

February 7, 2007

Grieg Asher, Planning Deputy
Councilmember Bill Rosendahl
Council District 11
City of Los Angeles
200 North Spring Street, Room 415
Los Angeles, California 90012

RE: ZA CASE NO. 2007-0628
255 S. MAIN STREET (90291)
COMMUNITY PLAN: VENICE
ZONE: (Q) C4-2D
D.M.: 1095A143
C.D.: 11
CEQA: ENV 2007-0629
LEGAL DESCRIPTION: A PORTION OF LOT 1 OF BLOCK B OF TR 25597-C IN
THE CORAL CREST TRACT

Dear Mr. Asher,

Please find enclosed your copy of our application to the Zoning Administrator for a Conditional Use Permit to allow the sale of alcohol for off-site consumption at the above-referenced Longs Drugs Store project, located at 255 South Main Street in a commercial corner shopping center in the (Q)C4-2D zone. Longs Drugs proposes hours of alcohol sales during its regular store hours, 7:00 am until 10:00 pm seven days a week.

As the store opened to the public on January 25, 2007, and alcohol sales is an important component of store operations, we would greatly appreciate your assistance in expediting this case. Should you require any further documentation, please let me know.

Sincerely yours,

THE MCCARTY COMPANY, LLC

JOHN THOMAS MCCARTY, JR.
President

Enclosures

cc: Brenda Morley, Venice Renaissance, LLC
George Ramstad, Longs Drugs
Marina Martos, CD 11

BACKGROUND

The subject site is a 4,908 square foot retail space at 255 South Main Street at the intersection of Main Street, a Secondary Highway, and Rose Avenue, a Local Street. The space is located in a mixed-use commercial/residential complex on a level, irregular-shaped 73,433.2 square foot lot bounded by Main Street, Rose Avenue and Navy Street in the (Q) C4-2D zone. The subject property has a total frontage of 521 feet on the easterly side of Main Street, a depth of 132.67 feet on the southeasterly side of Navy Street, and a depth of 85 feet on the southeasterly side of Rose Street. The mixed-use complex consists of three stories of residential, ground floor commercial/retail, and two levels of subterranean parking. The complex is served by 473 parking spaces, as required by Case No. ZA 1988-0941(CUB)(ZV), contained in the subterranean garage; 270 spaces are for commercial uses at the property. Additionally, there is a City-owned surface parking lot west of the site, along Rose Avenue. Other ground floor tenants in the same complex include a dry cleaner, beauty salon, and a massage center.

Surrounding properties are within the R3-1 and M1-1 zones and are characterized by level topography and residential and commercial improvements. Property easterly across Main Street is developed with various retail and restaurant uses and manufacturing companies in the M1-1 zone. Property southeasterly across the intersection of Main Street and Rose Avenue is developed with a café/market, parking, and offices in the M1-1 zone. The adjacent property, southerly across Rose Avenue, is developed with apartments and public parking in the R3-1 zone. Directly west of the subject space, property is developed with a parking lot and residential uses in the R1-1 zone. North of the subject space, the mixed-use complex stretches north to Navy Street, with offices across Navy Street.

The subject retail space is improved, maintained, and operated as a Longs Drugs Store, at which Longs Drugs proposes to sell a full-line of alcoholic beverages for off-site consumption as part of its normal product offering. Section 12.21 A 14 states that no building shall be used for the sale of alcoholic beverages for off-site consumption, except upon premises approved in accordance with Section 12.24. Thus, the applicant requests a conditional use permit pursuant to Section 12.24 for relief from Section 12.21 A 14. Longs Drugs proposes hours of alcohol sales during its regular store hours, 7:00 am until 10:00 pm seven days a week.

