

OFFICE OF ZONING ADMINISTRATION  
200 N. SPRING STREET, ROOM 763  
LOS ANGELES, CA 90012-4801  
(213) 978-1318

ESTINEH MAILIAN  
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG  
HENRY CHU  
TIM FARGO  
JONATHAN A. HERSHEY, AICP  
PHYLLIS NATHANSON  
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CHRISTINE M. SAPONARA  
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planning.lacity.org

Decision Date: December 27, 2023

Appeal Period Ends: January 11, 2024

David Sarraf (A)  
McCall's Meat and Fish Co.  
2117 Hillhurst Avenue  
Los Angeles, CA 90027

RE VENTURES 3133-3141, LLC (O)  
3191 Casitas Avenue #200  
Los Angeles, CA 90039

Susan Stenberg (R)  
Howard Robinson & Associates  
660 South Figueroa Street #1780  
Los Angeles, CA 90017

CASE NO. ZA-2023-4488-CUB  
CONDITIONAL USE – ALCOHOL  
3141 North Glendale Boulevard  
Northeast Los Angeles Community Plan  
Zone : [Q]C4-1XL-RIO-POD  
D. M. : 154-5A207  
C. D. : 13 – Soto-Martinez  
CEQA : ENV 2023-4489-CE  
Legal Description: Lot 36; TR 5006 Tract

Pursuant to California Environmental Quality Act (CEQA), I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301, Class 1, and Section 15303, Class 3, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies; and

Pursuant to Los Angeles Municipal Code (LAMC) Section 12.24-W.1, I hereby APPROVE:

a Conditional Use to allow the sale of beer and wine for off-site consumption in conjunction with a proposed butcher shop the [Q]C4-1XL-RIO-POD Zone.

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 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 Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
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 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 Development Services Center approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for inclusion in the case file.
7. Authorized herein is the sale of beer and wine for off-site consumption in conjunction with a 1,852-square-foot butcher shop subject to the following limitations:
  - a. The hours of operation shall be limited to 10:00 a.m. to 7:00 p.m., Tuesday through Friday, and 10:00 a.m. to 5:30 p.m., Saturday and Sunday.
8. After hour use shall be prohibited, except routine clean-up. 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. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
10. 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.

11. 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.
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. Only the front door or entryway shall be used for patron access. All other doors shall be equipped on the inside with an automatic locking device and shall be kept closed at all times other than to permit temporary access for delivery of supplies and trash removal. These doors shall not consist solely of a screen or ventilated security door but shall be solid.
14. 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.
15. 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.
16. **Complaint Log.** 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, front desk or near the reception area.

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.
17. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of beer and wine 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.
18. 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 behavior that does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.

19. 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.
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, or the Department of Building and Safety. 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 or 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. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
25. 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.
26. During hours of employment, all employees working at the location shall wear name tags identifying them as employees of the location.

27. A file containing all employees' names current address and a photocopy of valid identification shall be maintained and accessible.
28. All employees shall have valid identification and shall possess them on the premise when working.

### **ADMINISTRATIVE CONDITIONS**

29. **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 ZA Sign Offs 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. 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.
30. 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 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-I (Miscellaneous Plan Approval), 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.
31. 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 his/her new operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.

**32. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

The 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 includes 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. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become 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 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter 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 valid 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, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

### 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 the statements made at the public hearing on November 14, 2023, 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 granting a Conditional Use as enumerated in 12.24-W.1 of the LAMC have been established by the following facts:

### BACKGROUND

The project site consists of an improved, rectangular-shaped parcel, measuring approximately 2,501 square feet. It has a frontage of approximately 25 feet along North Glendale Boulevard, a depth of approximately 100 feet on each side, and a linear width of approximately 25 feet fronting along the alley at the rear. The site is developed with a one-story, commercial building built in 1938. The tenant space is part of a multi-tenant commercial building with a total of approximately 5,644 square feet on four lots.

The applicant is requesting a Conditional Use to allow the sale of beer and wine for off-site consumption in conjunction with a new butcher shop (change of use), consisting of a total of 1,852 square feet (entire tenant space). The tenant space will include a prep kitchen and retail sales of food items. The existing 1,852-square-foot tenant space includes an approximately unpermitted 356-square-foot addition, which the applicant proposes to demolish. The applicant will then replace the demolished addition with a legalized addition of the same size in the same location to be used for cold storage. The most recent Certificate of Occupancy issued on June 23, 1982, LA 35621/81, identifies the tenant space use as medical office, as part of a multi-tenant building. The tenant space use, however, was most recently a pilates studio, according to application materials, but there is not a certificate of occupancy that recognizes this use. The proposed hours of operation are 10 a.m. to 7 p.m. Tuesday through Friday, and 10 a.m. to 5:30 p.m. Saturday and Sundays.

The subject site is zoned [Q]C4-1XL-RIO-POD, with a General Plan Land Use Designation of Neighborhood Commercial. The corresponding zones for the Neighborhood Commercial land use under the Northeast Los Angeles Community Plan are C1, C1.5, P, C2, and C4. The project site is subject to Qualified Q Conditions in Ordinance No. 173,466, Subarea 435, which became effective on October 3, 2000, and prohibits 100 percent residential development and limits residential density to the RD1.5-1 Zone. The property is located within the Atwater Village Pedestrian Oriented District (ZI-2282), the East Los Angeles State Enterprise Zone (ZI-2129), the Alquist-Priolo Fault Zone (ZI-2441), the River Implementation Overlay District (ZI-2358), and a Transit Priority Area (ZI-2452).

The project site is adjacent to properties with existing commercial and residential development. The abutting properties to the southwest and the northeast are zoned [Q]C4-1XL-RIO-POD and improved with commercial buildings. The adjoining building on the abutting property to the southwest is one story, built in 1938; the abutting property to the northwest has an adjoining two-story building built in 1927 with approximately 2,900 square feet, including a juice/smoothie store on the ground floor. The adjacent property at the rear and across the alley is developed with a single-family dwelling unit built in 1931. This residential lot across the alley is located adjacent to improved lots with single-family housing.

Glendale Boulevard is designated as an Avenue II street in the City's Mobility Plan 2035 with a designated road width of 56 feet, with a designated right-of-way of 86 feet, and improved with a curb and sidewalk.

**Previous zoning related actions on the site include:**

DIR-2023-6330-POD – On October 17, 2023, the Director of Planning approved a POD Director's Determination for a change of use of 1,852 square feet of floor area (entire tenant space) to a new butcher shop with a prep kitchen and retail sales of food items, a new 356-square-foot addition to the rear of the building, and tenant improvement of the existing one-story building located within the Atwater Village Pedestrian Oriented District.

Ordinance No. 183,145 – Effective on August 20, 2014, the Ordinance amended Sections 12.03, 12.04, 12.32, and 13.17 of the Los Angeles Municipal Code to authorize the establishment of the River Improvement Overlay (RIO) District and River Design Guidelines for designated areas adjacent to the City's waterways.

Ordinance No. 183,144 – Effective on August 20, 2014, the Ordinance amended Section 12.04 of the Los Angeles Municipal Code to authorize the establishment of the River Improvement Overlay District and amend the zoning map accordingly.

Ordinance No. 173,676 – Approved December 5, 2000, the Ordinance established the Atwater Village Pedestrian Oriented District, pursuant to Sections 13.00, 13.07, and 13.08 of the Los Angeles Municipal Code for portions of the Northeast Los Angeles Community Plan Area to encourage walkability in the neighborhood.

