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February 8, 2023

Pamela Burke (A)
Grocery Outlet Inc. c/o Compass
Commercial Attn: Katy Schardt
8850 Auburn-Ford Rd., Unit G
Granite Bay, CA 95746

Force-Vine, LLC (O)
625 North West Knoll Drive,
West Hollywood, CA 90069

Steve Rawlings (R)
Rawlings Consulting
26023 Jefferson Avenue, Unit D
Murrieta, CA 92562

CASE NO ZA-2022-7845-CUB
CONDITIONAL USE
1240 Vine Street
Hollywood Community Plan
Zone: (Q)C2-1-SN
D. M.: 144B189
C. D.: 13 – Soto-Martinez
CEQA: ENV-2022-7846-CE
Legal Description: FR 13, Block G, TR
1210

Pursuant to CEQA Guidelines Section 15061, I hereby DETERMINE:

Based on the whole of the administrative record as supported by the justification prepared and found in the case file, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 (minor alteration of existing structures) 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, unusual circumstances, scenic highways, hazardous waste sites or historical resources applies.

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

a Conditional Use to allow the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a proposed grocery store in the (Q)C2-1-SN Zone.

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning's Development Services Center and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
7. Authorized herein is the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a new 15,753 square-foot grocery store. The grant shall be subject to the following limitation:
 - a. The hours of operation shall be limited to 6:00 a.m. to 11:00 p.m., daily.
8. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.

9. 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.
10. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
11. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
12. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least six feet in height above the ground so as to permit surveillance into the store by Police and/or private security.
13. **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 near the hostess station

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.
14. **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.
15. 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.

16. 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.
17. 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.
18. The applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
19. All exterior public space (front, side and rear) will be illuminated with sufficient lighting for police to identify all persons standing outdoors at night.
20. That an employee of the site will hourly observe the exterior of the site to ensure no loitering occurs. Loiterers will be asked to leave the site.
21. The owner or the operator shall comply with California Labor Code Section 6404.5(b) which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices, within any place of employment. The owner or the operator 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

22. **Expedited Processing Section Fee.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
23. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per LAMC Section 19.01-E,3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.
 - a. Within 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/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.
24. 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.
25. 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 his/her initiative, or upon written request by 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 the effectiveness of these conditions. The applicant shall 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.
26. **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, 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.

- (ii) 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.
- (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 in paragraph (ii).
- (v) 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 **FEBRUARY 23, 2023**, unless an appeal therefrom is filed with the Department of City Planning. 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 and the plans submitted therewith, 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 under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

The subject property is a level corner lot with a frontage of 114 feet on the side of Vine Street, a frontage of 45 feet on the side of Fountain Avenue. The site is improved with a commercial shopping center and a surface parking lot. The proposed grocery store will be located within an 15,753 square-foot tenant space that was previously occupied by Office Depot.

The subject property is located within the boundaries of the Hollywood Community Plan Area. The Community Plan designates the subject property for Highway Oriented Commercial land uses corresponding to the C1, C2, P, RAS3, and RAS4 Zones. The project site is zoned (Q)C2-1-SN and is thus consistent with the existing land use designation. There are no other specific plans, overlays, or interim control ordinances pertaining to the project site.

The applicant is requesting a Conditional Use Permit to allow the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a proposed 15,753 square foot grocery store (Grocery Outlet), with proposed hours of operation from 6:00 a.m. to 11:00 p.m., daily.

SURROUNDING PROPERTIES

The surrounding area of the subject property is fully developed and features a variety of residential and commercial uses. Surrounding properties are improved with a mix of uses. The properties to the north are multi-family homes. The property to the west of the subject property are multi-family homes. The property to the south of the subject property is a medical center. Properties to the east are multi-family homes.

STREETS

Vine Street, adjoining the subject property to the north is a designated Avenue II and is dedicated to a right-of-way width of 95 feet along the project's street frontage and improved with curb, gutter, and sidewalk.

Fountain Avenue, adjoining the subject property to the east, is a designated Collector and is dedicated to a right-of-way width of 70 feet along the project's street frontage and improved with curb, gutter, and sidewalk.

Previous Cases, Affidavits, Permits, and Orders on the Applicant's Property

There are no relevant cases on the subject property.

