

**APPLICATION FOR DETERMINATION OF
"PUBLIC CONVENIENCE OR NECESSITY"
ALCOHOL SALES**

Pursuant to Section 23958 and 23858.4
California Business and Professions Code

TO BE SUBMITTED TO CITY CLERK'S OFFICE
ROOM 395, CITY HALL

CD 15

COUNCIL FILE NO. 11-1788
TIME LIMIT FILE: _____

BACKGROUND INFORMATION

As part of the application, the applicant must submit the names and addresses of property owners of all property, adjacent (including across the street/alley) to the subject property on gummed labels. Applicant must also submit the following information: 1) notarized signature, 2) a site plan prepared by a map maker (see Planning Department for map maker's list), 3) one 4- by 6-inch picture of the property from each side of the site, and 4) a copy of all previous building permits for the site (Room 400, 201 North Figueroa Street). When you meet with ABC to get the crime and license concentration information for your site, you must bring back the ABC information (on the ABC form) to the City Clerk.

Project Name: **Fresh & Easy Neighborhood Market**

Address: **603 South Gaffey St.**

Type of Business: **Retail (neighborhood market)**

Applicant: Name: **Fresh & Easy Neighborhood Market**
Address: **2120 Park Place, Suite 200 El Segundo, CA 90245**
Phone Number: **(310) 341-1273** Fax Number:

Property Owner: Name: **J W Rich Investment Company**
Address: **1000 N. Western Ave., Suite 200, San Pedro, CA 90732**
Phone Number: **(310) 547-3326** Fax Number: **(310) 547-1177**

Representative: Name: **Alisa Karlan, Cerrell Associates, Inc.**
Address: **320 N. Larchmont Blvd. Los Angeles, CA 90004**
Phone Number: **(323) 466-3445** Fax Number: **(323) 466-8653**

A. **PROJECT DETAILS**

THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS:

1. Has the City previously approved a conditional use permit for alcoholic beverage sales at this site?
Yes – See question no. 2 below
2. Have you recently filed for a new conditional use permit? **Yes.** If Yes, provide the City case number(s). **ZA-2011-1729-CUB**
3. Has a previous ABC license been issued? **No**
4. Type of Alcohol Sales Requested (on- or off-site, beer and wine, full alcohol, etc.): **Off-site Type 20**

5. Size of Business: **4,760 square feet**

6. % of floor space devoted to alcoholic beverages: **Less than 10%.**

7. Hours of Operation:

a. What are the proposed hours of operation and which days of the week will the establishment be open? **6:00 am – 11:00 pm, daily.**

b. What are the proposed hours of alcohol sales? **7:00am – 11:00pm, daily**

8. Parking:

a. Is parking available on the site? (If so, how many spaces?) **Yes. 35 stalls**

b. If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant? **N/A**

c. Where? **N/A**

d. How many off-site spaces? **N/A**

9. 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? Provide ABC case number and a copy of final ABC action. **No.**

10. Will video game machines or pool or billiard tables be available for use on the subject property and if so, how many? **No.**

11. Will you have signs visible on the outside which advertise the availability of alcohol? **No.**

12. How many employees will you have on the site at any given time? **5-8 employees.**

13. Will all employees who sell alcohol attend the local State ABC training class on how to properly sell alcohol? **All Fresh & Easy markets have developed stringent operational standards and training programs to teach techniques for the lawful selling of alcoholic beverages. Fresh & Easy trains all store employees with TIPS (Training for Intervention Procedures), which is the global leader in education training for the responsible service, sale and consumption of alcohol. TIPS is a national program, which is recognized by the California ABC. In addition, within six months of the effective date of the Conditional Use Permit to sell alcohol, employees and management will attend and complete the Standardized Training for Alcohol Retailers (STAR) training program regarding alcohol sales, as sponsored by the Los Angeles Police Department.**

14. What security measures will be taken including:

1. a. Posting of rules and regulations on the premises to prevent such problems as gambling, loitering, theft, vandalism and truancy. **Post and maintain a professional quality sign stating "No loitering or Public Drinking"; and Post and maintain a professional quality sign stating, "It is a violation of Section 41.27(c) of the Los Angeles Municipal Code to possess any bottle, can or other receptacle containing any alcoholic beverage, which has been opened, seal broken, or the contents of which have been partially removed, on or adjacent to this premises." Such signs shall be posted in English and predominant language of the facility's clientele, if different.**

b. Will security guards be provided and if so, when and how many? **No**

15. Will there be minimum age requirements for patrons? If so, how will this be enforced? **There will be no minimum age requirements for patrons of the store. However, alcohol will not be sold to anyone under the age of 21. Fresh & Easy's state-of-the-art cash register system will require face-to-face cashier and customer interaction, and cashier approval on all sales of alcoholic beverages in order to verify that the customer is of legal age. All Fresh & Easy markets have developed stringent operational standards and training programs to teach techniques for the lawful selling of alcoholic beverages. All Fresh & Easy markets have developed stringent operational standards and training programs to teach techniques for the lawful selling of alcoholic beverages. In addition to the California ABC-recognized TIPS program, employees and management will attend and complete the Standardized Training for Alcohol Retailers (STAR) training program regarding alcohol sales, as sponsored by the Los Angeles Police Department.**

16. Are there any other alcoholic beverage outlets within a 600-foot radius of the site? Provide names and address of such business and type of business. **Yes. See attached list.**

17. Are there any schools (public or private and including nursery schools) churches or parks within 1,000 feet of your proposed business? Where? (Give Address) **Yes. See attached list.**

18. Will the exterior of the site be fenced and locked when not in use? **No.**

19. Will the exterior of the site be illuminated with security lighting bright enough to see patrons from the street? **The store is located along Gaffey Street and 6th Street and the exterior of the site is well lit. Building facades along Gaffey Street will provide approximately 325 square feet of transparent elements, which will provide visibility into the store from the street. Fresh & Easy facilities are designed to provide a safe environment for patrons and employees. To that end, the following design elements are incorporated into our security plan: adequate lighting levels both on the interior and exterior of the store to identify anyone in the front or rear of the building at night, employee supervision of the facility, and closed circuit video monitoring system-with cameras located strategically throughout the property. Videos are kept for one month and will be made available to police upon request.**

B. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED WHERE ONLY THE OFF-SITE SALE OF ALCOHOLIC BEVERAGES IS SOUGHT:

1. Will the gross sale of alcohol exceed the gross sale of food items on a quarterly basis? **No.**

2. Will cups, glasses or other similar containers be sold which might be used for the consumption of liquor on the premises? **No. The project is a neighborhood market that will sell paper goods such as cups, plates, napkins, etc. as part of its line of products. These items are sold in sealed packaging. In addition, the project will post and maintain professional quality signs stating, "No loitering or Public Drinking" and "It is a violation of Section 41.27(c) of the Los Angeles Municipal Code to possess any bottle, can or other receptacle containing any alcoholic beverage, which has been opened, seal broken, or the contents of which have been partially removed, on or adjacent to this premises."**

3. Will beer and wine coolers be sold in single cans or will wine be sold in containers less than 1 liter (750ml)? **No single cans of beer or wine coolers will be sold. Wine will not be sold in containers less than 750 ml.**

4. Will "fortified" wine (greater than 16% alcohol) be sold? **No, with the exception of certain dessert wines.**

C. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED WHERE ONLY THE ON-SITE SALE OF ALCOHOLIC BEVERAGES IS SOUGHT: **Not Applicable**

1. What is the occupancy load as determined by the Fire Department (number of patrons)?
2. What is the proposed seating in all areas?
3. Is there to be entertainment such as a piano bar, juke box, dancing, live entertainment, movies, etc.? (Specify?)
4. 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.
5. Food Service:
 - a. Will alcohol be sold without a food order?
 - b. Will there be a kitchen on the site as defined in the Los Angeles Municipal Code?
6. Will discount alcoholic drinks or a "Happy Hour" be offered at any time?

