

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A, except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. **MODIFIED.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. ~~**DELETED.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.~~
7. **MODIFIED.** Approved/Authorized herein is the sale and dispensing of a full line of alcohol for on-site consumption in conjunction with a proposed an existing 5,345 square-foot restaurant with seating maximum of 168 (90 indoor, 78 outdoor), and the daily hours of operation from 11:00 a.m. to 2:00 a.m. After hours use of the facility, other than for routine maintenance and clean up, is not permitted. from the effective date of this grant, subject to the following limitations:
 - a. The hours of operation shall be limited to from 9:00 a.m. to 2:00 a.m., daily.
 - b. Indoor seating shall be limited to a maximum of 124 seats provided that number of seats does not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
 - c. No after-hours use is permitted, 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.
8. ~~**DELETED.** The authorization granted herein for ,the on-site sale and dispensing of a full line of alcoholic beverages is for a period of seven (7) years from the effective~~

~~date of this grant. Thereafter, a new authorization to allow the on-site sale and dispensing of a full line of alcoholic beverages will be required.~~

~~The applicant is advised that he/she should allow appropriate time for a new entitlement application to be processed and the application should be approved prior to the expiration date of this grant in order to continue the sale of a full line of alcoholic beverages at the restaurant.~~

9. ~~DELETED.~~ Live entertainment shall be limited to karaoke for patrons seated indoors.
10. **MODIFIED.** No conditional use for dancing has been requested or approved herein. There shall be no dancing allowed on the premises.
11. There shall be no topless dancing, nude dancing or any adult entertainment of any type pursuant to LAMC Section 12.70.
12. **MODIFIED.** There shall be no pool tables, coin-operated games, or video machines, or similar game activities or equipment permitted on the premises at any time. Official California State lottery games and machines are allowed.
13. The applicant shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
14. **MODIFIED.** Loitering is prohibited on or around these premises or the area under control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
15. No public telephones shall be permitted on the exterior of the premises.
16. **MODIFIED.** ~~The premises shall not be used exclusively for private parties where the general public is excluded.~~ **Private Events.** Any use of the restaurant 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.
17. ~~DELETED.~~ ~~No music, sound or noise shall be emitted from the subject businesses at a level prohibited by the noise regulations of the Los Angeles Municipal Code. Live/amplified recorded music shall not be audible beyond the area under control of the applicant, and any sound or noise emitted that is under the control of the petitioner shall constitute a violation of Section 116.01 of the LAMC, including any loud, unnecessary or unusual noise that disturbs the peace or quiet of any neighborhood or that causes discomfort.~~
18. ~~DELETED.~~ ~~No after-hour use of this establishment is permitted. This includes but is not limited to private or promotional events, excluding any activities which are issued film permits by the City.~~
19. **MODIFIED.** At least one on-duty manager with authority over the activities within the facility shall be on the premises at all times that the facility is open for business. 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 facility to discourage illegal and criminal activity on the subject premises 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 or truancy occur. Conditions of this grant shall be posted in the office on the premises at all times and shall be made immediately available upon request by any Los Angeles Police Officer or Alcoholic Beverage Control Investigator. The manager and all employees shall be knowledgeable of the conditions herein.

20. The business operator of said premise shall maintain on that premise and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information, and any valid emergency contact phone number used by the business.
21. 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.
22. **MODIFIED. Complaint Log.** Prior to the utilization of this grant, A 24-hour "hot line" phone number and email address shall be provided for the receipt of complaints from the community regarding the subject facility and concerns about operation of the restaurant and shall be:
 - a. Posted at the entry.
 - b. Posted at the Customer Service/cashier desk.
 - c. Provided to the immediate neighbors, schools, and the Neighborhood Council.
 - d. The phone number shall connect directly to a responsible person and not an answering machine.

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.

23. ~~DELETED. The property owner/operator shall keep a log of complaints received, the date and time received, and the disposition of the response. This shall be available for inspection by the Department.~~
24. Security cameras shall be installed and maintained that covers all common areas of the restaurant, high risk areas, entrances and exits. The tapes shall be maintained for one month and made available to the Los Angeles Police Department, Alcoholic Beverage Control investigators/inspectors, and/or any other enforcement agency upon request.

25. Only the front door shall be used for patron access. Any additional door(s) of the premises shall be equipped, on the inside, with an automatic locking device and shall be kept closed at all times. This door(s) shall not be used as a means of access by patrons to and from the premises. Temporary use of this door(s) for delivery of supplies or trash removal does not constitute a violation. Said door(s) are not to consist solely of a screen or ventilated security door, but shall be solid.
26. ~~DELETED. Any future operator or owner for this site must file a new Plan Approval application to allow the City of Los Angeles to review the "mode and character" of the usage.~~
27. **MODIFIED. STAR/LEAD/RBS TRAINING.** ~~Within ninety days of the effective date of this action~~the first six months of operation, all employees involved with the sale of alcoholic beverages 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. ~~The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. In the event there is a change in the licensee, within one year of such change, this training program shall be required for all new staff.~~STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
28. ~~DELETED. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require the petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review the petitioner's compliance with and the effectiveness of the conditions of the grant. The petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained. Upon this review, the Zoning Administrator may modify, add, or delete conditions, and reserves the right to conduct the public hearing for nuisance abatement/revocation purposes.~~
29. ~~DELETED. 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.~~
30. **MODIFIED.** ~~Within 30 days of the effective date~~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 ~~Zoning Administrator~~Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning

Administrator for attachment to inclusion in the subject case file. Fees required per LAMC 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 prior to the final clearance of this condition.

