

CITY OF LOS ANGELES  
DEPARTMENT OF CITY PLANNING  
OFFICE OF ZONING ADMINISTRATION

**STAFF INVESTIGATOR REPORT**

April 4, 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)  
9111 Morning Glow Way  
Sun Valley, CA 91352

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

**Request**

A Conditional Use Permit, pursuant to the provisions of Section 12.24-W,1 of the Los Angeles Municipal Code, to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption, in conjunction with a 1,166 square-foot retail market having hours of operation from 7 a.m. to 11 p.m. Sunday through Thursday, and from 7 a.m. to 12 a.m. on Friday and Saturday.

**Property Description**

The subject property is a relatively level, rectangular-shaped 6,797 square-foot parcel of land, consisting of two contiguous lots, having a frontage of 85 feet on the southwesterly side of Lincoln Boulevard, 70 feet on the westerly side of Nowita Court, and 70 feet on the easterly side of Nowita Place. Parking for four compact-sized vehicles is available at the rear of the building. Local transit service to the site is adequate, with both the MTA and Santa Monica bus lines operating frequently in the general vicinity. There is a bike rack directly in front of the main entrance of the building. Two 30-foot Spanish Elm trees are located in front of the building along the public right-of-way. There is a high demand for parking on the surrounding streets. The property is located along a major commercial corridor within the Venice Community Plan.

**The Project**

The applicant is requesting a conditional use permit to allow a new, off-site sale of a full

line of alcohol within a newly-relocated neighborhood retail market and convenience store having hours of operation from 7 a.m. until 11 p.m., Sundays through Thursdays, and from 7 a.m. until 12 midnight, on Fridays and Saturdays.

The applicant is currently operating under an existing Type-21 license allowing the off-site sales and dispensing of beer and wine. The applicant intends to move one and one-half blocks north to a new location with approximately the same square-footage of the former store. The proposed building at 1709 Lincoln Boulevard is the site of a previous used and rehabilitated furniture store. The applicant will provide a security guard during evening hours, and perhaps may install both outdoor and indoor video cameras. The alley immediately east of the proposed new site, otherwise known as Nowita Court, provides the main entrance to the parking area at the rear of the building. The property owner and tenant have indicated that they may install a mechanical gate-opening device to provide greater security to the area and to enhance access and egress by delivery trucks and others. Currently, the gate opens and closes manually, so drivers must now leave the idled vehicle and then either open or close the gate.

At the time of the Zoning Investigator's site visit on March 29, 2007, an official Notice of Public Hearing was posted on the property, in accordance with the code requirement to post the ZA notice at least ten (10) days prior to the scheduled hearing date. The Zoning Investigator did not notice an abundance of graffiti on surrounding buildings and/or walls during the most recent site visit. This particular community has experienced considerable improvement over the past few years, with much credit given to the Grass Roots Venice Neighborhood Association, an active Neighborhood Watch Group, and an increased presence of the LAPD in the general vicinity.

According to the State's Department of Alcoholic Beverage Control licensing criteria, three (3) on-site and two (2) off-site licenses are allocated to the subject Census Tract No. 2736.00, which has a population of 2,469. There are currently three (3) on-site (with one pending) and only one (1) off-site existing licenses in this Census Tract. Within 600 feet of the subject property, there are currently no (0) on-site and two (2) off-site existing licenses. These figures suggest that there is not an undue concentration of on-site alcohol sales establishments in the area.

Statistics from the Los Angeles Police Department's Pacific Division, which has jurisdiction over the subject property, reveal that within the subject Crime Reporting District No. 1432, a total of 190 crimes were reported in 2005, compared to the citywide average of 291 crimes and the high crime reporting district average of 322 crimes for the same period. Based upon this data, the property is located within a moderate to lower-than-average crime area.

In order to receive an approval from the Zoning Administrator for the requested Conditional Use Permit (CU), the applicant has forwarded the following Findings for consideration and review: 1) That the location of the project will be desirable to the public convenience and welfare, 2) that the project will be in proper relation to adjacent uses of the development of the community, and 3) that the proposed project will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with the various

elements and objectives of the General Plan. Additional Findings are provided as required. (See applicant's detailed responses enclosed within the case file.)

### **Surrounding Land Uses**

Properties located north and south along the Lincoln Boulevard corridor are zoned C2-1 and characterized by one- and two-story neighborhood-centered commercial establishments, including a fabric store, furniture store, restaurants, and auto-related uses directly across the street. There is a used bookstore directly west of the proposed new site (J. Green's Books). A 7-Eleven convenience store, which sells beer and wine, is located west across Palms Boulevard. A Ralph's Supermarket is located two blocks further west. A party supply shop (La Pinata's) is located east across the alley known as Nowita Court. Surrounding properties along side streets are primarily zoned R2-1 and are characterized by level topography and nonconforming lot widths and areas. The subject lot is similar in width and depth to other lots in the vicinity. The adjoining properties along Nowita Court and Nowita Place are legal nonconforming lots developed with traditional bungalow, older-styled single-family dwellings and duplexes of one and two stories in height. Street side parking in the area is extremely limited. Traffic eastbound on Lincoln Boulevard, directly in front of the building, is restricted one hour between the hours of 8 a.m. and 6 p.m., except on Sundays.

