

Date November 18, 2008

Mr. Don Ashton  
Deputy Executive Officer  
Los Angeles County Board of Supervisors  
Room 383, Kenneth Hahn  
Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Mr. Ashton:

Subject: Appeal Regional Planning grant of Conditional Use Permit  
authorizing sale of refrigerated beer and wine.

Use: Conditional Use Permit for market to sell refrigerated  
beer and wine in a high crime area. Use opposed by  
Littlerock Town Council

Address 8714 East Avenue T,  
Littlerock, CA 93543

Littlerock Zoned District [C-3]

Related zoning matters: This matter: CUP 2006-00029;  
Project No. R2006-00384-(5)

Tract or Parcel Map No. \_\_\_\_\_

Change of Zone Case No. \_\_\_\_\_

Other \_\_\_\_\_

This is a notice of appeal from the decision of the Regional Planning Commission on: 11/5/08  
(Check One)

\_\_\_\_\_ The Denial of this request

XXX The Approval of this request

\_\_\_\_\_ The following conditions of the approval:

\_\_\_\_\_

Briefly, the reason for this appeal is as follows:

See attached.

Enclosed is a check (or money order) in the total amount of \$ 775.00.  
The amount of \$1,548.00 for applicants or \$775.00 for non-applicants is to cover the  
Regional Planning Department's processing fee.

  
\_\_\_\_\_  
(Signed) Appellant

Munir Dakhil by counsel:  
Joshua Kaplan  
\_\_\_\_\_  
Print Name

2635 Fairfax Avenue  
\_\_\_\_\_  
Address

Culver City, CA 90232  
\_\_\_\_\_

(310) 837-1920  
\_\_\_\_\_  
Day Time Telephone Number

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

NOV 19 2008 PM 11:05

FILED

TO: THE LOS ANGELES COUNTY BOARD OF SUPERVISORS:

As counsel to and on behalf of an interested party (Munir Dakhil), the undersigned hereby appeals the decision in this matter of the Department of Regional Planning dated November 5, 2008 attached as Exhibit "A".

This appeal is thus timely as it is made within 14 days of the mailing of notice thereof to appellant interested party.

Appellant does appeal with regard to the entirety of the decision below and respectfully requests that it be reversed in its entirety on the following grounds:

1. THE DECISION IS NOT SUPPORTED BY ITS FINDINGS AS A MATTER OF LAW AND FACT AND ITS FINDINGS ARE NOT SUPPORTED BY SUBSTANTIAL OR ADEQUATE EVIDENCE IN THIS RECORD. FURTHER, THE DEPARTMENT PREJUDICIALLY ABUSED ITS DISCRETION AND ACTED IN EXCESS OF ITS JURISDICTION.

The Littlerock Town Council, the local governing body, is opposed to this grant. See Exhibit "B".

The grant of authority herein is barred by operation of law and fact because, as has been found by the Regional Planning grant at Page 4, Items 13 and 17; the applicant premises is located in a high crime reporting district and the census tract in which the applicant premises are located is already at its maximum limit for the existence of off-sale licenses.

Additionally, the area is more than adequately served by the existing off-sale premises located within the very same shopping center as the applicant premises.

That same shopping center has within it a location licensed to sell a full line of alcohol for off-site consumption and a location licensed to sell a full line of alcohol for on-site consumption and the applicant premises is the third alcohol dispensing premises within that same shopping center!

The area is already plagued by traffic congestion.

The addition of the easy consumption availability of alcoholic beverages at the applicant premises will add to and/or exacerbate an already existing high crime problem, law enforcement problem, public intoxication, traffic congestion, community blight, loitering, graffiti, vandalism and a vast array of alcohol related criminal activity. The non-refrigerated condition should not be removed in order to provide easy consumption as such will only be a detriment to the community

2. THE LITTLEROCK COUNCIL'S OPPOSITION SHOULD BE GIVEN DUE DEFERENCE. THE LOS ANGELES COUNTY CODE AND CALIFORNIA STATE LAW PRECLUDE THE AMENDED GRANT OF AUTHORITY HEREIN.

The evidentiary context herein mandates a finding that the requested use at the proposed location will indeed adversely affect the health, peace, comfort or welfare of persons residing and working in the surrounding area, will indeed be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will indeed jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare.

The Littlerock Town Council so found!

The evidentiary record also discloses that the proposed site is not adequately served by highways of sufficient width and improved as necessary to carry the kind of traffic such a use will generate and by other public or private facilities as are required.

The grant of authority herein was and is precluded by the provisions of California Business & Professions Code §23958 and §23958.4. Because the census tract in which the applicant premises seeks to operate is plagued by high crime, no grant of amended authority herein may issue unless and until there is a finding made that said grant would satisfy the "public convenience or necessity". No such finding has been made in this matter. No such finding can be made in this matter in light of the concentration of licenses which already exist and in light of the easy availability of a wide range of alcoholic beverages from a number of locations directly proximate to the applicant premises.

[California Business & Professions Code §23958.4(F) does not exempt applicant in that applicant would not have the same type of licensed operations if this grant were upheld as applicant had previously by virtue of the previously imposed condition now being deleted.]

3. CONCLUSION.

For all of the reasons stated herein the decision below must be reversed.



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Bruce W. McClendon, FAICP  
Director of Planning

November 5, 2008

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Wil Nieves  
21250 Hawthorne Blvd.  
Torrance, CA 90503

**Regarding: Project Number R2006-00384-(5)**  
**Conditional Use Permit 200600029**  
8714 East Avenue T, Littlerock

Dear Applicant:

The Regional Planning Commission, by its action of November 5, 2008, **APPROVED** the above described Conditional Use Permit. The attached documents contain the Regional Planning Commission's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 3 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

The applicant or and other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on November 19, 2008.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously. For further information on appeal procedures or any other matter pertaining to these approvals, please contact Tyler Montgomery in the Zoning Permits Section II at (213) 974-6435.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING  
Bruce W. McClendon, FAICP  
Director of Planning

  
Maria Masis, Supervising Regional Planner  
Zoning Permits II Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)  
c: BOS; Zoning Enforcement; ABC, Testifiers  
MM:TM

# FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

PROJECT NUMBER R2006-00384-(5)  
CONDITIONAL USE PERMIT CASE NUMBER 200600029-(5)

REGIONAL PLANNING COMMISSION HEARING DATE: NOVEMBER 5, 2008

## SYNOPSIS:

Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a Conditional Use Permit to authorize the sale of refrigerated and non-refrigerated beer and wine for off-site consumption at an existing market. The hearing is an appeal of the Hearing Officer's approval of the project on May 20, 2008.

## PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

### September 10, 2008 Public Hearing

A duly noticed public hearing was held on September 10, 2008. The applicant's representative, Wil Nieves, was sworn in and testified in favor of the project. Staff informed the Commission that the project site had not been adequately posted for the required 30 days prior to the hearing. The Commission voted to continue to public hearing until November 5, 2008 to allow time for adequate posting of the site.

### November 5, 2008 Public Hearing

A continued public hearing was held on November 5, 2008. The appellant's representative, Joshua Kaplan, was sworn in and testified in opposition of the project, citing the Littlerock Town Council's opposition to the project as well as high crime and over-concentration of liquor sales in the area. The applicant's representatives, Wil Nieves and Erika Araiza, were sworn in and testified in favor of the project. After questions and discussion, the Regional Planning Commission voted to close the public hearing and deny the appeal of the Hearing Officer's approval of the project.

### Findings

1. Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a Conditional Use Permit to authorize the sale of refrigerated beer and wine and non-refrigerated beer and wine for off-site consumption at an existing market.
2. The market, Carniceria El Novillo Market, occupies a tenant space in a shopping center, located at 8714 East Avenue T, in the Littlerock Zoned District of Los Angeles County.

3. The market occupies 4,000 square feet in a shopping center that contains a single-story building with a total floor area of 24,475 square feet, situated on a level, paved and rectangular parcel. A total of 96 parking spaces are located within the shopping center.
4. The subject property is zoned C-3 (Unlimited Commercial).
5. Surrounding properties within the 500-foot radius of the project are zoned as follows:
  - North: C-3 (Unlimited Commercial)
  - South: A-1-10,000 (Light Agricultural—10,000 square-foot minimum lot size)
  - East: A-1-10,000 (Light Agricultural—10,000 square-foot minimum lot size)
  - West: C-3 (Unlimited Commercial)
6. Land uses within 500 feet of the subject property consist of the following:
  - North: Vacant land
  - South: Single-family residences

East: Single-family residences  
West: Gas station & mini-mart

7. Conditional Use Permit 99-132-(5) authorized the sale of non-refrigerated beer and wine for off-site consumption at the Carniceria El Novillo Market. This permit was approved by the County Board of Supervisors in 2002.
8. The subject property is designated as Commercial in the Antelope Valley Area Plan. Commercial uses are defined in the Plan as retail commercial, service, and office uses. The sale of beer and wine for off-site consumption is consistent with this definition. The current use of the space as a market is also consistent with this Land Use designation.
9. The site plan depicts the subject 4,000-square foot market, containing approximately 4,000 square feet of shelf space. The market proposes utilizing approximately 200 square feet of shelf space for the display of alcoholic beverages—5% of the total shelf area.
10. Pursuant to Section 22.28.210 of the Los Angeles County Planning and Zoning Code (Title 22), premises in Zone C-3 may be used for the sale of alcoholic beverages, for either on-site or off-site consumption, provided a conditional use permit has first been obtained and conforms to the conditions of said permit.
11. Per Section 22.52.1110 of the County Code, every structure used for amusement, assembly, drinking, eating or entertainment shall provide one or more automobile parking spaces for each three persons based on the occupant load as determined by the county engineer. All other uses other than business or professional offices shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure so used.

The subject market has a total floor area of 4,000 square feet, requiring 16 parking spaces. There is one restaurant—Big Al's Pizza & Mexican Food, with a certified occupancy load of 42 persons—and one bar—J.J.'s Tavern, with a certified occupancy load of 30 persons—on the subject property, requiring a total of 24 parking spaces. A 3,295 square-foot self-storage facility is also located within the center, requiring 3 parking spaces. Other on-site businesses are retail in nature and have a total area of 12,880 square feet, requiring 52 parking spaces. In total then, current uses within the shopping center require 95 parking spaces. On-site parking is, therefore, adequate for all current uses, as the center provides 96 off-street spaces.

12. This project has been determined to be categorically exempt under the environmental reporting procedures and guidelines of the California Environmental Quality Act (CEQA). This permit will be issued to a market that is located in an existing facility and qualifies for a Class 1, Existing Facilities, Categorical Exemption.

13. Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located within a high crime reporting district. The subject property is in Reporting District 2664. The average number of offenses reported for all districts is 150 and the actual number of crimes reported for District 2664 is 206.

ABC data show that the site is not in an area with an over-concentration of alcohol sales. The subject request is in Census Tract 9100 containing a population of 11,063 people. Ten on-sale ABC licenses and seven off-sale ABC licenses are allowed within this census tract. Currently, one on-sale ABC license exists and seven off-sale licenses exist

14. The Palmdale Station of the Los Angeles County Sheriff's Department was consulted regarding the project. Despite the fact that the property is located within a high-crime reporting district, the Sheriff had no opposition to the proposed project.
15. A total of 75 public hearing notices regarding the proposal were mailed to property owners within the 1,000-foot radius of the subject property on August 5, 2008. The hearing notice was also published in the Antelope Valley Press on August 6, 2008 and in La Opinion on August 5, 2008. Case-related materials were sent to the Littlerock County Library, and the hearing notice has been posted on the property for at least 30 days prior to the public hearing date. Staff received three (3) letters from opposition from area residents, who cited an over-concentration of liquor licenses in the area and the possibility of competition with local businesses. The Littlerock Town Council expressed their support of the project proposal.
16. The Department of Public Works was consulted regarding the adequacy of the nearby road infrastructure. Ms. Kitty Shih of the Programs Development Division indicated that a traffic signal is currently scheduled for installation at the intersection of East Avenue T and 87<sup>th</sup> Street East in spring 2009. This signal will likely alleviate congestion currently experienced at this intersection.
17. The subject market is located within an existing shopping center containing various commercial uses, a tavern, and a restaurant. Currently, two other businesses within 500 feet of the project have ABC licenses: Joshua Liquor has a license to sell a full line of alcohol for off-site consumption, while J.J.'s Tavern has a license to sell a full line of alcohol for on-site consumption. Because of these nearby ABC licenses, the applicant is restricted to utilizing no more than 5% of shelf space for the display of alcoholic beverages.

The applicant is not requesting authorization to establish a new ABC license; rather, he is requesting that a new Conditional Use Permit be issued that will allow the sale of refrigerated beer and wine for off-site consumption, in conjunction with the existing sale of non-refrigerated beer and wine for off-site consumption. The applicant will still be restricted to utilizing no more than 5% of market shelf space for the display of alcoholic beverages, and the sale of "singles" will still be prohibited. All other conditions of the

previous permit will be maintained, with the exception of the expiration date, which will be extended to May 20, 2018 by virtue of the issuance of a new Conditional Use Permit.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area; and
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare; and
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features; and
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required; and
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600' radius; and
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- G. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500' shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500' radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than 5% of the total shelf space in the establishment; and
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.195 of the Los Angeles County Code.

**REGIONAL PLANNING COMMISSION ACTION:**

1. The Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, the appeal is denied and Conditional Use Permit 200600029-(5) is **APPROVED** subject to the attached conditions.

**VOTE:**

**Concurring: Helsley, Bellamy, Valadez, Rew, Modugno**

**Dissenting: None**

**Abstaining: None**

**Absent: None**

**Action Date: November 5, 2008**

1. c: Each Commissioner, Zoning Enforcement, Building and Safety.

MM:TM  
11/05/08

1. This grant authorizes the sale of a refrigerated and non-refrigerated beer and wine for off-site consumption at an existing market, as depicted on the approved Exhibit "A", subject to all of the following conditions of approval. The permittee is currently permitted to sell only non-refrigerated beer and wine.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 10.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with to Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with payment of the applicable fee, at least

six months before the expiration date.

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. **This grant shall terminate on November 5, 2018.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue the sale of beer and wine after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the expiration of this permit, whether or not any modification of the use is requested at that time. The expiration of this grant shall not apply to the continued use of the market without any beer or wine sales.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. **The permittee shall deposit with the County of Los Angeles the sum of \$1,500.00.** These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. These funds provide for 10 annual inspections. Inspections shall be unannounced.  
  
If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.
11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.

12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works, the Forester and Fire Warden, and the Department of Health Services.
15. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. Within thirty (30) days of the approval of this grant, any illegal signage shall be removed from the subject property. Any new or additional signage shall be in compliance with Part 10, Title 22 of Los Angeles County Code.
16. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
17. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent plans are submitted, the written authorization of the property owner is necessary.
18. This grant allows for the sale of refrigerated and non-refrigerated beer and wine for off-site consumption at an existing market, located at 8714 East Avenue T in Littlerock, subject to the following conditions:
  - a. The sale of beer and wine for on-site consumption shall be permitted only between the hours of 8:00 am – 10:00 pm daily;
  - b. No beer or wine shall be displayed within five feet of the cash register or the front door;
  - c. No sale of alcoholic beverages shall be made from a drive-in window;
  - d. No display or sale of beer or wine shall be made from an ice tub;

- e. No self-illuminating advertising for beer or wine shall be located on buildings or windows;
- f. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area;
- g. The shelf space devoted to alcoholic beverage sales shall not exceed five percent (5%) of the total shelf space within the subject market;
- h. The permittee shall not advertise alcoholic beverages on the exterior walls or windows of the subject market or at any location on the subject property;
- i. Signage shall be posted within the beer/wine section of the market notifying patrons in both English and the predominant second language of the neighborhood that it is a violation of the California State Vehicle Code to transport open containers of alcoholic beverages within the passenger compartment of a motor vehicle;
- j. The permittee shall not sell beer in containers of less than one quart or in less than six-pack quantities;
- k. The permittee shall not sell wine, with the exception of wine coolers, in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities;
- l. There shall be no alcoholic beverages consumed in open areas adjacent to the subject market under control of the permittee;
- m. There shall be no loitering permitted on the premises under the control of the permittee. Signage shall be posted on the premises prohibiting loitering. The signage shall be in English and the predominant second language of the area;
- n. The permittee shall post signage in the market prohibiting the consumption of alcoholic beverages on site. The signage shall be in English and the predominant second language of the area;
- o. The permittee shall provide adequate lighting above the entrance of the premises. This lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons entering or exiting the premises;
- p. The permittee shall instruct all employees in the regulations regarding no loitering and no consumption of beer and wine on site. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;

- q. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control;
- r. The permittee shall not install or maintain video games on site;
- s. The licensed premises shall have no other coin operated amusements at any time, other than official State Lottery machines.;
- t. No ice in quantities of less than two pounds shall be sold, furnished, or given away;
- u. Public telephones located in front of the premises shall be for outgoing calls only;
- v. The conditions of this grant shall be retained on the premises at all times and be immediately produced upon request of any County Sheriff, Zoning Enforcement Inspector or ABC investigator. The market manager and all employees of the market shall be knowledgeable of the conditions herein.

