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October 25, 2022

Alex Belotto (A)  
AMAAA Corp.  
7833 Croydon Avenue  
Los Angeles, CA 90045

Westchester Triangle 8 (O)  
4879 Browndeer Lane  
Rancho Palos Verdes, CA 90275

Brett Engstrom (R)  
Liquor License.Com  
2222 Damon Street  
Los Angeles, CA 90021

CASE NO. ZA-2021-4060(CUB)  
CONDITIONAL USE-ALCOHOL  
6235 West 87<sup>th</sup> Street  
Westchester/ Playa Del Rey Community  
Plan  
Zone: [Q]C2-1-CDO  
D. M.: 096B165  
C. D.: 11 – Mike Bonin  
CEQA: ENV-2021-4061-CE  
Legal Description: Lot 21, TR 14012

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 (Existing Facilities) 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-W,1, I hereby APPROVE:

a Conditional Use to allow the sale of beer and wine for off-site consumption and the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed wine store in the [Q]C2-1-CDO 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. 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 prior to the final clearance of this condition.
7. Authorized herein is the sale of beer and wine for off-site consumption and the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed 905 square-foot wine store. The grant shall be subject to the following limitations:
  - a. Hours of operation shall be limited to 10:00 a.m. to 12:00 a.m., daily.

- b. Indoor seating shall be limited to a maximum of 14 seats. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
8. After hour use shall be prohibited, 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. 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 granted herein.
10. The applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
11. **Designated Driver Program.** Prior to the utilization of this grant, the applicant shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, at the bars, or on the bathrooms, or a statement in the menus, a website, or on social media.
12. Any music, sound or noise 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) and shall not be audible beyond the subject premises. At any time during the term of the grant a City inspector may visit the site during operating hours to measure the noise levels using a calibrated decibel/sound level meter. If, upon inspection, it is found that the noise level exceeds those allowed by the Citywide Noise Ordinance, 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.
13. There shall be no live entertainment on the premises. There shall be no disc jockey, topless entertainment, male or female performers or fashion shows.
14. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.
15. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
16. 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.

17. **Private Events.** Any use of the karaoke establishment 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.
18. At least one on-duty manager with authority over the activities within the facility shall be on the premises at all times that the facility is open for business. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the 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.
19. 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.
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. **Complaint Log.** Prior to the beginning of operations, 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

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.

22. An electronic age verification device shall be purchased and retained on the premises for use during operational hours. This device shall be maintained in operational condition and all employees shall be instructed in its use.
23. **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 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.

24. 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.
25. 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**

26. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per LAMC Section 19.01-E,3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.
  - a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
  - b. The owner/operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
27. 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.

28. 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.

29. **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 **November 9, 2022**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>**. Public offices are located at:

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

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

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



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

### NOTICE

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

### FINDINGS OF FACT

After thorough consideration of the statements contained in the application and the plans submitted therewith, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, and statements made at the public hearing on October 8, 2022, I find that the requirements for authorizing a conditional use under the provisions of Section 12.24-W,1 have been established by the following facts:

### **BACKGROUND**

The subject property is zoned [Q]C2-1-CDO and is located within the Westchester-Playa Del Rey Community Plan Area. The Community Plan Area Map designates the subject property for Community Commercial land uses corresponding to the C2, C4, CR, RAS3, and RAS 4 zones. The subject property's zoning is thus consistent with the General Plan's land use designation for the site. The subject property is located within the Los Angeles Coastal Transportation Corridor Specific Plan and is located within the Downtown Westchester Community Design Overlay (CDO). The project does not include any physical changes to the exterior of the site. As such, this project is not considered a "project" under the Downtown Westchester Village CDO. The subject property is located within the Los Angeles State Enterprise Zone, an Urban Agriculture Incentive Zone, and is located within approximately 4.50 kilometers of the nearest fault zone (Newport - Inglewood Fault Zone).

### **Surrounding Properties**

Properties to the north, across the rear alley way are zoned [Q]C2-1-CDO and developed with an on-grade parking lot. Properties adjoining the site to the east and west are developed with two-story commercial buildings zoned [Q]C2-1-CDO and housing various retail uses. Properties to the south, across 87<sup>th</sup> Street are zone [Q]C2-1-CDO and developed with one-story commercial buildings housing various retail and restaurant uses.

