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Decision Date: November 30, 2023

Last Day to Appeal Decision: December 15, 2023

Robert Kim (A)
Ktown Pasta LLC
1155 S. Grand Ave
Los Angeles, CA 90015

3923 West 6th LLC, and West 6th Street
Center LLC (O)
C/O Raymond Levy
9250 Wilshire Blvd
Beverly Hills, CA 90212

Steve Kim (R)
GSD Partners
800 W. 1st Street

CASE NO. ZA-2022-8141-CUB
CONDITIONAL USE
554-558 South Western Avenue, and
3917-3925 West 6th Street
Wilshire Community Plan
Zone : C2-1
D. M. : 135B193
C. D. : 10 – Hutt
CEQA: ENV-2022-8142-CE
Legal Description: Lot 10 and Lot 11 arb
2, Block None Kensington Place Tract

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 (Existing Facilities) and Section 15305, Class 5 (Minor Changes in Land Use Limitations), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

Pursuant to Los Angeles Municipal Code Section 12.24.W.1, I hereby APPROVE:

a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed restaurant in the C2-1 Zone.

Pursuant to Los Angeles Municipal Code Section 12.24.W.27, I hereby APPROVE:

a Conditional Use to authorize hours of operation beyond the 7 a.m. and 11 p.m. otherwise permitted within a Commercial Corner/Mini-Shopping Center in the C2-1 Zone;

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs, or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
7. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a new 2,440 square-foot restaurant. The grant shall be subject to the following limitations:
 - a. The hours of operation shall be limited to 11:00 a.m. to 4:00 a.m., daily.
 - b. Indoor seating shall be limited to a maximum total of 44 seats provided that number of seats does not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.

8. After hour use shall be prohibited, except routine clean-up, food preparation, construction, inventory or other maintenance type activities. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
9. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.
10. 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.
11. There shall no Adult Entertainment of any type pursuant to LAMC Section 12.70.
12. 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.
13. 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.
14. **Complaint Log.** A telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians.
 - b. Customer service desk, front desk or near the 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.
15. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under their control to assure behavior that does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
16. **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.

17. 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.
18. At least one on-duty manager with authority over the activities within the facility shall be on the premises at all times that the facility is open for business. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the facility to discourage illegal and criminal activity on the subject premises and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism or truancy occur.
19. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department, Department of Alcoholic Beverage Control, or the Department of Building and Safety. The on-site Manager and employees shall be knowledgeable of the conditions herein.
20. The applicant shall be responsible for maintaining free of debris or litter the area adjacent to the premises over which they have control, including the sidewalk in front of the establishment.
21. 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.
22. 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.
23. 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.
24. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise

level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.

25. **Private Events.** Any use of the premises for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
26. The establishment shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
27. No enclosed room, other than restrooms, intended for use by patrons or customers shall be permitted. No private dining room with a separate access door shall be permitted.
28. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.
29. There shall be no live entertainment or amplified music on the premises. There shall be no karaoke, disc jockey, topless entertainment, male or female performers or fashion shows.
30. Entertainment in conjunction with the establishment is limited to ambient music and shall be limited to background music at a low volume.

ADMINISTRATIVE CONDITIONS

31. **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.

32. 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. The application, in association with the appropriate fees, shall be submitted to the Development Services Center, 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 a public hearing, that may also be conducted for nuisance abatement/revocation purposes.
33. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon their initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-E, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

34. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

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

related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

- iii. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- iv. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- v. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits.

Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

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

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

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 before the Zoning

Administrator on August 29, 2023, 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 and prerequisites for granting a Conditional Use as enumerated in Section 12.24-W.1 of the Los Angeles Municipal Code have been established by the following facts:

BACKGROUND

The project site includes a level rectangular shaped parcel of land at the northeast corner of Western Avenue and 6th Street. The site has approximately 140 feet of frontage on the northerly side of 6th Street and approximately 64 feet of frontage on the easterly side of Western Avenue. The site is within the Wilshire Community Plan. The property consists of one lot, totaling approximately 8,873.8 square-feet. The project consists of a proposed 2,440 square foot restaurant (K-town Pasta) with 44 seats. No on-site parking will be provided.

