

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

STAFF INVESTIGATOR REPORT

February 16, 2017

Ken Theung Co, Theung Trust (O)
c/o Pacific City Bank
3701 Wilshire Boulevard, Unit 418
Los Angeles, CA 90010

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3701 Wilshire Boulevard, Unit 418
Los Angeles, CA 90010

The Liquor Bank
3600 Stocker Street
Los Angeles, CA 90008

CASE NO. DIR 2009-1885(RV)(PA2)
REVIEW OF CONDITIONS OR
POSSIBLE REVOCATION OF USE
3600 West Stocker Street
West Adams-Baldwin Hills-Leimert
Planning Area
Zone : [Q]C1.5-1
D. M. : 144B185
C. D. : 8
CEQA : ENV-2015-3664-CE
Legal Description: Lots 7,8, and Fr. Lot
9, Block A, Tract 10900

Request

The purpose of the hearing is to obtain testimony of the property owner and/or business operator, plus affected and/or interested persons regarding the operation of the Liquor Bank, use location address: 3600 West Stocker Street, (property location addresses of: 3600 and 3610 West Stocker Street; 4201 South Crenshaw Boulevard). Following the hearing, the Zoning Administrator may require the discontinuance of the use; or modify, delete, or impose additional conditions regarding its use as a liquor store in order to mitigate any land use impacts caused by the use. The public is also invited to submit written comments prior to the hearing.

The Zoning Administrator will consider:

1. A Plan Approval, pursuant to Los Angeles Municipal Code Section 12.27.1, Condition No. 1 of the Zoning Administrator's determination in Case No. DIR 2009-1885(RV)(PA1), effective May 27, 2016, for the purpose of reviewing compliance with the conditions and the effectiveness of the conditions in eliminating the public nuisance problems.
2. Pursuant to Los Angeles Municipal Code Section 12.27.1.E, a modification of Condition No. 1 "to remove the six month Plan Approval requirement."

3. Pursuant to Section 21084 of the California Public Resources Code, the above referenced project has been determined not to have a significant effect on the environment and which shall therefore be exempt from the provisions of CEQA.

Authority

The Director of Planning, through the Office of Zoning Administration, has the authority to modify, discontinue or revoke the use; or to modify, delete, or impose additional corrective conditions on the operation of the existing business as a liquor store under Section 12.27.1 (land use impacts caused by any use) of the Los Angeles Municipal Code.

Property Description

The property is a level, irregular-shaped, corner parcel of land with an area of 14,047 sq. ft. and having a frontage of approximately 105 feet on the south side of Stocker Street and a frontage of approximately 135 feet on the west side of Crenshaw Boulevard.

The property is zoned [Q]C1.5-1 and developed with a 5,290 sq. ft. building with retail market and parking lot on grade and a second floor portion for office use at the site's rear. The site provides vehicular and pedestrian access from Crenshaw Boulevard to the east and Stocker Street to the north. A vehicular egress is provided to the west of the site.