**STREETS**

87th Street, adjoining the subject property to the south, is a Local Street -Standard, with a right-of-way dedication width of 60-feet and improved with an asphalt roadway, concrete sidewalks, curbs, and gutters.

The alley, adjoining the property to the rear, is a through alley, improved asphalt roadway and concrete gutter within a dedication of 20 feet.

The subject property is comprised of two, level, interior, rectangular parcels of land, totaling approximately 12,000 square feet fronting on 87<sup>th</sup> Street, with an adjacent alley to the rear of the subject site. The site is developed with two one-story commercial buildings totaling 8,410 square feet consisting of multiple tenant spaces. The proposed project (Triangle Wines) will occupy 905 square feet within one of the vacant tenant spaces.

The applicant is requesting a Conditional Use to allow the sale of beer and wine for off-site consumption and the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed wine bar. The business will have 14 indoor seats to accommodate the on-site tasting with hours of operation remaining from 10:00 a.m. to 12:00 a.m. daily.

**Previous Cases, Affidavits, Permits, and Orders on the Subject Property:**

N/A

**Previous Cases, Affidavits, Permits, and Orders on the Surrounding Properties:**

Staff utilized a 1000-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Zoning Administrator determinations associated with the sales and dispensing of alcoholic beverages. The following relevant cases identified as being within 1000 feet of the project site:

Case No. ZA-2021-2582-CUB – On April 14, 2022, the Zoning Administrator approved a conditional use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with a proposed restaurant in the [Q]C2-1-CDO Zone, located at 6261 West 87th Street.

Case No. ZA-2014-2520-CUB-CU - On June 18, 2015, the Zoning Administrator approved conditional uses to authorize the sale and dispensing of beer and wine only for on-site consumption and hours of operation from 7 a.m. to 2 a.m., in conjunction with the operation of a 1,957 square-foot restaurant accommodating 33 patrons, on property located within the [Q]C2-2D-CDO Zone, at 8736 South Sepulveda Boulevard, Unit C.

Case No. ZA-2013-3236-CUB - On February 19, 2014, the Zoning Administrator

approved a conditional use to authorize the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with the expansion of an existing restaurant to 5,170 square feet, accommodating 137 seats, with hours of operation from 6 a.m. to 12 midnight Sunday through Wednesday, until 1 a.m. on Thursday, and until 2 a.m. on Friday and Saturday, on property located within the [Q]C2-1 Zone, at 6245-6249 West 87th Street.

### **Public Correspondence**

NONE

### **Public Hearing**

A Notice of Public Hearing was sent to nearby property owners and/or occupants abutting a proposed development site for which an application, as described below, had been filed with the Department of City Planning. All interested persons were invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project. The hearing was conducted by Associate Zoning Administrator Theodore L. Irving, AICP, from the Office of Zoning Administration who acted under Case No. ZA 2021-4060(CUB) and CEQA No. ENV 2021-4061-CE on October 6, 2022, at approximately 10:00 a.m., via teleconference pursuant to the Governor's Executive Order issued March 20, 2020.

The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. The environmental document was among the matters considered at the hearing. Before opening the matter to public testimony, the Zoning Administrator looked through the file and reviewed the content therein, paying particular attention to maps, plans, and photos of the subject site.

The applicant's representative Brett Engstrom presented the project and the requests to be considered by the Zoning Administrator

- The applicant is triangle wines,
- We have a pending CUB request to allow the sale of beer and wine for off-site consumption and on-site consumption,
- Triangle Wines will be a new wine shop with associate bar,
- The business will occupy a 905 square foot tenant space,
- The front portion of the space will operate as retail wine sales,
- The rear portion of the space will be small wine bard for on-site consumption,
- It will consist of 14 seats; the proposed hours will be 10am to 12am daily,
- Off-site sales will be conducted under a Type 21 license,
- On-site sales will be conducted under a Type 42 license,
- We presented to the Westchester Playa Neighborhood Council Land Use Committee on August 21, 2021, and received a motion to support,
- The full board voted to support the project on September 7, 2021,
- We reached out to LAPD, but have not heard back,
- We also contact CD 11 last year; their representative is no longer with the 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.

**BASIS FOR CONDITIONAL USE PERMITS**

A particular type of development is subject to the conditional use plan approval 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-W of the Los Angeles Municipal Code. In order for the sale and service of beer and wine for off-site consumption and the sale and dispensing of beer and wine for on-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings supplemental to the standard findings for most other conditional use categories.

