

PUBLIC REQUEST TO ADDRESS THE BOARD OF SUPERVISORS COUNTY OF LOS ANGELES, CALIFORNIA

Correspondence Received

MEMBERS OF THE BOARD

HILDA L. SOLIS HOLLY J. MITCHELL LINDSEY P. HORVATH JANICE HAHN KATHRYN BARGER

			The following individuals submitted comments on agenda item:	
Agenda #	Relate To	Position	Name	Comments
9.		Favor	Monica Penichet- Coates	Board of Supervisors - Please find El Super's letter (exhibits will be separately emailed) and photographs of El Super #500 (Hooper) store's exterior and interior. Thank you for your consideration.
		Other	Monica Penichet- Coates	Please find attached EI Super's Request for Hearing Continuance due to Planning Department's serious errors and misstatements in its Department Statement and Staff Report regarding incorrect citations as to the Census Tract and Census Tract data related to this appeal. We look forward to the Board's response and thank you for your consideration.
		Item Total	2	
Grand Total			2	



October 25, 2024

The Honorable Los Angeles County Board of Supervisors 500 West Temple Street, Room 383 Los Angeles, California 90012

Re: Request for Hearing Continuance Due to Census Tract Errors/Misstatements in Planning Department's Statement and Staff Report Submitted to Board of Supervisors for Appeal of CUP Condition Nos. 20 and 34 for El Super #500 (Hooper) Grocery Store; Project No. 2019-003407-(2)

Dear Supervisors Mitchell, Solis, Horvath, Hahn, and Barger,

Please be advised that yesterday, October 23, 2024, the Los Angeles County Planning Department submitted its "Department of Regional Planning Commission Department Statement" and its "Staff Report" letter to your office for consideration as part of El Super's Appeal regarding CUP Condition Nos. 20 and 34 in connect with the El Super #500 (Hooper) grocery store located at 8601 Hooper Avenue, Los Angeles, CA 90002 in the 2nd Supervisorial District.

Unfortunately, we noted serious errors and misstatements in the Planning Department's Statement and Staff Report regarding *incorrect citations as to the Census Tract and Census Tract data related to this appeal*. We immediately advised the Planning Department, and requested a hearing continuance, which is currently scheduled for next Tuesday, October 29, 2024 at 9:30 a.m. (Item No. 9), to allow sufficient time for this matter to be further reviewed and corrected by the Planning Department. Today via email at 12:04 p.m., the Planning Department denied our request for a hearing continuance mischaracterizing and unfairly dismissing their errors solely as a "typo," which is simply unacceptable. Therefore, we hereby request the Board of Supervisors grant a hearing continuance in order for this matter to be properly rectified by the Planning Department and to not cause any undue prejudice to El Super's Appeal of the 2 conditions at issue.

As stated by our outside counsel, Michael Cho, in his email request to the Planning Department yesterday: It is critical that the Board of Supervisors, Ms. Bodek and the general public be able to review and consider the matter at hand with accurate facts and not based on mischaracterizations that are highly prejudicial. The Board of Supervisors should not base any decision or be unduly influenced based on incorrect data and facts. Again, we cannot emphasize enough that leaving the Statement and Staff Report as is without specific clarification unduly prejudices my client [El Super].

We look forward to your response and thank you for your consideration.

Sincerely,

Joe Angulo, General Counsel Monica Penichet-Coates, Associate Counsel





Smart&Final.



October 28, 2024

The Honorable Los Angeles County Board of Supervisors Supervisor, Second District Holly J. Mitchell Supervisor, First District Hilda L. Solis Supervisor, Third District Lindsey P. Horvath Supervisor, Fourth District Janice Hahn Supervisor, Fifth District Kathryn Barger 500 West Temple Street, Room 383 Los Angeles, California 90012

Re: El Super's Appeal of CUP Condition Nos. 20 and 34 for El Super #500 (Hooper) Project No. 2019-003407-(2)

Dear Supervisors Mitchell, Solis, Horvath, Hahn, and Barger,

Please note, today October 28, 2024, at approximately 9:03 a.m. the Planning Department's corrections to its Statement and Staff Report regarding *incorrect citations as to the Census Tract and Census Tract data related to El Super's appeal* were posted online for the Board and the public – although the revisions are dated October 25, 2024. To be further noted, the Planning Department's Statement and Staff Report still incorrectly cites that there are currently four (4) licenses for the sale of alcoholic beverages for offsite consumption in the Census Tract 5351.02, when there are currently three (3) licenses. Since this erroneous information in the Planning Department's Statement and Staff Report three (3) days and the revised documents (which still include errors) were just posted within 24 hours of the hearing to allow the Board and public to sufficient time to review and consider their position based upon complete and accurate information in order to avoid any undue prejudice to El Super's appeal.

El Super's 2nd Request for Hearing Continuance

On October 25, 2024, we submitted a Request for a Hearing Continuance to the Los Angeles County Board of Supervisors (Board) advising of this issue and the immediate need for this matter to be corrected by the Planning Department. Unfortunately, the Planning Department did not timely rectify this issue. *Please find attached as "Exhibit A" El Super's Request for Hearing Continuance, dated October 25, 2024, submitted via public comment portal.* In fact, we understand that Supervisors Mitchell and Barger authored a bill to lengthen the time for the public to consider its motions to 7 days for more transparency, which was recently voted on and passed by a 4-1 vote on October 22, 2024. Therefore, for the same public policy reason, we once again request a continuance of this hearing to allow sufficient time for both the Board and the public to be provided an opportunity to review complete and accurate information and to avoid any undue prejudice of El Super's appeal.



El Super's History and Positive Impact to Communities in Los Angeles County

As a brief history, Chedraui USA, Inc. opened its first El Super store in South Gate in 1997, making it a grocery store operator in Los Angeles County for over 27 years. El Super has been proactive in seeking to invest in areas that other businesses are simply unwilling to do so and contributes in meaningful ways by not only offering full-service groceries at affordable prices in food desert areas, but also vital employment opportunities to local residents throughout Los Angeles. The El Super #500 (Hooper) store location is one of three (3) "El Super Fresh" model stores that serve the Florence-Firestone community by offering fresh fruits and vegetables, dairy, meat and other grocery items in a footprint of approximately 10,000 sq. ft. store space. El Super #500 (Hooper) has large signs outside the store front, which state, "Cocina" (kitchen/restaurant) "Panaderia" (bakery) and "Carniceria" (butcher shop), that welcome and reflect the Hispanic and multi-ethnic communities it serves and the diverse products that are favorites to all who enjoy cooking (including for many recipes that include beer as an ingredient) and eating Latin American cuisine. Please note, along with this submission, we have included a presentation slide deck with additional information and photographs of El Super #500 (Hooper).

Chedraui through its El Super and Smart & Final grocery store banners is an active and engaged partner with every community it is privileged to serve throughout the state of California, and in particular Los Angeles County. El Super and Smart & Final have a combined total of 136 stores in LA County, 25 total stores in the 2nd Supervisorial District, and employ a total of over 7,500 LA County residents. Chedraui also contributes in other tangible ways, such as donations to local schools and non-profit organizations by El Super and the Smart & Final Charitable Foundation as well as by hosting events, such as a recent local elementary school field trip to El Super #500 (Hooper) for students to learn about healthy foods at a grocery store.

As detailed below, Chedraui appreciates the Board's time and consideration of El Super's appeal of two (2) CUP conditions (Condition 20 regarding hours of sales for alcoholic beverages and Condition 34 regarding rolling doors for the store's security and maintenance).

A. El Super's Appeal of Condition 20 - Hours for Off-Site Sale of Alcoholic Beverages

As the Planning Department has noted, this CUP has been in existence at this location for decades (since 1995) when El Super in August, 2018 decided to invest in the local community and build an "El Super Fresh store. As noted by and approved by Gina Natoli Hearing Officer and the Los Angeles County Planning Department, <u>only approximately 3%</u> of the products offered for sale at El Super #500 (Hooper) are alcoholic beverages, <u>which is well below the 5% maximum threshold</u> for this type of CUP for off-site sales. In fact, we understand the CUP was approved as it clearly contributes to the public convenience and necessity of offering *limited* alcoholic products as part of customers' grocery shopping needs and is supported by customers, the neighboring community, and the Los Angeles County Sheriff's Department.



1. Store's Operating Hours and Sales Hours for Alcoholic Beverages

As noted by Hearing Officer Gina Natoli and the Planning Department, El Super's limited alcoholic products are an ancillary product of the extensive fresh food items offered for the community, which is considered a food desert. Yet, these limited products are necessary to provide to customers, since if not available, these customers will shop elsewhere if the store cannot satisfy all their grocery needs. Specifically, early morning hours sales (7:00 a.m. – 10:00 a.m.) is an important public convenience and necessity for one-stop grocery shopping for customers (e.g., elderly customers, families, church organizations, local community groups, workers with afternoon/night shifts), who need to shop during this time as part of their daily/weekly grocery store visits and for their family and group gatherings.

If sales hours for alcoholic beverages are limited to not begin until 10:00 a.m., this will be a significant and direct impact to the store's sales for 3 hours each day and will result in reduction of staff hours and possibly closure of this store location – that is the seriousness of this issue. Every single loss of a transaction of grocery sale is a detriment to the store's operations and bottom line costs. As you may know, a grocery store operation is a business with an extremely narrow thin margin (particularly for the products we seek to offer at the most competitive price point possible the communities we serve) and the loss of sales for 3 hours each day would be a substantial detriment. The arbitrary limitation of sales hours to begin at 10:00 a.m., instead of aligning the hours with the store's daily operating hours of 7:00 a.m. – 10:00 p.m. is <u>not</u> based upon any requirement and will only have negative implications to El Super's customers and store operations. As a responsible and community focused store operator at this location for over six (6) years, we understand the challenges of seeking to limit alcohol sales in the community. However, as a full-service grocery store – we have only contributed in positive ways to the Florence-Firestone Community.