Streets

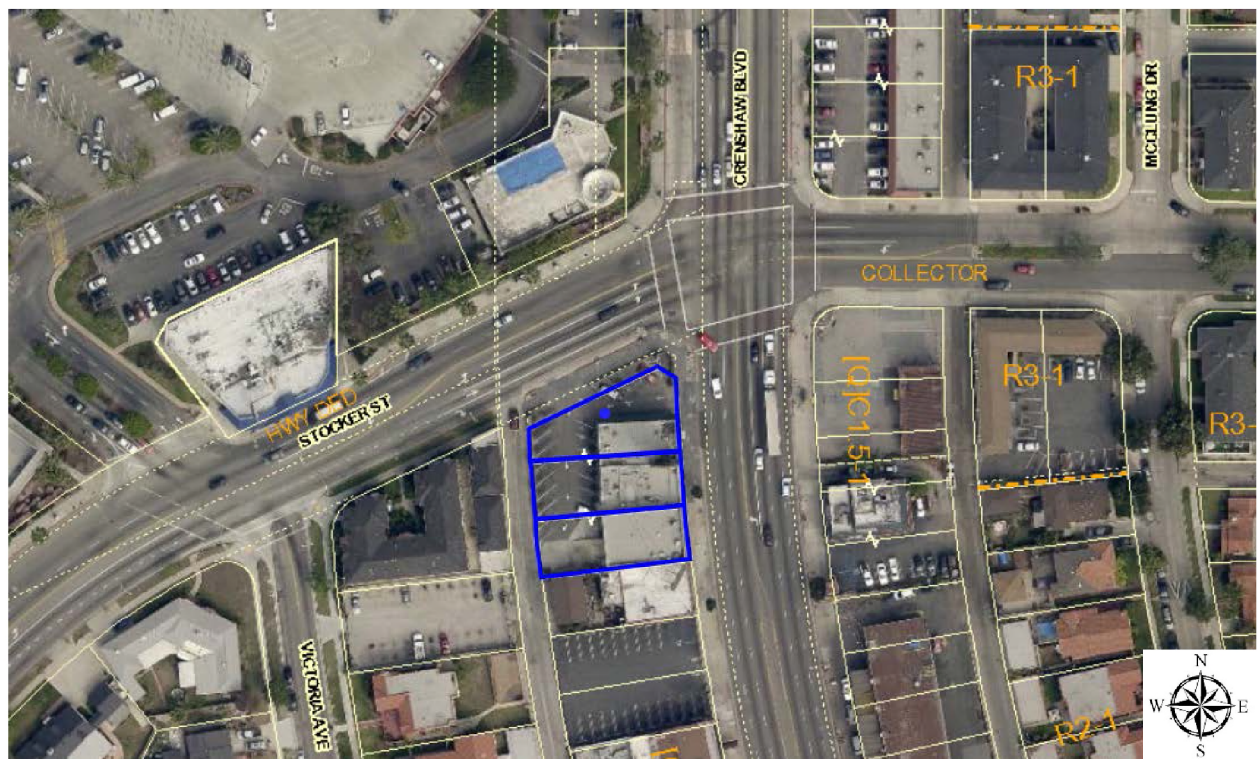
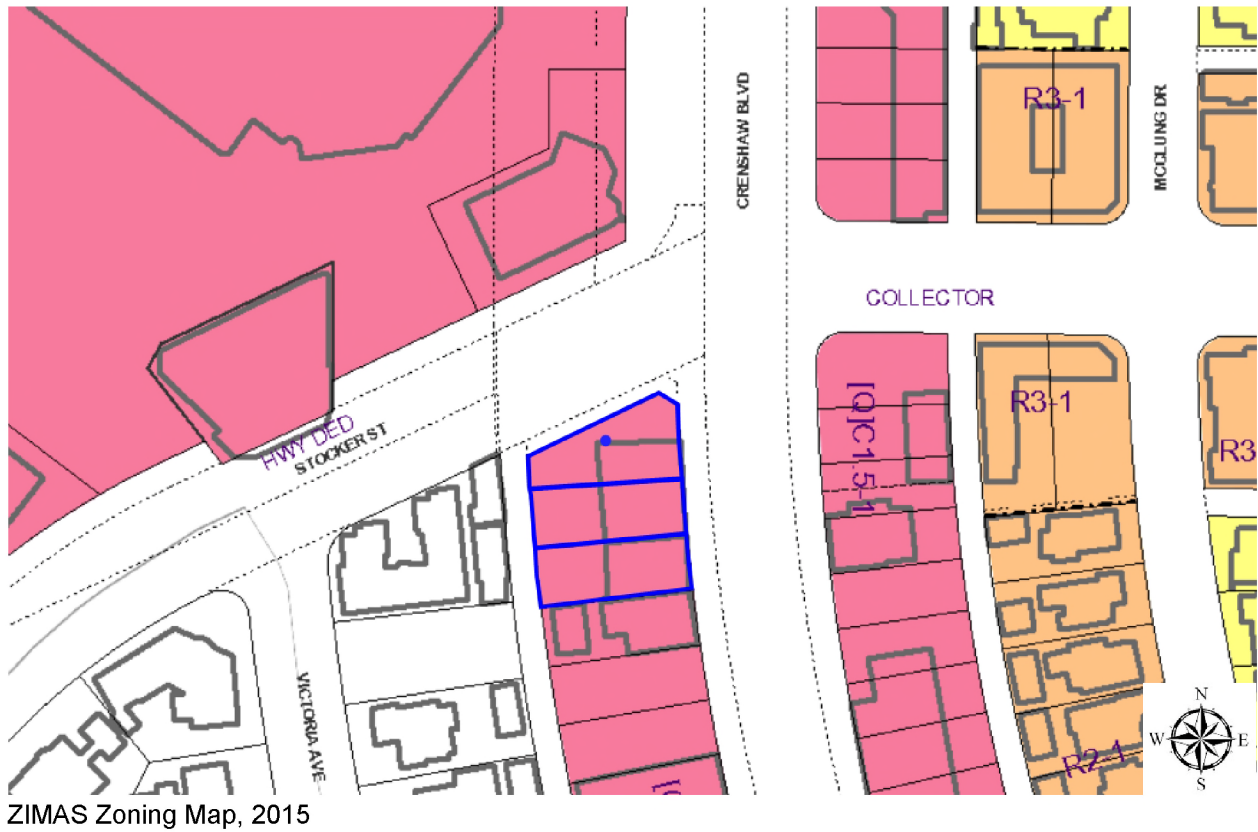
Stocker Street, adjoining the property to the north, is a Boulevard II with a width of 110 feet, and is fully improved with curb, gutter, and sidewalk.

Crenshaw Boulevard, adjoining the property to the east, is an Avenue I with a width of 100 feet, and is fully improved with curb, gutter, and sidewalk.

The alley, adjoining the property to the west and which provides vehicular exit from the site, has a width of 20 feet and is fully paved.

Surrounding Land Uses

Properties to the north across Stocker Street are zoned C2-2D and are developed with a vacant building, formerly a bank, and a parking lot. Properties to the east across Crenshaw Boulevard are zoned [Q]C1.5-1 and developed with a Jack In the Box fast food restaurant and a vacant lot. Properties to the south are zoned [Q]C1.5-1 and are developed with a vacant building, formerly a restaurant, a parking lot, and a nightclub. Properties to the west, across a 20-foot wide improved alley, are within unincorporated area of the County of Los Angeles and are developed with two-story multi-family residences with garages fronting the alleyway and commercial uses on the ground floor of properties facing Stocker Street.



Background

The last change of ownership was March 31, 2014 per ZIMAS.

On July 30, 2009, a public hearing was held by the Zoning Administrator in response to the Department of City Planning receiving community allegations of nuisance activities at The Liquor Bank and documentation from the Los Angeles Police Department relating to calls for service and arrest reports at the location, including activities such as drinking in public, sale of alcoholic beverages to a minor, attempted robbery, battery, narcotics sales/use, gang activity, counterfeit goods sales, and blighted property conditions. On December 28, 2009, the Zoning Administrator issued a determination imposing conditions on the property (Case No. DIR 2009-1885(RV)). The operator appealed the Zoning Administrator's determination and Effective March 29, 2010, the City Council (Council File No. 10-0130) resolved to deny the appeal filed by the business owners and adopted the Zoning Administrator's findings to mitigate adverse impacts.