**REQUEST FOR CONDITIONAL USE PERMIT
FOR SALE OF ALCOHOL FOR OFF-SITE CONSUMPTION
RELIEF SOUGHT FROM SEC 12.21 A 14
PURSUANT TO SEC. 12.24 OF THE LAMC**

The subject site is a 4,908 square foot retail space at 255 South Main Street at the intersection of Main Street and Rose Avenue. The space is located in a mixed-use commercial/residential complex on a level, irregular-shaped 73,433.2 square foot lot bounded by Main Street, Rose Avenue and Navy Street in the (Q) C4-2D zone. The space is improved, maintained, and operated as a Longs Drugs Store, at which Longs Drugs proposes to sell a full-line of alcoholic beverages for off-site consumption as part of its normal product offering. Section 12.21 A 14 states that no building shall be used for the sale of alcoholic beverages for off-site consumption, except upon premises approved in accordance with Section 12.24. Thus, the applicant requests a conditional use permit pursuant to Section 12.24 for relief from Section 12.21 A 14. Longs Drugs proposes hours of alcohol sales during its regular store hours, 7:00 am until 10:00 pm seven days a week.

**GENERAL FINDINGS FOR CONDITIONAL USE PERMIT
FOR SALE OF ALCOHOL FOR OFF-SITE CONSUMPTION
RELIEF SOUGHT FROM SEC 12.21 A 14
PURSUANT TO SEC. 12.24 OF THE LAMC**

1. The proposed location will be desirable to the public convenience or welfare.

The proposed location is a 4,908 square foot retail space at 255 South Main Street at the intersection of Main Street, a Secondary Highway, and Rose Avenue, a Local Street. The space is located in a mixed-use commercial/residential complex on a level, irregular-shaped 73,433.2 square foot lot bounded by Main Street, Rose Avenue and Navy Street in the (Q) C4-2D zone. The subject building has operated since 1989 as a mixed-use residential/commercial complex, with four stories of apartments above ground floor neighborhood-serving retail tenants including a dry cleaner, beauty salon, and a massage center.

Store hours are 7:00 am to 10:00 pm seven days a week, for the public convenience. In close proximity, even walking distance, to an abundance of residents and employees of surrounding commercial uses, the proposed project provides convenience and welfare to the community through provision of a wide variety of personal health, food and beverage, household, and other products. The Longs Drugs proposes to sell alcoholic beverages for off-site consumption as is customary throughout its chain of stores. If approved, the drugstore would be the only facility in the immediate area with such sales and would not be contributing to an undue concentration of such facilities. Longs Drugs is a reputable chain that will use strict established procedures (please see attached "Unlawful and Improper Sale of Alcoholic Beverages Policy: California Stores" and "Clerk's Affidavit") and automated devices to check ID and verify age before any sale of alcoholic beverages or tobacco products. They will responsibly adhere to the standards of the California Department of Alcoholic Beverage Control in their daily operations. Additionally, there will be nine security cameras in the store, with one camera in the alcohol aisle.

Longs Drugs takes great care to ensure their stores conveniently provide quality merchandise that contributes to the health and welfare of the community. The proposed project will provide the community with an accessible, viable, safe, and respected commercial tenant offering job opportunities and highly-demanded products on commercially zoned land.

Thus, the proposed project location optimizes the neighborhood's retail offering, appropriate to the neighborhood office commercial development land use designation, and enhances the community's convenience and welfare. In addition to promoting the community's convenience, welfare, and health, the proposed location will enhance the economic and physical development of the community through a well-maintained and well-managed store.

2. The location is proper in relation to adjacent uses or the development of the community.

The proposed location is a 4,908 square foot retail space at 255 South Main Street at the intersection of Main Street, a Secondary Highway, and Rose Avenue, a Local Street. The space is located in a mixed-use commercial/residential complex on a level, irregular-shaped 73,433.2 square foot lot bounded by Main Street, Rose Avenue and Navy Street in the (Q) C4-2D zone. The subject building has operated since 1989 as a mixed-use residential/commercial complex, with four stories of apartments above ground floor neighborhood-serving retail tenants including a dry cleaner, beauty salon, and a massage center.