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

D. PUBLIC CONVENIENCE AND NECESSITY EVALUATION

The City of Los Angeles is very concerned if a new request to sell alcohol is subject to one of the conditions below. There is a strong likelihood that the City will deny your "public convenience or necessity" application if one of the above listed conditions apply to your site. (It is strongly suggested that you contact your Council Office and discuss your project. If the Council Office does not oppose your project, you should then check with your local area police vice unit as well as the Planning Department Public Counter at (213) 977-6083 for the determination of whether the proposed site is within a Specific Plan area, and the Community Redevelopment Agency (CRA) project staff at (213) 977-1682 or 977-1665, to determine if your site is in a CRA Project Area. If any of the five conditions listed below apply to your site, you should carefully consider if you want to file for a Public Convenience or Necessity finding.

1. The proposed site is in an area with a long-term level of undue concentration of alcoholic beverage outlets.
2. The geographic area is the target of special law enforcement activity, i.e., police task force is working on reducing vice in the area, or eliminating juvenile crime (such as cruising or graffiti) or gang activity.
3. The proposed site is in close proximity to sensitive uses, including schools, parks, churches, youth activities, homeless shelters, mental health or alcohol or drug treatment centers.
4. The geographic area has elevated levels of alcohol-related crimes, including but not limited to: public intoxication, driving under the influence, assault, vandalism, prostitution, drug violations, loitering.
5. The proposed site is located in a Specific Plan or Community Redevelopment Agency Project area which specifically includes a policy to control future alcoholic beverage sales.

E. If the project site is not subject to one of the above criteria, your project will be evaluated by the City Council with consideration given to the following possible benefits and detriments to the community:

1. Possible Benefits

Would the business:

- a. Employ local residents (how many)
- b. Generate taxes (provide estimate)
- c. Provide unique goods and services (which ones)
- d. Result in an aesthetic upgrade to the neighborhood (in what exact way)
- e. Contribute to the long term economic development (how)
- f. Provide a beneficial cultural/entertainment outlet (specify)

2. Possible Detrimental Impacts

Is the immediate area in which the license is sought subject to: (Check with your local Police Department area "Senior Lead Officer")

- a. Excessive calls to the Police Department
- b. Police resources being already strained
- c. High rates of alcoholism, homelessness, etc.
- d. Large "youth" (under 21) population

3. With regard to the operation of the proposed business explain:

- a. The method of business operation: (large volume of alcohol to food sales, "late" hours (after midnight), high % unskilled (no ABC training class) staff, high % of underage (under 21) staff, etc.)
- b. Would the " business duplicate a nearby business already in existence?
- c. Other non-alcohol sales business options available so alcohol does not have to be sold, e.g., more. specialty products, broader range of items like fresh meats or fruits and vegetables. etc.

The City Council will evaluate these factors and make a decision on the overall merits of your request. Therefore, you should answer below as to why you believe any of these above listed beneficial or detrimental conditions apply to your project and provide any documented proof to support your belief**

See attached and Public Convenience and Necessity Findings and related Findings for Conditional Use Permit – Alcohol (CUB).

F. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a. The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof).
- b. The information presented is true and correct to the best of my knowledge.

Applicant signature

Date

Signature of property owner if tenant or lessee is filling application

State of CALIFORNIA

County of LOS ANGELES

On OCT 18, 2011 before me, K. G. RAWLINGS
Date Name of Notary Public

personally appeared JOSEPH W. RICH
Name(s) of Signer(s)

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary Public

* The Planning Department has a list of private map makers who will prepare the names and addresses for you. This list is available at the public counter, Room 300, Counter N, 201 North Figueroa Street or 6251 Van Nuys Boulevard, Van Nuys. Alternatively, you may obtain a list of such adjoining owners from the City Clerk's Office (Room 730, 201 North Figueroa Street) or from a title company and prepare the labels yourself.

** You may add additional pages to your response if needed. Please utilize numbering system of this form to assist in the review of the responses.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

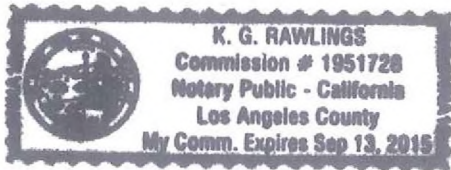
CIVIL CODE § 1189

State of California

County of LOS ANGELES

On OCT 18, 2011 before me, K. G. RAWLINGS, NOTARY PUBLIC

personally appeared JOSEPH W. RICH



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: K. G. Rawlings

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Application for determination of "Public Convenience or necessity" Alcohol Sales
Document Date: Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: JOSEPH W. RICH

Corporate Officer - Title(s): SECRETARY

- Individual
Partner - Limited General
Attorney in Fact
Trustee
Guardian or Conservator
Other:

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing: JW RICH INVESTMENT Co.

Signer's Name:

Corporate Officer - Title(s):

- Individual
Partner - Limited General
Attorney in Fact
Trustee
Guardian or Conservator
Other:

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing:

F. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a. The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof).
- b. The information presented is true and correct to the best of my knowledge.


 Applicant signature Adam Mayfield
 Real Estate Director

10/11/11
 Date

 Signature of property owner if tenant or lessee is filling application

State of _____

County of _____

On _____ before me, _____
Date Name of Notary Public

personally appeared _____
Name(s) of Signer(s)

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

 Signature of Notary Public

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** You may add additional pages to your response if needed. Please utilize numbering system of this form to assist in the review of the responses.


ACKNOWLEDGMENT

State of California)
County of __Los Angeles__)

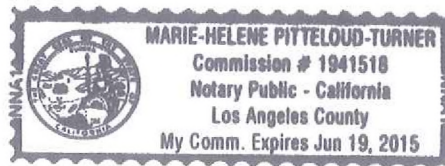
On October 11, 2011 before me, Marie-Helene Pitteloud-Turner, notary public,
personally appeared _____Adam Mayfield_____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official



Seal

**Letter of Public Convenience or Necessity
Fresh & Easy Neighborhood Market
603 S. Gaffey Street, San Pedro**

This letter provides justification for a finding of Public Convenience or Necessity ("PCN") for the Fresh & Easy Neighborhood Market located at 603 South Gaffey Street in the San Pedro area of the City of Los Angeles, California. The Department of Alcoholic Beverage Control has indicated that a letter of public convenience or necessity is required to permit the sale of alcoholic beverages at this site (a Type 20 License for the sale of beer and wine for consumption off of the licensed premises). Fresh & Easy proposes to build a neighborhood grocery market that provides a variety of food and everyday grocery needs.

