



CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
City Hall 200 North Spring Street Los Angeles CA 90012
NOTICE OF PUBLIC HEARING

To Owners: ☐ Within a 100-Foot Radius
☐ Within a 500-Foot Radius
☒ Abutting a Proposed Development Site

And Occupants: ☐ Within a 100-Foot Radius
☐ Within a 500-Foot Radius
And: ☒ Interested Parties/Others

This notice is sent to you because you own property or are an occupant residing near a site for which an appeal from a Department action was filed with the Department of City Planning. All interested persons are invited to attend the public hearing where you may listen, ask questions, and/or present testimony regarding the project. The environmental document, if applicable, will be among the matters considered at the hearing. The Commission may consider all the testimony presented at the hearing, written communications received prior to or at the hearing, and the merits of the project as it relates to existing environmental and land use regulations. **Please note that your attendance at the hearing is optional.**

Project Site: 950 East 3rd Street Unit 1A (930-950 East 3rd Street & 875 Traction Avenue)

Case No. ZA-2019-3153-MPA-1A
CEQA No. ENV-2019-3154-CE
Held By: Central Los Angeles Area Planning Commission

Date: June 9, 2020
Time: After 4:30 p.m.
Place: In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the Central Los Angeles Area Planning Commission meeting will be conducted entirely telephonically by Zoom [<https://zoom.us/>].

The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commissions-boards-hearings> and/or by contacting apccentral@lacity.org

Staff Contact: Renata Ooms, City Planning Associate
200 North Spring Street, Room 763
Los Angeles, CA 90012
renata.ooms@lacity.org
(213) 978-1222

apccentral@lacity.org

Council No: 14 – Huizar
Related Cases: ZA-2018-7658-MCUP-CUX
ZA-2019-2995-MPA-CUX
ZA-2019-3474-MPA

Plan Area: Central City North
Zone: M3-1-RIO

Plan Overlay: none
Land Use: Heavy Manufacturing

Applicant: Mumford Brewing Operations LLC and Todd Mumford
Representative: Veronica Becerra, Rabuild Commercial Services LLC
Appellant: Silvia Razgova and 20 other tenants at 912 East 3rd Street
Representative: none

PROPOSED PROJECT:

A Master Plan Approval to permit the sale and dispensing of beer and wine for on- and off-site consumption, in conjunction with a proposed 2,415 square-foot microbrewery/bar (Mumford Brewing) with seating for 112 patrons indoors and a 776 square-foot outdoor patio with seating for 50 patrons outdoors. Proposed hours of operation are from 8:00 a.m. to 2:00 a.m., daily.

APPEAL:

An Appeal, in part, of the Zoning Administrator's determination to approve a Conditional Use Permit to allow a Master Plan Approval to permit the sale and dispensing of beer and wine for on- and off-site consumption, in conjunction with the operation of a microbrewery/bar.

Puede obtener información en Español acerca de esta junta llamando al (213) 978-1300

GENERAL INFORMATION

FILE REVIEW - The complete file will be available for public inspection by appointment only. Please email the staff identified on the front page, at least three (3) days in advance, to arrange for an appointment. **Files are not available for review the day of or day before the hearing.**

AGENDAS AND REPORTS- Commission Agendas are accessible online at planning.lacity.org, by selecting "Commissions & Hearings", the specific Area or City Planning Commission and "Agendas". Appeal Recommendation Reports are available on-line seven (7) days prior to the Commission meeting and are hyperlinked to the case numbers on the agenda. **Please note that Appeal Recommendation Reports are not prepared for appeals related to Zoning Administrator decisions.**

Be advised that the Commission may RECONSIDER and alter its action taken on items listed on the meeting agenda at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case. **If a Commission meeting is cancelled or adjourned due to lack of quorum, all remaining agenda items shall be continued to the next regular meeting or beyond, as long as the continuance is within the legal time limits of the case or cases.**

TESTIMONY AND CORRESPONDENCE - Your attendance is optional; oral testimony can only be given at the Commission meeting and may be limited due to time constraints. Written testimony or evidentiary documentation may be submitted prior to, or at the meeting in accordance to the Commission's submittal requirements. Commissions function in a quasi-judicial capacity and therefore, cannot be contacted directly. Any materials submitted to the Commission become City property and will not be returned. This includes any correspondence or exhibits used as part of your testimony.

REQUIREMENTS FOR SUBMISSION OF MATERIALS - Written materials may be submitted prior to or at the meeting in accordance with the submittal requirements below. The case number must be written on all communications, plans and exhibits.

Please see revised submission guidelines below which have been modified in order to accommodate the conduct of the public hearing telephonically in conformity with the Governor's Executive Order N-29-20 (March 17, 2020).

- **Regular Submissions** – Written materials not limited as to volume must be received by the Commission Executive Assistant no later than by end of business day Monday of the week prior to the week of the Commission meeting. Materials must be delivered electronically to the staff and commission email identified on the front of this page.
- **Secondary Submissions** - All written materials in response to an Appeal Recommendation Report and/or additional comments must be submitted no later than **48 hours before to the Commission meeting (for Central, South LA and Harbor APCs, materials must be received no later than by 3:00 p.m., Thursday of the week prior to the Commission Meeting)**. Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on the front of this notice.
- **Day of Hearing Submissions** - Submissions less than 48 hours prior to, and including the day of the Commission meeting, must not exceed two (2) written pages, including exhibits. Photographs do not count toward the page limitation. These must be submitted electronically to the Commission email identified on the front of this page.
- **Non-Complying Submissions** - Submissions that do not comply with these rules will be stamped "*File Copy. Non-complying Submission*". Non-complying submissions will be placed into the official case file, but they will not be delivered to, or considered by the Commission. The Commission Rules and Operating Procedures are available online at planning.lacity.org by selecting "Commissions & Hearings" and selecting the specific Commission.

EXHAUSTION OF ADMINISTRATIVE REMEDIES AND JUDICIAL REVIEW - If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agenzied here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. 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.

ACCOMMODATIONS - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other services, such as translation between English and other languages, may also be provided upon written request submitted a minimum of seven (7) working days in advance to: per.planning@lacity.org. Be sure to identify the language you need English to be translated into, and indicate if the request is for oral or written translation services. If translation of a written document is requested, please include the document to be translated as an attachment to your email.

MASTER APPEAL FORM

WITH ATTACHMENTS



APPLICATIONS:

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- ☐ Area Planning Commission
 ☒ City Planning Commission
 ☐ City Council
 ☐ Director of Planning
 ☐ Zoning Administrator

Regarding Case Number: ZA-2019-3153-MPA

Project Address: 950 E. 3RD ST., LOS ANGELES, CA 90013

Final Date to Appeal: MARCH 16, 2020

2. APPELLANT

Appellant Identity:
(check all that apply)

- ☒ Representative
 ☒ Applicant

- ☐ Property Owner
 ☐ Operator of the Use/Site

☒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

☒ Person affected by the determination made by the **Department of Building and Safety**

- ☐ Representative
 ☐ Applicant

- ☐ Owner
 ☐ Operator

☒ Aggrieved Party

3. APPELLANT INFORMATION

Appellant's Name: SILVIA RAZGOVA

Company/Organization: N/A

Mailing Address: 912 E. 3RD ST., UNIT #104

City: LOS ANGELES State: CA Zip: 90013

Telephone: 323.507.5975 E-mail: RAZGOVA@GMAIL.COM

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self ☒ Other: ADDITIONAL TENANTS AT 912 E. 3RD ST.

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

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable):

N/A

Company:

Mailing Address:

City:

State:

Zip:

Telephone:

E-mail:

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed?

☐ Entire

☒ Part

b. Are specific conditions of approval being appealed?

☒ Yes

☐ No

If Yes, list the condition number(s) here: 3, 7a, 7c, 13, 20, 27, 29

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

☒ The reason for the appeal

☒ How you are aggrieved by the decision

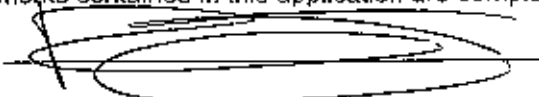
☒ Specifically the points at issue

☐ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

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

Appellant Signature:



Date:

3/9/2020

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

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

☐ Appeal Application (form CP-7769)

☐ Justification/Reason for Appeal

☐ Copies of Original Determination Letter

b. Electronic Copy

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

c. Appeal Fee

☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.

☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC

☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- ☐ **1. Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.**

a. Appeal Fee

☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- ☐ **2. Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.**

a. Appeal Fee

☒ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.

☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- ☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

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

March 11, 2020

Attention:
City Planning Department

Re: Case #ZA-2019-3153-MPA
with related case # ZA-2018-7658-MCUP

Appeal

To Whom It May Concern,

The purpose of this letter serves as an appeal to case No. ZA-2019-3153-MPA (Mumford Brewery at 950 E. 3rd St., L.A., CA 90013), with related case No. ZA-2018-7658-MCUP (Master Conditional Use for 930-950 E 3RD St., Los Angeles, CA 90013) by the residents of 912 E 3RD ST. Here are the points of our appeal specifically:

Condition 3

"The authorized use shall be conducted at all times with due regard for the character of the surrounding district ... 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."

Residential units, most with open-loft sleeping areas, without separation walls or bedroom doors, of the 912 E. 3rd. St., face the proposed Mumford Brewery and are less than thirty feet from the proposed outdoor patio. The excessive noise that will be created by the business and its outdoor use is highly likely to be intrusive and disturbing to the quiet, comfort, and repose of the reasonable tenants of the 912 building. In no way is the Mumford Brewery in "character" with the residents of the 912 E. 3rd. St. building. We, the residents of 912 E 3rd St., along with other long-term residents of the block, are who established the character of the central DTLA Arts District.

Condition 7a

"Hours of operation for the outdoor patio seating areas shall not exceed 10:00 p.m. on any day."

The common practice for alcohol-serving establishments is to allow their patrons to finish their drinks once they've purchased them even at closing time, thus considerably extending the hours of operation, which will undoubtedly produce noise disturbance way past the closing time. Therefore, **we request that the patio be closed at 8 p.m. on all days.**

Condition 7c

"Outdoor seating on-site shall be limited to maximum of 25 seats...."

The walkway that the proposed brewery is using for its patio on the west side was not and is not designed to house an outdoor seating patio. In addition, the **proposed patio-sidewalk abuts a fire lane**, which is enormously problematic.

If patio seating on the west side is approved, we request that tables be limited in size to accommodate no more than four people. Additionally, the tables should be anchored in such way that they cannot be combined to accommodate more than four people. This will help prevent increased levels of spontaneous, intrusive noise.

Condition 13

"The applicant shall be responsible for monitoring both patron and employee conduct at the premises and within the parking areas..."

Considering that patrons of the proposed Mumford Brewery may be likely to consume alcohol without food, thus potentially having their good judgement decreased, it is imperative that **a security guard is provided** during all hours of operation.

Condition 20

"Any music, sound or noise including amplified or acoustic music which is under the 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) ..."

The residents of 912 E. 3RD ST. are entitled to a peaceful and quiet environment without the **intrusion of noise, which may be hazardous to their health and welfare.** (CA Health and Safety Code 46000). Spontaneous, intermittent, impulsive and raucous noise, which is often caused by individuals consuming alcohol in both indoor and outdoor venues such as the proposed Mumford Brewery, has been shown to have **adverse physiological effects**, including but not limited to hypertension, increased heart rate, muscle tension, increased stress, disruption of biological functions, increased startle reflex, pain, nausea, disturbances of the sleep cycle, headaches, ulcers and dizziness. In addition, such noise has been shown to have **cumulative detrimental effects that can cause distraction, reduced work output, increased annoyance and decreased concentration.** Therefore we request that **absolutely no music be played on the patio, and that the indoor levels be set such as not to polite the surrounding outdoor area.**

Condition 27

"Smoking tobacco or non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas..."

The Municipal Code-governed distance of 10 feet is insufficient in **protecting** the adjacent residents from the Mumford Brewery patrons' tobacco consumption. CDC states that there is **"No safe distance"** from second-hand smoke, which contains 7,000 harmful chemicals and has been proven to be carcinogenic. Therefore we request that **a 100-foot no-smoking zone be implemented around the premises.**

Condition 29

"The outdoor service area shall be within the responsibility of the applicant and include a permanent barrier separating the outdoor area from any abutting sidewalk or public right-of-way..."

We request that the height of the outdoor area-separation barrier be a minimum of 12 feet high and that it is constructed with **acoustic-blocking material**.

Condition 35

"Vendor delivery of alcoholic beverages shall be permitted only between the hours of 7 a.m. through 7 p.m. daily."

Delivery by loud, idling trucks will further contribute to the unreasonable noise level, therefore we request that all **deliveries be limited to the hours of 11 a.m. through to 4 p.m.** and in no way they be permitted to park in the fire lane as has become common for the deliveries and service trucks for Aliso buildings.

Thank you for your time and consideration.

Sincerely,

Residents of 912 E 3RD ST.

Silvia Razgova

Peter Rose

Lesley Aitken

Philip Cheung

Dale Benson

Lisette Benson

Henner Jahns

Anyes Galleani

Susan Lana

Homer Hifohosa

Michael Phillips

Katherine Gray

Eric Huebsch

Mona Tian

Jessie Gilbert

George Fuentes

Dara Paquette

Mike French

Geoff OKI

LEE TRAN

Frederick Wills

DETERMINATION LETTER

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
THEODORE L. IRVING
FRANKLIN N. QUON
CHARLES J. RAUSCH JR.
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

TRICIA KEANE
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

<http://planning.lacity.org>

February 28, 2020

Todd Mumford (A)
Mumford Brewing Operations LLC
416 Boyd Street
Los Angeles, CA 90013

Anthony Duplisse, Vice President (O)
AERC Legendary JV, LLC
5510 Morehouse Drive #200
San Diego, CA 92121

Veronica Becerra (R)
Rabuild Comercial Servicies LLC
449 W. Foothill Blvd, Unit 157
Glendora, CA 91741

CASE NO. ZA-2019-3153-MPA
PLAN APPROVAL
Related Case No. ZA-2018-7658-MCUP
950 East 3rd Street Unit 1A (930-950 East 3rd
Street & 875 Traction Avenue)
Central City North Community Plan Area
Zone: M3-1-RIO
C.D.: 14
D.M.: 127-5A215; 127-5A217; 129A215;
129A217
CEQA: ENV-2018-7659-CE
Legal Description: Lot LT 1, Tract TR 72352-C

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 and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

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

a Master Plan Approval to permit the sale and dispensing of beer and wine for on- and off-site consumption in conjunction with a microbrewery and bar in the M3 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 case file.
7. Authorized herein is the sale of and dispensing of beer and wine for on- and off-site consumption, in conjunction with a 2,415 square-foot microbrewery and bar. The grant shall be subject to the following limitations:
 - a. The hours of operation shall be limited to 3:00 p.m. to 10 p.m. on Monday through Thursday, 2:00 p.m. to Midnight on Friday, Noon to Midnight on Saturday, and Noon to 8:00 p.m. on Sunday. Hours of operation for the outdoor seating areas shall not exceed 10:00 p.m. on any day.
 - b. Indoor seating shall be limited to a maximum number of 112 seats. The number of seats shall not exceed the maximum number allowable occupant load as determined by the Department of Building and Safety.
 - c. Outdoor seating on-site shall be limited to a maximum of 25 seats. The final number of seats and their location may be modified by the Department of Building and Safety in order to provide accessibility and required clearances from existing structures.
8. No after-hour use is permitted, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
9. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
10. The applicant shall prepare a security plan for review and approval by the LAPD. No later than 12 months after the issuance of the Certificate of Occupancy for the restaurant, the applicant shall meet with LAPD Central Vice to determine the effectiveness of the security plan. A copy of the security plan shall be submitted for the case file.

