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May 8, 2007

Salahuddin Ahmed (A)
Joe's Liquor Store
1709 Lincoln Boulevard
Venice. CA 90291

Ed and Helen Hart (O)
Trustees of the Hart Living Trust
11611 San Vicente Boulevard, Suite 820
Los Angeles. CA 90049-6508

Patrick E. Panzarello (R)
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Sun Valley, CA 91352

Department of Building and Safety

CASE NO. ZA 2006-8990(CUB)
CONDITIONAL USE
1709 South Lincoln Boulevard
Venice Planning Area
Zone : C2-1
D. M. : 111B149
C. D. : 11
CEQA : ENV-2006-8991-MND
Fish and Game : Exempt
Legal Description : Lots 1 and 2, Block
15, Venice Annex Tract

as required by

Case No. 2A 2006-8990 CUB

..... Lourdes Green
ZONING ADMINISTRATOR
CITY OF LOS ANGELES

Date 2-8-08

10A3

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

a conditional use to permit the sale and dispensing for consideration of a full line of alcoholic beverages for off-site consumption in conjunction with a convenience market.

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable **government/regulatory** agencies shall be strictly complied with in the development and use of the property, except as such **regulations** are herein specifically varied or required.
2. The use and development of the property shall be in substantial **conformance** with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The **authorized** use shall be conducted at all **times** with due regard for the character of the surrounding district. and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such



Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of **clarification** shall be printed on the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.
6. The market shall not exceed 1,166 square feet.
7. Hours of operation shall not exceed 7 a.m. to 11 p.m. Sunday through Thursday and 7 a.m. to 12 midnight. **Friday** and Saturday.
8. No coin operated amusement devices, video games or similar game activities shall be maintained on the premises.
9. The applicant shall ~~be~~ responsible for maintaining free of litter the area adjacent to the premises over which the applicant has control including the parking area.
10. Conditions of approval shall be maintained on the premises at all times and produced immediately upon request of the Police Department, Department of Building and Safety. or any other enforcement agency. All **applicable** licenses, including a license issued by the Department of **Alcoholic Beverage Control** (ABC), shall be posted in a visible location on the premises.
11. The applicant shall install an electronic age verification **device(s)** to **determine** the age of any individual attempting to purchase an alcoholic beverage at every point-of-sale location. The **device(s)** shall be maintained in an operational condition and **all** employees shall be instructed in their **respective** use.
12. The market's windows shall be maintained free of signs to provide clear visibility in and out of the market and a clear view of the cash **register/point-of-sale** location inside the premises.
13. Within nine months of the effective date of this action, all staff and management of the market shall be required to complete the STAR training program regarding alcohol sales, as sponsored by the Police Department. A copy of completion of such training shall be forwarded to the Zoning Administrator for inclusion in the file.
14. The site shall be illuminated with **sufficient** lighting so that the Police Department may be able to identify anyone standing outside at night in the front and at the rear of the premises.
15. Lighting shall be shielded so that it does not affect any residential uses.

16. The applicant shall secure a City permit decal denoting approval of alcoholic beverage sales from a Planning Department public counter subsequent to the Zoning Administrator's signature on the Planning Department sign-off form and mount it on either the inside of the window of the subject site facing the front street or on the outside of the building (if inside mounting is not possible). The decal shall be **visible** at all times and mounted before the privileges granted herein are utilized.
17. A camera surveillance system. with a minimum of four cameras. shall be installed which monitors inside the facility as well as outside. including the sidewalk area and the alley and the parking lot at the rear.
18. The parking lot gate shall be closed and locked to patrons at the end of the day, (i.e., dusk), when other tenants sharing said parking lot depart for the day.
19. Delivery trucks shall be informed by the applicant not to park on the alleyway (Nowita Court)
20. **"No Parking" signs** shall be installed in the adjacent alleyway.
21. During all hours of operation, the applicant shall monitor that patrons do not park on the alley or block driveways of abutting neighbors. The applicant shall provide to abutting owners. a hot line number available during hours of operation, for the receipt of any complaints regarding conduct of patrons, service people or other activities which may affect neighbors. attributable to the market. The number shall also be posted on the premises at a readily-visible location.
22. The applicant shall not promote any situation wherein the existing tree on the public right-of-way in front of the proposed market could be removed or drastically trimmed to facilitate or enhance visibility of the premises, to the extent that such is under the control of the applicant
23. To the maximum extent feasible. the applicant shall consider the stocking of additional goods in the market that include but is not limited to dairy products, fruit, vegetables. high-end package goods and coffee. as recommended by surrounding neighbors.
24. All mitigation measures identified in ENV-2006-8991-MND, shall be incorporated as conditions of this action as summarized below:
 - a. Public Services (Fire):

The following recommendations of the Fire Department **relative** to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant. and entrances to any dwelling unit or guest room shall

not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

b. Public Services (Police General):

Incorporate into the plans the design guidelines relative to security, semi-public and private spaces. which may include but not be limited to access control to building, secured parking facilities, **walls/fences** with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site **if needed**. Please refer to Design out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213) 485-3134. These measures shall be approved by the Police Department prior to the issuance of building permits.

c. Utilities (Solid Waste):

Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other **recyclable** material.

Condition Nos. 25 through 28 are **alcohol-specific** conditions which have been volunteered by the applicant.

25. No sale of fortified wine shall be permitted.
26. No sale of "airline" shot **bottles** shall be permitted.
27. No signs shall be permitted **which** are visible from the outside which advertise the availability of alcohol on the premises.
28. Alcohol shall not be allowed to be consumed on any adjacent property under the control of the applicant.
29. Within one year of the effective date of this action. the applicant shall file a plan approval review application. The plan approval review application must be **accompanied** by the payment of appropriate fees (**Section 19.01** 1 of the Los Angeles Municipal Code) and must be accepted as complete by the Planning Department. Mailing labels shall be provided by the applicant for all abutting property owners and tenants, the Venice Neighborhood Council, the Council Office and the Los Angeles **Police** Department's Pacific Division. The applicant shall also submit a summary and any **supporting** documentation of how compliance with each condition has been attained. A public hearing shall be required. The purpose of the hearing and plan review will be to consider the effectiveness of conditions. The Zoning Administrator shall consider whether any detrimental **impacts** have occurred

from the operation of the facility including whether any documented evidence of any detrimental impacts warrants the need for a full-time or part-time security guard.

30. The term of this grant shall be valid for a period of five (5) years from the effective date of this action, **after** which time it shall become null and void and a new conditional use shall be required to be filed for the sale of alcohol for off-site consumption.
31. **Within 30 days of the effective date of this grant**, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County **Recorder's** Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a **certified** copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION

All terms and **Conditions** of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of approval and, if such privileges are not utilized or substantial physical **construction** work is **not** begun within said time and carried on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for one additional **period** not to exceed one year. if a **written** request on appropriate forms, accompanied by the applicable fee is filed therefore with a public **Office** of the Department of **City** Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

TRANSFERABILITY

This authorization runs with the land. In the event the **property** is to be **sold**, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the **conditions** of this grant.

VIOLATIONS OF THESE CONDITIONS. A MISDEMEANOR

Section 12.29 of the **Los** Angeles Municipal Code provides:

'A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. The violation of any valid condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or **City** Council in connection