31. **NEW.** The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under their control to assure behavior that does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
32. **NEW.** An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual attempting to purchase alcoholic beverages 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.
33. **NEW.** Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
34. **NEW.** 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.
35. **NEW. 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, at the bars, or on the bathrooms, or a statement in the menus, a website, or on social media.
36. **NEW.** 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.
37. **NEW.** The establishment shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food

- and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
38. **NEW.** Partitions separating booth/dining areas shall not exceed 54 inches in height. No obstructions shall be attached, fastened or connected to the booths/dining areas within the interior space of the facility that restrict, limit or obstruct the clear observation of the occupants.
39. **NEW.** 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.
40. **NEW.** 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.
41. **NEW.** Entertainment in conjunction with the restaurant is limited to ambient music to compliment the dining experience, shall be limited to background music at a low volume. Independent, professional or amateur disc jockeys are not allowed.

NEW. ADMINISTRATIVE CONDITIONS

42. **NEW. MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per LAMC 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/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.
43. **NEW.** Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30 days of the beginning day of his/her new operation of the

establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.

44. **NEW.** The Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

45. **NEW. 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 (ii).
- 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 (ii).

- 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 \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

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 **JANUARY 4, 2021**, 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 staff assigned to this case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this

requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application and the plans submitted therewith, 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 plan approval under the provisions of Section 12.24-M have been established by the following facts:

BACKGROUND

The subject property consists of seven existing contiguous lots encompassing a total of approximately 46,426 square feet. The property is located at the northeastern corner of Wilshire Boulevard and Alexandria Avenue and has street frontages of approximately 155 feet along the northern side of Wilshire Boulevard and approximately 300 feet along the eastern side of Clune Avenue. An alley abuts the property to the rear.

The property is developed with an existing two-story commercial shopping center occupied by a variety of restaurants and other services. The project site is tenant space #200, a space on the southwestern corner of the second floor which was formerly occupied by a restaurant and is currently vacant. This establishment was previously authorized for the sale and dispensing of a full line of alcoholic beverages under the parent case to the Plan Approval herein; the request herein is to permit continued alcoholic beverage service, per Condition No. 8 of the original case, as well as to permit two additional hours of operation in the mornings. No new construction is proposed, and no additional parking will be provided as part of the request herein.

The property is located within the boundaries of the Wilshire Community Plan Area. The Community Plan designates the subject property for Regional Commercial land uses corresponding to the CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5 Zones. The project site is zoned (Q)C4-2 and is thus consistent with the existing land use designation. The project is located in the Wilshire Center / Koreatown Redevelopment Project Area, and thus will be required to comply with any applicable additional requirements. The subject property is also located within the Los Angeles State Enterprise Zone (ZI-2374) and a Transit Priority Area within the City of Los Angeles (ZI-2452). There are no other specific plans, overlays, or interim control ordinances pertaining to the project site.

The surrounding area is heavily urbanized and has relatively level topography. The subject property is located in central Los Angeles along Wilshire Boulevard, a major arterial corridor developed with a variety of mid- and high-rise buildings. Immediately adjacent to the subject property are a one-story commercial-corner shopping center to the north, zoned (Q)C2-2; the historic Gaylord Apartments high-rise building to the east, zoned C4-2; the Robert F. Kennedy Community Schools campus to the south across Wilshire Boulevard, zoned C4-2; and the Equitable high-rise office tower to the west across Alexandria Avenue, zoned C4-2. The Wilshire/Normandie subway station is located two blocks west of the project site.

Wilshire Boulevard, adjoining the subject property to the south, is a designated Avenue I, and is currently dedicated to a right-of-way width of approximately 100 feet along the project's street frontage and improved with curb, gutter, and sidewalk.

Alexandria Avenue, adjoining the subject property to the east, is a Standard Local Street, and is currently dedicated to a right-of-way width of approximately 80 feet along the project's street frontage and improved with curb, gutter, and sidewalk.

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

Case No. ZA-2013-3055-CUB – On April 4, 2014, the Zoning Administrator approved a Conditional Use to permit the on-site sales and dispensing of a full line of alcohol, in conjunction with a restaurant located in the (Q)C2-2 Zone, with hours of operation from 11 a.m. to 2:00 a.m. daily, at 3377 Wilshire Boulevard, Suite 200. This is the parent case under which the request herein is seeking a Plan Approval.

Case No. ZA-2019-6981-CUB – On July 14, 2020, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant in the (Q)C4-2 Zone, with hours of operation from 11:00 a.m. to 2:00 a.m. daily, at 3377 Wilshire Boulevard, #110-111.

Case No. ZA-2019-6978-CUB – On July 9, 2020, the Zoning Administrator approved a Conditional Use to allow the continued sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant in the (Q)C4-2 Zone, with hours of operation from 10:00 a.m. to 12:00 a.m. Sunday through Thursday and from 10:00 a.m. to 1:00 a.m. Friday through Saturday, at 3377 Wilshire Boulevard, #109.

Case No. ZA-2018-2084-CUB – On September 7, 2018, the Zoning Administrator approved a Conditional Use to permit the sales and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant in the (Q)C4-2 Zone, with hours of operation from 11:00 a.m. to 12:00 a.m. Sunday through Wednesday and from 11:00 a.m. to 2:00 a.m. Thursday through Saturday, at 3377 Wilshire Boulevard, #100.

Case No. ZA-2018-1295-ZV-CUB – On November 7, 2018, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed restaurant and amusement venue and a variance to allow an amusement venue (virtual batting cages) in conjunction with a restaurant with a bar and retail space in the C4-Zone, with hours of operation from 11:00 a.m. to 2:00 a.m. daily, at 3377 Wilshire Boulevard, #205-210.

Case No. ZA-2017-4023-CUB – On March 16, 2018, the Zoning Administrator approved a Conditional Use Permit to allow the continued sale and dispensing of beer and wine for on-site consumption in conjunction with the continued operation of a 3,037 square-foot restaurant, with hours of operation from 11:00 a.m. to 2:00 a.m. daily, in the (Q)C4-2 Zone, at 3377 Wilshire Boulevard, #105.

Case No. ZA-2016-3299-CUB – On February 21, 2017, 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 a proposed restaurant, with hours of operation from 11:00

a.m. to 11:00 p.m. daily, in the (Q)C4-2 Zone, at 3377 Wilshire Boulevard, #104.

Case No. ZA-2012-1359-CUB – On October 19, 2012, the Zoning Administrator approved a Conditional Use Permit to allow the continued sale and dispensing of beer and wine for on-site consumption in the (Q)C4-2 Zone, with hours of operation from 11:00 a.m. to 1:00 a.m. Sunday through Wednesday and from 11:00 a.m. to 2:00 a.m. Thursday through Saturday, at 3377 Wilshire Boulevard, #105.

Case No. ZA-2010-868-CUB – On March 9, 2011, the Zoning Administrator approved a request for a conditional use permit for the sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant, with hours of operation from 11:00 a.m. to 12:00 a.m. Sunday through Wednesday and from 11:00 a.m. to 1:00 a.m. Thursday through Saturday, in the (Q)C4-2 Zone, at 3377 Wilshire Boulevard, #110-111.

Case No. ZA-2009-3275-CUB – On March 26, 2010, the Zoning Administrator approved a conditional use to permit the sale of beer and wine for on-site consumption in conjunction with an existing restaurant located within a Mini-Shopping center, with hours of operation from 7:00 a.m. to 12:00 a.m. daily, in the (Q)C4-2 Zone, at 3377 Wilshire Boulevard, #105.

Case No. ZA-2008-4341-CUB – On October 22, 2009, the Zoning Administrator approved a conditional use to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with three restaurants, in the (Q)C4-2 Zone, at 3377 Wilshire Boulevard, #100, #109, and #112.

Case No. ZA-2007-4528-CUB – On January 4, 2008, the Zoning Administrator approved a request for a conditional use permit for the sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant, with hours of operation from 10:00 a.m. to 11:00 p.m. daily, in the (Q)C4-2 Zone, at 3377 Wilshire Boulevard, #114-115.

Case No. ZA-2004-7905-CUB – On May 4, 2005, the Zoning Administrator approved a conditional use to allow the continued sale and dispensing for consideration of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant, with proposed live entertainment (karaoke music), with hours of operation from 11:00 a.m. to 2:00 a.m. daily, in the (Q)C4-2 Zone, at 3377 Wilshire Boulevard, #202.

Case No. ZA-2004-3790-CUB-ZV – On October 8, 2004, the Zoning Administrator approved a request for a Conditional Use Permit to permit the sale and dispensing of beer and wine only for on-site consumption, in conjunction with a first proposed 3,020 square-foot restaurant having hours of operation from 7 a.m. to 12 midnight daily; and another second proposed 4,218 square-foot restaurant selling beer and wine only for on-site consumption, having hours of operation from 10 a.m. to 12 midnight daily; and a request for a Variance from Section 12.26-E,5 to allow the use and maintenance of 60 required parking spaces off-site with lease agreement in lieu of the recorded covenant and agreement, in the (Q)C4-2 Zone, at 3377 Wilshire Boulevard, #205-207.

Case No. ZA-2002-3856-CUB – On January 8, 2003, the Zoning Administrator approved a request for a Conditional Use Permit, to permit the sale and dispensing of beer and wine only for on-site consumption, with hours of operation from 11:00 a.m. to 11:00 p.m. daily, in the (Q)C4-2 Zone, at 3377 Wilshire Boulevard, #100.

Case No. ZA-1997-336-CUB – On June 27, 1997, the Zoning Administrator approved a conditional use permit to permit the sale and dispensing of alcoholic beverages for on-site consumption, with hours of operation from 11:00 a.m. to 12:00 a.m. daily, in the (Q)C4-2 Zone, at 3377 Wilshire Boulevard, #100.

On June 10, 1998, a Plan Approval was approved for this case.

Case No. ZA-1995-302-CUB – On July 20, 1995, the Zoning Administrator denied a conditional use to permit the expanded sale and dispensing for consideration of alcoholic beverages for on-site consumption beyond the hours and square footage authorized under Case No. ZA 85-0884(CUB), in the C4-2 Zone, at 3377 Wilshire Boulevard, #200.

Case No. ZA-1995-238-CUE – On June 2, 1995, the Zoning Administrator approved the sale and dispensing of beer and wine for on-site consumption, in conjunction with an existing coffee house/restaurant (Cafe Home) accommodating approximately 44 persons, with hours of operation from 12:00 p.m. to 12:00 a.m. daily, in the C4-1 Zone, at 3377 Wilshire Boulevard, #109.

Case No. ZA-1994-246-CUB – On September 2, 1994, the Zoning Administrator approved a conditional use to allow the sale or dispensing for consideration of beer and wine for consumption on the premises in conjunction with an existing restaurant on a site in the C4-2 Zone, with hours of operation from 10:00 a.m. to 1:00 a.m. daily, at 3377 Wilshire Boulevard, #112.

Case No. ZA-1992-829-CUB – On November 19, 1992, the Zoning Administrator approved a conditional use permit to permit the continued sale and dispensing of alcoholic beverages for on-site consumption in conjunction with an existing restaurant, with hours of operation from 10:00 a.m. to 1:00 a.m. Sunday through Thursday and from 10:00 a.m. to 2:00 a.m. Friday through Saturday, in the (Q)C4-2 Zone, at 3377 Wilshire Boulevard, #100.

Relevant Cases on Surrounding Properties

Staff utilized a 600-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Zoning Administrator determinations associated with the sales and dispensing of alcoholic beverages and patron dancing. The following cases were identified to be within 600 feet of the subject property and filed within the last four years:

Case No. ZA-2019-5504-CUB – On April 16, 2020, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant in the C4-2 Zone, with hours of operation from 11:00 a.m. to 2:00 a.m. Sunday through Wednesday and from 11:00 a.m. to 3:00 a.m. Thursday through Saturday, at 3460 Wilshire Boulevard, Suite A.

Case No. ZA-2019-4237-CUB – On April 20, 2020, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant in the C2-2 Zone, with hours of operation from 11:00 a.m. to 2:00 a.m. daily, at 3450 6th Street, #101.

Case No. ZA-2019-3479-CUB – On November 20, 2019, 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 a proposed 1,275 square-foot restaurant, in the C2-1 and R4-2 Zone, with hours of operation from 11:00 a.m. to 2:00 a.m. daily, at 3465 West 6th Street, Unit 80.

Case No. ZA-2019-3360-CUB – On December 6, 2019, 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 a proposed restaurant in the C2-1 and R4-2 Zones, with hours of operation from 11:00 a.m. to 11:00 p.m. Monday through Thursday and from 11:00 a.m. to 2:00 a.m. Friday through Sunday, at 3465 West 6th Street, Unit 160.

Case No. ZA-2019-414-CUB – On September 18, 2019, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed restaurant in the C2-1 Zone, with hours of operation from 11:00 a.m. to 1:30 a.m. daily, at 3465 West 6th Street, Units 90 and 100.

Case No. ZA-2017-3529-CUB – On May 22, 2018, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with the operation of an existing restaurant in the C2-2 and C4-2 Zones, with hours of operation from 11:00 a.m. to 12:00 a.m. Sunday through Wednesday and from 11:00 a.m. to 2:00 a.m. Thursday through Saturday, at 3450 West 6th Street, #103.

Case No. ZA-2017-2925-CUB – On December 4, 2017, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine for onsite consumption in conjunction with an existing restaurant, with hours of operation from 10:00 a.m. to 2:00 a.m. daily, at 3470 West 6th Street, Units 9 and 10.

Case No. ZA-2017-1710-CUB – On October 13, 2017, 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, with hours of operation from 11:00 a.m. to 2:00 a.m. daily, in the C2-2 Zone, at 3470 West 6th Street, Unit 7.

Case No. ZA-2017-1384-CUX-CUB – On September 19, 2019, 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 in conjunction with an existing restaurant in the C4 Zone, and a Conditional Use Permit to allow live entertainment in conjunction with an existing restaurant, with hours of operation from 11:00 a.m. to 2:00 a.m. daily, at 3500 West 6th Street, Suite 330.

PUBLIC CORRESPONDENCE

Staff received correspondence dated August 25, 2020 from the Wilshire Center – Koreatown Neighborhood Council indicating support for the request herein as well as the waiver of a public hearing. Staff also received correspondence from Council Office 10 indicating non-opposition to waiving the public hearing.

PUBLIC HEARING

The public hearing was waived for this case with the support of Council District 10 (per hearing waiver).

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.

The following conditions are submitted for consideration:

- Any alcoholic beverage sold or dispensed for on-site consumption shall be served by employees of the establishment. No self-service of alcohol is allowed.
- There shall be no sales of wine by the bottle or storage of any bottle for future consumption.
- No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverages from any customer while in the premises.
- There shall be no minimum drink required of patrons.
- There shall be no sales of table(s) and/or seating where alcoholic beverages are in any way included in the sale cost of the seating.
- No person under 21 years of age shall sell or serve alcoholic beverages.
- There shall be no exterior advertising of any kind of type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages.
- There shall be no bottle service.
- Petitioner(s) shall not have a cover charge for admission. There shall not be a requirement to purchase a minimum number of drinks.
- Sales and delivery of alcoholic beverages to consumers shall be made from behind a counter where an employee will obtain the product. No self-service of alcoholic beverages by patrons will be permitted. A waitress or waiter shall conduct all alcoholic beverage service.
- No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licensee provide, permit, or make available, either

gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of and for the customer.

- There shall be no “bottle service” of distilled spirits; “Magnum: sized wine/champagne, nor “Buckets” of beer allowed.
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- The sale of alcoholic beverages for consumption off-premises shall be prohibited.
- There shall be no “Happy Hour” or reduced-price drinks.

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 of the Los Angeles Municipal Code. In order for the sale and dispensing of beer and wine only on-site consumption 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.

AUTHORITY FOR PLAN APPROVAL

Section 12.24-M of the Los Angeles Municipal Code provides in pertinent part:

“M. Development of Uses. (Amended by Ord. No. 173,992, Eff. 7/6/01)

1. Development of Site. On any lot or portion of a lot on which a deemed-approved conditional use is permitted pursuant to the provisions of this section, new buildings or structures may be erected, enlargements may be made to existing buildings, existing uses may be extended on an approved site, as permitted in Subsection L of this Section, provided plans are submitted to and approved by the Zoning Administrator, the Area Planning Commission,

CONDITIONAL USE FINDINGS

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

The Plan Approval allows the continued sale and dispensing of a full line of alcoholic beverages in conjunction with an existing restaurant space. The subject property is developed with an existing two-story commercial shopping center. The project site is Suite #200 on the second floor, which was formerly occupied by a restaurant and is currently vacant; the former restaurant was previously authorized to sell and dispense a full line of alcoholic beverages since 2014 under the parent case, ZA-2013-3055-CUB. The grant extends hours of operation by two hours in the mornings.

The continued sale and dispensing of a full line of alcoholic beverages at this location will enable the existing restaurant space to continue operations in the same manner that it has already been for many years. The establishment will continue to contribute

to the economic activity and vitality of the Wilshire Boulevard commercial corridor, a major economic and urban hub which features a wide variety of commercial restaurants and services. In addition, the establishment will continue to provide a unique service and operation with the availability of alcoholic beverages incidental to a full-service sit-down restaurant. The two additional hours of operation in the morning will enable the restaurant to expand on its existing unique offerings by providing expanded morning restaurant service, such as brunch with alcoholic beverages. Thus, the project both enhances the built environment and provides a beneficial service. The imposition of a number of conditions addressing operational 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 Plan Approval allows the continued sale and dispensing of a full line of alcoholic beverages in conjunction with an existing restaurant space. The subject property is developed with an existing two-story commercial shopping center. The project site is Suite #200 on the second floor, which was formerly occupied by a restaurant and is currently vacant; the former restaurant was previously authorized to sell and dispense a full line of alcoholic beverages since 2014 under the parent case, ZA-2013-3055-CUB. The applicant is also requesting to extend hours of operation by two hours in the mornings.

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 sale and dispensing of a full line of alcoholic beverages incidental to restaurant meal service are compatible with the designated land uses. The project, as a neighborhood-serving commercial service, is further compatible with the surrounding neighborhood, which is heavily developed with a variety of compatible commercial and high-density residential uses, and is a desirable use which provides services and contributes to the economic vitality of the area. In addition, the project is for the continuation of an existing restaurant use. Although the project includes remodeling to enclose the previously approved outdoor dining area, at completion there will be fewer seats than previously approved. The project will also not include any karaoke or live entertainment, which were previously approved. No new construction for the subject property is proposed, and there are no changes in any other significant features, including parking. As such, the project will likely have even less of an impact than the previously existing operation. Furthermore, the request for two additional hours of operations is permissible by the LAMC, and an extension to begin service at 9:00 a.m. versus 11:00 a.m. is not likely to have any detrimental impacts as it is not a particularly early hour. Thus, the project will not have any significant additional adverse impacts over the existing operation and will be compatible with adjacent properties and the surrounding community.

Conditions have previously been imposed to continue to encourage responsible management and deter criminal activity. These conditions carry over to the request

herein and new ones have been imposed which will ensure that the operation continues to comply with all applicable regulations and that any aspects of the operation will not adversely affect the surrounding area. As conditioned, the proposed project 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 in the General Plan establish policies and provide the regulatory environment for managing the city and for addressing concerns and issues. The majority of the policies derived from the elements in the General Plan are in the form of Code Requirements, which collectively form the LAMC. As the requests herein are conditionally permissible, the project does not propose to deviate from any of the requirements of the LAMC.

The subject property is located within the boundaries of the Wilshire Community Plan, which establishes land use designations and planning policies for the area. The Community Plan designates the subject property for Regional Commercial land uses corresponding to the CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5 Zones. The project site is zoned (Q)C4-2 and is thus consistent with the existing land use designation. The project is located in the Wilshire Center / Koreatown Redevelopment Project Area, and thus will be required to comply with any applicable additional requirements.

Additionally, the project is consistent with the following goal and objective of the Community Plan:

GOAL 2: "AN ECONOMICALLY VITAL COMMERCIAL SECTOR AND STRONG VIABLE COMMERCIAL AREAS THAT OFFER A DIVERSITY OF GOODS AND SERVICES TO MEET THE NEEDS OF THE COMMUNITY IN THE PLAN AREA. COMMERCIAL AREAS SHOULD SATISFY MARKET DEMAND, MAXIMIZE CONVENIENCE AND ACCESSIBILITY WHILE PRESERVING AND ENHANCING THE UNIQUE HISTORIC AND CULTURAL IDENTITIES OF THE DISTRICT."

Objective 2-1: "Conserve and strengthen viable commercial development..."

The project proposes the continuation of alcoholic beverage service incidental to an existing restaurant space. Thus, the project facilitates the continuation of the existing land use. The project will enable the project site to continue contributing to the thriving and bustling commercial hub along Wilshire Boulevard. Additionally, the project is surrounded by many other compatible and complementary uses. The project follows an established pattern of zoning and land use that is consistent and compatible with other properties and uses in the surrounding area, which include a variety of commercial and entertainment establishments. 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.**

Conditional authorization for the sale and dispensing of a full line of alcoholic beverages for on-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. Such conditions have already been imposed on the subject establishment with the parent case, and no documentation has been submitted indicating that the subject establishment has violated or otherwise not been in compliance with any of the conditions. Existing conditions have been reviewed and modified as necessary, and new conditions have been imposed as appropriate. Employees will continue to undergo training on the sale of alcoholic beverages, including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program. Other conditions related to excessive noise, noise prevention, and litter will continue to safeguard the residential community. Therefore, with the imposition of such conditions, the continued sale and dispensing of a full line of alcoholic beverages at this location will not adversely affect the welfare of the surrounding 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, two on-site and one off-site consumption licenses are allocated to the subject census tract (Census Tract 2121.02). Currently, there are 32 active on-site licenses, one of which is for the former restaurant occupying the project site, and two active off-site licenses total in this census tract. Concentration can be undue when the addition of a license will negatively impact a neighborhood. However, concentration is not undue when the approval of a license provides a public service and benefits the community. In this case, the granting of the application will not result in undue concentration as the project will enable the continued provision of a unique service for the community and destination to complement the neighborhood. Although the number of existing on-site licenses exceeds the number allocated to the subject census tract, a higher number of alcohol-serving establishments is to be expected in an area which functions as a major economic hub and destination with a variety of

commercial and service establishments. In active commercial areas where there is a demand for licenses beyond the allocated number, the ABC has recognized that high-activity retail and commercial centers are supported by significant employee population, in addition to the increasing resident population base in the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. In this case, the project site is located along Wilshire Boulevard, a heavily urbanized major commercial corridor in central Los Angeles developed with a variety of restaurants and service establishments. The project will cater to a large number of both local residents and workers as well as tourists and visitors, and thus will provide a beneficial service. In addition, as the previous restaurant in the subject tenant space was previously approved for alcoholic beverage service both by the City of Los Angeles and ABC, the project will not result in a net change in the number of licenses. Thus, the project will not result in undue concentration.

According to statistics provided by the Los Angeles Police Department's Olympic Division Vice Unit, within Crime Reporting District No. 2027 which has jurisdiction over the subject property, a total of 379 crimes were reported in 2019, including 264 Part I and 115 Part II crimes, compared to the Citywide average of 170 crimes and the High Crime Reporting District average of 204 crimes for the same reporting period. Alcohol-related Part II crimes reported include Narcotics (32), Liquor Laws (1), Public Drunkenness (6), Disturbing the Peace (0), Disorderly Conduct (0), Gambling (0), DUI-related (12), and Miscellaneous Other Violations (34). 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 project will not adversely affect public welfare because the project is the continuation of an existing restaurant use and a desirable use for its location. The project will contribute to the economic activity in the area and enhances the function of the shopping center and the surrounding area as a major commercial and entertainment hub. In addition, the project will enable the subject tenant space to continue operations in a substantially similar manner that it has already been operating, and in a less intensive manner with fewer seats and reduced live entertainment. In this case, the project (including the expanded hours of operation in the morning) will continue to provide and expand on the existing provision of unique services and amenities to workers, visitors, and residents and enhance the physical environment and, as conditioned, will not negatively affect the area. The project site is located in a major commercial and entertainment center where higher instances of crime would be expected. However, as a full-service sit-down restaurant with incidental alcoholic beverage service, the project alone is not likely to have a significant direct impact on the local crime rate. Nevertheless, the Zoning Administrator has incorporated numerous operational conditions to the grant that address noise, safety, and security to ensure the proposed use is conducted with due regard for surrounding properties and to reduce any potential crime issues or nuisance activity. Therefore, the granting of the request herein will not result in undue concentration.

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 continue to be utilized as such with the restaurant use. The following sensitive uses are located within a 1,000-foot radius of the site:

- Basil Parish Korean Catholic Church - 3535 West Sixth Street
- Wilshire Christian Church - 3435 Wilshire Boulevard #101
- 9th Church of Christ Scientist - 3435 Boulevard #105
- Oasis Church - 634 Normandie Avenue
- Immanuel Presbyterian Church - 3300 Wilshire Boulevard
- Marian College School of Nursing - 3325 Wilshire Boulevard #1010
- Larchmont Charter School - 668 South Catalina Street
- Robert F. Kennedy Community Schools - 701 South Catalina Street
- UCLA Community College - 700 S. Mariposa Avenue
- Robert Kennedy Inspiration Park - South side of 3300 Block on Wilshire Boulevard

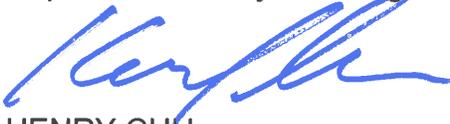
No comments or public correspondence were submitted indicating the subject operation would have any impact on these uses. Nevertheless, consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The project site is a commercial tenant space on the second floor of an existing commercial shopping center which was formerly occupied a restaurant and is currently vacant. Although there are potentially sensitive uses located nearby, as a restaurant within a self-contained shopping center, the project is unlikely to have any significant impacts on adjacent uses. Furthermore, 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 is entirely the continuation of an existing and established operation. The project will contribute to the neighborhood and will serve neighboring residents and local employees as well as visitors. Therefore, as conditioned, the project will not detrimentally affect nearby residentially zoned communities, schools, parks, libraries, or any other sensitive uses in the area.

ADDITIONAL MANDATORY FINDINGS

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

8. It has been determined based on the whole of the administrative record that the project is exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Section 15301 (Class 1), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2, applies.

Inquiries regarding this matter shall be directed to More Song, Planning Staff for the Department of City Planning, at (213) 978-1319.

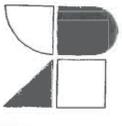


HENRY CHU
Associate Zoning Administrator

HC:MS:bk

cc: Tenth Council District
Adjoining Property Owners

ZA-2013-3055



YU & ASSOCIATES
Architecture Planning Design
3500 Wilshire Blvd., Suite #124
Los Angeles, CA 90010
Tel: (213) 306-1499
http://www.yuandassociates.com

Sheet Title
SITE PLAN /
PROJECT DATA

Project

TENANT IMPROVEMENT FOR
DAL DAY RESTAURANT
3377 W WILSHIRE BLVD. #200
LOS ANGELES, CA 90010

Revision	Date	Remarks

Job No. _____
Date: MARCH, 2009
Scale: AS SHOWN
Drawn by: _____
Sheet No. **A-1.0**

**TENANT IMPROVEMENT FOR
DAL DAY
RESTAURANT**
3377 W WILSHIRE BLVD. #200
LOS ANGELES, CA 90010

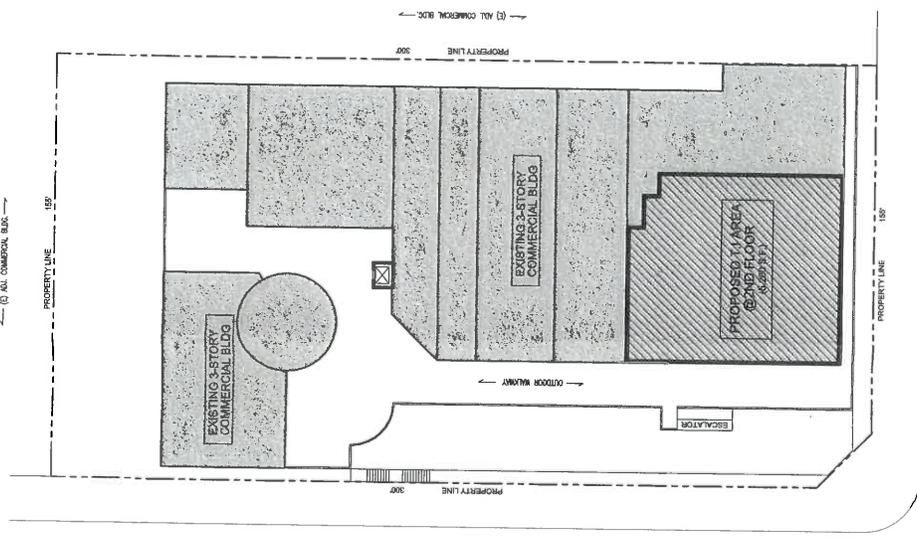
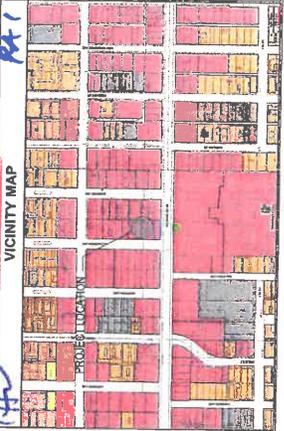
PROJECT DATA

PROJECT ADDRESS : 3377 W WILSHIRE BLVD. #200
LOS ANGELES, CA 90010
PROJECT DESCRIPTION : TENANT IMPROVEMENT
ZONE : (C) C4-2
NUMBER OF STORIES : 2
TENANT AREA : 5,200 SF
PARKING : NO CHANGE IN PARKING (ENTERPRISE ZONE)
OCCUPANCY : A-3
SPRINKLER : FULLY SPRINKLERED IN EXIST'G BUILDING
LEGAL DESCRIPTION : LOT 1-6
BLOCK 2
CHAPMAN PARK TRACT
M B 6-54125

SHEET INDEX

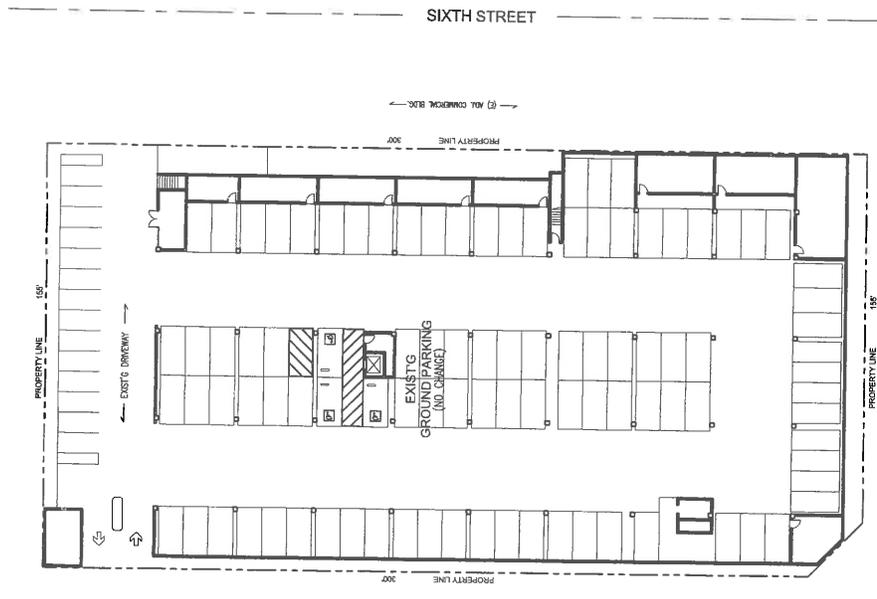
ARCHITECTURE
A-1.0 COVER SHEET, SITE PLAN & GENERAL NOTES
A-2.1 FLOOR PLAN

EXHIBIT "A"
Page No. 1 of 2
Case No. ZA 2013-3055 040 PA 1



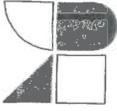
WILSHIRE BLVD.

1
SITE PLAN
SCALE 1"=20'



2
**PARKING GARAGE
@ BASEMENT LEVEL**
SCALE 1"=20'





YU & ASSOCIATES
Architecture Planning Design
3150 Wilshire Blvd., Suite # 1124
Los Angeles, CA 90010
Tel: (213) 340-1499
yuassociates@yuplan.com

Sheet Title
FLOOR PLAN

Project

DAL DAY RESTAURANT
3377 W WILSHIRE BLVD. #200 & #201
LOS ANGELES, CA 90010

Revision	Date	Remark

Job No.
Date
Scale
Sheet No.

A-2.0

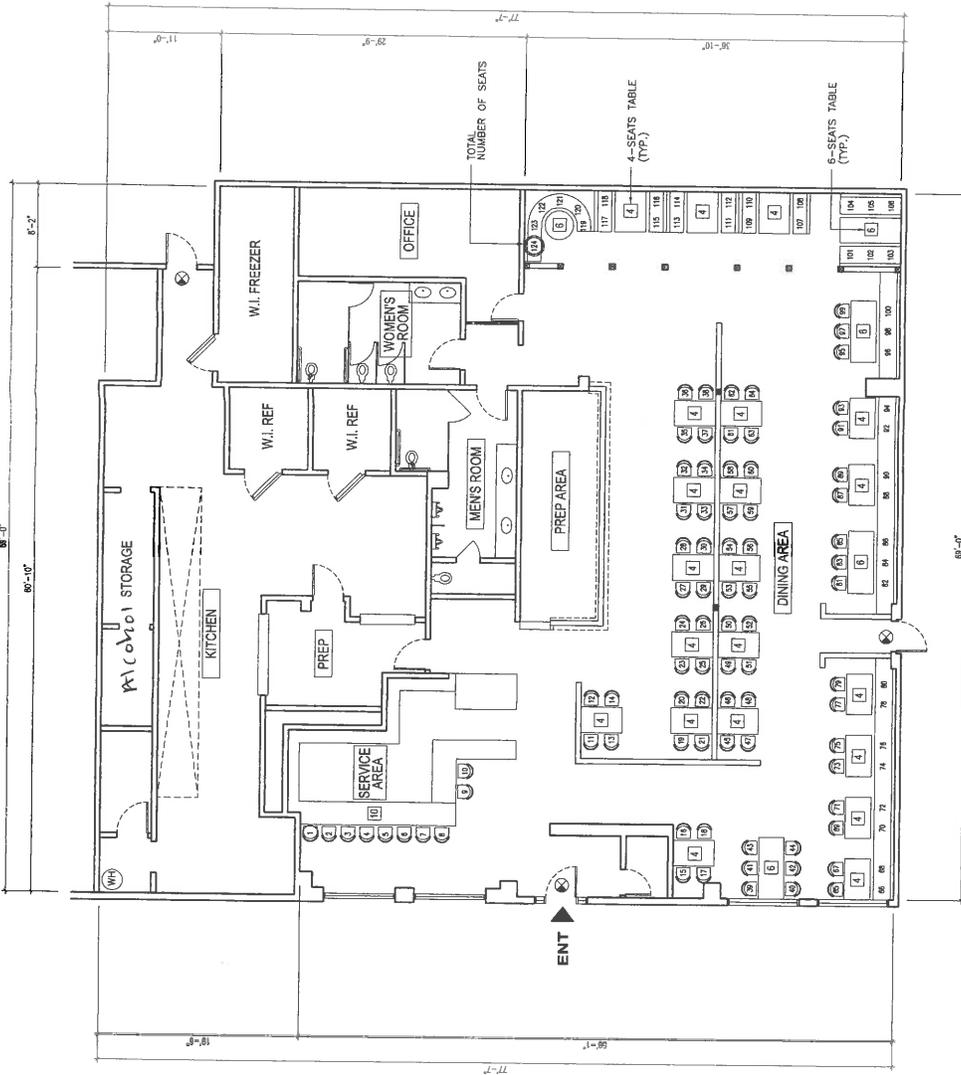
SEAT SUMMARY

6 SEAT X 5 = 30	
4 SEAT X 21 = 84	
BAR	10
TOTAL	124 SEATS

ELECTRICAL SYMBOLS

⊗ ILLUMINATED EXIT SIGNS
(SEE ELECTRICAL DWG.)

EXHIBIT "A"
Page No. *2* of *2*
Case No. *2A-2013-9055-001-Part 1*



FLOOR PLAN
SCALE 3/16" = 1'-0"

1

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC
(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC
(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC
(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment