

CVS Pharmacy Store #9531
Alcoholic Beverages Sales Findings

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.

CVS Pharmacy is an existing drug store that has been operating successfully at this location for over 20 years. Under the existing CUP, the Applicant has served the community responsibly since the year 2000 without adverse impacts to those sensitive uses within a 600 ft radius of the site. The business, as previously conditioned, will continue to be operated in a responsible manner consistent with CVS corporate policies and will continue to operate in harmony with surrounding sensitive uses. The sale of alcoholic beverages remains incidental to the drug store use.

F.1.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.

CVS Pharmacy has been in the same location since it was first established in 2000 and has operated without adversely affecting or conflicting with the adjacent uses. The Applicant and staff will continue to operate in such a manner so as not to detrimentally affect nearby residentially zoned property. This business continues to provide employment for many local residents and it purchases supplies and requires services from outside vendors which contribute to the economic base of the community. Furthermore, the combination of proactive security measures and strict company policies will ensure the continuation of the safety and well-being of nearby residents.

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

The existing use complements other commercial activities, promotes the exchange of goods and services and provides tax revenue. The use has not adversely affected the welfare of the community because of the sound corporate policies of CVS. The premises has been under exemplary management. This business continues to provide employment for many local residents and it purchases supplies and requires services from outside vendors which contribute to the economic base of the community. CVS policies include:

- All CVS associates complete training segments on customer service, personnel management, facility maintenance and operations, responsible retailing of age restricted alcoholic beverage and tobacco products and workplace safety.
- CVS utilizes multiple digital surveillance cameras at the subject location. Footage is maintained for a minimum of 30 days and the system can be monitored in real time by CVS Management.
- CVS cash registers have “hard stops” that require associates to check identification and validate customers are of sufficient legal age to purchase alcohol before completing the sale.

The subject store and the continued sale of alcoholic beverages is part of a well-known national chain of established pharmacy drug stores. Its continued business at this location will re-enforce the character of the area. The store and subject sales will serve to strengthen the economic vitality of the area. In fact, the Los Angeles County Department of Regional Planning found that “[t]he requested use at the proposed location will not adversely affect the economic welfare of the nearby community.” (CUP No. 201000128, pg. 7) This conclusion remains true today.

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 existing use has maintained an exterior appearance already approved by the County in 2000 and it is consistent with the neighborhood, as well as, the existing business. There are no changes to the exterior being requested at this time; therefore, CVS will not cause blight, deterioration, or impair property value. The project's location, size, height, and operations were already approved and remain compatible with adjacent properties and the surrounding neighborhood. There is no construction, alterations or changes in the use as part of this application and thus, no reason to conclude the prior approved location, size, height, and operations would not be compatible with the adjacent properties and surrounding uses. Therefore, the continuation of the use will remain compatible with the neighboring uses.

This use has been operating in this location in the exact same manner for several years and it will continue to operate consistent with CVS's corporate policies and training regarding the responsible retailing of alcoholic beverages. The CUP No. 201000128 also determined that "[t]he 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." (pg. 7).

Additional findings of public convenience or necessity.

Findings of public convenience or necessity, in accordance with Section 22.140.030.F.2.a, shall be made when:

- i. The requested use is located in a high crime reporting district or in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act; or**
- ii. A use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use selling alcoholic beverages for off-site consumption.**

Findings of public convenience or necessity shall be based upon review and consideration of relevant factors, which shall include, in accordance with Section 22.140.030.F.2.b, but not be limited to, the following, as applicable:

- i. The extent to which the requested use would duplicate services and, therefore, contribute to an over-concentration of similar uses.**
- ii. The extent to which alcoholic beverage sales are related to the function of the requested use, and the possibility of the use operating in a viable manner without alcohol sales.**
- iii. The extent to which the requested use will enhance the economic viability of the area.**
- iv. The extent to which the requested use will enhance recreational or entertainment opportunities in the area.**
- v. The extent to which the requested use compliments the established or proposed businesses within a specific area.**
- vi. The ability of the requested use to serve a portion of the market not served by other uses in the area.**
- vii. The convenience of purchasing alcoholic beverages at the requested use in conjunction with other specialty food sales or services.**
- viii. The aesthetic character and ambiance of the requested use.**

ix. The extent to which the requested use, location, and/or operator has a history of law enforcement problems.

The applicant has an existing Type 21 ABC License (License No. 479427); as such a determination of Public Convenience or Necessity, pursuant to Business and Professions Code section 23958.4 is not required. The Conditional Use Permit renewal will not add an additional alcohol license to the census tract.

The CVS Pharmacy adds a desirable atmosphere to this community, and the request does not involve the introduction of a new liquor outlet into the census tract or an increase in the theoretical liquor license count. This use has been operating in this location in the exact same manner for 20 years and it will continue to operate in a responsible manner. There is therefore no reason to expect any adverse change. Additionally, as previously found in Case No. CUP 201000128:

There are five sensitive uses located within 600 feet of the subject property: three religious establishments and two educational establishments. The drug store is also adjacent to residential uses to the north. An alcohol permit has been in place at the drug store since 2000 with no complaints from the community, and there are currently no open zoning violations. The sale of alcohol is an incidental use to the drug store use and the owner, CVS, provides training to its employees related to the appropriate sale of alcohol and tobacco. Additionally, there are multiple digital surveillance cameras are located on site.

Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is not located within a high crime reporting district. ABC data also illustrates that the site is not within an area that has an undue concentration of alcohol sales. The subject request Census Tract is 7031, and four ABC licenses are allowed within this census tract, and three licenses currently exist. The existing drug store has had a CUP for the sale of alcohol for off-site consumption for approximately 10 years without any ABC violations.

Currently, there are three establishments within 500-feet of the project that have a license to sell alcohol. One establishment has a full liquor license for off-site sales. The other two establishments are for on-site sales; one for beer and wine and the other for a full liquor license. Per County zoning standards, this represents an overconcentration of alcohol permits in the area. As such, the applicant devotes only 2.7% of their current shelf space to the sale of alcohol. Continued sale of alcohol will need a finding of public convenience and necessity. It is staff's opinion that allowing off-site sale of alcohol incidental to the sale of goods and services will not have an adverse impact on the surrounding community. The drug store has operated since 2000 with no complaints from the community.

Staff is of the opinion that the applicant has met the required Burden of Proof for the conditional use permit and for alcoholic beverage sales. The applicant's Burden of Proofs are attached to this report. (pgs. 7-8).