11. **Complaint Log.** Prior to the utilization of this grant, a telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:

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

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

12. **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.
13. 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.
14. 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.
15. 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 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.
16. The Applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
17. 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.
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. 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.

20. Any music, sound or noise including amplified or acoustic music which is under control of the applicant shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City inspector may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or, eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
21. Amplified music shall not be audible beyond the outside of the premises and sound equipment shall be insulated and positioned away from the walls to render vibrations and reverberations undetectable beyond the premises.
22. There shall be no speakers or amplified sound permitted in any outdoor patio area.
23. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.
24. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
25. 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.
26. Adequate lighting shall be installed in all areas within the business in conformance with the Los Angeles Municipal Code. The lighting shall be such that it renders all objects and persons clearly visible.
27. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
28. 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.
29. The outdoor service area shall be within the responsibility of the applicant and include a permanent barrier separating the outdoor area from any abutting sidewalk or public right-of-way, which will be of such height, design, and materials that it will preclude passerby from interacting with or obtaining any beverage or food from restaurant tables and/or patrons.
30. The back door shall be kept closed at all times, during the operation of the premises except in case of emergency or for deliveries.
31. There shall be no queuing lines allowed at any time on adjacent sidewalks.
32. No booth or group seating shall be installed that completely prohibits observation of the occupants.
33. The applicant shall be knowledgeable and compliant with the conditions of Master Conditional Use Permit Case No. ZA-2018-7658-MCUP.

34. Conditions of this grant shall be retained at all times on the premises and shall be made immediately available upon request by the Los Angeles Police Department or Alcoholic Beverage Control, or City Zoning Administrator. The manager and all employees shall be knowledgeable of the conditions herein.
35. Vendor delivery of alcoholic beverages shall be permitted only between the hours of 7:00 a.m. through 7:00 p.m., daily.
36. There shall be no queuing lines allowed at any time on adjacent sidewalks.
37. There shall be no admission, cover charge or prepayment required to enter the premises.

ADMINISTRATIVE CONDITIONS

38. **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.
39. 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.
40. Should there be a change in the ownership and/or the operator of the business, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may

modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

41. 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 (ii).
- 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 (ii).
- 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 **March 16, 2020** 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, the plans submitted therewith, and the statements made at the public hearing on, September 24, 2019 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 an approval of plans under the provisions of **Section 12.24-M** have been established by the following facts:

BACKGROUND

The proposed project is a Master Plan Approval to permit the sale and dispensing of beer and wine for on- and off-site consumption at a proposed microbrewery/bar (Mumford Brewing). The microbrewery/bar will include 2,415 square feet of floor area with 112 interior seats and 776 square feet of outdoor patio with 50 seats. The outdoor patio consists of two areas; one fronting 3rd Street with 8 seats and one fronting a project internal walkway with 42 seats. Requested hours of operation are from 8:00 am to 2:00 am. The proposed project is located on the ground floor of a mixed-use development (The Aliso). The tenant space is located at the western most corner of the property with frontage along East 3rd Street.

The subject property is an approximately 5.8 acre, irregularly-shaped, through lot with a frontage of 445 feet on the south side of East 3rd Street and a frontage of 90 feet on the northerly side of Traction Avenue. The subject site is developed with the Aliso – a mixed-use development with 472 live/work units and 21,128 square feet of commercial/retail uses. The sale of alcoholic beverages was authorized at the site by the underlying approved Master Conditional Use Permit (Case No. ZA-2018-7658-MCUP-CUX), which authorized the sale and dispensing of full line of alcoholic beverages for on-site consumption at up to five (5) restaurants, the sale, dispensing, and manufacturing of beer for on- and off-site consumption with on-site beer and wine sales at one (1) microbrewery, and the off-site sale of a full line of alcoholic beverages with on-site beer and wine sales and incidental tastings at one (1) retail store.

The subject Plan Approval enables the Zoning Administrator to consider more closely the nature of each operation and to impose further conditions as necessary. The following Master Plan Approvals are currently pending at the site:

Case Number	Venue	Venue Type	Alcohol
ZA-2019-2995-MPA-CUX	WabiSabi	Restaurant	On-site Full Line
ZA-2019-3153-MPA	Mumford Brewery	Microbrewery/Bar	On- & off-site Beer & Wine
ZA-2019-3474-MPA	Smoke City Char Bar	Restaurant	On-site Full Line

The site is zoned M3-1-RIO and is located within the Central City North Community Plan with a land use designation of Heavy Manufacturing. The site is not located within a Specific Plan or within an area governed by an Interim Control Ordinance. The site is located within the River Improvement Overlay District, (ZI-2358), a Transit Priority Area (ZI-2452), the East Los Angeles State Enterprise Zone (ZI-2129), the Central City Parking Area, an Urban Agriculture Incentive Zone, a Methane Zone, and is within 1.87 kilometers of the nearest known fault (Upper Elysian Park). The subject site is served by LAPD Central Division and is located within LAPD Reporting District No. 139.

SURROUNDING PROPERTIES

Surrounding properties are developed with a mix of residential, office, gallery, storage, restaurant, and retail related uses. The northern adjoining properties (across 3rd Street) are zoned M3-1-RIO and are developed with the Hauser & Wirth art gallery, lofts, and offices. The eastern adjoining property is zoned M3-1-RIO and is developed with the Southern California Institute of Architecture (SCI-Arc). The southern adjoining properties are zoned (T)(Q)CM-2-RIO, and M3-1-RIO and are developed with offices, residential, and parking. The western adjoining properties are zoned M3-1-RIO and are developed with public storage, offices, and residential.

TRANSIT AND SHARED MOBILITY SERVICES

The project site is located in close proximity to numerous public transit and shared mobility options that serve the Arts District, the greater Downtown area, and connect the neighborhood to the regional Metro Rail Network. The following stations are within 500 feet of the project site:

DASH A stops on Traction Avenue and Merrick Street
Metro Bike Share – 3rd and Santa Fe Station

STREETS

3rd Street, adjoining the subject property to the north, is a designated Collector Street, dedicated to a width of 83 feet and is improved with asphalt roadway with diagonal street parking along the southern side of the street, concrete curb, gutter, and sidewalk.

Traction Avenue, adjoining the subject property to the south, is a designated Collector Street, dedicated to a width of 80 and improved with asphalt roadway with diagonal street parking along the northern side of the street, concrete curb, gutter, and sidewalk.

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

Case No. ZA-2018-7658-MCUP – On February 20, 2020, the Zoning Administrator approved a Master Conditional Use to allow sale and dispensing of full line of alcoholic beverages for on-site consumption at up to five (5) restaurants, the sale, dispensing, and manufacturing of beer for on- and off-site consumption with on-site beer and wine sales at one (1) microbrewery, and the off-site sale of a full line of alcoholic beverages with on-site beer and wine sales and incidental tastings at one (1) retail store.

Case No. ZA-2019-3474-MPA – On February 20, 2020, the Zoning Administrator approved a Master Plan Approval for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a restaurant (Smoke City Char Bar).

Case No. ZA-2019-2995-MPA-CUX– Concurrent with the subject case, an application was filed for a Master Plan Approval and a conditional use for entertainment for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a restaurant (WabiSabi) with public dancing and live and amplified music. Case is on hold pending the filing and completion of a Plan Approval request to modify Condition Nos. 8 and 9 of Case No ZA-2000-1712-CU-ZV-ZAD-SPR-ZAI to entitle floor area beyond the existing grant.

Case No. ZA-2019-0940-MPA – On May 23, 2019 a request was withdrawn for a Master Plan Approval for the sale of full line of alcoholic beverages for off-site consumption in conjunction with a market.

Case No. ZA-2000-1712-CU-ZV-ZAD-SPR-PA2 – On November 19, 2014, the Zoning Administrator modified plans for the construction, use, and maintenance of 472 live/work condominium units, nine commercial condominium units, and 21,128 square feet of commercial/retail uses with 774 on-site parking spaces in the M3-1 Zone.

Case No. VTT-72352-CN – On November 19, 2014, the Deputy Advisory Agency approved the subdivision to permit the construction of eight buildings with a maximum of 472 live/work condo units, a maximum of nine commercial condominiums, and 21,128 square feet of ground floor commercial space.

Cases on Surrounding Properties:

Case No. ZA-2019-2746-MPA – On November 26, 2019, the Zoning Administrator approved a conditional use to permit the sale of beer and wine for on-site consumption, in conjunction with a new 1,346 square-foot restaurant with 20 interior seats and 45 outdoor patio seats with hours of operation from 7:00 a.m. to 2:00 a.m., daily, within the M3-1-RIO Zone at 818 East 3rd Street.

Case No. ZA-2019-0780-CUB – On September 5, 2019, the Zoning Administrator approved a conditional use to permit the sale of a full line of alcoholic beverages for on-site consumption at a proposed 3,971 square-foot restaurant and 821 square-foot outdoor patio with seating for 88 patrons indoors and 60 patrons outdoors, with hours of operation from 7:00 a.m. to 2:00 a.m., daily, within the M3-1-RIO Zone at 221 South Garey Street.

Case No. ZA-2017-1272-CUB – On November 17, 2017, the Zoning Administrator approved a conditional use to permit the sale of wine for on-site consumption, including tasting and off-site consumption, in conjunction with a new wine tasting bar within the M3-1-RIO Zone at 809-819 East Traction Avenue.

Case No. ZA-2017-1714-CUB – On September 5, 2017, the Zoning Administrator approved a conditional use to permit the sale of a full line of alcoholic beverages for on-site consumption in conjunction with the operation of a new 4,339 square-foot restaurant, with 1,000 square-foot outdoor patio within the M3-1-RIO Zone, at 225-227 South Garey Street and 821 – 835 East 3rd Street.

Case No. ZA-2016-4497-MCUP-ZV – On August 8, 2018, the Zoning Administrator approved a Master Conditional Use to permit the sale of a full line of alcoholic beverages for on-site consumption at one restaurant and one bar and the sale of beer and wine for on-site consumption at two restaurants, all in two contiguous buildings; approved a variance to allow the location of off-site

parking to be farther than 750 feet from the project site; approved a variance to provide required off-site parking by lease in lieu of parking covenant, within the M3-1-RIO Zone at 806-818 East 3rd Street.

Case No. ZA-2015-4368-CUB – On April 29, 2016, the Zoning Administrator approved a conditional use to permit the sale of a full line of alcoholic beverages for on-site consumption, in conjunction with a new 6,300 square-foot restaurant (“Manuela”) (3,000 square feet indoor, 1,400 square feet covered outdoor space, and 1,900 square feet uncovered outdoor space) with 76 interior seats, 70 outdoor covered seats, and 52 outdoor uncovered seats for a total of 198 seats, with hours of operation from 8 a.m. to 12 a.m. Sunday through Thursday, and 8 a.m. to 2 a.m. Friday and Saturday, within the M3-1-RIO Zone at 907 East 3rd Street.

Case No. ZA-2014-2442-CUB-ZV-SPR – On April 13, 2015, the Zoning Administrator approved a conditional use to allow the sale of a full line of alcoholic beverages for on-site consumption in a proposed 8,269 square-foot restaurant; approved a variance to permit the conversion of an existing 117,448 square-foot manufacturing/warehouse into office, retail and restaurant uses and an FAR of 2.2:1 in lieu of the maximum 1.5:1; approved site plan review within the M3-1-RIO Zone at 963 East 4th Street.

Case No. ZA-2013-1545-CUB-CUX – On April 2, 2014, the Central Area Planning Commission granted the appeal in part, sustained the decision of the Zoning Administrator to approve a conditional use to permit the continued sale of a full line of alcoholic beverages in conjunction with an existing restaurant and a conditional use to allow patron dancing on a 200 square-foot dance floor with live entertainment, within the M3-1 Zone at 800 East 3rd Street.

Public Correspondence

A letter of conditional support dated July 9, 2019 was received from the Los Angeles River Artists & Businesses Association (LARABA). LARABA recommends indoor and patio hours of operation to be limited to 11:00 am to 11:00 pm, with patio closure also at 11:00 pm, and further lists 17 recommended conditions.

A letter dated October 11, 2019 was received from the Los Angeles Police Department, Central Division. LAPD states that due to the revitalization efforts in the downtown area, the LAPD is not opposed to the issuance of this license. However, in the public interest, they recommend 43 attached conditions of operation to be imposed which should diminish vice-related problems that may develop at the proposed business.

A letter of opposition dated September 23, 2019 was received from Ann Wallace, president of the HOA of Toy Warehouse Lofts condominiums located at 215 S Santa Fe Avenue. Ms. Wallace is concerned increase the amount of alcohol being sold in a 2-3 block area that already has many brew pubs and restaurants serving a full range of alcohol. She is particularly concerned about the application for a “nightclub at the northwest corner, immediately across the street.” She estimates that this is located about 100 feet from bedrooms of Toy Warehouse Lofts. She is concerned that there will be lines, loud street noise and, public urination in the street, smoking and other club related activities in the street. She asks for specific mitigating conditions:

- Patio closure at 10:00 pm
- Noise reduction at the north end of the patio such as a vertical garden or other structure.
- The main entrance to the establishment to be located at the southern end of the space, facing in to the complex but towards approach from the parking area and that lines for entry be organized along this southern access.