PUBLIC CONVENIENCE OR NECESSITY

First, it is important to emphasize that Business & Professions Code § 23958.4 requires a positive finding of public convenience *or* necessity in order for an off-site ABC application to be approved. Thus, it is legally sufficient if Fresh & Easy shows *either* public convenience *or* public necessity.

Second, it is only necessary to show public convenience or necessity where, as here, there is an "undue concentration" of licensees in the census tract or the site is located in a high crime district. The term "undue concentration" (also referred to as "over concentration") is specifically defined in Business & Professions Code § 23958.4 as simply a ratio of *the number of licenses in a census tract* compared to *the average number of licenses in a County*, as a whole. It does not mean that a particular census tract necessarily has too many licenses for the needs or convenience of residents in that tract.

"Over concentration" also does not mean that the State, or anyone else, has previously looked at this census tract and determined that it has suffered any deleterious effects from the actual number of licenses existing; or that it will suffer if a new license is issued. It merely provides a guideline for making such a determination, in the form of determining whether, in a particular situation, the ABC license would serve the "public convenience or necessity."

Thus, in this case, the fact that the census tract in which Fresh & Easy's site is located in a statutorily "over concentrated" and in a "high crime" area does not mean that selling a small amount of alcoholic beverages at a grocery store will have adverse impacts. Rather, it simply means that the City must find that either public convenience or public necessity will be served by the sale of alcoholic beverages at the site. The surrounding area contains an intensity of commercial zoning and development, which can explain the number of off-site licenses compared to the residential population distribution.

BASIS FOR SUPPORTING OFF-SITE ALCOHOLIC BEVERAGE SALES AS AN INTEGRAL PART OF THE PROPOSED PROJECT

1. The convenience of Fresh & Easy's Neighborhood Market Concept:

Tesco PLC is a United Kingdom-based international supermarket chain that is the parent company of Fresh & Easy Neighborhood Market Inc. Tesco is the largest British retailer, both by global sales and by domestic market share, and the fourth largest retailer in the world. Currently, Tesco operates over 2,700 stores world wide and achieves gross sales of over \$71 Billion. As of now, Tesco operates grocery stores in The United Kingdom, Ireland, China, Czech Republic, France, Hungary, Japan, Malaysia, Poland, Slovakia, South Korea, Thailand, and Turkey. Fresh & Easy's success is largely a result of building local businesses with local people. The stores reflect the markets and communities they serve, but everywhere the goal is the same, to bring quality, service, and choice, at a competitive price, to the heart of local neighborhoods.

Fresh & Easy proposes to build a neighborhood grocery market that provides a large diversity of food and sundry items for the local community. A Fresh & Easy Neighborhood Market is intended to provide a broad array of products for the consumer's convenience with the aim of fulfilling their customers' everyday grocery needs. They will stock a wide range of both fresh and ambient lines including dairy, meat, fresh fruit and vegetables, baked goods and other grocery items. Beer and wine are sold as incidental products to the grocery items.

The site is located within the San Pedro Community Plan area and the Community Redevelopment Agency's (CRA) Pacific Avenue Corridor Project Area. The main goal of the Pacific Avenue Corridor Project Area is to improve the economic vitality and appearance of the Downtown San Pedro area. In addition to serving the purpose of the CRA redevelopment plan, the project also meets the goals and objectives of the San Pedro Community Plan by locating a new commercial use that facilitates convenient shopping, upgrades the surrounding and enhances the pedestrian experience. A Fresh & Easy store at this location will enhance the surrounding community and support further economic development in the area.

Although alcoholic beverages are expected to comprise a small percentage of sales floor space (less than 10%), it is nevertheless necessary in order to provide Fresh & Easy customers with a complete range of products. Thus, alcoholic beverages are a key element of the Fresh & Easy Neighborhood Market store. By providing a whole host of products, including alcoholic beverages, readily available to the consumer at this Fresh & Easy store, the public convenience of the area will be served. Without it, a customer may be obliged to travel to a range of retail outlets in order to complete their shopping.

2. Security and Control

While the sale of alcoholic beverages is not a primary purpose, Fresh & Easy recognizes the seriousness of loitering, delinquency, crime and underage drinking and is committed to taking all feasible steps to address law enforcement concerns about the site. Fresh & Easy markets have developed stringent operational standards and training programs to teach techniques for the lawful selling of alcoholic beverages.

Fresh & Easy facilities are designed to provide a safe environment for patrons and employees. To that end, many security and control measures have been incorporated including, but not limited to the following:

1. Adequate lighting levels both on the interior and exterior of the store to identify anyone in the front or rear of the building at night, and employee supervision of the facility.
2. Closed circuit video monitoring system with cameras located strategically throughout the property. Videos are to be maintained for 30 days and made available to Police Department or other enforcement agency upon request.
3. Post and maintain a professional quality sign stating "*No loitering or Public Drinking.*"
4. Post and maintain a professional quality sign stating, "*It is a violation of Section 41.27(c) of Los Angeles Municipal Code to possess any bottle, can or other receptacle containing any alcoholic beverage, which has been opened, seal broken, or the contents of which have been partially removed, on or adjacent to these premises.*" Such signs shall be posted in English and the predominant language of the facility's clientele, if different.
5. Fresh & Easy trains all store employees with TIPS (Training for Intervention Procedures), which is the global leader in education training for the responsible service, sale and consumption of alcohol. TIPS is a national program, which is recognized by the California ABC. In addition, employees and management will complete the STAR training program regarding alcohol sales, as sponsored by the Los Angeles Police Department.
6. No more than 10% of the total floor area of the facility will be dedicated to the beer and wine sales area.
7. The sale of wine in bottles less than 750 ml is prohibited. No beer or wine will be sold in single cans.
8. No malt liquor.
9. No exterior advertising promoting or indicating the availability of alcoholic beverages.

Fresh & Easy understands the importance of maintaining the appearance of a facility to both expanding our customer base and preventing criminal activity. Fresh & Easy's store and property maintenance program includes timely graffiti and litter removal.

The Los Angeles Police Department Harbor Division Vice Unit reviewed the ABC application and advised ABC that they had no opposition or objections to the request to sell beer and wine at this location.

3. The site will not result in an adverse impact on public health, safety, or welfare

The project site is zoned for commercial use. Presently, the site is occupied by a pet store, lingerie store and a movie rental store. Surrounding land uses include residential and commercial uses.

