

REPORT TO THE HEARING OFFICER

DATE ISSUED: July 11, 2024
HEARING DATE: July 23, 2024 AGENDA ITEM: 5
PROJECT NUMBER: PRJ2023-003928-(5)
PERMIT NUMBER: Conditional Use Permit (“CUP”) RPPL2023005794
SUPERVISORIAL DISTRICT: 5
PROJECT LOCATION: 1900 Allen Avenue, Altadena
OWNER: 1900 Allen Avenue, LLC
APPLICANT: Prime Pizza
CASE PLANNER: Anthony M. Curzi, Regional Planner
acurzi@planning.lacounty.gov

RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

LA County Planning staff (“Staff”) recommends **APPROVAL** of Project Number PRJ2023-003928-(5), CUP Number RPPL2023005794, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motion:

CEQA:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

ENTITLEMENT:

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NUMBER RPPL2023005794 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement Requested

CUP for the sale of beer and wine for on- and off-site consumption at an existing restaurant in the C-2 (Neighborhood Business) Zone pursuant to County Code Section 22.20.030 (Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R).

B. Project

The applicant, Prime Pizza, requests a CUP to authorize the sale of beer and wine for on- and off-site consumption [State Department of Alcoholic Beverage Control (“ABC”) Type 41 License] at an existing restaurant in the unincorporated community of Altadena. The requested hours of alcohol sales are from 10:00 a.m. to 10:00 p.m., Sunday to Thursday and 10:00 a.m. to 11:00 p.m. Friday and Saturday. There is no indoor dining at the restaurant because the establishment was authorized as a take-out venue; instead, there are eight picnic-style tables with benches located outside on a deck occupying space formerly devoted to four automobile required parking spaces. Beer and wine will be served in this area. This outdoor area is presently unauthorized, but the applicant will be required to obtain all necessary permits to legalize it. In the event that outdoor dining would not be approved, the sale of alcoholic beverages for on-site consumption will not be permitted. However, ancillary off-site sales would still be permitted.

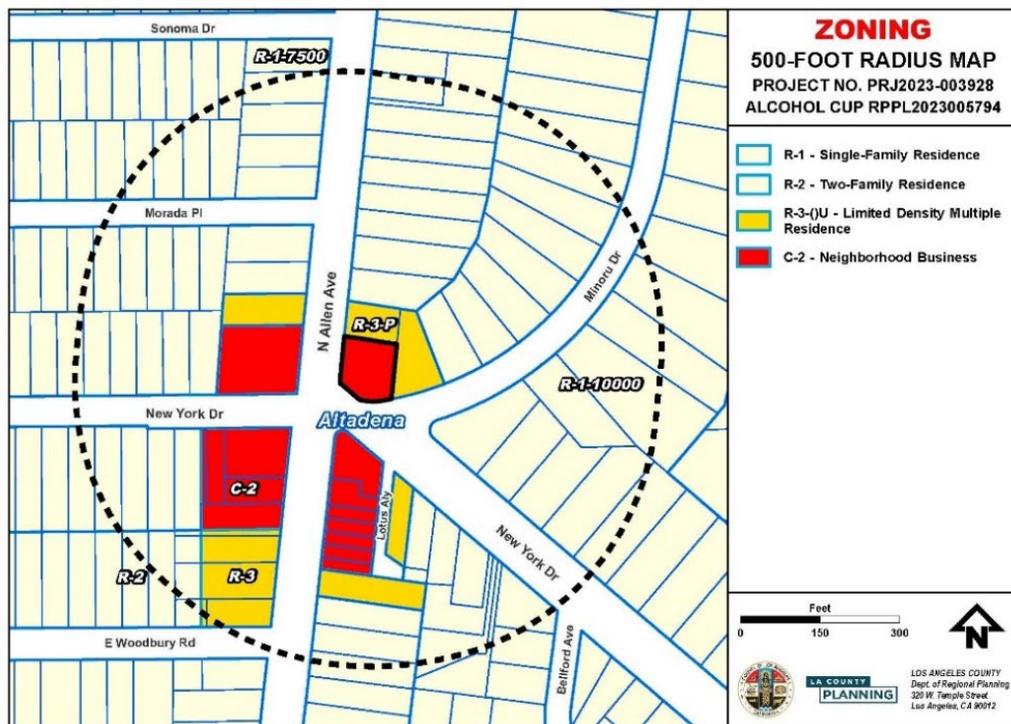
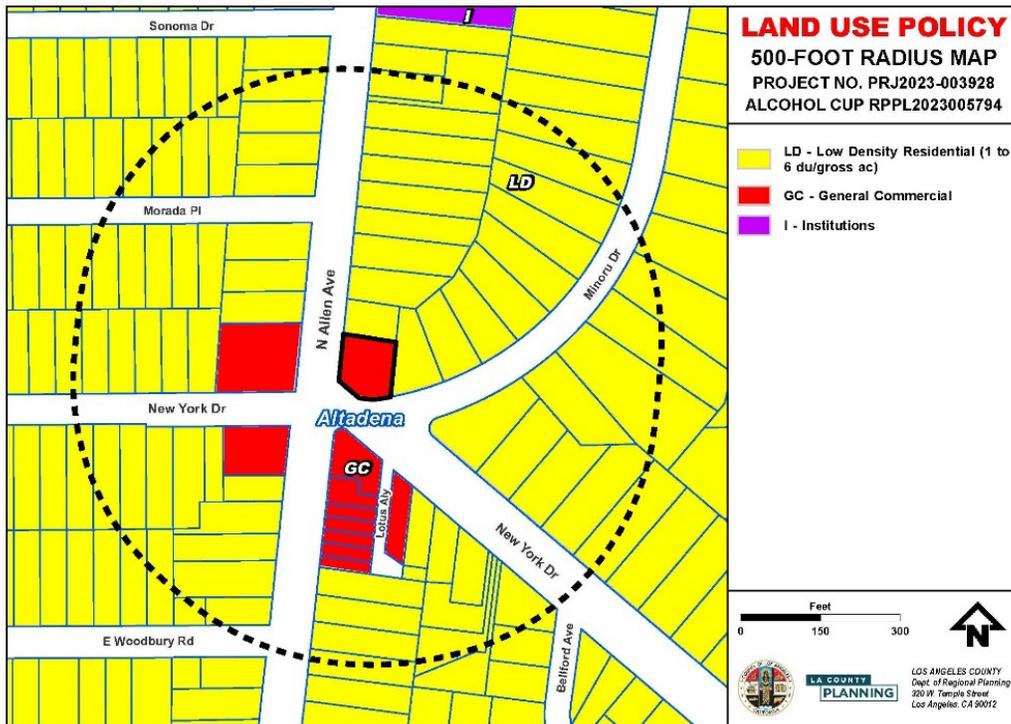
f. There is no indoor seating at the establishment per previous approvals [Business License Referrals (“BLRs”) that refer to a take-out restaurant]. The sale of alcoholic beverages for off-site consumption will be in association with the order of food to-go. Staff will retrieve the alcoholic beverages from behind the counter; there will be no “self-service” option for patrons to obtain alcoholic beverages. These BLRs (which are forms completed by LA County Planning as part of the County Treasurer & Tax Collector business license process) were approved by LA County Planning confirming the establishment as a take-out restaurant.

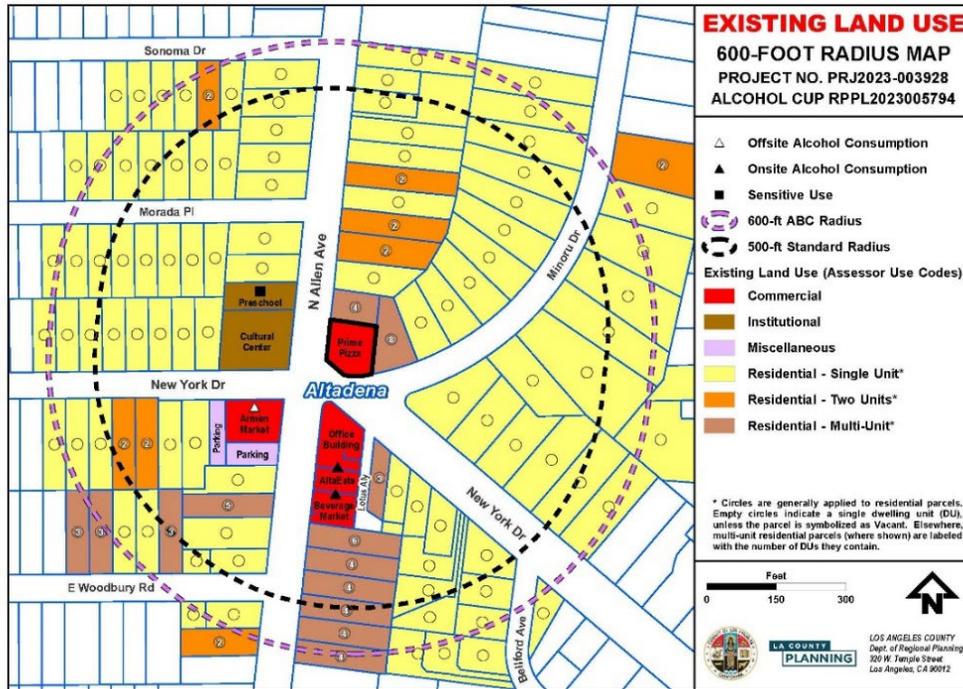
The applicant is also requesting a modification related to the sale of alcoholic beverages for off-site consumption as it pertains to the requirement to sell three varieties of fresh produce and two whole grain items. Since the establishment is not a market, the sale of such products is not appropriate. There is a market, however, across from the restaurant that sells such items, as well as two supermarkets approximately 3,500 feet to the south.

SUBJECT PROPERTY AND SURROUNDINGS

The following chart provides property data within a 500-foot radius:

LOCATION	ALTADENA COMMUNITY PLAN LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	GC (General Commercial)	C-2	Restaurant
NORTH	GC, LD (Low Density Residential - 1 to 6 dwelling units per gross acre)	R-3-P (Limited Density Multiple Residence – Parking), R-1-7,500 (Single-Family Residence – 7,500 Square Feet Minimum Required Lot Area)	Multi-family residences (“MFRs”), single-family residences (“SFRs”), two-family residences
EAST	LD	R-3-P, R-1-10,000 (Single-Family Residence – 10,000 Square Feet Minimum Required Lot Area)	MFRs, SFRs
SOUTH	GC, LD	C-2, R-3-P, R-3 (Limited Density Multiple Residence), R-2 (Two-Family Residence)	Professional offices, restaurant (on-site alcohol), market, MFRs, SFRs, two-family residences
WEST	GC, LD	C-2, R-3-P, R-1-7,500	Preschool, SFRs, cultural center, market (off-site alcohol), MFRs, two-family residences, parking lots





PROPERTY HISTORY

A. Zoning History

ORDINANCE NO.	ZONING	DATE OF ADOPTION
ZCO 42	Zone 4 (Neighborhood Business)	September 12, 1927
ZCO 4203	C-2	February 2, 1943
ZCO 5541	C-2	May 9, 1950

B. Previous Cases

CASE NO.	REQUEST	DATE OF ACTION
RPPL2020000786	Request for Business License Referral for take-out eating establishment	February 13, 2024
RPPL2018001847	Request for Business License Referral for take-out eating establishment	April 11, 2018
RPPL2016005204	Request for Business License Referral for take-out eating establishment	December 12, 2016

LA County Department of Public Works Building & Safety permits show that the subject building was constructed in 1974. Furthermore, several business license referrals for public eating establishments (bakery and restaurant for take-out) have been approved for the site.

C. Violations

CASE NO.	VIOLATION	CLOSED/OPEN
NONE	NA	NA

ANALYSIS

A. Land Use Compatibility

The neighborhood in which the restaurant, where alcohol sales are proposed, is in an area that contains a mix of residential, and commercial including service uses. The existing restaurant is compatible with its surroundings, both as a land use and as aesthetically designed. The sale of beer and wine for on-site and off-site consumption will be accessory to the business. Sensitive land uses, such as residential uses and the nearby preschool are well buffered from alcohol sales with intervening structures, parking lots, and streets. The serving of beer and wine at the future proposed outdoor seating area, which will be reviewed by separate approval, will be set back from the street 50 feet, providing a buffer. Also, the future proposed seating area is 220 feet from the Firehouse School preschool, across Allen Avenue. Residential uses, likewise, are sufficiently buffered from the site by fences, intervening buildings, and landscaping.

B. Neighborhood Impact (Need/Convenience Assessment)

The sale of beer and wine in association with meals served within the outdoor dining area of the restaurant will add a public convenience and offer a greater variety of dining options to the community. The request to sell beer and wine until 11:00 pm on Friday and Saturday is to make the sale of such beverages correspond with the restaurant's business hours. As the location is not in a high crime area nor in an area of undue concentration (four ABC licenses are allowed and only one is existing as documented by a letter from ABC), the request to allow an 11:00 p.m. cutoff time for alcohol sales on Fridays and Saturdays is appropriate as staff believes the public convenience and necessity can be established in this case. The Project Site is in the Altadena Community Standards District ("CSD"), and the subject establishment was constructed before the requirements of CSD; some aspects of the CSD are nevertheless adhered to. The outdoor area is presently unauthorized, but the applicant will obtain all necessary permits to legalize it.

GENERAL PLAN/COMMUNITY PLAN CONSISTENCY

The Project is consistent with applicable goals and policies of the General Plan and Altadena Community Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

ZONING ORDINANCE CONSISTENCY

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by Sections 22.158.050 (Conditional Use Permit Findings and Decisions) and 22.140.030 (Alcoholic Beverage Sales) of the County Code. The Burden of Proof with applicant's responses is attached (Exhibit E – Applicant's Burden of Proof). Staff is of the opinion that the applicant has met the burden of proof.

ENVIRONMENTAL ANALYSIS

Staff recommends that this project qualifies for a Categorical Exemption (Class 1, Existing Facilities and Class 11, Accessory Structures under the California Environmental Quality Act (CEQA) and the County environmental guidelines. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the project.

COMMENTS RECEIVED

A. County Department Comments and Recommendations

The County Sheriff's Department ("Sheriff"), in a letter dated November 2, 2023, recommended that the Project proceed to public hearing. The letter stated that the Project Site had not been a problem location from a law enforcement perspective. There have been three calls for Sheriff services in the last 10 months, but none were related to the business itself but instead for loitering and other matters unrelated to the business, such as transients refusing to leave the property.

B. Other Agency Comments and Recommendations

ABC, in a report submitted on January 18, 2024, stated that the Project Site is not in an area with an overconcentration of alcohol licenses and is not in a high crime reporting district. Four on-sale alcohol licenses are allowed in the subject census tract (Tract 4612) and there is currently one existing.

C. Public Comments

The Altadena Town Council, in a letter dated March 26, 2024, recommended approval of the CUP and included a list of recommended conditions of approval, including a request for the installation of security cameras and alarm, prohibition of alcoholic beverage advertising on the exterior of the building, and allowing the business to offer "happy hour" drink specials.