A letter of opposition was received from Valery Mitchell, an adjacent property owner of 15 years at the Toy Warehouse across 3rd Street. While she appreciates the design of the complex, there is a lack of affordable units for artists – the heart of the Arts District. She is concerned with the late hours

of the potential commercial tenants along with noise. She is concerned with the “pub crawl” activities that new breweries and bars could bring. This dominantly residential live work area will suffer a change in character. The patios should be closed earlier to keep some peace and maintain a positive impact to the neighborhood.

A letter of opposition dated September 16, 2019 was signed by 31 homeowners and residents of 940 E 2nd Street, a building across the street from the proposed project. The letter states concern regarding the number of alcohol selling establishments being requested. The homeowners and residents state that seven (7) alcohol-selling businesses is too many, and ask that that the developer have a maximum of four (4) businesses that serve on-site or sell off-site alcohol. The letter further states that the neighboring One Santa Fe apartment complex, which is similar in size to Aliso, “has a more appropriate mix of successful restaurants, retail stores, a grocery store, a bookstore, a nail salon and other businesses.” Additionally, the letter also asks that permits for alcohol-selling businesses be considered individually on a case-by-case basis, rather than through “blanket” Master Conditional Use permit approved in advance without knowing the nature of the businesses or their operators. The letter also states opposition to allowing live and amplified music and dancing nightly until 1:00 am nightly. The homeowners and residents site concerns that that this entertainment use would “set a bad precedent” for the neighborhood which “does not have any other nightclubs or venues with loud amplified music and dancing.”

A letter of support dated June 20, 2019 was received from Jonathan Jerald of the organization Affordable Housing for Artists. Mr. Jerald is a long-time resident and a former officer of the Los Angeles River Artists and Business Association (LARABA) and states “unconditional support for the Master Conditional Use Permit.” The letter states that years before the Aliso project broke ground, the developers reached out to community leaders to discuss the impact of the project and how it might be designed to best fit into a neighborhood with a distinct local flavor. He further states that the developers invested considerable time and expense to address concerns and met at least a dozen times with community leaders to discuss the evolving plans.

A letter of support dated June 15, 2019 was received from Lauren Phillips, a longtime community member and property owner in the Arts District. Ms. Phillips states that the Aliso development has transformed a vacant lot into a live/work campus and added a much-needed pedestrian connection across the neighborhood. She further states that the proposed restaurants, tasting room, and market will be an extension of the work AERC Legendary has already done in enhancing the Arts District and given the property owners involvement in the neighborhood he is confident that the tenants will be the right fit for the community.

A letter of support dated June 13, 2019 was received from Russell C Roney Real Estate. Mr. Roney is a long-time resident of the Arts District and is currently serving as the President of the Board of Directors of the Barker Block Home Owners Association (510 and 530 S Hewitt Street) and is a Board member of the Arts District Business Improvement District (BID). Mr. Roney states that the Aliso development has transformed a vacant lot into a live/work campus and added a much-needed pedestrian connection across the neighborhood. He further states that the proposed restaurants, tasting room, and market will be an extension of the work AERC Legendary has already done in enhancing the Arts District and given the property owners involvement in the neighborhood he is confident that the tenants will be the right fit for the community.

A letter of support dated June 12, 2019 was received from Pouya Adbi, a local property owner with two projects along East Third Street within 100 and 200 feet from the Aliso. Mr. Adbi states that the Aliso development has transformed a vacant lot into a live/work campus and added a much-needed pedestrian connection across the neighborhood. He further states that the proposed restaurants, tasting room, and market will be an extension of the work AERC Legendary has already done in enhancing the Arts District and given the property owners involvement in the neighborhood he is confident that the tenants will be the right fit for the community.

An undated letter of support was received from Matt Klein, Vice President of 707 E. 4th Place, LLC, an abutting business owner and resident. Mr. Klein states that he appreciates the outreach the applicant conducted and looks forward to the new businesses adding to the community.

An undated letter of support was received from Jeffrey Lasky, Vice President, Leasing, Hudson Pacific Properties located at 963 E. 4th Street, an abutting property. Mr. Lasky states that he appreciates the outreach the applicant conducted and looks forward to the new businesses adding to the community.

Public Hearing

The public hearing was held on September 24, 2019 at 10:50 a.m. at City Hall, 200 N. Spring Street, Room 1020. There were approximately twelve persons in attendance – the applicant, his representative, stakeholders in the area, a representative of LAPD, and a representative of the Council Office.

Veronica Bacerra, of Rabuild Commercial Services LLC representative for Anthony Duplisse, the applicant, indicated that the applicant was present and made the following comments:

- Ms. Bacerra described the project and request, and surrounding uses and zones including residential uses.
- She indicated the entire facility has two security guards roving the grounds from 5 pm to closing and 7 p.m. to 6 a.m. daily.
- The owner indicated that he will accept all LAPD recommended conditions.
- The property has proper lighting and security cameras.
- We met with the Neighborhood Council on three occasions with the Master Conditional Use, and Plan Approvals.
- The MCUP and three Plan Approvals were filed separately; however, planning staff were accommodating to arrange these cases to be heard on one day.
- The owners respect the neighbors and will have placed conditions on the premises to assure noise will not be an issue.
- The result of seven licenses proposed by the MCUP will not impact undue concentration and not be detrimental to the neighborhood.

Shaylee Papadakis of Council District No. 14 representing Councilperson Huizar indicated that their office requests additional time to review the details of the request. The project is still under construction and they would like a 30 day advisement period to be imposed.

Ann Waller, a representative of Toy Warehouse, across Third Street, stated that the applicant has been cooperative and helpful and had the following concerns:

- She is concerned with late night noise during its operation.
- Mumford Brewery is close to residents and would be impactful.
- There should be no late-night alcohol venues that are concentrated at one place – this would be troublesome.
- Loading at 6:00 a.m. could be troublesome and conflict with local existing traffic.

Silvia Razgova, a resident of 912 Third Street, which is opposite to the north of Mumford Brewery noted the following:

- The sale of alcohol would impact the quality of life.
- No barriers to attenuate sound (noise) from the outdoor patio.

- Ann said existing lofts don't have the same sound insulation as in new buildings. Noise will be an issue with those who live in the loft across the driveway. Residents will be impacted by loading and activities.
- Patrons of these establishments cannot all be controlled.

Susan Luna, a resident of the 912 building to the west, is concerned with the hours of operation being too late.

Peter Ross a resident of 912 E. Third Street made the following comments:

- This is a unique environment in LA. The Arts District has been transformed into a "Beer District" and is no longer the Arts District.
- This new brewery is in addition to the at least 17 existing brewing establishments in downtown. There are at least five breweries within walking distance.
- These places have brought lewd acts, crime, and trash into the area.
- The operating hours of 6:00 a.m. to 2:00 a.m. is unreasonable.
- The area is now impacted with traffic, delivery trucks, and scooters. There needs to be additional traffic signals installed at Second and Gary Streets, Third and Hewett, and five or six other intersections.

Veronica Bacerra responded to the commentary as follows:

- Described the project and request. The hours of operation have been reduced to 3:00 p.m. to 10 p.m. on Monday through Thursday, 2:00 p.m. to Midnight on Friday, Noon to Midnight on Saturday, and Noon to 8:00 p.m. on Sunday. The patio hours will be the same.
- We discovered that LAPD will have an issue with the patio seats at the "bar" like counter at the periphery of the patio causing its removal. The revised patio will have 25 seats. We will also install a barrier/sound wall with landscaping features.

Peter Mumford, the applicant indicated that the delivery hours will be from 11:00 am to 6:00 p.m. They're existing brewery is located at 416 Board Street – there will be no brewing on the subject site.

The Zoning Administrator expressed that as many seats as possible should be relocated to the Third Street patio in order to reduce as much noise as possible. Additionally, the patios shall be closed by 10 p.m.

The Zoning Administrator closed the public hearings and stated that the cases will be held on advisement for a period of three weeks pending the receipt of the following information:

- Revised Plans for Mumford Brewery to show reduced seating and reduction of area in the westerly patio.
- Council District letter indicating their commentary and disposition.

Following the public hearing, Mumford Brewery provided a revised floor plan to the record.

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.

- The sale, service, and consumption of alcohol shall be limited to 8:00 a.m. to 2:00 a.m. daily.
- Petitioner(s) shall not require patrons to purchase a minimum number of drinks.
- No self-service of alcoholic beverages is permitted on any on-sale restaurants.
- No person under 21 years of age shall sell or deliver alcoholic beverages for any on-site locations. No person under the age of 21 shall serve alcoholic beverages at a bar.
- The operator and its personnel shall, at all times, maintain a policy of not serving obviously intoxicated patrons and taking preventative measures to help avert intoxication-related problems, as follows:
 - Free non-alcoholic beverages shall be offered ongoing for designated drivers.
 - Bottled water shall be made available to departing patrons.
- There shall be no service, sales or possession of an alcoholic beverage on any sidewalk. The applicant shall ensure that no alcoholic beverages which are purchased within the applicant's establishment are consumed on any property adjacent to the licensed premise that is under the control of the applicant.
- All Type 47 licensed premises shall be maintained as a bona fide eating place, in conformance with Section 23038 of the California Business and Professions Code, with an operational kitchen, which complies with the definition in Section 91.0403 of the Los Angeles Municipal Code, and shall provide a menu containing an assortment of foods normally offered in such restaurants. The kitchen and the food service shall be available at all times during operating hours.
- Vendor delivery of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. through 8:00 p.m. each day of the week.
- No employee, while working, shall solicit or accept any alcoholic, non-alcoholic beverage, monetary compensation, or any other thing of value from any customer for the purpose of sitting with or otherwise spending time with customers while on the premises. The licensee shall not provide, permit, or make available, either gratuitously or for compensation, male or female patrons who act as escorts companions or guests of and for the customers.
- All security personnel shall maintain order therein and prevent any activity that would interfere with the quiet enjoyment of their property by nearby residents. The security personnel shall, to the reasonable extent possible:
 - Encourage patrons to exit quietly.
 - Provide supervised security staff-assisted escorts especially at closing, from the location to the patron's car.
 - Patrol the area of the parking garage utilized by patrons.
- Security personnel shall take steps necessary to prevent departing guests who appear to be intoxicated from driving, including, observing patrons as they are walking them to their motor vehicle and actively encouraging the alternative use of designated sober drivers and/or having the security personnel call a taxi cab or other driving service.
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- The off-site sale of alcoholic beverages as a secondary use (i.e., "take out") is not permitted.
- All service of alcoholic beverages shall be conducted by a waitress or waiter or bartender.

- Alcohol may only be served to patrons who are seated at a table or seated at the bar and only in conjunction with a food order. Patrons shall not be served while standing or while waiting to be seated.
- The alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premises.
- The sale of distilled spirits by the bottle, for on-site or off-site consumption, is prohibited.

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-W** of the Los Angeles Municipal Code. In order for the sale and dispensing of alcoholic beverages and public dancing 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.

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 project involves the sale of beer and wine for on- and off-site consumption in conjunction with a proposed microbrewery and bar (Mumford Brewery). The proposed microbrewery and bar will enhance the built environment by being an anchor for the project's 3rd Street frontage and activating a tenant space at a new mixed-use development (The Aliso). The venue will occupy a 2,415 square-foot space at the western corner of the site and will include an interior space and two outdoor patio areas. Pursuant to Case No. ZA-2018-7658-MCUP-CUX, the Zoning Administrator approved a Master Conditional Use Permit (MCUP) authorizing the sale of alcoholic beverages on the subject property for a number of venues, including the sale and dispensing of beer and wine for on- and off-site consumption at a maximum of one microbrewery/bar. While the sale of alcoholic beverages is already authorized on the site by the MCUP, the Plan Approval enables the Zoning Administrator to consider more closely the nature of each operation and to impose further conditions as necessary.

As stated previously, the sale of beer and wine for on- and off-site consumption will be in conjunction with a new 2,415 square-foot microbrewery/bar that will include 112 interior seats and 50 outdoor patio seats. During the public hearing, it was clarified that there will be no brewing on the site – only beer sales for on- and off-site. The microbrewery is located at another location within the downtown area that will provide product to the subject property.

The project will provide a beneficial service to the community by creating a local venue to gather and socialize. Approval of the request will enable the bar to serve locally produced beer that will be brewed at Mumford's local brewery at 416 Boyd Street in Downtown Los Angeles, in addition to beer and wine from other manufacturers for both on-site and off-site consumption.

The approval of the sale of beer and wine for on- and off-site consumption, in conjunction with the imposition of a number of conditions addressing operational and alcohol-related issues, will assure that the service of alcohol is not disruptive to the community. The area serves a mixture of uses which includes a concentration of residential and commercial uses. The approved grant is in keeping with the nature of the development in the area which caters to a variety of needs and provides an expected amenity for residents and employees in the area. As such, the request will serve a function and provide a service that will be beneficial

to the community which in conjunction with the imposition of a number of conditions addressing operational conduct will result in the enhancement of the built environment.

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 was previously entitled for a Master Conditional Use (MCUP) to permit on- and off-site alcohol sales at a maximum of seven venues at The Aliso (Case No. ZA-2018-7658-MCUP-CUX). The MCUP requires each individual tenant to file for a Master Plan Approval to review each proposed venue in greater detail and to tailor site specific conditions of approval for each of the premises including reviewing hours of operation, seating, size, security, live entertainment, etc.

The 2,415 square-foot bar selling their microbrewed products will be an anchor tenant along the development's East Third Street frontage. The venue proposes to include 112 interior seats and 50 outdoor patio seats and hours of operation from 8:00 a.m. to 2:00 a.m., daily. The outdoor patio area will be limited to 8:00 a.m. to 11:00 p.m. Sunday through Thursday and 8:00 a.m. to 12:00 a.m. (midnight) Friday and Saturday.

The bar's location within the ground floor of a new mixed-use development will minimize its impacts on surrounding properties. The development will be located in a controlled environment with 24 hour security, internal walkways, and dedicated parking areas.

Surrounding properties are developed with a mix of residential, office, gallery, storage, restaurant, and retail related uses. The northern adjoining properties (across 3rd Street) are zoned M3-1-RIO and are developed with the Hauser & Wirth art gallery, lofts, and offices. The eastern adjoining property is zoned M3-1-RIO and is developed with the Southern California Institute of Architecture (SCI-Arc). The southern adjoining properties are zoned (T)(Q)CM-2-RIO, and M3-1-RIO and are developed with offices, residential, and parking. The western adjoining properties are zoned M3-1-RIO and are developed with public storage, offices, and residential.