A new full-service Fresh & Easy at this site will contribute to the economic vitality of the area through sales and business tax revenue, create approximately 12 new jobs and provide a new, safe and convenient location to make grocery purchases. Thus, the public health, safety, and welfare will be advanced by this project. The addition of selling alcoholic beverages will not change this. The store differs from other uses that sell alcohol that may result in adverse effects upon the economic health and welfare of a neighborhood, such as a liquor store or bar. The sale of beer and wine will make up a small portion of the overall store floor area and sales, and will add to the variety of grocery products available to customers, providing a convenience. The sales and store operation are also comprehensively addressed through a Conditional Use Permit to safeguard and ensure the public welfare will not be negatively impacted. But beyond this, it should be noted that Fresh & Easy has a very extensive training program for its employees to help ensure that it is a responsible retailer of alcoholic beverages. There are both oral and written aspects to Fresh & Easy's training program to ensure that employees understand and implement the procedures imposed by Fresh & Easy to comply with ABC laws and regulations.

In short, Fresh & Easy is committed to protecting the public health, safety, and welfare of the community, and will take appropriate steps to do so. Fresh & Easy has obtained support from the local community for its application to sell alcohol – Central San Pedro Neighborhood Council and the Community Redevelopment Agency's Community Advisory Committee support this project and request for sale of alcohol.

Permitting the sale of alcoholic beverages at this site will 'round-out' Fresh & Easy's neighborhood market concept, providing customers the added convenience to make purchases of alcoholic beverages along with their weekly grocery needs. Beer and wine are commonly sold at grocery stores as a convenience for the consumers. Fresh & Easy, by reason of its location, character, manner and method of operation,

merchandise, and potential clientele, will serve the community of San Pedro. It is not anticipated that by selling beer and wine at this location, crime would increase in the area or that the site would attract criminal activity. Based on the foregoing, Fresh & Easy Neighborhood Market Inc. respectfully requests that the City of Los Angeles grant a finding of Public Convenience for the Fresh & Easy alcoholic beverage license.

- The sale of malt liquor is prohibited
- We worked with CRA, Megan Hunter, and have worked with her on conditions for the project to satisfy Redevelopment Agency requirements.

The Zoning administrator took the case under advisement to give LAPD an opportunity to comment.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24 of the Los Angeles Municipal Code. In order for the sale of beer and wine for off-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the four standard findings for most other conditional use categories.

MANDATED FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

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

The project site is a level, L-shaped, corner lot, bound by Gaffey Street, a Major Highway Class II to the east, 6th Street, a Local Street to the north, and a public alley to the west. The site is currently improved with a one-story commercial building, formally operating as a pet shop, lingerie store, movie rental store, and surface parking lot. The site is zoned [Q]C2-1XL.

The applicant is requesting a conditional use to permit the sale of beer and wine for off-site consumption, in conjunction with a proposed 4,760 square-foot new retail grocery store, "Fresh & Easy Express," in an existing commercial building, operating daily from 6:00 a.m. to 11:00 p.m. with sales and deliveries occurring during those times. The site is conveniently located at the intersection of a Major Highway Class II and a Local Street and is served by public transit. The site is within walking distance of residences. The neighborhood has been underserved by grocery stores, so this will add a needed service. Therefore, the location will be desirable to the public convenience and welfare.

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

The property to the north, across 6th Street, is zoned (Q)C2-1XL and improved with a Big 5 Sporting Goods Store. The property to the south, adjoining the subject site, is zoned (Q)C2-1XL and improved with a one-story mini shopping center and liquor

store. The properties to the east across Gaffey Street are zoned (Q)C2-1XL and improved with fast food restaurants on both of the easterly corners of Gaffey Street and 6th Street. The property to the west across the alley, is zoned P-1XL and improved with a ground level parking lot utilized by the commercial tenants of the subject site. West of the parking lot the properties are zoned RD1.5-1XL and improved with single and multiple-residential structures.

The request for the sale of beer and wine for off-site consumption would not conflict with other commercial or residential neighbors. The sale of alcohol will be within a controlled environment. As the historic use of the site has been retail consisting of a pet shop, lingerie store and adult movie rental store, the proposed market should result in less potential conflict with adjacent uses and be compatible with the development of the community. The site is located on a commercial thoroughfare which provides a variety of services to the community, and this new grocery store will be a welcomed amenity to that community. The Zoning Administrator has imposed numerous conditions to ensure that the use will be compatible with the surrounding properties.

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

Fresh & Easy is an established grocery chain, operating and managing over 200 stores in Arizona, California, and Nevada and 17 stores in the greater Los Angeles area. The store will employ security measures to ensure no adverse impacts are created, such as, electronic age verification, security cameras, and extensive employee training programs. No comments were submitted in writing or at the public hearing indicating that the sale of beer and wine would be materially detrimental to the character or development in the area. Furthermore, the request was supported by the Central San Pedro Neighborhood Council and Council District 15. Access to fresh and packaged foods as well as alcoholic and non-alcoholic beverages within a small neighborhood market will be a welcomed addition to the community and will not be materially detrimental to the character of the development in the immediate neighborhood.

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

There are eleven elements of the General Plan. Each of the elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these elements are in the form of Code Requirements of the Los Angeles Municipal Code. Except for the entitlement described herein, the project does not propose to deviate from any of the requirements of the Code.

The San Pedro Community Plan designates the property for General Commercial land uses with corresponding zones of C1.5, C2, C4, CR, RAS3, and RAS4. The

Plan is silent on the issuance of conditional use permits for alcohol sales. The project site is not located in any Specific Plans or within the boundaries of any active Interim Control Ordinances. The Plan text is silent with regards to alcohol sales for off-site consumption. In such cases, the Zoning Administrator must interpret the intent of the Plan. The proposed sale of beer and wine at a market located in a commercially zoned property is deemed to be in harmony with the General Plan as it will provide the adjacent community with accessible food and beverages within a small neighborhood-serving market located on a major thoroughfare but adjacent to other commercial uses and residential uses.

5. The proposed use will not adversely affect the welfare of the pertinent community

The approval of the conditional use will not adversely affect the welfare of the community. The subject property is zoned for commercial uses and will be utilized as such with the proposed sale of beer and wine in conjunction with a market use. The review of the request included considerations relative to the welfare of the pertinent community. The project includes specific design elements intended to prevent adverse impacts to the community which may result from the sale of alcoholic beverages for off-site consumption. The proposed store will not adversely affect the economic welfare of the community because the business will positively impact the financial health of the property and continue to improve the economic vitality of the area via increases in taxable revenue and local employment.

6. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

According to the California State Department of Alcoholic Beverage Control licensing, 5 on-site and 4 off-site licenses are allocated to the subject Census Tract No. 2966.00. There are currently 23 active licenses within this census tract for 11 on-site and 12 off-site sales. According to the statistics, the site may appear to have an overconcentration of alcohol. Over-concentration can be undue when the addition of a license will negatively impact a neighborhood. Over-concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. Although the census tract is numerically over-concentrated, the project will not adversely affect community welfare because the proposed market with the off-site sale of beer and

wine is desirable in an area designated for such.