### **Previous Cases, Affidavits, Permits, and Orders On the Applicant's Property**

Case No. CPC-2000-4046-CA - On May 23, 2001, the City Planning Commission approved a code amendment affecting areas within the Venice Community Plan.

Case No. CPC-1998-119-LCP - On August 1, 2003, the City Planning Commission approved amendments to the Venice Local Coastal Program Specific Plan.

Case No. CPC-1992-446-HD - On January 21, 1994, the City Council adopted a height district change from HD-1 (3:1 FAR/45-foot height limit) to HD-1XL (3:1 FAR/30-foot height limit) for properties in the R3, RD1.5, RD2, RD3, and R1 zones. The property location is all residential zones generally bounded by Lincoln Boulevard, Rose Avenue, Beethoven Street, and both sides of Venice Boulevard.

Case No. CPC-1992-318-ZC - On January 21, 1994, the City Council adopted a zone change on all multi-unit density (R4, R3, RD1.5, RD2, and RD3) and commercial zones (C2) to [Q]R4, [Q]R3, [Q]RD1.5, [Q]RD2, [Q]RD3 and [Q]C2 zones on all residential zones generally bounded by Lincoln Boulevard, Rose Avenue, Beethoven Street, and both sides of Venice Boulevard.

Case No. CPC-1987-648-ICO - On April 18, 1998, the City Planning Commission approved an Interim Control Ordinance for the entire Venice Coastal Zone which will temporarily permit only building development which is in conformance with regulations substantially based on the California Coastal Commission's interpretive guidelines for the area.

### **Previous Cases, Affidavits, Permits, and Orders On Surrounding Properties**

No similar or relevant Office of Zoning Administration, Area Planning Commission, or City Planning Commission cases were found on surrounding properties in the immediate neighborhood (within a 1,000-foot radius of the subject property), specifically as they related to recent conditional use permit requests for the off-site sales of alcoholic beverages.

### **General Plan, Specific Plans and Interim Control Ordinances**

#### Community Plan:

The Venice Community Plan Map designates the property for C2-1 A General Commercial@ land uses with the corresponding zones of C1.5, C2, C4, CR, RAS3 and RAS4, and height limited to District No. 1.

#### Specific Plans and Interim Control Ordinances:

The property is located within the Los Angeles Coastal Transportation Corridor (Ordinance 168,999) and the Venice Coastal Zone. The application is not directly affected.

### **Streets**

Lincoln Boulevard, adjoining the property to the north, is a designated Major Highway, Class II, dedicated a variable width of 90 to 100 feet and fully improved with curbs gutters and sidewalks.

Nowita Place, adjoining the property to the west, is a Local Street, dedicated a width of 20 feet and improved with a 4-foot wide sidewalk, with no curbs or gutters. Nowita Place is a quaint, rustic walkway/trail that is pleasantly landscaped in the area abutting the subject property, with an active waterfall and mature vegetation along the public right-of-way. In addition, landscaping is further enhanced by the presence of a mature Royal Palm tree on the grounds of the subject property. Residential frontages face Nowita Place.

Nowita Court, adjoining the property to the east, is a Local Street, dedicated a width of 15 feet and appears as a standard City alleyway. The court way is improved with cracked concrete, with no curbs, sidewalks, or gutters. Unlike Nowita Place, Nowita Court is not landscaped. Residential frontages do not face Nowita Court.

### **Flood Hazard Evaluation**

The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that the property is located in Zone C, areas of minimal flooding.

### **Environmental Clearance**

On March 28, 2007, the City Planning Department Environmental Staff Advisory Committee (ESAC) issued Mitigated Negative Declaration No. ENV-2006-8991-MND (Article V - City CEQA Guidelines) and determined that by imposing conditions the impacts could be reduced to a level of insignificance.

**Comments from Other Departments or the General Public**

At the time of report preparation, no public agency had submitted any written comments and no complains from the general public had been made. However, the Zoning Investigator has received several phone calls from Mr. Jed Pauker of the Venice Neighborhood Council's Planning and Land Use Committee. The item will be discussed at that group's regular meeting on Wednesday, April 4th. Inquiries were also made by Gregory Panos and Lynn Harris, neighbors who were not specifically opposed to the project. Additionally, a letter of support was received from Mr. Keith Chamberlin, a resident of 1953 Superba Avenue (attached to file).

M. ANDRE PARVENU  
Zoning Investigator

MAP:Imc