The Plan Approval for the sale of beer and wine for on- and off-site consumption on the subject site, in connection with a bar will not further degrade adjacent properties. The request does not alter the location, size, height, or other significant features of the on-site buildings and will be located within improvements that were approved as a part of the overall development plan for the Aliso Apartments.

During the public process, letters in support include the Los Angeles Police Department, Central Division. They state that due to the revitalization efforts in the downtown area, the LAPD is not opposed to the issuance of this license, but they recommend 48 attached conditions of operation to diminish vice-related problems that may develop. The record also received 6 letters of support from local business individuals who expressed the positive impacts of the project including business and residential opportunities that will formulate a community. The project's good design and the future tenants would provide a good fit for the neighborhood.

There were also 3 letters of opposition received that were authored by residents of the area that expressed the following concerns:

- Increase the amount of alcohol being sold in a 2-3 block area that already has many brew pubs and restaurants serving a full range of alcohol.
- This could create a "nightclub at the northwest corner of the project immediately across the street." Further, the beer brewery is located about 100 feet from bedrooms

of Toy Warehouse Lofts. There will be lines, loud street noise and, public urination in the street, smoking and other club related activities in the street. This will need specific mitigating conditions including - Patio closure at 10:00 pm, noise reduction at the north end of the patio such as a vertical garden or other structure; the main entrance to the establishment to be located at the southern end of the space, facing in to the complex but towards approach from the parking area and that lines for entry be organized along this southern access.

- While the design of the complex is appreciated, there is a lack of affordable units for artists – the heart of the Arts District.
- The late hours of the potential commercial tenants will generate noise. Concerns of the “pub crawl” activities that new breweries and bars could bring would impact the community of predominantly residential live work area. This will impact the neighborhood and cause a change in character.
- Seven (7) alcohol-selling businesses is too many, and ask that that the developer have a maximum of four (4) businesses that serve on-site or sell off-site alcohol. They asked for a better mix of commercial establishments like at One Santa Fe apartment complex.”
- That permits for alcohol-selling businesses be considered individually on a case-by-case basis, rather than through “blanket” Master Conditional Use permit approved in advance without knowing the nature of the businesses or their operators. The letter also states opposition to allowing live and amplified music and dancing nightly until 1:00 am nightly. The homeowners and residents site concerns that that this entertainment use would “set a bad precedent” for the neighborhood which “does not have any other nightclubs or venues with loud amplified music and dancing.”

The public hearing was held on September 24, 2019 at 10:50 a.m. at City Hall, 200 N. Spring Street, Room 1020. There were approximately twelve persons in attendance – the applicant, his representative, stakeholders in the area, a representative of LAPD, and a representative of the Council Office. Veronica Bacerra, of Rabuild Commercial Services LLC representative for Anthony Duplisse, the applicant, indicated that the applicant was present and made the comments on the project’s operation, security, and described the proposal. She also noted that there are 3 Plan Approval applications being heard simultaneously on the site this morning. Ms. Becerra noted that they met with the Neighborhood Council on three occasions with the Master Conditional Use, and Plan Approvals. She stated that the owners respect the neighbors and will have placed conditions on the premises to assure noise will not be an issue. The result of seven licenses proposed by the MCUP will not impact undue concentration and not be detrimental to the neighborhood.

Shaylee Papadakis of Council District No. 14 representing Councilperson Huizar indicated that their office requests additional time to review the details of the request. The project is still under construction and they would like a 30-day advisement period to be imposed.

Veronica Bacerra described the project and request. The hours of operation have been reduced to 3:00 p.m. to 10:00 p.m. on Monday through Thursday, 2:00 p.m. to Midnight on Friday, Noon to Midnight on Saturday, and Noon to 8:00 p.m. on Sunday. The patio hours will be the same. LAPD will have an issue with the patio seats at the “bar” like counter at the periphery of the patio causing its removal. The revised patio will have 25 seats. We will also install a barrier/sound wall with landscaping features. Peter Mumford, the applicant indicated that the delivery hours will be from 11:00 am to 6:00 p.m. They’re existing brewery is located at 416 Board Street – there will be no brewing on the subject site.

Ann Waller, a representative of Toy Warehouse, across Third Street, stated that the applicant has been cooperative and helpful; however, she had concerns with late night noise during its operation. Mumford Brewery is close to residents and would be impactful. There should be

no late-night alcohol venues that are concentrated at one place – this would be troublesome. Loading at 6:00 a.m. could be troublesome and conflict with local existing traffic.

Silvia Razgova, a resident opposite to the north of Mumford Brewery noted that the the sale of alcohol would impact the quality of life. There are no barriers to attenuate sound (noise) from the outdoor patio. Ann said existing lofts don't have the same sound insulation as in new buildings. Noise will be an issue with those who live in the loft across the driveway. Residents will be impacted by loading and activities. Patrons of these establishments cannot all be controlled.

Susan Luna, a resident of the 912 building to the west, is concerned with the hours of operation being too late.

Peter Ross a resident, expressed that this is a unique environment in LA. The Arts District has been transformed into a "Beer District" and is no longer the Arts District. This new brewery is in addition to the at least 17 existing brewing establishments in downtown. There are at least five breweries within walking distance. These places have brought lewd acts, crime, and trash into the area. The operating hours of 6:00 a.m. to 2:00 a.m. is unreasonable. The area is now impacted with traffic, delivery trucks, and scooters. There needs to be additional traffic signals installed at Second and Gary Streets, Third and Hewett, and five or six other intersections.

The Zoning Administrator expressed that as many seats as possible should be relocated to the Third Street patio in order to reduce as much noise as possible. Additionally, the patios shall be closed by 10:00 p.m.

The Zoning Administrator closed the public hearings and stated that the cases will be held on advisement for a period of three weeks pending the receipt of revised plans for Mumford Brewery to show reduced seating and reduction of area in the westerly patio. Following the public hearing, Mumford Brewery provided a revised floor plan to the record.

Review of the administrative record by the Zoning Administrator show findings for compatibility can be made with proper conditions of approval. The subject property is developed with a 472 unit mixed-use development (Aliso Apartments) with ground floor retail and above-ground residential units. The project includes approximately 21,128 square feet of ground floor commercial, spread across three buildings, with frontages along Third Street and Traction Avenue. The buildings are positioned around the site's edges and create a courtyard with a central paseo that connects Third Street to Traction Avenue. The property is Zoned M3-1-RIO, which allows for the proposed restaurant, bar, retail, and microbrewery uses. The project is further compatible with the function of the surrounding Arts District neighborhood as a major commercial and activity center and is a desirable and compatible use for the location. The project will activate a vacant tenant space in a new development and will serve as an additional economic draw in the area. The project proposes tenant improvements for tenant spaces in an existing building, and is thus unlikely to have any significant adverse impacts. The proposed project will not introduce a new building to the area or additional square footage to the subject site. The instant request would not result in construction activities that would substantially change the size, height or other significant features of the existing buildings and therefore would not degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety of the public at large.

With respect to the operations of the proposed bar will dispense and sell microbrewery products from their brewery located elsewhere and, the instant Plan Approval includes tailored conditions designed to address the specific characteristics of the venue, including outdoor seating. Both its operating hours and number of seats have been substantially

reduced from that which was originally proposed. The Zoning Administrator accepted the applicant revised hours to 3:00 p.m. to 10:00 p.m. on Monday through Thursday, 2:00 p.m. to Midnight on Friday, Noon to Midnight on Saturday, and Noon to 8:00 p.m. on Sunday. Further, a cap of 10:00 p.m. was placed on the patio. This is designed to reduce any noise impacts to adjacent residential uses. Conditions also include mandatory STAR or LEAD or RBS training, electronic age verification devices, security and camera surveillance system, along with a prohibition of live entertainment. Further, the venue will be located within a new development complex, which is a controlled environment with 24-hour security, internal walkways, and dedicated parking areas. The conditional use will allow the project to contribute to the viability of the development and help to reinvigorate the site and vicinity with a neighborhood-serving use that complements the mix of uses in the surrounding area and will not be detrimental to surrounding uses. As conditioned, 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.

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

The elements in the General Plan establish policies and provide the regulatory environment for managing the city and for addressing concerns and issues. The majority of the policies derived from the elements in the General Plan are in the form of Code Requirements, which collectively form the LAMC. With the exception of the entitlement described herein, the project does not propose to deviate from any of the requirements of the LAMC.

The subject property is located within the boundaries of the Central City North Community Plan, which establishes land use designations and planning policies for the area. The project site is zoned M3-1-RIO and designated as Heavy Manufacturing. The proposed microbrewery and bar uses and the associated sale and dispensing of beer and wine for on- and off-site consumption are consistent with this zone and land use designation.

Additionally, the project is consistent with the following goal and objectives of the Community Plan:

GOAL 2: "A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH BEST SERVES THE NEEDS OF THE COMMUNITY THROUGH MAXIMUM EFFICIENCY AND ACCESSIBILITY..."

Objective 2-1: "To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services."

Objective 2-2: "To attract uses which strengthen the economic base and expand market opportunities for existing and new businesses."

The Community Plan text does not specifically address Plan Approvals for the sale of alcoholic beverages. The LAMC allows the Zoning Administrator to approve the use under the authority of Section 12.24 M if the findings of fact can be made in the affirmative. As conditioned, approval of the sale of beer and wine for on- and off-site consumption can be deemed to substantially conform to the purpose, intent and provisions of the General Plan and the Central City North Community Plan. The request would strengthen the microbrewery and bar as a viable commercial use. The project will expand market opportunities for an existing brewery in Downtown Los Angeles by creating a new microbrewery/bar that will offer the brewery's beers on tap and for sale for consumption off the premises. By activating a

vacant tenant space and providing new commercial services, the project will contribute to the economic strength of the area and further the function of the neighborhood as a commercial center. The microbrewery/bar will provide beverage service that will create a new social gathering space in the Arts District, will help address the needs of area workers, visitors and residents, and will promote night life by activating a tenant space with a venue that operates late into the evening. The surrounding area is characterized by a mix of restaurant, brewery, retail, office, and gallery, and residential uses. The project follows an established pattern of zoning and land use that is consistent and compatible with other properties and uses in the surrounding area. 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 approval of the conditional use to permit alcohol sales for on-and off-site consumption in conjunction with a microbrewery/bar on the ground floor of an existing mixed-use development will not adversely affect the welfare of the community. The proposed venue will enhance the neighborhood by activating the ground floor of the existing development and the sale of alcohol will provide an additional amenity and service that many customers often expect in social entertainment establishments. The project will enhance the viability of the area and surrounding businesses by creating a walkable, convenient destination for local residents, workers, and visitors in the Arts District. The project will activate a long vacant stretch of the Arts District, improving connections to other existing developments including One Santa Fe, Sci-Arc, and improving pedestrian connections between Traction Avenue and 3rd Street. Microbrewery, bar, and retail uses that include alcohol sales are an intrinsic part of the service amenities necessary for the growth, development, and success of a vibrant, urban neighborhood. The site is located in the heart of the Arts District in Downtown Los Angeles, where diversity amongst uses is not uncommon. The project will be within a contained environment where monitoring is facilitated and where the property owner retains responsibility for strict oversight. The grant has placed numerous conditions on the proposed project and not authorized uses of the property which might create potential nuisances for the surrounding area. As conditioned herein, the sale of beer and wine for on- and off-site consumption at a proposed bar dispensing and selling microbrewery projects 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, two on-site and one off-site consumption licenses are allocated to the subject census tract (Census Tract 2060.31). Currently, there are 47 active on-site licenses and 11 active off-site license total in this census tract. 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 provides a unique amenity and service and enhances the community. The project site is located in the Arts District, a major commercial hub known for its number and variety of restaurants and bars. Although the number of existing licenses far exceeds the number allocated to the

subject census tract, the high number of alcohol-serving establishments is to be expected in an area which functions as a major commercial and activity center. 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.

According to statistics provided by the Los Angeles Police Department's Central Division Vice Unit, within Crime Reporting District No. 139 which has jurisdiction over the subject property, a total of 193 crimes were reported in 2018, including 163 Part I and 30 Part II crimes, compared to the Citywide average of 185 crimes and the High Crime Reporting District average of 222 crimes for the same reporting period. Alcohol-related Part II crimes reported include Narcotics (2), Liquor Laws (0), Public Drunkenness (2), Disturbing the Peace (0), Disorderly Conduct (1), Gambling (0), DUI-related (4), and Miscellaneous Other Violations (11). 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 project will not adversely affect public welfare because the proposed microbrewery/bar is a desirable use in an area designated for such uses. As a microbrewery/bar with alcohol service, the project is unlikely to have a direct impact on the crime rate. The crime rate in the area is also comparable to that of the citywide average, despite having a large number of alcohol-serving establishments. In this case, the project will both provide a unique amenity to workers, visitors, and residents and enhance the physical environment and, as conditioned, will not negatively impact the area. The Zoning Administrator has also incorporated numerous operational conditions to the grant that address noise, safety, and security to ensure the proposed use is conducted with due regard for surrounding properties and to reduce any potential crime issues or nuisance activity. Such imposition of conditions will make the use a more compatible and accountable neighbor to the surrounding uses than would otherwise be the case. Therefore, the granting of the request herein will not result in undue concentration.

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

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

Higashi Honganji Buddhist Temple and Child Care Center	505 East 3rd Street
St. Francis Xavier Catholic Church	222 South Hewitt Street
Southern California Institute of Architecture (SCI-Arc)	960 East 3 rd Street
Department of Public and Social Services	813 East 4 th Place
Japanese Evangelical Missionary Society	943 East 2 nd Street

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The project site is located in the core of the Arts District, a major commercial and activity center developed with a variety of residential, commercial, and industrial uses. The Aliso Apartments have dual frontages along both 3rd Street and Traction Avenue. The subject tenant space fronts East 3rd Street, and is located at the western edge of the site. While the subject site directly abuts the SCI-Arc campus to the east, the venues will not directly open up upon the campus. While there are residential dwelling units and other

sensitive uses located in close proximity to the project site, the project has been conditioned to be compatible with the surrounding community. The microbrewery/bar will operate within a contained environment wherein the property owner retains responsibility for strict oversight. The grant herein complies with the operating parameters of the original Master Conditional Use (Case No. ZA-2018-7658-MCUP) and includes conditions designed to not authorize uses of the property which might create potential nuisances. Such imposition of conditions will make the request a more compatible and accountable neighbor to surrounding uses than would otherwise be the case.