Report
Reviewed By: Michele R. Bush
Michele R. Bush, Supervising Regional Planner

Report
Approved By: Susan M. Tae
Susan M. Tae, AICP, Assistant Administrator

LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Draft Findings
EXHIBIT D	Draft Conditions of Approval
EXHIBIT E	Applicant's Burden of Proof
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photos
EXHIBIT I	Applicant's Project Narrative
EXHIBIT J	Agency Correspondence
EXHIBIT K	Public Correspondence
EXHIBIT L	Reference Documents
1. "Effectiveness of Policies Restricting Hours of Alcohol Sales in Preventing Excessive Alcohol Consumption and Related Harms". US National Library of Medicine National Institutes of Health. 2010. https://www.ncbi.nlm.nih.gov/pubmed/21084080	
2. "International alcohol control study: pricing data and hours of purchase predict heavier drinking". US National Library of Medicine National Institutes of Health. https://www.ncbi.nlm.nih.gov/pubmed/24588859	
3. "How To Use Local and Land Use Powers to Prevent Underage Drinking". Pacific Institute for Research and Evaluation, August 2013 (https://www.ojp.gov/ncjrs/virtual-library/abstracts/how-use-local-regulatory-and-land-use-powers-prevent-underage)	



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818.792.3038 | ALVAREZ + STUDIO

PRIME PIZZA
TENANT IMPROVEMENT
1900 ALLEN AVE,
ALTADENA, CA 91001

DATE ISSUE

PROJECT NUMBER: 2303A
DRAWN BY: AA
CHECKED BY: AA

PERMIT SET

SITE PLAN

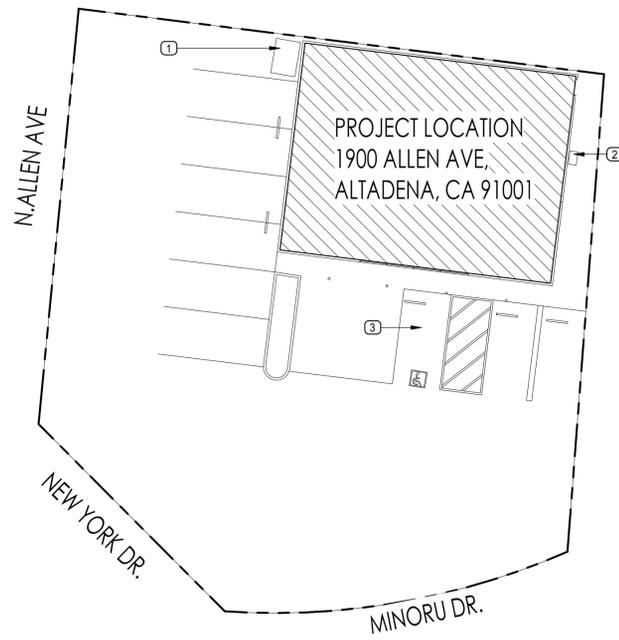
G3.01

SITE PLAN GENERAL NOTES

TENANT IMPROVEMENT - NO CHANGE IN PARKING

SITE PLAN KEYNOTES

- 1 (E) TRASH AREA
- 2 GREASETRAP LOCATION
- 3 ACCESSIBLE PARKING



1 SITE PLAN
G3.01 1/16" = 1'-0"





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PRIME PIZZA
TENANT IMPROVEMENT
1900 ALLEN AVE.
ALTADENA, CA 91001

DATE ISSUE

PROJECT NUMBER: 2303A
DRAWN BY: Author
CHECKED BY: Checker

PERMIT SET

FLOOR PLAN

A2.10

FLOOR PLAN GENERAL NOTES

- A. FLOOR PLAN WALL DIMENSIONS ARE TO FACE OF FINISH UNLESS OTHERWISE NOTED. DIMENSIONS TO CENTERLINES OF WALLS ARE TO CENTERLINE OF FRAMING.
- B. HINGE JAMB, TYP. 3" CLEARANCE TO THE WALL TO ACCOMMODATE DOOR HARDWARE.
- C. DOORS NOT TAGGED ARE (E) TO REMAIN. TAGGED DOORS ARE NEW UON.
- D. ALL INTERIOR PARTITIONS ARE TYPE A3, UON.
- E. APPLY ACOUSTIC SEALANT AT ALL (N) + (E) PARTITION LOCATIONS.
- F. ALL J-BOXES AND WALL PENETRATIONS TO BE ACOUSTICALLY SEALED.
- G. INFILL AT (E) PARTITIONS TO MATCH (E) FIRE RATING, IF REQUIRED.
- H. REMOVE ALL NON-CODE-REQUIRED LABELS FROM CONDUIT, PIPE, DUCTWORK, DEVICES AND SIMILAR ELEMENTS.
- I. GENERAL CONTRACTOR TO FURNISH AND INSTALL ALL CODE REQUIRED ROOM SIGNAGE, FACILE EXIT SIGNAGE AND EGRESS SIGNAGE.
- J. PROVIDE ACOUSTIC BATT INSULATION AT ALL NEW PARTITIONS, UON
- K. REVIEW WALL MOUNTED TRANSFER GRILL LOCATIONS WITH ARCHITECT PRIOR TO INSTALLATION.
- L. WATERPROOFING MEMBRANE ON THE CONCRETE SLAB TURNED UP AT LEAST FOUR INCHES [4"] ON ALL DEMISING WALLS THROUGHOUT THE ENTIRE PREMISES. WATERTIGHT SEALS MUST BE MADE AT ALL PENETRATIONS THROUGH THE MEMBRANE. DEMISING AND PARTITION WALLS IN WET AREAS ARE REQUIRED TO BE CONSTRUCTED OF A WONDERBOARD™ OR SIMILAR WATER PROOF WALL BOARD MATERIAL TO PREVENT MOISTURE FROM AFFECTING ADJACENT SPACES
- M. FOR PARTITION DETAILS SEE SHEET A9.02

FLOOR PLAN SHEET NOTES

- 1 (N) ACCESSIBLE RESTROOM
- 2 POS COUNTER AT 34" HIGH MAX
- 3 COUNTERTOP WITH CABINET UNDER
- 4 EXIT SIGN

PARTITION LEGEND

PLAN INDICATION

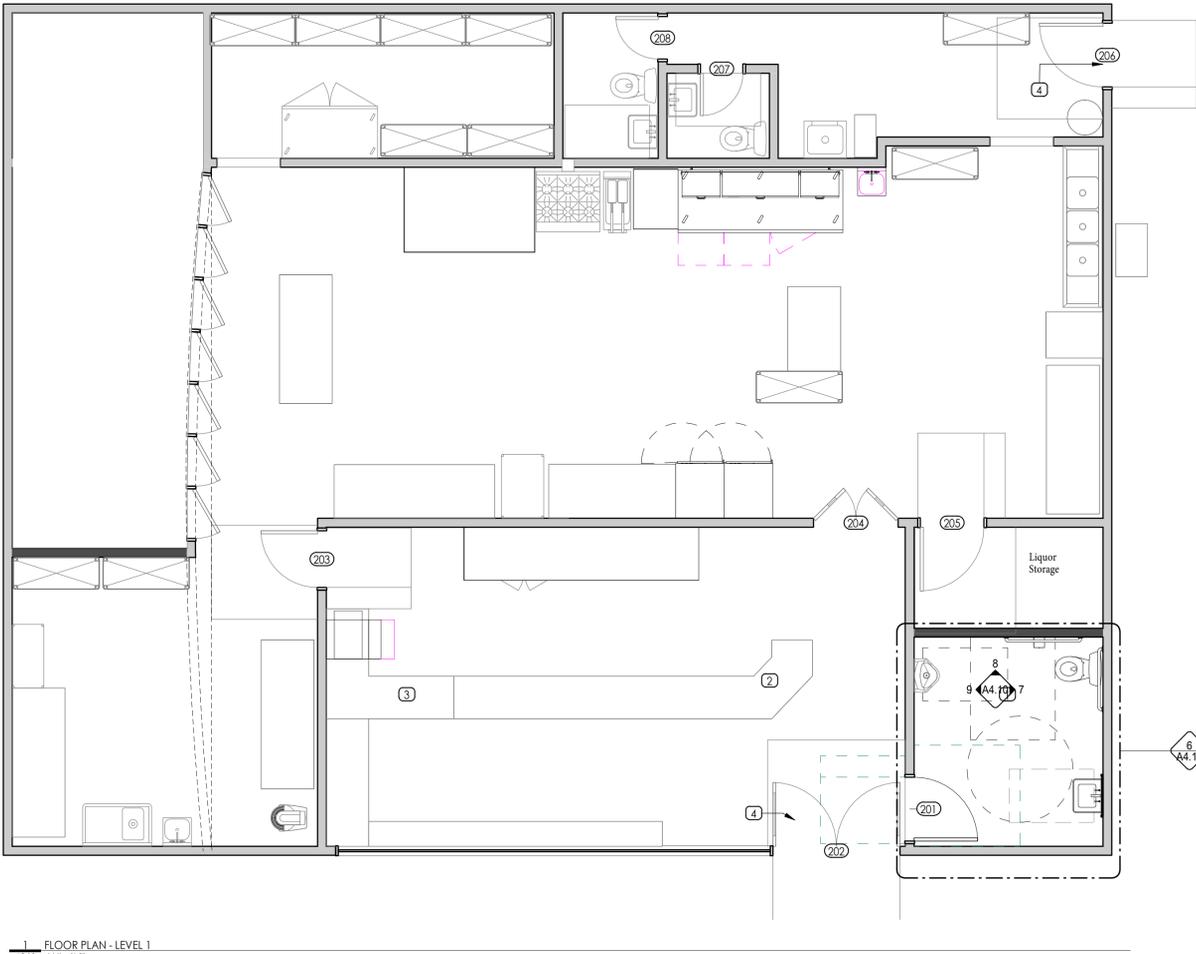
- INDICATES PARTITION TYPE
- INDICATES STUD / FURRING SIZE
- NEW (N) NON-RATED INTERIOR PARTITIONS AND FURRING WALLS
- EXISTING (E) NON-RATED INTERIOR PARTITIONS AND FURRING WALLS
- GLAZING
- NO WORK IN THIS AREA
- NEW MILLWORK

STUD / FURRING SIZE SCHEDULE

TAG	STUD SIZE (WOOD)
1	3/4"
2	1 1/2"
3	2 1/2"
4	3 1/2"
6	5 1/2"
8	7 1/4"
10	9 1/4"
12	11 1/4"

GLAZING SCHEDULE

GL1	3/8" TEMPERED GLASS
GL2	1/2" TEMPERED GLASS
GL3	1/2" LAMINATED GLASS
GL4	CLEAR, FIRE RATED, THICKNESS AS REQUIRED FOR RATING



FLOOR PLAN - LEVEL 1
A2.10 1/4" = 1'-0"

DOOR SCHEDULE

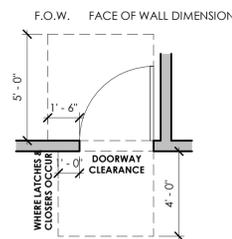
MARK	DOOR		FRAME			FIRE RATING	GLAZING	HARDWARE GROUP	CARD READER	PANIC HW	COMMENTS
	LEAF TYPE	LEAF MATERIAL	LEAF FINISH	WIDTH	HEIGHT						
201	A			3'-0"	7'-0"		(none)	(none)			
202	BB			6'-0"	8'-0"		(none)	(none)			
203	A			2'-8"	7'-0"		(none)	(none)			
204	A			4'-0"	7'-0"		(none)	(none)			
205	A			3'-0"	7'-0"		(none)	(none)			
206	A			3'-0"	7'-0"		(none)	(none)			
207	A			2'-0"	7'-0"		(none)	(none)			
208	A			2'-0"	7'-0"		(none)	(none)			

DOOR NOTES

1. PROVIDE SIGN STATING "THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS" AT 1" MINIMUM HEIGHT DOOR.
2. ALL EXTERIOR DOORS OPEN OUTWARD AND SHALL BE TIGHT FITTING TO EFFECTIVELY PREVENT THE ENTRANCE OF FLIES AND RODENTS.
3. ALL EXITS TO BE OPENABLE FROM INSIDE WITHOUT USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT.
4. THE BOTTOM 10" OF ALL DOORS SHALL HAVE A SMOOTH UNINTERRUPTED SURFACE OR SHALL BE PROVIDED WITH 10 INCH HIGH SMOOTH METAL PANEL AT THE BOTTOM TO ALLOW THE DOOR TO BE OPENED BY A WHEELCHAIR FOOTREST WITHOUT CREATING A TRAP OR HAZARDOUS CONDITION. PER SECTION 11B-404.2.10.
5. TOILET DOOR SHALL BE TIGHT FIT.
6. MAXIMUM EFFORT TO OPERATE DOORS SHALL NOT EXCEED THE FOLLOWING: (11B-404.2.9)
INTERIOR DOORS - 5 POUNDS
EXTERIOR DOORS - 5 POUNDS
7. DOOR HANDLES TO BE ADA COMPLIANT, LEVER TYPE.

DOOR HARDWARE

- (A) SELF CLOSING
- (B) PRIVACY LOCKSET
- (C) S.S. KICKPLATE 10" HIGH
- (D) KEYED LOCKSET
- (E) DOOR HOLDER
- (F) LEVER HARDWARE
- (G) LATCH TYPE MEET ADA CODE



7/5/2023 11:46:50 AM THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND ARE THE SOLE PROPERTY OF ALVAREZ + STUDIO. ANY USE WITHOUT WRITTEN CONSENT IS PROHIBITED. DO NOT SCALE FROM THESE DRAWINGS.





PROJECT NUMBER PRJ2023-003928-(5) **HEARING DATE** July 23, 2024

REQUESTED ENTITLEMENT
Conditional Use Permit (“CUP”) No.
RPPL2023005794

PROJECT SUMMARY

OWNER / APPLICANT

1900 Allen Avenue, LLC/Prime Pizza

MAP/EXHIBIT DATE

May 2023

PROJECT OVERVIEW

The applicant requests a CUP to authorize the sale of alcoholic beverages (beer and wine – ABC Type 41 License) for on-site and ancillary off-site consumption at an existing restaurant (Prime Pizza). Requested hours of alcoholic beverage sales are from 10:00 a.m. to 10:00 p.m., Sunday to Thursday and from 10:00 a.m. to 11:00 p.m. on Friday and Saturday. There is no indoor dining at the pizzeria; instead, there are eight picnic-style tables with benches located outside on a deck occupying space formerly devoted to four automobile parking spaces. Beer and wine will be served in this area as part of a separate approval for outdoor dining. In the event that outdoor dining is not approved, beer and wine could not be served there. Off-site alcohol sales will occur with food service only and customers will not be able to retrieve such beverages on their own. Only staff members will have access to such beverages.

