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July 22, 2022

Target Corporation (A)  
1000 Nicollet Mall, CC-1128  
Minneapolis, MN 55403

601 Dillon (LA), LLC (O)  
4700 West Wilshire Boulevard  
Los Angeles, CA 90010

Beth Aboulafia (R)  
Hinman & Carmichael LLP  
260 California Street, #700  
San Francisco, CA 94111

CASE NO. ZA-2022-2366-CUB  
CONDITIONAL USE  
609 North Dillon Street  
(609 North Dillon Street & 3201-3219  
West Bellevue Avenue)  
Silver Lake – Echo Park – Elysian Valley  
Community Plan  
Zone: C1-1VL  
C.D: 13 – O’Farrell  
D.M.: 141A203  
CEQA: ENV-2022-2367-CE  
Legal Description: Lots 11-14, Block D,  
Tract Robinson’s subdivision of the west  
half of lot 5 block 28 Hancock’s survey

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 (Existing Facilities), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

Pursuant to Los Angeles Municipal Code (LAMC) Section 12.24-W,1, I hereby APPROVE:

a Conditional Use to permit the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a proposed new retail store in the C1-1VL Zone.

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in the case file.
7. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with a new approximately 18,443 square-foot retail store. The grant shall be subject to the following limitations:
  - a. The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m., daily.
8. 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.
9. **Complaint Log.** A telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:

- a. Entry, visible to pedestrians
- b. Customer service desk, front desk or near the reception area.

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

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

16. 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.
17. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
18. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
19. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
20. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
21. The Applicant(s) shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.

#### **ADMINISTRATIVE CONDITIONS**

22. **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.
23. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per LAMC Section 19.01-E,3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.
  - a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.

- b. The owner 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.
24. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30 days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.
25. 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.
26. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

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

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

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

For purposes of this condition, the following definitions apply:

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

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

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

### **OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES**

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

### **TRANSFERABILITY**

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

### **VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 12.29 of the Los Angeles Municipal Code provides:

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

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$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 **AUGUST 8, 2022**, unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the

Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

**Downtown**  
Figueroa Plaza  
201 North Figueroa Street,  
4th Floor  
Los Angeles, CA 90012  
(213) 482-7077

**San Fernando Valley**  
Marvin Braude San Fernando Valley  
Constituent Service Center  
6262 Van Nuys Boulevard,  
Room 251  
Van Nuys, CA 91401  
(818) 374-5050

**West Los Angeles**  
West Los Angeles Development  
Services Center  
1828 Sawtelle Boulevard,  
2nd Floor  
Los Angeles, CA 90025  
(310) 231-2598

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

#### NOTICE

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

#### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on July 19, 2022, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use approval under the provisions of Section 12.24-W,1 have been established by the following facts:

#### BACKGROUND

The subject property is a rectangular shaped site consisting of four (4) lots located at the intersection of Dillon Street and Bellevue Avenue in the Silver Lake area. The subject property has approximately 135 feet of frontage along Dillon Street and approximately 210 feet of frontage along Bellevue Avenue. The project site encompasses a total of 28,507 square feet of lot area.

The subject property is located in the Silver Lake – Echo Park – Elysian Valley Community Plan area. The Community Plan designates the subject property for Neighborhood Commercial land uses, corresponding to the C1, C1.5, C2, C4, and RAS3, Zones. The project site is zoned C1-1VL and is thus consistent with the existing land use designation.

The subject property will be developed with three-story mixed-use commercial and residential building that includes 52 residential dwelling units and a Target retail store. The retail store will occupy 18,743 square feet of ground floor commercial space. The project will



be required to provide 66 automobile parking spaces which will be in an underground parking area.

The applicant is requesting a Conditional Use to allow a full line of alcoholic beverages for off-site consumption in conjunction with a new Target retail store. The proposed hours of operation are from 7:00 a.m. to 11:00 p.m., daily.