The project site is zoned C2-1 with a Neighborhood Office Commercial land use designation within the Wilshire Community Plan Area. The subject property is located within the Local Emergency Temporary Regulations – Time Limits and Parking Relief – LAMC 16.02.1 (ZI-2498), a Transit Priority Area (ZA-2452), the Los Angeles State Enterprise Zone (ZI-2374), as well as the Wilshire Center/Koreatown Redevelopment Project Area (ZI-2488). The site is 1.13 kilometers from the Puente Hills Blind Thrust Fault.

The site is currently improved with a four-story 31,914 square-foot mixed use building that was constructed in 1926. The proposed restaurant would occupy the tenant space at the ground level, on the southwest corner of the building. The most recent use of the subject tenant space was a convenience store that is no longer in operation. The project does not require additional parking, per AB 2097 as the subject property is less than 700 feet away from the Wilshire/Western Metro Station, and no parking requests have been made with this application. There is no proposed valet parking. The pedestrian entrance to the proposed restaurant is at the corner of 6th Street and Western Avenue.

On November 7, 2022, the applicant submitted an application requesting a Conditional Use permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed 2,440 square-foot restaurant with 44 seats. The requests entail hours of operation from 11:00 a.m. to 4:00 a.m., daily, with alcohol sales limited from 11:00 a.m. to 2:00 a.m. Additionally, the requested hours require a Conditional Use to vary from the hours of operations for a Commercial Corner development.

The site is adjacent to other commercial uses. The adjoining property to the north is zoned C2-1 and is improved with a single-story bank. The adjoining property to the east is zoned C2-1 and is improved with a two-story mixed-use building. The adjacent property to the south across 6th Street is zoned C2-2 and C4-2 and is improved with a multistory condominium tower with ground floor commercial uses, which triggers the Commercial Corner development requirements. The adjacent site to the west across from 6th Street is zoned C2-1 and is improved with a two-story mixed-use building.

Streets

Western Avenue, abutting the property of the west, is a designated an Avenue II with a dedicated right of way of 90 feet and roadway width of 56 feet.

6th Street, abutting the property to the south, is designated an Avenue II with a dedicated right of way of 86 feet and roadway of 56 feet.

Relevant Previous Cases, Affidavits, and Orders on the Subject Property:

Case No. ZA-2022-7998-CUB - On May 3, 2023, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with a proposed approximately 1,777 square foot restaurant. Additionally, the Zoning Administrator approved a request for hours of operations beyond those permitted at a Commercial Corner/Mini-Shopping Center. The proposed restaurant sought hours of operations from 11 a.m. to 4 a.m. daily, with alcohol sales from 11 a.m. to 2 a.m., daily, and 31 interior seats.

Relevant Cases on Surrounding Properties:

Staff utilized a 1000-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Zoning Administrator determinations associated with the sales and dispensing of alcoholic beverages. The following relevant cases were filed within the last 5 years and identified as being within 500 feet of the project site:

Case No. ZA-2022-418-CUB - On August 30, 2022, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an expansion of an existing restaurant in the C2-1 Zone, and approved a Conditional Use to permit hours of operation of 11 :00 a.m. to 2:00 a.m., daily, in conjunction with an expansion of an existing restaurant, exceeding the otherwise permitted hours of 7:00 a.m. to 11 :00 p.m., daily, for Commercial Corner Developments, located at 4001 West 6th Street.