In addition, another Hispanic grocery store – a direct competitor – which is located within .8 miles of El Super #500 (Hooper) and is the same general geographic area that is serving the same community is permitted to sell alcohol beginning at 8:00 a.m. This undeniably places El Super in a significant, competitive disadvantage that will immediately impact this store's operations.

In support of our proposed hours for the CUP, El Super gathered a sampling of letters of support (over 90 customer letters) that reflect the need and request that El Super continue to offer for sale alcoholic beverages in the morning hours before 10:00 a.m. *See Planning Department's submission, which includes these customer letters (not included as an attachment hereto in avoidance of duplicative submissions).*

Also, of significance the local law enforcement agency – the Los Angeles County Sheriff's Department submitted letters supporting approval of the CUP and continuation of alcohol sales from 8:00 a.m. – 10:00 p.m. Per El Super's request, the LA County Sheriff's Department revisited the crime statistics that were assessed as to the Census Tract and acknowledged that calls for service that may have included the El Super location were not related to the store's operations, but were being unfairly assessed to this location since it is a landmark that folks may seek to mention if there is an incident in the area. Moreover, the LA County Sheriff's Department has partnered with this store location and noted that El Super has on-site a security guard during all store hours. Therefore, the LA County Sheriff's Department supports El Super's continued operations and sales of alcoholic beverages. *Please find attached as "Exhibit B" the LA County Sheriff's Department Letters dated September 14, 2021 and July 20, 2023.*



In addition, Soledad Enrichment Action, a well-respected community organization in Los Angeles County is familiar with El Super's commitment to local communities and that we are a responsible grocery store operator. Therefore, Soledad Enrichment Action also supports the sales of alcoholic beverages during the grocery's stores daily operating hours of 7:00 a.m. – 10:00 p.m. *Please find attached as "Exhibit C" Soledad Enrichment Action's Letter of Support for El Super's CUP dated October 24, 2024.*

2. ABC Licenses in Census Tract 5351.02 - El Super is the Only Full-Service Grocery Store

Per the California Department of Alcoholic Beverage Control (ABC), the current Census Tract where El Super #500 (Hooper) is located (Census Tract 5351.02) is allocated 2 licenses. Per attached, at the time of our hearing before the Regional Planning Commission, the Planning Department advised the Commission that there were four (4) existing licenses in the Census Tract (which once again cited the incorrect Census Tract), but now there are currently (3). Therefore, there is technically only one (1) additional license over the allocation of two (2) by ABC.

<u>Most importantly, El Super is the only full-service grocery store in Census Tract 5351.02.</u> The other two licenses within this Census Tract (5351.02) are a liquor store that nearly 100% of its products offered to sale for the community are alcoholic beverages of every kind and size available in the marketplace and the other is a small convenience store/mini-mart that has significant alcoholic beverages for sale. Neither of the other licensees are a full-service grocery store such as El Super that offers the variety of fresh food for the community. This stark difference must be taken into account by the Board. Please find attached as "Exhibit D" regarding the Census Tract allocation and current ABC licensees in Census Tract 5351.02.

In addition, El Super by being a new operator in the area since 2018 has been required to comply with extensive conditions by both the LA County Planning Department and ABC, but the other two (2) licensees within the Census Tract 5351.02 at issue appear to have NO OPERATING CONDITIONS. *Please find attached as "Exhibit E" Details from ABC's website current License Information for 3 Licensees at issue in Census Tract 5351.02.*

As to the other two (2) licensees within Census Trace 5351.02 at issue (Angie's Liquor ABC License No. 563046 (Liquor Store) and Harry's Market ABC License No. 337269 (convenience store/mini-mart), there to be no apparent limitations on alcoholic products sold to the public, no limitations on sales or hours of operation (unlimited early morning and late hours), maintenance operations, etc. They are not subject to any CUP conditions.

When this issue was recently raised with Planner Sean Donnelly, he did not have a response why these ABC licenses were treated differently and stated that he was following the standard regulations. It simply defies common sense and is contrary to the SAAFE's Ordinance goals that Sean Donnelly's advised us via email dated February 1, 2024 as follows:

In response to your request for documentation on implementation of standard 10 a.m.-10 p.m. alcohol sales hours; As I have previously stated the limitation of alcohol sales hours is a part of our standard conditions applied to Conditional Use Permits (CUPs) for the sale of alcohol, for both on and off-site sales. The Board of Supervisors updated the County's alcoholic beverage sale



regulations through the Safe Access to Alcohol and Food Establishments (SAAFE) Ordinance in 2017. The Board Motion that initiated the SAAFE Ordinance mentioned that "the understanding of the land use impacts resulting from a concentration of alcohol sales uses has evolved significantly since 1992, and the ordinance should be updated to provide additional standards for making an "undue concentration" finding based on the current understanding of those land use impacts." Similarly, the Board Letter regarding the SAAFE Ordinance mentioned "Public Health also identifies an association between alcohol sales outlet density and alcohol-related harms" and provided a link to this report. The SAAFE Ordinance (County Code Section 22.140.030) states that "Additional conditions may be imposed to ensure that the requested use will be in accord with the findings required by Subsection F, above. Such conditions may involve pertinent factors affecting the establishment, operation and maintenance of the requested use including, but not limited to… Limitations on the days of the week and times of day during which alcoholic beverages may be sold."

To be noted, the SAAFE Act is a policy, not a hard line in the sand as Planning Department has applied it in this matter. <u>The SAAFE Act provides for discretion based on the individual issues for each applicant</u>. If it was to be a draconian line that once crossed imposes specific conditions (e.g., 10:00 a.m.), the Board could have enacted a law to that extent. Rather, the Board has the ability to use their discretion after careful evaluation to impose reasonable and supportable conditions.

Therefore, once again, El Super has complied with every condition possible and requests that the Board take this additional information under consideration. We request an individual evaluation of El Super's operations and appeal by the Board.

3. <u>Board's Discretion to Permit Continued Sales Hours of Alcoholic Beverages 8:00 a.m. –</u> 10:00 p.m. in Alignment with the Current ABC Conditions

Based upon the foregoing, the Board has the discretion to determine that the sales hours may differ from what is arbitrarily proposed by the Planning Department. Simply, the Planning Department has not taken into account or considered the various points raised above in support by the various stakeholders and the impact on the community as a whole. To be noted, since the CUP renewal application was submitted in 2019 and through to the current appeal process as of today, El Super has continued to offer for sale alcoholic beverages from 8:00 a.m. -10:00 p.m. without issue. This should be taken into consideration by the Board as well.

<u>Therefore, we hereby request that the Board approve the continued sales hours of 8:00 a.m. – 10:00</u> p.m. as a compromise to our requested application submitted in 2019, which requested 7:00 a.m. – 10:00 p.m. To date, El Super has demonstrated that it is a responsible grocery store operator, it has not had any CUP violations since filing for the renewal in 2019, and these morning hours (at least from 8:00 a.m. – 10:00 p.m.) will avoid the store becoming uncompetitive and ensure we can provide the bundle of goods and fresh food products the community desires and deserves.



B. El Super's Appeal of Condition 34 - Rolling Doors Removal/Prohibition

El Super is appealing the prohibition of rolling doors that were pre-existing when it began its operations in 2018 as the doors serve a necessary security purpose that will reduce the risk of break-ins that cause disruptions to our customers and overall store operations and the rolling doors aesthetically blend with the façade of the building. The rolling doors are not an un-welcoming addition to the community or building as it's akin to a garage door, which is commonplace throughout the community. Moreover, the rolling doors are only closed during non-operating hours and are clean, well-maintained and are part of the building's aesthetic and the branding color scheme for El Super Fresh.

The Planning Department claims that the removal of the rolling doors is necessary for the aesthetic improvements to the building and that removal of the rolling doors will not negatively impact El Super's security needs. We disagree. El Super has necessary experience critical to prevent and discourage breakins and robberies in the community to its stores. We also seek to be a partner and actively engage with the communities we serve to reduce crime and strongly believe that the rolling doors will only benefit the community to do so.

Also, the Planning Department claims that the Florence-Firestone Transit-Oriented District Specific Plan (Plan) requires removal of the rolling doors. However, this appears not be the case based upon the lack of enforcement of the Plan as to numerous businesses across the street and in the immediate area surrounding of El Super #500 (Hooper). As depicted in the photographs provided, these businesses' rolling doors are in disrepair, dented and are marked with graffiti, which is not comparable to El Super's well-maintained rolling doors. *Please find attached as "Exhibit F" site map and photographs identifying rolling doors in the Florence-Firestone area.* As with the sales hours noted above, El Super should not be treated differently than other businesses and, the rolling doors have secured locks into the ground and the doors cannot be easily pried open, El Super has had success in reducing break-in incidences by having rolling doors at this store location. Moreover, the alternative "security grilles" proposed by the Planning Department are in fact no more aestehically pleasing and do not effectively address the store's security needs. *Please find attached as "Exhibit G" an example of the proposed "security grilles."* Overall, any break-ins that result in broken glass and stolen product, impacts the store's operations for customers and employees. For these reasons, we request the Board waive the condition regarding removal/prohibition of the rolling doors.

Thank you once again for your time and consideration of El Super's Appeal of Condition Nos. 20 and 34 of the CUP for El Super #500 (Hooper). Also, we would welcome the opportunity to have the entire Board of Supervisors visit the El Super #500 (Hooper) store location.

Please advise us of any questions or concerns.

Sincerely,

Moniça Penichet-Coates, Associate Counsel CHEDRAUI USA, INC.

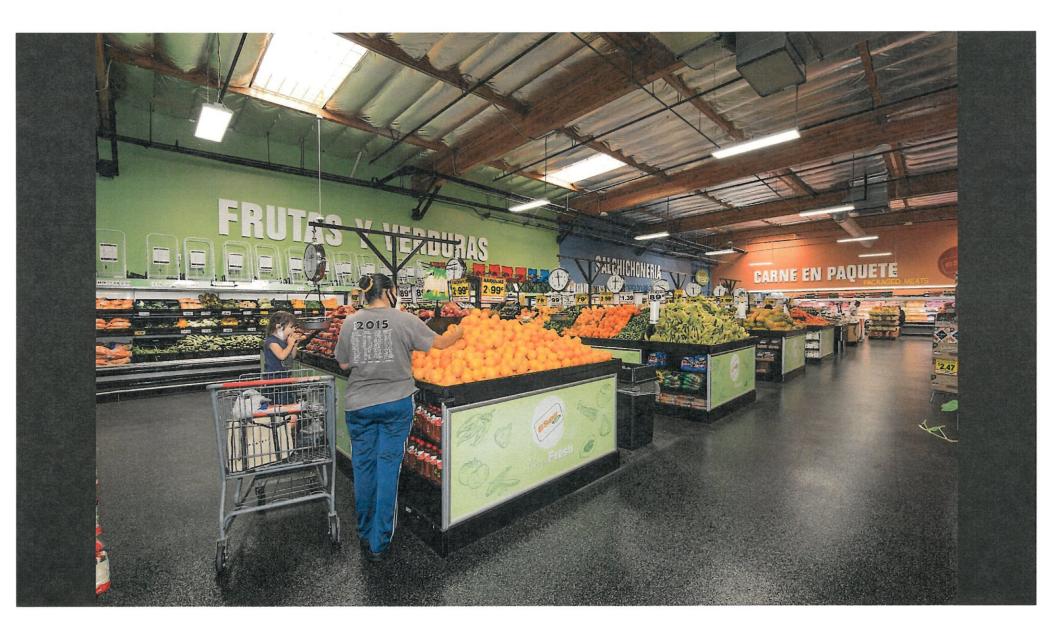
Attachments: Exhibits A-G

EL Super Fresh - Hooper

Fresh Healthy Foods Grocery Solution for Historically Underserved Communities





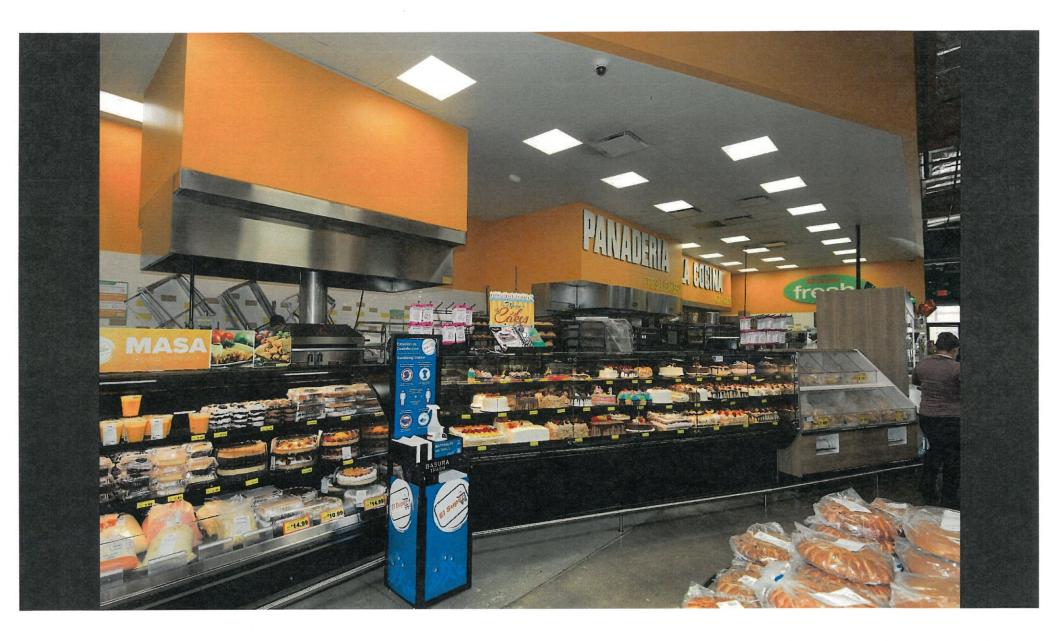


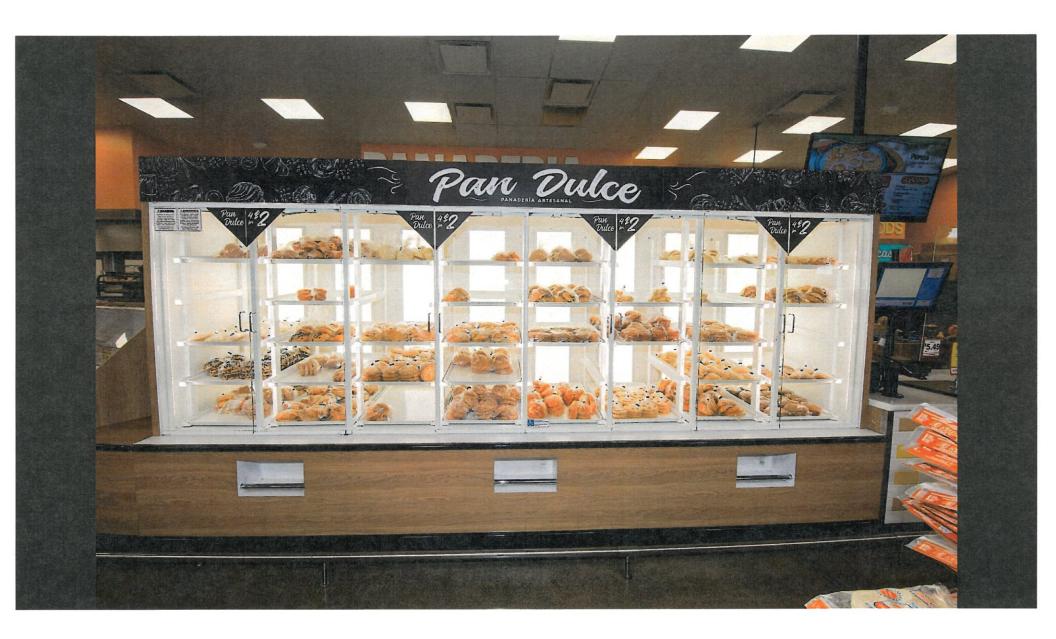




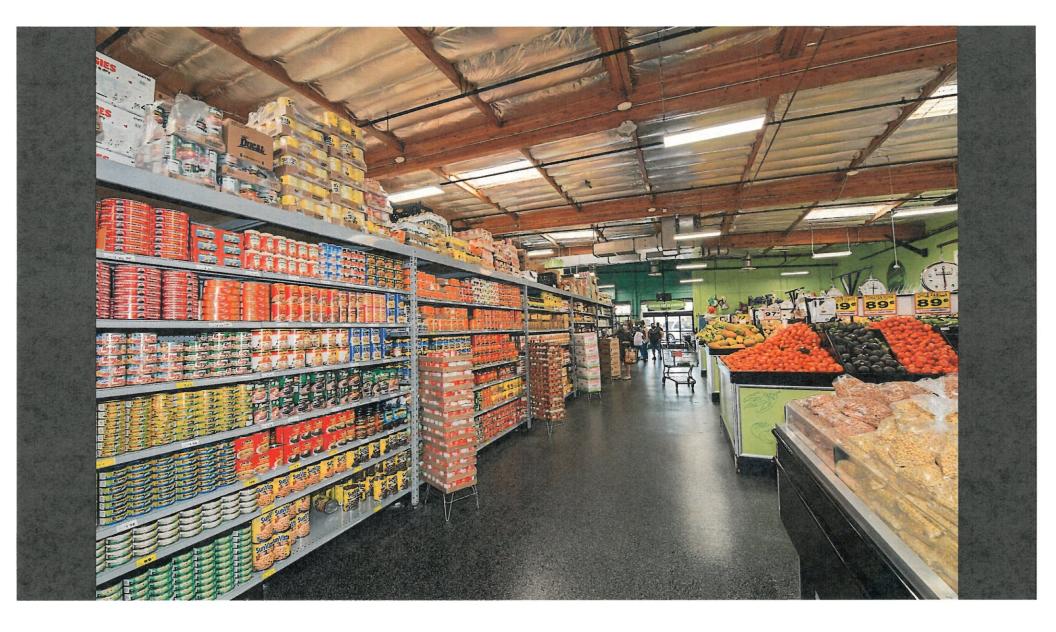






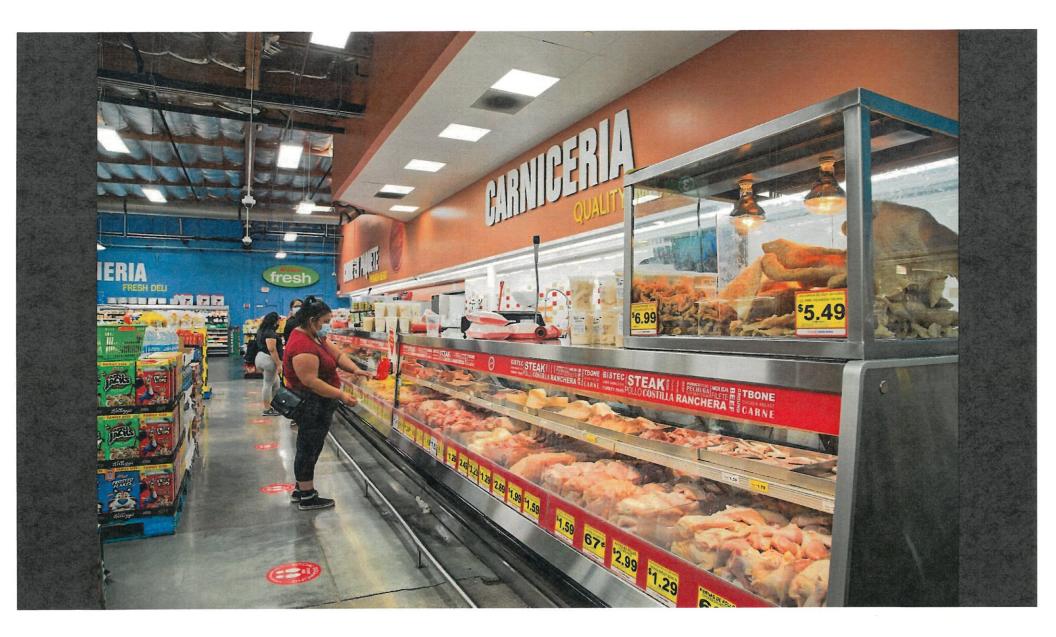
























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In support of our proposed hours for the CUP, El Super gathered a sampling of letters of support (over 90 customer letters) that reflect the need and request that El Super continue to offer for sale alcoholic beverages in the morning hours before 10:00 a.m. *See Planning Department's submission, which includes these customer letters (not included as an attachment hereto in avoidance of duplicative submissions).*

Also, of significance the local law enforcement agency – the Los Angeles County Sheriff's Department submitted letters supporting approval of the CUP and continuation of alcohol sales from 8:00 a.m. – 10:00 p.m. Per El Super's request, the LA County Sheriff's Department revisited the crime statistics that were assessed as to the Census Tract and acknowledged that calls for service that may have included the El Super location were not related to the store's operations, but were being unfairly assessed to this location since it is a landmark that folks may seek to mention if there is an incident in the area. Moreover, the LA County Sheriff's Department has partnered with this store location and noted that El Super has on-site a security guard during all store hours. Therefore, the LA County Sheriff's Department supports El Super's continued operations and sales of alcoholic beverages. *Please find attached as "Exhibit B" the LA County Sheriff's Department Letters dated September 14, 2021 and July 20, 2023.*



In addition, Soledad Enrichment Action, a well-respected community organization in Los Angeles County is familiar with El Super's commitment to local communities and that we are a responsible grocery store operator. Therefore, Soledad Enrichment Action also supports the sales of alcoholic beverages during the grocery's stores daily operating hours of 7:00 a.m. – 10:00 p.m. *Please find attached as "Exhibit C" Soledad Enrichment Action's Letter of Support for El Super's CUP dated October 24, 2024.*

2. ABC Licenses in Census Tract 5351.02 - El Super is the Only Full-Service Grocery Store

Per the California Department of Alcoholic Beverage Control (ABC), the current Census Tract where El Super #500 (Hooper) is located (Census Tract 5351.02) is allocated 2 licenses. Per attached, at the time of our hearing before the Regional Planning Commission, the Planning Department advised the Commission that there were four (4) existing licenses in the Census Tract (which once again cited the incorrect Census Tract), but now there are currently (3). Therefore, there is technically only one (1) additional license over the allocation of two (2) by ABC.

<u>Most importantly, El Super is the only full-service grocery store in Census Tract 5351.02.</u> The other two licenses within this Census Tract (5351.02) are a liquor store that nearly 100% of its products offered to sale for the community are alcoholic beverages of every kind and size available in the marketplace and the other is a small convenience store/mini-mart that has significant alcoholic beverages for sale. Neither of the other licensees are a full-service grocery store such as El Super that offers the variety of fresh food for the community. This stark difference must be taken into account by the Board. Please find attached as "Exhibit D" regarding the Census Tract allocation and current ABC licensees in Census Tract 5351.02.

In addition, El Super by being a new operator in the area since 2018 has been required to comply with extensive conditions by both the LA County Planning Department and ABC, but the other two (2) licensees within the Census Tract 5351.02 at issue appear to have NO OPERATING CONDITIONS. *Please find attached as "Exhibit E" Details from ABC's website current License Information for 3 Licensees at issue in Census Tract 5351.02.*

As to the other two (2) licensees within Census Trace 5351.02 at issue (Angie's Liquor ABC License No. 563046 (Liquor Store) and Harry's Market ABC License No. 337269 (convenience store/mini-mart), there to be no apparent limitations on alcoholic products sold to the public, no limitations on sales or hours of operation (unlimited early morning and late hours), maintenance operations, etc. They are not subject to any CUP conditions.

When this issue was recently raised with Planner Sean Donnelly, he did not have a response why these ABC licenses were treated differently and stated that he was following the standard regulations. It simply defies common sense and is contrary to the SAAFE's Ordinance goals that Sean Donnelly's advised us via email dated February 1, 2024 as follows:

In response to your request for documentation on implementation of standard 10 a.m.-10 p.m. alcohol sales hours; As I have previously stated the limitation of alcohol sales hours is a part of our standard conditions applied to Conditional Use Permits (CUPs) for the sale of alcohol, for both on and off-site sales. The Board of Supervisors updated the County's alcoholic beverage sale



regulations through the Safe Access to Alcohol and Food Establishments (SAAFE) Ordinance in 2017. The Board Motion that initiated the SAAFE Ordinance mentioned that "the understanding of the land use impacts resulting from a concentration of alcohol sales uses has evolved significantly since 1992, and the ordinance should be updated to provide additional standards for making an "undue concentration" finding based on the current understanding of those land use impacts." Similarly, the Board Letter regarding the SAAFE Ordinance mentioned "Public Health also identifies an association between alcohol sales outlet density and alcohol-related harms" and provided a link to this report. The SAAFE Ordinance (County Code Section 22.140.030) states that "Additional conditions may be imposed to ensure that the requested use will be in accord with the findings required by Subsection F, above. Such conditions may involve pertinent factors affecting the establishment, operation and maintenance of the requested use including, but not limited to… Limitations on the days of the week and times of day during which alcoholic beverages may be sold."

To be noted, the SAAFE Act is a policy, not a hard line in the sand as Planning Department has applied it in this matter. <u>The SAAFE Act provides for discretion based on the individual issues for each applicant</u>. If it was to be a draconian line that once crossed imposes specific conditions (e.g., 10:00 a.m.), the Board could have enacted a law to that extent. Rather, the Board has the ability to use their discretion after careful evaluation to impose reasonable and supportable conditions.

Therefore, once again, El Super has complied with every condition possible and requests that the Board take this additional information under consideration. We request an individual evaluation of El Super's operations and appeal by the Board.

3. <u>Board's Discretion to Permit Continued Sales Hours of Alcoholic Beverages 8:00 a.m. –</u> 10:00 p.m. in Alignment with the Current ABC Conditions

Based upon the foregoing, the Board has the discretion to determine that the sales hours may differ from what is arbitrarily proposed by the Planning Department. Simply, the Planning Department has not taken into account or considered the various points raised above in support by the various stakeholders and the impact on the community as a whole. To be noted, since the CUP renewal application was submitted in 2019 and through to the current appeal process as of today, El Super has continued to offer for sale alcoholic beverages from 8:00 a.m. -10:00 p.m. without issue. This should be taken into consideration by the Board as well.

<u>Therefore, we hereby request that the Board approve the continued sales hours of 8:00 a.m. – 10:00</u> p.m. as a compromise to our requested application submitted in 2019, which requested 7:00 a.m. – 10:00 p.m. To date, El Super has demonstrated that it is a responsible grocery store operator, it has not had any CUP violations since filing for the renewal in 2019, and these morning hours (at least from 8:00 a.m. – 10:00 p.m.) will avoid the store becoming uncompetitive and ensure we can provide the bundle of goods and fresh food products the community desires and deserves.



B. El Super's Appeal of Condition 34 - Rolling Doors Removal/Prohibition

El Super is appealing the prohibition of rolling doors that were pre-existing when it began its operations in 2018 as the doors serve a necessary security purpose that will reduce the risk of break-ins that cause disruptions to our customers and overall store operations and the rolling doors aesthetically blend with the façade of the building. The rolling doors are not an un-welcoming addition to the community or building as it's akin to a garage door, which is commonplace throughout the community. Moreover, the rolling doors are only closed during non-operating hours and are clean, well-maintained and are part of the building's aesthetic and the branding color scheme for El Super Fresh.

The Planning Department claims that the removal of the rolling doors is necessary for the aesthetic improvements to the building and that removal of the rolling doors will not negatively impact El Super's security needs. We disagree. El Super has necessary experience critical to prevent and discourage breakins and robberies in the community to its stores. We also seek to be a partner and actively engage with the communities we serve to reduce crime and strongly believe that the rolling doors will only benefit the community to do so.

Also, the Planning Department claims that the Florence-Firestone Transit-Oriented District Specific Plan (Plan) requires removal of the rolling doors. However, this appears not be the case based upon the lack of enforcement of the Plan as to numerous businesses across the street and in the immediate area surrounding of El Super #500 (Hooper). As depicted in the photographs provided, these businesses' rolling doors are in disrepair, dented and are marked with graffiti, which is not comparable to El Super's well-maintained rolling doors. *Please find attached as "Exhibit F" site map and photographs identifying rolling doors in the Florence-Firestone area.* As with the sales hours noted above, El Super should not be treated differently than other businesses and, the rolling doors have secured locks into the ground and the doors cannot be easily pried open, El Super has had success in reducing break-in incidences by having rolling doors at this store location. Moreover, the alternative "security grilles" proposed by the Planning Department are in fact no more aestehically pleasing and do not effectively address the store's security needs. *Please find attached as "Exhibit G" an example of the proposed "security grilles."* Overall, any break-ins that result in broken glass and stolen product, impacts the store's operations for customers and employees. For these reasons, we request the Board waive the condition regarding removal/prohibition of the rolling doors.

Thank you once again for your time and consideration of El Super's Appeal of Condition Nos. 20 and 34 of the CUP for El Super #500 (Hooper). Also, we would welcome the opportunity to have the entire Board of Supervisors visit the El Super #500 (Hooper) store location.

Please advise us of any questions or concerns.

Sincerely,

Moniça Penichet-Coates, Associate Counsel CHEDRAUI USA, INC.

Attachments: Exhibits A-G

EXHIBIT A

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600 Citadel Dr., Commerce, CA 90040

October 25, 2024

The Honorable Los Angeles County Board of Supervisors 500 West Temple Street, Room 383 Los Angeles, California 90012

> Re: Request for Hearing Continuance Due to Census Tract Errors/Misstatements in Planning Department's Statement and Staff Report Submitted to Board of Supervisors for Appeal of CUP Condition Nos. 20 and 34 for El Super #500 (Hooper) Grocery Store; Project No. 2019-003407-(2)

Dear Supervisors Mitchell, Solis, Horvath, Hahn, and Barger,

Please be advised that yesterday, October 23, 2024, the Los Angeles County Planning Department submitted its "Department of Regional Planning Commission Department Statement" and its "Staff Report" letter to your office for consideration as part of El Super's Appeal regarding CUP Condition Nos. 20 and 34 in connect with the El Super #500 (Hooper) grocery store located at 8601 Hooper Avenue, Los Angeles, CA 90002 in the 2nd Supervisorial District.

Unfortunately, we noted serious errors and misstatements in the Planning Department's Statement and Staff Report regarding *incorrect citations as to the Census Tract and Census Tract data related to this appeal*. We immediately advised the Planning Department, and requested a hearing continuance, which is currently scheduled for next Tuesday, October 29, 2024 at 9:30 a.m. (Item No. 9), to allow sufficient time for this matter to be further reviewed and corrected by the Planning Department. Today via email at 12:04 p.m., the Planning Department denied our request for a hearing continuance mischaracterizing and unfairly dismissing their errors solely as a "typo," which is simply unacceptable. Therefore, we hereby request the Board of Supervisors grant a hearing continuance in order for this matter to be properly rectified by the Planning Department and to not cause any undue prejudice to El Super's Appeal of the 2 conditions at issue.

As stated by our outside counsel, Michael Cho, in his email request to the Planning Department yesterday: It is critical that the Board of Supervisors, Ms. Bodek and the general public be able to review and consider the matter at hand with accurate facts and not based on mischaracterizations that are highly prejudicial. The Board of Supervisors should not base any decision or be unduly influenced based on incorrect data and facts. Again, we cannot emphasize enough that leaving the Statement and Staff Report as is without specific clarification unduly prejudices my client [El Super].

We look forward to your response and thank you for your consideration.

Sincerely, Juhr M. Start

Joe Angulo, General Counsel Monica Penichet-Coates, Associate Counsel





Smart&Final.



PUBLIC REQUEST TO ADDRESS THE BOARD OF SUPERVISORS COUNTY OF LOS ANGELES, CALIFORNIA

Correspondence Received

MEMBERS OF THE BOARD

HILDA L. SOLIS HOLLY J. MITCHELL LINDSEY P. HORVATH JANICE HAHN KATHRYN BARGER

	Relate To	Position	The following individuals submitted comments on agenda item:	
Agenda #			Name	Comments
9.		Other	Monica Penichet- Coates	Please find attached El Super's Request for Hearing Continuance due to Planning Department's serious errors and misstatements in its Department Statement and Staff Report regarding incorrect citations as to the Census Tract and Census Tract data related to this appeal. We look forward to the Board's response and thank you for your consideration.
		Item Total	1	
Grand Total			1	

As of: 10/25/2024 3:00:08 PM

EXHIBIT B

OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES HATE-OF-JUSTICE



ALEX VILLANUEVA, SHERIFF

September 14, 2021

Subject:	Conditional Use Permit (CUP) consultation for the sale of alcoholic				
	beverages for off-site consumption at an existing "El Super" supermarket.				
Project No.:	2019-003407-(2)				
CUP Permit No.:	RPPL2019006012				
Establishment:	El Super Supermarket				
Location:	8601 South Hooper Avenue				
Description:	Conditional Use Permit (CUP) consultation for the sale of alcoholic				
	beverages for off-site consumption at an existing "El Super" supermarket.				

(1) Summary of service calls and crime history for the project site over the last five years:

The Sheriff's Department has responded to 78 calls for service at 8601 S. Hooper Avenue, Los Angeles in the past five years; 25 calls for persons causing problems for the business, 22 calls for burglary alarm activations, 12 calls related to property crimes, and 4 violent felonies. The remainder of the calls of the calls were related to miscellaneous quality of life issues.

(2) Comments/recommended conditions:

The calls for service at the location have been reflective of the surrounding community. This establishment has employed mitigation efforts by staffing on-site security personnel. Based on the above, I see no reason to deny the Conditional Use Permit at this time.

(3) Overall recommendation:

Sheriff recommends approval of this NCR.

Sheriff does <u>NOT</u> recommend approval of this NCR.

Sincerely,

ALEX VILLANUEVA, SHERIFF

Yolanda B. Figueroa, Captain Century Station

211 West Temple Street, Los Angeles, California 90012

A Tradition of Pervice - Since 1850 -



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES HALLOF, JUSTICE,



ROBERT G. LUNA, SHERIFF

July 20, 2023

Sean Donnelly Planner, Metro Development Services 320 West Temple Street, 13th Floor Los Angeles, CA 90012 Office: (213) 974-6411 • Direct: (213) 893-7024 Email: <u>sdonnelly@planning.lacounty.gov</u>

RE: Bodega Latina Corporation-El Super, 8601 Hooper Avenue, Los Angeles CA 90002, Project Number: 2019-003407-(2), CUP: RPPL2019006012

Dear Sean Donnelly:

By this letter, we wish to express our support for operating hours to remain the same from 8 am to 10 pm at Bodega Latina Corporation-El Super located at 8601 Hooper Avenue, Los Angeles, CA 90002, Conditional Use Permit (CUP) Consultation for the Sale of Alcohol (RPPL2019006012).

The Los Angeles County Sheriff's Department has responded to 109 calls for service at 8601 Hooper Avenue, Los Angeles, in the past five years; one individual was arrested for driving with a suspended license warrant, one individual was arrested for possession of a firearm, two individuals were arrested for possession of methamphetamines. Several calls for service have been for robberies, grand thefts, stolen vehicles, and vandalisms. In addition, there have been three calls for service for burglaries, two calls for service for petty thefts, two calls for service for carjackings, two calls for service related to assault incidents, and one call for service for a battery.

The calls for service at the location have been reflective of the surrounding community. Additionally, this establishment has employed mitigation efforts by staffing on-site security personnel. Based on the above, I see no reason to change the hours of operation.

Sincerely,

ROBERT G. LUNA, SHERIFF

Edmundo F. Torres, Captain Century Station

211 West Temple Street, Los Angeles, California 90012

A Tradition of Service

EXHIBIT C



"Transforming lives since 1972"

o: (213) 480-4200 f: (213) 480-4199 a: 222 N. Virgil Ave., Los Angeles, CA 90004

October 24, 2024

Los Angeles County Board of Supervisors 500 West Temple Street, Room 383 Los Angeles, California 90012

Re: Letter of Support for El Super #500 (Hooper) Grocery Store

Dear Los Angeles County Board of Supervisors,

We are writing in strong support of El Super's request for off-site sales of alcoholic beverages as part of its grocery store operations located at 8601 Hooper Avenue, Los Angeles, CA 90002 during the store's daily operating hours of 7:00 a.m. -10:00 p.m.

El Super is a responsible grocery store operator in the Florence-Firestone neighborhood, which offers fresh produce, meats, and a variety of foods, along with essential grocery items for our community, which is considered a food desert. Not only has El Super provided fresh groceries and healthy food options, which are desperately needed in this community, El Super has also beautified the neighborhood by operating a grocery store space that is a safe, clean and welcoming environment and overall is a source of pride for its residents. In addition, El Super focuses its efforts to hire locally in the 2nd District neighborhood by offering employment opportunities.

We are mindful of the challenges of alcohol sales in our LA County neighborhoods by other business establishments. However, El Super is a responsible grocery store operator and has been successfully serving our community at the El Super #500 (Hooper) location for over six (6) years. Per the attached letters from the Los Angeles County Sheriff's Department, they also support the store's request for approval of the conditional use permit for El Super #500.

For the reasons above, we urge you to support El Super's request for off-site sales of alcoholic beverages during the grocery store's daily operating hours of 7:00 a.m. -10:00 p.m.

If you have any questions or would like to discuss our support for El Super, please contact me directly at 213-480-4200 or via email at narias@seaprograms.org.

Sincerely,

Va J.C

Nathan Arias, CEO SOLEDAD ENRICHMENT ACTION

OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES HALLOF JUSTICE



ALEX VILLANUEVA, SHERIFF

September 14, 2021

Subject:	Conditional Use Permit (CUP) consultation for the sale of alcoholic		
3	beverages for off-site consumption at an existing "El Super" supermarket.		
Project No.:	2019-003407-(2)		
CUP Permit No.:	RPPL2019006012		
Establishment:	El Super Supermarket		
Location:	8601 South Hooper Avenue		
Description:	Conditional Use Permit (CUP) consultation for the sale of alcoholic		
	beverages for off-site consumption at an existing "El Super" supermarket.		

(1) Summary of service calls and crime history for the project site over the last five years:

The Sheriff's Department has responded to 78 calls for service at 8601 S. Hooper Avenue, Los Angeles in the past five years; 25 calls for persons causing problems for the business, 22 calls for burglary alarm activations, 12 calls related to property crimes, and 4 violent felonies. The remainder of the calls of the calls were related to miscellaneous quality of life issues.

(2) Comments/recommended conditions:

The calls for service at the location have been reflective of the surrounding community. This establishment has employed mitigation efforts by staffing on-site security personnel. Based on the above, I see no reason to deny the Conditional Use Permit at this time.

(3) Overall recommendation:

Sheriff recommends approval of this NCR.

Sheriff does <u>NOT</u> recommend approval of this NCR.

Sincerely,

ALEX VILLANUEVA, SHERIFF

K. Ju

Yolanda R. Figueroa, Captain Century Station

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service ______Since 1850 ____



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES HATE-OF-JUSTICE



ROBERT G. LUNA, SHERIFF

July 20, 2023

Sean Donnelly Planner, Metro Development Services 320 West Temple Street, 13th Floor Los Angeles, CA 90012 Office: (213) 974-6411 • Direct: (213) 893-7024 Email: <u>sdonnelly@planning.lacounty.gov</u>

RE: Bodega Latina Corporation-El Super, 8601 Hooper Avenue, Los Angeles CA 90002, Project Number: 2019-003407-(2), CUP: RPPL2019006012

Dear Sean Donnelly:

By this letter, we wish to express our support for operating hours to remain the same from 8 am to 10 pm at Bodega Latina Corporation-El Super located at 8601 Hooper Avenue, Los Angeles, CA 90002, Conditional Use Permit (CUP) Consultation for the Sale of Alcohol (RPPL2019006012).

The Los Angeles County Sheriff's Department has responded to 109 calls for service at 8601 Hooper Avenue, Los Angeles, in the past five years; one individual was arrested for driving with a suspended license warrant, one individual was arrested for possession of a firearm, two individuals were arrested for possession of methamphetamines. Several calls for service have been for robberies, grand thefts, stolen vehicles, and vandalisms. In addition, there have been three calls for service for burglaries, two calls for service for petty thefts, two calls for service for carjackings, two calls for service related to assault incidents, and one call for service for a battery.

The calls for service at the location have been reflective of the surrounding community. Additionally, this establishment has employed mitigation efforts by staffing on-site security personnel. Based on the above, I see no reason to change the hours of operation.

Sincerely,

ROBERT G. LUNA, SHERIFF

Edmundo F. Torres, Captain Century Station

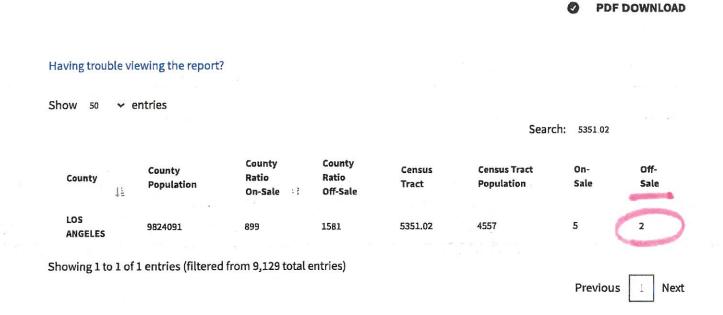
211 West Temple Street, Los Angeles, California 90012

A Tradition of Service

EXHIBIT D

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DOWNLOAD REPORT (EXCEL)



Having trouble viewing the report?

Results for: Active Off-Sale Retail License

County: LOS ANGELES County Census Tract: 5351.02

3 CURRENT LICENSES (OFF. SALE) IN CENSUS TRACT 5351.02

Report Date: Tuesday, October 22, 2024

Search

Results will be filtered as you type **0** Results

License Number: 594026

Status:ACTIVE License Type:21 Orig. Iss. Date:09/27/2018 Expir. Date:08/31/2025 Primary Owner:CHEDRAUI USA, INC.

8601 HOOPER AVE, LOS ANGELES, CA 90002-1144 Premises Addr.:Census Tract: 5351.02 Business Name

Business Name: EL SUPER Geo Code: 1900 Super MARKET

License Number: 563046

Status: ACTIVE License Type: 21 Orig. Iss. Date: 12/09/2015 Expir. Date: 11/30/2025 Primary Owner: JACO, JOEL MAURICIO

1637 FIRESTONE BLVD, LOS ANGELES, CA 90001-3925 Premises Addr.:Census Tract: 5351.02 Bu:

Business Name: ANGIES LIQUOR Geo Code: 1900 LI QUON STORE

License Number: 337269

Status:ACTIVE License Type:20 Orig. Iss. Date:01/05/1998 Expir. Date:12/31/2024 Primary Owner:RASHID, KAZI ABDUR

8751 COMPTON AVE, LOS ANGELES, CA 90002

Premises Addr.:Census Tract: 5351.02 Business Name: HARRYS MARKET Geo Code:1900

SHALL CONVENIENCE HARKET

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DENNIS SLAVIN Chief Deputy Director, Regional Planning

Non

SUPPLEMENTAL REPORT TO THE REGIONAL PLANNING COMMISSION

	DATE ISSUED:	February 1, 2024			
	HEARING DATE:	February 7, 2024	AGENDA ITEM:	8	
	PROJECT NUMBER:	2019-003407-(2)			
	PERMIT NUMBER(S):	Conditional Use Permit ("CUP") RPPL2019006012			
	SUPERVISORIAL DISTRICT:	2			
	PROJECT LOCATION:	8601 Hooper Avenue, Florence	-Firestone		
OWNER:		Shalabi Brothers Trust Ventures			
	APPLICANT:	Bodega Latina Corporation		1 8::	
	CASE PLANNER:	Sean Donnelly, Senior Planne Sdonnelly@planning.lacount			

This Project is an appeal of the Hearing Officer's approval of a CUP for the continued sale of a full line of alcoholic beverages for off-site consumption at an existing supermarket in the C-3 (General Commercial) and R-2 (Two-Family Residence) Zones pursuant to County Code Section 22.20.030 (Land Use Regulations for Commercial Zones).

CENSUS TRACT

The Report to your Commission regarding this Project dated January 25, 2024, stated that the Project Site is located in Census Tract 5353 and that correspondence with the California State Department of Alcoholic Beverage Control ("ABC") indicated that three off-site sale licenses are allocated to the Census Tract and there are currently nine off-site licenses in the Census Tract. This is incorrect. The Project Site is located in Census Tract 5351.02, two off-site sale licenses are allocated to the Census Tract by ABC, and there are currently four off-site licenses in the Census Tract. As the correct Census Tract is still overconcentrated, your Commission must still make a finding of public convenience or necessity, and Staff's analysis and recommendation for this Project are unchanged by this correction.

CONTINUANCE REQUEST

On January 31, 2024, one of the applicant's representatives submitted a request for continuation of this Project for 60 days, due to the illness of another one of the applicant's representatives.

EXHIBIT E



Report Date: Monday, October 28, 2024

LICENSE INFORMATION

License Number: 594026 Primary Owner: CHEDRAUI USA, INC. Office of Application:

04 - LA/METRO

BUSINESS NAME

EL SUPER

BUSINESS ADDRESS

8601 HOOPER AVE, LOS ANGELES, CA, 90002

County: LOS ANGELES Census Tract: 5351.02

LICENSEE INFORMATION

Licensee: CHEDRAUI USA, INC.

Company Information

OFFICER: LYNN, MITCHEL G (DIRECTOR/GENERAL MANAGER) OFFICER: MICHAEL, GARY GLENN (DIRECTOR/GENERAL MANAGER) OFFICER: OBESO, ALFREDO CHEDRAUI (DIRECTOR/GENERAL MANAGER) OFFICER: OBESO, ANTONIO CHEDRAUI (DIRECTOR/GENERAL MANAGER) OFFICER: SILVERMAN, ALAN (DIRECTOR/GENERAL MANAGER) OFFICER: SMITH, CARLOS ARTURO (PRESIDENT/SECRETARY) STOCKHOLDER: LUJAN, ALBERT T

STOCKHOLDER: SCHWARTZ, MARK NATHANIEL STOCKHOLDER: GRUPO COMERCIAL CHEDRAUI SA DE CV

LICENSE TYPES

*Allow up to six weeks for expiration date updates after renewal fee submittal.

21 - OFF-SALE GENERAL

License Type Status: ACTIVE Status Date: 28-SEP-2018 Term: 12 Month(s)

Original Issue Date: 27-SEP-2018 Expiration Date*: 31-AUG-2025 Master: Y Duplicate: 0

and the state of the second second

From License Number: 21-302950

Fee Code: P0 Transfers: Transferred On: 27-SEP-2018

OPERATING RESTRICTIONS:

Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 8:00 am and 10:00 pm each day of the week.

All ice shall be sold at or about prevailing prices in the area and in quantities of not less than 5 pounds per sale.

The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of persons on or about the parking lot. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.

No display or sale of alcoholic beverages shall be made from an ice tub.

No wine shall be sold with an alcoholic content greater than 15% by volume.

No alcoholic beverage shall be consumed on any property adjacent to the licensed premises under the control of the licensees.

The sale of individual containers of beer less than one quart in size is prohibited. Beer may be sold in six packs, wine coolers may be sold in four packs.

There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages, constructed of paper, plastic, styrofoam, or other similar material, sold at this premises in quantities of less than twenty four, except individual glass, ceramic and durable plastic glasses, cups and mugs sold in the houseware aisle.

No video games, pinball machines or other electronically operated amusement devices, expect for the official state lottery machines shall be maintained on the premises at any time.

A minimum of 61 parking spaces shall be maintained for this premises.

No loitering shall be permitted in the premises parking lot.

No promotional floor displays of alcoholic beverages or free standing signs shall be permitted in the store.

No malt liquor/beverage or other fortified beer or fortified wine shall be sold.

There shall be no exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages.

No alcoholic beverages shall be displayed within five feet of the cash register or the front door unless it is in a permanently affixed cooler.

Adequate lighting shall be installed above the entrance of the premises. The lighting shall be of sufficient strength to make visible the identity and actions of all person entering or exiting the premises.

At least one uniformed security guard shall be on duty outside the premises, patrolling the grounds and parking areas at all times while the business is open

The licensee shall be responsible for removing all graffiti from the walls of the premises within 24 hours.

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS: No Active Holds found

ESCROWS:

No Escrow found



Report Date: Monday, October 28, 2024

LICENSE INFORMATION

License Number: 563046 Primary Owner: JACO, JOEL MAURICIO Office of Application:

04 - LA/METRO

BUSINESS NAME

ANGIES LIQUOR

BUSINESS ADDRESS

1637 FIRESTONE BLVD , LOS ANGELES, CA, 90001

County: LOS ANGELES Census Tract: 5351.02

LICENSEE INFORMATION

Licensee: JACO, JOEL MAURICIO

LICENSE TYPES

*Allow up to six weeks for expiration date updates after renewal fee submittal.

21 - OFF-SALE GENERAL

License Type Status: ACTIVE Status Date: 10-DEC-2015 Term: 12 Month(s)

Original Issue Date: 09-DEC-2015 Expiration Date*: 30-NOV-2025 Master: Y Duplicate: 0

From License Number: 21-536169 Fee Code: P0 Transfers: Transferred On: 09-DEC-2015

OPERATING RESTRICTIONS:

No Operating Restrictions found

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

No Active Holds found

ESCROWS:

No Escrow found



Report Date: Monday, October 28, 2024

LICENSE INFORMATION

License Number: 337269 Primary Owner: RASHID, KAZI ABDUR Office of Application:

04 - LA/METRO

BUSINESS NAME

HARRYS MARKET

BUSINESS ADDRESS

8751 COMPTON AVE , LOS ANGELES, CA, 90002

County: LOS ANGELES Census Tract: 5351.02

LICENSEE INFORMATION

Licensee: RASHID, KAZI ABDUR

LICENSE TYPES

*Allow up to six weeks for expiration date updates after renewal fee submittal.

20 - OFF-SALE BEER AND WINE

License Type Status: ACTIVE Status Date: 05-JAN-1998 Term: 12 Month(s)

Original Issue Date: 05-JAN-1998 Expiration Date*: 31-DEC-2024 Master: Y Duplicate: 0

From License Number: 20-134481 Fee Code: P0 Transfers: Transferred On: 05-JAN-1998

TEMPORARY PERMIT -

License Type Status: EXPIRED Status Date: 01-DEC-1997 Term: 4 Month(s)

Original Issue Date: 01-DEC-1997 Expiration Date*: 30-MAR-1998 Master: Duplicate:

From License Number: 20-134481

Fee Code: Transfers: Transferred On: 05-JAN-1998

TEMPORARY PERMIT -

License Type Status: EXPIRED Status Date: 01-DEC-1997 Term: 4 Month(s)

Original Issue Date: 01-DEC-1997 Expiration Date*: 30-MAR-1998 Master: Duplicate:

a state and the second

From License Number: 20-134481 Fee Code: Transfers: Transferred On: 05-JAN-1998

OPERATING RESTRICTIONS:

No Operating Restrictions found

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

Reg. Number: 03055696 Section:H&S 11364.7**Section:**24200(a&b) **Proceeding Status:**

CLOSED Decision: REVOKED Suspension Days: 15 Stayed Days: 1095

Suspension Start Date: 09-OCT-2003 Suspension End Date: 23-OCT-2000

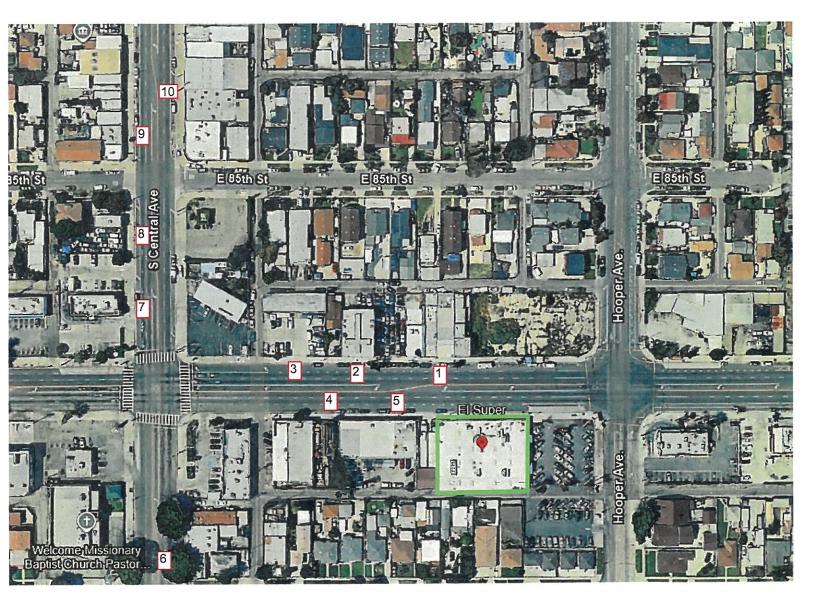
HOLDS:

No Active Holds found

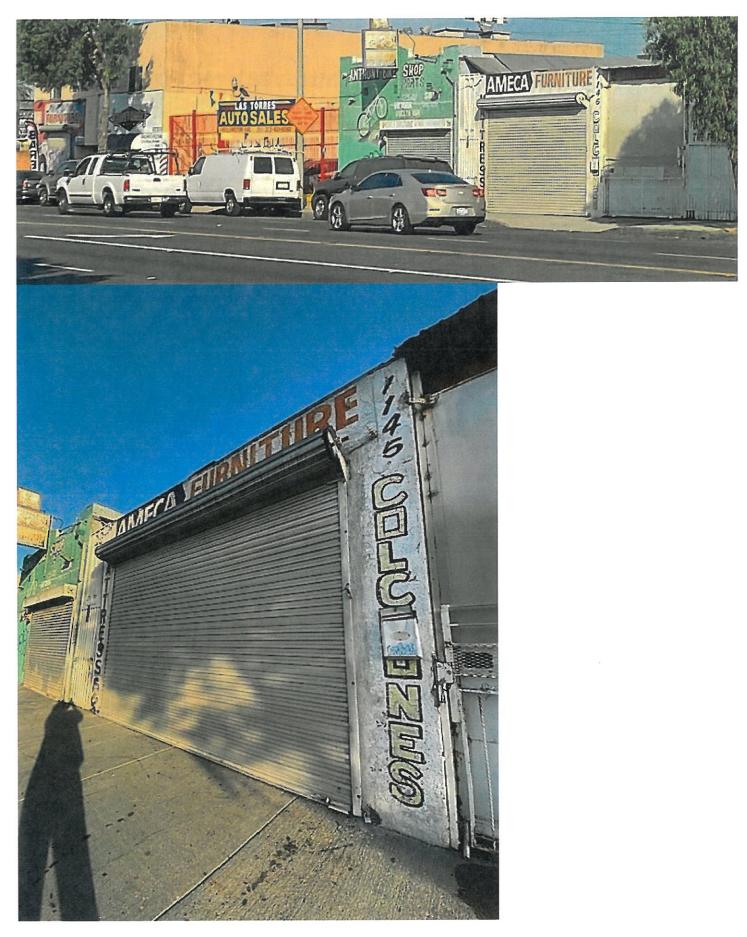
ESCROWS:

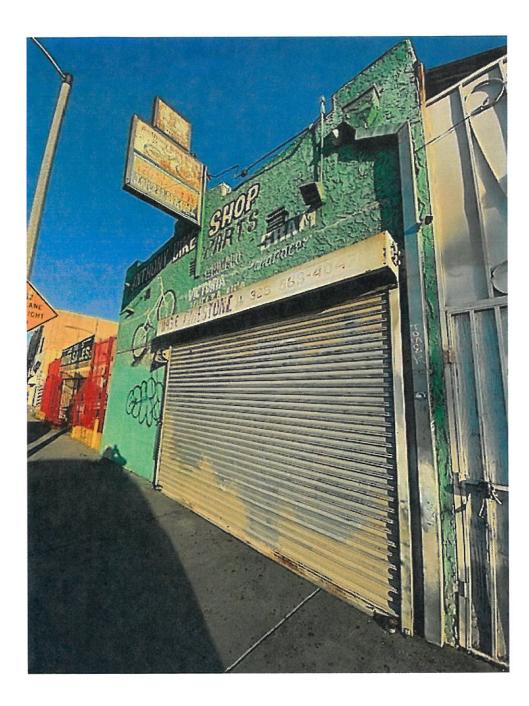
No Escrow found

EXHIBIT F



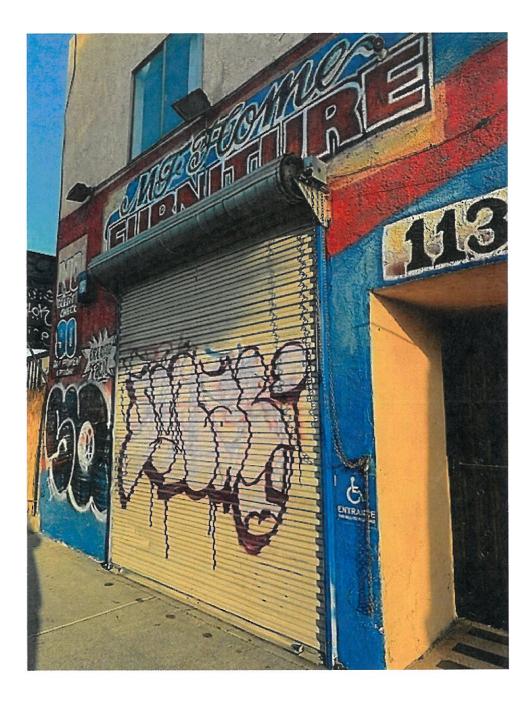
BUSINESSES WITH ROLLING DOORS AND SECURITY BARS - LOCATION #1 ON SITE MAP



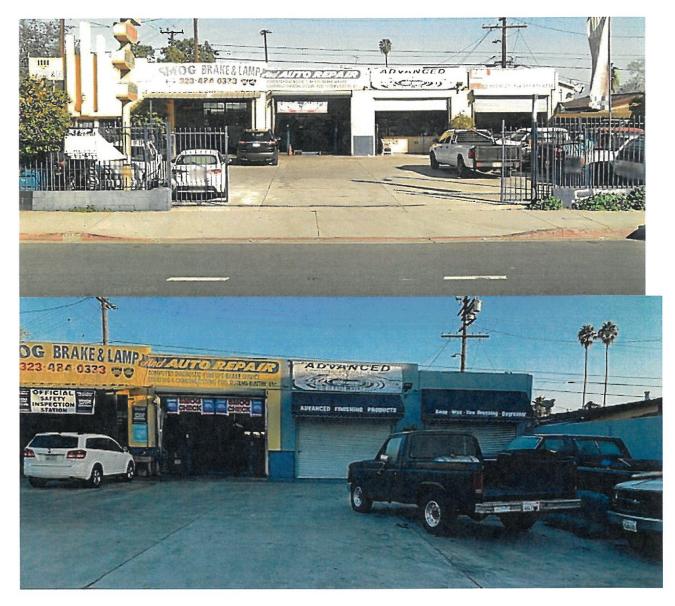


BUSINESSES WITH ROLLING DOORS AND SECURITY BARS - LOCATION #2 ON SITE MAP



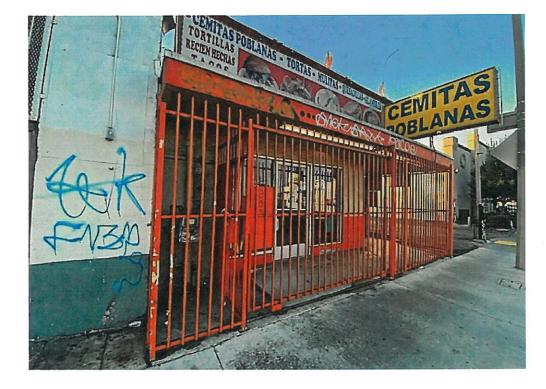


BUSINESSES WITH ROLLING DOORS - LOCATION #3 ON SITE MAP

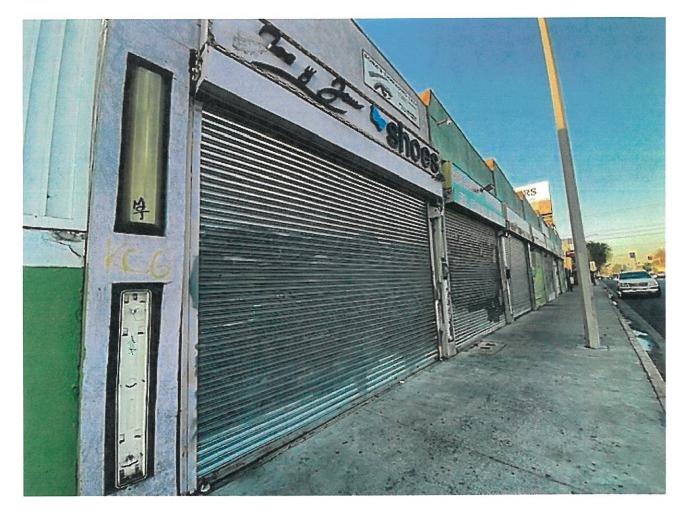


BUSINESSES WITH ROLLING DOORS AND SECURITY BARS - LOCATION #4 ON SITE MAP

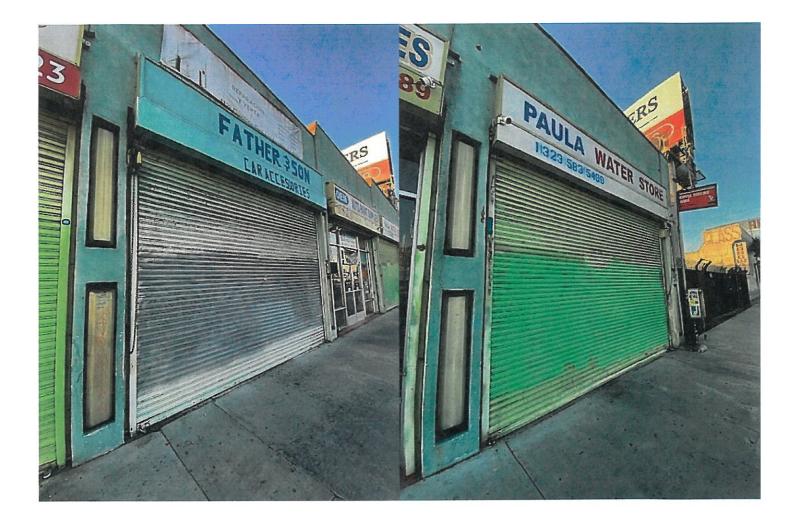




BUSINESSES WITH ROLLING DOORS – LOCATION #5 ON SITE MAP

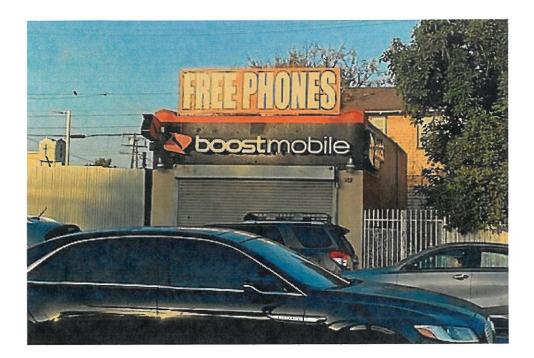






BUSINESSES WITH ROLLING DOORS - LOCATION #6 ON SITE MAP

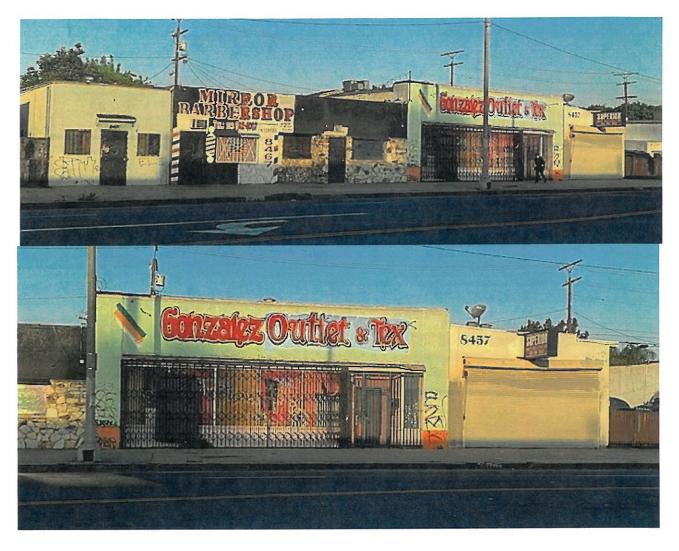




BUSINESSES WITH ROLLING DOORS AND SECURITY BARS - LOCATION #8 ON SITE MAP



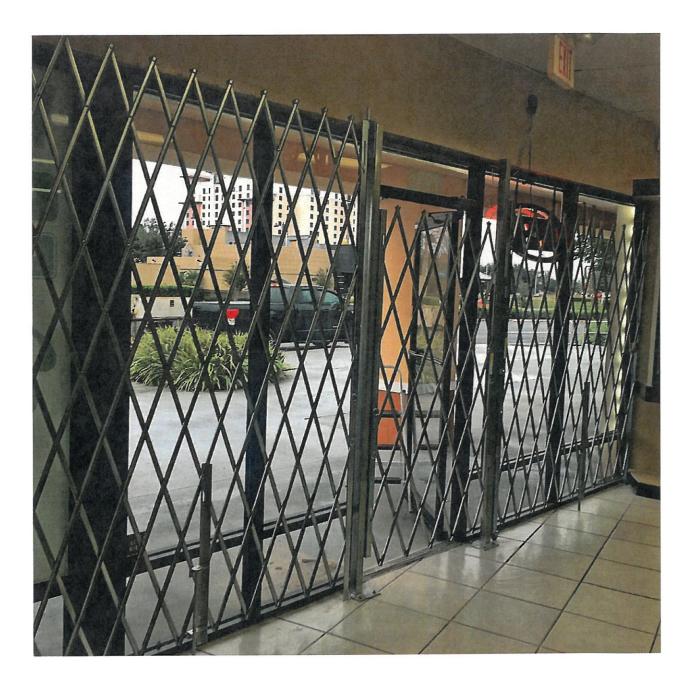
BUSINESSES WITH ROLLING DOORS AND SECURITY GRILLES - LOCATION #9 ON SITE MAP

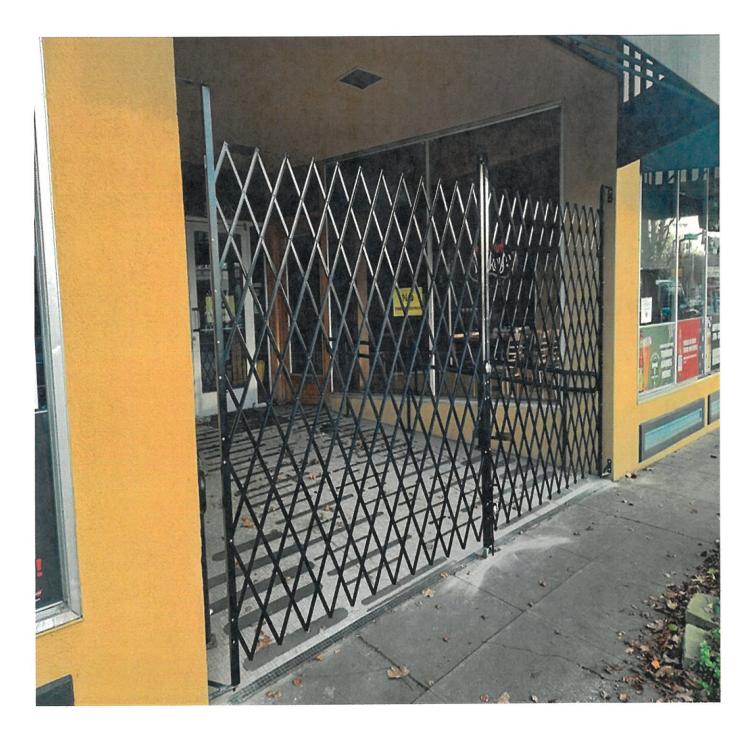


BUSINESSES WITH SECURITY BARS AND ROLLING DOORS - LOCATION #10 ON SITE MAP



EXHIBIT G





EL Super Fresh - Hooper

Fresh Healthy Foods Grocery Solution for Historically Underserved Communities