**CONDITIONAL USE FINDINGS**

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

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 will occupy a 905 square foot tenant space on the ground floor of an existing two-story commercial building. The tenant space will be a specialty store "Triangle Wines" with proposed hours of operation are from 10:00 a.m. to 12:00 a.m., daily.

A variety of commercial uses are an intrinsic part of the service amenities necessary for the conservation, development, and success of a vibrant

neighborhood. The wine store will continue provide neighboring residents and the local workforce with a viable and convenient option that will bolster pedestrian activity in the neighborhood. In addition, the grant to allow the beer and wine service has been well conditioned to ensure that that use will not adversely impact neighboring residents. As such, the project will enhance the built environment in the surrounding neighborhood and will provide a service that is beneficial to the community, city and 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 subject property is comprised of two, level, interior, rectangular parcels of land, totaling approximately 12,000 square feet fronting on 87th Street, with an adjacent alley to the rear of the subject site. The site is developed with two one-story commercial buildings totaling 8,410 square feet consisting of multiple tenant spaces. The proposed project (Triangle Wines) will occupy 905 square feet within one of the vacant tenant spaces.

Surrounding properties are characterized by level topography and improved streets with a variety of commercial uses. Properties to the north, across the rear alley way are zoned [Q]C2-1-CDO and developed with an on-grade parking lot. Properties adjoining the site to the east and west are developed with two-story commercial buildings zoned [Q]C2-1-CDO and housing various retail uses. Properties to the south, across 87th Street are zone [Q]C2-1-CDO and developed with one-story commercial buildings housing various retail and restaurant uses.

The applicant is requesting a Conditional Use to allow the sale of beer and wine for off-site consumption and the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed wine bar. The business will have 14 indoor seats to accommodate the on-site tasting with hours of operation remaining from 10:00 a.m. to 12:00 a.m. daily. The project will not change the height, size, or location of the existing commercial building in which the establishment will occupy.

The subject property is zoned and developed in a manner consistent with both the City's desired land use designation for the site and the surrounding area. The wine store will not feature live entertainment. The establishment's site design and location on a commercial block will reduce the likelihood of harmful impacts on the neighboring properties.

Furthermore, the Zoning Administrator has imposed numerous conditions to prevent adverse impacts and integrate the use into the neighborhood. Conditions address the mode and character of the specialty store, responsible management, addressing of nuisance, and surveillance and training. In addition, the Alcoholic Beverage Control will impose their own set of conditions, which the applicant will also be subject to. Therefore, 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 of the community.

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

The 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 within the Westchester - Playa del Rey Community Plan area. The Community Plan Area Map designates the property for Community Commercial land uses, with corresponding zones of C2, C4, CR, RAS3, and RAS4. The property is zoned [Q]C2-1-CDO. The property's zoning is thus consistent with the General Plan's land use designation for the site.

The property is also located within the Coastal Transportation Corridor Specific Plan. The Specific Plan functions as an implementation tool for transportation-focused public and private improvements; it contains no policy guidance concerning the project's request for alcoholic beverage sales.

The Westchester - Playa del Rey Community Plan text is silent with regards to the sale and dispensing of alcohol. In such cases, the Zoning Administrator must interpret the intent of the Plans. Specifically, the project addresses the following goals and policies of the Community Plan:

***Goal 2. Encourage a strong and competitive commercial sector that promotes economic vitality, serves the needs of the Westchester – Playa Del Rey community through safe, accessible, and well-designed commercial districts, while preserving the historic and cultural character of the community.***

***Objective 2-1. Preserve and strengthen viable commercial development in the community and provide additional opportunities for new commercial development and services within existing commercial areas.***

***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.***

***Objective 2-3. Enhance the land use compatibility, visual appearance, design, and appeal of commercial development.***

The project fulfills the intent of the Westchester – Playa Del Rey Community Plan provisions regarding encouraging uses which strengthen the economic well-being and promote development of Westchester – Playa Del Rey as a major center of population, employment, retail service and entertainment. The proposed project will support the vibrancy of the commercial corridor along La Tijera Boulevard and the Downtown Westchester Community Design Overlay plan area in general. The wine store will provide visitors, neighboring residents, and the local workforce with a convenient shopping option located on a commercial corridor.