MM:TM  
11/05/08



Los Angeles County  
Department of Regional Planning



*Planning for the Challenges Ahead*

October 30, 2008

Bruce W. McClendon FAICP  
Director of Planning

TO: Harold V. Helsley, Chair  
Leslie G. Bellamy, Vice Chair  
Esther L. Valadez, Commissioner  
Wayne Rew, Commissioner  
Pat Modugno, Commissioner

FROM: Tyler Montgomery *TM*  
Regional Planning Assistant II  
Zoning Permits II Section

**SUBJECT: PROJECT NO. R2006-00384-(5)  
CONDITIONAL USE PERMIT CASE NO. 200600029-(5)  
November 5, 2008 Public Hearing  
Agenda Item No. 6**

The purpose of this memo is to provide the most current information available regarding the position of the Littlerock Town Council on the above project proposal, as well as a summary of the council's previous recommendations.

On April 14, 2008, staff received a letter signed by Bill Guild, president of the Littlerock Town Council, stating that the council opposed the above project due to past criminal activities at the property in question. Because of this, the April 15, 2008 Hearing Officer public hearing was continued to allow the applicant to present his case to the council. On May 16, 2008, staff received a letter signed by Bill Guild stating that the council had changed its opinion—citing a misunderstanding of the project's scope—and indicated their support of the project. The project was then approved by Hearing Officer on May 20, 2008. The Hearing Officer's approval was subsequently appealed by Mr. Munir Dakhil, an area business owner, through his attorney Joshua Kaplan.

On September 2, 2008, staff received a fax stating that the Littlerock Town Council had again changed its opinion regarding the project proposal, citing the same reasons as the original April 14, 2008 letter. Patrick Howe, the new president of the Littlerock Town Council, claims that the previous letter was a result of Mr. Guild, the former president of the council, acting alone.

At the September 10, 2008 public hearing, the Regional Planning Commission

requested that the applicant again present his case to the Littlerock Town Council. The RPC also requested that the applicant obtain a letter from the council stating the number of votes for and against the project proposal.

The applicant again attempted to appear before the Littlerock Town Council at their scheduled meeting of September 11, 2008. However, at this meeting not enough members of the Town Council were present to constitute a quorum, so the applicant was unable to ask for a new vote. The applicant was unable to appear before the council at their October meeting.

Staff consulted with Stephanie Chase, the Town Council secretary, who stated that, in this case, the Town Council's original vote on the matter should stand. This vote was seven (7) members opposed to the project and two (2) in favor. However, the applicant claims that, because he was not at this meeting to present his case, the council may not have understood that it was simply a proposal to sell refrigerated beer and wine, not to establish an additional alcohol license.

Staff believes that the very limited scope of the project—refrigerating beer and wine—will not cause any further detriment to the health, peace, or general welfare of the area. This, combined with the other reasons cited in the previous Staff Analysis, has caused Staff's previous recommendation of **APPROVAL** for Conditional Use Permit No. 200600029-(5) to remain unchanged.

09/04/08

MM:TM



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Bruce W. McClendon FAICP  
Director of Planning

September 4, 2008

TO: Harold V. Helsley, Chair  
Leslie G. Bellamy, Vice Chair  
Esther L. Valadez, Commissioner  
Wayne Rew, Commissioner  
Pat Modugno, Commissioner

FROM: Tyler Montgomery *TM*  
Regional Planning Assistant II  
Zoning Permits II Section

**SUBJECT: PROJECT NO. R2006-00384-(5)  
CONDITIONAL USE PERMIT CASE NO. 200600029-(5)  
September 10, 2008 Public Hearing  
Agenda Item No. 8**

The attached correspondence was received on September 2, 2008 regarding the above project. The letter is from Stephanie Chase, secretary of the Littlerock Town Council, indicating that their position has again changed from that of support to that of opposition to the project proposal.

On April 14, 2008, staff received a letter signed by Bill Guild, president of the Littlerock Town Council, stating that the council opposed the above project due to past criminal activities at the property in question. Because of this, the April 15, 2008 public hearing was continued to allow the applicant to present his case to the council. The applicant, Mr. Araiza, presented his case to the Littlerock Town Council in May, at which time members of the council—citing a misunderstanding of the project's scope—indicated their support of the project. This position was reiterated in a letter dated May 16, 2008. The project was then approved by Hearing Officer on May 20, 2008.

Following this project's appeal, staff received a phone call from Ms. Chase inquiring as to why the project had been approved. Ms. Chase was told that staff had received a letter signed by Bill Guild, the president of the Littlerock Town Council, reversing their previous opposition. A copy of this letter was faxed to Ms. Chase. On September 2, 2008, staff received a fax stating that the Littlerock Town Council had again changed its opinion regarding the project proposal, citing the same reasons as the original April 14, 2008 letter. This letter was signed by Stephanie Chase, secretary of the Littlerock Town

Council. Staff's attempts to contact Bill Guild, president of the Town Council, regarding this matter have been unsuccessful.

While the consultation of local town councils provides valuable input to staff, in this case staff is not inclined to make a recommendation based on the Littlerock Town Council's latest reversal of itself. The applicant, Mr. Araiza, presented his project to the Town Council in May, at which time an opinion was issued. Staff believes that the applicant should not be required to reappear before the council due to an opinion issued during his absence and based on the same body of evidence available during his last appearance.

Irrespective of the above data, staff was notified on September 3, 2008 by the applicant's representative, Mr. Wil Nieves, that a notice of public hearing had not been posted on the property for the required 30 days prior to the advertised hearing date. Therefore, staff is recommending that the hearing be continued for a minimum of 30 days in order for the site to be properly posted.

09/04/08

MM:TM



LITTLEROCK TOWN COUNCIL  
P.O BOX 190  
Littlerock, California 93543

August 28, 2008

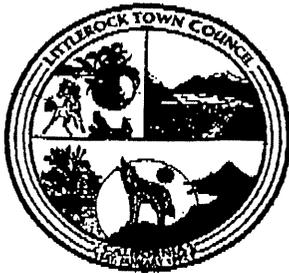
To: Mr. Tyler Montgomery  
Cc: The Department of Regional Planning County of Los Angeles

Appeal for location:

Project NO. R2006-00384- (5)  
Conditional Use Permit Case No. T200600029-(5)

From:

Stephanie Chase  
Secretary of the Littlerock Town Council  
661-944-7592  
661-944-0790 fax



LITTLEROCK TOWN COUNCIL  
P.O BOX 190  
Littlerock, California 93543

To: The Department of Regional Planning County of Los Angeles

Project NO. R2006-00384-(5)  
Conditional Use Permit Case No. T200600029-(5)

The Littlerock Town Council is informing The Department of Regional Planning County of Los Angeles that we are opposed to modify the existing CUP for the location of Carniceria El Novillo Market, 8714 East Ave T in Littlerock.

We have reconsidered our position on this CUP because with further investigation we have found that in this area we have had reasons of concern with the amount of alcohol that already exists in this location. We have recently have had robberies, shootings, and violence in this location. There is a Market that already sells Beer, wine, and hard liquor and a bar, that is no more than 20 feet away, which serves Beer and wine. There is also been some reports of illegal activity in this corner area. We feel adding any more alcohol, cold beer, and wine to this area, will just intensify more illegal activity.

This is based on the census of the Littlerock Town Council and what we believe to be best for our community.

In the spirit we remain,

A handwritten signature in black ink, appearing to be "Stephanie Chase", written over a horizontal line.

Stephanie Chase  
Secretary of the Littlerock Town Council  
661-944-7592  
661-944-0790 fax

# Regional Planning Commission Transmittal Checklist

Hearing Date 09/10/08
Agenda Item Number 8

**Project Number:** R2006-00384-(5)  
**Case(s):** Conditional Use Permit No. 200600029  
**Contact Person:** Tyler Montgomery, Zoning Permits II

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPW Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	FD Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Opponent And Proponent Letters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input type="checkbox"/>	<input type="checkbox"/>	

Reviewed By: *Ana Benjamin*



Los Angeles County Department of Regional Planning  
 320 West Temple Street, Los Angeles, California 90012  
 Telephone (213) 974-6443

PROJECT NO. 2006-00384-(5)

CONDITIONAL USE PERMIT CASE NO. 200600029

RPC/HO MEETING DATE 09/10/08	CONTINUE TO
AGENDA ITEM 8	
PUBLIC HEARING DATE September 10, 2008	

APPLICANT Javiar Araiza	OWNER Karris Properties	REPRESENTATIVE Nieves Associates
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**REQUEST**  
**Conditional Use Permit:** To authorize the sale of refrigerated and non-refrigerated beer and wine for off-site consumption at an existing market. The market currently sells only non-refrigerated beer and wine.

LOCATION/ADDRESS Carniceria El Novillo Market, 8714 East Avenue T, Littlerock Zoned District of Los Angeles County	ZONED DISTRICT Littlerock
ACCESS East Avenue T, between 87 <sup>th</sup> Street and 89 <sup>th</sup> Street; & 87 <sup>th</sup> Street, between East Avenue T and Avenue T-2.	COMMUNITY Antelope Valley
	EXISTING ZONING C-3 (Unlimited Commercial)

SIZE 1.52 acres (Market is 4,000 square feet)	EXISTING LAND USE Shopping center	SHAPE Rectangular	TOPOGRAPHY Level
--	--------------------------------------	----------------------	---------------------

<b>SURROUNDING LAND USES &amp; ZONING</b>	
North: Vacant Land—C-3 (Unlimited Commercial)	East: Single-family residences —A-1-10,000 (Light Agricultural; 10,000 square-foot minimum lot size);
South: Single-family residences —A-1-10,000 (Light Agricultural; 10,000 square-foot minimum lot size);	West: Gas station & mini-mart—C-3 (Unlimited Commercial)

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Antelope Valley Area Plan	C (Commercial)	N/A	See Staff Analysis

**ENVIRONMENTAL STATUS**  
 Class 1 Categorical Exemption – Existing Facilities

**DESCRIPTION OF SITE PLAN**  
 The applicant, Javiar Araiza, is requesting a Conditional Use Permit to authorize the sale of refrigerated beer and wine for off-site consumption at an existing market, Carniceria El Novillo Market, at 8714 East Avenue T in Littlerock. The market is approximately 4,000 square feet in size and currently sells non-refrigerated beer and wine only.

**KEY ISSUES**

- Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code Conditional Use Permit Burden of Proof requirements.

**TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS**

STAFF CONTACT PERSON		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS* ( ) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

\*(O) = Opponents (F) = In Favor



SEE 4288  
**SITE**

4197

4287

## STAFF ANALYSIS

### PROJECT NUMBER

R2006-00384-(5)

### CASE NUMBER

Conditional Use Permit Case No. 200600029

### ENTITLEMENT REQUESTED

Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a Conditional Use Permit to authorize the sale of refrigerated and non-refrigerated beer and wine for off-site consumption at an existing market. The applicant is currently authorized to sell non-refrigerated beer and wine only.

### DESCRIPTION OF SUBJECT PROPERTY

#### Location

Carniceria El Novillo Market, 8714 East Avenue T, within the Littlerock Zoned District.

#### Physical Features

The market occupies 4,000 square feet in a shopping center of approximately 1.5 acres, situated on a level, paved, and rectangular parcel. A total of 96 parking spaces are located on site.

### EXISTING ZONING

#### Subject Property

The subject property is zoned C-3 (Unlimited Commercial).

#### Surrounding Properties

Surrounding properties are zoned as follows:

North: C-3 (Unlimited Commercial)

South: A-1-10,000 (Light Agricultural—10,000 square-foot minimum lot size)

East: A-1-10,000 (Light Agricultural—10,000 square-foot minimum lot size)

West: C-3 (Unlimited Commercial)

### EXISTING LAND USES

#### Subject Property

The subject property is a shopping center that contains a one-story, L-shaped building of 24,475 square feet. There are 96 parking spaces on site.

#### Surrounding Properties

Land uses within 500' of the subject property consist of the following:

North: Vacant land

South: Single-family residences

East: Single-family residences

West: Gas station & mini-mart

### **PREVIOUS CASES**

*Conditional Use Permit CP 99-132-(5)*

Authorization to sell non-refrigerated beer & wine for off-site consumption at Carniceria El Novillo Market.

Approved June 4, 2002 by County Board of Supervisors

### **Land Use Policy Map**

The subject property is designated as Commercial in the Antelope Valley Area Plan.

### **Applicable Policies**

Commercial uses are defined in the Antelope Valley Area Plan as retail commercial, service, and office uses. The sale of beer and wine for off-site consumption is consistent with this definition. The current use of the space as a market is also consistent with this Land Use designation.

### **CASE HISTORY**

#### **April 15, 2008 Public Hearing**

This case was originally heard by the Hearing Officer at a duly noticed public hearing on April 15, 2008. The applicant, Javier Araiza, his daughter Erika Araiza, and his representative Wil Nieves were sworn in and testified in favor of the project. One person, Munir Dakhil, testified in opposition to the project. Mr. Dakhil owns the liquor store in the same shopping center as Carniceria El Novillo Market and, in his opinion, they have not been good neighbors. In addition, the granting of a permit to allow them to sell refrigerated beer and wine would harm his business. The Hearing Officer continued the public hearing to May 20, 2008 in order to allow the applicant to present his case before the Littlerock Town Council, which had sent a letter of opposition to the project two days before.

#### **May 20, 2008 Public Hearing**

A continued public hearing was held on May 20, 2008. The applicant's representative, Wil Nieves, was sworn in and testified in favor of the project. He stated that the applicant, Mr. Araiza, had appeared before the Littlerock Town Council during the previous month and obtained their approval for the project, as evidenced by a letter sent on May 16, 2008 to Regional Planning staff. There being no further testimony, the Hearing Officer closed the public hearing and approved the Conditional Use Permit. This approval was subsequently appealed to the Regional Planning Commission by Mr. Munir Dakhil, through his attorney Joshua Kaplan, on June 18, 2008.

### **Zoning Enforcement Issues**

On July 17, 2008 staff was notified that, despite the appeal of the Hearing Officer's approval, the applicant had proceeded to begin selling refrigerated beer and wine. Both the applicant and his representative were contacted by the Zoning Enforcement division. They maintained that they had misunderstood the status of the permit during the wait for the appeal hearing and stated that the market would stop selling refrigerated

beer and wine. This was confirmed during a subsequent inspection by Zoning Enforcement on August 19, 2008.

### **SITE PLAN**

The site plan depicts the subject 4,000 square-foot market, containing approximately 4,000 square feet of shelf space. The applicant proposes utilizing approximately 120 square feet of shelf space for the display of refrigerated beer and wine and approximately 80 square feet of shelf space for the display of non-refrigerated beer and wine. The total shelf space utilized for the display of alcoholic beverages, then, equals approximately 200 square feet, which is five percent of total shelf space within the market.

### **Compliance with Applicable Zoning Standards**

Pursuant to Section 22.28.210 of the Los Angeles County Planning and Zoning Code (Title 22), premises in Zone C-3 may be used for the sale of alcoholic beverages, for either on-site or off-site consumption, provided a conditional use permit has first been obtained.

Unless specifically modified by a conditional use permit during the discretionary review process, premises in Zone C-3 shall be subject to the following development standards:

- A. Per Section 22.52.1110 of the County Code, every structure used for amusement, assembly, drinking, eating or entertainment shall provide one or more automobile parking spaces for each three persons based on the occupant load as determined by the county engineer. All other uses other than business or professional offices shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure so used.

The subject market has a total floor area of 4,000 square feet, requiring 16 parking spaces. There is one restaurant—Big Al's Pizza & Mexican Food, with a certified occupancy load of 42 persons—and one bar—J.J.'s Tavern, with a certified occupancy load of 30 persons—on the subject property, requiring a total of 24 parking spaces. A 3,295 square-foot self-storage facility is also located within the center, requiring 3 parking spaces. Other on-site businesses are retail in nature and have a total area of 12,880 square feet, requiring 52 parking spaces. In total then, current uses within the shopping center require 95 parking spaces. On-site parking is, therefore, adequate for all current uses, as the center provides 96 off-street spaces.

### **BURDEN OF PROOF**

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Hearing Officer and/or the Commission, the following facts:

- A. That the requested use at the location proposed will not:
  - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
  - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
  - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- B. That the proposed site is adequate in size and shape to accommodate the yards, wells, fence, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. That the proposed site is adequately served:
  - 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
  - 2. By other public or private service facilities as are required.

The applicant's Burden of Proof responses are attached to this document.

#### **ADDENDUM BURDEN OF PROOF**

Per Section 22.56.195 of the Los Angeles County Code, in addition to the findings required pursuant to subsection A of Section 22.56.090, the applicant shall also substantiate to the Hearing Officer and/or Commission the following facts:

- A. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600' radius; and
- B. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500' shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500' radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than 5% of the total shelf space in the establishment; and
- D. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and

- E. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

The applicant's Burden of Proof responses are attached to this document.

### **ENVIRONMENTAL DOCUMENTATION**

This project has been determined to be categorically exempt under the environmental reporting procedures and guidelines of the California Environmental Quality Act (CEQA). If approved, the proposed alcohol permit will be issued to a restaurant that is located in an existing facility and qualifies for a Class 1, Existing Facilities Categorical Exemption.

### **STATE AND COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

#### **California Department of Alcoholic Beverage Control**

Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located within a high crime reporting district. The subject property is in Reporting District 2664. The average number of offenses reported for all districts is 150 and the actual number of crimes reported for District 2664 is 206.

ABC data show that the site is not within an area experiencing over-concentration of alcohol sales. The subject request is in Census Tract 9100, containing a population of 11,063 people. Ten on-sale ABC licenses and seven off-sale ABC licenses are allowed within this census tract. Currently, one on-sale ABC license exists and seven off-sale licenses exist.

The existing market already has an ABC license for the sale of beer and wine for off-site consumption. Because the business is not seeking an additional ABC license, the concentration of ABC licenses in the area will not be increased.

