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Decision Date: April 28, 2025

Appeal Period Ends: May 13, 2025

Randeep Singh (A)
Fatehveer, Inc.
7300 Topanga Canyon Boulevard,
Units #1 and #2
Canoga Park, CA 91303

M & F Investments (O)
4730 Woodman Avenue, #200
Sherman Oaks, CA 91423

Wil Nieves (R)
21250 Hawthorne Boulevard, #500
Torrance, CA 90503

CASE NO. ZA-2024-7975-CUB
CONDITIONAL USE PERMIT
7300 North Topanga Canyon Boulevard,
Units #1 and #2
Canoga Park – Winnetka – Woodland
Hills – West Hills Community Plan
Zone : [Q]C1.5-1
C.D. : 3 – Bob Blumenfield
D.M. : 186B101
CEQA : ENV-2024-7976-CE
Legal Description: Lots FR 7 and FR 8;
Block 50; Owensmouth Tract

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 (Existing Facilities), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies;

Pursuant to Los Angeles Municipal Code (LAMC) Section 13B.2.2 of Chapter 1A, I hereby APPROVE:

a Conditional Use Permit to allow the sale of a full line of alcoholic beverages for off-site consumption, in conjunction with an existing market in the [Q]C1.5-1 Zone;

Pursuant to Los Angeles Municipal Code (LAMC) Section 13B.2.2 of Chapter 1A, I hereby APPROVE:

a Conditional Use to allow the hours of operations of 7:00 a.m. to 12:00 a.m. (midnight), daily, in lieu of the Commercial Corner hours of operation limitation of 7:00 a.m. to 11 :00 p.m. of LAMC Section 12.22 A.23, for an existing market.

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 and floor 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 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 and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, 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 form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs, or assigns. The 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 for inclusion in case file.
7. Authorized herein is the sale of a full line of alcoholic beverages for off-site consumption in conjunction with an existing 1,808 square-foot market. The grant shall be subject to the following limitations:
 - a. The hours of operation shall be limited to 6:00 a.m. to 12:00 a.m. (midnight), daily.

8. After hour use shall be prohibited, except routine clean-up, food preparation, construction, inventory or other maintenance type activities. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
9. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.
10. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
11. There shall no Adult Entertainment of any type pursuant to LAMC Section 12.70.
12. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
13. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
14. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and/or private security.
15. Lighting shall be installed in all areas within the business in conformance with the Los Angeles Municipal Code. The lighting shall be such that it renders all objects and persons clearly visible within the establishment.
16. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility. The signs shall be in English and Spanish.
17. **Good Neighbor Program.** A telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Customer service desk.

Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved.

18. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department “Standardized Training for Alcohol Retailers” (STAR) or Department of Alcoholic Beverage Control “Licensee Education on Alcohol and Drugs” (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
19. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
20. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager’s responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and the facility to discourage illegal and criminal activities and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
21. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department, Department of Alcoholic Beverage Control, the Department of Building and Safety, the Department of City Planning, or other responsible agencies. The on-site Manager and employees shall be knowledgeable of the conditions herein.
22. The applicant shall be responsible for maintaining the premises over which they have control, including the adjoining sidewalk and any public or temporarily closed alleys abutting the site, free of debris and litter.
23. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
24. The applicant(s) shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.

25. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
26. The employee of the site will hourly observe the exterior of the site to ensure no loitering occurs. Loiterers will be asked to leave the site.

ADMINISTRATIVE CONDITIONS

27. **Expedited Processing Section Fee.** 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.
28. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C Section 19.01- E,3 - Monitoring of Conditional Use Permits, Inspection, and Field Compliance for Review of Operations and Section 19.04 - Miscellaneous Clearance - ZA shall be paid to the City.
 - a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. A second inspection will take place within 36 months of the first inspection. Observations and results of said inspection will be documented and included in the administrative file.
 - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.

29. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30 days of the beginning day of their new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement, or number of seats of the new operation.
30. Should there be a change in the ownership and/or the operator of the business, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval. The application, in association with the appropriate fees, shall be submitted to the Development Services Center, Department of City Planning, within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add, or delete conditions, and if warranted, reserves the right to conduct a public hearing, that may also be conducted for nuisance abatement/revocation purposes.
31. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon his/her their initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-E, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

32. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- i. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- ii. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- iii. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- iv. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- v. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. Unless otherwise provided in Chapter 1A, Chapter 1 (General Provisions and Zoning), or in a project's conditions of approval, any approval by the Zoning Administrator, Director of Planning, an Area Planning Commission, or the City Planning Commission as initial decision makers that is not effectuated within three years of its effective date becomes null and 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 upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 13A.2.7.G. of the Los Angeles Municipal Code provides:

A Quasi-judicial action or any conditional approval granted by the Director, pursuant to the authority of this Chapter or Chapter 1 (General Provisions and Zoning) of this Code 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 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 or Chapter 1 (General Provisions and Zoning), shall

constitute a violation of this Chapter or Chapter 1 (General Provisions and Zoning) and shall be subject to the same penalties as any other violation of this Code.

NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the staff assigned to this case. 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, and public comments received 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 and prerequisites for approving a conditional use as enumerated in Section 12.24 W of the Municipal Code have been established by the following facts.

BACKGROUND

The subject property is comprised of two (2) lots encompassing a total lot area of approximately 24,751 square feet and located on the northeasterly corner of the intersection of Topanga Canyon Boulevard and Wyandotte Street within the Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan area. The subject property has an approximate width of 75 feet and a depth of approximately 187.5 feet which backs into a public alley. The property is zoned [Q]C1.5-1 with a General Commercial land use designation and is further located within the Transit Priority Area in the City of Los Angeles (ZI-2452) and an Urban Agriculture Incentive Zone. The property is not located within a Very High Fire Hazard Severity Zone, Hazardous Waste Site, Landslide, High Wind Velocity Area nor within a Methane Hazard Zone. The subject property is located approximately 12.1 kilometers from the Santa Susana Fault.

The property is currently developed with an existing one-story, 10,910 square-foot commercial strip mall with a surface parking lot fronting the corner of Topanga Canyon Boulevard and Wyandotte Street. The existing parking lot contains 21 standard parking spaces and 9 compact parking spaces. The project site is one of the commercial tenants occupying Units No. 1 and No. 2. Other tenants in the commercial strip mall include a Yoshinoya, Subway, dentist, and other restaurants.

The subject request includes a Conditional Use Permit to allow the sale of a full line of alcohol for off-site consumption in conjunction with an existing 1,808 square-foot market. Proposed hours of operation are from 6:00 a.m. to 1:00 a.m., daily.

SURROUNDING PROPERTIES

Surrounding properties are generally developed with commercial and residential uses. The property directly abutting to the north is zoned [Q]C1.5-1 and is developed with a two-story commercial and medical spa center. Properties to the east, across the public alley, are zoned [Q]RD2-1 and are developed with two-story single-family homes and duplexes. Properties to the west, across Topanga Canyon Boulevard, are zoned [Q]CR-1VL and are developed with a three-story office building. Properties to the south, across Wyandotte Street, are zoned [Q]C2-1VL-CDO and [Q]P-1VL-CDO and are developed with drive-through fast-food establishments and their associated surface parking lots.

STREETS

Topanga Canyon Boulevard, adjoining the subject property to the west, is a designated Boulevard II with a dedicated right-of-way width of 104 feet and is improved with curb, gutter, and sidewalk.

Wyandotte Street, adjoining the subject property to the south, is a designated Local Street – Standard, with a dedicated right-of-way width of 60 feet and is improved with curb, gutter, and sidewalk.

A public alley, adjoining the subject property to the east, has a dedicated right-of-way width of 20 feet and is improved with concrete and a centralized channel.

Previous relevant cases, affidavits, and orders on the subject property:

Case No. ZA-2008-2667-CUB – On March 11, 2009, the Zoning Administrator denied a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with proposed 1,808 square-foot market (“Tip Market”). The decision was subsequently appealed. At its meeting on May 14, 2009, the South Valley Area Planning Commission voted to deny the submitted appeal and sustain the Zoning Administrator’s decision.

Case No. ZA 88-0226(CUB)(CCR) – On June 1, 2008, the Zoning Administrator denied a Conditional Use Permit, requesting the 24-hour operation of an existing market within a shopping center which was also authorized to sell beer and wine.

Case No. ZA 87-0064(CUB) – On April 6, 1987, the Zoning Administrator approved a Conditional Use Permit for the sale and dispensing of beer and wine for off-site consumption in conjunction with a 1,978 square-foot market, having hours of operation from 8:00 a.m. to 11:00 p.m., daily.

Cases on Surrounding Properties:

A search of relevant cases within 1,000-feet of the project site utilizing PTCS was conducted.

