

Notice of Public Hearing

Aviso de Audiencia Pública • 공청회통지
Abiso ng Pagdinig sa Publiko • 公開聽證會通知
Հանրային խումների մասին ծանուցագիր



Traducción
번역 • 翻译
Pagsasalin
Թարգմանություն



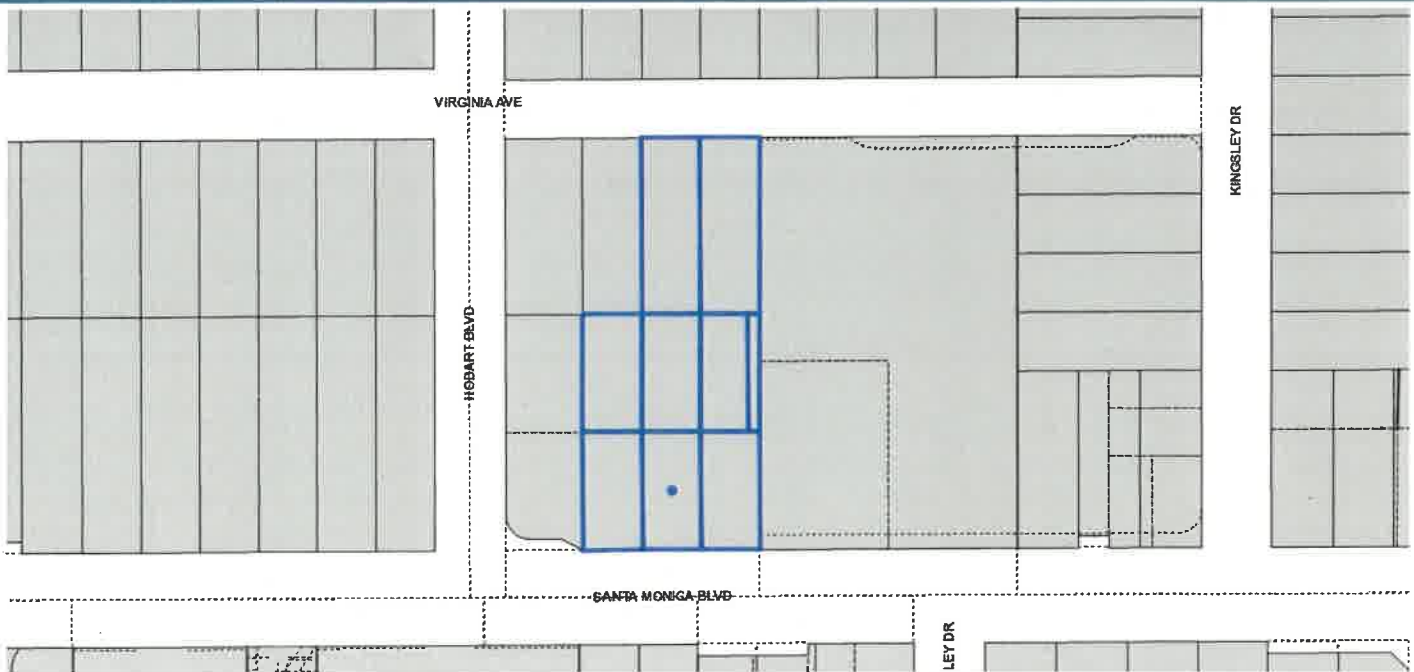
October 24, 2023 after 4:30 p.m.

Central Area Planning Commission

Los Angeles City Hall
200 N. Spring Street, 10th Floor, Room 1070
Los Angeles, CA 90012

This meeting may be available virtually, in a hybrid format. Please check the meeting agenda approximately 72 hours before the meeting for additional information.

Please see <https://planning.lacity.org/about/commissions-boards-hearings> for the meeting agenda.



Project Address

Sitio de Proyecto
프로젝트 주소 • 項目地址
Address ng Proyekto
ծրագրի Հասցե

5243 West Santa Monica Boulevard; 5245 West Santa Monica Boulevard 90029

Proposed Project

Proyecto Propuesto
프로젝트 제안 • 擬議項目
Iminungkahing Proyekto
Առաջարկվող ծրագիր

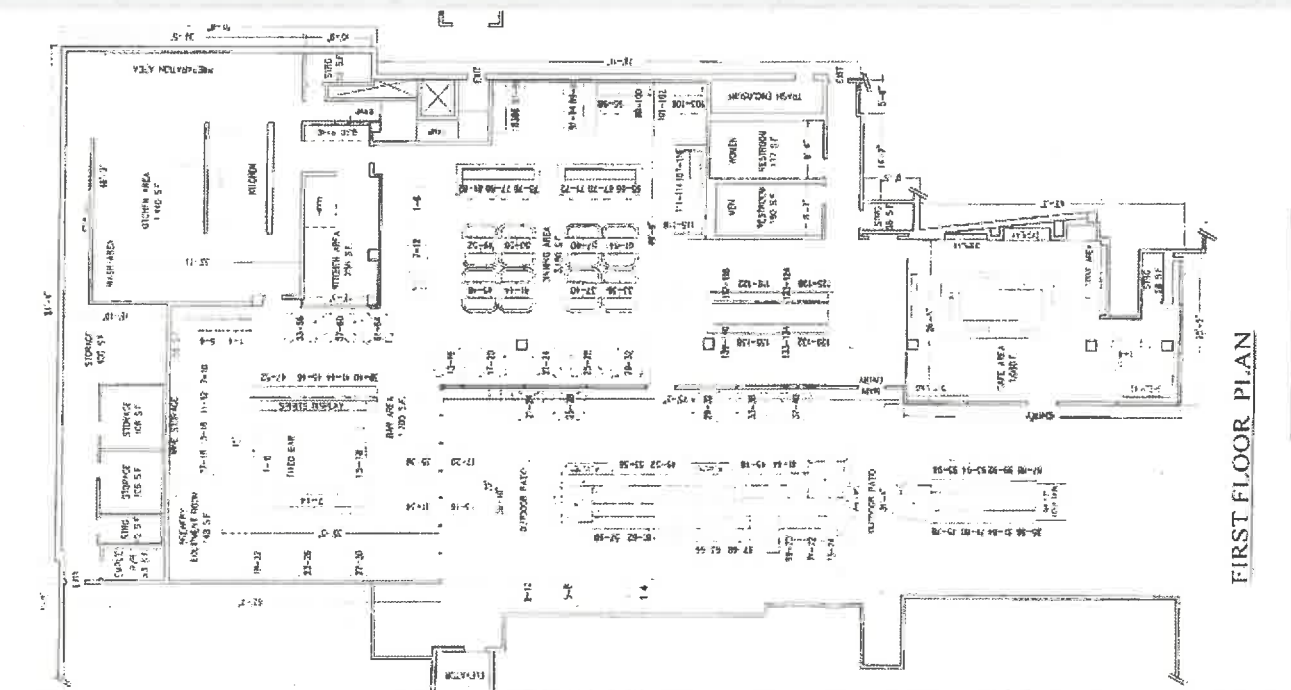
The applicant is requesting a Conditional Use to allow the sale and dispensing of a full-line of alcoholic beverages for on-site consumption and beer and wine for off-site consumption in conjunction with a proposed 11,120 square-foot restaurant/brewpub/banquet hall with live entertainment. The restaurant/brewpub/banquet hall would operate from 6:00 a.m. to 2:00 a.m., daily, and have a seating capacity for 376 patrons.

Actions Requested

Acciones solicitadas • 요청된 작업 • 所要求の事項 • Humiling ng Mga Pagkilos • Հայցվող գործողությունները

An appeal of the October 7, 2022 Zoning Administrator's determination which:

1. Determined, based on the whole of the administrative record, that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, Class 1, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies;
2. Denied, pursuant to LAMC Section 12.24 W.1, a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption and ancillary sales of beer and wine for off-site consumption in conjunction with a proposed restaurant.; and
3. Adopted the Conditions of Approval and Findings.



Case Information

Información del caso • 케이스 정보 • 案例資訊 • Impormasyon sa Kaso • Տեղեկություններ գործի վերաբերյալ

Case Number(s):

ZA-2021-10704-CUB-1A

Environmental Case Number(s):

ENV-2021-10705-CE

Related Case Number(s):

ZA-2021-10704-CUB

Overlay(s):

N/A

Zone:

C2-1D

Community Plan Area:

Hollywood

Land Use Designation:

Highway Oriented Commercial

Assigned Staff Contact Information:

Jaime Espinoza, City Planner
jaime.espinoza@lacity.org
(213) 978-1357
200 N. Spring Street, Room 763
Los Angeles CA, 90012

Council District:

13 - Soto-Martinez

Applicant:

Petros Taglyan

Appellant:

Petros Taglyan

Applicant Representative:

Lee Rabun

Appellant Representative:

Lee Rabun

Who's Receiving This Notice

Quién recibe este aviso • 본통지를 받은 사람들 • 誰會收到此通知

Sino ang Tumatanggap ng Paunawang Ito • Սույն ծանուցագիրը ստացող կողմը

You are receiving this notice either because you live on or own property that is on a site within 500 feet of where a project application has been filed with the Department of City Planning, or because you requested to be added to the interested parties list. You are invited to attend this hearing to learn more about the proposed project and offer feedback. If unable to attend, you may contact the planner to provide written comment, obtain additional information, and/or review the project file.

General Information - Visit our website at planning4la.org/hearings for general information about public hearings and the exhaustion of administrative remedies.

File Review - The complete file will be available for public inspection by appointment only. Please email the staff identified on the front page, at least three (3) days in advance, to arrange for an appointment. Files are not available for review the day of or day before the hearing.

Agendas And Reports - Commission Agendas are accessible online at planning.lacity.org, by selecting "Commissions & Hearings", the specific Area or City Planning Commission and "Agendas". Appeal Recommendation Reports are available on-line seven (7) days prior to the Commission meeting and are hyperlinked to the case numbers on the agenda. **Please note that Appeal Recommendation Reports are not prepared for appeals related to Zoning Administrator decisions.**

Be advised that the Commission may RECONSIDER and alter its action taken on items listed on the meeting agenda at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case. **If a Commission meeting is cancelled or adjourned due to lack of quorum, all remaining agenda items shall be continued to the next regular meeting or beyond, as long as the continuance is within the legal time limits of the case or cases.**

Testimony And Correspondence - Your attendance is optional; oral testimony can only be given at the Commission meeting and may be limited due to time constraints. Written testimony or evidentiary documentation may be submitted prior to, or at the meeting in accordance to the Commission's submittal requirements. Commissions function in a quasi-judicial capacity and therefore, cannot be contacted directly. Any materials submitted to the Commission become City property and will not be returned. This includes any correspondence or exhibits used as part of your testimony.

Requirements For Submission Of Materials - Written materials may be submitted prior to or at the meeting in accordance with the submittal requirements below. The case number must be written on all communications, plans and exhibits.

- **Regular Submissions** – Written materials not limited as to volume must be received by the Commission Executive Assistant no later than by end of business day Monday of the week prior to the week of the Commission meeting. Materials must be delivered electronically to the staff and commission email identified on the front of this page.
- **Secondary Submissions** - All written materials in response to an Appeal Recommendation Report and/or additional comments must be submitted no later than **48 hours before to the Commission meeting (for Central, South LA and Harbor APCs, materials must be received no later than by 3:00 p.m., Thursday of the week prior to the Commission Meeting)**. Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on the front of this notice.
- **Day of Hearing Submissions** - Submissions less than 48 hours prior to, and including the day of the Commission meeting, must not exceed two (2) written pages, including exhibits. Photographs do not count toward the page limitation. These must be submitted electronically to the Commission email identified on the front of this page.
- **Non-Complying Submissions** - Submissions that do not comply with these rules will be stamped "File Copy. Non-complying Submission". Non-complying submissions will be placed into the official case file, but they will not be delivered to, or considered by the Commission. The Commission Rules and Operating Procedures are available online at planning.lacity.org by selecting "Commissions & Hearings" and selecting the specific Commission.

Exhaustion Of Administrative Remedies And Judicial Review - If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agenzized here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. 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.

Accommodations - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. To request a reasonable accommodation, such as translation or interpretation, please contact the Commission Executive Assistant at (213)978-1299, the Commission Office Main Line at (213) 978-1300 or by email at apccentral@lacity.org a minimum of 3 days (72 hours) prior to the public hearing. Be sure to identify the language you need English to be translated into and indicate if the request is for oral interpretation or written translation services. If translation of a written document is requested, please include the document to be translated as an attachment to your email.

MASTER APPEAL FORM

WITH ATTACHMENTS



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- ☒ Area Planning Commission
 ☐ City Planning Commission
 ☐ City Council
 ☐ Director of Planning
 ☐ Zoning Administrator

Regarding Case Number: ZA-2021-10704-CUB

Project Address: 5245 Santa Monica Boulevard

Final Date to Appeal: 10/24/2022

2. APPELLANT

Appellant Identity:
(check all that apply)

- ☐ Representative
☒ Applicant

- ☐ Property Owner
☐ Operator of the Use/Site

☐ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

☐ Person affected by the determination made by the Department of Building and Safety

- ☐ Representative
☐ Applicant

- ☐ Owner
☐ Operator

☐ Aggrieved Party

3. APPELLANT INFORMATION

Appellant's Name: Petros taglyan

Company/Organization: Ptag Properties, LLC

Mailing Address: 2336 North Hobart Boulevard

City: Los Angeles

State: CA.

Zip: 90027

Telephone: (323) 697-7776

E-mail: Gary@taglyancomplex.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self

☐ Other: _____

b. Is the appeal being filed to support the original applicant's position?

☒ Yes

☐ No

ZA-2022-10704-CUB - 1A

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Lee rabun
Company: CLR Enterprises, Inc.
Mailing Address: 420 S. San Pedro St., Ste. 225
City: Los Angeles State: CA Zip: 90013
Telephone: (213) 718-0512 E-mail: clr1985lee@yahoo.com

5. JUSTIFICATION/REASON FOR APPEAL

- a. Is the entire decision, or only parts of it being appealed? ☒ Entire ☐ Part
b. Are specific conditions of approval being appealed? ☐ Yes ☒ No

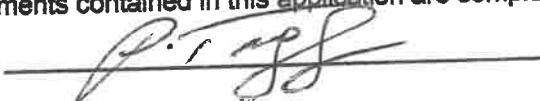
If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☐ The reason for the appeal ☐ How you are aggrieved by the decision
☐ Specifically the points at issue ☐ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature:  Date: 10-16-22

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

- a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates)
Each case being appealed is required to provide three (3) sets of the listed documents.

- ☐ Appeal Application (form CP-7769)
☐ Justification/Reason for Appeal
☐ Copies of Original Determination Letter

b. Electronic Copy

- ☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

ZA-2022-10704-CUB-1A

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITIES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu* or *additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- ☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- ☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- ☐ **1. Appeal of the Department of Building and Safety determination**, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- ☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- ☐ **2. Appeal of the Director of City Planning determination** per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- ☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- ☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

This Section for City Planning Staff Use Only		
Base Fee: \$6,785.00	Reviewed & Accepted by (DSC Planner): Claude Gooding	Date: 10-21-2022
Receipt No: 20102202C	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

DETERMINATION LETTER



October 7, 2022

Petros Taglyan (A)(O)
Ptag Properties, LLC
2336 North Hobart Boulevard
Los Angeles, CA 90027

Lee Rabun (R)
CLR Enterprises, Inc.
420 South San Pedro Street, Unit 225
Los Angeles, CA 90013

CASE NO. ZA-2021-10704-CUB
CONDITIONAL USE
5245 West Santa Monica Boulevard,
5243 West Santa Monica Boulevard
Hollywood Planning Area
Zone : C2-1D
C.D. : 13 – O'Farrell
D.M. : 144B193
CEQA: ENV-2021-10705-CE
Legal Description: Lots 11-15, Zahn
Tract, M B 12-127

Pursuant to the 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 there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies;

Pursuant to Los Angeles Municipal Code Section 12.24-W,1, I hereby DENY:

a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption and ancillary sales of beer and wine for off-site consumption in conjunction with a proposed restaurant.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the statements made at the public hearing on June 7, 2022, 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 for authorizing a conditional use permit under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

The subject property is a level, regular-shaped, 44,866 square-foot lot. The site has an approximate frontage of 150 feet on the north side of Santa Monica Boulevard. The property is under construction with a five-story mixed-use residential building. There is a subterranean parking area with 181 parking spaces.

The project site is zoned C2-1D and is located within the Hollywood Community Plan Area with a General Plan Land Use Designation of Highway Oriented Commercial. The property is further located within a Los Angeles State Enterprise Zone (ZI-2374), an Urban Agriculture Incentive Zone, and a Transit Priority Area (ZI-2452).

At the time of filing, the applicant requested a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption and beer and wine for off-site consumption in conjunction with a proposed 11,120 square-foot restaurant/brewpub/banquet hall with live entertainment. The restaurant/brewpub/banquet hall would operate from 6:00 a.m. to 2:00 a.m., daily and have a seating capacity for 376 patrons. Prior to the hearing, the applicant modified the project to remove the brew pub banquet hall component.

Surrounding Properties

Surrounding properties are developed with a mix of commercial, residential, and educational uses. The northern adjoining property (across Virginia Avenue) is zoned RD1.5-1VL and is developed with multi-family buildings. The eastern adjoining properties are zoned C2-1D and are developed with an elementary school (Kingsley Elementary). The southern adjoining property (across Santa Monica Boulevard) is zoned [T][Q]C2-1D and developed with a two-story commercial building occupied by a market, a medical supply business, a restaurant, a medical office, and a laundromat. The western adjoining property is zoned C2-1D and is developed with an auto repair facility.

Streets

Santa Monica Boulevard, adjoining the subject property to the north is a designated Modified Avenue I, dedicated to a width of 104 feet and improved with asphalt roadway, concrete curb, gutter, and sidewalk.

Previous relevant cases, affidavits and orders on the subject property:

There are no previous cases, affidavits, permits or orders on the applicant's property.

Previous Cases on Surrounding Properties:

Staff utilized a 1000-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. The following relevant cases were filed within the last 20 years and identified as being within 1000 feet of the project site:

Case No. ZA-2021-4051-CUB – On February 9, 2022, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with the operation of an existing 2,550 square-foot restaurant in the [T]{Q}C2-1D Zone, located at 5230 West Santa Monica Boulevard.

Public Correspondence

An email from the applicant's representative and a letter from the applicant attached dated August 31, 2022 was submitted. The correspondence included responses to LAPD's letter dated July 1, 2022.

A letter from the Los Angeles Police Department dated July 1, 2022, was submitted. The letter expressed opposition to the project and indicated the granting of the site as being problematic, the presence of two liquor stores and a Jon's Market contributing to crimes in the area, and the LAPD receiving numerous emails and phone calls from residents surrounding the subject premises expressing opposition to the project.

On June 22, 2022, Doug Haines of the Hollywood Studios District Neighborhood Council, submitted an email showing photographs of the transformer near the subject site. He addressed the public hearing testimony of complaints regarding graffiti, trash and vagrants, and that the site be addressed and cleaned up. He states nothing has been done. The perimeter fencing has been covered with graffiti. The power station owned by the applicant is covered in weeds and trash and covered in graffiti, and it is used by vagrants to hang out. He states the applicant is dismissive of complaints and has proved incapable of assuming responsibility of maintenance of his property. He asked for denial of the project request.

An email from Nohemi Perez and Guillermo Talavera dated June 9, 2022, was submitted. The letter states they are parents of a child who attends Kingsley Elementary School. It further states that the project intends for a bar where all kinds of alcoholic beverages will be sold with a schedule that going almost at dawn. There have been problems in the area, including a drunk person throwing a bottle during school hours. The current principal is working hard is standing up and putting much interest in the area. The letter further states more education and less vices.

An email from Anthony M., who participated in the June 7, 2022 public hearing. He states the business representatives did little to respond to the raised issues with this development. The issue of selling alcohol next to a school was still not addressed. He states the rep rudely dismissed concerns of children walking past the restaurant entrance. He states there is a bus stop on Hobart which would require students to walk right past the building. He also states how the school principal's comments of the school having to clean up during construction and when the restaurant operates were dismissed. The representative also deflected caller's concerns about the area's transient issue, and it wouldn't be there fault if restaurant patrons were to pee or defecate in the area. He further states there was no regard for the project and how disrespectful how unwilling the representatives were to respond to valid complaints against them. He expressed opposition to the project request.

An email from Patricia Pesis dated June 7, 2022, stated her son attends Kingsley Elementary School. She stated there have been continuous accidents from the 5243/5245 West Santa Monica Building. She also stated the behavior of their tenants. There are cigarettes thrown on the patio in which the kids play, and discusses the reflection of the windows are scorching the playground grass. There is an electrical transformer on school property, and it is used by people to relieve themselves. She discusses the presence of drunk people in the neighborhood and the needs to protect the area. She asked to prevent the building from providing alcohol.

An email from Stacy and Patty Pesis dated June 7, 2022, was submitted stating she has a son attending Kingsley Elementary School and stated strong opposition to the granting of a license for off-site sales.

An email from Seta Panosian dated June 6, 2022, an immediate neighbor of the project site, stated strong opposition to the project request. Seta writes of the area being a quiet residential area, the presence of children walking to and from school, and the owner showing complete disregard of the people who live in the area by letting the project drag for the past 10 years, the constant nightmare of noise and dust and the lack of maintenance of the electric panel.

An email from Doug Haines dated June 6, 2022, included photos of the subject site showing the conditions of the site and what it has looked like for the past 10 years.

A letter from Dr. Yun, Principal of Kingsley Elementary School, stated concerns of the apartment building complex next to Kingsley Elementary School. She states no business should be selling alcohol inches away from an elementary school, and the hours of operation are incredibly inconsiderate. She stated she does not want children to see drink and disorderly people nearby, people vomiting in front of the school, people passed out on the grass, or people having altercations in front or around the school. She also stated there have been trash, liquor bottles and containers left on school property and around the community. She stated it would not be okay to consume alcohol on school property or for staff to clean up biohazards and trash left by patrons who consume and purchase items from this business. She stated issues with their electrical transformer installed on school property, where transients have urinated and defecated on and around it. One transient threw a glass beer bottle through the school property fence during school hours. She stated sunbeams shining of the apartment windows onto the student's body and onto the grass, outdoor shows and swimming pool that students can view, cigarette butts constantly thrown onto school property from their workers. She strongly opposes the request.

A petition of opposition with 111 names was submitted. The petition's statement included the following:

I am not in agreement with the apartment building complex (5243-5245) West Santa Monica Blvd) to get a license for the sale and dispensing of a full-line of alcoholic beverages for on-site consumption and beer and wine for off-site consumption in conjunction with a proposed 11,120 square foot restaurant/brewpub/banquet hall with live entertainment that would operate from 6:00 a.m. to 2:00 a.m., daily.

An email from Officer Eubanks forwarding an email from Armen Makasijian was submitted. Mr. Makasijian's letter is summarized below.

A letter from Armen Makasjian dated May 31, 2022, stated opposition to the proposed off-site sales request. There is mention of three other establishments selling alcohol for off-site consumption. In addition, the letter states the presence of Kingsley Elementary School and Ramona Elementary school. The CUB would exasperate ongoing problems in the area.

PUBLIC HEARING

The hearing was held on June 7, 2022, at 10:00 a.m. The hearing was attended by the applicant's representative, Lee Rabun and the applicant, Gary Taglyan.

Mr. Rabun and Mr. Taglyan made the following statements:

During the public comment portion of the public hearing, seven speakers provided public testimony.

- The first speaker, Los Angeles Police Department Senior Lead Officer, Annabelle Eubanks, stated the applicant's representative communicated with Alex P., who is in administration for LAPD dealing with alcohol. However, I oversee the area and know the area's issues. I was just notified last week, I just reviewed the application. On behalf of LAPD, the community opposes the project. There are quality of life issues and concerns of Kingsley Elementary students. There are two liquor stores near the site that affect the quality of life in the area. The area has loitering, assault, public drinking, public defecation. Parents and the principal of Kingsley Elementary School are opposed to the request. There is a petition with over 100 names opposed to the request. There is crime in the area. There a transformer near the site that has many issues. The applicant doesn't have these issues in mind. There is no finalized letter we've issued.
- The second speaker, Samantha, a community member, stated she opposed the application This is a low income neighborhood and rent is increasing. There are concerns of the banquet hall, There is no parking in the area with traffic. The location is on Santa Monica Boulevard. The area is unprotected with lights and it conflicts with the school and elderly community and elderly care center. The project is out of touch with the community. There is no access to the community garden. This is not appropriate for the location.
- The third speaker, Trevor Alixopoulos, a resident near the project site, stated he has a three year old son. His son rides a scooter around the property. He supports the idea of putting in a restaurant, and doesn't see how it will affect the public safety. Parking is provided, there are more eyes on the street, and this would be a better environment with it being monitored. There are people drinking on the street. The area would be well lit, and monitored. There is a bus stop near the site, which is nice to have a stop to go to. He expressed support because the project removes blight. This is a good development for the neighborhood.

- The fourth speaker, Anthony, a resident on Kingsley near the project site, stated he is pleased there is no banquet hall and no live entertainment. He is opposed to the project. He agrees with LAPD's comments. The area is congested with low income. There is drinking at the spot and this is not good. The project will contribute to problems. The project site is right next to the school. The comments made by the rep of how kids will not walk in front of their property is not true. Children do not walk in a binary area. A high school would be more of an issue. There are more issues of people walking around drunk. The project was poorly thought out. You should see what it's like here. He recommends disapproval.
- The fifth speaker, Eric Gorvin, a neighbor at 5176 Santa Monica Boulevard, stated support for the project. This would be a positive addition to the neighborhood. There are empty lots and transients. There is no presence of people in the area. Would it be better to have a nice restaurant of an empty place with crack people?
- The sixth speaker, Doug Haines, a representative of the area for the East Hollywood Neighborhood Council, stated if there was a meeting with the Planning Committee of the neighborhood council, no one informed him. What the committee decides may be different from the Full Board. There have been letters submitted when there was unanimous opposition for building. This construction was not what CPC approved before it was overturned. When this project was approved, we were told this would be medical offices because of the school. The applicant is irresponsible in maintaining the site. There is graffiti on the fencing. The transformer is an ongoing issue. There is no gardening, and the site gets constantly tagged. There is homeless and drunk activity, which is a constant issue. The applicant has not thought of the school and community. He is opposed to the request for a full line of alcohol. There needs to be a restaurant with limited hours and serve only beer and wine. The property needs to be cleaned. We were told this would be a medical office. The project is out of scale with the community. The environmental review that was presented to the neighborhood council and to City Planning Commission was for a project that was based on medical offices.
- The seventh speaker, Dr. Yun, Principal of Kingsley Elementary, stated a petition of opposition with signatures of parents was submitted. She is extremely concerned of having alcohol sold near the elementary school. Kids are as young as four years old. The school shares the same property line as the project. With the project asking for hours of 6 a.m. to 2 a.m., daily, there are many concerns. There would be drunk and disorderly people, vomiting on the grass, liquor bottles as trash, people passing out. There would be biohazards, defecation, urination. We have to do the cleaning. There are problems with a transformer near us. People are defecating on the transformer, toilet paper and clothes there. We had someone throw a glass beer bottle at our fence. There is no support from the owner of the abutting building. He should work with neighbors. The owner lacks empathy. The building windows create a sunbeam onto our property. We get no response. There's an outdoor shower and swimming pool and people where students are exposed to those activities. We have to clean up cigarette butts thrown from their property onto ours. Their balcony touches our property line. I am concerned for the safety of my children and staff.

