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November 30, 2022

Peter Elias (A)
Liquid Partyworks, Inc.
21348-21356 Devonshire Street

Cherry Tree Properties, LLC (O)
9560 Rudnick Avenue
Chatsworth, CA 91311

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

CASE NO. ZA 2021-10713-CUB
CONDITIONAL USE
21348-21356 West Devonshire Street
Chatsworth - Porter Ranch Planning Area
Zone : [Q]C2-2D
D. M. : 204B105
C. D. : 12 - Lee
CEQA : ENV-2021-10714-CE
Legal Description: Lots 6-8, Tract No. 5981

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 (Existing Facilities) and Section 15305, Class 5 (Minor Alterations in Land Use Limitations), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 applies; and there is no substantial evidence demonstrating that any exceptions contained in 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 APPROVE:

a Conditional Use to permit the sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant; and the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed market, in the [Q]C2-2D Zone.

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
7. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing restaurant (reduced from 5,241 square feet to 2,515 square feet) and the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed 2,726 square-foot market. The grant shall be subject to the following limitations:
 - a. The hours of operation for the existing restaurant shall be limited to 8:00 a.m. to 2:00 a.m., daily.
 - b. The hours of operation for the proposed restaurant shall be limited to 11:00 a.m. to 7:00 p.m., daily.
 - c. Indoor seating shall be limited to a maximum of 77 seats. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
8. After hour use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
9. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.

10. **Complaint Log.** Prior to the utilization of this grant, a telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Customer service desk, front desk or near the reception area.

Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved.

11. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
12. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
13. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
14. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and the facility to discourage illegal and criminal activities and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
15. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department, Department of Alcoholic Beverage Control, or the Department of Building and Safety. The on-site Manager and employees shall be knowledgeable of the conditions herein.
16. The applicant shall be responsible for maintaining the premises over which they have control, including the adjoining sidewalk and any public or temporarily closed alleys abutting the site, free of debris or litter.
17. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.

18. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
19. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
20. The applicant(s) shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
21. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
22. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and/or private security.
23. **Designated Driver Program.** Prior to the utilization of this grant, the applicant shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, or on the bathrooms, or a statement on a website, or on social media.
24. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
25. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
26. Private Events. Any use of the art school for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
27. No enclosed room, other than restrooms, intended for use by patrons or customers shall be permitted. No private dining room with a separate access door shall be permitted.
28. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.
29. There shall be no live entertainment or amplified music on the premises. There shall be no karaoke, disc jockey, topless entertainment, male or female performers or fashion shows.

ADMINISTRATIVE CONDITIONS

30. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
31. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C section 19.01-E, 3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.
- a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
 - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
32. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30-days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.
33. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon his/her initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-E, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
34. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

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 **DECEMBER 15, 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
Figueroa Plaza
201 North Figueroa 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

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.

NOTICE

The Applicant is further advised that subsequent contact regarding this determination must be with the Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

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 November 2, 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, 1 have been established by the following facts:

BACKGROUND

The subject property is a flat, rectangular-shaped, approximately 9,000 square-foot site comprised of three (3) lots with a 90-foot frontage along the south side of Devonshire Street. The property is developed a one-story restaurant.

The proposed project is for the continued sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant (reduced from 5,241 sq. ft. to 2,515 sq. ft.) with hours of operation from 8:00 a.m. to 2:00 a.m., daily; and the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed 2,726 sq. ft. market with hours of operation from 11:00 a.m. to 7:00 p.m., daily.

The subject property is located within the Chatsworth-Porter Ranch Community Plan area which designates the property for Community Commercial land uses corresponding to the CR, C2, C4, RAS3 P, and PB zones. The property is zoned [Q]C2-2D. The property is also located within the Devonshire/Topanga Corridor Specific Plan area.

Surrounding properties are a mix of different commercial uses. The property to the north is zoned [Q]C2-2D and is a vacant commercial property. The property to the east, is zoned QC4-1 and developed with a hotel. The property to the south and across the alley is zoned [Q]C2-2D and developed with a one-story commercial building. The property to the west is zoned [Q]C2-2D and developed with a one-story commercial building.

Street:

Devonshire Street, adjoining the property to the north, is designated as an Avenue I, with a right-of-way width of 100 feet and a roadway width of 70 feet.

Alley, adjoining the property to the south, has a roadway width of 20 feet.

Previous Cases, Affidavits, Permits, and Orders on the Applicant's Property:

Case No. ZA-2015-3439-CUB-CUX-ZV-SPP - On February 22, 2016, the Zoning Administrator approved a conditional use authorizing the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption and patron dancing in an existing 3,700 square-foot restaurant that is expanding into the adjacent tenant space resulting in a 5,493 square-foot restaurant;

a variance from LAMC Section 12.14-A,3(a)(1) to allow the continued maintenance of two billiard tables and the addition of one new billiard table at a property located within 500 feet of a residential zone;

a variance from Condition No. 5 of Ordinance No. 162,508 to allow the continued maintenance of a pool hall in the [Q]C2-2D Zone; and,

a variance from LAMC Section 12.26-E,5 to allow 44 of the required parking spaces to be provided off-site by lease in lieu of a recorded covenant.