Compliance with conditions has been reviewed one time. On May 11, 2016 the Zoning Administrator (Case No. DIR 2009-1885(RV)(PA1)) modified conditions, including the filing of a subsequent Plan Approval for review six months from the effective determination date. Said determination became effective on May 27, 2016. Condition No. 1 of the determination states in relevant part:

1. The property and/or business owners shall file a Plan Approval application no later than six months from the effective date of this action to allow for a review of the effectiveness in implementing the Conditions established herein and to determine whether the public nuisance problems identified in the Findings Section of this determination have been eliminated. A public hearing shall be conducted. Notice of the public hearing shall be mailed to all property owners and occupants located within 500 feet of the property. The owners shall submit evidence of compliance of each condition with the Plan Approval application. The Zoning Administrator conducting the hearing may add, modify or delete Conditions as determined appropriate. The Zoning Administrator may also require the discontinuance of the uses or any portion of the property or individual lease space if the applicable findings can be made.

The due date for the filing of the required Plan Approval application was November 27, 2016. The owner/operator submitted the required plan approval application on December 15, 2016.

Condition Compliance Investigation

The condition compliance investigation includes observations from staff with respect to the terms and conditions of the Zoning Administrator's determination, Case No. DIR 2009-1885(RV)(PA1), effective May 27, 2016. Planning staff conducted a field analysis as part of the condition compliance investigation on January 18, 2017 between 10:30 a.m. and 11:30 a.m. Staff met with the operator and reviewed each condition. All photos included were taken on said date and time. Statements from the manager during the

field visit are included for each condition under the sections titled "Applicant's response." At the time of the investigation, the liquor store was open to the public. Staff observations are listed for each condition under the sections titled "Investigator's response."



Liquor Bank view from north to south



Liquor Bank view from south to northwest

1. **[MODIFIED]** The property and/or business owners shall file a Plan Approval application ~~between 8 months and 12 months~~ no later than six months from the effective date of this action to allow for a review of the effectiveness in implementing the Conditions established herein and to determine whether the public nuisance problems identified in the Findings Section of this determination have been eliminated. A public hearing shall be conducted. Notice of the public hearing shall be mailed to all property owners and occupants located within 500 feet of the property. The owners shall submit evidence of compliance of each condition with the Plan Approval application. The Zoning Administrator conducting the hearing may add, modify or delete Conditions as determined appropriate. The Zoning Administrator may also require the discontinuance of the uses or any portion of the property or individual lease space if the applicable findings can be made.

Applicant's response: The filing of this case shall satisfy this condition. The Applicant requests that this condition be restated in the subsequent determination to require a plan approval in the event that a new operator take possession of the business

Investigator's response: In partial compliance. The due date for the filing of the subject Plan Approval application was November 27, 2016. The applicant's representative contacted staff requesting information about the documents required for the subject application on November 4, 2016. The owner/operator submitted the required Plan Approval application on December 15, 2016.

2. The use of the property shall be conducted at all times with due regard for the character of the surrounding neighborhood. The right is reserved to the Zoning Administrator to impose additional corrective Conditions if such Conditions are proven necessary for the protection of the residents and business owners/operators as well as the property owners of the surrounding properties.

Applicant's response: The owner has operated the business with due regard for the character of the surrounding neighborhood. Security guards are employed, signs are posted, security cameras are in place, and the Property is cleaned on a regular basis.

Investigator's response: In compliance. The operations are carried with substantial regard with the surrounding neighborhood. The alleyway located at the west side of the site buffers the subject use with residential uses within the Los Angeles County.

3. The operating hours of the market shall be limited to 8:00 a.m. to 10 p.m. daily. The business hours shall be posted at the entrance/exit door of the market.

Applicant's response: The Owner has operated the Business in compliance with this condition

Investigator's response: In partial compliance. According to the operator, the business is open from 8 a.m. to 10 p.m. daily. The hours posted on the front door indicate the business opens at 8 a.m. Monday through Saturday and closes at 10 p.m. Monday through Saturday; however, no hours of operation are indicated for Sunday.



Posted hours of operation

4. Within 30 days from the effective date of this determination, electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premise at each point-of-sale location. The device(s) shall be maintained in operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.

Applicant's response: The owner has operated the Business in compliance with this condition.

Investigator's response: In compliance. The applicant installed age verification devices at registers.



Age verification device



Age verification device

5. The business operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Within a one week from the effective date of this determination, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:

- posted at the cashier and entry/exit of the store and parking lots,

Applicant's response: Posted at the cashier and entry/exit of the store and parking lots.

Investigator's response: Partial compliance. Telephone number has been posted at front entrance. However, the telephone number was not observed at cash register, nor at the parking lot during the field visit.

- responded to within 24-hours of any complaints/inquiries received on this hot line, and

Applicant's response: Responded to within 24-hours of any complaints/inquiries received on this hot line

Investigator's response: No evidence of complaints/inquires was presented during the field investigation. The applicant stated there have not been any complaints reported.

- documented in a log and available for review by the Los Angeles Police Department and the Zoning Administrator upon request on when the calls were received, returned and the action taken at a minimum.

Applicant's response: Documented in a log and available for review by the Los Angeles Police Department and the Zoning Administrator upon request on when the calls were received, returned and the action taken at a minimum.

Investigator's response: No evidence of complaints and their resolutions

log was presented. The applicant's representative stated that no complaints have been received about the liquor's store operation.

- Evidence that shows compliance with this condition shall be submitted with a Plan Approval application required in Condition No. 1 above.

Applicant's response: This sign [contains] an emergency contact number. No calls have been logged since the existing Plan Approval case was approved.

