

**CONDITIONAL USE PERMIT-ALCOHOL (CUB)  
ADDITIONAL INFORMATION/FINDINGS  
17630 VENTURA BOULEVARD**

**INTRODUCTION**

**BACKGROUND**

The subject property is a flat, level, irregularly shaped, parcel of land consisting of 29,538 square feet or 0.67 acres (Lot 4, Block 1, Tract No 2955, MB 31-62-70 and Lot 1, Tract No 18321, MB 481-1-2), located at the southwest corner of Ventura Boulevard and Texhoma Avenue. The lot has a frontage of 138 feet on the south side of Ventura Boulevard and a depth of approximately 197 feet on the west side of Texhoma Avenue. The subject site is developed with a one-story 7,857 square foot grocery market that was originally built as a retail mini-mall shopping center in 1983. The subject site is occupied by a Super Sal Market which is a Kosher market. The property maintains 52 off-street parking spaces located at the rear of the property along Texhoma Avenue that are exclusively dedicated to the Kosher market. Ingress and egress to the property is via driveways on Texhoma Avenue.

The applicant seeks to renew previously issued Conditional Use Permit No. ZA 2003-2041-CUB to allow the continuation of the use, maintenance, sale and dispensing of Kosher beer and wine only in conjunction with the markets' various Kosher products.

**SURROUNDING PROPERTIES**

Surrounding properties are within the C2-1VL, C4-1VL, RS-1, RE9-1 and RA-1 Zones and are characterized by level topography and fully improved streets.

Adjacent properties to the north across Ventura Boulevard are zoned C2-1VL and C4-1VL and are developed with one story commercial buildings and a three-story office building.

Adjoining properties to the south are zoned RS-1 and are developed with one-story single family homes.

Adjoining properties to the west are zoned C4-1VL and RA-1 and developed with a one-story multi-tenant retail commercial mini-shopping center.

Adjacent property to the east, across Texhoma Avenue, are zoned C4-1VL and RS-1 and developed with a one-story multi-tenant retail commercial mini-shopping center and a surface parking area.

**CIRCULATION**

Ventura Boulevard, adjoining the subject property to the north, is a designated Major Highway dedicated to a variable width of 100 feet and improved with curb, gutter, and sidewalk.

Texhoma Avenue, adjoining the subject property to the east, is a designated Local Street dedicated to a width of 54 feet and improved with curb, gutter, and sidewalk.

## **FINDINGS**

### **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.**

The subject property is a flat, level, irregularly shaped, parcel of land consisting of 29,538 square feet located at the southwest corner of Ventura Boulevard and Texhoma Avenue. The subject site fronts onto Ventura Boulevard, a designated Scenic Major Highway Class II and a Regional Retail Commercial thoroughfare that serves the needs of a large local community. Ingress and egress to the property is via Texhoma Avenue, a collector street.

The subject site is developed with a one-story 7,857 square foot Kosher market that was originally built as a retail mini-mall shopping center in 1983. The existing Kosher market is the sole tenant. The existing Kosher market, Super Sal Market, has been serving the needs of the surrounding Jewish community for over thirteen years. The area surrounding the property is a mix of primarily commercial and single/multi-family residential zones. The subject business serves these neighboring areas. Residents, commuters, visitors, workers and guests from the surrounding area patronize the grocery store on a regular and daily basis.

Having been an existing market use since the early 2000's, the facility's usage on the site has been well established in relationship to the surrounding uses. Furthermore, the Kosher market is a niche business that has operated with a beer and wine license since 2003. The sale of Kosher beer and wine for off-site consumption in a neighborhood market on a limited basis is consistent with its operation. The Jewish patrons of the market view it as a major convenience. The Encino-Tarzana Community Plan seeks, "...to conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services within existing commercial areas."

Granting the proposed use serves this aim and is proper in relation to adjacent uses. The request is simply to renew the continued sale and dispensing of Kosher beer and wine for off-site consumption at the existing market. The added revenue from the Kosher beer and wine sales will bolster the economic vitality of the subject business, while improving the function of how it services the neighboring resident's food and beverage needs.

The proposed project meets another aim of the General Plan which seeks to, "...further the development of Encino as a major center of population, employment, retail services." Granting the continue sale and dispensing of beer and wine at this location allows the business to develop economically, and meets the needs of area residents who benefit from having said use located within walking distance of their place of employment or residence. This results in a use which is both proper and positive in its relation to adjacent uses.