Case No. ZA-2023-2348-CUB – On May 20, 2024, the Zoning Administrator approved a conditional use to allow the sale of beer and wine for off-site consumption, in conjunction with an existing approximately 4,948 square-foot market in the [Q]C2-1VL-CDO Zone, located at 21825 West Sherman Way.

Case No. ZA-2018-7623-CUB – On June 20, 2019, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of beer and wine only for on-site consumption, in conjunction with an existing restaurant in the C1-1VL and P-1VL Zones, located at 7257 North Topanga Canyon Boulevard.

Case No. ZA-2017-783-CUB – On January 5, 2018, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of beer and wine, in conjunction with an existing market/restaurant in the [Q]C2-1VL-CDO Zone, located 21825 West Sherman Way.

PUBLIC CORRESPONDENCE

A correspondence was received from LAPD Topanga Area Vice Unit, dated January 18, 2025, stating non opposition to the project with recommended conditions of approval.

PUBLIC HEARING

A public hearing was held virtually by the Zoning Administrator over Zoom Webinar on Wednesday, April 9, 2025 at 9:30 a.m. The purpose of the hearing was to obtain public testimony from affected and/or interested persons regarding the application. Interested parties were also invited to submit written comments regarding the request prior to the public hearing.

Wil Nieves, the project representative, presented the project and stated the following:

- Existing market
- 1980s operation
- Has existing beer and wine from Case No. ZA-87-0064
- Hours of operation is 8:00 a.m. to 11:00 p.m.
- No issues and no issues with ABC
- Alcohol in operation in market for a number of years
- Won ABC lottery license
- Proposed hours of operation 6:00 a.m. to 1:00 a.m., daily
- Did not hear back from the Neighborhood Council; did not get a call or email back
- LAPD did issue a support letter, dated January 18, 2025;
- LAPD limited to 6:00 a.m. to midnight; but okay with the hours
- Have been operating for quite some time
- Did try some outreach, no word back
- This is subject to commercial corner
- Previous operator received denial; this is a new operator; purchase business 4-5 years
- Other alcohol will be located behind counter
- Reached out to NC on-line, application to land use committee, February 27, 2025; did not hear from them

No members of the public provided testimony during the hearing.

The Zoning Administrator closed the public hearing and indicated that findings can be made in the affirmative after review of the administrative record and intends to conditionally grant approval of the case, subject to the applicant submitting a copy of the LAPD letter.

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the Zoning Administrator has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- The quarterly gross sales of alcohol shall not exceed the quarterly gross sales of food items. The business operator shall maintain records which reflect these numbers and make them available to the Police Department upon request.
- No signs are permitted on the outside of the building or directed from the inside to the outside which display or advertise the availability of alcoholic beverages.
- Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages and 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.
- No sale of alcohol shall be permitted at any self-service, automated check-out station (checkout conducted primarily by the customer, with assistance by a store monitor) if such are available on the site. All sales of alcohol shall be conducted at a full-service checkout station directly attended by a cashier/check-out clerk specifically assigned solely to that station.

- Signs shall be posted in English and Spanish stating that California state law prohibits the sale of alcoholic beverages to people who are under 21 years of age.
- That all alcohol sales shall be by a clerk 21 years of age or older.

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 W of the Los Angeles Municipal Code. In order for the sale of a full line of alcoholic beverages for off-site consumption be authorized, certain designated findings have to be made.

CONDITIONAL USE FINDINGS

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 project site is developed with an existing one-story, 10,910 square-foot commercial strip mall with a surface parking lot fronting the corner of Topanga Canyon Boulevard and Wyandotte Street. The existing parking lot contains 21 standard parking spaces and 9 compact parking spaces. The project site is one of the commercial tenants occupying Units No. 1 and No. 2. Other tenants in the commercial strip mall include a Yoshinoya, Subway, dentist, and other restaurants. The proposed project involves a Conditional Use Permit to allow the sale of a full line of alcohol for off-site consumption in conjunction with an existing 1,808 square-foot market. Proposed hours of operation are from 6:00 a.m. to 1:00 a.m., daily.

The proposed project will perform a function and provide a service that is beneficial to the community by offering amenities and ancillary alcohol within an existing convenience store. The existing market was first granted an approval for the off-site sale of beer and wine in 1987 and has been operating since. The approval of the requested upgrade of alcohol sales from beer and wine to a full line of alcoholic beverages will allow the subject market to continue serving the surrounding area and develop economically. The subject property is located along Topanga Canyon Boulevard which is a major commercial thoroughfare which services both the immediate surrounding area and larger communities. The project site is located along a major commercial corridor within a General Commercial land use designation which contains a diversity of uses that complement each other, which includes a variety of neighborhood servicing uses such as restaurants, offices, food establishments, personal services, and various types of retail. The proposed project would provide the surrounding residential and commercial uses with additional retail and amenity options within the community.