Statistics from the Los Angeles Police Department's Wilshire Division Vice Unit reveal that in Crime Reporting District No. 557 within the South Bureau, Harbor Division, which has jurisdiction over the subject property, a total of 396 crimes were reported in 2010, compared to the citywide average of approximately 169 crimes and the high crime reporting district average of approximately 203 crimes for the same period. Crimes reported by LAPD include Robbery (25), Aggravated Assault (17), Burglary (27), Burglary Theft from Vehicle (50), Personal Theft (1), Other Theft (78), Auto Theft (32), Embezzlement Fraud (1), Narcotic Drug (44), Liquor Laws (8), Drunkenness (17), Disorderly Conduct (2) DWI Related (29), and All Other Violations (69). LAPD submitted an email of non-opposition stating that the sale of beer and wine for off-site consumption at the subject store is not anticipated to increase crime in the area.

The granting of the CUP would not result in an undue concentration of alcohol establishments leading to nuisances and/or criminal activity. The proposed hours are reasonable and the sale of beer and wine is incidental to other items sold at the store. Fresh & Easy is a responsible retailer of alcohol and would like to provide beer and wine at the site for the convenience of their customers. The site is located in an area of high crime however LAPD does not attribute the crime to the particular site or proposed use. As conditioned, the requested sale of beer and wine for off-site consumption at a convenience store should not result in an impact to police services.

7. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The following are sensitive uses located within 1,000 feet of the subject site:

- | | |
|---------------------------------------|---------------------------|
| • San Pedro Service Center | 769 West 3rd Street |
| • CCSP | 410 South Gaffey Street |
| • Faro De Esperanza | 439 South Grand Avenue |
| • Mcnerney's Mortuary | 570 West 5th Avenue |
| • San Pedro United Methodist Church | 580 West 6th Avenue |
| • La Iglesia jesucristo De Los Santos | 600 West 8th Avenue |
| • Day Star Early Learning | 631 West 6th Avenue |
| • Cabrillo Children's Center | 741 West 8th Avenue |
| • Mary Star of the Sea School | 717 South Cabrillo Avenue |
| • Croation Hall | 631 West 9th Street |
| • San Pedro Public Library | 931 South Gaffey Street |
| • Cabrillo Elementary School | 732 South Cabrillo Street |

The market is located on a commercial property and is buffered by residences to the east and by an at-grade parking lot. The applicant has met with the Los Angeles Police Department, Neighborhood Council and the Council Office to mitigate any potential impacts of their operation and have received support from all three. The proposed market should not detrimentally affect any nearby sensitive uses.

ADDITIONAL MANDATORY FINDINGS

8. 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.
9. On September 19, 2011, the Department of City Planning Department issued Mitigated Negative Declaration No. ENV-2011-1730-MND. This Mitigated Negative Declaration reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts are mitigated to a less than significant level. I hereby adopt that action. The custodian of the documents or other material which constitute the record of proceedings upon which the decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

I concur with the report prepared by Christine M. Saponara, Planning Staff for the Office of Zoning Administration, on this application and approve the same.

Christine M. Saponara
City Planning Associate
(213) 978-1363

Maya E. Zaitzevsky

MAYA E. ZAITZEVSKY
Associate Zoning Administrator
Direct Telephone Number (213)978-1416

MEZ:CMS:jjq

cc: Council District 15
Adjacent Property Owners



PROJECT LOCATION:

603 S GAFFEY ST

LIST OF ALCOHOL ESTABLISHMENTS WITHIN 600 FEET OF THE SITE

1	RITE AID	501 S GAFFEY	FULL LINE - OFF SITE
2	MUP PIZZA & PASTA	525 S GAFFEY ST	BEER/WINE - ON SITE
3	CVS	700 S GAFFEY ST	FULL LINE - OFF SITE
4	BABOUCH MOROCCAN RESTAURANT	810 S GAFFEY ST	FULL LINE - ON SITE
5	VISTA LIQUOR STORE	625 S GAFFEY ST	FULL LINE - OFF SITE

LIST OF ALCOHOL ESTABLISHMENTS WITHIN 600 TO 1,000' FEET OF THE SITE

1	TC'S BAR	694 W 9 TH ST	FULL LINE - ON SITE
2	99 CENTS ONLY STORE	938 S GAFFEY ST	BEER/WINE - OFF SITE
3	7-ELEVEN	837 S GAFFEY ST	BEER/WINE - OFF SITE

SENSITIVE LAND USES WITHIN 1000 FEET

1	SAN PEDRO SERVICE CENTER	769 W 3 RD ST
2	CCSP	410 S GAFFEY ST
3	FARO DE ESPERANZA	439 S GRAND AVE
4	MCNERNEY'S MORTUARY	570 W 5 TH ST
5	SAN PEDRO UNITED METHODIST CHURCH	580 W 6 TH ST
6	LA IGLESIA JESUCRISTO DE LOS SANTOS	600 W 8 TH ST
7	DAY STAR EARLY LEARNING	631 W 6 TH ST
8	CABRILLO CHILDREN'S CENTER	741 W 8 TH ST
9	MARY STAR OF THE SEA SCHOOL	717 S CABRILLO AVE
10	CROATION HALL	631 W 9 TH ST
11	SAN PEDRO PUBLIC LIBRARY	931 S GAFFEY ST
12	CABRILLO ELEMENTARY SCHOOL	732 S CABRILLO ST

QMS 11-091



I hereby certify that the information contained herein is true and correct in accordance with the records in the City Clerk's and City Planning Department Offices.

I further hereby certify that to the best of my knowledge and under penalty of perjury the attached ownership list correctly shows the latest names and addresses on the City Clerk's records and the Los Angeles County Tax Assessor's Role as of:

Peter Elias
Peter Elias (mg)

9/28/11
Date

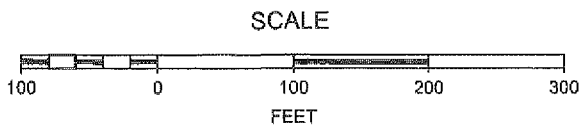
The following is a color-coded key for distribution of this material:

GREEN	CLIENT COPY
BLUE	BTC, INC
PINK	CITY OF LOS ANGELES, ORIGINAL
RED	ADJACENT LABELS (for Zoning Administration Cases only)
PURPLE	VALLEY OFFICE COPY (for projects in the San Fernando Valley only)
GOLDEN	COUNCIL DISTRICT (for 11 or 12 only)
WHITE	NEIGHBORHOOD COUNCIL COPY

Situs Address: 603 Gaffey St. Total Notification: 13

CAUTION: THIS MAP MUST BE FILED WITHIN (90) NINETY DAYS FROM THE DATE ON THE MAP.

ADJACENT NOTIFICATION MAP 603 GAFFEY STREET



QMS Quality Mapping Service
 14549 Archwood St, Suite 301
 Van Nuys, California 91405
 Phone (818) 997-7949 • Fax (818) 997-0351
 qmapping@qesqms.com

DATE: 09-28-11

QMS: 11-171



6th Street View



Gaffey Street View



Rear of project and surface parking



Rear of project

Address of Building

603&605 South Gaffey Street
Unit 605



CITY OF LOS ANGELES
CERTIFICATE OF OCCUPANCY

Note: Any change of use of occupancy must be approved by the Department of Building and Safety.

