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April 20, 2021

Zach Negin (A)
Tabula Rasa Bar, LLC
1525 Hollywood Boulevard
Los Angeles, CA 90027

Irwin and Maxine Tuchfeld
2014 Revocable Trust (O)
5119 Hollywood Boulevard
Los Angeles, CA 91362

CASE NO. ZA-2015-3350-CUB-SPP-PA1
PLAN APPROVAL
5125 Hollywood Boulevard
Hollywood Planning Area
Zone : C2-1D
C.D. : 13 – O'Farrell
D.M. : 148-5A195
CEQA: ENV-2020-5993-CE
Legal Description: Lots 59 & 59, Winona
Tract

Pursuant to California Environmental Quality Act (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, I hereby APPROVE:

a Plan Approval for the continued sale and dispensing of beer and wine for on-site consumption, and to allow the sale of beer and wine for off-site consumption in conjunction with an existing bar located in the C201D 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 ~~Development Services Center~~ 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 the 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 Development Services Center or the Condition Compliance Unit for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or Condition Compliance Unit for inclusion in the case file.
7. **[MODIFIED]** Authorization:
 - a. Approved herein is the continued sale and dispensing of beer and wine for on-site consumption and the sale of beer and wine for off-site consumption in conjunction within a 1,250 square-foot bar, a 380 square-foot rear patio and a 32 square-foot front patio within an existing one-story building. The subject property shall be limited to commercial uses permitted in the C1.5 Limited Commercial Zone by Section 12.13.5 of the Code.
 - b. **[MODIFIED]** Maximum seating shall not exceed 63 interior seats and 38 exterior seats within the rear patio for a total of 101 seats. Note: No seating is proposed within the 32 square-foot front patio.
 - c. **[MODIFIED]** Hours of operation for the interior bar shall be limited to ~~the~~ following hours: 10:00 a.m. to 2:00 a.m., daily.

Monday-Thursday	11 a.m. to 1 a.m.
Friday	11 a.m. to 2 a.m.
Saturday	10 a.m. to 12 midnight
Sunday	10 a.m. to 11 p.m.

Hours of operation for the rear patio shall be limited to following:

Monday-Thursday	-	10 a.m. to 11 p.m.
Friday	-	10 a.m. to 12 midnight
Saturday	-	10 a.m. to 12 midnight
Sunday	-	10 a.m. to 11 p.m.

There shall be no after-hours use of the facility, other than for routine cleanup and maintenance.

8. **[MODIFIED]** ~~Proposed storefront renovations shall be in conformance with the revised plans dated December 3, 2015.~~ Any future modifications to the exterior shall obtain further review and approval from Office of Historic Resources (OHR) staff for compliance with the Secretary of Interior's Standards.
9. All future signs shall be reviewed by Plan Implementation staff for compliance with the Vermont/Western Station Neighborhood Area Plan signage guidelines and regulations, and the Office of Historic Resources for compliance with the Secretary of Interior's Standards. Filing for a Project Permit shall not be necessary unless a Project Permit Adjustment or Exception is required. Any pole, roof or off-site sign, any sign containing flashing, mechanical or strobe lights are prohibited. Canned signs should not be used.
10. No entertainment is permitted without the approval of a Specific Plan Exception. Live entertainment such as live music, Disc Jockey, or Karaoke nights are prohibited.

A soloist, duo or trio shall not be deemed a violation of this condition provided the music is acoustical in nature and does not extend to the patio area. Any noise emitted that is under the control of the applicant shall not extend beyond the establishment.
11. There shall be no outside speakers installed in the patio area. The operator shall create a sound barrier along the edge of the patio area with a row of plants in planters, clear vinyl plastic curtain or similar material to prevent any sound travel outside of the premises.
12. The use of mass transit shall be promoted on the establishment's website and other social media outlets.
13. If not currently available, lighting shall be installed to provide visibility to the loading area at the rear of the subject building. All exterior lighting sources shall be: maintained and provide sufficient illumination of the immediate environment so as to render persons clearly visible; directed onto the subject property in order to prevent glare; and shielded such that the light source is not visible from adjacent properties, specifically, the residential uses to the north.
14. Trash and recycling bins and storage areas shall be located within a gated, covered enclosure constructed of materials identical to the exterior wall materials of the building. The enclosure shall be a minimum of 6 feet high, and shall have a separate area for recyclable materials.