Case No. ZA-2021-2521-CUB-CU - On August 13, 2021, the Zoning Administrator approved a conditional use to authorize the sale and dispensing of beer and wine only for on-site consumption, in conjunction with a proposed restaurant in the C2-2 Zone, and dismissed a conditional use to authorize hours of operation from 10:00 a.m. to 2:00 a.m., daily, in conjunction with a proposed restaurant, located at 621 South Western Avenue, Units 116-117..

Case No. ZA-2019-6796-CUB - On June 9, 2020, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed restaurant in the C2-1 Zone, located at 4001 West 6th Street.

Case No. ZA-2019-3310-CUB - On March 5, 2020, the Zoning Administrator approved a Conditional Use Permit to allow the continued sale and dispensing of beer and wine for

on-site consumption, in conjunction with an existing restaurant in the C2-2 and [T][Q]C2-2 Zones, located at 621 South Western Avenue.

Case No. ZA-2019-1536-CUB - On November 12, 2019, the Zoning Administrator approved a conditional use permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed restaurant in the C2-2 Zone, located at 611 South Western Avenue, Suite B.

Case No. ZA-2019-510-CUB-CUX - On August 16, 2019, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with a proposed restaurant and karaoke lounge, and approved a Conditional Use Permit to allow live entertainment including public patron dancing, in conjunction with a proposed restaurant and karaoke lounge in the C2-2 Zone, located at 3900 West 5th Street.

Case No. ZA-2019-1506-CUB - On September 20, 2019, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site consumption, in conjunction with a proposed restaurant in the C2-1 Zone, located at 533 South Western Avenue, Unit C.

Case No. ZA-2018-5464-CUB - On April 3, 2019, the Zoning Administrator approved a conditional use to allow the sale of beer and wine only for on-site consumption, in conjunction with an existing restaurant in the C2-1 Zone, located at 3905 West 5th Street.

PUBLIC CORRESPONDENCE

No public correspondence was received.

PUBLIC HEARING

A Notice of Public Hearing was sent to property owners and/or abutting the subject site for which an application as detailed below was filed with the Department of City Planning. The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. All interested persons were invited to attend the public hearing where they could listen, ask questions, or present testimony regarding the project. Interested parties were also invited to submit written comments regarding the request prior to the public hearing. The hearing was held on August 29, 2023 at 9:00 a.m., and was conducted virtually.

The hearing was attended by the applicant's representative (Steve Kim) and a representative from Council District 10 (Hakeem Parke-Davis). No members of the public attended.

Mr. Kim presented the project and stated the following:

- The project vision is to provide high hospitality and quality.
- Restaurant will focus on pasta (Italian restaurant)
- High end pasta bar with private dining room.
- Also owns adjoining sushi restaurant that has been approved for alcohol and hours until 4 a.m.

- Requests ending hours of 4 am to allow for patrons to be served food and sober up after 2 a.m.
- The applicant has several restaurants in the area and has extensive experience in hospitality.
- Goal is to provide fine dining within the community.
- We have reached out to the Wilshire Center/Koreatown Neighborhood Council (will send agenda).
- Location is a separate restaurant and will have a separate kitchen from adjoining establishment.

Hakeem Parke-Davis of Council District 10 stated the following:

- Support of project
- Support of alcohol sales ending at 2 am on weekends and 12 am during the week

In response to questions raised by the Zoning Administrator and from the public testimony, Mr. Kim and the applicant (Robert Kim) clarified the following:

- Goal of establishment is to be a “destination” restaurant.
- Restaurant will be high end pasta bar with a private dining room.

At the end of the public hearing, the Zoning Administrator stated that he was inclined to approve the requests but requested that the applicant and the Council office discuss hours of operation.

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

In approving the instant grant, the Zoning Administrator has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

- No “Happy Hour” type of reduced-price alcoholic beverage or “2 for 1” promotion shall be allowed at any time. Discounted food promotions are encouraged.
- No cocktail lounge shall be maintained on the premises separate from the dining area.