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 C, areas of minimal flooding.

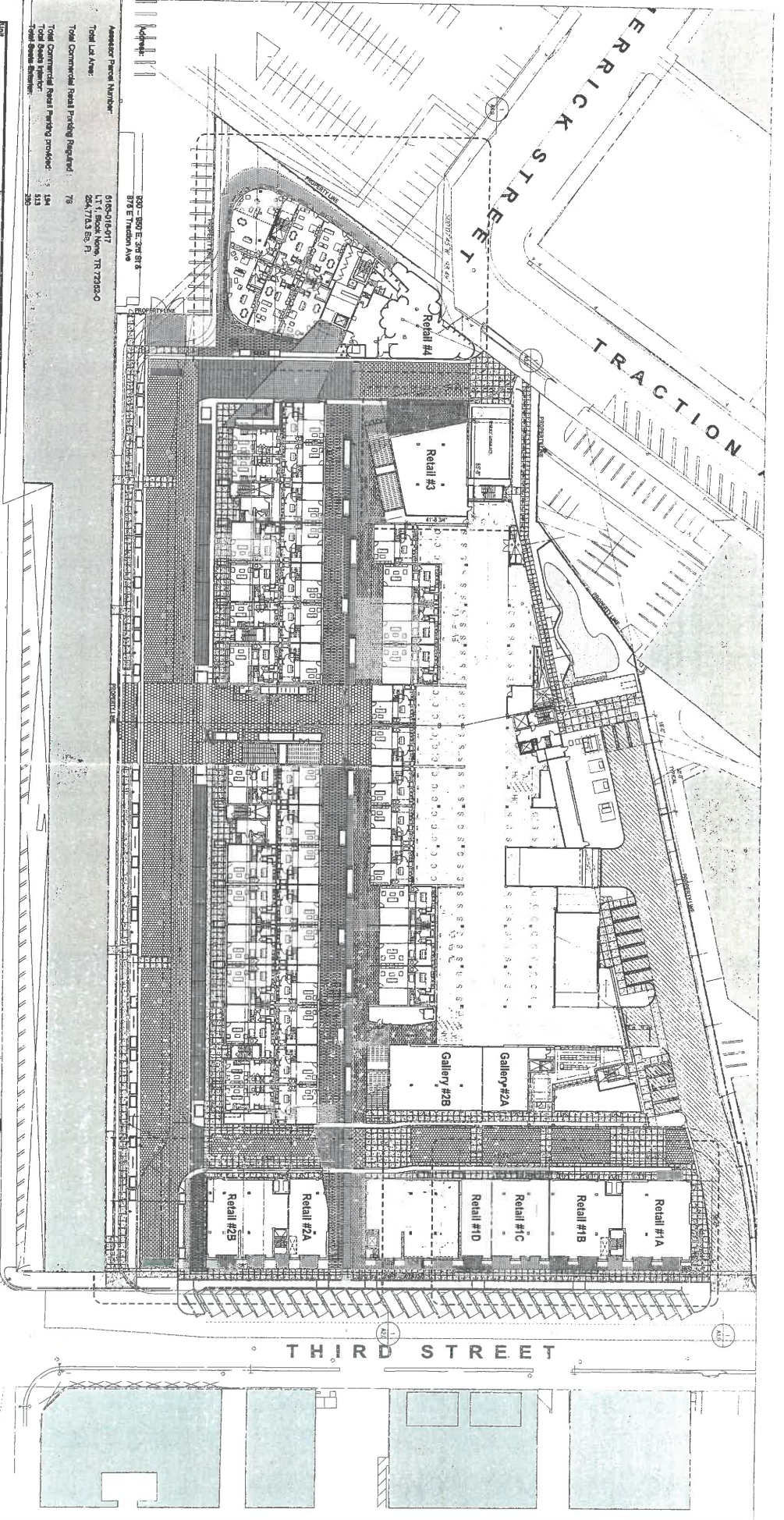
Inquiries regarding this matter shall be directed to **Renata Ooms**, Planning Staff for the Department of City Planning at **(213) 978-1222**.



FRANKLIN N. QUON
Associate Zoning Administrator

FNQ:JP:RO:bk

cc: Councilmember Jose Huizar
Fourteenth Council District
Adjoining Property Owners
Interested Persons



Address Parcel Number:
 0160-016-017
 City Block Name: TR 7233-0
 654/753 sq. ft.
 Total Commercial Retail Parking Required:
 79
 Total Commercial Retail Parking Provided:
 124
 Total Sheet Number:
 124

Lot	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
LA	111	779	779	50
LB	2,209	2,209	2,209	50
LC	1,516	1,516	1,516	50
LD	1,384	1,384	1,384	50
LE	2,421	2,421	2,421	50
LF	1,516	1,516	1,516	50
LG	1,682	1,682	1,682	50
LH	1,516	1,516	1,516	50
LI	1,516	1,516	1,516	50
LJ	1,516	1,516	1,516	50
LK	1,516	1,516	1,516	50
LL	1,516	1,516	1,516	50
LM	1,516	1,516	1,516	50
LN	1,516	1,516	1,516	50
LO	1,516	1,516	1,516	50
LP	1,516	1,516	1,516	50
LQ	1,516	1,516	1,516	50
LR	1,516	1,516	1,516	50
LS	1,516	1,516	1,516	50
LT	1,516	1,516	1,516	50
LU	1,516	1,516	1,516	50
LV	1,516	1,516	1,516	50
LW	1,516	1,516	1,516	50
LX	1,516	1,516	1,516	50
LY	1,516	1,516	1,516	50
LZ	1,516	1,516	1,516	50

Kava Massh Architects
 920 Gayton Street
 Berkeley, CA 94710
 750.864.1820 750.864.1829
 950 E 3RD STREET, LOS ANGELES, CALIFORNIA
 MASTER CONDITIONAL USE PERMIT FOR RETAIL DEVELOPMENT
 OVERALL SITE PLAN

SANTA FE AVENUE
 RECEIVED
 AUG 28 2019
 CITY PLANNING
 EXPEDITED PROCESSING SECTION

SCALE: 1/32" = 1'-0" @ 22X34 SHEET
 1/64" = 1'-0" @ 11X17 SHEET

EXHIBIT "A"
 Page No. 1 of 2
 Case No. 24-2019-3163-M7A 710

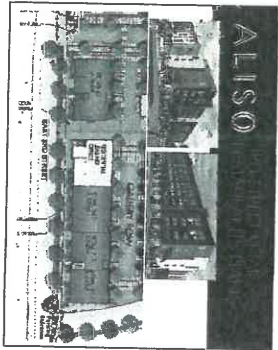
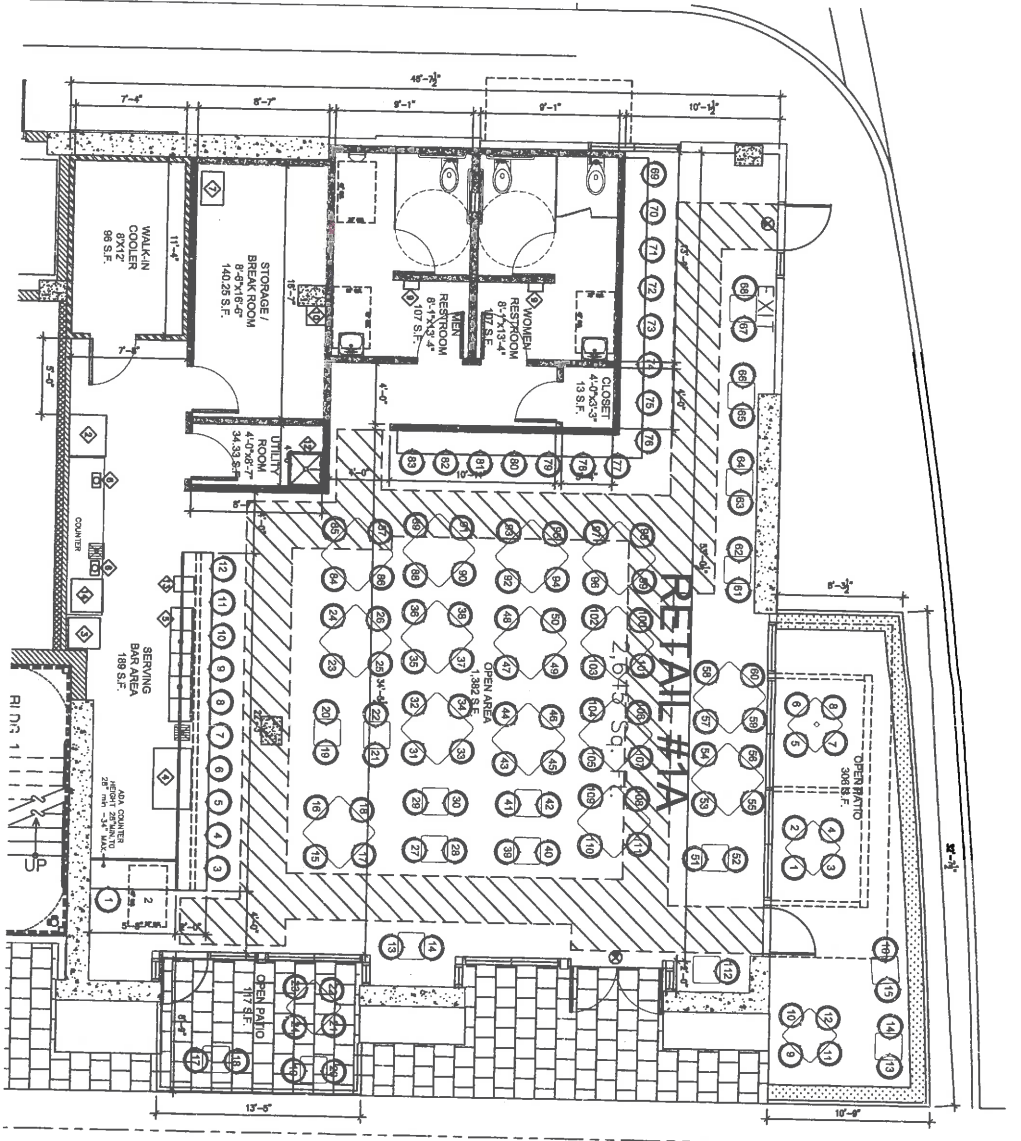
DATE: 07/19/19
 JOB NO.: 19040
 SCALE: AS NOTED
 REV. NO.:
 SKETCH NUMBER:
 A0.0

INDOOR SEATING : 112
 EXTERIOR PATIO SEATING : 24
 INDOOR SQUARE FOOTAGE IS 2,415
 EXTERIOR PATIO DEDICATED
 SQUARE FOOTAGE IS 423

EXHIBIT "A"
 Page No. 2 of 2
 Case No. 24-1019-3153-MPA

RECEIVED
 12/15/19

70



CGT
 DEVELOPMENT GROUP

**DEPARTMENT OF
CITY PLANNING
APPLICATION**

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

Case Number	<u>ZA - 2019 - 3153 - MPA</u>		
Env. Case Number	<u>ENV - 2019 - 3154 - CE</u>		
Application Type	<u>MPA</u>		
Case Filed With (Print Name)	<u>Maritza Lu</u>	Date Filed	<u>05/29/2019</u>
Application includes letter requesting:			
<input type="checkbox"/> Waived hearing	<input type="checkbox"/> Concurrent hearing	<input type="checkbox"/> Hearing not be scheduled on a specific date (e.g. vacation hold)	
Related Case Number _____			

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

1. PROJECT LOCATION

Street Address¹ 950 E. 3rd Street Unit/Space Number 1A
 Legal Description² (Lot, Block, Tract) LT 1, Block None, TR 72352-C
 Assessor Parcel Number 5163-016-017 Total Lot Area 254,776.3 sq. ft.

2. PROJECT DESCRIPTION

Present Use Vacant Commercial Space
 Proposed Use Micro Brewery
 Project Name (if applicable) Mumford Brewing Operations

Describe in detail the characteristics, scope and/or operation of the proposed project Master Plan Approval pursuant to ZA-2018-7658-MCUP for a Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site and off-site consumption in conjunction with a proposed 2,415 sq. ft. Micro Brewery with 112 interior seats and 776 sq. ft. outdoor patio with 50 seats. Hours of operation are from 8:00 am to 2:00 am daily in the M3-1 RIO Zone.

Additional information attached ☒ YES outdoor patio with 50 seats. Hours of operation are from 8:00 am to 2:00 am daily in the M3-1 RIO Zone.
 Complete and check all that apply:

Existing Site Conditions

- | | |
|---|---|
| <input type="checkbox"/> Site is undeveloped or unimproved (i.e. vacant) | <input type="checkbox"/> Site is located within 500 feet of a freeway or railroad |
| <input type="checkbox"/> Site has existing buildings (provide copies of building permits) | <input type="checkbox"/> Site is located within 500 feet of a sensitive use (e.g. school, park) |

¹ Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)

² Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

- ☐ Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)

- ☐ Site has special designation (e.g. National Historic Register, Survey LA)

Proposed Project Information

(Check all that apply or could apply)

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

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

Housing Component Information

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

Public Right-of-Way Information

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

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

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

If you have dedication requirements on multiple streets, please indicate: _____

3. ACTION(S) REQUESTED

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

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

Authorizing Code Section 12.24.M

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

Action Requested, Narrative: A Master Plan Approval pursuant to ZA-2018-7658-MCUP for a Conditional Use

Permit to allow the sale and dispensing of beer and wine for on-site and off-site consumption in conjunction with a

sq. ft. outdoor patio with 50 seats. Hours of operation are from 8:00 am to 2:00 am daily, in the M3-1 RIO Zone.
a proposed 2,415 sq. ft. Micro-Brewery with 112 interior seats and 776

Authorizing Code Section _____

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

Action Requested, Narrative: _____

Additional Requests Attached ☐ YES ☒ NO

³ Number of units to be demolished and/or which have been demolished within the last five (5) years.