Case No. ZA-2004-2288(CUB)(CUX)(ZV) – On July 28, 2004, the Zoning Administrator approved a conditional use permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption and dancing in conjunction with an existing restaurant which provides live entertainment

Previous Cases on Surrounding Properties (Since 2010):

Case No. ZA 2019-1015-CUB - On August 26, 2018, the Zoning Administrator approved a conditional use to permit the sale and dispensing of beer and wine only for on-site consumption in conjunction with a proposed arts and craft school, located at 21425 West Devonshire Street.

Case No. ZA-2017-2643-CUB – On February 12, 2018, 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 an existing restaurant, located at 21407-21409 West Devonshire Street.

COMMUNICATIONS:

A correspondence was received from the Chatsworth Neighborhood Council, dated November 8, 2022, stating in support of the proposed project.

PUBLIC HEARING

A public hearing was held before the Zoning Administrator on November 2, 2022, at 9:30 a.m. Due to COVID-19 and continued concerns that meeting in person would present imminent risks to the health and safety of the attendees, the hearing was conducted entirely telephonically and by videoconference.

Lee Rabun, the applicant, presented the project and stated the following:

- This is an upscale catering store currently existing at 10100 Devonshire
- Current store on Devonshire has been in operation since 1997

- Will remodel existing restaurant and reduce the square footage
- Liquid Party Works is high end, little foot traffic
- Will have 77 seats and 5 seats at the bar
- On-site restaurant will have catering
- There will be no pool tables or live dancing
- Restaurant will be open 8:00 a.m. to 2:00 a.m., but will rarely open past 9 and 10:00 p.m.
- Left voicemail to LAPD lead but did not hear back
- Reached out to Council District 12 and did not hear back
- Received approval with Neighborhood Council PLUM on October 20th and will go before the full board tonight
- Geographic referral form was signed from project planner and Specific Plan Project Permit is required

Peter Elias, the applicant, stated the following:

- Pop-up type dinner, special occasions (twice a month), tasting type dinners
- Type 47 license

No members of the public spoke during the hearing.

The Zoning Administrator closed the hearing and stated that the case would be held under advisement for three weeks pending the receipt of the following information:

- Neighborhood Council letter
- Revised floor plans depicting how the restaurant and store will be separated/doors since they are proposing different hours of operation
- Geographic Referral Form for the Devenshire/Toganga Corridor Specific Plan
- Clear project description for the proposed restaurant space to allow the Zoning Administrator to assess the project scope

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the Zoning Administrator has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

- No "Happy Hour" type of reduced-price alcoholic beverage or "2 for 1" promotion shall be allowed at any time. Discounted food promotions are encouraged.
- No cocktail lounge shall be maintained on the premises.
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.

- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- The sale of alcoholic beverages for consumption off the premises is prohibited from the restaurant.
- Fortified wine (greater than 16% alcohol) shall not be sold.
- Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages and shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverages.
- All service of alcoholic beverages from the restaurant shall be conducted by a server.

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 alcoholic beverages 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.

FINDINGS

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

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

The subject property is a flat, rectangular-shaped, approximately 9,000 square-foot site comprised of three (3) lots with a 90-foot frontage along the south side of Devonshire Street. The property is developed a one-story restaurant. The subject property is located within the Chatsworth-Porter Ranch Community Plan area which designates the property for Community Commercial land uses corresponding to the CR, C2, C4, RAS3 P, and PB zones. The property is zoned [Q]C2-2D. The property is also located within the Devonshire/Topanga Corridor Specific Plan area.

A variety of commercial uses are an intrinsic part of these service amenities necessary for the conservation, development, and success of a vibrant neighborhood. The existing and proposed use in conjunction with the imposition of a number of conditions addressing operational and alcohol-related issues will assure that the service of a full line of alcoholic beverages will not be disruptive to the community. The availability of a full line of alcoholic beverages for on-site consumption in conjunction an existing restaurant along with the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed 2,726 sq. ft. market with a proposed market will offer an essential amenity to the local community, local employees, the patrons of adjacent retail and the residents in the neighborhood. Therefore, the project will provide a service that is beneficial to the community and region. The imposition of a number of conditions addressing operational, noise, and alcohol-related issues will ensure that the project will not be disruptive to the surrounding community.

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

The proposed project is for the continued sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant (reduced from 5,241 sq. ft. to 2,515 sq. ft.) with hours of operation from 8:00 a.m. to 2:00 a.m., daily; and the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed 2,726 sq. ft. market with hours of operation from 11:00 a.m. to 7:00 p.m., daily. The existing restaurant will be remodeled and reduced in size to 2,515 square feet. The remaining 2,746 square feet of space will be for a liquor store (Liquid Partyworks) which is relocating from its former space at 10100 Topanga Canyon Boulevard.

Surrounding properties are a mix of different commercial uses. The property to the north is zoned [Q]C2-2D and is a vacant commercial property. The property to the east, is zoned QC4-1 and developed with a hotel. The property to the south and across the alley is zoned [Q]C2-2D and developed with a one-story commercial building. The property to the west is zoned [Q]C2-2D and developed with a one-story commercial building.

The subject property is zoned and developed in a manner consistent with both the City's desired land use designation for the site and the surrounding area. The existing restaurant use along with the proposed market are compatible with the designated land uses.

With exception of the tenant improvement, no new construction for the subject property is proposed and there are no changes in any existing physical conditions or significant features. Conditions have been imposed to encourage responsible management and deter criminal activity. These conditions will ensure that the operation will address nuisances, include security and safety, provide training, and ensure mode and character and responsible management. As conditioned, the operation of the existing restaurant and market with the sale and dispensing for alcoholic beverages for on- and off-site consumption will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety and the development of the community.