The property is in a commercially and residentially zoned and developed section of Venice along Main Street, designated by the General Plan for Neighborhood Office Commercial development. Surrounding properties are within the R3-1 and M1-1 zones and are characterized by level topography and residentially and commercially improved streets. Property easterly across Main Street is developed with various retail and restaurant uses and manufacturing companies in the M1-1 zone. Property southeasterly across the intersection of Main Street and Rose Avenue is developed with a café/market, parking, and offices in the M1-1 zone. The adjacent property, southerly across Rose Avenue, is developed with apartments and public parking in the R3-1 zone. Directly west of the subject space, property is developed with a parking lot and residential uses in the R1-1 zone. North of the subject space, the mixed-use complex stretches north to Navy Street, with offices across Navy Street.

Longs Drugs takes great care to ensure their stores conveniently provide quality merchandise that contributes to the health and welfare of the community. Longs Drugs is a reputable chain that will use strict established procedures (please see attached "Unlawful and Improper Sale of Alcoholic Beverages Policy: California Stores" and "Clerk's Affidavit") and automated devices to check ID and verify age before any sale of alcoholic beverages or tobacco products. Additionally, there will be nine security cameras in the store, with one camera in the alcohol aisle. The proposed project will provide the community with an accessible, viable, safe, and respected commercial tenant offering job opportunities and highly-demanded products on commercially zoned land.

Thus, the proposed project location optimizes the neighborhood's retail offering, appropriate to the neighborhood office commercial development land use designation, and enhances the community by bringing about compatibility with adjacent uses. In addition to promoting the community's convenience, welfare, and health, the proposed location will further develop the economic and physical environment of the community through a well-maintained and well-managed store.

3. The use will not be materially detrimental to the character of the development in the immediate neighborhood.

The use will occupy a retail space that has existed since 1989, on a property in a commercially and residentially zoned and developed section of Venice along Main Street, designated by the General Plan for Neighborhood Office Commercial development.

Surrounding properties are within the R3-1 and M1-1 zones and are characterized by level topography and residentially and commercially improved streets. Property easterly across Main Street is developed with various retail and restaurant uses and manufacturing companies in the M1-1 zone. Property southeasterly across the intersection of Main Street and Rose Avenue is developed with a café/market, parking, and offices in the M1-1 zone. The adjacent property, southerly across Rose Avenue, is developed with apartments and public parking in the R3-1 zone. Directly west of the subject space, property is developed with a parking lot and residential uses in the R1-1 zone. North of the subject space, the mixed-use complex stretches north to Navy Street, with offices across Navy Street.

As previously noted, Longs Drugs proposes to sell alcohol for off-site consumption from 7:00 am to 10:00 pm daily. The proposed use will not be materially detrimental to the character of development in the immediate neighborhood since it is an enhancement to an existing Longs Drugs Store that is compatible with and convenient to surrounding neighborhood development. Not only are such sales consistent with the pattern of services offered throughout numerous drugstore chains, but the subject space, prior to being occupied by a Longs Drugs Store, was a restaurant with a conditional use permit to sell alcohol for on-site consumption. The space is designed as part of a mixed-use complex that aims to minimize disturbance to the occupants of residential uses and to enhance the privacy and safety of those uses. Additionally, if granted, the conditional use permit to allow the sale of alcohol for off-site consumption will in no way negatively impact the neighborhood by increased traffic, noise pollution, headlight glare, trash storage, safety, nor added hours of operation associated with the drugstore.



What about loitering, public drinking, etc.?

Longs Drugs takes great care to ensure their stores conveniently provide quality merchandise that contributes to the health and welfare of the community. Longs Drugs is a reputable chain that will use strict established procedures (please see attached "Unlawful and Improper Sale of Alcoholic Beverages Policy: California Stores" and "Clerk's Affidavit") and automated devices to check ID and verify age before any sale of alcoholic beverages or tobacco products. Additionally, there will be nine security cameras in the store, with one camera in the alcohol aisle. The proposed project will provide the community with an accessible, viable, safe, and respected commercial tenant offering job opportunities and highly-demanded products on commercially zoned land.

This hood already has sufficient sound commerce, including available off-sale at less risky locations.

