



APPLICATIONS:

DEPARTMENT OF CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

Case Number
Env. Case Number
Application Type
Case Filed With (Print Name) Date Filed

Application includes letter requesting:

Waived hearing
Concurrent hearing
Hearing not be scheduled on a specific date (e.g. vacation hold)
Related Case Number

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.

All terms in this document are applicable to the singular as well as the plural forms of such terms.

Detailed filing instructions are found on form CP-7810

1. PROJECT LOCATION [*100-104 W. Olympic Blvd., 1026-1046 S. Broadway, 1007-1051 S. Main St., inclusive]
Street Address1 1026 S. Broadway, Los Angeles, CA 90015* Unit/Space Number A
Legal Description2 (Lot, Block, Tract) FR Lot A; Block none; TR 4989
Assessor Parcel Number 5139014017 Total Lot Area 64,275.253 sq. ft.

2. PROJECT DESCRIPTION
Present Use Shell retail
Proposed Use Retail drug store
Project Name (if applicable) CVS Health
Describe in detail the characteristics, scope and/or operation of the proposed project A Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with the operation of a proposed 12,637 square-foot drug store. Hours of operation 24 hours daily,
Additional information attached YES NO

Complete and check all that apply:

Existing Site Conditions

Site is undeveloped or unimproved (i.e. vacant)
Site is located within 500 feet of a freeway or railroad
Site has existing buildings (provide copies of building permits)
Site is located within 500 feet of a sensitive use (e.g. school, park)

1 Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—http://zimas.lacity.org)

2 Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)

Site has special designation (e.g. National Historic Register, Survey LA)

Proposed Project Information

(Check all that apply or could apply)

- Demolition of existing buildings/structures
- Relocation of existing buildings/structures
- Interior tenant improvement
- Additions to existing buildings
- Grading
- Removal of any on-site tree
- Removal of any street tree

- Removal of protected trees on site or in the public right of way
- New construction: _____ square feet
- Accessory use (fence, sign, wireless, carport, etc.)
- Exterior renovation or alteration
- Change of use and/or hours of operation
- Haul Route
- Uses or structures in public right-of-way
- Phased project

Housing Component Information

Number of Residential Units: Existing _____ – Demolish(ed)³ _____ + Adding _____ = Total 236

Number of Affordable Units⁴ Existing _____ – Demolish(ed) _____ + Adding _____ = Total 0

Number of Market Rate Units Existing _____ – Demolish(ed) _____ + Adding _____ = Total 236

Mixed Use Projects, Amount of Non-Residential Floor Area: 22,862 square feet

Public Right-of-Way Information

Have you submitted the Planning Case Referral Form to BOE? (required) YES NO

Is your project required to dedicate land to the public right-of-way? YES NO

If so, what is/are your dedication requirement(s)? N/A ft.

If you have dedication requirements on multiple streets, please indicate: N/A

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? YES NO

Authorizing Code Section 12.24 W 1

Code Section from which relief is requested (if any): N/A

Action Requested, Narrative: A Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with the operation of a proposed 12,637 square-foot drug store.

Hours of operation 24 hours daily.

Authorizing Code Section N/A

Code Section from which relief is requested (if any): N/A

Action Requested, Narrative: N/A

Additional Requests Attached YES NO

³ Number of units to be demolished and/or which have been demolished within the last five (5) years.

⁴ As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? YES NO

If YES, list all case number(s) _____

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. _____

Ordinance No.: _____

Condition compliance review

Clarification of Q (Qualified) classification

Modification of conditions

Clarification of D (Development Limitations) classification

Revision of approved plans

Amendment to T (Tentative) classification

Renewal of entitlement

Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? YES NO

Have you filed, or is there intent to file, a Subdivision with this project? YES NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

5. RELATED DOCUMENTS / REFERRALS

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide a copy of any applicable form and reference number if known.

a. Specialized Requirement Form N/A

b. Geographic Project Planning Referral N/A

c. Citywide Urban Design Guidelines Checklist N/A

d. Affordable Housing Referral Form N/A

e. Mello Form N/A

f. Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form N/A

g. HPOZ Authorization Form N/A

h. Management Team Authorization N/A

i. Expedite Fee Agreement N/A

j. Department of Transportation (DOT) Referral Form N/A

k. Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) N/A

l. Order to Comply N/A

m. Building Permits and Certificates of Occupancy N/A

n. Hillside Referral Form N/A

o. Low Impact Development (LID) Referral Form (Storm water Mitigation) N/A

p. Proof of Filing with the Housing and Community Investment Department N/A

q. Are there any recorded Covenants, affidavits or easements on this property? YES (provide copy) NO

PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant⁵ name Mia Jackson

Company/Firm CVS Pharmacy c/o Boos Development Group, Inc

Address: 701 N. Parkcenter Drive Unit/Space Number 200

City Santa Ana State CA Zip Code: 92705

Telephone (714) 953-0004 E-mail: Mia Jackson <mjackson@boosdevelopment.com>

Are you in escrow to purchase the subject property? YES NO

Property Owner of Record Same as applicant Different from applicant

Name (if different from applicant) LR 9th & Broadway, LLC

Address 270 N. Canon Drive Unit/Space Number PH

City Beverly Hills State CA Zip Code: 90210

Telephone (213) 784-3014 E-mail: jlee@tlrgc.com

Agent/Representative name Margaret Taylor

Company/Firm Apex LA

Address: 11301 W. Olympic Blvd. Unit/Space Number 700

City Los Angeles State CA Zip: 90064

Telephone (818) 398-2740 E-mail: Margaret@Apex-LA.com

Other (Specify Architect, Engineer, CEQA Consultant etc.) N/A

Name _____

Company/Firm _____

Address: _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Primary Contact for Project Information Owner Applicant
(select only one) Agent/Representative Other

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

⁵ An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

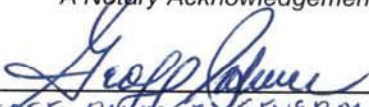
PROPERTY OWNER

7. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service of process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

- a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.
The City requires an original signature from the property owner with the "wet" notary stamp.
A Notary Acknowledgement is available for your convenience on following page.*

Signature  Date December 12, 2018
 Print Name Geoff Palmer, General Partner, Palmer Broadway, LP,
 Managing Member of LR qm 2 Broadway LLC

Signature _____ Date _____

Print Name _____

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of

Los Angeles

On

December 12, 2018

before me,

Marta Zarragoitia, a Notary Public
(Insert Name of Notary Public and Title)

personally appeared

GEORGE PALMER

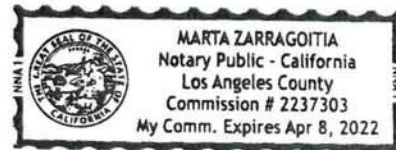
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~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

Marta Zarragoitia
Signature

(Seal)



APPLICANT

8. **APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.
- a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
 - b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
 - c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
 - d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
 - e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
 - f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
 - g. I understand that if this application is denied, there is no refund of fees paid.
 - i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but is not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
 - i. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

Signature: _____

Date: 12/7/18

Print Name: Mia Jackson

SPECIAL INSTRUCTIONS FOR ALCOHOL (CUB) & ADULT ENTERTAINMENT ESTABLISHMENTS (CUX) – LAMC 12.24 W.1 & 12.24 W.18

City of Los Angeles – Department of City Planning

The Special Instructions for Alcohol (CUB) & Adult Entertainment Establishments is a required attachment to the *MASTER LAND USE APPLICATION INSTRUCTIONS* (CP-7810). Only utilize this form when filing for a conditional use permit pursuant to LAMC Section 12.24 W.1 for alcohol establishments or pursuant to 12.24 W.18 for adult entertainment establishments.

ADDITIONAL REQUIREMENTS/FINDINGS FOR APPROVAL OF A CUB or CUX:

For a CUB or CUX request to be considered, the following additional information and findings must be provided.

1. **RADIUS MAP REQUIREMENTS.** In addition to the Public Noticing requirements detailed in the Master Land Use Application Instructions (CP-7810):
 - Radius Maps for alcohol uses must show land use to a 600-foot radius.
 - A **LIST OF ALCOHOL ESTABLISHMENTS** between 600 and 1,000 feet of the site is required. Include in the list the type of license and address.
 - A **LIST OF THE FOLLOWING USES** within 600 feet is also required:
 - (1) residential uses and type (single-family, apartment, hotel, etc.);
 - (2) churches;
 - (3) schools, including nursery schools and child-care facilities;
 - (4) hospitals;
 - (5) parks, public playgrounds and recreational areas; and
 - (6) establishments dispensing, for consideration, alcoholic beverages for consumption on or off premises.
2. **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 proposed use will not adversely affect the welfare of the pertinent community.
 - ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.
 - iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

3. **QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE**

- a. What is the total square footage of the building or center the establishment is located in? 1026 S. Broadwa
- b. What is the total square footage of the space the establishment will occupy? A
- c. What is the total occupancy load of the space as determined by the Fire Department? FR Lot A; Block none;
- d. What is the total number of seats that will be provided indoors? 513901401 Outdoors? 64,275.253 sq. ft.
- e. If there is an outdoor area, will there be an option to consume alcohol outdoors? Shell retail
- f. If there is an outdoor area, is it on private property or the public right-of-way, or both? Retail drug store
 - i. If an outdoor area is on the public right-of-way, has a revocable permit been obtained? CVS Health
- g. Are you adding floor area? A Cond If yes, how much is enclosed? N/A Outdoors? allow the sale ε

h. Parking

- i. How many parking spaces are available on the site? operation of a proposed 12,637 square-foot drug
- ii. Are they shared or designated for the subject use? shared with commercial uses
- 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? No
 - 1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety? N/A

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

4. **QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT**

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

	M	Tu	W	Th	F	Sa	Su
Proposed Hours of Operation	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours
Proposed Hours of Alcohol Sale	10am-10pm		10am-10pm	10am-10pm	10am-10pm	10am-10pm	10am-10pm

- b. 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 W.18.*

- c. Will there be minimum age requirements for entry? No If yes, what is the minimum age requirement and how will it be enforced? _____

- d. Will there be any accessory retail uses on the site? _____ What will be sold? _____

e. Security

- i. How many employees will you have on the site at any given time? 236

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

1. If yes, how many and when? _____

- iii. Has LAPD issued any citations or violations? _____ If yes, please provide copies.

f. Alcohol

- i. Will there be beer & wine only, or a full-line of alcoholic beverages available? 0

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

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

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

v. Food

1. Will there be a kitchen on the site? 236

2. Will alcohol be sold without a food order? 22,862

3. Will the sale of alcohol exceed the sale of food items on a quarterly basis? N/A

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

vi. On-Site

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

- 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

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

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

5. CALDERA BILL (CA Business and Professions Code Section 23958 and 23958.4)

- a. Is this application a request for on-site or off-site sales of alcoholic beverages? Off-Site
- i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel? N/A
 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**.

6. ADDITIONAL REQUIREMENTS FOR MASTER CUBs/CUXs. In addition to all requirements detailed in the Master Land Use Application Instructions (CP-7810), applications for Master CUBs/CUXs shall include:

- A separate sheet containing a table identifying all CUB or CUX requests on the subject site, indicating: the type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; the identifying address or suite/unit number corresponding to each CUB/CUX request; and (if known) the tenant-operator of each alcohol or adult entertainment establishment.
- All CUB or CUX requests on the subject site clearly identified and labeled on the plot plan and applicable floor plans, indicating: each type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; and the identifying address or suite/unit number corresponding to each CUB/CUX request.

NOTE: Please consider submitting documents beyond the requirements outlined in this form. If there are other circumstances which may further a more complete understanding of the project, do not hesitate to submit such information. The documents submitted with the application and the public hearing constitute the **primary opportunity** to clarify and define the project.

BACKGROUND AND FINDINGS

Subject Site: CVS Health
1026 S. Broadway, Suite A
Los Angeles, CA 90015



Request:

The applicant is requesting:

Conditional Use Permits:

As permitted under Section 12.24 W 1 of the LAMC, a Conditional Use Permit to allow to the sale and distribution of a full line of alcoholic beverages for off-site consumption in conjunction with the operation of a proposed 12,637 square-foot drug store. 24-hour operation, daily.

Building Permits:

Certificate of Occupancy No 158323-4 – On August 7, 2018, a Temporary Certificate of Occupancy was issued for a proposed 5-story, type III-A, 236 unit apartment building over 2-story type I-A retail/common area/parking and 3-basement levels of parking garage. 7 live/work units (Tier 2) at 1st/2nd floor.

Building Permit No 13010-10002-02225 – On April 18, 2018, a building permit was issued to allow an early start (foundation only) for a 5-story, type III-A, 236 unit apartment building over 2-story type 1-A retail/common area/ parking and 3-basement levels of parking garage being checked and eventually issued under 13010-10000-02225.

Building Permit No 18016-10000-19254 – On October 5, 2018, a building permit was issued to allow exterior and interior alteration to an existing core and shell, scope to consist of removing existing exterior doors and replacing with new storefront windows to match existing. Interior alterations will consist of a door infill, and new trash.

Building Permit No 13010-10000-02225 – On October 20, 2018, a building permit was issued to allow a 5-story, type III-A, 236 unit apartment building over 2-story type 1-A retail/common area / parking and 3-basement levels of parking garage. 7 live/work units (Tier 2) at 1st/2nd floor.