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

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

The General Plan and the Chatsworth – Porter Ranch Community Plan map designates the subject site as Community Commercial uses with corresponding zones of CR, C2, C4, RAS3, P and PB and Height District 2D. The site is also located within the Devonshire/Topanga Corridor Specific Plan. One of the Purposes of the specific plan is *...To insure that future commercial development in the area occurs in a manner which is compatible with the surrounding residential community and with the capacity of the circulation system as defined in the Chatsworth - Porter Ranch Community Plan;*

The existing established restaurant is consistent with the Community Commercial land use category and C2 Zone Standards of the Planning and Zoning Code. Its subject request to establish the sale and dispensing of a full-line of alcoholic beverages for on-site and off-site consumption is not addressed by either plan; however, does not change the restaurant use. Therefore, the grant will be consistent with the Specific Plan's purpose of compatibility.

The LAMC authorizes the Zoning Administrator to grant the requested conditional use in the zones corresponding to the Plan land use designation. As conditioned, and with the signed Geographic Referral Form, the project substantially conforms to the purpose, intent and provisions of the General Plan, the Chatsworth-Porter Ranch Community Plan and the Devonshire/Topanga Corridor Specific Plan. Furthermore, conditions have been imposed to ensure this use will be compatible with surrounding uses. Thus, the project substantially conforms with the purpose, intent, and provisions of the General Plan and the Community Plan.

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

The Conditional Use permit to allow the continued sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant (reduced from 5,241 sq. ft. to 2,515 sq. ft.) with hours of operation from 8:00 a.m. to 2:00 a.m., daily; and the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed 2,726 sq. ft. market with hours of operation from 11:00 a.m. to 7:00 p.m., daily will not adversely affect the welfare of the community. The subject property is zoned [Q]C2-2D, which allows for commercial uses. The subject site along Devonshire Street enhances the character of the area and provides a unique dining option that is walking distance for the surrounding neighborhood and visitors in the area. The existing restaurant and proposed market will positively impact the financial health of the property and improve the economic vitality of the area via increased tax revenue.

Conditional authorization for the sale of a full line of alcoholic beverages for on-site and off-site consumption is allowed through the approval of the Zoning Administrator, subject to certain findings. Given the scope of the conditions and limitations established herein, the surrounding land uses will not be significantly impacted by any of the proposed conditional uses. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering. Employees will undergo training on the sale of alcoholic beverages, including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program. Additionally, other conditions related to excessive noise, noise prevention, and litter will safeguard the residential community. Therefore, will the imposition of such conditions, the sale and dispensing of a full line of alcoholic beverages at this location will not adversely affect the welfare of the pertinent community.

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

According to the California Department of Alcoholic Beverage Control (ABC) licensing criteria, four (4) on-site and two (2) off-site consumption licenses are allocated to the subject Census Tract 1133.23. Currently there are three (3) on-site licenses, and one (1) off-site license in this Census Tract.

As reported by the Los Angeles Police Department, within Crime Reporting District No. 1752, which has jurisdiction over the subject property, a total of 153 crimes (125 Part I Crimes and 28 Part II Crimes) were reported in 2021, compared to the citywide average of 149 crimes and the high crime reporting district average of 179 crimes for 2021. In 2021, there were 1 Narcotics, 0 Liquor Law, 4 Public Drunkenness, 0 Disturbing the Peace, 0 Disorderly Conduct, and 4 DWI related arrests. 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 total crime statistics are substantially lower than the citywide occurrences.

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. No evidence was submitted for the record establishing any link between the subject site and the area's crime rate.

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. 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.

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

The project site is zoned for commercial uses and will be utilized as such with the art school use. The following sensitive uses are located within a 1,000-foot radius of the site:

Multi-family Residences	
Single-family Residences	
Chatsworth Foursquare Church	10216 North Canoga Avenue
Valley Iranian Church	10216 North Canoga Avenue
Devonshire Pre-School and Infant Center	21203 West Devonshire Street
Hindu Temple	21213 Devonshire Street

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The grant has been well conditioned, which should protect the health, safety and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The project is consistent with the zoning and keeping with the existing uses adjacent to the development. This project will contribute to the neighborhood and will serve the neighboring resident and the local employees as well as visitors. Therefore, as conditioned, the project will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

FLOOD HAZARD FINDING

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 the flood zone.

Inquiries regarding this matter should be directed to Alex Truong, Planning Staff at (213) 978-3308 or alexander.truong@lacity.org.



CHRISTINA TOY LEE
Associate Zoning Administrator

CTL:AT:nm

cc: Councilmember Lee
Twelfth Council District
Adjoining Property Owners

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

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
JONATHAN A. HERSHEY, AICP
THEODORE L. IRVING, AICP
CHARLES J. RAUSCH JR.
CHRISTINA TOY LEE

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

LOS ANGELES DEPARTMENT
OF CITY PLANNING
EXECUTIVE OFFICES

VINCENT P. BERTONI, AICP
DIRECTOR

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
planning.lacity.org

November 30, 2022

Peter Elias (A)
Liquid Partyworks, Inc.
21348-21356 Devonshire Street

Cherry Tree Properties, LLC (O)
9560 Rudnick Avenue
Chatsworth, CA 91311

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

CASE NO. ZA 2021-10713-CUB
CONDITIONAL USE
21348-21356 West Devonshire Street
Chatsworth - Porter Ranch Planning Area
Zone : [Q]C2-2D
D. M. : 204B105
C. D. : 12 - Lee
CEQA : ENV-2021-10714-CE
Legal Description: Lots 6-8, Tract No. 5981

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 (Existing Facilities) and Section 15305, Class 5 (Minor Alterations in Land Use Limitations), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 applies; and there is no substantial evidence demonstrating that any exceptions contained in 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 APPROVE:

a Conditional Use to permit the sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant; and the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed market, in the [Q]C2-2D Zone.

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
7. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing restaurant (reduced from 5,241 square feet to 2,515 square feet) and the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed 2,726 square-foot market. The grant shall be subject to the following limitations:
 - a. The hours of operation for the existing restaurant shall be limited to 8:00 a.m. to 2:00 a.m., daily.
 - b. The hours of operation for the proposed restaurant shall be limited to 11:00 a.m. to 7:00 p.m., daily.
 - c. Indoor seating shall be limited to a maximum of 77 seats. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
8. After hour use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
9. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.

10. **Complaint Log.** Prior to the utilization of this grant, a telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Customer service desk, front desk or near the reception area.

Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved.

11. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
12. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
13. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
14. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and the facility to discourage illegal and criminal activities and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
15. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department, Department of Alcoholic Beverage Control, or the Department of Building and Safety. The on-site Manager and employees shall be knowledgeable of the conditions herein.
16. The applicant shall be responsible for maintaining the premises over which they have control, including the adjoining sidewalk and any public or temporarily closed alleys abutting the site, free of debris or litter.
17. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.

18. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
19. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
20. The applicant(s) shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
21. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
22. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and/or private security.
23. **Designated Driver Program.** Prior to the utilization of this grant, the applicant shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, or on the bathrooms, or a statement on a website, or on social media.
24. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
25. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
26. **Private Events.** Any use of the art school for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
27. No enclosed room, other than restrooms, intended for use by patrons or customers shall be permitted. No private dining room with a separate access door shall be permitted.
28. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.
29. There shall be no live entertainment or amplified music on the premises. There shall be no karaoke, disc jockey, topless entertainment, male or female performers or fashion shows.

ADMINISTRATIVE CONDITIONS

30. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
31. **MVIP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C section 19.01-E, 3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.
- a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
 - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
32. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30-days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.
33. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon his/her initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-E, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
34. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

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 **DECEMBER 15, 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
Figueroa Plaza
201 North Figueroa 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

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.

NOTICE

The Applicant is further advised that subsequent contact regarding this determination must be with the Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

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 November 2, 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, 1 have been established by the following facts:

BACKGROUND

The subject property is a flat, rectangular-shaped, approximately 9,000 square-foot site comprised of three (3) lots with a 90-foot frontage along the south side of Devonshire Street. The property is developed a one-story restaurant.

The proposed project is for the continued sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant (reduced from 5,241 sq. ft. to 2,515 sq. ft.) with hours of operation from 8:00 a.m. to 2:00 a.m., daily; and the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed 2,726 sq. ft. market with hours of operation from 11:00 a.m. to 7:00 p.m., daily.

The subject property is located within the Chatsworth-Porter Ranch Community Plan area which designates the property for Community Commercial land uses corresponding to the CR, C2, C4, RAS3 P, and PB zones. The property is zoned [Q]C2-2D. The property is also located within the Devonshire/Topanga Corridor Specific Plan area.

Surrounding properties are a mix of different commercial uses. The property to the north is zoned [Q]C2-2D and is a vacant commercial property. The property to the east, is zoned QC4-1 and developed with a hotel. The property to the south and across the alley is zoned [Q]C2-2D and developed with a one-story commercial building. The property to the west is zoned [Q]C2-2D and developed with a one-story commercial building.

Street:

Devonshire Street, adjoining the property to the north, is designated as an Avenue I, with a right-of-way width of 100 feet and a roadway width of 70 feet.

Alley, adjoining the property to the south, has a roadway width of 20 feet.

Previous Cases, Affidavits, Permits, and Orders on the Applicant's Property:

Case No. ZA-2015-3439-CUB-CUX-ZV-SPP - On February 22, 2016, the Zoning Administrator approved a conditional use authorizing the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption and patron dancing in an existing 3,700 square-foot restaurant that is expanding into the adjacent tenant space resulting in a 5,493 square-foot restaurant;

a variance from LAMC Section 12.14-A,3(a)(1) to allow the continued maintenance of two billiard tables and the addition of one new billiard table at a property located within 500 feet of a residential zone;

a variance from Condition No. 5 of Ordinance No. 162,508 to allow the continued maintenance of a pool hall in the [Q]C2-2D Zone; and,

a variance from LAMC Section 12.26-E,5 to allow 44 of the required parking spaces to be provided off-site by lease in lieu of a recorded covenant.

Case No. ZA-2004-2288(CUB)(CUX)(ZV) – On July 28, 2004, the Zoning Administrator approved a conditional use permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption and dancing in conjunction with an existing restaurant which provides live entertainment

Previous Cases on Surrounding Properties (Since 2010):

Case No. ZA 2019-1015-CUB - On August 26, 2018, the Zoning Administrator approved a conditional use to permit the sale and dispensing of beer and wine only for on-site consumption in conjunction with a proposed arts and craft school, located at 21425 West Devonshire Street.

Case No. ZA-2017-2643-CUB – On February 12, 2018, 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 an existing restaurant, located at 21407-21409 West Devonshire Street.

COMMUNICATIONS:

A correspondence was received from the Chatsworth Neighborhood Council, dated November 8, 2022, stating in support of the proposed project.

PUBLIC HEARING

A public hearing was held before the Zoning Administrator on November 2, 2022, at 9:30 a.m. Due to COVID-19 and continued concerns that meeting in person would present imminent risks to the health and safety of the attendees, the hearing was conducted entirely telephonically and by videoconference.

Lee Rabun, the applicant, presented the project and stated the following:

- This is an upscale catering store currently existing at 10100 Devonshire
- Current store on Devonshire has been in operation since 1997

- Will remodel existing restaurant and reduce the square footage
- Liquid Party Works is high end, little foot traffic
- Will have 77 seats and 5 seats at the bar
- On-site restaurant will have catering
- There will be no pool tables or live dancing
- Restaurant will be open 8:00 a.m. to 2:00 a.m., but will rarely open past 9 and 10:00 p.m.
- Left voicemail to LAPD lead but did not hear back
- Reached out to Council District 12 and did not hear back
- Received approval with Neighborhood Council PLUM on October 20th and will go before the full board tonight
- Geographic referral form was signed from project planner and Specific Plan Project Permit is required

Peter Elias, the applicant, stated the following:

- Pop-up type dinner, special occasions (twice a month), tasting type dinners
- Type 47 license

No members of the public spoke during the hearing.

The Zoning Administrator closed the hearing and stated that the case would be held under advisement for three weeks pending the receipt of the following information:

- Neighborhood Council letter
- Revised floor plans depicting how the restaurant and store will be separated/doors since they are proposing different hours of operation
- Geographic Referral Form for the Devenshire/Toganga Corridor Specific Plan
- Clear project description for the proposed restaurant space to allow the Zoning Administrator to assess the project scope

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the Zoning Administrator has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

- No "Happy Hour" type of reduced-price alcoholic beverage or "2 for 1" promotion shall be allowed at any time. Discounted food promotions are encouraged.
- No cocktail lounge shall be maintained on the premises.
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.

- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- The sale of alcoholic beverages for consumption off the premises is prohibited from the restaurant.
- Fortified wine (greater than 16% alcohol) shall not be sold.
- Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages and shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverages.
- All service of alcoholic beverages from the restaurant shall be conducted by a server.

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 alcoholic beverages 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.

FINDINGS

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

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

The subject property is a flat, rectangular-shaped, approximately 9,000 square-foot site comprised of three (3) lots with a 90-foot frontage along the south side of Devonshire Street. The property is developed a one-story restaurant. The subject property is located within the Chatsworth-Porter Ranch Community Plan area which designates the property for Community Commercial land uses corresponding to the CR, C2, C4, RAS3 P, and PB zones. The property is zoned [Q]C2-2D. The property is also located within the Devonshire/Topanga Corridor Specific Plan area.

A variety of commercial uses are an intrinsic part of these service amenities necessary for the conservation, development, and success of a vibrant neighborhood. The existing and proposed use in conjunction with the imposition of a number of conditions addressing operational and alcohol-related issues will assure that the service of a full line of alcoholic beverages will not be disruptive to the community. The availability of a full line of alcoholic beverages for on-site consumption in conjunction an existing restaurant along with the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed 2,726 sq. ft. market with a proposed market will offer an essential amenity to the local community, local employees, the patrons of adjacent retail and the residents in the neighborhood. Therefore, the project will provide a service that is beneficial to the community and region. The imposition of a number of conditions addressing operational, noise, and alcohol-related issues will ensure that the project will not be disruptive to the surrounding community.

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

The proposed project is for the continued sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant (reduced from 5,241 sq. ft. to 2,515 sq. ft.) with hours of operation from 8:00 a.m. to 2:00 a.m., daily; and the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed 2,726 sq. ft. market with hours of operation from 11:00 a.m. to 7:00 p.m., daily. The existing restaurant will be remodeled and reduced in size to 2,515 square feet. The remaining 2,746 square feet of space will be for a liquor store (Liquid Partyworks) which is relocating from its former space at 10100 Topanga Canyon Boulevard.

Surrounding properties are a mix of different commercial uses. The property to the north is zoned [Q]C2-2D and is a vacant commercial property. The property to the east, is zoned QC4-1 and developed with a hotel. The property to the south and across the alley is zoned [Q]C2-2D and developed with a one-story commercial building. The property to the west is zoned [Q]C2-2D and developed with a one-story commercial building.

The subject property is zoned and developed in a manner consistent with both the City's desired land use designation for the site and the surrounding area. The existing restaurant use along with the proposed market are compatible with the designated land uses.

With exception of the tenant improvement, no new construction for the subject property is proposed and there are no changes in any existing physical conditions or significant features. Conditions have been imposed to encourage responsible management and deter criminal activity. These conditions will ensure that the operation will address nuisances, include security and safety, provide training, and ensure mode and character and responsible management. As conditioned, the operation of the existing restaurant and market with the sale and dispensing for alcoholic beverages for on- and off-site consumption will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety and the development of the community.

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

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

The General Plan and the Chatsworth – Porter Ranch Community Plan map designates the subject site as Community Commercial uses with corresponding zones of CR, C2, C4, RAS3, P and PB and Height District 2D. The site is also located within the Devonshire/Topanga Corridor Specific Plan. One of the Purposes of the specific plan is ...*To insure that future commercial development in the area occurs in a manner which is compatible with the surrounding residential community and with the capacity of the circulation system as defined in the Chatsworth - Porter Ranch Community Plan;*

The existing established restaurant is consistent with the Community Commercial land use category and C2 Zone Standards of the Planning and Zoning Code. Its subject request to establish the sale and dispensing of a full-line of alcoholic beverages for on-site and off-site consumption is not addressed by either plan; however, does not change the restaurant use. Therefore, the grant will be consistent with the Specific Plan's purpose of compatibility.

The LAMC authorizes the Zoning Administrator to grant the requested conditional use in the zones corresponding to the Plan land use designation. As conditioned, and with the signed Geographic Referral Form, the project substantially conforms to the purpose, intent and provisions of the General Plan, the Chatsworth-Porter Ranch Community Plan and the Devonshire/Topanga Corridor Specific Plan. Furthermore, conditions have been imposed to ensure this use will be compatible with surrounding uses. Thus, the project substantially conforms with the purpose, intent, and provisions of the General Plan and the Community Plan.

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

The Conditional Use permit to allow the continued sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant (reduced from 5,241 sq. ft. to 2,515 sq. ft.) with hours of operation from 8:00 a.m. to 2:00 a.m., daily; and the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed 2,726 sq. ft. market with hours of operation from 11:00 a.m. to 7:00 p.m., daily will not adversely affect the welfare of the community. The subject property is zoned [Q]C2-2D, which allows for commercial uses. The subject site along Devonshire Street enhances the character of the area and provides a unique dining option that is walking distance for the surrounding neighborhood and visitors in the area. The existing restaurant and proposed market will positively impact the financial health of the property and improve the economic vitality of the area via increased tax revenue.

Conditional authorization for the sale of a full line of alcoholic beverages for on-site and off-site consumption is allowed through the approval of the Zoning Administrator, subject to certain findings. Given the scope of the conditions and limitations established herein, the surrounding land uses will not be significantly impacted by any of the proposed conditional uses. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering. Employees will undergo training on the sale of alcoholic beverages, including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program. Additionally, other conditions related to excessive noise, noise prevention, and litter will safeguard the residential community. Therefore, will the imposition of such conditions, the sale and dispensing of a full line of alcoholic beverages at this location will not adversely affect the welfare of the pertinent community.

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

According to the California Department of Alcoholic Beverage Control (ABC) licensing criteria, four (4) on-site and two (2) off-site consumption licenses are allocated to the subject Census Tract 1133.23. Currently there are three (3) on-site licenses, and one (1) off-site license in this Census Tract.

As reported by the Los Angeles Police Department, within Crime Reporting District No. 1752, which has jurisdiction over the subject property, a total of 153 crimes (125 Part I Crimes and 28 Part II Crimes) were reported in 2021, compared to the citywide average of 149 crimes and the high crime reporting district average of 179 crimes for 2021. In 2021, there were 1 Narcotics, 0 Liquor Law, 4 Public Drunkenness, 0 Disturbing the Peace, 0 Disorderly Conduct, and 4 DWI related arrests. 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 total crime statistics are substantially lower than the citywide occurrences.

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. No evidence was submitted for the record establishing any link between the subject site and the area's crime rate.

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. 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.

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

The project site is zoned for commercial uses and will be utilized as such with the art school use. The following sensitive uses are located within a 1,000-foot radius of the site:

Multi-family Residences	
Single-family Residences	
Chatsworth Foursquare Church	10216 North Canoga Avenue
Valley Iranian Church	10216 North Canoga Avenue
Devonshire Pre-School and Infant Center	21203 West Devonshire Street
Hindu Temple	21213 Devonshire Street

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The grant has been well conditioned, which should protect the health, safety and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The project is consistent with the zoning and keeping with the existing uses adjacent to the development. This project will contribute to the neighborhood and will serve the neighboring resident and the local employees as well as visitors. Therefore, as conditioned, the project will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

FLOOD HAZARD FINDING

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 the flood zone.

Inquiries regarding this matter should be directed to Alex Truong, Planning Staff at (213) 978-3308 or alexander.truong@lacity.org.



CHRISTINA TOY LEE
Associate Zoning Administrator

CTL:AT:nm

cc: Councilmember Lee
Twelfth Council District
Adjoining Property Owners

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

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
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PHYLLIS NATHANSON
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CHRISTINE M. SAPONARA
COURTNEY SHUM
CHRISTINA TOY LEE
JORDANN TURNER

CITY OF LOS ANGELES
CALIFORNIA



KAREN BASS
MAYOR

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DEPUTY DIRECTOR
LISA M. WEBBER, AICP
DEPUTY DIRECTOR
planning.lacity.org

January 13, 2022

Peter Elias (A)
Liquid Partyworks, Inc.
21348-21356 Devonshire Street

Cherry Tree Properties, LLC (O)
9560 Rudnick Avenue
Chatsworth, CA 91311

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

CASE NO. ZA-2021-10713-CUB
CONDITIONAL USE
21348-21356 West Devonshire Street
Chatsworth - Porter Ranch Planning Area
Zone: [Q]C2-2D
C.D: 12 - Lee

LETTER OF CORRECTION

On November 30, 2022, pursuant to Los Angeles Municipal Code Section 12.24-W, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant; and the sale of a full-line of alcoholic beverages for off-site consumption in conjunction with a proposed market, in the [Q]C2-2D Zone

On December 8, 2022 the applicant's representative presented a request to correct Condition No. 7 and 26. The conditions are related to the uses of the property. The uses cited are incorrect. Therefore, Condition No. 7b and 26 are hereby MODIFIED as follows:

- 7b. The hours of operation for the proposed ~~restaurant~~ market shall be limited to 11:00 a.m. to 7:00 p.m., daily.
- 26. Private Events. Any use of the ~~art school~~ premises for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.

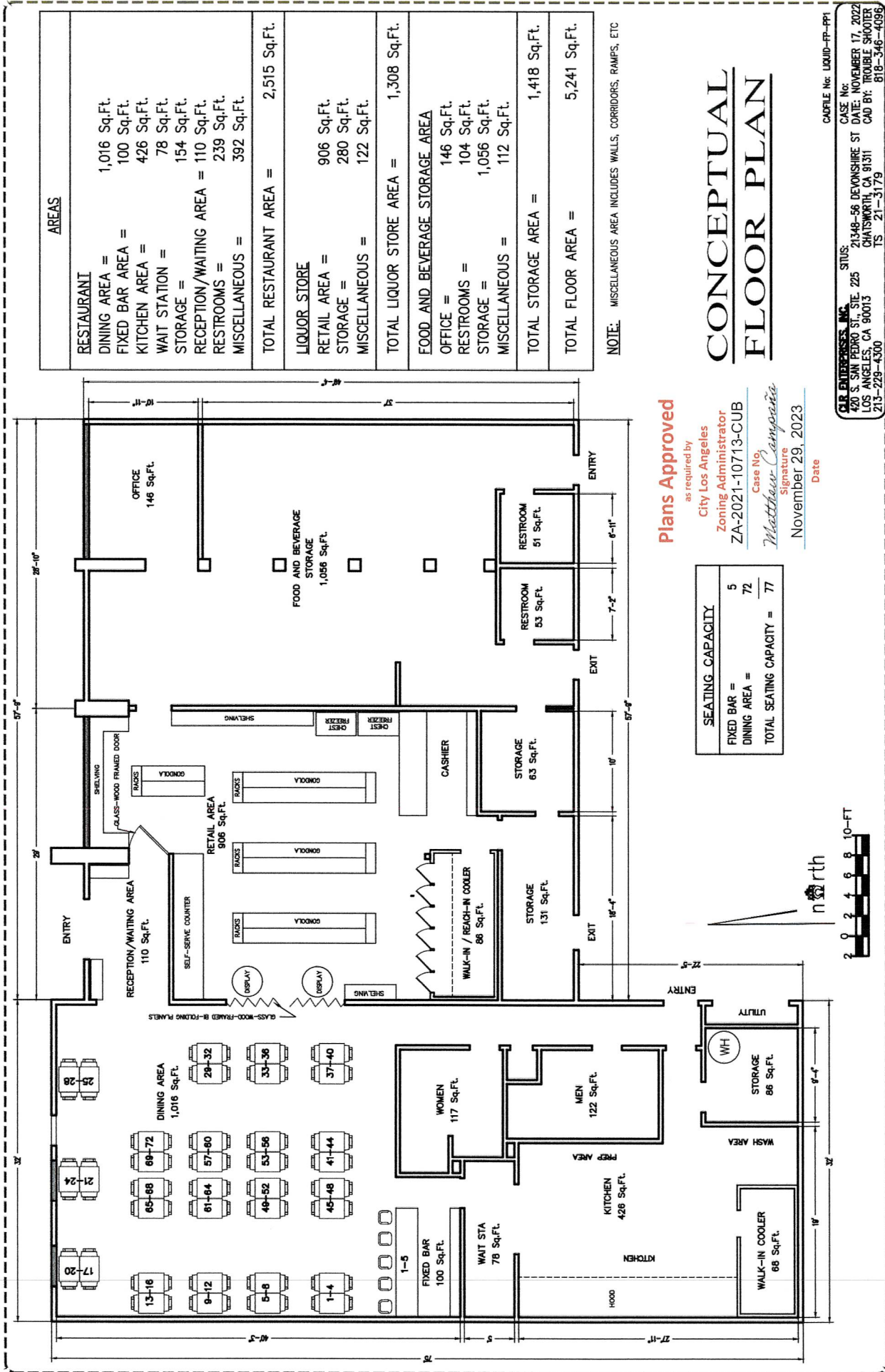
CASE NO. ZA-2021-10713-CUB-ZV
LETTER OF CORRECTION

All other conditions remain unchanged.



CHRISTINA TOY LEE
Associate Zoning Administrator

CTL:AT:ss



AREAS	
RESTAURANT	
DINING AREA =	1,016 Sq.Ft.
FIXED BAR AREA =	100 Sq.Ft.
KITCHEN AREA =	428 Sq.Ft.
WAIT STATION =	78 Sq.Ft.
STORAGE =	154 Sq.Ft.
RECEPTION/WAITING AREA =	110 Sq.Ft.
RESTROOMS =	239 Sq.Ft.
MISCELLANEOUS =	392 Sq.Ft.
TOTAL RESTAURANT AREA =	2,515 Sq.Ft.
LIQUOR STORE	
RETAIL AREA =	906 Sq.Ft.
STORAGE =	280 Sq.Ft.
MISCELLANEOUS =	122 Sq.Ft.
TOTAL LIQUOR STORE AREA =	1,308 Sq.Ft.
FOOD AND BEVERAGE STORAGE AREA	
OFFICE =	146 Sq.Ft.
RESTROOMS =	104 Sq.Ft.
STORAGE =	1,056 Sq.Ft.
MISCELLANEOUS =	112 Sq.Ft.
TOTAL STORAGE AREA =	1,418 Sq.Ft.
TOTAL FLOOR AREA =	5,241 Sq.Ft.

NOTE: MISCELLANEOUS AREA INCLUDES WALLS, CORRIDORS, RAMPS, ETC

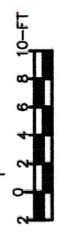
Plans Approved

as required by
 City Los Angeles
 Zoning Administrator
 ZA-2021-10713-CUB
 Case No.
 Signature
 Date

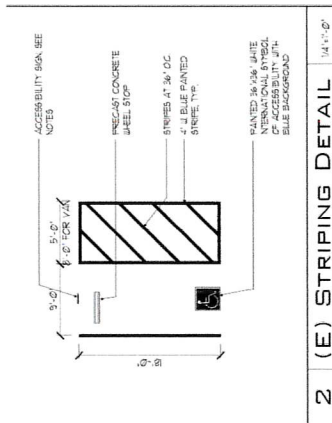
SEATING CAPACITY	
FIXED BAR =	5
DINING AREA =	72
TOTAL SEATING CAPACITY =	77

CONCEPTUAL FLOOR PLAN

CAR ENTERPRISES, INC.
 420 S. SAN PEDRO ST. STE. 225
 LOS ANGELES, CA 90013
 213-229-4300
 CASE No.
 STATUS: 21348-56 DEVONSHIRE ST DATE: NOVEMBER 17, 2022
 CAD BY: TROUBLE SHOOTER
 TS 21-3179
 818-346-4096



2	(E) STRIPING DETAIL
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2. **ACCESSIBLE PARKING** (20%)
Each parking space reserved for persons with disabilities must be located by a directional sign prominently posted in the parking area. The sign must be at least 48 inches in height, consisting of a green area of at least 24 inches by 36 inches in width on which the background, the sign text and the wheelchair symbol must be in white on dark background. The sign must be placed on the right side of the travel lane, and must be placed at a minimum height of 50 inches from the bottom of the sign to the parking space nearest the sign.
3. **ACCESSIBLE SPACES** (20%)
Signs to identify accessible parking spaces may also be placed on the front of the vehicle. The sign must be placed on a minimum height of 30 inches from the bottom of the sign to the parking space nearest the sign.
4. **ACCESSIBLE DRIVEWAYS** (20%)
The driveway to the parking space must be paved, or otherwise constructed to be firm, stable, and slip resistant. The driveway must be at least 48 inches wide and 24 inches deep. The driveway must be located within 10 feet of the parking space. The driveway must be located within 10 feet of the parking space. The driveway must be located within 10 feet of the parking space.
5. **ACCESSIBLE STAIRS** (20%)
The stairs must be located within 10 feet of the parking space. The stairs must be located within 10 feet of the parking space. The stairs must be located within 10 feet of the parking space.

2

- [illegible]

1/2-inch
sides and
below.

- [illegible]

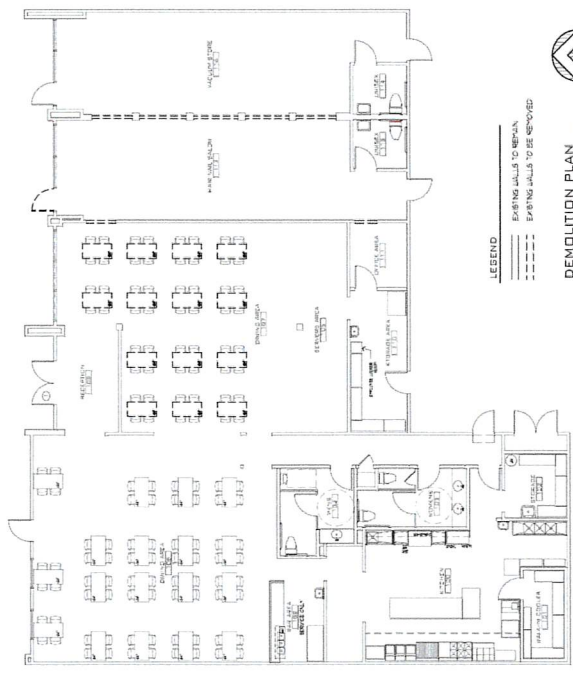
2.1 ENTRANCES & EXITS

- [illegible]

2.2 ACCESSIBLE PARKING

TABLE 11B-3	Total # of testing spots processed	Total # of failed spots required
1-25	1	
26-50	2	
51-75	3	
76-100	4	
101-125	5	
126-150	6	
151-175	7	
176-200	8	
201-225	9	
226-250	10	25% of total
251-300	11	25 plus 1 for each 100 or fraction thereof > 50
301-400	12	
401-500	13	
501-1000	14	
1001 & over	15	

1. Refer to Table 11B-6 for the number of studied parking spaces required for a parking lot/structure.
2. At facilities providing medical care and other services for persons with mobility requirements, parking spaces complying with USC Section 11210 shall be provided in accordance with USC Table 11B-6, except as follows:
 - a) Equipment stalls and facilities: 10% of the total number of parking spaces provided serving each such destination and/or facility.



DEMOLITION PLAN

DEMOLITION PLAN