

**APPLICATIONS:****DEPARTMENT OF CITY PLANNING APPLICATION***THIS BOX FOR CITY PLANNING STAFF USE ONLY*

Case Number _____

Env. Case Number _____

Application Type _____

Case Filed With (Print Name) _____

Date Filed _____

Application includes letter requesting:

☐ Waived hearing☐ Concurrent hearing
Related Case Number _____☐ Hearing not be scheduled on a specific date (e.g. vacation hold)

*Provide all information requested. Missing, incomplete or inconsistent information will cause delays.
All terms in this document are applicable to the singular as well as the plural forms of such terms.*

Detailed filing instructions are found on form CP-7810

1. PROJECT LOCATIONStreet Address¹ 3377 Wilshire BoulevardUnit/Space Number 200Legal Description² (Lot, Block, Tract) Lots 1-6, Block 3, Chapman Park TractAssessor Parcel Number 5502-029-021Total Lot Area 46,478 (approx)**2. PROJECT DESCRIPTION**Present Use Commercial Retail/Service/RestaurantsProposed Use SameProject Name (if applicable) Brown Derby Plaza

Describe in detail the characteristics, scope and/or operation of the proposed project Plan Approval per Condition 8 f of ZA-2013-3055-CUB-CU to permit the onsite site sales/dispensing of a full line of alcohol beverages in conjunction with an existing restaurant, & to permit deviations from MSCCDD for extended hours in the (Q) C4-2 Zone

Additional information attached ☐ YES ☐ NO

Complete and check all that apply:

Existing Site Conditions☐ Site is undeveloped or unimproved (i.e. vacant)☒ Site has existing buildings (provide copies of building permits)☐ Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)☐ Site is located within 500 feet of a freeway or railroad☒ Site is located within 500 feet of a sensitive use (e.g. school, park)☐ Site has special designation (e.g. National Historic Register, Survey LA)

¹ Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)
² Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

Proposed Project Information

(Check all that apply or could apply)

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

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

Housing Component Information

Number of Residential Units: Existing 0 - Demolish(ed)³ 0 + Adding 0 = Total 0
Number of Affordable Units⁴ Existing 0 - Demolish(ed) 0 + Adding 0 = Total 0
Number of Market Rate Units Existing 0 - Demolish(ed) 0 + Adding 0 = Total 0
Mixed Use Projects, Amount of Non-Residential Floor Area: _____ N/A _____ square feet

Public Right-of-Way Information

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

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

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

If you have dedication requirements on multiple streets, please indicate: N/A

3. ACTION(S) REQUESTED

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

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

Authorizing Code Section 12.24 M

Code Section from which relief is requested (if any): N/A

Action Requested, Narrative: PA per ZA-2013-3055-CUB-CU to permit the sale/dispensing of a full-line of alcoholic beverages within an existing/permitted restaurant (5,345 sf), operating from 11 AM - 2 AM daily in the C4-2 zone

Authorizing Code Section _____

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

Action Requested, Narrative: _____

Additional Requests Attached ☐ YES ☒ NO

³ Number of units to be demolished and/or which have been demolished within the last five (5) years.
⁴ As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

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

If YES, list all case number(s) ZA-2013-3055-CUB-CU

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

Case No. ZA-2013-3055-CUB-CU

Ordinance No.: _____

☒ Condition compliance review

☐ Clarification of Q (Qualified) classification

☐ Modification of conditions

☐ Clarification of D (Development Limitations) classification

☐ Revision of approved plans

☐ Amendment to T (Tentative) classification

☐ Renewal of entitlement

☐ Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project?

☐ YES ☒ NO

Have you filed, or is there intent to file, a Subdivision with this project?

☐ YES ☒ NO

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

N/A

5. RELATED DOCUMENTS / REFERRALS

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

a. Specialized Requirement Form N/A

b. Geographic Project Planning Referral N/A

c. Citywide Design Guidelines Compliance Review Form N/A

d. Affordable Housing Referral Form N/A

e. Mello Form N/A

f. Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form N/A

g. HPOZ Authorization Form N/A

h. Management Team Authorization N/A

i. Expedite Fee Agreement N/A

j. Department of Transportation (DOT) Referral Form N/A

k. Preliminary Zoning Assessment Referral Form N/A

l. SB330 Preliminary Application N/A

m. Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) N/A

n. Order to Comply No

o. Building Permits and Certificates of Occupancy See attached

p. Hillside Referral Form (BOE) N/A

q. Low Impact Development (LID) Referral Form (Storm water Mitigation) N/A

r. SB330 Determination Letter from Housing and Community Investment Department N/A

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

PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant⁵ name Eun Kyung Yoo

Company/Firm Silver Lim, Inc

Address: 423 Hoover-Boulevard S. HOOVER ST **Unit/Space Number** 302

City Los Angeles **State** CA **Zip Code:** 90020

Telephone 213-448-5567 **E-mail:** _____

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

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

Name (if different from applicant) Admire 3377 Family LP

Address 3919 Beverly Boulevard, Ste. 104 **Unit/Space Number** _____

City Los Angeles **State** CA **Zip Code:** 90010

Telephone _____ **E-mail:** _____

Agent/Representative name Nathan Freeman

Company/Firm FMG

Address: 3550 Wilshire Boulevard **Unit/Space Number** 1064

City Los Angeles **State** CA **Zip:** 90010

Telephone (213) 220-0170 **E-mail:** neffmg@gmail.com

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

Name Eric Yu

Company/Firm Yu and Associates

Address: 3550 Wilshire Boulevard **Unit/Space Number** 1064

City Los Angeles **State** CA **Zip Code:** 90010

Telephone (213) 798-6595 **E-mail:** yuandassociate@sbcglobal.net

Primary Contact for Project Information
(select only one)

☐ Owner

☐ Applicant

☒ Agent/Representative

☐ Other

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

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

PROPERTY OWNER

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

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

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

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

Signature X Myeong Ki Kim

Date 4/15/2020

Print Name MYEONG KI KIM

Signature _____

Date _____

Print Name _____

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

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

State of California


County of LOS ANGELES

On April 15, 2020 before me, SUNG WON YI, NOTARY PUBLIC
(Insert Name of Notary Public and Title)

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

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

WITNESS my hand and official seal.


Signature (Seal)
SUNG WON YI, NOTARY PUBLIC



APPLICANT

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

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

Signature: Eun Kyung Yoo

Print Name: Eun Kyung Yoo

Date: 3/25/20

PLAN APPROVAL

(Pursuant to Sections 12.24-W & 12.24 M of the LAMC and ZI 122)

ZA 2013-3055-CUB-CU

3377 W. Wilshire Boulevard, Unit. 200

Los Angeles, CA 90010

Wilshire Planning Area

General Plan: Regional Center Commercial

Council District 10

DM: 132B197

MB B 8-54/44

Zone: (Q)C4-2

Block: 2

Lots: 1-6

Tract: Chapman Park Tract

Request: Pursuant to 12.24 M of the LAMC, and per ZI 122, a Plan Approval (PA) pursuant to 12.24 M of the LAMC for Compliance with Conditions, to allow for the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in an existing 5,200 sf restaurant, with 119 parking spaces, operating from **7 AM to 2 AM daily**, per ZA 2013-3055-CUB-CU (**04-21-14**), within a Los Angeles State Enterprise Zone -ZI 2374, Wilshire Center Koreatown – ZA-2488, and the Transit Priority Area in the City of Los Angeles- ZI-2452, in the (Q)C4-2 zone.

Background

The subject property is a sloping, rectangular-shaped, corner parcel of land located at the northeast intersection of Wilshire Boulevard and Alexandria Avenue. The site consists of six (6) contiguous lots tied by use and ownership, totaling approximately 1.3 acres and having a frontage of approximately 155 feet along Wilshire Boulevard and 300 feet along Alexandria Avenue. The site is developed with a two-story (**above basement level parking garage [see submitted site plan]**), L-shaped, commercial building, known as the Brown Derby Plaza. The subject building contains several retail and restaurant uses, as well as a medical office. The subject restaurant is located on the second floor (**Unit 200**), on the southwest corner of the building.

The subject unit is an restaurant with a current total occupancy of 124 seats (**previously 200 seats**).

The site is located within an area of concentrated commercial activity, which includes a large number of restaurants and karaoke bars in the Koreatown area. The project site is zoned (Q)C4-2 and is designated for Regional Center Commercial uses within the Wilshire Center - Koreatown Community Plan. The property is within the Wilshire Center-Koreatown Redevelopment Project Area and the Adaptive Reuse Incentive Areas Specific Plan.

The site is also located within the 21-2374 Los Angeles Enterprise Zone. It is located within 0.21 kilometers of the Puente Hills Blind Thrust Fault but is not subject to landslides or liquefaction. Adjacent land uses consist of multiple-family residential uses to the east as well as retail, restaurant, office, church, and school uses to the north, south, and west.

Northerly, the adjoining property is zoned (Q)C2-2/R5-2 and improved with a mini shopping center and associated surface parking lot. Southerly, across Wilshire Boulevard, the adjoining property is zoned C4-2 and is improved with a school.

Easterly, the adjoining properties are zoned C4-1 and CR-2 and are improved with a 13-story apartment building and a 5-story condominium building. Westerly, across Alexandria Avenue, the adjoining property is zoned C4-2 and is improved with a high-rise office building.

Wilshire Boulevard, is a designated Modified Major Highway Class II dedicated to a width of 100 feet and is improved with a curb, gutter and sidewalk.

Alexandria Avenue, is a Local Street dedicated to a width of 80 feet and is improved with a curb, gutter, and sidewalk.

Plan Approval Findings

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

The subject application entails a Plan Approval (PA) to allow the continued sale and dispensing of alcoholic beverages for on-site consumption in conjunction with an existing restaurant (**Dal Day Restaurant**) with extended current hours of operation from 7AM to 2 AM. daily.

The sale of a full line of alcoholic beverages at the subject establishment has been permitted pursuant to the prior grant approved under Case Nos. ZA 2013-3055(CUB)(CU) on 04-21-14.

The existing location is in a prime area that represents a neighborhood commercial center. Other restaurants and retail establishments as well as office buildings and residential uses are located in the vicinity. Inasmuch as the request is a Plan Approval (PA) to reauthorize the continued sale of onsite alcohol beverages and extended operation hours, it does not represent the introduction of an additional type of use to the area.

The use will continue to serve a public convenience and welfare and as sited, the location is compatible with the character of the surrounding uses. In addition, the current existing grant, in conjunction with the Conditions imposed within same, addresses operational issues that will and has safeguarded the public welfare, and enhanced public convenience.

As such, the project will continue to enhance the surrounding neighborhood, perform a function and provide a service that is essential or beneficial to the community, city, or region in that the subject structures are already developed and the project is in harmony with a variety of stated plans and goals for the Koreatown area, particularly as it relates to the upcoming LA 2028 Olympic Games.

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

The subject property has on-site parking and is buffered from nearby sensitive uses. The underline grant incorporated a number of Conditions designed to mitigate the existing use, including onsite sale/consumption of a full line of alcoholic beverages in a full service restaurant, that also serves the workers of the surrounding businesses and residents.

Further, per approved Findings of ZA 2013-3055-CUB-CU (**as noted above**), this request continues to meet the required definition relative to location, height, size operation and other significant features. In the last nearly six (**6**) years of operation, said use has not adversely affected the surrounding neighborhood or the public health, welfare or safety of same. In fact, its existence has had a net positive affect, as evidenced by multi-million-dollar hotels, condominiums, and mixed-use projects (**e.g., Wilshire Boulevard, Western Avenue, Vermont Avenue**).

Hence, continued use is compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

Again, as noted herein, the subject use and its location conforms with the purpose, intent and provisions of the General Plan, as cited in FINDINGS OF FACT issued by the Associate Zoning Administrator (AZA) Number 3 of said Findings (**ZA 2013-3055-CUB-CU**). Nothing in this request alters said Findings. This request is to verify compliance of those approved Conditions, and to allow its continued use and operation as thus granted. No major changes, additions or alterations to the current grant are being requested.

Additional Findings

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

This is not a request for a new CUB or on-site ABC license. The subject use as a restaurant and has existing and current permits/licenses from all appropriate regulatory agencies governing same. Hence, the granting of the request will *not* add new permits/licenses in the area, and therefore will not result in, or contribute to an undue concentration of such establishments.

- b) Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.**

As noted and described herein, this is a request to reauthorize a previously approved land use permit for onsite consumption of a full line of alcohol beverages in conjunction with the permitted uses. To date, there have been no documented abuses of said grant, nor complaints generated by abutting lease holders, property/owners/occupants, or governmental regulatory agencies (**LADCP-CCU/LADBS/LAPD**). Hence, approval of the requested entitlement will/has not detrimentally affect[ed] the nearby residential zone or uses.