⁴ As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

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

If YES, list all case number(s) ZA-2018-7658-MCUP

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

Case No. ZA-2018-7658-MCUP

Ordinance No.: _____

☐ Condition compliance review

☐ Clarification of Q (Qualified) classification

☐ Modification of conditions

☐ Clarification of D (Development Limitations) classification

☐ Revision of approved plans

☐ Amendment to T (Tentative) classification

☐ Renewal of entitlement

☒ Plan Approval subsequent to Master Conditional Use

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

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

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

5. RELATED DOCUMENTS / REFERRALS

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

a. Specialized Requirement Form _____

b. Geographic Project Planning Referral _____

c. Citywide Urban Design Guidelines Checklist _____

d. Affordable Housing Referral Form _____

e. Mello Form _____

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

g. HPOZ Authorization Form _____

h. Management Team Authorization _____

i. Expedite Fee Agreement _____

j. Department of Transportation (DOT) Referral Form _____

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

l. Order to Comply _____

m. Building Permits and Certificates of Occupancy _____

n. Hillside Referral Form _____

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

p. Proof of Filing with the Housing and Community Investment Department _____

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

PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant⁵ name Mumford Brewing Operations LLC and Todd Mumford

Company/Firm Mumford Brewing Operations LLC

Address: 416 Boyd Street Unit/Space Number _____

City Los Angeles, State CA Zip Code: 90013

Telephone _____ E-mail: todd.mumford@gmail.com

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

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

Name (if different from applicant) Anthony Duplisse, Vice President AERC Legendary JV, LLC

Address 5510 Morehouse Drive Unit/Space Number 200

City San Diego State CA Zip Code: 92121

Telephone (858) 824-6415 E-mail: _____

Agent/Representative name Veronica Becerra

Company/Firm Rabuild Commercial Services LLC

Address: 449 W. Foothill Blvd., Unit/Space Number 157

City Glendora State CA Zip: 91741

Telephone (213) 272-4784 E-mail: vbcommercial@outlook.com

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

Name _____

Company/Firm _____

Address: _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Primary Contact for Project Information
(select only one)

☐ Owner

☐ Applicant

☒ Agent/Representative

☐ Other

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

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

PROPERTY OWNER

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

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

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

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

Signature 

Date 3-12-19

Print Name Tony Duplisse

Signature _____

Date _____

Print Name _____

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

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

State of California

County of San Diego

On March 12th, 2019 before me, Olga Buelna, Notary Public
(Insert Name of Notary Public and Title)

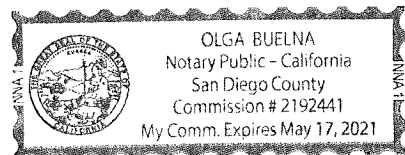
personally appeared Tony Duplissee, who
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that
by his/~~her~~/their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

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

WITNESS my hand and official seal.

Olga Buelna
Signature

(Seal)



8. APPLICANT DECLARATION. A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

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

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

Signature: _____

Date: 3/14/19

Print Name: TODD MUMFORD

Attachment

REQUEST

Applicant Mumford Brewing Operations LLC and Todd Mumford

Site Location 930-950 E. 3rd Street, Unit 1A

Representative Veronica Becerra,

Rabuild Commercial Services LLC

449 West Foothill Blvd., #157, Glendora, CA 91741

213 272-4784

vbcommercial@outlook.com

The applicant is seeking the following discretionary approvals:

Pursuant to L.A.M.C. Section 12.24.M, A Master Plan Approval pursuant to ZA-2018-7658-MCUP for a Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site and off-site consumption in conjunction with a proposed 2,415 sq. ft. Micro-Brewery with 112 interior seats and 776 sq. ft. outdoor patio with 50 seats. Hours of operation are from 8:00 am to 2:00 am daily, in the M3-1 RIO Zone.

To allow - Small Beer Manufacturer, (Brew Pub or Micro Brewery) license authorizing a small, scale brewery with tasting. Which allows for on-site sales and consumption. Existing Type 23 license.

ENVIRONMENTAL REPORT

COUNTY CLERK'S USE

CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

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

LEAD CITY AGENCY City of Los Angeles Department of City Planning	COUNCIL DISTRICT 14
--	-------------------------------

PROJECT TITLE MULFORD BREWING OPERATIONS	LOG REFERENCE ENV
--	----------------------

PROJECT LOCATION 950 E. 3RD STREET #1A
--

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

CONTACT PERSON VERONICA BECERRA	AREA CODE 213	TELEPHONE NUMBER 272-4784	EXT.
---	-------------------------	-------------------------------------	------

EXEMPT STATUS: (Check One)

STATE CEQA GUIDELINES

- | | |
|--|---------------------------|
| <input type="checkbox"/> MINISTERIAL | Sec. 15268 |
| <input type="checkbox"/> DECLARED EMERGENCY | Sec. 15269 |
| <input type="checkbox"/> EMERGENCY PROJECT | Sec. 15269 (b) & (c) |
| <input type="checkbox"/> CATEGORICAL EXEMPTION | Sec. 15300 <i>et seq.</i> |

Section 15301 Class 1 (State CEQA Guidelines)

- ☐ OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)

JUSTIFICATION FOR PROJECT EXEMPTION (Class 1): Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE	TITLE	DATE
FEE: # 373	RECEIPT NO. 0101046012	REC'D. BY Maritza
		DATE 05/29/2019

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 02-13-19

IF FILED BY THE APPLICANT:

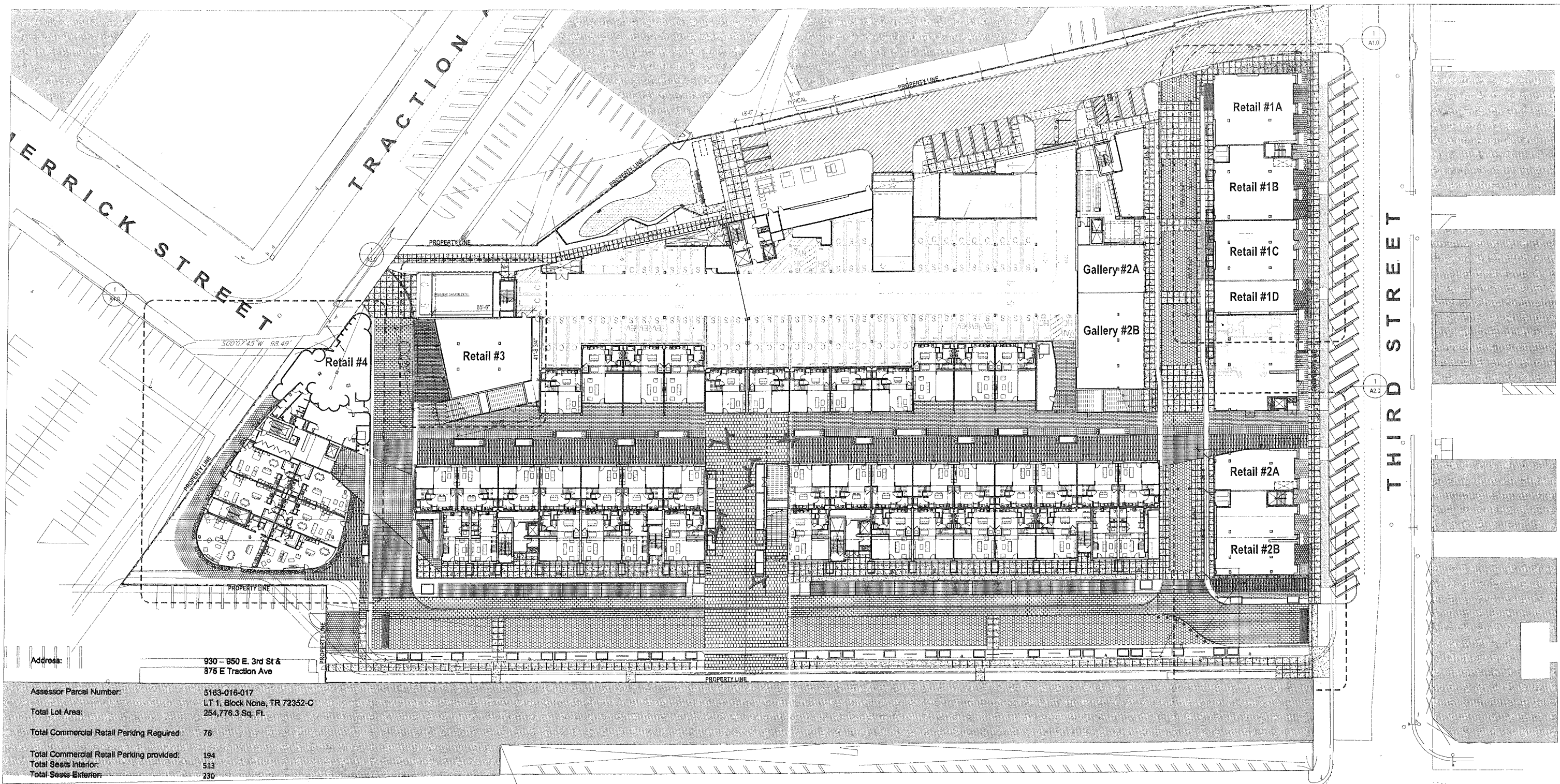
VERONICA BECERRA
NAME (PRINTED)

SIGNATURE

5-29-19
DATE

1 ZA- 2019-3153 -MPA

PLOT PLANS



Address: 930 - 950 E. 3rd St &
875 E Traction Ave

Assessor Parcel Number: 5163-016-017
LT 1, Block None, TR 72352-C

Total Lot Area: 254,776.3 Sq. Ft.

Total Commercial Retail Parking Required: 76

Total Commercial Retail Parking provided: 194

Total Seats Interior: 513

Total Seats Exterior: 230

Unit	Interior sq.ft	Interior Seats	Exterior sq.ft	Exterior seats
1A	2,415	112	776	50
1C	2,099	0	360	25
1D	1,156	38	215	14
2A	1,394	52	184	10
2B	2,624	100	1,426	74
#3	2,782	82	1,061	57
#4	3,692	129	0	0
Total	16,162	513	4,022	230

SANTA FE AVENUE

RECEIVED
AUG 28 2019

CITY PLANNING
EXPEDITED PROCESSING SECTION

SCALE: 1/32" = 1'-0" @ 22X34 SHEET
1/64" = 1'-0" @ 11X17 SHEET



Kava Massih Architects
920 Grayson Street
Berkeley, CA 94710
T: 510.644.1920 Fx: 510.644.1929

950 E 3RD STREET, LOS ANGELES, CALIFORNIA

MASTER CONDITIONAL USE PERMIT FOR RETAIL DEVELOPMENT
OVERALL SITE PLAN

EXHIBIT "A"

Page No. 1 of 2

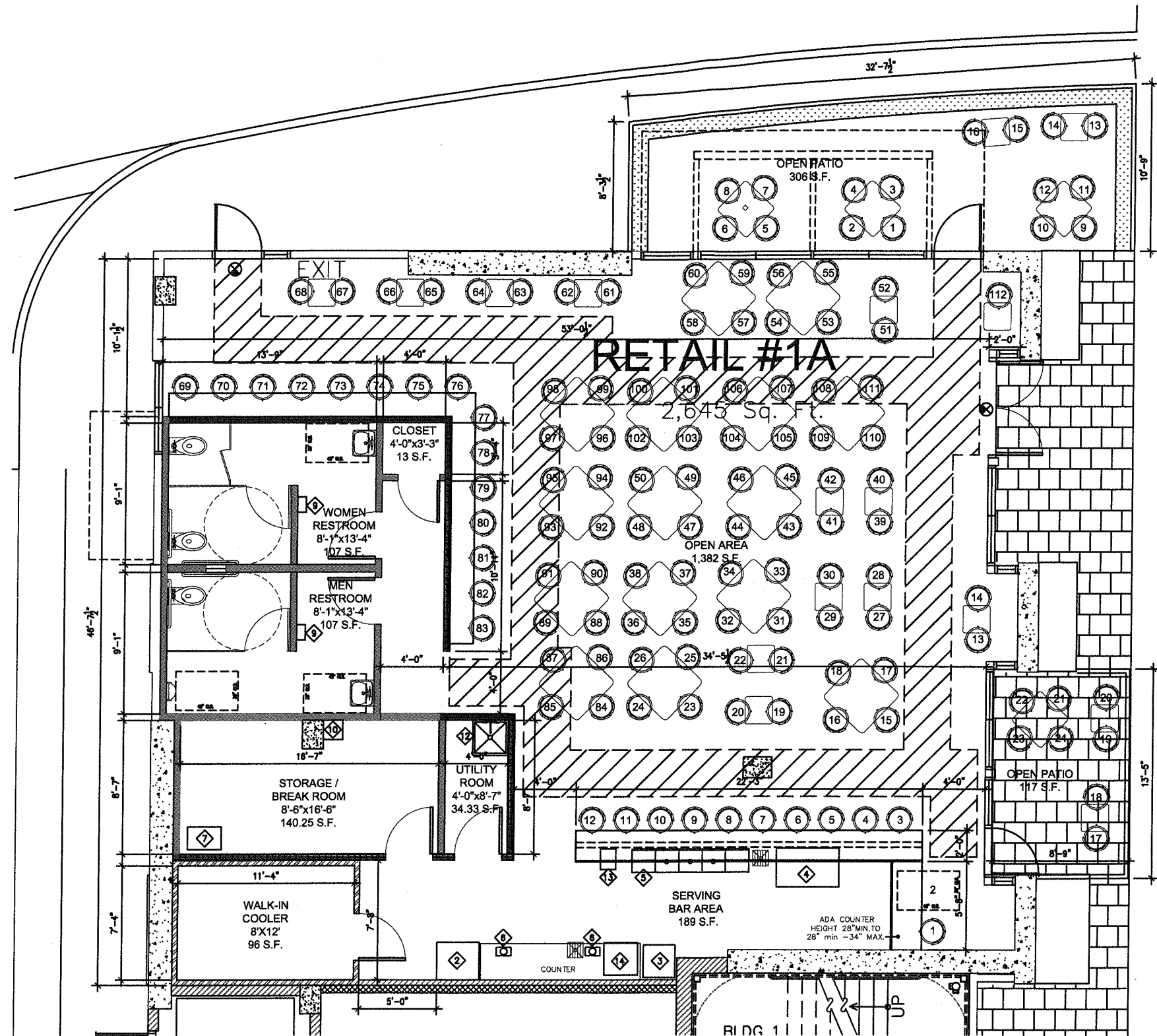
Case No. 2A-2019-3153-MPA

JL

DATE: 07/15/19
JOB NO.: 1324.00
SCALE: AS NOTED
REV. NO.:

SKETCH NUMBER:

A0.0



INDOOR SEATING : 112
EXTERIOR PATIO SEATING : 24

INDOOR SQUARE FOOTAGE IS 2,415
EXTERIOR PATIO DEDICATED
SQUARE FOOTAGE IS 423

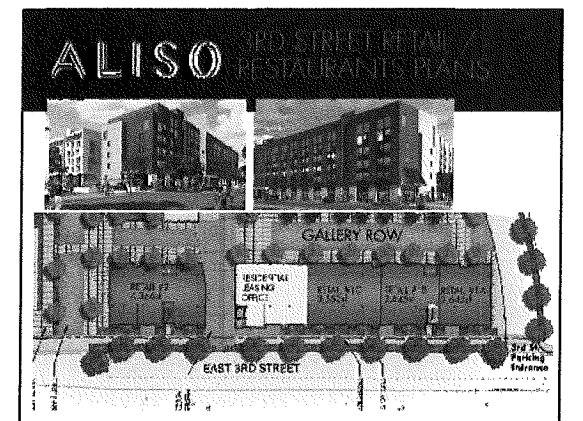
EXHIBIT "A"

Page No. 2 of 2

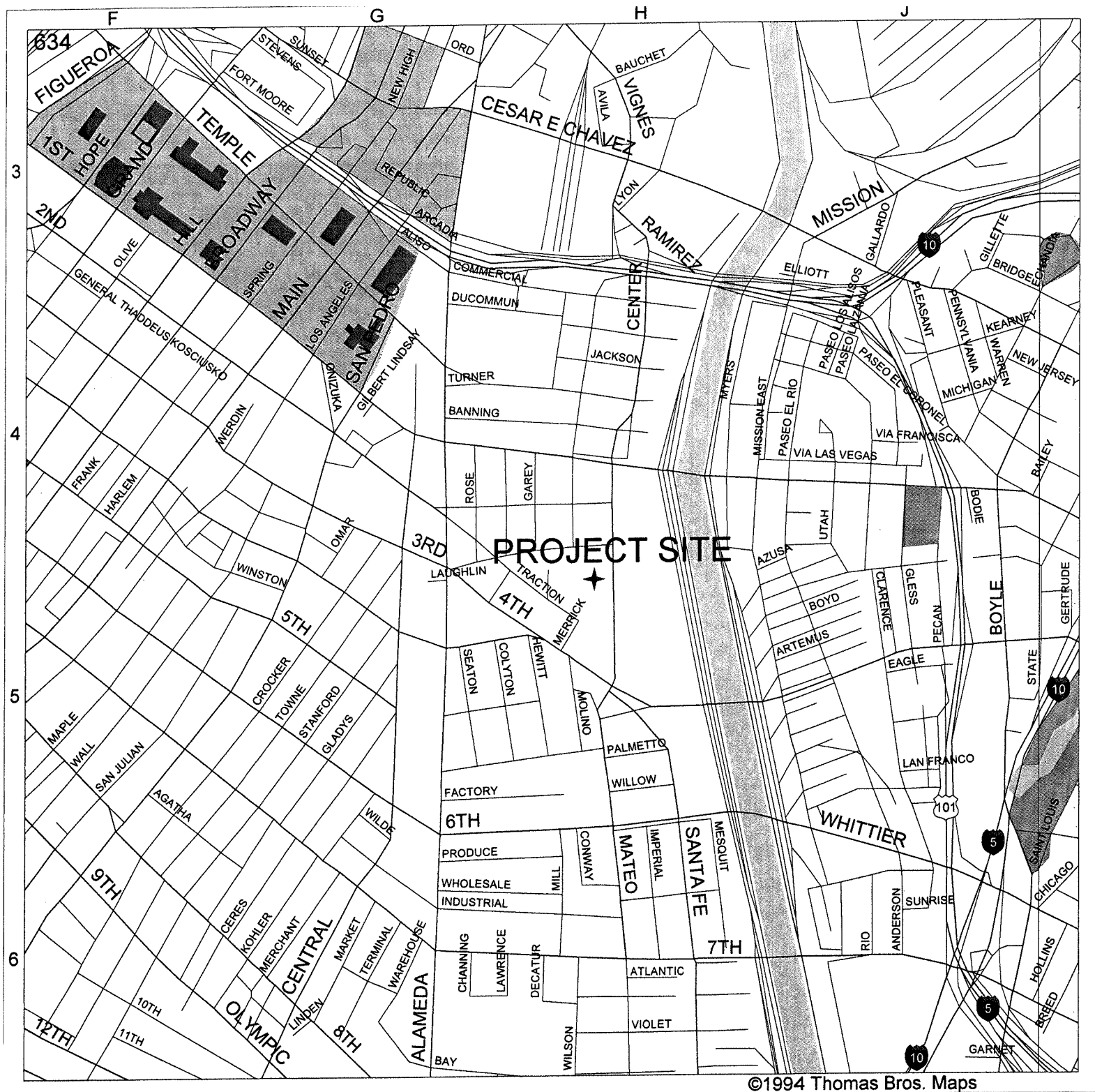
Case No. 2A-2019-3153-MPA

Handwritten signature

RECEIVED
10/13/19



RADIUS MAP



VICINITY MAP

SITE : 950 E. 3RD STREET

7A 2010-3153 - MPA
GC MAPPING SERVICE, INC.
 3055 WEST VALLEY BOULEVARD
 ALHAMBRA CA 91803
 (626) 441-1080, FAX (626) 441-8850
GCMAPPING@RADIUSMAPS.COM

CORRESPONDENCE

LOS ANGELES POLICE DEPARTMENT

MICHEL R. MOORE
Chief of Police



ERIC GARCETTI
Mayor

P. O. Box 30158
Los Angeles, CA 90030
Telephone: (213) 833-3747
TDD: (877) 275-5273
Ref#: 4.1

RECEIVED
CITY OF LOS ANGELES

APR 23 2019

CITY PLANNING DEPT.
ZONING ADMINISTRATION

April 16, 2019

Office of Zoning Administration
200 North Spring Street, 7th floor
Los Angeles, California 90012

Dear Sir or Madam:

The Los Angeles Police Department (LAPD), Central Area, received written correspondence from the Office of Zoning Administration advising that Applicant, AERC Legendary JV, LLC and Anthony Duplisse is applying for a Conditional Use Permit (ZA-2018-7658-MCUP) a Master Conditions Use Permit to allow the sale and dispensing of (5) full line of alcoholic beverages for on-site consumption, (2) beer and wine for on and off-site consumption, (1) full line of alcoholic beverages for off-site consumption with incidental tasting. The premise is located at 930-950 East 3rd Street, and 875 East Traction Avenue, Los Angeles, CA 90013.

Due to the revitalization efforts in the downtown area, the LAPD is not opposed to the issuance of this license. However, acting in the interest of the public, the Department recommends the following operating conditions be imposed, which should diminish vice-related problems that may develop at the proposed business.

1. Approved herein is a mixed-use development with a total of 14,148 interior square feet in (7) retail spaces with 489 indoor seats and 5,129sf of uncovered patio and 245 outdoor seats.
2. The hours of operation shall be limited to hours between 6:00 a.m. and 2:00 a.m., daily. The outdoor patio will be closed at 11:00 p.m. No after-hours use of the restaurant is authorized other than for routine clean up and maintenance.
3. Sales, service, and consumption of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. through 2:00 a.m. daily.
4. Petitioner(s) shall not require patrons to purchase a minimum number of drinks.
5. No self-service of alcoholic beverages is permitted on any on-sale restaurants.
6. No person under 21 years of age shall sell or deliver alcoholic beverages for any on-site locations. No person under the age of 21 shall serve alcoholic beverages at a bar.

AN EQUAL EMPLOYMENT OPPORTUNITY

www.LAPDonline.org
www.joinLAPD.com

7. The operator and its personnel shall, at all times, maintain a policy of not serving obviously intoxicated patrons and taking preventative measures to help avert intoxication-related problems, as follows:
 - a. Free non-alcoholic beverages shall be offered ongoing for designated drivers.
 - b. Bottled water shall be made available to departing patrons.
8. There shall be no service, sales or possession of an alcoholic beverage on any sidewalk. The applicant shall ensure that no alcoholic beverages which are purchased within the applicant's establishment are consumed on any property adjacent to the licensed premise that is under the control of the applicant.
9. All Type 47 licensed premises shall be maintained as a bona fide eating place, in conformance with Section 23038 of the California Business and Professions Code, with an operational kitchen, which complies with the definition in Section 91.0403 of the Los Angeles Municipal Code, and shall provide a menu containing an assortment of foods normally offered in such restaurants. The kitchen and the food service shall be available at all times during operating hours.
10. Vendor(s) delivery of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. through 8:00 p.m. each day of the week.
11. No employee, while working, shall solicit or accept any alcoholic, non-alcoholic beverage, monetary compensation, or any other thing of value from any customer for the purpose of sitting with or otherwise spending time with customers while on the premises. The licensee shall not provide, permit, or make available, either gratuitously or for compensation, male or female patrons who act as escorts companions or guests of and for the customers.
12. No booth or group seating shall be installed that completely prohibits observation of the occupants.
13. All on-sale licensed premise with outdoor service area shall be within the responsibility of the applicant and include a barrier separating the outdoor area from any abutting sidewalk or public right-of-way which will be of such height, design, and materials that it will preclude passerby from interacting with or obtaining any beverage or food from restaurant tables and/or patrons.
14. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverages or tobacco products.

15. All owners, operators, managers, security personnel, and employees serving and/or selling alcohol to patrons shall enroll in the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR). Upon completion of the training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the City Zoning Administrator as evidence of compliance within 30 days. In the event there is a change of license, within one year of such change, this training program shall be required for all staff. All employees who serve alcoholic beverages shall attend initial or follow-up STAR classes every 24 months.
16. All applicants for each venue shall prepare a security plan for review and approval by the Los Angeles Police Department. No later than 12 months after the issuance of the Certificate of Occupancy for the restaurant, the applicant shall meet with LAPD Central Vice to determine the effectiveness of the security plan. A copy of the security plan shall be submitted for the case file.
17. All security personnel shall maintain order therein and prevent any activity that would interfere with the quiet enjoyment of their property by nearby residents. The security personnel shall, to the reasonable extent possible:
 - Encourage patrons to exit quietly.
 - Provide supervised security staff-assisted escorts especially at closing, from the location to the patron's car.
 - Patrol the area of the parking garage utilized by patrons.
18. All security personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross first-aid card. The security personnel shall be dressed in a clearly marked uniform or professional attire that is readily identifiable to patrons and law enforcement personnel.
19. The business operator shall install and maintain surveillance cameras in all areas of the premises, including all entrances and exits of the premise, adjacent buildings, alleyways, restrooms, and any other high-risk areas. The operator shall maintain a 30-day video library of the surveillance footage. The applicant shall cooperate with law enforcement during Police investigations.
20. Security personnel shall take steps necessary to prevent departing guests who appear to be intoxicated from driving, including, observing patrons as they are walking them to their motor vehicle and actively encouraging the alternative use of designated sober drivers and/or having the security personnel call a taxi cab or other driving service.
21. The business operator shall comply with Section 6404.5(b) of the Labor Code which prohibits smoking within any place of employment and outside adjacent to the restaurant. There shall be no ashtrays or other receptacles used for the purpose of, collecting ash or cigarette/cigar butts inside the restaurant, bathrooms or outside adjacent to the restaurant.

22. The back door(s) shall be kept closed at all times during the operation of the premises except in case of emergency or for deliveries.
23. Amplified music shall not be audible beyond the outside of the premises and sound equipment shall be insulated and positioned away from walls to render vibrations and reverberations undetectable beyond the premises. Ambient music shall only be played in the outdoor patio area until 11:00 P.M. Music shall not be heard beyond the property line.
24. Any music, sound or noise emitted from the subject business shall comply with the noise regulations in the Los Angeles Municipal Code. All outside personnel associated with the music performers and/or acoustical sound shall follow the City's noise regulations and required to comply.
25. There shall be no live entertainment, disc jockey, karaoke, topless dancing, nude dancing or male dancers, pursuant to Los Angeles Municipal Code (LAMC) Section 12.70.
26. No dancing is permitted. Dance hall or nightclub use is prohibited.
27. Dancing shall not occur unless the applicant obtains the appropriate permit from the Police Commission as well as approval from the Central Area Vice unit.
28. All property operator shall be responsible for mitigating the potential negative impacts of its operation on surrounding uses, especially, noise derived from patrons exiting and crowd control during entry and exiting.
29. There shall be no admission, cover charge or prepayment required to enter the premises.
30. There shall be no queue lines allowed at any time.
31. There shall be no Adult Entertainment of any type pursuant to Section 12.70 of the Municipal Code.
32. There shall be no coin-operated games or video game machines permitted on the premises at any time.
33. No pool or billiard table may be maintained on the premises.
34. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of its occurrence.
35. Property owners shall be responsible for maintaining free of litter the area adjacent to the property, including the outdoor sidewalk smoking area.

36. The business operator/manager shall be responsible for mitigating the potential negative impacts of its operation on surrounding uses, especially, noise derived from patrons exiting and crowd control during entry and exiting.
37. The applicant/the business operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:
 - posted at the entrance/exit and the patio,
 - responded to within 24-hours of any complaints/inquiries received on this "hot line", and
 - documented in a log and available for review by the Los Angeles Police Department and the Zoning Administrator upon request on when the calls were received, returned and the action taken at a minimum.
38. Off-street parking shall comply with the applicable provisions of the Los Angeles Municipal Code.
39. Adequate lighting shall be installed in all areas within the business in conformance with the Los Angeles Municipal Code. The lighting shall be such that it renders all objects and persons clearly visible.
40. The business operator of each premise permitted by this action shall maintain on the premise, and present upon request to any law enforcement officer, a copy of the business permit, insurance information, and a valid emergency contact phone number for any valet service used by the business.
41. Petitioners shall regularly police the area under their control in an effort to prevent the loitering of persons about the premises.
42. Loitering is prohibited on or around these premises or the area under control of the applicant. Security will monitor crowds and disperse crowds from loitering during hours of operation and at least one hour after end of operation.
43. Any use of the property 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 the same provisions and hours of operation unless further restricted by LAPD.
44. Conditions of this grant shall be retained at all times on the premises and shall be made immediately available upon request by the Los Angeles Police Department or Alcohol Beverage Control, or City Zoning Administrator. The manager and all employees shall be knowledgeable of the conditions herein.