15. Delivery, trash pickups and disposal of bar waste, including the disposal of bottles, shall be conducted no earlier than 8:00 a.m. and no later than 6:00 p.m., daily.
16. Only the front door shall be used for patron access. All other doors shall be equipped on the inside with an automatic locking device and shall be kept closed at all times other than to permit temporary access for delivery of supplies and trash removal. These doors shall not consist solely of a screen or ventilated security door but shall be solid.
17. Partitions separating booth/dining areas shall not exceed 54 inches in height. No obstructions shall be attached, fastened or connected to the booth/dining areas within the interior space for the facility that restrict, limit, or obstruct the clear observations of the occupants.
18. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and private security.
19. There shall be no pool/billiard tables, video games, dart games, or coin-operated game machines or similar game devices maintained upon the premises at any time.
20. No person under 21 years of age shall sell or deliver alcoholic beverages.
21. An electronic age verification device shall be retained on the premises available for use during operational hours. This device shall be maintained in operational condition and all employees shall be instructed in its use.
22. No deviations from any other Municipal Code zoning regulations have been requested or granted herein.
23. The operator shall staff a doorman in place checking patrons' I.D. from 9:00 p.m. to the closing time during weekends, and weeknights as needed. The doorman will serve the dual role of ensuring that no underage persons are admitted to the premises, and as a security monitoring street activity immediately at the storefront. The door man will also be able to walk staff safely to their cars at the end of the work shift.
24. No admission or cover charge is permitted to be collected for admission into the bar. Any advertisement of an admission charge or cover charge is prohibited. Charitable events or Spoken-word events/seminars where pre-sales tickets may be necessary due to limited seating shall not be deemed a violation of this condition.
25. There shall be no Adult Entertainment of any type pursuant to Section 12.70 of the Municipal Code. No dancing will be allowed at the location.
26. A Designated Driver Program shall also be made available to patrons. The availability of this program shall be made known to patrons either via a two-sided card placed on all tables and or a program description printed on the menu.

27. **[MODIFIED]** 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, ~~which will cover all common areas as well as high-risk areas, sidewalk areas, and entrances and exits of the premises. Video tapes shall be maintained for 90 days and shall be made available to the Police Department or other enforcement agency upon request.~~
28. **[MODIFIED]** Prior to the utilization of this grant, a telephone number and email address ~~A 24-hour "hot line" phone number shall be provided for the receipt of complaints or concerns from the community regarding the subject facility. The phone number and email address shall be posted at the following locations: and shall be:~~
- ~~a. — Posted at the entry.~~
 - ~~b. — Posted at the Customer Service desk.~~
 - ~~c. — The property owner/operator shall keep a log of complaints received, the date and time received, and the disposition of the response.~~
 - ~~d. — The log shall be available for inspection by the LAPD, the State Alcoholic Beverages Control Board staff and the Department of City Planning upon request.~~
- a. Entry, visible to pedestrians;
 - b. Customer service desk, front desk or near the entrance;
 - c. The applicant shall document and maintain a log of complaints received, the date and time received and the disposition of the response. The log shall be made available for review by the Los Angeles Police Department and the Zoning Administrator upon request.
29. **[DELETED]** ~~The applicant shall document and maintain a log of complaints received, the date and time received and the disposition of the response. The log shall be made available for review by the Los Angeles Police Department and the Zoning Administrator upon request. All trash, recycling, and storage areas shall be completely enclosed.~~
30. **[MODIFIED]** ~~Any music, sound or noise emitted from the subject business shall comply with the noise regulations in the Los Angeles Municipal Code, which is under control of the applicant shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance) and shall not be audible beyond the subject premises. At any time during the term of the grant a City inspector may visit the site during operating hours to measure the noise levels using a calibrated decibel/sound level meter. If, upon inspection, it is found that the noise level exceeds those allowed by the Citywide Noise Ordinance, the owner/operator will be notified and will be required to modify or, eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.~~