### **SURROUNDING PROPERTIES**

The surrounding area of the subject property is fully developed and features a variety of residential and commercial uses. The properties to the north of the subject property are zoned R4-1VL and are improved with multifamily as well as single-family residences. The properties to the east of the subject property are zoned C2-1VL and are improved with single-story commercial buildings. The properties to the south of the subject property are zoned R2-1VL and C2-1VL and are improved with single and multifamily residences as well as a gasoline station. Properties to the west of the subject property are zoned C1-1VL and are improved with multifamily residences. The U.S. 101 Freeway interchange with Silver Lake Boulevard is approximately 700 feet to the south of the subject property.

### **STREETS**

Dillon Street, adjoining the subject property to the east, is a designated Local Street – Standard, dedicated to a right-of-way width of 60 feet and a roadway width of 36 feet, and improved with asphalt roadway, concrete curb, gutter, and sidewalk.

Bellevue Avenue, adjoining the subject property to the south, is a designated Collector, dedicated to a right-of-way width of 66 feet and a roadway width of 40 feet, and improved with asphalt roadway, concrete curb, gutter, and sidewalk.

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

There are no relevant cases on the subject property.

### **Previous Cases on Surrounding Properties**

Upon utilizing a 600-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), staff did not identify any Zoning Administrator determinations associated with the sales and dispensing of alcoholic beverages.

### **PUBLIC CORRESPONDENCE**

No letters or emails from the public were received.

### **PUBLIC HEARING**

The public hearing was held on Tuesday, July 19, 2022, at approximately 10:00 a.m. via telephonically and/or videoconference due to concerns over COVID-19 and continued

concerns that meeting in person would present imminent risks to the health and safety of the attendees. The hearing was attended by the applicant's representative, Beth Aboulafia, and a representative from Council Office 13.

Ms. Aboulafia stated the following:

- This is a request for a conditional use for off-sale at a proposed Target store.
- This store will be opening in October.
- The store is part of a mixed use, three-story building. The ground floor will consist of retail, and the two levels above are residential.

During the public comment portion of the public hearing, Ansis Hoheisel, Planning Deputy for Council District 13 stated they have met with Ms. Aboulafia and are not opposed. They did inquire of LAPD and a meeting with them.

At the conclusion of the public hearing, the Zoning Administrator approved the request subject to standard conditions of approval.

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

In approving the instant grant, the Zoning Administrator has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution. The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

- No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverages from any customer while in the premises.
- There shall be no exterior advertising of any kind of type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages.
- No sale of alcohol shall be permitted at any self-service, automated check-out station (checkout conducted primarily by the customer, with assistance by a store monitor) if such are available on the site. All sales of alcohol shall be conducted at a full-service checkout station directly attended by a cashier/checkout clerk specifically assigned solely to that station.

## **BASIS FOR CONDITIONAL USE PERMITS**

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a Conditional Use Permit from the Zoning Administrator are located within Section 12.24 of the Los Angeles Municipal Code. In order for the sale of a full line of alcoholic beverages for off-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

## **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 proposed project is a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with a new Target retail store restaurant. The proposed hours of operation are from 7:00 a.m. to 11:00 p.m., daily.

The project will enhance the built environment in the surrounding neighborhood by activating a vacant storefront. The subject property will be developed with three-story mixed-use commercial and residential building that includes 52 residential dwelling units and a Target retail store. The Target retail store will utilize 18,743 square feet of the ground floor space of the new mixed-use building. The project will provide a neighborhood-serving use that will offer a viable shopping option with alcohol products for visitors.

A variety of commercial uses are an important part of the service amenities necessary for the conservation, development, and success of a vibrant neighborhood. The sale of a full line of alcoholic beverages at this location will enable the new retail store to provide an additional service and convenience for the community in the form of alcoholic beverages to bring one-stop shopping to residents of the area while reducing the need to go to another store to purchase these products. Therefore, the project will both provide a beneficial service and enhance the physical environment. The imposition of a number of conditions addressing operational and alcohol-related issues will ensure that the project will not be disruptive to the surrounding community.

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

The project involves a conditional use to permit the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a new Target retail store which will not adversely affect the surrounding uses. The subject property is a rectangular shaped site consisting of four (4) lots located at the intersection of Dillon Street and

Bellevue Avenue in the Silver Lake area. The subject property has approximately 135 feet of frontage along Dillon Street and approximately 210 feet of frontage along Bellevue Avenue. The project site encompasses a total of 28,507 square feet of lot area.

The subject property will be developed with a three-story mixed-use commercial and residential building that includes 52 residential dwelling units and a Target retail store. The Target retail store will utilize 18,743 square feet of the ground floor space of the new mixed-use building. The proposed hours of operation are from 7:00 a.m. to 11:00 p.m., daily.

The surrounding area of the subject property is fully developed and features a variety of residential and commercial uses. The properties to the north of the subject property are zoned R4-1VL and are improved with multifamily as well as single-family residences. The properties to the east of the subject property are zoned C2-1VL and are improved with single-story commercial buildings. The properties to the south of the subject property are zoned R2-1VL and C2-1VL and are improved with single and multifamily residences as well as a gasoline station. Properties to the west of the subject property are zoned C1-1VL and are improved with multifamily residences. The U.S. 101 Freeway interchange with Silver Lake Boulevard is approximately 700 feet to the south of the subject property.

The Conditional Use allows the sale of alcohol in conjunction with a new Target retail store. The mode and character are conditioned to remain as a retail store. There will be no karaoke, live entertainment, or patron dancing. The use and location of this neighborhood-serving project are appropriate given the neighborhood context as well as the policies and zoning governing the project site. Conditions have also been imposed to encourage responsible management, deter criminal activity, address nuisances, promote security and safety, and ensure compatibility with the surrounding neighborhood. The conditions will ensure surrounding uses will not be adversely affected and the project will remain compatible with these uses. The project will not degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located in the Silver Lake – Echo Park – Elysian Valley

Community Plan area. The Community Plan designates the subject property for Neighborhood Commercial land uses, corresponding to the C1, C1.5, C2, C4, and RAS3, Zones. The project site is zoned C1-1VL and is thus consistent with the existing land use designation.

The Community Plan contains the following goals, objectives, and policies:

*Goal 2:* An economically vital commercial sector and strong viable commercial Areas that offer a diversity of goods and services to meet the needs of the community in the plan area. Commercial areas should satisfy market demand maximize convenience and accessibility while preserving and enhancing the unique historical and cultural identities of the district.

*Objective 2-1:* Conserve and strengthen viable commercial development and encourage the reuse of obsolete commercial development.

*Policy 2-1.1:* New commercial land uses shall be located in established commercial areas, emphasizing more intense and efficient use of existing commercial land, ultimately contributing to and enhancing the existing urban form and village atmosphere.

The requested entitlement is for a conditionally permitted use, and thus does not propose to deviate from any of the requirements of the LAMC. The project involves a new mixed-use building that is located at the intersection of Dillon Street and Bellevue Avenue in the Silver Lake area. The ground floor of the new building was designed and approved as a commercial tenant space. The project helps allow for the activation of a vacant commercial tenant space with a neighborhood-serving retail store. The project will also promote economic viability of the commercially planned and zoned land while preserving the unique design of the new mixed-use building.

Approval of the conditional use would further extend the amenities and choices available to residents and visitors of the Silver Lake area. In addition to the policies already described, the project fulfills the intent of the Community Plan provisions regarding land use compatibility, buffering if commercially adjoining residential zones, and maintain desirable characteristics of existing residential neighborhoods. Additionally, the applicant's design, both physical layout and plan of operation, is intended for the sale and dispensing of alcoholic beverages for off-site consumption to cater to the neighborhood serving characteristics of this commercial corridor. Thus, the project substantially conforms with the purpose, intent, and provisions of the General Plan and the Community Plan.

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

The subject property is in the C1-1VL Zone where conditional authorization for the sale of a full line of alcoholic beverages for off-site consumption is allowed through

the approval of the Zoning Administrator subject to certain findings. The retail store use is permitted by-right and is appropriate given the surrounding context and general plan land use designation. The project is not proposing any public dancing or live entertainment, but rather proposing the offering of a full line of alcoholic beverages to complement the shopping experience. The project is a pedestrian-friendly development that is in an area planned for commercial and residential uses. Given the scope of the conditions and limitations established herein, the surrounding land uses will not be significantly impacted by the proposed conditional use.