Investigator's response: Not in compliance. A telephone number is only posted at the front entrance of the establishment. Staff called the posted the telephone on the front door January 30, 2017 at 12:00 p.m. ((213) 407-9898), the person answering the telephone indicated to have reached the office of "Essential Escrow".

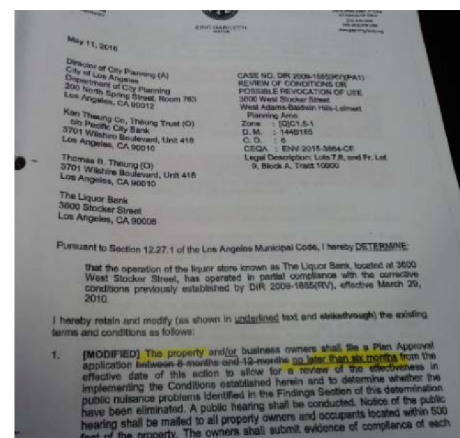
- The conditions of this determination, a copy of a business license, insurance information and applicable Police permits shall be retained on the premises at all times and be immediately produced upon request of any Los Angeles Police officer, Department of Alcoholic Beverage Control investigator or other responsible agencies. The manager and all employees shall be knowledgeable of these Conditions. The conditions of this action shall be provided to and reviewed by employees and security personnel. The employees/security personnel shall be informed that any violations of the required conditions will result in disciplinary action including termination of employment. Within 30 days from the effective date of this determination, evidence of compliance with this condition shall be submitted to the satisfaction of the Director of Planning.

Applicant's response: A copy of the existing Plan Approval determination letter (and any subsequent determination letter) [is] kept on site.

Investigator's response: In compliance. The operator provided City of Los Angeles Business License and Los Angeles Police Department documentation, Alcohol Beverage Control license and a copy of the subject document at the site.



ABC License



Copy of Revocation case



City and County docs.

7. Coin operated game machines, gambling machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.

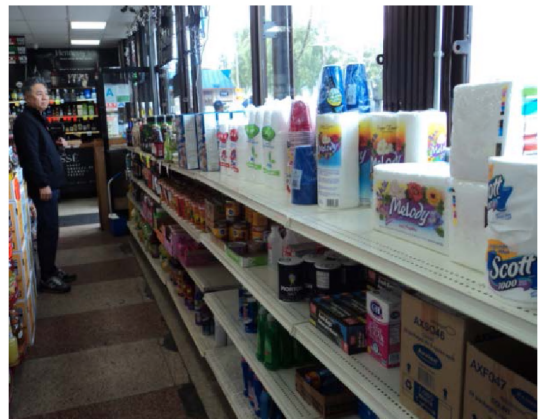
Applicant's response: The owner has operated the Business in compliance with this Condition.

Investigator's response: In compliance. There were no games evident on the site aside from California State Lottery games.

8. There shall be general merchandise items such as milk, juice, water and other non-alcoholic beverages are available for purchase at the store.

Applicant's response: The owner has operated the business in compliance with this Condition.

Investigator's response: In compliance. The store had an assortment of non-alcoholic beverages and merchandise available for purchase, including food items and other groceries.



General merchandise available for purchase

9. Should there be a change in the ownership of the property/the store and/or the business operator, the property owner and the business owner/operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Prior to the closing of escrow for a potential change in the ownership of the property/business owner or operator, evidence showing that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator, shall be submitted to the satisfaction of the Director of Planning.

Applicant's response: The filing of this case shall satisfy this condition.

Investigator's response: In compliance. No change in ownership has taken place since the previous Zoning Administrator's action.

10. The property owner, the business owner/operator shall keep the premises and any area adjacent to the premises over which he/she has control free of litter/debris, newspaper racks, benches, boxes or objects that encourage loitering. The exterior portion of the site, including the parking facilities and adjacent sidewalks along the Crenshaw Boulevard and Stocker Street shall be swept daily.

Trash storage or other storage shall be closed and locked at all times except when it is used by the business operator. Trash bins shall not be located adjacent to a residential use and shall be buffered so as not to result in noise, order or debris impacts on any adjacent neighbors.

As agreed upon with the Empowerment Congress West Area Neighborhood Development Council, the business operator shall empty the trash receptacles of the adjacent bus stops as well as all trash receptacles on the property on a daily basis.

Applicant's response: The Owner has operated the Business in substantial compliance with this Condition. Please see photos of the exterior trash cans and the locked trash storage bin.

Investigator's response: In compliance. The site's parking lot, sidewalks and alleyway was clean and free of trash and debris. A trash bin is located in the parking lot and was free of trash around it.



Alleyway – Looking West



Parking Lot – Looking northwest



Stocker St. - Looking south



Crenshaw Blvd. – Looking West

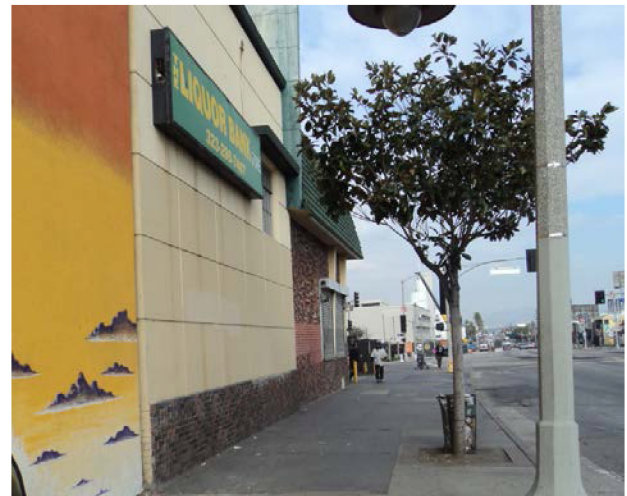
11. Any graffiti painted or marked upon the premise or adjacent area under the control of the owner/operator shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

Applicant's response: The owner has operated the business in substantial compliance with this Condition.

Investigator's response: In partial compliance. The site walls were free of graffiti. Graffiti was observed during the field visit graffiti only on a small sign facing Crenshaw Blvd.



Graffiti on sign facing Crenshaw Blvd.



West wall façade – Facing Crenshaw Blvd. façade



West wall façade facing alleyway

12. Within 45 days from the effective date of this determination, all personnel acting in the capacity of a manager of the premise and all employees including security personnel shall complete the STAR (Standardized Training for Alcohol Retailers) session sponsored by the Los Angeles Police Department. All employees shall attend follow-up STAR classes every 24 months. The STAR training shall be conducted for all new hires within two months of their employment.

Within 60 days from the utilization of this grant, a list of employees, their hire date and written confirmation of their STAR training shall be submitted to the Zoning Administrator, and shall be retained on the premise at all times and be immediately produced upon request of any Los Angeles Police officer or Department of Alcoholic Beverage Control investigator.

Applicant's response: See attached documentation.

Investigator's response: In compliance. Four STAR training certificates are prominently displayed at walls behind cash registers. The dates for the LAPD certificates are: one certificate dated July 19, 2016 and three certificates dated Tuesday, August 9, 2016.



STAR training certificates



STAR training certificates

13. A minimum of one security guard shall patrol the parking lot areas during the operating hours at all times. Two security guards [including one guard who shall patrol the parking lot area as required above] shall patrol/monitor the subject premises after 5 p.m. daily until 30 minutes after closing. The security guards shall, at a minimum, have the following qualifications and responsibilities:
- A State licensed security guard shall not have a criminal background.

Applicant's response: Please see the attached information, including security coverage details and insurance, attached as Exhibit G.

Investigator response: The operator stated security guards do not have criminal background otherwise they would not had been hired.

- b. The guard shall not be the owner or have any association with the operation of the establishment.

Applicant's response: Please see the attached information, including security coverage details and insurance, attached as Exhibit G.

Investigator's response: In compliance. Private security guard is not associated with the family.

- c. The guard shall be fluent in English and Spanish and will have clear instructions to enforce applicable conditions and uphold the law.

Applicant's response: Please see the attached information, including security coverage details and insurance, attached as Exhibit G.

Investigator's response: In compliance. During the field visit, the security guard spoke English and was of Hispanic origin – Spanish speaker.

- d. Along with normal security guard duties, the guards shall patrol the parking lots and the adjacent sidewalk area to deter individuals from loitering, and drinking on the premises.

Applicant's response: [See] the attached information, including security coverage details and insurance, attached as Exhibit G.

Investigator's response: In compliance. The operator stated that the security guard patrols the site and directs vendors away from the site. No vendors were observed during the field visit.

- e. The security guards shall monitor the parking lot such that patrons leave the parking lot as soon as their purchased items are loaded in their cars.

Applicant's response: Please see the attached information, including security coverage details and insurance, attached as Exhibit G.

Investigator's response: In compliance. No persons were observed loitering in the parking lot during the field visit.

- f. The guards shall not conduct any other activities while employed at the store other than those of a security guard which include checking identification and escorting undesirable patrons off the premises. The security guards shall maintain order and prevent activity that would interfere with the quiet enjoyment of the surrounding properties. The guards shall be responsible for preventing loitering and any criminal activity on and around the store including public drinking, littering, trespassing, transactions involving controlled substances, illegal vendors and other illegal and public nuisance activities. If unlawful activity inside and outside the store including in the parking lots and adjoining areas related to loitering, drinking alcoholic beverages, illegal vendors or illegal drugs is observed or reasonably assumed, then the guard(s) shall request such persons to leave the area. The guard(s) shall request the assistance of the Los Angeles Police Department if, based upon the guard's training, the situation so warrants.

Applicant's response: Please see the attached information, including security coverage details and insurance, attached as Exhibit G.

Investigator's response: In compliance. Security guard was present on the site and not engaged in any behavior other than those of a security guard.

- g. The store owner/operator and security guards shall maintain a daily log of patrol activities in the store, which shall include the following:
- Name of the security guard on duty
 - Date and time for check-in and check-out for security duties
 - Date, time and descriptions of any incidents that may occur in and around the bar during the security patrol
 - Resolution of the incidents

Applicant's response: Please see the attached information, including security coverage details and insurance, attached as Exhibit G.

Investigator's response: Not in compliance. The security guard rotation is logged in a notebook located in the establishment's office. However, there are no incidents nor resolutions reported.

1-17-17	Peter	8:00 AM	4:00 PM	AB
1-17-17	LEONARD	4:00 PM	10:00 PM	OC
1-17-17	Grego Cash	5:00 PM	10:00 PM	4g
1-18-17	Peter	8:00 AM	4:00 PM	AB

Security guard rotation log

1-17-17	Peter	8:00 AM	4:00 PM	AB
1-17-17	LEONARD	4:00 PM	10:00 PM	OC
1-17-17	Grego Cash	5:00 PM	10:00 PM	4g
1-18-17	Peter	8:00 AM	4:00 PM	AB

Security guard rotation log

Within 30 days of the effective date of this action, the business operator shall provide a copy of the executed security contracts to the satisfaction of the Director of Planning. The contracts shall include the minimum security service requirements as required by the conditions of this determination. The security contract shall include the names of the security guards, their working hours and copies of their State guard licenses as well as a clearance of their criminal background from the LAPD.

Applicant's response: Please see the attached information, including security coverage details and insurance, attached as Exhibit G.

Investigator's response: In compliance. The applicant submitted a contract with Active Security Company. The contract is from 11-18-15 to 11-18-17.

14. A video surveillance system shall be provided inside and on the exterior of the market to the satisfaction of the Los Angeles Police Department. Management/employees/security personnel shall routinely monitor the cameras and keep the video tapes/DVDs for at least 30 days. Management shall immediately notify the LAPD when criminal activity is observed and shall keep and make available to the LAPD upon request any and all tapes, which indicate possible criminal activity.

Signs indicating the use of a 24-hour video surveillance system shall be posted at the store entrance, in the parking lots and on the outside of the wall facing the adjoining alley and the street adjacent the premises. The signs shall state the following:

WARNING

THIS STORE (LIQUOR BANK) IS UNDER 24-HOUR SURVEILLANCE
BY THE STORE MANAGEMENT AND THE LOS ANGELES POLICE
DEPARTMENT WITH A VIDEO SURVEILLANCE MONITORING SYSTEM.

The sign(s) shall be at least 2 square feet with 2-inch block lettering. The sign(s) shall be in English and Spanish.

Within 30 days from the effective date of this determination, the business owner/operator or property owner shall submit evidence that shows compliance with this condition including but not be limited to photographs of such a posting and a letter from the LAPD, which states that the required surveillance cameras and signs have been installed/posted to the satisfaction of the LAPD.

Applicant's response: Please see attached photographs of the indoor security cameras and the sign alerting patrons of security, attached as Exhibit H. The operator has met with LAPD regarding security.

Investigator's response: In partial compliance. A video surveillance system was active at the time of site visit, utilizing a DVR recording system. The system included 31 active cameras, five of which were outside and 26 of which were inside. When asked, the operator said that the recordings were kept for 30 days. However, there was only one of the required signs on the front window indicating the store was under 24-hour surveillance.



Security system in second floor office



Security system in second floor office



Video warning sign on front window

15. There shall be no loitering at the property, including in the parking lots, and no alcoholic beverages shall be consumed on the property or any property adjacent to the premises under the control of the owner/operator. Patrons shall not be allowed to remain in the parking lots for more than 10 minutes. A sign stating "10-

minute Parking Only” shall be posted at the entrance of and in the parking lot areas.

Signs shall be prominently posted in English, and the predominant language of the facility's clientele, if different, stating the following:

“The California State law prohibits sale of alcoholic beverages to persons who are under 21 years of age.”

"No Loitering, No Public Drinking, No Trespassing and No Drugs"

“It is a violation of 41.27(d)LAMC to possess any bottle, can, or other receptacle containing any alcoholic beverages, which had been open, or the seal is broken or the contents of which have been partially removed, on or adjacent to these premises.”

The outside store, the parking areas, the areas adjacent to the subject site and under the applicant's control, shall be routinely patrolled by employees of the store or security personnel to ensure that there is no loitering, no drinking of alcoholic beverages in public, no illegal vending, and/or no patrons who harass pedestrians. Any problems associated with the store operation shall immediately be reported to the store manager/owner/operator who shall correct/remedy the problems.

Applicant's response: Please see attached photographs of signage regarding ID checks, loitering, and a “15 minute parking only” sign, attached as Exhibit I. Security actively patrols the area under the Owner's control to prevent loitering.

Investigator's response: In compliance. Signs limiting parking to 15 minutes and prohibiting loitering and public drinking were observed outside the site. Finally, trespassing signs are prominently posted on the site. Public vendors were not observed around the site during the field visit.



Sign prohibiting loitering



Sign limiting parking to 15 mins.



Sign prohibiting consumption of alcoholic beverages



Sign prohibiting trespassing

16. Exterior lighting on the building and in all open spaces between buildings shall be maintained and provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible to the satisfaction of the LAPD. Lighting in the parking area of the premises shall be directed in such a manner so as not to unreasonably illuminate the window area of nearby residences.

Within 30 days from the effective date of this determination, evidence of compliance with this condition shall be submitted to the satisfaction of the Zoning Administrator such as a letter from the LAPD stating that exterior lighting on the site has been installed to the satisfaction of the LAPD.

Applicant's response: Please see pictures of the Business exterior lighting, attached as Exhibit J. No exterior lighting exists along Crenshaw Boulevard because Crenshaw Boulevard is adequately illuminated at all times of day and night.

Investigator's response: In compliance. Exterior lighting at parking lot is prominent and sufficient. Flood lighting fixture is mounted on the west wall illuminating the parking lot. The lighting is directed away from the residential uses located west and across the alleyway.



Exterior lighting fixture at parking lot

17. Access to the parking lot shall be made through a one way entry/exit from Crenshaw Boulevard to Stocker Street and the driveway access to the parking lot from the adjacent alley shall be closed off with a gate to the satisfaction of the

LAPD. Access to the parking lots shall be secured with gates during non-operating hours. Within 30 days from the effective date of this determination, evidence of compliance with this condition shall be submitted to the satisfaction of the LAPD such as a letter from the LAPD stating that compliance with this condition has been attained.

Applicant's response: See the photograph, attached as Exhibit K [identifying] the path of travel and show the gate lock.

Investigator's response: Not in compliance. Main entrances are on Crenshaw Boulevard and Stocker Street, with one exit to the alley to the west. At the time of site visit, the gate from the parking lot to the alley was not closed and providing vehicular ingress/egress to the site.