Allowing the drugstore to sell alcohol for off-site consumption will not be detrimental to the neighborhood, but instead contribute to sound commerce. The conditional use will enhance the neighborhood's retail offering, appropriate to the neighborhood office commercial development land use designation, and [REDACTED]. In addition to promoting the community's convenience, welfare, and health, the proposed location will further develop the economic and physical environment of the community through a well-maintained and well-managed store.

Explain how.

Not a change.

4. The proposed location will be in harmony with the various elements and objectives of the General Plan.

As previously stated, the General Plan designates the subject property for Neighborhood

Office Commercial development with a zoning designation of C-4. The Venice Community Plan Map designates the property for Commercial land use, described in the Plan's text as "primarily small scale and neighborhood-oriented" and sometimes "pedestrian oriented, particularly near the beach". Specifically, the west side north of Rose Avenue is designated for Neighborhood Commercial to provide "daily convenience services to local residents". Use of the property for a drugstore is permitted by right in the C4 area, and therefore the proposed location is appropriate. Furthermore, the use is neighborhood-oriented and pedestrian oriented which is in harmony with the vision laid out by the Community Plan. Clearly, the use also provides necessary prescription fulfillment services and other desired products in an accessible, viable, safe, and respected commercial tenant. The Plan encourages commercial development with adequate parking. The entire complex containing the drugstore is served by 473 parking spaces, as required by Case No. ZA 1988-0941(CUB)(ZV), contained in the subterranean garage; 270 spaces are for commercial uses at the property. Additionally, there is a City-owned surface parking lot west of the site, along Rose Avenue.

The Plan encourages economic development that provides jobs and services to residents in this area. The project as proposed includes a total of approximately 30 full-time and part-time employees, with five to ten employees at any one time.

Therefore, in the context of the various elements and objectives of the Community and General Plans, the proposed location is very suitable for the drugstore use, including the sale of alcohol for off-site consumption as part of the store's normal product offering.

**ADDITIONAL FINDINGS FOR CONDITIONAL USE PERMIT
FOR THE SALE OF ALCOHOLIC BEVERAGES (OFF-SITE)**

**RELIEF SOUGHT FROM SEC 12.21 A 14
PURSUANT TO SEC. 12.24 OF THE LAMC**

5. Will the approval of the conditional use at this location adversely affect the economic welfare of the community? Why?

The sale of alcoholic beverages for off-site consumption is consistent with the pattern of services offered throughout the Longs Drugs chain of drugstores, as well as other drugstores. The Longs Drugstore Corporation takes great care ensuring that their stores provide a variety of desired, quality merchandise that contributes to the convenience and welfare of the community. Through sound commerce, including the conditional use, the proposed project will appropriately contribute to the economic base of the community and the City. The community will gain through the enjoyment of viable commerce through provision of a desired use, and the City will benefit from sales tax. The approval of the conditional use, then, will enhance, rather than adversely affect, the economic welfare of the community.

6. Will the approval of the conditional use result in or contribute to an undue concentration of such establishments? Why?

No, there is not an undue concentration of establishments selling alcohol for off-site use. There is one restaurant, Chaya Venice, with an on-site type 47 alcohol license, on the property. There are four other establishments within a 600-foot radius that have on-site alcohol licenses. There is only one other site, besides the subject Longs, with an off-site alcohol license within a 1,000-foot radius; this site is Pagliaris Liquor at 2916 Main Street. Therefore, the approval of the conditional use will not result in an undue concentration of such establishments.

7. Will the approval of the conditional use detrimentally affect nearby residentially zoned properties? Why?

No. The approval of the conditional use will permit the sale of alcoholic beverages for off-site consumption and does not detrimentally affect on-site conditions or nearby residentially zoned properties.

8. What are the proposed hours of operation and which days of the week will the establishment be open? What are the proposed hours of alcoholic sales?

Longs Drugs proposes hours of alcohol sales during its regular store hours, 7:00 am until 10:00 pm seven days a week.