31. The property and all associated parking, including any adjacent area under the control of the operator, sidewalk and alley shall be maintained in an attractive condition and shall be kept free of obstruction, trash, litter and debris at all times.
32. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licensee 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 customer.
33. The applicant shall provide the Zoning Administrator a copy of each license, suspension thereof, or citation issued by the State Department of Alcoholic Beverage Control or the Los Angeles Police Department upon such instance.
34. No portion of the restaurant shall be deemed to be "private", for the purpose of dispensing alcoholic beverages to selected patrons. At no time shall any form of membership card or compensation be a pre-requisite for admission to the restaurant at large, or to any sub-portion of the restaurant.
35. Loitering is prohibited on or around the premises, and the area under the control of the applicant.
36. **[MODIFIED]** Within six months of the effective date of this action, all employees involved with the sale of alcoholic beverages 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 Alcohol Beverage Control to issue a letter identifying which employees completing the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment. The applicant shall transmit a copy of the letter from the Police Department to Development Services Center or Condition Compliance Unit as evidence of compliance during effectuation.
37. A copy of the conditions of this letter of determination, and valid business permit, shall be retained on the premises at all times and be immediately produced upon the request of any Los Angeles Police officer, employee of the State Department of Alcoholic Beverage Control, or the City's Department of City Planning. Additionally, a copy shall be provided to all employees who shall sign an acknowledgement form stating that they have read and understood all of the ABC and conditional use permit conditions.
38. **[DELETED]** ~~The authorization granted herein for the sale of beer and wine on the subject premises is for a period of five (5) years from the effective date of this grant. Thereafter, a new authorization shall be required to continue the sale of beer and wine.~~
39. 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 shall have the right to require the applicant to file a plan approval application together with the associated fees and to hold a public hearing to review the applicant's compliance with, and effectiveness of, the conditions of the grant. The applicant shall be required to submit a summary and supporting documentation demonstrating how compliance with each condition of the grant has been attained. Upon review, the Zoning Administrator may modify, add or delete conditions and reserves the right to conduct the public hearing for nuisance abatement revocation purposes if so warranted by documentation

40. 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, including insuring that no activities associated with narcotics sales, use or possession, gambling or prostitution occur.
41. ~~[DELETED] Prior to the beginning of operations, the applicant shall notify the Condition Compliance Unit via email or U.S. Mail when operations are scheduled to begin and shall submit a copy of the Certificate of Occupancy for the Case File. The notification shall be submitted to planning.ccu@lacity.org, with the subject of the email to include the case number, "ZA-2015-3350-CUB-SPP/Operation Notification". The applicant shall also submit (attached or mailed) evidence of compliance with any conditions which require compliance "prior to the beginning of operations" as stated by these conditions.~~
42. ~~[DELETED] Prior to the beginning of operations, the manager of the facility shall be made aware of the conditions and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees shall be provided to the Condition Compliance Unit within 30 days of the beginning day of operation of the establishment. The statement shall read as follows,~~

~~*We, the undersigned, have read and understand the conditions of approval to allow the sale and dispensing of a beer and wine only for on-site consumption, in conjunction the bar, known as Tabula Rasa Bar, and agree to abide and comply with said conditions.*~~
43. 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 has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the Condition Compliance Unit 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 Condition Compliance Unit within 30 days of the beginning day of his/her

new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.

44. ~~[MODIFIED] 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 at any time during the period of validity of this grant, documented evidence is submitted showing continued violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The Zoning Administrator reserves the right to call for a public hearing requiring the applicant to file for a plan approval application. The application, in association with the appropriate fees, shall be submitted to the Department of Planning, Condition Compliance Unit within 30 days of the date of legal acquisition by the new owner or operator. 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.~~

At any time during the period of the validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (upon his/her initiative, or upon written request by the 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 the LAMC, 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 LAPD'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.