- The eighth speaker, Craig Bullock of council office for Council District 13, stated Mr. Taglyan is a good operator, but there are still concerns. There needs to be clarification of what this project is. More communication needs to occur with LAPD and Kingsley Elementary.

The applicant's representative and applicant responded by stating there's been no development in the area. You cannot blame the new property owner for these existing conditions. We understand there is an elementary school in the area. We are aware of everyone in the area. This is not a nightclub. The project will bring more security to the area. Security for the site will be 24 hours. The kids don't have to walk past Santa Monica Boulevard. The restaurant will be offering lunch. We have a previous operation on Vine Street. We run a cultural center there. We are happy to work with Dr. Yun.

At the conclusion of the public hearing, the Zoning Administrator took the case under advisement until July 8, 2022, to allow for discussions of the revised project to occur with the representatives of Kingsley Elementary and with LAPD as well to allow neighborhood council full board to meet on June 20, 2022.

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 of the Los Angeles Municipal Code. In order for the sale and dispensing of a full line of alcoholic beverages for on-site consumption, beer and wine for off-site consumption, and live entertainment to 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

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 subject establishment, as originally filed, was for a proposed 11,120 square-foot restaurant/ brewpub/banquet hall with live entertainment. After the public hearing, the applicant stated in a letter dated August 30, 2022, that they revised the project to remove the brewpub and banquet hall components along with live entertainment. Hours of operation were stated to be voluntarily revised by the applicant to be FROM 6:00 a.m. to 2:00, daily TO 6:30 a.m. to 11:00 p.m., and Monday through Thursday, and 6:30 a.m. to 1:00 a.m., Friday through Sunday.

The Zoning Administrator considered the applicant's revision to the hours of operation, as well as other project revisions. The project no longer involves a Type 75 (Brewpub-Restaurant) ABC License, but will be changed reduced to a Type 47 (On-Sale General Eating Place) ABC License. The project proposes the sale and dispensing of a full line of alcoholic beverages for on-site consumption. The

remaining request for the sale of beer and wine for off-site consumption in conjunction with the subject restaurant has been denied as part of this determination (See all alcohol findings).

A variety of commercial uses are an intrinsic part of the service amenities necessary for the conservation, development, and success of a vibrant neighborhood. The availability of alcoholic beverages in conjunction with a restaurant is consistent with the pattern of many neighborhood establishments in Hollywood. The sale and dispensing of a full line of alcoholic beverages in conjunction with a neighborhood serving restaurant will help augment the desirability of the subject establishment, thereby supporting the vibrancy and longevity of the commercial corridor along Santa Monica Boulevard and the surrounding neighborhood. The restaurant would offer a viable dining option in the area and bring eyes on the street to deter unwanted criminal activities. The proposed restaurant will provide neighboring residents and the local workforce with a convenient dining and entertainment option that will bolster pedestrian activity in the neighborhood. The project itself will bring security on the premises. Security guards would monitor the restaurant, while property patrol would monitor the overall building and front of the property to bring eyes on the street, and deter criminal and nuisance activities that were identified at the public hearing and through public correspondence.

The sale and dispensing of alcohol for on-site consumption will provide a service that that will help bring vibrancy and a presence to this area by allowing a neighborhood-serving restaurant use that will offer patrons the ability to purchase and consume alcoholic beverages to complement their meals. The project's mode and character is a restaurant and will no longer include a brewpub or banquet hall. It will not include nightclub features to ensure it does not become a nightclub. No live entertainment is proposed as the applicant removed this request. In addition, with volunteered reduced hours of operation and appropriate conditions that address responsible management, nuisances, security and safety, as well as alcohol service training, the operation would be compatible with surrounding uses, especially to the surrounding residential uses and the neighboring Kingsley Elementary School, to bring a restaurant that services the area.

Ancillary Off-Site Consumption Request (DENIAL). With revisions to the project, it was not indicated if the request for ancillary sale of beer and wine for off-site consumption was withdrawn. While this component generally offers convenience for patrons to purchase beer and wine they enjoy on the premises to take home to enjoy, the finding that off-site consumption in this immediate area and instance cannot be found to be beneficial for the area. Public testimony indicated there is an issue with public drunkenness and sensitive uses (elementary school and families) near the site. Testimony and public correspondence from the Los Angeles Police Department community opposition and the presence of two liquor stores within a two block radius of the subject site that contribute negatively to the quality of life of residents. Offering another point source for the sale of beer and wine for off-site consumption in an area that already has an issue with public drunkenness as indicated by public testimony and LAPD would create more

potential detriment than benefit to the area. Findings that ancillary sale of beer and wine for off-site consumption cannot be made in the affirmative.

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

Full Line for On-Site Consumption (DENIAL). The subject property is a level, regular-shaped, 44,866 square-foot lot. The site has an approximate frontage of 150 feet on the north side of Santa Monica Boulevard. The property is developed with a five-story mixed-use residential building with a frontage along Santa Monica Boulevard. There is a subterranean parking garage with 181 parking spaces.

The project site is near the northeast corner of Santa Monica Boulevard and Hobart Boulevard. Surrounding properties are developed with a mix of commercial uses. The northern adjoining property is zoned RD1.5-1XL and is developed with two-story multi-family buildings. The eastern adjoining properties are zoned C2-1D and are developed with an elementary school (Kingsley Elementary). The southern adjoining property (across Santa Monica Boulevard) is zoned [T][Q]C2-1D and developed with a two-story commercial building occupied by a market, a medical supply business, a restaurant, a medical office, and a laundromat. The western adjoining property is zoned C2-1D and is developed with an auto repair facility.

The subject establishment is a proposed 11,120 square-foot restaurant. As stated in the previous finding, the applicant revised the project to remove the brewpub, banquet hall, and live entertainment elements originally filed. Hours of operation as well as seating capacity were voluntarily revised in response to the comments made at the public hearing. Seating capacity will be 199 seats from opening until 5 p.m., daily, and have increased seating from 5 p.m. till closing, daily. Hours of operation were revised by the applicant to avoid conflict with the school. However, the proposed Sunday closing hours should be revised earlier to address Monday morning school operations and the presence of children in the area. The hours of operation for Sunday should begin at 6:30 a.m. and end no later than midnight.

The Zoning Administrator would recommend to the State Department of Alcoholic Beverage Control that alcohol sales and service hours cease by 10 p.m., Monday through Thursday. Alcohol service for Saturday would be recommended only from 6:30 a.m. to 12 a.m., midnight, and for Sunday from 6:30 a.m. to 11 p.m. These hours would ensure there would be no early morning alcohol use the same morning a school day would start. Recommended alcohol service for Monday through Friday would be starting at 11 a.m., but is recommended for a start of 6:30 a.m., Saturday and Sunday, to allow for breakfast and brunch opportunities in the area, especially when the elementary school is not in operation. The operating and alcohol sales hours have considered the presence of the elementary school and children in the area, and conditions would need to avoid potential impacts to the abutting elementary school.

As modified, security guards would be present on the site from 5 p.m. until the last patron leaves the restaurant. In addition, the applicant will provide a state licensed security guard patrolling the property 24 hours a day, daily. The applicant has been conditioned to ensure the use will be a bonafide restaurant and will not include a brewpub or a banquet hall. In addition, there will be no dancing or live entertainment, and the applicant is prohibited from leasing out the property for any third party use.

Conditions would also include the those that address nuisances such as litter, noise, loitering, and public drunkenness. Security presence will help enforce the conditions of the grant and will deter and criminal or nuisance activity on the premises. The project brings a presence to the area that immediately addresses issues of concern raised by the Los Angeles Police Department as well as residents of the area, and parents of children/students attending Kingsley Elementary School.

In addition, a Plan Approval condition where any Council-initiated request would immediately trigger a review of compliance with any imposed conditions to bring this case back to the Zoning Administrator. The applicant will be required to show evidence of compliance with these conditions of approval. A public hearing would be conducted allowing the public to provide public testimony, and if evidence of non-compliance is shown, then modifications to the conditions can be made. If problems continue to persist, the conditional use may ultimately be revoked in accordance with the process provided by the Los Angeles Municipal Code.

The subject establishment will be a bona fide eating place with an operational kitchen and full food menu and provide food service at all times during operating hours. The sale of alcohol will be ancillary to the restaurant, an amenity common in neighborhood restaurants throughout Los Angeles. There will be no dancing and no live entertainment. This will not be a nightclub and there will be no sales of alcohol to consume outside of the premises.

Conditions, including those mentioned in this finding will ensure the mode and character remain a restaurant. Conditions will also promote responsible management and alcohol service training, address nuisances, and provide surveillance and security to alleviate the potential to degrade adjacent properties. Working electronic age verification devices will ensure alcohol is not sold to minors. In addition, the Alcoholic Beverage Control would impose their own set of conditions of what, where and how a full line of alcoholic beverages for on-site consumption is sold, including hours of alcohol sales, which have been recommended by the Zoning Administrator, as stated earlier.

A 24-hour complaint phone number and complaint log will be required of the applicant. In addition, the applicant will be required to work with the abutting elementary school to hear and address any concerns raised of the subject property.

In addition, a plan approval condition would bring back the project for project permit compliance review would allow the operation to be brought back to the Zoning Administrator in the event documented evidence is submitted indicating the project being noncompliant with conditions, and gives public to quickly address matters to the Council Office to quickly bring this before the Zoning Administrator. It would allow for any conditions to be reviewed for effectiveness and allow for conditions to be modified, added or deleted without unnecessary delays and detriment.

However, as shown in photos and public correspondence, the context of the area is an area with public drinking and public drunkenness. Submitted correspondence reveals people drinking out in the public during the daytime. In addition, correspondence reveals the applicant not maintaining the electric transformer that serves their building and located in front of the elementary school, and complaints of non-maintenance. As indicated in correspondence, this has created a nuisance that has brought health and safety issues to the area. The abutting school has been significantly impacted by the construction of the subject building (cigarette butts thrown on their property, shower on the rooftop, glare off of windows, graffiti on the fences), and the placement and non-maintenance of the transformer area serving the building, which has led to the school having to deal with negative elements brought on by neglect.

While the project may have several conditions to address public nuisances and ensure mode and character, the project proposing a full line of alcoholic beverages next to a school would be too intense for the area, especially where there have been several incidences of people drinking in the public, and the possibility of patrons leaving the premises in an area where there may be many children playing in the playground. Considering the lack of attention and maintenance for the complaints raised by the neighboring school, the project would require much consideration for the abutting school and their operation. The finding that the project would not further degrade adjacent properties cannot be made since the area as evidenced is present with public drunkenness that has already proven to be dangerous to children (bottle thrown at school fence, biohazard). The project adds to the potential exposure of children to patrons leaving the restaurant and the play area where there are many children. This would be a disturbance to the school's learning environment and create possibly detrimental interactions with the students.

Ancillary Off-Site Consumption Request (DENIAL). The project will be a neighborhood serving restaurant with the sale and dispensing of a full line of alcoholic beverages for on-site consumption. As indicated in the previous finding, ancillary sale of beer and wine for off-site consumption would not be beneficial for this area and would be more of a detriment to the area where there is public drunkenness and public safety is an issue. The Los Angeles Police Department has identified public drunkenness as an issue near the site, and the off-site consumption component does not ensure the off-site sales will not further degrade the area, especially when an elementary school is present. This finding for off-site consumption cannot be made.

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

There are eleven elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of code requirements of Los Angeles Municipal Code. In addition to the General Plan elements, specific plans provide an additional layer of regulation. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

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, which designates the property for Highway Oriented Commercial land uses with corresponding C1, C2, P, RAS3, RAS4 Zones. The property is zoned C2 and is thus consistent with the land use designation for the site.

The Community Plan text is silent with regards to the sale of alcohol. In such cases, the Zoning Administrator must interpret the intent of the Plans. Specifically, the project addresses the following objectives of the Hollywood Community Plan:

- Objective 1: To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.
- Objective 4: To promote economic well-being and public convenience through:
 - a. Allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

The project fulfills the intent of the Hollywood Community Plan provisions regarding encouraging uses which strengthen the economic well-being and promote development of Hollywood as a major center of population, employment, retail service and entertainment. The grant will increase longevity of the neighborhood serving restaurant, which in turn will continue to support the vibrancy of the commercial corridor along Santa Monica Boulevard. The project as revised, would serve visitors and has been sensitive to the issues raised by the public. The restaurant will provide visitors, neighboring residents, and the local workforce with a convenient dining option located nearby entertainment attractions. The sale of alcoholic beverages will augment the desirability of the subject establishment will likely bring in more visitors to the area, generating more revenue for local businesses, thus supporting the community's local economy.

The project was revised to address issues of the immediate area and compatibility with surrounding uses. Hours have been conditioned to ensure there are no conflicts with the neighboring elementary school and with any residential uses near the site. Conditions of the grant deter public nuisances, including those stated by the Los Angeles Police Department and the residents and stakeholders of this area. The project provides a presence in this part of the neighborhood where there have been issues of public defecation, urination, homeless activity and public drunkenness. Security presence will deter these activities and will allow the subject neighborhood serving restaurant to operate in a compatible manner. Also, there will be no off-site sales of alcohol, and the operation's intensity has been significantly reduced. The applicant has stated they have recently worked to address other issues such as the transformer and rooftop shower (see public hearing testimony), and would be required to continue to work with their neighbors to ensure compatibility with surrounding uses.

Moreover, the project does not propose any physical expansion to the building in which the restaurant will occupy. The project's physical layout and operations allow for the sale and dispensing of alcoholic beverages for on-site consumption. Given the numerous conditions of approval, the proposed project can be deemed to be in harmony with the General Plan.

Ancillary Off-Site Consumption Request (DENIAL). Due to concerns of public drunkenness of the existing area, and strong opposition from the Los Angeles Police Department stating public drunkenness affecting the quality of life in the area as well as off-site alcohol leading to criminal acts, the sale of beer and wine for off-site consumption would not contribute to benefitting the area that faces a public drunkenness issue near the transformer and near the elementary school. The required findings that this would be consistent with the Hollywood Community Plan cannot be made.

4. **The proposed use will adversely affect the welfare of the pertinent community.**

Full Line for On-Site Consumption (DENIAL). The proposed restaurant is a use allowed in the C2 Zone. The project will not physically alter the subject building's location, size, or height. Appropriate operational conditions imposed on the project will help to ensure that the alcohol service, in conjunction with the restaurant will not adversely affect the neighborhood, including surrounding residences and businesses.

Negative impacts commonly associated with the sale of alcoholic beverages, include criminal activity, public drunkenness, and loitering, and can be mitigated by the imposition of conditions requiring responsible management and deterrents against loitering. Employees would undergo training on the sale of alcoholic beverages, including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program or the Department of Alcoholic Beverage Control's Licensee Education on Alcohol and Drugs (LEAD) Program. In addition, the Alcoholic Beverage Control will impose their own set of conditions, which the applicant will also be subject to.

LAPD submitted correspondence dated July 1, 2022, indicating opposition to the request. Numerous emails and calls and a petition were received by the LAPD. LAPD's primary concern were the presence of children from Kingsley Elementary, which is next to the subject site. A transformer near the site has attracted criminal activity and has brought in safety and biohazard issues. The operating hours would negatively interfere with the quiet learning environment. Also stated, the subject premises has proven to be problematic to the school's daily operations. The letter also mentioned a history of disruptive incidences in the area and the subject premises. They also stated there is \strong opposition from residents and from Kingsley Elementary School, and thus, LAPD issued their strong opposition for the original request.

The applicant responded to the comments made at the public hearing and public correspondence by offering to reduce the intensity of the project by eliminating the brewpub, banquet hall, and live entertainment components. In addition, hours of operation were voluntarily reduced, but the Zoning Administrator further reduced the hours of operation ensuring no early morning activity would be in conflict with morning school arrivals and activities. Security guards would be provided after 5 p.m., and a security patrol would occur throughout the property, including the frontage along Santa Monica Boulevard.

The Zoning Administrator considered the reduction of intensity, the self-imposed conditions to reduce hours of operation, seating capacity, and to provide security presence from 5 p.m. to the time of closing. Considering the walking path of children to and from the elementary school, the provision of security guards, and an active presence on the site, the project would address many of the concerns raised by the public as well by the LAPD.

The presence of security would promote safety by discouraging possible drunk driving, address nuisances, deter criminal activity public drunkenness that exists near the site. In addition, the applicant voluntarily reduced the seating capacity. The applicant has also stated they have been working on the transformer issue and have been working on additional issues such as cigarette butts thrown onto school property and a rooftop shower. These are not necessarily related to the sale of alcoholic beverages for on-site consumption, but does reflect a response to abutting property owners and complaints made.

Furthermore, the Zoning Administrator can impose numerous conditions to integrate the use into the community as well as protect community members from adverse potential impacts. Additional conditions would ensure the operation provides adequate security measures, includes a surveillance system, and adequate lighting, adherence to the City's Noise Ordinance, and responsible management practices. Both the Conditions of Approval and the requirements of the California Department of Alcoholic Beverage Control are intended to protect the public health, welfare and safety of the community. In addition, a Plan Approval conditions and 24-hour telephone number for complaints, allows the public to quickly bring the attention of non-compliance of any of these conditions to the Zoning Administrator. A condition to work with the abutting elementary school on

a quarterly basis if requested, allows the elementary school to bring issues to the applicant and gives them an opportunity to respond. Ignoring meetings with the school or representatives would be evidence of non-compliance.

However, the restaurant offering a full line of alcoholic beverages during the operation of school could affect children of school. Bringing in a full line of alcohol at the site next to a school where young children are learning and playing, could bring potentially disturbing elements to the community. One incident witnessed by students could be physically harmful or mentally disturbing to them. The school offers a learning environment, and a patron having just left the subject restaurant could add to the disturbances that have already shown to exist in the area. The project may be conditioned to address nuisance and promote responsible management, but the potential for the project to exacerbate the public drunkenness issue of the area would be far greater than the benefit of bringing in a neighborhood serving use.

Ancillary Off-Site Consumption Request (DENIAL). While the applicant stated many changes and volunteered reduced intensity of operation, it was not clear if the applicant would eliminate the sale of beer and wine for off-site consumption. Considering LAPD's statement of public drunkenness in the area, and the presence of outlets that may be the source of public drunkenness, the request for sale of beer and wine for off-site consumption could cause more detriment to the area and contribute to the current issues of the area. Bringing in an additional source for off-site consumption would negate the presence of security the applicant is bringing.

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, four on-site and two off-site consumption licenses are allocated to the subject Census Tract Number 1911.20, based on a population of 3,801. There are currently 2 active licenses within this census tract: 0 active on-site licenses; and 2 active off-site licenses.

Within 600 feet of the subject site, there are currently 3 establishments that have an ABC license:

Alcohol Establishment	License Type	Address
El Nuevo San Salvador Establishment	On-site, beer and wine	5230 Santa Monica Boulevard
Jon's Market	Off-site, full-line	5311 Santa Monica Boulevard
Villalobos Market	Off-site, beer and wine	5244 Santa Monica Boulevard

Between 600 and 1,000 feet of the subject site, there are currently 2 establishments that have an ABC license:

Alcohol Establishment	License Type	Address
Day 'N Nite Mini Market	Off-site, beer and wine	5101 Santa Monica Boulevard
J&J Grocery & Liquor	Off-site, full-line	5100 Santa Monica Boulevard

According to statistics provided by the Los Angeles Police Department's Hollywood Division Vice Unit, within Crime Reporting District No. 669, which has jurisdiction over the subject property, a total of 181 crimes were reported in 2021 (65 Part I and 116 Part II crimes), compared to the Citywide Average of 149 crimes and the High Crime Reporting District Average of 179 crimes. Part II Crimes reported include (3) Narcotics, (1) Liquor Laws, (1) Public Drunkenness, (0) Disturbing the Peace, (0) Disorderly Conduct, (1) Gambling, (10) DUI related, and (11) other offenses. 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 higher than the citywide average, however, 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.

The public hearing included comments of a transformer in front of school property that has been a source of loitering and criminal activity. In a letter by the Los Angeles Police Department dated July 2, 2022, there is a transformer the site that has attracted criminal activity and has brought in safety and biohazard issues. In addition, the LAPD stated the operating hours would negatively interfere with the quiet learning environment of the abutting school. In addition, their letter stated the subject premises has proven to be problematic to the school's daily operations. The letter also mentioned a history of disruptive incidences in the area and the subject premises. Some of the disruptive incidences identified in the hearing were related to cigarette butts onto school property, a shower at the rooftop of the building exposing people showering to children, public defecation and vomiting and homeless activity. The applicant has worked to address the issue of workers throwing cigarette butts onto school property covered the shower's clear glass wall with covered artwork so no one can see people showering. In addition, homelessness has become an issue throughout the City, and it leads public defecation, urination and vomiting, in addition to litter and trash.

Complaints that were under the control of the applicant appear to be addressed. Those not under control of the applicant are not on the subject premises. Such include the transformer, which appears to attract criminal activity and nuisances. Public defecation and other nuisances appear to occur at the transformer, which fronts the school.

The LAPD has identified possible outlets that have led to public drunkenness. These are reflected in their letter which identifies two liquor stores and a Jon's Market within a two block radius that contribute negatively to the quality of life in this neighborhood. Their letter also stated that crimes are generated as a result of these alcohol establishments, including robbery, aggravated assaults, burglaries and thefts.

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 license benefits the public welfare and convenience. The number of active on-site ABC licenses within the census tract where the subject site is located, is below ABC guidelines. The project will not adversely affect the community welfare because the restaurant is a desirable use in an area designated for commercial uses. The subject site is designated for Highway Oriented Commercial uses and has frontage along Santa Monica Boulevard, a major commercial thoroughfare. The neighborhood is characterized by low-rise commercial buildings, some of which include restaurants, auto uses, a school, and residential uses. The area is supported by a significant employee population, and visitors in addition to the resident population base in the area, accounting for a demand for ABC licenses beyond the allocated number. The project will support a proposed restaurant, which in turn will continue to support the vibrancy and longevity of the commercial corridor along Santa Monica Boulevard as well as the surrounding neighborhood. The proposed restaurant as modified will provide neighboring residents and the local workforce with a convenient dining option that will bolster pedestrian activity in the neighborhood, thus increasing public safety. The sale of alcoholic beverages for on-site consumption in conjunction will augment the desirability of the subject establishment which will likely bring in more visitors to the area, generating more revenue for local businesses, thus supporting the community's local economy.

Furthermore, the sale of alcoholic beverages will be closely regulated to prevent sales to minors. The conditions of the grant address noise, security, loitering and maintenance to deter any nuisance activity on or adjacent to the site. The conditions of the grant require STAR/LEAD/RBS training for employees, adequate site maintenance, installation of surveillance cameras, and the maintenance of age verification devices. Additional conditions related to reduced operating hours and security guards will provide additional measures to protect the area from further criminal activity. These conditions will deter or prevent nuisance or criminal activity such as loitering or public drinking and will improve public safety. Therefore, as conditioned, the use is not expected to contribute to the area's crime rate and will not result in an undue concentration of establishments providing alcoholic beverages.

Ancillary Off-Site Consumption Request (DENIAL). Since the LAPD identified the two liquor stores and the Jon's Market as having negatively contributed to the quality of life and generating some criminal activity, the addition of ancillary sale of beer and wine for off-site consumption would not be beneficial and would not offset the undue concentration of alcohol in the area. The area faces an issue of public

drunkenness and any additional outlet contributing to the off-site consumption would not alleviate the existing condition of the area.

6. **The proposed use will 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.**

Full Line for On-Site Consumption (DENIAL). The project site is zoned for commercial uses and will continue to be utilized as such with the proposed restaurant/brewpub/banquet hall. The following sensitive uses are located within a 1,000-foot radius of the site:

Residential	
Multi-Family Residences	
Schools/Day Care	
Kingsley Elementary School	5200 Virginia Avenue
Religious Institutions	
Iglesia Jesús Cristo Es El Camino	5173 Santa Monica Boulevard
Iglesia Adventista Del Séptimo Día	1055 Normandie Avenue
Hospitals	
N/A	N/A
Recreation	
N/A	N/A

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. Kingsley Elementary School is the nearest sensitive use as it abuts the subject building site. The Principal from Kingsley Elementary School submitted correspondence and provided testimony of public drunkenness in the area, the electric transformer that serves the subject building and located in front of the school, as well as all the complaints of all the elements that have come about from the lack of attention and maintenance of the transformer that has led to criminal activity, defecation and vomiting, and an incident with the vagrant throwing a beer bottle at the school fence during school hours. There were concerns of the school children being exposed to these along with other elements that are associated with drinking. The project would bring a disturbance to a school that offers many children of the community a learning environment.

This testimony, along with others who submitted correspondence, have been recognized by the Los Angeles Police Department who issued a letter opposing the subject request. The letter identifies the area's issues of public drunkenness as well as the outlets that sell alcohol for off-site consumption, and recognizes the history of disturbances of the site and the potential disturbances to children in the playground.

