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July 8, 2021

Jeffrey Whalen (A)  
EDGE Americas Distributors, LLC  
6404 Wilshire Boulevard, Suite 950  
Los Angeles, CA 91316

One Nine San Pedro LLC (O)  
1412 West 7<sup>th</sup> Street  
San Pedro, CA 90732

CASE NO. ZA-2021-157-CUB  
CONDITIONAL USE BEVERAGE  
257 West 7<sup>th</sup> Street  
San Pedro Community Plan  
Zone: CM-2D-CPIO  
D. M.: 015B201  
C. D.: 15 - Buscaino  
CEQA: ENV-2021-179-CE  
Legal Description: Lot 1, Block None,  
Tract TR 62632-C

Pursuant to CEQA Guidelines Section 15601, I hereby **DETERMINE**:

based on the whole of the administrative record, the Project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15301 (Class 1 - Existing Facilities) and Section 15305 (Class 5 - Minor Alterations in Land Use Limitations), 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 wastes sties, or historical resources applies.

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

a Conditional Use to permit the sale and dispensing of full line of alcoholic beverages in the form of pre-package cocktails for off-site consumption, in conjunction with a 650 square foot retail store in the CM-2M-CPIO-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 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. 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 in the form of prepackage cocktails for off-site consumption, in conjunction with a 650 square-foot retail store from the effective date of this grant. The grant shall be subject to the following limitations:
  - a. The hours of operation shall be limited to 12:00 p.m. to 9:00 p.m., Monday through Saturday, and closed on Sunday.
  - b. There shall be no business operations between the hours of 9:00 pm and 12:00pm daily and closed on Sunday.
8. All Type 21 Licensed premises shall be maintained as a packages store authorizing the sale of beer, wine, and distilled spirits for off the premises where sold. Minors are allowed on the premises. All sales must be during the authorized operating hours.
9. A sign shall be located at the cashier's area indicating the name and phone number of a responsible person to be contacted in the event the operation of the facility is causing concerns or problems to the surrounding neighborhood. The phone number shall connect directly to the responsible person and not to answering machine.

10. Use and development of the property shall be in substantial conformance with the plot plan submitted with the application, except as may be revised as a result of this action.
11. No alcoholic beverages shall be consumed on the licensed property, nor on any property adjacent to the licensed premises under the control of the licensees.
12. No after-hours use of the establishment is permitted. This includes but is not limited to private or promotional events, excluding any activities which are issued filed permits by the City.
13. No one under 21 years of age shall sell or deliver alcoholic beverages.
14. The establishment shall be limited to 21 patrons at any given time, unless otherwise determined by building and safety.
15. The exterior windows and doors of the store shall be maintained substantially free of signs and other materials blocking the view outside, from the ground to at least 6 feet in height above the ground to permit surveillance into the store by Police and private security.
16. The petitioners shall regularly police the area under their control to prevent loitering of persons about the premises and maintaining a clean and litter free environment.
17. The business operator of said premises shall maintain on that premises and present upon request to any law enforcement office, a copy of the Business Permit, insurance information, and a valid emergency contact number used by business.
18. Conditions of this grant shall be posted in the office on the premises always and shall be made immediately available upon request by any Los Angeles Police Officer or Alcohol Control Investigator. The manager and all employees shall be knowledgeable of the conditions herein.
19. Off-street parking shall comply with the applicable provisions of the Los Angeles Municipal Code (LAMC).
20. Vendor(s) delivery of alcoholic beverages shall be permitted only between the hours of 12:00pm and 9:00pm, each day of the week, excluding Sundays.
21. 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.
22. A camera surveillance system shall be installed 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.

23. 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.

24. **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. Customer service desk, front desk or 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.

25. **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 completion of such training, the applicant shall request the Police Department or Department of Alcohol 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.

26. 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 for adjoining residents, property owners, and businesses.

27. 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.

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 approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department, Department of Alcoholic Beverage Control, or the Department of Building and Safety. The on-site Manager and employees shall be knowledgeable of the conditions herein.
- 30. The applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
- 31. 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.
- 32. 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.
- 33. 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.

**ADMINISTRATIVE CONDITIONS**

- 34. **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.
- 35. Should there be a change in the 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 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 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 with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.

36. At the 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 his/her initiative, or upon written request by the LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-E, the purpose of which will be to review the applicant's compliance with and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, Council Office and 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:

- i. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of 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.
- ii. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of 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.
- iii. 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 (ii).

- iv. 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 (ii).
- v. If the City determines it necessary to protect the City's interests, 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, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes 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 - TIME EXTENSION**

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 July 23, 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:

<b>Figueroa Plaza</b> 201 North Figueroa Street 4 <sup>th</sup> Floor Los Angeles, CA 90012 (213) 482-7077	<b>Marvin Braude San Fernando Valley Constituent Service Center</b> 6262 Van Nuys Blvd., Room 251 Van Nuys, CA 91401 (818) 374-5050	<b>West Los Angeles Development Services Center</b> 1828 Sawtelle Blvd., 2 <sup>nd</sup> Floor West Los Angeles, CA 90025 (310) 231-2912
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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 May 20, 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 and prerequisites for granting conditional use permits under the provisions of Section 12.24-W.1 have been established by the following facts:

**BACKGROUND**

The subject site consists of one level, square-shaped lot located to the southeast of the intersection of Centre Street and 7th Street. The site consists of approximately 16,208 square feet or approximately 0.372 acres, having approximately 120 feet of frontage on the north side along 7<sup>th</sup> Street, and a lot depth of approximately 132 feet, wrapped by an alley along the east and south side that is 20 feet and 25 feet in width, respectively. The project site is located in the San Pedro Community Plan, which designates the site for Hybrid Industrial Land Uses. The property is zoned CM-2D-CPIO, which is a corresponding zone. The site is located in the San Pedro Community Plan Implementation Overlay (“CPIO”) within the Central Commercial Subarea “E”. The site is also within the Pacific Corridor Redevelopment Project Area and Harbor Gateway State Enterprise Zone.

Surrounding properties are improved with a mix of residential and commercial uses. The neighboring property to the north across from 7<sup>th</sup> Street is zoned C2-2D-CPIO and developed with a 5-story mixed-use building with 146 live/work and commercial condominiums. The neighboring property to the west is zoned CM-2D-CPIO and improved with a one-story commercial office building. The neighboring property across the alley to the east is zoned CM-2D-CPIO and improved with one- and two-story office buildings. Properties directly south across the alley are zoned C2-2D-CPIO and are improved with one-to two-story multifamily buildings. The ground floor along 7th Street is improved with primarily commercial uses including (offices, restaurants, and a brewery).

7<sup>th</sup> Street, adjoining the property to the north is designated Avenue II, with a designated right-of-way width of 86 feet and roadway width of 56 feet, and is currently dedicated to a 78-foot-right-of-way and roadway width of 55 feet, and improved with curb, gutter and sidewalk.

Alley, adjoining the property, is 20 feet to the east and 25 feet to the south.

The property is currently improved with a three-story, mixed-use building with residential condominiums above grade and commercial space on the ground floor of the building. The building was constructed in 1923 and is listed on SurveyLA as a potentially significant historic resource ("La Salle Lofts" or "Hotel La Salle" or "Mission Hotel").

The request herein includes a Conditional Use for Beverage for the sale of a full line of alcohol in the form of pre-package cocktails for off-site consumption in conjunction with a 650 square foot retail store on the ground floor of the building. The store's hours of operations will be limited to 12:00 p.m. to 9:00 p.m., Monday through Saturday, and will be closed on Sundays. The project proposes to maintain zero (0) parking spaces for the non-residential square footage on the subject site as authorized pursuant to Case No. ZA-2005-1375-ZV-YV.

Previous zoning related actions on the site / in the area include:

Subject Property:

Building Permit No. 20016-10000-33501: On January 14, 2021, an application was filed for a Building Permit for tenant remodel and adding (1) ADA bathroom at the subject site. The permit is pending and not issued at the time of preparing this report.

Case No. ZA-2005-1375-ZV-YV: On August 5, 2005, the Zoning Administrator approved a Zone and Yard Variance case to allow the following: 1. Residential density of Lots 1 and 2 to be constructed on Lot 1 of Tentative Tract Map No. 62632; 2. Permit 18 tandem parking spaces to be located off-site on Lots across an alleyway from the main residential building on Lot 1 of Tentative Tract No. 62632; 3. Permit zero (0) off-street parking spaces in lieu of the required 16 spaces for 4,000 square feet of ground floor retail and retail storage areas; 5. Permit no loading space in the rear alleyway for the proposed three story mixed-use building; 6. Reduction in rear yard setback from 15 feet to 12 feet 6 inches from center of

alley and side yard setbacks of zero (0) foot on the west interior lot line and east lot line; 7. and a Plan Approval for the reduction of open space to allow 2,400 square feet in lieu of the required 2,600 square feet.

**Surrounding Properties:**

Case No. ZA-2018-4161-CUB: On February 13, 2019, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed restaurant in the C2-2D-CPIO-Zone, for a project located at 222 West 6<sup>th</sup> Street.

Case No. ZA-2018-4697-CUB: On February 7, 2019, 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 a restaurant/bakery having live entertainment in the CM-2D-CPIO Zone, for a project located at 335 West 7<sup>th</sup> Street.

Case No. ZA-2017-92-CUB-CUX: On August 22, 2017, the Zoning Administrator approved a Conditional Use to permit the continued sale and dispensing of a full line of alcoholic beverages and a Conditional Use permit to allow the continued patron dancing and live entertainment in conjunction with an existing bar in the CM-2-CDO Zone, for a project located at 302 West 7<sup>th</sup> Street.

Case No. ZA-2017-383-CUB: On June 23, 2017, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for onsite consumption in conjunction with a restaurant in the C2-2-CDO zone, for a project located at 301-303 West 6<sup>th</sup> Street.

Case No. ZA-2015-1809-ZV-CUB: On November 2, 2015, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a beer and wine for on-site consumption and tasting and to permit beer and wine for off-site sales in conjunction with a new micro-brewery and restaurant in the CM-2-CDO Zone, for a project located at 285 West 7<sup>th</sup> Street.

**PUBLIC HEARING**

A Notice of Public Hearing was mailed to property owners and/or occupants residing near the subject site for which an application, as described below, had been filed with the Department of City Planning. All interested parties were invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the Office of Zoning Administration Public Hearing was conducted telephonically on May 20, 2021, at approximately 10:00 a.m. The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. The hearing was conducted by Associate Zoning Administrator Theodore L. Irving, AICP for Case No. ZA-2021-157-CUB and CEQA No. ENV-2021-179-CE. The following testimony was provided at the hearing:

**CORRESPONDENCE**

In its May 18, 2021 letter, the LAPD stated it is unopposed to the issuance of the license but recommends a set of 28 operating conditions be imposed.

In its May 20, 2021 email, the Council District Office expressed complete support for the project.

**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.

They may include those identified during hearing testimony, received as part of correspondence via stakeholder groups, city agency, other responsible agency, Council District, Mayor's office, etc.)

- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant
- The alcoholic beverage license shall not be exchanged for a public premises type license nor operated as public premises
- No signs are permitted on the outside of the building or directed from the inside to outside which
- 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 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-W of the Los Angeles Municipal Code. In order for the sale of a full line of alcoholic beverages for on-site consumption, certain designated findings have to be made. In these cases, there are additional findings supplemental to 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 is currently developed with a three-story mixed-use building with residential condominiums and commercial space on the ground floor of the building. The building was constructed in 1923 and is listed on SurveyLA as a potentially significant historic resource (“La Salle Lofts” or “Hotel La Salle” or “Mission Hotel”). The request herein includes a Conditional Use for Beverage for the sale of a full line of alcohol for off-site consumption in conjunction with a 650 square foot store. The project will maintain zero parking spaces for non-residential square feet on the subject site per Case No. ZA-2005-1375-ZV-YV.

The subject site consists of one level, square-shaped lot located to the southeast of the intersection of Centre Street and 7th Street. The site consists of approximately 16,208 square feet or approximately 0.372 acres, having approximately 120 feet of frontage on the north side along 7th Street, and a lot depth of approximately 132 feet, wrapped by an alley along the east and south side that is 20 feet and 25 feet in width, respectively. The project site is located in the San Pedro Community Plan, which designates the site for Hybrid Industrial Land Uses. The property is zoned CM-2D-CPIO, which is a corresponding zone. The site is located in the San Pedro Community Plan Implementation Overlay (“CPIO”) within the Central Commercial Subarea “E”. The site is also within the Pacific Corridor Redevelopment Project Area and Harbor Gateway State Enterprise Zone.

Surrounding properties are improved with a mix of residential and commercial uses. The neighboring property to the north across from 7th Street is zoned C2-2D-CPIO and developed with a 5-story mixed-use building with 146 live/work and commercial condominiums. The neighboring property to the west is zoned CM-2D-CPIO and improved with a one-story commercial office building. The neighboring property across the alley to the east is zoned CM-2D-CPIO and improved with one-

and two-story office buildings. Properties directly south across the alley are zoned C2-2D-CPIO and are improved with one-to two-story multifamily buildings.

The request herein includes a Conditional Use Permit for the sale for full line of alcohol for off-site consumption and hours of operation from 12:00 p.m. to 9:00 p.m. daily in conjunction with an 800 square foot store. The applicant's store will specialize in pre-mixed alcohol drinks to go. The retail store will offer a limited line of pre-mixed boxed cocktails which are unique products. No seating, entertainment, or other features which would characterize the premises as other than a store have been proposed.

As noted, the area serves a mixture of commercial and residential uses. The proposal for the retail store to sell full line of alcohol for off-site consumption is in keeping with the nature of the development in the area. The retail storefront was formerly a boutique apparel store but has been vacant for the past year. The request will allow the applicant to establish the business in what otherwise is a vacant retail storefront. The project will establish an active business that will help increase foot traffic along 7<sup>th</sup> Street. It will also help provide a convenient shopping experience for local residents and help establish the corridor of business along 7<sup>th</sup> street as the Little Italy. The approved grant is in keeping with the nature of the development in the area, which caters to a variety of needs. As such, the use will serve a public convenience and welfare and as sited and conditioned, the location will remain compatible with the character of the surrounding uses. In addition, the proposed use in conjunction with the imposition of a number of conditions addressing operational and alcohol-related issues will safeguard public welfare and enhance public convenience.

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 site consists of one level, square-shaped lot located to the southeast of the intersection of Centre Street and 7th Street. The site consists of approximately 16,208 square feet or approximately 0.372 acres, having approximately 120 feet of frontage on the north side along 7th Street, and a lot depth of approximately 132 feet, wrapped by an alley along the east and south side that is 20 feet and 25 feet in width, respectively. The property is currently developed with a three-story mixed use condominium and commercial space on the ground floor building. The project site is located in the San Pedro Community Plan, which designates the site for Hybrid Industrial Land Uses. The property is zoned CM-2D-CPIO, which is a corresponding zone. The site is located in the San Pedro Community Plan Implementation Overlay ("CPIO") within the Central Commercial Subarea "E". The site is also within the Pacific Corridor Redevelopment Project Area and Harbor Gateway State Enterprise Zone.

Surrounding properties are improved with a mix of residential and commercial uses. The neighboring property to the north across from 7th Street is zoned C2-

2D-CPIO and developed with a 5-story mixed-use building with 146 live/work and commercial condominiums. The neighboring property to the west is zoned CM-2D-CPIO and improved with a one-story commercial office building. The neighboring property across the alley to the east is zoned CM-2D-CPIO and improved with one- and two-story office buildings. Properties directly south across the alley are zoned C2-2D-CPIO and are improved with one-to two-story multifamily buildings. The ground floor along 7<sup>th</sup> Street is improved with primarily commercial uses including offices, restaurants, and a brewery.

The request herein includes a Conditional Use Permit for the sale for full line of alcohol for off-site consumption and hours of operation from 12:00 p.m. to 9:00 p.m. daily in conjunction with a 650 square foot store. The project proposes a retail store in an existing vacant tenant space at the ground floor a 3-story building constructed in 1923 and identified on SurveyLA as a potentially significant historic resource (“La Salle Lofts” or “Hotel La Salle” or “Mission Hotel”). However, the Office of Historic Resources has determined no historic review is required. The SurveyLA flag notes the building has been too altered to convey significance, and therefore does not retain sufficient integrity for listing as historic resource. The project does not propose any physical exterior alterations; interior alterations will be limited to addition of ADA restroom, shelving and counters. Therefore, the project will not adversely affect the historic character of the existing building.

As noted, the area serves a mixture of commercial and residential uses. The proposal to sell full line of alcohol for off-site consumption is in keeping with the nature of the development in the area. Conditions including noise control, security measures and good management have been imposed that will continue to safeguard the community and insure an operation consistent with adjacent properties and the surrounding neighborhood ensuring no degradation of the public health, welfare and safety.

The application for the proposed project submitted to the Los Angeles Police Department; they expressed no opposition to the project. Therefore, as conditioned, it is not anticipated that the request will 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 project site is located in the San Pedro Community Plan, which designates the site for Hybrid Industrial Land Uses. The property is zoned CM-2D-CPIO, which is a corresponding zone. The site is located in the San Pedro Community Plan Implementation Overlay (“CPIO”) within the Central Commercial Subarea “E”. The site is also within the Pacific Corridor Redevelopment Project Area and Harbor Gateway State Enterprise Zone.

The Framework Element of the General Plan includes a number of Goals related to facilitating the request, including:

- Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more livable city.
- Goal 7A: A vibrant economically revitalized City.
- Goal 7C: A City with thriving and expanding businesses.

The San Pedro Community Plan also includes a number of Goals, Objectives, and Policies related to the request, including:

- Goal LU9: A revitalized Downtown Community Center that serves as the heart of San Pedro and is attractive to residents and visitors.
- Policy LU11.1: Commerce and jobs. Develop regional shopping and office projects in the Regional and Community Centers that provide shopping and jobs for both San Pedro residents and those of nearby communities.
- Policy LU11.4: Expand visitor-serving opportunities. Encourage a variety of shopping dining, entertaining, lodging and visitor-oriented activities to increase tourism and enhance economic activity in San Pedro.
- Goal LU11: A distinct, mixed-use, transit and pedestrian-oriented Regional Center that serves as a civic, cultural and entertainment destination for City, and provides a vibrant mix of retail, employment, entertainment, and residential uses that are a complement to, and extension of waterfront attractions.
- Goal LU15: Land use compatibility between industrial, residential and commercial uses, improving the aesthetic quality and design of industrial areas.

The subject site is also located within the San Pedro Community Plan Implementation Overlay ("CPIO") Central Commercial Subarea "E", which contains additional regulations for use, height, density, floor area, building disposition, building design, and parking. The project is subject to administrative review for compliance with the CPIO. Therefore, as conditioned and required by LAMC



Section 13.14 G.2 and CPIO, the project will be subject to an administrative review and clearance process for CPIO compliance prior to the issuance of building permits.

The project site is located within the Pacific Corridor Redevelopment Project Area; accordingly, the project has been reviewed for consistency and compliance with the Pacific Corridor Redevelopment Plan. The project is consistent with the goals of the Redevelopment Plan which seeks to retain and expand businesses, to develop a variety of consumer retail, shopping and entertainment opportunities, and to preserve the unique cultural, social, and physical features of the community.

The subject property is planned and zoned for commercial manufacturing uses. The request aligns with the goals and objectives of the general plan and community plan. The conditional use authorization for the sale of alcoholic beverages for off-site is allowed through the approval of the Zoning Administrator subject to certain findings. The required findings in support have been made herein.

**CONDITIONAL USE BEVERAGE FINDINGS**

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

The grant authorized herein incorporates a number of conditions which have been imposed upon the use. No live entertainment or on-site consumption of alcohol is proposed or permitted. The conditions will make the use compatible with other uses in the surrounding community.

The grant includes a set of operational conditions to ensure the safety of the community and patrons. A condition allowing the City to cite the establishment when the mode and character is changed or if evidence collected shows that the establishment is causing nuisances to the immediate community. The Zoning Administrator has the authority to require the applicant to file a plan approval with a hearing to examine the effectiveness of the conditions of approval and modify these conditions. The requested entitlement is carefully conditioned to reflect the mode of operation stated in the application for a retail store, which is compatible with the welfare of the community. Therefore, as conditioned herein, the proposed use 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 (4) on-sale and two (2) off-sale licenses are allocated to Census Tract No. 2971.10. There are currently three (3) on-sale and six (6) off-sale licenses in this Census Tract. The subject location within an area where the threshold of allocated licenses has been reached.

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

- San Pedro Brewing Co (331 West 6<sup>th</sup> Street)
- Crimson (345 West 6<sup>th</sup> Street)
- Godmothers (302 West 7<sup>th</sup> Street)
- 7 Days Food Store (304 West 7<sup>th</sup> Street)
- Compagnon Wine Bistro (335 West 7<sup>th</sup> Street)
- The Whale and Ale (327 West 7<sup>th</sup> Street)
- Port Town Brewing Co (285 West 7<sup>th</sup> Street)
- Green Onion Mexican Restaurant (145 West 6<sup>th</sup> Street)
- A1 Imported Groceries & Deli (348 West 8<sup>th</sup> Street)
- Marabello Vineyard Co (344 West 8<sup>th</sup> Street)
- Blu Restaurant & Lounge (601 Palos Verdes Street)
- Goodfellas (601 Palos Verdes Street)
- Baramée Thai Restaurant (354 West 6<sup>th</sup> Street)
- Niko's Pizzeria (399 West 6<sup>th</sup> Street)

Undue concentration can occur 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 a license benefits the public welfare and convenience. With the approval of the request herein, the number of active licenses for off-site sales within the census tract will be modestly above the number allocated by ABC guidelines.

As reported by the Los Angeles Police Department, within Crime Reporting District No. 566, which has jurisdiction over the subject property, a total of 399 crimes were reported in 2020 (142 Part I and 257 Part II crimes), 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 crimes reported include: Other Assault (1), Forgery/Counterfeit (1), Embezzlement/Fraud (1), Stolen Property (2), Weapons Violation (13), Prostitution Related (0), Sex Offenses (0), Offenses Against Family (2), Narcotics (116), Liquor Laws (8), Public Drunkenness (5), Disturbing the Peace (0), Disorderly Conduct (16), Gambling (0), DUI related (5), Moving Traffic Violations (0), Miscellaneous Other Violations (44), and other offenses (32). 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 crime rate in the census tract where the existing retail store 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. The alcohol retail store will also serve a large constituency that extends beyond the boundaries of the crime reporting district in which it sits. The alcohol retail store is located within an existing mixed use building within a controlled and secured environment that serves several commercial retail tenants. The subject property has not been the subject of any criminal or nuisance activity and no site-specific evidence was submitted for the record to suggest that the off-site sale of specialty alcohol drinks in connection with retail store would result in an over-concentration that would contribute to crime or nuisance activity in the area. Moreover, the conditions of approval will ensure that the retail store is operated with due regard for surrounding uses and does not contribute to crime or nuisance activity.

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 manufacturing uses and will continue to be utilized as such, a new retail store.

The following sensitive uses are located within a 1,000-foot radius of the site:

- Marymount California University Waterfront Campus (222 West 6<sup>th</sup> Street)
- The Guidance Center (222 West 6<sup>th</sup> Street)
- Anderson Memorial Senior Citizen Center (828 Mesa Street)

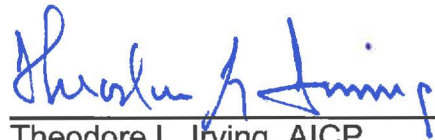
Consideration has been given to the distance of the subject establishments from the above-referenced sensitive uses. No communication in opposition to the request has been received. The site is located in a commercial corridor where the diversity amongst the uses is not uncommon. The project is appropriate given the surrounding context and commercial corridor 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 12:00 p.m. to 9:00 p.m. Monday through Friday, and will be closed on Sundays. This grant has placed numerous conditions on the project and has not authorized uses of the property which might create potential nuisances for the surrounding area. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise, loitering, and security. 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. Such imposition of conditions will make the retail store a more compatible and accountable neighbor to the surrounding uses than would otherwise be the case. Therefore, as conditioned, the project will not detrimentally affect nearby residentially zoned communities, schools, or any other

sensitive uses in the area.

**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 X, areas determined to be of minimal flood hazard.
8. The City of Los Angeles determined based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines Article 19, 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 an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. The project was found to be exempt as provided in the Notice of Exemption for ENV-2021-179-CE.

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



Theodore L. Irving, AICP  
Associate Zoning Administrator

TLI:MS:cc:nm

cc: Council District 15  
Adjoining Property Owners



LA SALLE LOFTS  
257 W 7TH ST.  
SAN PEDRO, CA 90731

**PROJECT DESCRIPTION:**  
C.U.P. FOR OFF SITE ALCOHOL SALES

STREET CL LINE

7TH STREET

7TH STREET

120.18'

120'-2"

58'-9"

17'-10"

43'-7"

26'

33'-8"

TENANT SPACE

ENTRY

TENANT SPACE

TENANT SPACE

SCOPE OF WORK

EXIT ROUTE

EXIT ROUTE

129'-5"

ALLEY

PARKING GARAGES  
(REFER TO SHEET A101 FOR EXISTING PARKING LAYOUT)

PARKING GARAGES  
(REFER TO SHEET A101 FOR EXISTING PARKING LAYOUT)

PARKING GARAGES  
(REFER TO SHEET A101 FOR EXISTING PARKING LAYOUT)

120.18'

179'-10"

26'

33'-8"

116'-5"

PLOT PLAN  
1/16" = 1'-0"

ALLEY

BAR IS 3" LONG WHEN PRINTED AT FULL SCALE

2  
A100

EXISTING FLOOR PLAN

$1/8" = 1'-0"$

BAR IS 3" LONG WHEN PRINTED AT FULL SCALE

257 W 7TH STREET

367 SQFT (M) OCCUPANCY

GRAPHIC DISPLAY

PRODUCT DISPLAY

POINT OF SALE

36" MIN

2'-9"

4'

4'

PATH OF TRAVEL

PROPOSED NEW DIVIDING WALL

RETAIL INVENTORY 169 SQFT (S1) OCCUPANCY

4'

ELECTRICAL PANEL 58 SQFT

PROPOSED 56 SQFT UNISEX ADA RESTROOM

6'-9"

3'-0" X 6'-8" FIRE RATED DR

3'

8'-4"

PROPOSED (1) FIRE RATED WALL. SEE A100.1/2

257 W 7TH STREET

RETAIL STORAGE 705 SQFT (S1) OCCUPANCY

NOT PART OF SCOPE OF WORK

(E) RAMP UP 1:12

+48.30

+48.36

3

A100

PROPOSED F

Sheet A A





P.O.S COUNTER TO BE ADA COMPLIANT. REFER TO A100.1/3

EXIST. M

NE

NEW WAL

EX Page No Case No

EXIST. CMU WALL	
EXIST. MTL STUD WALL	
NEW WALL	
NEW WALL - FIRE RATED	

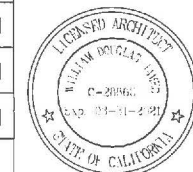
**EXHIBIT "A"**  
Page No. 1 of 2  
Case No. 2A-2021-0157(CUG)

3 PROPOSED FLOOR PLAN

BAR IS 3" LONG WHEN PRINTED AT FULL SCALE

LA SALLE LOFTS  
257 W 7TH ST.  
SAN PEDRO, CA 90731

REVISIONS	DATE
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[illegible]SITE & FLOOR  
PLANS

Project number

Date \_\_\_\_\_

Drawn by

Checked by \_\_\_\_\_

A100

Scale





2	3	4
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**EXHIBIT "A"**  
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A101