

LOS ANGELES POLICE DEPARTMENT



CHARLIE BECK
Chief of Police

ERIC M. GARCETTI
Mayor

P.O. Box 30158
Los Angeles, Calif. 90030
Telephone: (213) 473-0558
TDD: (213) 485-2122
TDD: (877) 275-5273

Ref #: 6.4

October 14, 2013

Mr. John A. White
Deputy City Clerk, Office of the City Clerk
City of Los Angeles
City Hall, Room 395
200 North Spring Street
Los Angeles, California 90012

Dear Mr. White:

The Wilshire Area Vice Unit, Los Angeles Police Department (LAPD), has reviewed this Letter of Public Convenience or Necessity (Caldera) application for Smart and Final retail supermarket, located at 4550 West Pico Boulevard Suite D303, Council File No. **13-1081**, CD 10. The applicant is requesting to allow the sale of full-line of alcoholic beverages for off-site consumption, in conjunction with a Department of Alcoholic Beverage Control (Type 21) license within a proposed 35,775 square foot store. The applicant is also requesting operating hours of 6:00 a.m. to 12:00 a.m., 7 Days a week.

The proposed retail supermarket is located in Census Tract No. 2172 and in Los Angeles Police Department Reporting District (RD) 765. According to the statistics provided by the Department of Alcoholic Beverage Control, two off-sale licenses are allowed in this census tract. There are currently four off-sale active licenses in this census tract.

An Analysis of Part I Crime, driving under the influence (DUI) arrests, and DUI traffic collisions was conducted for RD 765. It revealed that from January 1, 2011 through December 31, 2012, Part I Crime decreased by 4.4 percent (180 crimes in 2011 vs. 172 crimes in 2012). In addition, there were 27 DUI arrests and 5 DUI traffics collisions during the same extraction period.

The proposed Smart and Final retail supermarket will be located along the Venice Boulevard corridor, inside the Midtown Crossing Shopping center which is a newly developed retail shopping center consisting of numerous retail businesses including, restaurants, corporate and business offices. The restaurant is also located near single and multi-family dwellings which are located north and south of the location and separated by main thoroughfares of Venice Boulevard and Pico Boulevard.

The Wilshire Area Vice Unit has met with the area Senior Lead Officer, Ruben Gonzalez and Council

District Ten Deputy, Elizabeth Carlin, whom are unaware of any complaints regarding the location.

If the applicant is approved for this Letter of Public Convenience or Necessity (Caldera) application, the Department requests that the attached conditions be imposed. These conditions would assist in keeping the public safety issues to a minimum and address the quality of life issues in this area.

If further assistance is needed, please contact Sergeant Richard Estevez, Officer-in-Charge, Wilshire Area Vice Unit, at (213) 473-0288.

Very truly yours,

CHARLIE BECK
Chief of Police

A handwritten signature in black ink, appearing to read 'Eric T. Davis', is written over the typed name and title.

ERIC T. DAVIS, Captain
Commanding Officer
Wilshire Community Police Station

Attachment

CONDITIONS REQUESTED

1. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
2. The petitioner(s) shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.
3. Hours of operation alcohol service shall not exceed 06:00 a.m. to 12:00 a.m. daily
4. Deliveries and trash pickups to the facility shall be permitted only from 7:00 a.m. to 10:00 p.m.
5. Within a year of the effective date of this determination, all personnel acting in the capacity of a manager of the premises shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. The applicant shall contact the Wilshire Vice Unit of the Los Angeles Police Department and make arrangements for such training.
6. Coin operated game machines, video arcades or similar game equipment are not permitted. Except Children's mechanical rides and vending machines.
7. No exterior advertising signs of any type including advertising directed from the exterior from within (window signs) directing patrons to the availability of alcoholic beverages in the store
8. Any alcoholic beverage sold or dispensed for consideration shall only be for consumption off the premises.
9. Single unit sales of malt liquors and or malt based products shall be prohibited.
10. No full line alcoholic beverages shall be sold in containers less than 750 ml.
11. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department and City Planning.
12. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while in the premises.
13. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises.
14. Applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment.

15. Loitering is prohibited on or around these premises or this area under the control of the applicant.
16. Any future operator or owner of the subject property shall file a Plan Approval Review application for the purpose of evaluating the mode and character of the use. A public hearing shall be held to hear from all departments and concerned parties. Notification labels shall be provided by the owner/operator for owners and occupants within a 500-foot radius.
17. Signs shall be posted and maintained that indicate that noise level in the parking area and alley shall be kept to a minimum.
18. Property owner/operator shall keep a log of any complaints received, the date and time received and the disposition of the response. The log shall be retained for consideration by the Zoning Administrator or other city representatives.
19. A 24-hour "hot-line" phone number shall, be provided for the receipt of the complaints from the community regarding the subject facility and shall be:
 - Posted at the entry
 - Posted at the Customer Service Desk.
 - Provided to the immediate neighbors, schools, and local neighborhood council groups.
20. There shall be no live entertainment permitted.
21. There may be occasional non-amplified background music for shoppers within the store. There shall be no music audible beyond store premises.
22. An electronic age verification device(s) which can be used to determine the age of an individual attempting to purchase alcoholic beverages shall be installed on the premises at each point-of-sales location. These device(s) shall be maintained in an operational conditional and all employees shall be instructed in their use prior to the utilization of this approval.
23. The Petitioner(s) shall install and maintain security cameras and a one-month video library that covers all common areas of the business, high-risk areas and entrances or exits. The video shall be made available to police upon request.