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 deterrents against loitering and responsible management. Employees will undergo training on the sale of alcoholic beverages including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program, Department of Alcoholic Beverage Control Licensee Education on Alcohol and Drugs (LEAD) Program, or the Responsible Beverage Service (RBS) Training Program. In addition, the Zoning Administrator has imposed numerous conditions to integrate the use into the community as well as protect community members from adverse potential impacts. The applicant is proposing a retail pharmacy store with minimal potential for noise impacts and other nuisance-type activity. All activity occurring on the subject premises will be required to adhere to the imposed conditions as well as the City's Noise Ordinance. The City's conditions of approval and any conditions by the California Department of Alcoholic Beverage Control are intended to protect the public health, welfare and safety of the community. Therefore, it is expected that the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a new retail store will not adversely affect the welfare of the pertinent community.

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

According to the California State Department of Alcoholic Beverage Control (ABC) licensing criteria, there are two (2) on-site licenses and one (1) off-site license allocated for the subject tract (Census Tract No. 1958.03). Currently, there are eight (8) active on-site licenses and one (1) active off-site license in this census tract. Within 1000 feet of the subject site, there are two (2) alcohol-selling retail establishments with a license for off-site consumption.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. However, concentration is not undue when the approval of a license

provides a public service and benefits the community. In this case, the granting of the application will not result in undue concentration as the project will enable the provision of an additional service and destination to complement the neighborhood. In active commercial areas where there is a demand for licenses beyond the allocated number, the ABC has recognized that high-activity retail and commercial centers are supported by significant employee population, in addition to the increasing resident population base in the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. The project will provide a valuable neighborhood serving amenity and a desirable service on the ground floor of a mixed-use building in the Silver Lake area.

According to statistics provided by the Los Angeles Police Department's Central Bureau – Rampart Division, within Crime Reporting District No. 205, a total of 206 crimes (181 Part I Crimes and 25 Part II Crimes) were reported in 2021, compared to the Citywide Average of 149 crimes and the High Crime Reporting District Average of 179 crimes for the same period. In 2021, there were (3) Narcotics, (0) Liquor Law, (0) Public Drunkenness, (0) Disturbing the Peace, (0) Disorderly Conduct, (10) Driving While Influence (DWI) related arrests, and (8) other offenses. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

The above statistics indicate that the crime rate in Reporting District 205 is higher than the citywide average, but there has been no evidence submitted for the record establishing any nexus between the subject site and the area's crime rate. The project consists of a new retail store that will be governed by a number of conditions of approval that would reduce the possibility of alcohol-related offenses. The project will not adversely affect public welfare because it is a desirable use and convenient amenity in an area designated for such neighborhood-serving commercial uses. The Los Angeles Police Department submitted no communication in support of opposition to the project. Nevertheless, conditions, such as those related to the STAR/LEAD/RBS Program, age verification, and security cameras, have been imposed by the Zoning Administrator in conjunction with this approval. Public safety measures to mitigate nuisance and criminal activities have been incorporated into the grant to assure better oversight. Further conditions may be imposed by the California Department of Alcoholic Beverage Control as conditions on the alcohol license. Therefore, as conditioned, the use is not expected to contribute to the area's crime rate or generate any nuisance activity and will not result in an undue concentration of establishments providing alcohol.

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 subject property is zoned for commercial as well as residential uses and will continue to be utilized as such.

The following sensitive uses are located within a 1,000-foot radius of the site:

Single-family Residential Uses	
Multifamily Residential Uses	
Church – “The Light of The World”	3200 W. London St.
Holy Virgin Mary Russian Orthodox Church	650 N. Micheltorena St.
Bellevue Primary School	610 N. Micheltorena St.

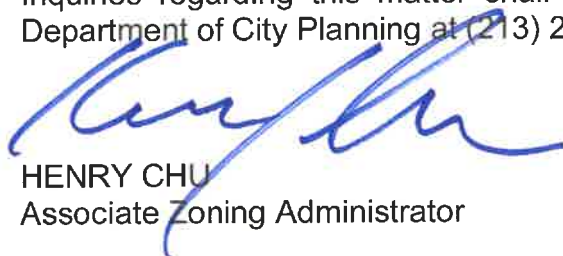
Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The project site is located in a heavily urbanized and fully developed neighborhood in the Silver Lake area. Although there are residential uses nearby, the project has been conditioned to be compatible with such uses. Thus, the project is unlikely to have any direct impact on any sensitive use.

The grant has been well conditioned, which should protect the health, safety, and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The project is consistent with the zoning and is in keeping with the existing uses adjacent to the development. The project will contribute to the neighborhood and will serve neighboring residents and local employees as well as visitors. Therefore, as conditioned, the proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved.

## FLOOD HAZARD FINDING

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

Inquiries regarding this matter shall be directed to Eric Claros, Planning Staff for the Department of City Planning at (213) 202-5448.



HENRY CHU  
Associate Zoning Administrator

HC:EC:bk

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





Target, 609 N. Dillon St., Los Angeles, CA 90026

Legal Description: Lots 11, 12, 13 and 14, Block "D" Robinson's Subdivision of the West Half of Lot 5 in Block 28 of Hancock's Survey

BELLEVUE AVENUE

ZA-2022- 2366

Premises

Tenant's Vertical Transportation



Summary Table:

Lot/Parcel: .654 ac.

Target Leased Premises ("Premises"): 18,743 sq. ft.

Required Retail Parking Spaces: 66

Retail Parking Spaces Provided: 66

**EXHIBIT "A"**  
Page No. 1 of 4  
Case No. ZA-2022-2366-049

*EA*

# T-3288 Silver Lake, CA

## Exhibit B

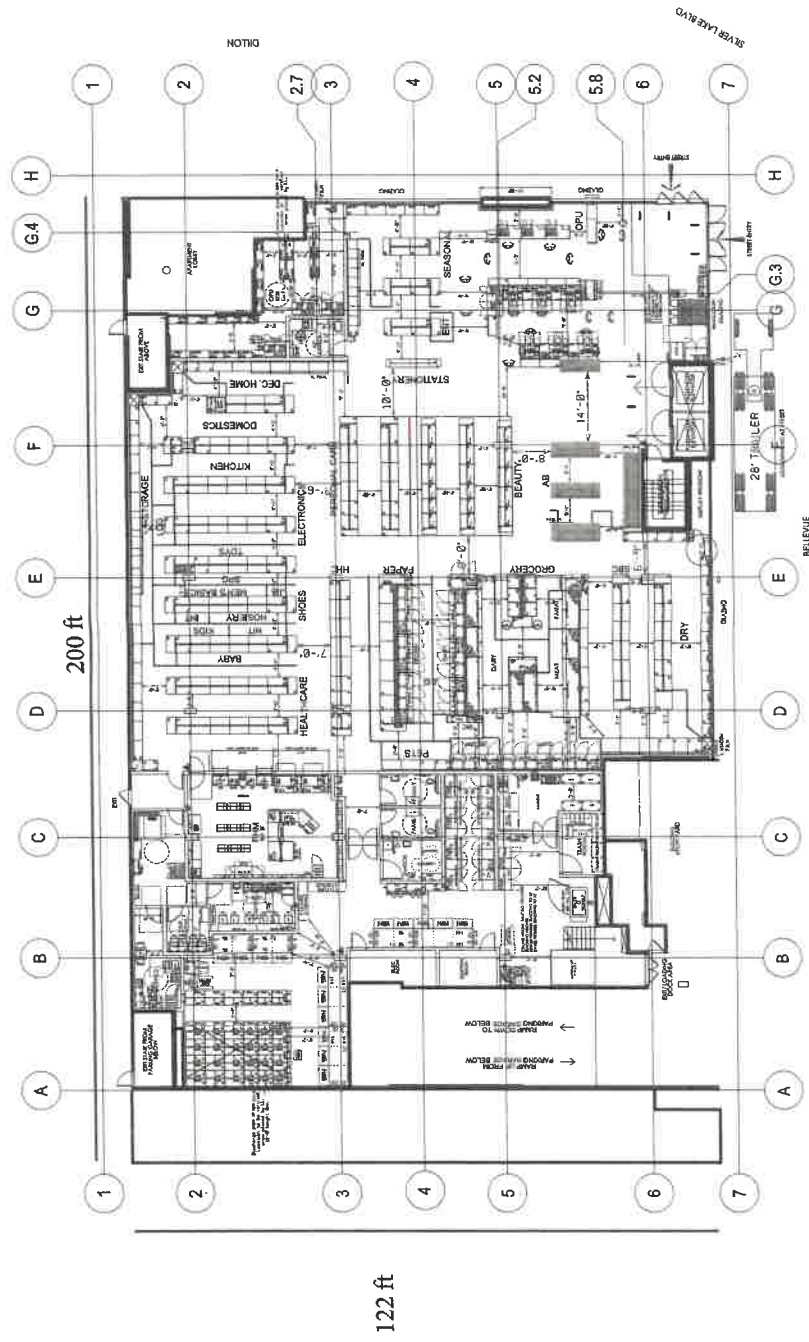
### Ground Floor Plan (Sheet 4 of 7)

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**TARGET CORPORATION**  
 TARGET OPERATING SYSTEM (TOS) DEVELOPMENT  
 3500 LAKEVIEW AVENUE  
 EMERYVILLE, CALIFORNIA 94608  
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**CEILING HEIGHT**

A & A:	14'-6"
Hardlines:	14'-6"
Stockroom:	14'-6"
• USE HEIGHT TO BOTTOM OF STRUCTURE	



**EXHIBIT "A"**  
 Page No. 2 of 4  
 Case No. LA-2022-2366

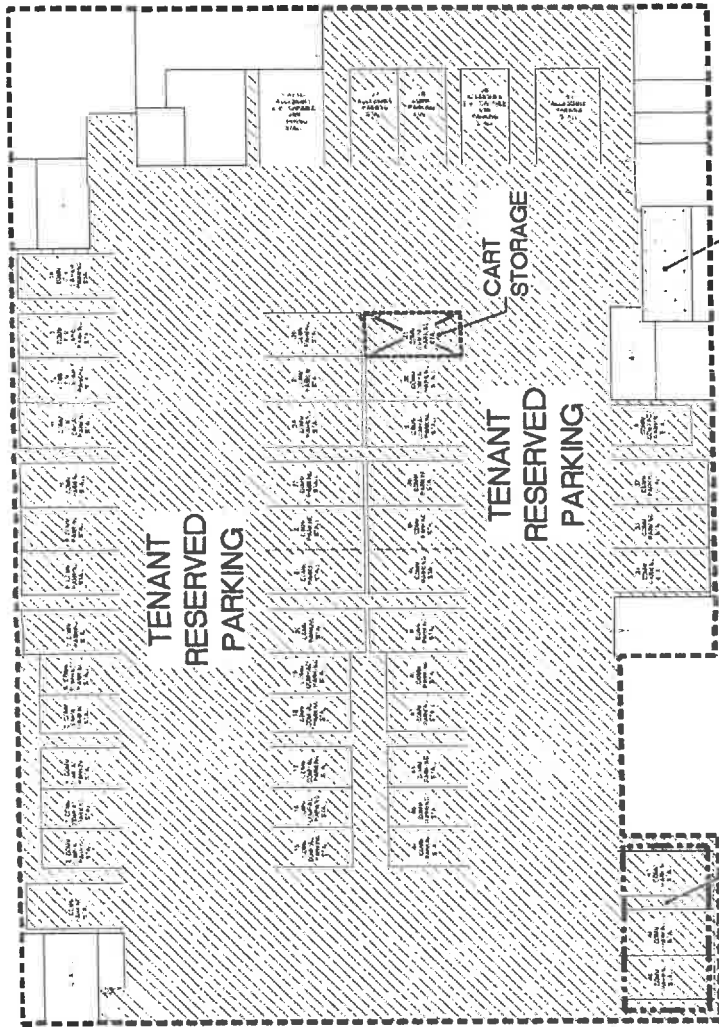
**TARGET**

DESIGN: JACOB DE LA TORRE	SHEET NO. FW1
DATE: 10/10/22	
PROJECT: 2022 New Store	
LOCATION: 609 N. DILLON ST., LOS ANGELES, CA	
SCALE: T-3288	
TITLE: FIXTURE PLAN	

Target, 609 N. Dillon St., Los Angeles, CA 90026

Store: 18,743 sq. ft.  
 Sales Floor Area: 8,133 sq. ft.  
 Alcohol Beverage Display Area (red): 194 sq. ft.

LA-2022-2366



- Storage Area
- Building Area
- Tenant Reserved Parking
- Tenant Vertical Transportation
- Cart Storage

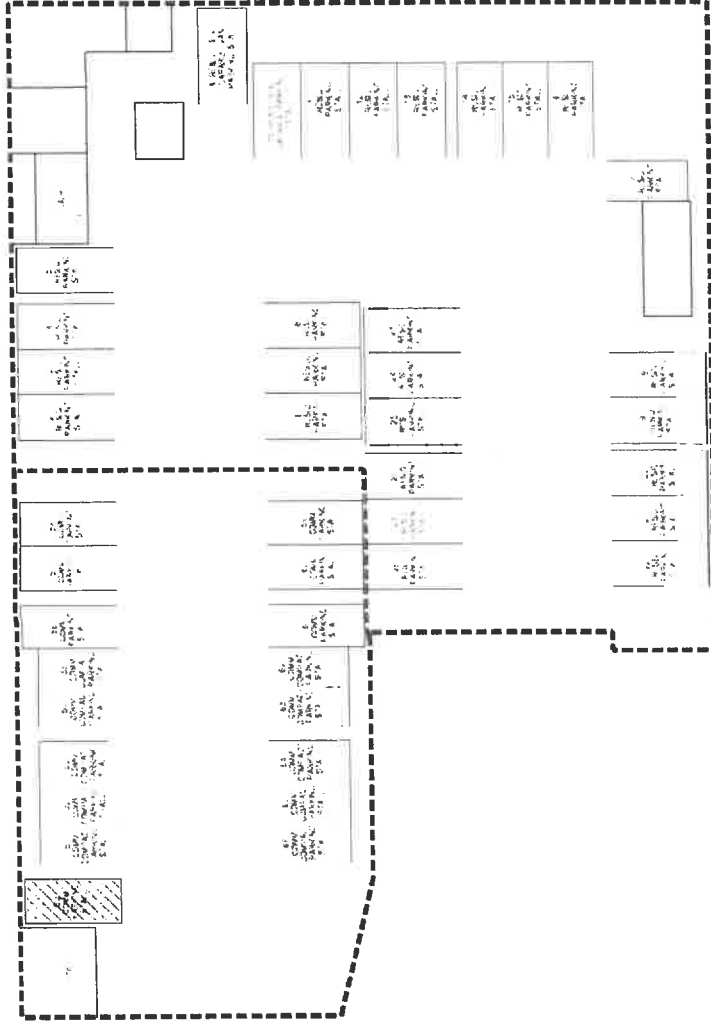


ZA-2022-2366  
**EXHIBIT "A"**  
 Page No. 3 of 3  
 Case No. A. 2022-236-019  
 RD

**Exhibit B**  
**Level 1 Parking Plan (Sheet 3 of 7)**

**T-3288 Silver Lake, CA**

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Tenant Reserved Parking

Building Area



# T-3288 Silver Lake, CA

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ZA-2022-2366

EXHIBIT "A"  
Page No. 4 of 4  
Case No. 21. 2022-2366

Exhibit B

Level 2 Parking Plan (Sheet 2 of 7)