45. **MViP - Monitoring, Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector may 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 used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be 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 therein, may result in denial of future requests to renew or extend this grant.

46. **[MODIFIED] 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 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 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 \$25,000 \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, 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, commission, committees, employees and volunteers.

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

47. **[NEW]** Parking shall be provided in compliance with the code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.

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 **MAY 05, 2021**, 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) 231-2588

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 Tuesday, April 6, 2021, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a plan approval under the provisions of Section 12.24 have been established by the following facts:

BACKGROUND

The subject property is a relatively level, L-shaped lot comprised of three contiguously owned parcels of land located on Hollywood Boulevard between Normandie Avenue and Winona Boulevard. The property has an 80-foot frontage along Hollywood Boulevard with a uniform depth of approximately 125 feet and 15 feet of frontage along Winona Boulevard with a uniform depth of 175 feet, for a gross lot area of 12,691 square feet. The property is zoned C2-1D and is currently developed with a 5,600 square-foot, one-story commercial building built in 1924, containing four tenant spaces. Pedestrian access to the building is along the Hollywood Boulevard frontage, while vehicular access is available from Winona Boulevard, though no parking is provided on-site. The property is located within the Hollywood Community Plan area and is subject to the regulations set forth within Subarea B (Mixed Use Boulevards) of the Vermont/Western Station Neighborhood Area Plan (SNAP). The subject building is listed on SurveyLA as having the potential to be an historic resource.

The subject tenancy is currently occupied by 1,250 square feet wine bar called Tabula Rasa Bar located at the westerly end of the building. The applicant is seeking a Plan Approval to a Conditional Use Permit that was granted on January 26, 2016 to allow the continued sale and dispensing of beer and wine for on-site consumption and to add the sale of beer and wine for off-site consumption in conjunction with an existing 1,250 square-foot bar, a 380 square-foot rear patio and a 32 square-foot front patio. The existing bar maintains the 63 indoor seats and 38 seats within a rear outdoor patio, for a total of 101 seats on-site. Hours of operation are requested to be extended from Monday through Friday, from 11:00 a.m. to 2:00 a.m., and Saturday and Sunday from 10:00 a.m. to 2:00 a.m. to 10 a.m. to 2 a.m., daily. Hours of the rear patio would close by 11 p.m., Sunday through Thursday, and by 12 midnight, Friday and Saturday. No entertainment is proposed or permitted within Subarea B of the SNAP.

SURROUNDING PROPERTIES

Surrounding properties are within the C2-1D and R3-1 Zones, characterized by level topography and improved streets, and developed with a variety of neighborhood serving commercial uses along Hollywood Boulevard, with residential uses to the north along Winona Boulevard.

The adjacent property to the north, fronting on Winona Boulevard, is zoned R3-1 and improved with a two-story, multifamily residential apartment building. The adjacent properties to the east and west area zoned C2-1D and developed with a surface parking lot and a motel, respectively. The adjacent properties to the south, across Hollywood

Boulevard, are zoned C2-1D and developed with a mini-shopping center containing retail and restaurant uses.

STREETS

Hollywood Boulevard, adjoining the property to the south, is an Avenue I dedicated to a width of approximately 70 feet and fully improved with curb, gutter and sidewalk.

Winona Boulevard, adjoining the property to the west, is a Local Street-Standard, dedicated to a width of 36 feet and is fully improved with curb, gutter and sidewalk.

REVIEW OF COMPLIANCE OF CONDITIONS

As part of the application, the applicant submitted supporting documentation that they are in full compliance with the conditions as part of Case No. ZA-2015-3350-CUB-SPP.