The project's design, both in terms of physical layout and operations, is intended for the sale and service of beer and wine for off-site consumption and the sale and dispensing of beer and wine for on-site consumption to cater to the neighborhood-serving characteristics of this commercial corridor. The neighborhood serving wine store project with conditions of approval will be compatible with surrounding uses. The specialty store will provide neighboring residents and the local workforce with a convenient option that will bolster pedestrian activity in the neighborhood, thus increasing public safety.

The project maintains an existing and desirable commercial pattern of zoning and land use that is consistent and compatible with other properties and uses in the surrounding neighborhood. Thus, the project substantially conforms with the purpose, intent, and provisions of the General Plan and Community Plan.

#### **CONDITIONAL USE BEVERAGE FINDINGS**

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

The grant allows the sale and service dispensing of beer and wine for off-site consumption and the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed wine store. Additionally, the project will not physically alter the subject building's location, size, or height. The wine specialty store will not feature any form of live entertainment. Negative impacts commonly associated with the sale of beer and wine, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering. 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 or the Department of Alcoholic Beverage Control's Licensee Education on Alcohol and Drugs (LEAD) Program. In addition, the Alcoholic Beverage Control will impose their own set of conditions, which the applicant will also be subject to.

Furthermore, the Zoning Administrator has imposed numerous conditions to integrate the use into the community as well as protect community members from



adverse potential impacts. Additional conditions have been included to ensure the operation provides adequate security measures, includes a surveillance system, and adequate lighting, adherence to the City's Noise Ordinance, and responsible management practices. Both the Conditions of Approval and the requirements of the California Department of Alcoholic Beverage Control are intended to protect the public health, welfare and safety of the community. Therefore, as conditioned herein, the sale and service of beer and wine for off-site consumption and the sale dispensing of beer and wine for on-site consumption in conjunct with a proposed wine 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 Department of Alcoholic Beverage Control (ABC) licensing criteria, 2 on-site and 1 off-site consumption licenses are allocated to the subject census tract (Census Tract 2780.01). There are currently 14 on-sale and 5 off-sale active licenses within the subject census tract.

According to statistics provided by the Los Angeles Police Department's Pacific Division Vice Unit, within Crime Reporting District No. 1487, which has jurisdiction over the subject property, a total of 122 crimes were reported in 2021: 106 Part I and 16 Part II crimes. Part I Crimes reported by LAPD include, Homicide (0), Manslaughter (0), Rape (1), Robbery (8), Aggravated Assault (6), Burglary (5), Auto Theft (15), and Larceny (71). Part II Crimes reported include, Other Assault (2), Forgery/Counterfeit (0) Embezzlement/Fraud (0), Stolen Property (2), Weapons Violation (2), Prostitution Related (1), Sex Offenses (0), Offenses Against Family (0), Narcotics (3), Liquor Laws (0), Public Drunkenness (0), Disturbing the Peace (0), Disorderly Conduct (0), Gambling (0), DUI related (4), Moving Traffic Violations (0) and other offenses (2). The Citywide average number of crimes in a reporting district is 149.

The number of active on-site ABC licenses within the census tract where the subject site is exceeds the ABC guidelines. Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. The above statistics indicate that the crime rate in the reporting district where the subject site is located is lower than the citywide average.

Granting of the request will not result in undue concentration as the project will provide a service and amenity that is highly desirable and needed in the community. Although the number of existing licenses exceeds the number allocated to the subject census tract, the higher number of alcohol-serving establishments is to be expected in an area which functions as the main business district for the community, with a greater variety and concentration of commercial uses. The project involves the granting of an application to sell and service beer and wine for off-site consumption and the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed wine store. Thus, 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.

In addition, the crime statistics do not connect the subject property to any incidents as it pertains to the reporting district as a whole. No evidence has been submitted to the record linking the subject site or use to the crime rates in the area. No comments from the community at-large were received concerning the concentration of alcoholic beverage establishments in the area. Nevertheless, to safeguard the welfare of the community, negative impacts commonly associated with the sale of alcohol for on-site consumption such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions set forth by the Zoning Administrator. The State Department of Alcoholic Beverage Control also 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. Employees will be required to fulfill specialized training relating to the sale of alcohol with additional security and monitoring conditions imposed.

The Zoning Administrator has imposed conditions of approval to minimize alcohol related impacts on the surrounding community and recommended others to the Department of Alcoholic Beverage Control for consideration when they issue a license for the proposed wine store. The compliance with the conditions will help to safeguard the welfare of the community. As conditioned, allowing the sale of beer and wine for off-site and on-site consumption at the subject location will benefit the public welfare and convenience because a successful wine store supports and economic vitality of the area.