This certifies that, so far as ascertained or made known to the undersigned, the vacant land, building or portion of building described below and located at the address complies with the applicable construction requirements (Chapter 9) and/or the applicable zoning requirements (Chapter 1) of the Los Angeles Municipal Code for the use, or occupancy group in which it is classified.* (Non-Residential Uses)

This certifies that, so far as ascertained by or made known to the undersigned, the building or portion of building described below and located at the above address complies with the applicable requirements of the Municipal Code, as follows: Ch. 1, as to permitted uses, Ch. 9, Arts. 1, 3, 4, and 5; and with applicable requirements of State Housing Law-for following occupancies:* (Residential Uses)

Permit No. and Year 92SP11301 and 93SP12194

Convert 27'x71', portion of an existing one story, type VN, 54'x71', retail building to retail/beauty salon. B2 Occupancy.

5000324200500000749

Total Parking Required _____ No Change in Parking requirement.

Total Parking Provided _____ = Standard _____ + Compact _____ + Disabled _____

* ALSO SUBJECT TO ANY AFFIDAVITS OR BUILDING AND ZONING CODE MODIFICATIONS WHETHER LISTED ABOVE OR NOT.

Issued By / Office:
LA-VN-WLA-SP-C.D. #15

Bureau:
BLOG - BCS

Division:
GI-MS-MSS-EQ-BMI-COMM

Owner Dorothy Davis
Owner's Address 24823 Island Ave.
Carson, CA 90745

[Handwritten Signature]

Issued: 2-5-93

By: im

1100100818180

INSTRUCTIONS: 1. Applicant to Complete Numbered Items Only.

1. LEGAL DESCR.	LOT 25	BLOCK A	TRACT McLaughlin	CITY CLERK REF. NO. M 4-69	DIST. MAP 155 197
2. PRESENT USE OF BUILDING	(16) Retail		NEW USE OF BUILDING (1) Beauty Salon	CENSUS TRACT 2966.00	
3. JOB ADDRESS	605 Gaffey St., S.			SUITE/UNIT NO.	FIRE DIST. 15
4. BETWEEN CROSS STREETS	AND				LOT TYPE
5. OWNER'S NAME () TENANT () BUILDING	Dorothy Davis			PHONE 310-834-4938	LOT SIZE
6. OWNER'S ADDRESS	24823 Isalnd		CITY Carson	ZIP 90745	85x35
7. ENGINEER	BUS. LIC. NO.	ACTIVE STATE LIC. NO.	PHONE	ALLEY	
8. ARCHITECT OR DESIGNER	BUS. LIC. NO.	ACTIVE STATE LIC. NO.	PHONE	BLDG. LINE	
9. ARCHITECT OR ENGINEER'S ADDRESS	CITY		ZIP	DOCUMENTS/EASEMENTS	
10. CONTRACTOR	Acosta	BUS. LIC. NO.	ACTIVE STATE LIC. NO.	PHONE 542-9070	ZI 1602
11. SIZE OF EXISTING BLDG.	STORIES	HEIGHT	NO. OF EXISTING BUILDINGS ON LOT AND USE		
12. FRAMING MATERIAL OF EXISTING BLDG.	WIDTH	LENGTH	ROOF	FLOOR	
13. JOB ADDRESS	3 605 Gaffey St., S.				SUITE/UNIT NO.
14. VALUATION TO INCLUDE ALL FIXED EQUIPMENT REQUIRED TO OPERATE AND USE PROPOSED BUILDING	\$ 151,000.00				DIST. OFF. ST
15. NEW WORK (Describe)	change of use to Beauty Salon & T.I. in 605 Gaffey St				P.C. REQ'D
NEW USE OF BUILDING	SIZE OF ADDITION	STORIES	HEIGHT	FILE WITH	
Beauty Salon	N/C			ZONED BY 22	
TYPE VN	GROUP OCC. B-2	MAX. OCC. N/C	PLANS CHECKED	TYPIST rab	
DEWELL UNITS 0	BUILDING AREA N/C	ZONING AREA	INSPECTION ACTIVITY	INSPECTOR	
GUEST ROOMS	PARKING REQ'D NC	PARKING PROVIDED S C HC.	CS	GEN.	MAJ. S. EQ.
R.C. 139-67 25-91	G.R.I. NP	CONT. INSP.	B & S 08-B-3 (R.7/80)		
S.P.C.	P.M.		CASHIERS USE ONLY		
B.P. 107-25 28-13	E.I. 5.15	Claims for refund of fees paid on permits must be filed: 1. Within one year from date of payment of fee, or 2. Within one year from date of expiration of extension for building or grading permits granted by the Dept. of B. & S. SECTIONS 22-12 & 22-13 L.A.M.C.	10/26/92 11:41:50AM SPO: 1-5823 C 13		
I.F.	F.H.		BLDG PLAN CHECK 139.21		
S.D.	O.S.S. 6.17		BLDG PERMIT CO 164.75		
ISS. OFF. SP	S.O.S.S. 105	SPRINKLERS REQ'D SPEC.	INVOICE \$ 0002830 88		
R.C. NO. CC	C/O	ENERGY	EI COMMERCIAL 3.15		
			ONE STOP 6.14		
			SYS DEV 18.42		
			TOTAL 331.57		
			CHECK 331.57		
Unless a shorter period of time has been established by an official action, plan check approval expires one year after the fee is paid and this permit expires two years after the fee is paid or 180 days after the fee is paid if construction is not commenced					
NEW AFFIDAVITS					
PLAN CHECK EXTENDED TO PER					
ADMINISTRATIVE APPROVAL DATED					
BY (MOON) 10/23/92					
HOUSING MITIGATION FEE ORDINANCE					
<input type="checkbox"/> REQUIRED <input type="checkbox"/> EXEMPT					
ASBESTOS NOTIFICATION					
Check Box: <input type="checkbox"/> Notification letter sent to AQMD or EPA.					
<input checked="" type="checkbox"/> I declare that notification of asbestos removal is not applicable to addressed project.					
Signature Maria Acosta Date 10-25-92					

DECLARATIONS AND CERTIFICATIONS

I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7063) of Division 3 of the Business and Professions Code, and my license is in full force and effect.
 Date 10-25-92 Lic. Class B Lic. Number 562535 Contractor Maria Acosta (Signature)

OWNER-BUILDER DECLARATION
 I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Sec. 7031.5, Business and Professions Code):
 I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code). The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law.
 I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code). The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law.
 I am exempt under Sec. B, & P, G. for this reason.