Previous Cases, Affidavits, Permits, and Orders on the applicant's Property:

Case No. ZA-2015-3350-CUB-SPP – On January 26, 2016, the Zoning Administrator, pursuant to Los Angeles Municipal Code Sections 12.24-W,1, and 11.5.7 C of the Vermont/Western Station Neighborhood Area Specific Plan, Ordinance 173,749, approved a Conditional Use to allow the sale and dispensing of beer and wine only for on-site consumption in conjunction with a bar located in the C2-1D Zone; and a Project Permit Compliance Review to allow a change of use from retail to a beer and wine bar within 1,250 square feet of floor area of an existing one-story commercial building located in Subarea B of the Vermont/Western Station Neighborhood Area Plan,

Previous Cases on Surrounding Properties

Staff utilized a 600-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 related cases were filed within the past 10 years and identified to be within 600 feet of the project site:

Case No. ZA 2013-1818(CUB) – On December 19, 2013, the Zoning Administrator approved a Conditional Use Permit at 5112 Hollywood Boulevard, #105-107, to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing full service restaurant located in the C2-1D Zone.

Case No. ZA 2011-3171(CUB) – On March 19, 2012, the Zoning Administrator approved a Conditional Use Permit at 5112 Hollywood Boulevard, #108-109, to allow the sale and dispensing of a full line of alcoholic beverages, in conjunction with an existing 1,350 square-foot restaurant/bakery with live entertainment located in the C2-1D Zone.

Case No. ZA 2010-2076(CUB) – On May 25, 2011, the Zoning Administrator approved a Conditional Use Permit at 5112 Hollywood Boulevard, #101, to allow the sale and dispensing of beer and wine only for on-site consumption in conjunction with an existing restaurant located in the C2-1D Zone.

Case No. ZA 93-0657(CUB)(CUX) – On October 8, 1993, the Zoning Administrator approved a Conditional Use Permit at 5050 and 5060 Hollywood Boulevard to allow the sale and dispensing of alcoholic beverages for on-site consumption, and a Conditional use Permit to allow a dance floor in conjunction with a proposed rental banquet hall and food permit in the C2-1D Zone.

Case No. ZA 91-1055(CUB)(CUX) - On January 16, 1992, the Zoning Administrator denied a Conditional Use Permit at 5075 Hollywood Boulevard to allow the establishment and maintenance of a 400 square-foot dance floor with live entertainment and the sale and dispensing of alcoholic beverages for on-site consumption in conjunction with the operation of a proposed restaurant accommodating a maximum of 68 patrons, and hours of operation from 11 a.m. to 10 p.m., Monday, Wednesday and Thursday; and 11 a.m. to 2 a.m. on Friday and Saturday; and 11 a.m. to midnight on Sunday.

PUBLIC CORRESPONDENCE

An email dated March 30, 2021 by Luke Klipp was received expressing support for the project.

A letter dated March 28, 2021 by Isaac Nurick was received expressing support for the project.

A letter dated March 26, 2021 by Heather Carmichael was received expressing support for the project.

A letter dated March 25, 2021 by Emily Cosgove was received expressing support for the project.

A letter dated March 25, 2021 by Royce Burke was received expressing support for the project.

A letter dated March 25, 2021 by Barnett Cohen was received expressing support for the project.

A letter dated March 24, 2021 by Kristen Fuhs was received expressing support for the project.

A letter dated March 24, 2021 by Molly Howard was received expressing support for the project.

A letter dated March 23, 2021 by Rachel Moore was received expressing support for the project.

A petition of support with 88 names was submitted for the case file.

A letter dated September 15, 2020, was submitted by the Los Feliz Neighborhood Council, expressing the neighborhood councils full support for the request.

PUBLIC HEARING

A virtual public hearing was held on April 6, 2021 at 10:30 a.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the hearing was conducted entirely telephonically. The hearing was attended by the applicant, Zach Negin, and two other people.

Mr. Negin made the following statements:

- The restaurant has been operating for five years. It was chosen the number one wine bar.
- He has lived in the area for the past six years.
- He gives back to the community every Tuesday. A percentage of sales goes to different organizations.
- The past year has had many struggles.
- There has been no change from how we operated. Off-site sales has helped us diversify our revenue streams.
- Numerous letters of support were collected.
- There is a petition of support with 92 signatures supporting out requests.
- Council Office is in support. LAPD has stated they have no issues. The neighborhood council has issued their full support.

During the public comment portion of the public hearing, two speakers provided testimony.