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 applicant seeks a Conditional use authorization to allow the sale and service of beer and wine and the sale and dispensing of beer and wine for on-site

consumption in conjunction with a proposed 905 square-foot wine bar with 14 interior seats. The proposed hours of operation are from 10 a.m. to 12 a.m. daily.

Surrounding properties are characterized by level topography and improved streets with a variety of commercial uses. Properties to the north, across the rear alley way are zoned [Q]C2-1-CDO and developed with an on-grade parking lot. Properties adjoining the site to the east and west are developed with two-story commercial buildings zoned [Q]C2-1-CDO and housing various retail uses. Properties to the south, across 87th Street are zone [Q]C2-1-CDO and developed with one-story commercial buildings housing various retail and restaurant uses. According to information submitted by the applicant, the following establishments maintain an alcoholic beverage license within a 1,000-foot radius of the property:

Trader Joe's #33	8645 South Sepulveda Blvd.	Full Line / Off-Site
Paco's Cantina	6212 West Manchester Blvd.	Full Line / On-Site
IHOP	8600 South Sepulveda Blvd.	Beer & Wine / On-Site
El Tarsasco	8620 South Sepulveda Blvd.	Beer & Wine / On-Site
The Coffee Company	8751 La Tijera Blvd.	Beer & Wine / On-Site
Thai Dishes	6234 West Manchester Ave.	Beer & Wine / On-Site
Ayara Thai Cuisine	6245 West 87th Street	Full Line / On-Site
Japanese Sushi Bar & Grill	8736 South Sepulveda Blvd.	Beer & Wine / On-Site
Truxton's America Bistro	8611 Truxton Ave	Full Line / On-Site
CVS Pharmacy #8886	8601 South Sepulveda Blvd.	Full Line / Off-Site
Larocco's Pizzeria	8806 South Sepulveda Blvd	Beer & Wine / On-Site
Ralphs Grocery #209	8825 South Sepulveda Blvd.	Full Line / Off-Site

Consideration has been given to the distance of the subject establishment from the above-referenced residential uses. 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. Numerous conditions, several of which have been recommended to ABC, have been incorporated into this grant to minimize the potential for adverse effects on the community. The project is consistent with the zoning and in keeping with the existing uses adjacent to the development. This project will contribute to the neighborhood and will serve the neighboring residents and the local employees as well as visitors. Therefore, for the reasons given, 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 site is located in a prime commercial area, so the diversity amongst the uses is not uncommon. The wine store is within a contained environment where monitoring is facilitated. This grant includes numerous conditions and has not authorized uses of the property which might create potential nuisances for the surrounding area. Such imposition of conditions will continue to make the use a more compatible and accountable neighbor to the surrounding uses than would otherwise be the case. Therefore, as conditioned, the project will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

### **ADDITIONAL MANDATORY FINDINGS**

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone B, areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than 1 foot or where the contributing drainage area is less than 1 square mile; or areas protected by levees from the base flood.

Inquiries regarding the matter shall be directed to Jordann Turner, Planning Staff for the *Department of City Planning* at (213) 978-1365 or [jordann.turner@lacity.org](mailto:jordann.turner@lacity.org).



THEODORE L. IRVING, AICP  
Associate Zoning Administrator

TLI:JT:

Cc: Councilmember Mike Bonin  
Eleventh District  
Adjoining Property Owners

# TRIANGLE WINES

6235 W. 87TH  
LOS ANGELES, CA. 90045

**PROJECT DESCRIPTION:**

CHANGE OF USE FROM RETAIL TO  
WINE STORE & TASTING ROOM

TRACK 14012  
APN - 4123003025  
BLOCK - NONE  
LOT 12  
LOT AREA - 9000 SF.  
AREA OF PROJECT: 867 SF.  
ZONE - [O]C2-1-CDD

