



APPLICATIONS:

**APPEAL APPLICATION
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
Instructions and Checklist**

Related Code Section: The Los Angeles Municipal Code (LAMC) Section 11.5.13 (Ord. No. 186,338) established the appeal procedure to the City Council for California Environmental Quality Act (CEQA) determinations.

Purpose: *The Appeal* - A CEQA clearance can only be appealed if a non-elected decision-making body (ZA, APC, CPC, DIR) makes a determination for a project that is not further appealable. To initiate appeal of a CEQA document this form must be completely filled out with the required materials attached and filed within 15 calendar days from the final administrative decision, of the entitlement application.

General Information

Appealable CEQA documents:

- Certified Environmental Impact Report (EIR)
- Sustainable Communities Environmental Assessment (SCEA)
- Mitigated Negative Declaration (MND)
- Negative Declaration (ND)
- Categorical Exemption (CE)
- Sustainable Exemption (SE)

NOTE:

- Actions not appealable include an addendum, findings made pursuant to CEQA Guidelines Section 15162, or an action in which the determination does not constitute a project under CEQA.
- All CEQA appeals are heard by the City Council.
- This form is only for the appeal of Department of City Planning determinations: All other CEQA appeals are filed with the City Clerk pursuant to the LAMC Section 197.01.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

1. Case Information

Environmental Case Number: ENV-2021-3350-CE

Related Entitlement Case Number(s): ZA-2021-3349-MPA-1A

Project Address: 1545-1551 N. Wilcox

Date of Final Entitlement Determination: 12/09/2021

The CEQA Clearance being appealed is a(n):

- EIR
 SCEA
 MND
 ND
 CE
 SE

2. Appellant Identity (check all that apply)

- Representative
 Property Owner
 Other Person
 Applicant
 Operator of the Use/Site

3. Appellant Information

Appellant Name: Casey Maddren

Company/Organization: Citizens for a Better LA

Mailing Address: 2141 Cahuenga Blvd., Apt. 17

City: Los Angeles State: CA Zip: 90068

Telephone: (323) 462-7804 E-mail: cmaddren@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?
 Self
 Other: Citizens for a Better LA

b. Is the appeal being filed to support the original applicant's position?
 Yes
 No

4. Representative/Agent Information

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

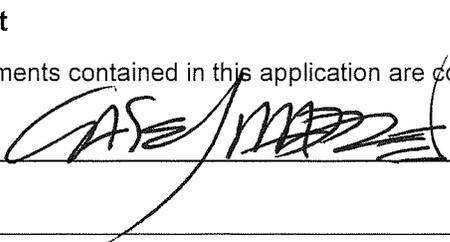
Telephone: _____ E-mail: _____

5. Appeal Justification

Attach a separate sheet providing your specific reasons for the appeal. Your reasons must state how you believe CEQA was incorrectly applied, providing a legal basis for the appeal.

6. Applicant's Affidavit

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

Appellant Signature:  Date: 12-20-21

ENVIRONMENTAL APPEAL FILING REQUIREMENTS

Note: City Clerk prepares mailing list for CEQA appeals per LAMC Section 11.5.13 E.

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

- Environmental Appeal Application (form CP-7840)
- Justification/Reason for Appeal
- Copies of the written Determination Letter, from the final appellate body, which must be a non-elected decision-making body

2. Electronic Copy

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

3. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee of the Environmental case; provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Other Persons - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Citizen News
1545-1551 N. Wilcox
Case No.: ENV-2021-3350-CE
Related Case: ZA-2021-3349-MPA

Appeal

The Reason for the Appeal

As a Hollywood resident, I am deeply concerned about the ongoing abuse of the planning process with regard to projects in this area. In recent years, Relevant Group and their associated entities have created a hotel/nightlife campus in Central Hollywood. They have added numerous ABC locations to an area already oversaturated with alcohol, and have repeatedly blasted music from the rooftop of their first completed hotel, the Dream Hotel, loud enough that people half a mile away can hear it.

The proposed project is not exempt from CEQA pursuant to CEQA Guidelines, Section 15301, Class 1, which is only appropriate for projects that involve “negligible or no expansion of existing or former use.” Furthermore, rather than insisting, as CEQA requires, that the cumulative impacts of Relevant’s hotel/nightlife campus be assessed with an EIR that encompasses all of its components, the City of LA has repeatedly allowed Relevant to piecemeal environmental review. This MPA for Citizen News is just the latest in a series of piecemeal actions, and the use of a CE to avoid required environmental review is illegal.

The approval of the Citizen News restaurant/event space promises to bring further negative impacts including, but not limited to, higher crime, more noise, increased traffic and degraded air quality, to the surrounding area, which is largely residential.

I am also appealing because the process that the City has followed to approve this project has been secretive and deceptive. There is no justification for waiving a public hearing. Also, the determination letter includes factually inaccurate information and fails to include important information.

How I Am Aggrieved by the Decision

Having lived in Hollywood for over 20 years, it is disturbing to see the City act as an enabler for developers, including Relevant Group and its associated entities, who have exploited the Hollywood area to reap profits while degrading the quality of life in the community. With the City’s help, Relevant has dumped an outrageous number of alcohol-serving establishments on Central Hollywood as crime has increased significantly. I was also deeply disturbed last year when, as the pandemic raged, Relevant opened the rooftop of its Dream Hotel for parties, showing no regard for the risks of Covid transmission. By its reckless actions, Relevant has repeatedly shown its contempt for Hollywood residents. The approval of the Citizen News restaurant/event space will only further degrade the quality of life for me and other Hollywood residents.

Specific Points at Issue

Categorical Exemption

The determination letter states that the project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301, Class 1, but it's questionable whether the author has even read the section being cited. Here is the text from the CEQA Guidelines:

15301. EXISTING FACILITIES

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. [...] The key consideration is whether the project involves negligible or no expansion of use.

In the past the Citizen News building housed a business that published a newspaper. In recent years it's been leased for office space. The applicant now proposes to reinvent the space with two restaurants and an event space serving a full line of alcohol and offering live entertainment. This is obviously completely different from the previous use. The project does not qualify for a CE under Section 15301.

The project also does not qualify for a categorical exemption because this is the latest approval in a years-long process by which the City has allowed Relevant Group to create a hotel/nightlife campus through a staggering series of piecemeal approvals. The Citizen News restaurant/event space is the latest addition to Relevant's hotel/nightlife campus, which also includes the Thompson Hotel, the tommie hotel, and the Dream Hotel. (There is also the Dream 2 Hotel, AKA 6421 Selma Hotel, which has been approved but not yet built.) All these components of Relevant's hotel/nightlife campus are within 500 feet of Citizen News. These projects are operationally related, as they're all operated by Ten Five Hospitality. Filings with the State of California for Relevant Group, Ten Five Hospitality, Citizen News, the Thompson Hotel and the tommie hotel all use the same address, 1605 Cahuenga, which is the address Relevant Group has used when submitting applications for numerous components of its hotel/nightlife campus.

Not only does Ten Five Hospitality's Application to Register as a Foreign LLC use the 1605 Cahuenga address, but it's signed by Dan Daley, who is listed on LinkedIn both as Relevant's Chief Operating Officer and the Principal of Ten Five Hospitality. The various components of Relevant's hotel/nightlife campus are operationally linked through use of shared spaces, use of shared parking, and use of shared staff. As with all the other components of Relevant's hotel/nightlife campus, Citizen News was only required by the City to assess impacts related to this one application, when the City should have required an EIR to assess the cumulative impacts of all the elements of the larger project. Citizen News does not qualify for a CE.

Main Plan Approval, Findings

The proposed use will adversely affect the welfare of the community. The addition of two restaurants and an event space offering alcohol and live music will have negative impacts on the neighborhood.

The granting of the application will result in an undue concentration of premises for the sale of alcoholic beverages. This census tract already has an extremely high concentration of

businesses selling alcohol. The findings offer grossly inaccurate and conflicting information about the number and types of alcohol permits in the surrounding area.

The findings use crime statistics from the year 2020, when the pandemic was raging and most businesses in the Hollywood area were closed. The crime rate in this reporting district was significantly lower in 2020 than in previous years, and does not represent an accurate picture of crime in the area. By using data from 2020 to support the findings, the Zoning Administrator appears to be deliberately misrepresenting the level of crime in the area.

The proposed use will detrimentally affect nearby residentially zoned communities in the area. The list of sensitive uses fails to include Triangle Square Senior Apartments, 1602 Ivar, which offer housing for LGBT seniors, and also fails to include Casa Verde Apartments, 1552 Schrader Blvd, which provides affordable family housing with units set aside for formerly homeless and disabled households.

Public Hearing Waived

On page 15 the determination letter states:

On September 16, 2021, the Chief Zoning Administrator issued a Tentative Waiver of Public Hearing for the subject Plan Approval since the project is not likely to evoke public controversy and has received the support of Council Office.

It appears that the Department of City Planning is deliberately trying to shut the public out of the approval process. A previous determination letter issued on May 13, 2019 for the same project notes that interested parties, including LAUSD, submitted correspondence expressing concerns about the project, and also notes that members of the public attended the associated hearing to express concerns. DCP clearly knows that members of the public have concerns about the entitlements being granted and it appears that department staff are trying to rush the approval through without giving the public a chance to comment.

Determination Letter Appears to Deliberately Exclude Significant Relevant Information

On page 15, under Previous Relevant Cases on Subject Property, the determination letter only lists the case regarding historic designation. It does not even mention related cases ZA-2017-755-MCUP SPR or ZA-2021-3264-MPA, even though both are included in the letter's heading.

Also on page 15, under Relevant Cases on Surrounding Properties, the letter states, "There are no relevant off-site cases." This is false. There are numerous other cases in the surrounding area that need to be considered as part of the context for this approval.

Why I Believe the Decision-Maker Erred or Abused Their Discretion

The decision-maker erred/abused their discretion in the following ways:

1. The project does not qualify for a categorical exemption under CEQA Guidelines, Section 15301, Class 1, because it is clearly a significant and unprecedented use for this structure.

2. The project also does not qualify for a categorical exemption because this is the latest approval in a years-long process by which the City has allowed Relevant Group to create a hotel/nightlife campus through a staggering series of piecemeal approvals.
3. The City has not proceeded in the manner required by law.
4. The decision is not supported by the findings and the findings are not supported by the evidence. The findings include grossly inaccurate and contradictory information. The findings also fail to provide appropriate, necessary context for the public's understanding of the issues.
5. The Department of City Planning appears to be shutting the public out of the approval process by waiving a public hearing, even though members of the public have expressed concerns about previous entitlements granted for this project.
6. The determination letter appears to deliberately exclude significant relevant information.



CENTRAL LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: **DEC 09 2021**

Case No. ZA-2021-3349-MPA-1A
CEQA: ENV-2021-3350-CE
Plan Area: Hollywood

Council District: 13 – O'Farrell

Project Site: 1545-1551 North Wilcox Avenue

Applicant: Hollywood Citizen News, LLC, c/o Paul Fuhrman
Representative: Reuben Duarte, Sheppard Mulling Richter & Hampton

Appellant: Casey Maddren, Citizens for a Better LA

At its meeting of **November 23, 2021**, the Central Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

A main plan approval to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed 17,188 square-foot banquet hall/event space with 832 seats, having hours of operation from 10:00 a.m. to 2:00 a.m., daily.

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1, and that there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 applies;
2. **Denied** the appeal and **sustained** the Zoning Administrator's determination dated September 16, 2021;
3. **Approved**, pursuant Section 12.24 M of the Los Angeles Municipal Code, a Main Plan Approval to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption at a proposed banquet hall event space in the C4 Zone; and
4. **Adopted** the attached Conditions of Approval and Findings.

The vote proceeded as follows:

Moved: Lindgren
Second: Gold
Ayes: Lawrence
Absent: DelGado

Vote: 3 - 0

Etta Armstrong

Etta Armstrong, Commission Executive Assistant I
Central Los Angeles Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Central Los Angeles Area Planning Commission is not further appealable and shall become final upon the mailing of this determination letter.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable and the decision is final.**

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.

Attachments: Zoning Administrator's Determination dated September 16, 2021, Interim Appeal Procedures

- c: Henry Chu, Associate Zoning Administrator
Jason Chan, City Planner
Sarahi Ortega, Planning Assistant

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

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

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

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

LOS ANGELES DEPARTMENT
OF CITY PLANNING
EXECUTIVE OFFICES

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DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

planning.lacity.org

September 16, 2021

Hollywood Citizen News, LLC (A)(O)
c/o Paul Fuhrman
Hollywood Citizen News, LLC
1605 N. Cahuenga Boulevard
Los Angeles, CA 90028

Reuben Duarte (R)
Sheppard Mullin Richter & Hampton
333 S. Hope Street, 43rd Floor
Los Angeles, CA 90071

CASE NO. ZA-2021-3349-MPA
MAIN PLAN APPROVAL
Related Cases: ZA-2017-755-MCUP-
SPR,

ZA-2021-3264-MPA
1545-1551 North Wilcox Avenue
Hollywood Planning Area

Zone : C4-2D

C.D. : 13 – O'Farrell

D.M. : 148-5A187

CEQA: ENV-2021-3265-CE

Legal Description: LOTS 2, 3 AND 4 OF
H.J. WHITLEY TRACT NO. 2

Pursuant to CEQA Guidelines Section 15061, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301, Class 1, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies,

Pursuant to Los Angeles Municipal Code Section 12.24-M, I hereby APPROVE:

a Main Plan Approval to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption at a proposed banquet hall/event space in the C4 Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
7. Authorized herein is the sale of a full line of alcoholic beverages for on-site consumption with a new 17,188 square-foot banquet hall/event space subject to the following limitations:
 - a. Hours of operation shall be limited to 10:00 a.m. to 2:00 a.m., daily.
 - b. The indoor area shall be limited to a maximum of 832 indoor seats.
 - c. There shall be no outdoor seats.
8. No after-hour 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.
9. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
10. Lighting shall be installed in all areas within the business in conformance with the Los Angeles Municipal Code. The lighting shall be such that it renders all objects and persons clearly visible within the establishment.
11. The number of "Special Events" permitted in conjunction with the second-floor banquet hall facility of the subject property shall be limited to a maximum of 48 events

per year. Events or facility arrangements which entail any live entertainment or public dancing features that would stipulate an ABC or Police Commission one-day permit application, or some other special endorsement will be considered "Special Events." Any events which feature outside advertisements and the involvement of promoters or coordinators who are not under the employ of the applicant(s), or the business operator(s) will be considered "Special Events." Any operational occurrences or arrangements wherein the applicant(s) demands or requests an admission fee from patrons, or the general public will be considered "Special Events," as will any events wherein the applicant(s) or business operator(s) sells admission tickets.

The applicant shall seek approval from the Hollywood Vice Unit for all "Special Events," 14 days in advance of the date of each "Special Events." LAPD shall respond to requests for "Special Events" in writing. Outside advertisement as it pertains to this provision shall include any promotional material or notification commissioned by any entity that is not directly associated with the operation or under the direct employ of the applicant(s) or business operator(s). "Special Events" may be hosted or otherwise featured, Monday through Sunday, between 10:00 a.m. and 2:00 a.m., provided that LAPD notification occurred and said event was approved.

"Special Events" may only be held in the second-floor banquet hall facility of the commercial building. Approval of "Special Events" will be contingent on the mitigation measures undertaken by the applicant(s) for or during any proposed event. In order to receive Police Department approval for specific "Special Events," the petitioner(s) may be required to employ additional security guards, parking attendants, valet personnel, or make other enhancements to normal staffing arrangements to better manage the specific event.

All uses of the second-floor banquet hall facility, which involve dancing and/or live entertainment features, regardless of whether or not those events are opened to the public or are otherwise private, will be considered "Special Events." All such events will be subject to the "Special Event" security requirements in addition to any and all stipulations that the Los Angeles Police Department elects to impose on any prospective "Special Event." The only events that will be exempt from these requirements will be weddings, bat and bar mitzvas. Events which do not feature live entertainment and/or patron dancing features will be similarly exempt and will not be considered "Special Events."

"Special Events" will enable the operator to exercise limited operational deviations upon Police Department notification and approval. Inclusion of live entertainment features, patron dancing, and extended operational hours and parameters will be possible subjects of temporary modification as it relates to these "Special Events."

12. The applicant(s) or business operator(s) of the second-floor banquet hall facility shall be permitted to charge for tickets, ticket sales or admission for "Special Events." The applicant(s) and/or business operator(s) shall provide written notice to the Hollywood Vice Office of the Hollywood Division Community Police Department at least 14 days prior to any ticketed event as defined above. The applicant and/or business operator shall maintain records of all such ticketed events and attendance records for each event. The applicant or business operator shall make these records and receipts

available to the Office of Zoning Administration or the Los Angeles Police Department upon request.

13. Live entertainment shall be limited to stand-up comedy, a solo or group act of musicians performing live music, and/or a single Disk Jockey. Karaoke is not permitted. Live entertainment shall be subject to any required permits to be reviewed and approved by the Los Angeles Police Commission, as applicable.
14. No admission or cover charge shall be required to enter the subject premises, except during those occasions when an approved special event is being held in relation to the second-floor banquet hall facility.
15. Live entertainment is permitted in conjunction with any special events that are organized and held within the second-floor banquet hall facility of the commercial building. Any inclusion or incorporation of live entertainment will be considered a "Special Event" and will be subject to the terms of special events that are specified in Condition No. 12. Any live entertainment features or offerings shall be subject to any required permits to be reviewed and approved by the Los Angeles Police Commission, as applicable. Live entertainment may include but not be limited to live musical or theatrical performances, a DJ or karaoke, provided the latter is not conducted in private rooms. Employment and/or organization of any live entertainment features will constitute a special event.
16. Patron dancing is permitted in conjunction with any "Special Events" that are organized and held within the second-floor banquet hall facility of the commercial building. Any inclusion or incorporation of patron dancing features will be considered a special event and will be subject to the terms of special events that are specified in Condition No. 12. Any patron dancing features or offerings shall be subject to any required permits to be reviewed and approved by the Los Angeles Police Commission, as applicable. Patron dancing may include but not be limited to dancing activities that occur in relation to a dance floor area. Employment and/or organization of any patron dancing features will constitute a special event.
17. The applicant(s) shall not sublet any portion the premises to outside "promoters" for nightclub activity. The premises shall not be used exclusively for private parties in which the general public is excluded.
18. **Complaint Log.** Prior to the utilization of this grant, a telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Customer service desk, front desk or near the hostess station

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. This log shall be made available to law enforcement personnel upon request and presented as part of the

application if and when a new application to continue the operation is submitted to the Department of City Planning.

19. **STAR/LEAD Training.** Within the six months of operation / or issuance of administrative clearance/ or the effectuation of the grant, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program. Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter referencing Case No. [ZA-2021-3349-MPA], from the Police Department to the Department of City Planning as evidence of compliance. In the event there is a change in the licensee, within six months of such change, this training program shall be required for all new staff. The STAR training shall be conducted for all new hires within two months of their employment.
20. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
21. Loitering is prohibited on or around these premises or the area under the control of the applicant. Signs shall be prominently posted in English and the predominant language of the facility's clientele, if different and a notice shall be placed therein stating that California State Law prohibits the sale of alcoholic beverages to persons under the age of twenty-one years or to intoxicated persons and that no such sales will be made. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject property in the same language(s).
22. The Applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
23. The applicant(s) and/or individual business operators shall at all times maintain the abutting public access ways free of obstruction.
24. Line-queuing arrangements of or for the banquet hall facility patrons on the public expanses which encircle the subject property are strictly prohibited.
25. 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.
26. If valet service is used a copy of the contract with the valet company shall be submitted to the Office of Zoning Administration demonstrating that valet service is made available to customers of the petitioner(s) between the hours of 8:00 p.m. and one-half hour after closing. If valet service is implemented the petitioner(s) will additionally be required to provide the Office of Zoning Administration with information pertaining to the valet rates or cost of valet service as it relates to customers utilizing said service. The availability of valet parking/service shall be made known to the public via the restaurant menu, a posting of the information on readily visible locations

in the restaurant and on any restaurant website.

27. A copy of the business permit, insurance information, and a valid emergency contact phone number for the business operator(s), the valet provider(s), and security company service(s) used by the business operator shall be maintained at each individual retail site of the commercial building and presented upon request to any law enforcement officer.
28. Security Plan Conditions.
 - a. The petitioner(s) and/or the business operators shall provide a 14-day advance calendar of banquet hall activities involving any "Special Events," private events, ticketed events, and any events which involve patron dancing and/or live entertainment features at the premises to the Police Department identifying the number of patrons indicated for each event, security personnel to be employed for any event or operational function during the involved month, the hours the facility is rented or otherwise used for any/all "Special Events," the person or entity hosting any events at the facility and an emergency phone number where the hosts or promoters of any event can be reached while the event is in progress.
 - b. During any "Special Events," private events, ticketed events, and any events which involve patron dancing and/or live entertainment features at the second-floor banquet hall of the premises, the petitioner(s) shall be required to employ a minimum of (10) security guards at the second floor banquet hall facility. The Petitioner(s) shall be required to employ the concerned security guards thirty (30) minutes before the commencement of any such event. The Petitioner(s) shall be required to maintain the minimum amount of security guards on the subject premises until thirty (30) minutes following the conclusion of any "Special Events."
 - c. The security guards fulfilling the Security Plan staffing requirements shall not have any other activities other than those that are security related. Security personnel shall be licensed in accordance with State Law and Police Commission standards and maintain valid Bureau of Security and Investigative Services Guard Credentials along with active first-aid credentials. Security personnel shall be dressed in such a manner as to be readily identifiable as facility security guards to patrons and law enforcement personnel.
 - d. Petitioner(s) shall install and maintain security cameras and a three-month video library that covers all common areas of the commercial property, high-risk areas, sidewalk areas, and entrances or exits. The videotapes or digital recordings shall be made available to police upon request.
 - e. The petitioner(s) shall be required to provide the Police Department with a security plan that satisfactorily conforms to Police Department and City Planning standards. The security plan shall include a delineation of the video surveillance arrangements for both the licensed premises and the adjoining areas developed or otherwise used by the petitioner(s). The security plan shall

also include a delineation of the security personnel scheme including specifications pertaining to staffing, structure, and arrangement of security guards for both the licensed premises and the adjoining areas developed or used by the petitioner(s). A written/stamped Police Department approved copy of the petitioner(s) security plan will be submitted to the Zoning Administrator prior to the exercise of this grant.

29. If the membership of the Hollywood Vice Office becomes aware that the concerned security plan is ineffective or that the agreed upon plan has otherwise been proven to be inadequate as it pertains to the enhancement of safety for both the patrons, residents and/or the employees of the subject premises, the Hollywood Vice Office reserves the capability to revise the existing security plan and modify the parameters of it to maximize safety while reducing nuisance and criminal activity.
30. At no time shall any form of membership card or compensation be a pre-requisite for admission to the subject premises at large, or to any sub-portion of the commercial building.
31. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted.
32. **Prior to the utilization of this grant**, 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. At least one on-duty manager with authority over the activities within each 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 subject premises and the facility to discourage illegal and criminal activities and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
34. **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 notifying patrons of the program. The signs/cards 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.
35. Any music, sound or noise including amplified or acoustic music which is under control of the applicant shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City inspector 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.

36. In order to limit any loud music/sound/noise emanating from the subject premises, the applicant(s)/operator(s) shall keep all the facility windows and all of the building entryways closed. Ingress and egress activities accomplished via the building entryways will be permitted but the applicant(s)/operator(s) shall be required to monitor the entryways to ensure that the points of ingress/egress only remain opened during those occasions wherein patrons or employees are entering or exiting the interior portions of the premises. The doorways of the commercial building shall not be propped open or left standing open for an unreasonable duration during all hours of operation.
37. All entrances/exits of the commercial building shall be outfitted with closable doorways. The building doorways shall not consist solely of a screen or ventilated security door. The rear/side door(s) of each distinct retail site located within the subject premises, shall be equipped on the inside with automatic locking devices and shall be kept closed at all times. Temporary use of the rear/side doorways of each individual retail site of the premises for delivery of supplies does not constitute a violation. Said door(s) are not to consist solely of a screen or ventilated security door.
38. **Private Events.** Any use of the 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.
39. The exterior windows and glass doors of the subject premises shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and private security.
40. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site and no floodlighting shall be located as to be seen directly by persons on adjacent properties.
41. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
42. **Prior to the utilization of this grant,** the manager of the facility shall be made aware of the conditions and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees shall be provided to the Department of City Planning. The statement shall state,

We, the undersigned, have read and understood the conditions of approval to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with the event space, and agree to abide and comply with said conditions.

A copy of the conditions of this letter of determination, business permit and insurance information shall be retained on the premises at all times and produced upon request by the Police Department, the Department of Building and Safety or the State Department of Alcoholic Beverage Control.

43. The owner or the operator shall comply with California Labor Code Section 6404.5(b) which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices, within any place of employment. The owner or the operator 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.
44. The approved conditions shall be retained within each individual retail site of the commercial building, at all times, and produced upon request of the Police Department, the Department of Building and Safety or City Planning. All licenses, permits and conditions shall be posted in a conspicuous location within each individual retail site of the commercial building. Additionally, copies of the ABC operating conditions and conditional use permit conditions shall be provided to all employees working at each individual retail site of the commercial building. Employees working the event space are required to be knowledgeable of the establishment operating conditions and shall sign a document acknowledging that they have read and understood all of the ABC and conditional use permit conditions. Said acknowledgment form(s) shall be maintained at the location by the individual business operators and/or business managers, who shall present the document(s) to Police Department personnel, ABC Investigators or any other City agency upon request.
45. All entertainment shall be conducted within a wholly enclosed building; there shall be no live entertainment or dancing in an outside area at any time.
46. No after-hours use of the establishments shall be permitted. The premises shall not be exclusively used for private parties, including promotional events, in which the general public is excluded.

ADMINISTRATIVE CONDITIONS:

47. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
48. **MVIP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C section 19.01-E,3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.

- a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
 - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
49. 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.
50. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon his/her initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-E, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
51. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**
- Applicant shall do all of the following:
- i. 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.

- ii. 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.
- iii. 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).
- iv. 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).
- v. 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

October 1, 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.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Note of Instruction Regarding the Notice of Exemption: Applicant is hereby advised to file the Notice of Exemption for the associated categorical exemption after the issuance of this letter. If filed, the form shall be filed with the County of Los Angeles, 12400 Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). More information on the associated fees can be found online here: <https://www.lavote.net/home/county-clerk/environmental-notices-fees>. The best practice is to go in person and photograph the posted notice in order to ensure compliance. Pursuant to Public Resources Code Section 21167 (d), the filing of this notice of exemption starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations, and the possibility of a CEQA appeal, being extended to 180 days.

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, the plans submitted therewith, and submitted correspondence all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use permit under the provisions of Section 12.24-M have been established by the following facts:

BACKGROUND

The Project consists of the sale of full line alcoholic beverages for on-site consumption in conjunction with the operation of the Event Space, as well as dancing and live entertainment, including amplified music (such as disc jockey's), live acoustic (non-amplified) with up to three musicians, and ambient music, to compliment the operation of the Event Space and up to 48 special events annually. The Event Space will have operational hours from 8:00 AM to 2:00 AM, daily. The Applicant requests a Plan Approval in reliance upon the Original Approval.

The Site is located along a densely populated commercial corridor in the Hollywood neighborhood of Los Angeles, along Wilcox Avenue. Specifically, the Site is located southwest of the intersection of Selma Avenue and Wilcox Avenue (see Exhibit A). The Site is zoned C4-2D, or Regional Center Commercial in Height District 2 with Development Limitations, and is currently developed with a two-story, approximately 43,230 square foot building with a lot size of approximately 20,592 gross square feet.

The building is formerly home to Citizen News, a media company. Constructed in 1932, the art-deco designed structure was the production headquarters for the Hollywood Citizen News. The newspaper operated under various owners from the 1930's to the early 1970's. The building underwent a significant renovation and remodel in 2006 to attract media and entertainment-related office and production tenants, and has operated as an office building since that time. Pursuant to the Original Approval, the Citizen News Building has been rehabilitated to include two ground floor restaurants and a second floor flexible event space. This Plan Approval is specific to the second floor Event Space.

No on-site parking is currently provided or required. The Citizen News Building is a Los Angeles Historic-Cultural Monument ("HCM"), adopted by resolution on December 7, 2018. Pursuant to LAMC § 12.21.A.4.x., no parking is required for the change of use of an HCM. One parking space is provided off-site via Affidavit Number 060805823 (Exhibit D), located at 6516 Selma Avenue. This parking affidavit is to be removed due to the proposed development at 6516 Selma Avenue. As a practical matter, the Applicant recognizes the need

Streets

Wilcox Avenue, adjoining the subject property to the east is designated as a Modified Avenue III dedicated to a width of 70 feet at the subject property with curb, gutter, and sidewalk.

Selma Avenue, adjoining the subject property to the west is designated as a Local Street - Standard dedicated to a width of 60 feet at the subject property with curb, gutter, sidewalk,

and on-street parking.

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

CHC-2018-3629-HCM. On September 20, 2018, the Cultural Heritage Commission declared the subject building an Historic-Cultural Monument. The City Council adopted the determination at the December 5, 2018, meeting as part of Council File No. 18-0917.

Relevant Cases on Surrounding Properties:

There are no relevant off-site cases.

PUBLIC CORRESPONDENCE

On September 14, 2020, Craig Bullock, Planning Director for CD 13, submitted correspondence stating the Council District is supportive of a hearing waiver because the project will not be detrimental to the surrounding neighborhood and is consistent with neighboring uses.

PUBLIC HEARING - WAIVED

On September 16, 2021, the Chief Zoning Administrator issued a Tentative Waiver of Public Hearing for the subject Plan Approval since the project is not likely to evoke public controversy and has received the support of Council Office.

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.

- There shall be no service, sales or possession of an alcoholic beverage on any sidewalk area with the exception of the approved patio area. There shall not be off-site sales of Alcohol beverages.
- Bottle and/or Table service involving the distribution of distilled spirits shall be prohibited. "Buckets" of beer and portable bars are prohibited. There shall be no "Minimum drink" required of patrons. In addition, 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 signs are permitted on the outside of the building or patio enclosure or directed from inside to the outside which display or advertise the availability of alcoholic beverages.

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, or the City Planning Commission, whichever has jurisdiction at that time ...".

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-M of the Los Angeles Municipal Code. In order for the sale and dispensing of alcoholic beverages to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

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 includes the sale and dispensing of a full line of alcoholic beverages and live entertainment within the already approved Event Space in the architecturally distinct and culturally important Citizen News building. The grant is part of the Master Conditional Use Permit that requires the applicant file a Plan Approval. The project brings an additional amenity to complement the innovative re-use of the building and enhance its activity and add to the vibrancy of the Hollywood neighborhood.

The surrounding commercial corridor along Selma Avenue and Hollywood Boulevard to the North of the Project, include a wide and diverse array of existing hospitality, dining, and entertainment uses. This Plan Approval grant incidental to the Event Space and in conjunction with the hosting of special events and will contribute to the established reputation of Hollywood as an entertainment icon. This will help make

the Event Space competitive with other establishments in the Hollywood area and would support a similar event experience. The project would be contained within its distinct Event Space, and with the conditions that have been imposed, will not adversely impact the surrounding neighborhood. Therefore, for all the reasons cited above, the Project will enhance the existing built environment in the surrounding neighborhood and will perform a function or provide a service that is essential or beneficial to the community, city, or region.

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 property is located within the Hollywood Community Plan which designates the property for Regional Commercial land uses, corresponding to the CR, C1.5, C2, C2(PV), C4, R3, R4, R5, RAS3, and RAS4 zones. The property is zoned C4-2D and the proposed use corresponds to the Regional Commercial land use designation.

The proposed Plan Approval allows for an increase in square footage of 15,788 square feet to 17,188 square feet and in seats from 650 seats to 832 seats for the Event Space that were previously approved in Case No. ZA-2017-755-MCUP-SPR.

The subject project will not expand the historic building and will maintain its historic integrity. An addendum to the Mitigated Negative Declaration (included in the case file) analyzed the revisions of the event space and determined there would no adverse impacts from the revisions. Furthermore, the project will include the conditions identified in the Master Conditional Use, which addresses the project and conditions the project to address nuisances, sound, responsible management, safety and security. As such, the project will not be detrimental or further degrade adjacent properties.

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

The project site is located within the Hollywood Community Plan with a land use designation of Regional Center Commercial, with the following corresponding zones: C2, C4, P, PB, RAS3, and RAS4. The site is zoned C4-2D and is developed with a two-story office building. The proposed project involves the Plan Approval to an event space identified in the Master Conditional Use. As stated in the findings of Case No. ZA-2017-755-MCUP-SPR, the project will substantially conform with the purposes, intent and provision of the General Plan and the Hollywood Community Plan.

The Plan Approval project will continue to conform with such as the Plan Approval merely looks closer into the event space that will be occupying one of the spaces identified in the Master Conditional Use. The project only involves the change in the square footage and seating of the Event Space and will continue to be consistent with the Master Conditional Use grant and conform with the purposes, intents, and provisions of the General Plan and Hollywood Community Plan, as previously stated in the findings for the Master Conditional Use.

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

This Plan Approval closely analyzed the Event Space's operating characteristics and determined that the revisions of floor area and seating will not adversely affect the welfare of the pertinent community.

Conditions have been incorporated into this grant to require security measures such as the installation of a surveillance system, security presence, and deterrence of graffiti. As a part of the Approval of Plans process, each individual venue will have additional conditions imposed and tailored towards the specific use. Such imposition of conditions will make the use a more compatible and accountable neighbor to the surrounding uses. Conditions are intended to integrate the use into the community as well as protect community members from potential adverse impacts associated with alcohol sales or entertainment uses.

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 State Department of Alcoholic Beverage Control licensing criteria, there are 3 on-site and 2 off-site licenses allocated to the subject Census Tract Number 1907.00, based on a population of 3,379. Presently, there are 55 active licenses within this census tract, including 98 on-site and 2 off-site alcohol licenses. There are 55 active establishments within 600 and 1,000 feet of the subject site with on-site and/or off-site alcohol licenses.

According to statistics provided by the Los Angeles Police Department's Hollywood Division Vice Unit, within Crime Reporting District No. 646, which has jurisdiction over the subject property, a total of 855 crimes were reported in 2020 (413 Part I and 442 Part II crimes), compared to the Citywide Average of 141 crimes for the and the High Crime Reporting District Average of 169 crimes. Alcohol related Part II Crimes reported include Narcotics (53), Liquor Laws (31), Public Drunkenness (3), Disturbing the Peace (0), Disorderly Conduct (9), Gambling (0), DUI related (10), Moving Traffic Violations (13) and other offenses (123). 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.

As conditioned herein, the proposed project will be implemented with conditions intended to prevent public drinking, driving under the influence, and public drunkenness. 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 surveillance, responsible management and deterrents against loitering. As part of the application process, the applicant's representative will meet with the Los Angeles Police Department, and review security, training, and other proposed conditions for the Project. The conditions will safeguard the welfare of the community. As conditioned, allowing the sale of a full line of alcohol for on-site consumption at this establishment will not result in undue concentration and is not anticipated to create a law enforcement issue since this was already factored in when reviewing the Master Conditional Use case.

Granting of an application for the sale or dispensing of alcoholic beverages can be undue when the addition of a license will negatively impact a neighborhood. It is not undue when approval of a license does not negatively impact an area, but rather such license benefits the public welfare and serves as a convenience. The grant will be an asset to the community and will not adversely affect the community welfare. As a result, the instant grant will not result in an undue concentration of such licenses. 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. As such, approval of the request will not contribute to the area's crime rate and will therefore not result in an undue concentration of licensed premises.

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

The following sensitive uses are located within 1000 feet of the project site:

- Selma Park (6561 West Selma Avenue)
- Selma Avenue School (6611 Selma Avenue)
- Larchmont Charter School (6611 West Selma Avenue)
- Y.M.C.A. (6560 West Selma Avenue)
- Blessed Sacrament Church (6660 West Selma Avenue)
- Hollywood Walk-In Clinic (6430 Selma Avenue)
- Kings Education of Los Angeles (1555 Cassil Place)
- Los Angeles Center of Photography (1515 Wilcox Avenue)

Consideration has been given to these sensitive uses, including the Selma Avenue School. Consideration has been given to the context of the area, these sensitive uses, and the design and screening to protect these sensitive uses. The event space does not include outdoor dining or seating and is confined entirely indoors. Event space will not impact the identified sensitive uses. A number of multiple family residential buildings are situated south along Wilcox Avenue increase the potential for utilizing the Wilcox and Selma Avenues as school routes. The project site is buffered from sensitive uses as it is adjoined in all directions by other commercial uses in the C4-2D zone. The Plan Approval process will security personnel are

present during special events to ensure there will not be any impacts to the sensitive uses or residential areas.

The sale of alcoholic beverages is in conjunction with the Event Space and will have security presence during special events. The project site is located within a developed commercial corridor and will not detrimentally affect the neighboring offices and commercial uses in the area. With the conditions imposed by the Zoning Administrator, the impacts of the on-site consumption and dispensing of a full line of alcoholic beverages will be reduced and will not detrimentally affect nearby residentially zoned communities and other sensitive uses within the area.

Inquiries regarding this matter shall be directed to Sarahi Ortega, Planning Staff for the Department of City Planning at Sarahi.Ortega@lacity.org or (213) 978-1383.



HENRY CHU
Associate Zoning Administrator

HC:SO:bk

cc: Councilmember O'Farrell
Thirteenth Council District
Adjoining Property Owners

Applicant Copy
 Office: Downtown
 Application Invoice No: 77169

City of Los Angeles
 Department of City Planning



Scan this QR Code® with a barcode reading app on your Smartphone. Bookmark page for future reference.



6800177169



City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please visit <https://planning.lacity.org/pdiscaseinfo/> and enter the Case Number.

Receipt Number: 201221E3E-B6EF262A-DE3C-47C4-A642-30B61707966D, Amount: \$109.47, Paid Date: 12/20/2021

Applicant: CITIZENS FOR A BETTER LA - MADDREN, CASEY (323-4627804)
Representative:
Project Address: 1545 N WILCOX AVE, 90028

NOTES:

ENV-2021-3350-CE-1A			
Item	Fee	%	Charged Fee
Appeal by Aggrieved Parties Other than the Original Applicant *	\$89.00	100%	\$89.00
Case Total			\$89.00

Item	Charged Fee
*Fees Subject to Surcharges	\$89.00
Fees Not Subject to Surcharges	\$0.00
Plan & Land Use Fees Total	\$89.00
Expediting Fee	\$0.00
Development Services Center Surcharge (3%)	\$2.67
City Planning Systems Development Surcharge (6%)	\$5.34
Operating Surcharge (7%)	\$6.23
General Plan Maintenance Surcharge (7%)	\$6.23
Grand Total	\$109.47
Total Invoice	\$109.47
Total Overpayment Amount	\$0.00
Total Paid (this amount must equal the sum of all checks)	\$109.47

Council District: 13
 Plan Area: Hollywood
 Processed by CHAN, JASON on 12/20/2021

Signature: _____

Building & Safety Copy
 Office: Downtown
 Application Invoice No: 77169

City of Los Angeles
 Department of City Planning



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