- Limit alcohol sales to 11 am to 2 am daily.
- 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 sale of alcohol shall be incidental to the sale of food.
- The sale of alcoholic beverages for consumption off the premises is prohibited.
- The quarterly gross sales of food shall not exceed the quarterly gross sales of alcohol. The business operator shall maintain records which reflect these numbers and make them available to the Police Department upon request.
- Fortified wine (greater than 16% alcohol) shall not be sold.
- There shall be no cocktail lounge or separate bar area.
- No signs are permitted on the outside of the building or directed from the inside to the outside which display or advertise the availability of alcoholic beverages.
- The off-site sale of alcoholic beverages as a secondary use (i.e., "take out") is not permitted.
- Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages and 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.
- All service of alcoholic beverages shall be conducted by a waitress or waiter or bartender.
- The single unit sales of malt liquors and/or malt based products shall be 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 a full line of alcoholic beverages for on-site consumption be authorized, certain designated findings have to be made.

CONDITIONAL USE FINDINGS

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

The project is located at the northeast corner of Western Avenue and 6th Street.

The property consists of a level rectangular shape parcel of land of approximately 8,873 square-feet. The project site is zoned C2-1 with a Neighborhood Office Commercial land use designation within the Wilshire Community Plan Area. The project site is located within the Transit Priority Area (ZI-2452), State Enterprise Zone (ZI-2374), Wilshire Center/Koreatown Redevelopment Project Area (ZI-2488), Urban Agricultural Incentive Area, and is in a Tier 4 Transit Oriented Communities Area. The site is located approximately 1.28 kilometers from the Puente Hills Blind Thrust Fault.

The site is improved with a commercial building. The proposed restaurant plans to use a tenant space that is currently vacant, located at the southwest corner of the building, which was previously occupied by a convenience store. The applicant's representative has disclosed that a Sushi restaurant will occupy the abutting space within the building. The other units in the building are for retail use. The proposed project involves the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a 2,440 square-foot restaurant with 44 seats. The proposed hours of operation are from 11:00 a.m. to 4:00 a.m., daily. The project chose to invoke its right to eliminate its parking requirement, as the project is eligible for relief from parking requirements through AB 2097. As such the project will not provide parking.

The sale of alcohol is an amenity that is an important service for restaurants to provide. The approval of this grant will enhance the built environment and benefit the local community. The proposed project will convert a currently vacant space on a commercial corridor into an Italian themed restaurant (K-town Pasta) that will be a benefit to the community and will provide employment opportunities for the neighborhood. Additionally, the subject restaurant is located in an area zoned and designated for commercial uses and located in proximity to major commercial retail district. A sit-down restaurant with alcoholic beverages available in the area will be a public convenience to area patrons. The sale of alcohol at the restaurant is an intrinsic part of commercial services as it provides an amenity which is necessary for the conservation, development, and success of a vibrant mixed-use area. Furthermore, the grant to allow the alcohol service has been well conditioned to ensure that that use will not adversely impact neighboring residents or other sensitive uses. As such, the project will enhance the built environment in the surrounding neighborhood and will provide a service that is beneficial to the community, city and region.

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

As previously stated, the project is located at on a level rectangular shaped parcel of land at the northeast corner of Western Avenue and 6th Street. The property consists of one lot, containing approximately 8,873.8 square-feet. The property is zoned C2-1 with a Neighborhood Office Commercial land use designation and is near a large population well-served by various hospitality establishments. The proposed restaurant seeks to serve the needs of nearby residents as well as

regional visitors and tourists. The availability of alcoholic beverages is a typical request for this land use. This service has come to be expected by many restaurant patrons and is an essential part of the financial health and feasibility of a restaurant. As such, this grant will positively contribute to the local economy by creating employment opportunities within an existing building. The proposed restaurant will operate in harmony with the adjacent commercial facilities.