Approval of the request will contribute to the nature of the development in the area which caters to a variety of needs and provides convenient retail options for residents, visitors, and employees. The existing market has and will continue to sell alcohol as an ancillary use. Further, approval of the request will provide residents, visitors and employees of the area a convenient and accessible market and convenience store within walking distance from residences and businesses as well as shopping areas. It will promote the viability and economic vitality of this part of the Canoga Park neighborhood by allowing the existing market to expand their selection of items and help make the overall region more appealing for customers. As such, the project will enhance the built environment in the surrounding neighborhood and will perform a function or provide a service that is essential or beneficial to the community, city or region.

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 proposed project will be compatible with the surrounding neighborhood and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety. The property is currently developed with an existing one-story, 10,910 square-foot commercial strip mall with a surface parking lot fronting the corner of Topanga Canyon Boulevard and Wyandotte Street. The existing parking lot contains 21 standard parking spaces and 9 compact parking spaces. The project site is one of the commercial tenants occupying Units No. 1 and No. 2. Other tenants in the commercial strip mall include a Yoshinoya, Subway, dentist, and other restaurants.

The subject request includes a Conditional Use Permit to allow the sale of a full line of alcohol for off-site consumption in conjunction with an existing 1,808 square-foot market. Surrounding properties are generally developed with commercial and residential uses. The property directly abutting to the north is zoned [Q]C1.5-1 and is developed with a two-story commercial and medical spa center. Properties to the east, across the public alley, are zoned [Q]RD2-1 and are developed with two-story single-family homes and duplexes. Properties to the west, across Topanga Canyon Boulevard, are zoned [Q]CR-1VL and are developed with a three-story office building. Properties to the south, across Wyandotte Street, are zoned [Q]C2-1VL-CDO and [Q]P-1VL-CDO and are developed with drive-through fast-food establishments and their associated surface parking lots.

This grant includes conditions of approval that encourages responsible management, ensure mode and character, address potential nuisances, and deter criminal activity. Furthermore, a non-opposition letter was received from LAPD Topanga Area Vice Unit, dated January 18, 2025, with recommended conditions of approval. The conditions have been incorporated, including a midnight closing time to address negative impacts. These conditions will ensure that the operation will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety by ensuring security and

safety, provide STAR training, and responsible management. In addition, a 24-hour complaint hotline telephone number and email address are required to be posted on the site to allow the community to inform the applicant/operator of any complaints due to the operation of the subject market and convenience store. The conditions of the grant will ensure that the location and other characteristics of the use of the subject site will be compatible with and will not adversely affect or 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.

The City of Los Angeles' General Plan consists of elements that dictates policies that provides the regulatory environment in managing the City and addressing environmental issues. The subject site is zoned [Q]C1.5-1 and is located in the Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan Area, the Transit Priority Area in the City of Los Angeles, and an Urban Agriculture Incentive Zone.

The Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan Map designates the property for General Commercial land use with the corresponding zones of C1.5, C2, C4, RAS3, and RAS4. The land use designation and surrounding zoning permits for a variety of mixed commercial and residential uses including the subject market and convenience store. The Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan allows a variety of commercial uses but is silent with regards to the sale of alcohol, leaving interpretation of the intent of the Plan to the Zoning Administrator. The project is consistent with the following objective of the Community Plan:

Objective 2-1 To conserve and strengthen viable commercial development and encourage recycling of obsolete commercial development.

The proposed project conserves and strengthens a long-standing, local, small business by allowing an existing market and convenience store to expand and upgrade their selection from beer and wine only to a full line of alcohol. The market/convenience store use is consistent General Commercial plan designation for the property. Given the scope and limitations established by the conditions herein, the surrounding land uses will not be significantly impacted by the proposed operation of the market. The proposed project supports the Community Plan's Land Use objectives by offering a viable retail service, meeting the need of the Plan Area to strengthening an existing local business and maintaining a long-standing retail- and service-oriented use. Therefore, the project substantially conforms to the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

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

The subject site is located in the Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan area. The property is developed with a shopping center and is zoned for commercial uses. The project site will continue being utilized as such with the proposed sale of full line of alcoholic beverages for off-site consumption in conjunction with the existing market located within Units #1 and #2 of the existing shopping mall. The Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan area encompasses several commercial thoroughfares that provide residents and visitors with a variety of service uses. The availability of amenities such as off-site sale of alcoholic beverages in association with community serving establishments encourages the success of a local businesses. The location is proper in relation to adjacent uses as it is located on a site zoned for commercial uses and surrounded by a varied assortment of urban uses.

Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are alleviated by the imposition of conditions requiring responsible management and deterrents against loitering. Employees will be required to undergo training on the sale of alcoholic beverages, including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retainers (STAR) Program. Additionally, other conditions related to excessive noise, noise prevention, and litter will safeguard the community. Employees will be monitoring the areas to ensure there are no disturbances to surrounding uses. Therefore, with the imposition of such conditions, the sale and dispensing of a full line of alcoholic beverages at this location will not adversely affect the welfare of the pertinent community.

In addition, the Zoning Administrator has imposed numerous conditions to protect the community from adverse potential impacts. The applicant is proposing the sale of a full line of alcoholic beverages for off-site consumption and the existing convenience store is modest in nature with minimal potential for noise impacts and other nuisance-type activity. All activity occurring on the subject premises will be required to adhere to the imposed conditions. Additional conditions have been included to ensure the operation provides adequate security measures, including a surveillance system, adherence to the City's Noise Ordinance, and responsible management practices. The City's conditions of approval and any conditions by the California Department of Alcoholic Beverage Control are intended to protect the public health, welfare, and safety of the community. Therefore, it is expected that the sale of a full line of alcoholic beverages for off-site consumption in conjunction with the existing convenience store will not adversely affect the welfare of the pertinent community

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 Department of Alcoholic Beverage Control ("ABC") licensing criteria, four (4) on-sale and two (2) off-sale alcoholic beverage licenses are allocated to subject Census Tract No. 1345.22. Data provided on the ABC's License Query System indicate that there are eight (8) existing on-site and two (2) existing off-site alcoholic beverage licenses within the subject Census Tract.

According to statistics provided by the Los Angeles Police Department Topanga Division, which has jurisdiction over the subject property within Crime Reporting District No. 2136, a total of 138 crimes were reported in 2024 (61 Part I Crimes and 77 Part II Arrests) compared to the citywide average of 89 crimes and arrests and the high crime average of 106 crimes for 2024. In 2024, there were (3) Drug Abuse Violations, (1) Driving Under the Influence, (0) Liquor Law, (15) Public Drunkenness, (0) Disturbing the Peace, (0) Disorderly Conduct, and (5) other arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Concentration can be undue when the addition of a license will negatively impact a community. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license will benefit the public welfare and convenience. The subject site is located within a Census Tract where the number of active off-site ABC licenses would not exceed the ABC guidelines because the existing ABC license would simply be upgraded rather than adding an entirely new ABC license to the area. The crime rate in the reporting district where the subject site is located is substantially higher than those rates identified for the City. However, no evidence was submitted to the record establishing any link between the subject site and the area's crime rate. The request is to authorize the sale of a full line of alcoholic beverages in conjunction with an existing market/convenience store in an existing shopping mall. As evidenced by the applicant's existing ABC license, the business has been in operation since 1987 with the sale of beer and wine. The addition of off-site sale of a full line of alcoholic beverages is not expected to result in any nuisance activity or contribute to the areas crime rate. Furthermore, a non-opposition letter was received from LAPD Topanga Area Vice Unit, dated January 18, 2025, with recommended conditions of approval. The conditions have been incorporated, including a midnight closing time to address negative impacts.

The project site is located in one of the tenant spaces of an existing shopping mall that is located along a commercial corridor where there is a concentration of retail, entertainment, restaurants, and offices, therefore an establishment such as the subject site is anticipated. Negative impacts commonly associated with the sale alcoholic beverages, such as criminal activity, public drunkenness, and loitering are minimized by the conditions of approval that are imposed by this grant. Therefore, approval of the request will not contribute to the area's crime and will not result in an undue concentration of licensed premises.

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.**

The project site is zoned for commercial uses and will be utilized as such with the proposed use of the subject site. Within a 1000-foot radius of the subject site, the following sensitive uses have been identified:

Single-family and multi-family residential uses

Canoga Park Lutheran Church	7359 Jordan Avenue
Canoga Park Elementary School	7438 Topanga Canyon Boulevard
Village Charter Academy	7357 Jordan Avenue
Canoga Park Early Education Center	7355 Vassar Avenue
Center for Counseling & Education	7120 Topanga Canyon Boulevard
Emerson Unitarian Universalist Church	7304 Jordan Avenue
My Magic Stars Daycare Center	7406 Vassar Avenue
Iglesia Tabernaculo De Cristo	7211 Owensmouth Avenue
Valley Sikh Temple	7400 Jordan Avenue

The approval of the grant is not anticipated to impact nearby sensitive uses or cause negative impacts commonly associated with the sale and dispensing of alcohol. The proposed project is within an existing shopping mall which has been operating for several dozens of years already. The project is consistent with the zoning and in keeping with the existing uses adjacent to the project site. The Zoning Administrator has considered the distance of the subject establishment from the nearby sensitive uses. Furthermore, the store has been conditioned to close at midnight. The conditions of the grant address safety, noise and security to protect the health, safety and welfare of the community. The availability of alcoholic beverages for off-site consumption will contribute to the continued development of the Canoga Park community and will serve residents and the local employees as well as visitors. Therefore, as conditioned, the project will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

- 7. Based on data provided by the City Department of Transportation or by a licensed traffic engineer, ingress to and egress from the project will not create a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets.**

The proposed project involves the sale of a full line of alcoholic beverages for off-site consumption and the extension of hours of operation for an existing convenience store. The convenience store does not include any physical changes to the structure or site plan and no new construction is proposed on the subject property. The current request herein, however, is not applicable to this finding as no changes to the building's physical characteristics or operations will change as a result of this project.

- 8. Project approval will not create or add to a detrimental concentration of Mini-Shopping Centers or Commercial Corner Developments in the vicinity of the proposed project.**

The proposed project will not create or add to a detrimental concentration of commercial corner developments. The subject site is presently developed with a commercial corner development and the proposed project will continue to operate as a commercial corner development. The proposed project is the sale of a full line of alcoholic beverages for off-site consumption and the extension of hours of operation for an existing convenience store. As such, is not applicable to this finding as the existing convenience store in the existing mini-shopping center will not create a detrimental concentration of commercial corner developments.

FLOOD HAZARD FINDING

9. 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 of Zone X, areas of minimal flood hazard.

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning’s DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.gov/development-services/forms>. Public offices are located at:

Metro DSC	Van Nuys DSC	South LA DSC
201 N. Figueroa Street Los Angeles, CA 90012 planning.figcounter@lacity.org (213) 482-7077	6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org (818) 374-5050	(In person appointments available on Tuesdays and Thursdays 8am-4pm only) 8475 S. Vermont Avenue 1st Floor Los Angeles, CA 90044 planning.southla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

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.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City’s [BuildLA](https://appointments.lacity.gov) portal (appointments.lacity.gov). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to
Online Appeal Filing



QR Code to Forms for In-
Person Appeal Filing



QR Code to BuildLA
Appointment Portal for
Condition Clearance

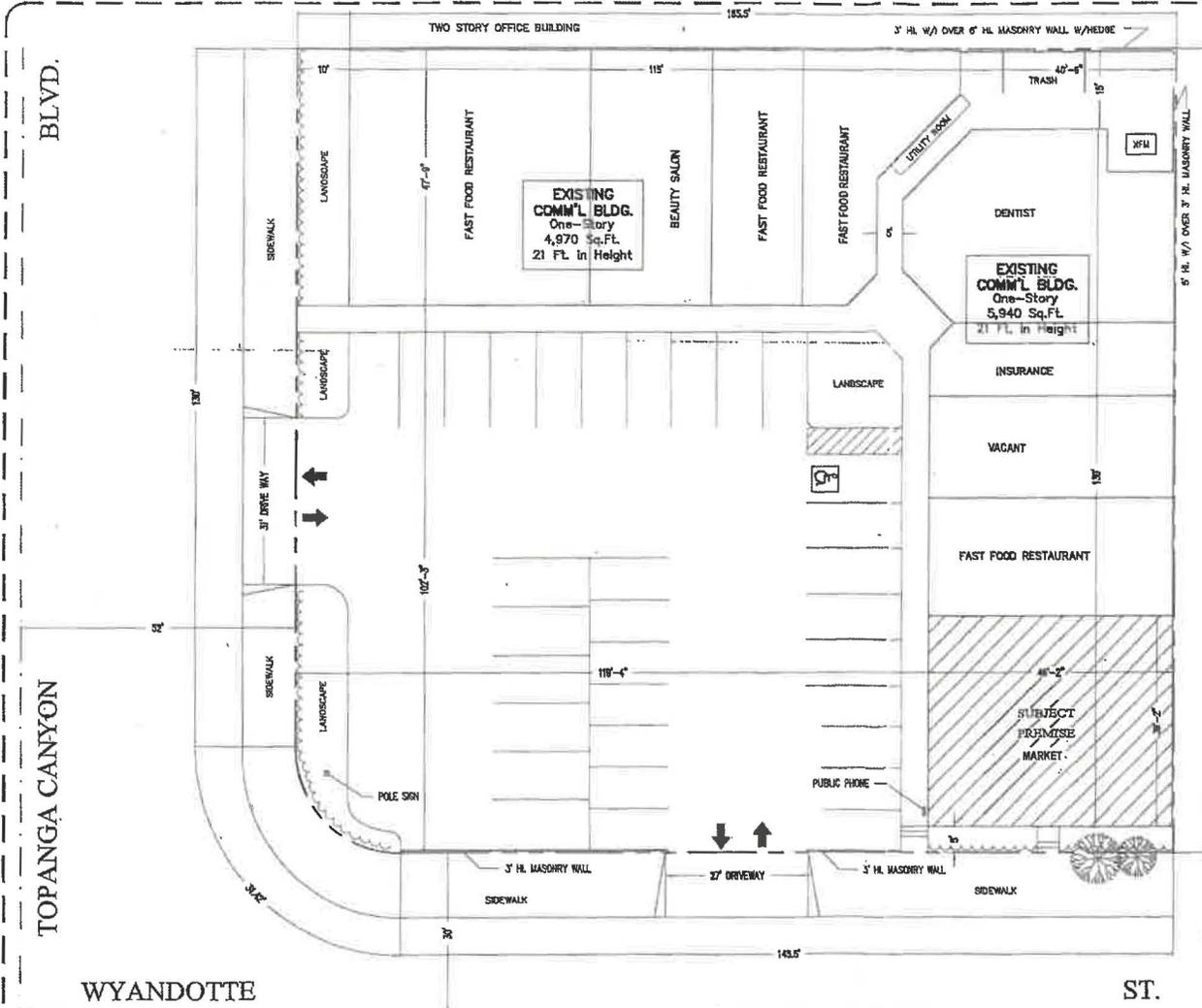
Inquiries regarding the matter shall be directed to Esther Ahn, Planning Staff for the Department of City Planning at esther.ahn@lacity.org or (213) 978-1486.

A handwritten signature in black ink, appearing to read 'Christina Toy Lee', positioned above the printed name.

CHRISTINA TOY LEE
Associate Zoning Administrator

CTL:EA:nm

cc: Councilmember Bob Blumenfield
Third Council District
Neighborhood Council
Adjoining Property Owners



ZA-2024-7975-CUB

Site Description

Total Site Area = 24,750.1 Sq.Ft.
 Total Floor Area = 24,910 Sq.Ft.
 Legal Description
 Por. Lots 7 and 8, Block 50, Owensmouth Tract, M.B. 19-36 (Sht 1)

Parking Provided
 Standard Spaces (8'-6" X 18' Typ.) = 20 Spaces
 Handicapped Spaces (14' X 18' Typ.) = 1 Space
 Compact Spaces (7'-6" X 15' Typ.) = 11 Spaces
 Total Spaces Provided = 32 Spaces

Parking Required
 Existing Market, 1,808 Sq.Ft. (1 Space per 250 Sq.Ft.) = 7 Spaces
 Total Parking Required (Subject Premise) = 7 Spaces

ALLEY

PLOT PLAN

SCALE: 1" = 10'

SITUS: TIP MINI MART
 7300 TOPANGA CANYON BLVD. #1,2
 CANOGA PARK, CA 91303

CASE No:
 DATE: 06-25-2024

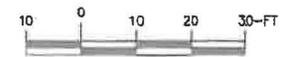
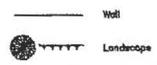
EXHIBIT "A"
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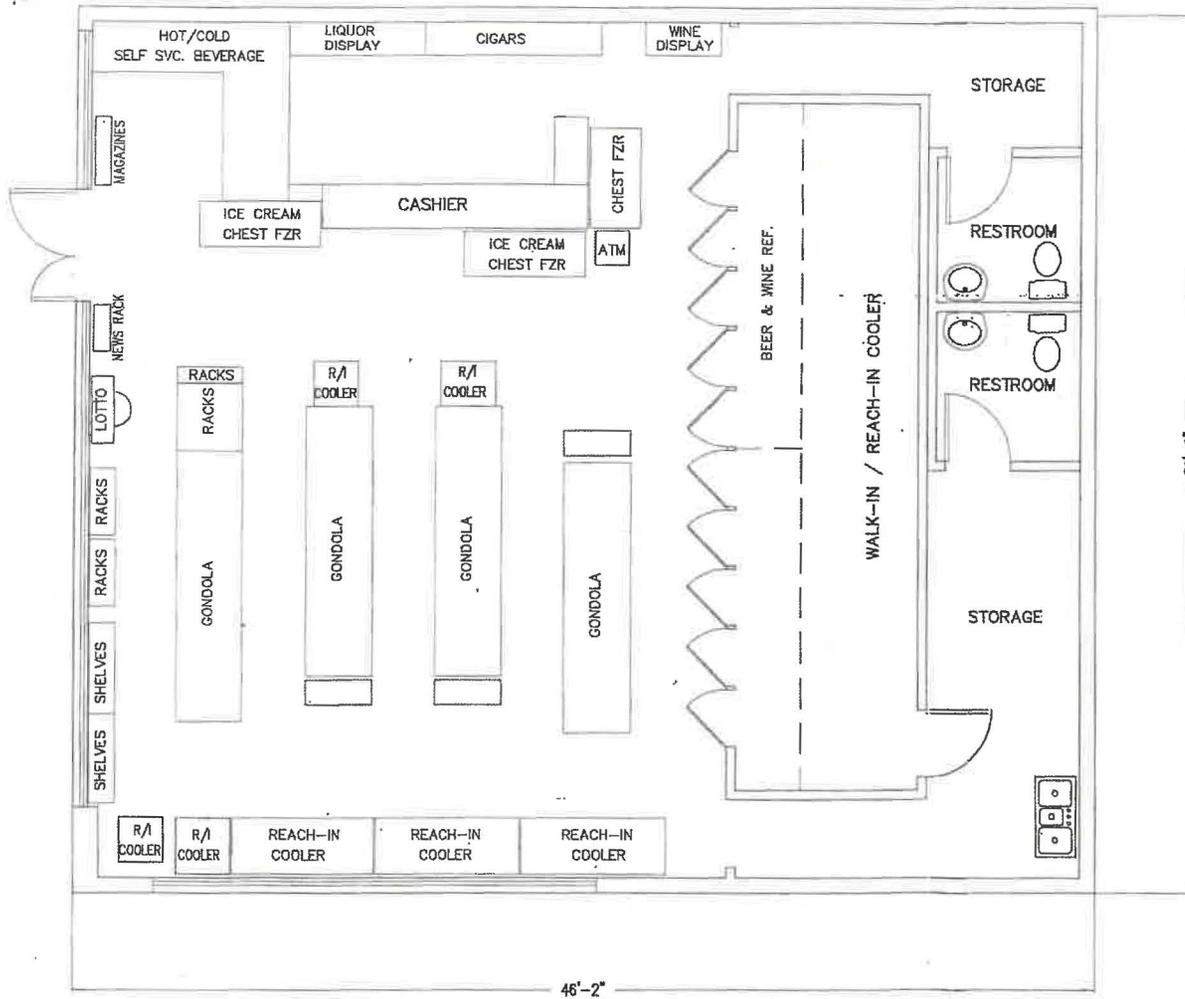
TOPANGA CANYON

BLVD.

Legend



D.M. 186 B 101



ZA-2024-7975-CUB

FLOOR PLAN

SCALE: 1/4" = 1'-0"

ALCOHOLIC BEVERAGE AREA CALCULATION:

Refrigerated Cooler Cases: (5 Cooler Doors) 15'-6" W x 3'-0" D) = 46.5 SF
 Alcohol Behind Counter: (6'-0" W x 1'-6" D) = 9 SF
 Dry Shelving Wine Display: (3'-6" W x 1'-6" D) = 3.25 SF
Total Alcohol Sales Area:

Sales Area: = 1,808 SF

Total Alcohol Sales Area SF/Sales Area SF
 100 SF/1,808 SF = 0.055 = 5.5%

SITUS: TIP MINI MART
 7300 TOPANGA CANYON BLVD. #12
 CANOGA PARK, CA 91303

CASE No:
 DATE: 06-25-2024

EXHIBIT "A"
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 Case No. ZA-2024-7975

