

Special Instructions for Alcohol (CUB) – LAMC 12.24 W.1 /W27 PA1

City of Los Angeles – Department of City Planning

Request: Code Section 12:24 W1 & 12.24W27 CUB

M & M Auto Spa Inc.
2740 East Olympic Blvd
Los Angeles, CA 91343

Conditional Use Permit to allow the continued sale of a Beer and Wine for off-site consumption within an approved 24 hour convenience market/Car wash with gas station; in conjunction with a existing AM/PM Market; with the hours of operation being 24 hours daily. Approved under ZA2011-2975. Renewal of beer and wine.

FINDINGS:

a. General Conditional Use

- i. That the project will continue to enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.

This market is ideally situated to serve the population of residents, workers and shoppers in this part of the City. Their wide selection of items to choose from this will continue to enhance the surrounding neighborhood. The sale of beer and wine is a logical extension of their current offering and will prove valuable to a clientele looking for a broader range of beverage choices, thereby providing a benefit to the community.

- ii. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

The subject premises is located within the North Valley Community Plan area and is designated as General Commercial within the C2-1 Highway oriented and limited commercial zone. The surrounding properties have compatible and similar uses to that of the proposed, commercial, general office, service-related and storefront retail uses. This market adds to the diversification of uses within this established center and should remain in proper relation to the adjacent uses. The instant request is an organic extension of the current use and will therefore remain in appropriate relation to the contiguous uses and ongoing development of the community.

- iii. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

This request is a permitted use within the community plan and will not change the site's ability to conform to any elements or objectives of the General Plan. This location enhanced this corner and made a difference to the development of this area.

b. Additional Findings

- i. Explain how the proposed use will not adversely affect the welfare of the pertinent community.

The business will continue to assist in the financial health of the community; improve the economic base of the area through the exchange of goods and services with other commercial uses and generate tax revenue to various municipalities.

- ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.

We are confident that the surrounding businesses and community will continue to benefit from the specialty convenience market. The approval of this project will allow the applicant to offer beer and wine beverages. This grant will enhance the financial health of the community; improve the economic base of the area through the exchange of goods and services with other commercial uses and generate tax revenue to various municipalities. This area of Boyle Heights is recognized for local businesses and shopping destination for both locals as well as visitors to the area, accounts for the number of licenses in the census tract. However, 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. This license already exist at this location (renewal only of existing license).

- iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

The subject premise is bounded on three sides by commercially developed properties and is well-buffered from nearby, residentially zoned and occupied properties.

QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE

- _What is the total square footage of the building or center the establishment is located in?
The building is 2,446 square feet.
- _What is the total square footage of the space the establishment will occupy?
The subject premises is 2,446 square feet
- _What is the total occupancy load of the space as determined by the Fire Department?
65
- _What is the total number of seats that will be provided indoors and outdoors?
N/A
- _If there is an outdoor area, will there be an option to consume alcohol outdoors?
No.
- _If there is an outdoor area, is it on private property or the public right-of-way, or both?
N/A.
 - If an outdoor area is on the public right-of-way, has a revocable permit been obtained?
N/A
- * _Are you adding floor area? If yes, how much is enclosed? Outdoors?
No additional floor space is being added.

Parking

- _How many parking spaces are available on the site?
There are 21 spaces on site.
- _Are they shared or designated for the subject use?
No

- If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety? No additional floor space is being added.

- Have any arrangements been made to provide parking off-site? Parking on site provided.

- If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety? N/A.

Note: Required parking must be secured via a covenant pursuant to LAMC 12.26 E 5. A private lease is only permitted by a Zone Variance.

- Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve.
- Will valet service be available? No Will the service be for a charge? NO
- Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks? YES
- For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Businesses as defined by LAMC 12.70 B17? N/A

QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT

What are the proposed hours of operation and which days of the week will the establishment be open?

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Proposed Hours of Operation	24 Hours	24 Hours	24 Hours	24 Hours	24 Hours	24 Hours	24 Hours
Proposed Hours of Alcohol Sale	6am – 2am	6am – 2am	6am – 2am	6am – 2am	6am – 2am	6am – 2am	6am – 2am

- Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc...? Please specify: None

Note: An establishment that allows for dancing needs a conditional use pursuant to 12.24 W.18.

- Will there be minimum age requirements for entry? No If yes, what is the minimum age requirement and how will it be enforced? This is an off-sale request only
- Will there be any accessory retail uses on the site? No What will be sold? N/A

Security

- How many employees will you have on the site at any given time? There will be 2 to 5 employees on site at all times.
- Will security guards be provided on-site? No. The applicant has security cameras inside and outside.
- Has LAPD issued any citations or violations? No If yes, please provide copies.

Alcohol

- i. Will there beer & wine only, or a full-line of alcoholic beverages available?
Beer and Wine only.
- ii. Will "fortified" wine (greater than 16% alcohol) be sold?
No fortified wine will be sold.
- iii. Will alcohol be consumed on any adjacent property under the control of the applicant?
No. This is an off-site only.
- iv. Will there be signs visible from the exterior that advertise the availability of alcohol?
There will be no signs advertising alcohol visible from the outside.

Food

1. Will there be a kitchen on the site?

N/A Off- Site only
2. Will alcohol be sold without a food order?
N/A Off-Site market.
3. Will the sale of alcohol exceed the sale of food items on a quarterly basis?
No, the gross sale of alcohol will not exceed the gross sale of food items on a quarterly basis.
4. Provide a copy of the menu if food is to be served.

N/A

On-Site

1. Will a bar or cocktail lounge be maintained incidental to a restaurant?

No beer and wine sold at tables and sushi bar.
 - a. If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities. N/A
2. Will off-site sales of alcohol be provided accessory to on-site sales ("Take Out")?

No. This is an on-site request only.
 - a. If yes, a request for off-site sales of alcohol is required as well. N/A
3. Will discounted alcoholic drinks ("Happy Hour") be offered at any time?

N/A

Off-Site

1. Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises?

No cups, glasses or containers will be sold for the consumption of alcohol on the premises.
2. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)?
Only what is allowed by CUB and ABC.

Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements -- <http://www.abc.ca.gov/>.
CALDERA BILL (CA Business and Professions Code Section 23958 and 23958.4)

a. Is this application a request for on-site or off-site sales of alcoholic beverages?

This request is for Off-site sales only.

i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel?

N/A

1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:

b. issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or

No

c. if issuance would result in, or add to an undue concentration of licenses.

No existing License already operating at location. Not over concentrated (renewal)

d. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for **public convenience** or **necessity**.

No

ADDITIONAL REQUIREMENTS FOR MASTER CUBs/CUXs. In addition to all requirements detailed in the Master Land

Use Application Instructions (CP-7810), applications for Master CUBs/CUXs shall include:

- A separate sheet containing a table identifying all CUB or CUX requests on the subject site, indicating: the type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; the identifying address or suite/unit number corresponding to each CUB/CUX request; and (if known) the tenant-operator of each alcohol or adult entertainment establishment.
- All CUB or CUX requests on the subject site clearly identified and labeled on the plot plan and applicable floor plans, indicating: each type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; and the identifying address or suite/unit number corresponding to each CUB/CUX request.

NOTE: Please consider submitting documents beyond the requirements outlined in this form. If there are other circumstances which may further a more complete understanding of the project, do not hesitate to submit such information. The documents submitted with the application and the public hearing constitute the **primary opportunity** to clarify and define the project.