Ordinance No. 173,466-SA435 – Effective October 3, 2000, the Ordinance amended

Section 12.04 of the Los Angeles Municipal Code by amending the zoning map. This Ordinance changed the zone from C1.5-1XL to [Q]C4-1XL. The [Q] Conditions prohibit 100 percent residential development and limit residential density to the RD1.5 zone.

Ordinance No. 172,316 – Approved November 24, 1998, the Ordinance established interim regulations for the issuance of building and demolition permits for certain residential, commercial, and industrial projects in the Northeast Los Angeles Community Plan Area.

**Building Permit History:**

Permit Application No. 23016-10000-15599 – On May 15, 2023, the Applicant submitted a building permit for a change of use from existing retail to new butcher shop and prep kitchen with 356 square feet of addition at the rear of the building.

Code Enforcement – On April 16, 2009, a report of off-site advertisement was received and the resolution status is under investigation.

Order to Comply – An order to comply was issued for conversion of portion of retail to dance studio. A building permit was submitted by the applicant on June 17, 2008. A permit to legalize the use was not issued.

**Previous Cases on Surrounding Properties in the Nearby Vicinity (600 feet in the past 10 years):**

Staff utilized a 600-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Zoning Administrator determinations associated with the sales and dispensing of alcoholic beverages and filed within the past 10 years:

Case No. ZA-2018-1067-CUB – On August 29, 2018, a letter of withdrawal was issued for the Conditional Use Permit for Alcohol at 3155 North Glendale Boulevard.

Case No. ZA-2017-4699-CUB – On April 10, 2018, the Zoning Administrator approved a Conditional Use to allow the continued sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant, with hours of operation for the interior of the restaurant from 6:00 a.m. to 2:00 a.m. daily, and hours of operation for the patio from 8:00 a.m. to 11:00 p.m., daily, at 3111 North Glendale Boulevard, Unit #3.

Case No. ZA-2017-4693-CUB – On April 10, 2018, the Zoning Administrator approved a Conditional Use to allow the continued sale and dispensing of beer and wine for off-site and on-site consumption in conjunction with an existing retail store and bar, with hours of operation from 11:00 a.m. to 10:00 p.m., Sunday through Thursday, and from 11:00 a.m. to 11:00 p.m. Friday and Saturday, at 3111 North Glendale Boulevard.

Case No. ZA-2015-1143-CUB-CU – On July 2, 2015, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a restaurant in the [Q]C4-1XL-RIO Zone, with hours of operation from 9:00 a.m. to 11:00 p.m. Sunday to Wednesday, and 9:00 a.m. to 12:00

a.m. Thursday to Saturday, exceeding the maximum permitted hours of 7:00 a.m. to 11:00 p.m. at a mini-shopping center location, at 3224 North Glendale Boulevard.

Case No. ZA-2021-4484-CUB – On July 2, 2015, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a restaurant in the [Q]C4-1XL-RIO Zone, with hours of operation from 9:00 a.m. to 11:00 p.m. Sunday to Wednesday, and 9:00 a.m. to 12:00 a.m. Thursday to Saturday, exceeding the maximum permitted hours of 7:00 a.m. to 11:00 p.m. at a mini-shopping center location, at 3224 North Glendale Boulevard.

Case No. ZA-2009-746-CUB – On October 13, 2009, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing for beer and wine for on-site consumption in conjunction with an existing restaurant, with hours of operation from 11 a.m. to 11 p.m., daily, at 3133 1/2 North Glendale Boulevard, adjoining the project site.

### **COMMUNICATION:**

No public correspondence for this application has been received.

### **PUBLIC HEARING**

A public hearing was held before the Associate Zoning Administrator on November 14, 2023 at 9:00 a.m., due to continued concerns that meeting in person would present imminent risks to the health and safety of the attendees, the hearing was conducted entirely telephonically. The hearing was attended by the applicant, the applicant's representative (Jared Johnson), and one member of the public.

Mr. Jared Johnson, presented the project and stated the following:

- Request is the sale of beer and wine for off-site consumption in conjunction with a new McCalls Meat and Fish Co.
- Business is moving from Los Feliz to new location.
- Wines will be paired with meats and fish.
- Tenant improvements approved for consistency with the Atwater Village POD.

David Sarraf (owner), made the following comments:

- Bought original store three years ago.
- New store location adds cheese and produce, in addition to wines, cheese, and meats.

Monica Navarro, a neighboring business owner and resident of the community, made the following comments:

- 13-year resident of Atwater Village.
- Proposed project is similar to my business.
- Sells many similar ties (produce, wine, cheese, etc)
- May impact my business negatively.

The Zoning Administrator closed the public hearing and stated that the case would be held under advisement for one week, 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.

**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.
- 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/checkout clerk specifically assigned solely to that station.
- Cashiers selling alcoholic beverages shall be 18 years of age or older.
- Signs shall be posted in English and Spanish stating that the California state law prohibits the sale of alcoholic beverages to people who are under 21 years of age.
- The petitioner(s) shall post a prominent, permanent sign stating, "NO OPEN ALCOHOLIC BEVERAGES CONTAINERS ARE ALLOWED ON THESE

PREMISES" in a place that is clearly visible to patrons of the licensed premises. The sign shall be at least two feet squared with at least two-inch block lettering and include "VIOLATORS ARE SUBJECT TO ARREST". The signage shall be posted in English and Spanish.

### **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.1 of the LAMC. In order for the sale of a beer and wine for off-site consumption be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

### **CONDITIONAL USE FINDINGS**

Following is a delineation of the findings and the application of the relevant facts to same:

- 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 proposed project is located within the Atwater Village Pedestrian Oriented District in the Northeast Los Angeles Community Plan Area, and the site is developed with a one-story, commercial building consisting of 1,852 square feet. The applicant is proposing a change of use to butcher shop with a Conditional Use to allow the sale of beer and wine for off-site consumption in conjunction with the new use (McCall's Meat and Fish). The proposed hours of operation are from 10:00 a.m. to 7:00 p.m., Tuesday through Friday, and 10:00 a.m. to 5:30 p.m., Saturday and Sunday.

The existing 1,852-square-foot tenant space includes an approximately unpermitted 356-square-foot addition, which the applicant proposes to demolish. The main building was built in 1938. The applicant will replace the demolished addition with a legalized addition of the same size in the same location to be used for cold storage, under a separate case (DIR-2023-6330-POD). The most recent Certificate of Occupancy issued on June 23, 1982, LA 35621/81, identifies the tenant space use as medical office, as part of a multi-tenant building. The tenant space use, however, was most recently a pilates studio, according to application materials, but there is not a certificate of occupancy that recognizes this use. In 2008, there was an order to comply (A-1378677) for conversion of retail to dance studio but a permit to legalize the use was not issued.

The proposed butcher shop is located in an active commercial area with robust pedestrian traffic. It would primarily sell meat, fish, and cheese, and the sale of beer and wine for off-site consumption would be incidental. The addition will house cold storage of food items for sale in the butcher shop. The proposed retail use is a neighborhood commercial use that will be amenity-serving for the

surrounding single-family residential neighborhood located within close walking distance of the shop. The sale of beer and wine for off-site consumption in conjunction with the operation of a proposed butcher shop is a convenience for patrons who reside in, work in, or visit the area. The subject property is developed in a manner similar to surrounding properties, which includes retail stores, restaurants, and neighborhood commercial services.

