

MASTER LAND USE PERMIT APPLICATION
LOS ANGELES CITY PLANNING DEPARTMENT

Planning Staff Use Only

ENV No.	Existing Zone	District Map
APC	Community Plan	Council District
Census Tract	APN	Case Filed With [DSC Staff]
		Date

CASE NO. _____

APPLICATION TYPE A Plan Approval Application to renew an existing CUB with a request to extend the life of the grant.
(zone change, variance, conditional use, tract/parcel map, specific plan exception, etc.)

1. PROJECT LOCATION AND SIZE

Street Address of Project 15232 West Sherman Way, Van Nuys, CA Zip Code 91405
 Legal Description: Lot FR 523 & 524 Block None Tract TR 1000
 Lot Dimensions 362 x 230 Lot Area (sq. ft.) Approx. 83,000 sf Total Project Size (sq. ft.) Approx. 14,000 sf

2. PROJECT DESCRIPTION

Describe what is to be done: A Plan Approval Application to renew an existing conditional use permit for the off-site sale of a full line of alcoholic beverages in conjunction with a pharmacy drug store with approved operating hours of 24 hours, daily, and a request to extend the life of the grant.

Present Use: CVS Pharmacy Store #4792 Proposed Use: CVS Pharmacy Store #4792 (no change)

Plan Check No. (if available) _____ Date Filed: _____

Check all that apply:

<input type="checkbox"/> New Construction	<input type="checkbox"/> Change of Use	<input type="checkbox"/> Alterations	<input type="checkbox"/> Demolition
<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Residential	<input type="checkbox"/> Tier 1 LA Green Code

Additions to the building:

<input type="checkbox"/> Rear	<input type="checkbox"/> Front	<input type="checkbox"/> Height	<input type="checkbox"/> Side Yard
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No. of residential units: Existing 0 To be demolished 0 Adding 0 Total 0

3. ACTION(S) REQUESTED

Describe the requested entitlement which either authorizes actions OR grants a variance:

Code Section from which relief is requested: _____ Code Section which authorizes relief: 12.24 M
A Plan Approval Application to renew an existing conditional use permit for the off-site sale of a full line of alcoholic beverages in conjunction with a pharmacy drug store with approved operating hours of 24 hours, daily, and a request to extend the life of the grant.

Code Section from which relief is requested: _____ Code Section which authorizes relief: _____

Code Section from which relief is requested: _____ Code Section which authorizes relief: _____

List related or pending case numbers relating to this site:
ZA-2012-2245(CUB)

4. OWNER/APPLICANT INFORMATION

Applicant's name Linda M. Cimbron Company Garfield Beach CVS, LLC
 Address: 1 CVS Drive, Maildrop #1160 Telephone: (401) 770-5119 Fax: () N/A
Woonsocket, RI Zip: 02895 E-mail: Linda.Cimbron@cvshealth.com

Property owner's name (If different from applicant) Sherman Sepulveda Land Company Shopping Center, LLC c/o Brookhill Corporation
 Address: 2716 Ocean Park Blvd., #2011 Telephone: (310) 314-2400 Fax: () N/A
Santa Monica, CA Zip: 90405 E-mail: N/A

Contact person for project information R. Bruce Evans Company Solomon, Saltsman & Jamieson
 Address: 426 Culver Blvd. Telephone: (310) 822-9848 Fax: (310) 822-3512
Playa del Rey, CA Zip: 90293 E-mail: bevans@ssjlaw.com

5. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a. The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof). (NOTE: for zone changes lessee may not sign).
- b. The information presented is true and correct to the best of my knowledge.
- c. In exchange for the City's processing of this Application, the undersigned Applicant agrees to defend, indemnify and hold harmless the City, its agents, officers or employees, against any legal claim, action, or proceeding against the City or its agents, officers, or employees, to attack, set aside, void or annul any approval given as a result of this Application.

Signature: *Linda M. Cimbron* Print: Linda M. Cimbron
Assistant Secretary

ALL-PURPOSE ACKNOWLEDGMENT

State of Rhode Island
 State of California
 County of Providence

On 10-19-2015 before me, CATHY TARDIE
 (Insert Name of Notary Public and Title)

personally appeared Linda M. Cimbron, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Cathy Tardie (Seal)
 Signature

Cathy Tardie
 Notary Public
 State of Rhode Island
 Commission Expires **07/06/2019**

6. ADDITIONAL INFORMATION/FINDINGS

In order for the City to render a determination on your application, additional information may be required. Consult the appropriate Special Instructions handout. Provide on attached sheet(s) this additional information using the handout as a guide.

NOTE: All applicants are eligible to request a one time, one-year only freeze on fees charged by various City departments in connection with your project. It is advisable only when this application is deemed complete or upon payment of Building and Safety plan check fees. Please ask staff for details or an application.

Planning Staff Use Only

Base Fee	Reviewed and Accepted by [Project Planner]	Date
Receipt No.	Deemed Complete by [Project Planner]	Date

PLAN APPROVAL (PA/PAD/PAB) FOR ALCOHOL & ADULT ENTERTAINMENT ESTABLISHMENTS – LAMC 12.24 M

City of Los Angeles – Department of City Planning

The Plan Approval Findings/Justification is a required attachment to the *MASTER LAND USE APPLICATION INSTRUCTIONS (CP-7810)*. This form is to be utilized only when filing a Plan Approval pursuant to LAMC section 12.24 M for alcohol establishments that are subject to 12.24 W1 or 12.24 X2, or for adult entertainment establishments subject to 12.24 W18.

Public Noticing Requirements: This entitlement requires notification to extend to the abutting property owners of the subject property. Please note that the original Conditional Use Permit may specify, as a condition, a different noticing requirement that may be greater.

Continuing Term-Limited Conditional Uses (ZA Memo 122): This form is to be completed when utilizing the provisions established in ZA Memorandum No. 122. The memorandum allows for applicants to continue any **still valid** approval that has been term-limited, through the Plan Approval procedure. Applicants are advised that the Plan Approval must take effect **before** the original approval expires in order for it to remain valid – there can be no lapse in time. For example, if the original approval dated 1/1/2010 was approved for a term-limit of 5 years (expiring on 1/1/2015), and if the average case processing time is 1 year, the applicant would be advised to file **latest** on 1/1/2014. Therefore, filing **well before** the expiration date is strongly recommended.

ADDITIONAL INFORMATION/FINDINGS FOR APPROVAL OF A PLAN APPROVAL:

In order to grant your request, the following additional information and findings must be provided on this form and/or on a separate sheet:

1. Original Approval

- Provide a copy of the original entitlement, together with any appeals.
- If there is no original entitlement, and the Plan Approval is being filed on a Deemed-to-be-Approved Conditional Use establishment (PAD), provide a copy of the Building Permit, Certificate of Occupancy, or other documentation that originally permitted the use.

2. Condition Compliance (on a separate sheet)

- Provide supplemental information that verifies compliance with all current conditions of approval. List the condition number, the text of the condition, and an explanation or documented proof of how the condition has been met.
- *For example:* Condition 22 – No dancing or dance floor is permitted.
Proof: The attached floor plan and accompanying photos show fixed seats and tables throughout the venue with no room for a dance floor or dancing.

3. Findings (on a separate sheet)

a. General Conditional Use

- i. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.
- ii. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

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

b. **Additional Findings**

- i. Explain how the approval of the application will not result in, or contribute to an undue concentration of such establishments.
- ii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

4. **Questions Regarding the Physical Development of the Site**

- a. What is the total square footage of the building or center the establishment is located in? 14,000 sf
- b. What is the total square footage of the space the establishment will occupy? 14,000 sf
- c. What is the total occupancy load of the space as determined by the Fire Department? No change.
- d. What is the total number of seats that will be provided indoors? N/A Outdoors? N/A
- e. If there is an outdoor area, will there be an option to consume alcohol outdoors? N/A
- f. If there is an outdoor area, is it on private property or the public right-of-way, or both? N/A
- g. If an outdoor area is on the public right-of-way, has a revocable permit been obtained? N/A
- h. Are you adding floor area? No. If yes, how much is enclosed? N/A Outdoors? N/A

i. **Parking**

- i. How many parking spaces are available on the site? 91 on-site parking spaces.
- ii. Are they shared or designated for the subject use? Designated for the subject site.
- iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety? N/A
- iv. Have any arrangements been made to provide parking off-site? N/A
 - 1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety? N/Z
 - **Note:** *Required* parking must be secured via a covenant pursuant to LAMC 12.26 E 5. A private lease is only permitted by a Zone Variance.
 - 2. Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve.
 - 3. Will valet service be available? No. Will the service be for a charge? N/A
- j. Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks? No.
- k. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Businesses as defined by LAMC 12.70 B17? N/A

5. **Questions Regarding the Operation of the Establishment**

a. Has the use been discontinued for more than a year? No.

i. If yes, **it is not eligible** for the Plan Approval process.

ii. If no, the applicant may be required to prove that the discontinuance of the use did not occur – see LAMC section 12.23 B9 or 12.24 Q.

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

	M	Tu	W	Th	F	Sa	Su
Proposed Hours of Operation	24 hrs.	24 hrs.	24 hrs.	24 hrs.	24 hrs.	24 hrs.	24 hrs.
Proposed Hours of Alcohol Sale	7 a.m. - 11 p.m.	7 a.m.-11 p.m.	7 a.m. - 11 p.m.	7 a.m. - 11 p.m.	7 a.m. - 11 p.m.	7 a.m. - 11 p.m.	7 a.m. - 11 p.m.

c. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc...? Please specify: No.

▪ **Note:** An establishment that allows for dancing needs a conditional use pursuant to 12.24 W18.

d. Will there be minimum age requirements for entry? No. If yes, what is the minimum age requirement and how will it be enforced? N/A

e. Will there be any accessory retail uses on the site? N/A What will be sold? N/A

f. **Security**

i. How many employees will you have on the site at any given time? Approx. four (4) employees.

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

1. If yes, how many and when? One (1) security guard between 11 p.m. and 7 a.m.

iii. Has LAPD issued any citations or violations? No. If yes, please provide copies.

g. **Alcohol**

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

ii. Will "fortified" wine (greater than 16% alcohol) be sold? No.

iii. Will alcohol be consumed on any adjacent property under the control of the applicant? No.

iv. Will there be signs visible from the exterior that advertise the availability of alcohol? No.

v. **Food**

1. Will there be a kitchen on the site? No.

2. Will alcohol be sold without a food order? Yes.

3. Will the sale of alcohol exceed the sale of food items on a quarterly basis? Not expected to do so.

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

vi. **On-Site**

1. Will a bar or cocktail lounge be maintained incidental to a restaurant? N/A
 - If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.
2. Will off-site sales of alcohol be provided accessory to on-site sales ("Take Out")? N/A
 - If yes, a request for off-site sales of alcohol is required as well.
3. Will discounted alcoholic drinks ("Happy Hour") be offered at any time? N/A

vii. **Off-Site**

1. Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises? No.
 2. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)? Yes. Wine will be sold in less than 750 ml.
- viii. Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements -- <http://www.abc.ca.gov/>.

6. **Caldera Bill (CA Business and Professions Code Section 23958 and 23958.4)**

- a. Is this application a request for on-site or off-site sales of alcoholic beverages? Yes.
 - i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel? No.
 1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:
 - issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or
 - if issuance would result in, or add to an undue concentration of licenses.
 - b. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for **public convenience or necessity**.
- Please note that this is **in addition** to obtaining the Conditional Use Permit or Plan Approval.

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
FERNANDO TOVAR
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

**DEPARTMENT OF
CITY PLANNING**

MICHAEL J. LOGRANDE
DIRECTOR

**OFFICE OF
ZONING ADMINISTRATION**

200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012

(213) 978-1318
FAX: (213) 978-1334

www.planning.lacity.org

January 30, 2013

Garfield Beach CVS, LLC (A)
1 CVS Drive, Maildrop 23062A
Woonsocket, RI 02895

Sherman Sepulveda Land Company
Shopping Center, LLC (O)
c/o Brookhill Corporation
2716 Ocean Park Boulevard #2011
Santa Monica, CA 90405

Bruce Evans (R)
Solomon, Saltsman & Jamieson
426 Culver Boulevard
Playa del Rey, CA 90293

CASE NO ZA 2012-2245(CUB)
CONDITIONAL USE
15232 West Sherman Way Boulevard
(15228-15250 Sherman Way, 7148-
7162 Sepulveda Boulevard)
Van Nuys-North Sherman Oaks
Community Plan
Zone : C1.5-1VL
D.M. : 183B145
C.D. : 6
CEQA : ENV-2012-2246-CE
Legal Description: Lots FR 523 & 524,
Tract TR 1000

Pursuant to Los Angeles Municipal Code Section 12.24-W,1, I hereby APPROVE:

a Conditional Use to permit the sale and dispensing of a full line of alcohol for off-site consumption in conjunction with an existing retail pharmacy/drug store in the C1.5-1VL Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning's Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. Approved herein is the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with an existing 14,000 square-foot retail pharmacy/drug store.
8. This grant shall have a life of three (3) years after which the applicant shall file for and win an authorization from the Office of Zoning Administration in order to continue the sale of alcohol for off-site consumption.

The applicant is advised that he/she should allow appropriate time for a new entitlement application to be processed and the application should be approved prior to the expiration date of this grant in order to continue the sale of alcoholic beverages at the store.

9. Further, at any time during the period of validity of this grant, should documented evidence be submitted showing a violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require the applicant to file for a plan approval application together with associated fees, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. The applicant/petitioner(s) shall provide a summary and supporting documentation of how compliance with each condition of the grant has been attained. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct the public hearing for nuisance abatement/revocation purposes.
10. Shelving for alcohol sales and cooler space shall be limited to the area shaded in fixture floor plan, Exhibit "A".

11. The sales of the floor space allocated to alcoholic beverages shall not exceed 10% of the total sales floor area.
12. There shall be no coin operated video or arcade games, and no adult magazines or videos shall be sold.
13. Within six months of the effective date of the this determination, Standardized Training for Alcohol Retailers (STAR) from the LAPD with a copy of such written request provided to the Department of City Planning's Development Services Center. Upon completion of the training, the applicant shall submit to the file that such training was provided. Training shall be repeated on an annual basis.
14. Signs shall be posted in Spanish and English that California State Law prohibits the sale of alcoholic beverages to persons who area under 21 years of age.
15. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverages or tobacco products.
16. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department and the Department of City Planning. The manager and all employees shall be knowledgeable of the conditions herein.
17. Digital Security cameras shall be installed to monitor the interior and exterior of the premises. Surveillance footage shall be maintained for at least 60 days and shared with law enforcement if requested.
18. One state license uniformed security guard shall be on the premises at all times the subject facility is open for business between the hours of 11:00 p.m. and 7:00 a.m. The guards shall wear uniforms with a patch on each shoulder identifying the name of the registered security company which employs them. The guards shall conduct no activities while employed at this location other than those of security guard which includes escorting undesirable patrons off the premises. The guards shall be responsible for preventing loitering and any criminal activity on the property. The guards shall cooperate with all law enforcement personnel during any investigations or inspections of the property.
19. Loitering is prohibited on or around these premises or the area under control of the applicant.
20. "No Loitering" and "No Public Drinking of Alcoholic Beverages" signs shall be posted at the front, side, and rear of the site. These signs shall be in English and Spanish.

21. Petitioners shall regularly police the area under their control in an effort to prevent littering patrons about the premises.
22. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
23. Prior to issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. This agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

The following conditions are alcoholic beverage specific conditions, which are volunteered by the applicant and shall be complied with:

24. Alcohol sales shall be permitted between the hours of 7:00 a.m. to 11:00 p.m., daily.
25. The alcoholic beverage displays shall be locked and inaccessible to customers during the time when alcoholic beverages may not be sold.
26. Sale of alcoholic beverages from a drive-through window shall be prohibited.
27. No beer or malt beverages may be sold in single cans or bottles. Beer shall be sold in quantities of six packs or greater. Wine coolers shall be sold in quantities of four packs or greater.
28. No malt liquor or fortified wine products shall be sold. No fortified wine products shall be sold with an alcoholic content of greater than 16% by volume.
29. Sale of wine shall not be in containers less than 375 ml.
30. There shall be no signs advertizing alcohol on the outside of the building.
31. Distilled spirits shall be equipped with security caps to prevent loitering and drinking adjacent to the subject site.
32. There shall be no individual cups, glasses, or similar receptacle commonly used for the drinking of beverages, such as plastic, Styrofoam, or other non-durable material sold, furnished or given away on the premises.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after February 14, 2013, unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are also available on-line at <http://planning.lacity.org>**. Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits, which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Department of City Planning's Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Department of City Planning Staff thereon, and the statements made at the public hearing on November 6, 2012, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use permit under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

The subject property is a level, rectangular-shaped, corner, two parcel piece of land, having a frontage of approximately 362 feet on the south side of Sherman Way and a frontage of 230 feet on the east side of Sepulveda Boulevard. The subject property is zoned C1.5-1VL and developed with commercial uses. The site is developed with a one story drugstore street back from each frontage within a mini-shopping center. Other development within the shopping center include a Foster's Freeze, Jons Market, two banks, laundry mate, hair salon, cleaners, restaurant, dental office, and other retail services.

The site is located within the Van Nuys Neighborhood Council, Council District 6 (Tony Cardenas), Van Nuys II Targeted Neighborhood Initiative, contains a 15-foot and a 4-foot building line, and is 7.343504 km to the Northridge Fault. There are no significant environmental resources observed on the project site and the construction is for minor tenant improvements. There is no proposed expansion to the building or tenant space.

The project is for a conditional use for the sale and dispensing of a full line of alcohol for off-site consumption in conjunction with an existing 14,000 square-foot 24-hour CVS Pharmacy, which has been in operation since 2003. The project does not involve the expansion of the building envelope and will maintain all 91 designated parking spaces on-site. Requested hours of alcohol sales are from 7:00 a.m. to 11:00 p.m., daily. The store is already approved for 24-hour operation through a prior conditional use and plan approval.

The floor plan shows that the proposed shelving for alcohol storage will be towards the southwest corner of the building adjacent to the coolers (shown on Floor Plan A-1). As the entrance is on the northwest corner of the structure, the shelving is between the entrance and the cashier area, which make it visible to staff.

There will be a minimum of four employees at any given time and at least one security guard between the hours of 11:00 p.m. to 7:00 a.m., daily. No "fortified" wine greater than 16% alcohol will be sold and there will be no signs visible from the exterior advertising the availability of alcohol, but the sale of alcohol is not expected to exceed the sale of food items on a quarterly basis. There will be beer or wine cooler sold in single cans, but wine shall not be sold in containers less than 375 ml.

The Certificate of Occupancy (Permit No. and Year: 02010 20000 01521) issued January 6, 2004 states that the site required 63 parking space, but provided 77 parking spaces including five disabled spaces and 72 standard spaces. The applicant has stated that there are 91 parking spaces provided on-site.

For transit dependent customers/patrons/employees, the site is adequately served by public transit. The MTA operates bus route numbers 163, 234 and 363 and Rapid Bus route number 734 along Sepulveda Boulevard, which connects to the Orange Line Busway south of the site at the Sepulveda Station.

A review of the Building and Safety Department's Code Enforcement database revealed that there are no code violations. The CVS was granted a conditional use for the off-site sale of beer and wine under Case No. ZA 2002-3977(CUB)(CU)(ZV) on February 21, 2003 for a period of 10 years and after such time a new conditional use would be required. However, as the applicant never utilized the grant and therefore the Zoning Administrator determined that the grant was dead in a Plan Approval issued on December 18, 2008 and determined that a new CUB would need to be file and approved to reinstate that privilege.

Previous Cases, Affidavits, Permits, and Orders on the Applicant's Property:

Case No. ZA 2002-3977(CUB)(CU)(ZV)(PA1): On December 18, 2008, the Zoning Administrator determined that full compliance with the conditions of the prior action has been attained in association with the operation of a retail pharmacy/drug store that was previously granted certain waivers from the Mini-Shopping Center regulations in conjunction with the construction use and maintenance of a retail pharmacy/drug store with a drive-through window, and was granted a variance from the Los Angeles Municipal Code to permit a drive-through window for proposed retail pharmacy/drug store in C1.5 Zone, ZA Note: The subject site was also previously granted authorization

to sell beer and wine for off-site consumption but did not utilize said grant, which has now lapsed by operation of law.

Case No. ZA 2002-3977(CUB)(CU)(ZV): On February 21, 2003, the Zoning Administrator approved a request for a Conditional Use to permit the sale of beer and wine for off-site consumption in conjunction with a proposed retail pharmacy/drugstore, and; a conditional use to allow for certain waivers from the Mini-Shopping Center regulations in conjunction with the construction, use, and maintenance of a retail pharmacy/drugstore with a drive-through window.

Case No. ZA 91-1162(PAB): On April 16, 1992 the Zoning Administrator denied a deemed-to-be-approved conditional use to expand from the sale of beer and wine for off-site consumption to the sale of a full line of alcoholic beverage for an existing Thrifty's Drug Store with hour of operation from 9:00 a.m. to 10:00 p.m.

Previous Cases, Affidavits, Permits, and Orders on Surrounding Properties:

Case No. ZA 95-0488(CUB)(CUZ)(ZV): On October 23, 1995, the Zoning Administrator partially approved a conditional use and zone variance at 7161 Sepulveda Boulevard to permit a proposed convenience market and drive-through use (Fast Break Food Mart) in conjunction with an existing gasoline service station use and hours of operation of 24 hours per day, seven days a week; denied the sale and dispensing for consideration of alcoholic beverages for consumption off-site of the premises in conjunction with a proposed convenience market, and approved a variance to permit the construction, use and maintenance of new gasoline service pumps, pump canopy and related improvements which will observe a 10-foot front setback in lieu of the 25-foot setback required by Ordinance No. 130,484.

Case No. ZA 91-0055(CUB): On September 11, 1991, the Zoning Administrator approved a conditional use at 15355 Sherman Way, to permit the sale of a full line of alcoholic beverages for on-site consumption in conjunction with the expansion of an existing restaurant to 72 seats.

General Plan, Specific Plans and Interim Control Ordinances

Community Plan: The Van Nuys-North Sherman Oaks Community Plan designates the property for Neighborhood Commercial land use with the corresponding zones of C1, C1.5, C2, C4, RAS3, and RAS4. The site is subject to the height limitation provided under Height District No. 1VL or three stories (Footnote No. 2).

Specific Plans and Interim Control Ordinances: The property is not currently within the area of any specific plans or interim control ordinances.

Streets

Sepulveda Boulevard, adjoining the property to the east is a designated Divided Scenic Major Highway Class II, dedicated a width of 40 feet (half roadway) along the street

frontage to the center landscaped median, a 135 feet total, and improved with curb, gutter, sidewalk, and street trees.

Sherman Way, adjoining the property to the north is a designated Major Highway Class II, dedicated a width of 102 feet and improved with curb, gutter, sidewalk, and street trees.

PUBLIC HEARING

The hearing was held in the Marvin Braude San Fernando Valley Constituent Services Center, on November 6, 2012, and was attended by the applicant's representatives, Mr. Bruce Evans and a representative from CVS's Loss Prevention Department, by a member of the local community, Mr. Robert Munoz and by a member of the Van Nuys Neighborhood Council, Ms. Maria Skelton.

Mr. Bruce Evans indicated that the existing CVS pharmacy has been in operation since 2003 and was previously authorized for the off-site sale of beer and wine. CVS recently completed a \$500,000 remodel accompanied by a new product line that includes the request for the off-site sale of a full-line of alcoholic beverages. He indicated that he has met with Mr. Edward Martinez of Council District 6 and the LAPD and that both had indicated support for the request subject to recommended conditions of approval submitted by each.

Mr. Evans indicated that CVS would stipulate to the conditions recommended by the Council Office, including a restriction to limit hours of alcohol sales from 7 a.m. to 11 p.m., requiring that all distilled spirits have security caps, and to provide one security guard on-site between 11 p.m. and 7 a.m. Mr. Evans confirmed that the pharmacy is located within a shopping center and that the shopping center also provides security guards that patrol the entire shopping center.

It was stated that CVS has loss prevention policies and procedures and employee training to address the sale of alcoholic beverages that enhance safety and security.

Mr. Munoz indicated that CVS's remodel represented a significant commitment to the community and Ms. Skelton testified in support of the request subject to the recommended conditions of approval.

Comments from Other Departments or the General Public

Prior to the hearing, one email was received from a neighboring property owner, stating their strong opposition the request.

Correspondence was received from the Los Angeles Police Department (LAPD), dated October 10, 2012 stating their conditional approval as follows, 10 of which are applicant volunteered conditions:

1. No beer or malt beverages may be sold in single cans or bottles. Beer shall be sold in quantities of six packs or greater. Wine coolers shall be sold in quantities of four packs or greater. (applicant volunteered)
2. Sale of wine shall not be in containers less than 375 ml. (applicant volunteered)
3. The sale of alcoholic beverages shall only be conducted between the hours of 7:00 a.m. and 11:00 p.m. (applicant volunteered)
4. No malt liquor or fortified wine products shall be sold. No fortified wine products shall be sold with an alcoholic content of greater than 16% by volume. (applicant volunteered)
5. The sales of the floor space allocated to alcoholic beverages shall not exceed 10% of the total sales floor area. (applicant volunteered)
6. One state license uniformed security guard shall be on the premises at all times the subject facility is open for business between the hours of 11:00 p.m. and 7:00 a.m. (applicant volunteered). The guards shall wear uniforms with a patch on each shoulder identifying the name of the registered security company which employs them. The guards shall conduct no activities while employed at this location other than those of security guard which includes escorting undesirable patrons off the premises. The guards shall be responsible for preventing loitering and any criminal activity on the property. The guards shall cooperate with all law enforcement personnel during any investigations or inspections of the property.
7. "No Loitering" and "No Public Drinking of Alcoholic Beverages" signs shall be posted at the front, side, and rear of the site. These signs shall be in English and Spanish. (applicant volunteered)
8. Signs shall be posted in Spanish and English that California State Law prohibits the sale of alcoholic beverages to persons who are under 21 years of age.
9. Sales of alcoholic beverages shall not be permitted from 11:00 p.m. to 7:00 a.m. each day of the week.
10. There shall be no coin operated video or arcade games, and no adult magazines or videos shall be sold. (applicant volunteered)
11. Digital Security cameras shall be installed to monitor the interior and exterior of the premises. Surveillance footage shall be maintained for at least 60 days and shared with law enforcement if requested. (applicant volunteered)
12. The alcoholic beverage displays shall be locked and inaccessible to customers during the time when alcoholic beverages may not be sold (11 p.m. to 7 a.m.). (applicant volunteered)
13. All employees involved in the sale of alcoholic beverages shall complete an ABC certified training program of LAPD Star Training.

In addition, in an email dated October 18, 2012, the applicant's representative stated that CVS will volunteer that the CUB be limited to a grant of only 3 years with a one year plan approval requirement that will require a noticed public hearing after just one year and provide a prompt opportunity for the City, LAPD and Planning Department to review the CUB.

Correspondence was received from the Office of Tony Cardenas, Sixth District, dated October 17, 2012 stating their conditional approval as follows:

1. Sales of alcoholic beverages shall be permitted only between the hours of 7:00 a.m. and 11:00 p.m., daily, and the applicant shall clearly post the restricted hours of sales of alcoholic beverages.
2. Individual (single) sales of any type or volume of beer are strictly prohibited and the applicant is prohibited from breaking up/splitting any manufactured, distributed or pre-packaged alcoholic beverage products.
3. No distilled spirits or wine shall be sold in containers of less than (375 ML).
4. No wine or fortified wines shall be sold with an alcohol content greater than 16% by volume.
5. Licensee shall install, maintain in working order, and utilize an electronic age verification machine, i.e. Drivers License/Identification scanner, to prevent the sales of alcohol to minors.
6. There shall be no exterior advertising of any kind, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages.
7. Licensee's sales of alcoholic beverages shall not exceed 20% of gross sales receipts.
8. Licensee shall provide a video camera security system for this store located and maintain a one-month minimum video surveillance archive.
9. Any graffiti painted or marked upon the premises or any adjacent area under the control of the licensee shall be removed or painted over within 24 hours of its discovery.
10. No alcoholic beverage shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
11. Licensee shall not permit any loitering on their property or any property adjacent to the licensed premises under the control of the licensee.
12. The premises and its parking facility shall maintain security lighting, which shall be, bright enough for identification of persons but shall not be so intrusive as to interfere with adjacent property users.
13. No sale of alcoholic beverages shall be made from a drive-in window.
14. The licensee shall be responsible for maintaining the area adjacent to the premises litter free, under the control of the licensee.
15. The licensee shall abide by all retailer standard operating conditions as stated by the Department of Alcoholic Beverage Control.

A letter was received by Eric Shabsis Public Affairs, dated October 23, 2012 stating his outreach to the Van Nuys Neighborhood Council had been unsuccessful. Upon receiving the letter staff forwarded the information to other contacts in the Neighborhood Council. An email was received that evening from the new president stating the case will be on their agenda at the November 14th meeting.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24 of the Los Angeles Municipal Code. In order for the sale of a full line of alcoholic beverages for on-site consumption to be

authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

MANDATED FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The subject property is a level, rectangular-shaped, corner, two parcel piece of land, having a frontage of approximately 362 feet on the south side of Sherman Way and a frontage of 230 feet on the east side of Sepulveda Boulevard, and is approximately 1.91 acres. The site is developed with a one-story CVS pharmacy set back from each frontage within a mini-shopping center. The property is surrounded by an intersection of two Class two Major Highways and well served by public transit. Other development within the larger shopping center include a Foster's Freeze, Jons Market, two banks, laundry mate, hair salon, cleaners, restaurant, dental office, and other retail services.

The proposed project is for a conditional use for the sale and dispensing of a full line of alcohol for off-site consumption in conjunction with an existing 14,000 square-foot 24-hour CVS Pharmacy, which has been in operation since 2003. The project does not involve the expansion of the building envelope and will maintain all 91 designated parking spaces on-site. The request will not affect the existing built environment and the proposed sale of alcohol will provide additional retail sales for the existing store.

The subject site was previously approved for off-site sales of beer and wine under Case No. ZA 2002-3977(CUB)(CU)(ZV) on February 21, 2003. However, the liquor license was never effectuated. CVS provides a range of pharmacy and retails services that are desirable to the public convenience and welfare and is near local businesses and residential uses that benefit from the services. Approximately 2% of the store's floor area will be devoted to alcoholic beverages. The remainder will be devoted to a wide range of retail goods. Alcoholic beverages will not be sold at the store's drive through service which only sells prescription drugs. The CVS is at a convenient location within walking distance of numerous offices and residential buildings and the sale of alcoholic beverages is incidental to the sale of retail products and pharmaceutical products and services and will provide a one-stop shopping alternative to the local community.

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

Surrounding properties are within the C2-IVL, [T][Q]C2-IVL, [Q]C2-IVL, OS-1XL, R3-1L, [Q]P-1VL, and C1.5-1VL Zones and are characterized by level topography and improved streets. The surrounding properties are developed with one- to six-story apartments and commercial buildings.

Properties to the north of Sherman Way are zoned [T][Q]C2-1VL, [Q]C2-1VL, (Q)R3-1VL, and R3-1L and are developed with one-story commercial buildings occupied by automotive related uses and four- to six-story apartments including senior apartments. The median on Sherman Way is zoned OS-1XL. Adjoining properties to the east of the subject site are zoned C1.5-1VL and R3-1L and are developed with two-story apartments occupied by a total of 140 units. Adjoining properties to the south of the subject site are zoned C1.5-1VL and are developed with one-story commercial buildings occupied by a neighborhood retail center, which includes the subject building. Beyond Vose Street to the south is an apartment building in the R3-1 Zone. To the northwest across the intersection is a gasoline service station in the C2-1VL Zone. Across Sepulveda Boulevard to the west are one-story fast-food restaurants, a carwash, a mini-shopping center, and a market in the C2-1VL Zone. On the corner of Gault Street, further down is a four-story vacant office building in the C2-1VL Zone.

The site is part of a larger commercial development and is within an urban environment. As mentioned in Finding No. 1, the pharmacy was previously approved off-site sale of beer and wine. The Zoning Administrator has added conditions to this approval to prevent a potential negative impact in the community (i.e. on-site security, cameras, locking up during no alcohol selling hours, etc.). This grant imposed a series of conditions to ensure the store will operated in a reasonable manner in relation to the surrounding neighborhood when selling full line of alcoholic beverages for off-site consumption.

In view of the project's scope and of the of the surrounding land use pattern and regional scope of the area, the project will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of Los Angeles Municipal Code.

Except for those entitlements described herein and those approved under Case No. ZA 2002-3977(CUB)(CU)(ZV), the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans.

The Van Nuys-North Sherman Oaks Community Plan designates the property for Neighborhood Commercial land uses with the corresponding zones of C1, C1.5, C2, C4, RAS3, and RAS4. The site is subject to the height limitation provided under Height District No. 1VL or three stories (Footnote No. 2). The site is zoned C1.5-1VL, which is consistent with its land use designation. The property is not currently within the area of any specific plans or interim control ordinances.

The approval of off-site sales of a full line of alcoholic beverages is not specifically addressed in the Community Plan. However, the project will provide a service to the community, and is thereby consistent with several goals, policies, and objectives of the Community Plan. Specifically, the project addresses the following objective of the Community Plan:

Objective 2-1: To conserve and strengthen viable commercial development.

The Community Plan does not contain policies or provisions that specifically address requests for the sale of alcoholic beverages. However, the authorization for the on-site sale of alcoholic beverages is allowed through the approval of the Zoning Administrator subject to certain findings. The required findings in support have been made herein. Therefore, the proposed project will be consistent with the intent of the General Plan and Community Plan.

4. **The proposed use will not adversely affect the welfare of the pertinent community.**

The floor plan shows that the proposed shelving for alcohol storage will be towards the southwest corner of the building adjacent to the coolers. As the entrance is on the northwest corner of the structure, the shelving is between the entrance and the cashier area, which make it visible to staff. There will be a minimum of four employees at any given time and at least one security guard between the hours of 11:00 p.m. to 7:00 a.m., daily.

The approval of the conditional use request will not adversely affect the welfare of the community. The subject property is zoned for commercial uses and will be continued to be utilized as such with the proposed addition of alcohol sales in conjunction with an existing CVS Pharmacy. The pharmacy was previously approved for off-site sales of beer and wine in early 2003. The proposed addition for the off-site sale of a full-line of alcohol will not adversely affect the economic welfare of the community because it will allow for the pharmacy to remain competitive by adding a different amenity that serves the local residents.

5. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area**

(especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

According to the California State Department of Alcoholic Beverage Control (ABC) licensing criteria, there are three (3) on-site and two (2) off-site allocated within the subject Census Tract No. 1278.04 with a population of 3,933. Further, as of today there are zero (0) on-site and two (2) off-site licenses that exists in the same tract according to the California ABC License Query System. Over-concentration can be undue when the addition of a license will negatively impact a neighborhood. Over-concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. Although the census tract is numerically at its allocation of two licenses, the project adding one additional off-site license will not adversely affect community welfare.

There are currently six (6) alcohol beverage licenses within 600 feet of the subject site, including:

PNS Stores Inc. (off-site) - 7241 Sepulveda Boulevard
Hsui, Prissy Yuenhan (on-site) - 7214 Sepulveda Boulevard
Berberian Enterprises Inc./Jons Market (off-site)- 7134 Sepulveda Boulevard
Chachayed, Ghassan L (off-site) - 15303 Sherman Way
Don Pio Food Company Inc. (on-site) - 15303 Sherman Way, Unit M & N
Kinnara LLC (on-site) - 15355 Sherman Way Units B, C, D

There is currently one (1) alcohol beverage license between 600 to 1000 feet of the subject site.

Faour, Louisa Diab (off-site) - 7300 Sepulveda Boulevard

Statistics from the Los Angeles Police Department's Van Nuys Division reveal that in Crime Reporting District No. 914, which has jurisdiction over the subject property, a total of 412 crimes (198 Part I Crimes, 214 Part II Arrests) were reported in 2011, compared to the citywide average of 144 crimes and the high crime reporting district average of 173 crimes for the same period. Of the Part II Arrests, 28 were for illegal sale or use of narcotics, eight were fore violation of liquor laws, four were for public drunkenness, and 27 for driving while intoxicated (DWI). Crime reporting statistics for 2012 are not yet available. The Zoning Administrator has imposed a number of conditions related to the service of alcohol that will further reduce any potential crime issues.

While the existing off-site licenses in the subject census tract exceeds ABC's guidelines for this census tract by one, the higher concentration of off-site licenses is reasonable considering the site's location within a regional commercial destination area with a high density residential population in the immediate neighborhood that provides a broad range of commercial services.

While statistics from the LAPD indicate that the site is located within an area where the crime rate is higher than the citywide average, there is no record of any service calls to the Police Department or nuisance activity attributable to the subject site. Conditions have been imposed on the grant to ensure that the pharmacy/drug store does not create nuisance activity. As conditioned, the off-site sale of alcohol in connection with the existing store is not expected to contribute to crime or nuisance activity in the area.

6. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

There are no sensitive uses (churches, schools, hospitals, parks or recreational facilities) located within 1,000 feet of the project site. However, there are several multiple-family dwellings directly to the east and north of the site, and several other residences within the vicinity.

The site was previously approved for the pharmacy having off-site sales of beer and wine, which was never effectuated. Now the applicant is seeking to sell a full line of alcohol at this CVS Pharmacy location. The previous determination on the subject site has found that the proposed use is consistent with the surrounding neighborhood and will provide a use that is in need for the local residents. The pharmacy is located within a self-contained shopping center with adequate parking on-site. Based on the mode and character of the proposed sale of alcohol and the surrounding land use pattern, the request is not anticipated to have negative impacts on adjacent residential uses or any sensitive uses.

ADDITIONAL MANDATORY FINDINGS

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
8. On September 5, 2012, the project was issued a Notice of Exemption (Article III, Section 1, City CEQA Guidelines), log reference ENV-2012-2246-CE, for a Categorical Exemption, Class 5, Category 23, State CEQA Guidelines, Section 15300 et seq.

I concur with the report prepared by Sarah Hounsell, Planning Staff for the Office of Zoning Administration, on this application and approve same.

Sarah Hounsell
City Planning Associate
(818) 374-9909



FERNANDO TOVAR
Associate Zoning Administrator

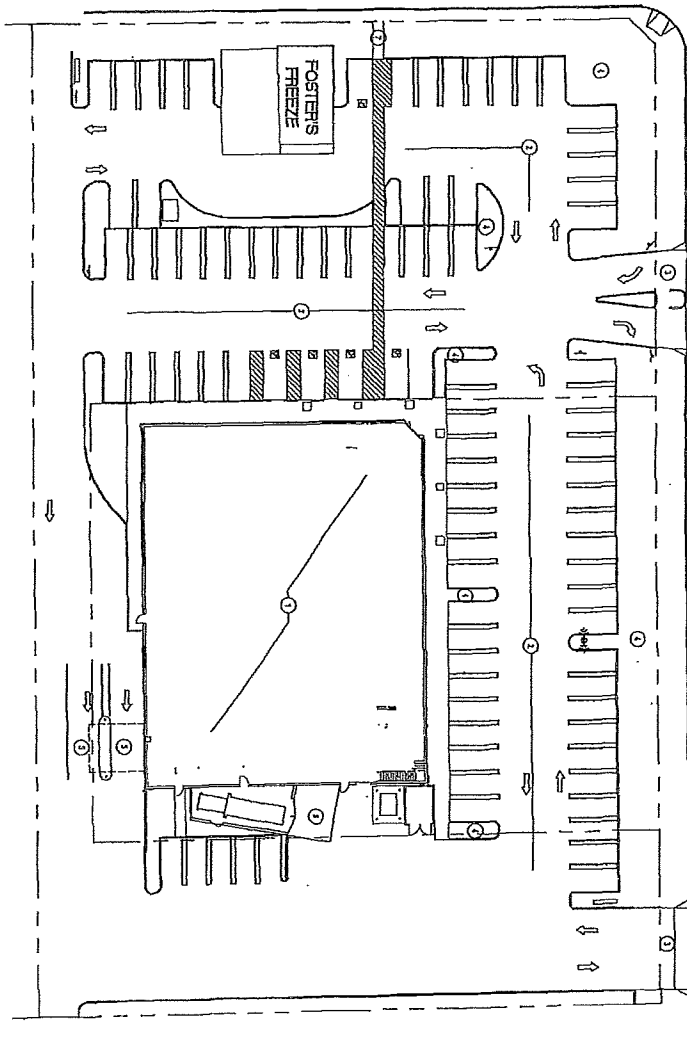
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cc: Councilmember Tony Cardenas
Sixth District
Adjacent Property Owners

24-2012-2245 (CAF)

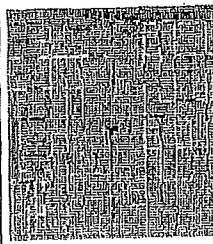
SEFULVEDA BLVD.

SHERMAN WAY



- SITE NOTES**
- 1 EXISTING EXIST. OF OLD STORE
 - 2 EXISTING PARKING
 - 3 EXISTING PARKING
 - 4 EXISTING PARKING
 - 5 EXISTING EXIST. HIGH LAKE
 - 6 EXISTING EXIST. POOL
 - 7 EXISTING EXIST. OF TRAIL

VICINITY MAP



SITE INFORMATION

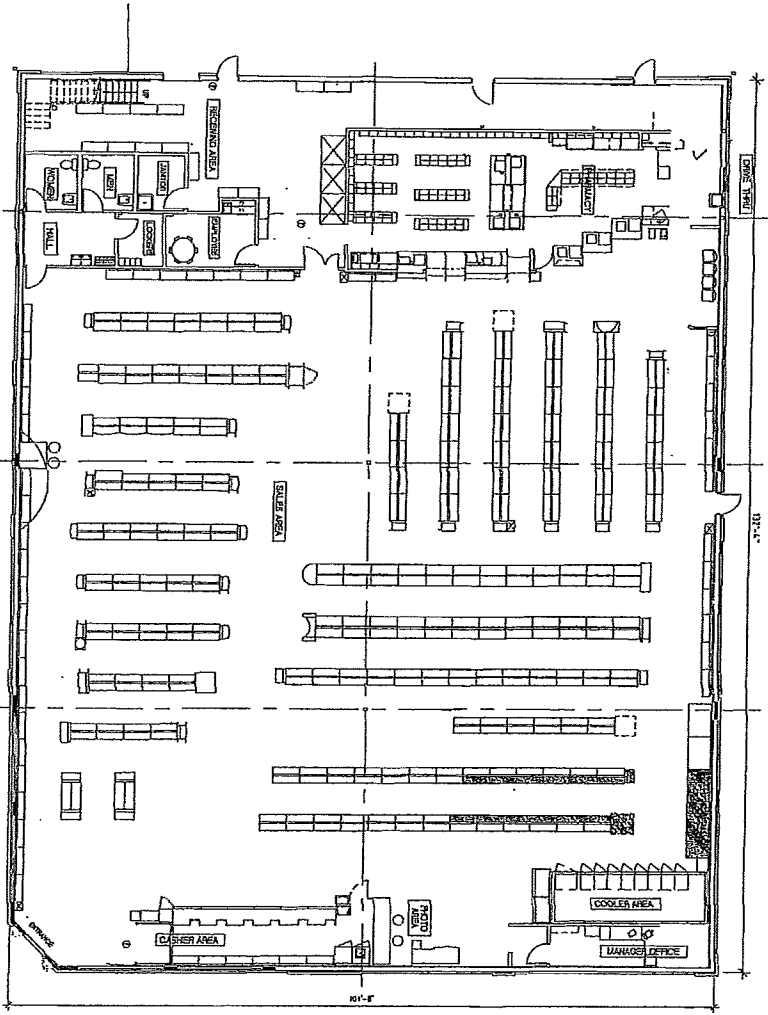
GENERAL INFORMATION		LANDSCAPE		STRUCTURES		PARKING	
PROJECT NAME	15000 SHERMAN WAY	LANDSCAPE AREA	10,000 SQ. FT.	STRUCTURE AREA	10,000 SQ. FT.	PARKING SPACES	100
OWNER	15000 SHERMAN WAY	LANDSCAPE TYPE	LANDSCAPE	STRUCTURE TYPE	STRUCTURE	PARKING TYPE	PARKING
DESIGNER	15000 SHERMAN WAY	LANDSCAPE MATERIALS	LANDSCAPE	STRUCTURE MATERIALS	STRUCTURE	PARKING MATERIALS	PARKING
DATE	15000 SHERMAN WAY	LANDSCAPE COST	10,000	STRUCTURE COST	10,000	PARKING COST	10,000
SCALE	15000 SHERMAN WAY	LANDSCAPE NOTES	LANDSCAPE	STRUCTURE NOTES	STRUCTURE	PARKING NOTES	PARKING



FederGroup
 1-800-444-4444
 Project Management
 15000 Sherman Way
 Van Nuys, CA 91411
 Phone: (818) 708-1111
 Fax: (818) 708-1111

RECORD SITE PLAN
 15000 SHERMAN WAY
 VAN NUYS, CA 91411
 14270

24-2012-2245 (LUB)



FIXTURE FLOOR PLAN

PROPOSED ALCOHOL SALES SHELving

<p>CVS PHARMACY 1500 SHERMAN WAY ANN ARBOR, MI 48106</p>		<p>Fred's Ann Arbor 49106 1500 SHERMAN WAY ANN ARBOR, MI 48106</p>	
<p>ENTERTAINMENT FIXTURES CVS</p>		<p>PROPOSED ALCOHOL SALES SHELving</p>	
<p>1500 SHERMAN WAY ANN ARBOR, MI 48106 STORE #4719</p>		<p>1500 SHERMAN WAY ANN ARBOR, MI 48106 STORE #4719</p>	
<p>DATE: 10/1/12</p>		<p>DATE: 10/1/12</p>	
<p>SCALE: 1/8" = 1'-0"</p>		<p>SCALE: 1/8" = 1'-0"</p>	
<p>PROJECT NO.: 14270</p>		<p>PROJECT NO.: 14270</p>	
<p>DRAWN BY: J. L. [unreadable]</p>		<p>DRAWN BY: J. L. [unreadable]</p>	
<p>CHECKED BY: J. L. [unreadable]</p>		<p>CHECKED BY: J. L. [unreadable]</p>	
<p>DATE: 10/1/12</p>		<p>DATE: 10/1/12</p>	
<p>BY: [unreadable]</p>		<p>BY: [unreadable]</p>	

Applicant's Statement of Condition Compliance and Supporting Documents

ZA-2012-2245-CUB dated January 30, 2013

Condition 1 – All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

Proof: The Applicant is in compliance with this condition.

Condition 2 – The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit “A”, except as may be revised as a result of this action.

Proof: The Applicant is in compliance with this condition. See the attached floor plan labeled as Exhibit A.

Condition 3 – The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

Proof: The Applicant is in compliance with this condition. There have been no complaints to suggest that the Applicant is not in compliance with this condition.

Condition 4 – All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

Proof: The Applicant is in compliance with this condition. All graffiti is removed within 24 hours of its occurrence.

Condition 5 – A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning's Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

Proof: Counsel for Applicant was unable to locate the record of this document in the City's Zoning Administrative file.

Condition 6 – Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Proof: The Applicant is in compliance with this condition.

Condition 7 – Approved herein is the sale and dispensing of a full-line of alcoholic beverages for off-site consumption in conjunction with the operation of a 14,000 square-foot retail pharmacy/drug store.

Proof: The Applicant is in compliance with this condition.

Condition 8 – This grant shall have a life of three (3) years after which the applicant shall file for and win an authorization from the Office of Zoning Administration in order to continue the sale of alcohol for off-site consumption.

The applicant is advised that he/she should allow appropriate time for a new entitlement application to be processed and the application should be approved prior to the expiration date of this grant in order to continue the sale of alcoholic beverages at the store.

Proof: The Applicant is in compliance with this condition through the filing of this Plan Approval Application.

Condition 9 – Further, at any time during the period of validity of this grant, should documented evidence be submitted showing a violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require the applicant to file for a plan approval application together with associated fees, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. The applicant/petitioner(s) shall provide a summary and supporting documentation of how compliance with each condition of the grant has been attained. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct the public hearing for nuisance abatement/revocation purposes.

Proof: The Applicant is in compliance with this condition. There have been no complaints to suggest that the Applicant is not in compliance with this condition.

Condition 10 – Shelving for alcohol sales and cooler space shall be limited to the area shaded in fixture floor plan, Exhibit "A".

Proof: The Applicant is in compliance with this condition.

Condition 11 – The sales of the floor space allocated to alcoholic beverages shall not exceed 10% of the total sales floor area.

Proof: The Applicant is in compliance with this condition. Please refer back to **Exhibit A**.

Condition 12 – There shall be no coin operated video or arcade games, and no adult magazines or videos shall be sold.

Proof: The Applicant is in compliance with this condition.

Condition 13 – Within six months of the effective date of the this determination, Standardized Training for Alcohol Retailers (STAR) from the LAPD with a copy of such written request provided to the Department of City Planning's Development Services Center. Upon completion of the training, the applicant shall submit to the file that such training was provided. Training shall be repeated on an annual basis.

Proof: The Applicant is in compliance with this condition. See the attached letter from the LAPD confirming the completion by CVS staff of STAR Training as **Exhibit B**.

Condition 14 – Signs shall be posted in Spanish and English that California State Law prohibits the sale of alcoholic beverages to persons who area under 21 years of age.

Proof: The Applicant is in compliance with this condition. See the attached photographs of the posted signs as **Exhibit C**.

Condition 15 – Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverages or tobacco products.

Proof: The Applicant is in compliance with this condition. See the attached photographs of the electronic age verification device(s) as **Exhibit D**.

Condition 16 – The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department and the Department of City Planning. The manager and all employees shall be knowledgeable of the conditions herein.

Proof: The Applicant is in compliance with this condition.

Condition 17 – Digital Security cameras shall be installed to monitor the interior and exterior of the premises. Surveillance footage shall be maintained for at least 60 days and shared with law enforcement if requested.

Proof: The Applicant is in compliance with this condition. See the attached photographs of the security system as **Exhibit E**.

Condition 18 – One state license uniformed security guard shall be on the premises at all times the subject facility is open for business between the hours of 11:00 p.m. and 7:00 a.m. The guards shall wear uniforms with a patch on each shoulder identifying the name of the registered security company which employs them. The guards shall conduct no activities while employed at this location other than those of security guard which includes escorting undesirable patrons off the premises. The guards shall be responsible for preventing loitering and any criminal activity on the property. The guards shall cooperate with all law enforcement personnel during any investigations or inspections of the property.

Proof: The Applicant is in compliance with this condition.

Condition 19 – Loitering is prohibited on or around these premises or the area under control of the applicant.

Proof: The Applicant is in compliance with this condition.

Condition 20 – "No Loitering" and "No Public Drinking of Alcoholic Beverages" signs shall be posted at the front, side, and rear of the site. These signs shall be in English and Spanish.

Proof: The Applicant is in compliance with this condition. See the attached photographs of the signs posted on site as **Exhibit F**.

Condition 21 – Petitioners shall regularly police the area under their control in an effort to prevent littering patrons about the premises.

Proof: The Applicant is in compliance with this condition. The Applicant's staff regularly checks and maintains the area to make sure that it is free of litter.

Condition 22 – Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

Proof: The Applicant is in compliance with this condition. See the attached copy of a check showing that fees were paid to the Department of City Planning, Expedited Processing Section, as **Exhibit G**.

Condition 23 – Prior to issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. This agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

Proof: The Applicant is in compliance with this condition. See the attached recorded covenant and agreement as **Exhibit H**.

The following conditions are alcoholic beverage specific conditions, which are volunteered by the applicant and shall be complied with:

Condition 24: Alcohol sales shall be permitted between the hours of 7:00 a.m. to 11:00 p.m., daily.

Proof: The Applicant is in compliance with this condition.

Condition 25: The alcoholic beverage displays shall be locked and inaccessible to customers during the time when alcoholic beverages may not be sold.

Proof: The Applicant is in compliance with this condition. See the attached photograph showing the locks on the alcoholic displays as **Exhibit I**.

Condition 26 Sale of alcoholic beverages from a drive-through window shall be prohibited.

Proof: The Applicant is in compliance with this condition.

Condition 27: No beer or malt beverages may be sold in single cans or bottles. Beer shall be sold in quantities of six packs or greater. Wine coolers shall be sold in quantities of four packs or greater.

Proof: The Applicant is in compliance with this condition.

Condition 28: No malt liquor or fortified wine products shall be sold. No fortified wine products shall be sold with an alcoholic content of greater than 16% by volume.

Proof: The Applicant is in compliance with this condition.

Condition 29: Sale of wine shall not be in containers less than 375 ml.

Proof: The Applicant is in compliance with this condition.

Condition 30: There shall be no signs advertizing alcohol on the outside of the building.

Proof: The Applicant is in compliance with this condition.

Condition 31: Distilled spirits shall be equipped with security caps to prevent loitering and drinking adjacent to the subject site.

Proof: The Applicant is in compliance with this condition. See the attached photographs showing security caps on alcohol containers as **Exhibit J**.

Condition 32: There shall be no individual cups, glasses, or similar receptacle commonly used for the drinking of beverages, such as plastic, Styrofoam, or other non-durable material sold, furnished or given away on the premises.

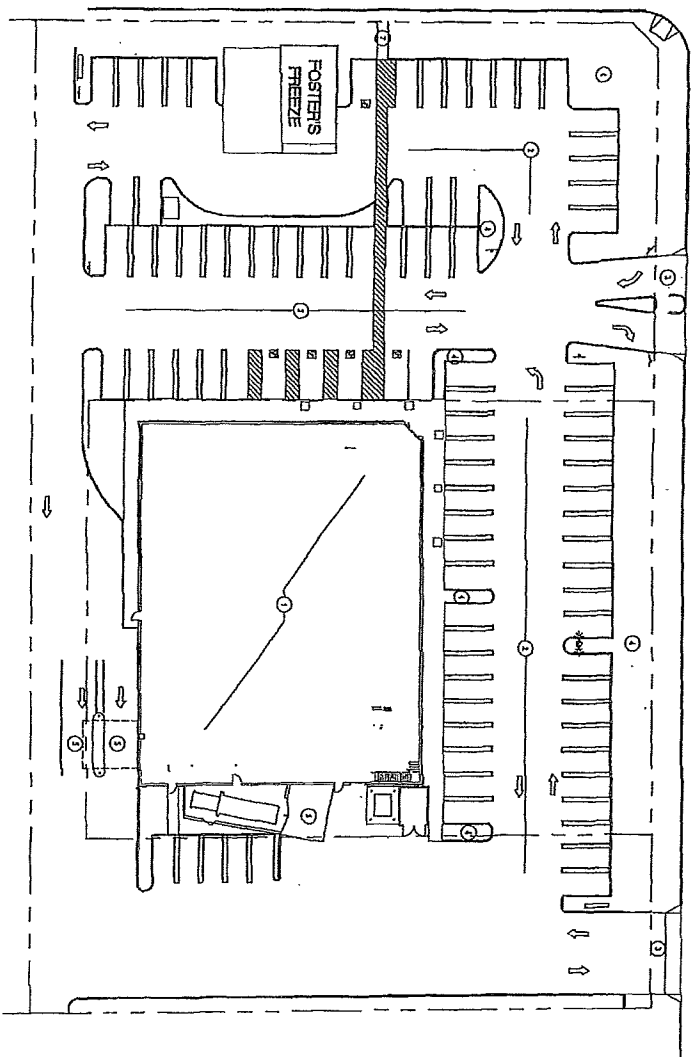
Proof: The Applicant is in compliance with this condition.

Exhibit A

2A-2012-204 (Site)

SEPULVEDA BLVD.

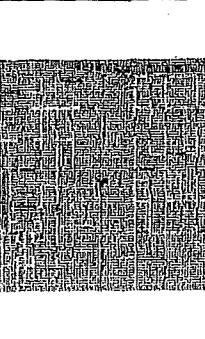
SHERMAN WAY



- SITE NOTES**
- 1 DEMO 1500 SQ. FT. STORE
 - 2 DEMO 1500 SQ. FT. STORE
 - 3 DEMO 1500 SQ. FT. STORE
 - 4 DEMO 1500 SQ. FT. STORE
 - 5 DEMO 1500 SQ. FT. STORE
 - 6 DEMO 1500 SQ. FT. STORE



PARCELS		STRUCTURES		LANDSCAPE		SITE	
NO. 1	1500 SQ. FT. STORE	NO. 1	1500 SQ. FT. STORE	NO. 1	1500 SQ. FT. STORE	NO. 1	1500 SQ. FT. STORE
NO. 2	1500 SQ. FT. STORE	NO. 2	1500 SQ. FT. STORE	NO. 2	1500 SQ. FT. STORE	NO. 2	1500 SQ. FT. STORE
NO. 3	1500 SQ. FT. STORE	NO. 3	1500 SQ. FT. STORE	NO. 3	1500 SQ. FT. STORE	NO. 3	1500 SQ. FT. STORE
NO. 4	1500 SQ. FT. STORE	NO. 4	1500 SQ. FT. STORE	NO. 4	1500 SQ. FT. STORE	NO. 4	1500 SQ. FT. STORE
NO. 5	1500 SQ. FT. STORE	NO. 5	1500 SQ. FT. STORE	NO. 5	1500 SQ. FT. STORE	NO. 5	1500 SQ. FT. STORE
NO. 6	1500 SQ. FT. STORE	NO. 6	1500 SQ. FT. STORE	NO. 6	1500 SQ. FT. STORE	NO. 6	1500 SQ. FT. STORE



VICINITY MAP

- SITE NOTES**
- 1 DEMO 1500 SQ. FT. STORE
 - 2 DEMO 1500 SQ. FT. STORE
 - 3 DEMO 1500 SQ. FT. STORE
 - 4 DEMO 1500 SQ. FT. STORE
 - 5 DEMO 1500 SQ. FT. STORE
 - 6 DEMO 1500 SQ. FT. STORE



NO.	DESCRIPTION	DATE
1	PRELIMINARY SITE PLAN	10/10/11
2	RECORD SITE PLAN	11/15/11
3	AS-BUILT SITE PLAN	12/15/11

RECORD SITE PLAN

PROJECT NO. 2A-2012-204

DATE: 11/15/11

SCALE: 1/8" = 1'-0"

fs Fiedlergroup

4400 West 12th Street
 Suite 100
 Denver, CO 80202
 Phone: 303.733.1111
 Fax: 303.733.1112
 fiedlergroup.com

CVS

CREATING VALUE THROUGH
 HEALTHCARE

C-1

2-12
 2-12
 24-2012-2245 (U8)

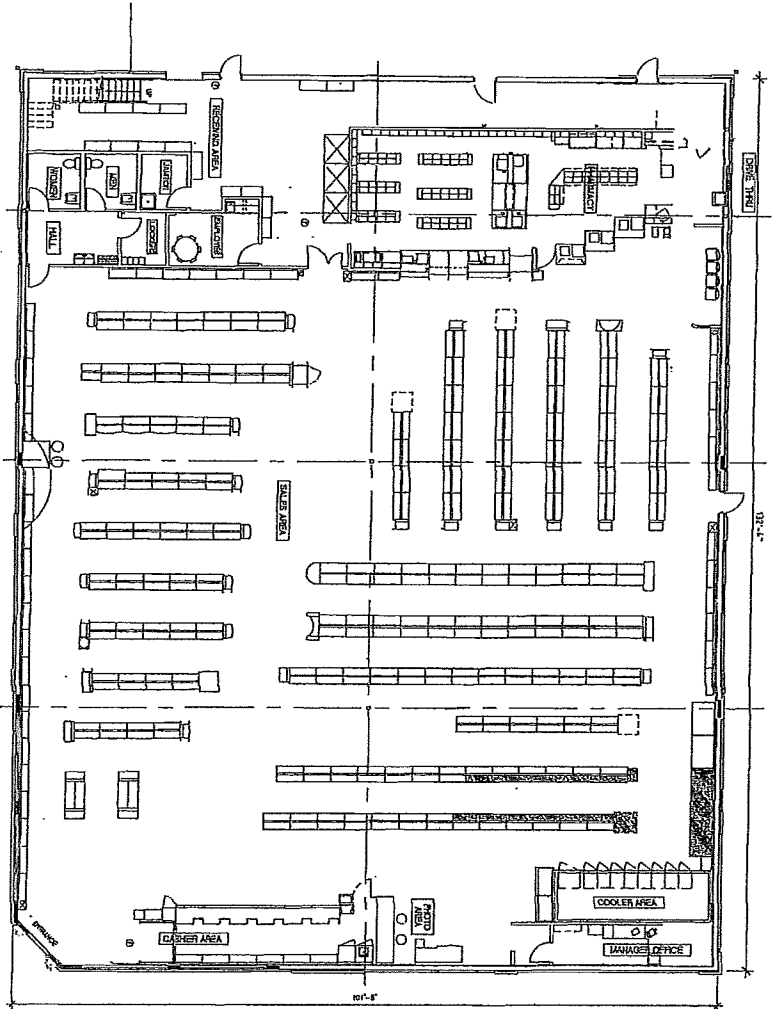


FIGURE FLOOR PLAN

PROPOSED ALCOHOL SALES Shelving

CVS
 CENTRAL VOUCHER STORE
 OPERATIONS

Feidberg group

• Architecture
 • Building
 • Planning
 • Project Management
 • Construction
 • Commissioning

NO.	DATE	REVISIONS

CONTRACT DOCUMENTS
 SUPPLEMENTAL SPECIFICATIONS
 GENERAL CONDITIONS
 SECTION 2810
 PART 1
 FINISHES
 PART 2
 CONSTRUCTION
 PART 3
 EQUIPMENT

15223 SHERMAN WAY
 43832 SHELBY, OHIO
 WAINWRIGHT, CA 94388
 STORE #4718

DATE: 12/12/12
 SCALE: 1/8"=1'-0"

A-1

Exhibit B



LAW OFFICES OF
SOLOMON SALTSMAN & JAMIESON
A Partnership of Professional Corporations

August 20, 2013

VIA U.S. Mail

Fernando Tovar
c/o Sarah Hounsell
Zoning Administrator's Office
200 N. Spring Street, 7th Floor
Los Angeles, CA 90012

Re: ZA-2012-2245(CUB) - Garfield Beach CVS, LLC - DBA: CVS Pharmacy #4792
15232 West Sherman Way Blvd./7162 Sepulveda Blvd.; Van Nuys, CA 91405

Dear Ms. Hounsell:

In compliance with condition #13 of the above mentioned CUB, please find enclosed herein documents from the LAPD, confirming STAR Training completion.

Please include these materials in the ZA file for the record and for proof of compliance. Should you have any questions, please do not hesitate to call our office.

Very truly yours,

SOLOMON, SALTSMAN & JAMIESON

A handwritten signature in black ink, appearing to read 'R. Bruce Evans'.

R. BRUCE EVANS*

RBE/js

Encl.

CALIFORNIA X
426 Culver Blvd.
Los Angeles, CA 90293
Ph 310.822.9848 Fax 310.822.3512

OREGON
121 SW Salmon St., Suite 1010
Portland, OR 97204
Ph 503.236.8050 Fax 503.296.2105

LOS ANGELES POLICE DEPARTMENT



CHARLIE BECK
Chief of Police

ERIC GARCETTI
Mayor

P. O. Box 30158
Los Angeles, CA 90030
Telephone: (213) 486-0910
TDD No.: (877) 275-5273
Ref No.: 8.2

August 2, 2013

Mr. Thomas Moffatt
CVS Pharmacy
15232 Sherman Way
Van Nuys, California 91405

RE: Alcoholic Beverage Control (ABC) License No. 21-530137

Dear Mr. Moffatt:

On July 30, 2013, Detective Support and Vice Division (DSVD), Los Angeles Police Department (LAPD), conducted a Standardized Training for Alcohol Retailers (STAR) presentations at CVS Pharmacy (18247 Sherman Way, Van Nuys). The three-hour presentation provided those in attendance with in-depth training into Alcoholic Beverage Control (ABC) rules and regulations.

The Los Angeles City Zoning Administration mandates that ABC retailers attend a STAR training presentation as a Conditional Use Permit/Beverage (CUB) condition. This correspondence will serve to advise you that the following members of your staff participated in the training presentation and are thereby in compliance with the CUB condition pertaining to STAR training at the 15232 Sherman Way, Van Nuys, location: Tamara Aleksandryan, Silva Andonian, Renee Balcorta, Juan Bermudez, Rachamim Cohantov, Jan Allen Fabricante, Alexander Favela, Eduardo Flores, Caridad Garcia, Mireya Garcia, Doris Hernandez, Jun Holm, Talin Karagozian, Gurpal Khatra, Ana Kohen, Lucy Lino, Carl Lionarons, Alexnoel Lopez, Jennifer Lopez, Margaret Maharay, Jahn Magbitang, Leonora Manansara, Idania Marroguin, Sona Minas, Craig Morreale, Katrin Noorani, Mario Paguio, Vachira Pathanadilok, Daeja Rainey, Edwin Ramos, Atour Shinou, Sesilia Solis, Diem Thai, and Shogik Yapudzhyan. Should your CUB require STAR attendance, it is your responsibility to notify the Los Angeles City Zoning Administration regarding compliance with this condition. Please maintain this letter in your business files as proof of attendance.

It is the goal of the LAPD to promote the responsible sales, service, and consumption of alcoholic beverages thereby reducing alcohol-related crimes. By participating in the STAR training program, you and your employees have been given an opportunity to reduce the negative impact irresponsible alcoholic beverage service has on our communities. By working in partnership with the LAPD, you have demonstrated your commitment to assisting in the overall goal of responsible ABC retail operations.

Mr. Thomas Moffatt
Page 2
8.2

If you have any questions or would like additional information, please contact Sergeants Stephen Moore or Liferlando Garcia, Operation ABC, DSVD, at (213) 486-0910.

Very truly yours,

CHARLIE BECK
Chief of Police



KELLY P. MULLDORFER, Captain
Commanding Officer
Detective Support and Vice Division

c: Department of Alcoholic Beverage Control
Van Nuys District Office

Los Angeles City Department of City Planning
Zoning Administration

Juan Bermudez, Manager
CVS Pharmacy #4792, Van Nuys

LOS ANGELES POLICE DEPARTMENT



CHARLIE BECK
Chief of Police

ERIC GARCETTI
Mayor

P. O. Box 30158
Los Angeles, CA 90030
Telephone: (213) 486-0910
TDD No.: (877) 275-5273
Ref No.: 8.2

August 2, 2013

Mr. Thomas Moffatt
CVS Pharmacy
15232 Sherman Way
Van Nuys, California 91405

RE: Alcoholic Beverage Control (ABC) License No. 21-530137

Dear Mr. Moffatt:

The Los Angeles Police Department (LAPD) would like to commend you for your participation in the Responsible ABC Retailer Program. The posting of program placards at your business serves to identify you as a retailer who is committed to reducing alcohol-related crime through the responsible sale and service of alcoholic beverages. By working in partnership with the LAPD you will enhance public safety and reduce the negative effect that alcohol-related crime has on our communities.

As a reminder, the Responsible ABC Retailer Program was established with guidelines that are designed to assist you in maintaining compliance with ABC rules and regulations. In order to participate in the program the following criteria must be met:

- ◆ Retailers must have recently attended a Standardized Training for Alcohol Retailers (STAR) presentation conducted by the LAPD. As ABC regulations periodically change and as a refresher, it is recommended that ABC retailers and their employees attend a STAR presentation on a yearly basis.
- ◆ An Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) inspection must be completed at the involved premise. Retailers must take the necessary action to correct any discrepancies discovered during the IMPACT inspection. Frequently, follow-up inspections will be initiated by the LAPD to ensure adequate compliance has been achieved.
- ◆ Retailers must enter into an oral contract with the LAPD to dispense alcoholic beverages in a responsible manner. This agreement should be shared with all employees, thereby creating an atmosphere of responsible alcoholic beverage sale and service at the licensed premise.

Mr. Thomas Moffatt

Page 2

8.2

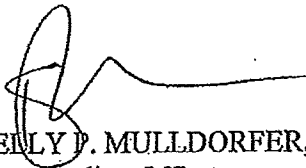
Your voluntary participation in this program will have a positive impact on your business and the surrounding commercial and residential communities. By adhering to guidelines of the Responsible ABC Retailer Program and maintaining open lines of communication with the LAPD, significant gains will be made in promoting responsible alcoholic beverage sale and service.

Once again, thank you for your participation in the Responsible ABC Retailer Program. As a first line of defense in reducing alcohol-related crime, the LAPD relies on retailers who are committed to dispensing alcoholic beverage products responsibly. Together, we can ensure that the LAPD achieves its mission of maintaining public safety and reducing the fear and incidence of crime within the City of Los Angeles.

If you have any questions or would like additional information, please contact Sergeants Stephen Moore or Liferlando Garcia, Operation ABC, Detective Support and Vice Division (DSVD), at (213) 486-0910.

Very truly yours,

CHARLIE BECK
Chief of Police



KELLY P. MULLDORFER, Captain
Commanding Officer
Detective Support and Vice Division

c: Department of Alcoholic Beverage Control
Van Nuys District Office

Juan Bermudez, Manager
CVS Pharmacy #4792, Van Nuys

Exhibit C



Exhibit D

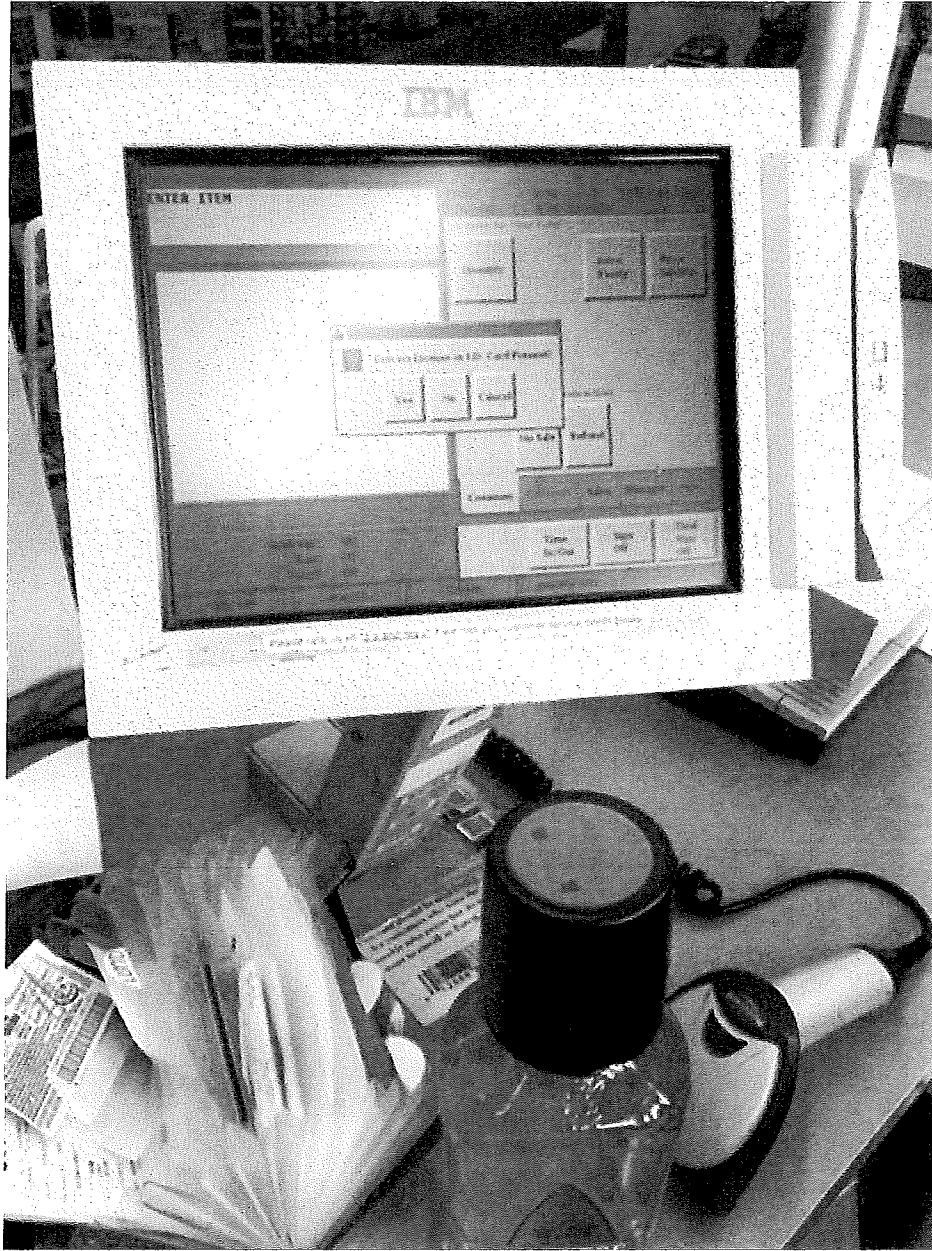
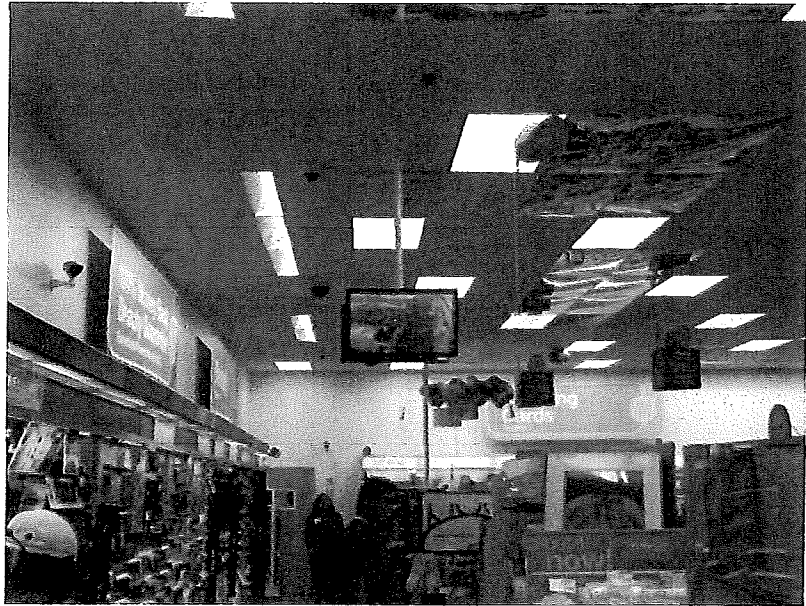
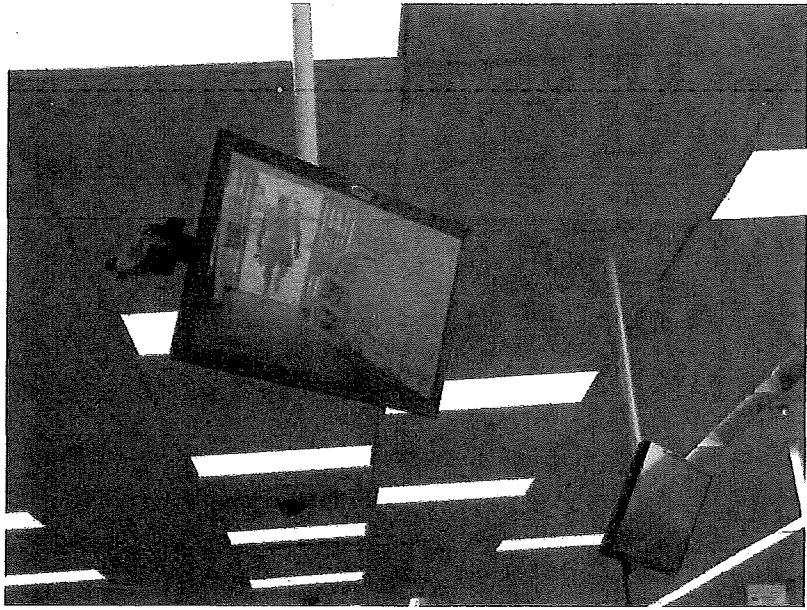


Exhibit E



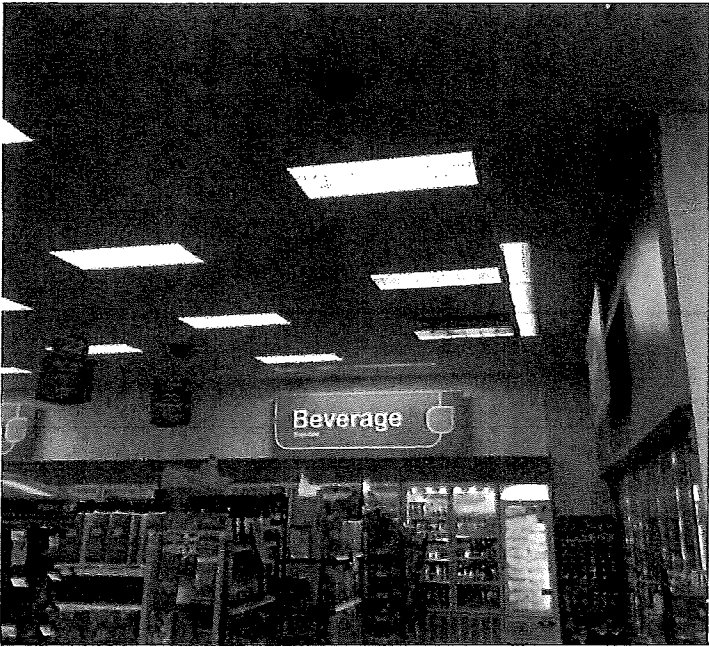
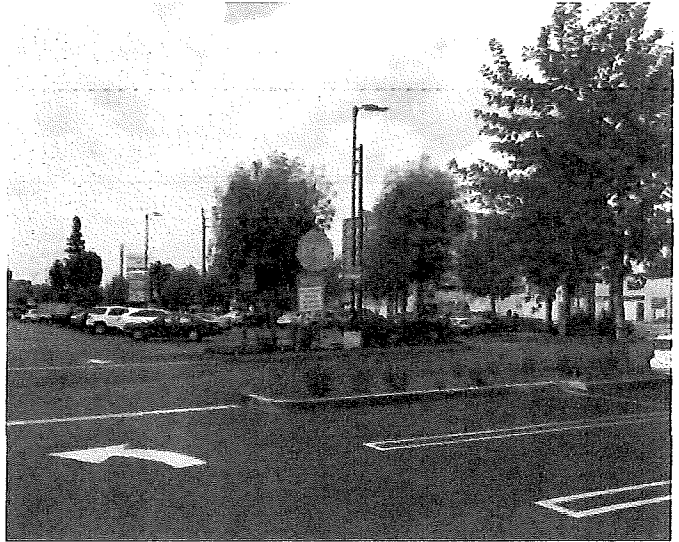


Exhibit F



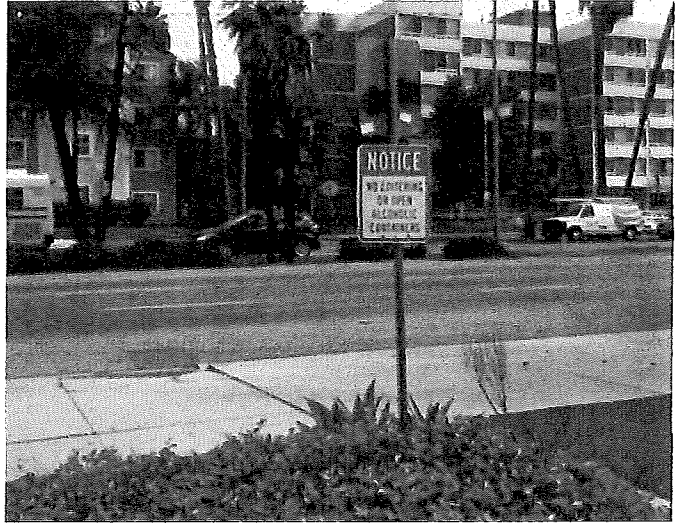


Exhibit G

OPTIONAL FEATURE LISTED ON BAG KINDLY NOT TAMPERING OR COPYING

Solomon, Salsman & Jamieson

Professional Corporations
426 Oliver Blvd. PH 310-822-9848
Plaza Del Rey, CA 90258
General Account

NATIONAL BANK OF CALIFORNIA

16-9936/1220

16269

4/1/2013

PAY TO THE ORDER OF

City of Los Angeles Treasurer

\$ ***1,482.91

One Thousand Four Hundred Eighty-Two and 91/100*****

DOLLARS

AT TAMPER RESISTANT TONER AREA A



ME

MEMO

Inv68XPD13001092

⑆015259⑆ ⑆122039350⑆ 00950255⑆

[Handwritten signature]

Solomon, Salsman & Jamieson

City of Los Angeles Treasurer

Reimb Expenses-Non PI

CUP COSTS CVS VAN NUYS 4792

4/1/2013

1,482.91

16269

National Bank - Gener Inv68XPD13001092

1,482.91

Exhibit H



LAW OFFICES OF
SOLOMON SALTSMAN & JAMIESON
A Partnership of Professional Corporations

May 23, 2013

VIA Fedex

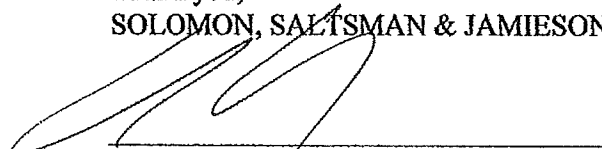
LOS ANGELES CITY PLANNING DEPARTMENT
Valley District Office
6262 Van Nuys Boulevard, Suite 351
Van Nuys, CA 91401-2709

Re: **ZA 2012-2245 (CUB) – CVS Pharmacy**
15232 West Sherman Way Blvd. (15228-15250 Sherman Way)

To Whom It May Concern:

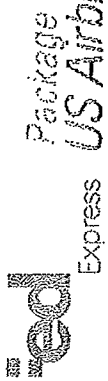
As required by Condition No. 23 in Case ZA 2012-2245(CUB), please find enclosed the original certified copy of the Master Covenant and Agreement Form bearing the Recorder's number and date that was recorded at the Los Angeles County Recorder's Office. Please include the Master Covenant and Agreement Form in the case file.

Thank you,
SOLOMON, SALTSMAN & JAMIESON



R. Bruce Evans

Enclosure



Package
US Airbill

FedEx
Tracking
Number

8028 9857 5990

From *Please print and press hard.*

Date 5.23.13

Sender's FedEx
Account Number 1144-0202-8

Sender's Name Bruce Evans

Phone (310) 822-9848

Company SOLOMON SALTSMAN JAMIESON

Address 426 CULVER BLVD

City PLAYA DEL REY State CA ZIP 90293-7766

Your Internal Billing Reference OVS Pharmacy Van Nuys
Please characters will appear on invoice.

To Recipient's Name
Phone ()

Company LA City Planning Department

Address 6262 Van Nuys Blvd.
We cannot deliver to P.O. boxes or P.O. ZIP codes.

Address Suite 351
Use this line for the HOLD location address or for continuation of your shipping address.

City Van Nuys State CA ZIP 91401-2707

0105630759



SLA2

Form ID No. 0215 # HPR236

4 Express Package Service *To most locations.
NOTES: Service order has changed. Please adjust accordingly.
For packages over 150 lbs, use the new FedEx Express Freight US Airbill.

- FedEx First Overnight
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx Priority Overnight
Next business morning. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx Standard Overnight
Next business afternoon. Saturday Delivery NOT available.
- FedEx 2Day A.M.
Second business morning. Saturday Delivery NOT available.
- FedEx 2Day
Second business afternoon. Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx Express Saver
Third business day. Saturday Delivery NOT available.

5 Packaging *Declared value limit \$500.

- FedEx Envelope*
- FedEx Pak*
- FedEx Box
- FedEx Tube
- Other

6 Special Handling and Delivery Signature Options

- SATURDAY Delivery
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.
- No Signature Required
Package may be delivered without obtaining a signature for delivery.
- Direct Signature
Someone at recipient's address may sign for delivery. Fee applies.
- Indirect Signature
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. Fee applies. Residential deliveries only. Fee applies.
- Yes
As per attached Shipper's Declaration, not required.
- No
Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box.
- Yes
Shipper's Declaration not required.
- No
Dry Ice UN 1845
- Cargo Aircraft Only

7 Payment Bill to:

- Sender (Must be in Section 1711 to bill)
 - Recipient
 - Third Party
 - Credit Card
 - Cash/Check
- Enter FedEx Acct. No. or Credit Card No. below.

Total Packages Total Weight Total Declared Value

lb. \$.00



Your liability is limited to US\$100 unless you declare a higher value. See back for details. By using this Airbill you agree to the service conditions on the back of this Airbill and in the current FedEx Service Guide, including terms that limit our liability.

Rev. Date 2/12 • Part # 60134 • ©1994-2012 FedEx • PRINTED IN U.S.A. 395

This page is part of your document - DO NOT DISCARD



20130772468



Pages:
0022

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

05/22/13 AT 03:33PM

FEES:	78.00
TAXES:	0.00
OTHER:	0.00
PAID:	78.00



LEADSHEET



201305220720068

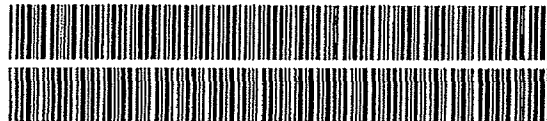
00007754898



004885437

SEQ:
01

DAR - Counter (Upfront Scan)



THIS FORM IS NOT TO BE DUPLICATED

RECORDING REQUESTED BY

When Recorded Mail to:

Name: Bruce Evans

Address: Solomon, Suttman & Junison
426 Culver Blvd.
Plaza del Rey, CA 90243

05/22/2013



20130772468

Space Above This Line Reserved For Recorder's Use

MASTER COVENANT AND AGREEMENT

The undersigned hereby certifies I am (we are) the owner(s) of the hereinafter legally described property located in the City of Los Angeles, County of Los Angeles, State of California (please give the legal description):

Legal Description Lots FR 523 & 524, Tract TR 1000

Site Address 15232 West Sherman Way Blvd. (15228-15250 Sherman Way)

That in consideration of the Approval of Case No. ZA-2012-2245 (CUB) by the Department of City Planning, I (we) do hereby promise, covenant and agree to and with the City of Los Angeles and the Department of City Planning of said City that to the extent of our interest, I (we) acknowledge and will comply with Conditions No's. 1 through _____ (see attached).

This covenant and agreement shall run with the land and shall be binding upon any future owners, encumbrancers, their successors, heirs or assigns and shall continue in effect until the Department of City Planning of the City of Los Angeles approves its termination.

Sherman Sepulveda Land Company Shopping Center,

Print Name of Property Owner

Print Name of Property Owner

LLC

By: Brookhill Corp, manager

Signature of Property Owner

Signature of Property Owner

By: David S. Stairs
David Stairs, Vice-President

Dated this _____ day of _____, 20____.

Space Below This Line for Notary's Use

ALL PURPOSE ACKNOWLEDGEMENT

State of California

County of Los Angeles

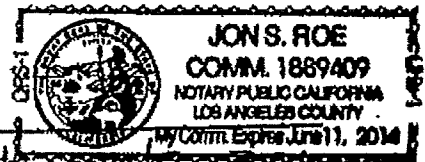
On 4/5/13 before me, Jon S Roe, Notary Public
(Insert Name of Notary Public and Title)

personally appeared David S. Stairs who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Jon S Roe (Seal)
Signature



Case Number: ZA-2012-2245 (CUB)

Condition Number(s): 1 through 38

Approved for recording by: [Signature]
(Department of City Planning)

Date: 5-22-13

ACKNOWLEDGMENT

State of California

County of Los Angeles

On 4/5/13 before me, Jon S. Roe, Notary Public

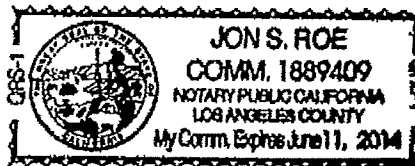
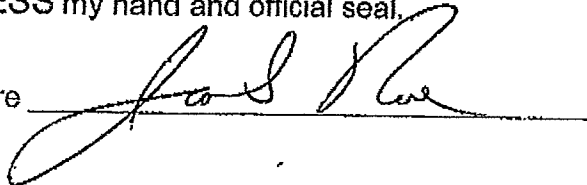
personally appeared David S. Stairs

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hers/their authorized capacity(ies), and that by his/hers/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)

LYNN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
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January 30, 2013

Garfield Beach CVS, LLC (A)
1 CVS Drive, Maildrop 23062A
Woonsocket, RI 02895

Sherman Sepulveda Land Company
Shopping Center, LLC (O)
c/o Brookhill Corporation
2716 Ocean Park Boulevard #2011
Santa Monica, CA 90405

Bruce Evans (R)
Solomon, Saltsman & Jamieson
426 Culver Boulevard
Playa del Rey, CA 90293

CASE NO ZA 2012-2245(CUB)
CONDITIONAL USE
15232 West Sherman Way Boulevard
(15228-15250 Sherman Way, 7148-
7162 Sepulveda Boulevard)
Van Nuys-North Sherman Oaks
Community Plan
Zone : C1.5-1VL
D.M. : 183B145
C.D. : 6
CEQA : ENV-2012-2246-CE
Legal Description: Lots FR 523 & 524,
Tract TR 1000

Pursuant to Los Angeles Municipal Code Section 12.24-W,1, I hereby APPROVE:

a Conditional Use to permit the sale and dispensing of a full line of alcohol for off-site consumption in conjunction with an existing retail pharmacy/drug store in the C1.5-1VL Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning's Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. Approved herein is the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with an existing 14,000 square-foot retail pharmacy/drug store.
8. This grant shall have a life of three (3) years after which the applicant shall file for and win an authorization from the Office of Zoning Administration in order to continue the sale of alcohol for off-site consumption.

The applicant is advised that he/she should allow appropriate time for a new entitlement application to be processed and the application should be approved prior to the expiration date of this grant in order to continue the sale of alcoholic beverages at the store.

9. Further, at any time during the period of validity of this grant, should documented evidence be submitted showing a violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require the applicant to file for a plan approval application together with associated fees, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. The applicant/petitioner(s) shall provide a summary and supporting documentation of how compliance with each condition of the grant has been attained. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct the public hearing for nuisance abatement/revocation purposes.
10. Shelving for alcohol sales and cooler space shall be limited to the area shaded in fixture floor plan, Exhibit "A".

11. The sales of the floor space allocated to alcoholic beverages shall not exceed 10% of the total sales floor area.
12. There shall be no coin operated video or arcade games, and no adult magazines or videos shall be sold.
13. Within six months of the effective date of the this determination, Standardized Training for Alcohol Retailers (STAR) from the LAPD with a copy of such written request provided to the Department of City Planning's Development Services Center. Upon completion of the training, the applicant shall submit to the file that such training was provided. Training shall be repeated on an annual basis.
14. Signs shall be posted in Spanish and English that California State Law prohibits the sale of alcoholic beverages to persons who area under 21 years of age.
15. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverages or tobacco products.
16. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department and the Department of City Planning. The manager and all employees shall be knowledgeable of the conditions herein.
17. Digital Security cameras shall be installed to monitor the interior and exterior of the premises. Surveillance footage shall be maintained for at least 60 days and shared with law enforcement if requested.
18. One state license uniformed security guard shall be on the premises at all times the subject facility is open for business between the hours of 11:00 p.m. and 7:00 a.m. The guards shall wear uniforms with a patch on each shoulder identifying the name of the registered security company which employs them. The guards shall conduct no activities while employed at this location other than those of security guard which includes escorting undesirable patrons off the premises. The guards shall be responsible for preventing loitering and any criminal activity on the property. The guards shall cooperate with all law enforcement personnel during any investigations or inspections of the property.
19. Loitering is prohibited on or around these premises or the area under control of the applicant.
20. "No Loitering" and "No Public Drinking of Alcoholic Beverages" signs shall be posted at the front, side, and rear of the site. These signs shall be in English and Spanish.

21. Petitioners shall regularly police the area under their control in an effort to prevent littering patrons about the premises.
22. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
23. Prior to issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. This agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

The following conditions are alcoholic beverage specific conditions, which are volunteered by the applicant and shall be complied with:

24. Alcohol sales shall be permitted between the hours of 7:00 a.m. to 11:00 p.m., daily.
25. The alcoholic beverage displays shall be locked and inaccessible to customers during the time when alcoholic beverages may not be sold.
26. Sale of alcoholic beverages from a drive-through window shall be prohibited.
27. No beer or malt beverages may be sold in single cans or bottles. Beer shall be sold in quantities of six packs or greater. Wine coolers shall be sold in quantities of four packs or greater.
28. No malt liquor or fortified wine products shall be sold. No fortified wine products shall be sold with an alcoholic content of greater than 16% by volume.
29. Sale of wine shall not be in containers less than 375 ml.
30. There shall be no signs adverting alcohol on the outside of the building.
31. Distilled spirits shall be equipped with security caps to prevent loitering and drinking adjacent to the subject site.
32. There shall be no individual cups, glasses, or similar receptacle commonly used for the drinking of beverages, such as plastic, Styrofoam, or other non-durable material sold, furnished or given away on the premises.

Exhibit I



Exhibit J



PLAN APPROVAL FINDINGS

General Conditional Use

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

The Applicant, CVS Pharmacy has operated a 14,000 square-foot pharmacy/drug store, along with a drive-through pick-up window for pharmacy products since 2003. Since that time, the drug store has provided a variety of goods and services that customers at a full service drug store expect including pharmacy, dry goods, basic grocery items/household goods, and photo services. This Plan Approval application is to renew the prior CUB authorizing the sale of alcoholic beverages at an existing CVS Pharmacy Drug Store. This is simply a Plan Approval Application for a previously granted use. This store has been open and operating for several years without any change in the nature of the use.

The subject business has co-existed in this location for many years. The continuation of the operation, with strict adherence to the imposed conditions and under proper management and supervision, will continue to remain proper in relation to adjacent uses and the development of the community. CVS Pharmacy offers a beneficial "one-stop" shopping experience in which nearby residents can purchase grocery items, medicine, beverages, and/or other necessary retail items. The community has come to expect and rely upon such service. The incidental sale and dispensing of alcoholic beverages are typical of a full-service drug store. CVS has operated over the years without negative impacts to the surrounding area. CVS has operated with self-imposed conditions similar to those typically placed on discretionary actions prepared by the Office of Zoning Administration. CVS has operated this site for several years without any disciplinary actions or problems related to their ABC License as a result of CVS' adherence to the conditions of approval and also to its corporate policies regarding responsible retailing of alcoholic beverages. As conditioned, the approval would not have an adverse impact on the surrounding area and therefore, is proper in relation to adjacent uses and development.

The property is a corner location with frontage onto two Major Highways, Sherman Way and Sepulveda Boulevard, respectively. There is ample parking on-site with 91 spaces. The project is consistent with the pattern of commercial development along this corridor. The subject site is located in the C1.5-1VL Zone and thus, the CVS Pharmacy is consistent with those uses permitted in the C1.5-1VL Zone. The CVS Pharmacy is located in a commercial shopping center, in the C2-1VL Zone, in which adjoining uses consist of a restaurant, cleaners, and laundry mat. Surrounding properties to the north are zoned C4-1-CA and [Q]C2-1VL and consist of a video store and camera store. Surrounding properties to the west are zoned C2-1 and [Q]C2-1VL and consist of a Foster's Freeze, Jons Market, two banks, a laundry mat, hair salon, cleaners, restaurant, dental office, and other retail services. Surrounding properties are within the C2-1VL, [T][Q]C2-1VL, [Q]C2-1VL, OS-1XL, R3-1L, [Q]P-1VL, and C1.5-1VL Zones. The surrounding properties are developed with one to six-story apartments and commercial buildings. Thus, the existing CVS continues to provide a commercial retail use

that is consistent with nearby uses and provides a convenience for nearby residents and workers.

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

CVS has operated on this site for several years without adverse impacts upon the surrounding community, as a result of CVS's adherence to its corporate policies regarding responsible retailing of alcoholic beverages. The existing use complements other commercial activities, promotes the exchange of goods and services, and provides tax revenue. This business purchases supplies and requires services from outside vendors which contribute to the economic base of the community. These products also serve the day to day needs of the surrounding area including some food products and beverages. The selling of alcoholic beverages for off-site consumption will continue to be incidental to the goods and services provided by the existing store. Over the years, patrons have come to expect the one-stop shopping convenience of the store and its providing of alcoholic beverages.

In fact, according to the findings made in Case ZA 2012-2245(CUB), "CVS provides a range of pharmacy and retails serves that are desirable to the public convenience and welfare and is near local businesses and residential uses that benefit from the services." (pg. 12) These findings remain true today as CVS continues to be desirable to the public convenience and welfare.

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

The Van Nuys-North Sherman Oaks Community Plan designated the subject property for Neighborhood Office Commercial. The Plan seeks to strengthen viable commercial developments in established commercial areas. The renewal of the conditional use authorization for the sale of alcoholic beverages for off-site consumption is allowed through the approval of the Zoning Administrator subject to certain findings. The proposed project, with appropriate conditions, will continue to benefit the character of development in the immediate neighborhood and will be in harmony with the various elements and objectives of the General Plan because this is a commercial use in a neighborhood office commercial area.

In Case ZA-2012-2245(CUB), it was found that "The approval of off-site sales of a full line of alcoholic beverages is not specifically addressed in the Community Plan. However, the project will provide a service to the community, and is thereby consistent with several goals, policies, and objectives of the Community Plan." (pg. 14) In addition, according to the findings made in Case ZA-2012-2245(CUB), "Specifically, the project addresses the following objective of the Community Plan: Objective 2-1: To conserve and strengthen viable commercial development." (pg. 14) These findings remain true today.

Additional Findings

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

The applicant has an existing Type 21 ABC License (License No. 530137) so granting the Plan Approval will not add an additional alcohol license to the census tract. CVS Pharmacy adds a desirable atmosphere. The request does not involve the introduction of a new liquor outlet into the census tract or an increase in the theoretical liquor license count. This use has been operating in this location in the exact same manner for several years and it will continue to operate in a responsible manner. There is therefore no reason to expect any adverse change.

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

The residential uses, as well as other establishments, have not been adversely affected in the years that the applicant has owned and operated the establishment. The use will not detrimentally affect nearby residentially zoned properties. The use will not conflict with the adjacent uses and it will operate in such a manner so as not to detrimentally affect nearby residentially zoned property. Furthermore, the combination of proactive security measures and strict company policies will ensure the continuation of the safety and well-being of nearby residents. As the findings in Case ZA-2012-2245(CUB), indicate, "The pharmacy is located within a self-contained shopping center with adequate parking on-site. Based on the mode and character of the proposed sale of alcohol and surrounding land use pattern, the request is not anticipated to have negative impacts on adjacent residential uses or any sensitive uses." (pg. 16) Those findings remain true today.

The subject store and the selling of alcoholic beverages will not be detrimental to the character of the immediate area and will have a positive impact on the economic welfare of the community. CVS has operated on this site for several years without adverse impacts upon the surrounding community as a result of the imposed Conditions and as a result of CVS's adherence to its corporate policies regarding responsible retailing of alcoholic beverages. The subject store and the continued sale of alcoholic beverages is part of a well-known National chain of established drugstores. Its continued business at this location will re-enforce the character of the area. The store and subject sales will serve to strengthen the economic vitality of the area.

**ADDITIONAL INFORMATION/FINDINGS FOR ZA CASES
ALCOHOLIC BEVERAGES**

a. Describe briefly how the proposed project will be proper in relation to adjacent uses or the development of the community.

The Applicant, CVS Pharmacy has operated a 14,000 square-foot pharmacy/drug store, along with a drive-through pick-up window for pharmacy products since 2003. Since that time, the drug store has provided a variety of goods and services that customers at a full service drug store expect including pharmacy, dry goods, basic grocery items/household goods, and photo services. This Plan Approval application is to renew the prior CUB authorizing the sale of alcoholic beverages at an existing CVS Pharmacy Drug Store. This is simply a Plan Approval Application for a previously granted use. This store has been open and operating for several years without any change in the nature of the use.

The subject business has co-existed in this location for many years. The continuation of the operation, with strict adherence to the imposed conditions and under proper management and supervision, will continue to remain proper in relation to adjacent uses and the development of the community. CVS Pharmacy offers a beneficial "one-stop" shopping experience in which nearby residents can purchase grocery items, medicine, beverages, and/or other necessary retail items. The community has come to expect and rely upon such service. The incidental sale and dispensing of alcoholic beverages are typical of a full-service drug store. CVS has operated over the years without negative impacts to the surrounding area. CVS has operated with self-imposed conditions similar to those typically placed on discretionary actions prepared by the Office of Zoning Administration. CVS has operated this site for several years without any disciplinary actions or problems related to their ABC License as a result of CVS' adherence to the conditions of approval and also to its corporate policies regarding responsible retailing of alcoholic beverages. As conditioned, the approval would not have an adverse impact on the surrounding area and therefore, is proper in relation to adjacent uses and development.

The property is a corner location with frontage onto two Major Highways, Sherman Way and Sepulveda Boulevard, respectively. There is ample parking on-site with 91 spaces. The project is consistent with the pattern of commercial development along this corridor. The subject site is located in the C1.5-1VL Zone and thus, the CVS Pharmacy is consistent with those uses permitted in the C1.5-1VL Zone. The CVS Pharmacy is located in a commercial shopping center, in the C2-1VL Zone, in which adjoining uses consist of a restaurant, cleaners, and laundry mat. Surrounding properties to the north are zoned C4-1-CA and [Q]C2-1VL and consist of a video store and camera store. Surrounding properties to the west are zoned C2-1 and [Q]C2-1VL and consist of a Foster's Freeze, Jons Market, two banks, a laundry mat, hair salon, cleaners, restaurant, dental office, and other retail services. Surrounding properties are within the C2-1VL, [T][Q]C2-1VL, [Q]C2-1VL, OS-1XL, R3-1L, [Q]P-1VL, and C1.5-1VL Zones. The surrounding properties are developed with one to six-story apartments and commercial buildings. Thus, the existing CVS continues to provide a commercial retail use

that is consistent with nearby uses and provides a convenience for nearby residents and workers.

b. Why does applicant believe the location of the project will be desirable to the public convenience and welfare?

CVS has operated on this site for several years without adverse impacts upon the surrounding community, as a result of CVS's adherence to its corporate policies regarding responsible retailing of alcoholic beverages. The existing use complements other commercial activities, promotes the exchange of goods and services, and provides tax revenue. This business purchases supplies and requires services from outside vendors which contribute to the economic base of the community. These products also serve the day to day needs of the surrounding area including some food products and beverages. The selling of alcoholic beverages for off-site consumption will continue to be incidental to the goods and services provided by the existing store. Over the years, patrons have come to expect the one-stop shopping convenience of the store and its providing of alcoholic beverages.

In fact, according to the findings made in Case ZA 2012-2245(CUB), "CVS provides a range of pharmacy and retails serves that are desirable to the public convenience and welfare and is near local businesses and residential uses that benefit from the services." (pg. 12) These findings remain true today as CVS continues to be desirable to the public convenience and welfare.

c. Describe how the proposed project will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with the various elements and objectives of the General Plan.

The Van Nuys-North Sherman Oaks Community Plan designated the subject property for Neighborhood Office Commercial. The Plan seeks to strengthen viable commercial developments in established commercial areas. The renewal of the conditional use authorization for the sale of alcoholic beverages for off-site consumption is allowed through the approval of the Zoning Administrator subject to certain findings. The proposed project, with appropriate conditions, will continue to benefit the character of development in the immediate neighborhood and will be in harmony with the various elements and objectives of the General Plan because this is a commercial use in a neighborhood office commercial area.

In Case ZA-2012-2245(CUB), it was found that "The approval of off-site sales of a full line of alcoholic beverages is not specifically addressed in the Community Plan. However, the project will provide a service to the community, and is thereby consistent with several goals, policies, and objectives of the Community Plan." (pg. 14) In addition, according to the findings made in Case ZA-2012-2245(CUB), Specifically, the project addresses the following objective of the Community Plan: Objective 2-1: To conserve and strengthen viable commercial development." (pg. 14) These findings remain true today.

d. Will the approval of the Conditional Use at this location adversely affect the economic welfare of the community? Why?

The subject store and the selling of alcoholic beverages will not be detrimental to the character of the immediate area and will have a positive impact on the economic welfare of the community. CVS has operated on this site for several years without adverse impacts upon the surrounding community as a result of the imposed Conditions and as a result of CVS's adherence to its corporate policies regarding responsible retailing of alcoholic beverages. The subject store and the continued sale of alcoholic beverages is part of a well-known National chain of established drugstores. Its continued business at this location will re-enforce the character of the area. The store and subject sales will serve to strengthen the economic vitality of the area.

e. Will the approval of the Conditional Use result in or contribute to an undue concentration of such establishments? Why?

The applicant has an existing Type 21 ABC License (License No. 530137) so granting the Plan Approval will not add an additional alcohol license to the census tract. CVS Pharmacy adds a desirable atmosphere. The request does not involve the introduction of a new liquor outlet into the census tract or an increase in the theoretical liquor license count. This use has been operating in this location in the exact same manner for several years and it will continue to operate in a responsible manner. There is therefore no reason to expect any adverse change.

f. Will the approval of the Conditional Use detrimentally affect nearby residentially zoned properties? Why?

The residential uses, as well as other establishments, have not been adversely affected in the years that the applicant has owned and operated the establishment. The use will not detrimentally affect nearby residentially zoned properties. The use will not conflict with the adjacent uses and it will operate in such a manner so as not to detrimentally affect nearby residentially zoned property. Furthermore, the combination of proactive security measures and strict company policies will ensure the continuation of the safety and well-being of nearby residents.

As the findings in Case ZA-2012-2245(CUB), indicate, "The pharmacy is located within a self-contained shopping center with adequate parking on-site. Based on the mode and character of the proposed sale of alcohol and surrounding land use pattern, the request is not anticipated to have negative impacts on adjacent residential uses or any sensitive uses." (pg. 16) Those findings remain true today.

g. 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?

Current hours of operations: 24 hours per day, 7 days per week
Current hours of alcohol sales: 7:00 a.m. – 11:00 p.m.

- h. What is the occupancy load as determined by the Fire Department (number of patrons)? What is the proposed seating in all areas?**

Occupancy load: Is according to Building and Safety and Fire Department analysis

Seating capacity: N/A

- i. 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?**

Yes. 106 parking spaces are available.

- j. Is there to be entertainment such as a piano bar, juke box, dancing, live entertainment, movies, etc.? Specify. (On-site only).**

No.

- k. Is a full line of alcoholic beverages to be served or just beer and wine?**

The continued sale of a full line of alcoholic beverages for off-site consumption.

- l. Will cups, glasses or other similar containers be sold which might be used for the consumption of liquor on the premises? (Off-site only)**

No.

- m. If a cocktail lounge is to be maintained incidental to a restaurant, the required floor plan must show details of the cocktail lounge and the separation between the dining and lounge facilities. (On-site only)**

N/A.

- n. 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.

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

No.

p. Will you have signs visible on the outside which advertise the availability of alcohol?

No.

q. Will alcohol be sold without a food order? Will there be a kitchen on the site as defined in the Los Angeles Municipal Code?

N/A.

r. Will beer or wine coolers be sold in single cans or wine in containers less than 1 liter?

No.

s. Will "fortified" wine (greater than 16% alcohol) be sold?

No.

t. Will off-site sales of alcohol as a secondary use to on-site sales occur (i.e. take out)?

N/A.

u. Will discount alcoholic drinks or a "Happy Hour" be offered at any time?

N/A.

v. Will security guards be provided and if so, when and how many?

Yes, there is one (1) security guard provided between the hours of 11 p.m. and 7 a.m. Security plan includes video surveillance equipment, monitoring and recording of key areas throughout the building as well as key exit points and exterior

w. Will alcohol be allowed to be consumed on any adjacent property under control of the applicant?

No.

x. Will the gross sale of alcohol exceed the gross sale of food items on a quarterly basis?

No.

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

N/A.

z. How many employees will you have on the site at any given time?

There will be a minimum of four (4) employees at any given time.

aa. What security measures will be taken including:

(1) Posting of Rules and Regulations on the premises. All local and state signage requirements posting the rules and regulations will be posted on the premises.

(2) To prevent such problems as gambling, loitering, theft, vandalism and truancy. There will be employee training and security guards provided.

(3) Will security guards be provided and if so, when and how many? Security guards will be provided on-site daily between the hours of 11 p.m. and 7 a.m.

(4) Other measures.

