

FINDINGS

(As Amended by the Central Area Planning Commission at its meeting on June 11, 2024)

CONDITIONAL USE FINDINGS

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

The Conditional Use allows the sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with a private residents club areas of the 4th and 8th floor of a mixed-use development previously approved under Case No. DIR-2019-2593-TOC-SPR. According to the applicant, a majority of the units are leased on a yearly basis. Of the total number of units, 25 units are furnished and set aside for short-term rentals to corporate clients. The shortest length of stay is 30 days. The operator does not allow Airbnb on the site.

The sale of alcoholic beverages for on-site consumption will be located within 1) a 769 square-foot club room located on the fourth floor with eight interior seats and four exterior seats within a 804 square foot outdoor deck as well as 2) a 584 square-foot club room located on the eighth floor with 11 interior seats and 76 exterior seats within a 2,060 square foot outdoor deck. Proposed hours of operation are from 9:00 a.m. to 12:00 a.m., daily. Alcoholic beverage service will be restricted to tenants and their guests only and will not be made available to the public. Residents and their guests will consume their beverages on-site. The residents club will not operate as a restaurant, bar, and nightclub, and will only serve as an amenity for residents and their guests of the subject building.

At the June 11, 2024 Central Area Planning Commission ("Planning Commission") meeting, the Planning Commission modified the hours of operation to 9:00 a.m. to 10 p.m., daily. In addition, the Planning Commission added a condition requiring a minimum of one staff person be present when and where alcohol is sold and dispensed, and reduced the intensity of the use by regulating the project so that in no event shall the fourth floor and eighth floor operate to sell and dispense alcohol concurrently. The Planning Commission took such action as a result of the evidence of the area's high concentration of alcohol in the area (see Finding No. 5) and the presence and concern of families in the 200-unit residential development. They also expressed concern for the availability of alcohol around minors through the applicant's proposed tap card with Personal Identification Number code system. The Commission determined that with the presence of an employee at either of the fourth or eighth floor, when alcohol is sold and dispensed, and the reduction of hours, their concerns would be addressed.

A variety of commercial uses are an intrinsic part of the service amenities necessary for the conservation, development, and success of a vibrant

neighborhood. Alcoholic beverage service is a complementary amenity that will allow tenants and their guests to enjoy the service of a full-line of alcoholic beverages within their very own housing development. Additionally, the sale of alcoholic beverages within the subject building will provide a convenient amenity to residents and their guests. Residents will not need to walk or drive outside of the building to a market or liquor store for such service. They could go to these levels and purchase an alcoholic beverage to be consumed within these amenity areas of the building. The general public will not be served.

The site currently operates as a long term residence. This amenity will be ancillary to the residential use, and with the subject conditions, the project will continue to be compatible with the surrounding commercial uses. Alcohol will not be sold to the general public, and the areas where alcohol will be sold and dispensed will be wholly confined within the subject building. The proposed sale of a full-line of alcoholic beverages within a new mixed-use residential building will offer a convenient service for residents and their guests who would like to purchase alcoholic beverages within their building. The feature will allow for the long term residence building to be a more attractive and viable option for long term residence considerations and will not create a disturbance to abutting uses or the public right-of-way.

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 subject property is a flat, rectangular, 28,686 square-foot lot comprised of four continuous parcels with a frontage of 202 feet along Cassil Place. The subject property is located within the Hollywood Community Plan Area with a land use designation of Regional Center Commercial. The building was approved and developed under Case No. DIR-2019-2593-TOC-SPR with seven residential levels above one level of ground floor parking and commercial use and three levels of subterranean parking. The project was approved for 45 two-bedroom units, 82 studios, and 73 one-bedroom units, 1,249 square feet of commercial space and a total of 15,000 square feet of open space for residents.

Surrounding land uses are within commercial zones and are generally developed with residential, office and other commercial structures. Properties to the north, adjacent to the subject property are zoned C4-2D with a land use designation of Regional Center Commercial and developed with two-story residential buildings. Properties to the east, abutting the subject property, are zoned C4-2D with a land use designation of Regional Center Commercial and developed with the Hollywood YMCA and a parking facility. Properties to the south are zoned C4-2D with a land use designation of Regional Center Commercial and developed with one and two-story residential buildings. Properties to the west, across Cassil Place, are zoned

C4-2D with a land use designation of Regional Center Commercial and developed with the Blessed Sacrament School.

The Conditional Use allows the sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with a private residents club within a new mixed-use development. The sale of alcoholic beverages will be located within a 769 square-foot club room located on the fourth floor with eight (8) interior seats and four (4) exterior seats within a 804 square-foot outdoor deck as well as an additional 584 square-foot club room located on the eighth floor with 11 interior seats and 76 exterior seats within a 2,060 square-foot outdoor deck. Proposed hours of operation are from 9:00 a.m. to 12:00 a.m., daily, and alcoholic beverage service will be restricted to tenants and their guests only.

According to the applicant, alcohol will be sold and dispensed to residents through a swipe card and from employees subject to the regulations of the State Department of Alcoholic Beverage Control. The applicant will utilize a device that reads the card and dispenses beer and wine through a tap, and cocktails through sealed pre-mixed container via an automated cooler system offered by staff on busier times of the day. The applicant will have the ability to control to whom and how much can be dispensed through the regulations of the State Department of Alcoholic Beverage Control. The applicant proposed that employees will not be stationed by the taps at all times. However, they will walk throughout the property and will be instructed to monitor the areas where alcohol is sold and consumed. Guests of residents will be required to check in and be identified at the lobby area. Guests may also be served, but will be required to be accompanied by the resident since the swipe card will only be assigned to the resident.

There will be no live entertainment and no patron dancing on the premises. There will be speakers within the outdoor patios that will play background ambient music. However, the speakers will be oriented towards the building and not towards the public right-of-way or adjacent uses. The applicant's representative has indicated that "quiet hours" will be implemented starting at 10 p.m., Sunday through Thursday, and 11 p.m., Friday and Saturday. Tenant noise and speakers will be addressed through these hours. The grant restricts any outdoor background music from playing past 10 p.m., daily. According to the applicant, the eighth floor outdoor patio will not be rented out to outside persons or entities.

The proposed private residents club with the sale and service of a full-line of alcoholic beverages for on-site consumption through the proposed system will be compatible with surrounding uses. The general public will not be served, and guests of residents will be required to provide identification and sign in at the ground floor lobby area. Additionally, the proposed private residents club will be fully contained within the premises of the mixed-use building, thus, giving tenants the opportunity to enjoy the sale of alcoholic beverages without needing to leave the subject property.

Conditions have been imposed to encourage responsible management and deter criminal activity. Such conditions include required training for the sale and dispensing of alcohol, maintaining mode and character of private residents club and safety and surveillance. There will be no dancing permitted on the premises and no live entertainment as previously stated. Nuisances, including noise, litter, loitering, graffiti removal, and public drinking, are addressed through this grant. The residents club areas will be required to be within the thresholds of the City's Noise Ordinance. In addition, in the event the outdoor areas in addition to the residents club areas become a disturbance, anyone from the public can call in to the required 24 hour hotline and submit a complaint.

At the June 11, 2024 Central Area Planning Commission ("Planning Commission") meeting, the Planning Commission modified the hours of operation to 9:00 a.m. to 10 p.m., daily. In addition, the Planning Commission added a condition requiring a minimum one staff person be present when and where alcohol is sold and dispensed, and reduced the intensity of the use by regulating the project so that in no event shall the fourth floor and eighth floor operate to sell and dispense alcohol concurrently. The Planning Commission took such action as a result of the evidence of the area's high concentration of alcohol in the area (see Finding No. 5) and the presence and concern of families in the 200-unit residential development. They also expressed concern for the availability of alcohol around minors through the applicant's proposed tap card with Personal Identification Number code system. The Commission determined that with the presence of an employee at either of the fourth or eighth floor, when alcohol is sold and dispensed, and the reduction of hours, their concerns would be addressed. The conditions have been modified through Case No. ZA-2023-4977-CUB-1A, and included as part of this grant.

Any evidence of non-compliance with these conditions will allow for the grant to be considered for a Plan Approval to review the conditions of the grant and consider public testimony. This process will allow for any modification of conditions, or lead to a hearing for revocation. As conditioned, the proposed private residents club with the sale and dispensing of a full-line of alcoholic beverages for on-site consumption will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety and the development of the community.

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

The elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code (LAMC). Except for the entitlement described herein, the project does not propose to deviate from any of the requirements of the LAMC.

The Land Use element of the City's General Plan divides the City into 35 Community Plans. The subject site is located within the Hollywood Community Plan with a land use designation Regional Center Commercial. The proposed private residents club with the sale of a full-line of alcoholic beverages is consistent with this zone and land use designation.

The Land Use element of the City's General Plan divides the City into 35 Community Plans. The subject site is located within the Hollywood Community Plan with a land use designation of Regional Center Commercial. The subject mixed-use development with a private resident's club and the sale and dispensing of a full-line of alcoholic beverages is consistent with this zone and land use designation. The Hollywood Community Plan text is silent in regard to alcohol sales. In such cases, the Zoning Administrator must interpret the intent of the Plan. The Hollywood Community Plan serves to address a number of issues and opportunities present in the area and recognizes the importance of retaining a viable and vibrant commercial sector. Additionally, the project is consistent with the following goals, objectives and policies of the Community Plan:

Policy Commerce The Plan encourages the retention of neighborhood convenience clusters offering retail and service establishments oriented to pedestrians.

The project will enable a mixed-use residential building to improve their on-site amenities by providing the sale and dispensing of a full-line of alcoholic beverages for on-site consumption. Thus, the project furthers the function and identity of the commercial area of the Hollywood Community Plan area and enhances this portion of Cassil Place that is predominantly utilized for residential uses. The project offers convenience for its residents and ensures the use will not interfere with any of the surrounding uses or the public right-of-way. The project offers an amenity to the residents of the building and their guests through a monitored process with surveillance cameras as an added measure. Alcohol is an ancillary use, and will not be made available to the general public. The Planning Commission modified the hours of operation as well as added a condition regulating the operation of the fourth and eighth floors and required a staff person present during the sales and dispensing of alcohol. With the conditions, the project will operate in a compatible manner with surrounding uses.

The project does not modify the residential project but only offers an amenity to residents and their guests. The project will be consistent and compatible with other properties and uses in the surrounding area, which is a walkable and accessible. Thus, the project substantially conforms with the purpose, intent, and provisions of the General Plan and the Community Plan.

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

The Conditional Use allows the sale and dispensing of a full-line of alcoholic beverages within proposed private residents club areas located on the fourth and eighth floors of the subject residential building. The alcohol use will not adversely affect the welfare of the community because this use will be entirely within the subject building.

With the modified conditions of approval, the project will not interfere with the surrounding uses and the public right-of-way since the general public will not be allowed entry onto the premises and no alcohol will be permitted to leave the premises. Only residents and guests will be allowed into the building, and guests will be required to sign-in with a valid form of identification.

Surrounding land uses are within commercial zones and are generally developed with residential, office and other commercial structures. Properties to the north, adjacent to the subject property are zoned C4-2D with a land use designation of Regional Center Commercial and is developed with two-story residential buildings. Properties to the east, abutting the subject property, are zoned C4-2D with a land use designation of Regional Center Commercial and developed with the Hollywood YMCA and a parking facility. Properties to the south are zoned C4-2D with a land use designation of Regional Center Commercial and developed with one and two-story residential buildings. Properties to the west, across Cassil Place, are zoned C4-2D with a land use designation of Regional Center Commercial and developed with the Blessed Sacrament School.

Conditional authorization for the sale and dispensing of a full-line of alcoholic beverages is allowed through the approval of the Zoning Administrator, subject to certain findings and conditions. Given the scope of the conditions and limitations established herein, the surrounding land uses will not be significantly impacted by the proposed use within the building.

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 requiring responsible management and deterrents against loitering. Even though the applicant proposes a swipe card system with a personal code, employees are still required to undergo training on the sale of alcoholic beverages, including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retainers (STAR) Program. Additionally, other conditions related to excessive noise, noise prevention, and litter will safeguard the community. Employees will be monitoring the areas to ensure there are no disturbances to other residents within the building as well as to surrounding uses.

At the June 11, 2024 Central Area Planning Commission ("Planning Commission") meeting, the Planning Commission modified the hours of operation to 9:00 a.m. to

10 p.m., daily. In addition, the Planning Commission added a condition requiring a minimum one staff person be present when and where alcohol is sold and dispensed, and reduced the intensity of the use by regulating the project so that in no event shall the fourth and eighth floor operate to sell and dispense alcohol concurrently. The Planning Commission took such action as a result of the evidence of the area's high concentration of alcohol in the area (see Finding No. 5) and the presence and concern of families in the 200-unit residential development. They also expressed concern for the availability of alcohol around minors through the applicant's proposed tap card with Personal Identification Number code system. The Commission determined that with the presence of an employee at either of the fourth or eighth floor, when alcohol is sold and dispensed, and the reduction of hours, their concerns would be addressed. Therefore, with the imposition of such conditions, the sale and dispensing of a full-line of alcoholic beverages at this location will not adversely affect the welfare of the pertinent community.

5. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California Department of Alcoholic Beverage Control ("ABC") licensing criteria, and at the writing of this letter, one on-sale and one off-sale alcoholic beverage licenses are allocated to subject Census Tract No. 1907.01. Data provided on the ABC's License Query System indicates that there are currently 91 existing on-site and two existing off-site licenses within this Census Tract. Concentration can be undue when the addition of a license will negatively impact a neighborhood. However, concentration is not undue when the approval of a license provides a public service and benefits the community. In this case, the granting of the application will not result in undue concentration as the project provides a unique amenity for its residents, will be wholly confined within the building where access will be limited to residents and their guests, and will not disturb the surrounding community.

Additionally, the sale and dispensing of a full-line of alcoholic beverages for on-site consumption at the subject property will not result in an undue concentration of alcohol sales in the neighborhood because the sale of alcohol will be limited to residents and their guests, who will be required to sign in at the front lobby. Employee presence will be required to monitor the sale of alcohol, and the area

proposed where alcohol will be sold and dispensed will be under surveillance as well to ensure it does not spill out onto the public right-of-way. In active commercial areas where there is a demand for licenses beyond the allocated number, the ABC has recognized that high-activity retail and commercial centers are supported by a significant employee population, in addition to the increasing resident population base in the area. 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. The proposed use will be contained entirely within the building with no access by the general public, so it will not disturb and interfere with the surrounding area.

According to statistics provided by the Los Angeles Police Department's Hollywood Division Unit, within the Crime Reporting District. 646, which has jurisdiction over the subject property, a total of 877 crimes and arrests were reported in 2023, including 585 for Part I Crimes and 292 Part for II Arrests, compared to the Citywide average of 162 crimes and arrests, and compared to the High Crimes average of 187 crimes for the same reporting period. Alcohol-related Part II crimes reported by LAPD include, Narcotic Drug Laws (57), Liquor Laws (2), Public Drunkenness (1), Disturbing the Peace (0), Disorderly Conduct (0), and Driving Under the Influence (9). 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.

No evidence was submitted to 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. The incorporation of conditions relative to the specific operation of the establishment will address and minimize any possible adverse impact on the welfare of the surrounding area, including restrictions on noise, safety and surveillance, and the presence of employees, 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, approval of the request will not result in an undue concentration of licensed premises.

6. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The project site is zoned for Regional Center Commercial uses and will continue to be a utilized as such with the proposed new restaurant within an existing one-story commercial building. The following sensitive uses are located within a 600-foot radius of the site:

Sensitive Uses

Blessed Sacrament Catholic Church	6657 West Sunset Boulevard
Eckankar the Path of Spiritual Freedom	6669 West Sunset Boulevard
Selma Avenue Elementary School	6611 Selma Avenue
Kings College	1555 Cassil Place
Blessed Sacrament School	6641 Sunset Boulevard
Selma Park	6567 Selma Avenue
YMCA	6567 Selma Avenue

Alcohol Uses

Mama Shelter	6516 Selma Avenue
Tommy Hollywood	6507 West Sunset Boulevard
Warwick Lounge	6523 West Sunset Boulevard
PH Day Club-Hollywood	6525 West Sunset Boulevard
Hollywood Athletic Club	6550 West Sunset Boulevard
Tocaya Modern Mexican Rest'n	6600 West Sunset Boulevard
Delicious Pizza	6601 West Sunset Boulevard
Thompson Hollywood	1541 Wilcox Avenue
Mother Wolf	1545 Wilcox Avenue

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The grant has been well conditioned, which would protect the health, safety, and welfare of the surrounding neighbors. No person from the general public can just walk into the premises. Only guests of residents may enter, and will be required to check in at the front lobby. In addition, the applicant is subject to the conditions of the State's Alcoholic Beverage Control, which would provide conditions of what and how alcohol can be sold to ensure alcohol is sold and dispensed in a responsible manner. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. All outdoor ambient music will cease by 10:00 p.m., daily. In addition, any outdoor speakers will be oriented towards the building and away from adjacent uses and public rights-of-way. Alcohol will not be sold to the general public. There will be no live entertainment and no patron dancing. Alcohol consumption would be within the 4th floor and 8th floor, and will not directly impact sensitive uses, or the public on the public right-of-way.

Additional conditions will be imposed to ensure alcohol is responsibly sold with hours of alcohol sales determined by the State. The project is consistent with the zoning and in keeping with the existing uses adjacent to the development. This project will contribute to the neighborhood by maintaining the residential development and providing an amenity to its residents. Alcohol will be confined to

the building and will not impact the neighboring uses or public right-of-way. Therefore, as conditioned, the project will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

FLOOD HAZARD FINDING

7. The National Flood Insurance Program rate maps, which are part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in a 500-year Flood Zone.