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? 307,910

b. What is the total square footage of the space the establishment will occupy? 25,584

c. What is the total occupancy load of the space as determined by the Fire Department?

d. What is the total number of seats that will be provided indoors? N/A Outdoors? N/A

e. If there is an outdoor area, will there be an option to consume alcohol outdoors? N/A

f. If there is an outdoor area, is it on private property or the public right-of-way, or both? N/A

i. If an outdoor area is on the public right-of-way, has a revocable permit been obtained? N/A

g. Are you adding floor area? No If yes, how much is enclosed? Outdoors?

h. Parking

i. How many parking spaces are available on the site? 1,327

ii. Are they shared or designated for the subject use? shared

iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety? No addition

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?

   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 to serve.

3. Will valet service be available? Will the service be for a charge?

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

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?

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<td>Proposed Hours of Alcohol Sale</td>
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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? N/A What will be sold?

e. Security

   i. How many employees will you have on the site at any given time? 15

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

      1. If yes, how many and when? 1-3 guards, 24 hours a day

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

f. Alcohol

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

   ii. Will “fortified” wine (greater than 16% alcohol) be sold? Yes

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

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

v. Food

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

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

   3. Will the sale of alcohol exceed the sale of food items on a quarterly basis? 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? No

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

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? Yes, off-site

i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel? No

1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:
   a. issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or
   b. if issuance would result in, or add to an undue concentration of licenses.

b. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for public convenience or necessity.

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.
SMART & FINAL LA CIENEGA

1833B S. LA CIENEGA BOULEVARD

AKA 1801-1845 S. LA CIENEGA BOULEVARD

FINDINGS for CUB

General Findings:

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

   The project involves the relocation of an existing Smart & Final grocery store at 1835 S. La Cienega Boulevard to a larger retail space (1833B S. La Cienega Boulevard) in the same building in an existing shopping center. The new tenant space has a larger retail floor area, which better accommodates the expanded grocery areas (meat, produce, and associated storage and refrigeration units) within the store. The community will benefit as the proposed location will allow a larger selection of merchandise within the grocery store. The project is further beneficial to the community inasmuch as it is within walking distance of the nearby residential areas located on the north, west and east sides of the shopping center, and is only one of two grocery stores so located.

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

   The project's location, size, and operations will not adversely affect the adjacent properties, surrounding neighborhood, or the public health, welfare and safety inasmuch as the subject grocery store is in the same building as the existing store, and will occupy a larger retail space within the building. The new retail space for Smart and Final will increase from an existing 15,452 square feet to a new space with 25,584 square feet of floor area. The increased floor area will allow Smart and Final to provide fresh produce and meat, and is compatible with the surrounding neighborhood. No change to the height or significant features of the building are proposed, and therefore does not affect the surrounding neighborhood, or the public health, welfare, and safety. The proposed use is not located within 1000 feet of any churches, schools, hospitals, parks, public playgrounds or other recreational areas.

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

   The project is located in the C1 and C2 zones. The General Plan Zone for the site is Community Commercial. The project site is not located in a Specific Plan area. The use, a grocery store that includes the sale of alcohol for off-site consumption, is a use that conforms to the purpose, intent and provisions of the General Plan.
4) Explain how the proposed use will not adversely affect the welfare of the pertinent community.

The proposed use will not adversely affect the welfare of the pertinent community inasmuch as the proposed sale of a full line of alcoholic beverages is an existing use within another tenant space within the same building. The existing use is simply moving into a larger tenant space and the use will not adversely affect the welfare of the pertinent community inasmuch as the use exists currently within the same shopping center. The existing Smart and Final store currently has for sale, alcohol for off-site consumption. The pertinent community will expect the same items, including the alcohol, be available for purchase at the new, relocated store space.

Additional CUB Findings:

1) Explain how 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 the 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 1,000-foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale 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 approval of the application will not result in an undue concentration of such establishments inasmuch as this same use is moving from another tenant space in the building to another, and is not an additional establishment in the same shopping center offering the sale of alcohol for off-site consumption. The proposed use does not establish a substantial increase in the volume of alcohol, beer, or wine sales from what currently exists within the existing Smart and Final store. The Smart and Final store is being relocated from an adjacent retail tenant space to another retail tenant space in the same building of an existing shopping center.

Two other establishments offering for sale a full line of alcoholic beverages, beer, and wine are located within 500 feet of the proposed use; a pharmacy/store (CVS) within the same shopping center and second (Fresh and Easy) located within another shopping center located across the street from the subject site, and more than two blocks from the proposed project location. As the retail establishments on the subject site are different, a drug store versus a grocery store, the sale of alcohol for off-site consumption at both locations does not contribute to an undue concentration of alcohol sales establishments in the area as neither establishment is solely dedicated to the sale of alcohol.