Previous Cases on Surrounding Properties

Staff utilized a 500-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Zoning Administrator determinations associated with the sales and dispensing of alcoholic beverages. The following cases were identified to be within 500 feet of the subject property and filed within the last 10 years:

Case No. ZA-2018-632-CUB – On December 7, 2018, the Zoning Administrator approved a Conditional Use to allow the sale of beer and wine for on-site consumption in conjunction with a restaurant in the C4-2D-SN, with hours of operation from 7:00 a.m. to 11 :00 p.m. Sunday through Thursday and 7:00 a.m. to 12-midnight Friday and Saturday, located at 1320 North Vine Street.

Case No. ZA-2018-408-CUB-CUX – On November 1, 2018, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant in the C2-1-SN Zone, with hours of operation from 3:00 p.m. to 12-midnight Wednesday and Thursday, 3:00 p.m. to 2:00 a.m. on Friday and Saturday, and 10:00 a.m. to 12:00 midnight on Sunday, located at 1253 North Vine Street, Unit 1.

Case No. ZA-2015-1549-CUB-CUX – On April 8, 2016, the Zoning Administrator approved a Conditional Use to allow the continued sale of a full line of alcoholic beverages for on-site consumption in an existing bar and lounge featuring live entertainment in the C2-1 D and RD1 .5-1XL Zones, with hours of operation of 8:00 a.m. to 2:00 a.m. daily, located at 1231-1235 North Vine Street.

PUBLIC CORRESPONDENCE

A letter dated December 30, 2022, from the Central Hollywood Neighborhood Council was submitted expressing support for the project.

PUBLIC HEARING

The public hearing was held on February 7, 2023 at 9:30 a.m. via telephonically and/or videoconference due to concerns over COVID-19 and continued concerns that meeting in person would present imminent risks to the health and safety of the attendees. The hearing was attended by the applicant's representative, Steve Rawlings, and Pat Barber and Katy Shardt.

Mr. Rawlings, Mr. Barber, and Ms. Shardt made the following statements:

- This is for a proposed grocery market called Grocery Outlet.
- It was founded in 1946. There are 425 locations throughout the country and 258 stores in California.
- There are stores within the City of Los Angeles, including Canoga Park, Chatsworth, Downtown LA, Highland Park, and Winnetka.
- The average store size is 15,000 to 20,000 square feet. This store is 15,753 square feet.
- This is a publicly traded company.
- The stores are run by independent operators that are typically a married couple from the area.
- They are experienced operators and live locally, and employees are hired locally.
- We offer training. Corporate pays the rent.
- Sales are up because inflation is up.
- All stores carry alcoholic beverages.
- There is a need for a grocery store in this area. This is an underserved area. We have to pay high rent here.
- We presented to the Central Hollywood Neighborhood Council and they voted to support the project. A letter should be in the file.

- We met with Emma Howard of the Council Office, and she expressed no opposition.
- Grocery Outlet will utilize an existing Type 21 License that was bought from Thrifty/Rite Aid that is located within the same census tract.
- Approximately 700 square feet of the store's 15,753 square feet will be dedicated to alcohol sales.
- We have in-house alcohol sales training and have 16 cameras, with attention to the alcohol aisle.

There were no speakers and no public comments during the public comment portion of the public hearing.

At the conclusion of the public hearing, the Zoning Administrator stated he would grant the conditional use request subject to standard conditions typically imposed for market operations like this.

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.

- Alcohol sales shall be from 6:00 a.m. to 11:00 p.m., daily.
- There shall be no self-service purchases of alcohol.
- There shall be no dispensing and consumption for on-site alcohol.

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 of full line 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

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

The Conditional Use allows the sale of a full line of alcoholic beverages for off-site consumption in conjunction with the opening of the proposed grocery store. The store's hours of operation will be limited to 6:00 a.m. to 11:00 p.m., daily. Grocery Outlet will occupy a tenant space on the corner of Fountain Ave and Vine St. Prior to Grocery Outlet, an Office Depot had operated at this property for over a decade. The sale of alcohol will be incidental to groceries and other household items. The proposed location is suited for Grocery Outlet, in that it promotes livability and convenience for residents and employees that furthers community and economic development. As stated by the applicant, the proposed market would serve the neighborhood that is underserved. As such, the project will enhance the built environment in the surrounding neighborhood and will perform a function and provide a service that is beneficial to the surrounding community.

The proposed grocery store will be a full-service market that caters to the local community and will provide an alternative shopping option for the neighborhood. The proposed grocery store is within walking distance of homes and local businesses. Grocery stores are neighborhood serving uses. The project will directly serve nearby homes and businesses by providing a desirable amenity for area workers and residents. The availability of alcoholic beverages incidental to the sale of groceries and household items is an essential feature of a supermarket, as patrons in general expect these goods to be available. The primary emphasis of the supermarket will be groceries and household items, and it will offer the convenience of one-stop shopping, including the purchase of alcoholic beverages. A small portion of the market's floor area and shelf space will be devoted to alcohol sales. The provision of alcohol sales in conjunction with the grocery store will provide a convenience to shoppers and as such, will provide a beneficial service to the community.

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

The subject property is a level, corner lot. The site is improved with a commercial shopping center and a large surface parking lot. The proposed grocery store will be located within an 15,753 square-foot tenant space that was previously occupied by Office Depot. The new store (Grocery Outlet) will renovate the existing building including interior tenant improvements and minor exterior work. No new or additional floor area is proposed and there are no physical alterations proposed to the location, size, or height of the building as a part of this request.

The subject property is located within the boundaries of the Hollywood Community Plan Area. The Community Plan designates the subject property for Highway Oriented Commercial land uses corresponding to the C1, C2, P, RAS3, and RAS4 Zones. The project site is zoned (Q)C2-1-SN and is thus consistent with the existing land use designation. There are no other specific plans, overlays, or interim control ordinances pertaining to the project site.

The subject property is located on Vine Street, an established commercial corridor developed with a variety of commercial uses. Surrounding properties are improved with a mix of uses. The properties to the north are multi-family homes. The property to the west of the subject property are multi-family homes. The property to the south of the subject property is a medical center. Properties to the east are multi-family homes.

The Conditional Use allows the sale of a full line of alcoholic beverages for off-site consumption in conjunction with the opening of the new market with hours of operation of 6:00 a.m. to 11:00 p.m., daily. With respect to the operations of the proposed grocery store, the instant application includes conditions designed to address the specific characteristics of the operation. Conditions include mandatory STAR or LEAD training, electronic age verification devices, and a security and camera surveillance system. The project will not result in an increase in size or height of the existing building.

The Zoning Administrator has permitted the store to operate at the requested hour, and recommended alcohol sales at the beginning of operations since other large markets in the area sell their alcohol beginning at the State Alcoholic Beverage Control Board's (ABC) Statewide 6:00 a.m. starting hour. In addition, the hours of operation for the sale of alcoholic beverages is within the purview of the ABC and not the Zoning Administrator. The Zoning Administrator has recommended in his Conditions of Approval any limitations on hours of alcohol sales in the market. Nor has the Zoning Administrator suggested such a limit in the suggested Conditions to the ABC for the issuance of their off-sales license.

As conditioned, 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 elements in the General Plan establish policies and provide the regulatory environment for managing the city and for addressing concerns and issues. The majority of the policies derived from the elements in the General Plan are in the form of Code Requirements, which collectively form the LAMC. Apart from the entitlement described herein, the project does not propose to deviate from any of the requirements of the LAMC.

The subject property is located within the boundaries of the Hollywood Community Plan, which establishes land use designations and planning policies for the area. The project site is zoned (Q)C2-1-SN and designated for Highway Oriented Commercial land uses. The grocery store use is consistent with this zone and land use designation. The Community Plan text allows a variety of commercial uses but is silent with regards to the sale of alcohol, leaving interpretation of the intent of the Plan to the Zoning Administrator.

The proposed project encourages the recycling of a commercial development by reactivating a tenant space with a viable commercial use. The grocery store use is consistent with the Highway Oriented Commercial plan designation for the property. The provision of alcoholic beverage sales will strengthen a viable commercial development and provide an expected amenity at a full-service, neighborhood serving grocery store. Given the scope and limitations established by the conditions herein, the surrounding land uses will not be significantly impacted by the proposed operation of the grocery store. Therefore, the project substantially conforms to the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

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

Approval of the conditional use request will not adversely affect the welfare of the community. The property is zoned for commercial uses and will continue to be utilized as such with the proposed grocery store. With oversight from the California Department of Alcoholic Beverage Control and the incorporation of a number of conditions with this grant, the project will be compatible with the character of the immediate neighborhood. Further, the grocery store's operation will be fully enclosed within the building and should not impact the surrounding community. Conditions have been incorporated into this grant to require security measures such as the installation of a surveillance system and deterrence of graffiti. In addition, the grant requires the installation of age verification device at the point of sale to deter underage drinking. Employees must also undergo training provided by the Los Angeles Police Department STAR (Standardized Training for Alcohol Retailers) Program or the Department of Alcoholic Beverage Control's LEAD (Licensee Education on Alcohol and Drugs) Program. Both the Conditions of Approval and the requirements of the State Alcoholic Beverage Control agency are intended to protect the public health, welfare and safety of the community.

The new grocery store will provide a broad range of everyday name brand essentials at discounted prices to meet the needs of local residents, workers, and visitors. The addition of alcoholic beverage sales will not change the character of the proposed retail use as such sales are expected at full-service markets. Alcoholic beverage sales will be a small component and incidental to Grocery Outlet's overall grocery operations. Therefore, it is expected that incidental off-site alcohol sales will not adversely affect the welfare of the pertinent community.

5. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California State Department of Alcoholic Beverage Control (ABC) licensing criteria, there are twelve (12) on-site and two (2) off-site licenses allocated for the subject tract (Census Tract No. 1908.01). Currently, there are two (2) active on-site license and one (1) active off-site licenses in this census tract. Within 1000 feet of the subject site, there are ten (10) alcohol-selling retail establishments with a license for on-site consumption and zero (0) with a license for off-site consumption.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. However, concentration is not undue when the approval of a license provides a public service and benefits the community. In this case, the granting of the application will not result in undue concentration as the project will enable the provision of an additional service and destination to complement the neighborhood. In active commercial areas where there is a demand for licenses beyond the allocated number, the ABC has recognized that high-activity retail and commercial centers are supported by significant employee population, in addition to the increasing resident population base in the area. The ABC 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. The project will provide a valuable amenity and a desirable service while preserving and revitalizing an existing tenant space at the Hollywood Community Plan Area.

According to statistics provided by the Los Angeles Police Department's Devonshire Division Vice Unit, within Crime Reporting District No. 666, a total of 559 crimes (315 Part I Crimes and 244 Part II Crimes) were reported in 2021, compared to the Citywide Average of 149 crimes and the High Crime Reporting District Average of 179 crimes for the same period. In 2021, there were (29) Narcotics, (7) Liquor Law, (0) Public Drunkenness, (0) Disturbing the Peace, (0) Disorderly Conduct, and (41) Driving While Influence (DWI) related arrests, and (46) other offences. 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 number of active on-site ABC licenses within the census tract where the subject site is located exceeds ABC guidelines. 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. The project will utilize an existing ABC License and will include conditions that will ensure the project will not impact the area.

The Los Angeles Police Department submitted no communication in support of opposition to the project. Nevertheless, conditions, such as those related to the STAR/LEAD/RBS Program, age verification, and security cameras, have been imposed by the Zoning Administrator in conjunction with this approval. Public safety measures to mitigate nuisance and criminal activities have been incorporated into the grant to assure better oversight. Further conditions may be imposed by the California Department of Alcoholic Beverage Control as conditions on the alcohol license. Therefore, as conditioned, the use is not expected to contribute to the area's crime rate or generate any nuisance activity and will not result in an undue concentration of establishments providing alcohol.

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 following sensitive uses are located within 1,000 feet of the subject site:

- Single-family Residential Uses
- Multifamily Residential Uses
- Stratford School 1200 Cahuenga Blvd.
- The Aetherius Society, Church 6202 Afton Pl.
- St. John Garabed Armenian Apostolic Church 1201 Vine St.
- Hollywood Recreation Center 1122 Cole Ave.
- The Episcopal School of Los Angeles 6325 Santa Monica Blvd.

There were no letters, telephone calls, or public testimony from any of these sensitive uses indicating the operation has or will impact these uses. Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The sale of alcohol for off-site consumption will not detrimentally affect nearby residential zones as the project is located within an existing commercial hub that was intended to offer a variety of commercial services, such as full-service grocery stores. Furthermore, this grant has placed conditions upon the request and has not authorized the use of the property for activities which may create potential nuisances for the surrounding area. The potential effects of disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The proposed project will allow a proposed grocery store to sell a full line of alcoholic beverages for off-site consumption for both surrounding residents and their guests and will therefore provide convenience to the surrounding neighborhood. Alcoholic beverages are a common and expected product for sale in grocery stores. The sale of alcoholic

beverages will not detrimentally affect the neighboring properties in the area and will occur within a controlled environment by trained employees and is subject to multiple security measures.

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 within Floor Zone B, areas between limits of the 100-year flood and 500-year flood.

Inquiries regarding the matter shall be directed to Sarahi Ortega, Planning Staff for the Department of City Planning at (213) 978-1383 or Sarahi.Ortega@lacity.org.