FINDINGS OF FACT:

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 applicant is seeking a Conditional Use Permit to allow to the sale and distribution of a full line of alcoholic beverages for off-site consumption in conjunction with the operation of a proposed 12,637 square-foot “CVS Health” drug store. Proposed 24-hour operation, daily. Hours of alcohol sales from 10:00 am – 10:00 pm, daily.

The premise will be a tenant improvement to a first floor retail shell space developed under Certificate of Occupancy No 158323-4 issued On August 7, 2018 for a proposed 5-story, type III-A, 236 unit apartment building over 2-story type I-A retail/common area/parking and 3-basement levels of parking garage. 7 live/work units (Tier 2) at 1st/2nd floor.

There are 351 parking spaces required for the overall development, 519 are provided. Parking for the CVS Health drug store will be accessible on the first floor, with entrance to the parking lot from Broadway.

The primary use at the site is the retail store and pharmacy. Alcohol sales are a relatively small portion of the floor area of the store. This use is being provided as a convenience to customers only, so that they may purchase all of their shopping needs at one time, in one location, with one trip.

It is good planning policy to allocate alcohol sales to locations which are planned and zoned for large scale commercial uses, have high quality and professional operations, and where alcohol sales are limited to an ancillary capacity.

CVS has an excellent compliance record with conditions of approval which mitigate the use from any potential negative impacts. They provide further protections through corporate policies of management training and age identification procedures.

Finally, CVS has a self-interest in maintaining a wholesome shopping experience. Therefore, they will continue to enforce alcohol sales procedures to ensure there are no problems resulting in incidents or activities which affect the environment for their core clientele.

Denial of the request would unfairly impair/prevent the applicant from enjoying reasonable use of the subject site. The zoning regulations require certain uses to provide amenities to ensure a harmonious land uses sensitive to pedestrian oriented activities. Such regulations, however, are written on a Citywide basis and cannot take into account individual unique characteristics which a specific parcel and its intended use may have. In this instance, the Code’s desire to achieve compatibility between respective sites and protect neighboring properties and the applicants desire to provide a viable business can be accommodated in a manner consistent with the intent and purpose of the zoning regulations.

The project will perform a beneficial function to the local economy by providing a revenue-generating use within the proposed development and will enhance the built environment through activating a critically-



located parcel. The venue will add to the diversity of retail and pharmacy options for area residents and visitors and provided vital services to a growing residential population.

For these reasons, the proposed use is beneficial to the community and fits well into the built environment.

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.

The subject tenant spaces has three (3) frontages: Approximately 145 feet along the southerly side of Olympic Boulevard, approximately 60 feet along the easterly side of Broadway and approximately 88 feet on the westerly side of Main Street.

The applicant has provided two customer entrances. One entrance is located at the corner of Broadway and Olympic. The second entrance is located mid-block along the Olympic frontage which allows the tenant to enliven both street frontages.

In addition, the tenant space provides 23'-0" first floor to ceiling height, glass windows and merchandising pulled back from the perimeter walls, which all help create an inviting pedestrian walking experience and enhanced street safety.

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 or the surrounding neighborhood. The proposed use is situated in a planned development zoned and buffered to create synergetic uses with the significant influx of mixed use development in the immediate vicinity, as shown by the planning case history above and development on the ground. As such, is will positively benefit, not defer from, 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 applicable specific plan.

The General Plan (per the Central City Community Plan) designates the subject site for Regional Center Commercial uses corresponding to the CR, C1.5, C2, C4, C5, R3, R4, RAS3, and RAS4 zones. Note 12 does not apply: "The C5 Zone shall be limited to the area generally bounded by Fifth Street, Spring Street, Ninth Street and Olive Street."

The subject site is in the Center City / Historic Core subarea of the Central City Community Plan.

"The Historic Core forms the spine of Central City. It links together the Central City districts to the west that contain downtown's mix of business, finance, cultural and sports/entertainment activities to the "Markets" districts to the east that represent the large and vital array of manufacturing, distribution, wholesale, industry-related retail, social service activities; the Civic Center/Little Tokyo to the north; and South Park to the south. The Historic Core has evolved into

three distinct subareas: a) the northern portion with its concentration of government related uses, b) the middle portion encompassing largely vacant, historic theaters and a dynamic retail shopping district along Broadway. and c) the southern portion which is emerging as an extension of the Fashion District and the South Park residential neighborhood..”

(Central City Community Plan Pages I-9)

In terms of Economic Development, the Plan states,

“The viability of Downtown Los Angeles will depend to a large extent on the continued economic growth and development of the city as a whole. In order to accomplish this, both the public and private sectors must establish a strategy that will create a positive business climate, attract private investment, create and retain jobs, and provide a safe and attractive environment for everyone. Although land use planning in itself cannot accomplish the task of economic development, it can play a role in setting public policies and programs that create a positive physical environment.

There are several components to an effective economic development plan. Most are directly related to marketing, advocacy, the physical and economic revitalization of neighborhoods, and jobs creation which are the primary functions of such groups as the Convention and Visitors Bureau, the Community Redevelopment Agency, and other Downtown groups and associations such as Business Improvement Districts (BID’s). The community plan, which functions mainly as a land use plan, can act to establish goals and policies which effect the physical environment making it more inviting for tourists, workers, shoppers, and business investment. Downtown Los Angeles already has many advantages including the Convention Center, Staples Arena, the Music Center, the garment, jewelry, flower, toy and other unique retailing districts, transit, and a concentration of public and private employment centers. It is vital to aggressively campaign and market these attributes to attract regional, national, and international investment. Downtown Los Angeles also has a emerging residential population, especially in the Historic Core, South Park and Bunker Hill. The importance of a thriving residential community is vital to the success of Central City. Having residents live and work in the community will foster one of Central City’s primary goal which is the establishment of an active 24-hour downtown.

Finally, the ultimate goal of the Central City Community Plan is to create an environment conducive to conducting business and actively promote Downtown Los Angeles as the economic center for the region and California. The plan also seeks to encourage the investment in Central City of all types of businesses including commercial office, retail, manufacturing, and tourism, which in turn expands job opportunities for all of the city’s residents.”

(Central City Community Plan Pages I-16 and 17)

Commercial land use policies reflect the need to generate a variety of new commercial uses in the community to facilitate convenient shopping and easy access to services. Redevelopment of existing commercial areas with more appropriate uses will result in the physical and aesthetic upgrading of these areas.

Approving the requested Conditional Uses allows CVS to invest in the area, anchor the mixed-use site development and hire employees. Overall, the request addresses the economic development challenges



in the undeveloped portions of the Central City Los Angeles area and thereby improves the general welfare.