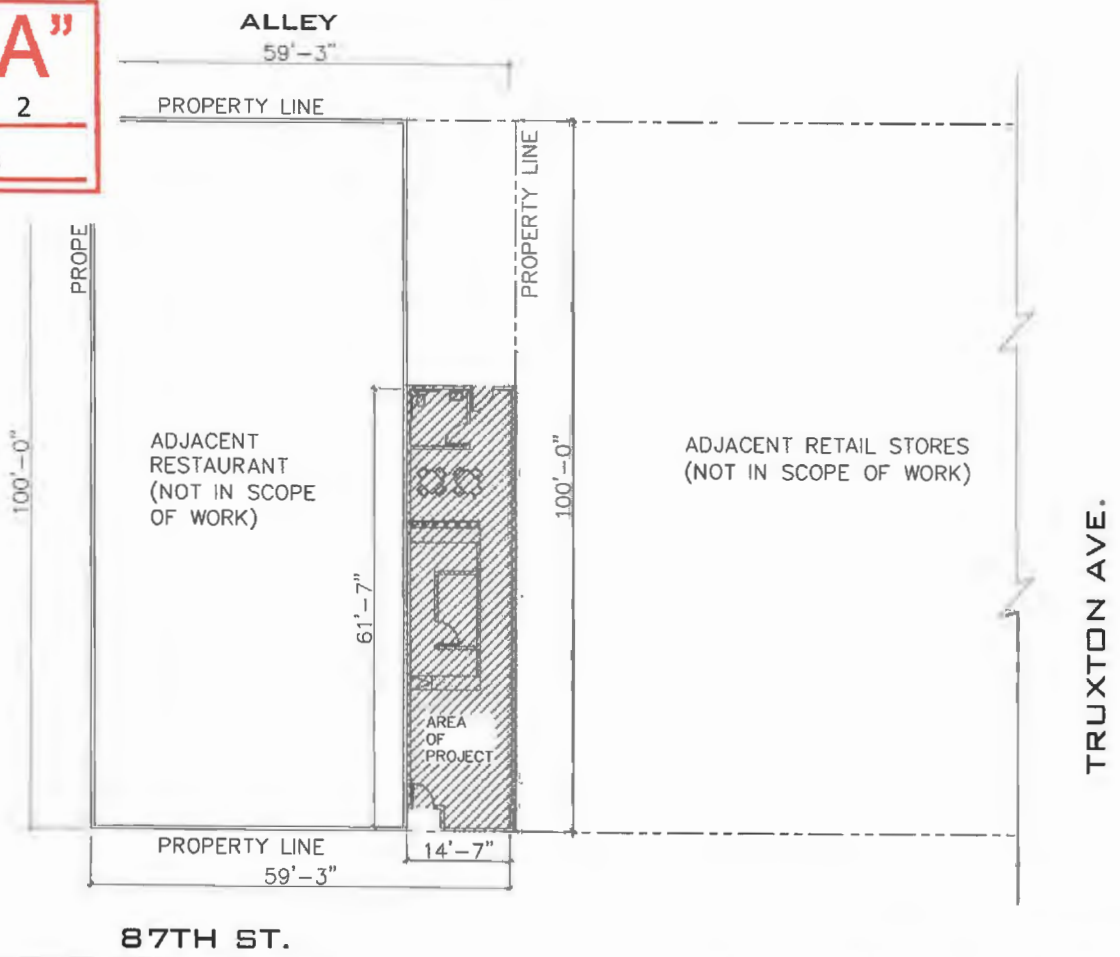


NEWMAN  
BUILDINGS  
DESIGN  
5670 VISTA DEL MAR  
PLAYA DEL REY, CA. 90293  
3101 384-9473

NEWMANBUILDINGSDESIGN@GMAIL.COM

CUB DRAWINGS 2/18/21

**EXHIBIT "A"**  
Page No. 1 of 2  
Case No. ZA-2021-4060-CUB



PROJECT  
TRIANGLE WINES  
6235 W 87TH ST  
LOS ANGELES, CA 90045  
LEGAL DESCRIPTION  
LOTS: 11, 12  
BLOCK: NONE  
TRACT: TR 14012  
APN: 4123-003-024, 025  
ZONE: [O]C2-1-CDD  
LOT AREA: 12,000.8 SF  
PROJECT AREA: 905 SF  
SEAT COUNT: 14 INTERIOR SEATS

**TRIANGLE WINES**  
6235 W. 87TH  
LOS ANGELES, CA. 90045

TRIANGLE WINES  
6235 W. 87TH  
LOS ANGELES, CA. 90045

OWNER:  
ALEX BELTTO

FLOOR AND SITE  
SITE PLAN

Date: 2/18/21 Scale: Per Plan  
Sheet

X 1

SITE PLAN

1/8" = 1'-0"