9. What is the occupancy load as determined by the Fire Department (number of patrons)? What is the proposed seating in all areas?

See plot and floor plans, enclosed. The use and development of the property shall be in substantial conformance with these plans.

10. Is parking available on the site? (If so, how many spaces?) If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant? Where? How many off-site spaces?

The complex is served by 473 parking spaces, as required by Case No. ZA 1988-0941(CUB)(ZV), contained in the subterranean garage; 270 spaces are for commercial uses at the property. Additionally, there is a City-owned surface parking lot west of the site, along Rose Avenue.

11. Is there to be entertainment such as a piano bar, jukebox, dancing, live entertainment, movies, etc.?

Not applicable.

12. Will a full line of alcoholic beverages be served or just beer and wine?

A full-line of alcoholic beverages will be sold.

13. Will cups, glasses or other similar containers be sold which might be use for the consumption of liquor on the premises?

Cups and glasses will be sold as part of the general merchandise offered by the drugstore. Said containers, however, are not for alcoholic consumption on the premises which is prohibited.

14. If a cocktail lounge is to be maintained incidental to a restaurant, the required floor plans must show details of the cocktail lounge and the separation between the dining and lounge facilities.

Not applicable.

15. Has the owner or lessee of the subject property been suspended from the sale of alcoholic beverages on the subject property or fined by the Alcoholic Beverage Control Department (ABC) in the last 365 days and if so, for what reasons?

No.

16. Will video games machines be available for use on the subject property and if so, how many such machines will be in use?

No.

17. Will you have signs visible on the outside that advertise the availability of alcohol?

No.

18. Will alcohol be sold without a food order? Will there be a kitchen on the site as defined in the Los Angeles Municipal Code?

Not applicable.

19. [REDACTED]

[REDACTED]

21. Will off-site sales of alcohol as a secondary use to on-site sales occur (i.e., take out)?

Not applicable.

22. Will discount alcoholic drinks or a "Happy Hour" be offered at any time?

Not applicable.

[REDACTED]

24. Will alcohol be allowed to be consumed on any adjacent property under the control of the applicant?

No.

25. Will the gross sale of alcohol exceed the gross sale of food items on a quarterly basis?

Not applicable.

26. Provide a copy of the proposed menu if food is to be served.

Not applicable.

27. How many employees will you have on the site at any given time?

Approximately five to ten employees will be on the site at any given time.

28. What security measures will be taken including:

a. Posting of Rules and Regulations on the premises.

Rules and regulations will be posted on the premises.

b. To prevent such problems as gambling, loitering, theft, and vandalism and truancy.

There will be nine security cameras on-site, as well as 5-10 employees at any given time to prevent any of the aforementioned problems. Long's Drugs is a responsible establishment that adheres strictly to employee standards, alcohol policy and California Department of Alcoholic Beverage Control regulations (please see attached "Unlawful and Improper Sale of Alcoholic Beverages Policy: California Stores" and "Clerk's Affidavit").

c. Will security guards be provided and if so, when and how many?

No.

d. Other measures.

Security cameras and lighting.

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

There will be no minimum age for the drugstore. However, the staff will be properly trained to check identification when selling alcoholic beverages.

30. Are there any schools (public or private and including nursery schools) churches or parks within 1,000 ft. of your proposed business? Where?

CHURCHES:

- | | |
|--|-----------------------------|
| a. Saint Clement Catholic Church | 3102 3 rd Street |
| b. Mishkon Tephico Talmud Torah Church | 201 Hampton Drive |
| c. Bhakti Yoga Church | 305 Rose Avenue |

SCHOOLS:

- | | |
|--|-----------------------------|
| a. Saint Clement Catholic School | 3102 3 rd Street |
| b. Mishkon Tephico Talmud Torah School | 201 Hampton Drive |

31. For massage parlor or sexual encounter establishment applicants, are there any other adult entertainment business within 1,000 feet of your proposed establishment (i.e., adult arcade, adult bookstore, adult motel, adult motion picture, adult theater)?

Not applicable.