Considering the elements described in public testimony, public correspondence, and the letter from the Los Angeles Police Department, as well as the letter of response from the applicant and the applicant's representative, it has been determined that the subject project would only exacerbate the problem of bringing in an intense use of the sale of a full line of alcoholic beverages for on-site consumption and ancillary off-site consumption that could potentially create disturbances to children of the elementary school, especially those playing in the outdoor fields of the school. The conditions that are typically imposed may address nuisances, promote mode and character, offer security, but the possible element of a patron walking away from the premises after having consumed alcohol and being near the presence of a large number of students/children could create a detrimental interaction that would be beyond the range of what the applicant can control. The finding cannot be made that the project would not be detrimental to sensitive uses and in the residentially zoned properties.

ADDITIONAL 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. 172,081, have been reviewed and it has been determined that this project is located outside of a flood zone.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **OCTOBER 24, 2022**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>**. Public offices are located at:

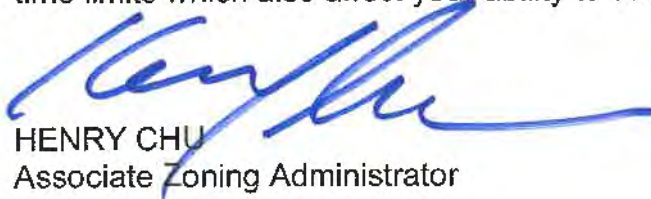
Downtown
Figuerola Plaza
201 North Figuerola Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

San Fernando Valley
Marvin Braude San Fernando
Valley Constituent Service
Center
6262 Van Nuys Boulevard,
Room 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
West Los Angeles
Development Services Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2598

CASE NO. ZA-2021-10704-CUB

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.



HENRY CHU
Associate Zoning Administrator

HC:RO: bk

cc: Councilmember Mitch O'Farrell
Thirteenth District
Adjoining Property Owners
Interested Parties

**Addendum To Appeal
Case No. ZA-2021-10704-CUB
5245 Santa Monica Boulevard**

The Zoning Administrator erred in Denying the Conditional Use Permit application to permit the sale and dispensing of a full line of alcoholic beverages at the subject address.

The Zoning Administrator found that Findings could be made affirmatively in response to Findings 1, 3, and 5;

1. that the applied for use would enhance the built environment and provide a service that will be beneficial to the community;
3. the project conforms with the General Plan; and
5. that granting this application will not result in an undue concentration.

The Zoning Administrator found that Findings 2, 4, and 6 could not be made in the affirmative. The Appellant feels that the Zoning Administrator erred and abused his discretion in determining that these finding could not be made. The determination letter is complete with descriptions of operating measures and suggestions that could mitigate the concerns expressed by the stakeholders, if only imposed by the Determination letter.

Many, if not most of the concerns expressed by stakeholders has to do with disturbances experienced during the construction of the project, which took almost 10-years to complete. Now that the project is nearing occupancy, the concerns caused by the construction activity will cease, and a new mixed-use complex will replace an old and dilapidated eye-sore in this community. This self-funded urban-renewal project, and all of the positive impacts it will have on the community were not given adequate attention by the Zoning Administrator.

**DEPARTMENT OF
CITY PLANNING
APPLICATION**

CLR



APPLICATIONS:

DEPARTMENT OF CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

Case Number

LA-2021-10704-CUB

Env. Case Number

Env-2021-10705-CE

Application Type

Case Filed With (Print Name)

Date Filed

Application includes letter requesting:

☐ Waived hearing☐ Concurrent hearing
Related Case Number☐ Hearing not be scheduled on a specific date (e.g. vacation hold)*Provide all information requested. Missing, incomplete or inconsistent information will cause delays.**All terms in this document are applicable to the singular as well as the plural forms of such terms.**Detailed filing instructions are found on form CP-7810*

1. PROJECT LOCATION

Street Address¹ 5245 W. SANTA MONICA BOULEVARD Unit/Space NumberLegal Description² (Lot, Block, Tract) LOTS 11-15, ZAHN TRACT, M.B. 12-127Assessor Parcel Number 5537-009-036 Total Lot Area 44,866.8

2. PROJECT DESCRIPTION

Present Use UNDER CONSTRUCTIONProposed Use MIXED USE PROJECT-RESTAURANT AND BREWPUB IN A COMMERCIAL SPACE

Project Name (if applicable)

Describe in detail the characteristics, scope and/or operation of the proposed project CONDITIONAL USE PERMIT FOR ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES; LIVE ENTERTAINMENT IN A PROPOSEDRESTAURANT/BREW PUBAdditional information attached ☐ YES ☒ NO

Complete and check all that apply:

Existing Site Conditions☐ Site is undeveloped or unimproved (i.e. vacant)☐ Site is located within 500 feet of a freeway or railroad☒ Site has existing buildings (provide copies of building permits)☒ Site is located within 500 feet of a sensitive use (e.g. school, park)¹ Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)² Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

- ☐ Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)

- ☐ Site has special designation (e.g. National Historic Register, Survey LA)

Proposed Project Information

(Check all that apply or could apply)

- ☐ Demolition of existing buildings/structures
☐ Relocation of existing buildings/structures
☐ Interior tenant improvement
☐ Additions to existing buildings
☐ Grading
☐ Removal of any on-site tree
☐ Removal of any street tree

- ☐ Removal of protected trees on site or in the public right of way
☐ New construction: 67.093 square feet
☐ Accessory use (fence, sign, wireless, carport, etc.)
☐ Exterior renovation or alteration
☐ Change of use and/or hours of operation
☐ Haul Route
☐ Uses or structures in public right-of-way
☐ Phased project

Housing Component Information

Number of Residential Units: Existing _____ - Demolish(ed)³ _____ + Adding _____ = Total 49

Number of Affordable Units⁴ Existing _____ - Demolish(ed) _____ + Adding _____ = Total 10

Number of Market Rate Units Existing _____ - Demolish(ed) _____ + Adding _____ = Total 39

Mixed Use Projects, Amount of Non-Residential Floor Area: 44,908 square feet

Public Right-of-Way Information

Have you submitted the Planning Case Referral Form to BOE? (required) ☒ YES ☐ NO

Is your project required to dedicate land to the public right-of-way? ☒ YES ☐ NO

If so, what is/are your dedication requirement(s)? 12 ft.

If you have dedication requirements on multiple streets, please indicate: NA

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? ☐ YES ☒ NO

Authorizing Code Section 12.24-W,1

Code Section from which relief is requested (if any): _____

Action Requested, Narrative: SEE ATTACHED REQUEST CLAUSE

Authorizing Code Section _____

Code Section from which relief is requested (if any): _____

Action Requested, Narrative: _____

Additional Requests Attached ☒ YES ☐ NO

³ Number of units to be demolished and/or which have been demolished within the last five (5) years.

⁴ As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? ☒ YES ☐ NO

If YES, list all case number(s) DIR-2009-2065-DB DIR-2012-38-SPR-DB

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. _____

Ordinance No.: _____

☐ Condition compliance review

☐ Clarification of Q (Qualified) classification

☐ Modification of conditions

☐ Clarification of D (Development Limitations) classification

☐ Revision of approved plans

☐ Amendment to T (Tentative) classification

☐ Renewal of entitlement

☐ Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? ☐ YES ☒ NO

Have you filed, or is there intent to file, a Subdivision with this project? ☐ YES ☒ NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

5. RELATED DOCUMENTS / REFERRALS

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide a copy of any applicable form and reference number if known.

a. Specialized Requirement Form _____

b. Geographic Project Planning Referral _____

c. Citywide Urban Design Guidelines Checklist _____

d. Affordable Housing Referral Form _____

e. Mello Form _____

f. Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form _____

g. HPOZ Authorization Form _____

h. Management Team Authorization _____

i. Expedite Fee Agreement _____

j. Department of Transportation (DOT) Referral Form _____

k. Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) _____

l. Order to Comply _____

m. Building Permits and Certificates of Occupancy _____

n. Hillside Referral Form _____

o. Low Impact Development (LID) Referral Form (Storm water Mitigation) _____

p. Proof of Filing with the Housing and Community Investment Department _____

q. Are there any recorded Covenants, affidavits or easements on this property? ☐ YES (provide copy) ☒ NO

PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant⁵ name Petros TAGLYAN

Company/Firm PTAG PROPERTIES, LLC.

Address: 2336 N. HOBART BOULEVARD Unit/Space Number _____

City LOS ANGELES State CA Zip Code: 90027

Telephone _____ E-mail: gary@taglyancomplex.com

Are you in escrow to purchase the subject property? ☐ YES ☒ NO

Property Owner of Record ☒ Same as applicant ☐ Different from applicant

Name (if different from applicant) _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Agent/Representative name LEE RABUN

Company/Firm CLR ENTERPRISES, INC.

Address: 420 S. SAN PEDRO STREET Unit/Space Number 225

City LOS ANGELES State CA Zip: 90013

Telephone (213) 229-4300 E-mail: clr1985lee@yahoo.com

Other (Specify Architect, Engineer, CEQA Consultant etc.) _____

Name _____

Company/Firm _____

Address: _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Primary Contact for Project Information
(select only one)

☐ Owner

☐ Applicant

☒ Agent/Representative

☐ Other

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

⁵ An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

PROPERTY OWNER

7. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service of process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

- a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.
The City requires an original signature from the property owner with the "wet" notary stamp.
A Notary Acknowledgement is available for your convenience on following page.*

Signature P. Taglyan

Date 12/1/21

Print Name PETROS TAGLYAN

Signature _____

Date _____

Print Name _____

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of

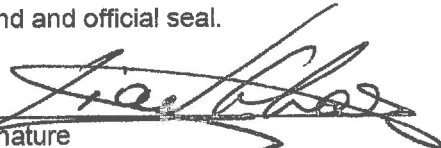
Los Angeles

On 12/01/21 before me, Liana Ghazaryan, Notary Public,
(Insert Name of Notary Public and Title)

personally appeared Petros Taglyan, who
proved to me on the basis of satisfactory evidence to be the person whose name ~~(is)~~ is subscribed to the within
instrument and acknowledged to me that ~~he/she/they~~ executed the same in his/her/their authorized capacity ~~(ies)~~, and that
by ~~his/her/their~~ signature ~~(s)~~ on the instrument the person ~~(s)~~, or the entity upon behalf on which the person ~~(s)~~ acted,
executed the instrument.

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

WITNESS my hand and official seal.

 (Seal)
Signature

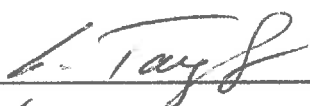


APPLICANT

8. APPLICANT DECLARATION. A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

- a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
- b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
- c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
- d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
- e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
- f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
- g. I understand that if this application is denied, there is no refund of fees paid.
- i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
- i. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

Signature: 

Date: 12/1/21

Print Name: GARY TAGLYAN

ENVIRONMENTAL REPORT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Pursuant to Public Resources Code § 21152(b) and CEQA Guidelines § 15062, the notice should be posted with the County Clerk by mailing the form and posting fee payment to the following address: Los Angeles County Clerk/Recorder, Environmental Notices, P.O. Box 1208, Norwalk, CA 90650. Pursuant to Public Resources Code § 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-

PROJECT TITLE

COUNCIL DISTRICT

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

☐ Map attached.**5245 W SANTA MONICA BLVD**

PROJECT DESCRIPTION: CONDITIONAL USE PERMIT PER LAMC SECTION 12.24 W 1, TO ALLOW THE SALE AND DISPENSING OF A FULL LINE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH A PROPOSED RESTAURANT AND BANQUET ROOM, WITH LIVE ENTERTAINMENT WITH A SEATING CAPACITY FOR 226 AND 98 OUTDOOR PATRONS AND OFF-SITE SALES OF BEER FROM A ON-SITE BREWERY WITH HOURS OF OPERATION FROM 6AM-2AM DAILY IN THE C2-1D... ☐ Additional page(s) attached.

NAME OF APPLICANT / OWNER: **Petros Tagyan**

CONTACT PERSON (If different from Applicant/Owner above)

Lee Rabun

(AREA CODE) TELEPHONE NUMBER

213-229-4300

EXT.

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

☐ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)CEQA Guideline Section(s) / Class(es) Sec. 15301, Class 1☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

☐ Additional page(s) attached☒ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

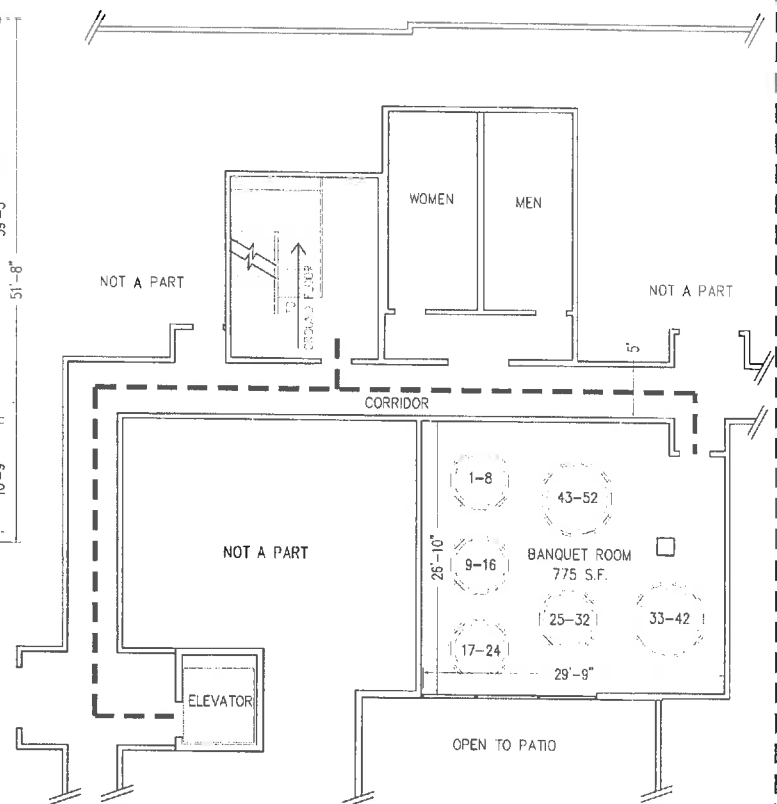
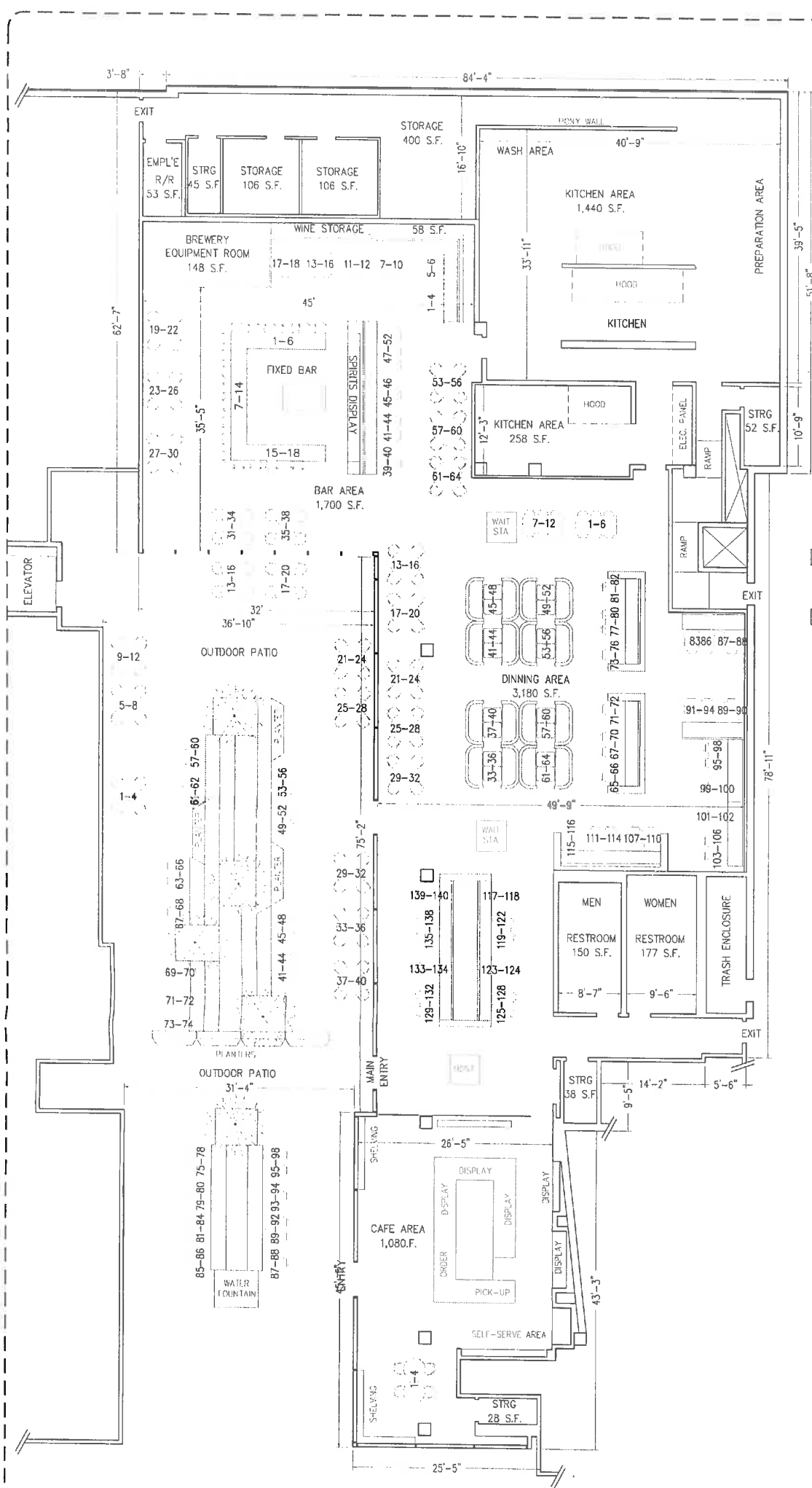
CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

STAFF TITLE

ENTITLEMENTS APPROVED

PLOT PLANS



SECOND FLOOR PLAN

OCCUPANCY LOAD

TO BE DETERMINED BY
FIRE / BUILDING AND
SAFETY DEPARTMENT

AREAS

FIRST FLOOR INDOOR

MAIN DINING AREA =	3,180 Sq.Ft.
CAFE AREA =	1,080 Sq.Ft.
BREWERY EQUIPMENT ROOM =	148 Sq.Ft.
KITCHEN AREA =	1,698 Sq.Ft.
STORAGE AREA =	833 Sq.Ft.
BAR AREA =	1,700 Sq.Ft.
RESTROOMS =	380 Sq.Ft.
MISCELLANEOUS =	1,326 Sq.Ft.

TOTAL FIRST FLOOR INDOOR AREA = 10,345 Sq.Ft.

BANQUET ROOM = 775 Sq.Ft.

TOTAL SECOND FLOOR INDOOR AREA = 775 Sq.Ft.

TOTAL INDOOR AREA = 11,120 Sq.Ft.

NOTE: ~~THIS AREA INCLUDES THE CORRIDOR.~~

CONCEPTUAL FLOOR PLAN

CADFILE No: GRAPEVINE-FP-PP1

CLR ENTERPRISES, INC.
420 S. SAN PEDRO ST., STE. 225
LOS ANGELES, CA 90013
213-229-4300

SITUS:
5 5245 SANTA MONICA BLV
LOS ANGELES, CA 90029
TS 19-3126

CADFILE NO: GRAPEVINE-PP-PP1
CASE No:
DATE: DECEMBER 3, 2021
CAD BY: TROUBLE SHOOTER
818-346-4096

ZA-2021-10704-W3

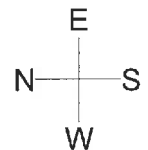
5245 SANTA MONICA BLVD
LOS ANGELES, CA 90029

COURTYARD

NO:	DATE:	ISSUE:
-----	-------	--------

SCALE: $1/8" = 1'-0"$

D04



① FINISH FLOOR PATIO
1/8" = 1'-0"

Site Description

Total Site Area = 44,866.8 Sq.Ft.
Total Floor Area = 102,485 Sq.Ft.
Subject Premises Area = 11,120 Sq.Ft.
Zone: C2-1D

Legal Description
Lots 11-15, Zahn Tract, M.B. 12-127

Parking Required

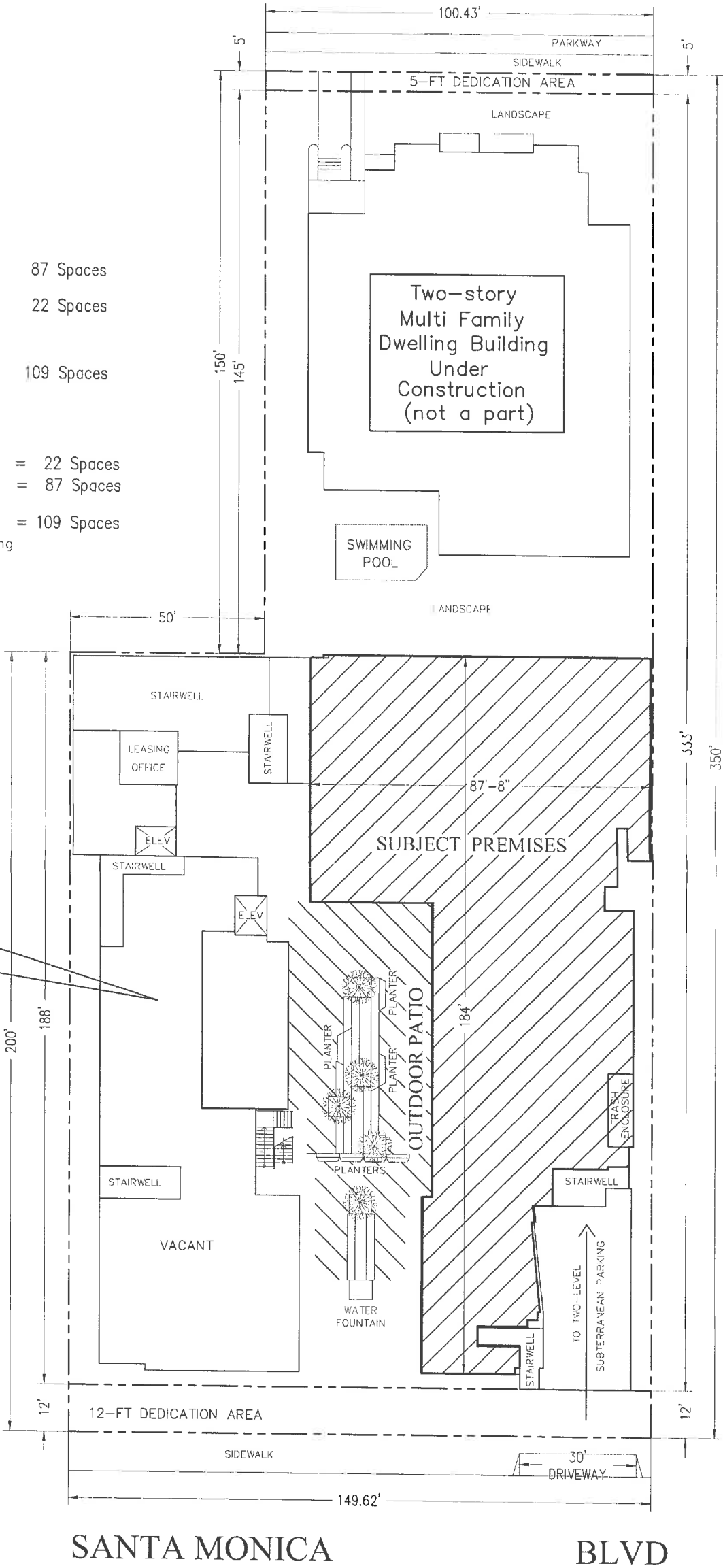
Residential Area Parking Required =	87 Spaces
per DIR 2009-2065-DB	
Subject Premises Parking Required =	22 Spaces
11,120 Sq.Ft., 1/500 Sq.Ft	
per ZI-2374	
Total Parking Required =	109 Spaces

Parking Provided

Total Subject Premises Spaces Provided =	22 Spaces
Total Residential Spaces Provided =	87 Spaces
Total Spaces Provided =	109 Spaces

@ Two-level Subterranean Parking

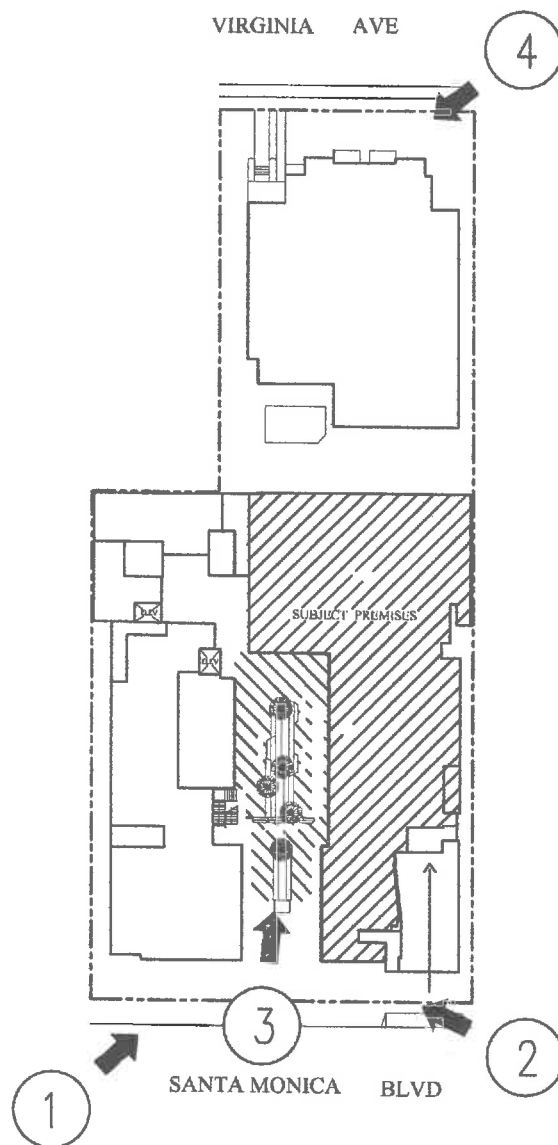
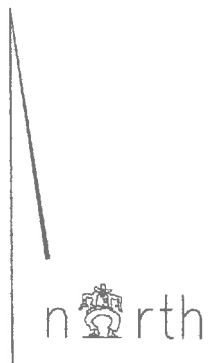
Five-story over
Two-level Garage
Commercial/
Residential
Building
Under
Construction
46,678 Sq.Ft.
60 Ft. in Height



CONCEPTUAL
PLOT PLAN

CLR ENTERPRISES, INC. 420 S. SAN PEDRO ST., STE. 225 LOS ANGELES, CA 90013 213-229-4300	SITUS: 5245 SANTA MONICA BLVD LOS ANGELES, CA 90029 TS 19-3126	CADFILE No: GRAPEVINE-FP-PP1 CASE No: DATE: DECEMBER 3, 2021 CAD BY: TROUBLE SHOOTER 818-346-4096
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ZA-2021-10704-W3



ZA-2021-10704-WB

INDEX MAP

PHOTO EXHIBIT



1



2

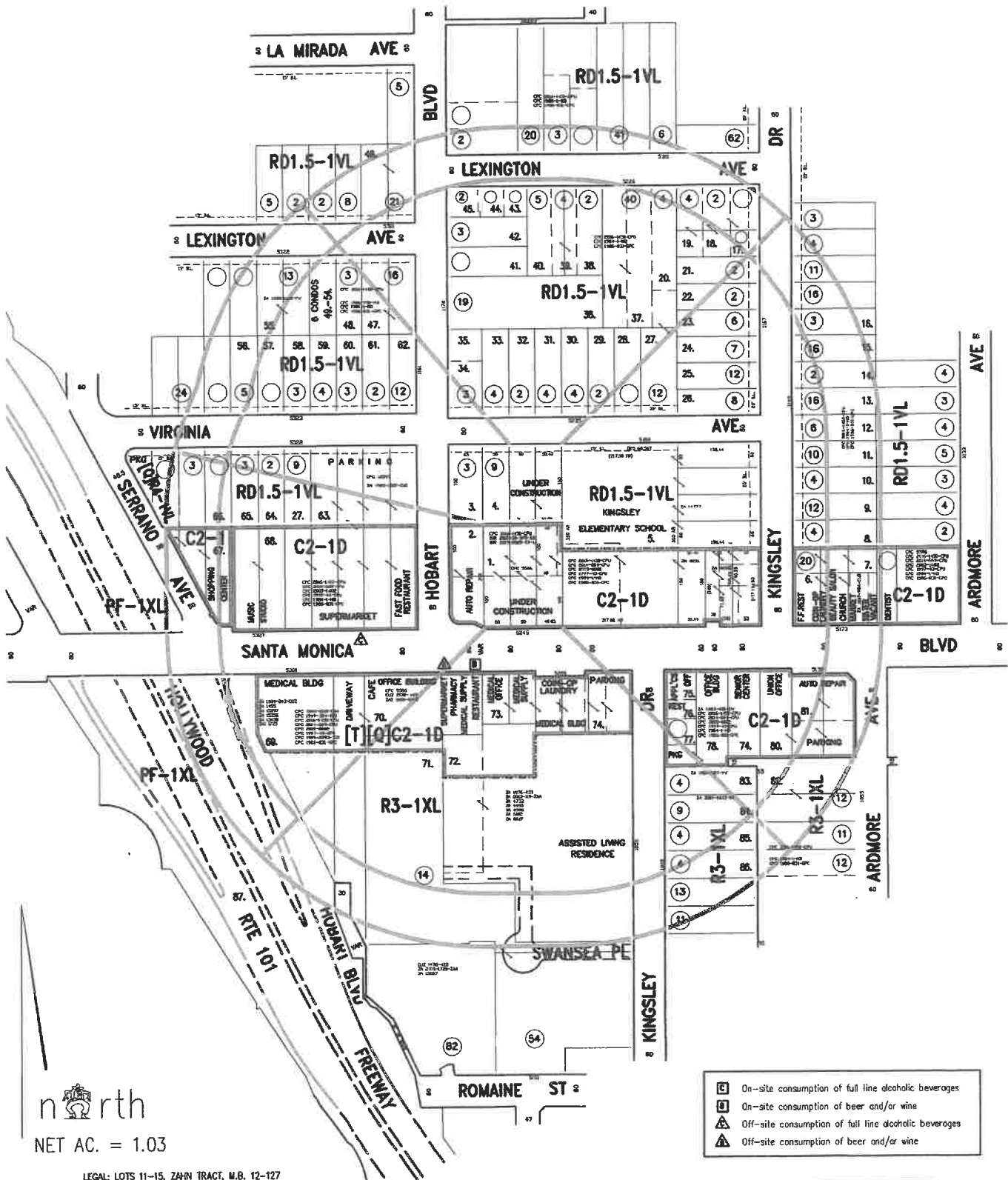



3



4

RADIUS MAP





 north

 NET AC. = 1.03

LEGAL: LOTS 11-15, ZAHN TRACT, M.B. 12-127

THOMAS BROS.
 PAGE: 593
 GRID: J/6

C.D. 13
 C.T. 1911.20
 P.A. 070

CADFILE: GRAPEVINE-RAD
 TS 19-3125

CONDITIONAL USE A.B. ON/OFF SITE

CLR ENTERPRISES, INC.

420 S. SAN PEDRO ST., SUITE # 225
 LOS ANGELES, CA 90013
 213-229-4300

CASE NO.:

DATE: DECEMBER 3, 2021

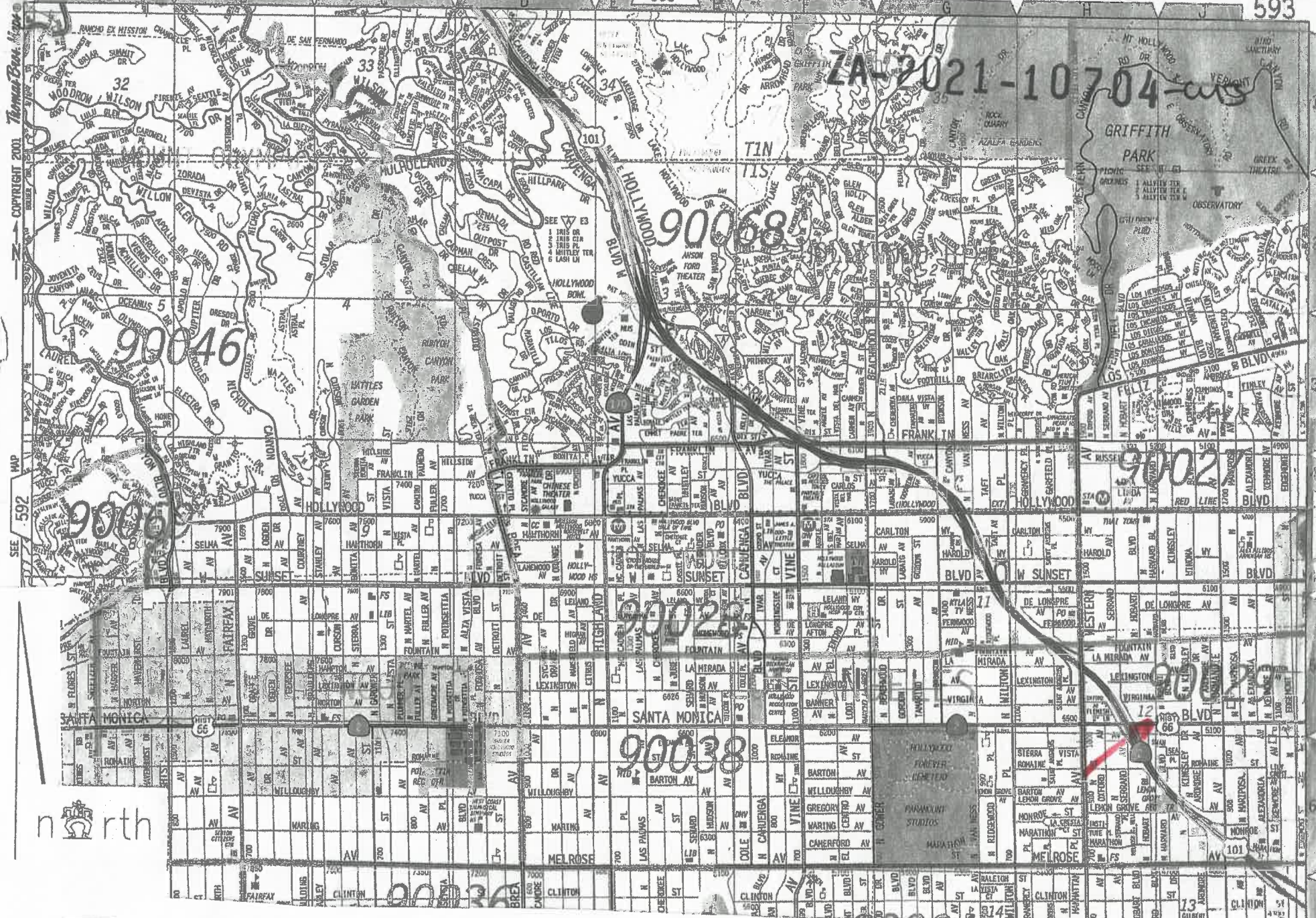
DRAWN BY: THE TROUBLE SHOOTER
 818-346-4096

D.M. NO.: 144 B 193

SCALE: 1" = 100'

USES: FIELD

CONTACT PERSON: LEE RABUN
 213-229-4300



VICINITY MAP

MISCELLANEOUS REPORTS

CLR 19-3126
5245 Sant Monica Boulevard

REQUEST:

Pursuant to L.A.M.C. Section 12.24-W, 1, a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption; in conjunction with a proposed restaurant/brewpub; with live entertainment; having hours of operation from 6 a.m. to 2 a.m., daily; with a seating capacity for 278 indoor and 98 outdoor patrons; in the in the C2-1D zone.

CLR 19-3126
Grapevine
5245 Santa Monica Boulevard

INTRODUCTION

REQUEST:

A Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption; in conjunction with a proposed restaurant and banquet room; with live entertainment; with a seating capacity for 226 and 98 outdoor patrons; and off-site beer sales from an on-site brewery manufacturing use; having hours of operation from 6 a.m. to 2 a.m., daily; in the C2-1D zone.

BACKGROUND:

The subject property is a level, L-shaped, parcel of land, comprised of five record lots, having a frontage of 100.43-feet along the south side of Virginia Avenue with a uniform depth of 150-feet and a frontage of 149.62-feet along the north side of Santa Monica Boulevard and a uniform depth of 200-feet. The site is under construction and will be built with a two-story apartment building having frontage along Virginia Avenue and a five-story, 74-854 square-foot, commercial and residential apartment building with frontage along Santa Monica Boulevard. Vehicular access will be via a two-way driveway located in the southeast corner of the parcel along Santa Monica Boulevard leading to 181 parking spaces in a two level, subterranean parking area.

SURROUNDING PROPERTIES:

Northerly, across Virginia Avenue, adjoining property is classified in the RD1.5-1VL zone and improved with three, 4-unit and one, duplex dwelling units.

Easterly, adjoining property is classified in the RD1.5-1VL and C2-1D zones and improved with the Kingsley Elementary School having frontages along Santa Monica Boulevard and Kingsley Drive.

Southerly, across Santa Monica Boulevard, adjoining property is classified in the [T][Q]C2-1D zone and improved with a shopping center occupied by a supermarket, a medical supply business, a restaurant, a medical office, a coin-op laundry and associated parking area.

Westerly, adjoining property is classified in the C2-1D zone and improved with an auto repair facility with vehicular access from Hobart Boulevard.

CIRCULATION:

Virginia Avenue, adjoining the subject property to the north, is a designated Local Street, dedicated to a width of 50-feet and improved with curb, gutter and sidewalk.

Santa Monica Boulevard, adjoining the subject property to the south, is a designated Class II Major Highway, dedicated to a variable width of 80 to 90-feet and improved with curb, gutter and sidewalk.

PRIOR CASES, PERMITS, ETC.:

Case No. DIR-2009-2065-DB- On March 21, 2011, the designee of the Director of Planning denied as filed a Density Bonus Compliance Review for a mixed-use project comprised of two building. The building fronting Santa Monica Boulevard contains approximately 32,272 square feet of commercial space on two floors and 39 residential units on three floors. The building fronting Virginia Avenue is a three-story

Case No. DIR-2009-2065-DB-1A- On May 12, 2012, the City Planning Commission denied both appeals, modified in part the Determination of the Director of Planning in approving a Density Bonus Compliance Review to add conditions relating to noise attenuation, sustained the remainder of the Determination of the Director of Planning in approving a Density Bonus Compliance review to allow the construction of 49 residential dwelling units, with 20% as restricted affordable units and 14,947 square feet of commercial floor area, adopted the Modified Conditions of Approval and revised the Findings.

Case No. DIR-2012-38-DB-SPR- On December 6, 2013, at the request of the property owner, per a letter dated September 19, 2013, the case was terminated.

ADDITIONAL REQUIREMENTS/FINDINGS FOR APPROVAL OF A CUB OR CUX:

1. RADIUS MAP REQUIREMENTS.

See attached 500'/600' radius map package

See the last page of this format for a list of alcohol establishments from the subject premises to 1,000 feet of the site.

2. FINDINGS

a. General Conditional Use

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

CONCEPTUAL FLOOR PLAN DESIGN & CONFIGURATION

1st Floor Plan

With a floor area of 10,345 square-feet and a seating capacity for 226 indoor patrons, this 1st floor commercial space will contain a fixed bar, two kitchens, two restrooms, a café area, a sit-down dining area and a brewery area. Also depicted on the floor plan is an outdoor patio area with a seating capacity for 98 patrons.

2nd Floor Plan

This commercial space, utilized as a banquet room, will contain 775 square-feet of floor area and will be able to accommodate 52 patrons.

The land use pattern along both frontages of Santa Monica Boulevard have been developed with commercial buildings occupied by various retail stores, service-oriented businesses, medical and office buildings and the Kingsley Elementary School. Beyond that, north and south of the subject site, properties have been developed

for residential purposes. The applicant believes that these nearby residents need a broader array of dining and shopping options than are currently available. At the same time, nearby merchants and a local workforce are also seeking food establishments for a sit-down meal service. The proposed uses will add to a range of goods and services that can be accessed by current and future residents. With anticipated popularity, the applicant hopes that the success of the business operation will attract a population within and beyond the Hollywood Community boundary.

The mixed-use project, combining residential units and commercial space, is a novel concept that will be new to this East Hollywood Community Area. The establishment of a restaurant use and an extended beverage inventory to include beer manufactured within the premises, should be a unique business plan that will allow the applicant to perform a function and provide a service that will prove to be essential and beneficial to the community, city or region.

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

The area surrounding the site is a mix of office buildings, retail, restaurants, other commercial uses and residential units. The request for the sale of alcohol for on-site consumption appears to be compatible with surrounding uses as the restaurant, banquet room and brewery operation will provide a place for businesspeople, residents, guests and visitors to eat, drink, socialize, conduct business and experience an unusual food presentation in a sit-down or take-out setting.

The request does not involve patron dancing and precludes a cover charge and so called "happy hours". The applicant's future success will be inextricably linked to its quality food presentation and location rather than to its alcohol privilege which are only accessory to the restaurant's focus, which is to serve food. The land use pattern in the immediate area has remained static for many years. The mixed-use project will result in a development that will provide 49 housing units and commercial space, with adequate on-site parking, not only for the occupants that will reside on the subject property, but also nearby residents and a local workforce. The new development should remain compatible with and should not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

Highway Oriented Commercial land uses include the proposed uses that would be a City and regional attraction to the population of the City. The purpose of the Hollywood Community Plan is "to promote an arrangement of land use, circulation and services which will encourage and contribute to the economic, social and physical health, safety, welfare and convenience of the Community." The proposed use of the subject site appears to be consistent with and aids to advance the following objectives identified in the Hollywood Community Plan and objectives and policy identified in the General Plan:

Objective 1: To coordinate the development of Hollywood with that of other parts of the City of Los Angeles and the metropolitan area. To further the development of Hollywood as a major center of population, employment, retail services and entertainment and to perpetuate its image as the international center of the motion picture industry.

Objective 4: To promote economic well-being and public convenience through:

- a. Allocation and distributing commercial lands for retail, service and office facilities in quantities and patterns based on accepted planning principals and standards.

The request appears to be consistent with Chapter 7 of the 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.
- Objective 7.3.2: Retain existing neighborhood commercial activities within walking distance of residential areas.

b. Additional Findings

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

The proposed restaurant, brewery operation and banquet room should continue to create a positive benefit both aesthetically and economically to the community. The proposed uses will enhance the availability of services meant to attract and encourage nightlife activity in Highway Oriented Commercial land use areas. The maintenance of viable commercial uses in the project positively impacts the welfare of the community by avoiding vacant commercial spaces at the commercial street frontage and enhancing pedestrian activity to access the uses.

The economic welfare of the community largely depends on healthy and viable commerce. The proposed uses will allow for the optimum use of the property and will have a positive influence on improving economic welfare of the community. This is evidenced by the recent construction of apartments on the subject property. This will continue to promote healthy developments in the area due to quality patronage and positive economic outlook and in turn, encourage other similar caliber business establishments to locate in the area.

An approval of this request will not adversely affect the welfare of the community since it is expected to contribute positively to the local economy. The proposed uses will provide employment for local residents and generate tax revenues, purchase goods and services to support the uses and the property owner will realize an investment in property improvements. Finally, the location of the uses will serve to increase the attraction of this commercial area and is expected to help promote commerce and tourism in the area which results in the exchange of goods and services with other nearby commercial uses.

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

Within a 1,000-foot radius of the subject site, the following on-sale liquor license is active:

(1) Type 41 On Sale Beer and Wine Eating Place

The site will be located along a prime commercial thoroughfare where diversity amongst the uses is not uncommon. The applicant understands the character of the neighborhood and is committed to help preserve

such character through responsible alcohol service in conjunction with the operation of the proposed uses. The imposition of appropriate conditions by the Office of Zoning Administration will make the proposed uses a more compatible and accountable neighbor to the surrounding residential uses than would otherwise be the case.

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

The subject site is within an area that is zoned and designated for commercial and residential use which will become home to a growing residential population. The approval of the Conditional Use Permit should not detrimentally affect nearby housing units because the project can capture the demand for a restaurant and banquet room and the introduction of a brewery manufacturing use for the local workforce as well as the newly constructed apartments. A mixed-use development should be an accepted project for the East Hollywood community. These kinds of developments signal the maturation of the City and revitalization of the area as urban density increases and the demand for dining and beverage service, and cultural attractions increases.

Conditions that are presented by the applicant would address potential noise, lighting and security issues which could affect the surrounding uses and area residents. These conditions could include video surveillance, strategic placement of exterior lighting, limited hours for deliveries and site maintenance, as well as the requirement for all employees serving alcohol to undergo the Standardized Training for Alcohol Retailers Program which would ensure that management monitor and control patron conduct within the premises and adjoining area. This effort should result in the quiet enjoyment of nearby residentially zoned and occupied properties.

3. QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE

a. What is the total square footage of the building or center the establishment is located in?

The total square footage of the 5-story building having frontage along Santa Monica Boulevard is 74,854.

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

1st floor = 10,345

2nd floor = 775

Total = 11,120

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

Occupancy Load: to be determined by the Department of Building and Safety and the fire Department.

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

	1st Floor	2 nd Floor	Total
Indoor Seating	226	52	278
Outdoor Seating	98	-0-	98
Total	324	52	376

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

There is an outdoor dining area and the applicant requests alcohol consumption in that area.

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

The outdoor dining area is on private property.

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

NA

- g. Are you adding floor area? If yes, how much is enclosed? Outdoors?

This request does not involve additional floor area beyond the construction phases.

- h. Parking

- i. How many parking spaces are available on the site?

Commercial Parking Spaces Provided = 94

Residential Parking Spaces Provided = 87

Total Parking Spaces Provided = 181

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

The parking spaces are designated and separated between the residential and commercial uses.

- iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety?

This request does not involve additional floor area beyond the construction phases.

- iv. Have any arrangements been made to provide parking off-site?

Arrangements have not been made to provide parking off-site.

1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety.

Note: Required parking must be secured via a covenant pursuant to LAMC 12.26 E 5. A private lease is only permitted by a Zone Variance.

2. Please provide a map showing the location of the off-site parking and the Distance, in feet, for pedestrian travel between the parking area the use it is to serve.

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

No

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

Iglesia Jesus Cristo Es El Camino
5173 Santa Monica Blvd

Kingsley Elementary School
5200 Virginia Ave

Iglesia Advestista Del Septimo Dia
1055 Normandie Ave

j. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Business as defined by LAMC 12.70 B 17?

NA

4. QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT

a. What are the proposed hours of operation and which days of the week will the establishment be open?

Proposed Hours of Operation: 6 a.m. – 2 a.m., daily

b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc? Please specify:

Live entertainment will be provided for special events as well as recorded music within the food establishment for dining patrons. No dancing will be permitted.

c. Will there be minimum age requirements for entry? If yes, what is the minimum age requirement and how will it be enforced?

There are no minimum age requirements but minors must be accompanied by an adult after curfew hours.

d. Will there be any accessory retail uses on the site? What will be sold?

Persons will have the opportunity to purchase beer from the brewery manufacturing use for off-site consumption.

e. Security

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

There will be 15-20 employees on the site at any given time.

ii. Will security guards be provided on-site? If yes, how many and when?

The applicant does not anticipate the need for security guards on a daily basis; however, security guards may be required for special events based upon the number of attendees. The applicant will meet with the L.A.P.D. to outline a security plan relevant to the operation of the business.

iii. Has LAPD issued any citations or violations? If yes, please provide copies.

The proposed uses have not been established.

f. Alcohol

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

This request is for a full line of alcoholic beverages.

ii. Will "fortified" wine (greater than 16% alcohol) be sold?

"Fortified" wine will not be sold.

iii. Will alcohol be consumed on any adjacent property under the control of the applicant?

Alcohol will not be allowed to be consumed on any adjacent property under control of the applicant.

iv. Will there be signs visible from the exterior that advertise the availability of alcohol?

Signs will not be visible on the outside which advertise the availability of alcohol.

v. Food

1. Will there be a kitchen on the site?

There will be two kitchens within the subject premises and they will comply with the definition in Section 91.0403 of the Los Angeles Municipal Code. Food service will be available at all times during operating hours. All seating areas will be furnished with cutlery, condiments and other eating utensils for use by patrons.

2. Will alcohol be sold without a food order?

Alcohol will be served without a food order at the fixed bar.

3. Will the sale of alcohol exceed the sale of food items on a quarterly basis?

The gross sale of alcohol will not exceed the gross sale of food items on a quarterly basis.

4. Provide a copy of the menu if food is to be served.

A menu will be provided prior to the time of the Public Hearing.

vi. On-Site

1. Will a bar or cocktail lounge be maintained incidental to a restaurant?

A cocktail lounge will not be maintained incidental to the restaurant use.

- a. If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.**

2. Will off-site sales of alcohol be provided accessory to on-site sales ("Take Out")?

Off-site sales of alcohol as a secondary use to on-site sales will be available through the brewery manufacturing use.

- a. If yes, a request for off-site sales of alcohol is required as well.**

3. Will discounted alcoholic drinks ("Happy Hour") be offered at any time?

Discounted alcoholic drinks will not be offered at any time.

vii. Off-Site

1. Will cups, glasses or other container be sold which might be used for the Consumption of alcohol on the premises?

NO

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

NO

viii. Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements – <http://www.abc.ca.org/>.

5. CALDERA BILL (CA Business and Professions Code Section 23958 and 23958.4)

a. Is this application a request for on-site or off-site sales of alcoholic beverages?

This request is for on-and off-site sale of alcoholic beverages.

i. If yes, is the establishment a bona fide eating place (restaurant) or hotel/motel?

The premises will be maintained as a bona fide eating place [restaurant] with an operational kitchen and will provide a menu containing an assortment of foods normally offered in such restaurants.

1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to Determine whether the proposed site is located in an area whereby:

a. issuance of a license to serve alcohol on-site or off-site tend to create a law enforcement problem, or

b. if issuance would result in or add to an undue concentration of licenses.

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

6. ADDITIONAL REQUIREMENTS FOR MASTER CUBs/CUXs.

NA

LIQUOR ESTABLISHMENTS FROM SUBJECT PREMISES TO 600 FEET

El Nuevo San Salvador Restaurant – Type 41
5230 Santa Monica Blvd

Villalobos Market – Type 20
5244 Santa Monica Blvd

Jon's Market – Type 21
5311 Santa Monica Blvd

LIQUOR ESTABLISHMENTS BETWEEN 600 FEET TO 1,000 FEET OF SUBJECT PREMISES

Day 'N Nite Mini Market – Type 20
5101 Santa Monica Blvd

J & J Grocery & Liquor – Type 21
5100 Santa Monica Blvd

LOS ANGELES POLICE DEPARTMENT



Michel Moore
Chief of Police

ERIC GARCETTI
Mayor

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone: (213) 972-2996
TDD: (877) 275-5273
Ref #: 6.1

July 01, 2022

Los Angeles Department of City Planning
200 North Spring Street, Room 621
Los Angeles, California 90012

CASE NO. ZA 2021-10704-CUB

Dear Zoning Administrator,

The Los Angeles Police Department (LAPD), Hollywood Area received notice from the Department of City Planning that Applicant, PETROS TAGLYAN, PTAG Properties, LLC., doing business at 5243/5245 West Santa Monica Blvd, Los Angeles, has petitioned for a Conditional Use Permit to allow the sale and dispensing of a full line of alcohol beverages for on-site consumption and beer and wine for off-site consumption in conjunction with a proposed 11,120 square foot restaurant/brewpub/banquet hall with live entertainment. The restaurant/brewpub/banquet hall would operate from 6:00 a.m. to 2:00 a.m., daily, and have a seating capacity for 376 patrons.

The LAPD has reviewed the Conditional Use Permit application, conducted recent examinations of the project site, discussed the requests with the applicant's representative and spoke with community members who reside in the vicinity of the project site. Additionally, we have met with Kingsley Elementary Principal Jo-Ann Yun whose school is located adjacent to the subject premises.

There are two liquor stores and a Jon's Market within a two-block radius from the proposed location that contribute negatively to the quality of life the citizens in this neighborhood face daily. Crimes generated as a result of these alcohol establishments include robbery, aggravated assaults, burglaries and thefts. Radio calls and citizen calls generated reflect nuisance complaints related to alcohol consumption, public urination, defecation and disorderly conduct.

Our office has received numerous emails and phone calls from residents surrounding the subject premises, to include a parent petition of over 100 signatures from Kingsley Elementary strongly opposing this project. The opposition expressed is due to the on-going quality of life issues the community experiences daily and the lack of city resources to address it.

The LAPD's primary concern with this subject premise are the children of Kingsley Elementary. The subject premise is located next door to the school. Should you decide to grant this application, the operating hours of the establishment would negatively interfere with the quiet learning environment the students deserve. In addition, the subject premise has proven to be problematic to the school's daily operations. The installation of the property's transformer is located on LAUSD property which has attracted criminal activity, posing both a safety issue and

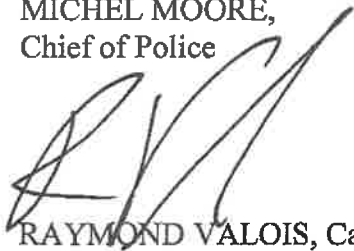
biohazard for the students enrolled at the school. Due to this unfortunate circumstance, the Principal of Kingsley Elementary has been forced to close the playground nearest to the transformer, hindering the students from enjoying the playground they have the right to use.

Due to the history of disruptive incidents related to the area and subject premise, the quality of life issues experienced by residents daily, the strong opposition from community members and in the best interest of Kingsley Elementary School's student body, the LAPD is OPPOSED to the issuance of a Conditional Use Permit for this application. Our recommendation is based on an anticipated increased demand on already strained police resources without a significant benefit to the community and probable disruption to the quiet learning environment of Kingsley Elementary.

We respectfully request that the contents of this letter be considered when determining if a Conditional Use Permit should be granted to the applicant in this matter. Thank you, your time and consideration. If you have any questions, please contact Senior Lead Officer Annabelle Eubank at 37352@lapd.online or Officer Alejandro Pineda 39942@lapd.online, Hollywood Vice Unit, ABC Section at (213) 972-2996.

Very truly yours,

MICHEL MOORE,
Chief of Police



RAYMOND VALOIS, Captain
Commanding Officer
Hollywood Area

TEMPORARY ACCESS AGREEMENT

This Temporary Access Agreement ("Agreement") is made and entered into by and between the LOS ANGELES UNIFIED SCHOOL DISTRICT (the "District") and the LOS ANGELES DEPARTMENT OF WATER AND POWER ("LADWP"). This Agreement is effective on the last date signed by LADWP and the District ("Effective Date"). The District together with LADWP are sometimes referred to herein collectively as the "Parties", or individually as a "Party" with respect to the following:

RECITALS

WHEREAS, the District is the owner of real property, commonly known as Kingsley Elementary School, located at 5200 Virginia Avenue, Los Angeles, CA 90029 (the "School Site").

WHEREAS, LADWP has requested permission to enter the School Site to remove an existing 34.5 KV electrical power pole and overhead lines and replace it with a new semi-buried electrical switch box mounted on a concrete pad including the installation of underground electrical conduit (the "Scope of Work").

LICENSE AGREEMENT

NOW THEREFORE, it is mutually agreed by and between the undersigned Parties as follows:

1. Temporary Agreement

The District grants to LADWP, its employees, agents, representatives, consultants, contractors and subcontractors (collectively referred to as "LADWP") a revocable license to enter the School Site from the Effective Date to 180 days thereafter, for the purpose of undertaking and completing the Scope of Work as set forth in Exhibits C and C-1, attached hereto and incorporated by reference herein.

Location: The location for the Scope of Work is the area at the School Site and identified in Exhibit A and shown in Exhibit B to this Agreement and is referred to as the "Site". The Site shall be secured and physically segregated from students by a fence or other barrier. Given the disparity between adults and students and the possible mental and emotional maturity of students, the LADWP agrees they shall comply with the District's requirements intended to minimize contact with students. Moreover, any work conducted pursuant to the Scope of Work shall be performed in such a manner as to not disturb or impact the children at the School Site.

Exh. 1

Staging Area: Upon the execution of this Agreement, the District and LADWP shall agree upon a location for the staging area for activities necessary or prudent to complete the Scope of Work, as defined below, at the School Site. LADWP, at its sole expense, shall temporarily secure the area where the work will occur.

Scope of Work: The license to enter upon the Site granted hereunder is revocable and for the specific purpose of allowing access to the Kingsley Elementary School southwest landscape area and subject to the conditions as set forth in Exhibit C.

LADWP shall construct the "Electrical Power Facilities" as identified and defined in Exhibit C-1. Upon completion of the work, the LADWP shall have continual access to the Electrical Power Facilities for maintenance and repair purposes. Should any work require that the power to be turned off at the School Site, however, such work shall be conducted during the weekend hours from 5:30pm on Friday to 5:00 pm on Sunday subject to local building and zoning ordinances.

This Agreement is limited to the activities described above, and all actions deemed necessary by LADWP in preparation for carrying out the work. The District does not grant permission for the performance or any other activities not agreed upon in writing by the District. During construction the District further reserves the right, upon reasonable notice to LADWP, to deny LADWP access to the Site if the District reasonably determines that the Scope of Work will interfere with the operations at the School.

2. Manner of Work

The Scope of Work shall be performed and completed in a good and workmanlike manner and shall not interfere with the operations of the School Site. LADWP shall keep the School Site free from any and all mechanics', material suppliers', and other liens arising out of any work, or labor done, services performed, or materials used or furnished by or for LADWP or LADWP's contractors or volunteers in connection with this Agreement.

Pursuant to Paragraph 10 of this Agreement, LADWP will provide a minimum of 72-hours advance notice to the District and School Site of the date the construction of the Scope of Work will begin, the construction schedule and completion date. The District shall provide timely written approval to LADWP, which approval shall not be unreasonably denied, of the proposed date and time prior to any work commencing at the Site.

LADWP will coordinate with School administration prior to the removal of the existing electrical power pole on the School Site. Kingsley Elementary School Principal is Karina Salazar. Ms. Salazar can be reached at 323-644-7700. Also, the Complex Property Manager for the campus is Rick Lee. Mr. Lee's contact number is 213-745-1591 (office) or 323-383-2921 (cell).

LADWP's work at the Site shall be conducted Monday through Friday in compliance with City of Los Angeles ordinances. Any work, which requires the power to be turned off at the School Site shall be conducted on the weekend only. LADWP shall notify the District when such need arises, and the work shall be conducted during the weekend. Equipment cannot be stored on the Site without the prior permission of the District, which permission shall not be unreasonably withheld. LADWP agrees to utilize best efforts to minimize noise, fumes, dust and other similar effects in conducting the work and shall not otherwise interfere with the operations of the School.

In order to provide a safe environment for the education of students in our care, the District requires LADWP to adhere to the terms of the District's Safety Policy Bulletin, BUL-3872.0, attached as Exhibit E. Furthermore and where necessary, LADWP shall adhere to the terms of District's Procedures for Modifications and Additions to District Property Funded by or Performed by a Third Party, BUL-5761.0, attached as Exhibit F.

3. Indemnification

LADWP shall indemnify, defend, and hold harmless the District, its agents, representatives, employees, students, and Board Members from any and all claims, actions, losses, liabilities, damages, fees, and/or costs in proportion to and to the extent arising directly from the negligence or willful activities or misconduct of LADWP and its contractors, consultants, or subcontractors in performing the Work pursuant to this Agreement. LADWP, its representatives, members, consultants, and agents, shall not be responsible for any liability which arises from the sole negligence or willful activities or misconduct of the District, its agents, representatives, employees, students, and Board Members.

4. Insurance

The District understands and agrees that LADWP is self-insured. LADWP maintains a program of self-insurance for General liability, Auto Liability, Worker's Compensation and Errors and Omissions. Since LADWP is self-insured there are no policies to endorse. All references to insurance afforded by LADWP under this Agreement shall be understood and agreed by the District to refer to LADWP's program of self-insurance. LADWP shall provide the District with confirmation of such

insurance coverage by providing a Letter of Self-Insurance evidencing the requested insurance coverage as set forth in Exhibit D, Insurance Requirements. Adequate reserves are maintained to cover all incidents that LADWP may be held liable or for which LADWP has assumed liability under any contract or agreement.

5. Restoration of Property

Promptly after performing the Scope of Work, LADWP shall restore the Site to the condition similar to the immediately surrounding ground, unless otherwise agreed upon by the District.

6. Compliance With Applicable Laws

LADWP agrees that all activities performed pursuant to this Agreement shall comply with all applicable local, state and federal laws, including, but not limited to, statutes, regulations, codes, rules and City of Los Angeles ordinances.

7. Governing Law

This Agreement will be interpreted, and any dispute arising hereunder will be resolved, in accordance with the laws of the State of California, without reference to choice of law rules.

8. Entire Agreement

The terms and conditions set forth herein constitute the entire understanding of the Parties relating to the subject matter of this Agreement. This Agreement may be amended only by written instrument signed by both Parties.

9. Relationship of the Parties

The Parties expressly disavow any intent or desire to create a partnership, joint venture, joint enterprise, principal and agent, or any or other business relationship by entering into this Agreement other than that of licensor and LADWP.

10. Approval and Notices

Any approval, disapproval, demand or other notice which either party may desire or is required to give to the other party must be in writing or by electronic mail (E-mail) transmission.

To the District:

Los Angeles Unified School District
Asset Management
333 South Beaudry Ave. 23rd Floor
Los Angeles, California 90017
ATTN: Al Grazioli, Asset Development Director
Phone: (213) 241-6457
Email: al.grazioli@lausd.net

With a Copy to: Los Angeles Unified School District
Office of the General Counsel
ATTN: Sung Yon Lee
333 South Beaudry Ave., 23rd Floor
Los Angeles, CA 90017
Phone: 213-241-1679
Email: sungyon.lee@lausd.net

To LADWP: Los Angeles Department of Water and Power
Director of Real Estate
Real Estate Services
221 N. Figueroa Street, Suite 1600
Los Angeles, CA 90012
Phone: (213) 367-0564

11. General Provisions

All of the limitations, covenants, conditions and provisions contained in this Agreement shall inure to the benefit of and be binding upon the Parties hereto and their respective legal representatives, successors, and, to the extent permitted hereunder, assigns; no Party hereto shall assign or delegate any of its rights or obligations hereunder without the written consent of the other Party. This Agreement may be executed in any number of counterparts which, when taken together, shall constitute a fully executed original.

In case any one or more of the provisions contained in this Agreement shall be deemed invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, the validity, legality and enforceability of the remaining provisions contained herein or therein shall in no way be affected or impaired thereby and shall be enforceable to the maximum extent permitted by law. The captions and headings in this Agreement are inserted only as a matter of convenience and for reference, and they shall in no way be deemed to define, limit or describe the scope of this Agreement or the intent of any provision thereof.

The provisions of this Agreement shall not be amended or altered except by an Agreement in writing signed and delivered by all of the Parties hereto prior to its becoming effective. Any party may waive the satisfaction or performance of any conditions or agreements in this Agreement which have been inserted for its benefit, so long as the waiver is signed by an authorized signatory of such party, specifies expressly the waived condition or agreement and is delivered to the other parties hereto. No such waiver of any provision hereof in one instance shall be deemed a waiver of any other provision hereof or a waiver of the same provision in any other instance. Consent to or approval of any

act by one of the parties hereto shall not be deemed to render unnecessary the obtaining of such party's consent to or approval of any subsequent act, nor shall any custom or practice which may grow up among the parties in the administration of the terms hereof be deemed a waiver of, or in any way affect, the right of one of the parties to insist upon the performance by any other party in strict accordance with said terms.

12. Exhibits

Exhibits A through F shall be incorporated herein and made a part hereof. These Exhibits must be attached to this Agreement as a condition for this Agreement to be effective and before LADWP may commence any work at the School Site.

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[Signature Page Follows]

CORRESPONDENCE



Planning APC Central <apccentral@lacity.org>

ZA 2021-10704-CUB-1A

Lee R <clr1985lee@yahoo.com>

Fri, Mar 17, 2023 at 3:14 PM

To: Planning APC Central <apccentral@lacity.org>

Cc: Jaime Espinoza <jaime.espinoza@lacity.org>, Gary Taglyan <gary@taglyancomplex.com>, Arcy Mirabal <clr1985arcelia@yahoo.com>

Dear Central Area Commission:

We are requesting a date uncertain, but can accept appearance dates April 25th, or May 9th if need be.

We will appear at the hearing set for March 28th, prepared to proceed to the best of our abilities, if necessary.

Respectfully;

Lee Rabun

Sent from my iPhone

On Mar 17, 2023, at 1:45 PM, Planning APC Central <apccentral@lacity.org> wrote:

[Quoted text hidden]

CLR ENTERPRISES, Inc.
420 S. San Pedro St., Ste, 225
Los Angeles, CA. 90013
Office: 213-229-4300

August 30, 2022

Henry Chu,
Associate Zoning Administrator
Office of Zoning Administration
City of Los Angeles

Re: ZA-2021-10704-CUB
Petros Taglyan
5245 Santa Monica Blvd.

Dear Mr. Chu:

At the conclusion of the public hearing held on June 7, 2022, you took this case under advisement to allow time for the Applicant to meet with the Police Department, and the Kingsley Ave. School Principal regarding the issues that were verbally discussed at the hearing. Those meetings and communications have taken place. This writing, and the attached letter from Gary Taglyan, are the Applicant's position on these matters.

Regarding The Kingsley Ave. School:

Gary Taglyan met with Dr, Yun, Principal at the Kingsley Ave, school on June 7th. Dr, Yun expressed her concerns about the "Transformer" that was built on School property in 2019-2020. Dr. Yun, as well LAPD and other stakeholders in the community understood that this transformer was constructed on the school's property, so that the applied-for project could be built. Mr. Taglyan explained that the transformer was located, and constructed upon school property pursuant to a mutual agreement between the LADWP and LAUSD to replace an existing, outdated *"...electrical power pole and overhead lines and replace it with new semi-buried electrical switch box mounted on a concrete pad including the installation of underground electrical conduit..."*. As this agreement confirms, contrary to some of the concerns voiced at the hearing, the Applicant had no involvement concerning where or how this transformer would be constructed, other than sharing in the cost to construct it. Gary also pointed out that the transformer installed by the City, is not a Bio Hazard. (The Temporary Access Agreement and a photo of the transformer are attached as exhibit 1.)

Dr. Yun and Mr. Taglyan thoroughly discussed other issues expressed at the hearing in addition to the transformer issue, including:

1. Restaurants close proximity to the School
2. Urination, defecation, and vomiting caused by inebriated transients and the homeless
3. An outdoor shower on the rooftop of the Virginia Ave. apartment building that children can see from the school yard
4. Cigarettes thrown onto School property
5. Bio Hazards

Mr Taglyan pointed out that the School will be next to the northernmost portion of this development, which is a 5 story apartment complex. The entire restaurant premises is located within the southernmost portion of the property, oriented towards, and only accessed from Santa Monica Blvd. Schoolchildren, and their guardians, will not know that there is a restaurant serving alcoholic beverages in proximity to the school. As described at the hearing, the walking path of travel for anyone coming from the west to the school would not pass by the restaurant property, as they would walk north on Hobart, then west on Virginia to the school entrance. To walk past the restaurant, children would walk an additional 1,280 feet (around the block) to the main entrance to the school. We do not believe that children are walking past the project site, north on Kingsley, then west on Virginia, to go to the school now, nor will they after the restaurant is open. (See Radius Map attached, exh. # 2.)

The concern that Dr. Yun had regarding the outdoor shower was addressed. This single shower is on 5th floor of the Virginia Ave. apartment building, where the pool is located. It can be seen from the school. Dr. Yun was speaking to a clear glass shower enclosure and children would be able to see through. The window was scheduled to be covered by artworks, making the window opaque, which has now been installed. No one can now see people showering. (See attached photograph, exh. #3.)

Mr. Taglyan pointed out that this area suffers from a severe Homeless problem, which is the cause of the public urination, defecation, vomiting, and cigarette trash not only at the School, but at every property in the neighborhood. These problems exist whether or not this new restaurant comes into the community. Our strong belief is that projects such as this help deter such activity because the property will be activated by the apartment residents, and commercial establishments patronage, and will be well-lit at night, with 24-hour security to help decrease these activities.

Regarding the Los Angeles Police Department objection:

On June 21, 2022, a phone conversation took place involving Off. Eubanks, Mr. Taglyan, and this writer. After a full discussion of the Police Departments concerns, most of which agreed with the School's objections, it was agreed that the Applicant would consider the issues and suggest a list of conditions to the Police Department which might help to mitigate those concerns. After thorough consideration, Mr. Taglyan developed a list of conditions to be self-imposed

which offer significant reductions in the size and capacities of this restaurant, which should have a positive effect in reducing the concerns of those in opposition. These conditions are:

- 1) Hours of operation on Monday through Thursday shall be from 11:30am to 11pm, with last service of alcohol at 10:00pm.
- 2) Hours of operation on Friday through Sunday shall be from 10am to 1am, with last service of alcohol at 12 midnight.
- 3) The property shall be patrolled by one state licensed security guard 24 hours per day.
- 4) Monday through Friday, or whenever Kingsley Ave Elementary School is in use, one security officer will be located at the "Transformer" to monitor and patrol that area.
- 5) There shall be two state licensed security guards stationed at the restaurant from 5pm until the last patron leaves the restaurant, daily.
- 6) The seating capacity shall not exceed 150 patron seats from opening until 5pm daily.
- 7) The seating capacity shall not exceed 230 patron seats from 5pm until closing daily.
- 8) There shall be no live entertainment nor patron dancing on this premises at any time.
- 9) The premises shall be a full-service, family oriented restaurant. There shall be no Brewpub allowed at this premises.

These conditions directly respond to the Police Department and the School's concerns. They represent a significant reduction in the restaurant use, limiting its hours of operation, significantly reducing the seating capacities, adding state licensed security guards on Virginia Ave. near the transformer, and increasing security at the restaurant.

Off. Eubanks responded via email on June 26th, stating that after further discussion and consideration of our proposal, the LAPD will submit a letter of Opposition to the Planning Department. That letter was dated July 1, 2022. We received a copy out of the official Planning Department file after a proper request, on July 30th.

The letter begins with the summary of the project stated in the hearing notice; an 11,120 sq. ft. restaurant/brewpub/banquet hall with live entertainment, operating from 6am to 2am daily, with a seating capacity of 376 patrons. On May 23, 2022, I sent an email to Off. Pineda (ABC Coordinator at Hollywood Station) stating the following:

"The CUP application was submitted in December 2021 requested a Type 75, Brewpub license (similar in operation to a BJ's or Gordon Biersch). However, recent changes in ABC law and policy may make the construction of the brewing equipment not possible, because of cost, and building constraints. Therefore, we will present this application full-service. Family oriented restaurant, with a full line of alcoholic beverages, qualifying for either a type 75 or Type 47 license. The request for Live Entertainment will be withdrawn. The only music will be pre-recorded."

This Project Description was the first issue spoken at the June 6, 2022 EHNC meeting, and the first issue stated by the Applicant at the public hearing on June 7th, yet the Police Department's objection is to the project described in the hearing notice.

The LAPD letter states that there are two liquor stores and a Jon's Market within a two block radius that contribute negatively to the quality of life in this neighborhood, and that crimes are generated as a result of these alcohol establishments including robbery, aggravated assaults, burglaries, and thefts. No supporting statistics were provided.

It is difficult to respond to these allegations because without access to specific crime statistics, call for service logs, ratios of crimes in this Reporting District as opposed to other RD's, etc. What we have access to is the public information kept by the Alcoholic Beverage Control pursuant to section 23958.4 B & P Code (commonly referred to as Caldera). These statistics are considered and referred to by the Planning Department in these types of applications. This project is located in Census Tract 1911.20, where there are Four On-Sale license (all types) allowed, but Zero existing; and Two off-sale licenses allowed, with Two existing (Jon's Market, and Day & Nite Mini Market). There is no undue concentration of On-Sale licenses in this Census Tract (4 allowed with 0 existing), nor for off-sale (2 allowed with 2 existing).

The second part of 23958.4 B & P, is the report of crime rates in the appropriate Reporting District, The City-wide average for part 1 and 2 crimes per reporting district is 187.6. The High crime average is (187.6 times 20%) is 225. The part 1 and 2 crime rate for the last reported year (2018) is 175. This project is located in RD 669, which is a low crime area, being below the Citywide average of 187.6. let alone the High crime calculation of 225.

Without specific crime analysis regarding the two existing off-sale businesses, it is difficult to establish that the sales of alcoholic beverages is the proximate cause of the crimes and social ills alleged in the LAPD letter.

The Police Department suggests that the hours of operation be modified if this project is approved. Mr. Taglyan has met with Dr. Yun, Principal of the Kingsley Ave, School. The Nine conditions listed earlier have been designed to mitigate any potential negative impacts on the school, the children who attend, and the surrounding neighborhood. They were offered to the LAPD in the midst of negotiations, but rejected without mention. We have since reconsidered these conditions and hereby withdraw conditions 4, and modifying conditions 6 and 7. The mitigating conditions proposed to the Planning Department are as follows:

1. Hours of operation on Monday through Thursday shall be from 6:30am to 11pm, with last alcohol service at 10pm.
2. Hours of operation on Friday through Sunday shall be from 6:30am to 1am, with last alcohol service at 12 midnight.
3. The property shall be patrolled by one state licensed security guard 24 hours per day.
4. Deleted.
5. There shall be two state licensed security guards stationed at the restaurant from 5pm until the last patron leaves the restaurant, daily.
6. The seating capacity shall not exceed 199 patron seats from opening until 5pm, daily
7. The seating capacity shall not exceed 299 patron seats from 5pm until closing, daily.
8. There shall be no live entertainment nor patron dancing on this premises at any time.

9. The premises shall be a full-service, family-oriented restaurant. There shall be no brew-pub allowed at this property.

These significant reductions in late evening hours and seating capacities, and addition of adequate security, are all in response to the concerns expressed by Dr. Yun, LAPD, and those who voiced concerns at the EHNC and ZA public hearings.

East Hollywood Neighborhood Council:

When this application was presented to the East Hollywood Neighborhood Council on June 6th, it was clear that the premises would not qualify under ABC standards for the Brewpub license. Our presentation was for a Family oriented restaurant with a Type 47 license, operating from 6am to 2am daily, providing 376 seats, with no live entertainment or dancing. The EHNC voted to support the application for the sale of alcoholic beverages, under four caveats;

1. Documented support from LAPD for the project provided to EHNC prior to consideration of the item
2. Revision of license from Type 75 (Brewpub-Restaurant) to a Type 47 (On-Sale General Eating Place)
3. Revision of potential operating hours from 6am -2am to 10am-2am
4. Removal of on-site banquet hall as potential uses

The applicant has satisfied items 2 through 4. The LAPD wrote a letter in opposition on July1, 2022. The Applicant received the letter from the Planning Department on July 30th, and forwarded it onto the EHNC. We have not received a response to that transmittal, nor has the EHNC invited the Applicant to make another appearance.

Summary:

This project has been under construction for the past 8 years. It involved the major demolition of existing improvements, excavation of several tons of dirt to build the sub-terranean garage and foundation, and the actual construction of a large mixed-use development. Any construction and development would cause some short-term disturbances for neighbors, but the resulting long-term gain in this case is a new mixed-use apartment and commercial property, to renew re-invigorate this portion of Santa Monica Blvd., and anchoring the "Route 66" designation of the Boulevard.

However, the Police Department's opposition letter asserts that these disruptions will continue, and be exacerbated by the opening of this restaurant selling alcoholic beverages. When construction is completed, the neighborhood will be relieved of these disturbances to their daily lives, and have a new mixed-use commercial and residential center, with a fine-dining, family-oriented restaurant with alcoholic beverages, operating within the parameters of well thought out operating conditions.

The Applicant has prepared a response to the letter from the Police Department, and his conversations with Dr. Yun at Kingsley Ave. School. That letter is also attached here. We are ready to respond to any questions or comments you might have.

Respectfully yours;

A handwritten signature in black ink, appearing to read "C. L. Rabun".

Lee Rabun

President & Chief Consultant

CLR Enterprises, Inc.

GARYTAGLYAN

323.697.7776 Gary@TaglyanComplex.com

Dear Mr. Henry Chu,

Thank you for taking the time to read my letter and I apologize for the delay. Just a quick introduction about myself, I am born and raised in Hollywood and still live in Hollywood. My wife and I both have an MBA from Woodbury University. Both my parents are Pharmacists who have owned and operated HYE Pharmacy at 5236 Santa Monica Blvd. We have been monumental to the community for the past 35 years providing essential healthcare and support in anyway possible. I have worked there myself during my teens and early 20's after which I started operating the Taglyan Cultural Complex in 2009 where I started my own Catering company. We quickly became an important community member by hosting many of the city and community events and sponsoring many charitable events looking for a venue. We have made tremendous relationships over the years in this community and see this community as our home.

We have been responsible license operators at the Taglyan Complex with no issues and no history of unlawful behavior. We have always provided security and safe environment for our guests and neighbors. We have been active community members. We will continue to be active and good community members as the success of this community means a lot to us. We have been here for 35 years and will be here for another 135 at least. We have joined the Route 66 Bid (business improvement district) in support of the efforts to revitalize the Santa Monica Blvd. The initiative to start the Route 66 BID has been going on for quite some time which gave us the confidence and motivation to undertake such a large project in this neighborhood. While we had always decided and promised to join the BID once we had completed the construction of the building, we were recently persuaded to join immediately if we wanted a favorable recommendation from the neighborhood council on our CUP hearing. I was confused as to why the BID membership would matter for a Neighborhood Council meeting, but I was told this is the best way to move forward and our only choice if we wanted a letter of support. While the Neighborhood council was favorable and supportive of the Restaurant they decided they wouldn't be able to give the support letter without the support of the LAPD. I thought the point was to get multiple viewpoints and different recommendations/feedback from Law enforcement and separate from the Neighborhood Council which is a community led organization. Essentially the LAPD, Neighborhood council and the BID share the same opinion which defeats their purpose and wastes time and money for the applicant.

GARYTAGLYAN

323.697.7776 Gary@TaglyanComplex.com

A huge amount of investment has been made into the mixed use building and restaurant which are great additions to this area. We have poured our heart and soul into this project, building something beautiful and unique for the community to be proud of and developing an amazing restaurant, cafe and bakery operation our neighbors can enjoy. My other current restaurant is also sitting next to a School. We never had any issues or bothered anyones educational experience at that school. To the contrary, our existence next to them has helped tremendously with added parking for school events and parent gatherings, we have helped with donated lunch and baked goods from time to time. We have also helped each other with clean up efforts and security of the immediate area.

our restaurant
side name

However, we have heard the comments from LAPD and our neighbors, primarily the School next-door who shared some valid concerns and some not so much. From the valid concerns most of them had already been addressed from our end and were already in the works. These include:

1. Green construction fence from Virginia side which has been removed and looks great. Fence from Santa Monica side will be removed within a week or so.
2. Shower at rooftop pool is covered and was going to be covered according to plans before it became operational.
3. Transformer area was cleaned and will be properly maintained even though this is not our property. We have also added lighting to deter any individuals hanging out there at night.
4. There was a concern over a 3rd party overnight security personnel who smoked cigarettes and threw them on the ground which we have already resolved.

The Principal of the school, Dr Yun, was able to tour the building in detail and was quite impressed. She also mentioned that she felt at much more ease. We also discussed the possibility of few trees on the west side of there property that would grow to cover our building and the view as they preferred. During the tour it was also shown that there is absolutely no visibility to the school from the restaurant with no windows or seating on that side of our restaurant.

we's
planters

We have also showed and explained that our full property actually consists of two structures which are separate from each other with a disconnect and a

GARYTAGLYAN

323.697.7776 Gary@TaglyanComplex.com

keyed entrance in between. No one from the restaurant can access the Virginia side of the building where the schools main gates are. No one but the 14 tenants can access anything from the Virginia side. There is also no parking lot access from the Virginia side to not interfere with the school. The distance from school entrance to the restaurant entrance is almost 3 blocks (maybe 500 feet) considering Virginia to the east, Kingsley south, Santa Monica west. It would be really silly to assume that no restaurant can be built on any kids walking path to school.

26-53 + part

As far as the transformers existence, which is not such a valid concerns and essentially irrelevant for this hearing, we have spoken to the responsible person at LAUSD handling these issues and who was heavily involved while resolving the situation years ago. We were told that the school staff is not authorized and should no be bringing up this issue at all as it was resolved years ago between DWP and LAUSD. Both properties are benefiting from those transformers. The only difference is we had to pay the total cost of moving the equipment, about \$500,000, since the older misplaced power poles were on our property and stalling our construction.

In conclusion, our addition to this neighborhood is a net positive. Our existence will deter any security concerns as we will have an active property with security personnel to monitor the surroundings. The fact that the building will be operating will activate the area making it more bright and safer for any individual walking on Santa Monica Blvd. We will be a safe zone compared to any other property. We are always open to discussing any concerns with our neighbors and have since started a great relationship with the School. We apologize we may not be perfect but our efforts are always honest and sincere. We will always strive to do our absolute best in anything we do and will always continue to be a valued member of this community.

Thank you for your time and effort.

Kindest Regards,


Gary Taglyan



THE GRAPEVINE

Starters

Cucumber Yogurt Dip 7

Fresh Cucumbers and Mint tossed in a yogurt dressing and Pita Bread

Hummos 8

Garbanzo Bean Dip with Tahini sauce served with Pita bread

Moutabal Dip 8

Grilled Eggplant served in a Tahini Dressing and Pita Bread

Beet Hummos 9

Whipped Beets with Tahini served with Pita Bread

Grilled Mixed Vegetable Dip 9

Grilled heirloom tomatoes, eggplants and bell pepper, cooked with chili paste, spiced herbs & extra virgin olive oil

Falafel 10

Lemon Tahini, Pickled Turnip, bed of Cabbage and Pita Bread

Eggplant Involtini 10

Grilled eggplants wrapped with a ricotta, herb, and walnut filling, topped with pomegranate

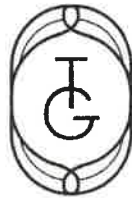
Tuna Tartar 16

Tuna tartar with Wasabi Soy served with Wonton chips, topped with avocado and Brazilian mango

All of our menu items are purchased from local sustainable sources. Menu items are subject to change based on season and availability.

Menu Creations by The Grapevine

Exh 4



THE GRAPEVINE

Mains

Chicken Pesto Panini 18

Grilled Chicken Breast served with Provolone Cheese, Avocado and Sundried Tomatoes on Special Homemade Pesto Aioli. Sides of Cilantro Parmesan Fries and House Salad

Spicy Chicken Sandwich with Spicy Aioli 18

Grilled Chicken Breast served with Havarti Cheese, Red Onion and Spicy Aioli. Sides of Cilantro Parmesan Fries and House Salad

Eggplant Brie Sandwich 18

Grilled Eggplant, Roasted Bell Peppers, Brie Cheese drizzled with Pesto

Falafel Plate 20

Herb Falafel served with Lemon Tahini, Tomatoes, Bed of Greens and Turnip Pickles

Chicken Kebab Plate 22

Choice of Chicken Breast or Thigh cooked on Charcoal BBQ with Easy Roasted Cipollini Onions & Tomatoes, Basmati Rice with Pine Nuts & Cranberries, and Garlic Tarragon Aioli

Prime Steak Sandwich 22

Prime Skirt Steak served with Gruyère Cheese, Red Onions, Arugula and Garlic Aioli Dressing. Sides of Truffle Fries

Prime Beef Luleh Kebab Plate 26

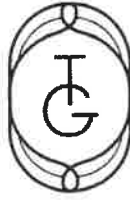
Ground Prime Fillet served with Basmati Rice with Pine Nuts & Cranberries, Easy Roasted Tomatoes, Mixed Onion Parsley, Grilled Pepper Salad, Homemade Hummos and Lavash Bread

Grilled Shrimp Kebab 28

Marinated Grilled Shrimp Served on Skewers with Pineapple Rum Sauce. Sides of Saffron Rice and Chard Broccolini

All of our menu items are purchased from local sustainable sources. Menu items are subject to change based on season and availability.

Menu Creations by The Grapevine



THE GRAPEVINE

Grilled Wild Scottish Salmon 32

Served with Rosemary Roasted Mini Potatoes, Asparagus, Baby Carrots and Burre Blanc Sauce

BBQ Prime Beef Kebab Plate 36

Served with Basmati Rice with Pine Nuts & Cranberries, Marinated Roasted Asparagus & Tomatoes, Grilled Mixed Vegetable Salad and Lavash Bread

Grilled New Zealand Lamb Chops 36

Served with Rosemary Roasted Mini Potatoes, Grilled Mushrooms, Tomatoes and Onions, Rosemary Pesto

Wild Mediterranean Branzino 36

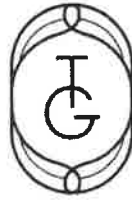
Served with Stuffed Eggplant and Garlic Tahini Sauce

Prime Fillet Mignon 40

Served with Rosemary Roasted Mini Potatoes, Marinated Roasted Asparagus, Chard Broccolini, Bone Marrow Reduction Sauce

All of our menu items are purchased from local sustainable sources. Menu items are subject to change based on season and availability.

Menu Creations by The Grapevine



THE GRAPEVINE

Sides

French Fries 7

Marinated Roasted Bell Peppers 8

Marinated Roasted Tomatoes 8

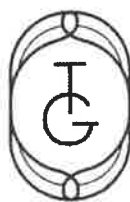
Rosemary Roasted Mini Potatoes 8

Basmati Rice with Toasted Pine Nuts, Almonds, and Cranberries 8

Marinated Roasted Asparagus 8

All of our menu items are purchased from local sustainable sources. Menu items are subject to change based on season and availability.

Menu Creations by The Grapevine



THE GRAPEVINE

Signature Salads & Bowls

Caprese Salad 14

Tear drop melody Tomatoes, Olives, fresh Mozzarella cheeses, drizzled with Basil Oil

Beet Salad 14

Golden and Candy Cane Beets served with a Cilantro Vinaigrette dressing topped with Sour Apple and Caramelized Walnuts.

Grapevine Avocado Salad 14

Marinated Avocados with Tear Drop Tomatoes, Thompson Green and Red Grapes and a herbed Extra Virgin Olive Oil drizzle

Quinoa Salad 14

Red and White Quinoa, red bell pepper, yellow bell pepper, Persian cucumber, Parsley, Extra Virgin Olive Oil with Mediterranean spices, topped with Feta cheese and Pomegranate

Falafel Hummos Bowl 17

Housemade Hummos with Herb Falafel, Tomato, Red Onion, Cucumber, Pita Za'atar, Chopped Romaine and Tarragon

Wood Fired Chicken and Cous-Cous 18

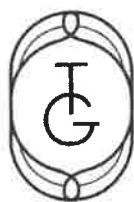
Whole wheat couscous topped with wood fired Chicken breast, cucumber, steamed, broccoli, cherry tomatoes, grilled onions, crumbled Feta, and seasoned olive oil

Chicken Curry Cauliflower 18

Roasted Chicken thighs, curry roasted cauliflower, shredded cabbage, cilantro, pepperoncini, quinoa, and organic arugula, dressing with cucumber tahini yogurt dressing

All of our menu items are purchased from local sustainable sources. Menu items are subject to change based on season and availability.

Menu Creations by The Grapevine



THE GRAPEVINE

Green Salads

Baby Mixed Green Salad 14

Mixed Baby Greens, Sliced Apples, Caramelized Walnuts and Lemon Vinaigrette

Tabouleh 16

Parsley, tomato and bulgur wheat salad served with a lemon mint dressing

Fatoush Salad 16

Romaine Lettuce and/or Purslane Leaves with Pita Chips, Cucumbers, Tomatoes, Radish dressed in a unique Grapevine dressing

Classic Caesar Salad 16

Made with baby romaine hearts tossed with a Caesar dressing and topped with homemade croutons

Classic Greek Salad 16

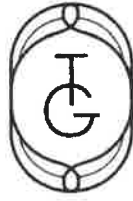
Diced tomatoes, cucumbers, and bell pepper, topped with feta cheese and served with a citrus dressing

Arugula Salad 18

Arugula Salad with Roasted Pear, Gorgonzola cheese, fresh Blueberries, sliced Almonds with a Dijon Vinaigrette

All of our menu items are purchased from local sustainable sources. Menu items are subject to change based on season and availability.

Menu Creations by The Grapevine



THE GRAPEVINE

Sweets

Macarons 2.50

Chocolate, Raspberry, Pistachio, Passion Fruit

Red Velvet, Vanilla Apricot Cheesecake, Blueberry Mascarpone

Yuzu Lemon, Birthday Cake, PB&J, Sea Salt Caramel, Ferraro Rocher

Double Cherry, Coconut, Matcha Green Tea, Irish coffee, Dulce de Leche

Macaron Cake 24

Tiramisu 8

Chocolate Mouse Cake 8

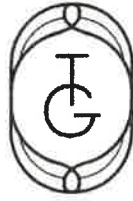
Pistachio Crème Brûlée 8

Fruit Tart 8

Raspberry, Blueberry, Passion Fruit, Blood Orange

All of our menu items are purchased from local sustainable sources. Menu items are subject to change based on season and availability.

Menu Creations by The Grapevine



THE GRAPEVINE

Bakery

Classic Croissant 4.50

Chocolate Croissant 4.50

Sweet Tahini Croissant 4.50

Za'atar Cheese Croissant 4.50

Ham & Cheese Croissant 4.50

Cherry Danish 4.50

Apricot Danish 4.50

Canelé 4.50

Cinnamon Swirl 4.50

Raisin Bun 4.50

All of our menu items are purchased from local sustainable sources. Menu items are subject to change based on season and availability.

Menu Creations by The Grapevine



Jaime Espinoza <jaime.espinoza@lacity.org>

Fw: City planning Case No.: ZA-2021-10704-CUB, for the addresses of 5243-5245 W. Santa Monica Blvd.

Seta Panosian <nanookmyboy@yahoo.com>

Mon, Jun 6, 2022 at 3:11 PM

To: "jaime.espinoza@lacity.org" <jaime.espinoza@lacity.org>, "ehnc@easthollywood.net" <ehnc@easthollywood.net>

Hello Jaime,

Sorry but the below email bounced back to me because I had the wrong email address please see my concerns below.

thank you for your assistance.

Seta Panosian
323-428-4828

----- Forwarded Message -----

From: Seta Panosian <nanookmyboy@yahoo.com>**To:** jaimie.espinoza@lacity.org <jaimie.espinoza@lacity.org>; Annabelle Eubank <37352@lapd.online>; 30129@lapd.online <30129@lapd.online>; 35215@lapd.online <35215@lapd.online>; George Hakopiants <george.hakopiants@lacity.org>**Sent:** Monday, June 6, 2022, 07:00:46 AM PDT**Subject:** City planning Case No.: ZA-2021-10704-CUB, for the addresses of 5243-5245 W. Santa Monica Blvd.

Good Morning,

I am writing in regard to city planning Case No.: ZA-2021-10704-CUB, for the addresses of 5243-5245 W. Santa Monica Blvd.

The applicant has put in a request for a Conditional Use Beverage permit to 1) allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption within a proposed banquet hall, bar and restaurant seating 376 patrons, with live entertainment and outdoor patio dining and drinking, and the hours of 6 a.m. to 2 a.m. daily; and 2) sell beer and wine for off-site consumption.

I am an immediately adjacent neighbor to the proposed project. My family has lived in the same house at Hobart Blvd. and Virginia Ave. for over 50 years, and we STRONGLY OPPOSE the applicant's request to sell liquor and have live entertainment in a bar, restaurant and banquet hall on the first floor of his new building, as well as to also sell beer and wine for off-site consumption. This is a quiet residential area located right next to an elementary school, and what the applicant is proposing is completely out of scale and inappropriate for this neighborhood.

When this project was originally presented to the neighborhood council (which almost unanimously opposed the development), we were told that any commercial use would be strictly limited to medical offices. No one said anything about a banquet hall, bar, and brewery, or that there would be live entertainment and outdoor dining and drinking, especially from 6 a.m. to 2 a.m. Such uses belong with the nightclubs on Hollywood Blvd., not in a residential neighborhood with hundreds of children walking to and from school.

The owner of this property has shown complete disregard for the people who live here. He has never cleaned the graffiti off of his property, before or during construction, and his project -- which has dragged on for over 10 years -- has been a constant nightmare of noise and dust and from the attached photo looks like some sewage spill right next to the big electrical panel. Please do not compound his arrogance and irresponsibility by awarding the generous alcohol requests.

Thank you for your assistance.

Seta Panosian
323-428-4828



Henry Chu <henry.chu@lacity.org>

5245 Santa Monica CUB request

2 messages

HSDNC PLUM Committee <plum@hsdnc.org>

Wed, Jun 22, 2022 at 10:17 PM

To: jaime.espinoza@lacity.org

Cc: henry.chu@lacity.org, 37352@lapd.online

This correspondence is in regards to case number ZA-2021-10704-CUB, for the sale of alcoholic beverages at 5245 Santa Monica Blvd.

A public hearing on this matter was held on June 7, at which the applicant stated that neighborhood complaints regarding graffiti, trash and vagrants on the site would be properly addressed and cleaned up.

Please note that nothing has been done to correct these problems. The perimeter fencing that has for the past 10 years been covered with graffiti remains covered in (more) graffiti. The adjacent power station in front of Kingsley Elementary School owned by the applicant remains covered in weeds and trash, and was covered in graffiti until I (again) cleaned it up. And vagrants continue to use the site to hang out.



Put simply, the applicant is consistently dismissive of such complaints and has proven himself to be incapable of assuming responsibility for the maintenance of his property.

Please DENY the CUB requests until this applicant shows a commitment to being a responsible neighbor. At this point, we don't even know who the operator would be.

Thank you,

Doug Haines

Jaime Espinoza <jaime.espinoza@lacity.org>
To: HSDNC PLUM Committee <plum@hsdnc.org>
Cc: Henry Chu <henry.chu@lacity.org>, Annabelle Eubank <37352@lapd.online>

Thu, Jun 23, 2022 at 8:58 AM

Received, thank you.

Jaime Espinoza Pérez
Los Angeles City Planning
[Quoted text hidden]



Henry Chu <henry.chu@lacity.org>

Public comment in support of ZA-2021-10704-CUB 5245 West Santa Monica Boulevard

1 message

Trevor Alixopulos <trevor.alixopulos@gmail.com>
To: henry.chu@lacity.org

Wed, Jun 8, 2022 at 10:22 AM

Dear Mr. Chu,

As one of the residents near this development and one who gave comment in the hearing yesterday, I felt compelled to write a brief message after listening to the opponents speak.

Something was nagging at me that I couldn't put into words until after, and it was this. There are restaurants all along Santa Monica/Sunset Blvds, restaurants in Silver Lake, Echo Park, etc. Why not here?

It's very patronizing to the residents here in Little Armenia, that we are these children who can't handle a new restaurant.

The LAPD officer said this neighborhood had a lot of issues, as justification for opposing the business. I can't see how maintaining blight helps any of our issues. It seems to me that the opponents don't like the new apartments surrounding the restaurant, and since they can't stop that development, are opposing this instead.

Thank you for your time and diligence in serving the city,

Trevor Alixopulos
5216 1/2 Lexington Ave
Los Angeles, CA 90029
7078439807



Henry Chu <henry.chu@lacity.org>

RE: ZA 2021-10704-CUB / Fw: East Hollywood NC PLUM Cmte Agenda - 6/6/2022

4 messages

Lee Rabun <clr1985lee@yahoo.com>

Tue, Jun 7, 2022 at 7:59 AM

Reply-To: Lee Rabun <clr1985lee@yahoo.com>

To: "henry.chu@lacity.org" <henry.chu@lacity.org>, Sophia Kim <sophia.kim@lacity.org>

Cc: Stephanie Park <stephaniepark@easthollywood.net>, Gary Taglyan <gary@taglyancomplex.com>, Alejandro Pineda <39942@lapd.online>

Hello Mr. Cu and Sophia:

We appeared before the EHNC PLUM Committee last evening, receiving their recommendation to the full Board of conditional support. The following email from Stephanie Park, PLUM Chair, is an accurate recap of the Committee's position, which the applicant accepts. I look forward to our virtual hearing at 10:30 this morning.

Respectfully;

Lee Rabun, President & Chief Consultant

CLR ENTERPRISES, INC.

420 S. San Pedro St., Ste. 225

Los Angeles, CA 90013

Ph.(213) 229-4300

Cell: 213-718-0512

----- Forwarded Message -----

From: Stephanie Park <stephaniepark@easthollywood.net>**To:** Lee Rabun <clr1985lee@yahoo.com>; Gary Taglyan <gary@taglyancomplex.com>; Seta Panosian <nanookmyboy@yahoo.com>**Cc:** "plum@easthollywood.net" <plum@easthollywood.net>**Sent:** Monday, June 6, 2022 at 08:47:18 PM PDT**Subject:** Fwd: East Hollywood NC PLUM Cmte Agenda - 6/6/2022

Good evening,

Please see below for the official motion made at tonight's EHNC PLUM meeting - this will be taken up for consideration at the EHNC Governing Board mtng on Monday 6/20. It is highly advised that applicants and any community members who wish to comment attend the meeting in case there are questions from the board. Applicants are requested to please provide documentation of the following as soon as possible so it can be provided to governing board members.

~~~~~

Discussion and possible action: Motion to conditionally support the application for conditional use permit to allow sale of alcoholic beverages at [5245 Santa Monica Ave](#), contingent upon the following:

1. Documented support from LAPD for the project provided to EHNC prior to consideration of the item
2. Revision of license from Type 75 (Brewpub-Restaurant) to Type 47 (On-Sale General - Eating Place)
3. Revision of potential operating hours from 6am-2am to 10am-2am
4. Removal of onsite entertainment and banquet hall as potential uses

Thanks!

**Lee Rabun** <clr1985lee@yahoo.com>

Tue, Jun 7, 2022 at 8:11 AM

Reply-To: Lee Rabun &lt;clr1985lee@yahoo.com&gt;

To: "henry.chu@lacity.org" &lt;henry.chu@lacity.org&gt;, Jaime Espinoza &lt;jaime.espinoza@lacity.org&gt;

Cc: Stephanie Park &lt;stephaniepark@easthollywood.net&gt;, Gary Taglyan &lt;gary@taglyancomplex.com&gt;, Alejandro Pineda &lt;39942@lapd.online&gt;

Dear Jaime:

I sent this earlier this morning to Sophia Kim (I got my Planners confused). Sorry about this.

VTY;

Lee Rabun, President &amp; Chief Consultant

CLR ENTERPRISES, INC.

420 S. San Pedro St., Ste. 225

Los Angeles, CA 90013

Ph.(213) 229-4300

[Quoted text hidden]

**Sophia Kim** <sophia.kim@lacity.org>

Tue, Jun 7, 2022 at 8:20 AM

To: Lee Rabun &lt;clr1985lee@yahoo.com&gt;

Cc: "henry.chu@lacity.org" &lt;henry.chu@lacity.org&gt;, Stephanie Park &lt;stephaniepark@easthollywood.net&gt;, Gary Taglyan &lt;gary@taglyancomplex.com&gt;, Alejandro Pineda &lt;39942@lapd.online&gt;, Jaime Espinoza &lt;jaime.espinoza@lacity.org&gt;

Hi Lee,

This is Jaime Espinoza's case. I copied him on this email.

[Quoted text hidden]

--

LOS ANGELES  
CITY PLANNING**Sophia Kim**

Pronouns: She, Her

City Planning Associate

**Los Angeles City Planning**

200 N. Spring St., Room 763

Los Angeles, CA 90012

T: (213) 978-1208 | Planning4LA.org

**Jaime Espinoza** <jaime.espinoza@lacity.org>

Tue, Jun 7, 2022 at 8:22 AM

To: Sophia Kim &lt;sophia.kim@lacity.org&gt;

Cc: Lee Rabun &lt;clr1985lee@yahoo.com&gt;, "henry.chu@lacity.org" &lt;henry.chu@lacity.org&gt;, Stephanie Park &lt;stephaniepark@easthollywood.net&gt;, Gary Taglyan &lt;gary@taglyancomplex.com&gt;, Alejandro Pineda &lt;39942@lapd.online&gt;

Received, thank you.

LOS ANGELES  
CITY PLANNING**Jaime Espinoza Pérez***he, him, they - hablo español*

City Planning Associate

**Los Angeles City Planning**

7/7/22, 9:07 AM

City of Los Angeles Mail - RE: ZA 2021-10704-CUB / Fw: East Hollywood NC PLUM Cmte Agenda - 6/6/2022

200 N. Spring St., Room 763

Los Angeles, CA 90012

T: (213) 978-1357 | Planning4LA.org



[Quoted text hidden]



Henry Chu &lt;henry.chu@lacity.org&gt;

**Fw: ZA 2021-10826-CUB; Brad Folb at 6464 Sunset Blvd., # 120/120A**

3 messages

Lee Rabun &lt;clr1985lee@yahoo.com&gt;

Tue, Jun 7, 2022 at 8:56 AM

Reply-To: Lee Rabun &lt;clr1985lee@yahoo.com&gt;

To: "henry.chu@lacity.org" &lt;henry.chu@lacity.org&gt;, Jaime Espinoza &lt;jaime.espinoza@lacity.org&gt;

Gentlemen:

Wanted to make sure that you have received the letter of Non-Opposition from LAPD-Hollywood Station.

VTY;

Lee Rabun, President &amp; Chief Consultant

CLR ENTERPRISES, INC.

420 S. San Pedro St., Ste. 225

Los Angeles, CA 90013

Ph.(213) 229-4300

Fx.(213) 229-8933

----- Forwarded Message -----

**From:** Alejandro Pineda <39942@lapd.online>**To:** Lee Rabun <clr1985lee@yahoo.com>**Sent:** Thursday, May 19, 2022 at 12:50:45 PM PDT**Subject:** Re: ZA 2021-10826-CUB; Brad Folb at 6464 Sunset Blvd., # 120/120A

Hi Lee,

Please find the non opposition letter for 6464 Sunset Blvd. Please let me know if you have any questions.

Thank you

**Alejandro Pineda**  
**Hollywood Vice, ABC Coordinator**  
**Los Angeles Police Department**  
**Office: 213.972.2996**

**From:** Lee Rabun <clr1985lee@yahoo.com>**Sent:** Friday, May 13, 2022 7:25 AM**To:** sofia.kim@lacity.org <sofia.kim@lacity.org>**Cc:** Alejandro Pineda <39942@lapd.online>; Alex Massachi <alex@mcapus.com>; Brad Folb <brad@hollywoodoffices.com>**Subject:** Fw: ZA 2021-10826-CUB; Brad Folb at 6464 Sunset Blvd., # 120/120A

**ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.**



Good morning Sofia:

Please see the following email from Off. Pineda, LAPD-Hollywood Station.

Regards;

Lee Rabun, President & Chief Consultant

CLR ENTERPRISES, INC.

420 S. San Pedro St., Ste. 225

Los Angeles, CA 90013

Ph.(213) 229-4300

Fx.(213) 229-8933

----- Forwarded Message -----

**From:** Alejandro Pineda <39942@lapd.online>

**To:** Lee Rabun <clr1985lee@yahoo.com>

**Cc:** Craig Bullock <craig.bullock@lacity.org>; Brad Folb <brad@hollywoodoffices.com>

**Sent:** Friday, May 6, 2022, 07:27:18 AM PDT

**Subject:** Re: ZA 2021-10826-CUB; Brad Folb at 6464 Sunset Blvd., # 120/120A

Hi Lee,

Thank you for the information. You have our support on this. Please let me know if you need anything else on my end.

Thank you.

**Alejandro Pineda**  
**Hollywood Vice, ABC Coordinator**  
**Los Angeles Police Department**  
**Office: 213.972.2996**

---

**From:** Lee Rabun <clr1985lee@yahoo.com>

**Sent:** Thursday, May 5, 2022 11:33 AM

**To:** Alejandro Pineda <39942@lapd.online>

**Cc:** Craig Bullock <craig.bullock@lacity.org>; Brad Folb <brad@hollywoodoffices.com>

**Subject:** ZA 2021-10826-CUB; Brad Folb at 6464 Sunset Blvd., # 120/120A

**ATTENTION:** This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Officer Pineda:

I am forwarding a Hearing Notice for a CUB case set for June 7th. This case involves the outdoor and indoor expansion of a permitted CUB location. The intent of this application is to have the flexibility to expand seating occasionally. The premises is a restaurant situated on the Sunset Blvd. frontage of the 6464 Sunset building, and a Premier Theatre located in the buildings lobby, on the first floor.

Mr. Folb and I are available to respond to questions, to meet with you, or show the property to you if you need to see it. Please let us know if we can provide any information at all, as we are requesting the Departments support of this CUB



7/7/22, 9:08 AM

City of Los Angeles Mail - Fw: ZA 2021-10826-CUB; Brad Folb at 6464 Sunset Blvd., # 120/120A

application.

Sincerely Yours;

Lee Rabun, President & Chief Consultant

CLR ENTERPRISES, INC.

420 S. San Pedro St., Ste. 225

Los Angeles, CA 90013

Ph.(213) 229-4300

Cell: 213-718-0512

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 **6464 sunset.pdf**  
55K

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**Jaime Espinoza** <jaime.espinoza@lacity.org>  
To: Lee Rabun <clr1985lee@yahoo.com>  
Cc: "henry.chu@lacity.org" <henry.chu@lacity.org>

Tue, Jun 7, 2022 at 8:58 AM

Received, thank you.



**Jaime Espinoza Pérez**  
*he, him, they - hablo español*  
City Planning Associate  
**Los Angeles City Planning**  
200 N. Spring St., Room 763  
Los Angeles, CA 90012  
T: (213) 978-1357 | Planning4LA.org



[Quoted text hidden]

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**Henry Chu** <henry.chu@lacity.org>  
To: Craig Bullock <craig.bullock@lacity.org>

Tue, Jun 7, 2022 at 9:47 AM


[Quoted text hidden]



**HENRY CHU**  
Associate Zoning Administrator  
**Los Angeles City Planning**  
**Expedited Processing Section**  
200 N. Spring St., Room 763  
Los Angeles, CA 90012  
Planning4LA.org  
T: (213) 978-1225 | Fax: (213) 978-1343



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 **6464 sunset.pdf**  
55K



Henry Chu &lt;henry.chu@lacity.org&gt;

**ZA-2021-10826-CUB / 6464 W. Sunset Blvd., #120/#120A**

2 messages

**Craig Bullock** <craig.bullock@lacity.org>

Wed, Jun 8, 2022 at 10:50 AM

To: Henry Chu &lt;henry.chu@lacity.org&gt;

Cc: Lee R &lt;clr1985lee@yahoo.com&gt;, Alejandro Pineda &lt;39942@lapd.online&gt;, Brad@hollywoodoffices.com, Ansis Hoheisel &lt;ansis.hoheisel@lacity.org&gt;

Good morning!

I hope you are well.

In addition to statements made at yesterday's hearing, I have reviewed the Letter of Non-Opposition by the Los Angeles Police Department (LAPD) regarding [6464 W. Sunset Blvd., #120/#120A](#) (ZA-2021-10826-CUB) and don't have any concerns beyond those expressed by the LAPD.

Also, I would like to clarify that the LAPD Letter of Non-Opposition was provided to Council District #13 prior to yesterday's hearing, as stated by the applicant. I was unable to access the letter on the saved drive as I was working remotely. I apologize for the inconvenience.

Thank you for your consideration.

Craig

--

**CRAIG BULLOCK**

Planning Director

Office of Councilmember Mitch O'Farrell, 13th District

[200 N. Spring Street Rm 480 Los Angeles, CA 90012](#)[\(213\) 473-7013](#) | [craig.bullock@lacity.org](mailto:craig.bullock@lacity.org)

**\*\*\*PLEASE NOTE:** E-mail correspondence with the office of Councilmember Mitch O'Farrell (including any attachments) may be subject to public disclosure under the California Public Records Act.\*\*\*

**Lee Rabun** <clr1985lee@yahoo.com>

Wed, Jun 8, 2022 at 11:07 AM

Reply-To: Lee Rabun &lt;clr1985lee@yahoo.com&gt;

To: Henry Chu &lt;henry.chu@lacity.org&gt;, Craig Bullock &lt;craig.bullock@lacity.org&gt;

Cc: Alejandro Pineda &lt;39942@lapd.online&gt;, "brad@hollywoodoffices.com" &lt;brad@hollywoodoffices.com&gt;, Ansis Hoheisel &lt;ansis.hoheisel@lacity.org&gt;

Thank you Craig.

Lee Rabun, President &amp; Chief Consultant

CLR ENTERPRISES, INC.

[420 S. San Pedro St., Ste. 225](#)[Los Angeles, CA 90013](#)

7/7/22, 9:08 AM

City of Los Angeles Mail - ZA-2021-10826-CUB / 6464 W. Sunset Blvd., #120/#120A

Ph.(213) 229-4300

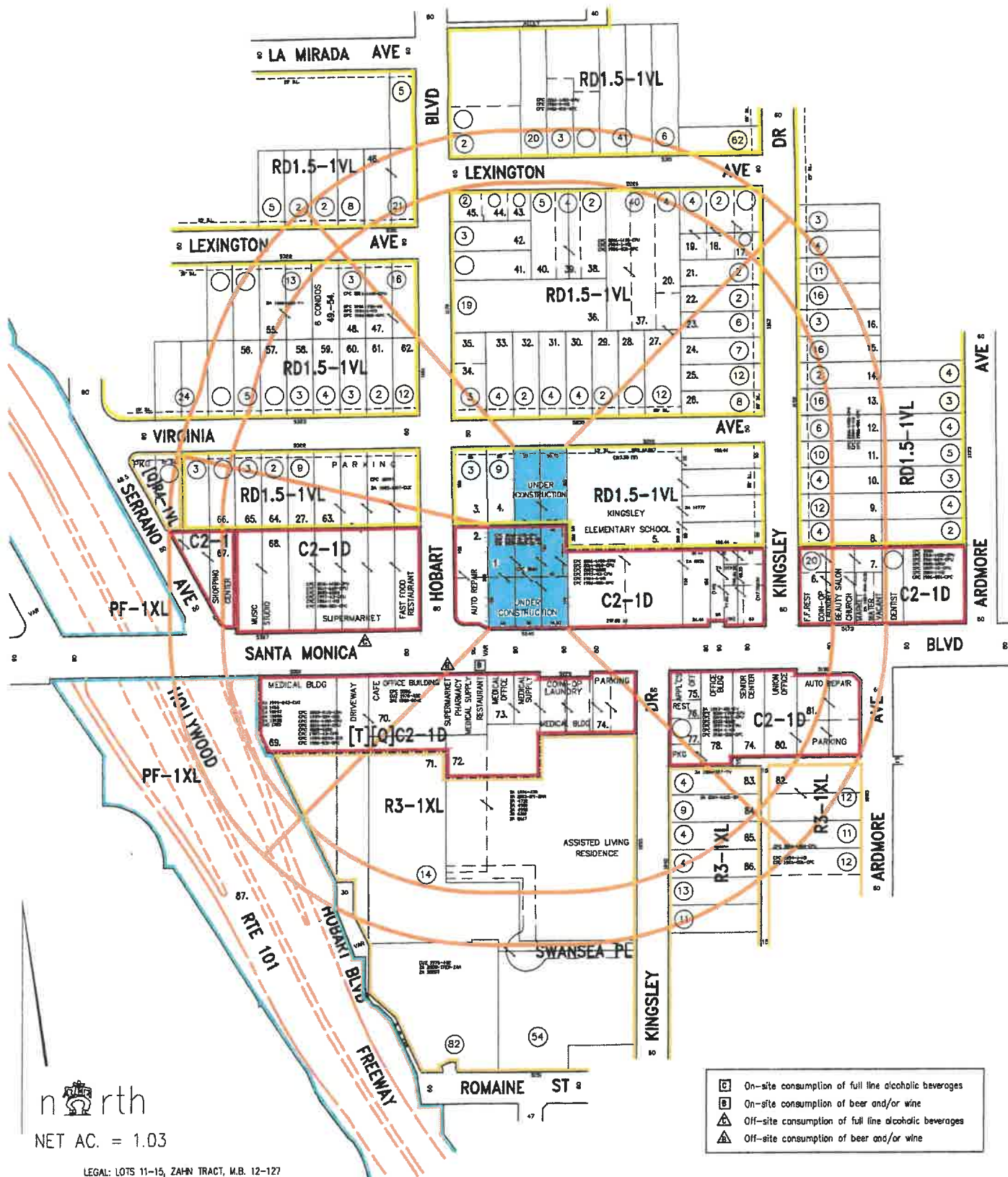
Fx.(213) 229-8933

[Quoted text hidden]









LEGAL: LOTS 11-15, ZAHN TRACT, M.B. 12-127

THOMAS BROS.  
PAGE: 593  
GRID: J/6

C.D. 13  
C.T. 1911.20  
P.A. 070

CADFILE: GRAPEVINE-RAD  
TS 19-3126

## CONDITIONAL USE A.B. ON/OFF SITE

### CLR ENTERPRISES, INC.

420 S. SAN PEDRO ST., SUITE # 225  
LOS ANGELES, CA 90013  
213-229-4300

CASE NO.:

DATE: AUGUST 12, 2021

DRAWN BY: THE TROUBLE SHOOTER  
818-346-4096

D.M. NO.: 144 B 193

SCALE: 1" = 100'

USES: FIELD

CONTACT PERSON: LEE RABUN

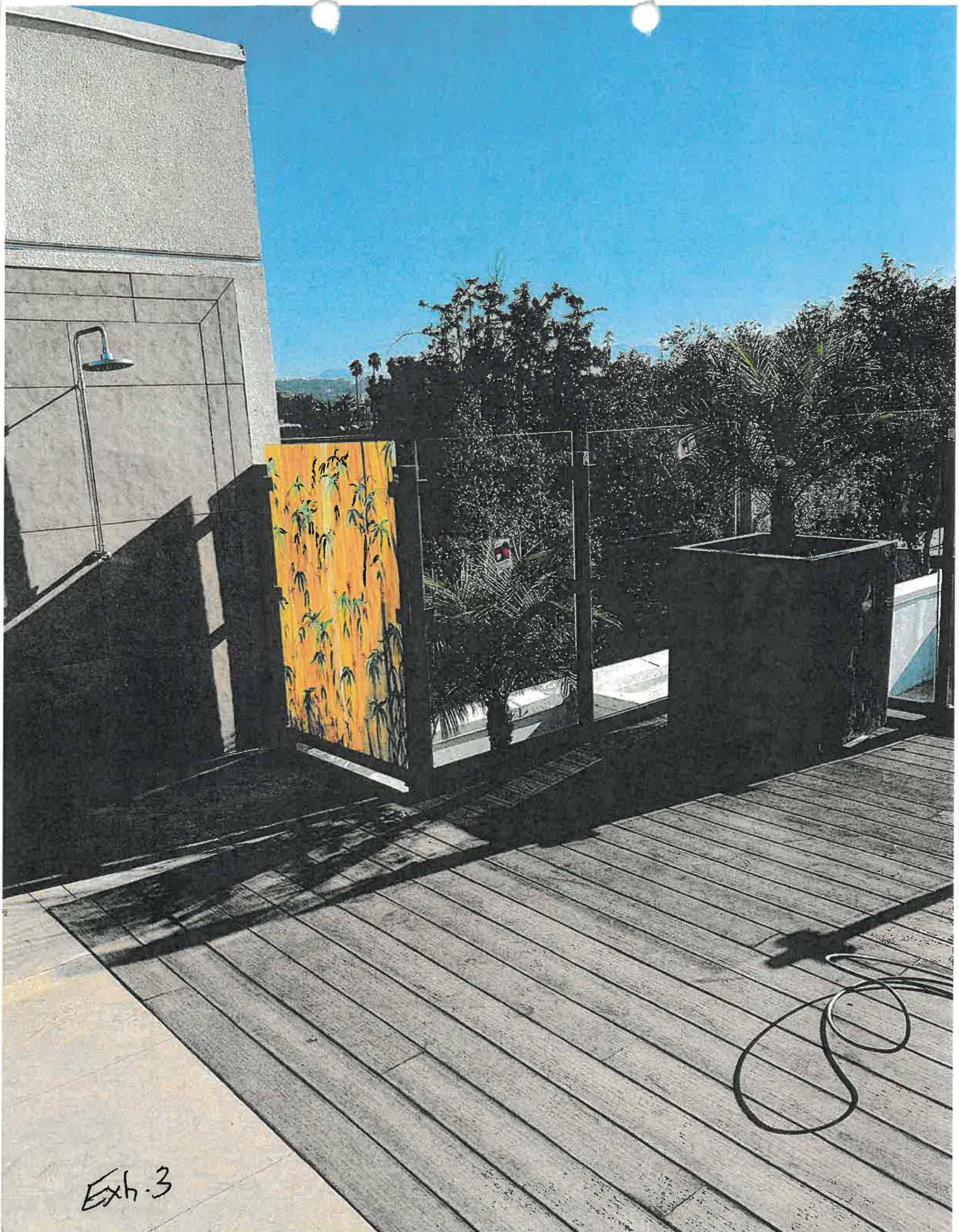
213-229-4300

Exh. 2



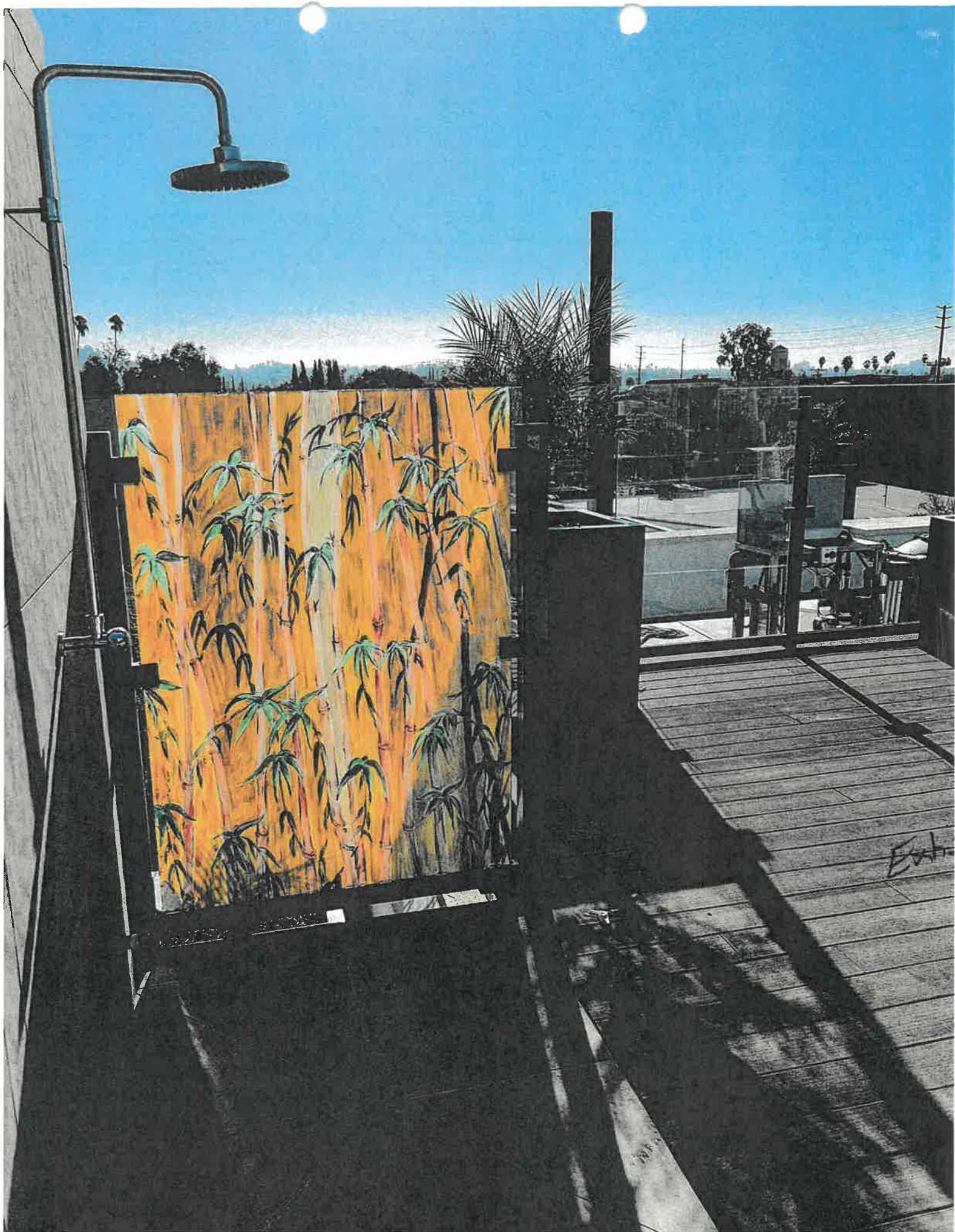






Exh. 3









Los Angeles Unified School District

**Kingsley Elementary School**

5200 Virginia Ave., Los Angeles, CA 90029

Tel. (323) 644-7700 Fax (323) 913-3360

June 2, 2022

Dear City of LA and Jaime Espinoza, City Planning Associate,

*I am unable to make the public hearing because I will be holding an academic awards assembly for my students and families at the same time. I am respectfully asking you to read this letter and share my concerns at the public hearing for all to hear.*

I would like to vocalize my concerns regarding the apartment building complex next door to the school (5243/5245 West Santa Monica Blvd.) which is attempting to acquire a license to allow for the sale and dispensing of a full-line of alcoholic beverages for on-site consumption and beer and wine for off-site consumption in conjunction with a proposed 11,120 square foot restaurant/brewpub/banquet hall with live entertainment that would operate from 6:00 am to 2:00 am daily. According to this description on the notice of public hearing, this would mean the business would/could be operating almost 24 hours a day, seven days a week!

It is absolutely absurd to have a business that sells and allows consumption of liquor right next to our elementary school where our very young children are learning and playing. Our school shares the same property line as the apartment building complex. To have an establishment that sells and allows customers to consume alcohol so close to the school is very disrespectful and out of line! No business should be selling alcohol inches away from an elementary school. And a business operating from 6:00 am to 2:00 am daily is incredibly inconsiderate!

As a principal, I do not want our children to see drunk and disorderly people nearby and/or walking pass the school, people vomiting on our grass in front of/around our school, people passed out on the grass in front of/around our school, people having altercations in front of/around our school, and trash/liquor bottles/containers left on and around our school property and community. It will not be okay for customers to purchase alcoholic beverages and set up a picnic on our grass on our school property. It will not be okay for my staff to have to clean up biohazard and trash left behind from patrons who consume and purchase items from this business establishment.

I am already having issues with their electrical transformer that has been installed on our school property. We have been having transients urinate and defecate on and around the electrical transformer. In addition, the transients leave their trash, alcohol, and dirty clothes and belongings around the transformer. On one incident, a transient living next to the electrical transformer threw a glass beer bottle through the

school property fence, and the glass shattered on our school kickball fence during school hours. The owners provide us with no support even though the electrical transformer belongs to them. Many community members, including LAPD, have reached out to the owners for some support but in return we are given cold shoulders! This is very unneighborly and outright rude. As neighbors, we should be working together to make the community better and safer, especially when there are children involved.

Furthermore, the super-hot sunbeams shine off their apartment windows and onto our students' body as well as our school yard/grass burning the grass. There are outdoor showers and swimming pool on top of the apartment complex where our young students can see, cigarette butts constantly being thrown onto our school property from their workers (we find a pile of it from over the weekend/overnight), balconies that are almost touching our school boundary (Isn't this a LADBS code violation?!), and now they want to add on an establishment that serves liquor. This is outrageous!

This concern not only pertains to the school but to the entire community surrounding this apartment building complex! The parents and community members have already shared their concerns with me and they, too, are troubled by the owner's attempt to acquire a license to sell and consume alcohol on the same block only inches away from the elementary school. I have shared the notice of public hearing to my students' families, and I hope that they are able to attend to also vocalize their discontent regarding this matter. If possible, please have a Spanish translator available should any of my parents and community members are able to show up to the public hearing and share their concerns.

I vehemently urge you to not allow the apartment building complex owners to acquire a license to sell and dispense alcoholic beverages next to an elementary school!! Please keep the children in mind as you continue this process.

Sincerely,



Dr. Yun, Principal

# Petition / Petición

I am not in agreement with the apartment building complex (5243/5245 West Santa Monica Blvd) to get a license for the sale and dispensing of a full-line alcoholic beverages for on-site consumption and beer and wine for off-site consumption in conjunction with a proposed 11,120 square foot restaurant/brewpub/banquet hall with live entertainment that would operate from 6:00 am to 2:00 am daily.

No estoy de acuerdo con el complejo de apartamentos (5243/5245 West Santa Monica Blvd) para obtener una licencia para la venta y dispensación de una línea completa de bebidas alcohólicas para consumo en el lugar y cerveza y vino para consumo fuera del lugar en junto con un restaurante/cervecería/salón de banquetes propuesto de 11,120 pies cuadrados con entretenimiento en vivo que operaría de 6:00 am a 2:00 am todos los días.

[illegible]

## Petition / Petición

I am not in agreement with the apartment building complex (5243/5245 West Santa Monica Blvd) to get a license for the sale and dispensing of a full-line alcoholic beverages for on-site consumption and beer and wine for off-site consumption in conjunction with a proposed 11,120 square foot restaurant/brewpub/banquet hall with live entertainment that would operate from 6:00 am to 2:00 am daily.

No estoy de acuerdo con el complejo de apartamentos (5243/5245 West Santa Monica Blvd) para obtener una licencia para la venta y dispensación de una línea completa de bebidas alcohólicas para consumo en el lugar y cerveza y vino para consumo fuera del lugar en junto con un restaurante/cervecería/salón de banquetes propuesto de 11,120 pies cuadrados con entretenimiento en vivo que operaría de 6:00 am a 2:00 am todos los días.

[illegible]

## Petition / Petición

I am not in agreement with the apartment building complex (5243/5245 West Santa Monica Blvd) to get a license for the sale and dispensing of a full-line alcoholic beverages for on-site consumption and beer and wine for off-site consumption in conjunction with a proposed 11,120 square foot restaurant/brewpub/banquet hall with live entertainment that would operate from 6:00 am to 2:00 am daily.






No estoy de acuerdo con el complejo de apartamentos (5243/5245 West Santa Monica Blvd) para obtener una licencia para la venta y dispensación de una línea completa de bebidas alcohólicas para consumo en el lugar y cerveza y vino para consumo fuera del lugar en junto con un restaurante/cervecería/salón de banquetes propuesto de 11,120 pies cuadrados con entretenimiento en vivo que operaría de 6:00 am a 2:00 am todos los días.

[illegible]

## Petition / Petición

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| First and Last Name | Signature                                                                            |
|---------------------|--------------------------------------------------------------------------------------|
| Arisbeth Hernández  |    |
| Miriam Ruiz         |    |
| Patricia Gutierrez  | Patricia G.                                                                          |
| Gloria Serrano      | gloria                                                                               |
| MARIA ANZE          | Maria Anze                                                                           |
| Lucreci Aceituno    | Lucreci                                                                              |
| Vilma Hernandez     | KeyLA Hernandez                                                                      |
| Elvia Garcia        |                                                                                      |
| Yadira Chiruy       | Yadira (11)                                                                          |
| Raquel Ruiz         | Raquel                                                                               |
| Karla Brenderos     |  |
| Jose Rojas          |   |
| Jessica Morales     |  |
|                     |                                                                                      |
|                     |                                                                                      |



## Petition / Petición

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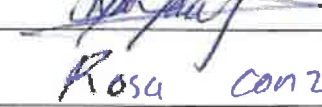



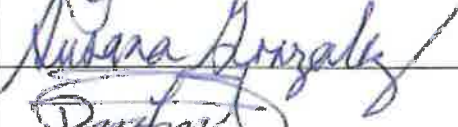






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| First and Last Name   | Signature                                                                            |
|-----------------------|--------------------------------------------------------------------------------------|
| Jhenny Salazar        |    |
| Dalila Lopez          | Dalila Lopez                                                                         |
| Dobres Calatin        |   |
| Cruz ASM              |  |
| Jennifer Cano-Manzano |  |
| Haydee Frias          |  |
| Maria Succuqui        |  |
| Ana Gaspar            |  |
| Maly Pumes            |  |
| Aurora Hernandez      |  |
| JESSICA CASTILLO      |  |
| Delfo Barrios         |  |
| Martha Gálvez         |  |
| Meneses Paula         | Paula Meneses                                                                        |

## Petition / Petición

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| First and Last Name | Signature                                                                            |
|---------------------|--------------------------------------------------------------------------------------|
| Alejandro Miravete  |     |
| Bernardita Mendez   |   |
| Yudith Marroquin    |  |
| Rosa Conzalez       | Rosa Conzalez                                                                        |
| Maria Rodriguez     | Maria Rodriguez                                                                      |
| Ana Isabel Mejia    |   |
| MARGARITA PADILLA   |   |
| Vanessa Sanchez     |  |
| Susana Gonzalez     |  |
| DORIS Lopez         |  |
| Nelson Beloso       |  |
| Marian Rivera       |  |
| Maydali Lopez       |  |
| Eunice Salinas      |   |
| Dora J              |  |



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| First and Last Name | Signature          |
|---------------------|--------------------|
| Mildred Orellana    | Mildred Orellana   |
| Marina Almazan      | Marina Almazan     |
| Susana Morales      | Susana Morales     |
| Jeronica Hernandez  | Jeronica Hernandez |
| Karina Rodriguez    | Karina Rodriguez   |
| Jose Eric Molina    | JEMR               |
| Jamie Aldana        | Jamie Aldana       |
| MariSela Molina     | MariSela Molina    |
| Jenny Benavides     | Jenny Benavides    |
| Antony Henriquez    | Antony Henriquez   |
| CRISTINA TRISTI     | CRISTINA TRISTI    |
| Chris Jackson       | Chris Jackson      |
| Berna moreno        | Berna moreno       |
| ARCHIBALD ANASCO    | Archibald Anasco   |
| Keyry Hueck         | Keyry Hueck        |

## Petition / Petición

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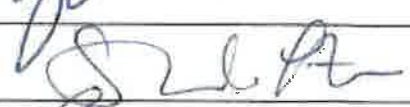




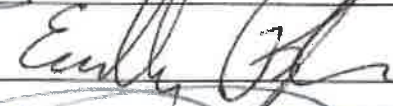



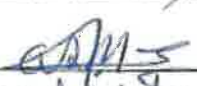



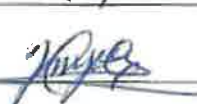
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| First and Last Name | Signature                                                                            |
|---------------------|--------------------------------------------------------------------------------------|
| Nazira Abdulkhairto | Serrano 1496 1/2 90022                                                               |
| Julio Jernandez     |    |
| Pedro Garcia        |   |
| Marisol Arredondo   |  |
| Jairo Maravilla     | Jairo                                                                                |
| Mendi Cubias        | Mendi Cubias                                                                         |
| Yolanda Fabian      |  |
| Gerardo Sanchez     |  |
| Keshwana O White    | Keshwana O White                                                                     |
| Mauricio Ortiz      |  |
| Manya Poghosyan     |  |
| licente Perez       |   |
| Margarita Hernandez | Margarita                                                                            |
| Sandra Giron        |  |
| Manu Navarrote      |  |

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| First and Last Name | Signature                                                                            |
|---------------------|--------------------------------------------------------------------------------------|
| Yakelin Ortega      |    |
| Shondelle Fortune   |    |
| Galvez, Fernando    |   |
| Anna Maschek        |  |
| Denis Spaire        |  |
| Denice Quinarez     |  |
| Eddy Pozuelos       |  |
| Hector Lopez        |  |
| Tiffany Allen       |  |
| Trimmayne Allen     |  |
| Ana S Moreno        |  |
| Cristina Vizcaino   |  |
| Jackeline Cortes    |  |
| Rosa Luna           |  |
| Jacqueline Lino     |  |



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| First and Last Name | Signature                                                                            |
|---------------------|--------------------------------------------------------------------------------------|
| Jaqueline Gomez     |    |
| Cristina Garcia     |     |
| Karla Robles        |   |
| MIRNA Revolorio     |   |
| Hellen Ochoa        |  |
| Juan Ruiz           |  |
| Leticia Meza        |  |
| Maria Rodriguez     |  |
| Lesly Solis         |  |
| Gabriela Gomez      |  |
| JESSICA BERNINO     |  |
| Emerson Martinez    |  |
| Diana Grado         |  |
| Fres IV Rodas       |  |
| Ang Martinez        |  |



Jaime Espinoza &lt;jaime.espinoza@lacity.org&gt;

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## Question about proposed project

---

Anthony M &lt;theanthonyya@gmail.com&gt;

Tue, Jun 7, 2022 at 12:05 PM

To: Jaime Espinoza &lt;jaime.espinoza@lacity.org&gt;

Thanks, I'll attach my comments below. By the way, is there a place where we can listen to today's hearing? Thank you.  
My comment:

Hello, my name is Anthony. I participated in the public hearing today, 6/7, regarding this application request. I would once again like to state my firm disapproval of the request, and would like to urge that the application be denied.

The business representatives did little to respond to numerous individuals' issues with this development. While I am happy to hear that the business is no longer looking to set up a banquet hall or entertainment venue, the daily sale of alcohol in a large location situated immediately next to an elementary school is an issue that I feel they never sufficiently addressed. To make it worse, one representative even rudely dismissed some of our concerns, without addressing others - for example, this business owner insisted that most kids would not even walk past the restaurant entrance, which is absurd and false, and anybody living in the area sees children walking from all directions in order to get to the entrance to the school. He insisted that children do not necessarily have to walk past their portion of Santa Monica in order to get to the school entrance - blatantly ignoring the closest bus stop on Hobart, which would indeed require students to walk right past the building (as they very often do, as somebody who sees them doing so every morning).

In addition, the frustrated concerns of the Kingsley Elementary principal were quickly dismissed as well, despite the school being forced to clean up after the building contractors as well as potential bar patrons. The business representative very rudely mocked her for saying that she felt that she received a cold shoulder from the business owners, saying something to the effect of, "I've been getting the cold shoulder from community members for years, you're not the only one", which I found to be particularly unprofessional, and further proof of the fact that these representatives were not making a good-faith effort to address the concerns of those who live in the area. I think there's nobody who should be heard more than the school principal and staff, and it greatly upset me to hear that so many of the principal's complaints were outright ignored by the representative.

During the hearing, the same representative made an effort to deflect to some callers' concerns about the area's transient issue, and the fact that some of these transients have been caught defecating/peeing near the school. Essentially, the representative argued that it wouldn't be their fault if any of their potential patrons, after drinking at their restaurant until 2AM, were to pee or defecate or vomit near the school (which the school staff would then be forced to clean up), saying that because some homeless people already do that, they wouldn't be creating the problem, and therefore they would not be to blame. I find that to be an absurd response to the issue - even if the business doesn't directly create the issue doesn't mean that they can't contribute to it and make it worse. Again, I found this representative to be extremely rude and dismissive of legitimate grievances, specifically those raised by the school principal. They then argued that the business would have security, would only sell alcohol in-person and not to-go, and, if anything, their presence would actually make the neighborhood safer - empty promises that ignore the central concern of patrons getting drunk within the establishment and leaving - potentially causing problems in an area next to an elementary school, at all hours of the day.

I will wrap my complaint up with this: the fact that, after so many years, the business abruptly chose to drop the idea of a banquet hall and an entertainment venue, thanks to local ordinances and the fact that they are literally right next to an elementary school, speaks volumes to their complete lack of planning or thought put into this establishment. It is absurd, to me, to open a full-bar restaurant mere inches away from an elementary school. It is entirely disrespectful how unwilling the business representatives were to respond to valid complaints against them. And it is clear to me, based on their responses during the public hearing, that their singular concern is their own business interests, at the expense of the community and specifically, the children of the community.

I urge you to deny this application, thank you.

[Quoted text hidden]

To: Jaime Espinoza <jaime.espinoza@lacity.org>

Translation:

Good afternoon, first of all, we want to introduce ourselves, we are the parents of Milagros Talavera, she is an outstanding student, and it is also thanks to her teachers and principal who have motivated her, and we are so grateful to Kingsley Elementary School, which is in an unfortunate situation, since we want to avoid that in the construction with direction,

5243/5245 West Santa Monica Blvd.

that is next to the same school, they intend not only to place a bar where all kinds of alcoholic beverages will be sold with a schedule that goes not only during the day, but almost at dawn, apart from the fact that problems have already arisen, of a person drunk throwing a bottle, in the middle of student work hours,

I know that it is difficult to fight against powerful people, that they care little about education, and that perhaps they will only pay a fine and achieve their goal, that of placing the sale of their vice, we are worried because in reality a building should not have been built so high, but the previous principal never did anything, for trying to impose more on her school.

Today we ask you, with all our rights, that it not be allowed and that the influences of the owners of said construction do not become stronger, we want our children to be good boys and girls, in a world where there are vices, perdition.

We are very proud of Dr. Yun who is our principal by standing up and putting as much interest as possible and not remaining silent.

We demand more education and less vices...

For her attention, thank you but more than anything for our children, may the best be done for them.

We look forward to your visit, the facilities are necessary and urgent.

Our names

Nohemi Perez (323 578 8366)

William Talavera (323 698 3954)



**Jaime Espinoza Pérez**

*he, him, they - hablo español*

City Planning Associate

**Los Angeles City Planning**

200 N. Spring St., Room 763

Los Angeles, CA 90012

T: (213) 978-1357 | [Planning4LA.org](http://Planning4LA.org)



[Quoted text hidden]



~~Jaime Espinoza <jaime.espinoza@lacity.org>~~

## ~~Por nuestros hijos e hijas~~

~~3 messages~~

~~Naomi Perz <aomipn219@gmail.com>  
To: jaime.espinoza@lacity.org~~

~~Wed, Jun 8, 2022 at 10:36 PM~~

~~Buenas tardes antes que nada, nos queremos presentar como los padres de Milagros Talavera, es una alumna destacada, y es también gracias a sus maestros y a la principal los cuales la han motivado, y estamos tan agradecidos con Kingsley Elementary School, la cual se encuentra en una situación lamentable, ya que queremos evitar que en la construcción con dirección,~~

~~5243/5245 West Santa Monica Blvd.  
que esta al lado de la misma escuela, pretenden no solo colocar un bar donde se venderan todo tipo de bebidas alcoholicas con un horario que van no solo por el dia, si no casi al amanecer, aparte de que ya surgieron problemas, de una persona ebria arrojando una botella, en plena hora laboral de los estudiantes,~~

~~Se que es difícil luchar contra personas poderosas, que les importa poco la educación, y que tal vez solo paguen una multa y logren su objetivo, el de colocar la venta de su vicio, estamos preocupados porque en realidad no se debería haber construido un edificio tan alto, pero la principal anterior nunca hizo nada, por tratar de imponer mas a su escuela.~~

~~Hoy le pedimos, con todo nuestro derecho, que no le sea permitido y que no logre ser mas fuertes las influencias de los dueños de dicha construcción, queremos que nuestros hijos sean niños y niñas de bien, en un mundo donde hay vicios, perdición.~~

~~Estamos muy orgullosos de la doctora Yun quien es nuestra principal al hacer frente y poner todo el interés posible y no quedarnos callados.~~

~~Exigimos mas educación y menos vicios...~~

~~Por su atención, gracias pero mas que nada por nuestros hijos, que se haga lo mejor por ellos.~~

~~Esperamos que visite, las instalaciones es necesario y urgente.~~

~~Nuestros nombres  
Nohemi Perez (323 578 8366)  
Guillermo Talavera ( 323 698 3954)~~

~~Jaime Espinoza <jaime.espinoza@lacity.org>  
To: Naomi Perz <aomipn219@gmail.com>~~

~~Thu, Jun 9, 2022 at 9:54 AM~~

~~Recibido. Gracias por sus comentarios.~~



**Jaime Espinoza Pérez**  
*he, him, they - hablo español*  
City Planning Associate  
**Los Angeles City Planning**  
200 N. Spring St., Room 763  
Los Angeles, CA 90012  
T: (213) 978-1357 | Planning4LA.org



[Quoted text hidden]

~~Jaime Espinoza <jaime.espinoza@lacity.org>~~

~~Thu, Jun 9, 2022 at 9:55 AM~~

6/6/22, 4:18 PM

City of Los Angeles M.

Fw: City planning Case No.: ZA-2021-10704-CUB, for

addresses of 5243-5245 W. Santa Monica Blvd.



**5245 Santa Monica Blvd #1.PNG**  
1380K



Thank you and the LAPD for your assistance in our communities.

Armen Makasjian

213 369-0667



**5245 Santa Monica-offsite alcohol5.31.2022.pdf**  
1034K



Jaime Espinoza <jaime.espinoza@lacity.org>

---

**FW: 5245 SANTA MONICA BLVD. - CUB HEARING ON JUNE 7**

1 message

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Annabelle Eubank <37352@lapd.online>  
To: Jaime Espinoza <jaime.espinoza@lacity.org>

Mon, Jun 6, 2022 at 2:36 PM

Good afternoon Mr. Espinoza,

Just wanted to forward this community concern to you regarding ZA-2021-10704-CUB. Thank you.

I will be joining tomorrow's ZA hearing for this matter.

Annabelle P Eubank  
Senior Lead Officer  
Hollywood Division  
213-793-0711

---

**From:** Armen Makasjian <armenmak@yahoo.com>  
**Sent:** Wednesday, June 1, 2022 8:02 AM  
**To:** Yasir Gillani <35215@lapd.online>  
**Cc:** Annabelle Eubank <37352@lapd.online>  
**Subject:** 5245 SANTA MONICA BLVD. - CUB HEARING ON JUNE 7

**ATTENTION:** This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello Captain Gillani,

I am a business owner on Santa Monica Blvd. in East Hollywood. You probably are aware that there is a hearing on June 7 for an application for offsite sales of alcohol at [5245 Santa Monica Blvd.](#) I attached a copy of my comments and photos opposing the application. The reasons are noted in my commentary. The offsite sale of alcohol has contributed to neighborhood blight. Please consider the problems associated with the additional permitting of offsite alcohol sales.



Jaime Espinoza &lt;jaime.espinoza@lacity.org&gt;

---

**City of Los Angeles Public Hearing**

2 messages

**S Pesis** <lmaira@hotmail.com>

Tue, Jun 7, 2022 at 9:10 AM

To: "jaime.espinoza@lacity.org" &lt;jaime.espinoza@lacity.org&gt;

Dear Mr. Espinoza,

I am writing regarding our concern for the liquor license application for the apartment building & bar next to my son's school at [5243/5245 Santa Monica Blvd.](#)

I have to ask, who in their right mind would approve such a license directly next door to a school?! Any school.

I understand from school staff that this is already a problem with vagrants (alcohol, trash, human waste, etc.). An on-site in a banquet hall is one thing, but we are **strongly opposed** to granting a license for offsite sales. Especially for an application for 20 hours per day.

As concerned parents, please register our opposition to this proposal.

Thank you,

Stacy and Patty Pesis

---

**Jaime Espinoza** <jaime.espinoza@lacity.org>

Tue, Jun 7, 2022 at 9:14 AM

To: S Pesis &lt;lmaira@hotmail.com&gt;

Bcc: Henry Chu &lt;henry.chu@lacity.org&gt;

Received, thank you.

**Jaime Espinoza Pérez***he, him, they - hablo español*

City Planning Associate

**Los Angeles City Planning**

200 N. Spring St., Room 763

Los Angeles, CA 90012

T: (213) 978-1357 | [Planning4LA.org](http://Planning4LA.org)

[Quoted text hidden]

6/6/22, 4:18 PM

City of Los Angeles Mail - 5245 Santa Monica Blvd - JB request

Received, thank you.



LOS ANGELES  
CITY PLANNING

**Jaime Espinoza Pérez**

*he, him, they - hablo español*

City Planning Associate

**Los Angeles City Planning**

200 N. Spring St., Room 763

Los Angeles, CA 90012

T: (213) 978-1357 | [Planning4LA.org](http://Planning4LA.org)



[Quoted text hidden]

**Jaime Espinoza** <jaime.espinoza@lacity.org>

---

**5245 Santa Monica CUB request**

2 messages

**HSDNC PLUM Committee** <plum@hsdnc.org>

Mon, Jun 6, 2022 at 3:29 PM

To: jaime.espinoza@lacity.org

Please provide the attached photos to the zoning administrator regarding case number ZA-2021-10704-CUB, for the sale of alcoholic beverages at [5245 Santa Monica Blvd.](#)

The photos illustrate the decrepit conditions that the applicant has allowed the site to look like for the past 10 years, both on Santa Monica Blvd., and on Virginia Ave., which faces both residential homes and Kingsley Elementary School.

Thank you,

Doug Haines

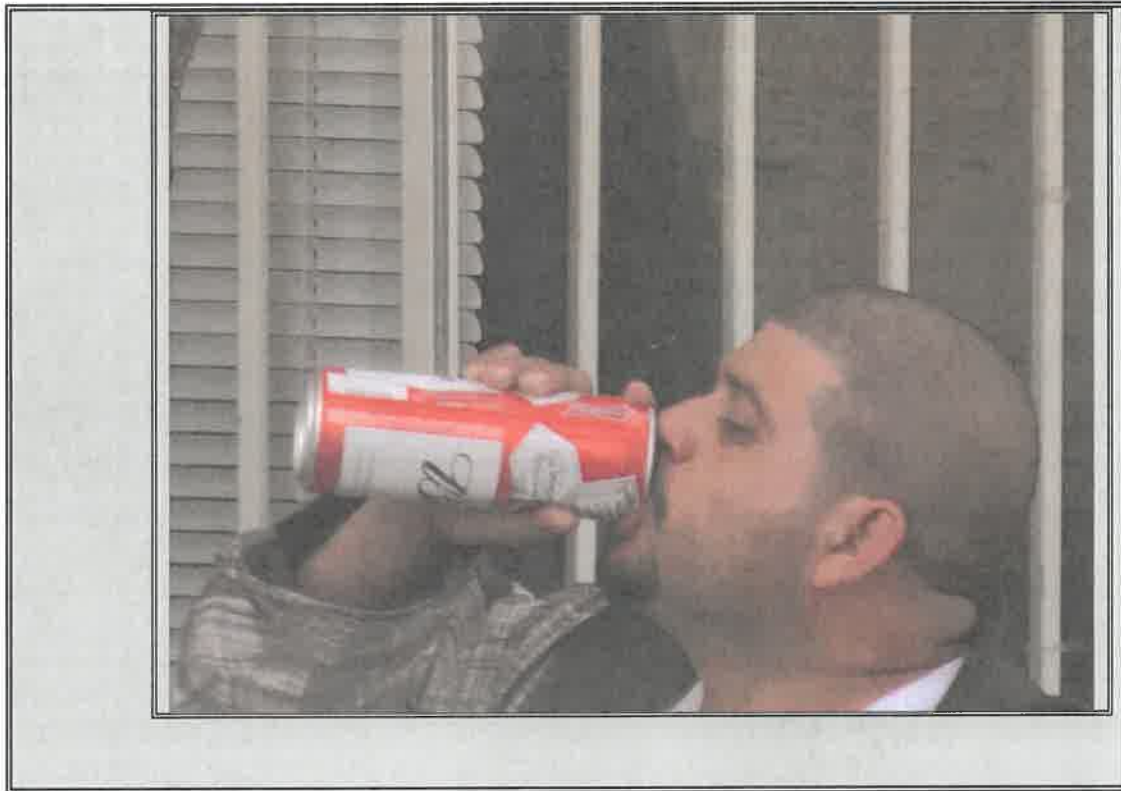
---

**3 attachments****5245 Santa Monica front.JPG**  
4694K**5245 Santa Monica rear on Virginia1.JPG**  
5562K**5245 Santa Monica rear on Virginia3.JPG**  
6977K

---

**Jaime Espinoza** <jaime.espinoza@lacity.org>  
To: HSDNC PLUM Committee <plum@hsdnc.org>  
Bcc: Henry Chu <henry.chu@lacity.org>

Mon, Jun 6, 2022 at 4:18 PM



*5114 Santa Monica Blvd.*



***5101 Santa Monica Blvd.***



***5114 Santa Monica Blvd.***



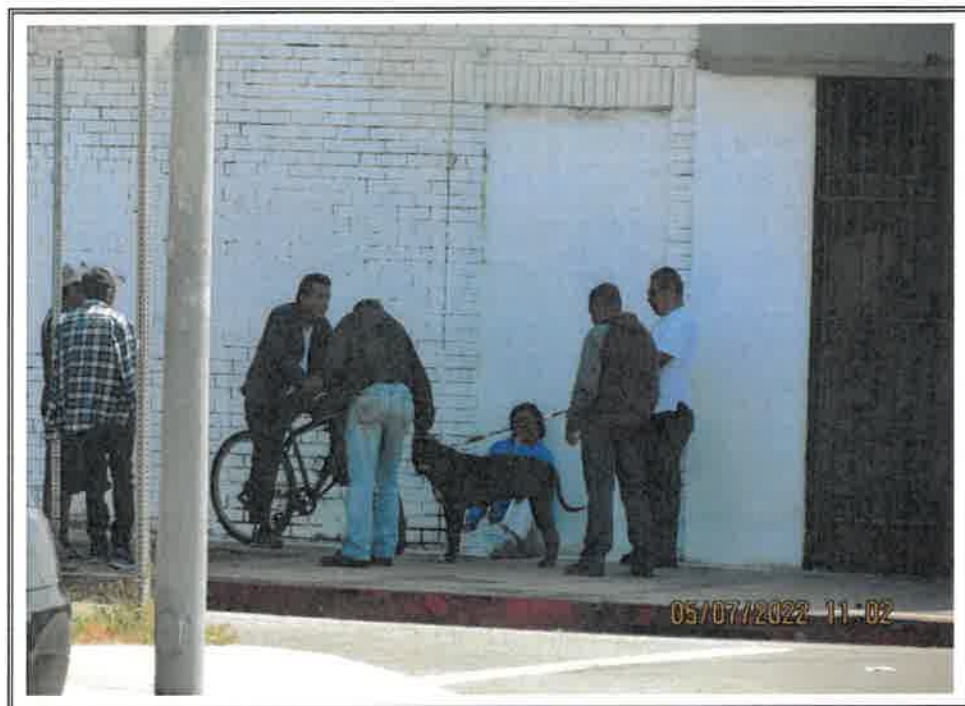


*5101 Santa Monica Blvd.*



*5101 Santa Monica Blvd.*





***5117 Santa Monica Blvd.***



***5111 Santa Monica Blvd.***

May 31, 2022

Jaime Espinoza, City Planning Associate  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012

Dear Mr. Espinoza;

Project site: 5245 Santa Monica Blvd.  
Los Angeles, CA 90029  
Case No. ZA-2021-10704-CUB

As a business owner on Santa Monica Blvd for over 40 years., I strongly oppose the applicant's proposed offsite sale of alcohol. Over the past several years, Hollywood has experienced an oversaturation of businesses selling alcohol. The majority of these businesses are catering to habitually, intoxicated individuals who loiter in front of businesses and defecate on the streets and sidewalks.

In addition to the project's site, there are three businesses that have licenses to sell offsite alcohol: Jon's Market (one-half block west from the subject site), the Day and Night Mini Market (2 blocks west, and J and J Market (2 blocks West). Individuals purchasing alcohol from these establishments loiter in front of businesses, defecate the sidewalks, and block entrances to businesses. In addition, alcohol sales during the late-night and early morning hours have resulted in prostitutes loitering in front of buildings. Attached are photos of individuals who have purchased alcohol and loiter in front of businesses and commercial buildings. This has been ongoing for over 10 years. Recently, a drunk individual urinated inside the J and J Market while another stole a 24-pack of beer from the Day and Night market.

Please note that there are two elementary schools within one block of the existing businesses and proposed site: Kingsley Elementary School (adjacent to the proposed site) and Ramona Elementary School located two blocks west from the site (within 300 feet of J and Market and Day and Night Market).

By granting the applicant a CUB will only exasperate the problems in East Hollywood. Please consider the ongoing problems associated with the CUB.

Respectfully,



Armen Makasjian  
(3233)665-5211

My name is Patricia Pesis, my son and nephew attend KINGSLEY Elementary School, located at 5200 Virginia Ave LA CA 90029.

The reason for this is to express to you my concern about the continuous accidents that occur with the building (5243/5245 west santa Monica Blvd) which is located next to our school, the children of Kingsley are between 5-11 years old (in their full innocence) and they are being victims of the behavior of the tenants of this building. Every day there are cigarettes on the patio in which the kids play, the reflection of the windows are burning the grass where they play soccer; They also installed an electrical transformer on the school property. And that place is used by some people to relieve themselves (pee-poo), they have also found alcoholic bottles, clothes, garbage in that place... that is why I AM REQUESTING YOUR AID ! since today that same building is

TRYING TO GET A LICENSE FOR THE LEGAL SALE OF WINE, BEER, ALCOHOL; which could be running 24/7,

As the mother and aunt of students at KINGSLEY ELEMENTARY SCHOOL, I ask you to think for a moment about the causes in the lives of our Kingsley children to continually see drunk people around the school; children are the future of this community. and we must protect the environment that surrounds them as much as possible.. if it is in your hands to do something small or large to PREVENT this building from acquiring an ALCOHOL SALES LICENSE. PLEASE I ASK YOU TO DO IT.

THANK YOU SO MUCH FOR GIVING A LITTLE TIME TO MY LETTER AND READING IT.,

Att Patricia Pesis



LOS ANGELES  
CITY PLANNING

**Jaime Espinoza Pérez**

*he, him, they - hablo español*

City Planning Associate

**Los Angeles City Planning**

200 N. Spring St., Room 763

Los Angeles, CA 90012

T: (213) 978-1357 | [Planning4LA.org](http://Planning4LA.org)



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Jaime Espinoza &lt;jaime.espinoza@lacity.org&gt;

**(no subject)**

3 messages

Mirna Lainez &lt;mirnalainez7@gmail.com&gt;

Tue, Jun 7, 2022 at 7:37 AM

To: jaime.espinoza@lacity.org

Muy buenos días

Señor :Jaime Espinoza;

Mi nombre es Patricia Pesis, mi hijo y mi sobrino asisten a la escuela primaria KINGSLEY ,ubicada en 5200 Virginia av LA CA 90029.

El motivo de la presente es para expresar a usted mi preocupación por los continuos accidentes que se dan con el edificio (5243/5245 west santa Mónica Blvd)que está ubicada a un lado de nuestra escuelita, los niños de Kingsley están entre 5-11 años de edad(en su plena inocencia) y ellos están siendo victimas del comportamiento de los inkilinos de este edificio, ya que cada día hay en el patio donde ellos juegan cabecillas de cigarros, el reflejo de las ventanas están quemando la grama donde juegan fútbol; además instalaron un transformador eléctrico en la propiedad de la escuela .y ese sitio Es usado por algunas personas para hacer sus necesidades (pipí-pupu)se han encontrado botellas alcoholicas,ropa , basura en dicho lugar.. es por eso QUE ESTOY SOLICITANDO SU AYUDA ! ya que hoy ese mismo edificio esta

TRATANDO DE AGARRAR UNA LICENCIA PARA LA VENTA LEGALDE VINO,CERVEZAS,ALCOHOL;el cual podría estar funcionando 24/7,

Yo como madre y tía de alumnos DE KINGSLEY ELEMENTARY SCHOOL,le pido que piense por un momento en las causa que ocasionaria en la vida de nuestros niños Kingsley ver continuamente personas borrachas alrededor de la escuelita ; los niños son el futuro de esta cominidad.y debemos proteger el ambiente que los rodea hasta donde nos es posible.. si en sus manos está hacer algo pequeño o grande para EVITAR que este edificio adquiera una LICENCIA DE VENTA DE ALCOHOL . Por FAVOR LE PIDO QUE LO HAGA .

De antemano

MUCHAS GRACIAS POR DARLE UN TIEMPITO A MI CARTA Y LEERLA .,

Att Patricia Pesis

Enviado desde mi iPhone

Jaime Espinoza &lt;jaime.espinoza@lacity.org&gt;

Tue, Jun 7, 2022 at 8:24 AM

To: Mirna Lainez &lt;mirnalainez7@gmail.com&gt;

Bcc: Henry Chu &lt;henry.chu@lacity.org&gt;

Gracias por sus comentarios. Los tomaremos en cuenta durante la audiencia pública.

**Jaime Espinoza Pérez***he, him, they - hablo español*

City Planning Associate

**Los Angeles City Planning**

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Los Angeles, CA 90012

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Jaime Espinoza &lt;jaime.espinoza@lacity.org&gt;

Tue, Jun 7, 2022 at 8:29 AM

To: Henry Chu &lt;henry.chu@lacity.org&gt;

Bcc: Renata Ooms &lt;renata.ooms@lacity.org&gt;

Comment translation: