

**MASTER LAND USE PERMIT APPLICATION**  
**LOS ANGELES CITY PLANNING DEPARTMENT**

*Planning Staff Use Only*

ENV No.	Existing Zone C4-1VL	District Map
APC South Valley	Community Plan Encino-Tarzana	Council District 5
Census Tract 1395.02	APN 2182002014	Case Filed With [DSC Staff]
		Date

CASE NO. \_\_\_\_\_

APPLICATION TYPE PLAN APPROVAL  
*(zone change, variance, conditional use, tract/parcel map, specific plan exception, etc.)*

**1. PROJECT LOCATION AND SIZE**

Street Address of Project 17840 Ventura Blvd. Zip Code 91318  
 Legal Description: Lot LT 1 Block None Tract TR 20170  
 Lot Dimensions Irregular Lot Area (sq. ft.) 43,551.2 Total Project Size (sq. ft.) 38,992

**2. PROJECT DESCRIPTION**

Describe what is to be done: On-site instructional tastings of alcoholic beverages via an ABC Type-86 license in conjunction with an existing 38,992 sq. ft. Ralphs grocery store which is currently permitted to sell a full line of alcoholic beverages for off-site consumption. Hours of instructional tastings will be 10am-9pm per ABC.

Present Use: Retail - Supermarket Proposed Use: Retail - Supermarket

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  
Per LAMC, Plan Approval to add on-site instructional tastings of alcoholic beverages via an ABC Type-86 license to an existing Ralphs grocery store. Market is currently permitted to sell a full line of alcoholic beverages for off-site consumption via an ABC Type-21 license. Hrs of operation are 5am-1am, 7 days a week. Alcohol sales will take place from 6am-1am, 7 days a week. Instructional tastings will only take place between 10am - 9pm, per ABC Type-86.  
 Code Section from which relief is requested: \_\_\_\_\_ Code Section which authorizes relief: 12.24 - L  
A deemed to be approved Conditional Use Permit to allow the continued sale of a full line of alcohol for off-site consumption in conjunction with Ralphs Grocery. Hours of operation are 5am-1am, and hours of alcohol sales are 6am-1am, 7 days a week.

Code Section from which relief is requested: \_\_\_\_\_ Code Section which authorizes relief: \_\_\_\_\_

List related or pending case numbers relating to this site:

\_\_\_\_\_

4. OWNER/APPLICANT INFORMATION

Applicant's name Steven J. Prough Company Ralphs Grocery Company  
Address: 1100 West Artesia Blvd Telephone: ( 310 ) 900-3582 Fax: ( 310 ) 900-3539  
Compton, CA Zip: 90220 E-mail: \_\_\_\_\_

Property owner's name (if different from applicant) Same as Applicant  
Address: \_\_\_\_\_ Telephone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_  
Zip: \_\_\_\_\_ E-mail: \_\_\_\_\_

Contact person for project information Art Rodriguez Company Art Rodriguez & Associates  
Address: 709 E. Colorado Blvd., Suite 200 Telephone: ( 626 ) 683-9777 Fax: ( 626 ) 683-9991  
Pasadena, CA Zip: 91101 E-mail: art@aralicens.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: [Signature] Print: Steven J. Prough  
Vice President & Assistant Secretary

ALL-PURPOSE ACKNOWLEDGMENT

State of California  
County of \_\_\_\_\_  
On \_\_\_\_\_ before me,

(Insert Name of Notary Public and Title)  
personally appeared \_\_\_\_\_ 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.  
\_\_\_\_\_  
Signature (Seal)

*Please see attached w/ 4/24/15*

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 on an application.

Planning Staff Use Only

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

FINDINGS  
Plan Approval  
City of Los Angeles  
Ralphs – 17840 Ventura Blvd

Project Location  
17840 Ventura Blvd  
Encino, CA 91316

Applicant  
Ralphs Grocery Company  
1100 W. Artesia Blvd  
Compton, CA 90220

Owner  
Ralphs Grocery Company  
1100 W. Artesia Blvd  
Compton, CA 90220

Agent  
Art Rodriguez & Associates  
709 E. Colorado Blvd., Suite 200  
Pasadena, CA 91101

1. ORIGINAL APPROVAL (attached)
2. CONDITION COMPLIANCE (in a separate document)
3. FINDINGS

a. General Condition 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.*

Ralphs already serves a prominent neighborhood-serving retail presence with its location at 17840 Ventura Blvd. Ralphs has operated from this location for quite some time while selling a full line of alcoholic beverages for off-site consumption.

Ralphs operates hundreds of stores throughout California that sell a full line of alcoholic beverages, including many in the City of Los Angeles. Applicant requests a Plan Approval to allow instructional tastings of alcoholic beverages for store patrons at the same time that they shop for their groceries and sundry needs.