Bureau of Engineering		ADDRESS APPROVED	X	<i>10-23-92</i>
		DRIVEWAY	X	<i>10-23-92</i>
		HIGHWAY		REQUIRED
		DEDICATION		COMPLETED
		FLOOD CLEARANCE		
Public Works Improvement	Required YES <input type="checkbox"/> NO <input type="checkbox"/>	PERMIT		
SEWERS		X SEWERS AVAILABLE		<i>10-23-92</i>
RES. NO.		NOT AVAILABLE		
CERT. NO.		SFC PAID		
	X SFC NOT APPLICABLE	SFC DUE		
Grading	PRIVATE SEWAGE SYSTEM APPROVED			
Comm. Safety	APPROVED FOR ISSUE <input type="checkbox"/> NO FILE <input type="checkbox"/> FILE CLOSED <input type="checkbox"/>			
CEQA				
Fire	APPROVED (TITLE 19) (L.A.M.C.-5700)			
	APPROVED - HYDRANT UNIT, ROOM 920 CHE			
CRA	APPROVED PER REDEV. PROJECT			
Transportation	APPROVED FOR DRIVEWAY LOCATION			
	APPROVED FOR ORD. #			
Planning	WORK SHEET #			
	APPROVED UNDER CASE #			
	LANDSCAPE / HESCAPE			
	SIGHT PLAN REVIEW			
Housing	HOUSING AUTHORITY AFFIDAVIT NO.			
Construction Tax	RECEIPT NO.	DWELLING UNITS		
Cultural Affairs				
Rent Stabilization Division				

LEGAL DESCRIPTION
DAD-OK *[Signature]* (MOON) 10/23/92 <SEE MOD. 10/23/92.>

ON PLOT PLAN SHOW ALL BUILDINGS ON LOT AND USE OF EACH

↑ ATTACHED PLOT PLANS SHALL NOT 1

3

APPLICA
FOR
INSPECTION

CITY OF LOS ANGELES DEPT. OF BUILDING AND SAFETY

ADD-ALTER-
REPAIR-DEMOLISH
AND FOR CERTIFICATE
OF OCCUPANCY

INSTRUCTIONS: 1. Applicant to Complete Numbered Items Only.

1. LEGAL DESCR.	LOT 25, 26	BLOCK A	TRACT McLaughlin	CITY CLERK REF. NO. MPA-69	DIST. MAP 15B 197	CENSUS TRACT 2966.00
2. PRESENT USE OF BUILDING	16) Retail		NEW USE OF BUILDING	same/Beauty Salon		ZONE (Q)C2 1XL
3. JOB ADDRESS	603 & 605 Gaffey St., S.			SUITE/UNIT NO.	FIRE DIST. 15	COURT. DIST.
4. BETWEEN CROSS STREETS	AND			LOT TYPE	INT	
5. OWNER'S NAME () TENANT () BUILDING	Dorothy Davis		PHONE 310-834-4934	LOT SIZE	85x35	
6. OWNER'S ADDRESS	24823 Island		CITY CARSON	ZIP 90745	ALLEY	
7. ENGINEER	BUS. LIC. NO.	ACTIVE STATE LIC. NO.	PHONE	BLDG. LINE		
8. ARCHITECT OR DESIGNER	BUS. LIC. NO.	ACTIVE STATE LIC. NO.	PHONE	DOCUMENTS/EASEMENTS		
9. ARCHITECT OR ENGINEER'S ADDRESS	CITY		ZIP	ZI 1602		
10. CONTRACTOR	BUS. LIC. NO. none	ACTIVE STATE LIC. NO. 542-9070	PHONE	11. SIZE OF EXISTING BLDG. WIDTH 54 LENGTH 71 STORES 1 HEIGHT 12 NO. OF EXISTING BUILDINGS ON LOT AND USE		
11. SIZE OF EXISTING BLDG.	WIDTH 54	LENGTH 71	STORES 1	HEIGHT 12	NO. OF EXISTING BUILDINGS ON LOT AND USE	
12. FRAMING MATERIAL OF EXISTING BLDG.	EXT. WALLS	ROOF	FLOOR	13. JOB ADDRESS 603 & 605 Gaffey St., S. SUITE/UNIT NO.		
13. JOB ADDRESS	603 & 605 Gaffey St., S.			SUITE/UNIT NO.	14. VALUATION TO INCLUDE ALL FIXED EQUIPMENT REQUIRED TO OPERATE AND USE PROPOSED BUILDING	
14. VALUATION TO INCLUDE ALL FIXED EQUIPMENT REQUIRED TO OPERATE AND USE PROPOSED BUILDING	NO FEE			\$ DEPT ERROR		DIST. OFF. SP
15. NEW WORK (Describe)	correct 92SP11301 to show bldg dimensions & space dimensions + LEGAL DESCRIPTION			GRAVING yes	BEISMIC	FILE WITH 92SP11301
NEW USE OF BUILDING	SIZE OF ADDITION	STORIES	HEIGHT	APPLICATION APPROVED		INSPECTOR
Retail/Beauty	27x71			ZONING		rab
TYPE VN	GROUP OCC. B2	MAX. OCC.	BUILDING AREA	ZONING		INSPECTOR
DWELL UNITS 0	PARKING REQ'D nc	PARKING PROVIDED S C HC.	INSPECTION ACTIVITY	ZONED BY 2-8-93		INSPECTOR
GUEST ROOMS			CS GEN. MAJ.S. ED.	TYPIST		INSPECTOR
P.C.	G.P.I. + NP	CONT. INSP.	B & S 08-B-3 (R.7/80)			
S.P.C.	R.M.		NO FEE			
B.P.	E.I.		BLDG PERMIT CD			
I.F.	F.H.		INVOICE # 0085481 00			
S.D.	O.S.S.		NO FEE			
ISS. OFF.	S.O.S.S.	SPRINKLERS RECD SPEC.	93SP 12194			
P.C. NO.	C/O	ENERGY	DAS	2-8-93		

DECLARATIONS AND CERTIFICATIONS

LICENSED CONTRACTORS DECLARATION

16. I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

Date _____ Lic. Class _____ Lic. Number _____ Contractor _____ (Signature)

OWNER-BUILDER DECLARATION

17. I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Sec. 7031.5, Business and Professions Code): Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he is licensed pursuant to the provisions of the Contractor's License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500). I:

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code); The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he did not build or improve for the purpose of sale.

I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code); The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law.

I am exempt under Sec. _____ B. & P. C. for this reason _____

Date _____ Owner's Signature _____

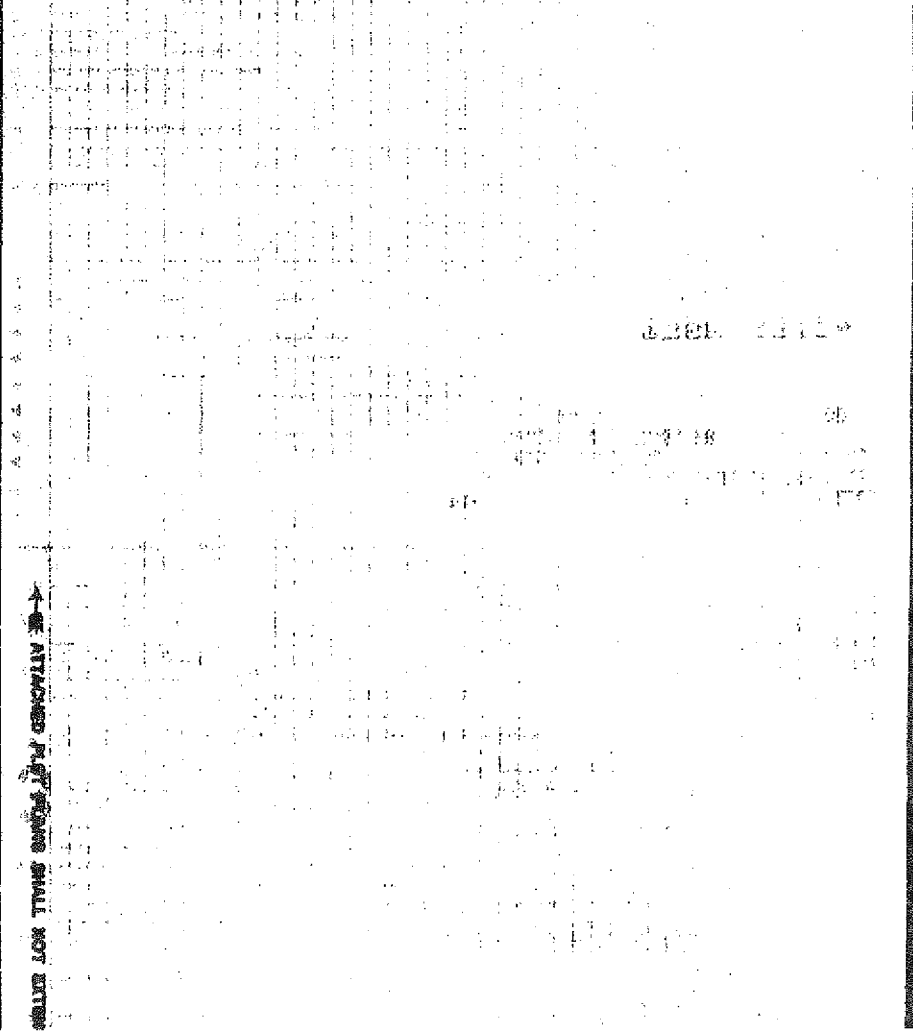
WORKERS' COMPENSATION DECLARATION

18. I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Worker's Compensation insurance, or

Bureau of Engineering		ADDRESS APPROVED	
		DRIVEWAY	
		HIGHWAY	REQUIRED
		DEDICATION	COMPLETED
		FLOOD CLEARANCE	
Public Works Improvement	Required YES <input type="checkbox"/> NO <input type="checkbox"/>	PERMIT	#
SEWERS		SEWERS AVAILABLE	
RES. NO.		NOT AVAILABLE	
CERT. NO.		SFC PAID	
		SFC DUE	
		SFC NOT APPLICABLE	
Grading	PRIVATE SEWAGE SYSTEM APPROVED		
Comm. Safety	APPROVED FOR ISSUE <input type="checkbox"/> NC FILE <input type="checkbox"/> FILE CLOSED <input type="checkbox"/>		
CEQA			
Fire	APPROVED (TITLE 19) (L.A.M.C.-S700)		
	APPROVED - HYDRANT UNIT, ROOM 920 CHE		
CRA	APPROVED PER REDEV. PROJECT		
Transportation	APPROVED FOR DRIVEWAY LOCATION		
	APPROVED FOR ORD. #		
Planning	WORK SHEET #		
	APPROVED UNDER CASE #		
	LANDSCAPE / XERISCAPE		
	SIGHT PLAN REVIEW		
Housing	HOUSING AUTHORITY AFFIDAVIT NO.		
Construction Tax	RECEIPT NO.	DWELLING UNITS	
Cultural Affairs			
Rent Stabilization Division			

LEGAL DESCRIPTION

ON PLOT PLAN SHOW ALL BUILDINGS ON LOT AND USE OF EACH



IF ATTACHED PLANS ARE NOT SHOWN SHALL NOT ENTER

PREMISES ADDRESS:

3WC W. 10th St. + South Gaffey St.
San Pedro

LICENSE TYPE: off sale

1. CRIME REPORTING DISTRICT

Jurisdiction unable to provide statistical data.

Reporting District: 550

Total number of reporting districts: 1135

Total number of offenses: 266457

Average number of offenses per district: 235

120% of average number of offenses: 282

Total offenses in district: 501

Location is within a high crime reporting district: Yes / No

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 2966.D

Population: 5000 / County Ratio: 1=1618

Number of licenses allowed: 4

Number of existing licenses: 12

Undue concentration exists: Yes / No

Letter of public convenience or necessity required: Governing Body / Applicant.

Three time publication required: Yes / No

Person Taking Application

Investigator

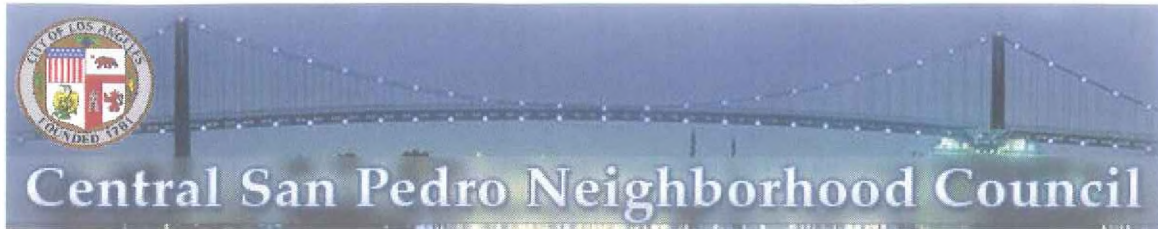
Supervisor

ABC-245 (7-98)

FAXED

3,21

14/4/11



August 19, 2011

Linda Alexander
President

Frank Anderson
Vice President

Alisa Karlan
Cerrell Associates Inc.
320 North Larchmont Boulevard
Los Angeles, CA 90004

Scott Gray
Secretary

Kali Merideth
Treasurer

Re: LA City Planning Case number is ZA-2011-1729 CUB

Dear Alisa,

At the August 9, 2011 meeting of the Central San Pedro Neighborhood Council, a motion was passed in support of the proposed Fresh and Easy at the corner of Gaffey and 6th Streets in San Pedro. The motion read as follows:

The Central San Pedro Neighborhood Council supports the proposed Fresh and Easy project at the Southwest Corner of 6th & Gaffey and its request for a Conditional Use Permit for the sale of beer and wine.

Motion made by Andrew Silber, seconded by Kara McLeod, and passed by the Board with 7 yes votes and 4 no votes.

A copy of this letter will also be forwarded to the planner for this case, Christine Saponara.

Sincerely,

A handwritten signature in cursive script that reads 'Linda Alexander'.

Linda Alexander
President, Central San Pedro Neighborhood Council

cc: Christine Saponara