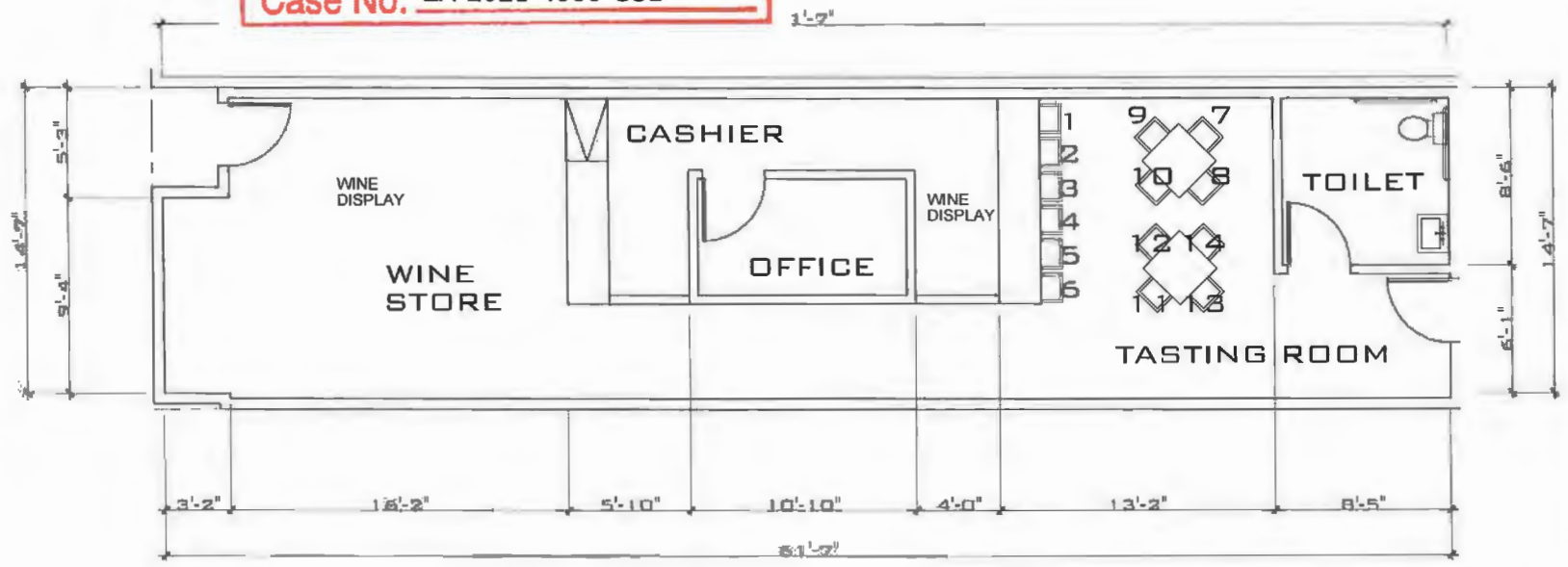


# TRIANGLE WINES

6235 W. 87TH

LOS ANGELES, CA. 90045

**EXHIBIT "A"**  
 Page No. 2 of 2  
 Case No. ZA-2021-4060-CUB



**PROJECT**  
 TRIANGLE WINES  
 6235 W. 87TH ST.  
 LOS ANGELES, CA 90045

**LEGAL DESCRIPTION**  
 LOTS: 11,12  
 BLOCK: NONE  
 TRACT: TR 14012  
 APN: 4123-003-024,025  
 ZONE: [Q]C2-1-CDO  
 LOT AREA: 12,000.8 SF

**PROJECT AREA:** 905 SF  
**SEAT COUNT:** 14 INTERIOR SEATS



**FLOOR PLAN**

1/4" = 1'-0"



**NEWMAN BUILDING DESIGNS**  
 5670 VISTA DEL MAR  
 PLAYA DEL REY, CA. 90293  
 (310) 384-9473  
 NEWMANBUILDINGDESIGNS@GMAIL.COM

CUB DRAWINGS 2/18/21

**TRIANGLE WINES**  
 6235 W. 87TH  
 LOS ANGELES, CA. 90045

TRIANGLE WINES  
 6235 W. 87TH  
 LOS ANGELES, CA. 90045

**OWNER:**  
 ALEX BELOTTO

**FLOOR PLAN**

Date: 2/18/21 Scale: Per Plan Sheet

X2