45. The applicant/owner/operator and on-site manager(s) shall comply with all applicable laws and conditions and shall properly manage the facility to discourage illegal criminal, and/or nuisance activity on the subject premises and any accessory parking areas which have been made available or are commonly utilized for patron parking.
46. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require The Petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review The Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
47. Within 30 days of the effective date of this action, the property owner shall record a covenant acknowledging and agreeing to comply with all the terms and Conditions established herein in the County Recorder's Office. The 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 shall be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.
48. At any time should there be a change in the ownership and/or the operator of the business, the new owner or operator shall be required to file a Plan Approval application, and pay all associated fees pursuant to Section 19.01-1 of the LAMC at the Planning Department Public Counter. The Plan Approval application shall be submitted to the Planning Department within 30 days of the date of legal acquisition by the new owner or operator. A public hearing shall be conducted with notification of all owners and occupants of property within a 500-foot radius. The purpose of the plan approval will be to review and establish conditions deemed applicable to the use as maintained and conducted by the new owner or operator consistent with the intent of the Conditions of this grant. Upon this review the Zoning Administrator may modify, add, or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

Office of Zoning Administration
ZA-2018-7658-MCUP
Page 7

If you have any questions regarding this matter, please contact Sergeant Rogelio Dela Cruz,
Officer-in-Charge, Central Area Vice, at (213) 833-3747.

Respectfully,

MICHEL R. MOORE
Chief of Police

A handwritten signature in black ink, appearing to read 'T. Harrelson', with a long horizontal flourish extending to the right.

T. SCOTT HARRELSON, Captain
Commanding Officer
Central Community Police Station

cc: Alcoholic Beverage Control



July 9, 2019

Renata Ooms
renata.ooms@lacity.org
City Planning Dept.
200 N. Spring Street
Los Angeles, CA 90012

Re: **MUMFORD BREWING**
ZA-2018-7658-MCUP

At its July Meeting, the Los Angeles River Artists & Business Association (LARABA) voted to provide the applicant with a letter of support under the following **VOLUNTEERED** conditions.

Project description as presented:

Micro Brewery w/off site sales and on site sales of beer and wine within 2,645 sq. ft interior w 88 seats and 776 sq. ft patio with 19 exterior seats

Board Conditions:

Operating hours for both indoor and patio to be 10am to 2am. The standard conditions below will also apply.

Failure to agree to the terms expressed here will result in the board rescinding its support:

1. Should the applicant sell the business, the new owner is required to vet with the community and agree to the same terms.
2. Amplified music shall not be audible beyond that part of the property that is under the control of the applicant.
3. At no time will the premises host raves, a dance club, or other similar events.
4. Adult entertainment type uses are not permitted at the establishment.
5. There shall be no coin---operated games or video machines.
6. No pool or billiard table shall be maintained on the premises.
7. Exterior lighting shall be directed onto the property and shielded such that the light source does not disturb adjacent properties.
8. 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.
9. The subject facility, including any associated parking, shall be maintained and be kept free of trash and debris.
10. The operator shall be responsible for mitigating the potential negative impacts of its operation on surrounding uses, especially noise derived from patron entry and exiting.
11. All guests and operators shall comply with smoking regulations set forth by the State of California and the City of Los Angeles.
12. The applicant shall fully comply with all Department of Alcoholic Beverage Control regulations governing the sale of alcoholic beverages.
13. The operators, managers, and all employees selling alcohol to patrons shall enroll in and complete a certified training program for the responsible selling of alcohol, which is recognized by the State Department of Alcoholic



Beverage Control or LAPD (i.e., "STAR"). This training shall be completed by all employees selling alcohol within six months of the commencement of the sale of alcohol.

14. The applicant, owner and on-site manager(s) shall comply with all applicable laws and conditions and shall properly manage the facility to discourage illegal and criminal activity on the subject premises and any accessory parking areas over which they exercise control.
15. The business operator shall install and maintain surveillance cameras that cover all common areas of such business, including all high-risk areas and entrances or exits.
16. If valet is used, a licensed Valet service is required with a mandate to provide current and valid license on demand
17. Applicant's approval from this body shall not cover any new operator/ owners. Any future operator of the subject establishment must file a new Plan Approval in conformance with LAMC 12.24 W 1

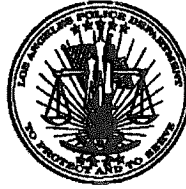
Sincerely,

A handwritten signature in black ink, appearing to read "Gabrielle Newmark".

Gabrielle Newmark
President, LARABA

LOS ANGELES POLICE DEPARTMENT

MICHEL R. MOORE
Chief of Police



ERIC GARCETTI
Mayor

P. O. Box 30158
Los Angeles, CA 90030
Telephone: (213) 833-3747
TDD: (877) 275-5273
Ref#: 4.1

October 11, 2019

Office of Zoning Administration
200 North Spring Street, 7th floor
Los Angeles, California 90012

RECEIVED
10/16/19

Dear Sir or Madam:

The Los Angeles Police Department (LAPD), Central Area, received written correspondence from the Office of Zoning Administration advising that Applicant, Mumford Brewing Operations LLC and Todd Mumford is applying for a Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site consumption. The premise is located at 950 East 3rd Street, Los Angeles, CA, 90013. Case Number: ZA-2019-3153-MPA.

Due to the revitalization efforts in the downtown area, the LAPD is not opposed to the issuance of this license. However, acting in the interest of the public, the Department recommends the following operating conditions be imposed, which should diminish vice-related problems that may develop at the proposed business.

1. The Conditional Use Beverage (CUB) shall be subject to a required security plan approval, within one year of the approved CUB. The administrative review is meant to determine the Applicant and/or the Applicants rate or pattern of compliance with regards to the CUB. The Applicant shall provide the Zoning Administrator a copy within five business days of any violations issued by any City department or other public jurisdictions relating to such operation's alcohol service. Further, if documented evidence is submitted showing continued violation(s) of any of the following: CUB Condition(s) of Approval, undue disruption of or interference with the peaceful enjoyment of adjacent neighboring properties and/or alcohol-related enforcement actions from other public jurisdictions, the Zoning Administrator reserves the right at a public hearing to revoke the applicants use or add or delete conditions. Such public hearings held in conjunction with the Plan approval and payment of associated fees shall be publicly noticed. The Petitioner shall, prior to the public hearing, submit detailed documentation as to how compliance with each condition of the grant and related enforcement action has been attained. The Zoning Administrator may upon receipt of testimony and review of the effectiveness of the conditions, modify, delete, or add conditions.

AN EQUAL EMPLOYMENT OPPORTUNITY

www.LAPDonline.org
www.joinLAPD.com

2. Approved herein is the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed 2,415sf micro brewery with 112 interior seats and 776sf outdoor patio with 50 seats.
3. The hours of operation shall be limited to hours between 8:00 a.m. to 2:00 a.m. daily. The outdoor patio will be closed at 11:00 p.m. No after-hours use is authorized other than for routine clean up and maintenance.
4. Vendor(s) delivery of alcoholic beverages shall be permitted only between the hours of 7:00 a.m. through 7:00 p.m. each day of the week.
5. The sale of alcoholic beverage for consumption off the premises is strictly prohibited.
6. Petitioner(s) shall not require patrons to purchase a minimum number of drinks.
7. No self-service of alcoholic beverages is permitted.
8. No person under 21 years of age shall sell or deliver alcoholic beverages. No person under the age of 21 shall serve alcoholic beverages at a bar.
9. The sale of distilled spirits by the bottle, for on-site or off-site consumption, is prohibited.
10. Operator and its personnel shall, at all times, maintain a policy of not serving obviously intoxicated patrons and taking preventative measures to help avert intoxication-related problems, as follows:
 - a. Free non-alcoholic beverages shall be offered ongoing for designated drivers.
 - b. Bottled water shall be made available to departing patrons.
11. There shall be no service, sales or possession of an alcoholic beverage on any sidewalk. The applicant shall ensure that no alcoholic beverages which are purchased within the applicant's establishment are consumed on any property adjacent to the licensed premise that is under the control of the applicant.
12. There shall be no queue lines allowed at any time on adjacent sidewalks.
13. No employee, while working, shall solicit or accept any alcoholic, non-alcoholic beverage, monetary compensation, or any other thing of value from any customer for the purpose of sitting with or otherwise spending time with customers while on the premises. The licensee shall not provide, permit, or make available, either gratuitously or for compensation, male or female patrons who act as escorts companions or guests of and for the customers.
14. No booth or group seating shall be installed that completely prohibits observation of the occupants.

15. The outdoor service area shall be within the responsibility of the applicant and include a permanent barrier separating the outdoor area from any abutting sidewalk or public right-of-way, which will be of such height, design, and materials that it will preclude passerby from interacting with or obtaining any beverage or food from restaurant tables and/or patrons. The outdoor seating area shall be limited to a maximum of 50 patrons at all times. All patrons shall be seated.
16. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverages or tobacco products.
17. All owners, operators, managers, security personnel, and employees serving and/or selling alcohol to patrons shall enroll in the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR). Upon completion of the training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the City Zoning Administrator as evidence of compliance within 30 days. In the event there is a change of license, within one year of such change, this training program shall be required for all staff. All employees who serve alcoholic beverages shall attend initial or follow-up STAR classes every 24 months.
18. All security personnel shall maintain order therein and prevent any activity that would interfere with the quiet enjoyment of their property by nearby residents. The security personnel shall, to the reasonable extent possible:
 - Encourage patrons to exit quietly
 - Provide supervised security staff-assisted escorts especially at closing, from the location to the patron's car
 - Patrol the area of the parking garage utilized by patrons
19. All security personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross first-aid card. The security personnel shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement personnel.
20. The applicant shall prepare a security plan for review and approval by the LAPD. No later than 12 months after the issuance of the Certificate of Occupancy for the micro brewery, the applicant shall meet with LAPD Central Vice to determine the effectiveness of the security plan. A copy of the security plan shall be submitted for the case file.

21. The business operator shall install and maintain surveillance cameras in all areas of the premises, including the entrances of the restrooms, alleyway, other high-risk areas, and entrances or exits of the premise. The operator shall maintain a 30-day video library of the surveillance footage. The applicant shall cooperate with law enforcement during police investigations.
22. Security personnel shall take steps necessary to prevent departing guests who appear to be intoxicated from driving, including, observing patrons as they are walking them to their motor vehicle and actively encouraging the alternative use of designated sober drivers and/or having the security personnel call a taxi cab or other driving service.
23. The business operator shall comply with Section 6404.5(b) of the Labor Code which prohibits smoking within any place of employment and outside adjacent to the premise. There shall be no ashtrays or other receptacles used for the purpose of collecting ash or cigarette/cigar butts inside the premise, bathrooms or outside adjacent to the premise.
24. The back door(s) shall be kept closed at all times, during the operation of the premises except in case of emergency or for deliveries.
25. Amplified music shall not be audible beyond the outside of the premises and sound equipment shall be insulated and positioned away from walls to render vibrations and reverberations undetectable beyond the premises. Ambient music shall only be played in the outdoor patio area until 11:00 p.m. Music shall not be heard beyond the property line.
26. The operator shall be responsible for mitigating the potential negative impacts of its operation on surrounding uses, especially, noise derived from patrons exiting and crowd control during entry and exiting.
27. There shall be no Adult Entertainment of any type pursuant to Section 12.70 of the Municipal Code.
28. There shall be no coin-operated games or video game machines permitted on the premises at any time.
29. No pool or billiard table may be maintained on the premises.
30. No dancing is permitted. Dance hall or nightclub use is prohibited
31. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of its occurrence.


32. If at any time the business operator has valet service, the valet company and its hired attendants must obtain a LAPD Valet Parking Permit which is granted by the LAPD Board of Commissioners office. The valet parking company must apply for a Valet Parking Operator (VPO) permit, while its hired drivers must apply for a Valet Parking Attendant (VPA) permit through LAPD Commission Investigation Division.
33. The property owner shall be responsible for maintaining free of litter the area adjacent to the property, including the outdoor sidewalk smoking area.
34. Off-street parking shall comply with the applicable provisions of the Los Angeles Municipal Code.
35. The applicant/the business operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:
 - posted at the entrance/exit and the patio,
 - responded to within 24-hours of any complaints/inquiries received on this "hot line", and
 - documented in a log and available for review by the Los Angeles Police Department and the Zoning Administrator upon request on when the calls were received, returned and the action taken at a minimum.
36. Adequate lighting shall be installed in all areas within the business in conformance with the Los Angeles Municipal Code. The lighting shall be such that it renders all objects and persons clearly visible.
37. Petitioners shall regularly police the area under their control in an effort to prevent the loitering of persons about the premises.
38. Any use of the property 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 the same provisions and hours of operation unless further restricted by LAPD.
39. Conditions of this grant shall be retained at all times on the premise and shall be made immediately available upon request by the Los Angeles Police Department or Alcohol Beverage Control, or Zoning Administrator. The manager and all employees shall be knowledgeable of the conditions herein.
40. The applicant/owner/operator and on-site manager(s) shall comply with all applicable laws and conditions and shall properly manage the facility to discourage illegal criminal, and/or nuisance activity on the subject premises and any accessory parking areas which have been made available or are commonly utilized for patron parking.

41. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require The Petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review The Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
42. Within 30 days of the effective date of this action, the property owner shall record a covenant acknowledging and agreeing to comply with all the terms and Conditions established herein in the County Recorder's Office. The 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 shall be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.
43. At any time should there be a change in the ownership and/or the operator of the business, the new owner or operator shall be required to file a Plan Approval application, and pay all associated fees pursuant to Section 19.01-1 of the LAMC at the Planning Department Public Counter. The Plan Approval application shall be submitted to the Planning Department within 30 days of the date of legal acquisition by the new owner or operator. A public hearing shall be conducted with notification of all owners and occupants of property within a 500-foot radius. The purpose of the plan approval will be to review and establish conditions deemed applicable to the use as maintained and conducted by the new owner or operator consistent with the intent of the Conditions of this grant. Upon this review the Zoning Administrator may modify, add, or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

If you have any questions regarding this matter, please contact Sergeant Rogelio Dela Cruz, Officer-in-Charge, Central Area Vice, at (213) 833-3747.

Respectfully,

MICHEL R. MOORE
Chief of Police



T. SCOTT HARRELSON, Captain
Commanding Officer
Central Community Police Station

cc: Alcoholic Beverage Control