#### **Los Angeles County Sheriff's Department**

The Palmdale Station of the Los Angeles County Sheriff's Department was consulted regarding the project. The Deputy consulted indicated that they had no concerns with expanding the conditions of the permit to include the sale of refrigerated product.

#### **Littlerock Town Council**

The Littlerock Town Council originally submitted a letter to Regional Planning stating their opposition to the proposed project on April 12, 2008. However, after meeting with the applicant, the Town Council reversed its previous position and submitted a letter of support for the project on May 16, 2008.

## **PUBLIC COMMENTS**

### **Legal Notification/Community Outreach**

A total of 75 public hearing notices regarding the proposal were mailed to property owners within the 1,000-foot radius of the subject property on August 5, 2008. The hearing notice was also published in the Antelope Valley Press on August 6, 2008 and in La Opinion on August 5, 2008. Case-related materials were sent on August 5, 2008 to the Littlerock County Library. The hearing notice has been posted on the property for at least 30 days prior to the public hearing date.

A total of three (3) letters of opposition were received regarding the project proposal. One letter cited loud music, graffiti, and loitering occurring at the market and stated concerns that additional liquor sales might exacerbate the problem. Another was from a nearby business owner, who stated that the sale of cold beer and wine would be in direct competition to his business and would likely affect his livelihood. The third was from the appellant's attorney, which cited various reasons why the Hearing Officer's approval should be overturned by the Regional Planning Commission, including over-concentration of alcohol sales in the area, inadequate road access, and the lack of a finding of "public convenience or necessity" for the use, since it is within a high-crime census tract.

## **STAFF EVALUATION**

The applicant is currently selling beer and wine for off-site consumption at an existing market, which is allowed under the entitlement of Conditional Use Permit CP 99-132-(5), granted in 2002 by the County Board of Supervisors. This grant allows for the sale of non-refrigerated beer and wine only. Currently, the applicant wishes to sell refrigerated beer and wine also; however, this was determined by the Director of Planning to be beyond the scope of a minor modification to an existing CUP. Therefore, a new Conditional Use Permit must be issued before this use is allowed.

The stipulation to only sell non-refrigerated beer and wine was added to the conditions of approval voluntarily by the original applicant in 2000. This was done in order to assuage opposition by an opponent. The current applicant feels that this condition is no longer necessary and is therefore applying for a new Conditional Use Permit.

The subject market is located within an existing shopping center containing various commercial uses, a tavern, and a restaurant. Currently, two other businesses within 500 feet of the project have ABC licenses: Joshua Liquor has a license to sell a full line of alcohol for off-site consumption, while J.J.'s Tavern has a license to sell a full line of alcohol for on-site consumption. Because of these nearby ABC licenses, the applicant is, and has been, restricted to utilizing no more than 5% of shelf space for the display of alcoholic beverages.

The project is located within a high crime reporting district. Despite this, the local Sheriff's station has indicated that they do not oppose the project. In addition, ABC indicates that there is not an undue concentration of alcohol permits within this census tract. In this case, a finding of public convenience or necessity is not a necessary for

permit approval. This finding is only necessary for the California Department of Alcoholic Beverage Control (ABC) to issue a new liquor license in a high-crime area or in an area of over-concentration of alcohol sales. The applicant in this case will be operating with the same liquor license he currently has; the Conditional Use Permit would only remove a condition imposed by Regional Planning under the prior CUP (99-132).

The applicant is not requesting authorization to establish a new ABC license; rather, he is requesting that a new Conditional Use Permit be issued that will allow the sale of refrigerated beer and wine for off-site consumption, in conjunction with the existing sale of non-refrigerated beer and wine for off-site consumption. This allowance is standard for most Conditional Use Permits of this type. The applicant will still be restricted to utilizing no more than 5% of market shelf space for the display of alcoholic beverages, and the sale of "singles" will still be prohibited. All other conditions of the previous permit will be maintained, with the exception of the expiration date, which will be extended to September 10, 2018 by virtue of the issuance of a new Conditional Use Permit. Therefore, staff feels that the burden of proof for the issuance of a Conditional Use Permit to sell alcoholic beverages has been met. In order to ameliorate the concerns of neighbors regarding zoning compliance on the property, staff recommends that the property be inspected by Zoning Enforcement annually.

#### **STAFF RECOMMENDATION**

Staff recommends approval of Project No. R2006-00384-(5) / Conditional Use Permit 200600029-(5), subject to the attached conditions.

#### **FEES/DEPOSITS**

If approved, the following fees will apply unless modified by the Hearing Officer:

##### Zoning Enforcement

1. Inspection fees of \$1,500.00 to cover the costs of 10 recommended annual zoning enforcement inspections.

#### **SUGGESTED APPROVAL MOTION**

I move that the Regional Planning Commission **APPROVE** Conditional Use Permit 200600029 with the attached Findings and Conditions.

Prepared by Tyler Montgomery, Regional Planning Assistant II  
Reviewed by Maria Masis, Zoning Permits II Section Head

#### Attachments:

Draft Conditions of Approval  
Applicant's Burden of Proof and Addendum Burden of Proof statements  
California ABC Census Tract Statistics

**PROJECT NO. R2006-00384-(5)**  
**CONDITIONAL USE PERMIT NO. 200600029-(5)**

**STAFF ANALYSIS**  
**PAGE 8 OF 8**

5/16/08 letter from Littlerock Town Council  
Three (3) letters of opposition to the project proposal  
Sheriff's Department-Palmdale Station recommendation  
Site Photographs  
Site Plan  
Conditions of Approval for CUP 99-132-(5)

MM:TM  
08/28/08

# FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

PROJECT NUMBER R2006-00384-(5)  
CONDITIONAL USE PERMIT CASE NUMBER 200600029-(5)

REGIONAL PLANNING COMMISSION HEARING DATE: SEPTEMBER 10, 2008

## SYNOPSIS:

Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a Conditional Use Permit to authorize the sale of refrigerated and non-refrigerated beer and wine for off-site consumption at an existing market. The hearing is an appeal of the Hearing Officer's approval of the project on May 20, 2008.

## PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

### Findings

1. Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a Conditional Use Permit to authorize the sale of refrigerated beer and wine and non-refrigerated beer and wine for off-site consumption at an existing market.
2. The market, Carniceria El Novillo Market, occupies a tenant space in a shopping center, located at 8714 East Avenue T, in the Littlerock Zoned District of Los Angeles County.
3. The market occupies 4,000 square feet in a shopping center that contains a single-story building with a total floor area of 24,475 square feet, situated on a level, paved and rectangular parcel. A total of 96 parking spaces are located within the shopping center.
4. The subject property is zoned C-3 (Unlimited Commercial).
5. Surrounding properties within the 500-foot radius of the project are zoned as follows:
  - North: C-3 (Unlimited Commercial)
  - South: A-1-10,000 (Light Agricultural—10,000 square-foot minimum lot size)
  - East: A-1-10,000 (Light Agricultural—10,000 square-foot minimum lot size)
  - West: C-3 (Unlimited Commercial)
6. Land uses within 500 feet of the subject property consist of the following:
  - North: Vacant land
  - South: Single-family residences

13. Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located within a high crime reporting district. The subject property is in Reporting District 2664. The average number of offenses reported for all districts is 150 and the actual number of crimes reported for District 2664 is 206.

ABC data show that the site is not in an area with an over-concentration of alcohol sales. The subject request is in Census Tract 9100 containing a population of 11,063 people. Ten on-sale ABC licenses and seven off-sale ABC licenses are allowed within this census tract. Currently, one on-sale ABC license exists and seven off-sale licenses exist

14. The Palmdale Station of the Los Angeles County Sheriff's Department was consulted regarding the project. Despite the fact that the property is located within a high-crime reporting district, the Sheriff had no opposition to the proposed project.

15. A total of 75 public hearing notices regarding the proposal were mailed to property owners within the 1,000-foot radius of the subject property on August 5, 2008. The hearing notice was also published in the Antelope Valley Press on August 6, 2008 and in La Opinion on August 5, 2008. Case-related materials were sent to the Littlerock County Library, and the hearing notice has been posted on the property for at least 30 days prior to the public hearing date. Staff received three (3) letters from opposition from area residents, who cited an over-concentration of liquor licenses in the area and the possibility of competition with local businesses. The Littlerock Town Council expressed their support of the project proposal.

16. The Department of Public Works was consulted regarding the adequacy of the nearby road infrastructure. Ms. Kitty Shih of the Programs Development Division indicated that a traffic signal is currently scheduled for installation at the intersection of East Avenue T and 87<sup>th</sup> Street East in spring 2009. This signal will likely alleviate congestion currently experienced at this intersection.

17. The subject market is located within an existing shopping center containing various commercial uses, a tavern, and a restaurant. Currently, two other businesses within 500 feet of the project have ABC licenses: Joshua Liquor has a license to sell a full line of alcohol for off-site consumption, while J.J.'s Tavern has a license to sell a full line of alcohol for on-site consumption. Because of these nearby ABC licenses, the applicant is restricted to utilizing no more than 5% of shelf space for the display of alcoholic beverages.

The applicant is not requesting authorization to establish a new ABC license; rather, he is requesting that a new Conditional Use Permit be issued that will allow the sale of refrigerated beer and wine for off-site consumption, in conjunction with the existing sale of non-refrigerated beer and wine for off-site consumption. The applicant will still be restricted to utilizing no more than 5% of market shelf space for the display of alcoholic beverages, and the sale of "singles" will still be prohibited. All other conditions of the

previous permit will be maintained, with the exception of the expiration date, which will be extended to May 20, 2018 by virtue of the issuance of a new Conditional Use Permit.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area; and
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare; and
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features; and
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required; and
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600' radius; and
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- G. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500' shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500' radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than 5% of the total shelf space in the establishment; and
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.195 of the Los Angeles County Code.

**REGIONAL PLANNING COMMISSION ACTION:**

1. The Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit 200600029-(5) is **APPROVED** subject to the attached conditions.

**VOTE:**

**Concurring:**

**Dissenting:**

**Abstaining:**

**Absent:**

**Action Date: September 10, 2008**

1. c: Each Commissioner, Zoning Enforcement, Building and Safety.

MM:TM  
08/28/08

1. This grant authorizes the sale of a refrigerated and non-refrigerated beer and wine for off-site consumption at an existing market, as depicted on the approved Exhibit "A", subject to all of the following conditions of approval. The permittee is currently permitted to sell only non-refrigerated beer and wine.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 10.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with to Los Angeles County Code Section 2.170.010.
6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with payment of the applicable fee, at least

12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works, the Forester and Fire Warden, and the Department of Health Services.
15. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. Within thirty (30) days of the approval of this grant, any illegal signage shall be removed from the subject property. Any new or additional signage shall be in compliance with Part 10, Title 22 of Los Angeles County Code.
16. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
17. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent plans are submitted, the written authorization of the property owner is necessary.
18. This grant allows for the sale of refrigerated and non-refrigerated beer and wine for off-site consumption at an existing market, located at 8714 East Avenue T in Littlerock, subject to the following conditions:
  - a. The sale of beer and wine for on-site consumption shall be permitted only between the hours of 8:00 am – 10:00 pm daily;
  - b. No beer or wine shall be displayed within five feet of the cash register or the front door;
  - c. No sale of alcoholic beverages shall be made from a drive-in window;
  - d. No display or sale of beer or wine shall be made from an ice tub;

- q. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control;
- r. The permittee shall not install or maintain video games on site;
- s. The licensed premises shall have no other coin operated amusements at any time, other than official State Lottery machines.;
- t. No ice in quantities of less than two pounds shall be sold, furnished, or given away;
- u. Public telephones located in front of the premises shall be for outgoing calls only;
- v. The conditions of this grant shall be retained on the premises at all times and be immediately produced upon request of any County Sheriff, Zoning Enforcement Inspector or ABC investigator. The market manager and all employees of the market shall be knowledgeable of the conditions herein.

MM:TM  
08/28/08

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

- A. That the requested use at the location proposed will not:**
- 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or**
  - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or**
  - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.**

The requested use is merely to allow modification of CUP 99-132 (5) to allow a change in Condition #16(d) to permit the sale and display of refrigerated beer and wine. All other conditions will remain the same. The proposed use is accessory in nature and will be incorporated into the operation of the existing 4,000 square foot market. The market is located within an existing retail commercial shopping plaza that is oriented toward the intersection of 87th Street East and Avenue T.

The requested use is sufficiently separated from the nearest residential structure by an enclosed building; a twenty-four foot loading zone and a six foot high block wall. The nearest residential structure is also separated by an additional one-hundred and twenty five feet beyond the aforementioned property line block wall.

- B. That the proposed site is adequate in size and shape to accommodate the yard, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.**

The site is 1.52 acres in size and accommodates walls, fences, parking, loading and other development features as prescribed by Code. See plans for details.

- C. That the proposed use is adequately served:**
- 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and**
  - 2. By other public or private service facilities as are required.**

The site is at the southeast intersection of E. Avenue T and N. 89<sup>th</sup> St. West. All public and private service facilities and infrastructure are in place.

ADDENDUM BURDEN OF PROOF, ALCOHOLIC BEVERAGE SALES Section 22.56.195

1. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school park, playground or any similar use within a 600-foot radius;  
SEE ATTACHED.

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2. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area;  
SEE ATTACHED.

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3. That the requested use at the proposed location will not result in an undue concentration of similar premises, or that the public convenience or necessity for the proposed facility selling alcoholic beverages for off-site consumption outweighs the fact that it is located within a 500 foot of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment;  
SEE ATTACHED.

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4. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community;  
SEE ATTACHED.

---

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(OVER)

5. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood;

SEE ATTACHED.

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NOTE: additional sheets may be attached to answer the above statements.

MG:4/96:20

**ADDENDUM BURDEN OF PROOF, ALCOHOLIC BEVERAGE SALES**

**Section 22.56.195**

- 1] **That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600 foot radius ?**

There are no sensitive land uses within a 600 foot radius of the subject property.

- 2] **That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area ?**

The requested use is merely to allow modification of CUP 99-132 (5) to allow a change in Condition #16(d) to permit the sale and display of refrigerated beer and wine. All other conditions will remain the same. The proposed use is accessory in nature and will be incorporated into the operation of the existing 4,000 square foot market. The market is located within an existing retail commercial shopping plaza that is oriented toward the intersection of 87th Street East and Avenue T.

The requested use is sufficiently separated from the nearest residential structure by an enclosed building; a twenty-four foot loading zone and a six foot high block wall. The nearest residential structure is also separated by an additional one-hundred and twenty five feet beyond the aforementioned property line block wall.

- 3] **That the requested use at the proposed location will not result in an undue concentration of similar premises, or that the public convenience or necessity for the proposed facility selling alcoholic beverages for off-site consumption outweighs the fact that it is located within 500 feet of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment ?**

According to ABC statistics Census Tract 9100.00, of which the subject premises is a part of, allows seven off-sale licenses and only seven presently exist. The requested use is merely to allow modification of CUP 99-132 (5) to allow a change in Condition #16(d) to permit the sale and display of refrigerated beer and wine. All other conditions will remain the same.

The existing market has a full meat and produce section. The public convenience will be served since there are no other market facilities of this size any where in the area. The shelf space devoted to alcoholic beverages in the market will be less than five percent. See floor plan for the exact location and percentage calculation.

- 4] **That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community ?**

The market will benefit other businesses in the shopping plaza and the surrounding area by bringing patrons into the community who may patronize the nearby businesses.

- 5] **That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration or substantially diminish or impair property values withi said neighborhood ?**

The requested use is an accessory use to the main market operation. The existing 4,000 square foot market is a part of an existing retail commercial shopping plaza that was constructed in 1990. There are no other retail commercial structures any where within the vicinity. The existing retail commercial structure and the existing market are aesthetically pleasing. The market will not deteriorate as a result of the granting of the proposed use

**ADDITIONAL QUESTIONS CONCERNING THE REQUESTED USE AT THE PROPOSED LOCATION**

- A] **What are the proposed hours of operation and which days of the week will the establishment be open ? What are the proposed hours of alcohol sales ?**

8 AM until 10 PM everyday.

- B] **Is parking available on the site ? (If so how many spaces ?) If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant ? Where ? How many off-site spaces ?**

Ninety-six parking spaces are provided on-site.

**C] Is a full line of alcoholic beverages to be served or just beer and/or wine ?**

Beer/wine only.

**D] Will cups, glasses or other similar containers be sold which might be used for the consumption of liquor on the premises ?**

Yes. However, cups, glasses and containers will be sold in packages.

**E] 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 ?**

No. Lessee has never been cited.

**F] Will video game machines be available for use on the subject property and if so, how many such machines will be in use ?**

No video games within the premises.

**G] Will you have signs visible on the outside which advertise the availability of alcohol ?**

No.

**H] Will beer and/or wine coolers be sold in single cans or will wine be sold in containers less than 1 liter (750 ml) ?**

No.

**I] Will "fortified" wine (greater than 16% alcohol) be sold ?**

No.

**J] Will security guards be provided and if so, when and how many ?**

No security guards.

**K] Will alcohol be allowed to be consumed on any adjacent property under the control of the applicant ?**

No.

**L] Will the gross sale of alcohol exceed the gross sale of food items on a quarterly basis ?**

No.

**M] How many employees will you have on the site at any given time ?**

Three employees.

**N] What security measures will be taken including :**

**(1) Posting of Rules and Regulations on the premises.**

Yes.

**(2) To prevent such problems as gambling, loitering, theft, vandalism and truancy.**

Management supervision and video surveillance.