The proposed project does not represent the introduction of a new alcohol use to the area. The imposition of a number of conditions addressing operational and alcohol-related issues will assure that the off-site sale of beer and wine will not be disruptive to the community. As such, the proposed butcher shop with off-site beer and wine sales will offer a convenient location and amenity for local residents and visitors and will perform a function and provide a service that is beneficial to the surrounding community.

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 is located within Atwater Village. The project site and its surroundings along both sides of Glendale Boulevard are primarily commercial uses such as restaurants and retail that serve the surrounding residential neighborhood and visitors alike. The project site has a Neighborhood Commercial land use designation, a height limit of 30 feet, and does not allow 100 percent residential uses. The one-story butcher shop will maintain an existing building height of 16 feet. Many of the commercial buildings in the area are one-story in height although there are some two-story buildings.

The applicant is requesting a Conditional Use to allow the sale of beer and wine for off-site consumption in conjunction with the proposed butcher shop. The proposed hours of operation are 10:00 a.m. to 7:00 p.m. Tuesday through Friday, and 10:00 a.m. to 5:30 p.m. Saturday and Sunday.

Imposed conditions include the use and the limitation of site, operational practice, alcohol-service training for employees, site maintenance, security camera surveillance, posting of a hotline number for reporting of any complaints, and lighting. The Zoning Administrator also reserves the right to require the filing of a plan approval application in the event of a change in operator or a record of noncompliance with any of the conditions. Therefore, based on the facts herein and in conjunction with the imposition of operational conditions, 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.

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

The subject site is within the Northeast Los Angeles Community Plan Area and

the Atwater Pedestrian Oriented District, zoned [Q]C4-1XL-RIO-POD, and has a General Plan Land Use Designation of Neighborhood Commercial. The corresponding zones for the Neighborhood Commercial land use under the Northeast Los Angeles Community Plan are C1, C1.5, P, C2, and C4. Therefore, the zoning of the subject site is consistent with the range of zones associated with the site's land use designation. A butcher shop is allowed in the C4 zone and is not a prohibited use in the Atwater Pedestrian Oriented Design District. The [Q] Condition described in Ordinance No. 173,466-SA435 prohibits 100 percent residential development on the subject site and the proposed project complies with the [Q] Condition as it maintains a commercial use on the site by changing the use from one type of commercial use to another commercial use.

Off-site beer and wine sales is permitted in the C4 Zone with a Conditional Use for alcoholic beverage sales per LAMC Section 12.24 W.1. The sale of beer and wine for off-site consumption is permitted through the Conditional Use process and the request is subject to specific findings which have been made herein. The sale of alcoholic beverages is not specifically addressed in the Community Plan but is permitted subject to specific findings as noted herein.

The existing and proposed use of the subject site is consistent with and advances the following policies and objectives identified in the Northeast Los Angeles Community Plan and the General Plan.

***Objective 2-1:*** To conserve and strengthen potentially viable commercial areas in order to stimulate and revitalize existing businesses and create opportunities for appropriate new commercial development.

The request is also consistent with General Plan Framework Element objectives:

***Objective 7.2:*** Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.

***Objective 7.3:*** Maintain and enhance the existing businesses in the City.

***Policy 7.3.2:*** Retain existing neighborhood commercial activities within walking distance of residential area.

The issue of alcoholic beverages is not specifically addressed by the General Plan. Conditional approval for the sale of beer and wine for off-site consumption is allowed through the approval of the Zoning Administrator subject to findings pursuant to LAMC 12.24 W.1 supporting the approval. The intent and purpose of the General Plan is to allow for an arrangement of land uses which are compatible with each other. The Plan encourages the proximity of services to the areas they serve. As conditioned, the grant is consistent with these objectives.

The subject butcher shop is a desirable use in an area designated for neighborhood commercial uses in a pedestrian-oriented district. The Atwater

Pedestrian Oriented District notes that preserving and enhancing the existing structures would encourage people in the surrounding neighborhoods to walk and shop. The proposed shop will have tenant improvements and will add an addition to the rear of existing commercial building, preserving the existing building. The butcher shop will provide a convenience to visitors, workers, and visitors and as conditioned, will not negatively impact the area. The Zoning Administrator has incorporated numerous operational conditions that address noise, safety and security to ensure the proposed use is conducted with due regard for surrounding properties and to reduce potential crime issues or nuisance activity. As such, the project substantially conforms with the purpose, intent and provisions of the General Plan and the Northeast Los Angeles Community Plan.

#### **ALCOHOLIC BEVERAGE FINDINGS**

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

The proposed butcher shop is located within an existing tenant space in an established commercial center. The use will serve the residents of the Atwater Village as well as local employees and patrons of adjacent retail spaces. The requested approval is for a conditional use to allow the sale of beer and wine for off-site consumption in conjunction with the proposed butcher shop. The approval of the conditional use will not adversely affect the welfare of the community. The subject property is zoned for commercial uses and will be utilized as such with the sale of beer and wine.

Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity and public drunkenness are mitigated by the imposition of conditions requiring responsible management. With oversight from the California Department of Alcoholic Beverage Control and conditions which have been imposed upon the proposed retail market, the project will be compatible with the character of the immediate neighborhood. Such conditions include the requirement of security measures such as a surveillance system and deterrence of graffiti and loitering. In addition, the grant requires the use and maintenance of an age verification device to deter underage purchases and drinking. Employees must also undergo STAR (Standardized Training for Alcohol Retailers) training provided by the Los Angeles Police Department, LEAD (Licensee Education on Alcohol and Drugs) training provided by the Department of Alcoholic Beverage Control, or RBS (Responsible Beverage Service) Training. Both the Conditions of Approval and the requirements of the State Alcoholic Beverage Control agency are intended to protect the public health, welfare and safety of the community. Therefore, it is expected that the allowance for the sale of beer and wine for off-site consumption will not adversely affect the welfare of the pertinent community.

**5. The proposed use 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, three (3) on-site and two (2) off-site consumption licenses are allocated to the subject census tract (Census Tract 1883.00). Currently there are 11 on-sale and five (5) off-sale active licenses in this census tract. There is no record of an ABC License on the subject site. Within a 1000-foot radius of the subject property, the following types of alcohol establishments are active:

<b>Alcohol Establishment</b>	<b>Address</b>	<b>Type</b>
Hail Mary Pizza	3219 Glendale Boulevard	Beer and Wine/On-site
Sagrado Mezcaleria	3216 Glendale Boulevard	Full Line /On-site
Club Tee Gee	3210 Glendale Boulevard	Full Line /On-site
Baracoa Cuban Café	3175 Glendale Boulevard	Beer and Wine/On-site
Kopper Keg Liquor	3237 Glendale Boulevard	Full Line/Off-site
All' Acqua	1135 North Alameda Street	Full Line /On-site

Although the number of active on- sale ABC licenses within the census tract exceeds ABC guidelines, the project will not adversely affect community welfare because the butcher shop is a desirable use in an area designated for such use. In this case, the proposed project will provide a convenience to residents, shoppers in the commercial center, and employees of the surrounding commercial areas. As conditioned and therefore will not negatively impact the area.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such licenses benefits the public welfare and convenience. In active commercial areas where there is a demand for licenses beyond the allocated number, the Department of Alcoholic Beverage Control (ABC) has recognized that high-activity retail and commercial centers are supported by a significant and growing employee, visitor, and resident population in the area. The site is within an area characterized by retail and restaurants within a vibrant and pedestrian-oriented environment. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. Therefore, the request is anticipated to not adversely affect the welfare of the community or result in an undue concentration of premises for the sale of alcoholic beverages after giving consideration to the State laws and to the

ABC's guidelines for undue concentration and crime rates in the area. In addition, there is already an active ABC Permit on the site, thus, this approval will not add to the number of permits for the area.