The proposed use of a CVS drug store/pharmacy is a benefit to the welfare of a rapidly expanding residential and work population in Downtown Los Angeles. Employees will have job opportunities and those living and working in the area will have access to fundamental services by an established business operator with a commitment to the revitalization of this community.

4 [Alcohol]. The proposed use will not adversely affect the welfare of the pertinent community.

Alcohol sales are a convenience amenity for pharmacy/retail stores. However, CVS Health is a distinct operator in the drug store market. They are the only national chain that does not carry tobacco products. They are a best practices leader in the pharmaceutical sales sector and alcohol sales occupy on average the smallest floor area dedicated to alcohol sales of all of the drug store chains. They have also created a specialized urban product line which includes more organic products, fresh produce and healthy diet options.

CVS/Pharmacy is a major corporation with a mandate of being family friendly, environmentally and community enhancing, with a corporate image to protect. They have established operating procedures and guidelines which ensure consistency in their service. These uses are being provided at the request of our customers. They are compatible with the reasonable concerns and policies of the Los Angeles Planning Department and the California State Alcohol Beverage Control Board, and within current operating guidelines, will be provided in a responsible manner.

5 [Alcohol]. The granting of such application will not result in an undue concentration in the area of establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, 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 such establishments within a one thousand feet 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.

The subject use is located in an area which is planned and designed to provide regional commercial uses, with a pedestrian friendly atmosphere. Investment from well-operated venues supports the vitality of the community. While providing alcohol sales, the location will also be a focal point for needed services identified specifically for this area in the Community Plan.

It is good planning policy to provide alternatives for consumers to purchase their alcohol secondarily to their other sundry goods and not at smaller sized markets for which alcohol sales are a primary use.

The subject use balances the need for a community-friendly use with an orientation and buffering within the commercially planned development. The addition of this license, when weighed against the added value to be provided does not unduly concentrate licenses for the sale of alcoholic beverages.

6 [Alcohol]. The proposed use will not detrimentally affect nearby residentially zoned communities in the area after giving consideration to the distance of the proposed use from the following: 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.

The proposed business will be located within a new development. The use will be operated in a professional manner and abide by all guidelines placed on it by the City of Los Angeles and the Department of Alcoholic Beverage Control.

While there are residential units within 500 feet of the subject site, said uses are buffered from any potential impact of the use through well-planned site development. The CVS has high visibility. It is well lit and safe. This is a mixed use, urban environment with a need for basic services such as the goods and pharmacy use provided by the proposed tenant.

There is only one sensitive use within 600 feet of the subject site:

MICHAEL VINCENT ACADEMY 1138 S BROADWAY

CVS identified this site for investment because of the need for access to pharmacy and household goods within the area. There are fundamentals essential to the success of a national drug store chain – such as alcohol sales and extended hours of operation – which can be provided in a manner which protects the community and yet makes these services available to them. That being said, the applicant is willing to limit the hours of alcohol sales to 10:00 am – 10:00 pm daily as a result of pre-filing community outreach discussions. Even though the City does not have the authority to impose specific hours of alcohol sales, these volunteered alcohol sales hours will be incorporated into the ABC licensing and any applications to the City of Los Angeles for findings of public convenience or necessity.

CVS has a national health care mandate which includes investment of Minute Clinics in many of their locations and removal of tobacco sales from their entire chain of operations. CVS is working hard to be a healthy contributor to their customers’ well-being and approval of the subject request allows them to succeed in this endeavor, while remaining competitive in the industry.

It is important to understand the convenience to this population to have an authentic, responsible, high quality retail drug store/pharmacy in their community. It benefits the neighborhood overall. During high traffic hours, it is especially convenient to be able to walk to the location and walk home.

Permitting the sale of alcohol with standard conditions will not substantially impact the welfare of the area given the CVS/Pharmacy history of compliance and operation at other locations.

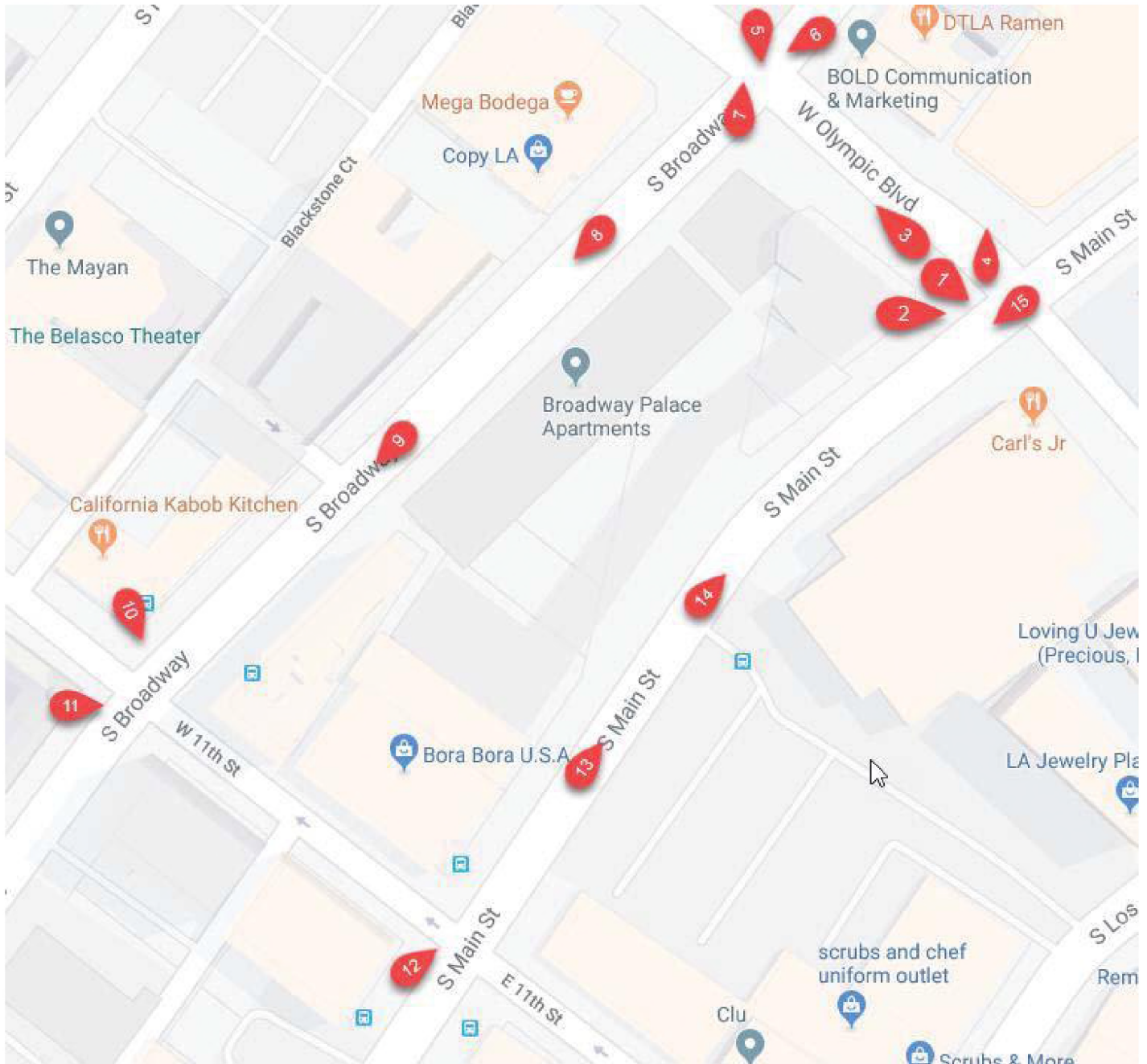
We, therefore, respectfully request approval of the subject request.

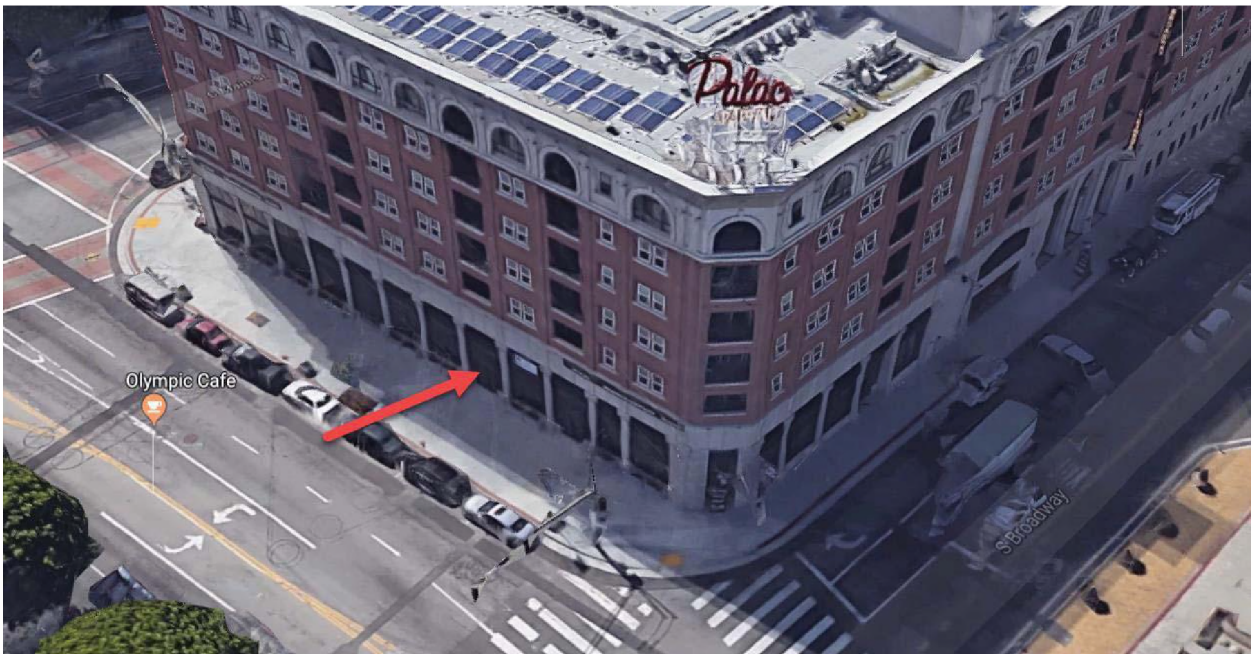
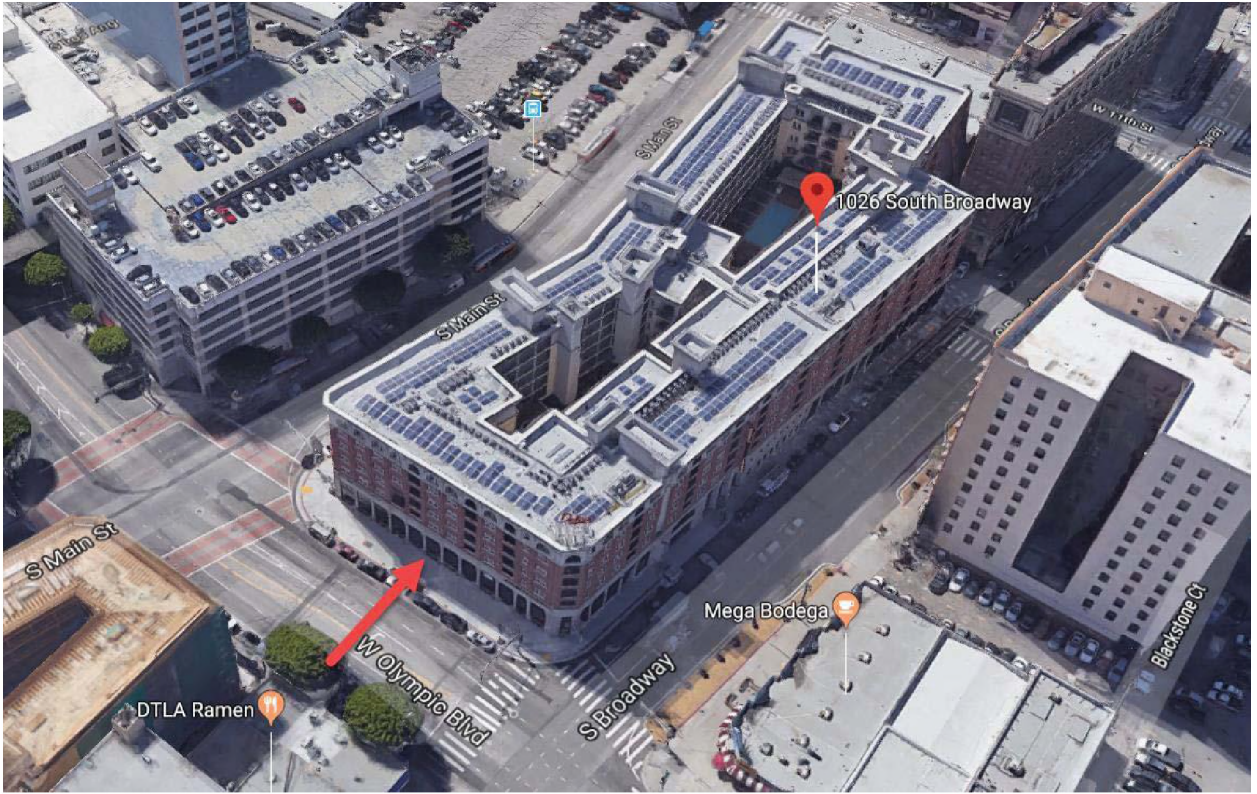
PHOTO EXHIBIT

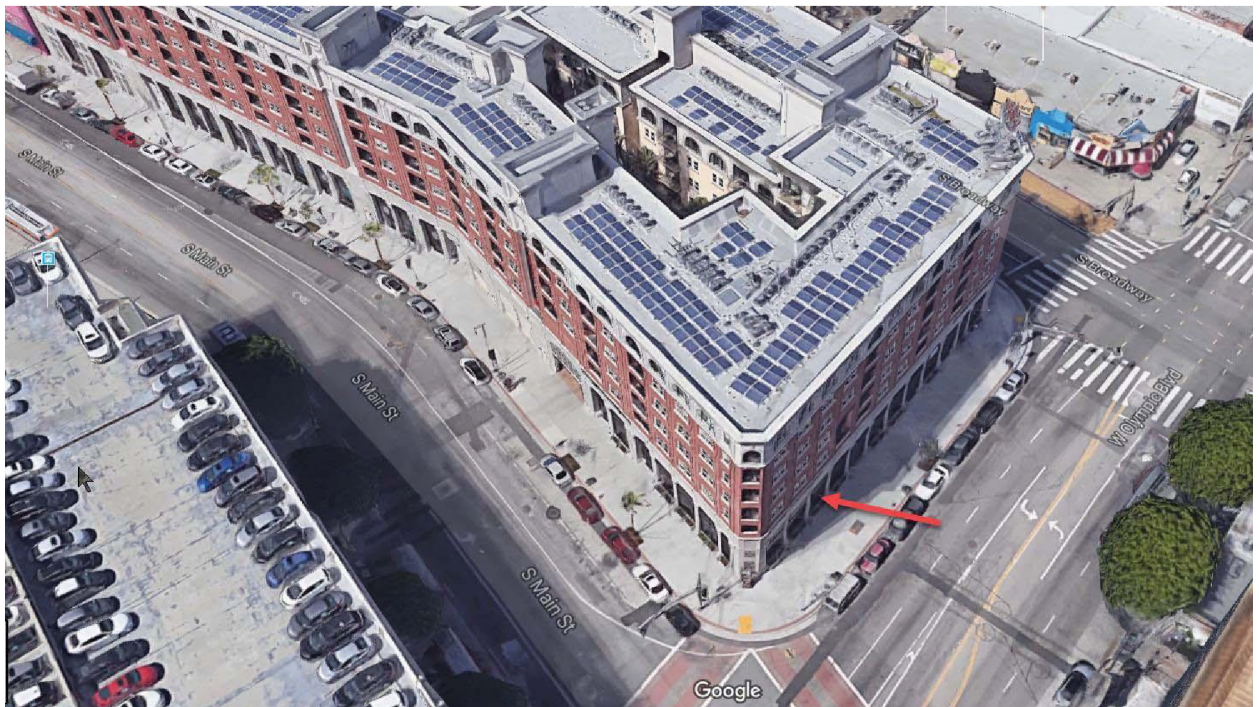
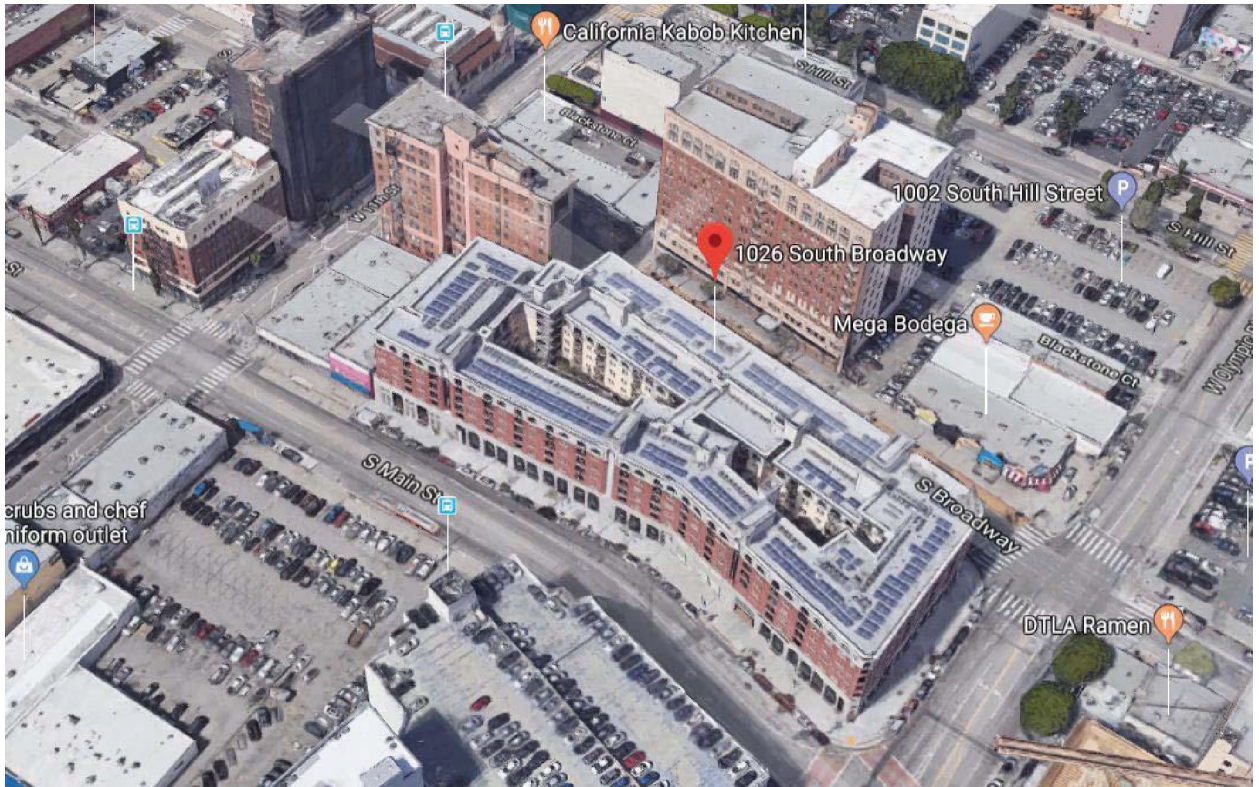
Subject Site:

1026 S. Broadway, Suite A
Los Angeles, CA 90015











1.



2.



3.



4.



5.