Crenshaw Blvd. driveway entrance



Stocker St. driveway



Vehicular access to/from alleyway

Alley vehicular access

18. Signs in English and Spanish, stating "DO NOT DRINK OR OPEN ANY DRINKS IN THE PARKING LOT, SIDEWALKS OR ANY OTHER PUBLIC AREAS" shall be posted at the cashier, at the exits and entrances of the premises, and in the parking lots.

Applicant's response: Please see the attached photograph, referred to as Exhibit L, which shows a "No Drinking" sign posted at the Property.

Investigator's response: In partial compliance. The required sign was not observed at the cash register; however the required sign was prominently displayed at the site's entrance and parking lot in English only.



Drinking in public prohibition sign

19. No narcotic paraphernalia or related items shall be sold or distributed at the location.

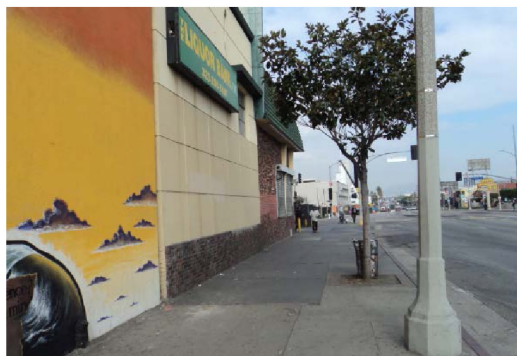
Applicant's response: The Owner has operated the Business in compliance with this condition.

Investigator's response: In compliance. No narcotic paraphernalia or related items were visible during the time of site visit.

20. No illegal vending shall be allowed on the property.

Applicant's response: The owner has operated the business in compliance with this condition. Illegal vending is, however, very common in the area. Security guards routinely ask for illegal vendors to leave, but this problem exists far beyond the Property's borders.

Investigator's response: In compliance. No vendors and no evidence of street-vending were observed during the field visit.



Crenshaw Blvd. View

21. The cement border on the east side of the property shall be modified such that it does not provide seating for loiterers to the satisfaction of the LAPD. Within 30 days from the effective date of this determination, evidence of compliance with this condition shall be submitted to the satisfaction of the Zoning Administrator such as a letter from the LAPD stating that compliance has been attained. [LAPD]

Applicant's response: The owner has operated the business in compliance with this condition. Please see the attached picture of the gate installed on the cement border, attached as Exhibit M.

Investigator's response: In compliance. Atop the approximately 2.5 feet in height masonry wall along the property line, a tubular steel fencing with bars spaced approximately 4 inches prevents pedestrians from congregate and loiter on the site. The overall height of the fence is approximately 6 feet all around the parking lot.



Fence along Crenshaw Blvd.

22. The property owner shall reimburse the City of Los Angeles \$3,194 and applicable surcharges, as set forth in Los Angeles Municipal Code Section 19.01-P, within 30 days of the effective date of this determination.

Applicant's response: Compliance from the prior approval has yet to be determined.

Investigator's response: Not in compliance. City Planning receipt(s) for the reimbursement was found in association with DIR 2009-1885(RV)(PA1).

23. All windows shall be maintained free of signs and other material that inhibit views into the facility by law enforcement agencies.

Applicant's response: The owner has operated the business in compliance with this condition. Please see the attached picture of the front windows, attached as Exhibit N. [It] shows that no signage existing between approximately 4 feet and approximately 6 feet, as well as the rear of the store through the windows. [It] verifies that the faces of all persons within the store will not be inhibited by signage.

Investigator's response: In compliance. While some signs in the windows were present, the windows appeared to be adequately free of signs and other materials that would otherwise obstruct views into the facility by law enforcement agencies.

24. The owner/operator shall join and actively participate in the efforts of any local business neighborhood watch, and shall meet with the Southwest Patrol Division and Vice Unit representatives of the Los Angeles Police Department quarterly basis to receive appropriate training and information, regarding alcoholic beverage control laws and procedures. The quarterly meetings shall be initiated by Liquor Bank management. The first meeting with the LAPD shall be made within 30 days from the effective date of this action. The measures recommended by the LAPD to mitigate any nuisance activities associated with the store shall be complied with. [LAPD]

Within 45 days from the effective date of this determination, evidence of compliance with this condition such as meeting venues and summary of the meeting etc, shall be submitted to the satisfaction of the Zoning Administrator.

Applicant's response: This condition is satisfied by covenant.

Investigator's response: In partial compliance. The operator has acquired all documentation from the LAPD. The operator also stated that LAPD officers often patrol the site and have a friendly relationship with the establishment's personnel (operator, cashiers and private security guards). However, no records were submitted by the applicant nor LAPD regarding required quarterly meetings.

25. The property owner and the business owner/operator shall cooperate with the LAPD in their investigation and shall not impede, interfere, hinder, or otherwise obstruct any investigation undertaken by any law enforcement agency, which relates to the property. [LAPD]

Applicant's response: The Owner has operated the Business in compliance with this condition.

Investigator's response: In compliance. The operator cooperated with the site visit and did not impede the investigation.

26. The property owner and the business owner/operator immediately sign a Trespass Authorization form authorizing the LAPD to arrest unauthorized individuals found on the subject property. [LAPD]

Applicant's response: Please see the attached Trespass Authorization Form, attached as Exhibit O.

Investigator's response: In compliance. The applicant submitted LAPD Trespass Arrest Authorization form - date range: August 26, 2016 to August 25, 2017.

27. The property owner and the business owner/operator shall immediately order anyone loitering, engaging in narcotics, gang related activities or open air sales to leave the property, and shall not allow such person(s) to return to the property. [LAPD]

Applicant's response: The owner has operated the business in compliance with this condition. Loitering, illegal vending, narcotics- and gang-related activities are, however, very common in the area. Security guards routinely ask for persons engaged in such activities to leave, but this problem exists far beyond the Property's borders.