LOCATION

1900 North Allen Avenue, Altadena

ACCESS

Allen Avenue & Minoru Drive

ASSESSORS PARCEL NUMBER

5854-021-009

SITE AREA

0.24 acre (10,260 square feet)

GENERAL PLAN / LOCAL PLAN

Altadena Community Plan (“Community Plan”)

ZONED DISTRICT

Altadena

LAND USE DESIGNATION

GC (General Commercial)

ZONE

C-2 (Neighborhood Commercial)

PROPOSED UNITS

NA

MAX DENSITY/UNITS

NA

COMMUNITY STANDARDS DISTRICT

Altadena

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities
Class 11 Categorical Exemption – Accessory Structures

KEY ISSUES

- Consistency with the General Plan and Community Plan
 - Satisfaction of the following portions of Title 22 of the County Code:
 - Section 22.158.050 (CUP Findings and Decision Requirements)
 - Section 22.140.030 (Alcoholic Beverage Sales)
 - Chapter 22.306 (Altadena Community Standards District)
 - Section 22.20.030 (Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R)
-

CASE PLANNER:

Anthony M. Curzi

PHONE NUMBER:

(213) 893 - 7016

E-MAIL ADDRESS:

acurzi@planning.lacounty.gov

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2023-003928-(5)
CONDITIONAL USE PERMIT NO. RPPL2023005794

RECITALS

1. **HEARING DATE.** The Los Angeles County (“County”) Hearing Officer conducted a duly noticed public hearing in the matter of Conditional Use Permit (“CUP”) No. **RPPL2023005794** on July 23, 2024.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT REQUESTED.** The permittee, Prime Pizza ("permittee"), requests the CUP to authorize the sale of beer and wine for on-site and ancillary off-site consumption (ABC Type 41 License) at an existing pizzeria (“Project”) on a property located at 1900 Allen Avenue in the unincorporated community of Altadena ("Project Site"), in the C-2 (Neighborhood Business) Zone pursuant to County Code Section 22.20.030 (Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R). Requested hours for alcoholic beverage sales are from 10:00 a.m.to 10:00 p.m. Sunday to Thursday and from 10:00 a.m. to 11:00 p.m. Friday and Saturday. The permittee is also requesting a modification related to the sale of alcoholic beverages as it pertains to the requirement for establishments selling beer and wine to sell three varieties of fresh produce and two whole grain items. .
4. **LAND USE DESIGNATION.** The Project Site is located within the GC (General Commercial) land use category of the Altadena Community Plan (“Community Plan”) Land Use Policy Map, a component of the General Plan.
5. **ZONING.** The Project Site is located in the Altadena Zoned District and is currently zoned C-2. Pursuant to County Code Section 22.20.030 (Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R), a CUP is required for the sale of alcoholic beverages for on- and off-site consumption.
6. **SURROUNDING LAND USES AND ZONING**

LOCATION	COMMUNITY PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	GC, LD (Low Density Residential [1 to 6 dwelling units per gross acre])	R-3-P (Limited Density Multiple Residence – Parking), R-1-7,500 (Single-Family	Multi-family residences (“MFRs”), single-family residences (“SFRs”), two-

		Residence – 7,500 Square Foot Minimum Required Lot Area)	family residences
EAST	LD	R-3-P, R-1-10,000 (Single-Family Residence – 10,000 Square Foot Minimum Required Lot Area)	MFRs, SFRs
SOUTH	GC, LD	C-2, R-3-P, R-3 (Limited Density Multiple Residence), R-2 (Two-Family Residence)	Professional offices, restaurant (on-site alcohol), market, MFRs, SFRs, two-family residences
WEST	GC, LD	C-2, R-3-P, R-1-7,500	Preschool, SFRs, cultural center, market (off-site alcohol), MFRs, two-family residences, parking lots

7. PROJECT AND SITE PLAN DESCRIPTION.

Existing Site Conditions

The Project Site is 0.24 acre (10,260 square feet) in size and consists of one legal lot. The Project Site is irregular in shape with flat topography and is developed with an existing 2,596-square-foot one-story commercial building housing the restaurant (Prime Pizza) with an existing outdoor dining area and associated nine-car parking lot. The outdoor dining area is presently unauthorized, but the permittee will be required to obtain all necessary permits to legalize it.

Site Access

The Project Site is accessible via Allen Avenue, an 80-foot-wide public street to the west and via Minoru Drive, a 60-foot-wide public street to the south. There are two 30-foot-wide driveways to the Project Site, one on Allen Avenue and one on Minoru Drive. Class 3 Bike Paths (Bike Routes) are located on Allen Avenue and New York Drive at the Project Site. The Project Site is also served by public transportation, Metro bus service on nearby New York Drive.

Site Plan

The site plan depicts the entire property with the existing one-story building at the northern portion of the property with a parking lot consisting of nine automobile parking spaces, including one accessible space. The floor plan depicts the restaurant kitchen, restrooms, storage rooms, and customer ordering area. There is no indoor seating area. Instead, there is an approximately 550-square-foot deck (occupying spaces formerly devoted to four automobile spaces) with eight picnic-style benches. This outdoor dining area is currently existing but unpermitted and requires separate approval.

Parking

Parking is located to the west and south of the commercial building and includes nine spaces, including one accessible space.

8. CEQA DETERMINATION.

Prior to the Hearing Officer's public hearing on the Project, LA County Planning staff determined that the Project qualified for a Class 1, Existing Facilities, and Class 11, Accessory Structures categorical exemptions from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the sale of beer and wine at an existing restaurant with no proposed physical changes.

No exceptions to the categorical exemption apply to the Project. No conditions, characteristics or circumstances are found to preclude the use of this categorical exemption under CEQA Statute and Guidelines Section 15300.2 for the following reasons:

- a) Cumulative Impacts: The Project involves no physical expansion beyond what is currently existing.
- b) "Unusual Circumstances" or Significant Effects: The Project is for the sale of alcoholic beverages for on-site consumption and ancillary off-site sales with no expansion of the underlying restaurant use. The footprint of development and paved surfaces are across the entirety of the subject property. Adequate utilities and roadway infrastructure already exist to serve the subject property and no environmentally sensitive areas will be impacted by any additional development as none is proposed.
- c) Scenic Highways: According to California's Scenic Highway Program, which is administered by Caltrans, the Project Site is not located within or near an officially designated state scenic highway.

- d) **Hazardous Waste Sites:** The Project Site is not located on a site which is included on any list compiled pursuant to Government Code Section 65962.5. According to the California Department of Toxic Substances Control's ("DTSC's") EnviroStor and State Water Resources Control Board's GeoTracker web databases, no active or open hazardous waste sites were identified at the Project Site. A review of the Hazardous Waste and Substances Site List-Site Cleanup database also shows no records on the Project Site. There are no public drinking wells within the Project Site that may pose conflicts with the lists compiled by the California Department of Health Services. Finally, the Project Site is not included in any Water Board's list of solid waste disposal sites, list of "active" orders where necessary actions have not yet been completed (known as Cease and Desist Orders and Cleanup and Abatement Orders).
- e) **Historical Resources:** The Project Site does not contain any historical resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources or included in a local register of historical resources. According to the County's Historic Resources Sites Policy mapping, there is no historic or cultural resource site within the vicinity of the Project Site. The County also does not consider the Project Site to be a discretionary historical resource per Public Resources Code Section 21084.1. Furthermore, while the age of the subject building from which alcohol will be sold is 50 years old, the sale and serving of alcohol will not affect the building in any way.

9. **COMMUNITY OUTREACH.** On February 6, 2023, prior to the Hearing Officer's public hearing on the Project, the permittee presented the request to the Altadena Town Council ("ATC").
10. **PUBLIC COMMENTS.** The ATC provided a letter dated March 26, 2024, wherein support for the Project was expressed along with 23 separate recommendations for operation of the restaurant. Many of these recommendations are in line with, or similar to, the Project's Conditions of Approval.
11. **AGENCY RECOMMENDATIONS.** The California Department of Alcoholic Beverage Control ("ABC") submitted a Business and Practice Worksheet ("worksheet"), dated December 14, 2023, which included crime reporting district and Census Tract-based statistics regarding reported criminal activity and existing alcohol licenses. According to the worksheet, the Project Site is not in a high crime reporting district. The worksheet also stated that the Project Site is not in an area of overconcentration of ABC licenses. Four ABC Licenses for on-site sale are allowed and ABC's records show that there is one on-site sale license currently in the subject census tract (Tract Number 4612).

The County Sheriff's Department ("Sheriff"), in a letter dated November 2, 2023, recommended that the Project proceed to public hearing. The letter stated that the Project Site had not been a problem location from a law enforcement perspective. There have been three calls for Sheriff services in the last 10 months, but none were

related to the business itself but instead for loitering and other matters unrelated to the restaurant, such as transients refusing to leave the property.

12. **LEGAL NOTIFICATION.** Pursuant to Section 22.222.120 (Public Hearing Procedure) of the County Code, the community was properly notified of the public hearing by mail, and newspaper (*Pasadena Star News*), and property posting. Additionally, the Project was noticed, and case materials were available on LA County Planning's website. On May 28, 2024, a total of 297 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as eight notices to those on the courtesy mailing list for the Altadena Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

13. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the Community Plan because the GC land use designation is intended for a “broad range of commercial services” (Community Plan 4-9), a variety of retail sales, restaurants, and other commercial services, categories into which this Project falls. As the Project is a restaurant where patrons will be able to enjoy beer and wine with their meals, or purchase as part of takeaway orders in a professionally managed location, the Project falls within the uses included in the Community Plan.

14. **GOALS AND POLICIES.** The Hearing Officer finds that the following policies of the General Plan and Community Plan are applicable to the Project.

General Plan Goal LU5: Vibrant, livable and healthy communities with a mix of land uses, services and amenities.

General Plan Land Use Policy LU 5.2: “Encourage a diversity of commercial and retail services, and public facilities at various scales to meet regional and local needs.”

General Plan Land 5.4: “Encourage community-serving uses, such as early care and education facilities, grocery stores, farmers markets, restaurants, and banks to locate near employment centers.”

Community Plan Policies – Issue 1: Land Use Mix #1 – “Preserve existing residential neighborhoods, commercial districts, community facilities, institutions, and environmental amenities.”

Community Plan Policies – Issue 3: Commercial Development – Community-wide Commercial #1 – “Enhance the physical character and economic viability of existing commercial centers and districts by providing for infill and intensification of vacant and underutilized parcels, adaptive reuse of vacant structures, and rehabilitation of deteriorated structures.”

The following goals and policies of the Community Plan area also applicable:

Goal 1: Maintain and enhance the quality and distribution of land uses which characterize the Altadena community and make it an attractive environment in which to live, work and enjoy leisure hours.

Goal 3: Establish an economically viable commercial environment for the Altadena community which meets the needs of the residents and is compatible with the community character.

Land Use Mix – Policy 1: Preserve existing residential neighborhoods, commercial districts, community facilities, institutions, and environmental amenities.

Land Use Mix – Policy 5: Provide for the strengthening of existing corridors and clusters of commercial, industrial, and public uses as principal activity centers of the Altadena community.

The Project will serve the area by providing a place for members of the community to enjoy beer and wine in conjunction with meals within an outdoor dining area associated with the existing restaurant. Authorizing this location to sell beer and wine for both on-site consumption and off-site consumption with takeaway orders, will strengthen its competitiveness, affording the opportunity to grow their customer base and continue to operate as an economically viable business within the neighborhood, strengthening and helping to preserve an existing commercial and residential area in a manner that is compatible with the community character. Additional dining options can serve to make the neighborhood more attractive. Furthermore, the sale of beer and wine for ancillary off-site consumption will offer another option for customers to take home meals and alcoholic beverages.

ZONING CODE CONSISTENCY FINDINGS

15. PERMITTED USE IN ZONE. The Hearing Officer finds that the Project is consistent with the C-2 zoning classification as the sale of beer and wine for on- and off-site ancillary off-site consumption is permitted in such zone with a CUP pursuant to County Code Section 22.20.030 (Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R).

16. PARKING. The Hearing Officer finds that the while the Project is a request to sell beer and wine of on- and ancillary off-site consumption, it is consistent with the County Code. Parking is located to the east and south of the commercial building and includes nine spaces, including one accessible space. Ten (10) spaces are required under the County Code. Four previous automobile parking spaces have been converted into a deck for outdoor dining and will be authorized under a temporary outdoor dining program. If outdoor dining is not approved, the establishment will be required to revert to comply with the 10 spaces and no alcohol may be served for on-site consumption.

17. COMMUNITY STANDARDS DISTRICT (“CSD”). There are no alcoholic beverage-specific regulations in the Altadena CSD. CSD standards relating to the

building itself are not applicable as the building was constructed before adoption of the CSD and no changes to the building are proposed. While the subject building, was not constructed to meet the design standards of the CSD, there are certain requirements that will apply, such as the presence of accessory outdoor dining in a space formerly occupied by four automobile parking spaces. The permittee will be required to obtain approval, as required by the Conditions of Approval, for the outdoor dining area to remain and before any alcohol may be served in that area.

18. **ALCOHOLIC BEVERAGE SALES.** Establishments selling alcoholic beverages for off-site consumption must provide for sale three varieties of fresh produce and two whole grain items. The applicant requests modification to waive this requirement as the establishment is not a general-purpose retailer and the location of the restaurant is in an area with access to such products.

CONDITIONAL USE PERMIT FINDINGS

19. **The Hearing Officer finds that the proposed use will be consistent with the General Plan for the area.** The proposed sale of beer and wine for on-site and ancillary off-site consumption in the existing restaurant is appropriate as the Project Site is located in an area with neighboring commercial uses. The proposed use is allowed in the subject land use category and will further select goals and policies of the General Plan and Community Plan related to economic growth. Authorizing the sale of beer and wine for on-site and ancillary off-site consumption in association with a food service will strengthen the economic competitiveness of the business and help strengthen commercial and residential areas near the restaurant in a compatible manner with a community-serving land use. The request to sell beer and wine until 11:00 pm on Friday and Saturday is also appropriate as this would make the sale of such beverages correspond with business hours. Lastly, increasing dining options would bolster the attractiveness of the neighborhood.
20. **The Hearing Officer finds that the proposed use at the site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.** The proposed sale of beer and wine for on- and ancillary off-site consumption will occur in a to-be-approved outdoor dining area as well as with takeaway orders. The use is physically buffered from surrounding land uses by other buildings, streets, and parking lots. The sale of alcoholic beverages is subject to numerous County-imposed conditions to ensure that negative impacts are eliminated or minimized. Such conditions include the requirement for a security/camera system, requirement for food service in conjunction with alcoholic beverages, and prohibition against the advertisement of alcoholic beverages on exterior walls. The sale of alcoholic beverages for off-site consumption will be in association with the order of food only. Staff will retrieve the alcoholic beverages from behind the counter. There will be no “self-service” option for patrons to obtain alcoholic beverages.

21. **The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.** The sale of beer and wine is for on-site and ancillary off-site consumption at an existing commercial structure legally constructed and in 1974 and in accordance with development standards in effect at the time. The subject restaurant's façade is well-integrated into the neighborhood, with sufficient fenestration, color, and other design elements that are compatible with commercial uses in the surrounding area even though it pre-dates the CSD requirements. Even with four vehicle parking spaces converted to outdoor dining, there is sufficient onsite parking to meet the customer demand. The proposed outdoor dining complies with the requirements of the County's Temporary Outdoor Dining Program, some of which include: no more than 50 percent of the establishment's parking spaces may be converted into a dining area, meeting ADA requirements, and the dining area is not separated from the establishment by an active driveway. If the outdoor dining area is not approved, the Project will be required to revert to comply with the 10 spaces and no alcohol may be served for on-site consumption.
22. **The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.** The Project Site is located on Allen Avenue, a public street with an 80-foot right-of-way, comprised of a 38-foot-wide vehicular path with two travel lanes. Class 3 Bike Paths (Bike Routes) are located on Allen Avenue and New York Drive at the Project Site. The restaurant is existing, and the sale of beer and wine for on- and ancillary off-site sales is not expected to generate additional traffic in such a manner as to cause undue congestion. The Project Site is also served by public transportation, Metro bus service on nearby New York Drive. Other public and private services such as water, electricity, and gas are available on-site and will not be unduly affected by the Project because the business will occur in an existing building that has historically used these services.
23. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 10 years.

SUPPLEMENTAL FINDINGS

24. **The Hearing Officer finds that 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.** There is one preschool located within 600 feet of the subject restaurant to the west; however, the restaurant is sufficiently buffered from this use by intervening buildings, streets, fences, and parking lots. Furthermore, County-imposed conditions, regarding operation of the establishment will ensure that negative impacts will be minimized, such as a requirement for security cameras at the restaurant and the sale of alcoholic beverages only with food service.