HENRY CHU
Associate Zoning Administrator

HC:SK:SO:nm

cc: Councilmember Hugo Soto-Martinez
Thirteenth Council District
Adjoining Property Owners



PROJECT TEAM

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[illegible]

PROFESSIONAL SEAL

PROFESSIONAL IN CHARGE
CELSO RIVERA
PROJECT MANAGER
ELAINE LEONG
QUALITY CONTROL
XXXX
DRAWN BY
SARA AMERI

PROJECT NAME
GROCERY
OUTLET
HOLLYWOOD

1250 Vine Street,
Hollywood, CA

PROJECT NUMBER
57100

SHEET TITLE
OVERALL SITE
PLAN

SHEET NUMBER
AS1-01

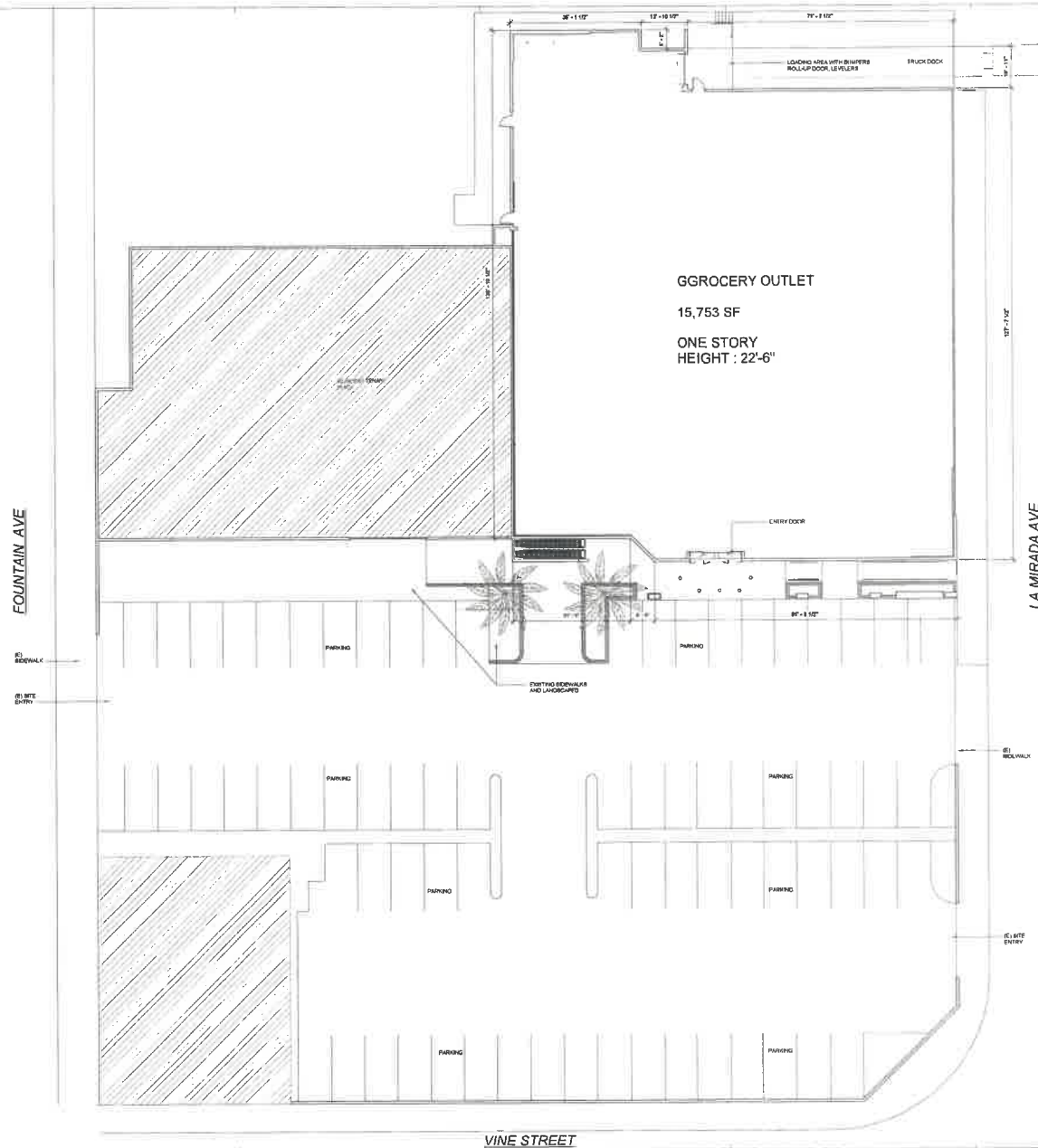


EXHIBIT "A"
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Case No. 24-2024-

ZA-2022 - 7845

1 OVERALL SITE PLAN
3/32" = 1'-0"

NORTH



COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020

Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment