



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
 - Hearing not be scheduled on a specific date (e.g. vacation hold)
- Related Case Number _____

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.
All terms in this document are applicable to the singular as well as the plural forms of such terms.
Detailed filing instructions are found on form CP-7810

1. PROJECT LOCATION

Street Address¹ 3339 W Wilshire Blvd (3331-3343 W Wilshire Blvd) Unit/Space Number _____

Legal Description² (Lot, Block, Tract) TR 7517, Lot FR3, MB 189-25

Assessor Parcel Number 5502028019 Total Lot Area 24,385 SF

2. PROJECT DESCRIPTION

Present Use Restaurant

Proposed Use Restaurant/Retail Food

Project Name (if applicable) Open Market

Describe in detail the characteristics, scope and/or operation of the proposed project A Conditional Use Permit for the off-site sale of beer & wine in conjunction a retail food market of 1,577-SF Hours of operation from 6am-2am, daily.

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/has been 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 n/a - Demolish(ed)³ n/a + Adding n/a = Total n/a
 Number of Affordable Units⁴ Existing n/a - Demolish(ed) n/a + Adding n/a = Total n/a
 Number of Market Rate Units Existing n/a - Demolish(ed) n/a + Adding n/a = Total n/a
 Mixed Use Projects, Amount of Non-Residential Floor Area: _____ 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 12-24-2-1

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

Action Requested, Narrative: A Conditional Use Permit for the off-site sale of beer and wine in conjunction with a new retail food market of 1,577-SF. Hours of operation from 6am-2am, daily.

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) _____

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

Case No. _____

Ordinance No.: _____

Condition compliance review

Clarification of Q (Qualified) classification

Modification of conditions

Clarification of D (Development Limitations) classification

Revision of approved plans

Amendment to T (Tentative) classification

Renewal of entitlement

Plan Approval subsequent to Master Conditional Use

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

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

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

5. RELATED DOCUMENTS / REFERRALS

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

a. Specialized Requirement Form _____

b. Geographic Project Planning Referral Submitted _____

c. Citywide Design Guidelines Compliance Review Form _____

d. Affordable Housing Referral Form _____

e. Mello Form _____

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

g. HPOZ Authorization Form _____

h. Management Team Authorization _____

i. Expedite Fee Agreement _____

j. Department of Transportation (DOT) Referral Form _____

k. Preliminary Zoning Assessment Referral Form _____

l. SB330 Preliminary Application _____

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

n. Order to Comply _____

o. Building Permits and Certificates of Occupancy _____

p. Hillside Referral Form (BOE) _____

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

r. SB330 Determination Letter from Housing and Community Investment Department _____

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 Brian Lee
Company/Firm Open Market, LLC
Address: 3339 W Wilshire Blvd Unit/Space Number _____
City Los Angeles State CA Zip Code: 90010
Telephone _____ E-mail: brianlee@jamisonservices.com
Are you in escrow to purchase the subject property? YES NO

Property Owner of Record Same as applicant Different from applicant
Name (if different from applicant) 3333 Wilshire Building, LLC
Address 3470 Wilshire Blvd Unit/Space Number 700
City Los Angeles State CA Zip Code: 90010
Telephone _____ E-mail: _____

Agent/Representative name Nikola Hlady
Company/Firm Elizabeth Peterson Group
Address: 400 S Main St Unit/Space Number 808
City Los Angeles State CA Zip: 90013
Telephone (213) 620-1904 E-mail: nik@epgla.com

Other (Specify Architect, Engineer, CEQA Consultant etc.) _____
Name _____
Company/Firm _____
Address: _____ Unit/Space Number _____
City _____ State _____ Zip Code: _____
Telephone _____ E-mail: _____

Primary Contact for Project Information Owner Applicant
(*select only one*) 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 or 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 _____

Date 6/29/21

Print Name Phillip Lee - 3333 Wilshire, LLC

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 June 29, 2021 before me, Sewon Um, Notary Public
(Insert Name of Notary Public and Title)

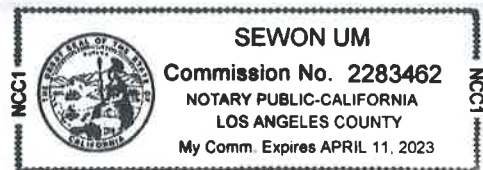
personally appeared Phillip Lee, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) 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]
Signature

(Seal)



APPLICANT

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

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

Signature: _____

Date: _____

Print Name: _____

**OPTIONAL
NEIGHBORHOOD CONTACT SHEET**

9. **SIGNATURES** of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (PRINT)	SIGNATURE	ADDRESS	KEY # ON MAP

REVIEW of the project by the applicable Neighborhood Council is not required, but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).

SPECIAL INSTRUCTIONS FOR ALCOHOL (CUB) & ADULT ENTERTAINMENT ESTABLISHMENTS (CUX) – LAMC 12.24 W.1 & 12.24 W.18

City of Los Angeles – Department of City Planning

The Special Instructions for Alcohol (CUB) & Adult Entertainment Establishments is a required attachment to the *MASTER LAND USE APPLICATION INSTRUCTIONS* (CP-7810). Only utilize this form when filing for a conditional use permit pursuant to LAMC Section 12.24 W.1 for alcohol establishments or pursuant to 12.24 W.18 for adult entertainment establishments.

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

For a CUB or CUX request to be considered, the following additional information and findings must be provided.

1. **RADIUS MAP REQUIREMENTS.** In addition to the Public Noticing requirements detailed in the Master Land Use Application Instructions (CP-7810):
 - Radius Maps for alcohol uses must show land use to a 600-foot radius.
 - A **LIST OF ALCOHOL ESTABLISHMENTS** between 600 and 1,000 feet of the site is required. Include in the list the type of license and address.
 - A **LIST OF THE FOLLOWING USES** within 600 feet is also required:
 - (1) residential uses and type (single-family, apartment, hotel, etc.);
 - (2) churches;
 - (3) schools, including nursery schools and child-care facilities;
 - (4) hospitals;
 - (5) parks, public playgrounds and recreational areas; and
 - (6) establishments dispensing, for consideration, alcoholic beverages for consumption on or off premises.
2. **FINDINGS (on a separate sheet)**
 - a. **General Conditional Use**
 - i. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.
 - ii. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.
 - iii. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.
 - b. **Additional Findings**
 - i. Explain how the proposed use will not adversely affect the welfare of the pertinent community.
 - ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.
 - iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

3. **QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE**

- a. What is the total square footage of the building or center the establishment is located in? _____
- b. What is the total square footage of the space the establishment will occupy? _____
- c. What is the total occupancy load of the space as determined by the Fire Department? _____
- d. What is the total number of seats that will be provided indoors? _____ Outdoors? _____
- e. If there is an outdoor area, will there be an option to consume alcohol outdoors? _____
- f. If there is an outdoor area, is it on private property or the public right-of-way, or both? _____
 - i. If an outdoor area is on the public right-of-way, has a revocable permit been obtained? _____
- g. Are you adding floor area? _____ If yes, how much is enclosed? _____ Outdoors? _____

h. Parking

- i. How many parking spaces are available on the site? _____
- ii. Are they shared or designated for the subject use? _____
- iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety? _____
- iv. Have any arrangements been made to provide parking off-site? _____
 - 1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety? _____

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

- 2. Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve.
- 3. Will valet service be available? _____ Will the service be for a charge? _____
- i. Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks? _____
- j. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Businesses as defined by LAMC 12.70 B17? _____

4. **QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT**

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

	M	Tu	W	Th	F	Sa	Su
Proposed Hours of Operation							
Proposed Hours of Alcohol Sale							

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

Note: *An establishment that allows for dancing needs a conditional use pursuant to 12.24 W.18.*

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

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

e. **Security**

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

- ii. Will security guards be provided on-site? _____

1. If yes, how many and when? _____

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

f. **Alcohol**

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

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

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

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

v. **Food**

1. Will there be a kitchen on the site? _____

2. Will alcohol be sold without a food order? _____

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

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

vi. **On-Site**

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

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

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

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

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

vii. **Off-Site**

1. Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises? _____
2. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)? _____

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

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

- a. Is this application a request for on-site or off-site sales of alcoholic beverages? _____
 - i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel? _____
 1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:
 - a. issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or
 - b. if issuance would result in, or add to an undue concentration of licenses.
 - b. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for **public convenience or necessity**.

6. ADDITIONAL REQUIREMENTS FOR MASTER CUBs/CUXs. In addition to all requirements detailed in the Master Land Use Application Instructions (CP-7810), applications for Master CUBs/CUXs shall include:

- A separate sheet containing a table identifying all CUB or CUX requests on the subject site, indicating: the type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; the identifying address or suite/unit number corresponding to each CUB/CUX request; and (if known) the tenant-operator of each alcohol or adult entertainment establishment.
- All CUB or CUX requests on the subject site clearly identified and labeled on the plot plan and applicable floor plans, indicating: each type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; and the identifying address or suite/unit number corresponding to each CUB/CUX request.

NOTE: *Please consider submitting documents beyond the requirements outlined in this form. If there are other circumstances which may further a more complete understanding of the project, do not hesitate to submit such information. The documents submitted with the application and the public hearing constitute the **primary opportunity** to clarify and define the project.*

COUNTY CLERK'S USE

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 200 NORTH SPRING STREET, ROOM 395
 LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION
 (PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS
 CUP

LEAD CITY AGENCY City of Los Angeles (Department of City Planning)	CASE NUMBER ENV-
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PROJECT TITLE Open Market	COUNCIL DISTRICT 10
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PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) 3339 W Wilshire Blvd	<input type="checkbox"/> Map attached.
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PROJECT DESCRIPTION: A conditional use permit to allow the sale and dispensing of beer and wine for off-site consumption in conjunction with an new retail food market	<input type="checkbox"/> Additional page(s) attached.
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NAME OF APPLICANT / OWNER:
Open Market, LLC

CONTACT PERSON (If different from Applicant/Owner above) Nik Hlady	(AREA CODE) TELEPHONE NUMBER 213-620-1904	EXT.
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EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

STATUTORY EXEMPTION(S)
Public Resources Code Section(s) _____

CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)
CEQA Guideline Section(s) / Class(es) **Section 15301, Class 1**

OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION: Additional page(s) attached

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 use beyond that existing at the time of the lead agency's determination.

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

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.
 If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

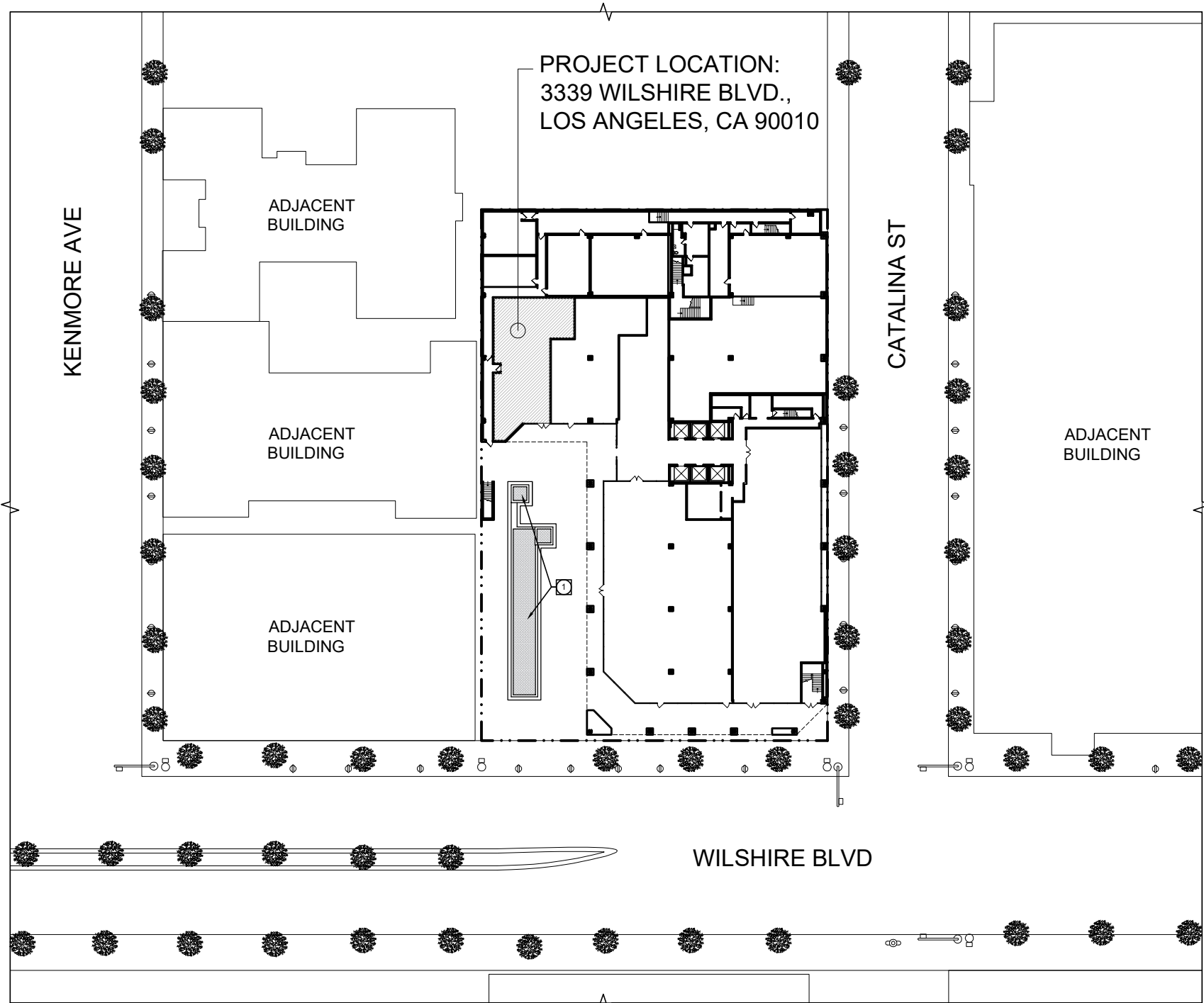
CITY STAFF NAME AND SIGNATURE	STAFF TITLE
-------------------------------	-------------