- ii. *That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further*

*degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.*

The location, size, and height of the store will not change at all with this request. Ralphs will continue to operate this store, including the incorporation of instructional alcoholic beverage tastings, in a manner that does not degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety. Ralphs will operate first and foremost as a grocery and retail store with instructional tastings of alcoholic beverages ancillary to the sale of food and other sundry items. Ralphs has operated compatibly and without incident while selling a full line of alcoholic beverages for off-site consumption within the City of Los Angeles and at this location. Ralphs seeks to provide an enhanced experience for patrons seeking to purchase alcoholic beverages through offering instructional tastings of alcoholic beverages that will not have any detrimental effects on surrounding businesses or property owners.

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

The operating Ralphs supermarket substantially conforms to the purpose, intent and provisions of the General Plan. The General Plan promotes the provision of services throughout the city in locations that are convenient to the public yet do not impact neighboring properties. The property is zoned for commercial use - C4-1VL- and a grocery store use is permitted as a matter of right. The General Plan Land Use designation states it to be used for Community Commercial - a grocery store is also appropriate here. A full-service supermarket is the type of use that offers a variety of services and goods to those residing, working and visiting the community. The addition of on-site instructional tastings will enhance the current operation, offering a more complete service to its patrons while still conforming to the intent of the General 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.*

The Ralphs supermarket currently holds a Type-21 ABC license. Ralphs is requesting the addition of a Type-86 license, which is strictly

for on-site instructional tastings at established off-site retailers. The Type-86 license cannot be held on its own, but is only available to those establishments that currently hold off-site licenses. As such, the introduction of a new Type 86 license will not detrimentally affect the area by contributing to the undue concentration of such establishments as the main focus of the supermarket's alcohol sales will remain unchanged from the current operation.

Should this application be granted, Ralphs will continue to operate in a responsible and professional fashion and remain within the operating guidelines set by the Office of Zoning Administration and the ABC.

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

Given the store's location near Encino neighborhoods zoned residential, there are residential uses in the immediately vicinity of the property. However, any residential dwellings within walking distance of the subject location (17840 Ventura Blvd) help to enhance the pedestrian activity and walkability of the area. The location of Ralphs near residences and businesses makes the Ventura Blvd corridor a more walkable and lively place. The supermarket has been operating at this location for quite some time with off-site sales of a full line of alcoholic beverages, and the proposed addition of on-site instructional tastings will not detrimentally affect the current arrangements. Ralphs will operate in a professional manner and abide by all guidelines placed on it by the Office of Zoning Administration and the ABC.

#### **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?*  
36,754
- b. *What is the total square footage of the space the establishment will occupy?*  
38,992
- c. *What is the total occupancy load of the space as determined by the Fire Department?*  
Exact occupancy load has not yet been determined.
- d. *What is the total number of seats that will be provided indoors? Outdoors?*

There is no designated seating area that pertains to the instructional tastings of alcoholic beverages per this application.

- e. *If there is an outdoor area, will there be an option to consume alcohol outdoors?*  
No.
- f. *If there is an outdoor area, is it on private property or on 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?*  
312
  - ii. *Are they shared or designated for the subject use?*  
Shared
  - 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/A
    - 2. *Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area and the use it is to serve.*  
N/A
    - 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?*

Yes.

Our Lady of Grace Elementary & Middle School (17720 Ventura Blvd)  
 Our Lady of Grace Church & Preschool Religious Education (5011 White Oak Ave)  
 Torat Hayim Valley Synagogue (17901 Ventura Blvd, #A)  
 Crespi Carmelite High School (531 Alonzo Ave)

*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	5am-1am	5am-1am	5am-1am	5am-1am	5am-1am	5am-1am	5am-1am
Proposed Hours of Alcohol Sales	6am-1am	6am-1am	6am-1am	6am-1am	6am-1am	6am-1am	6am-1am

Under guidelines of the ABC Type-86 license, on-site instructional tastings of alcoholic beverages will take place between 10am – 9pm. Tastings will be at no cost to patrons and will be conducted by authorized distributors, not Ralphs.

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?*  
Yes.

Our Lady of Grace Elementary & Middle School (17720 Ventura Blvd)  
Our Lady of Grace Church & Preschool Religious Education (5011 White Oak Ave)  
Torat Hayim Valley Synagogue (17901 Ventura Blvd, #A)  
Crespi Carmelite High School (531 Alonzo Ave)

- 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

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- 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	5am-1am	5am-1am	5am-1am	5am-1am	5am-1am	5am-1am	5am-1am
Proposed Hours of Alcohol Sales	6am-1am	6am-1am	6am-1am	6am-1am	6am-1am	6am-1am	6am-1am

Under guidelines of the ABC Type-86 license, on-site instructional tastings of alcoholic beverages will take place between 10am – 9pm. Tastings will be at no cost to patrons and will be conducted by authorized distributors, not Ralphs.



No. The only on-site consumption will take place during instructional tastings, which will be at no cost to patrons and will be offered by currently authorized distributors, not Ralphs.

a. *If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.*

N/A

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

The store is currently granted the right to off-site sales, which will continue. This application pertains to instructional tastings of a full line of alcoholic beverages, which will take place on-site and can only be offered

a. *If yes, a request for off-site sales of alcohol is required as well.*

N/A

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

No happy hour with discounted drinks is being requested.

vii. *Off-site*

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

No containers will be sold for the purpose of consumption of alcohol on an adjacent property.