CVS will adhere to its corporate policies regarding responsible retailing of alcoholic beverages, as follows:

- All CVS associates complete training segments on customer service, personnel management, facility maintenance and operations, responsible retailing of age restricted alcoholic beverage products and workplace safety.
- CVS utilizes multiple digital surveillance cameras at the subject location. Footage is maintained for a minimum of 60 days and the system can be monitored in real time by CVS Management.
- CVS cash registers have “hard stops” that require associates to check identification and validate customers are of sufficient legal age to purchase alcohol before completing the sale.

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

There will be no minimum age requirements to access the premises. CVS employees are trained to check identification to verify customers meet minimum age requirements for age restricted products such as alcohol. And CVS cash registers have “hard stops” that require associates to check identification and validate customers are of sufficient legal age to purchase alcohol or tobacco before completing the sale.

cc. Are there any schools (public or private and including nursery schools) churches or parks within 1,000 feet of your proposed business? Where?

No.

dd. For massage parlor or sexual encounter establishment applicants: Are there any other adult entertainment business within 1,000 feet of your proposed Establishment i.e. adult arcade, adult bookstore, adult cabaret, adult motel, adult motion picture theater or adult theater?

N/A.

ee. For off-site sales, where will the alcohol be stored and displayed (indicated on floor plan)?

See attached plan.



1. 15232 Sherman Way: view looking southeast at the front entrance of the subject property.



2. 15232 Sherman Way: view looking south at the north side of the subject property.



3. 15232 Sherman Way: view looking east at the west side of the subject property.



4. 15232 Sherman Way: view looking at the front doors of the subject location.



5. 15232 Sherman Way: view looking at the windows on the west side of the building.



6. 15232 Sherman Way: view looking at the signage in the windows on the west side of the building.



7. 15232 Sherman Way: view looking north at the Pharmacy window on the west side of the building.



8. 15232 Sherman Way: view looking east at the Pharmacy window on the south side of the building.



9. 15232 Sherman Way: view looking west at the Pharmacy window on the south of the building.



10. 15232 Sherman Way: view looking west at the loading area on on the east side of the building.



11. 15232 Sherman Way: view looking southwest at the loading area on the east side of the building



12. 15232 Sherman Way: view looking north at the east side of the building.



13. 15232 Sherman Way: view looking south at the parking lot on the south side of the building.



14. 15232 Sherman Way: view looking north at the parking lot on the west side of the building.



15. 15232 Sherman Way: view looking west at the parking lot on the north side of the building.



16. 15232 Sherman Way: view looking south at the parking lot on the west side of the building.



17. 15232 Sherman Way: view looking east at the parking lot on the south side of the building.



18. 15232 Sherman Way: view looking west at the parking lot on the north side of the building.



19. 15232 Sherman Way: view looking southwest at the north side of the building.



20. 15232 Sherman Way: view looking at the signage on the northwest corner of the property.



21. 15232 Sherman Way: view looking north on Sepulveda Blvd.



22. 15232 Sherman Way: view looking south on Sepulveda Blvd.



23. 15232 Sherman Way: view looking east onto Sherman Way.



24. 15232 Sherman Way: view looking northwest at the neighboring business.



25. 15232 Sherman Way: view looking northeast at the neighboring businesses.



26. 15232 Sherman Way: view looking west at the neighboring businesses.



27. 15232 Sherman Way: view looking southwest at the neighboring businesses.



28. 15232 Sherman Way: view looking south at the neighboring businesses.



29. 15232 Sherman Way: view looking west at the neighboring businesses.



30. 15232 Sherman Way: view looking north at the neighboring businesses.



CVS
CONSUMER WALK STORES
ON CORPORATION

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fedelgroup.com

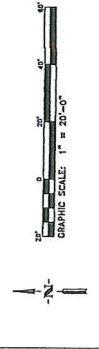
NO.	DATE	DESCRIPTION
1	12/14/11	EXHIBIT 1000
2	12/14/11	EXHIBIT 1000

ENTITLEMENT EXHIBITS
CVS
DEVELOPMENT INFORMATION

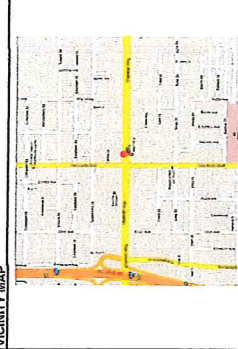
THE NUMBER
15022 SHERMAN WAY
SEPULVEDA BLVD.
VAN NUYS, CA 91412

STORE #4789

DESIGNED BY: JF 10/11
CHECKED BY: JF 10/11
DRAWN BY: JF 10/11
DATE: 08/21/12
PROJECT NO: 14270
SHEET TITLE: RECORD SITE PLAN
PAGE NO: C-1



- SITE NOTES**
- EXISTING 13,643 SF. CVS STORE
 - EXISTING PARKING
 - EXISTING APPROACH
 - EXISTING PLANTER
 - EXISTING DRINK THRU LAKE
 - EXISTING LOADING DOCK
 - EXISTING PAVILION OF TOWER.



SITE INFORMATION

AREA OF PROPERTY	AREA
EXISTING BUILDING	33,552 SQ. FT.
EXISTING PARKING	6,152 SQ. FT.
EXISTING APPROACH	3,552 SQ. FT.
EXISTING PLANTER	0 SQ. FT.
EXISTING DRINK THRU LAKE	0 SQ. FT.
EXISTING LOADING DOCK	0 SQ. FT.
EXISTING PAVILION OF TOWER	0 SQ. FT.

ADDITIONAL INFORMATION

COMMUNITY PLAN AREA: VAN NUYS
ZONING: C1-1.5 (M)
ADDRESS: 15022 SHERMAN WAY, VAN NUYS, CA 91412

LANDSCAPING

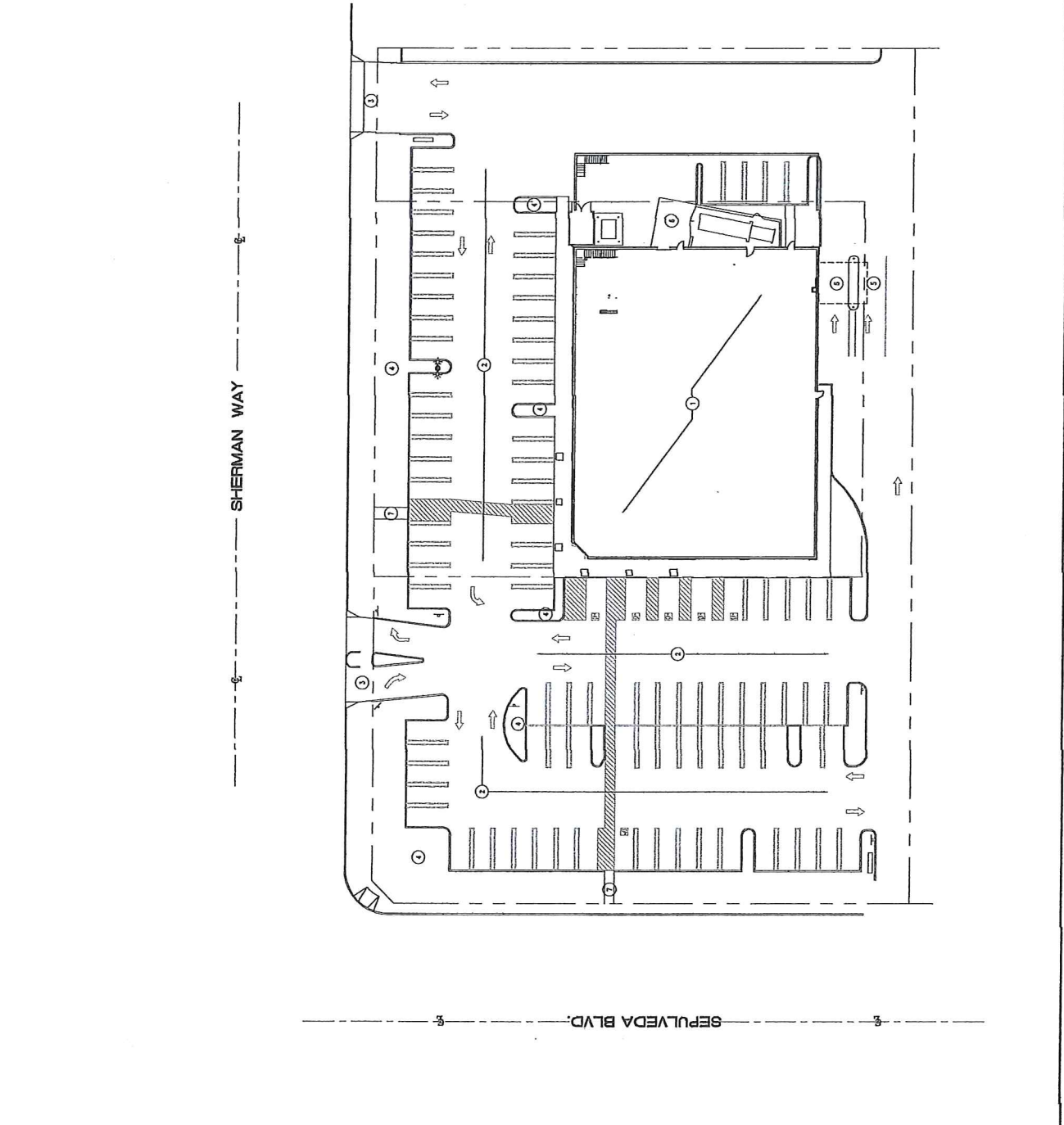
NO CHANGES TO EXISTING LANDSCAPING	PERCENT	AREA

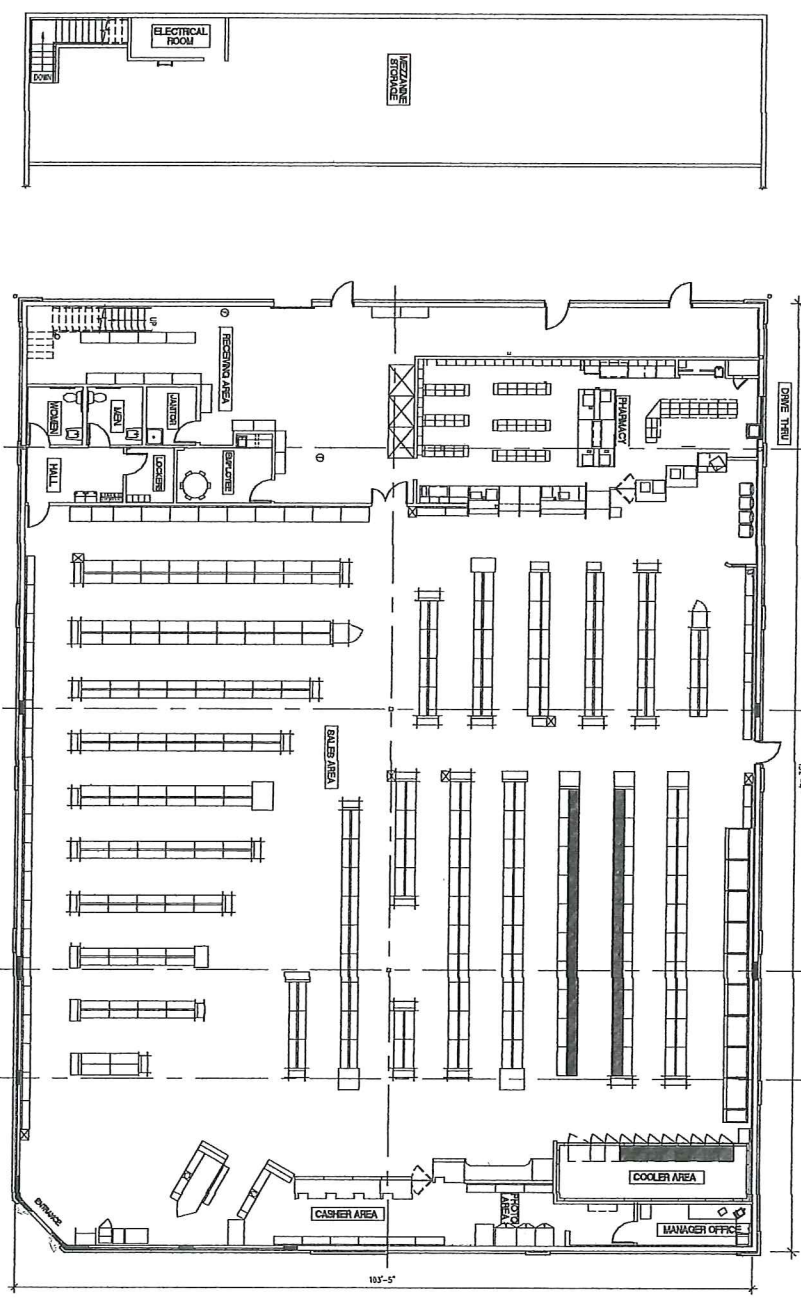
STRUCTURES

DESCRIPTION	SIZE	OCCUPANCY	SOIL TYPE	AREA
BUILDING	33,552 SQ. FT.	M	VS2	33,552 SQ. FT.

PARKING

DESCRIPTION	PROVIDED	EXISTING	REMOVED
STANDARD SPACES	133	133	0
STANDARD SPACES	0	0	0
STANDARD SPACES	0	0	0
TOTAL PARKING SPACES PROVIDED	133	133	0





FIXTURE FLOOR PLAN
SCALE: 1/8"=1'-0"

PROPOSED ALCOHOL SALES SHELVING

<p>CVS CORPORATE OFFICE 1000 MARKET STREET PHILADELPHIA, PA 19104</p>		<p>Fideller Group Architecture & Engineering 307 N. Beidel Ave, Ste 200 Pasadena, CA 91103 (626) 795-7991 fidellergroup.com</p>	
<p>PROPOSED ALCOHOL SALES SHELVING</p>			
<p>ENTERTAINMENT EXHIBITS</p>			
<p>DATE: 09/04/15</p>			
<p>PROJECT NO: 14270</p>			
<p>STORE #4789</p>			
<p>1532 SHERMAN WAY VAN NUYS, CA 91410</p>			
<p>SCALE</p>			
<p>PROJECT TITLE</p>			
<p>CLIENT: CVS</p>			
<p>DESIGNER: FIDELLER GROUP</p>			
<p>DATE: 09/04/15</p>			
<p>PROJECT NO: 14270</p>			
<p>STORE #4789</p>			
<p>1532 SHERMAN WAY VAN NUYS, CA 91410</p>			
<p>PROJECT TITLE</p>			
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<p>STORE #4789</p>			
<p>1532 SHERMAN WAY VAN NUYS, CA 91410</p>			

A-1

COUNTY CLERK'S USE

CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY City of Los Angeles Department of City Planning	COUNCIL DISTRICT CD 6
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PROJECT TITLE • ZA-2012-2245-CUB-PA1	LOG REFERENCE ENV
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PROJECT LOCATION
• 15232 West Sherman Way, Van Nuys, CA 91405

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
• A Plan Approval Application for the renewal of an existing CUB with a request to extend the life of the grant

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:
• Garfield Beach CVS, LLC

CONTACT PERSON • R. Bruce Evans, Solomon, Saltsman & Jamieson	AREA CODE • 310	TELEPHONE NUMBER • 822-9848	EXT.
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EXEMPT STATUS: (Check One)

	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
• MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
•• DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
•• EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
• CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. III, Sec. 1

Class 5 Category 23 (City CEQA Guidelines)

•• OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)

JUSTIFICATION FOR PROJECT EXEMPTION: Granting or renewal of a variance or conditional use for a non-significant change of use of land.


IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE	TITLE	DATE
-----------	-------	------

FEE:	RECEIPT NO.	REC'D. BY	DATE
------	-------------	-----------	------

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:
• R. Bruce Evans, on behalf of Applicant
NAME (PRINTED)


SIGNATURE

• October 21, 2015
DATE