The first speaker, Ramsey G., stated his support. The owner has done great work supporting the community. Interaction with the owner has been good, and the owner is committed to investing in the neighborhood.

The second speaker, Craig Bullock, Planning Director for Council District 13, stated the council office's support for the request. This past year has been challenging for many restaurants and bars, and this is a well-run establishment.

At the conclusion of the public hearing, the Zoning Administrator stated he would approve the request.

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.

- These conditions of approval shall be retained on the premises at all times and be immediately produced upon the requested of any peace officer.

AUTHORITY FOR PLAN APPROVAL

Section 12.24-M of the Los Angeles Municipal Code provides in part:

"M." Development, Change or Discontinuance of Uses:

1. Development of Site. On any lot or portion thereof on which a conditional use is permitted pursuant to the provisions of this section, new buildings or structures may be erected, enlargements may be made to existing buildings, existing uses may be extended on an approved site, and existing institutions or school developments may be expanded as permitted in Subsection L of this Section, provided plans therefore are submitted to and approved by the Commission or by a Zoning Administrator, whichever has jurisdiction at that time.

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 Sections 12.24-M and 12.24-W of the Los Angeles Municipal Code. In order for the Plan Approval for the sale and dispensing of a full line of alcoholic beverages for on-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

FINDINGS

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

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

The project continues the sale and dispensing of beer and wine for on-site consumption and allows the sale of beer and wine for off-site consumption in conjunction with an existing bar. The project will remain a wine bar and will continue to be neighborhood serving by offering a place to enjoy beer and wine and to offer convenience to patrons who wish to purchase a bottle of wine to either give as a gift or enjoy at home.

The subject property is a relatively level, L-shaped lot comprised of three contiguously owned parcels of land located on Hollywood Boulevard between Normandie Avenue and Winona Boulevard. The subject site is currently improved with a 5,600 square-foot, one-story commercial building built in 1924, containing four tenant spaces. The property is zoned C2-1D with an underlying land use designation of Highway Oriented Commercial, and is permitted C1.5 uses per the Vermont/Western SNAP. Vehicular access to the property is available by way of Winona Boulevard, though there is no parking on-site.

The subject site is located within an area that is established as a retail corridor that shares a similar massing, scale and intensity of use for the surrounding residents. It is also accessible by car, foot, and public transit. The beer and wine bar enhances the existing building by continuing to inject much needed business activity in an area once subject to vacancy and blighted commercial space. Throughout its years of operation, the applicant has created a neighborhood gathering spot with beer, wine, and food service for local residents to enjoy. The service and function provided by the proposed project is considered as beneficial and convenient to the community.

The subject bar, Tabula Rasa, will continue to serve the public and provide an amenity within walking distance to local residents in the surrounding neighborhood. Tabula Rasa distinguishes itself from other nearby grocery and liquor stores. The applicant aims to continue to provide a setting for the local neighborhood to gather and enjoy beer and a wine selections. With conditions of this grant, the subject operation will continue to be compatible with surrounding uses.

Tabula Rasa has operated since March 2020 with no on-site sale and consumption of beer and wine. Instead, in conformity with these emergency orders, Tabula Rasa temporarily offered the sale of beer and wine to patrons for off-site consumption in order to mitigate the spread of the COVID-19 virus. Through this plan approval, the Applicant modified their mode by adding the sale and dispensing of beer and wine for off-site consumption. This modification will provide a function and service in times of uncertainty by allowing continuity for the community, city, and region to purchase beer and wine options procured from local and other small wineries and breweries.

Therefore, based on the facts herein and in conjunction with the imposition of conditions addressing operational and alcohol-related issues, it can be found that the project will enhance the built environment in the surrounding neighborhood and provide a service that is beneficial to the community, city or region.

