

**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

COUNCIL FILE NO.

CD 14  
14-0723BACKGROUND INFORMATION

TIME LIMIT FILE: \_\_\_\_\_

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 101, 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	<u>CVS Pharmacy</u>
Address	<u>210 W. 7th Street, Los Angeles, CA 90014</u>
Type of Business	<u>Pharmacy and Retail Store</u>
Applicant	<u>Garfield Beach CVS. L.L.C.</u>
	Name <u>One CVS Drive, Woonsocket, RI 02895</u>
	Address <u>(401) 765-1500</u>
	Phone Number/Fax Number _____
Property Owner	<u>Van Nys Preservation, L.P. C/O Aimco</u>
	Name <u>4582 S. Ulster Street, Suite 1100, Denver, CO 80237</u>
	Address <u>303-691-4550</u>
	Phone Number/Fax Number _____
Representative	<u>Christian Charbonnet w/ Armstrong Development</u>
	Name <u>1375 Exposition Blvd., 101, Sacramento, CA 95815</u>
	Address <u>(310) 876-4498</u>
	Phone Number/Fax Number _____

**A. PROJECT DETAILS**

THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS:

- Has the City previously approved a conditional use permit for alcoholic beverage sales at this site? Yes X No \_\_\_\_ If Yes, what is the City case number(s) ZA 2013-3011(CUB) \_\_\_\_\_.
- Have you recently filed for a new conditional use permit? Yes X No \_\_\_\_ If Yes, provide the City case number(s) ZA 2013-3011(CUB) \_\_\_\_\_.
- Has a previous ABC license been issued? Yes \_\_\_\_ No X If Yes, when and what type of license.

4. Type of Alcohol Sales Requested (on- or off-site, beer and wine, full alcohol, etc.):  
Type 21 License, Off-Site, Full alcohol
5. Size of Business: 13,794 SF
6. % of floor space devoted to alcoholic beverages: less than 5%
7. Hours of Operation:
- What are the proposed hours of operation and which days of the week will the establishment be open? 24 hours 7 days a week
  - What are the proposed hours of alcohol sales? 7 AM - 10 PM
8. Parking:
- Is parking available on the site? (If so, how many spaces?) No
  - If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant? Yes, by covenant PKG 4987, PKG4986, AFF 50812
  - Where? 725-729 S. Spring St., 715-719 S. Spring St., Annex Building 1 & 2
  - How many off-site spaces? 139 stalls
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? 4-12
13. Will all employees who sell alcohol attend the local State ABC training class on how to properly sell alcohol? Yes
14. What security measures will be taken including:
- Posting of rules and regulations on the premises to prevent such problems as gambling, loitering, theft, vandalism and truancy.
  - Will security guards be provided and if so, when and how many?  
Store will have security cameras and CVS has a highly refined Loss Prevention Program. Security Guard will be onsite during operating hours.
15. Will there be minimum age requirements for patrons? If so, how will this be enforced?  
No



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; Happy Corner at 700 S. Spring St., A1 Mini Mart at 213 W. 7th Street.

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, Universal Church at 707 S. Broadway

18. Will the exterior of the site be fenced and locked when not in use?

Yes, Locked

19. Will the exterior of the site be illuminated with security lighting bright enough to see patrons from the street? Yes

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
3. Will beer and wine coolers be sold in single cans or will wine be sold in containers less than 1 liter (750 ml)? No
4. Will "fortified" wine (greater than 16% alcohol) be sold? No

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

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) 482-7077 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

\*\* 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.

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.

3-18-2014  
Date

[Signature]  
Applicant signature

[Signature]  
Signature of property owner if tenant or lessee is filling application

\*\*\*\*\*

ALL-PURPOSE ACKNOWLEDGMENT

State of ~~California~~ Colorado

County of Denver

On March 18, 2014 before me, Debra A. McDonald  
(Insert Name of Notary Public and Title)

personally appeared Carole Olite, 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 on 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] (Seal)  
Signature

DEBRA A. McDONALD  
NOTARY PUBLIC  
STATE OF COLORADO  
My Commission Expires 7-11-2015

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, 201 North Figueroa Street, 4th Floor, or 6262 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.