Surrounding properties are characterized by level topography and improved with improved streets with a variety of commercial uses along 6th Street and Western Avenue, with residential uses to the south, across 6th Street. The adjoining property to the east is zoned C2-1 and is improved with a two-story mixed-use building. The adjacent property to the south across 6th Street is zoned C2-2 and C4-2 and is improved with a multi-story condominium tower with ground floor commercial uses. The adjacent site to the west across from 6th Street is zoned C2-1 and is improved with a two-story mixed-use building.

The project's location, size and height will remain the same. The applicant is seeking to convert a currently vacant space within the building into a 2,440 square-foot restaurant with 44 seats. The project's location, size and height will remain the same. The subject establishment will be maintained as a bona fide eating place with an operational kitchen and full food menu and provide food service at all times during operating hours. The sale of alcohol will be ancillary to the restaurant's food service, an amenity common in neighborhood restaurants throughout Los Angeles. The subject establishment will not feature live entertainment or patron dancing, reducing the likelihood of the restaurant having a harmful impact on the neighboring properties. The subject property is zoned and developed in a manner consistent with both the City's desired land use designation for the site and the surrounding area. The proposed restaurant with the sale and dispensing of a full line of alcoholic beverages will be compatible with the designated land use and zone.

Furthermore, the Zoning Administrator has imposed numerous conditions to prevent adverse impacts and integrate the use into the neighborhood. Conditions address responsible management, addressing of nuisance, and surveillance and training. In addition, the Alcoholic Beverage Control will impose their own set of conditions, which the applicant will also be subject to. Therefore, the project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety of the community.

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

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The

General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located within the Wilshire Community Plan area. The associated General Plan Land Use Map designates the property for Neighborhood Office Commercial land uses, with corresponding zones of C1, C1 .5, C2, C4, P, CR, RAS3, and RAS4. The property is zoned C2-1 and is thus consistent with the General Plan's land use designation for the site. The property's zoning is thus consistent with the General Plan's land use designation for the site.

The Wilshire Community Plan text is silent with regards to the sale and dispensing of alcohol. In such cases, the Zoning Administrator must interpret the intent of the Plan. Specifically, the project addresses the following goal, objectives, and policy of the Wilshire Community Plan:

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

Objective 2-1: Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and within existing commercial areas.

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

Objective 2-2: Promote distinctive commercial districts and pedestrian-oriented areas.

Multiple requests for conditional use authority to offer alcoholic beverages upon the property have been granted since 2001. The instant request is not substantially different from those previously considered and approved. Approval of the request to offer a full line of alcoholic beverages for on-site consumption in conjunction with a proposed restaurant will enhance the viability and competitiveness of this business, which is in conformity with Policy 2-1.3.

Other similar restaurants in the immediate area have already been established and operate successfully. The restaurant is located within an existing commercial development, along a commercial corridor occupied by other, similar kinds of development and establishments. The availability of a full line of alcohol for sale and service for on-site consumption is often a key ingredient to the economic success of a restaurant operation. Numerous conditions have been adopted as a part of this determination to minimize the potential of this restaurant from becoming

incompatible with its surroundings. Therefore, as conditioned, the project substantially conforms with the purpose, intent and provisions of the General Plan, the Wilshire Community Plan, and any specific plan.

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

The project is located on the northeast corner of Western Avenue and 6th Street. The property consists of one lot of approximately 8,873 square-feet. The subject property is zoned C2-1 with a Neighborhood Office Commercial land use designation within the Wilshire Community Plan Area. The project is located within The project site is located within the Transit Priority Area (ZI-2452), State Enterprise Zone (ZI-2374), Wilshire Center/Koreatown Redevelopment Project Area (ZI-2488), Urban Agricultural Incentive Area, and is in a Tier 4 Transit Oriented Communities Area. The site is located approximately 1.28 kilometers from the Puente Hills Blind Thrust Fault.

The proposed project involves the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with a 2,440 square-foot restaurant with 44 indoor seats. The proposed hours of operation are from 11:00 a.m. to 4:00 a.m., daily.

