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January 25, 2024

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CASE NO. ZA-2023-5618-CUB
CONDITIONAL USE
11718 San Vicente Boulevard (11714,
11716, 11718 San Vicente Boulevard)
Brentwood – Pacific Palisades Community
Plan
Zone: C1.5-1VL
C.D: 11 – Traci Park
D.M.: 129B145
CEQA: ENV-2023-5619-CE
Legal Description: Lot 12, Block 24,
Westgate Tract

LETTER OF CLARIFICATION

On December 18, 2023, pursuant to Los Angeles Municipal Code (LAMC) Section 12.24-W,1, the Zoning Administrator approved a Conditional Use to allow the sale of beer and wine for off-site consumption and ancillary on-site instructional wine tasting in conjunction with a wine specialty store in an existing commercial building in the C1.5-1VL Zone. On January 17, 2024, the applicant's representative requested a Letter of Clarification regarding special holiday hours and calendar event days to be considered separate from the normal hours of operation identified in Condition No. 7a of the determination letter.

Generally, hours of operation in the context of a conditional use grant are hours of the subject business that are open to the public. They are imposed as conditions of approval as part of a discretionary land use entitlement, such as the subject conditional use for the sale of alcohol. The hours of operation do not regulate the hours for which alcohol can be sold since this is under the authority of the California State Department of Alcoholic Beverage Control. It should be noted that any routine clean up activity, restocking, and preparation for next day operations during times when the business is not open to the public

are not considered as part of the conditioned hours of operation. Also, special holiday hours are hours where the operator may exceed the conditioned hours of operation on a temporary basis during seasonal holidays such as Christmas or New Year's Day or Black Friday.

The applicant requested specific holidays and calendar event days along with three days preceding and three days following these specific event days, be considered to be differentiated from normal hours of operation. These include the following: Valentine's Day, St. Patrick's Day, Easter, Mother's Day, Memorial Day, Father's Day, Fourth of July, Labor Day, and Halloween. While the request includes more holidays than what is typically considered for a special operating hours, the Zoning Administrator has reviewed and considered the context of the site, the project itself, similar operations in the Brentwood area, as well as the grant with conditions of approval and the mandated findings. The Zoning Administrator considered this as on a case-by-case basis, and determined that the subject clarification would not change any of the mandated conditional use findings nor would it change the conditions of the grant, except that it would necessitate a Note language to address the identified events and holidays.

In this instance, the Zoning Administrator clarifies the language for Condition 7a. (see below), where the applicant may utilize the identified holidays and special calendar event days, including three days preceding the corresponding holiday or special calendar event days to operate beyond the normal hours of operation, except for the Christmas, Thanksgiving and New Year's Day, where three days before and three days after are allowed to operate beyond normal hours of operation.

Condition No. 7a. shall add the following note language to reflect this Clarification:

7. **MODIFIED.** Authorized herein is the sale of beer and wine for off-site consumption, and ancillary on-site instructional tastings, in conjunction with a proposed 1,430 square-foot wine specialty store. The grant shall be subject to the following limitations:

- a. The hours of operation shall be limited from 11:00 a.m. to 7:00 p.m., daily.

Note: Extended hours of operation are permitted during certain times of the year; specifically, extended hours of operation from 9:00 a.m. to 10:00 p.m. will be permitted up to three days before, on, and three days after the following holidays: Thanksgiving, Christmas Day and New Year's Day; extended hours of operation from 9:00 a.m. to 10:00 p.m. will be permitted up to three days before and on the following holidays: Valentine's Day, St. Patrick's Day, Easter, Mother's Day, Memorial Day, Father's Day, Fourth of July, Labor Day, and Halloween.

All other conditions remain unchanged.

CASE NO. ZA-2023-5618-CUB
LETTER OF CLARIFICATION

Inquiries regarding this matter shall be directed to Alice Okumura, Planning Staff for the Department of City Planning, at (213) 978-1356.



HENRY CHU
Associate Zoning Administrator

HC:AO:nm

cc: Councilmember Traci Park
Eleventh Council District
Adjacent Property Owners