The LAPD Crime Mapping for a half mile radius around the project site did not identify any incidents of crimes related to drug/alcohol violations or disturbing the peace in the past 3
months. The existing Smart and Final store has not had any police complaints since opening in 2013.

2) *Explain how 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 approval of the application will not detrimentally affect nearby residential community inasmuch as the existing shopping center has currently two retail stores which offer for sale a full line of alcoholic beverages for off-site consumption. One of the two retail stores offering for sale a full line of alcohol is the proposed, to be relocated, Smart and Final. The proposed use within a larger tenant space will not detrimentally affect nearby residential uses as the current Smart & Final store, existing since 2013, with sales of alcoholic beverages has not received any police complaints. The sale of alcohol for off-site consumption is a part of the usual grocery store inventory and is not the focus of sales and merchandise within the establishment. The sale and availability of alcohol for off-site consumption is expected by the customer, many of whom may reside within the surrounding residential area. Community uses such as schools, churches, hospitals, public playgrounds, parks are not located within a thousand feet of the proposed use and the proposed relocated use will not be detrimental to the community.
MASTER LAND USE PERMIT APPLICATION
LOS ANGELES CITY PLANNING DEPARTMENT

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CASE No. ________________

APPLICATION TYPE: Conditional Use - CUB

1. PROJECT LOCATION AND SIZE

   Street Address of Project: 1833B S. La Cienega Blvd. (1801-1845 S La Cienega Blvd)  
   Zip Code: 90035

   Legal Description: Lot PT 3, Arb 41,42  
   Block none  
   Tract Arnaz Property

   Lot Dimensions: Irregular  
   Lot Area (sq. ft.): 642,765.3

   Total Project Size (sq. ft.): 25,584

2. PROJECT DESCRIPTION

   Describe what is to be done: To allow the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a new 25,584 square foot(sft) Smart & Final store, 6am-12am, 7 days/week in an existing retail space relocated from an existing 15,452sf Smart & Final store in the same building(1835 S La Cienega) in the C1-1, C2-1 Zones.

   Present Use: Retail  
   Proposed Use: Retail (Grocery)

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

   Check all that apply:  
   New Construction  
   Change of Use  
   Alterations  
   Demolition  
   Commercial  
   Industrial  
   Residential  
   Tier 1 LA Green Code

   Additions to the building:  
   Rear  
   Front  
   Height  
   Side Yard

   No. of residential units:  
   Existing: 0  
   To be demolished:  
   Adding:  
   Total: ________________

3. ACTION(S) REQUESTED

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

   Code Section from which relief is requested: 12.24-W
   Code Section which authorizes relief: ________________

   To allow the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a new 25,584 square foot(sft) Smart & Final store between the hours of 6am-12 am 7 days/week in an existing retail space and building to be relocated from an existing 15,452sf Smart & Final store space located in the same building (1835 S La Cienega).

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

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

   List related or pending case numbers relating to this site:
   ZA 2012-2399(CUB)(CU)
4. **Owner/Applicant Information**

Applicant's name: **Smarty Final Stores LLC**  
Company:  
Address: 1600 Citadel Dr. Commerce  
Telephone:  
Fax:  
Zip: 90040  
E-mail:  

Property owner's name (if different from applicant): **RAINS, LLC (La Cienega-Sawyer, Ltd. as Manager)**  
Address: 201 West 8th Street, Ste. 600  
Los Angeles, CA  
Telephone: (310) 207-6990  
Fax: (310) 207-6490  
Zip: 90017  
E-mail: rgalanti@rrp.com

Contact person for project information: **Bruce Miller**  
Company: **Bruce A Miller & Associates, Inc.**  
Address: 533 S Fremont Avenue, Suite 803  
Los Angeles, CA  
Telephone: (213) 625-2592  
Fax: (213) 625-0635  
Zip: 90071  
E-mail: bruce@bamainc.com

5. **Applicant's Affidavit**

Under penalty of perjury the following declarations are made:

a. The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof). (NOTE: for zone changes lessee may not sign).

b. The information presented is true and correct to the best of my knowledge.

c. In exchange for the City's processing of this Application, the undersigned Applicant agrees to defend, indemnify and hold harmless the City, its agents, officers or employees, against any legal claim, action, or proceeding against the City or its agents, officers, or employees, to attack, set aside, void or annul any approval given as a result of this Application.

Signature:  
For La Cienega-Sawyer, Ltd.  
Print: A. Stuart Rubin,  
It's Managing Partner

ALL-PURPOSE ACKNOWLEDGMENT

State of California  
County of **LOS ANGELES**  
On **OCT. 5, 2015** before me, **SARAH STERN, NOTARY PUBLIC**

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

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

WITNESS my hand and official seal.  
(Signature)  
(Seal)

6. **Additional Information/Findings**

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

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

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CP-7771 (09/09/2011)