Investigator's response: In compliance. There were no street vendor nor people loitering during the field visit. No comment was made by the operator about the role of the security guard in reducing loitering on the public right-of-ways abutting the subject site.

28. Within 30 days of the effective date of this action, the property and business owners shall record a covenant acknowledging and agreeing to comply with all the terms and conditions established herein 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.

Applicant's response: The Dept. of City Planning has a conformed copy of the recorded covenant. Please see an attached scanned copy of the covenant, attached as Exhibit P.

Investigator's response: In compliance, the covenant was recorded with Los Angeles County on July 17, 2016 (No. 2016-0837707).

Comments from Other Departments and/or the General Public

General Public: At the time of report preparation, two telephone calls from the general public had been received, citing concerns at the location regarding loitering and general nuisance activities from the subject location.

A nearby resident called expressing concerns with the subject site as the magnet for individuals loitering around the site creating general nuisance along Crenshaw Blvd. January 27, 2017. Information about submitting written testimony prior to the public hearing was requested.

The Los Angeles Police department submitted the following reports:

Crime Analysis Mapping System Calls for Service Report: There were 16 calls for service for the property location 3600 Stocker Street between November 4, 2015 and November 16, 2016.

<u>No.</u>	<u>Date</u>	<u>Time</u>	<u>Description</u>
1.	11/16/2016	1317	Officer Reporting Location
2.	11/16/2016	1202	Officer Reporting Location
3.	10/31/2016	1603	Battery Just Occurred
4.	9/22/2016	2041	Theft Suspect
5.	9/12/2016	2037	Assault with a Deadly Weapon
6.	8/16/2016	2045	Disturbance
7.	7/25/2016	1043	Stolen Vehicle-Recovered
8.	7/7/2016	1709	Officer Reporting Location
9.	5/10/2016	2118	Traffic Refusing to Show ID
10.	2/19/16	2106	Gang Activity
11.	1/23/16	1409	Dispute Business
12.	12/8/2015	1618	Officer Reporting
13.	11/17/2015	1326	Officer Reporting Location
14.	11/12/15	1926	Officer Reporting Location
15.	11/6/15	1421	Disturbance Group
16.	11/4/15	1331	Officer Reporting Location

Other Departments: At the time of report preparation, no other public agency had submitted any written comments.

On-Site Cases, Affidavits, Permits and Orders

DIR-2009-1885(RV)(PA1) – On May 11, 2016, the Zoning Administrator issued a determination in accordance with Section 12.27.1 of the Los Angeles Municipal Code, finding partial compliance with conditions and requiring the modification of one condition relating to the future review of conditions.

Council File No. 10-0130 / DIR-2009-1885(RV)(A) – Effective March 29, 2010, the City Council resolved to deny appeals filed by the business owners and adopted the Zoning Administrator's findings to mitigate adverse impacts at the site.

DIR-2009-1885(RV) – On December 28, 2009, the Zoning Administrator issued a determination in accordance with Section 12.27.1 of the Los Angeles Municipal Code, requiring the modification of the Liquor Bank and imposing conditions.

Surrounding Cases, Affidavits, Permits and Orders

ZA-2014-1931(CUB) – On December 26, 2014, the Zoning Administrator approved Conditional Use permit to sell and dispense a full line of alcoholic beverages for on-site consumption, in conjunction with the proposed “Mexicano” restaurant.

ZA-2013-0966-CUB – On July 17, 2013, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing quick service restaurant located in the C2-2D Zone.

ZA-2010-3254-CUB – On March 25, 2011, the Zoning Administrator approved Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the operation of a 3,800 square-foot restaurant located in the C2-2D Zone,

ZA-2006-10157(CUB)(ZV) – On August 29, 2007, the Zoning Administrator approved a Conditional Use permit to allow the sale and dispensing for consideration of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed ground floor full-service restaurant and nightclub and a second-story lounge/private club, and to allow a determination of yards. The Zoning Administrator denied a permit for second floor and ground floor outdoor patio seating not permitted in C1.5 Zone and further approved a permit for additional parking spaces and public dancing / entertainment otherwise not allowed in the C1.5 Zone. The Zoning Administrator’s decision was appealed and the City Council (C.F. No. 07-4063), effective March 12, 2008, granted the appeal allowing outdoor patio seating at Maverick’s Flat.

ZA-2005-5796(CUB) – On August 3, 2006, the Zoning Administrator denied a conditional use permit for the off-site sale and dispensing of beer and wine, located at 4233-B South Crenshaw Boulevard.

ZA-1985-1158(CUB) – On March 7, 1986, the ZA denied a Conditional Use permit for the sale and dispensing of alcoholic beverages on-site in conjunction with a restaurant / cocktail lounge-dance hall accommodating approximately 75 patrons with 3 parking spaces in the C2-2 Zone, located at 4213 Crenshaw Boulevard.

Additional Parcel Information**Community Plan:**

The West Adams-Baldwin Hills-Leimert Community Plan map designates the property for Neighborhood Commercial land uses with corresponding zones of C1, C1.5, C2, C4, and P.

Specific Plans and Interim Control Ordinances:

The property is within the area of the Crenshaw Corridor and South Los Angeles Alcohol Sales Specific Plan (Ordinance No. 176,230 and 162,128). The application is not affected.

Environmental Clearance:

On December 15, 2016, the project was issued a Notice of Exemption (Article III, Section 1, City CEQA Guidelines), log reference ENV 2016-4816-CE, for a Categorical Exemption, Class 21, Category 2, City CEQA Guidelines Article VII, Section 1, State CEQA Guidelines, Section 15300 *et seq.*

RONY GIRON
Staff Investigator

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