

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. 14-0817

BACKGROUND 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 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 C-JANG LOS ANGELES

Address 570 N. FIGUEROA ST. L.A. CA 90012

Type of Business MARKET

Applicant DABIAWN INC.

Name 570 N. FIGUEROA ST. L.A. CA 90012

Address 213 703-4569

Phone Number/Fax Number

Property Owner PALMER BOSTON ST PROPERTIES I

Name 11740 SAN VICENTE BL. #208 L.A 90049

Address

Phone Number/Fax Number

Representative ALEX WOO / GENESIS CONSULTING INC.

Name 3530 WILSHIRE BL. #1610, LA 90010

Address (213) 268 8575

Phone Number/Fax Number

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 \_\_\_ No [X] If Yes, what is the City case number(s) \_\_\_\_\_;
2. Have you recently filed for a new conditional use permit? Yes [X] No \_\_\_ If Yes, provide the City case number(s) ZA 2013-1514 CURB

3. Has a previous ABC license been issued? Yes \_\_\_ No . 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 20 - off-site sale Beer & wine
5. Size of Business 2,415 sq. ft.
6. % of floor space devoted to alcoholic beverages 5%
7. Hours of Operation:
- a. What are the proposed hours of operation and which days of the week will the establishment be open? 6AM - 12AM
- b. What are the proposed hours of alcohol sales? 6AM - 10AM
8. Parking:
- a. Is parking available on the site? (If so, how many spaces?) Yes, 11 spaces
- 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? None
11. Will you have signs visible on the outside which advertise the availability of alcohol?  
None
12. How many employees will you have on the site at any given time? 3-5
13. Will all employees who sell alcohol attend the local State ABC training class on how to properly sell alcohol? Yes. Applicant has attended the State Training along w/ his employees.
14. What security measures will be taken including:
- a. Posting of rules and regulations on the premises to prevent such problems as gambling, loitering, theft, vandalism and truancy.
- b. Will security guards be provided and if so, when and how many? None.  
Applicant provides 24hr CCTV cameras.

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

There are no minimum age for patrons entering this premises. The sale of alcohol will require proper identifications which is closely monitored.

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. Sorrento liquor store @ 801 W. Cesar E. Chavez

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)

Please see attached.

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

yes. The market is within a secured multi-unit building

19. Will the exterior of the site be illuminated with security lighting bright enough to see patrons from the street? Proper lighting is provided for the entire site.

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? N/A

2. Will cups, glasses or other similar containers be sold which might be used for the consumption of liquor on the premises? N/A

3. Will beer and wine coolers be sold in single cans or will wine be sold in containers less than 1 liter (750 ml)? Six packs only

4. Will "fortified" wine (greater than 16% alcohol) be sold? N/A

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? N/A

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? N/A
- b. Will there be a kitchen on the site as defined in the Los Angeles Municipal Code?  
N/A

6. Will discount alcoholic drinks or a "Happy Hour" be offered at any time?  
N/A

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

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:

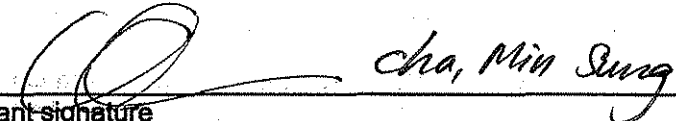
- a. Employ local residents (how many)
- b. Generate taxes (provide estimate)
- c. Provide unique goods and services (which ones)
- d. Result in an aesthetic upgrade to the neighborhood (in what exact way)
- e. Contribute to the long term economic development (how)
- f. Provide a beneficial cultural/entertainment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




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

06/3/14  
 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

\* 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.

State of California

County of Los Angeles

On June 3, 2014 before me, Edith Flores, Notary Public  
(Insert Name of Notary Public and Title)

personally appeared Min Sung Cha

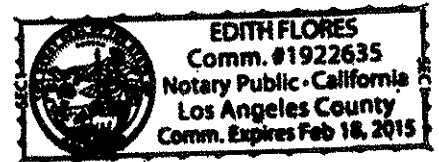
who proved to me on the basis of satisfactory evidence to be person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),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

(Seal)



## PUBLIC CONVENIENCE AND NECESSITY

### **Project Address:**

570 N. Figueroa Street  
Los Angeles, CA 90012

### **2. FINDINGS**

The subject project is in the midst of a culturally diverse urban community. The commercial properties along Figueroa Street and Cesar E Chavez are designated as Community Commercial by the Central City Community Plan; however, they are developed with neighborhood type commercial uses that provide services to the adjacent medium- density residential neighborhood. The subject location is well served by public transportation along Cesar E Chavez that is served by major bus routes.

The subject project occupies a portion of the ground floor of an existing six story apartment complex... The 2,415 sq. ft. market has first open its doors about a year now serving this heavily commercial and residential community. The applicant feels that he can operate this business harmoniously and not be a nuisance to this community if given a chance to allow this beer and wine off-site sales request as an added amenity for the services provided by this market so local grocery shoppers do not have to travel far to get this type of services. The proposed use will be a desirable addition to the operation of a well-established market. The proposed project will enhance the characteristics of the commercial developments in the community.

The store at this location is allowed as a matter of right. The discretionary issue before the Commission is whether the sale of beer and wine from 6 a.m. to 12 a.m. daily, renders the location any less appropriate with respect to impacts on surrounding land uses in conjunction with mode and character of the store as described in the application. The conditions imposed for this approval are expected to be effective.

Also, the beer and wine for off-site consumption is in conjunction with an existing store in which other merchandise items are available for purchase. The store also provides fresh sandwiches along with the general merchandizes. Permitting the sale of alcoholic beverages as conditioned should not substantially impact the welfare of the area given the stated focus of the store as the sale of general merchandise and with the sale of beer and wine playing a secondary and occasional role.

Although the subject property adjoins residentially developed properties, the applicant has maintained the subject market problem-free. There will be no outdoor advertising of alcohol sales posted outside the store. Security lighting will be directed away from any adjacent uses. The applicant will apply policies that dictate stringent age verifications prior to sales of alcoholic beverages to ensure that the market will operate harmoniously



and without nuisance to the surrounding uses. And trained market staff will supervise patrons and the subject premises. The approval of this conditional use request will not detrimentally affect any nearby residentially zoned properties.