

CONDITIONAL USE PERMIT FINDINGS

Pursuant to Section 22.158.50 (Findings and Conditions), the applicant shall substantiate the following:

B.1 The proposed use will be consistent with the adopted General Plan for the area.

The instant request is for an upgrade in licensing privileges from an existing Type 20 off-sale beer and wine to a Type 21 full line alcohol license, as an accessory use, in conjunction with an existing meat market. The meat market is located on a heavily traveled retail commercial corridor oriented at the intersection of Whittier and Ford Boulevards. The requested use is sufficiently separated from nearby residential structures by an existing alley.

The proposed accessory use will not adversely affect the public health and convenience since the meat market has been in operation with off-sale beer and wine privileges at this location for many years without harm to the community. The site is located within a commercial zone and has operated with all required permits and licenses.

The proposed use is accessory in nature and will be incorporated within the existing meat market operation. The existing market will continue in its present configuration, no other changes are contemplated. The public convenience will be served since there are no other such local establishment serving the growing population of the area.

The meat market has been licensed for the sale and dispensing of a Type 20 beer and wine license for many years without harm or detriment to the area. Based on the aforementioned circumstances, the proposed use be consistent with the General Plan.

B.2 The requested use at the location proposed will not

- a. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area;
- b. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; and
- c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed accessory use will not adversely affect the public health and convenience since the meat market has been in operation at this location for many years without harm to the area and is an integral part of the community. The site is located within a commercial zone and has operated with all required permits and licenses. The proposed use is accessory in nature and will continue in its present configuration and operation.

The market has been licensed for the sale and dispensing of beer and wine for many years without detriment to the community. The instant request is for an upgrade to full line alcohol. The public convenience will be served since there are a limited number of meat markets within the surrounding area. The subject premises has been operating for many years as a family operated market for the enjoyment and convenience of the surrounding community.

The proposed use will not adversely affect persons residing or working in the area; be materially detrimental to the use, enjoyment or valuation of property or other persons located within the vicinity of the subject site nor constitute or contribute to being a menace to the public health, safety and welfare of the area.

B.3 The proposed site is adequate in size and shape to accommodate the yard, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The site is 0.171 acres in size and accommodates walls, fences, parking, loading and other development features as prescribed by Code. There are sufficient on-site parking spaces to accommodate customer needs. See plans for details.

B.4 That the proposed use is adequately served:

- a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; and
- b. By other public or private service facilities as are required.

The market is located on a heavily traveled retail commercial street that is fully dedicated and improved. The subject site is oriented towards the intersection of Whittier and Ford Boulevards. All public and private service facilities and infrastructure are in place.

ALCOHOLIC BEVERAGE SALES FINDINGS

In addition to the CUP Findings required pursuant to Section 22.158.50 (Findings and Conditions), pursuant to Section 22.140.030 (Alcoholic Beverage Sales), the applicant shall substantiate the following:

ABC License Type Requested(s): **UPGRADE FROM AN EXISTING TYPE 20 TO A TYPE 21 LICENSE**

F.1.a. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600 foot radius.

The proposed request is for the for an upgrade in licensing privileges from an existing Type 20 off-sale beer and wine license to a Type 21 full line alcohol license, as an accessory use, in conjunction with an existing meat market. The proposed use will be an integral part of the existing meat market operation. The market is located on a heavily traveled retail commercial corridor that is oriented at the intersection of Whittier and Ford Boulevards. The requested use is sufficiently separated from nearby residential structures. Based on the mode and character of the market the proposed use will not adversely affect any sensitive uses in the area.

F.2.b. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.

The market is located at the intersection of Whittier and Ford Boulevards. Whittier Boulevard is recognized business corridor serving the needs of the local community. The requested use is sufficiently separated from nearby residential structures by an existing alley and an adjacent commercial use. Primary ingress and egress to the property is on Ford Boulevard.

F.1.c. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.

The meat market has been in operation with beer and wine for many years. The location of the market with its accessory beer and wine license benefits the surrounding community by affording its neighbors the convenience of having a local market within walking distance who would otherwise have to drive or take public transportation to farther flung locales. The proposed accessory use will actually bring additional clientele into the area thereby patronizing nearby businesses. The approval of the accessory use will benefit the community through the generation of additional business dollars, as well as tax revenues for the County of Los Angeles.

The establishment of the market with full line alcohol can only benefit the economic welfare of the community by ensuring a diversity of uses and the full occupancy of an under-utilized commercial building. Given the historical use of a Type 20 beer and wine license on the site without any violations the proposed license upgrade should not adversely affect the economic welfare of the community.

The market has been licensed for the sale and dispensing of a beer and wine license for many years without harm or detriment to the area. The owner of the market has agreed to a number of operating conditions such as hours of operation, selling produce and meats; and in minimizing the amount of alcohol display shelf space. Based on the aforementioned circumstances, the proposed use will not adversely affect persons residing or working in the area; be materially detrimental to persons located within the vicinity of the subject site nor contribute in harming the public health, safety and welfare of the area.

F.1.d. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration or substantially diminish or impair property values within the neighborhood.

The site is located within a commercial zone and operates with all other required permits and licenses. The existing market with beer and wine has been in operation for many years. They are good neighbors and are an integral part of the community. Its proposed upgrade to a full line alcoholic beverages serve the needs of local residents in the area desirous of having a local market where they have the convenience of walking and finding their shopping needs within a short distance from their homes within a safe environment.

The existing market is aesthetically pleasing and enhances the surrounding area. The structure, built in 1948, is consistent in design with the surrounding developments and has a pleasing aesthetic appearance. The market has not deteriorated nor contributed to the diminishment of existing property values in the area.

ADDITIONAL QUESTIONS CONCERNING THE REQUESTED USE
AT THE PROPOSED LOCATION

- A] **What are the proposed hours of operation and which days of the week will the establishment be open?**
What are the proposed hours of alcohol sales ?
Hours of operation for the meat market are from 7:00AM until 9:00 PM daily. Hours of alcohol sales are the same as the hours of operation for the market.
- B] **Is parking available on the site ? (If so how many spaces ?) If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant ? Where ? How many off-site spaces ?**
Yes, there are thirty three (33) on-site parking spaces provided.
- C] **Is a full line of alcoholic beverages to be served or just beer and/or wine ?**
The requested use is for an upgrade to a Type 21 full line alcohol license.
- D] **Will cups, glasses or other similar containers be sold which might be used for the consumption of liquor on the premises ?**
The request is for off-site sales. Containers will be sold in large pre-packaged quantities only.
- E] **Has the owner or lessee of the subject property been suspended from the sale of alcoholic beverages on the subject property or fined by the Alcoholic Beverage Control Department (ABC) in the last 365 days, and if so, for what reasons ?**
No. Licensees/Lessees have never been cited.
- F] **Will video game machines be available for use on the subject property and if so, how many such machines will be in use ?**
None proposed.
- G] **Will you have signs visible on the outside which advertise the availability of alcohol ?**
No.
- H] **Will beer and/or wine coolers be sold in single cans or will wine be sold in containers less than 1 liter (750 ml) ?**
Yes.
- I] **Will "fortified" wine (greater than 16% alcohol) be sold ?**
Yes.
- J] **Is there to be entertainment such as a piano bar, jukebox, dancing, live entertainment, movies, etc.?**
(Specify?) (On-site only)
N/A.
- K] **Will security guards be provided and if so, when and how many ?**
None provided.
- L] **Will alcohol be allowed to be consumed on any adjacent property under the control of the applicant ?**
No. The instant request is for off-site sales only.
- M] **Will the gross sale of alcohol exceed the gross sale of food items on a quarterly basis ?**
No.
- N] **How many employees will you have on the site at any given time ?**
Up to six staff members will be on-site at any given time during the normal hours of operation.

O] What security measures will be taken including :

(1) Posting of Rules and Regulations on the premises.

Rules and regulations will be posted prominently on the walls adjacent to the entrances/exits.

(2) To prevent such problems as gambling, loitering, theft, vandalism and truancy.

Management supervision. Staff/management will monitor and discourage the above activities. Any such activity will be addressed, documented and, if necessary, appropriate authorities will be contacted.

(3) Will security guards be provided and if so, how many ?

No.

(4) Other measures.

Management supervision. The applicant owner and on-site manager(s) will comply with all applicable laws and conditions and shall properly manage the facility to discourage illegal and criminal activity on the subject premise and any accessory parking areas over which they exercise control.

P] Will there be minimum age requirements for patrons ? If so, how will this be enforced ?

Yes, any patron wishing to purchase alcoholic beverages must be at least 21 years of age. This will be monitored by cashier staff who will check identification for proof/verification of age before the sale of any alcohol purchase.