The development of commercial uses, such as that of the Super Sal Market, is needed to keep pace with a growing populace, and their commensurate needs. Allowing the continued sale of Kosher beer and wine at this location allows the business to develop economically, and meets the needs of area residents who benefit from having said use located within walking distance of their place of employment or residence. This results in a use which is both proper and positive in its relation to adjacent uses. Locating the proposed project in this area, is a proper use, and will also aid the public convenience by giving residents and workers an option for fulfilling their shopping needs in the immediate vicinity. The added value of granting the proposed use thereby serves a goal of the Community Plan goal which seeks to promote, "...a strong & competitive commercial sector which promotes economic vitality, serves the needs of the community through well designed, safe and accessible areas..."

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

The subject property is located at the southwest corner of Ventura Boulevard and Texhoma Avenue. The subject site is conveniently located near many single and multi-family residential structures within the surrounding neighborhood. In addition, the subject property is located on a busy major arterial that is regionally recognized as having a vast array of commercial/retail developments. Market establishments of this type are typical and welcomed in the Community. The Encino-Tarzana Community Plan designates the property for Community Commercial land use. The subject property is located within the C4-1VL and RS-1 Commercial zone which allows these types of establishments by right.

Surrounding properties are within the C2, C4, RA, RS and P Zones and a Height Limit of 3 stories or 45 feet and characterized by level and sloping topography and fully improved streets. The surrounding properties are developed with one to three-story retail commercial buildings, office developments and residential homes. Furthermore, the architectural design and functionality of the subject property is in keeping with the size, height & functional operations of the surrounding properties in the community.

Adjacent properties to the north across Ventura Boulevard are zoned C2-1VL and C4-1VL and are developed with a one story commercial building and a three-story office building. Adjoining properties to the south are zoned RS-1 and are developed with one-story single family home. Adjoining properties to the west are zoned C4-1VL and RA-1 and are developed with a one-story mini-shopping center. Adjacent property to the east, across Texhoma Avenue, is zoned C4-1VL and RS-1 and is developed with a mini-shopping center and surface parking area.

Due to the previous approvals and multiple discretionary actions for the subject premise, the historic use of the site as a Kosher Market and the fact that this particular market has operated with Kosher beer and wine privileges for many years, suggest that the public convenience was served and continues to be served. The applicant is providing a first class venue and the requested privileges will compliment and complete the specific goals and desired ambiance of the premises.

Development in the immediate neighborhood is a mix of retail commercial, single and multi-family residential uses. The market's proposed continued sale and dispensing of Kosher beer and wine is a convenience which will have a beneficial impact on all of these other uses. Residents, employees, commuters, visitors, guests and business owners benefit from having this use located within a short walking distance.

The placement of the proposed use will serve these residents at a location which is conveniently accessible for pedestrians. Many of these patrons enjoy the option of having Kosher beer and wine service available for purchase at a local market rather than having to drive to farther flung locations. This in turn eases traffic congestion and fossil fuel consumption that lessens unnecessary car trips. This approach to shopping serves the Community Plan by reducing the amount of automobiles trips in residential and commercial areas.

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

The premise is located within an area that has a vast array of commercial/retail and residential development. Market establishments of this type are typical and welcomed in the Community. The subject property is within the Encino-Tarzana Community Plan and the Ventura-Cahuenga Boulevard Corridor Specific Plan. The Encino-Tarzana Community Plan designates the property for Community Commercial land use. The subject property is located within the C4 Commercial zone which allows these types of establishments by right and is consistent with the Plan designation.

The overall goal of the Community Plan is to promote an arrangement of land uses, circulation and services which will encourage and contribute to the economic, social, physical health, safety, welfare and convenience of the people who live and work in the Community Plan area and to guide the development of the district to meet existing and anticipated needs and conditions. The Community Plan for this area aims at creating a vibrant environment, providing daytime and nighttime activities encouraging opportunities to stimulate human interaction and pedestrian activities.

The primary objective of the Plan is rehabilitate and strengthen the area and to return it to its rightful place as the Community's civic, economic and social center. Approval of the proposed use will enhance the viability of the local area without creating significant adverse impacts to any surrounding properties, and as such, is consistent with the spirit, intent and objectives of the General Plan.

In addressing the growing population of the area, the Encino-Tarzana Community Plan, must allow and develop commercial uses along with this growing population. As areas of the City of LA become more dense, locating uses such as that of the proposed project in proximity to residential areas will aid the public convenience, reducing vehicular traffic and congestion with a more "pedestrian oriented" approach to commercial access.

**b. Additional Findings**

**i. Explain how the proposed use will not adversely affect the welfare of the pertinent community.**

No, the approval of the Conditional Use is fully in line with other uses in the area, and will benefit the economic welfare of the community. As stated above, the subject site is in close proximity to single and multi-family residential buildings and retail commercial uses. The proposed use will actually bring clientele into the area thereby patronizing nearby businesses. The approval of the requested discretionary actions will benefit the community through the generation of additional business dollars, as well as, provide additional tax revenue for the City of Los Angeles.

Due to the previous approvals and multiple discretionary actions for the subject premise, the historic use of the site as a Kosher Market and the fact that this particular market has operated with Kosher beer and wine privileges for many years, suggest that the public convenience was served and continues to be served. The applicant is providing a first class venue and the requested privileges will compliment and complete the specific goals and desired ambiance of the premises.

The establishment of the market and ancillary uses can only benefit the economic welfare of the community by ensuring a diversity of uses and the full occupancy of an under-utilized commercial building. Therefore, the proposed use will not adversely affect the economic welfare of the community.

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

The subject site lies within Census Tract 1396.00. According to statistics from the California Department of Alcohol Beverage Control, there are three off-sale licenses allotted to this Census Tract. Currently there are four existing off-sale licenses that have been issued. However, the instant request is not for a new additional license as the premise is already licensed with a Type 20 beer and wine license (License Number 20-403915).

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

No. The proposed use occurs within a self-contained structure. The existing Kosher Market is located at the southwest corner of Ventura Boulevard and Texhoma Avenue. There is no direct access to any residential areas. The applicant's premise is located within an intensive commercial/retail and residential area. The proposed use will not detrimentally affect the area.

The subject property is ideally suited within a well-recognized pedestrian oriented retail commercial walk street. The location will not cause any potential adverse impacts to the surrounding neighborhood. The proposed use is incorporated within the existing operation of the Kosher Market. The applicant's premise is located within a well-kept commercial shopping center and is adjacent to a commercial/retail area that serves the residents in the area.

Its impact will be beneficial to nearby residential areas, allowing residents in the area the ability to walk from their residence or place of business to the market eliminating the need for driving or taking public transportation to farther-flung supermarkets. All of these measures will ensure that the proposed use will only be a beneficial one to the area's residential zones and serve their convenience and welfare by locating this use within walking distance.

**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? **7,857 SF**
- b. What is the total square footage of the space the establishment will occupy? **7,857 SF**
- c. What is the total occupancy load of the space as determined by the Fire Department? **N/A**
- d. What is the total number of seats that will be provided indoors? **None** Outdoors? **18**
- e. If there is an outdoor area, will there be an option to consume alcohol outdoors? **No**
- f. If there is an outdoor area, is it on private property or the public right-of-way, or both? **Private**
- 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? **N/A** Outdoors? **N/A**
- h. Parking
  - i. How many parking spaces are available on the site? **52 spaces**
  - ii. Are they shared or designated for the subject use? **Designated**
  - 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. **N/A**
    - 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 see attached list**
- 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?

	<b>M</b>	<b>T</b>	<b>W</b>	<b>Th</b>	<b>F</b>	<b>Sa</b>	<b>Su</b>
Proposed Hours of Operation	8am-9pm	8am-9pm	8am-9pm	8am-9pm	8am-Sunset	Closed	8am-9pm
Proposed Hours of Alcohol Sale	8am-9pm	8am-9pm	8am-9pm	8am-9pm	8am-Sunset	Closed	8am-9pm

- b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc...? Please specify: **N/A**
  - 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? **For alcohol sales, require proof of age verification.**
- d. Will there be any accessory retail uses on the site? **No.** What will be sold? **N/A**
- e. **Security**
  - i. How many employees will you have on the site at any given time? **Eight**
  - ii. Will security guards be provided on-site? **No, none provided**

1. If yes, how many and when? N/A
- iii. Has LAPD issued any citations or violations? Minor sale 2 years ago If yes, please provide copies.
- f. **Alcohol**
- i. Will there be beer & wine only, or a full-line of alcoholic beverages available? Kosher beer/wine only.
- 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? Yes
- v. **Food**
1. Will there be a kitchen on the site? Yes
2. Will alcohol be sold without a food order? No alcohol sold for on-site consumption.
3. Will the sale of alcohol exceed the sale of food items on a quarterly basis? No
4. Provide a copy of the menu if food is to be served. N/A
- 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")? No
- 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? Yes, in pre-packaged multi pack quantities only.
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.

## 1,000 FOOT SURVEY

Property address: 17630 Ventura Blvd., Encino 91316

### List of Alcohol Establishments between 0 and 600 feet:

Super Sal Market, 17630 Ventura Blvd.	Type 20 License
Prohibition Burgers, 17620 Ventura Blvd.	Type 41 License
Italian Grocery, 17548 Ventura Blvd.	Type 20 License
Temptation Bar & Grill, 17547 Ventura Blvd.	Type 47 License
Uncle Bernie's Restaurant, 17615 Ventura Blvd.	Type 41 License (pending)

### List of Alcohol Establishments between 600 and 1,000 feet:

Buca di Beppo Restaurant, 17500 Ventura Blvd. Type 47 License

### Schools, Churches, Hospitals or Parks within 1,000 feet:

Our Lady of Grace Catholic Church, 5011 White Oak Ave.  
Our Lady of Grace Catholic School, 5011 White Oak Ave.  
Opportunities for Learning Public Charter School, 17633 Ventura Blvd.



**California Department of Alcoholic  
Beverage Control**  
*License Query System Summary  
as of 1/7/2015*

<b>License Information</b>
<b>License Number:</b> 403915
<b>Primary Owner:</b> SUPER SAL INC
<b>ABC Office of Application:</b> 05 - VAN NUYS
<b>Business Name</b>
<b>Doing Business As:</b> SUPER SAL
<b>Business Address</b>
<b>Address:</b> 17630 VENTURA BLVD <b>Census Tract:</b> 1396.00
<b>City:</b> ENCINO <b>County:</b> LOS ANGELES
<b>State:</b> CA <b>Zip Code:</b> 91316
<b>Licensee Information</b>
<b>Licensee:</b> SUPER SAL INC
<b>Company Information</b>
Officer: ELISHMERNI, YAIR ROY (PRESIDENT/SECRETARY)
Officer: ELYESH, ISAAC (TREASURER)
Officer: OFENGART, ZAHY (VICE PRESIDENT)
Stock Holder: ELISHMERNI, YAIR ROY
Stock Holder: ELYESH, ISAAC
Stock Holder: OFENGART, ZAHY
<b>License Types</b>
<b>1) License Type:</b> 20 - OFF-SALE BEER AND WINE
<b>License Type Status:</b> ACTIVE
<b>Status Date:</b> 22-DEC-2003 <b>Term:</b> 12 Month(s)
<b>Original Issue Date:</b> 22-DEC-2003 <b>Expiration Date:</b> 30-NOV-2015
<b>Master:</b> Y <b>Duplicate:</b> 0 <b>Fee Code:</b> P40
<b>Condition:</b> OPERATING RESTRICTIONS
<b>Current Disciplinary Action</b>
<b>Reg. Number:</b> 13079424
<b>Disciplinary History</b>
... No Disciplinary History found ...
<b>Hold Information</b>
... No Active Holds found ...
<b>Escrow</b>
... No Escrow found ...

--- End of Report ---

For a definition of codes, view our [glossary](#).



**California Department of Alcoholic Beverage Control  
For the County of LOS ANGELES - (Off-Sale Licenses)  
and Census Tract = 1396**

Report as of 3/2/2015

License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1) 403915	ACTIVE	20	12/22/2003	11/30/2015	SUPER SAL INC 17630 VENTURA BLVD ENCINO, CA 91316  Census Tract: 1396.00	SUPER SAL		1933
2) 458560	ACTIVE	21	1/24/2008	12/31/2015	RASPUTIN INTERNATIONAL FOOD COMPANY INC 17159 VENTURA BLVD ENCINO, CA 91316-4004  Census Tract: 1396.00	RASPUTIN INTERNATIONAL FOOD CO		1933
3) 479539	ACTIVE	21	9/9/2009	8/31/2015	GARFIELD BEACH CVS LLC 17320 VENTURA BLVD ENCINO, CA 91316-3904  Census Tract: 1396.00	CVS PHARMACY 9677	1 CVS DR, MAIL DROP 23062A WOONSOCKET, RI 02895-6146	1933
4) 534403	ACTIVE	21	8/22/2014 10:08:35 AM	7/31/2015	SANGAK BAKERY LLC 17461 VENTURA BLVD ENCINO, CA 91316-3828  Census Tract: 1396.00	SABZEE MARKET		1933

--- End of Report ---

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