25. **The Hearing Officer finds that 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 Project Site is sufficiently buffered from nearby residential areas to the north, south, east, and west by a parking lot, fences, intervening buildings, and landscaping.
26. **The Hearing Officer finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.** The sale of beer and wine for on-site and ancillary off-site consumption in association with meals served in an existing restaurant and takeaway orders, will represent an economic opportunity by introducing enhanced dining options for the community. The current restaurant has existed at the site since 2023. Before that, the building was used as another public eating establishment (bakery) since 2016.
27. **The Hearing Officer finds that 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 subject building is existing and is consistent in architectural style and size with other commercial buildings in the neighborhood. The subject building was previously approved with a building permit, in accordance with development standards in effect at the time. No physical modifications to the exterior of the restaurant are proposed.
28. **The Hearing Officer finds that the proposed sale of alcohol would not occur at a site that is within a high crime reporting district nor in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act, nor that the 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.** The Project Site is not located in a high crime reporting district nor in an area with an undue concentration. Four ABC Licenses for on-site sale are allowed and ABC's records show that there is one on-site sale license currently in the subject census tract. Therefore, with the additional sale of beer and wine at the subject location, the area will not be overconcentrated. The sale of beer and wine for on- and ancillary off-site consumption with meals and takeaway orders will create new economic activity in the area, offering the public enhanced dining options in a professionally managed venue with numerous operational safeguards, such as requirements for a security system with cameras, and prohibitions on loitering. As such, it can be determined that the public convenience and necessity of selling beer and wine at the Project Site can be established for the hours of 10:00 a.m. to 10:00 p.m. Sunday to Thursday and 10:00 a.m. to 11:00 p.m. Friday and Saturday.
29. **The Hearing Officer finds that modifying the requirements to sell fresh produce and whole grain items for takeaway orders is appropriate as the establishment is not a market or a store.** There is a market, however, across the street that sells such items as well as two supermarkets approximately 3,500 feet to the south.

30. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 10 years.

ENVIRONMENTAL FINDINGS

31. The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines sections 15301 and 15311 (Class 1, Existing Facilities and Class 11, Accessory Structures categorical exemptions). The Project involves the sale of alcoholic beverages for on- and ancillary off-site consumption at an existing restaurant.

32. No exceptions to the categorical exemption apply to the Project per Section 15300.2 of the California Code of Regulations. No conditions, characteristics or circumstances are found to preclude the use of this categorical exemption under CEQA Statute and Guidelines Section 15300.2 for the following reasons:

- a) Cumulative Impacts: The Project involves no physical expansion beyond what is currently existing.
- b) “Unusual Circumstances” or Significant Effects: The Project is for the sale of alcoholic beverages for on- and ancillary off-site consumption with no expansion of the underlying use. The footprint of development and paved surfaces are across the entirety of the subject property. Adequate utilities and roadway infrastructure already exist to serve the subject property and no environmentally sensitive areas will be impacted by any additional development as none is proposed.
- c) Scenic Highways: According to California’s Scenic Highway Program, which is administered by Caltrans, the Project Site is not located within or near an officially designated state scenic highway.
- d) Hazardous Waste Sites: The Project Site is not located on a site which is included on any list compiled pursuant to Government Code Section 65962.5. According to the DTSC’s EnviroStor and State Water Resources Control Board’s GeoTracker web databases, no active or open hazardous waste sites were identified at the Project Site. A review of the Hazardous Waste and Substances Site List–Site Cleanup database also shows no records on the Project Site. There are no public drinking wells within the Project Site that may pose conflicts with the lists compiled by the California Department of Health Services. Finally, the project site is not included in any Water Board’s list of solid waste disposal sites, list of “active” orders where necessary actions have not yet been completed (known as Cease and Desist Orders and Cleanup and Abatement Orders).
- e) Historical Resources: The Project Site does not contain any historical resource listed in, or determined to be eligible for listing in, the California Register of

Historical Resources or included in a local register of historical resources. According to the County's Historic Resources Sites Policy mapping, there is no historic or cultural resource site within the vicinity of the Project Site. The County also does not consider the Project Site to be a discretionary historical resource per Public Resources Code Section 21084.1.

Furthermore, while the age of the subject building from which alcohol will be sold is 50 years, the new sale of alcoholic beverages for on- and ancillary off-site consumption in an existing restaurant will not affect the building in any way.

ADMINISTRATIVE FINDINGS

33. LOCATION OF DOCUMENTS. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Foothills Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. 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.
- F. 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.

- G. 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.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- I. 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.
- J. The proposed use is not in a high crime reporting area or in an area with an undue concentration of alcoholic beverage licenses pursuant to the California Alcoholic Beverage Control Act.
- K. The request to modify the requirement to sell three varieties of fresh produce and two whole grain items is justified as the establishment is not a general-purpose retailer and it is located in an area with sufficient access to fresh produce and whole grains.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines sections 15301 and 15311 (Class 1, Existing Facilities and Class 11, Accessory Structures categorical exemptions); and
2. Approves **CONDITIONAL USE PERMIT NO. RPPL2023005794**, subject to the attached conditions.

ACTION DATE: July 23, 2024

MRB:AMC

July 11, 2024

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

DRAFT CONDITIONS OF APPROVAL
PROJECT NO. PRJ2023-003948-(5)
CONDITIONAL USE PERMIT NO. RPPL2023005794

PROJECT DESCRIPTION

The project is a request to authorize the sale of beer and wine for on-site and ancillary off-site consumption (ABC Type 41 License) at an existing restaurant, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term “permittee” shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning (“LA County Planning”) their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition No 9. Notwithstanding the foregoing, this Condition No. 2 and Conditions No. 3, 4, and 8, and shall be effective immediately upon the date of final approval of this grant by the County.
3. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with LA County Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in LA County Planning’s cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

5. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
6. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
7. **This grant shall terminate on July 23, 2034.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit ("CUP") application with LA County Planning or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least twelve months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. No provision of any easement of any other encumbrance on the property shall exempt the permittee and/or property owner from compliance with these conditions and applicable regulations. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,205.00**, which shall be placed in a performance fund and be used exclusively to reimburse LA County Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of this grant. The fund provides for **five** inspections. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS).

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$441.00 per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission (“Commission”) or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public’s health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.238 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of LA County Planning (“Director”).
14. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by LA County Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 48 hours of such notification, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit “A.” If changes to any of the plans marked Exhibit “A” are required as a result of instruction given at the public hearing, **a digital copy of a**

modified Exhibit "A" shall be submitted to LA County Planning by **September 23, 2024**.

17. If subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **a digital copy of** the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
18. The conditions of this grant shall always be retained on the premises and shall be immediately produced upon request by any County Sheriff, LA County Planning Zoning Enforcement ("Zoning Enforcement") inspector, or State of California Department of Alcoholic Beverage Control ("ABC") agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein. Violation of the conditions herein may subject the use to the provisions of County Code Chapter 22.238 (Modifications and Revocations).

PROJECT SITE-SPECIFIC CONDITIONS

19. This grant shall authorize the sale of beer and wine for on-site and ancillary off-site consumption at an existing restaurant in association with the purchase of food from 10:00 a.m. to 10:00 p.m. Sunday to Thursday and from 10:00 a.m. to 11:00 p.m. on Friday and Saturday. On-site alcohol sales pertain to the serving of beer and wine at the outdoor dining area and ancillary off-site sales pertain to takeaway orders.
20. Within three months of approval or by October 23, 2024, whichever is later, a monitored security alarm shall be installed on the premises.
21. Within three months of approval or by October 23, 2024, whichever is later, security video cameras shall be installed inside the restaurant and outside facing the outdoor dining area and surrounding area. Video footage shall be retained for at least one month and shall be made available to law enforcement upon request.
22. The permittee may hold "happy hour" drink specials, specials, or similar promotions from 3:00 p.m. to 7:00 p.m. only in conjunction with sale of food.
23. Food service shall be continuously provided during operating hours, including for takeaway orders. Beer and wine for off-site consumption shall only be sold in conjunction with food for takeaway.
24. The permittee shall obtain all necessary permits for the outdoor dining area prior to any serving of alcoholic beverages for on-site consumption. Should the outdoor dining area not be approved, no alcoholic beverages may be served in the area.
25. No fresh produce or whole grains are required to be sold by the applicant as these requirements have been waived under a requested modification.

PERMIT-SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES OF ON- AND OFF-SITE CONSUMPTION)

26. Loitering shall be prohibited on the subject property, including loitering by employees of the restaurant. Signage in compliance with County Code Chapter 22.114 (Signs) shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary. If loitering occurs on a continuous basis, as determined by the County Sheriff, a security guard shall be required during business hours at the discretion of the Director.
27. All employees who directly serve or are in the practice of selling alcoholic beverages, including managers and security personnel, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by ABC, or a similar program, such as STAR (Standardized Training for Alcohol Retailers) or another comparable State of California-certified program. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment, such as the lobby, indicated they have participated in this program. Proof of completion of the facility's training program by employees, the licensee, and all managers shall be provided to Zoning Enforcement within 90 days of the effective date of this CUP, and subsequently within 90 days of the hire date of all new employees and/or managers.
28. The permittee and all managers and employees shall not allow the sale of alcoholic beverages to any intoxicated person, any person appearing to be intoxicated, or any person exhibiting behaviors associated with being intoxicated.
29. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property, including windows, walls, fences or similar structures, or within any portion of the interior of any structure that is visible from the outside.
30. Alcoholic beverages shall only be sold or served to patrons aged 21 or older. All regulations of the State of California pertaining to the sale of alcoholic beverages to the sale of minors shall be enforced. There shall be no lottery or tobacco sales.
31. The permittee shall provide adequate exterior lighting above all entrances and exits to the premises and in all parking areas and walkways under control of the permittee or required as a condition of this grant. All exterior lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed to direct light and glare only onto the premises. All exterior lighting by this grant shall also be hooded and directed away from neighboring residences to prevent direct illumination and glare and shall be turned off within 30 minutes after conclusion of activities, except for sensor-activated security lights and/or low-level lighting along all pedestrian walkways leading to and from the parking lot.
32. A numbering address sign, in compliance with County Code Chapter 22.114 (Signs), shall be located at the front of the building in a location clearly visible from

the property grounds and the nearest public street to the satisfaction of the Director.

33. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
34. The premises, including exterior facades, designated parking areas, fences, and adjacent sidewalks and other public rights-of-way, shall be maintained in a neat and orderly condition and be free of garbage, trash, debris, or junk and salvage, except in designated trash collection containers and enclosures. All garbage, trash, debris, or junk and salvage shall be collected, and disposed of, daily.
35. There shall be no consumption of alcoholic beverages outside the designated areas of the subject facility, as depicted on the site and floor plans labeled Exhibit "A." The permittee shall instruct all designated employees, who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary. Approval for outdoor dining shall be obtained before any sale or consumption of alcoholic beverages can occur there.
36. The permittee shall develop and implement a Designated Driver program (e.g. free soft drinks or coffee to a designated driver of a group). A printed two-sided card explaining this program shall be placed on all tables in the facility or an explanation regarding this program shall be printed on the menu.
37. Music or other audible noise at the premises shall comply with County Code Title 12 to the satisfaction of the County Department of Public Health. No live music shall be allowed inside or outside the premises unless authorized by separate applicable permits. Pre-recorded, radio, or acoustic music may be played inside the building but shall not be heard outside the business. Doors shall be kept closed at all times.



CONDITIONAL USE PERMIT STATEMENT OF FINDINGS

Pursuant to County Code Section [22.158.050](#) (Findings and Decision), the applicant shall substantiate the following:

(Please see [Guidelines for Writing Your Conditional Use Permit Findings Statement](#). Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

B.1 The proposed use will be consistent with the adopted General Plan for the area.
B.2 The requested use at the location proposed will not: <ul style="list-style-type: none"> 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.
B.3 The proposed site is adequate in size and shape to accommodate the yards, 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.

<p>B.4 The proposed site is adequately served:</p> <ul style="list-style-type: none">a. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate; andb. By other public or private service facilities as are required.

Additional findings of public convenience or necessity.

Findings of public convenience or necessity, in accordance with County Code 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:

- | |
|---|
| <ul style="list-style-type: none"> 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. |
| |
| |
| |

Additional findings for a modification request to the shelf space limitations.

For a request to modify the shelf space limitation pursuant to County Code [Section 22.140.030.E.1](#), the applicant shall address at least one of the findings, in accordance with County Code Section [22.140.030.F.3.b](#), below:

- | |
|---|
| <ul style="list-style-type: none"> i. The requested use is not located in a high crime reporting district, as described in the California Alcoholic Beverage Control Act and the regulations adopted under that Act; ii. The requested use is a specialty retailer with a unique product mix that requires a greater allocation of shelf space to alcoholic beverages than would be the case for a general purpose retailer; or iii. The requested use involves the relocation of a use that was not previously subject to the alcoholic beverage shelf space limitation provided in Section 22.140.030.E.1, above, and the new location will allocate less shelf space to alcoholic beverages than was the case at the previous location. |
| |
| |

Additional findings for a modification request to requirement to carry a minimum of three varieties of fresh produce.

For a request to modify the requirement to carry a minimum of three varieties of fresh produce pursuant to County Code Section [22.140.030.E.2](#), the applicant shall address the findings, in accordance with County Code Section [22.140.030.F.3.b](#), below:

i. The requested use is not a general purpose retailer and is located in an area with sufficient access to fresh produce and whole grains.

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE: July 23, 2024
PROJECT NUMBER: PRJ2023-003928-(5)
PERMIT NUMBER: Conditional Use Permit (“CUP”) RPPL2023005794
SUPERVISORIAL DISTRICT: 5
PROJECT LOCATION: 1900 Allen Avenue, Altadena
OWNER: 1900 Allen Avenue, LLC
APPLICANT: Prime Pizza
CASE PLANNER: Anthony M. Curzi
acurzi@planning.lacounty.gov

Los Angeles County (“County”) completed an initial review for the above-mentioned project. Based on examination of the project proposal and the supporting information included in the application, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act (CEQA). The project qualifies as a Class 1 and Class 11 Categorical Exemptions under State CEQA Guidelines Section 15301 because the Project involves the new sale of alcoholic beverages (beer and wine) for on- and off-site consumption in an existing pizzeria. There is no alteration of the existing structure, developed area, or operation. No exceptions to the categorical exemptions apply to the Project per Section 15300.2 of the California Code of Regulations. The Project Site is not located within or near a scenic highway or a hazardous waste site, environmentally sensitive area, or historic resources. There is no significant effect due to unusual circumstances and no cumulative impacts are anticipated.

No exceptions to the categorical exemption apply to the Project. No conditions, characteristics or circumstances are found to preclude the use of this categorical exemption under CEQA Statute and Guidelines Section 15300.2 for the following reasons:

Location: This exception generally applies to Classes 3, 4, 5, 6 and 11, and not Class 1 because it mainly concerns particularly sensitive environments with rich biological resources or “environmental resources of hazardous or critical concern where designated, precisely mapped, and officially adopted under law by federal, state, or local agencies” (CEQA Guidelines section 15300.2(a)). The Project is located within an existing restaurant in a fully developed, urbanized area. No modifications or alterations to the existing development are proposed as a part of the Project request.

EXHIBIT F: ENVIRONMENTAL DETERMINATION

Cumulative Impacts: The Project involves no expansion as the new use (sale of alcoholic beverages for on- and off-site consumption) will occupy an existing restaurant. The outdoor dining area will need separate approval before the sale of alcoholic beverages for on-site consumption will be allowed.

“Unusual Circumstances” or Significant Effects: The Project is the sale of alcoholic beverages for on-site and off-site consumption in an existing structure that will not result in any cosmetic changes to the existing building and no expansion of the underlying use. The footprint of development paved surface is across the entirety of the subject property. Adequate utilities and roadway infrastructure already exist to serve the subject property and no environmentally sensitive areas will be impacted by any additional development as none is proposed.

Scenic Highways: According to California’s Scenic Highway Program, which is administered by Caltrans, the Project Site is not located within or near an officially designated state scenic highway.

Hazardous Waste Sites: The Project Site is not located on a site which is included on any list compiled pursuant to Government Code Section 65962.5. According to the California Department of Toxic Substances Control’s EnviroStor and State Water Resources Control Board’s GeoTracker web databases, no active or open hazardous waste sites were identified at the Project Site. A review of the Hazardous Waste and Substances Site List–Site Cleanup database also shows no records on the Project Site. There are no public drinking wells within the Project Site that may pose conflicts with the lists compiled by the State Department of Health Services. Finally, the project site is not included in any Water Board’s list of solid waste disposal sites, list of “active” orders where necessary actions have not yet been completed (known as Cease and Desist Orders and Cleanup and Abatement Orders).

Historical Resources: The Project Site does not contain any historical resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources or included in a local register of historical resources. According to the County’s Historic Resources Sites Policy mapping, there is no historic or cultural resource site within the vicinity of the Project Site. The County also does not consider the Project Site to be a discretionary historical resource per Public Resources Code Section 21084.1. further, while the age of the subject building from which alcohol will be sold is 50 years, the sale of alcohol will not affect the building in any way.

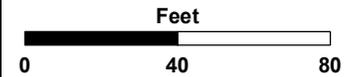


AERIAL IMAGERY

SITE-SPECIFIC MAP

PROJECT NO. PRJ2023-003928
ALCOHOL CUP RPPL2023005794

Digital Ortho Aerial Imagery:
Los Angeles Region Imagery
Acquisition Consortium (LARIAC)
2023

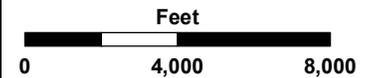


LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

3-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2023-003928
ALCOHOL CUP RPPL2023005794



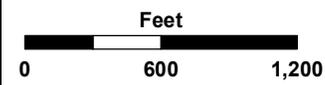
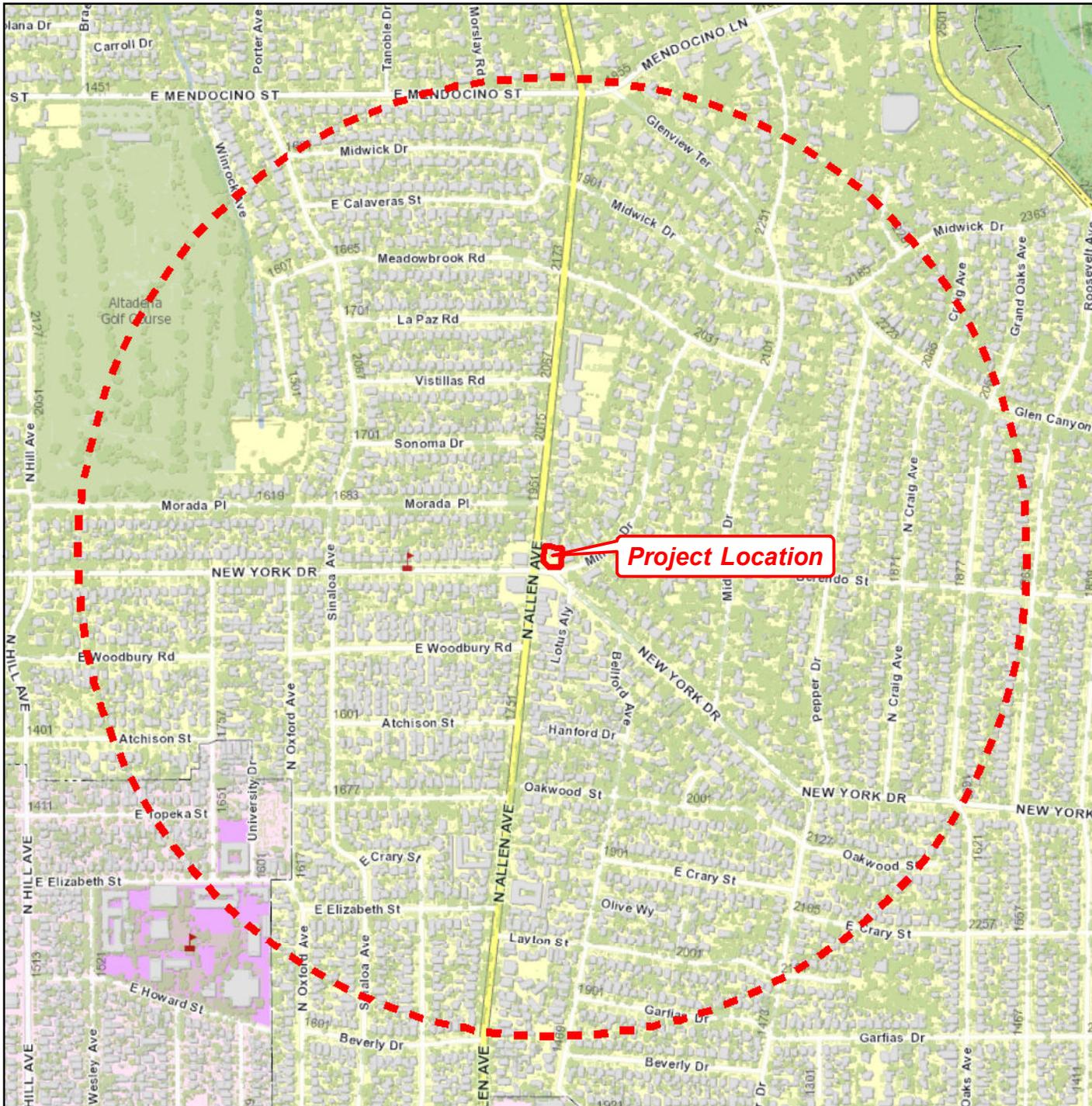
LA COUNTY
PLANNING

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Los Angeles, CA 90012

HALF-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2023-003928
ALCOHOL CUP RPPL2023005794



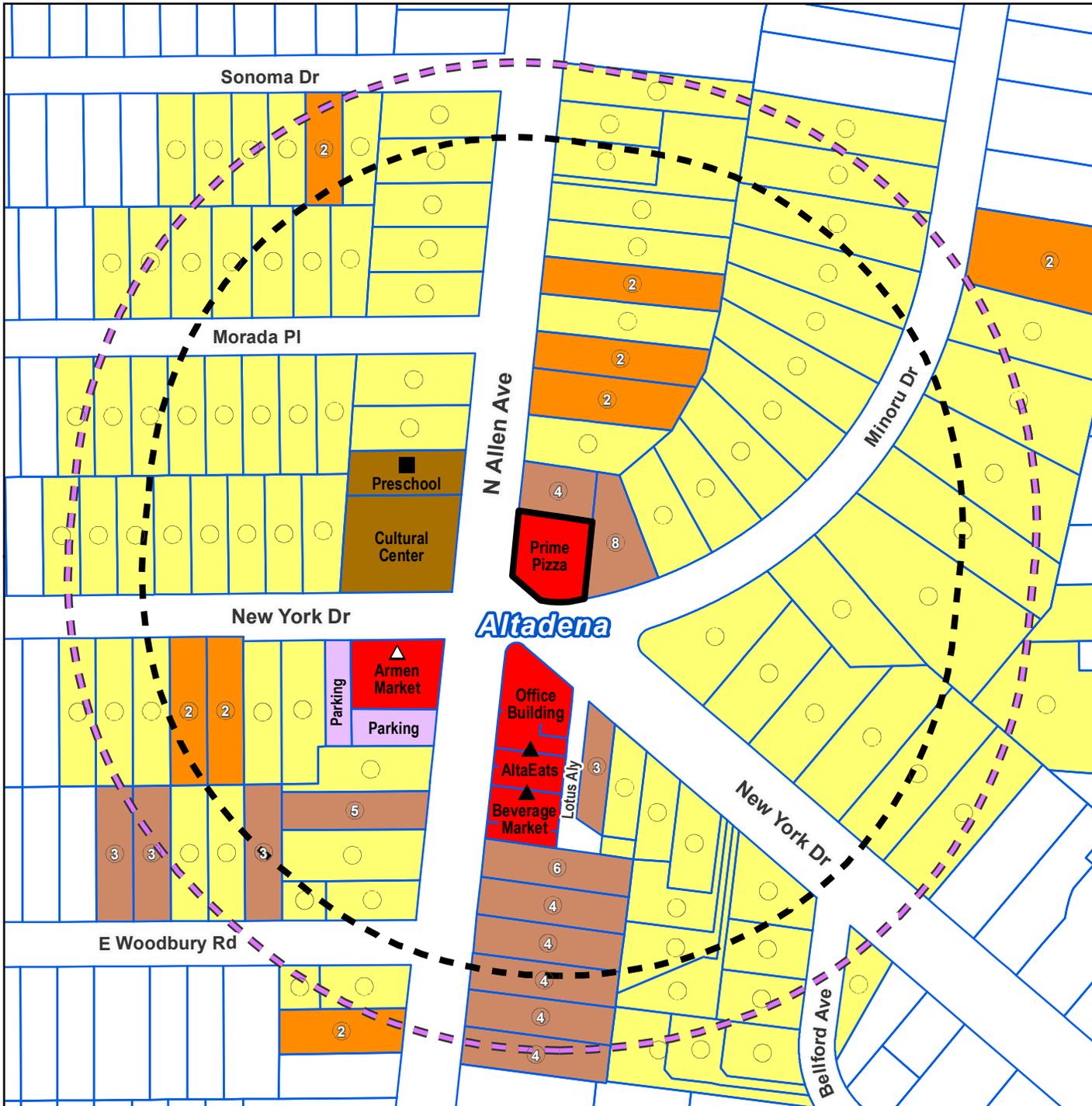
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EXISTING LAND USE

600-FOOT RADIUS MAP

PROJECT NO. PRJ2023-003928

ALCOHOL CUP RPPL2023005794

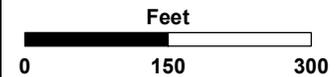


- △ Offsite Alcohol Consumption
- ▲ Onsite Alcohol Consumption
- Sensitive Use
- ⊖ 600-ft ABC Radius
- ⊖ 500-ft Standard Radius

Existing Land Use (Assessor Use Codes)

- Commercial
- Institutional
- Miscellaneous
- Residential - Single Unit*
- Residential - Two Units*
- Residential - Multi-Unit*

* Circles are generally applied to residential parcels. Empty circles indicate a single dwelling unit (DU), unless the parcel is symbolized as Vacant. Elsewhere, multi-unit residential parcels (where shown) are labeled with the number of DUs they contain.



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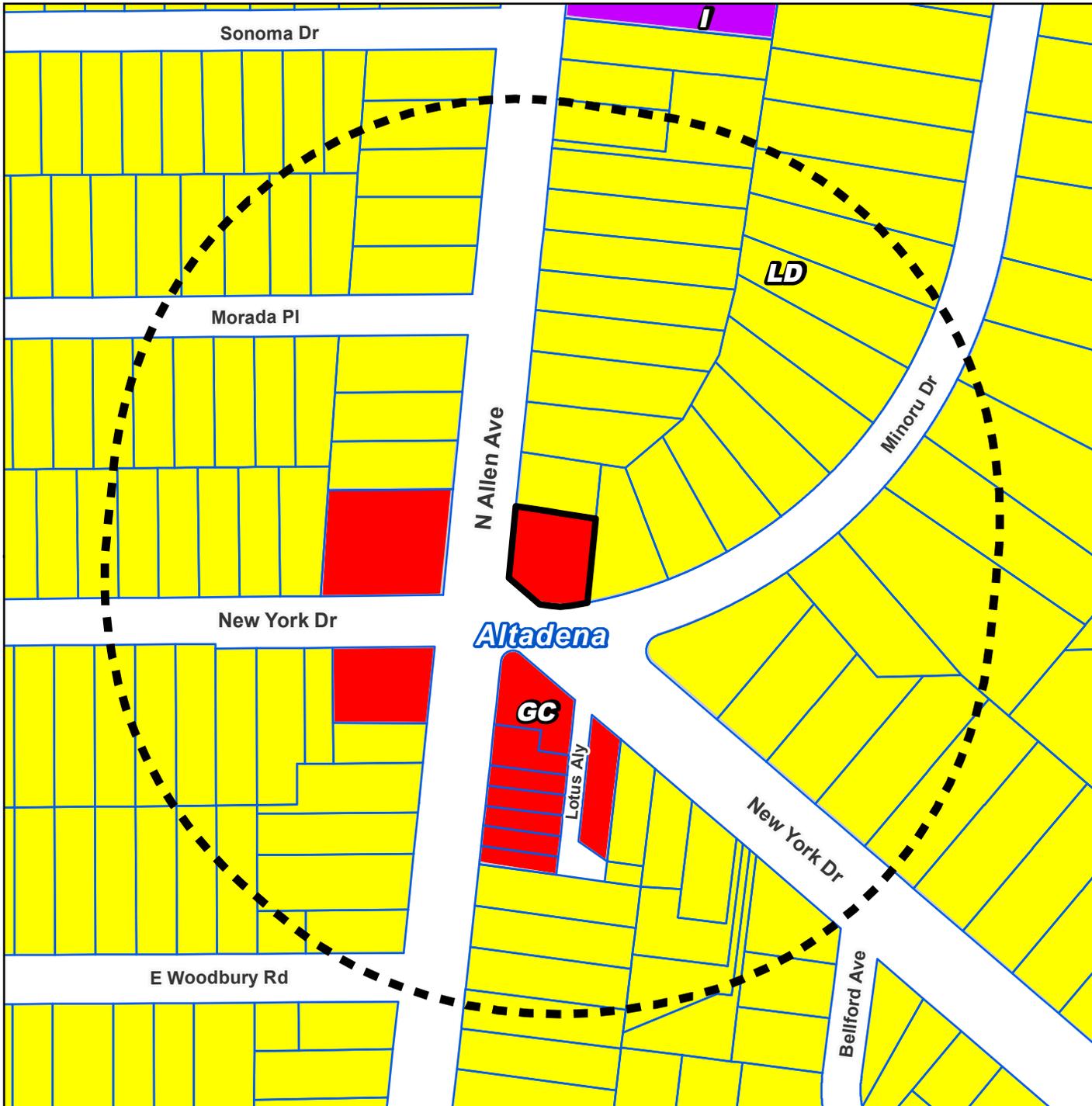
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LAND USE POLICY

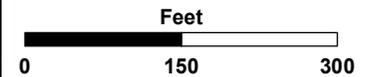
500-FOOT RADIUS MAP

PROJECT NO. PRJ2023-003928

ALCOHOL CUP RPPL2023005794



- LD - Low Density Residential (1 to 6 du/gross ac)
- GC - General Commercial
- I - Institutions

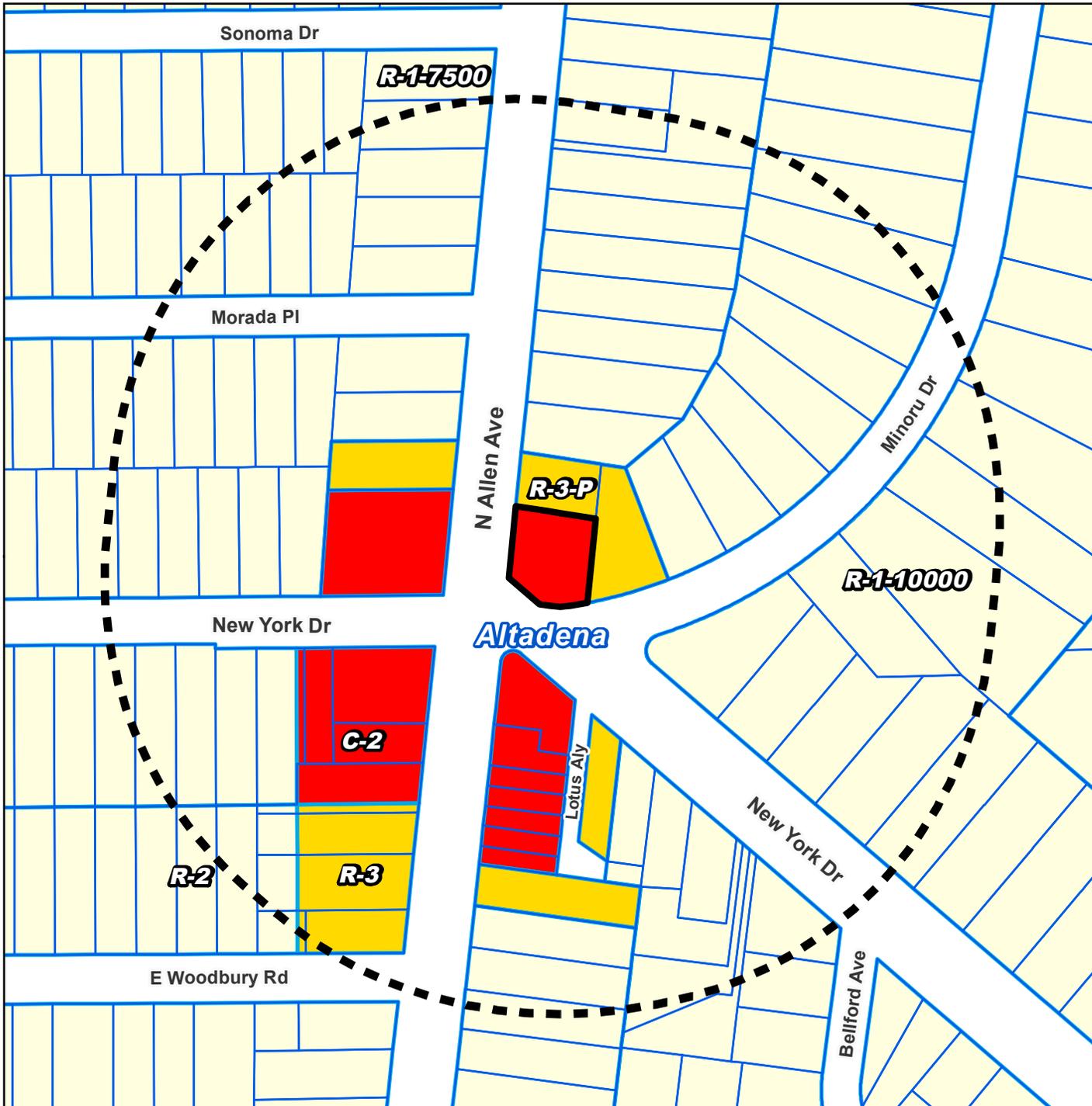


LA COUNTY
PLANNING

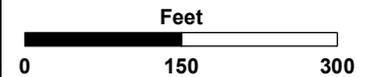
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Los Angeles, CA 90012

ZONING

500-FOOT RADIUS MAP
PROJECT NO. PRJ2023-003928
ALCOHOL CUP RPPL2023005794



-  R-1 - Single-Family Residence
-  R-2 - Two-Family Residence
-  R-3-(U) - Limited Density Multiple Residence
-  C-2 - Neighborhood Business



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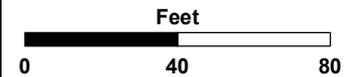
AERIAL IMAGERY

SITE-SPECIFIC MAP

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ALCOHOL CUP RPPL2023005794



Digital Ortho Aerial Imagery:
Los Angeles Region Imagery
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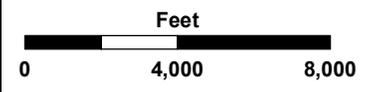
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3-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2023-003928
ALCOHOL CUP RPPL2023005794



LA COUNTY
PLANNING

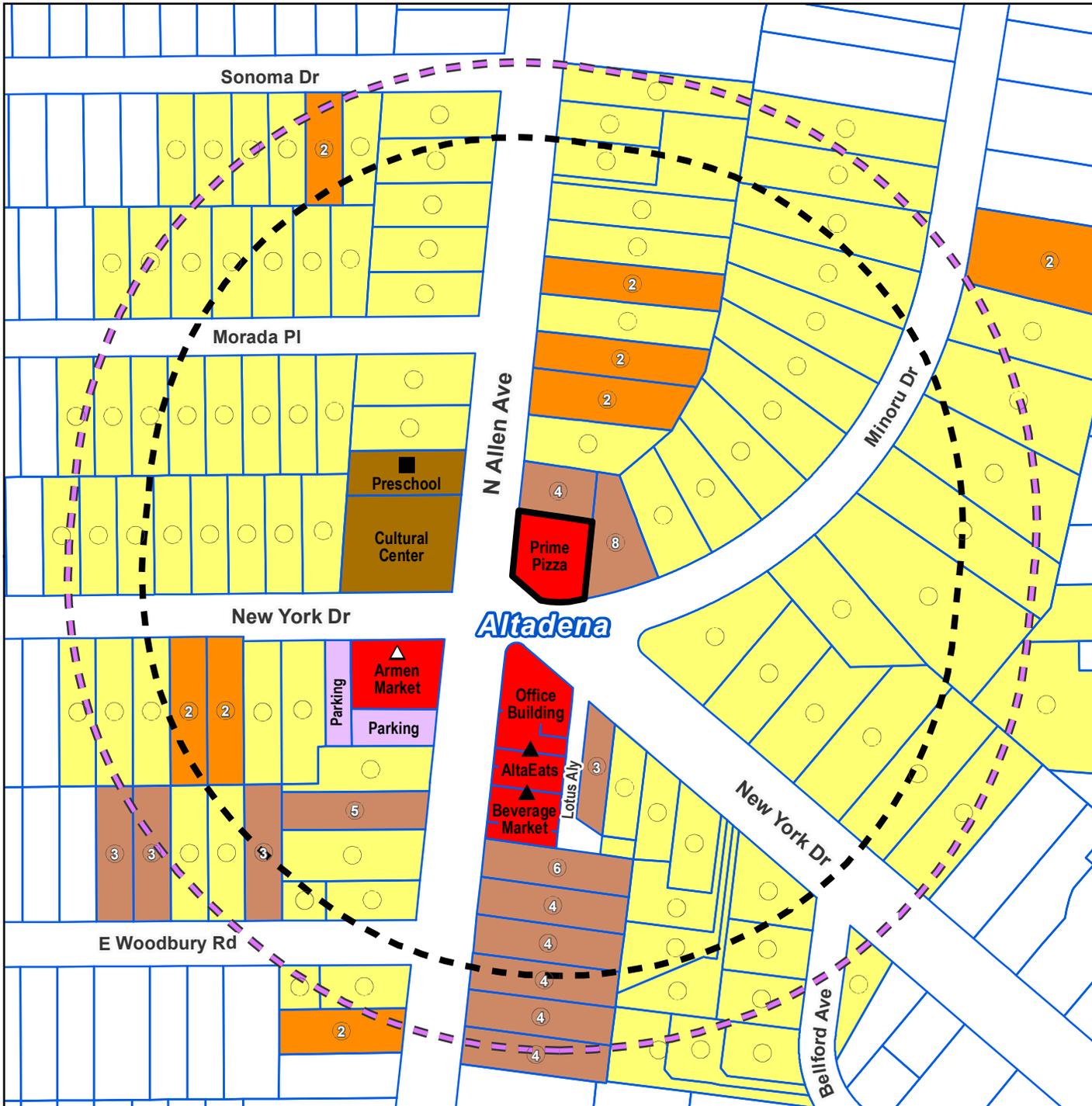
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EXISTING LAND USE

600-FOOT RADIUS MAP

PROJECT NO. PRJ2023-003928

ALCOHOL CUP RPPL2023005794

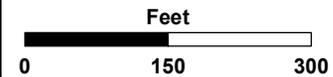


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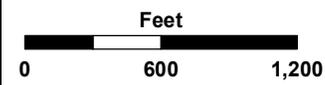
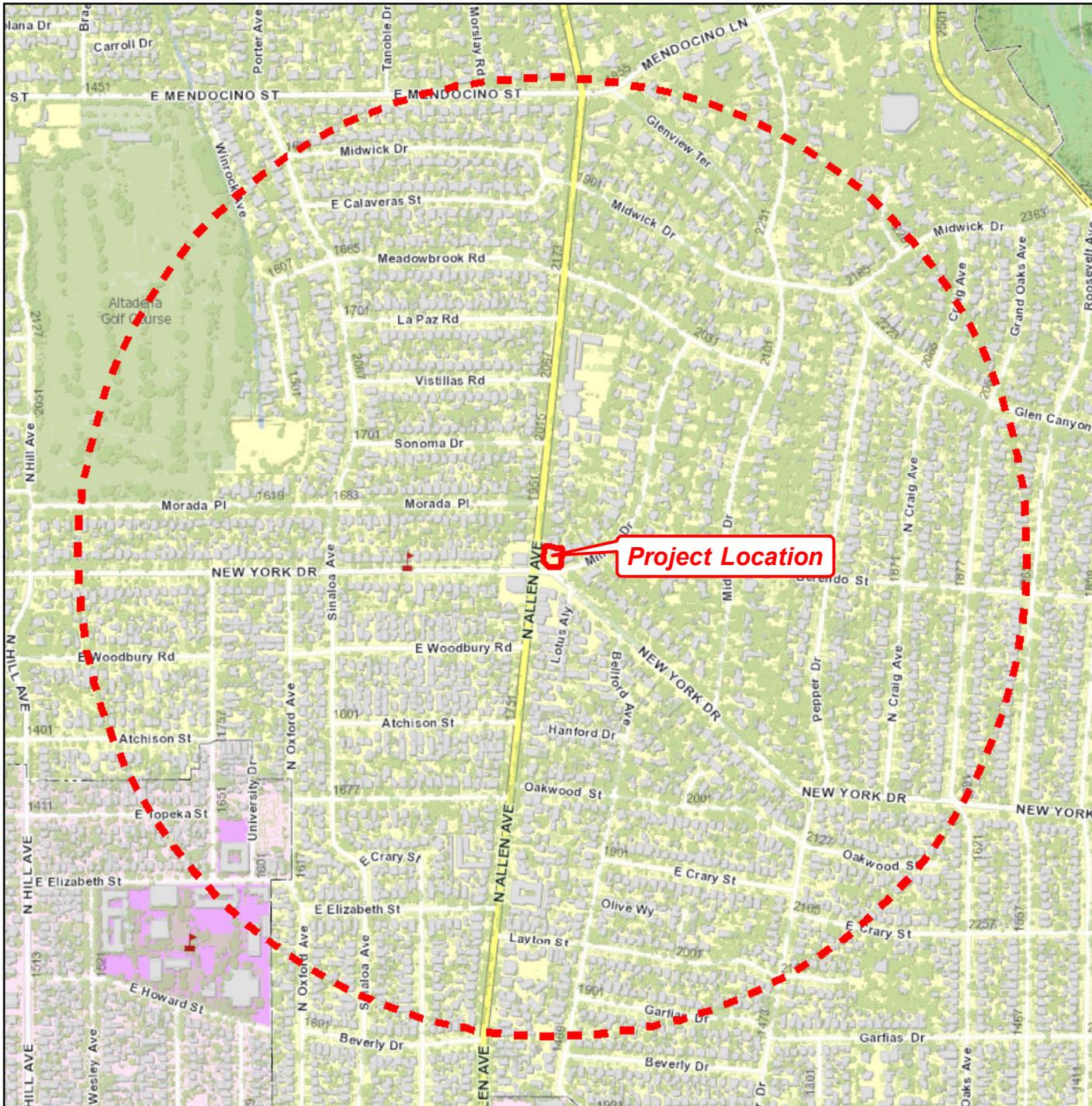


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HALF-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2023-003928
ALCOHOL CUP RPPL2023005794



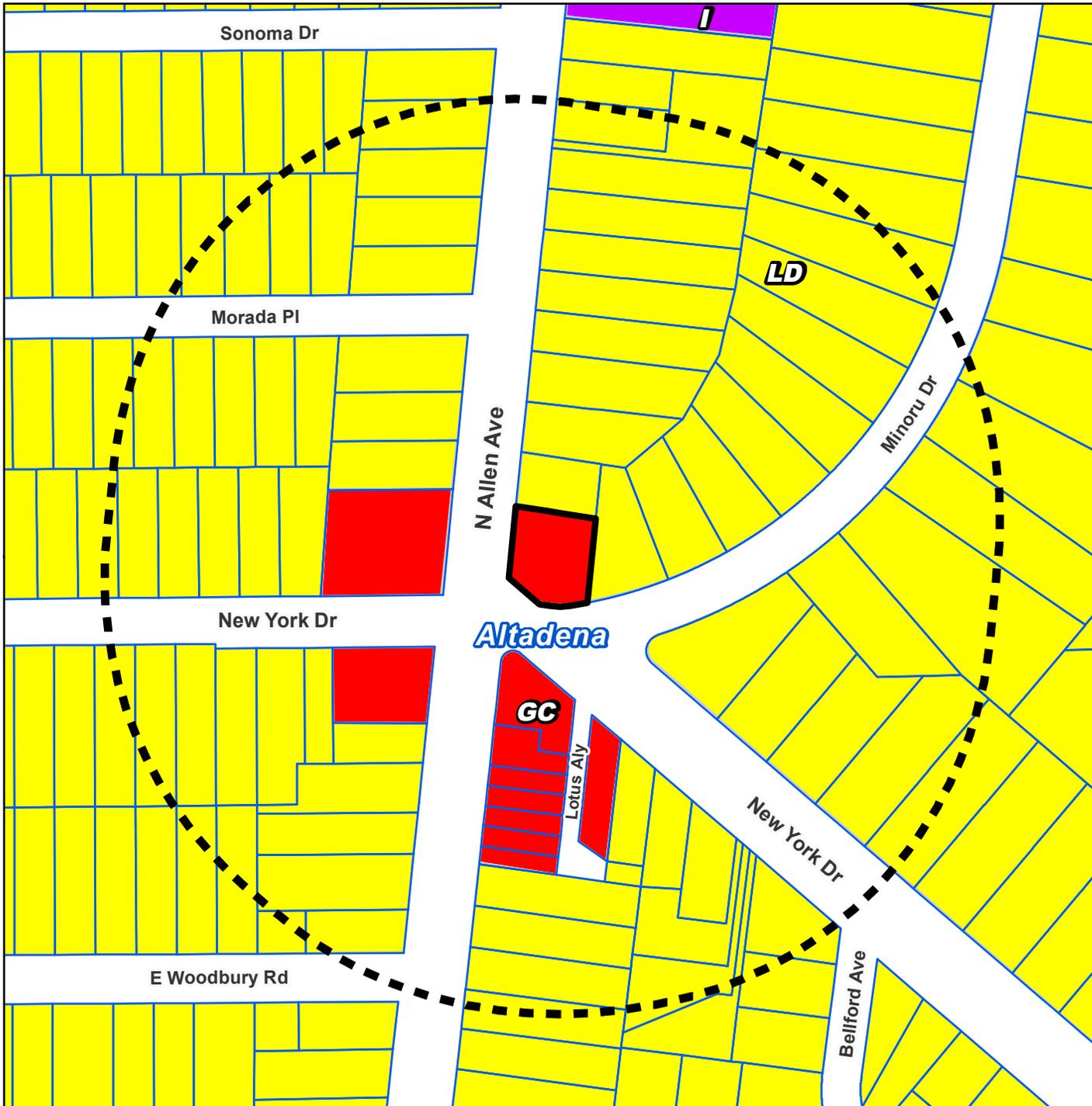
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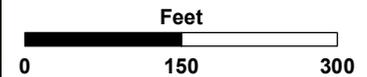
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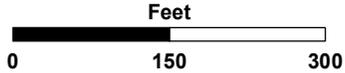
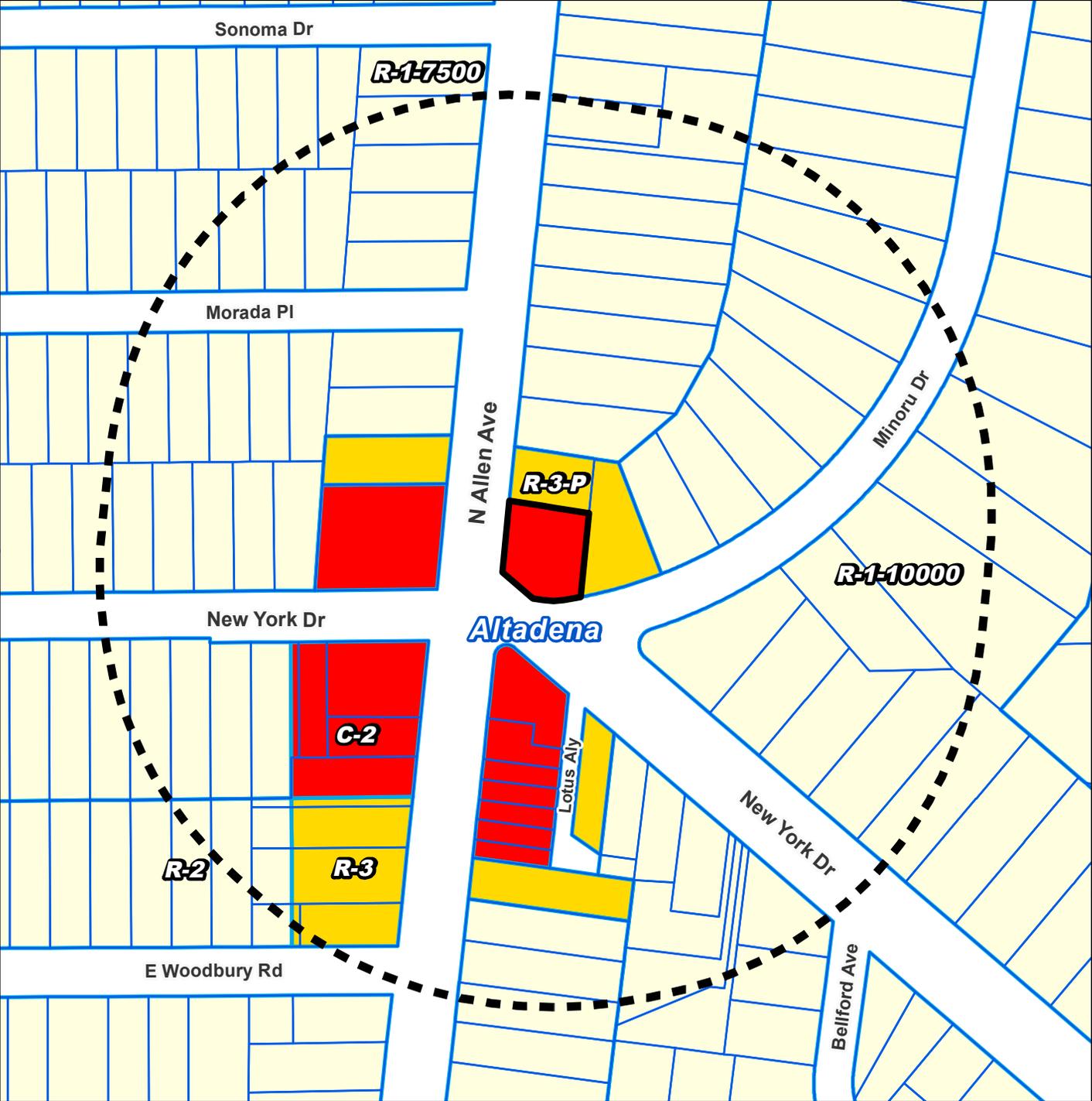
ZONING

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ALCOHOL CUP RPPL2023005794

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FE DESIGN & CONSULTING

Additional Description/ Narrative “Prime Pizza” 1900 Allen - Altadena

Project description -

1. With Prime Pizza, business owners Zak Fishman and James Starr want to ensure they deliver quality, New York style pizza to their hometown of Los Angeles. After successfully running their first location on Fairfax in Mid City-LA for almost three years, and now multiple others, they are looking forward to bringing their delicious and affordable slices to the SGV. Prime Pizza offers a great spot for both workers and residents of Altadena to grab a casual and affordable lunch or a late night dinner with friends.

The restaurant use will encompass one tenant space on Allen Ave. that previously housed a coffee shop. It is commercially zoned. 2,596 SF is the floor area for the encompassing 53 seats, the preponderance of which are outdoors. The building in its entirety is one story. Hours of operation and alcohol sales from 11am-11pm daily. Beer & Wine will be for on-site consumption and off-site sales per their ABC license.

Department of Alcoholic Beverage Control

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

- Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

2. PREMISES ADDRESS (Street number and name, city, zip code)

1900 ALLEN AVE, ALTADENA CA 91001-3422

3. LICENSE TYPE

41

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast: | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only <input type="checkbox"/> All | | | |
| <input type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-in Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| <input type="checkbox"/> Other - describe: | | | |

5. COUNTY POPULATION

N/A

6. TOTAL NUMBER OF LICENSES IN COUNTY

N/A

On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1 : 944 On-Sale Off-Sale

8. CENSUS TRACT NUMBER

4612

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

4

On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

1

On-Sale Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- Yes, the number of existing licenses exceeds the number allowed
- No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

0776

14. TOTAL NUMBER OF REPORTING DISTRICTS

572

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

43,839

16. AVERAGE NO. OF OFFENSES PER DISTRICT

76.6

17. 120% OF AVERAGE NUMBER OF OFFENSES

91.9

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

65

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

[Handwritten Signature] 12-14-23

EXHIBIT J: AGENCY CORRESPONDENCE

12/14/2023 09:15 AM

Over-Concentration (Summary)

County Name	Census Tract	On-Sale Allowed	On-Sale Existing	Off-Sale Allowed	Off-Sale Existing
LOS ANGELES	4612	4	1	2	2

[Census Geocoder](#)[Find Locations ▾](#)[Find Geographies ▾](#)[Detailed Information and FAQs](#)[Contact Us](#)

Find Address Geographies

House number & Street name:

1900 ALLEN AVE

City:

ALTADENA

State:

CA

ZIP Code:

91001

Benchmark:

Public_AR_Current ▾

Vintage:

Current_Current ▾

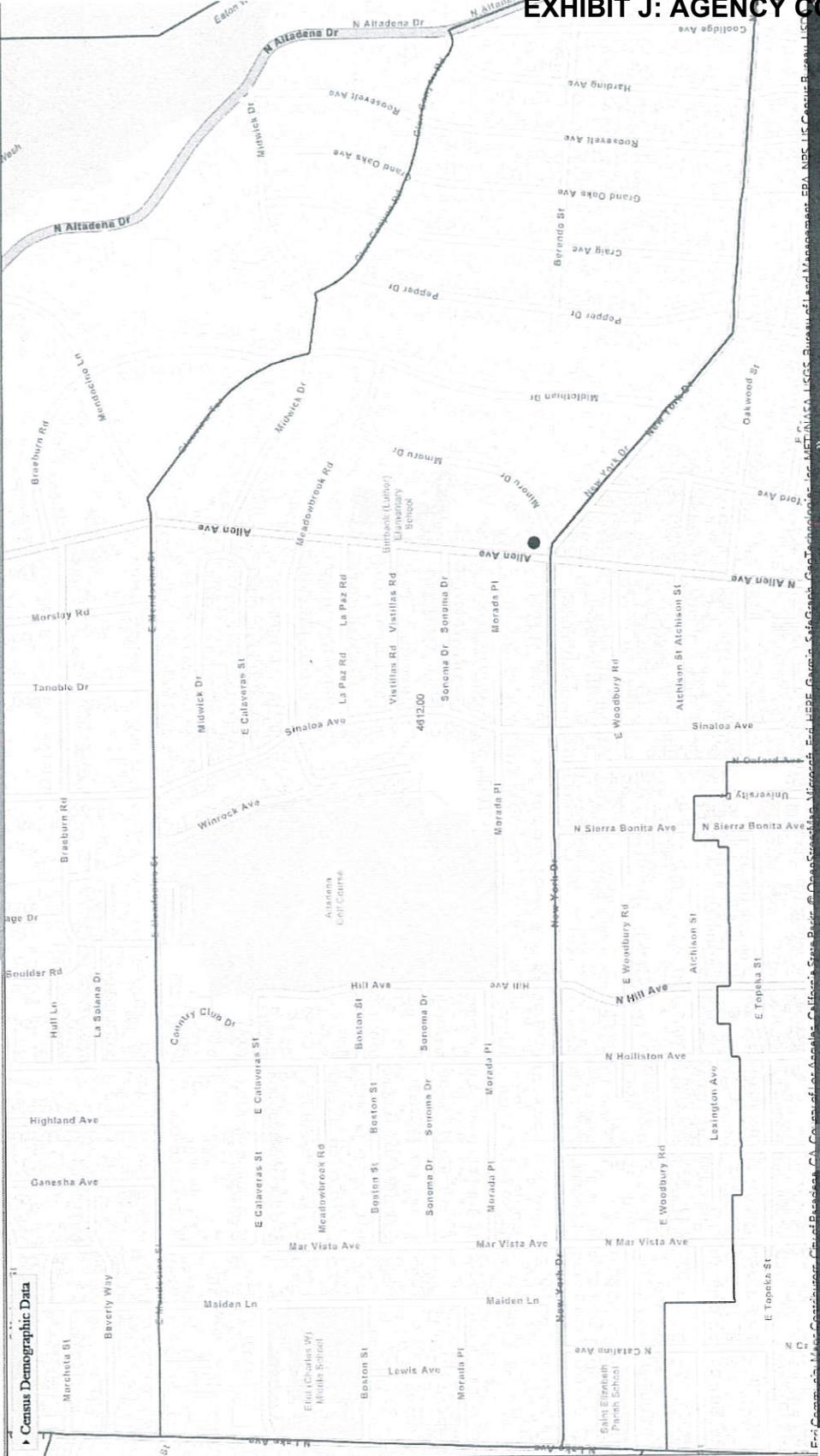
[Get Results](#)**Input:****Address:** 1900 ALLEN AVE**City:** ALTADENA**State:** CA**ZIP Code:** 91001**Benchmark:** Public_AR_Current (4)**Vintage:** Current_Current (4)

Matched Address: 1900 N ALLEN AVE, ALTADENA, CA, 91001**Interpolated Longitude (X) Coordinates:** -118.11199076043722**Interpolated Latitude (Y) Coordinates:** 34.17858860031189**Tigerline ID:** 141631690**Tigerline ID Side:** R**Census Tracts:****STATE CODE:** 06**CENTLON:** -118.1154462**GEOID:** 06037461200**CENTLAT:** +34.1809720**COUNTY CODE:** 037**TRACT CODE:** 461200**AREAWATER:** 0**AREALAND:** 2455789**NAME:** Census Tract 4612

Address	1900 Allen Ave, Altadena, California 91001
MSA Code	37084
State Code	06
County Code	037
Tract Code	4072.00
MSA Name	LOS ANGELES-LONG BEACH-GLENDALE, CA
State Name	CALIFORNIA
County Name	LOS ANGELES COUNTY

Census Demographic Data

User Select Tract



Search bar: Type here to search

Navigation icons: Home, Back, Forward, Refresh, Print, etc.

Address bar: Address

Taskbar: Desktop, Johnson, L., This PC, Libraries

[ZIP Code™ by Address \(/zip-code-lookup.htm?byaddress\)](/zip-code-lookup.htm?byaddress)

[ZIP Code™ by City and State \(/zip-code-lookup.htm?bycitystate\)](/zip-code-lookup.htm?bycitystate)

[Cities by ZIP Code \(/zip-code-lookup.htm?citybyzipcode\)](/zip-code-lookup.htm?citybyzipcode)

[FAQs](#)

<https://www.usps.com/ziplookup/faq.htm>

<https://www.usps.com/ziplookup/faq.htm>

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Feedback

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Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

Transmittal: B&P Application Worksheet Request

TO	ABC Office	Service Area	Fax	E-Mail
<input type="checkbox"/>	Long Beach/ Lakewood	Southeastern	562-982-1337	LongBeach/Lakewood@abc.ca.gov
<input type="checkbox"/>	LA Metro	Central	213-833-6043	LAMetro@abc.ca.gov
<input checked="" type="checkbox"/>	Monrovia	Northeastern	626-256-3241	Monrovia@abc.ca.gov
<input type="checkbox"/>	Van Nuys	North and Northwestern	818-901-5017	VanNuys@abc.ca.gov

The Department of Regional Planning is processing a Conditional Use Permit (CUP) to authorize the sale of alcoholic beverages. Please provide (by fax or e-mail) a "B&P Worksheet" referencing if the subject property is located within a "high-crime reporting district," and indicate if there is an undue concentration of alcoholic beverage licenses within the subject census tract. If you need further information, please contact the case planner. Thank you for your assistance.

	ABC License Type	Description
<input type="checkbox"/>	Type 20	Beer and wine, off-site consumption (retail)
<input type="checkbox"/>	Type 21	Full-line (beer, wine, distilled spirits), off-site consumption (retail)
<input checked="" type="checkbox"/>	Type 41	Beer and wine, on-site consumption (restaurant)
<input type="checkbox"/>	Type 42	Beer and wine, on-site consumption (bar, tavern)
<input type="checkbox"/>	Type 47	Full-line (beer, wine, distilled spirits), on-site consumption (restaurant)
<input type="checkbox"/>	Type 48	Full-line (beer, wine, distilled spirits), on-site consumption (bar, night club)
<input type="checkbox"/>	Other:	
DATE OF REQUEST: October 29, 2023		<input checked="" type="checkbox"/> 1st Request <input type="checkbox"/> 2nd Request <input type="checkbox"/> 3rd Request
PROJECT NO.: PRJ2023-003928-(5)		CUP NO. RPPL2023005794
ESTABLISHMENT: Prime Pizza		
LOCATION: 1900 Allen Avenue, Altadena		

320 West Temple Street • Los Angeles, CA 90012 • 213-974-6411 • TDD: 213-617-2292

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EXHIBIT J: AGENCY CORRESPONDENCE

LICENSE OWNER'S NAME(S): NA	ABC LICENSE NO.: NA
CRIME REPORTING DISTRICT NO.: NA	CENSUS TRACT NO.: 4612.00
CASE PLANNER: Anthony M. Curzi	PLANNER'S PHONE: 213-974-6411
E-MAIL: acurzi@planning.lacounty.gov	FAX: 213-626-0434

Johnson, Louise@ABC

From: Anthony Curzi <acurzi@planning.lacounty.gov>
Sent: Tuesday, December 12, 2023 12:57 PM
To: ABC Monrovia
Subject: RE: Request for statistics - 1900 Allen Avenue, Altadena (Prime Pizza)
Attachments: ABC PRJ2023-003928.pdf

CAUTION: External Email. Do not click on links or attachments unless you recognize the sender and know the content is safe.

Good afternoon—I am sorry, can you resend the response when you get a chance?

ANTHONY M. CURZI
PLANNER, Foothills Development Services

From: Anthony Curzi
Sent: Sunday, October 29, 2023 9:04 AM
To: Monrovia@abc.ca.gov
Cc: Anthony Curzi <acurzi@planning.lacounty.gov>
Subject: Request for statistics - 1900 Allen Avenue, Altadena (Prime Pizza)

Please see attached request.

Kind regards,

ANTHONY M. CURZI
PLANNER, Foothills Development Services

Office: (213) 974-6411 • Direct: (213) 893-7016
Email: acurzi@planning.lacounty.gov

Los Angeles County Department of Regional Planning
320 West Temple Street, 13th Floor, Los Angeles, CA 90012
planning.lacounty.gov



Our field offices are currently open to the public. Please visit planning.lacounty.gov for information about available services, public meeting schedules, and planning projects.

EXHIBIT J: AGENCY CORRESPONDENCE

November 2, 2023

Mr. Anthony M. Curzi
Planner, Foothills Development Services
Zoning Permits East
County of Los Angeles
Department of Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, California 90012

Subject: Conditional Use Permit (CUP) Consultation for Sale of Alcohol
Project No.: PRJ2023-003928-(5)
Permit No.: CUP RPPL2023005794
Establishment: Prime Pizza
Location: 1900 Allen Avenue, Altadena
Description: CUP for the new sale of alcoholic beverages for onsite consumption at new restaurant.

(1) Summary of service calls and crime history for the project site over the last five years:

I have completed a summary of service calls and crime history for the ten-month Prime Pizza business located at 1900 Allen Avenue, Altadena CA 91001. There have been three calls for service in the last ten months. The previous business at the location had nine calls for service in a four-year period (2018-2022). All the calls for service have been routine in nature and three were related to a disturbance or public nuisance not related to the business.

(2) Comments/recommended conditions:

In regard to the Conditional Use Permit (CUP) Consultation for Sale of Alcohol being requested by the owner of Prime Pizza, the Altadena Sheriff's Station see no reason to deny the permit.

If there are any questions regarding this complaint, contact Detective Sergeant Marcos Rosales at the Altadena Sheriff's Station, 780 E. Altadena Drive, Altadena, California (626) 296-2118

3) Overall recommendation:

Sheriff recommends approval of this CUP.

Sheriff does **NOT** recommend approval of this CUP.

Sincerely,

Robert G. Luna, SHERIFF

Jabari A. Williams, Captain
Altadena Sheriff's Station

S	R	P	Location	Tag	Dispatch Text	Clearance Text
Incident Date: 12/03/18						
C	D	R	1900 ALLEN AV,ALD "PATTI CAKES"	70	GEO: STS HE IS RECEIVING THREATS VIA EMAIL	
C	D	R	1900 ALLEN AV,ALD "PATTI CAKES"	70	GEO: STS HE IS RECEIVING THREATS VIA EMAIL	REFER TO 73 CLEARANCE
C	D	R	1900 ALLEN AV,ALD "PATTI CAKES"	70	GEO: STS HE IS RECEIVING THREATS VIA EMAIL	[REDACTED] BEER MADE A THREAT BY WRITING ON SOCIAL MEDIA THAT DATCHE BETTER WATCH OUT..ADV NO CRIMINAL THREAT..NO CRIME
Incident Date: 12/05/18						
C	D	R	1900 ALLEN AV,ALD "PATTI CAKES"	149	GEO:C/ INF AT LOC RE: HOMLESS PERSON CAME INTO STORE AND TOOK MMONEY FROM TIP JAR. OCCRD 30 AGO.	[REDACTED] E 930. INF NON DESTRIOUS OF PROSECUTION, REQ PATROL CHECKS OF AREA
Incident Date: 09/05/19						
C	D	R	1900 ALLEN AV,ALD X NEW YORK"PATTY CAKES"	125	COMMERCIAL TRUCK,BLOCKING INF'S DRIVEWY,DISPUTE B/T INF AND CONTRACTED EDISON WRKRS,NFD	[REDACTED] NO EV OF CRIME, CONSTRUCTION WORKRES ON SITE AND WORKING
C	D	R	1900 ALLEN AV,ALD X NEW YORK"PATTY CAKES"	125	COMMERCIAL TRUCK,BLOCKING INF'S DRIVEWY,DISPUTE B/T INF AND CONTRACTED EDISON WRKRS,NFD	HANDLED BY 73 PRIOR TO ARRIVAL
C	D	R	1900 ALLEN AV,ALD X NEW YORK"PATTY CAKES"	125	COMMERCIAL TRUCK,BLOCKING INF'S DRIVEWY,DISPUTE B/T INF AND CONTRACTED EDISON WRKRS,NFD	C4, REFER TO 70J'S CLEARANCE
Incident Date: 09/09/21						
C	D	R	1900 ALLEN AV,ALD "PATTICAKES"	127	C/INF AT LOC RE: ELDERLY CUSTOMER APPEARS UNABLE TO WALK HOME, POSS DISORIENTED, NFD	[REDACTED] STD HE JUST NEEDED A RIDE TO HIS HOUSE REFUED 902R, STD THE HEAT WAS TO MUCH FRO HIM, TST INF TO [REDACTED] INF ENTERED HS
Incident Date: 06/08/22						
O	D	R	1900 ALLEN AVE,ALD	111	STA DETAIL	STA DETAIL COM EVENT
Incident Date: 10/11/22						
C	D	R	1900 ALLEN AV,ALD "PATTI CAKES"	82	GEO:MB/40'S (TRANSIENT) ON PROPERTY IS REFUSING TO LEAVE.	DP GP UTL.NO FLAG DOWN.NO BWC

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>
Incident Date: 02/07/23						
C	D	R	1900 ALLEN AV,ALD	71	MW/A TRANSIENT WRNG GREY HOODIE, KHAKI PANTS SMOKING IN FRONT PATIO REFUSING TO LEAVE.	C4 PTA. NOBWC
C	D	R	1900 ALLEN AV,ALD	71	MW/A TRANSIENT WRNG GREY HOODIE, KHAKI PANTS SMOKING IN FRONT PATIO REFUSING TO LEAVE.	927C THE AREA,DP GPA UTL
C	D	R	1900 ALLEN AV,ALD	71	MW/A TRANSIENT WRNG GREY HOODIE, KHAKI PANTS SMOKING IN FRONT PATIO REFUSING TO LEAVE.	ASST 73 AS NEEDED
Incident Date: 10/06/23						
O	D	R	1900 ALLEN AV,ALD	57		CHECKED AREA.NO 586 OBSERVED



ALTADENA TOWN COUNCIL

Serving the community since 1975

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730 East Altadena Drive • Altadena, California 91001

March 26, 2024

Ms. Amy Bodek
Planning Director
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Project Number RPAP2023005875 Prime Pizza, 1900 Allen Avenue, Altadena - CUP to allow wine and beer sales.

Dear Ms. Bodek,

The Altadena Town Council (ATC) resolved, at its March 19, 2024, to recommend the **APPROVAL** of the above-mentioned project with conditions. The recommended conditions are attached to this letter.

Community Outreach

The ATC provided several opportunities for public comment including Land Use Committee (LUC) meetings and the ATC meeting. In addition, direct community outreach was completed by canvassing over 400 residences and businesses within a 1000-foot radius of the restaurant to obtain feedback and providing notice of public hearing for those not home at the time.

We received significant public comment via email and just three comments at our February 6th Land Use meeting and I have provided a summary of our findings below:

In person, we received the following support/do not support comments:

Support: 25

Do Not Support: 4

No Opinion: 6

In addition, we received calls and emails from leaving the flyers at the doors breaking down into the following groups:

Support: 65

Do Not Support: 19

No Opinion: 2

EXHIBIT K: PUBLIC CORRESPONDENCE

For the folks that do not support recommending approval of their CUP the complaints primarily consisted of the following:

1. The location is too close to Schools.
We did contact Catherine Ashani at the Firehouse School and Judy Burbank at the Stratford School. They both supported them getting their license and saw no issues, as most patrons are after they close for the day.
2. No public restroom.
This issue has been resolved, a new restroom has been built and is open for customer use.
3. Could lead to an Increase in Drunk Driving
While Drunk Driving is always a concern, we must expect Prime Pizza to follow all state and local laws for serving folks, including training their team on this. As with other local and county CUPs in other areas, we have added the designated driver program to the recommended conditions.
4. Lead to an Increase in Traffic/Parking Issues
 - a. The owner has instructed staff to park further away to not take up spots directly around the location.
 - b. The owner has instructed vendors not to block surrounding driveways, etc.
 - c. The owner leased spots from Firehouse School for parking for their staff to allow them to park off the street during certain hours.
5. Could lead to an increase in noise.
We have addressed these concerns in the recommended conditions.

For the folks supporting the approval of their CUP they cited the following:

1. Prime Pizza has revitalized the neighborhood.
2. Prime Pizza has created new jobs in our community.
3. I can walk from my house and get a great meal in a pleasant setting.

Conclusion

Prime Pizza opened in September of 2023 and has been very well received by the community. Most of the opposition is a result of increased traffic and concerns about noise. They desire to add beer and wine to complement their menu, Prime Pizza management and the Altadena Town Council do not expect food sales to spike because of beer and wine being added to the menu. The owner is sensitive to the concerns voiced by some of the neighbors and will continue to monitor and be initiative-taking to mitigate these concerns. Considering the overwhelming amount of support, the ATC recommends approval of the application to sell beer and wine at Prime Pizza with the attached conditions.

Thank you for your attention to this project.

Sincerely,



Doug Colliflower
Altadena Town Council

c: Ms. Sussy Nemer, Senior Deputy to Supervisor Barger

EXHIBIT K: PUBLIC CORRESPONDENCE

Prime Pizza Recommended Conditions

1. The sale of alcoholic beverages shall be from 9:00 AM to 10:00 PM from Sunday to Thursday and 9:00 AM to 11:00 PM on Friday and Saturday. No alcohol shall be served at the site beyond 10:00 PM from Sunday to Thursday and 11:00 PM on Friday and Saturday. Any unfinished serving already being consumed at the time shall be consumed within 60 minutes of the latest permitted time to serve alcohol at the site.
2. Security cameras shall be installed inside and outside the restaurant, facing the outdoor dining area and surrounding area. Video footage shall be retained for at least one month and shall be made available to law enforcement upon request.
3. A monitored security alarm shall be installed on the premises.
4. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property, including windows, walls, fences, or similar structures.
5. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
6. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier or similar public service area. Such telephone numbers shall be visible by and available to the general public.
7. There shall be no consumption of alcoholic beverages outside the designated areas of the subject facility. The permittee shall instruct all designated employees who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction.
8. The permittee shall develop and implement a Designated Driver program (i.e. free soft drink or coffee to a designated driver of a group). The permittee shall submit the program to the Director of Planning for approval prior to the approval of the CUP. All employees shall be trained on the program. Notice of such a program shall be placed where easily visible by patrons inside the premises.
9. All servers of alcoholic beverages must be at least 18 years of age.
10. No dancing, or dance floor is authorized in or outside the premises.
11. There shall be no music or other noise audible beyond the restaurant premises. The restaurant will comply with all LA County noise ordinance provisions.
12. Not less than fifty-one percent of the income from the business enterprise shall be derived from the sale of food and non-alcoholic beverages. The business owner shall at all times maintain records which reflect separately the gross sale of food and the gross sale of alcoholic beverages. Said records shall be available to the Los Angeles County Department of Regional Planning, the Department of Alcoholic Beverages Control, or the Los Angeles County Sheriff's Department on demand.
13. The permittee may hold "happy hour" drink specials, specials or similar promotions from 3:00 PM to 7:00 PM, seven days a week, only in conjunction with food purchase.
14. Food service shall be continuously provided during operating hours.

EXHIBIT K: PUBLIC CORRESPONDENCE

15. The service of alcohol in disposable cups will only occur in clear disposable cups; the licensee will provide no lids or straws for clear disposable cups for alcohol service on site.
16. The outdoor seating area shall be clearly defined and follow all ABC rules for outdoor areas.
17. A trashcan shall be provided in the outdoor area and emptied regularly.
18. There shall be no display of alcoholic beverages from open refrigeration display cases; any refrigerated display cases for alcoholic beverages must be enclosed.
19. There shall be no sales of alcohol from an ice tub; champagne buckets are exempted for onsite consumption.
20. The permittee shall maintain all required Los Angeles County permits and licenses in good standing for their business.
21. All employees who directly serve or are in the practice of selling alcoholic beverages, including managers and security personnel, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control, or a similar program, such as STAR (Standardized Training for Alcohol Retailers) or another comparable State of California-certified program. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment, such as the lobby, indicated they have participated in this program. Proof of completion of the facility's training program by employees, the licensee, and all managers shall be provided to Zoning Enforcement within 90 days of the effective date of this Conditional Use Permit, and subsequently within 90 days of the hire date of all new employees and/or managers.
22. Alcoholic beverages for on-site consumption shall be sold to customers only when food is ordered and consumed within the subject restaurant.
23. The following shall apply to any alcoholic sales for off-site consumption:
 - a. All sales for offsite consumption must be with food.
 - b. Only beer and wine may be sold for off-site consumption.
 - c. There shall be no wine, with the exception of wine coolers, sold in containers of less than 375 milliliters. Wine coolers shall not be sold in less than four-pack quantities.
 - d. No miniatures of any type may be sold.
 - e. All beverages must be sold un-opened and in the original manufacturer's containers.
 - f. Alcohol sold for off-site consumption may not be consumed on-site.
 - g. Staff shall not open any alcohol sold for off-site consumption.
 - h. Malt beverages (e.g. beer, ale, stout, and malt liquors) shall not be sold in a single bottle or container less than 16 ounces or greater than 750 milliliters or 25.4 ounces. The permittee shall post signs on the coolers and cashier station stating that the selling of single bottles or containers of malt beverages (e.g. beer, ale, stout, and malt liquors) less than 16 ounces or greater than 750 milliliters or 25.4 ounces is prohibited. Notwithstanding this condition, malt beverages (e.g. beer, ale, stout, and malt liquors) in single bottles or containers less than 16 ounces or greater than 750 milliliters or 25.4 ounces may be sold in manufacturer pre-packaged multi-unit quantities, such as a six-pack of 12-ounce bottles or containers or a three-pack of 24- ounce bottles or containers.