

APPLICATION TO THE ZONING ADMINISTRATOR FOR CONDITIONAL USE PERMIT – ALCOHOLIC BEVERAGES (CUB)

APPLICANT: RALPHS GROCERY COMPANY

**PROPERTY: 10861 WEYBURN AVE.
LOS ANGELES, CA 90024**

REFERENCE: PER LAMC 12.24 – W,1 A CONDITIONAL USE PERMIT TO ALLOW THE CONTINUED SALE OF A FULL LINE OF ALCOHOLIC BEVERAGES FOR OFF-SITE CONSUMPTION AND ON-SITE INSTRUCTIONAL TASTINGS AND ON-SITE BEER AND WINE ONLY IN AN ANCILLARY RESTAURANT, IN CONJUNCTION WITH THE OPERATION OF AN NEWLY EXPANDED RALPHS SUPERMARKET.

This existing Ralphs Supermarket is undergoing an expansion from the current 53,271 s.f. to the expanded size of 93,408 s.f. The newly expanded store will continue to operate 24 hours a day, and the increased floor area will allow the operating market to offer a better selection of items to their patrons. The store will continue to offer alcoholic beverages for off-site consumption for patrons to enjoy in their own homes, which will be done under their current ABC License.

In addition, the store will offer on-site instructional tastings. These tastings will be completed via a Dept. of ABC Type #86 License, developed specifically for this purpose. These licenses cannot be held alone, but must be ancillary to an existing off-sale license. Per the license guidelines, these instructional tastings will be limited to the hours of 10:00am to 9:00pm daily. The instructional tastings must be held within a sectioned off area with access limited to those 21 years and older.

The newly expanded operation will now offer a small restaurant area within the store. A sushi counter and small pizzeria-deli area will be included in the new footprint of the supermarket. These patrons will have the opportunity to dine on-site, and the ability to purchase beer and wine only to accompany their on-site meals. There will be no happy hour requested for this restaurant operation, nor will beer be offered in pitchers. All beer and wine for on-site consumption will be in single servings.

Ralphs is pursuing this request with the awareness of the necessity of operating a professional and responsible business. They will abide by all restrictions and guidelines placed on their operation by the Dept. of ABC, LAPD and the office of Zoning Administration. Any issues or concerns with the operation will be addressed and rectified immediately.

ADDITIONAL INFORMATION/FINDINGS

a. General Conditional Use

i. That the project will 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.

A Supermarket selling alcoholic beverages has been operating in this location for more than 20 years, offering a large selection of daily necessities for the nearby residents and visitors. They've done so without detrimentally affecting the surrounding area. Should this application be granted, the supermarket will continue to operate in a responsible and professional manner in order to avoid causing unnecessary issues in the neighborhood.

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.

A supermarket has operated in this area for years without causing significant issues to the surrounding area. The property was developed to be compatible with the adjacent properties. The size and scale of the store are appropriate given its location and is proper in relation to adjacent uses and the development of the community. The property is zoned for commercial uses and labeled Community Commercial under the General Plan Land Use designations. The expansion of this Ralphs will allow the store to offer a larger selection of goods and help the supermarket better serve their patrons and the community around them.

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.

The proposed project conforms to the purpose, intent, and provisions of the General Plan and will not be detrimental to the character of the development of the immediate neighborhood because the premises are situated in an established commercial center. The General Plan promotes the provision of services throughout the city in locations that are convenient to the public yet do not impact nearby properties. The sale of alcoholic beverages is in harmony with the various elements and objectives of the General Plan and the newly expanded store will better serve the needs of those in the surrounding area.

b. Additional Findings

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

The approval of the Conditional Use will benefit the community by allowing the operating market to expand the goods and services it offers to its patrons and those residing and visiting the area. The sale of alcoholic beverages will continue to be done in a professional and responsible manner should this application be granted.

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

The expanded Ralphs market will continue to utilize the same Dept. of ABC License in their expanded operation. They are requesting the ability to offer on-site instructional tasting via a Dept. of ABC Type #86 License. This license was specifically designed to accommodate instructional tastings at currently ABC licensed establishments. The Type #86 License cannot be held on its own, but must be ancillary to an existing ABC License. They are also requesting the ability to operate a small restaurant area ancillary to the Supermarket operation. In the restaurant area, they will offer beer and wine for on-site consumption via a Dept. of ABC Type #41 License.

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

The continued sale of alcoholic beverages at the newly expanded Ralphs supermarket will not detrimentally affect nearby residential zones or uses but rather enhance the shopping experience for the store's patrons. A larger floor area will allow the store to offer a better selection of goods and services to their patrons. Those nearby residents and visitors will access to more of their daily necessities. Nonetheless, the store will continue to operate in the same responsible and professional manner should this application be granted.

3. QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE

a. What is the total square footage of the building or center the establishment is located in?

The buildings total 337,578 s.f. per LA County Assessor information.

b. What is the total square footage of the space the establishment will occupy?

Ralphs will occupy a 93,408 s.f. space.

c. What is the total occupancy load of the space as determined by the Fire Department?

Applicant is uncertain of the total occupancy load.

d. What is the total number of seats that will be provided indoors? Outdoors?

There are 40 seats in the interior and 92 seats in the outdoor areas.

e. If there is an outdoor area, will there be an option to consume alcoholic outdoors.

Beer and wine consumption will be permitted in a sectioned off portion of the outdoor area.

f. If there is an outdoor area, is it on private property or the public light of way, or both?

Outdoor areas are within private property.

i. If any outdoor area is on public right-of-way, has a revocable permit has been obtained?

N/A.

g. Are you adding floor area?

No floor area is being added to the building. However the Ralphs store itself is expanding from the current 53,271 s.f., to the new total of 93,408 s.f.

h. Parking

ii. How many parking spaces are available on the site?

There are 699 parking spaces available on the site.

iii. Are they shared or designated for the subject use?

The parking lot is for the use of all the commercial tenants' patrons.

iv. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety?

There is no change in the parking requirement. The new and previous uses are both retail.

v. Have any arrangements been made to provide parking off-site?

No, off-site parking is not required.

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

N/A

2. 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.

N/A

3. Will valet service be available? Will the service be for a charge?

No valet service is available.

i. Is the site within 1,000 feet of any schools (public private or nursery), churches, or parks?

There are five sensitive uses within 600 feet of the project site:

- University Presbyterian Church; 900 Hilgard Ave.
- Westwood Hills Christian Church; 10808 Le Conte Ave.
- University of California Los Angeles; 405 Hilgard Ave.
- UCLA Westwood Child Care Center; 10861 Weyburn Ave.
- UCLA Medical Center; 10833 Le Conte Ave.

There are four sensitive uses within 1,000 feet of the project site:

- Christian Science Church; 1018 Hilgard Ave.
- The Westwood Village Synagogue; 1148 Westwood Blvd.
- Christian Science Reading Room; 1126 Glendon Ave.
- Kaplan Test Prep & Admissions; 1133 Westwood Blvd.

j. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Establishment as defined as LAMC 12.70 B17?

N/A.

4. OPERATION OF THE ESTABLISHMENT

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

	M	Tu	W	Th	F	Sa	Su
Proposed Hours of Operation	24 Hours	24 Hours	24 Hours	24 Hours	24 Hours	24 Hours	24 Hours
Proposed Hours of Alcohol Sales	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am

b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video games machines, etc..?

There will be no entertainment on the premises.

c. Will there be minimum age requirements for entry? If yes, what is the minimum age requirement and how will it be enforced?

There is no minimum age requirement to enter the premises. However, all patrons who purchase alcohol must be at least 21 years old and will be asked for proper identification.

d. Will there be any accessory retail uses on the site?

The operation is an existing supermarket, there are retail uses on-site.

e. Security

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

There will 5-25 employees on site at any given time.

- ii. Will security guards be provided on-site?**

No security guards will be provided.

- iii. Has LAPD issued any citations or violations?**

No, the LAPD has not issued any citations.

f. Alcohol

- i. Will there be beer & fine only, or a full-line of alcoholic beverages available?**

This store will carry a full-line of alcoholic beverages.

- ii. Will "fortified" wine (greater than 16% alcohol) be sold?**

Alcoholic beverages with an alcohol content of greater than 16% will be sold.

- iii. Will alcohol be consumed on any adjacent property under the control of the applicant?**

Alcohol will not be consumed on any adjacent property.

- iv. Will there be signs visible from the exterior -that advertise the availability of alcohol?**

Ralphs will comply with all ABC regulations regarding the advertising of alcohol. No neon signage will be used to advertise alcoholic beverages.

v. Food

- 1. Will there be a kitchen on the site?**

There will be a kitchen on site.

- 2. Will alcohol be sold without a food order?**

Alcohol will be sold without a food order.

- 3. Will the sale of alcohol exceed the sale of food items on a quarterly basis?**

Alcohol beverage sales are not projected to exceed the sale of food items.

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

A menu is being formulated and will be provided for the file once completed.

vi. On-Site

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

There will be no bar or cocktail lounge within the business.

2. Will off-site sales of alcohol be provided accessory to on-site sales (“Take Out”)?

The main request of this application is for the off-site consumption with ancillary instructional on-site tastings and on-site beer and wine at the ancillary restaurant.

3. Will discounted alcoholic drinks (“Happy Hour”) be offered at any time?

No “Happy Hour” is being requested.

vii. Off-Site

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

Ralphs may offer a selection of household items, including glassware and other containers. However any on-site consumption will be limited to instructional tastings via an ABC Type #86 license.

2. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)?

All alcoholic beverages will be sold in pre-packaged quantities as delivered by the distributor or manufacturer. No larger packs (six packs, etc.) will be broken up for the sale of single items.

viii. Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements – <http://abc.ca.gov>

The store will abide by all requirements and guidelines established by the Dept. of ABC.

5. 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 application requests off-site sales of alcoholic beverages, ancillary on-site instructional tastings and on-site consumption of beer and wine only in the ancillary restaurant.

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

The establishment is a newly expanded supermarket with an ancillary restaurant operation.

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

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

The Dept. of ABC will be contacted.

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

The Dept. of ABC will be contacted.