According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 1123, which has jurisdiction over the subject property, a total of 143 crimes were reported in 2022, compared to the citywide average of 156 crimes and the high crime reporting district average of 187 crimes for the same period. In 2022, Part 1 Crimes for the reporting district included: Homicide (0), Rape (0), Robbery (3), Aggravated Assault (5), Burglary (28), Vehicle Theft (19), and Larceny (87). Part 2 Crimes for the reporting district include: Other Assaults (1), Forgery/Counterfeit (0), Fraud/Embezzlement (0), Weapon Possession (2), Prostitution/Allied (0), Sex (0), Family/Child (0), Narcotics/Drugs (0), Liquor Laws (0), Drunkenness (0), DUI Related (6), Moving Traffic Violations (0), Miscellaneous Other Violations (4), and Federal Offenses (0). 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.

The above statistics indicate that the crime rate in the Reporting District where the subject site is located is lower than the Citywide average, and does not constitute a High Crime Reporting District. Furthermore, no evidence was submitted for the record establishing any link between the subject site and the area's crime rate. The statistics cover an entire district and do not pertain particularly to the subject site. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions that will safeguard the welfare of the community. The Zoning Administrator has incorporated numerous operational conditions to the grant that address noise, safety and security to ensure the proposed use is conducted with due regard for surrounding properties and to reduce any potential crime issues or nuisance activity. As such, the project will not adversely affect community welfare because the proposed butcher shop will be a desirable use in an area designated for commercial uses. In this case, the proposed project will provide a convenience and new amenity to workers, visitors, and residents in the immediate neighborhood and, as conditioned, will not negatively impact the area.

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 currently developed with and zoned for commercial uses and will be continued to be used as such. The following sensitive uses were observed within 1,000-foot radius of the subject property:

<b>Schools, Churches, Hospitals, Parks</b>
--

Chapel of St. Francis	3621 Brunswick Avenue
Kid's World School	3525 Glenhurst Avenue
Bright Montessori School	3010 Glendale Boulevard
Duran Family Child Care	3422 Garden Avenue
<b>Residential Uses</b>	
Single-family and Multiple family developments	

Consideration has been given to the distance of the subject establishment from the above referenced sensitive uses and alcohol-serving establishments. The grant has been well conditioned, which should protect the health, safety, and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions limiting operating hours and entertainment. The project is consistent with the zoning and in keeping with the existing uses adjacent to the development. The proposed butcher shop will contribute to the neighborhood and will serve the neighboring residents and 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.

### **FLOOD HAZARD FINDINGS**

7. 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. 186,952, have been reviewed and it has been determined that this project is located outside of a Flood Zone

### **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.org/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.org/development-services/forms>. Public offices are located at:

Metro DSC  
(213) 482-7077  
201 N. Figueroa Street  
Los Angeles, CA 90012  
[planning.figcounter@lacity.org](mailto:planning.figcounter@lacity.org)

Van Nuys DSC  
(818) 374-5050  
6262 Van Nuys  
Boulevard  
Van Nuys, CA 91401  
[planning.mbc2@lacity.org](mailto:planning.mbc2@lacity.org)

West Los Angeles DSC  
(CURRENTLY CLOSED)  
(310) 231-2901  
1828 Sawtelle Boulevard  
West Los Angeles, CA  
90025  
[planning.westla@lacity.org](mailto:planning.westla@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://build.la) portal ([appointments.lacity.org](https://appointments.lacity.org)). 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 this matter shall be directed to Linda Lou, Planning Staff for the Central Project Planning Division, at (213) 978-1473 or [linda.lou@lacity.org](mailto:linda.lou@lacity.org).

A handwritten signature in blue ink, reading "Jordann F. D. Turner".

JORDANN TURNER  
Associate Zoning Administrator

JT:VS:LL

cc: Councilmember Hugo Soto-Martinez  
Thirteenth District  
Adjoining Property Owners







**DEPARTMENT OF  
CITY PLANNING**

COMMISSION OFFICE  
(213) 978-1300

CITY PLANNING COMMISSION

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**CITY OF LOS ANGELES**  
CALIFORNIA



KAREN BASS  
MAYOR

**EXECUTIVE OFFICES**

200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
(213) 978-1271

VINCENT P. BERTONI, AICP  
DIRECTOR

SHANA M.M. BONSTIN  
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

**ATWATER VILLAGE PEDESTRIAN ORIENTED DISTRICT  
DIRECTOR'S DETERMINATION**

October 17, 2023

**Applicant**

David Sarraf  
McCall's Meat and Fish Co.  
2117 Hillhurst Avenue  
Los Angeles, CA 90027

**Case No.:** DIR-2023-6330-POD

**CEQA:** ENV-2023-4489-CE

**Overlay:** Atwater Village Pedestrian Oriented  
District

**Location:** 3141 North Glendale Boulevard

**Owner**

RE VENTURES 3133-3141, LLC  
3191 Casitas Avenue, #200  
Los Angeles, CA 90039

**Council District:** 13 – Soto-Martinez

**Neighborhood Council:** Atwater Village

**Community Plan Area:** Northeast Los Angeles

**Land Use Designation:** Neighborhood Commercial

**Zone:** [Q]C4-1XL-RIO-POD

**Legal Description:** Lot 36, Block A, TR 5006 Tract

**Representative**

Susan Steinberg  
Howard Robinson &  
Associates  
660 South Figueroa Street,  
#1780  
Los Angeles, CA 90017

**Last Day to File an Appeal:** November 1, 2023

**DETERMINATION**

Pursuant to the Los Angeles Municipal Code (LAMC) Section 13.07 and the Atwater Village Pedestrian Oriented District Guidelines, I have reviewed the proposed Project and as the designee of the Director of Planning, I hereby:

**Determine** based on the whole of the administrative record that the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, Class 1, and Section 15303, Class 3, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;

**Approve with Conditions** a POD Director's Determination for a change of use of 1,852 square feet of floor area (entire tenant space) to a new butcher shop with a prep kitchen and retail sales of food items, a new 356-square-foot addition to the rear of the building, and tenant improvements of the existing one-story building located within the Atwater Village Pedestrian Oriented District (Ordinance No. 173,676).

The Project approval is based upon the attached Findings, and subject to the attached Conditions of Approval:

## CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the Project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Central Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provision so the Municipal Code, the project conditions, or the project permit authorization.
2. **Floor Area.** The project shall be limited to 1,852 square feet in floor area.
3. **Height.** The project shall maintain and be limited to 16 feet in height.
4. **Facade Treatment.** The project shall maintain at least 50 percent of the first 10 feet of the existing building height with wall treatments, including at least one door and windows.
5. **Building Setback.** The project shall maintain the existing setback of 0 feet from the property line adjacent to Glendale Boulevard.
6. **Pedestrian Access.** The project shall provide at least one (1) entryway into the building from Glendale Boulevard.
7. **Ground Floor.** The project shall provide a ground floor fronting on Glendale Boulevard.
8. **Landscaping Standards.** The project shall provide three (3) planters in the rear surface parking lot as shown in Exhibit "A" and two(2) landscaped planters at the storefront on Glendale Boulevard. Prior to the issuance of building permits, the Applicant shall obtain a revocable permit from the Bureau of Engineering to place two landscaped planters in front of the storefront, located on the public right-of-way. The Applicant shall revise plans to identify the location of said planters and provide a copy of the approved revocable permit to the Development Service Center prior to finalizing condition clearance.
9. **Sign Standards.** There shall be no additional signage installed on the subject site except as approved in previous and subsequent approvals.

## Administrative Conditions

10. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City

Planning staff "Plans Approved." A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.

11. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
12. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
13. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
14. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
15. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
16. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
17. **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 includes 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.

## BACKGROUND

The project proposes the interior remodel and renovation of an existing one-story building, measuring approximately 32-feet 6-inches in width by 57-feet in length, including a new addition of 356 square feet of floor area in the rear of the building, and a change of use of 1,852 square feet (the entire tenant space), to a new butcher shop with a prep kitchen and retail sales of food items. The most recent Certificate of Occupancy issued on June 23, 1982, LA 35621/81, identifies the tenant space use as medical office, as part of a multi-tenant building. The tenant space use, however, was most recently a pilates studio, according to application materials, but there is not a certificate of occupancy that recognizes this use. The existing 1,852-square-foot tenant space includes an approximately unpermitted 356-square-foot addition, which the applicant proposes to demolish. The applicant will then replace the demolished addition with a legalized addition of the same size in the same location to be used for cold storage of food items for sale in the butcher shop, such as cheese and other perishable goods.

The project is part of a multi-tenant commercial property, approximately 10,000 square feet; the subject site is approximately 2,501 square feet. The project is located in the Atwater Village Pedestrian Oriented District (Atwater Village POD). The building is currently vacant but had been used as a pilates studio without a certificate of occupancy; the most recent certificate of occupancy shows that the use is medical office. There was an order to comply (A-1378677) for conversion of retail to dance studio in 2008 but a permit was not issued to legalize this use. The site is zoned [Q]C4-1XL-RIO-POD and has a General Plan Land Use Designation of Neighborhood Commercial. As shown in the case file, the project is consistent with the applicable Northeast Los Angeles Community Plan designation and policies and all applicable zoning designations and regulations. The subject site is wholly within the City of Los Angeles.

Lots adjacent to the subject site are developed with neighborhood commercial uses. The abutting properties to the southwest and the northeast are zoned [Q]C4-1XL-RIO-POD and improved with commercial buildings. The adjoining building on the abutting property to the southwest is one story, built in 1938, is a commercial use; the subject site and the adjoining building to the southwest are part of a multi-tenant commercial building that is approximately a total of 5,644 square feet. The adjoining two-story building to the northwest was built in 1927, is approximately 2,900 square feet, and includes a restaurant and a juice/smoothie shop on the ground floor. The project site is located on Glendale Boulevard, which is identified as a pedestrian oriented street in the Atwater Village POD.

## FINDINGS

### PEDESTRIAN ORIENTED DISTRICT FINDINGS

- 1. If adjacent to a cultural resource, that the project will be compatible in scale (i.e. bulk, height, and setbacks) to that resource.**

The project is not located adjacent to an identified cultural resource. It is an existing building located in between two adjoining buildings and is proposing a change of use to butcher shop with a new 356-square-foot addition at the rear of the building. The one to the southwest was built in 1938 and is a commercial use. The subject site and the adjoining building to the southwest are part of a multi-tenant commercial building that is a total of approximately 5,644 square feet. The adjoining northwest building was built in 1927, is approximately 2,900 square feet, two stories in height, and includes a restaurant and juice/smoothie shop on the ground floor.

The project will maintain the existing building height. The highest point on the building is 16 feet in height. An existing rear portion of the building that is unpermitted, approximately 356

square feet, will be removed and a permitted addition will be built in its place, approximately 356 square feet. The new addition will be used to house the cold storage of food items for sale in the shop. The project is also an interior tenant improvement with accessibility upgrades. The existing building setback will be retained as the front of the building will not be moved or reconstructed. Therefore, as proposed the project will largely maintain the current building as is and it will remain compatible in scale to existing adjacent buildings.

**2. The project conforms with the intent of development regulations contained in Subsection 13.07 E of the Los Angeles Municipal Code.**

The project is an existing building located in between two adjoining buildings and is proposing a change of use to butcher shop with a new 356-square-foot addition at the rear of the building. The rear addition will not be visible from the street (Glendale Boulevard). The remodel and renovation of the building will be interior. An unpermitted area where the new addition will be built will be removed. The project will provide one pedestrian entrance (a glass door), and windows at the front of the building, and add three planters in the existing rear surface parking lot. The proposed change of use of the entire building to a new butcher shop with retail sales is permitted within the allowable uses in both Section 13.07 and the Atwater Village POD Ordinance and the project has been conditioned to comply with all other applicable provisions of the Atwater Village POD ordinance and LAMC Section 13.07.

Furthermore, the project as described and conditioned above will maintain the existing building height of 16 feet. The existing building setback will be retained as the front of the building will not be moved or reconstructed. As for landscaping, the project proposes to incorporate three (3) adjacent planters in the rear parking lot as shown in Exhibit "A" and two landscaped planters at the storefront on Glendale Boulevard. The façade treatments as shown in Exhibit "A" will create visual interest for patrons and pedestrians alike on Glendale Boulevard. Therefore, as proposed the project will conform to the intent of the development regulations in LAMC subsection 13.07.

**ATWATER VILLAGE PEDESTRIAN ORIENTED DISTRICT DEVELOPMENT REGULATIONS**

**A. *Building Frontages.* Building frontages shall conform to the following regulation:**

- 1) ***Façade Treatment.*** For any Project, 50 percent of the first 10 feet in building height of the building façade shall be articulated with wall treatments including one or more including one or more of the following: windows, doors, recessed entryways, recessed courtyards, planters, murals, mosaic tile, or public art and/or other means of creating visual interest. Every effort should be made to make the building façade treatment elements as architecturally integrated as possible.

The project is a proposed 356-square-foot addition to the rear of the existing building and it will not be visible from the street (Glendale Boulevard), and interior tenant improvements for a change of use. The new tenant is proposing a butcher shop with a prep kitchen. More than 50 percent of the first 10 feet in building height consists of one glass door and windows to conform with the

pedestrian-orientation of Glendale Boulevard. Visible display shelves with items for sale adjacent to the windows will create visual interest for pedestrians walking by the shop. Thin set tiles will be added from the area above the windows to the roof for articulation. As for landscaping, the project proposes to incorporate three (3) adjacent planters in the rear parking lot as shown in Exhibit "A" and two landscaped planters at the storefront on Glendale Boulevard.

- 2) ***Building Setback.*** *The exterior wall of any new construction or addition of floor area to a building or structure shall be located not more than five feet from any front lot line adjoining a Pedestrian Oriented Street, except that building setbacks from the front lot line may exceed five feet when used for plazas, courtyards, outdoor dining, seating, kiosks, and/or paseos. Building setbacks shall be used for the above listed permitted purposes or shall be landscaped as set forth in Subsection E of this Section.*

The project is a proposed 356-square-foot addition to the rear of the existing building, and the interior remodel for a change of use. The building currently is built up to the property line or sidewalk adjacent to Glendale Boulevard; the setback will be maintained.

- 3) ***Pedestrian Access.*** *All new construction or addition of floor area to a building or a structure fronting substantially or in part on a Pedestrian Oriented Street shall provide at least one entrance for pedestrians to each Ground Floor.*

The proposed project is a 356-square-foot addition to the rear of the existing building. The project will have one entrance for pedestrians at the Ground Floor.

- 4) ***Second Floors.*** *For any Project, the building facades of the floor immediately above the ground floor shall be differentiated from the ground floor by recessed windows, balconies, offset planes, awnings, or other architectural details.*

The proposed project does not propose a second floor, therefore, this regulation does not apply.

- 5) ***Requirement for Ground Floor:*** *Each building on a lot fronting substantially or in part on a Pedestrian Oriented Street shall have a ground floor.*

The proposed project is an interior remodel and the replacement of an unpermitted area of 356 square feet of floor area at the rear of the existing building with a 356-square-foot addition. The existing ground floor fronting on Glendale Boulevard is maintained, and therefore, the project conforms with this regulation.

#### ***B. Prohibited Uses.***

The project does not propose any of the Prohibited Uses listed in Section 4.B of the Atwater Village Pedestrian Oriented District Ordinance No. 173,676.

- C. **Yards.** *Yard requirements shall be as required by the underlying zone, except as specified in subsection A (2) of this section.*

The project is a proposed 356-square-foot addition to the rear of the building, and it will not be visible from the street (Glendale Boulevard), and the interior remodel of the existing building. The building currently is built up to the property line adjacent to Glendale Boulevard and the existing building setback will be maintained. Therefore, regulation 4.C of the Atwater Village Pedestrian Oriented District Ordinance No. 173,676 does not apply.

D. **Parking.**

1. *Any surface parking adjoining a Pedestrian Oriented Street shall be screened by a solid wall having a continuous minimum height of three feet and a maximum height of four feet. In addition, the wall shall be separated from the adjacent public right-of-way by a continuous landscaped area having a minimum width of three feet. For surface parking with a capacity up to 19 cars, four percent of the area shall be landscaped.*

The project does not propose parking adjoining a Pedestrian Oriented Street; therefore, this regulation does not apply. The project qualifies for AB 2097, and parking is not required. The project site has an existing rear parking lot with a total of three spaces, one ADA space, and two standard spaces.

2. *All above-ground parking spaces visible from the public right-of-way shall be screened architecturally or with landscaping.*

The project does not propose above-ground parking spaces visible from the public right-of-way, therefore, this regulation does not apply.

E. **Landscaping Standards.**

The project proposes to incorporate three (3) planters in the existing surface parking located to the rear of the building as shown in Exhibit "A" and two landscaped planters at the storefront on Glendale Boulevard. Therefore, the project as proposed and conditioned conforms with regulation 4.E.1.

The project does not propose any street trees, therefore, regulation 4.E.2 does not apply.

F. **Sign Standards.**

The project does not propose any signs as part of this filing. Future signs will need to be reviewed for compliance with the plan's sign standards and will require separate review.

- G. **Utilities.** *Where possible, as determined by the Department of Water and Power for the City of Los Angeles, all new power lines for any individual building or proposed within the Atwater Village Pedestrian Oriented District shall be installed underground.*

The project is a proposed 356-square-foot addition to the rear of the existing building, and the interior remodel of the building for a change of use located within the Atwater Village Pedestrian Oriented District. The project does not propose new power lines; therefore, this regulation does not apply.

3. **The project is compatible with the architectural character of the Pedestrian Oriented District where the character is defined pursuant to the ordinance establishing that district.**

The architectural character of the Atwater Village Pedestrian Oriented District is not specifically defined by Ordinance No. 173,676. However, the project will provide more than 50 percent of the first 10 feet in building height of the building façade to be articulated with wall treatments, including doors and windows that will create visual interest along Glendale Boulevard. Thin set tiles will be added to the area from the building's windows to the roof for articulation.

4. **The project complies with theme requirements or other provisions when required in the individual Pedestrian Oriented District.**

No specific theme requirements or provisions are defined in the Atwater Village POD. The project will comply with all applicable development regulation provisions related to building frontages, yards, and landscaping standards.

5. **The project is consistent with the General Plan.**

The project is consistent with the requirements for Commercial development Chapter 3 of the Northeast Los Angeles Community Plan, the Land Use Element of the General Plan.

*Goal 2 Strong and competitive commercial areas that suitably serve the needs of the community and attracts customers from outside the Plan Area by satisfying market demand and maximizing convenience and accessibility while preserving unique historic and cultural identities of each commercial area.*

The proposed project is a butcher shop that would also sell a variety of food items, including cheese and produce. The tenant space is an existing, one-story building and the project would add a 356-square-foot addition at the rear for cold storage. Located near residential neighborhoods, this neighborhood commercial proposed project in the Atwater Village Pedestrian Oriented District will serve residents in the community and also attract nearby employees as well as visitors seeking fresh meat, fish, and other items. The shop is also located within walking distance of other neighborhood commercial uses along the Glendale Boulevard corridor. Metro Bus Line 92's route is along Glendale Boulevard and has stops near the project site. Therefore, its location is convenient and accessible. The existing building, built in 1938, is not an identified historic resource nor located adjacent to any other identified historic resources; maintenance of the one-story commercial building would help preserve the low-scale, pedestrian-friendly environment of Atwater Village.

*Policy 2-2.2 Require that projects in commercial uses be designed and developed to achieve a high level of quality.*

*distinctive character, and compatibility with appropriate existing uses and development.*

The project is a proposed 356-square-foot addition to the rear of the one-story commercial building, which will not be visible from the street (Glendale Boulevard), and the interior remodel of the building located within the Atwater Village Pedestrian Oriented District. A change of use for the entire building is proposed, to a butcher shop with a prep kitchen and retail sales of food items.

Other existing uses nearby include neighborhood commercial uses, located in buildings usually one to two stories in height. The project is located in between two adjoining buildings. The one to the southwest was built in 1938 and is a commercial use. The subject site and the adjoining building to the southwest are part of a multi-tenant building that is approximately a total of 5,644 square feet. The adjoining building located to the northwest was built in 1927, is approximately 2,900 square feet, two stories in height, and includes a restaurant and a juice/smoothie shop on the ground floor. The building currently is built up to the property line adjacent to Glendale Boulevard and the existing building setback will be maintained. The project will maintain the existing building height of 16 feet (one story), and the existing building façade will not be altered. The project will provide one pedestrian entrance and several windows for pedestrian-orientation design. Therefore, the project will remain compatible with existing neighborhood commercial uses and development.

*Policy 2-3.2 Encourage the formation of pedestrian-friendly shopping environments.*

The project is a 356-square-foot addition to the rear of the one-story building, which will not be visible from the street (Glendale Boulevard), and the interior remodel of the existing building located within the Atwater Village Pedestrian Oriented District. A change of use for the entire building is proposed, to a new butcher shop with a prep kitchen and food sales. The building currently is built up to the property line adjacent to Glendale Boulevard at a pedestrian-friendly scale and the building setback will be maintained. The project will provide one (1) glass entryway into the building with several windows, and adjacent visible display shelves with items for sale, therefore, encouraging a pedestrian-friendly shopping environment.