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

Instructional tastings will occur in single servings as pre-determined by the ABC Type 86 license.

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?*

This request is for on-site instructional tastings of alcoholic beverages.

tastings will only be at no cost to patrons and will be offered by currently authorized distributors, not Ralphs.

- ii. *Will "fortified" wine (greater than 16% alcohol) be sold?*  
Specialty wines with greater than 16% alcohol (aged ports) are sold. However cheap, fortified wines such as "Thunderbird" are not be sold. However, this application does not pertain to any alcohol that is being sold for off-site consumption.

All instructional tastings will take place at no cost to patrons.

- 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?*  
Some signage may be placed on the building advertising a particular special, such as instructional tastings of alcoholic beverages for those who are of legal age. However, no neon signage advertising alcoholic beverages will be placed in the windows of the restaurant. Ralphs will continue to abide by all regulations established by the Department of Alcoholic Beverage Control and the Office of Zoning Administration.

v. *Food*

1. *Will there be a kitchen on site?*  
Yes.
2. *Will alcohol be sold without a food order?*  
Yes. However, this application is for instructional tastings that are at no cost to patrons.
3. *Will the sale of alcohol exceed the sale of food items on a quarterly basis?*  
No.
4. *Provide a copy of the menu if food is to be served.*  
N/A – this is a grocery store.

vi. *On-Site*

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

- 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:*

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

- b. *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**.*

N/A

## Instructional Tasting License for Off- Sale Licensees Type 86

- ❖ Section 23396.6 is for an “instructional tasting license” Type 86 issued to holders of certain off-sale retail licenses businesses.
  - This license is unique in that it can be applied for and held by a retail licensee and its privileges require the involvement or participation of a qualified supplier with awareness of existing tied- house laws restricting supplier and retail business relationships.
  - The Type 86 license is obtained in conjunction with an existing license (eg a Type 21 or a Type 20)
  - Application procedures for a tasting license are similar to those currently established except for special ABC Act provisions.
  - There will be public notification requirements for the license just like other licenses The tastings events will not be used to circumvent other ABC requirements.
  - Proof of proper zoning is required but the license is expressly exempt from the public convenience or necessity provision of BP23958, No ABC-245 or findings are required.
    - Both the premise for the license and the area designated and approved for the off-sale license will be the same.
    - Areas for tastings are appropriately separated and with postings during events
    - Applications for this license are subject to a \$300 original fee and \$261 annual renewal fee.
- ❖ Section 25503.6 authorizes certain suppliers to hold events and provide taste of alcohol only under very specific conditions
  - Tastings are limited to
    - Off- sale premises where no motor vehicle fuel is sold unless the licensee operates a separate fully enclosed retail area of at least 10,000 square feet (Rite Aid, Trader Joe's, etc)
    - No off-sale license with locations of less than 5,000 square feet (7-11 or average Liquor store)of the retail space unless the calendar quarterly gross sale of alcoholic beverages comprises at least 75% of the total gross sales of all products sold on the premises
    - No person under the age of 21 shall be served wine, beer, or distilled spirits at the event.
    - Any type 86 license holder that permits a person under 21 to enter the tasting area is guilty of a misdemeanor and punished by a fine of no less than \$200.00.
    - The tasting area is to be separated from the remainder of the off-sale retailer by a wall, cord, rope, or cable, chain, fence, or any other temporary barrier with proper visible signage posted prohibiting persons under 21 from entering the tasting are.
    - No charge of any sort is allowed for the tasting event
    - Unless otherwise restricted, the tastings can only take place between the hours of 10 a.m. and 9 p.m.

- No alcohol can be sold at the event and they and no consumer can leave the tasting area with an open container of alcohol.
- Any unused wine, beer or distilled spirit shall be removed from the premises by the licensee or their representative
- The type 86 limits the tasting to a single type of alcoholic beverage (distilled spirits, wine or beer)
- 8 ounces of Beer per person per day
- 3 -1 ounces servings of wine totaling 3 ounces per person per day
- 3- ¼ ounce servings of liquor totaling ¾ ounces per person per day
- No more than one licensee can hold a tasting for the premise per day
- All tasting samples must be served by an employee or designated representative of the licensee.
- It is at the discretion of the license holder where the tastings will occur and they can place an advertisement to the general public via flyers, newspaper ads, internet communication and interior signage.)  
Listing the alcohol to be sampled listed provided both conditions are met:
  - The advertisement does not contain the retail price of the beverages
  - The listing of the type of 86 licensee's name and address is the only reference to the type of 86 licensee in the advertisement.
  - No pictures or illustrations are permitted
  - The licensee pays for the advertisement
- No gift, premium, free goods or any other thing of value shall be given away during the tasting event.