ENTITLEMENTS APPROVED

FEE:	RECEIPT NO.	REC'D. BY (DCP DSC STAFF NAME)
------	-------------	--------------------------------

Occupancy Area	Gross Area (SF)	CBC Table 1004.1.2 Use	Load Factor	Total Occupants (CBC Table 1004.1.2)	Total Seats
(N) Market	915	Accessory Area	200 Gross	5	0
(N) B.O.H	662			3	0
Total Assigned SF		1,577		8	0
Grand Total Gross SF		1,577	Grand Total Occupants		8
				8	0

2 OCCUPANCY CALCULATION
SCALE: N.T.S.



Required Parking spaces
per LA Zoning Code Provisions Section 12.21.A4

Type	Area (SF)	Required Spaces (per 1000SF)	Provided
Office/ Commercial	264,000	264	479
Restaurant	1,577	2	479
		266	479

5 REQUIRED PARKING
SCALE: N.T.S.

INTERIOR (E) Area Use vs. (N) Area Use

Area	Existing	New	Gross
	Gross	Gross	Difference
(E) Restaurant Area	1,577	0	-1,577
Market Area	0	915	915
Back of the House (B.O.H.)	0	662	662
Total	1,577	1,577	0

3 C.U.P TOTALS
SCALE: N.T.S.

1 PLOT PLAN
SCALE: 1/32"=1'-0"

KEYNOTES

- (E) Planter

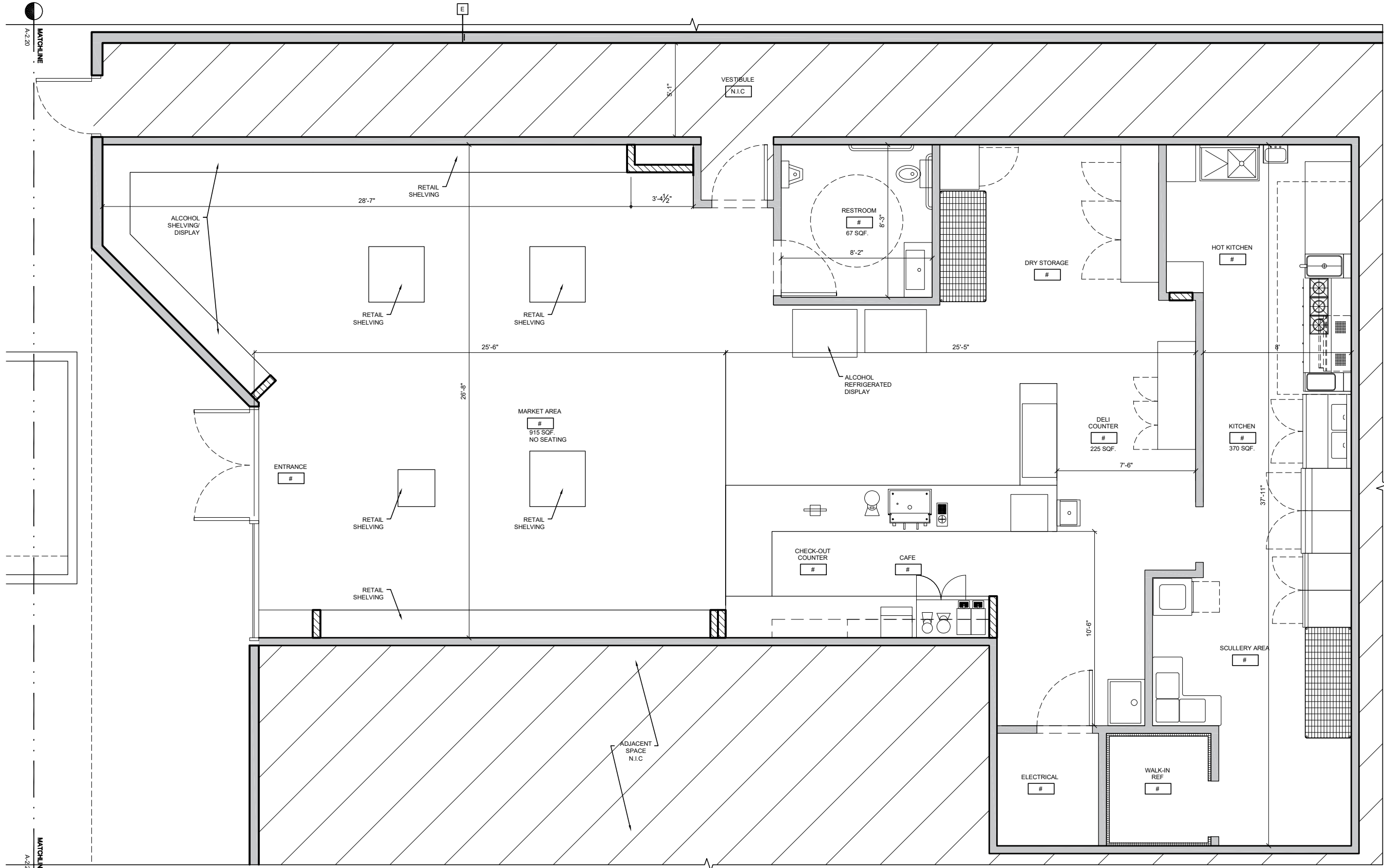
ADA SEATING

- Handicap tables shall be at least 34" x 30" wide, 27" tall with a 19" deep knee clearance.

SITE PLAN LEGEND

- FIRE HYDRANT
- TRAFFIC LIGHT
- STREET LAMP LIGHT POST
- ELECTRICAL POST
- METAL TRASH
- STREET TREE
- PARKING METER
- PROPERTY LINE

PROJECT ADDRESS	3339 Wilshire Blvd, Los Angeles, CA 90010		
	PROJECT NAME	OPEN MARKET	
ISSUED FOR	Construction Bid Set	DATE	January 4, 2020
INFO	Drawn by: _____ Scale: As Shown	Checked by: _____ Job No. _____	
TITLE	Site Plan		
NUMBER	A-0.21		



1 MAIN FLOOR PLAN
SCALE: 3/8"=1'-0"

NUMBER	A-2.10
	TITLE Main Floor Plan
INFO	Drawn by: _____ Scale: As Shown
	Checked by: _____ Job No. _____
ISSUED FOR	Construction Bid Set
DATE	January 4, 2020
PROJECT NAME	OPEN MARKET
PROJECT ADDRESS	3339 Wilshire Blvd, Los Angeles, CA 90010

CONDITIONAL USE - ATTACHMENT – 1

“Open Market”

3339 W Wilshire Blvd
Los Angeles, CA 90010

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REQUESTED ENTITLEMENTS:

Pursuant to 12.24-W, 1, A Conditional Use Permit to allow the off-site sale of beer and wine in conjunction with a retail food market of 1,577-SF. Hours of operation and alcohol sales from 6am-2am, daily.

CONDITIONAL USE FINDINGS

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

Approval of the requested CUP for the subject property, where a new retail food market called “Open Market” recently opened for business, will provided a desired and convenient service in a busy stretch of iconic Wilshire Blvd for the benefit of the area’s burgeoning residential population, office workers, and visitors alike. Formerly a small restaurant, mostly serving the area’s office workers, the project site is currently in the process of becoming a convenient retail food market that also serves fresh prepared food goods such as sandwiches to go. The ability to sell beer and wine for off-site consumption is a typical offering for retail food markets such as Open Market and is desired by Open Market’s target market of nearby residents as well as office workers who will take advantage of this convenient new retail food outlet. Open Market activates a formerly vacant tenant space located on the groundfloor of the existing office property at the northwest corner of Wilshire Boulevard and Catalina Street. With numerous office buildings being converted to residential use, and other residential projects under construction along the Wilshire Boulevard corridor and in Koreatown in general, the applicant has identified an opportunity to serve this growing population. While the previous restaurant at the subject site was convenient for the area’s office workers, the retail market is more appropriate for the current and future neighborhood context. In addition to serving a curated selection of beers and wines, Open Market will be an outlet for healthy food items for preparation at home, as well as prepared deli-style sandwiches, providing a convenient small-scale full-service market in the heart of Koreatown for

the benefit of the community.

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

Open Market, with the ability to sell beer and wine for off-site sale along with retail food goods and prepared deli-style food, will be compatible with adjacent properties, the surrounding Koreatown neighborhood and the public health, welfare and safety. Open Market occupies a tenant space that formerly was a small restaurant that primarily served the area's office worker population. The by-right change of use to a retail food market will make the property more compatible with its surroundings as Koreatown's already dense residential population continues to grow. Open Market's ability to enhance, be compatible with and better serve the surrounding neighborhood will be augmented by the ability to serve beer and wine alongside food goods. The sale of beer and wine is a typical and expected amenity for a food market such as Open Market, and would be ancillary to the sale of food goods. Open Market is not a liquor store, and as such, will not entail the nuisance activities associated with liquor serving outlets. Further, the project team will conduct thorough outreach with neighborhood stakeholders, Council District 10, the Los Angeles Police Department and the Planning Department to ensure that any potential issues that could adversely affect the surrounding area are appropriately addressed and that any necessary conditions be put in place as a part of the requested entitlement.

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

The project substantially conforms with the purpose, intent and provisions of the General Plan and the Wilshire Community Plan. Located in the Wilshire Community Plan area, the property has a General Plan Land Use designation of Regional Center Commercial. Indeed the proposed CUP request for beer and wine service for the existing neighborhood serving retail food market directly supports the following goals and policies of the Community Plan:

Goal 2 – Encourage strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire community through well-designed, safe and accessible areas, while preserving historic and cultural character.

Policy 2-1.1 – New commercial uses shall be located in existing established commercial areas and shopping centers.

Policy 2-1.3 – Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.

Policy 2-2.3 – Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor street frontage of structures.

In general, approval of the requested CUP enhance the conveniently located neighborhood-serving full-service retail food market use located in a bustling stretch of Koreatown's Wilshire Boulevard corridor to better serve the neighborhood's residents, workers and visitors and enhances users' pedestrian experience.

iv. Explain how the proposed use will not adversely affect the welfare of the pertinent community.

The proposed use will not adversely affect the welfare of the pertinent community, rather it will entail a positive impact as it introduces a desired amenity in a convenient location at a scale that is appropriate for the surrounding context. As a small-scale neighborhood retail food market, it will not be a magnet for nuisance activities sometimes associated with off-site alcohol outlets. The beer and wine shop will be responsibly managed and operated with staff knowledgeable staff that will be able to enhance the experience for the store's customers. The project team will work with neighborhood stakeholders, LAPD, the Council District office, and Planning Department staff to address any potential concerns and ensure that approval of the requested CUP would benefit, rather than detract from the welfare of the community.

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

While the granting of the requested CUP will result in a new Department of ABC license for the new retail food market, there does not exist an overconcentration of establishments such as this one, a small-scale, neighborhood-serving food market with the added amenity of selling beer and wine for off-site consumption. With approval of a CUP to sell beer and wine for off-site consumption Open Market will not be an establishment that attracts nuisance behavior, nor be a place that results in over-serving. The approval of the CUP for the new retail food market is warranted given the ongoing growth and densification of the Koreatown core.

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

The small-scale retail food market with the ancillary privilege of selling beer and wine for off-site consumption will not detrimentally affect nearby residential zones. Approval of the requested CUP will not generate noise and traffic beyond that what already exists in the busy Koreatown core, nor will it generate nuisance activity, given that it will be a responsibly operated food market with ancillary beer sales, as opposed to a liquor store. Indeed, the intent of Open Market is to provide a convenience food outlet for the dense nearby residential neighborhood. Open Market will be easily accessible by foot to nearby residents on the north and south sides of Wilshire Boulevard, and will be accessible by public transit along the transit-rich Wilshire corridor as well as by car. Residential properties are located far enough away from the market to be affected by any incidental noise stemming from the market's operation. Approval of the requested CUP will have a positive effect for nearby residential uses by providing a new convenient, well-run and well-stocked neighborhood food market.