**(3) Will security guards be provided and if so, how many ?**

None provided.

**(4) Other measures.**

Management Supervision and video surveillance.

**O] Will there be minimum age requirements for patrons ? If so, how will this be enforced ?**

Yes. ID required for beer/wine purchases.

State of California

Department of Alcoholic Beverage Control  
Van Nuys District Office  
3150 Van Nuys Blvd, Room 220  
Van Nuys, CA 91401  
Phone: 818-901-5017  
Fax: 818-785-8731



# FAX TRANSMISSION

Total Number of Pages 3 (Including this cover sheet)

Original:  To follow by regular mail  Will not follow

To: Tyler Montgomery

Firm/Office: \_\_\_\_\_

Fax: \_\_\_\_\_ Date: 12-3-07 Time: \_\_\_\_\_

cc('s): \_\_\_\_\_

From: P.A. Phone: \_\_\_\_\_

Subject: \_\_\_\_\_

Comments: \_\_\_\_\_

### NOTICE

This communication is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us at the above address.



"Be Energy Efficient"

### 23958.4 B & P APPLICATION WORK SHEET

APPLICANT: \_\_\_\_\_

PREMISES ADDRESS: 8714 E Ave T, Little Rock

LICENSE TYPE: \_\_\_\_\_

#### 2. CRIME REPORTING DISTRICT

LAPD Jurisdiction is able to provide statistical data for the year 2006.

Reporting District: 9664

Total number of reporting districts: 1012 <sup>338</sup>

Total number of offenses: 266,076 <sup>50</sup> <sub>1959</sub>

Average number of offenses per district: 263 <sup>150</sup>

120% of average number of offenses: 316 <sup>180</sup>

Total offenses in district: 206

Location is within a high crime reporting district: Y

#### 2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 9100

ON SALE

OFF SALE

Population: 11063 County Ratio

1: 1175

1: 1620

Number of licenses allowed:

10

7

Number of existing licenses:

1

7

Undue concentration exists:

N

Y

Letter of public convenience or necessity required:

N

Y *Governing Body*

Three time publication required:

N

Y

Person Preparing Data

12-3-07

Date

PA

Supervisor

320 West Temple St., Room 1346  
Los Angeles, CA 90012  
Phone: (213) 974-6435  
Fax: (213) 626-0434

**LOS ANGELES COUNTY  
DEPARTMENT OF  
REGIONAL PLANNING**

# Fax

<b>To:</b> Investigator	<b>From:</b> Tyler Montgomery
Alcoholic Beverages Control	Zoning Perrmits II
<b>Fax:</b> (818) 785-6731	<b>Pages:</b> 1
<b>Phone:</b> (818) 901-5017	<b>Date:</b> 12/3/2007
<b>Re:</b> 8714 E. Avenue T Market	<b>CC:</b>

Urgent     For Review     Please Comment     Please Reply

• **Comments:**

I am reviewing a Conditional Use Permit application for a CUP to authorize the sale of beer and wine for off-site consumption. The subject property is Carniceria El Novillo Meat Market located at 8714 East Avenue T in Littlerock. The market is located in a shopping center at the southeast corner of East Avenue T and 87<sup>th</sup> Street East.

Please fax or email me the ABC Worksheet containing license concentration and crime report.

Do you have any additional comments?

Please email at [tmontgomery@planning.lacounty.gov](mailto:tmontgomery@planning.lacounty.gov) or fax to (213) 626-0434. Should you have any questions, please call me at (213) 974-6435.

Thank you.



littlerock Town Council  
P.O. Box 190  
Littlerock, California 93543  
Tax ID 71-0869548



May 16, 2008

To: The Department of Regional Planning County of Los Angeles  
Hall of Records (13<sup>th</sup> Floor)  
320 West Temple Street  
Los Angeles, California 90012

RE: Project NO. R2006-00384-(5)  
Conditional Use Permit Case No. T200600029-(5)

This letter is to inform the Department of Regional Planning, County of Los Angeles, that the Littlerock Town Council has re-examined its opposition to to the proposed modification of the existing CUP for the Carniceria El Novillo Market, 8714 East Ave T in Littlerock.

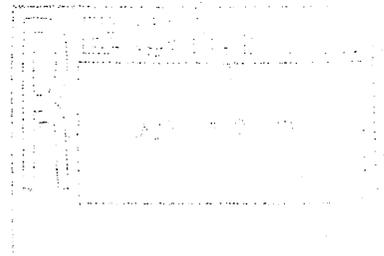
Our original opinion was based on a misunderstanding of the CUP: we believed they did not sell alcoholic beverages and we discovered that they did. The modification only applies to selling chilled rather than non-chilled alcoholic beverages. El Novillo continues to be a welcomed and respected member of our community. And we ask that you grant the proposed CUP.

Sincerely,

*Bill Guld*

President Bill Guld  
Littlerock Town Council

cc: Carniceria El Novillo



**3/15/08**

**Objection to Conditional Use Permit No. T200600029-5  
Carniceria El Novillo Market:**

**I am a resident in the area near the market and have seen loitering, recurrent graffiti, heard loud car stereos and screeching tires at 2am in the morning. There is a market opening up directly across the street which will be selling alcohol, as well as a liquor market IN THE SAME STRIP MALL A FEW STEPS away from the market.**

**Two other liquor stores are 1.4, another 1 mile away. NO OTHER LIQUOR SALES ARE NECESSARY in this neighborhood. In fact, there are already problems with residents ( I hear possibly the owner of the market) who have repeatedly caused too much noise from loud Mexican music, the music getting louder as the night goes on- and all night sometimes.**

**I distinctly remember asking this particular market to please turn down the music at the store and they promptly ignored my request. I am assuming that these issues will escalate if alcohol is sold. Too many liquor sold around here, trashing our quality of life. NO MORE LIQUOR PERMITS.**

**Vivian Phillips  
36515 86<sup>th</sup> East  
Littlerock, Ca 93543  
(661) 944-4308**

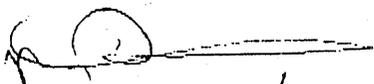
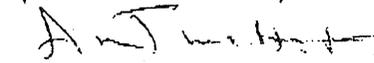
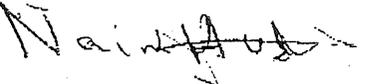
*Vivian Phillips*

To : Department of Regional Planning  
 ATTN: MR Tyler Montgomery  
 RE: Project # R2006-00384-(5)  
 Conditional use permit Case No. T200600029-(5)

I Munir Dakhil <sup>Part</sup> owner of Joshua Liquor located at 8714 E AVE T STE. A, B in some center as applicant Javier Aragia oppose modifying an existing permit to authorize the sale of refrigerated beer and wine, for reasons listed below.

1. With 3 families living off of Joshua Liquor this permit will damage our livelihood.
2. Case started at Board of Supervisors then sent to MR Antonovich's Office where MR Aragia verbally agreed to sale only warm beer. (Approximately June 2004)
3. El Novillo Market has taken alot of our bussiness and by approving cold beer sales I'm afraid we may not be able to cover our overhead.

Thank You

OWNER	MUNIR DAKHIL		4-14-2008
OWNER	ANTWAN HUSRI		4-14-2008
OWNER	NAIM HUSARI		4-14-2008

LAW OFFICES OF  
JOSHUA KAPLAN  
2635 S. FAIRFAX AVENUE  
CULVER CITY, CALIFORNIA 90232  
(310) 837-1920  
FAX (310) 837-1950  
EMAIL: keplanjoshua@msn.com

June 17, 2008

Los Angeles County Department of Regional Planning  
Hall of Records  
320 West Temple Street, Room 1350 - Commission Services  
Los Angeles, CA 90012

RECEIVED  
JUN 18 2008

Alexian  
REGIONAL PLANNING COMMISSION

Masis  
Child  
Theart  
Montgomery

Re: NOTICE OF APPEAL RE PROJECT NO. R-2006-00384-(5);  
Conditional Use Permit No. 200600029; Carniceria el Novillo Market,  
8714 East Avenue "T", Little Rock, CA (to Authorize the Sale of Refrigerated  
Beer and Wine for Off-Site Consumption at an Existing Market);

TO: THE LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING:

As counsel to and on behalf of an interested party (Munir Dakhil), the undersigned hereby appeals the decision in this matter of Hearing Officer John Gutwein dated May 22, 2008 (BUT SERVED ON APPELLANT INTERESTED PARTY BY MAIL POSTMARKED JUNE 6, 2008).

A copy of the Hearing Officer's decision and mailing date proof are attached hereto as Exhibit "A" and incorporated herein by reference as though set forth hereat in full.

This appeal is thus timely as it is made within 14 days of the mailing of notice thereof to appellant interested party.

Appellant does appeal with regard to the entirety of the Hearing Officer's decision and respectfully requests that it be reversed in its entirety on the following grounds:

1. THE DECISION IS NOT SUPPORTED BY ITS FINDINGS AS A MATTER OF LAW AND FACT AND ITS FINDINGS ARE NOT SUPPORTED BY SUBSTANTIAL OR ADEQUATE EVIDENCE IN THIS RECORD. FURTHER, THE HEARING OFFICER PREJUDICIALLY ABUSED HIS DISCRETION AND ACTED IN EXCESS OF HIS JURISDICTION.

The grant of authority herein is barred by operation of law and fact because, as has been found by the Hearing Officer's decision at Page 3, Items 13, 15, 16 and 17; the applicant premises is located in a high crime reporting district and the census tract in which the applicant premises are located is already at its maximum limit for the existence of off-sale licenses.

Additionally, the area is more than adequately served by the existing off-sale premises located within the very same shopping center as the applicant premises.

That same shopping center has within it a location licensed to sell a full line of alcohol for off-site consumption and a location licensed to sell a full line of alcohol for on-site consumption and the applicant premises is the third alcohol dispensing premises within that same shopping center!

The area is already plagued by traffic congestion.

The addition of the easy consumption availability of alcoholic beverages at the applicant premises will add to and/or exacerbate an already existing high crime problem, law enforcement problem, public intoxication, traffic congestion, community blight, loitering, graffiti, vandalism and a vast array of alcohol related criminal activity. The non-refrigerated condition should not be removed in order to provide easy consumption as such will only be a detriment to the community

## 2. THE LOS ANGELES COUNTY CODE AND CALIFORNIA STATE LAW PRECLUDE THE AMENDED GRANT OF AUTHORITY HEREIN.

The evidentiary context herein mandates a finding that the requested use at the proposed location will indeed adversely affect the health, peace, comfort or welfare of persons residing and working in the surrounding area, will indeed be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will indeed jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare.

The evidentiary record also discloses that the proposed site is not adequately served by highways of sufficient width and improved as necessary to carry the kind of traffic such a use will generate and by other public or private facilities as are required.

The grant of authority herein was and is precluded by the provisions of California Business & Professions Code §23958 and §23958.4. Because the census tract in which the applicant premises seeks to operate is plagued by high crime, no grant of amended authority herein may issue unless and until there is a finding made that said grant would satisfy the "public convenience or necessity". No such finding has been made in this matter. No such finding can be made in this matter in light of the concentration of licenses which already exist and in light of the easy availability of a wide range of

alcoholic beverages from a number of locations directly proximate to the applicant premises.

[California Business & Professions Code §23958.4(F) does exempt applicant in that applicant would not have the same type of licensed operations if this grant were upheld as applicant had previously by virtue of the previously imposed condition now being deleted.]

3. CONCLUSION.

For all of the reasons stated herein the decision of the Hearing Officer must be reversed.

RESPECTFULLY SUBMITTED,



---

JOSHUA KAPLAN

JK:RSK

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## Sheppard, Natsue

---

**From:** Jennings, David L [DLJennin@lasd.org]  
**Sent:** Monday, January 08, 2007 12:17 PM  
**To:** Sheppard, Natsue  
**Subject:** RE: Conditional Use Permit (Beer and Wine Sales) at 8714 E Avenue T, Littlerock

We have no concerns. While there are occasional minor issues in that center, there is already a store in the same complex selling refrigerated product. Expanding their conditions will not affect us further.

## Deputy Dave Jennings

Crime Prevention/Community Relations  
Palmdale Sheriff's Station  
750 East Avenue Q  
Palmdale, Ca. 93550  
Office (661)272-2415  
Fax (323)415-1696  
[djennin@lasd](mailto:djennin@lasd).

---

**From:** Sheppard, Natsue [mailto:[nsheppard@planning.lacounty.gov](mailto:nsheppard@planning.lacounty.gov)]  
**Sent:** Thursday, January 04, 2007 9:49 AM  
**To:** Jennings, David L  
**Subject:** FW: Conditional Use Permit (Beer and Wine Sales) at 8714 E Avenue T, Littlerock

Deputy Jennings:

I am reviewing a Conditional Use Permit (CUP) application filed by the applicant who wishes to revise a condition of approval for the sale of beer and wine for off-site consumption in an existing market. The premises, El Novillo Market, is located at 8714 E. Avenue T in Littlerock. The original CUP to sell beer and wine was approved in 1999. One of the conditions of approval was that no display or sale of refrigerated beer and wine to be allowed at the premises. Now, the applicant is requesting to sell refrigerated beer and wine.

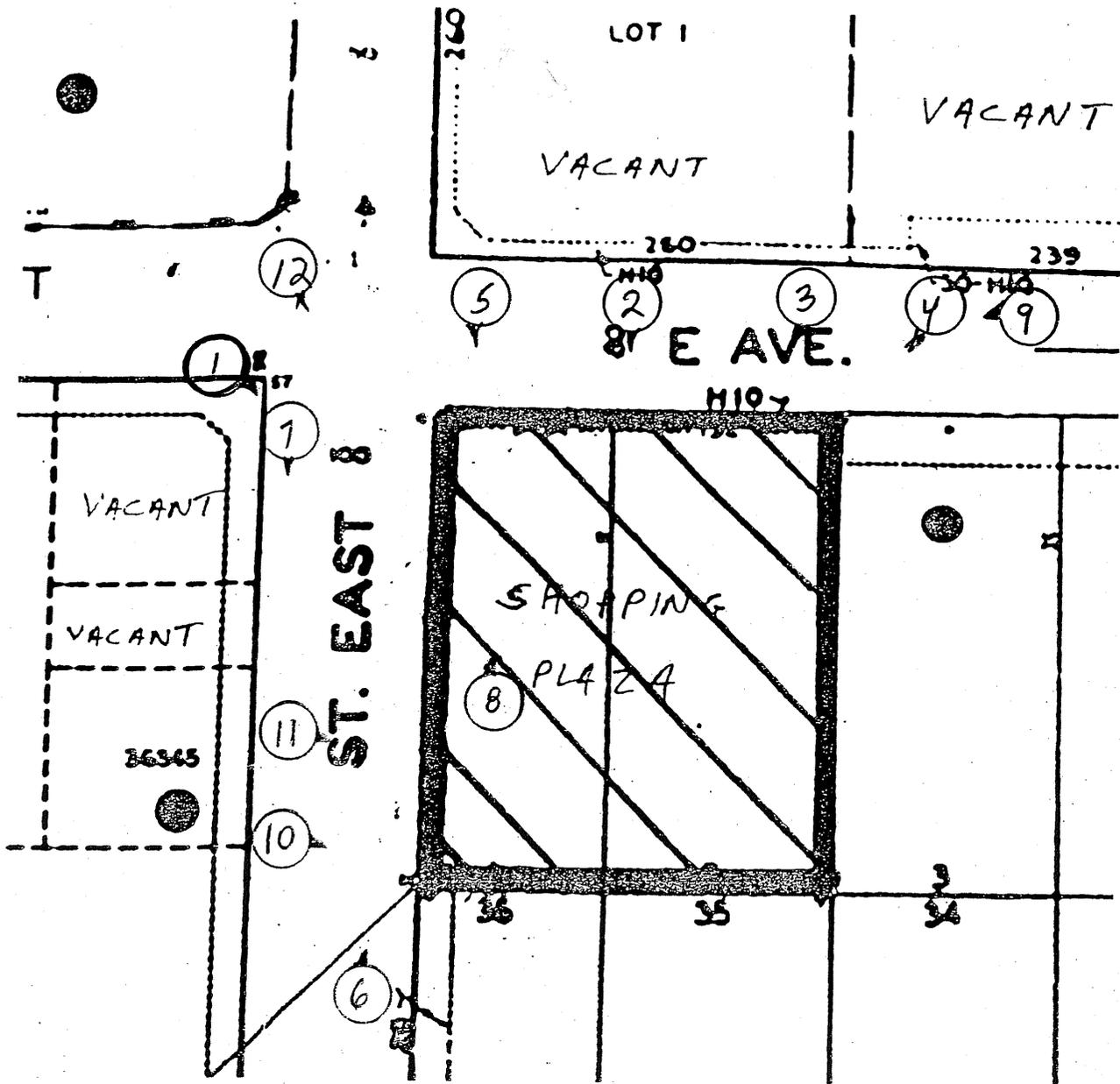
I would like to know if the Sheriff's Department has any comments regarding the modification of the condition.

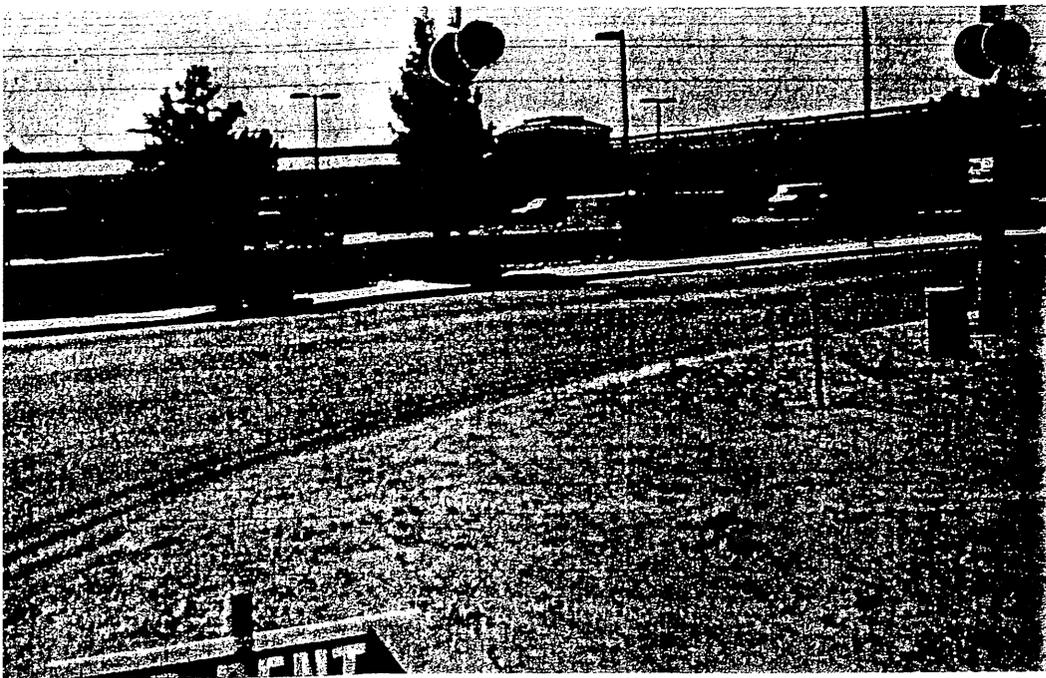
I would also like to know that this premises and the shopping center is in good standing; are any problems reported?

Please respond me at [nsheppard@planning.lacounty.gov](mailto:nsheppard@planning.lacounty.gov) by January 26, 2007 or your earliest convenience.  
Thank you very much.

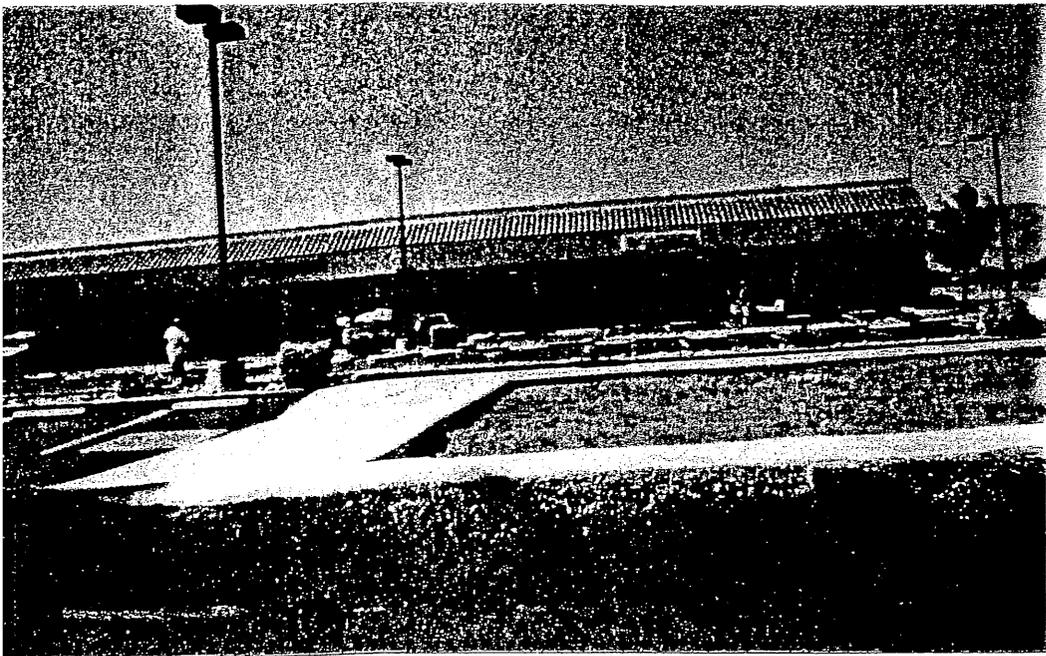
Natsue Sheppard  
Los Angeles County  
Department of Regional Planning  
320 W. Temple Street Room 1346  
Los Angeles, CA 90012  
Tel: (213) 974-6435, Fax: (213) 626-0434  
[nsheppard@planning.lacounty.gov](mailto:nsheppard@planning.lacounty.gov)

# PHOTO SURVEY





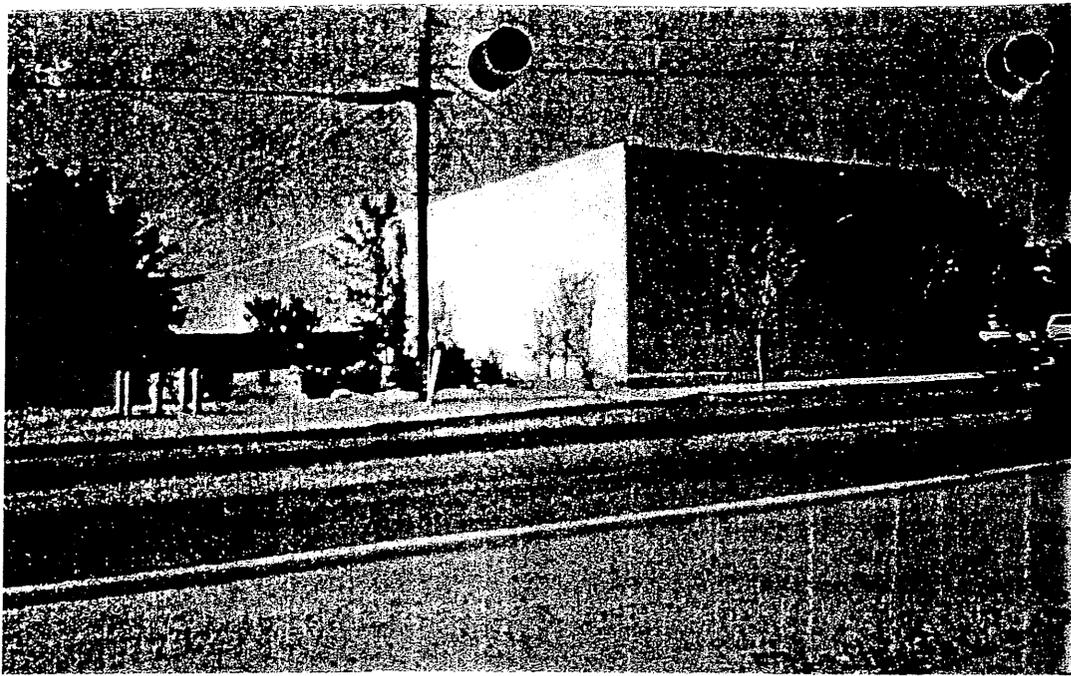
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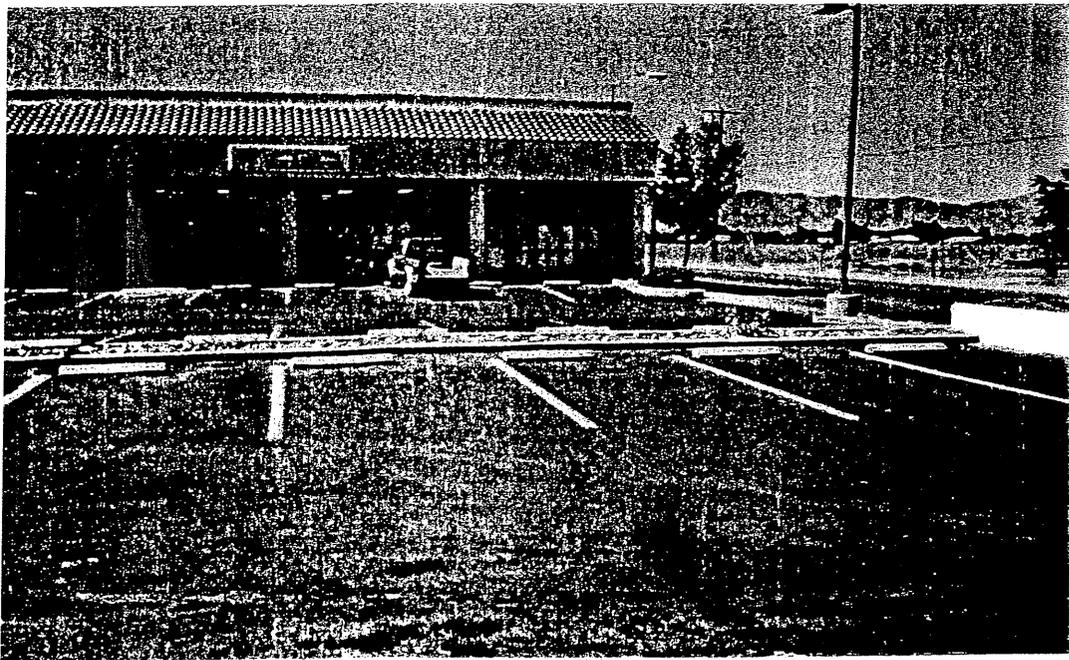
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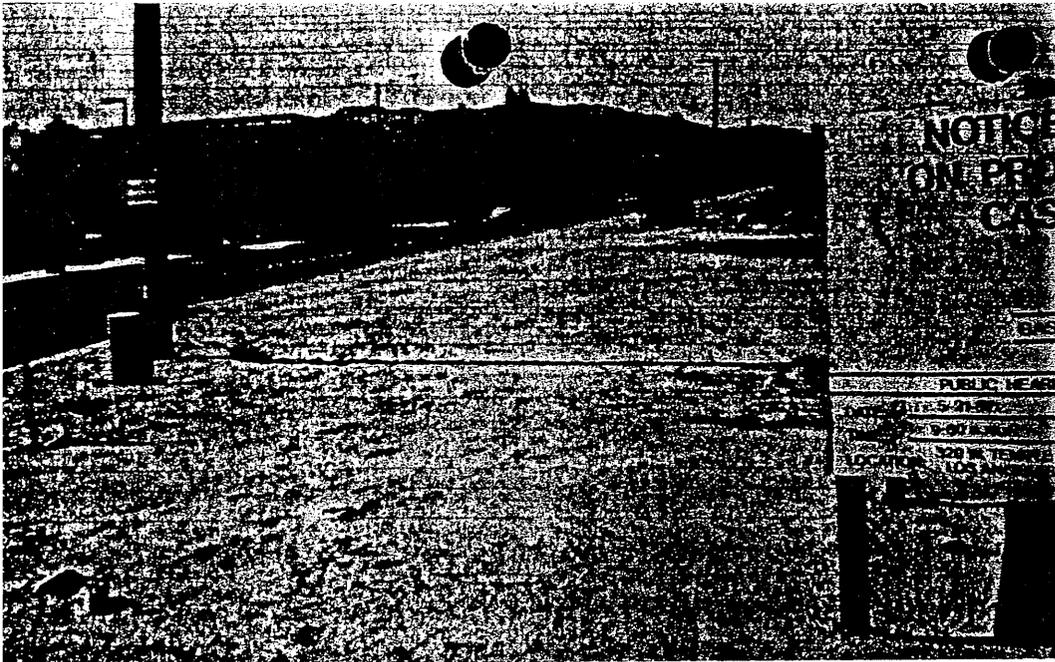
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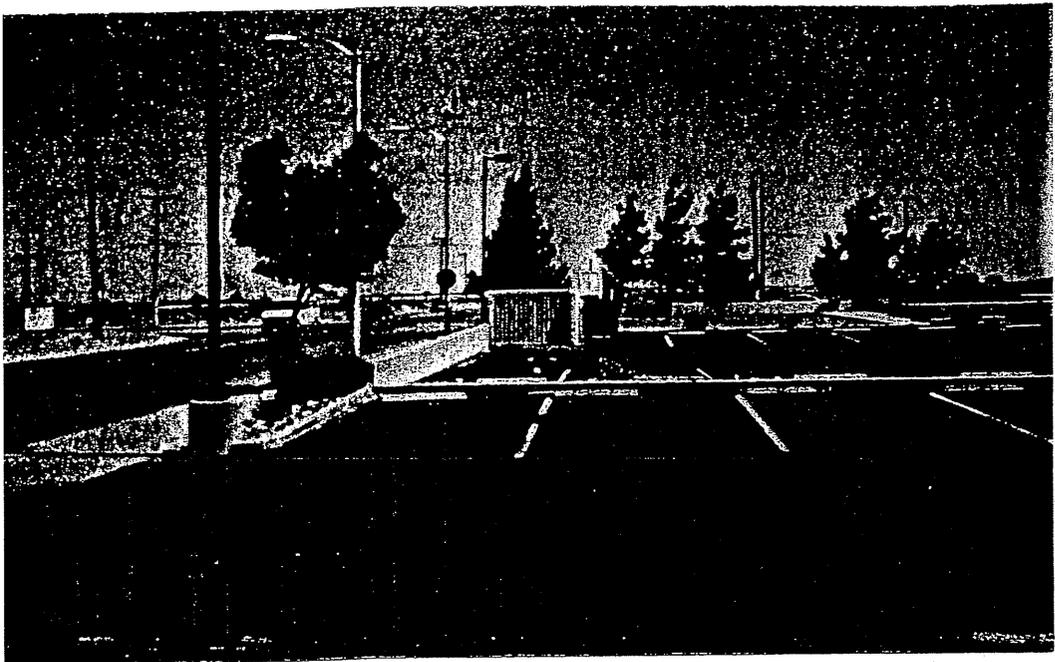
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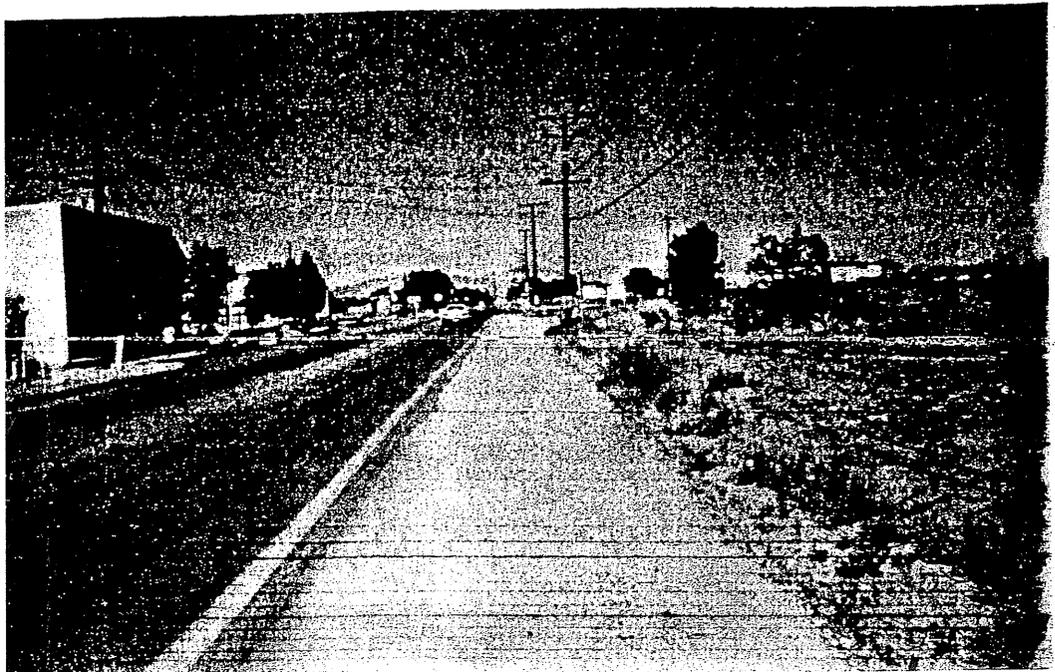
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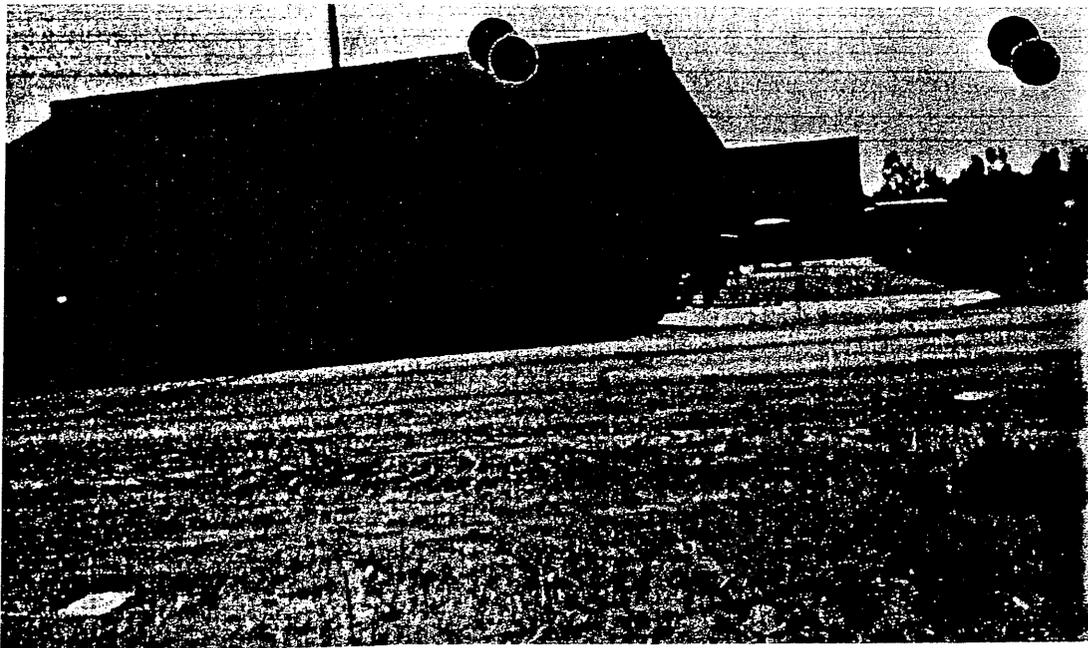
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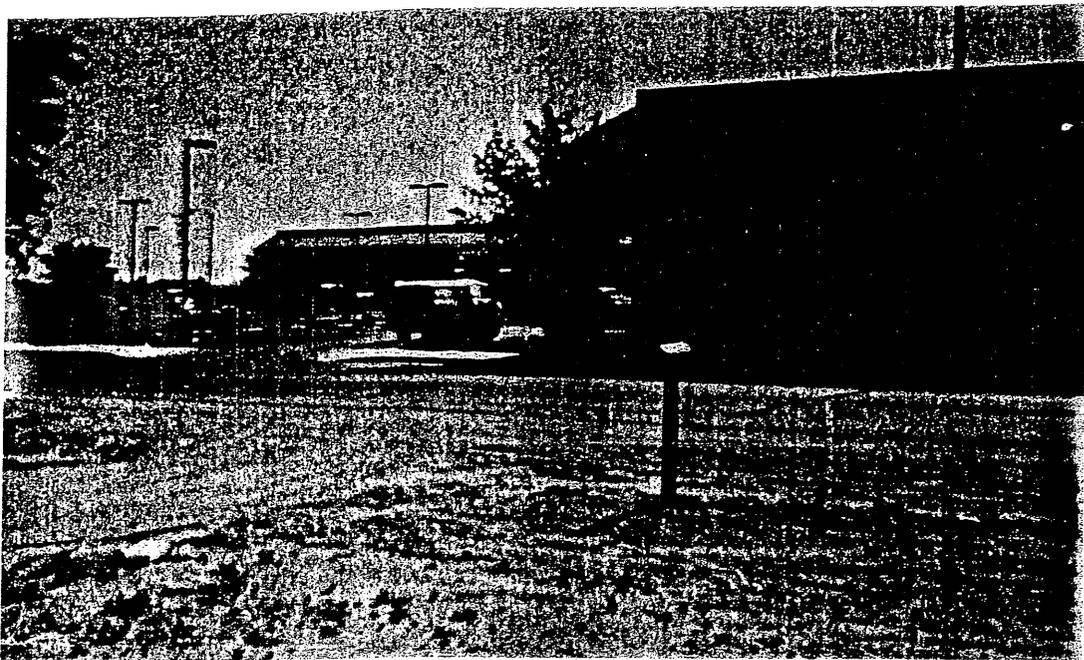
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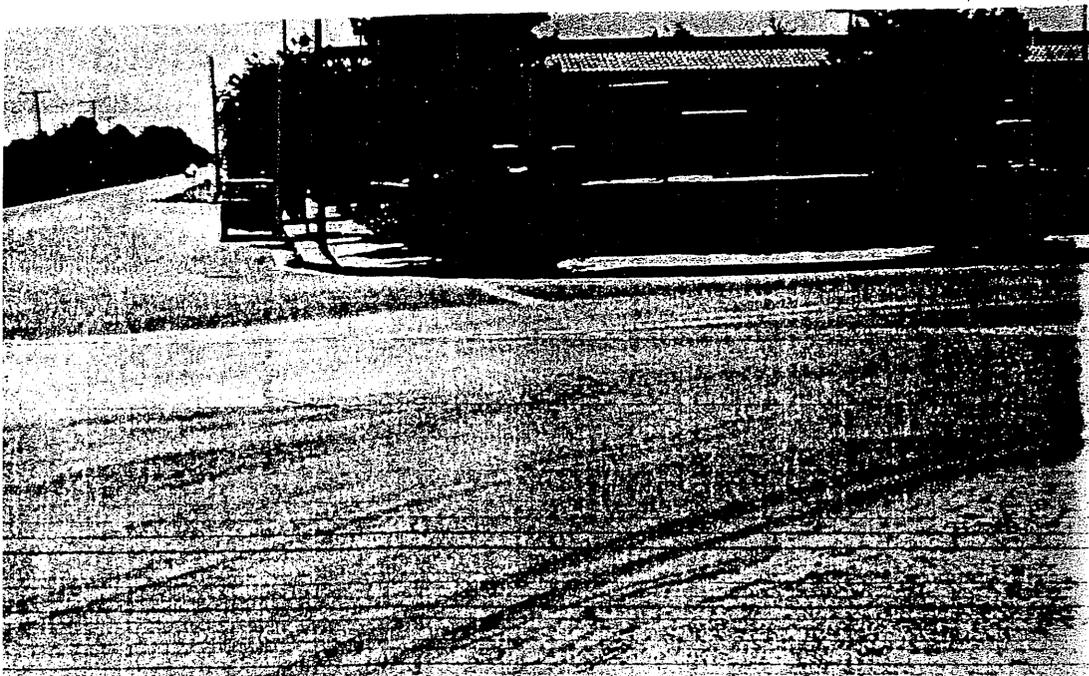
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10



11



12



*Los Angeles County*  
*Department of Regional Planning*  
*Director of Planning James E. Harll, AICP*



August 23, 2000

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Will Nieves  
Nieves and Associates  
115 South Juanita Avenue  
Redondo Beach, CA 90277

**RE: CONDITIONAL USE PERMIT CASE NO. 99-132-(5)**  
To authorize the sale of beer and wine for off-site consumption at a market located within an existing commercial shopping plaza.

Dear Applicant:

**PLEASE NOTE:** This document contains the Planning Commission's findings and order and conditions relating to **APPROVAL** of the above referenced case. **CAREFULLY REVIEW EACH CONDITION.**

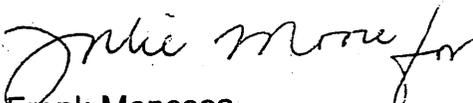
Condition 2 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Violet Varona-Lukens, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012. Contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. The appeal must be postmarked or delivered in person within eight days after this notice is received by the applicant.

If no appeal is made during this eight-day period, the Regional Planning Commission action is final. Upon completion of the eight-day period, the applicant can submit to the Department of Regional Planning staff the acceptance affidavit and any fees, deposits, plans or other materials required by the permit conditions. If you have any questions regarding this matter, please contact the Zoning Permits Section at (213) 974-6443.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING  
James E. Hartl, AICP  
Director of Planning

  
Frank Meneses  
Supervising Regional Planner  
Zoning Permits Section

FM:kms

Attachments: Findings and Conditions  
Affidavit

c: Board of Supervisors, Department of Public Works (Building and Safety),  
Department of Public Works (Subdivision Mapping), Zoning Enforcement, Testifiers

**CONDITIONAL USE PERMIT CASE NO. 99-132-(5)**

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES**

**HEARING OFFICER PUBLIC HEARING DATES: DECEMBER 21, 1999  
FEBRUARY 1, 2000**

**REGIONAL PLANNING COMMISSION HEARING DATE: AUGUST 2, 2000**

**SYNOPSIS:**

The applicant is requesting a Conditional Use Permit to authorize the sale of beer and wine for off-site consumption at a market within an existing commercial shopping plaza. The subject leasehold is 4,000 square feet in size and is located at 8714 East Avenue T, Littlerock. The site is located in the Littlerock Zoned District.

The Hearing Officer approved this request for a conditional use permit for the sale of beer and wine for off-site consumption at a market within an existing commercial shopping plaza. The granting of approval of Conditional Use Permit Case No. 99-132-(5) was appealed to the Regional Planning Commission by a member of the Littlerock community.

**PROCEEDINGS BEFORE THE COMMISSION**

August 2, 2000 Public Hearing

A duly noticed hearing was held before the Planning Commission. Three commissioners were present for this agenda item (Commissioners Campbell and Feldman were absent). Five people were sworn in, the owner, the owner's agent, the appellant, the appellant's lawyer, and a testifier in opposition. The owner and the owner's agent presented testimony in favor of the project. The owner's agent offered to add a condition to the conditional use permit, that no refrigerated sale of beer and wine be allowed (shelf stock only). The appellants and testifier presented testimony in opposition to the request. The opposition comments included: 1) the applicant did not meet the burden of proof for alcoholic beverage sales, in particular that the beer and wine sales would be an over concentration of facilities and would not meet the burden of proof for approval of a conditional use permit, 2) the sale of beer and wine at the market would increase traffic and traffic accidents at the shopping plaza, and 3) the community does not want or need another establishment selling beer and wine. The appellant also provided a letter from The Orchard, a local church and school, in opposition to the request.

There being no further testimony, the Planning Commission closed the public hearing and expressed their intent to **DENY** the appeal, sustaining the Hearing Officer's approval, by a vote of 3-0, and instructed staff to prepare findings and conditions for approval.

Findings

1. The applicant is requesting authorization to sell beer and wine for off-site consumption at a market located within an existing commercial shopping plaza. The Hearing Officer previously approved this request which was appealed to the Regional Planning Commission. A hearing was held by the Regional Planning

Commission to consider the appeal.

2. Pursuant to Section 22.28.210, Title 22 of the County Code (Zoning Ordinance), the sale of alcoholic beverages for off-site consumption is permissible in the C-3 Zone, provided that a Conditional Use Permit has first been obtained.
3. Pursuant to Section 22.56.195, Title 22 of the County Code, a Conditional Use Permit is required to authorize the sale of alcoholic beverages at establishments that do not currently, but propose to sell alcoholic beverages, for off-site consumption.
4. The subject leasehold is 4,000 square feet in size and is located at 8714 East Avenue T, Littlerock. The site is located in the Littlerock Zoned District.
5. The project site is designated "Commercial" in the Countywide General Plan. This classification allows for a range of mixed commercial and retail uses. The project is consistent with the provisions of this land use category.
6. Zoning on the subject property is C-3 (Unlimited Commercial) Zone.
7. The current land use on the subject property is a 19 unit commercial plaza.
8. The site plan, labeled Exhibit "A" page 1 of 2, depicts an existing one story commercial plaza which includes a restaurant, a bar, a liquor store, retail shops, and three vacant suites. The site plan also depicts 96 uncovered parking spaces (20 compact, 2 handicapped, and 74 standard parking spaces) and 2,697 square feet of landscaping. Access to the site is via East Avenue T to the north and North 87<sup>th</sup> Street East to the west.
9. The applicant's convenience store floor plan, labeled Exhibit "A" page 2 of 2, depicts the product shelving, cashier areas, office, restrooms, and the beer and wine display areas. This Exhibit "A" shows beer and wine in the cooler section, this chilled alcohol section will not be allowed as a condition of this grant (shelf storage only).
10. Since other establishments selling alcoholic beverages exist within 500 feet of the subject property, the applicant is limited to having not more than 5 percent of their total display shelf space devoted to alcoholic beverage sales. The applicant's floor plan shows approximately 1.5 percent of the available shelf space devoted to the sale of beer and wine.
11. The Department of Regional Planning staff recommends that a Class 1 Categorical Exemption (existing facilities) is the appropriate environmental documentation for this conditional use permit.
12. In conversations with three Inspectors of the Los Angeles Sheriff's Department

there was little concern expressed over another establishment being approved to sell beer and wine for off-site consumption in this area. The Inspectors are aware there are two other establishments already selling beer and wine within the same plaza, but there have been very few calls for service to this area within the last several years.

13. In a conversation with a California State Highway Patrol officer who patrols the area there was little concern expressed over another establishment being approved to sell beer and wine for off-site consumption in this area. He did not feel the use would add significantly to the traffic or cause congestion in the area. He stated that the four-way stop that currently exists at the corner of East Avenue T and North 87<sup>th</sup> Street is the safest type of traffic control for that location.
14. Staff received one telephone call in opposition to this request. The call was from a women who is leasing space in the commercial plaza. As there are already two establishments in the plaza that sell beer and wine, she didn't feel it was necessary to have a third.
15. Staff received two letters and one petition from Littlerock community members in opposition to this request. The letters and petition submitted in opposition to the request were due to the following: 1) There are already two establishments which sell beer and wine within the plaza, and 2) The possibility of added crime, violence and traffic congestion in the area. The petition contains seventy signatures from local area residents.
16. Staff received a letter from the Pastor of The Orchard, a local church and school, in opposition to the request. The Orchard is opposed to the issuance of another license to sell liquor in the community. The church and school are not located within 600 feet of the subject property.
17. Staff has received one petition in favor of the request to sell beer and wine for off-site consumption at the market. The petition contains 764 signatures from local area residents who frequent the market.
18. The applicant requests authorization to sell beer and wine for off-site consumption between the hours of 8:00 a.m. to 10:00 p.m., seven days a week.
19. The applicant has offered, and agreed to, selling warm beer and wine only (shelf display, no cooler display).
20. The other establishments within 500 feet of the project site which sell alcoholic beverages have the following hours of operation:

Joshua Liquor  
 8714 E. Avenue T, #A  
 Full line of alcohol for off-site

J.J.'s Tavern  
 8714 E. Avenue T, #F,G  
 Beer and wine for on-site

Hours of operation:  
 - 7:00 a.m. to 2:00 a.m.  
 (7)days a week

Hours of operation:  
 - 9:00 a.m. to 2:00 a.m.  
 (7) days a week

21. The Regional Planning Department has record of a Conditional Use Permit Case No. CUP 96-085-(5) being granted to establish a gas station with a mini-mart allowed to sell beer and wine for off-site consumption located at the southwest corner of 87<sup>th</sup> Street East and Avenue T, Littlerock. This location is the corner directly west of the subject property. This site has not been developed at this time.
22. The commercial plaza within which the subject market is located was approved by Plot Plan No. 36206 in October of 1987. The subject market was approved January 25, 1999 with a revision to PP 36206 when the previous owner, a "slot car shop", left the plaza and the market moved in and began operations.
23. The parking calculations for the commercial shopping plaza were determined under Plot Plan No. 36206 and verified under the revised plot plan approved January 25, 1999.

***Parking Requirement***

Commercial - Convenience Store  
 1 space/250 square feet of building space

***Parking Calculations***

4,000 square feet/250 = 16 spaces required

***Site Plan***

The applicant's site plan shows the required parking to be located within the shopping center parking area. The site plan depicts 96 uncovered parking spaces (76 standard, 20 compact, 2 handicapped). The existing parking is adequate to accommodate the 16 spaces required for the use.

24. The Commission finds that the sale of beer and wine for off-site consumption at the subject market will not adversely affect the use of a place used exclusively for religious worship, school park, playground or any similar use including consideration of the fact that there are none of these sensitive uses within 600 feet of the subject property among other findings described herein.
25. The Commission finds that the sale of beer and wine for off-site consumption at the subject market is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect the residential area because the beer and wine will be located inside an existing 4,000 square foot market. In addition, the rear of the market is separated from residences by a twenty-four foot wide loading zone.
26. The Commission finds that the sale of beer and wine for off-site consumption at the subject market will not result in an undue concentration of similar premises considering that the zoning in that area, as is typical for rural areas, clusters corners

of C-3 zoning against A-1 zoned neighborhoods for the convenience of the residents. The closest commercial shopping plaza or market of any type is approximately one and one-half miles from the subject property. Additionally, the sale of beer and wine at this location is distinctly different from the sale of alcohol at the nearby liquor store and bar. While the sale of alcohol at these other facilities is a primary feature, the sale of beer and wine at the proposed location is accessory to the sale of other goods thereby making it convenient for persons who may choose not to frequent the liquor store or bar.

27. The Commission finds that although the Zoning Ordinance requires consideration of the number of establishments selling alcohol within 500 feet of the subject property to determine an undue concentration of alcohol sales, it also requires that a finding of public convenience outweighing the fact that it is located within 500 feet of other establishments selling alcohol be made. This finding is hereby made based on the aforementioned finding.
28. The Commission finds that because the subject market will be limited to not more than 5 percent of the total shelf space devoted to beer and wine sales and that the market will be permitted to sell warm beer and wine only (no refrigerated shelf space, cooler, or ice tub display), the requested use at the proposed location will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare or persons residing or working in the area.
29. The Commission finds that the sale of beer and wine for off-site consumption at the subject market to serve the public convenience is supported by a petition with 764 signatures from local area residents that frequent the market who are in favor of the granting of the conditional use permit to allow the sale of beer and wine for off-site consumption.
30. The Commission finds that the sale of beer and wine for off-site consumption at the subject market will not adversely affect the economic welfare of the surrounding community because any patrons shopping at the market may also shop at the other businesses in the commercial plaza.
31. With respect to the appeal, the Commission finds that the appellant failed to substantiate her appeal. The appellant's desire is to prohibit the business owner from selling beer and wine for off-site consumption at the existing market because she feels there are already enough establishments selling alcohol in the community. The applicant has operated the market for approximately a year and one-half without any criminal incidents or County Zoning Violations and should not be penalized. In addition, the burden of proof for allowing beer and wine has been met as described in the aforementioned findings. The appeal is denied.