## ENVIRONMENTAL FINDING

The Planning Department determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject project as Categorically Exempt under Article 19, Section 15301, Class 1 and Section 15303, Class 3.

The subject project proposes the interior remodel and renovation of an existing one-story building, and a change of use of the entire floor area (1,852 square feet) to a new butcher shop with a prep kitchen and retail sales of food items, located within the Atwater Village Pedestrian Oriented District. The existing 1,852-square-foot tenant space includes an approximately unpermitted 356-square-foot addition, which the applicant proposes to demolish. The applicant will then replace the demolished addition with a legalized addition of the same size in the same location to be used for cold storage. The most recent Certificate of Occupancy issued on June 23, 1982, LA 35621/81, identifies the tenant space use as medical office, as part of a multi-tenant building. The tenant space use, however, was most recently a pilates studio, according to application materials, but there is not a certificate of occupancy that recognizes this use. The project is part of a multi-tenant commercial property, approximately 10,000 square feet; the subject site is approximately 2,501 square feet. The addition will be used to house the cold storage of food items for sale. The project is also proposing the sale of beer and wine for off-site consumption with operating hours from 10:00 a.m. to 7:00 p.m. Tuesday through Friday, and 10:00 a.m. to 5:30 p.m. Saturday and Sunday (ZA-2023-4488-CUB). As a proposed remodel of less than 10,000 square feet in floor area on a site zoned for Neighborhood Commercial and interior renovation to change the use from pilates studio to butcher shop, the proposed project qualifies for the Class 1 and Class 3 Exemption.

The site is zoned [Q]C4-1XL-RIO-POD and has a General Plan Land Use Designation of Neighborhood Commercial. As shown in the case file, the project is consistent with the applicable Northeast Los Angeles Community Plan designation and policies and all applicable zoning designations and regulations. The subject site is wholly within the City of Los Angeles, on a site that is approximately 2,501 square feet. Lots adjacent to the subject site are developed with neighborhood commercial uses. The project site is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. The site is currently developed with an existing single-story building serving as a vacant commercial use and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. Therefore, the project meets all of the Criteria for the Class 1 and Class 3.

There are six (6) Exceptions which the City is required to consider before finding a project exempt under Class 15303: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

While the subject property is located in an Urban Agriculture Incentive Zone, in the River Implementation Overlay District (RIO), within the Hollywood Fault Zone and an Alquist-Priolo Fault Zone, specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects in these particular types of “sensitive” locations and will reduce any potential impacts to less than significant. Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, and stormwater mitigations, will ensure the project will not have significant impacts on noise and water (see attached Regulatory Compliance Measures). These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. Thus, the location of the project will not result in a significant impact based on its location.

There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes the interior remodel and renovation of an existing, one-story building and a change of use of 1,852 square feet (the entire tenant space), from medical office to a new butcher shop with a prep kitchen and retail sales of food items. The existing 1,852-square-foot tenant space includes an approximately unpermitted 356-square-foot addition, which the applicant proposes to demolish. The applicant will then replace the demolished addition with a legalized addition of the same size in the same location to be used for cold storage. All adjacent lots are developed with commercial uses, and the subject site is of a similar size and slope to nearby properties. The existing building was built in 1938 and is one story, 16 feet in height, which is not unusual for the vicinity of the subject site, and is similar in scope to other existing commercial development in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. Additionally, the only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The subject site is approximately 24 miles east of a portion of the Topanga Canyon State Scenic Highway. Therefore the subject site will not create any impacts within a designated as a state scenic highway. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

## **OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES**

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. The instant authorization is further conditioned upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

## **TRANSFERABILITY**

This determination 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 that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

## **VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

## **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.org/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.org/development-services/forms>. Public offices are located at:

Metro DSC  
(213) 482-7077  
201 N. Figueroa Street  
Los Angeles, CA 90012  
[planning.figcounter@lacity.org](mailto:planning.figcounter@lacity.org)

Van Nuys DSC  
(818) 374-5050  
6262 Van Nuys Boulevard  
Van Nuys, CA 91401  
[planning.mbc2@lacity.org](mailto:planning.mbc2@lacity.org)

West Los Angeles DSC  
(CURRENTLY CLOSED)  
(310) 231-2901  
1828 Sawtelle Boulevard  
West Los Angeles, CA 90025  
[planning.westla@lacity.org](mailto:planning.westla@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://build.la) portal ([appointments.lacity.org](https://appointments.lacity.org)). 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

### NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the Development Services Center. 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.

Vincent P. Bertoni, AICP  
Director of Planning

Approved by:



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Vanessa Soto, AICP, Senior  
City Planner

Prepared by:



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Linda Lou, AICP, City Planner  
[Linda.Lou@lacity.org](mailto:Linda.Lou@lacity.org)

PROJECT TEAM:



**LEGAL DESCRIPTION:**  
THE REAL PROPERTY IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:  
LOTS 34, 35 AND 36 IN BLOCK "A" OF TRACT NO. 5006, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP  
RECORDED IN BOOK 64 PAGE(S) 94 TO 97, INCLUSIVE OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.  
APN: 5435-027-018  
OFFICIALS: CAROL MUMFORD, CLERK OF COURTS

AB 2097 - TRANSPORTATION  
WITHIN 1/2 MI. RADIUS



Key Name	REQUIREMENTS	PROJECT PARAMETERS
PROJECT ADDRESS	MCCALL'S MEAT FISH	-
ACCESSOR'S PARCEL NUMBER	3141, Glendale Blvd, Los Angeles, CA 90239	-
TRACK	5435-027-018	-
BLOCK	TR5006	-
LOT	A	-
	36	-
PROPOSED SCOPE OF WORK:	1) A CONDITIONAL USE PERMIT TO ALLOW FOR THE SALE OF BEER WITH PROPOSED NEW 1,862 SQ. FT. BUTCHER SHOP WITHIN AN (E) MULTI-TENANT BUILDING. 2) A CONDITIONAL USE PERMIT TO ALLOW FOR A PEDESTRIAN ORIENTED DISTRICT MAP OR PROJECT REVIEW TO ALLOW A CHANGE OF USE OF AN (E) METAL SPACE TO A (N) BUTCHER SHOP WITH A 366 SQ. FT. ADDITION AT THE REAR OF THE BUILDING RESULTING IN A 1,862 SQ. FT. TENANT SPACE.	TENANT OCCUPANCY B
ZONING ANALYSIS	ED(C)-1 (N) RES. POD	-
LAND USE ZONING	NEIGHBORHOOD COMMERCIAL	-
ZONING INFORMATION	PEDESTRIAN ORIENTED DISTRICT - ATWATER VILLAGE	-
PARCEL SIZE	TENANT SPACE: 1,862 SQ. FT. (INCLUDING PROPOSED (N) ADDITION OF 366 SQ. FT.) MULTI-TENANT BLDG.: 6,000 SQ. FT. (INCLUDING PROPOSED (N) ADDITION OF 366 SQ. FT.)	10,000 S.F.
BUILDING HEIGHT	N/A	16'
PARKING	(E) PARKING TO REMAIN, NO NEW PARKING PER AB2097	-
BICYCLE PARKING	(N) LANDSCAPE IN POTS AND/OR PLANTERS PROPOSED ADJACENT TO REAR ADDITION	-
LANDSCAPE		-
BUILDING ANALYSIS	TYPE VS. SPRINKLERED	
CONSTRUCTION	B	
OCCUPANCY	1938	
EXISTING YEAR OF CONSTRUCTION	PER CBC TABLE 506.4, SPRINKLERED, B	N/A
REQUIRED SEPARATION OF OCCUPANCIES		
NUMBER OF STORIES	10 MAX	1
FIRE ZONE	N/A	16'
HEIGHT ALLOWABLE	PER CBC TABLES 504.3 & 504.4 - FOR B, MAX. 40 FT./3 STORIES	N/A
HEIGHT INCREASE	PER CBC 504.3, 20 FEET HGT. ADDITION FOR SPRINKLERS	UNLIMITED S.F.
BASIC FLOOR AREA ALLOWABLE	PER CBC TABLE 506.2 Allow/Ft <sup>2</sup> + (INS + 10) PER CBC 506.3	N/A
CALC. OF AREA INCREASE FOR FRONTAGE	We(L1wrt+L2wrt+L3wrt)...JF	
INCIDENTAL USE AREA	PER CBC TABLE 601, SPRINKLERED, (i.e. 1 HR EQUIV., TABLE 601.e)	0-HR
DRAFT STOPS	PER CBC 708.4.2, EXCEPT < 3 DWELLING UNITS	1-HR
SHAFT ENCLOSURES	PER CBC 713.4	N/A
CORRIDOR RATING	PER CBC TABLE 1020.1, R-3, 1-HR	N/A
STAIR WIDTH	PER CBC 1011.2, 44 INCHES	
CODE	2021 LOS ANGELES BUILDING CODE V.1 2022 LOS ANGELES BUILDING CODE V.2 2022 CITY OF LOS ANGELES GREEN BUILDING 2020 CITY OF LOS ANGELES GREEN BUILDING CODE 2021 LOS ANGELES ELECTRICAL CODE 2021 LOS ANGELES ENERGY CODE 2022 LOS ANGELES MECHANICAL CODE 2022 LOS ANGELES PLUMBING CODE 2021 LOS ANGELES PLUMBING CODE 2021 LOS ANGELES ZONING ORDINANCE OF THE CITY OF LOS ANGELES	

<b>Project Address</b>	3141 Glyndale Blvd. Los Angeles, CA 90039 Phone: 845 467 7776
<b>Owner</b>	Elite Property Management 3191 Castles Ave., Ste. 200 Los Angeles, CA 90039 Phone: 323 300 3793 Contact: Jeff Stauffer Email: jstauffer@mancoventures.com

**Tenant**  
McCall's Meat & Fish  
3141 N. Glandale Blvd.,  
Los Angeles, CA 90009  
Phone: 845 467 7776  
Contact: David Samra

**Tenant's Consultants**

**KITCHEN CONSULTANT**  
**IRC RESTAURANT CONSULTING**  
520 1/2 N. Market St./Rd.  
Inglewood, CA 90302  
Ph: 323.793.3663

e: [gregg@vrc1.com](mailto:gregg@vrc1.com)  
contact: Gregg Gellman

Architect  
BURGEON ARCHITECTS, INC.

317 Zz Grand Canyon Dr.  
Laguna Niguel, CA 92677  
Ph: 213 260 4212  
e: info@bungeonlinestudio.com  
contact: Mauricio Espinosa, AIA

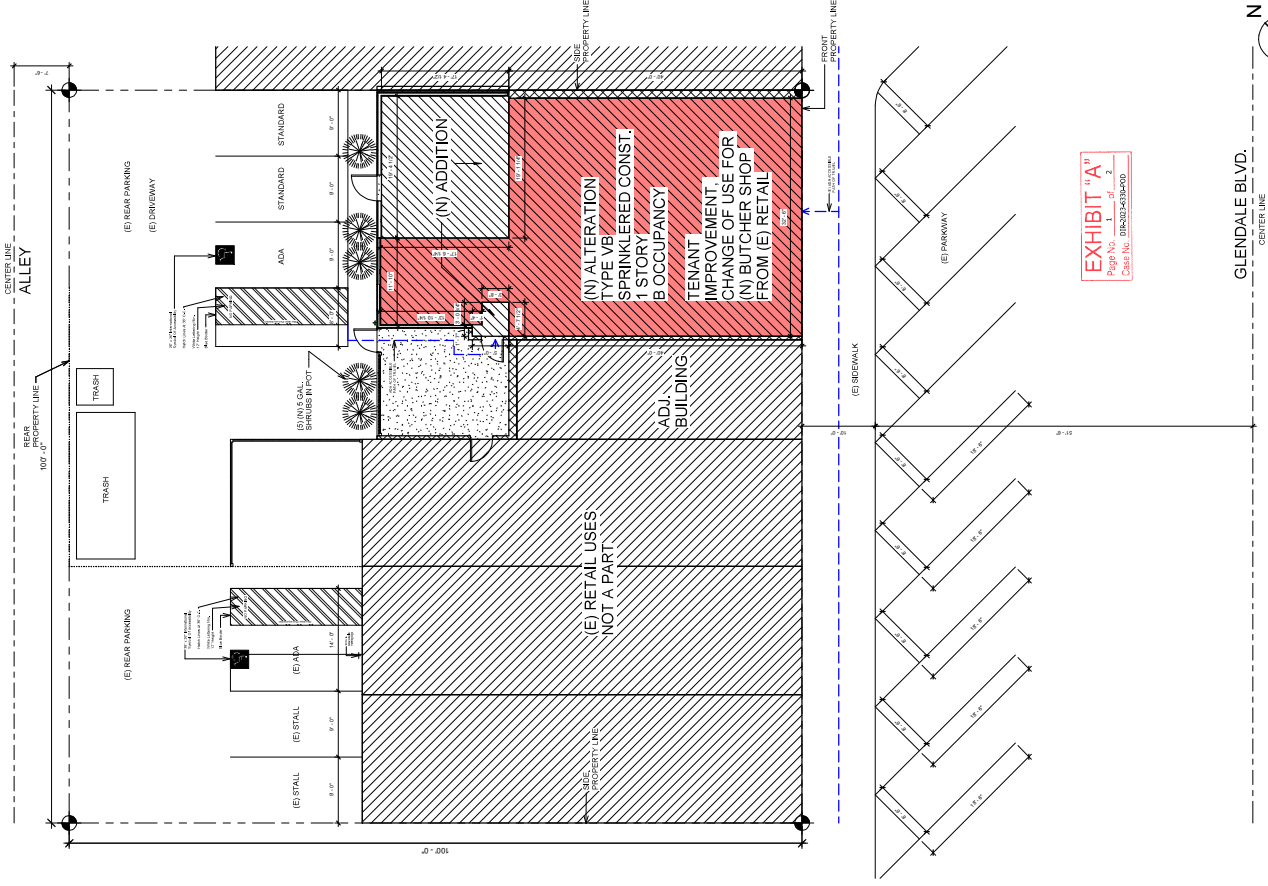


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Checker	MDE
Date	05/08/2023
Index	Issue
5/31/23 1	P.C.RE
9/18/23 2	POD SU

CONVERT C		
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**-SP-1**



1 Proposed Site Plan - Beer/Wine License and POD project review  $1/8" = 1'-0"$

PERMIT SUBMISSION

