of their license issuing process, which the applicant may also be subject to. Recommended conditions include a prohibition on signage advertising the availability of alcoholic beverages; a prohibition on single-unit sales of beer or smaller containers of wine; and a prohibition on the sale of alcohol to intoxicated persons.

As noted, the area serves a mixture of commercial and residential uses. The proposal to allow the sale of beer and wine for off-site consumption is in keeping with the nature of the development in the area. Conditions have been imposed to ensure that approval of the request remains compatible with the neighborhood and responds to concerns regarding the potential for nuisance activities. Therefore, based on the facts herein and in conjunction with the imposition of operational conditions, 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.



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

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located within the Palms-Mar Vista-Del Rey Community Plan area. The Community Plan Area Map designates the property for General Commercial land uses, with corresponding zones of C1.5, C2, C4, RAS3, and RAS4. The Exposition Corridor Transit Neighborhood Plan redesignates the property for Community Commercial land uses, with a corresponding zone of MU(EC). The property is zoned MU(EC), which corresponds to a mixed-use commercial/residential zoning according to the Exposition Corridor TNP.

The Palms-Mar Vista-Del Rey Community Plan and the Exposition Corridor TNP texts are silent with regards to the sale and dispensing of alcohol for off-site consumption. In such cases, the Zoning Administrator must interpret the intent of the Plans. The project addresses the following goals and policies of the Palms-Mar Vista-Del Rey Community Plan:

Goal 2: A strong and competitive commercial sector which promotes economic vitality, serves the needs of the community through well designed, safe and accessible areas while preserving the historic, commercial, and cultural character of the community.

Objective 2-1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services within existing commercial areas.

Policy 2-1.3: Ensure the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.

Policy 2-1.4: Require that commercial projects be designed and developed to achieve a high level of quality, distinctive character and compatibility with surrounding uses and development.

The sale of alcoholic beverages in conjunction with small markets, such as is the case here, is often a necessary amenity to ensure the business' viability and competitiveness. The project has been well-conditioned to ensure that it remains compatible with the surrounding neighborhood.

There are no guiding statements within the Exposition Corridor TNP to consider.

The market offers a beneficial "one-stop" shopping experience in which nearby residents can purchase sundries, food, beverages, and/or other necessary retail items. Approval of the grant will allow the market to continue to offer a beneficial service to the surrounding and regional community by offering its patrons beer and wine for off-site consumption. The project will uphold the aforementioned goals and policies laid forth by the General Plan, Community Plan, and Specific Plan. Therefore, the requested Plan Approval conforms to the purpose, intent, and provisions of the applicable portions of the General Plan and Community Plan, and Specific Plan.

#### **CONDITIONAL USE BEVERAGE FINDINGS**

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

The applicant requests a Conditional Use authorization to allow the sale of beer and wine for off-site consumption in conjunction with an existing 880 square foot market. The store's hours of operations will be limited to 7:00 a.m. to 11:00 p.m., daily.

The property to the northwest, across from the alley, is developed with multi-family residential uses. The property to the northeast, across Cardiff Avenue, is developed with office, retail uses and a restaurant. Properties to the southeast, across Venice Boulevard, are developed with open space, office, retail uses and a restaurant. The property to the west is developed with office and retail uses.

City Council District 5 expressed conditional support for the request. No comment has been received from the Los Angeles Police Department concerning this location.

Testimony received at the public hearing expressed concern about introducing beer and wine sales into an environment that is already experiencing loitering, homelessness, and other nuisance activities. Conditions have been imposed as a part of this approval that will minimize nuisance activities associated with the property.

In conjunction with the approval of the request to authorize the sale of beer and wine only for off-site consumption, the Zoning Administrator has imposed numerous conditions of approval that the owner/operator/manager is required to comply with. These conditions represent limitations on the type of activity that is allowed to be conducted on the site as well as explicit advisories about the responsibilities of the applicant. Further, conditions have been imposed to delineate steps to be taken if the operation of the restaurant is found to be noncompliant with these conditions. Additional conditions have been recommended for consideration by the Department

of Alcoholic Beverage Control (ABC) in conjunction with their approval process. Conditions are intended to ensure that the operation of the market with beer and wine is well integrated into the community as well as protect community members from potential adverse impacts associated with alcohol sales. Conditions imposed will require responsible operations and will maintain the order and ensure cleanliness of the project and its surroundings. Thus, as conditioned, it can be found that the proposed use, including the sale of beer and wine only for off-site consumption in conjunction with the existing market 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 State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, four on-sale and two off-sale licenses are allocated to Census Tract No. 2701.00. There are currently 11 on-sale and four off-sale licenses in this Census Tract.

The following are alcohol-serving establishments within a 1,000-foot radius of the site:

- CVS Pharmacy (8985 Venice Boulevard)
- Sprouts Farmers Market (8985 Venice Boulevard)
- Stanley's Wet Goods (9620 West Venice Boulevard)
- Vena Market (8905 Venice Boulevard)
- Golden China Restaurant (9018 West Venice Blvd)
- Carbon (9300 Venice Blvd)
- UGO Anitalian Cafe (3865 Cardiff Avenue)
- Grand Casino Bakery and Café (3820 Main Street)
- MS. Chi (3829 Main Street)
- Cali Tandoor Indian Cuisine (9609 Venice Boulevard)

The number of active on-site ABC licenses within the census tract where the subject site is exceeds the ABC guidelines. Concentration can be undue when the addition of a license will negatively impact a neighborhood. 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.

As reported by the Los Angeles Police Department, within Crime Reporting District No. 1409 which has jurisdiction over the subject property, a total of 177 crimes were reported in 2020 (139 Part I crimes and 38 Part II arrests), compared to the citywide average of 141 crimes and the high crime reporting district average of 169 crimes for the same period. Part II alcohol-related arrests include: Narcotics (3), Liquor Laws (0), Public Drunkenness (0), Disturbing the Peace (0), Disorderly Conduct (0), Gambling (0), and DUI related (10). These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

The reported crime in the Reporting District where the existing market is located is above the citywide average and is a high crime area; however, the crime in the area is not directly related to alcohol consumption and overuse. A closer examination of the statistic reveals that crimes associated with Larceny (75), Vehicle Theft (75), Burglary (15), and Robbery (10), are largely responsible for this statistic.

City Council District 5 expressed conditional support for the request. No comment has been received from the Los Angeles Police Department concerning this location.

Testimony received at the public hearing expressed concern about introducing beer and wine sales into an environment that is already experiencing loitering, homelessness, and other nuisance activities. Conditions have been imposed as a part of this approval that will minimize nuisance activities associated with the property.

No evidence has been submitted to the record linking the subject site or use to the crime rates in the area. Nevertheless, to safeguard the welfare of the community, negative impacts commonly associated with the sale of beer and wine for off-site consumption such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions set forth by the Zoning Administrator. The State Department of Alcoholic Beverage Control also has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. Employees will be required to fulfill specialized training relating to the sale of alcohol with additional monitoring conditions imposed.

The market will serve a large constituency that extends beyond the boundaries of the crime reporting district in which it sits. The market is located within an existing mini-shopping center/commercial corner within a controlled and secured environment that serves several commercial retail tenants. Therefore, The Zoning Administrator finds that 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.

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 property to the northwest, across from the alley, is zoned R3-1 and developed with multi-family residential uses. The property to the northeast, across Cardiff Avenue, is zoned MU(EC) and developed with office, retail uses and a restaurant. Properties to the southeast, across Venice Boulevard, are zoned OS-1XL and MU(EC) and are developed with open space, office, retail uses and a restaurant. The property to the west is zoned MU(EC) and developed with office and retail uses.

In addition to the multi-family residential neighborhood to the northwest, the following sensitive uses are located within a 1,000-foot radius of the site:

- Culver Palms Church of Christ (9733 Venice Boulevard)
- Southern California at Culver City Hospital (3828 Delmas Terrace)
- International Society for Krishna Consciousness of Los Angeles Hindu Temple (3764 Watseka Avenue)
- The Museum of Jurassic Technology (9341 Venice Boulevard)
- Butterfly Garden Preschool (3724 Cardiff Avenue)
- Magnolia Science Academy 6 Palms School (3754 Dunn Drive)
- First Lutheran Church (3751 Hughes Avenue)
- Plebotomy Training Specialists Vocational School (9221 Venice Boulevard)

No comments were received from the sensitive uses identified above. Testimony received at the public hearing from local community members who expressed concern about introducing beer and wine sales into an environment that is already experiencing loitering, homelessness, and other nuisance activities.

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The grant has been well-conditioned, which should protect the health, safety, and welfare of the surrounding neighbors. Conditions have been imposed as a part of this approval that will minimize community-voiced nuisance activities associated with the property. Numerous other conditions, several of which have been recommended to ABC, have been incorporated into this grant to minimize the potential for adverse effects on the community. The site is located in a mini-shopping center, along a commercial corridor where the diversity amongst the uses is not uncommon. The project is appropriate given the surrounding context and commercial corridor in which it is located. The proposed project is a locally owned business that is less than 1,000 square feet in size with limited hours of operation from 7:00 a.m. to 11:00 p.m. daily. The project is consistent with the zoning and in keeping with the form and function of the surrounding area. The project will contribute to the neighborhood character and will serve neighboring residents and local employees as well as visitors. Therefore, the Zoning Administrator finds that, as conditioned, the sale of beer and wine for off-site consumption in conjunction with the continued operation of a 880 square-foot market will not detrimentally affect nearby residentially zoned communities in the area of the City involved.



## ADDITIONAL MANDATORY FINDINGS

7. The National Flood Insurance Program rate maps, which are a 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 Zone C, outside of a flood zone area.

Inquiries regarding this matter shall be directed to Daisy Benicia, Planning Staff for the Department of City Planning at [Daisy.benicia@lacity.org](mailto:Daisy.benicia@lacity.org).



JONATHAN A. HERSHEY, AICP  
Associate Zoning Administrator

JAH:MS:cc:db

cc: Councilmember Paul Koretz  
Fifth Council District  
Adjoining Property Owners