BASED ON THE FOREGOING, THE PLANING COMMISSION CONCLUDES:

REGARDING THE CONDITIONAL USE PERMIT:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such use would generate and by other public or private facilities as are required;
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600 foot radius;
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area;
- G. The requested use at the proposed location will not result in an undue concentration of similar premises, or that the public convenience or necessity for the proposed facility selling alcoholic beverages for off-site consumption outweighs the fact that it is located within 500 feet of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than 5 percent of the total shelf space in the establishment.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.56.090 and 22.56.195, Title 22, of the Los Angeles County Code (Zoning Ordinance).

PLANNING COMMISSION ACTION:

1. The Planning Commission has considered the Categorical Exemption for this project and certify that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

2. In view of the findings of fact presented above, Conditional Use Permit Case No. 99-132-(5) is **APPROVED**, subject to the attached conditions.

**VOTE:** 4-0-0

**Concurring:** Commissioner Pederson, Commissioner Valadez,  
Commissioner Feldman, Commissioner Vargo

**Dissenting:** None

**Abstaining:** None

**Absent:** Commissioner Campbell

**Action Date:** August 23, 2000

Attachments: Conditions

FM:kms 08-23-00

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
  2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and the fees pursuant to Condition No. 8 have been remitted.
  3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
  4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
    - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
    - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
- The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
5. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested before the expiration date.
  6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

7. This grant will terminate August 23, 2010.

Entitlement to the sale of beer and wine for off-site consumption thereafter shall be subject to the regulations then in effect.

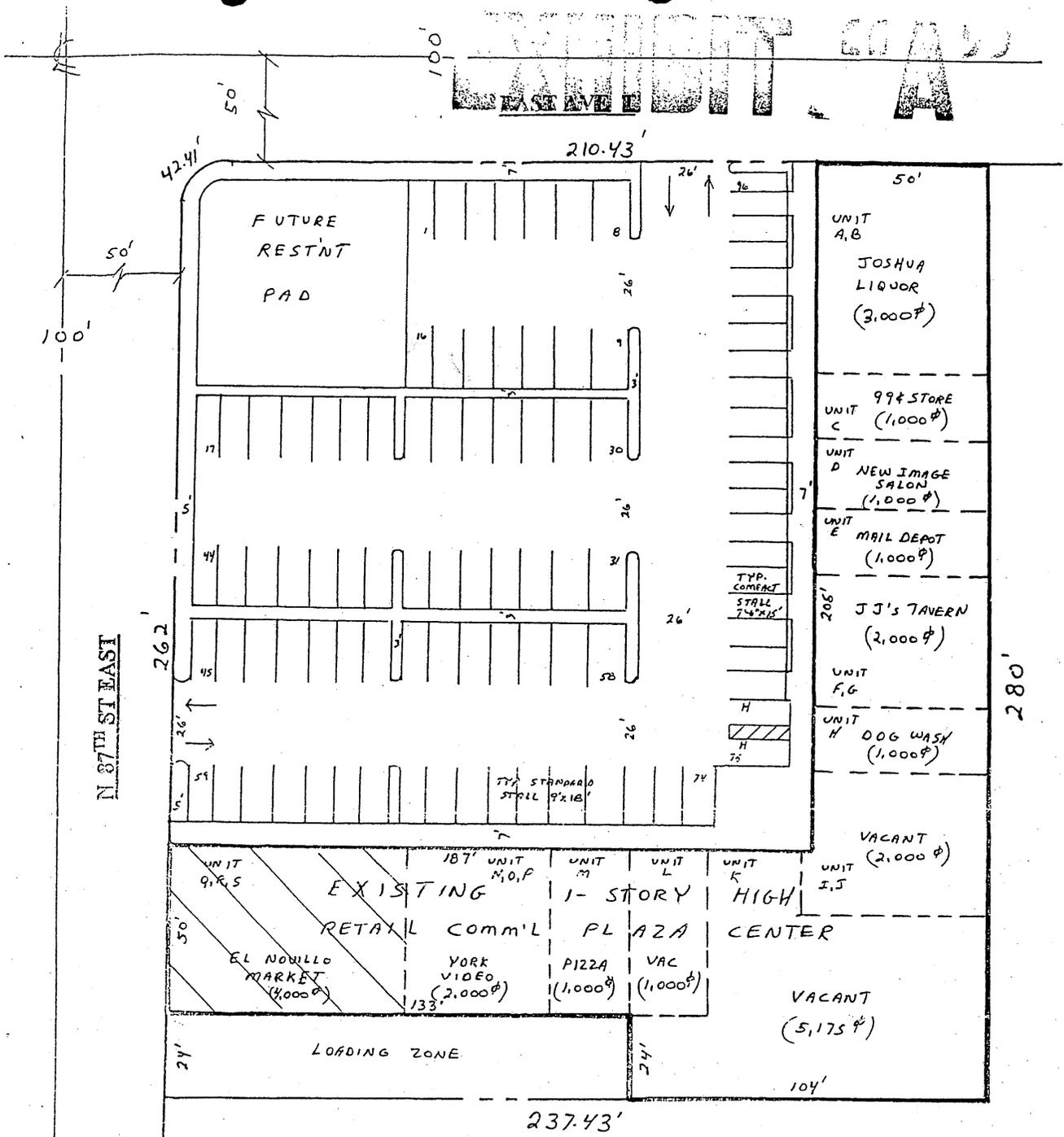
8. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of \$1000.00. The fee shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fee provides for 10 annual inspections.

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

9. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
10. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
12. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
13. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.

14. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
15. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent revised plans are submitted the written authorization of the property owner is necessary.
16. This grant allows for the sale of beer and wine for off-site consumption at a market within an existing commercial shopping plaza, subject to the following conditions:
  - a. The sale of alcoholic beverages shall be permitted between the hours of 8:00 a.m. to 10:00 p.m., seven days per week;
  - b. No beer or wine shall be displayed within five feet of the cash register or the front door;
  - c. No sale of alcoholic beverages shall be made from a drive-in window;
  - d. No display or sale of beer or wine shall be made from an ice tub, cooler, or any type of refrigerated shelf space, this grant allows for non-refrigerated shelf sales (warm) of beer and wine only;
  - e. No self-illuminating advertising for beer or wine shall be located on buildings or windows;
  - f. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area;
  - g. The shelf space devoted to alcoholic beverage sales shall not exceed five percent of the total shelf space within the subject market;
  - h. The permittee shall not advertise the sale of alcoholic beverages on the exterior walls or windows of the subject market or at any location on the subject property;
  - i. Signage shall be posted within the beer/wine section of the store notifying the public in both English and the predominant second language in the neighborhood that it is a violation of the California State Vehicle Code to transport open containers of alcoholic beverages within the passenger compartment of a motor vehicle;

- j. The permittee shall not sell domestic beer in containers under one quart in less than six-pack quantities;
- k. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities;
- l. There shall be no alcoholic beverages consumed in open areas adjacent to the subject market under the control of the permittee;
- m. There shall be no loitering permitted on the premises under the control of the permittee. Signage shall be posted on the premises prohibiting loitering. The signage shall be in English and the predominant second language in the neighborhood;
- n. The permittee shall post signage in the market prohibiting consumption of alcoholic beverages on site. The signage shall be in English and the predominant second language in the neighborhood;
- o. The permittee shall provide adequate lighting above the entrance of the premises. This lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons entering or exiting the premises;
- p. Permittee shall instruct all employees in the regulations regarding no loitering and no on-site consumption of beer and wine. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
- q. The permittee shall maintain the property in a neat and orderly fashion and maintain free of litter all areas on the premises under which the permittee has control;
- r. The permittee shall not install or maintain video games on site;
- s. The licensed premises shall have no other coin operated amusements at any time, other than official State Lottery machines, such as small carousel rides or similar riding machines;
- t. No ice in quantities of less than two pounds shall be sold, furnished, or given away;
- u. Public telephones located in front of the premises shall be for outgoing calls only.



**PROJECT DATA**

PROJECT NAME: EL NOVILLO MARKET

JOB ADDRESS: 8714 EAST AVE T  
LITTLEROCK, CA 93543

LEASEE: EL NOVILLO MARKET  
8714 EAST AVE T  
LITTLEROCK, CA 93543  
661-944-9639

PROPERTY OWNER: KARRIS PROPERTIES  
42263-50TH ST  
QUARTZ HILL, CA 93536

ZONING: R3

CONSTR. TYPE: TYPE V RETAIL COMM BLDG

OCCUPANCY: N/A  
OCCUPANT LOAD: N/A

**CALCULATIONS:**

LOT SIZE: 66,328 SF (1.52 AC)  
BUILDING AREA: 24,475 SF  
LOT COVERAGE: (37%)  
LANDSCAPING: (8.4%) 2,697 SF  
PARKING:

REQUIRED- 96 SPACES  
PROVIDED- 96 SPACES

LEGAL DESC: LOTS 1 AND 2, TR.  
9210, M.B. 149-51-55

**SITE PLAN**

SCALE: 1" = 30'

CASE NO. **99 132**



EL NOVINO MARKET  
 8714 E. Ave T  
 LITTLE ROCK, CA 93543

OCT. , 2008

UNA PETICION PARA VENDER CERVESA FRIA  
 A PETITION TO SELL REFRIGERATED BEER AND WINE

NAME/NOMBRE	ADDRESS/DOMICILIO
1 Enka Araiza	36522 101st E. Little Rock CA 93543
2 Laura Martin	10216 East Ave 512 Little Rock CA 93543
3 Juan David	9831 R. 10 AV Little Rock ca
4 Santiago Jimenez P.	35942 821st E Little Rock ca
5 ESTHER TREJO	10147 E AVE N. 12 LITTLE ROCK
6 Jose Mendoza	38221 Hendon Dr Palmdale CA 93550
7 RAFAEL DEFRAS	T 9 - 94-5
8 Antonio Perez	T 9 - 8405
9 Jose Valquez	T 8 83-02
10 VICTOR Gonzalez	T 6 6304
11 Juan Soto F2	T 11-150
12 <del>Jose</del>	Cochview - ave R
13 ARMANDO Valles	Q 12
14 maria Sandoval	10054 E Ave 510 Little Rock CA
15 NARA McCLAM	Lowndev E R - 10
16 Guillermina Granados	9024 E. Ave. 2-14 Little Rock CA 93543
17 Family Wine	3736 F 96th + east Litt Rock CA 93547
18 Marcos Vazquez G	
19 Maria Flores	
20 Arturo Villalobos	8804 AVE U-6 Little Rock CA 93543; 944583;
21 Fanny Mendoza	
22 Braslio A.	
23 Jose Guzman	2293 East Av. Q 10 Little Rock
24 Vicente Hernandez	
25 JOAQUIN Garcia	
26 Melvin Sams	10535 Cuve 3-4
27 NORA	9532 E. Ave. T. Little Rock
28 Jose A. Vazquez	8815 - Charlotte pl
29 Robert Flores	37600 CLUNY ave & Palmdale
30 ROSAS	87604 CLUNY AVE PALMDALE CA 93550
31 Luis Martin	10216 E Ave 512 Little Rock CA
32 Alma Ruiz	10215 E Ave 5-8 Little Rock ca
33 Gloria Ruiz	10215 E Ave 5-8 Little Rock ca

El Novillo Market  
 8714 E. Ave T.  
 Little Rock, CA 93543

Oct., 2000

UNA PETICION PARA VENDER CERVEZA FRIA  
 A PETITION TO SELL REFRIGERATED BEER AND WINE

	NAME/NOMBRE	ADDRESS/DOMICILIO
34	Samuel Ruiz	10215 East Ave S-8-Little Rock
35	Quinn Adams	1023 E. Ave S-8-
36	Joe Baber	36436 92nd St E. Little Rock
37	KARMO LOZANO	40649 178 ST E LANCASTER
38	Andres Ocampo	9723 E AV. Q10 Little Rock
39	Fernando Perera	3707.
40	Augusto Hamilton	11863 East Ave S-12 Little Rock
41	John Curran	11340 R-2 LITTLE ROCK
42	Maura Robles	Hawthorne, Ca. 90250
43	JOSE Luis madrigal	9420 18 E Little Rock CA
44	Eliseo Pereyra	10233 S-12 Little Rock
45	JOSE LUIS CONTRERAS	
46	Luis CONTRERAS	DRAIN Inglewood
47	Jose Salinas	INDIA
48	Juan C. Mugallan	Indio
49	Anthony Dwyer	1908 E AVE T-L
50	Liliana Williams	9805 E AV S-14 Little Rock
51	El Dural	9805 E AVE S14 Little Rock
52	Amanda Pantoja	15076 E AVE Q17 R.W. Ca. 93591
53	Josue Craig	11754 A.B.R
54	Rafael Ramirez	
55	Meda Lyle	38150 C6-65 Est.
56	Escha Broderick	4102 174th St. E
57	Chabern Dale	692A E. Ave U
58	Camilo Carreras	
59	SUSCESTRADA	9615 E. Ave S-8 Little Rock
60	Robert HANVIT	9726 Q6 11
61	Bob Browder	" "
62	Salvador Rodriguez	
63	Edoardo Martinez	
64	VICK MONALE S	36502 79 ST ES
65	Mark Dale	
66	Yvonne Soto	32814 95th St E. Little Rock, CA



UNA PETICION PARA VENDER CERVESA FRIA  
 A PETITION TO SELL REFRIGERATED BEER AND WINE

	NAME/NOMBRE	ADDRESS/DOMICILIO
105	<del>Jose Reyes</del>	
106	ESTACY SEIMONE	17521 HIGHACRE <sup>DAVE</sup> PALMDALE CA 93550
107	Eydel - Angeles	10358 E AV S-4 LITTLE ROCK CA 93543
108	<del>Alvaro Garcia</del>	37704 90th St East Little Rock
109	<del>Victor Monday</del>	37423 115th St East
110	Juan Guerrero	
111	Ardo <del>Jim</del>	(661) 860-9361
112	<del>Jose Cruz</del>	10133 15th R R4
113	CARLOS JETIZ	
114	<del>Jose Reyes</del>	661-944-0360
115	<del>Ardo Jim</del>	
116	HILARIO LEON	(818) 447-1022
117	<del>Ardo Jim</del>	10117 E. Ave S 14 Little Rock
118	Shad <del>Jim</del>	9259 E AVE T-4 Little Rock
119	<del>Ardo Jim</del>	
200	Efren Fernandez	
201	Magdalena Ruiz	11120 E AV. S LITTLE ROCK
202	<del>Ardo Jim</del>	18012 E AV R-6 Little Rock
203	Ed Polanco	8924 E. AVE T-4 93543
204	Vince <del>Ardo Jim</del>	10654 AVE R- 93545
205	Luis Elondrogon	
206	Jose L Gonzalez	10853 E. AVE S Little Rock.
207	<del>Ardo Jim</del>	36425 103 RD 54 Little Rock
208	Salvador Niza	1644 E AVE B2 Little Rock.
209	Fernando Lopez	9319 AVE - U 2 LITTLE ROCK
210	Marina Solorzano	
211	Juan Carlos	
212	MIGUEL CACIA	
213	Salvador <del>Ardo Jim</del> Raya	8914 E. AV. T-4 Little Rock
214	Manuel Raya G.	8914 E AV: T-4 LITTLE ROCK
215	<del>Ardo Jim</del>	
216	<del>Ardo Jim</del>	
217	Jorge Luis Garcia	36515 DUNFORD AVE LITTLE ROCK CA 93543

## UNA PETICION PARA VENDER CERVESA FRIA A PETITION TO SELL REFIGERATED BEER AND WINE

NAME/NOMBRE	ADDRESS/DOMICILIO
218 <del>Scott Sandahl</del>	921 ST 36502
219 Scott Sandahl	9211 E Ave T-4
220 Ingrida Alarcon	11254 E Ave R-2
221 Lissette Alarcon	11254 E. Ave R-2 93543
222 Keli Roberts	9728 E Ave 2 93543
223 Barbara Roberts	8575 East Ave U-6 93543
224 Rose Higgins	8955 East T-12 93543
225 Maria Fernandez	10107 East Av. R. 8 Little Rock
226 <del>Scott Sandahl</del>	11111 E Ave S Little Rock
227 <del>Scott Sandahl</del>	9657 E AVE S-12 LITTLE ROCK
228 Maria Lopez	
229 PESRO MORALES	36812 Tinto Valley OT
230 Maria Morales	" " "
231 Robert Flores	37600 CLONY C-2 E
232 Diomedes Oliva	9147 E. AVENIDA SIO
233 JUAN PEREZ	9147 E. Ave. SIO -
234 Jose Ayello	
235 Jose Perez	16463 Stage Coach Ave
236 Carmen Olsson	
237 JEFFREY WALTON	8909 E. AVE T-14 LITTLE ROCK, CA, 93547
238 Juan Carlos Sidor	9829 Av-52 Little Rock
239 <del>Scott Sandahl</del>	
240 <del>Scott Sandahl</del>	
241 Jesus	
242 John Sando	
243 Jeffery Baird	12730 <sup>419</sup> Pear Blossom Hwy Pear Blossom
244 <del>Jeffery Baird</del>	" " " "
245 Maria Guintero	
246 Isaura Jimenez	
247 Sherri Nichols	
248 Felix Valquez	
249 Luis W Alvarez	8955 E. Ave T-8 Little Rock CA 93543
250 PATRICK LEAL	8925 E AVE T-14 LITTLE ROCK CA

# El Novillo Market

October

2008

## UNA PETICION PARA VENDER CERVESA FRIA A PETITION TO SELL REFRIGERATED BEER AND WINE

	NAME/NOMBRE	ADDRESS/DOMICILIO
251	Carol Ballesterro	9117 E. Ave R, Little Rock 93543
252	Sullivan Garcia	15822 Mossdale Lancaster,
253	Cesar R. Avalos	15381 Ralston St Sylmar Ca.
254	Rodrigo	
255	Edwin Mendoza	10155 R-12- Little Rock
256	Branda Peck	10142 P#12
257	Jose Herrero	
258	Jose Vega	
259	Guadalupe Carrillo	
260	Manuel Torres	
261	Manuel Montoya	
262	Steve Quintana	8838 E Ave S-2 L.R. 93543
263	Jose Garcia	10935 E AV "S" Little Rock
264	Helenia Lybink	9642 E S-14 Little Rock
265	Ben Eklerson	8816 E Ave T-E Little Rock
266	Maria Gutierrez	10317 E Ave R-14 Little Rock
267	Carlos Cruz	9254 AV R4
268	Jose Calderon	10243 EAST-AV R-10 Little Rock
269	Art Escobar	11640 AVE S8 Little Rock
270	Guadalupe	
271	Robert Ciccarello	37855 90TH ST Little Rock
272	Valley	37618 Enterprise Dr. Palmdale
273	Teodoro Calderon	
274	Maryam	661 944-4537
275	Gabriel Jimenez	661) 526-6600
276	Leticia	
277	Marie Crabb	(661) 456-1645
278	Sharon Dundas	8730 E Ave T-2
279	Leticia Vergara	R-2
280	Augusta Lopez Rojas	661-944-4507
281	Adam Lopez	661-944-4314
282	Domingo	661-944-0763
283	Bertha Hernandez	661 944-32-34

**UNA PETICION PARA VENDER CERVESA FRIA  
A PETITION TO SELL REFRIGERATED BEER AND WINE**

	NAME/NOMBRE	ADDRESS/DOMICILIO
284	Norma Mendoza	8545 E av T 8. Little Rock
285	ROBERT REYNOLDS	93543 E av R LITTLE ROCK
286	Martín San	10355 EAST AVE - KY LITTLE ROCK.
287	Raul Sotomayor	
288	Rafael	10628
289	Victor Rodry	35620 106 TH. L.
290	Noe Corrajo	A.V
291	Maria Estrella	
292	Sandra Lopez	10345 E AVE R2. Little Rock CA
293	Isabel Andrade	10413 E AV R 2 LITTLE ROCK CA
294	Jamara Abat	Little Rock
295	James J. Baez	LLANO
296	[Signature]	LLANO
297	Sergio Reyes	
298	Fernando Juchez	11104 E Ave S. Little Rock
299	[Signature]	4
300	Mario Gasca	36864 Little Rock Ranches Rd
301	Araceli Villa	8806 E AVE T4
302	Maria Lino	8806 E AVE T4
303	Jose Mendez	8806 E AVE T4
304	Luis Villa	8806 E AVE T4
305	Manuel Gomez	994 4551
306	Norma Perez	944-9195 4264 Q12
307	[Signature]	(818) 262 6205
308	Elizabeth Espinoza	(818) 594-8652
309	Miguel Sampedro	(559) 943-0341
310	Mario Mota	562-719-6057
311	Maria Velazquez	661-944-0532
312	[Signature]	5661-944-2499
313	[Signature]	
314	ARCADIO ALDERON	236-4282
315	[Signature]	236 5265
316	[Signature]	

# El Novillo Market

October

2008

## UNA PETICION PARA VENDER CERVESA FRIA A PETITION TO SELL REFRIGERATED BEER AND WINE

NAME/NOMBRE	ADDRESS/DOMICILIO
317 Rafael Muriillo	
318 Marco Ortega Suarez	
319 Geive Bernal	
320 MARIA CRUZ	10558 R12
321 Wilson DELGADO	AVE 7.6
322 Robert Camacho	28 37600 90th Little Rock
323 <del>XXXXXXXXXX</del>	
324 <del>XXXXXXXXXX</del>	
325 <del>XXXXXXXXXX</del>	
326 <del>XXXXXXXXXX</del>	
327 ANA O GUZMAN	
328 Rene Medina	11746 E AVE 24 Little Rock
329 Dora Medina	R. 4 Little Rock
330 <del>XXXXXXXXXX</del>	E AVE S Little Rock Ca
331 Eric Velazquez	
332 Jose Aguilera	
333 DANIEL SIERA	
334 Mercedes Magallon	
335 RENE GUTIERREZ	
336 ERIQUE Gonzalez	
337 Victor J. Gonzalez	
338 Yonatan Aruena	
339 RICHARD SIORDIA	
340 MARCOS BATHIN	
341 ARTURO FLORES	(760) <del>5989</del> 265 5489
342 Juan Carlos	(661) <del>727</del> 212 994
343 Richard Ariza	36446 85th ST, Little Rock, CA 93543
344 Francisco OLIVEROS	
345 Lourdes Infante	(661) 547-0073
346 SARA JARAMILLO	(661) 480-5181
347 <del>XXXXXXXXXX</del>	
348 <del>XXXXXXXXXX</del>	
349 Cesar Lopez V	

October, 2008

UNA PETICION PARA VENDER CERVESA FRIA  
 A PETITION TO SELL REFIGERATED BEER AND WINE

	NAME/NOMBRE	ADDRESS/DOMICILIO
350	Maria de Jesus Macias	36958
351	José Rodolfo	
352	Francisco Vilalpando	
353	Bob + Lina GUTHRIE	8TH ST. LITTLE ROCK
354	Leo Seligson	10351 E. Ave, 5-4 Little Rock
355	Miguel Diaz	
356	Benny Serrano	PALMDALE CA.
357	Tom Lopez	11646 N AVE 512 LR CA
358	Angelina Cordero	5714 Sunburst Dr Palmdale 93552
359	Luciano Mendez	15557 CAMPAIN AVE. Lancaster 93555
360	Rein Serrano	
361	Armando	
362	Melanie C. Diaz	P.O. Box 429 Little Rock
363	Miguel Rodriguez	
364	Maria F. Aguirre	10556 E AVE S 6 Little Rock
365	Marcella M. Edmonds	9546 E. Ave 14 Little Rock
367	Adelaide Hindman	10510 Fort Lyon Rd.
368	William Smith	36944 Little Rock Ranchos Road Little Rock
369	José Pérez G.	
370	José	Little Rock
371	José Luis	661 414 9150
372	Andrés Millán	
373	Ramón P. Raut	874 E Ave W Little Rock CA
374	De Capros	10335 E Ave 14 Little Rock CA
375	Julia Santos	37512 112th St E. Little Rock
376	Armando	37512 112th St Little Rock
377	Francisco	
378	Francisco	
379	Belarmino Hernandez	
380	Soledad Mejia	
381	Armando	
382	Russ Estrada	8914 East Ave Little Rock CA. 93543
383	Armando	8540 E. Ave 58 Little Rock, CA 93543

B



UNA PETICION PARA VENDER CERVESA FRIA  
 A PETITION TO SELL REFRIGERATED BEER AND WINE

NAME/NOMBRE	ADDRESS/DOMICILIO
384 Guillermo Lagunas	10340 Ave S-8 LittleRock Ca.
385 HORACIO SANCHEZ	10808 E R-2 L. ROCK
386 Mariana Salas	10257 E AVE S-4 LittleRock
387 José Carlos	20567 Jy Comery Walnut
388 <del>XXXXXXXXXX</del>	<del>XXXXXXXXXX</del>
389 Vincent Sakka	49717 Graphical St Lancaster
390 <del>Ramon Garcia</del>	9203 Ave T 10 LittleRock
391 <del>Johanna Cruz</del>	11340 E A R-2 LittleRock
392 Maria del Rosario	
393 Ron Kles	11339 E AVE R-4 LittleRock
394 GABBY CHANLEY	10313 E AVE S-10 LittleRock
395 <del>Maria Maria</del>	40004 166
396 <del>Jesucita Olivares</del>	LAKE Los Angeles
397 <del>Jesucita Olivares</del>	8917 E Ave T-6 LittleRock
398 JAIME LABA	10204 LAKE
399 VICENTE LAPES	58 59 Barcelona R. P.m.
400 <del>Roberto Vera</del>	9696 Av 56 93943 LittleRock
401 Samantha Mu	
402 Isaias Ramirez	
403 <del>LUIS REYES</del>	
405 <del>XXXXXXXXXX</del>	
406 <del>José O. Ramos</del>	9302. EAV R14 LittleRock
407 Carlos Guzmán	
408 <del>Cecilia Delgado</del>	
409 Ismael Delgado	
410 Luis SATO	12730 Pemblossom Hwy #5
411 José Guervora	36326 170th St Hano Ca. 93944
412 Atilio Arreola	36326 170th St. Hano CA 93944
413 <del>José Guzmán</del>	35626 85th St S. 93543 Td. 944-943
414 <del>Gabriel Gonzalez</del>	
415 <del>Jessica Collins</del>	
416 DONALD PEREZ	10046 1ST AV 16 LittleRock
417 Patricia Gomez	P.O. BOX 294 LittleRock

UNA PETICION PARA VENDER CERVESA FRIA  
 A PETITION TO SELL REFRIGERATED BEER AND WINE

	NAME/NOMBRE	ADDRESS/DOMICILIO
418	LEONEL CASTRO	41132 159 <sup>th</sup> St E. Lancaster.
419	<del>Jose</del>	<del>Jose</del>
420	<del>Jose</del>	
421	<del>Jose</del>	
422	<del>Jose</del>	4073 Runar St - Jalandale CA
423	Mirielto Paliques	
424	Gerardo Juan	3710 S Little Rock Little Rock
425	Charles Tenche	10745 E Ave R 14 Little Rock CA 93543
426	Paulo	10524 East Ave S 2 CA 93543
427	<del>Jose</del>	
428	Isabel Cerver	8905 E AVE T-2 Little Rock
429	Lucila Junger	8022 E AVE U-10 Little Rock
430	Manuel Perez	5957 AVE T-3
431	Julio Ortiz	8852 AVE T-4
432	Manuel	9729 Ave G 6
433	<del>Jose</del>	43700 Brouer Ln
434	Lefty Luna	5802 E AV Little Rock
435	Marcelino Sandoval	37204 95 <sup>th</sup> St East Little Rock CA 93543
436	Manuel Gonzales.	36948 94 <sup>th</sup> St E Little Rock CA 93543
437	Brenda Garza	10209 East Ave S-8 Little Rock
438	Rosa Palmillas	10204 East Ave S-8 Little Rock
439	Yolanda Bonilla	37912 112 East Little Rock.
440	Delano	10040 E R 14 LITTLE ROCK CA 93543
441	M O R	36546 92nd St. Little CA
442	ESMERALDA ESCOBAR	10748 E. AVE R, LITTLE ROCK CA 93543
443	FREDDY HERNANDEZ	3730 GRAND AVE HUNTINGTON PARK
444	EMILY HERNANDEZ	3730 GRAND AVE H.P. CA 90255
445	Erwin Hernandez	8843 East AV T-4
446	Euis Monts De Oca	10742 East AV E-6
447	LISA SHOOB	11853 East Ave S-12 Little Rock
448	Rosario Arriaga	
449	Alexandro Ramirez	38945 Carolan at Palmdale
450	Jose Gomez	9831 E AVE LITTLE ROCK

UNA PETICION PARA VENDER CERVESA FRIA  
 A PETITION TO SELL REFRIGERATED BEER AND WINE

NAME/NOMBRE	ADDRESS/DOMICILIO
451 Jose Gambard	
452 Francisca Bargas	
453 Aristia Rojas	
454 Luis Villa	
455 Pedro Orida	
456 Sosa Lopez	
457 Stephanie Martner	
458 Esmeralda Escobar	
459 RUI AFRILLO	
460 marin Valerquez	
461 KOU JANDU	
462 Jose Maciel	
463 Javier Sander	
464 Margueto Reto	
465 JOSE D	
466 ENEC	
467 OSCAR OVEZANA	
468 Elizabeth Vargas	6-
469 Maria Viana	
470 Tina Macias	
471 Oscar Macias	
472 ELIZABETH	
473 Laura Galob	
474 LARA SOTO	
475 Willie Verger	
476 Debra Johnson	
477 JOSE	
478	
479	
500	
501	
502 Jorge Oliva	Little Rock PA
503 Ramiro Lozano	PA

UNA PETICION PARA VENDER CERVESA FRIA  
 A PETITION TO SELL REFIGERATED BEER AND WINE

	NAME/NOMBRE	ADDRESS/DOMICILIO
504	IGNACIO OLIVEROS	8917 ETL LITTLE ROCK
505	JANICE VASQUEZ	11109 E AVE R-8 LITTLE ROCK
506	Andrew Galvez	11738 E AVE R
507	Eddie Galvez	11738 E AVE R
508	Makayla Ryan	11738 E AVE R
509	MARIO VASQUEZ	11738 E AVE R
510	Maria Martin	10716 E AVE S-12 LITTLE ROCK
511	Marcial Cervantes	10745 E. Av. R-10 Little Rock.
512	Joseph C Denis	
513	Francisco Rodriguez	9804 C AVE S-14 LITTLE ROCK CA
514	enrique Gutierrez	9804 E AVE S-14 LITTLE ROCK CA
515	Roberto Orozco	Little Rock CA 93513.
516	Ampelia Castillo	9865 E. AVE 96 LITTLE ROCK
517	Javier Tamayo	36845 Kanow Ave, Little Rock
518	Gerardo Tovar C	L. R
519	Zulama Cuvel	9605 E. AVE R. Little Rock.
520	Rafael	37044 St Little Rock
521	Silvia Garcia	8807 ST TULSA
522	Feliciano Izidro	79 ST
523	Oga Lemento	18519 E. AVE R-2 L.R.
524	elemento abeian	FR AVENUE 14 Little Rock
525	Alfredo Alvarez	Palm Dale 210 ST
526	Artemio Argo	
527	Juan Lizama	LITTLE ROCK
528	Mario Vanezag	Granada Hill
529	Josep Vazquez	910 N. Orlens
530	Juan A. Diaz	
531	YICHA MATRUES	
532	Jose Ramos	
533	Jackie James	
534	OSCAR MARTINEZ	
535	Azcar Magos	
536	Samuel Pimentel	11139 E AVE R LITTLE ROCK
537	Doreen Oliveros	8917 E AVE T-10 LITTLE ROCK CA



Los Angeles County Department of Regional Planning  
 320 West Temple Street, Los Angeles, California 90012  
 Telephone (213) 974-6443

**PROJECT NO. R2006-00384-(5)**

**CONDITIONAL USE PERMIT CASE NO. 200600029**

RPC/HO MEETING DATE 09/10/08; 11/05/08	CONTINUE TO
AGENDA ITEM	
PUBLIC HEARING DATE	

<b>APPLICANT</b> Javier Araiza	<b>OWNER</b> Karris Properties	<b>REPRESENTATIVE</b> Nieves Associates
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**REQUEST**  
**Conditional Use Permit:** To authorize the sale of refrigerated and non-refrigerated beer and wine for off-site consumption at an existing market. The market currently sells only non-refrigerated beer and wine.

<b>LOCATION/ADDRESS</b> Carniceria El Novillo Market, 8714 East Avenue T, Littlerock Zoned District of Los Angeles County	<b>ZONED DISTRICT</b> Littlerock
<b>ACCESS</b> East Avenue T, between 87 <sup>th</sup> Street and 89 <sup>th</sup> Street; & 87 <sup>th</sup> Street, between East Avenue T and Avenue T-2.	<b>COMMUNITY</b> Antelope Valley
<b>SIZE</b> 1.52 acres (Market is 4,000 square feet)	<b>EXISTING ZONING</b> C-3 (Unlimited Commercial)
<b>EXISTING LAND USE</b> Shopping center	<b>SHAPE</b> Rectangular
	<b>TOPOGRAPHY</b> Level

<b>SURROUNDING LAND USES &amp; ZONING</b> North: Vacant Land—C-3 (Unlimited Commercial)	East: Single-family residences –A-1-10,000 (Light Agricultural; 10,000 square-foot minimum lot size);
South: Single-family residences –A-1-10,000 (Light Agricultural; 10,000 square-foot minimum lot size);	West: Gas station & mini-mart—C-3 (Unlimited Commercial)

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Antelope Valley Area Plan	C (Commercial)	N/A	See Staff Analysis

**ENVIRONMENTAL STATUS**  
 Class 1 Categorical Exemption – Existing Facilities

**DESCRIPTION OF SITE PLAN**  
 The applicant, Javier Araiza, is requesting a Conditional Use Permit to authorize the sale of refrigerated beer and wine for off-site consumption at an existing market, Carniceria El Novillo Market, at 8714 East Avenue T in Littlerock. The market is approximately 4,000 square feet in size and currently sells non-refrigerated beer and wine only.

**KEY ISSUES**

- Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code Conditional Use Permit Burden of Proof requirements.

**TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS**

<b>STAFF CONTACT PERSON</b> Tyler Montgomery, Zoning Permits II		
RPC HEARING DATE(S) 09/10/08; 11/05/08	RPC ACTION DATE 11/05/08	RPC RECOMMENDATION Approval
MEMBERS VOTING AYE Helsley, Bellamy, Valadez, Rew, Modugno	MEMBERS VOTING NO None	MEMBERS ABSTAINING None
STAFF RECOMMENDATION (PRIOR TO HEARING) Approval		
SPEAKERS* (O) 1 (F) 2	PETITIONS (O) 0 (F) 1 (537)	LETTERS (O) 4 (F) 1

\*(O) = Opponents (F) = In Favor