**Operational Statement for PCN**  
**CVS/Pharmacy #10309**  
**210 W. 7<sup>th</sup> Street, Los Angeles, CA 90014**

Armstrong Development Properties, Inc. (ADPI) is submitting an application for Public Convenience and Necessity Evaluation for a proposed 13,265 square foot CVS/pharmacy retail store providing health and beauty aids, personal care items, gift items, beer, wine, distilled spirits, common household goods, vitamins, and retail pharmaceutical products available over-the-counter or by prescription from the in-store pharmacy.

In addition to these products, the proposed store will also provide one-hour photo processing, as well as standard photo processing for digital photography. Other than photographic prints, products are not produced onsite, but a full range of products are available in-store, with an emphasis on convenience to the consumer.

The proposed CVS/pharmacy will be located at the southwest corner of 7<sup>th</sup> & Spring currently containing a vacant ground floor retail area below residential. The Assessor Parcel Number for the project is 5144-015-033. Customer access to the store will be on 7<sup>th</sup> Street.

Initially the CVS/pharmacy plans to operate approximately from the hours of 7 a.m. to 10 p.m., seven days a week; however, if the demand of the neighborhood warrants 24 hour operations, CVS/pharmacy requests that the right to remain open as a service to the community. The typical CVS/pharmacy generally has between 25-30 employees on payroll. The typical number of employees staffed at a given time may be between 4-12 depending on time of day, year and other factors. Most part-time employees will work between 20-25 hours per week and most full-time employees will work approximately 40 hours per week.

CVS/pharmacy facilities are designed to provide a safe environment for patrons and employees. The following design elements are incorporated into the security plan: adequate lighting levels both on the interior and exterior of the store, employee supervision of the facility, closed circuit video monitoring system, with cameras located strategically throughout the property, and careful window sign to avoid obstruction of visibility into and out of the facility.

In addition to the everyday services previously mentioned that CVS/pharmacy will provide, this location may host a seasonal or annual flu clinic for the benefit of the local consumers, which may include an in-store display or sign to notify consumers of the date and time. If held, this activity would be inside the store. Besides the seasonal clinic, many CVS/pharmacy facilities also include a wellness center. This center, known as a "Minute Clinic", is staffed by a registered nurse practitioner who can diagnose and prescribe pharmaceuticals for minor ailments.

Armstrong Development Properties, Inc. believes that this CVS/pharmacy will be a welcomed use to this area and the development of this property will be an added benefit to the entire community. Should

the City have any questions or concerns regarding this application, please do not hesitate to contact Armstrong Development Properties, Inc. at any time.

Sincerely,

A handwritten signature in blue ink, appearing to be 'C. Charbonnet', with a stylized flourish at the end.

Christian Charbonnet  
Armstrong Development Properties, Inc.  
ccharbonnet@agoc.com



## Letter of Authorization

September 20, 2013

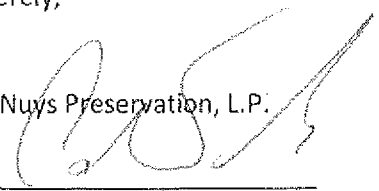
City of Los Angeles  
Planning Department  
201 N. Figueroa Street  
Los Angeles, CA 90012

To Whom It May Concern:

This letter confirms that Van Nuys Preservation, L.P., as owner of the property located at 210 West 7<sup>th</sup> St. Los Angeles, CA has authorized Greg Fick and Tim Lewis with Tait & Associates, Inc. to apply for the Conditional Use Beverage for the proposed CVS Pharmacy located at the aforementioned property. If you have any questions in regards to this matter, please do not hesitate to contact me at 303-691-4550.

Sincerely,

Van Nuys Preservation, L.P.

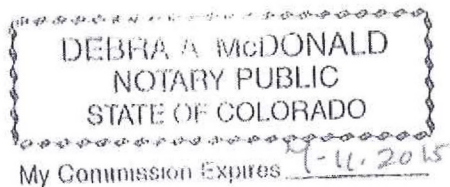
By:   
Carole Olite  
Authorized Representative

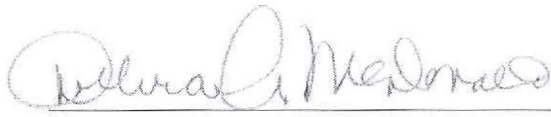
STATE OF COLORADO                    )  
  ) ss.  
CITY & COUNTY OF DENVER        )

On September 23, 2013, before me, Debra A. McDonald, personally appeared Carole Olite, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same of her own free will.

SUBSCRIBED AND SWORN TO this 23rd day of September, 2013.

WITNESS my hand and official seal.



  
\_\_\_\_\_  
Notary Public