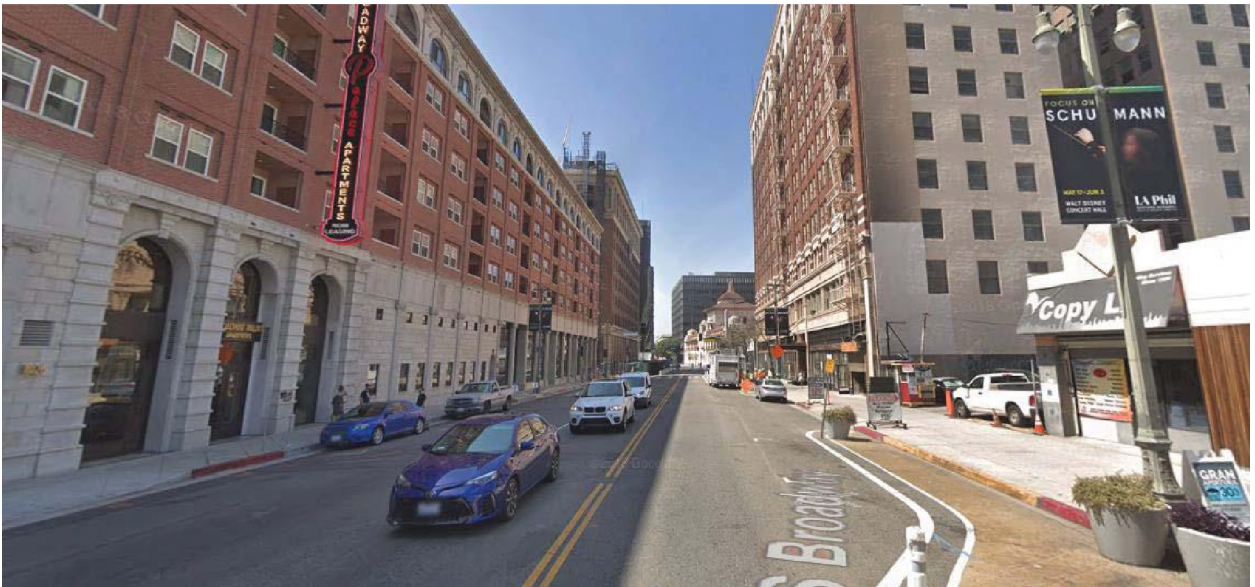


6.

7.



8.



9.



10.

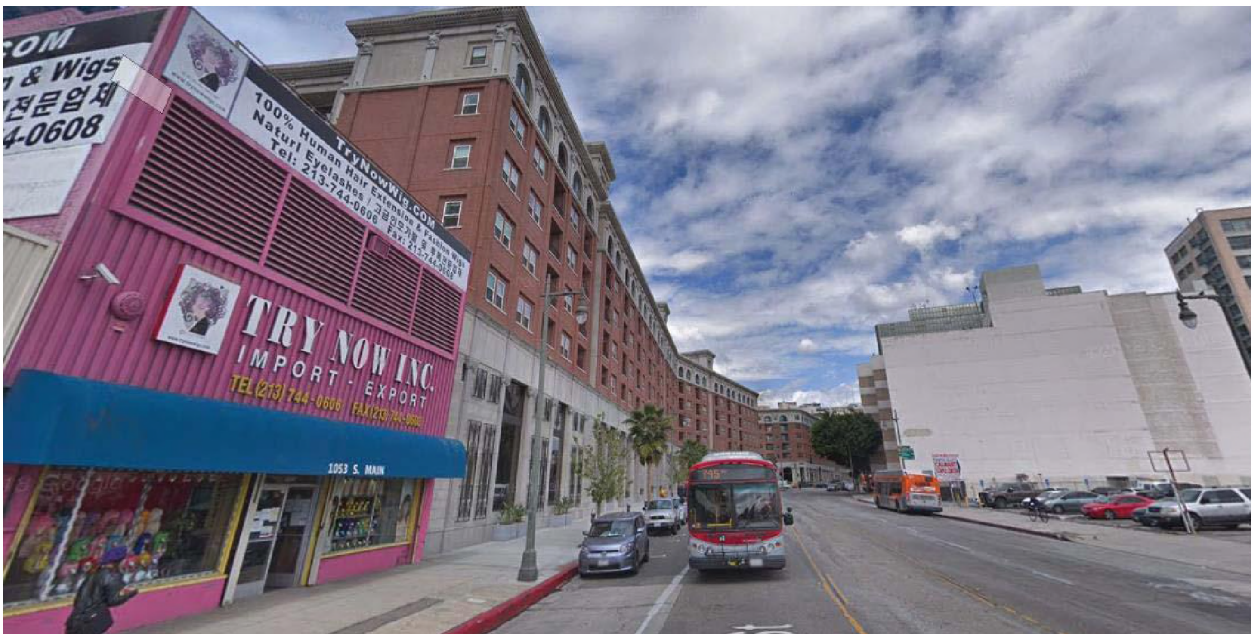




11.



12.



13.

14.

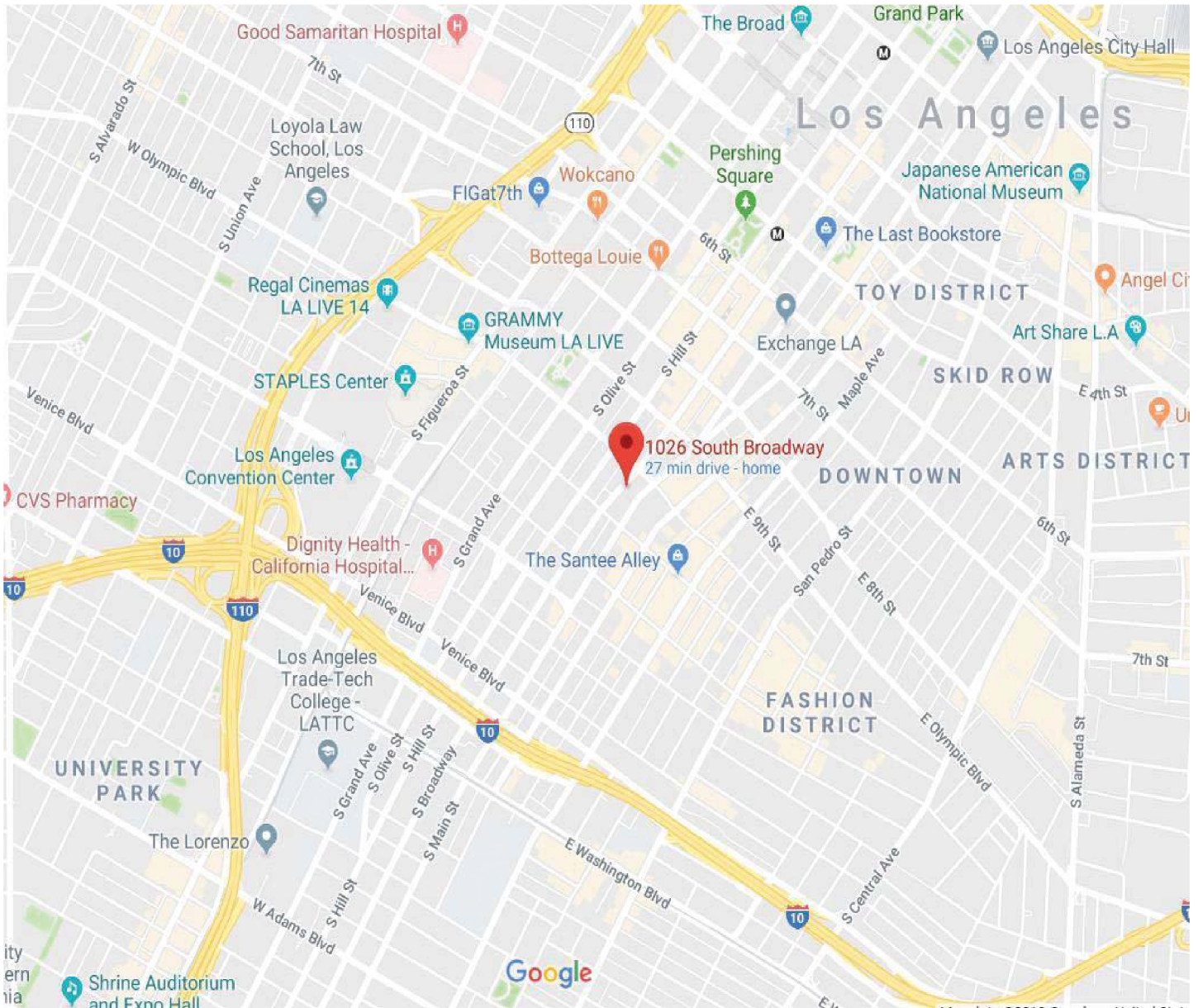


15.



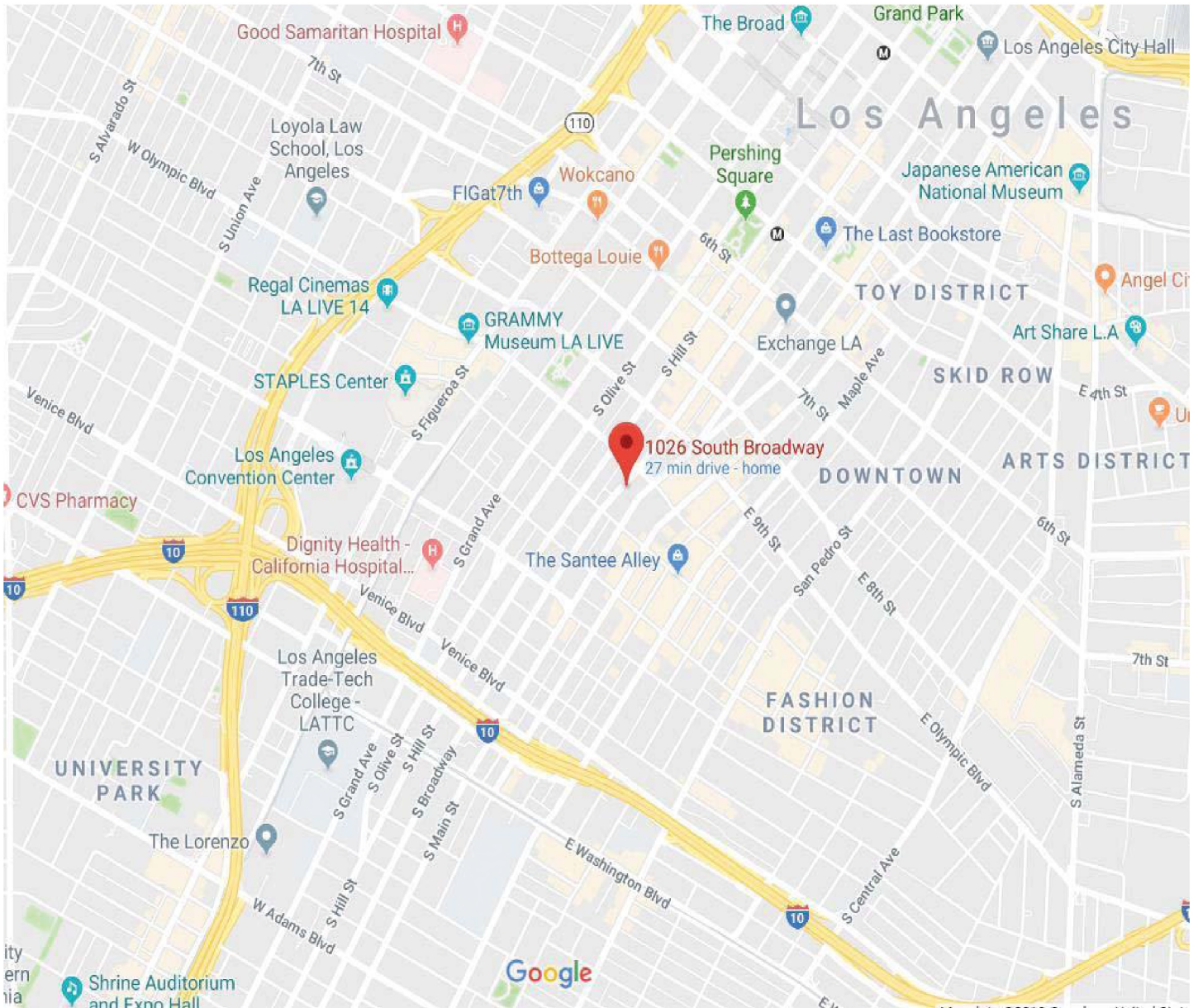
VICINITY MAP

1026 S. BROADWAY



VICINITY MAP

1026 S. BROADWAY





CONDITIONAL USE A.B.

Map Prepared by:
APEX LA
 11301 W Olympic Blvd #700
 Los Angeles CA 90064

213-330-0335
 mike@apex-la.com

LEGAL DESC: Lot FR LT A, Tract TR 4989
 APN 5139-014-017

500/600 FEET

Thomas Brothers Grid Community Plan Area Area Planning Commission Central Neighborhood Council Council District Census Tract # Map Sheet	PAGE 634 – GRID E5 Central City Downtown Los Angeles CD 14 – Jose Huizar 2079.00 126A209	Date: 12/11/2018 Update Case # Uses 1 inch = 100 feet
--	---	---