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

The plan approval allows the continued sale and dispensing of beer and wine for on-site consumption, as well as the sale of beer and wine for off-site consumption, in conjunction with an existing 1,250 square-foot bar, having a 380 square-foot

rear patio and a 32 square-foot front patio. The existing bar contains 63 indoor seats and 38 seats within a rear outdoor patio, for a total of 101 seats on-site. Proposed hours of operation would be expanded to 10:00 a.m. to 2:00 a.m., daily. Outdoor patio hours would end by 11 p.m., Sunday through Thursday, and by 12 midnight on Friday and Saturday. Up to three musicians, acoustical in nature, playing jazz, bluegrass, or contemporary music will be offered on occasion in the bar, intended to provide ambient background music for patrons. In conformance with Subarea B of the SNAP, there is no live entertainment with public patron dancing offered and there will be no live music on the outdoor patio.

Surrounding properties are within the C2-1D and R3-1 zones, and are developed with a variety of neighborhood serving commercial uses along Hollywood Boulevard, with residential uses to the north along Winona Boulevard. Given there is a rear patio abutting residential properties fronting Winona Boulevard, the rear patio closing at these times would be compatible with those uses.

The grant limits operating hours for the rear patio at nighttime, and will restrict any music from being played in the rear outdoor patio. The operator also is required to maintain a sound buffer to prevent any loud noise overflowing to the adjacent areas. Activities and sounds taking place at interior bar will not be a nuisance as the bar is within an enclosed building with only one exit to Hollywood Boulevard and away from the residential uses to the rear. The weekend opening times will not present a nuisance as the noise concerns would take place at night and not during the mid-morning hours.

The subject building is listed on SurveyLA as having the potential to be an historic resource. Previous exterior alterations, permitted in 2016, were vetted by the Department of City Planning Office of Historic Resources (OHR) to ensure compliance with the Secretary of Interior's Standards. No building alterations are proposed in conjunction with this entitlement request. A Condition of Approval of the existing grant, which is not proposed to be modified, was added to ensure that any future modifications to the exterior return to the OHR for review.

The existing grant, as conditioned and modified, should not disrupt or interfere with the peaceful enjoyment of the adjoining and neighboring properties. Furthermore, as conditioned, the on- and off-site sale of alcoholic beverages shall occur within a controlled environment within the bar by trained employees, subject to numerous security measures. Additional conditions include, but are not limited to, limited hours of operation, limited hours of delivery and trash pickups, surveillance cameras, STAR training, designated driver incentives, and prohibition of live entertainment with public patron dancing on-site.

Therefore, based on the facts herein and in conjunction with the imposition of operational conditions, 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 subject property is located within the Hollywood Community Plan area and has an underlying land use designation of Highway Oriented Commercial with corresponding zones C1, C2, P, RAS3 and RAS4. The property is also located within Subarea B (Mixed Use Boulevards) of the Vermont/Western SNAP, which further limits permitted land uses to those in the C1.5 Zone. The project has been determined to be in compliance with the Specific Plan, which is evaluated in the Findings below.

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. One of the objectives of the Hollywood Community Plan includes promoting economic well-being and public convenience through allocating and distributing commercial lands for retail, service and office facilities in quantities and patterns based on accepted planning principles and standards. The subject property is planned and zoned for commercial uses and, as demonstrated in the findings above, allowing a beer and wine bar to operate out of the subject location would provide a public convenience for the surrounding neighborhood. Additionally, the majority of the policies derived from Elements are in the form of Code Requirements of Los Angeles Municipal Code. The conditional authorization for the plan approval is allowed through the approval of the Zoning Administrator subject to certain findings, of which have been made herein. Therefore, it can be found that granting of the conditional use with the conditions of approval will allow the proposed project to continue to be neighborhood serving, while providing a service and convenience for the neighborhood. The proposed use will substantially conform with the purpose, intent and provisions of the General Plan and the applicable community plan.

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

The subject wine bar is located in a commercial area near other similar alcohol-serving establishments. Surrounding properties are within the C2-1 D and R3-1 zones and are developed with a variety of neighborhood-serving commercial uses along Hollywood Boulevard, with residential uses to the north along Winona Boulevard. The project continues an existing use and does not significantly change its operating characteristics.