The northern adjoining properties are zoned C2-1 and developed with a single-story bank. The eastern adjoining properties are zoned C2-1 and developed with a two-story mixed-use building. The southern adjoining properties, across 6th Street, are zoned C2-2 and developed with a multi-story, mixed-use building. The western adjoining properties, across Western Avenue, are zoned C2-1 and developed with a two-story commercial building with surface parking lot.

The responsible service of alcoholic beverages at the restaurant will enhance the neighborhood by supporting a proposed business that will activate a commercial tenant space along Western Avenue. The sale of alcohol will provide an additional amenity and service that many guests often expect in restaurants. The project will enhance the viability of the area and surrounding businesses by supporting a proposed business. Restaurant uses, including alcohol sales, are an intrinsic part of the service amenities necessary for the success of a vibrant commercial areas. Further, the restaurant will be located within an area designated for commercial uses, and it is appropriate for a greater mix and intensity of uses to be occurring in this area.

Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering. Employees will undergo training on the sale of alcoholic beverages, including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program or the Department of Alcoholic Beverage Control's Licensee Education on Alcohol and Drugs (LEAD) Program, or the Responsible Beverage Service (RBS) Training Program.

In addition, the Zoning Administrator has imposed numerous conditions to integrate the use into the community as well as protect community members from adverse potential impacts. The applicant is proposing a restaurant that is not modest in nature with minimal potential for noise impacts and other nuisance-type activity as no live entertainment or dancing is proposed. All activity occurring on the subject premises will be required to adhere to the imposed conditions. Additional conditions have been included to ensure the operation provides adequate security measures, including a surveillance system, adherence to the City's Noise Ordinance, and responsible management practices. The City's conditions of approval and any conditions by the California Department of Alcoholic Beverage Control are intended to protect the public health, welfare and safety of the community. Therefore, it is expected that the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed restaurant 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.**

The proposed project involves the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with a 2,440 square-foot restaurant with 44 indoor seats.

According to the California State Department of Alcoholic Beverage Control (ABC) licensing criteria, there are five (5) on-site licenses and three (3) off-site licenses allocated for Census Tract No. 2118.02. Currently, there are forty (40) existing licenses for this census tract. According to information submitted by the applicant, within 1,000 feet of the subject site, the following establishments have an ABC license:

Alcohol Establishment	License Type	Address
CVS Pharmacy	Off-site – Full Line	3751 Wilshire Boulevard
Beer Belly	On-site – Beer & Wine	532 South Western Avenue
Frank N Hanks	On-site – Full Line	518 South Western Avenue
Here's Looking At You	On-site – Full Line	3901 West 6 th Street
Ddong Goo & Dragon Boba	On-site – Beer & Wine	528 South Western Avenue

Sushi One Restaurant	On-site – Beer & Wine	3905 West 6 th Street
Won Jo Kokerang Agurang	On-site – Beer & Wine	533 South Western Avenue, Suite C
Super H Mart	Off-site – Full Line	621 South Western Avenue, Suite G03
Mama Lion	On-site – Full Line	601 South Western Avenue
Jam	On-site – Full Line	3979—81 West 6 th Street
Chakan Sullungtang	On-site – Beer & Wine	543 South Western Avenue
Kokio Chicken	On-site – Beer & Wine	3977 West 6 th Street
Moobongri	On-site – Beer & Wine	545 South Western Avenue, #D
Tengoku Ramen Bar	On-site – Beer & Wine	539 South Western Avenue
Jeong Yuk Jeom	On-site – Full Line	623 South Western Avenue
The House of Axe	On-site – Full Line	611 South Western Avenue
Western Liquor & Wine, Inc.	Off-site – Full Line	553 South Western Avenue, Suite A
The Gangjung	On-site – Beer & Wine	621 South Western Avenue, Suite 302
Daedo	On-site – Beer & Wine	4001 West 6 th Street
Yeon Uh	On-site – Beer & Wine	621 South Western Avenue, Suite 208-B
Aki Shabu	On-site – Beer & Wine	621 South Western Avenue, #301
Yang Pyung Sinnae Seoul Hae Jang Kook	On-site – Beer & Wine	3821 West 6 th Street
Café Seoul Nandarang	On-site – Beer & Wine	3811-3815 West 6 th Street
Caffe Concerto	On-site – Full Line	610 South Serrano Avenue
Kitchen Sooda	On-site – Beer & Wine	618 South Serrano Avenue
Beul	On-site – Beer & Wine	3819 West 6 th Street
Hera	On-site – Full Line	3879 Wilshire Boulevard
Star Night	On-site – Full Line	3855 Wilshire Boulevard

Yasiknara	On-site – Beer & Wine	3871 Wilshire Boulevard
Denny's	On-site – Beer & Wine	3750 Wilshire Boulevard
Wiltern Theater	On-site – Full Line	3780 Wilshire Boulevard
Apartment 503	On-site – Full Line	3680 Wilshire Boulevard, Suite 530
Parao	On-site – Full Line	3680 Wilshire Boulevard, Suite B2
A Won Japanese Restaurant	On-site – Beer & Wine	3680 Wilshire Boulevard, Suite 201
Café Scent	On-site – Beer & Wine	3680 Wilshire Boulevard Sp, #P01, P02, P03
Young Dong Restaurant	On-site – Beer & Wine	3828 Wilshire Boulevard
M Grill	On-site – Full Line	3832 Wilshire Boulevard, Suite 202
Sushi Ippo	On-site – Beer & Wine	3800 West Wilshire Boulevard, #110F

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. The number of active on-site ABC licenses within the census tract where the subject site is located exceeds the ABC guidelines. 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 a significant employee population, in addition to the 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. In this case, the project is a restaurant located in a heavily urbanized and highly trafficked neighborhood with a high number of commercial establishments and services. In such an area, a higher number of alcohol licenses would be expected in conjunction with unique commercial services in the area. The project will continue to provide a dining option that will cater to both local residents and workers as well as tourists and visitors, and thus, will provide a beneficial service.

According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 2024, which has jurisdiction over the subject property, a total of 287 crimes were reported in 2022 (287 Part I Crimes and 24 Part II Arrests), compared to the Citywide Average of 156 crimes and the High Crime Reporting District Average of 187 crimes. Part II Arrests reported include (5) Narcotics, (0) Liquor Laws, (0) Public Drunkenness, (0) Disturbing the Peace, (0) Disorderly Conduct, (0) Gambling, and (5) DUI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the

accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

The above statistics indicate that the crime rate in Reporting District 2024 is higher than the citywide average, and there has been no evidence submitted for the record establishing any nexus between the subject site and the area's crime rate. The project will not adversely affect public welfare because it is a desirable use and convenient amenity in an area designated for such neighborhood-serving commercial uses. The Los Angeles Police Department submitted no communication in support or opposition to the project. Nevertheless, conditions, such as those related to the STAR/LEAD/RBS Program, age verification, and security cameras, have been imposed by the Zoning Administrator in conjunction with this approval. Public safety measures to mitigate nuisance and criminal activities have been incorporated into the grant to assure better oversight. Further conditions may be imposed by the California Department of Alcoholic Beverage Control as conditions on the alcohol license. Therefore, as conditioned, the use is not expected to contribute to the area's crime rate or generate any nuisance activity and will not result in an undue concentration of establishments providing alcohol.

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

The project site is zoned for commercial uses and will continue to be utilized as such with the proposed project. The following sensitive uses are located within a 1,000-foot radius of the site:

Schools/Day Care	
Straight Perm Beauty School	3863 West 6 th Street
International Christian Education College	3807 Wilshire Boulevard, #730
Hera's Income Tax School	3966 West 6 th Street
Cinema Makeup School	3780 Wilshire Boulevard Study Room
ECC Academy School	3850 Wilshire Boulevard, #103
Soriel Music Academy	3850 Wilshire Boulevard, #309
Merit University	3699 Wilshire Boulevard, #970
CBD College Vocational School	3699 Wilshire Boulevard, 4 th Floor
Religious Institutions	
Christ Church	635 South Manhattan Place
Mijoo Yangkogh Church	519 South Western Avenue
LA Buddhist Temple of the Singak Sect	524 South Serrano Avenue
Hospitals	
N/A	N/A

Parks and Recreation	
Liberty Park	3700 Wilshire Boulevard
Westmore Dance Studio	607 South Western Avenue, 3 rd Floor

No communication or testimony has been received by any representative of the identified sensitive uses expressing concern or opposition to the project or request. Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The project site is located at the intersection of Western Avenue and 6th Street in the Koreatown community which is developed with commercial buildings, mixed-use developments and high-density residential uses.

No violations have been noted, and no complaints have been lodged. The grant has been well conditioned, which should protect the health, safety, and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. Numerous conditions have been incorporated into this grant to minimize the potential for adverse effects on the community. The project is consistent with the zoning and in keeping with the existing uses adjacent to the development. This project will contribute to the neighborhood and will serve the neighboring residents and the local employees as well as visitors. Therefore, for the reasons given, the proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, schools similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including full line of alcoholic beverages.

MINI SHOPPING CENTER/COMMERICAL CORNER FINDINGS

7. **Based on data provided by the City Department of Transportation or by a licensed traffic engineer, that ingress to or egress from the project will not create a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets.**

The request 11 a.m. to 4 a.m. operations, daily, exceeds the otherwise permitted hours of operation from 7 a.m. to 11 p.m., daily, within a commercial corner development. The 11 a.m. to 4 a.m. operations will have no significant increase in traffic congestion or disruption of vehicular circulation on adjacent streets as this represents hours outside of peak traffic periods and no new access is proposed to adjacent public rights-of-way.

8. **Project approval will not create or add to a detrimental concentration of Mini-Shopping Centers or Commercial Corner Developments in the vicinity of the proposed project.**

The applicant seeks to have hours of operation that extend beyond the 7 a.m. to 11 p.m. limitation for uses located within a Commercial Corner Development/Mini-Shopping Center, on property zoned for commercial use. No new construction is

proposed. The proposed 11 a.m. to 4 a.m. daily operations, daily, do not result in an increase in the concentration of Commercial Corner Developments or Mini-Shopping Centers in the vicinity of the proposed project.

ADDITIONAL FINDING

9. 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. 186,952, have been reviewed and it has been determined that this project is located outside of a flood zone

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (<https://planning.lacity.org/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>.
Public offices are located at:

*Metro DSC
(213) 482-7077
201 North Figueroa Street,*

*Van Nuys DSC
(818) 374-5050*

*West Los Angeles DSC
(CURRENTLY CLOSED)
(310) 231-2901*

4th Floor
Los Angeles, CA 90012
Planning.figcounter@lacity.org

6262 Van Nuys Boulevard,
Suite 251
Van Nuys, CA 91401
Planning.mbc2@lacity.org

1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
Planning.westla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

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.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City's BuildLA portal (appointments.lacity.org). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to Online
Appeal Filing



QR Code to Forms for
In-Person Appeal Filing



QR Code to BuildLA
Appointment Portal for
Condition Clearance

Inquiries regarding this matter should be directed Ricardo Vazquez at (213) 978-1353 or ricardo.vazquez@lacity.org.

A handwritten signature in blue ink, reading "Jordann F.D. Turner".

JORDANN TURNER
Associate Zoning Administrator

JT:RV:nm

cc: Councilmember Heather Hutt
Tenth Council District
Adjoining Property Owners