The subject property is zoned for commercial uses and will continue to operate as such. Additionally, existing conditions of approval ensure the use will not be materially detrimental to the character or the development in the immediate neighborhood. Said conditions include, but are not limited to: limited hours of operation, further limited hours for the outdoor patio which abuts residential uses, limited hours for delivery and trash pickups, the requirement for on-site surveillance cameras, requirement for a 24-hour hotline, the requirement for designated driver incentives, and the requirement for employee STAR training. Therefore, based on the information herein, and in conjunction with the operational

conditions, the proposed use will not adversely affect the welfare of the pertinent community.

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 State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, three (3) on-sale and one (1) off-sale licenses are allocated to subject Census Tract No. 1904.01. There are currently 7 on-site and 3 off-site licenses in this Census Tract.

- (0) Type 20 Off Sale Beer and Wine
- (1) Type 21 Off Sale General
- (0) Type 40 On Sale Beer
- (2) Type 41 On Sale Beer and Wine - Eating Place
- (1) Type 42 On Sale Beer and Wine - Public Premises
- (2) Type 47 On Sale General - Eating Place
- (2) Type 48 On Sale General - Public Premises
- (1) Type 58 Off Sale
- (1) Type 77 Off Sale

According to statistics provided by the Los Angeles Police Department,

According to statistics provided by the Los Angeles Police Department, which has jurisdiction over the subject property, within Crime Reporting District No. 639 there are 180 Part 1 crimes and 42 Part 2 crimes, for a total of 222 crimes, were reported in the year 2020, compared to the citywide average of 141 crimes and the high crime reporting district average of 169 (120% of the Citywide Average) crimes for the same period.

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 site is located in an area of concentrated commercial development with existing alcohol establishments. In addition, conditions have been imposed to mitigate any adverse impacts on the area, including the requirement for surveillance cameras and limited hours of operation. Letters of support have also been submitted by surrounding residents expressing support for the project.

Although the number of existing licenses is above the number currently allocated, the project site is located in an area of concentrated commercial development with existing alcohol establishments. The operation utilizes an existing alcohol license issued by the ABC and will obtain the ability to sell beer and wine for off-site consumption. With conditions of this grant, the project is not anticipated to be incompatible with surrounding uses.

Therefore, it can be found that the proposed request will not adversely affect the economic welfare of the community or result in an undue concentration of premises for the sale of alcoholic beverages after giving consideration to the State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration and giving consideration to crime rates in the area.

5. **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 currently zoned for commercial uses and is located within the Hollywood Community Plan with an underlying land use designation of Highway Oriented Commercial. Hollywood Boulevard serves as a commercial corridor for about half a mile to a mile in each direction. The subject neighborhood is characterized by a multitude of commercial uses which include other establishments that sell alcohol, as well as existing sensitive uses such as residential, institutional and school uses.

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

Schools

Rose and Alex Pilibos Armenian School	1615 Alexandria Street
Creative Angels Preschool	1725 Mariposa Avenue

Churches

Templo de Christo La Verdad	5158 Hollywood Boulevard
The Church of Jesus Christ & Latter Day Saints	1550 Normandie Avenue

However, being located in a prime commercial area, the diversity and proximity to sensitive uses is not uncommon. To ensure that nearby sensitive uses are adequately buffered from any potential adverse impacts of this project, Conditions of Approval have been included to ensure that no loitering, littering, excessive noise or light will result from the operation of this business. This is in addition to limited hours of operation for the rear patio and delivery and trash pickups, to ensure minimal noise impacts from the business on surrounding residential property, namely the apartment building abutting the subject site to the north. Therefore, as conditioned, it can be found that the continuation of the existing beer and wine bar will not detrimentally affect the nearby residentially zoned communities or create potential nuisances for the surrounding area.

ADDITIONAL MANDATORY FINDINGS

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
8. It has been determined based on the whole of the administrative record that the project is exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Section 15301 (Class 1), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2, applies.

Inquiries regarding this matter shall be directed to Kevin Golden, City Planner, at (213) 978-1396.



HENRY CHU

Associate Zoning Administrator

HC:KSG:bk

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