

APPLICATION FOR DETERMINATION OF "PUBLIC CONVENIENCE OR NECESSITY" ALCOHOL SALES

Pursuant to Section 23958 and 23858.4 California Business and Professions Code

CD 14

TO BE SUBMITTED TO CITY CLERK'S OFFICE ROOM 395, CITY HALL

COUNCIL FILE NO. 13-1176

BACKGROUND INFORMATION

TIME LIMIT FILE: _____

As part of the application, the applicant must submit the names and addresses of property owners of all property adjacent (including across the street/alley) to the subject property on gummed labels. Applicant must also submit the following information: 1) notarized signature, 2) a site plan prepared by a map maker (see Planning Department for map maker's list), 3) one 4- by 6-inch picture of the property from each side of the site, and 4) a copy of all previous building permits for the site (Room 400, 201 North Figueroa Street). When you meet with ABC to get the crime and license concentration information for your site, you must bring back the ABC information (on the ABC form) to the City Clerk.

Project Name EIGHTYTWO L.A.

Address 707 E. 4th PLACE 90013

Type of Business GALLERY & TAVERN STYLE BAR

Applicant TILT DOWNTOWN L.A. PARTNERS, LLC

Name 707 E. 4th PLACE 90013

Address 626 533-2300

Phone Number/Fax Number

Property Owner HBK INVESTMENTS

Name 629 S. CENTRA AVE 90021

Address 213 624-2727

Phone Number/Fax Number

Representative VERONICA BECERRA / RABUILD COMMERCIAL SERVICES

Name 417 B. WEST FOOTHILL BL 91741

Address 213 272-4784

Phone Number/Fax Number

A. PROJECT DETAILS

THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS:

1. Has the City previously approved a conditional use permit for alcoholic beverage sales at this site? Yes X No ___ If Yes, what is the City case number(s) ZA 2013-1326 CUB CUY CU

2. Have you recently filed for a new conditional use permit? Yes X No ___ If Yes, provide the City case number(s) SEE ATTACHED APPROVED DETERMINATION ZA 2013-1326 CUB CUY CU

3. Has a previous ABC license been issued? Yes (No) If Yes, when and what type of license

4. Type of Alcohol Sales Requested (on- or off-site, beer and wine, full alcohol, etc.):
ON SITE FULL ALCOHOL

5. Size of Business 3,618 sq ft

6. % of floor space devoted to alcoholic beverages ± 45%

7. Hours of Operation:

a. What are the proposed hours of operation and which days of the week will the establishment be open? 10:00 A.M. - 2:00 A.M. MON - SUN. 7 DAYS

b. What are the proposed hours of alcohol sales? 10:00 A.M. - 2:00 A.M.

8. Parking:

a. Is parking available on the site? (If so, how many spaces?) YES FOUR (4)
+ 16 ON SITE BICYCLE

b. If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant? —

c. Where? —

d. How many off-site spaces? —

9. Has the owner or lessee of the subject property been suspended from the sale of alcoholic beverages on the subject property or fined by the Alcoholic Beverage Control Department (ABC) in the last 365 days and if so, for what reasons? Provide ABC case number and a copy of final ABC action.

NO

10. Will video game machines or pool or billiard tables be available for use on the subject property and if so, how many? YES - VINTAGE GALLERY COLLECTABLES
UPTO 60-70 UNITS

11. Will you have signs visible on the outside which advertise the availability of alcohol?
NO

12. How many employees will you have on the site at any given time? 8 - 12

13. Will all employees who sell alcohol attend the local State ABC training class on how to properly sell alcohol? YES

14. What security measures will be taken including:

(a) Posting of rules and regulations on the premises to prevent such problems as gambling, loitering, theft, vandalism and truancy.

(b) Will security guards be provided and if so, when and how many?

YES FULL TIME

- 15. Will there be minimum age requirements for patrons? If so, how will this be enforced?
YES - 21 YEARS AND OVER ONLY

- 16. Are there any other alcoholic beverage outlets within a 600-foot radius of the site? Provide names and address of such business and type of business.
YES - SEE ATTACHED

- 17. Are there any schools (public or private and including nursery schools) churches or parks within 1,000 feet of your proposed business? Where? (Give Address)
YES - SEE ATTACHED

- 18. Will the exterior of the site be fenced and locked when not in use?
YES

- 19. Will the exterior of the site be illuminated with security lighting bright enough to see patrons from the street? YES

B. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED WHERE ONLY THE OFF-SITE SALE OF ALCOHOLIC BEVERAGES IS SOUGHT:

- 1. Will the gross sale of alcohol exceed the gross sale of food items on a quarterly basis?

- 2. Will cups, glasses or other similar containers be sold which might be used for the consumption of liquor on the premises?

- 3. Will beer and wine coolers be sold in single cans or will wine be sold in containers less than 1 liter (750 ml)?

- 4. Will "fortified" wine (greater than 16% alcohol) be sold?

C. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED WHERE ONLY THE ON-SITE SALE OF ALCOHOLIC BEVERAGES IS SOUGHT:

- 1. What is the occupancy load as determined by the Fire Department (number of patrons)?
191 INTERIOR, 92 PATIO 283 TOTAL
- 2. What is the proposed seating in all areas? 127 INTERIOR, 40 PATIO 167 TOTAL
- 3. Is there to be entertainment such as a piano bar, juke box, dancing, live entertainment, movies, etc.? (Specify?) LIVE ACOUSTIC MUSIC, DANCING

- 4. If a cocktail lounge is to be maintained incidental to a restaurant, the required floor plans must show details of the cocktail lounge and the separation between the dining and lounge facilities.

5. Food Service

- a. Will alcohol be sold without a food order? YES
- b. Will there be a kitchen on the site as defined in the Los Angeles Municipal Code? NO

6. Will discount alcoholic drinks or a "Happy Hour" be offered at any time?
NO

Provide a copy of the proposed menu if food is to be served.

D. PUBLIC CONVENIENCE AND NECESSITY EVALUATION

The City of Los Angeles is very concerned if a new request to sell alcohol is subject to one of the conditions below. There is a strong likelihood that the City will deny your "public convenience or necessity" application if one of the above listed conditions apply to your site. (It is strongly suggested that you contact your Council Office and discuss your project. If the Council Office does not oppose your project, you should then check with your local area police vice unit as well as the Planning Department Public Counter at (213) 977-6083 for the determination of whether the proposed site is within a Specific Plan area, and the Community Redevelopment Agency (CRA) project staff at (213) 977-1682 or 977-1665, to determine if your site is in a CRA Project Area. If any of the five conditions listed below apply to your site, you should carefully consider if you want to file for a Public Convenience or Necessity finding.

1. The proposed site is in an area with a long-term level of undue concentration of alcoholic beverage outlets.
2. The geographic area is the target of special law enforcement activity, i.e., police task force is working on reducing vice in the area, or eliminating juvenile crime (such as cruising or graffiti) or gang activity.
3. The proposed site is in close proximity to sensitive uses, including schools, parks, churches, youth activities, homeless shelters, mental health or alcohol or drug treatment centers.
4. The geographic area has elevated levels of alcohol-related crimes, including but not limited to: public intoxication, driving under the influence, assault, vandalism, prostitution, drug violations, loitering.
5. The proposed site is located in a Specific Plan or Community Redevelopment Agency Project area which specifically includes a policy to control future alcoholic beverage sales.

- E. If the project site is not subject to one of the above criteria, your project will be evaluated by the City Council with consideration given to the following possible benefits and detriments to the community:

1. Possible Benefits

Would the business:

- a. Employ local residents (how many)
- b. Generate taxes (provide estimate)
- c. Provide unique goods and services (which ones)
- d. Result in an aesthetic upgrade to the neighborhood (in what exact way)
- e. Contribute to the long term economic development (how)
- f. Provide a beneficial cultural/entertainment outlet (specify)

F. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a. The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof).
- b. The information presented is true and correct to the best of my knowledge.

Noah Sutcliffe [Signature]

Scott H. Davids [Signature]
Applicant signature

9/13/2013
Date

[Signature]
Signature of property owner if tenant or lessee is filing application

State of CA

County of Los Angeles

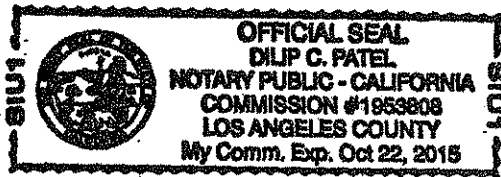
On 9/13/2013 before me, DILIP C. PATEL "NOTARY PUBLIC"
Date Name of Notary Public

personally appeared Noah Sutcliffe & Scott Davids
Name(s) of Signer(s)

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

WITNESS my hand and official seal.

[Signature]
Signature of Notary Public



* The Planning Department has a list of private map makers who will prepare the names and addresses for you. This list is available at the public counter, Room 300, Counter N, 201 North Figueroa Street or 6251 Van Nuys Boulevard, Van Nuys. Alternatively, you may obtain a list of such adjoining owners from the City Clerk's Office (Room 730, 201 North Figueroa Street) or from a title company and prepare the labels yourself.

** You may add additional pages to your response if needed. Please utilize numbering system of this form to assist in the review of the responses.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

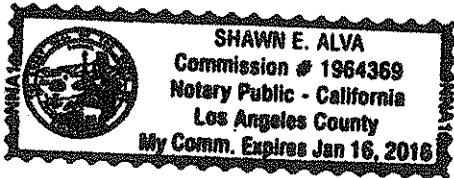
State of California

County of Los Angeles

On Sept. 3, 2013 before me, Shawn E. Alva Notary Public

personally appeared Howard Klein

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



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

WITNESS my hand and official seal

Signature: [Signature]

Place Notary Seal Above

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: PCN

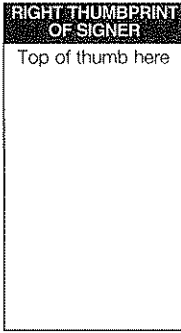
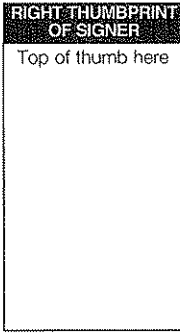
Document Date: 9-3-13 Number of Pages: 6

Signer(s) Other Than Named Above: Noah Sutcliffe / Scott Davids

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

- Corporate Officer — Title(s): _____ Corporate Officer — Title(s): _____
- Individual Individual
- Partner — Limited General Partner — Limited General
- Attorney in Fact Attorney in Fact
- Trustee Trustee
- Guardian or Conservator Guardian or Conservator
- Other: _____ Other: _____



Signer Is Representing: _____

Signer Is Representing: _____

September 4, 2013

John White
City of Los Angeles,
City Clerk Office Rm. 395
200 No. Spring Street
Los Angeles, CA 90012

Re: 707 E. 4th Place
Request for Public Convenience or Necessity of Alcohol Sales

Please find the enclosed application for the PCN related to the sales of alcohol as it is incidental to a gallery and vintage style tavern in the arts district.

It has been difficult to obtain information from the State of California related to the concentration of alcohol, however, please find attached the State of California information obtained from the Department of Alcoholic Beverage Control Web page.

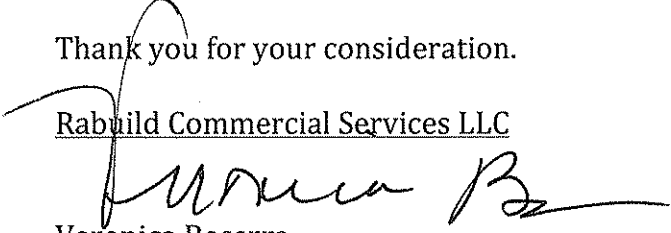
The census tract for this area is 2060.31. There are listed two (2) on site licenses and (1) off site licenses.

This would not be an over concentration of licenses in the area.

Contact information for ABC
213 833-6043

Thank you for your consideration.

Rabuild Commercial Services LLC


Veronica Becerra

213 272 4784

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
NUMBER OF LICENSES AUTHORIZED
BY CENSUS TRACT

COUNTY	CENSUS TRACT	POPULATION	ON SALE	OFF SALE
LOS ANGELES	2033.00	2,607	2	1
LOS ANGELES	2035.00	3,064	2	2
LOS ANGELES	2036.00	5,394	5	3
LOS ANGELES	2037.10	3,259	3	2
LOS ANGELES	2037.20	4,001	3	2
LOS ANGELES	2038.00	4,589	4	3
LOS ANGELES	2039.00	2,944	2	1
LOS ANGELES	2041.10	3,078	2	2
LOS ANGELES	2041.20	2,650	2	1
LOS ANGELES	2042.00	3,303	3	2
LOS ANGELES	2043.00	4,787	4	3
LOS ANGELES	2044.10	2,363	2	1
LOS ANGELES	2044.20	3,138	2	2
LOS ANGELES	2046.00	4,101	3	2
LOS ANGELES	2047.00	4,972	4	3
LOS ANGELES	2048.10	4,478	4	2
LOS ANGELES	2048.20	2,274	2	1
LOS ANGELES	2049.10	3,105	2	2
LOS ANGELES	2049.20	2,598	2	1
LOS ANGELES	2051.10	3,766	3	2
LOS ANGELES	2051.20	3,618	3	2
LOS ANGELES	2060.10	3,127	2	2
LOS ANGELES	2060.20	7,883	7	5
LOS ANGELES	2060.31	2,957	2	1
LOS ANGELES	2060.32	5,275	4	3
LOS ANGELES	2060.50	2,146	2	1
LOS ANGELES	2062.00	3,386	3	2
LOS ANGELES	2063.00	7,540	7	4
LOS ANGELES	2071.01	3,047	2	1
LOS ANGELES	2071.02	2,553	2	1
LOS ANGELES	2071.03	2,077	1	1
LOS ANGELES	2073.01	4,521	4	2
LOS ANGELES	2073.02	3,791	3	2
LOS ANGELES	2074.00	1,363	1	0
LOS ANGELES	2075.01	2,218	2	1
LOS ANGELES	2075.02	2,589	2	1
LOS ANGELES	2077.10	2,490	2	1
LOS ANGELES	2079.00	4,163	3	2
LOS ANGELES	2080.00	6,893	6	4
LOS ANGELES	2083.01	2,201	2	1
LOS ANGELES	2083.02	4,360	4	2
LOS ANGELES	2084.01	3,770	3	2
LOS ANGELES	2084.02	2,775	2	1
LOS ANGELES	2085.01	2,656	2	1
LOS ANGELES	2085.02	3,571	3	2
LOS ANGELES	2086.10	4,195	3	2
LOS ANGELES	2086.20	4,660	4	3
LOS ANGELES	2087.10	4,309	4	2
LOS ANGELES	2087.20	4,179	3	2
LOS ANGELES	2088.01	2,995	2	1
LOS ANGELES	2088.02	2,906	2	1
LOS ANGELES	2089.02	2,339	2	1
LOS ANGELES	2089.03	4,019	3	2
LOS ANGELES	2089.04	3,926	3	2

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Search - Use the options on the left (topics, geographies, ...) to narrow your search results

Your Selections
Your Selections' is empty

To search for tables and other files in American FactFinder:

Select Geographies

CLOSE

Search using the options below:

Topics
(age, income, year, dataset, ...)

Geographies
(states, counties, places, ...)

Race and Ethnic Groups
(race, ancestry, tribe)

Industry Codes
(NAICS industry, ...)

EEO Occupation Codes
(executives, analysts, ...)

List | Name | Address | Map

Enter a street address, city and state, or a street address and ZIP code. Click 'Go'.

Note: address search will use the latest available address data beginning with 2012 and working backwards, based on the contents of Your Selections.

street address:
 city:
 state:
 zip:

Geographies containing 707 E 4th Pl, LOS ANGELES, CA, 90013:

Select geographies to add to Your Selections

Geography Results:

Geography Name	Geography Type	Geography Code
California	State	040
Los Angeles County, California	County	050
Los Angeles CCD, Los Angeles County, California	County Subdivision	060
Block 1039, Block Group 1, Census Tract 2060.31, Los Angeles County, California	Block	100
Census Tract 2060.31, Los Angeles County, California	Census Tract	140
Block Group 1, Census Tract 2060.31, Los Angeles County, California	Block Group within Census Tract	150
Los Angeles city, California	Place within State	160
Los Angeles-Long Beach-Santa Ana, CA Metro Area	Metro/Micro Statistical Area	310
Los Angeles-Long Beach-Glendale, CA Metro Division; Los Angeles-Long Beach-Santa Ana, CA Metro Area	Metro Division within Metro Statistical Area	314
Los Angeles--Riverside--Orange County, CA CMSA	MSA/CMSA	380
Los Angeles--Long Beach, CA PMSA; Los Angeles--Riverside--Orange County, CA CMSA	PMSA within CMSA	385
Los Angeles--Long Beach--Anaheim, CA Urbanized Area (2010)	Urban Area	400
Congressional District 34 (111th Congress), California	Congressional District	500
Congressional District 34 (113th Congress), California	Congressional District	500
State Senate District 22 (2010), California	State Legislative District (Upper)	610
Assembly District 46 (2010), California	State Legislative District (Lower)	620
Voting District 10186, Los Angeles County, California	Voting District/Remainder	700
PUMA5 05417, California	Public Use Microdata Area (PUMA)	795
ZCTA5 90013	5-Digit ZCTA	860
ZIP 90013 (Los Angeles, CA)	5-Digit ZIP Code	861
Remainder of California, California	School District (Elementary)/Remainder	950
Remainder of California, California	School District (Secondary)/Remainder	960
Los Angeles Unified School District, California	School District (Unified)/Remainder	970
Los Angeles city, California	Economic Place	E60

Applicant
Tilt Downtown LA Partners, LLC and Noah Sutcliff and Scott Davids
Site address
707 E. 4th Place Los Angeles, CA 90013

Conditional Use for Alcohol LAMC 12.24-W-1
Conditional Use for Arcade LAMC 12.24-W-34
Conditional Use for Entertainment Dance Section LAMC 12.24-W-18

2. Findings

a. General Conditional Use

- i. That 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 site is located in the Central City North Community Plan area and has a heavy manufacturing land use designation. The project site is a 8,632 sq. ft. site, consisting of an irregular shaped lot bounded by 3rd street and 4th Place. The site is currently improved with a vacant 3,958 sq. ft. single story, free standing structure, with eight (8) parking spaces designated on site.

The applicant is requesting to allow the sale and consumption of a full line of alcohol type 48 license in conjunction with a Gallery Style Tavern and Vintage Style Penny Arcade with Pinball games, using coin, or slug operated or electrically, electronically or mechanically controlled. Entertainment will include live and amplified music within the premises. Dancing is proposed within the premises on a 10'x10' dance floor provided within the premises. Total interior occupancy will be 127. The proposed project includes a garden style outdoor seating area limited to 40 seats.

This location welcomes walk ability, which is encouraged in the downtown community plans. Many efforts are being made by the city to inject nightlife into downtown and give it a walk able effect to achieve the desired round the clock lifestyle desired by the resident and commercial boosters. While a number of patrons are likely to walk and bike from the nearby resident lofts and work places, some are expected to drive. The site is currently vacant.

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

The project site is located in the Central City North Community Plan area also designated "The Arts District" and has a heavy manufacturing land use designation. The project site is a 8,632 sq. ft. site, consisting of an irregular shaped lot bounded by 3rd street and 4th Place. The site is currently improved with a vacant 3,958 sq. ft. single story, freestanding structure, with eight (8) parking spaces designated on site.

The property features an irregular shaped corner property, with a single story L shaped vacant warehouse, approximately 3,958 sq. ft. with eight (8) on site parking spaces within a fenced area. The subject site is located in an M3-1 industrial section of downtown Los Angeles. Surrounding uses include, mixed use commercial to the east zoned M3-1, a commercial office building and surface parking to the north across 3rd zoned M3-2, a warehouse and a vacant lot to the south across 4th Place zoned M3-1, The Little Tokyo Square Commercial Shopping Center zoned M2-2D-O to the west and a three story condominium building known as Tokyo Villa to the north-west across Alameda Street in the C2-3D zone. This area has undergone revitalization of the vacant warehouses and factories to become the Downtown Artists District where artists live and work within the spaces formerly used for industrial purposes.

The project has the support of the Council District 14, the Historic Cultural Neighborhood Council and the Central City East Business Improvement District.

- iii That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan.

The seven elements of the General Plan establish policies 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 in the form of Code Requirements of Los Angeles Municipal Code. Except for the entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. Located in the Central City North Community Plan Area.

Commercial uses, artist lofts, and urban studios surround the proposed site. The Gallery Style Tavern and Arcade will be in keeping with the zoning and all existing uses adjacent to the development. This project will contribute to a neighborhood and will serve the neighboring residents and the local employees as well as visitors to the Downtown Artist District. The subject site is located in an industrial section of downtown Los Angeles that has undergone revitalization of the vacant warehouses and factories to become the Downtown Artists District where artists live and work within the spaces, which were formerly used for industrial purposes.

b. Additional Findings

- i. Explain how the proposed use will not adversely affect the welfare of the pertinent community.

The approval of the conditional use, will not adversely affect welfare of the pertinent community as the reuse of a vacant industrial building for the use of a Gallery Style Tavern in an area where the city has been attempting to balance the loss of industry and increase opportunities for entertainment, dining and gathering for nearby resident.

The approval of the conditional use, will enhance the economic welfare of the community by generating sales tax, providing amenities for the local residents and individuals accessing the site visiting the Downtown Artists District. The site is within walking distance to lofts used by artists both for work and residents.

- ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.

There are other restaurants, and bars in the areas, however the surrounding properties residents and businesses have welcomed the continued growth of the area with cultural venues to the community.

The applicant is proposing to add one ABC type 48 license, for a small community Gallery Style Tavern and Vintage Arcade with entertainment. Over concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. Although the census tract is numerically over concentrated, the project will not adversely affect community welfare because the proposed Gallery Style Tavern and Arcade is a desirable use in an area designated for such activities.

- iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

The subject site is located in an under utilized industrial section of downtown Los Angeles that has undergone revitalization of the vacant warehouses and factories to become the Downtown Artists District where artists live and work 24 hours within the lofts and residential units. Creative lofts and residential units were formerly used for industrial purposes. The proposed project will offer a unique experience with classic art objects and the fellowship of a local tavern and creative atmosphere for the community.

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

Zenshuji Soto Mission – 123 S. Hewitt St.
United Methodist Church - 300 S. Central Ave.
Japanese Catholic Church – 222 S. Hewitt St.
Kumon Math & Reading Center – 22S. Hewitt St.
Sushi Culinary School – 843 E. 9th St.

3. **QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE**

- a. What is the total square footage of the building or center the establishment is located in? 3,958 Sq. Ft.
- b. What is the total square footage of the space the establishment will occupy? Interior space is 2,864 sq. ft. and patio is 1,380 sq. ft.
- c. What is the total occupancy load of the space as determined by the Fire Department? 191 interior and 92 exterior
- d. What is the total number of seats that will be provided indoors? A total of 127 seats provided indoors.
- e. If there is an outdoor area, will there be an option to consume alcohol outdoors? There will be and on site outside garden seating area where alcohol will be served. Alcohol will be consumed outdoors. Total 40 seats will be provided.
- f. If there is an outdoor area, is it on private property or the public right of way, or both? There will be 40 seats located on site, private property only. No service will be provided the public right of way.
 - i. If an outdoor area is on the public right of way, has a revocable permit been obtained? This does not apply
- g. Are you adding floor area? Yes, patio area 1,453 sq. ft. If yes, how much is enclosed? No additional floor area added enclosed.
- h. **Parking**
 - i. How many parking spaces are available on the site. Currently there are eight (8) spaces on site. Applicant Proposes Ordinance 182386 to allow Four (4) vehicle spaces including one (1) ADA vehicle parking and parking for bicycles per Ordinance 182386 amending LAMC for eleven (11) short term bicycles and five (5) long term bicycles.

There are public surface lots in the area and Valet Service provided within 100 ft. of the entrance. There is metered parking on 4th Place, located on north and south sides of the street, and metered parking on 3rd, Rose and Traction Streets.

- ii Are they shared or designated for the subject use? On site designated
- iii If you are adding floor area, what is the parking requirement as determined by the Department of Building and Safety? Using Ord. 182386 amending LAMC four (4) vehicles and 16 bicycles
- iv. Have any arrangements been made to provide parking off site?
No
 - 1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building and Safety? N/A

Note: Required parking must be secured via a covenant pursuant to LAMC 12.26 E 5. A private lease is only permitted by a Zone Variance. N/A

- 2. Please provide a map showing the location of the off site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve.
- 3. Will valet service be available? Valet service is provided on 3rd Street Will the service be for a charge? Yes
- i. Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks? Yes, See attached
- j. For massage Parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Businesses as defined by LAMC 12.70 B17? This does not apply.

4. QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT

- a. What are the proposed hours of operation and which days of the week will the establishment be open?

	M	Tu	W	Th	F	Sa	Su
Proposed Hours of Operation	10:00 a.m. - 2:00 am	10:00 a.m. - 2:00 am	10:00 am - 2:00 am	10:00 a.m. - 2:00 am	10:00 a.m. - 2:00 am	10:00 a.m. - 2:00 am	10:00 a.m. - 2:00 am
Proposed Hours of Alcohol Sale	10:00 a.m. - 1:30 a.m.	10:00 a.m. - 1:30 a.m.	10:00 a.m. - 1:30 a.m.	10:00 a.m. - 1:30 a.m.	10:00 a.m. - 1:30 a.m.	10:00 a.m. - 1:30 a.m.	10:00 a.m. - 1:30 a.m.

- b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc...? Please specify: Yes. Applicant request the right to offer on site amplified music acoustic and non-acoustic, recorded and live music on site, within the premises and to allow dancing within the premises as described on the floor plan provided. This space is a Gallery and Vintage arcade and will house up to 60 Vintage Penny arcades, using coin, slug and electrically and mechanically controlled game machines.

Note: An establishment that allows for dancing needs a conditional use pursuant to 12.24 W.18.

- c. Will there be minimum age requirements for entry? If yes, what is the minimum age requirement and how will it be enforced? Age 21 and over.

There will be independent security personal using electronic age verification devises which can be used to determine the age of any individual attempting to enter or purchase alcoholic beverages, installed on the premises.

- d. Will there be any accessory retail uses on the site? No

e. Security

- i. How many employees will you have on the site at any given time? 8 to 10
- ii. Will security guards be provided on site? An independent licensed security company will be contracted. The applicant and it's operator will provide a detailed security plan to be approved by LAPD prior to opening.
 1. If yes, how many and when. There will be a minimum of two (2) security personal at all times, but not limited to (2) in the evenings and weekend. Security will also maintain order and prevent any activity that would negatively impact the surrounding area.
- iii. Has LAPD issued any citations or violations? No. If yes please provide copies.

f. Alcohol

- i. Will there be beer and wine only, or a full-line of alcoholic beverages available? Full Line of Alcoholic Beverages, Type 48 license required.
- ii. Will "fortified" Wine (greater than 16% alcohol) be sold? Yes
- iii. Will alcohol be consumed on any adjacent property under the control of the applicant? No
- iv. Will there be signs visible from the exterior that advertises the availability of alcohol?

No. Applicant will strictly adhere to state guidelines governing the advertisement of the availability of alcoholic beverages.

v. Food

1. Will there be a kitchen on the site?

No

2. Will alcohol be sold without a food order? Yes
3. Will the sale of alcohol exceed the sale of food items on a quarterly basis?

Yes. Applicant is applying for a Type 48 On Sale General (Bar, Night Club) Department of Alcoholic Beverage license.

4. Provide a copy of the menu if food is to be served.

vi. On-Site

1. Will a bar or cocktail lounge be maintained incidental to a restaurant? No
 - a. If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.
2. Will off site sales of alcohol be provided accessory to an site sales (Take Out) No
 - a. If yes, a request for off site sales of alcohol is required as well.
3. Will discounted alcoholic drinks (Happy Hour) be offered at any time? No

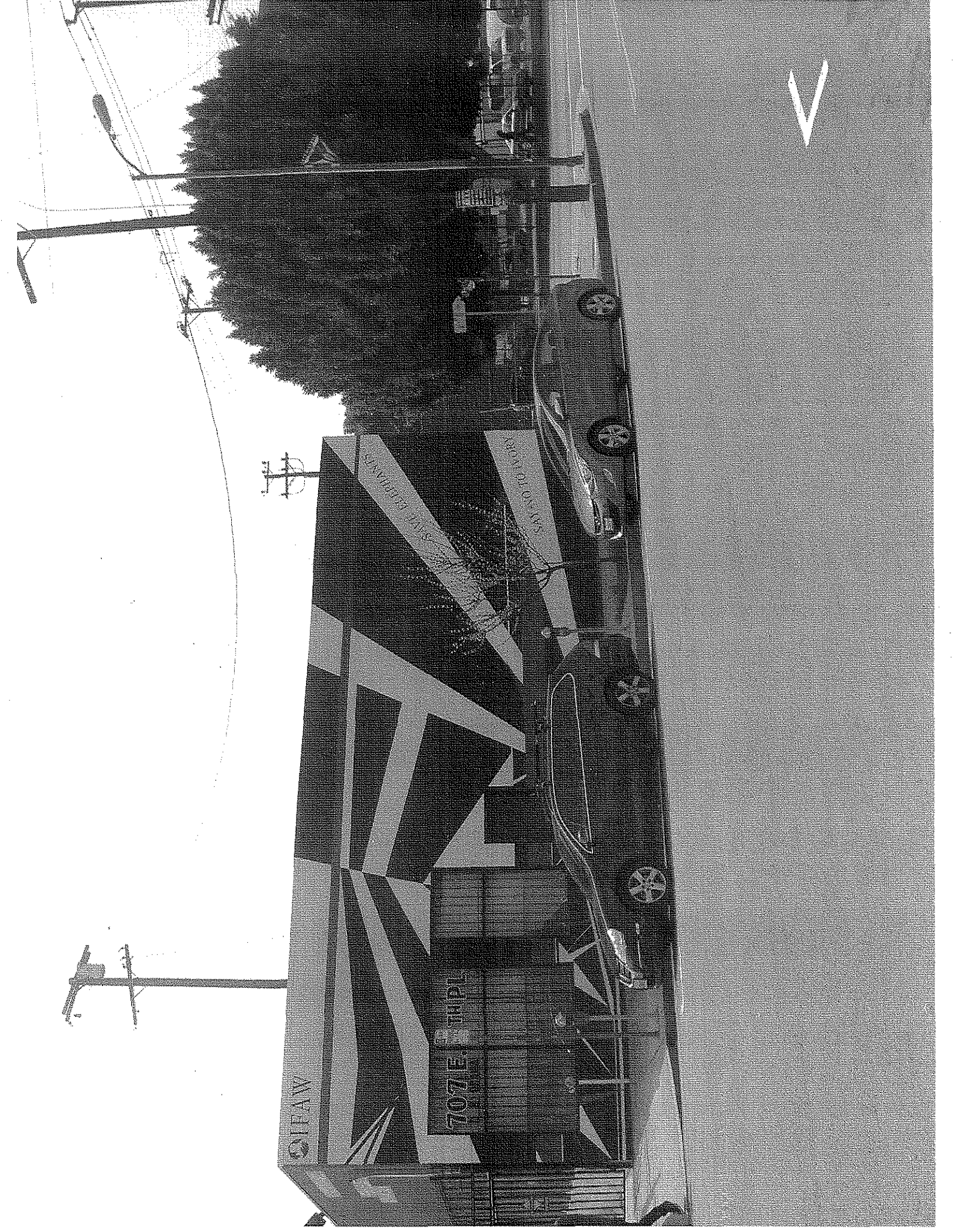
vii. Off Site

1. Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises? No

2. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)? No
- viii. Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements <http://www.abc.ca.gov/>.

Caldera Bill (CA Business and Professions Code Section 23958 and 23958.4)

- a. Is this application a request for on site or off site sales of alcoholic beverages? Yes,
 - i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel? This is Gallery Style Tavern and Arcade. No food will be served.
1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:
 - a. Issuance of a license to serve alcohol on site or off site would tend to create a law enforcement problem, or
 - b. If issuance would result in, or add to an undue concentration of licenses.
- B. If ABC has determined that an eligible use in in an area of high crime or undue concentration of licenses, the City council will need to make the finding that the issuance of the license is required for Public Convenience or necessity.



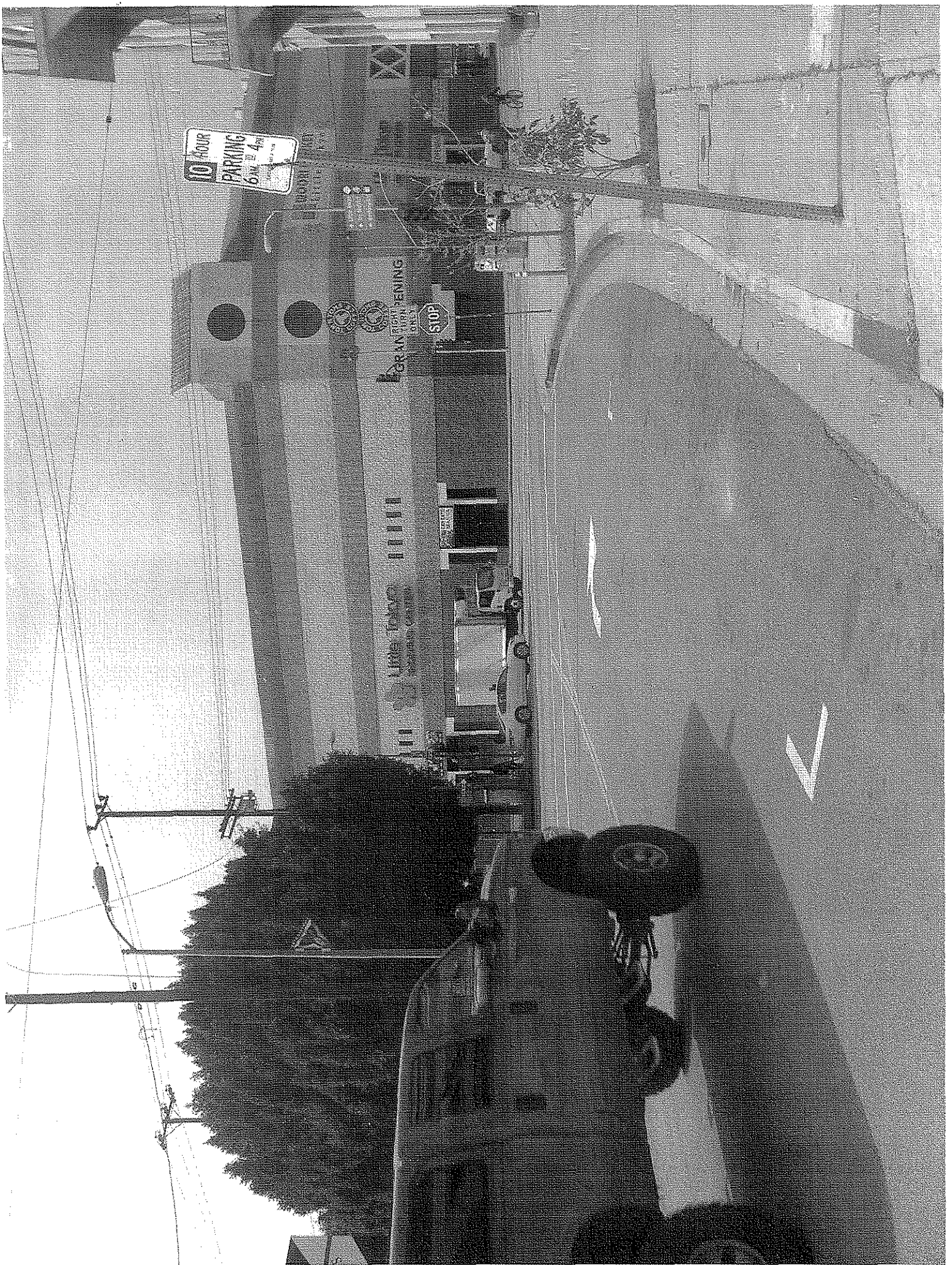


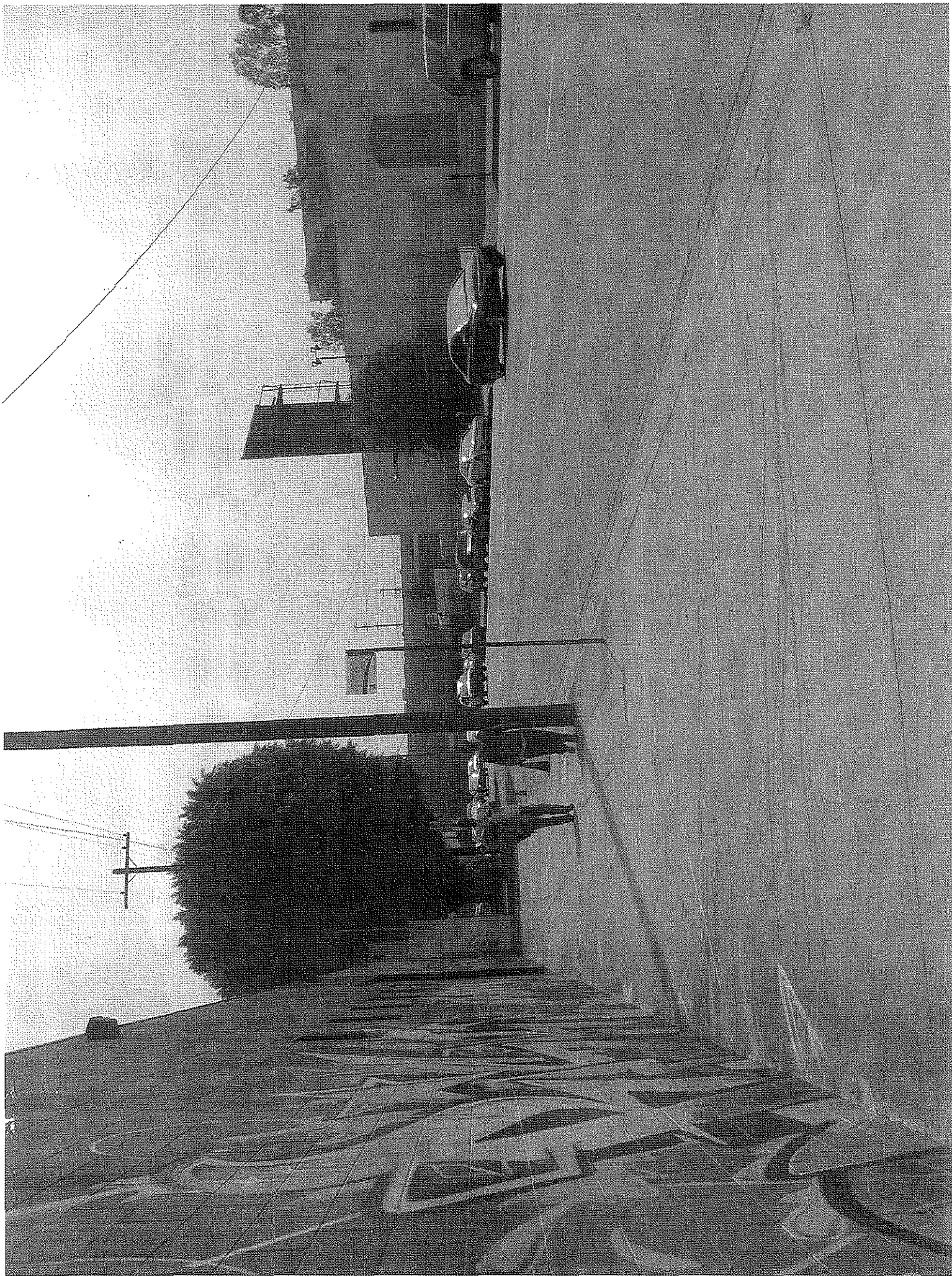
10 HOUR
PARKING
6 AM to 4 PM
DAILY

GRAN FORTIFICATION
ONLY
STOP

LIQUOR STORE
WINE & SPIRITS

LIQUOR STORE
WINE & SPIRITS





LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
JIM TOKUNAGA
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING

MICHAEL J. LOGRANDE
DIRECTOR

OFFICE OF
ZONING ADMINISTRATION
200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012
(213) 978-1318
FAX: (213) 978-1334
www.planning.lacity.org

August 28, 2013

Tilt Downtown L.A. Partners, LLC (A)
707 E. 4th Place
Los Angeles, CA 90013

HBK Investments (O)
629 S. Central Avenue
Los Angeles, CA 90021

Veronica Becerra (R)
Rabuild Commercial Services
417 B. West Foothill Boulevard, #157
Glendora, CA 91741

CASE NO. ZA 2013-1326(CUB)(CUX)(CU)
CONDITIONAL USE
707 E. 4th Place and 718 E. 3rd Street
Central City North
Zone : M3-1
D.M. : 127.5A215, 129A215
C.D. : 14
CEQA: ENV-2013-1327-MND
Legal Description: Lots 3, 4, and a Portion
of Lot 5, Block H, Thomas Tract and a
Portion of Unnumbered Lot, City Lands
of Los Angeles

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

a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages, in conjunction with the establishment of a gallery style, tavern and bar, and vintage penny arcade located in the M3-1 Zone,

Pursuant to Los Angeles Municipal Code Section 12.24-W,18(a), I hereby APPROVE:

A Conditional Use to permit public dancing in conjunction with a gallery style tavern and bar in the M3-1 Zone; and

Pursuant to Los Angeles Municipal Code Section 12.24-W,34, I hereby APPROVE:

A Conditional Use to allow the installation of a penny arcade containing five or more coin, or slug-operated or electronically or mechanically controlled game machines in the M3-1 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 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 and the Department of Building and Safety for purposes of having a building permit issued.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. Approved herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption and public dancing in conjunction with a 3,623 square-foot gallery style, tavern (bar) and penny arcade containing five or more coin or slug-operated or electronically, electronically or mechanically controlled games, with a total seating for 167 patrons, including 127 interior and 40 outdoor/patio, and the daily hours of operation from 10:00 a.m. to 2:00 a.m.
8. The authorization granted herein for the on-site sale and dispensing of a full line of alcoholic beverages is for a period of **seven (7)** years from the effective date of this grant. Thereafter, a new authorization to allow the on-site sale and dispensing of a full line of alcoholic beverages will be required. The applicant is advised that he/she should allow appropriate time for a new entitlement application to be processed and the application should be approved prior to the expiration date of this grant in order to continue the sale of alcoholic beverages at the restaurant.
9. The conditions of this grant, a police permit, a copy of a business license, insurance information and an emergency contact phone number for the operator and valet service(s), if any, shall be retained on the premises at all times and be

immediately produced upon request of the Los Angeles Police Department, the Department of City Planning, State Department of Alcoholic Beverage Control or other responsible agencies. The manager and all employees shall be knowledgeable of these Conditions.

10. The applicant/operator shall retain full control of all events within the subject premises. The premises shall not sublet to an independent promoter for any purpose.
11. No after hour use of the establishment is permitted, including but not limited to private or promotional events.
12. The bar and lounge shall not operate exclusively as a dance club, any patron dancing shall be limited to the 10 feet by 10 feet area shown on Exhibit "A".
13. Within 60 days of the effective date of the City's conditional use approval, "Standardized Training for Alcohol Retailers" (STAR) shall be requested from the LAPD and a copy of the written request shall be provided to the Zoning Administration. Upon completion of the training, the applicant shall provide evidence to the Zoning Administrator that such training was provided for all personnel acting in the capacity of a manager and all personnel who serve alcoholic beverages, including all security personnel. Training shall be repeated on an annual basis. In the event there is a change in the licensee, within one year of such change, this training program shall be required for all new staff. The STAR training shall be conducted for all new hires within 2 months of their employment.
14. Live entertainment, in the form of live bands and disc jockeys, are permitted between the hours of 10:00 a.m. and 2:00 a.m.
15. The applicant/operator shall not require an admission or cover charge.
16. There shall be no karaoke, adult entertainment of any type pursuant to Section 12.70 of the Los Angeles Municipal Code, or fashion shows.
17. No pay phone may be maintained on the exterior of the premises.
18. 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. Additionally, the licensee(s) shall not provide, permit or make available, either gratuitous or for compensation, male or female patrons who act as escorts, companions or guests of and for the customers.
19. No music, sound or noise shall be emitted from the subject businesses at a level prohibited by the noise regulations of the Los Angeles Municipal Code. Amplified recorded-music shall not be audible beyond the area under control of the applicant, and any sound or noise emitted that is under the control of the petitioner shall constitute a violation of Section 116.01 of the LAMC, including

any loud, unnecessary or unusual noise that disturbs the peace or quiet of any neighborhood or that causes discomfort.

20. The establishment shall make an effort to control any unnecessary noise made by the bar/penny arcade's staff or any employees contracted by the establishment, or any noise associated with the operation of the use, or equipment of the use.
21. Loitering is prohibited on or around these premises or the area under control of the applicant, and petitioners shall regularly police the area under their control to prevent loitering.
22. The applicant shall be responsible for maintaining free of litter and debris the area adjacent to the premises over which they have control, including 4th Place and 3rd Street.
23. The applicant/restaurant operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:
 - posted at the entry, and the cashier or customer service desk,
 - provided to the immediate neighbors, schools and the Neighborhood Council,
 - responded to within 24-hours of any complaints/inquiries received on this hot line, and
 - 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.
24. The applicant 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.
25. No pennants, banners, ribbons, streamers, spinners or balloon signs shall be permitted.
26. No obstructions shall be attached, fastened or connected to the partitions or ceiling to separate the booths/dining areas within the interior space of the licensed premises.
27. The applicant/operator shall not maintain or construct any type of enclosed room intended for use by patrons or customers for any purpose, except for the restrooms.

28. Trash/recycling pick-up is permitted to occur only between the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturday.
- Trash/recycling containers shall be locked when not in use.
 - Trash/recycling containers shall not be placed in or block access to required parking.
 - Trash/recycling items shall not be emptied or disposed into outside containers earlier than 9:00 a.m. or later than 9:00 p.m.
29. The applicant/operator shall be responsible for mitigating the potential negative impacts of its operation on surrounding uses, especially noise derived from patrons exiting and crowd control during entry and exiting.
30. The applicant and its operator shall provide a detailed security plan to be approved by LAPD prior to establishing the use. The approved security plan shall be submitted to the Zoning Administrator for the case file prior to establishment of the use.
31. Prior to the utilization of this grant, surveillance cameras shall be installed in all areas of the premises that covers all common areas of such business, including all high-risk areas and entrances or exits, including cameras that provide a view of 3rd Street in front and 4th Place located at the rear of the establishment. The applicant shall maintain a minimum one-month video library and such videotapes shall be made available to the Police Department upon request.
32. Any future operator or owner for this site must file a new Plan Approval Application to allow the City of Los Angeles to review the "mode and character" of the usage.

The following Conditions 33 through 40 are Mitigation Measures included in ENV-2013-1327-MND and shall be complied with.

33. Aesthetics (Vandalism).
- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
 - b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15
34. Aesthetics (Signage).
- a. On-site signs shall be limited to the maximum allowable under the Municipal Code.

- b. Multiple temporary signs in store windows and along building walls are not permitted.
35. Aesthetics (Light).
 - a. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.
36. Green House Gas Emissions. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
37. Increased Noise Levels (Demolition, Grading, and Construction Activities).
 - a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
 - b. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
 - c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
38. Utilities (Local Water Supplies – Restaurant, Bar, or Nightclub).
 - a. Install/retrofit high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
 - b. Install/retrofit restroom faucets with a maximum flow rate of 1.5 gallons per minute.
 - c. Install/retrofit and utilize only restroom faucets of a self-closing design.
 - d. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
39. Utilities (Solid Waste Recycling).
 - a. (Operational) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

40. Utilities (Solid Waste Disposal). All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
41. Within 30 days of the effective date of the Department of Alcoholic Beverage Control license, and within 30 days of the effective date of any modification or alteration of terms of said license, the applicant shall transmit a copy of the valid Department of Alcoholic Beverage Control license to the Zoning Administrator for attachment to the case file.
42. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require the petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review the petitioner's compliance with and the effectiveness of the conditions of the grant. The petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
43. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
44. Within 30 days of the effective date 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 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 for attachment to the subject case file.

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 September 12, 2013, 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:

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

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

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 all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the 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, the report of the Zoning Analyst thereon, the statements made at the public hearing on August 7, 2013, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use permit under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

The subject property is a level, triangular-shaped, corner parcel of land. The subject lot is approximately 7,390 square feet, has a frontage of approximately 90 feet on the south side of 3rd Street (a designated Collector Street) and of approximately 168 feet on the northeast side of East 4th Place (a designated Secondary Highway). The site is improved with two buildings and 8 existing surface parking spaces, with a total floor area of 3,623 net square feet. The new use will provide four vehicular parking spaces, 11 short-term bicycle parking spaces, and five long-term bicycle parking spaces. The project is located on a 7,390 square-foot lot in the M3-1 Zone. The two buildings are connected by a breezeway located off East 4th Place that currently allows for vehicular ingress/egress.

The project site is zoned M3-1 and is designated as Heavy Manufacturing in the Central City North Community Plan. The site is located within the East Los Angeles Enterprise Zone. It is located within 1.86 kilometers of the Puente Hills Blind Thrust Fault and is within a Methane Zone. The subject buildings are presently vacant, having previously operated as an office.

The subject property is located within what is considered the Arts District of Downtown Los Angeles. The zoning and land use within 500 feet of the property reflects a combination of commercial, multi-family, and manufacturing uses. The northerly adjoining property, across 3rd Street, is zoned [Q]M3-2 and developed with a four-story commercial building and a surface parking lot; Southwesterly, across East 4th Place, the

property is zoned M3-1 and improved with a single-story commercial building and adjacent surface parking lot; and Easterly, the adjoining property is zoned M3-1 and improved with a two-story parking structure.

3rd Street is a designated Collector Street dedicated a width of 70 feet and is improved with a curb, gutter and sidewalk.

4th Place is a designated Secondary Highway dedicated to a variable 80- to 85-foot width and is improved with a curb, gutter, and sidewalk.

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

Document Number 98016-10000-18603 – The most recent building permit record for the property was issued in 1998 for the change of use from retail to office.

Previous Cases On Surrounding Properties:

ZA 2012-1655(CUB)(ZV) – On June 11, 2013, the Zoning Administrator approved a request for a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on- and off-site consumption, in conjunction with a proposed approximately brew pub, also having live entertainment, and approved a request for a Conditional Use, to permit hours of operation before 7 a.m. and after 11 p.m., and the use and maintenance of 27 skee-ball lanes and two pool tables or two ping pong tables, all as otherwise not permitted within a mini-shopping center, in the M3-1 Zone. The property is located at 814 – 828 E. Traction Avenue.

ZA 2011-2077(CUB) – On November 7, 2012, the Zoning Administrator approved a Conditional Use to permit the sale of a full line of alcoholic beverages for on-site consumption in conjunction with a new restaurant accommodating 580 patrons as part of a bowling alley/family entertainment center with an existing shopping center, in the M2-2D-O Zone. The property is located at 333 South Alameda Street, 3rd Floor.

ZA 2009-2756(CIB)(CUX) – On January 10, 2011, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of alcoholic beverages for on-site consumption in conjunction with existing and proposed restaurants in Unit Nos. 100A, 108, 114, 125, 200A, 305, and 310 and a Conditional Use to allow patron dancing with live entertainment in conjunction with a special events hall proposed in Unit No. 200. The property is located at 333 S. Alameda Street.

ZA 2009-0828(CUX) – On February 5, 2010, the Zoning Administrator approved a Conditional Use to permit public dancing in conjunction with an existing restaurant in the M3-1 Zone. The property is located at 734 E. 3rd Street.

ZA 2007-1264(CUB) – On July 31, 2007, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with a 2,400 square-foot existing restaurant in the M3-1 Zone. The property is located at 738 E. 3rd Street.

ZA 2006-9717(CUB) – On February 8, 2007, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of beer and wine only for on-site consumption for 73 indoor patron seats, in conjunction with the proposed restaurant. The property is located at 333 S. Alameda Street.

ZA 2006-1010(CUB) – On February 5, 2010, the Zoning Administrator approved a modification of certain conditions associated with a prior approval to permit the sale of a full line of alcoholic beverages for on-site consumption in an existing restaurant pursuant to ZA 2006-1010(CUB) approved on October 18, 2006. The property is located at 734 E. 3rd Street.

ZA 2005-365(CUB)(CUX) – On June 22, 2006, the Zoning Administrator denied a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption with live entertainment and incidental public dancing in conjunction with a proposed 8,770 square-foot rooftop bar/lounge seating 170 patrons, having hours of operation from 7:00 p.m. to 2:00 a.m. Monday through Friday and 11:00 a.m. to 2:00 a.m. Saturday and Sunday, on a property located in the [Q]M3-2 Zone. The property is located at 701 E. 3rd Street and 244 S. Alameda Avenue.

Public Hearing

The public hearing was held by the Associate Zoning Administrator on Wednesday, August 7, 2013 at approximately 11:00 a.m. in Room 1020 of Los Angeles City Hall. The hearing was attended by the applicant's representative, a member of LARABA (Los Angeles River Artists and Business Association), and two representatives from Council District 14. The following points were made about the proposed application to the Zoning Administrator:

Applicant's Representative

- The project will operate as a tavern style bar.
- The operators will specialize in wines and craft style beers.
- There will be a small 10-foot by 10-foot dance floor.
- Premises will not operate as a dance club.
- There will be vintage penny arcade games some will be electronically operated using either coins or slugs.
- There will be 127 interior seats, and 40 outdoor seats.
- There will be some live entertainment and some live music.

LARABA Representative

- The association fully supports the applicant's request.
- The requested uses will be good for the area, which is eclectic in nature.

Council Office Representative

- Our office fully supports the project, we need more active uses in the area.
- This proposed use of land will be a good addition to the area. It integrates and

- meshes with the established land uses.
- Wait for a letter from the LAPD.

Following the above testimony the Zoning Administrator acted to close the public hearing stating that he approves the requested use in concept but that approval will not become official until issued in writing. This Letter of Determination is such a writing. In preparing this Letter the Zoning Administrator has considered all the testimony presented at the hearing, written communication received prior to or at the hearing, or subsequent thereto, and the merits of the project as it relates to existing environmental and land use regulations.

Public Correspondence

Two letters of support were received by City Staff on June 12, 2013. The letters were from business owners located in the immediate vicinity of the project. Both letters stated that the project is in proper scale and would be an asset to the neighborhood.

A letter from LARABA (Los Angeles River Artists and Business Association), Jonathan Jerald, Secretary dated August 6, 2013 was received in support of the application. The board of LARABA, the community betterment association of the Arts District, voted at its meeting on August 5th, 2013, to endorse the proposed CUP for a bar featuring classic pinball and video games at 740 E. 4th Pl. The board agreed the eclectic nature of the project is consistent with the tone and character of the Arts District community.

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

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

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

- The sale of alcoholic beverages for consumption off the premises is prohibited.
- A "Happy Hour" shall not be offered at any time.
- There shall not be a requirement to purchase a minimum number of drinks.

- No sale, consumption, and/or delivery of alcoholic beverages off premise shall be permitted.
- There shall be no exterior advertising or signs of any type, including advertising directed 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. This condition is not meant to preclude an interior display of alcoholic beverage containers within the interior of the bar space. The only exception to this restriction is the posting of a single menu on the outside wall.
- No portable bars shall be permitted at this location. A waitress, waiter, or bartender shall conduct all alcoholic beverage service.
- The sale of distilled spirits by the bottle for same day or future consumption is prohibited.
- No person under 21 years of age shall sell or deliver alcoholic beverages.

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 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 subject property is a level, triangular-shaped, corner parcel of land. The subject lot is approximately 7,390 square feet, has a frontage of approximately 90 feet on the south side of 3rd Street (a designated Collector Street) and of approximately 168 feet on the northeast side of East 4th Place (a designated Secondary Highway). The site is improved with two buildings and 8 existing surface parking spaces, with a total floor area of 3,623 net square feet. The new use will provide four vehicular parking spaces, 11 short-term bicycle parking spaces, and five long-term bicycle parking spaces. The project is located on a 7,390 square-foot lot in the M3-1 Zone. The two buildings are connected by a breezeway located off East 4th Place that currently allows for vehicular ingress/egress. The proposed project will involve minor tenant improvements and a change of use from an office use to a bar and penny arcade.

The applicant is requesting to allow the sale and consumption of a full line of alcohol Type 48 license in conjunction with a gallery style tavern and vintage style penny arcade with pinball games, using coin, or slug operated or electrically, electronically or mechanically controlled. Entertainment will include live and amplified music within the premises. Dancing is proposed within the premises on a 10-foot by 10-foot dance floor provided. Total interior occupancy will be 127. The proposed project includes a garden style outdoor seating area limited to 40 seats.

This location welcomes walkability, which is encouraged in the downtown community plans. Many efforts are being made by the city to inject entertainment type nightlife into downtown and give it a more pedestrian effect and reactivate older underused buildings. The proposed project will take a vacant use and create a new venue for area residents, workers, and other area residents to utilize and add to the vibrancy of downtown. The Zoning Administrator has imposed numerous conditions regulating the operation of the tavern and bar to prevent adverse impacts to the neighborhood and protect the public health, welfare and safety.

Therefore, as conditioned herein, the sale of alcoholic beverages within the restaurant will be compatible with and will not adversely affect adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

The project site is an approximately 7,390 square-foot lot in the M3-1 Zone. The project involves minor tenant improvements to an existing 3,623 square-foot structure that was constructed in 1991. The establishment will have a total seating capacity of 167, with the daily hours of operation from 10:00 a.m. to 2:00 a.m.

The subject property is located within the Arts District of Downtown Los Angeles. The zoning and land use within 500 feet of the property reflects a combination of commercial, multi-family, and manufacturing uses. The northerly adjoining property, across 3rd Street, is zoned [Q]M3-2 and developed with a four-story commercial building and a surface parking lot; Southwesterly, across East 4th Place, the property is zoned M3-1 and improved with a single-story commercial building and adjacent surface parking lot; and Easterly, the adjoining property is zoned M3-1 and improved with a two-story parking structure.

Within 600 feet of the subject property, there are fifteen establishments that have liquor licenses. These uses include twelve restaurants, one market, and a microbrewery containing a permit for on- and off-site consumption. Within the same radius there are no listed approvals of penny arcades. This area has undergone revitalization of the vacant warehouses and factories to become the

Downtown Arts District where artists live and work within the spaces formerly used for industrial purposes. To this extent the proposed use will add to the continued influx of new businesses and entertainment type of uses that are gradually transforming the "Arts District" into an area with a diverse mixture of uses and residents.

ADDITIONAL REQUIRED FINDINGS FOR THE SALE OF ALCOHOLIC BEVERAGES

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

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. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Central City North designates the property for Heavy Manufacturing land uses with the corresponding M3 Zone. The Community Plan text is silent with regards to alcohol sales. In such cases, the Zoning Administrator must interpret the intent of the Plan.

From approximately 1912 until approximately 1946, the subject parcel contained a building that was used for cold storage. In 1947, a Certificate of Occupancy for a new building was issued for a service station. In 1991 a Certificate of Occupancy for a new building was issued for a retail space that was later converted to office space in 1992. The existing building has not been utilized as an industrial or manufacturing use since it was constructed in 1991.

The bar and penny arcade will occupy a presently vacant site, thereby preserving the existing size and scale of existing development. Commercial uses, artist lofts, and urban studios surround the proposed site. "The proposed tavern and arcade will be in keeping with the zoning and all 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 to the Downtown Artist District. The subject site is located in an industrial section of downtown Los Angeles that has undergone revitalization of the vacant warehouses and factories to become the Downtown Artists District where artists live and work within the spaces, which were formerly used for industrial purposes.

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

Commercial uses, artist lofts, and urban Studios surround the proposed site. "The Gallery Style" tavern and arcade will be in keeping with the zoning and all

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 to the Downtown Artist District. The subject site is located in an industrial section of downtown Los Angeles that has undergone revitalization of the vacant warehouses and factories to become the Downtown Artists District where artists live and work within the spaces, which were formerly used for industrial purposes.

The approval of the conditional use will enhance the economic welfare of the community by generating sales tax, providing amenities for the local residents and individuals accessing the site visiting the Downtown Artists District. The site is within walking distance to lofts used by artists both for work and residents.

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

According to the California State Department of Alcoholic Beverage Control licensing criteria, 2 on-site and 1 off-site licenses are allocated to the subject Census Tract No. 2060.31, which had a population of 2,957 as of May, 2012. There are currently 22 on-site and 9 off-site licenses active within this census tract. Two of these on-site licenses are for a public premise or bar.

Statistics from the Los Angeles Police Department's Pacific Vice Unit reveal that in Crime Reporting District No. 139, which has jurisdiction over the subject property, a total of 90 crimes were reported in 2012, compared to the citywide average of 146 crimes and the high crime reporting district average of 176 crimes for the same period. Crimes reported by LAPD include Rape (1), Robbery (5), Aggravated Assault (3), Burglary (7), Battery Theft Auto (23), Other Theft (16), Auto Theft (13), Other Assault (4), Weapons violation (2), Narcotics/Drugs (2), Disturbing the Peace (1); DWI Related (5), and All Other Violations (8). The subject site is not known for any nuisance or criminal activity. No evidence was submitted for the record establishing any link between the subject site and crime rates in the community.

The applicant is proposing to add one ABC Type 48 license, for a small community Gallery Style Tavern and Vintage Arcade with entertainment. Over concentration is not undue when the approval of a license does not negatively impact an area, but rather such a licenses benefits the public welfare and convenience. Although the census tract is numerically over concentrated; the

project will not adversely affect community welfare because the proposed Gallery Style Tavern and Arcade is a desirable use in an area designated for such activities.

Approval of the application will not result in or contribute to an undue concentration of such establishments because while there are other restaurants, and bars in the areas, however the surrounding properties residents and businesses have welcomed the continued growth of the area with cultural venues to the community.

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

The following sensitive use is located within 1,000 feet of the subject site:

- Multi-family uses: The closest is located at the corner of Traction Avenue and Hewitt Street.
- Zenshuji Soto Mission – 123 S. Hewitt Street
- United Methodist Church – 300 S. Central Avenue
- Japanese Catholic Church – 222 S. Hewitt Street
- Jumon Math & Reading Center – 22 S. Hewitt Street
- Sushi Culinary School – 843 E. 4th Street

The project site is not located within 500 feet of residential zoned properties. The project site has been developed with a commercial building since 1991. The applicant understands the character of the neighborhood and is committed to help preserve such character through responsible service of alcohol in conjunction with the operation of the bar and tavern. This grant has placed numerous conditions on the proposed project. Such imposition of conditions, will make the use a more compatible and accountable neighbor to the surrounding and on-site uses than would otherwise be the case. Therefore, the sale of alcohol for on-site consumption will not detrimentally affect the neighboring residential properties or other sensitive uses in the area.

ADDITIONAL MANDATORY FINDINGS

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, an area of moderate or minimal hazard from the principal source of flood. Currently, there are no flood zone compliance requirements for construction in these zones.
8. On July 31, 2013, the City Planning Department issued Mitigated Negative Declaration No. ENV-2013-1327-MND (Article V - City CEQA Guidelines) and

determined that this project will not have a potentially significant effect on the environment, subject to compliance of the mitigation measures outlined in the Mitigated Negative Declaration. I hereby adopt that action.



JIM TOKUNAGA
Associate Zoning Administrator

JT:jjq

cc: Councilmember Jose Huizar
Fourteenth District
Adjacent Property Owners

DATE: 12/13/13

client:
 711 Development Corporation LLC
 7111 S. Greenway Blvd., Suite 200
 Los Angeles, CA 90045
 Phone: 310.478.7878

Project Information:
 2119 W. 4th St. Los Angeles, CA 90057
 2119 W. 4th St. Los Angeles, CA 90057
 2119 W. 4th St. Los Angeles, CA 90057

Site Information:
 1001 W. 4th St., #1001, Los Angeles, CA 90015
 1001 W. 4th St., #1001, Los Angeles, CA 90015
 1001 W. 4th St., #1001, Los Angeles, CA 90015

Site Plan Summary:
 1001 W. 4th St., #1001, Los Angeles, CA 90015
 1001 W. 4th St., #1001, Los Angeles, CA 90015
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EXHIBIT "A"
 Page No. 2 of 2
 Case No. ZA 2013-1326
 [Signature]

1 Code Summary
 NTS

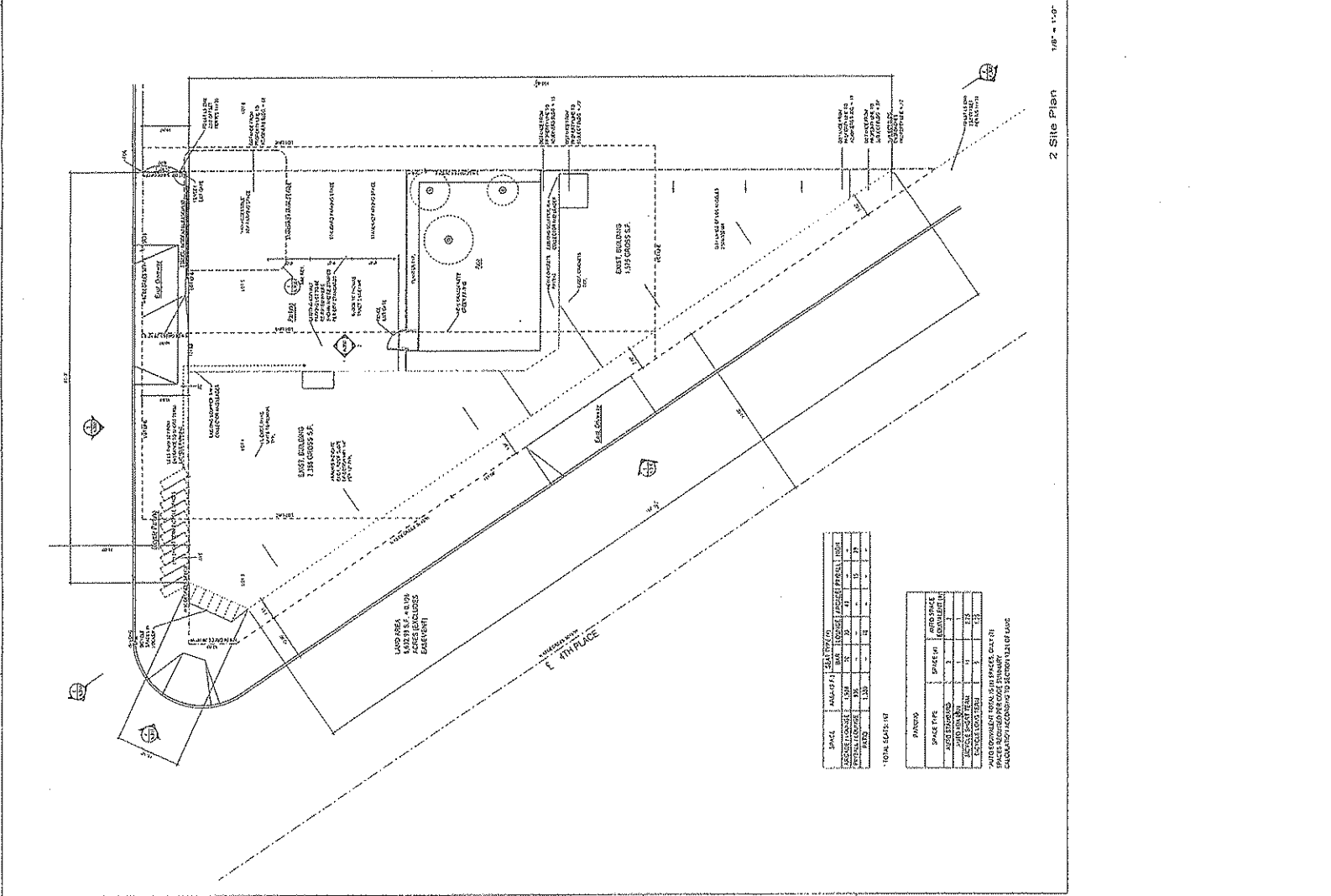
2 Site Plan
 1/8" = 1'-0"

3 Code Summary
 NTS

4 Site Plan
 1/8" = 1'-0"

5 Code Summary
 NTS

6 Site Plan
 1/8" = 1'-0"



TOTAL SQUARE FEET

SPACE	AREA	TYPE	AREA	TOTAL AREA
PARKING	1,000	PARKING	1,000	1,000
DRIVEWAYS	500	DRIVEWAYS	500	500
LANDSCAPING	200	LANDSCAPING	200	200
UTILITIES	100	UTILITIES	100	100
STREETS	100	STREETS	100	100
TOTAL	1,900	TOTAL	1,900	1,900

TOTAL SQUARE FEET

SPACE	AREA	TYPE	AREA	TOTAL AREA
PARKING	1,000	PARKING	1,000	1,000
DRIVEWAYS	500	DRIVEWAYS	500	500
LANDSCAPING	200	LANDSCAPING	200	200
UTILITIES	100	UTILITIES	100	100
STREETS	100	STREETS	100	100
TOTAL	1,900	TOTAL	1,900	1,900

ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 CALCULATIONS ACCORDING TO SECTION 14.01 OF LUCAS

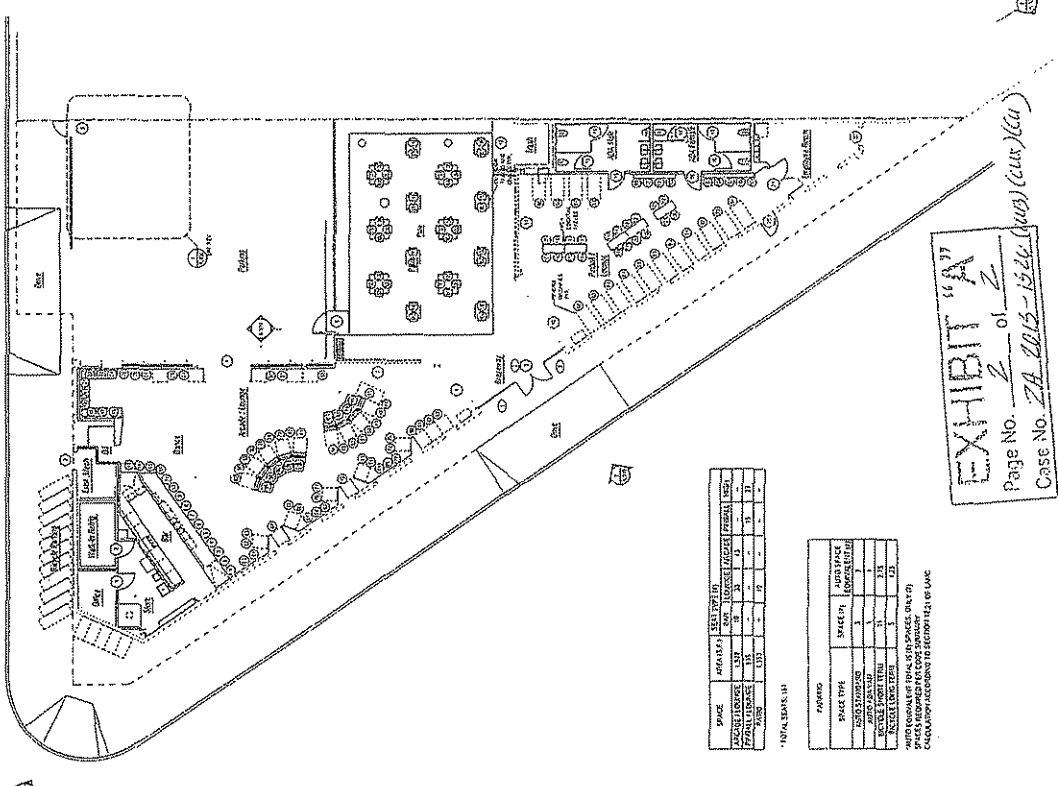
client: The Development Partners LLC
 18181 Wilshire Blvd, Suite 1000
 Los Angeles, CA 90025

client: **djja**
 design architects
 2711 Wilshire Blvd, Suite 2000
 Los Angeles, CA 90010

project information:
 project name: 2015 Z.A. 2015-1324
 location: Los Angeles, CA
 address: 18181 Wilshire Blvd, Suite 1000
 Los Angeles, CA 90025

about notes:
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A 200



SPACE	AREA(S)	SET TYPE	IN
FRONT YARD	151	100%	1
REAR YARD	152	100%	1
SIDE YARD	153	100%	1
PARKING	154	100%	1

SPACE	AREA(S)	SET TYPE	IN
FRONT YARD	151	100%	1
REAR YARD	152	100%	1
SIDE YARD	153	100%	1
PARKING	154	100%	1

*NOTA: REAR, 151

EXHIBIT "A"
 Page No. 2 of 2
 Case No. ZA 2015-1324 (ARB) (CLUR) (CA)

1 Plan 1/8" = 1'-0"

LOS ANGELES POLICE DEPARTMENT



CHARLIE BECK
Chief of Police

ERIC GARCETTI
Mayor

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone: (213) 972-1273
TDD: (877) 275-5273
Ref#: 4.1

August 16, 2013

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

Dear Sir or Madam:

The Los Angeles Police Department (LAPD), Central Area, received written correspondence from the Office of Zoning Administration advising that Applicant, Tilt Downtown L.A. Partners, LLC is applying for a Type 48 License, authorizing the sale of beer, wine, and distilled spirits for consumption on the licensed premise. The premise is located at 707 E. 4th Place & 718 E. 3rd Street, Los Angeles, California 90013; Case Number: ZA-2013-1326-CUB-CUX-CU.

Due to the revitalization efforts in the downtown area, the LAPD is unopposed to the issuance of this license. However, acting in the interest of the public, the Department recommends the following operating conditions be imposed, which should diminish vice-related problems that may develop at the proposed business.

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

2. The hours of operation of the restaurant shall be 10 a.m. to 2:00 a.m. Sunday through Thursday and 10:00 a.m. to 2:00 a.m. Sunday through Monday. Interior patio hours shall be from 10:00 a.m. to 2:00 a.m. Monday through Sunday.
3. No off-site sales or delivery of alcoholic beverages off premise shall be permitted.
4. No alcoholic beverage shall be consumed on any property adjacent to the licensed premises under the control of the licensees.
5. There shall be no "Happy Hour" during which time beverages or foods are sold at discounted prices.
6. Off-street parking shall comply with the applicable provisions of the Los Angeles Municipal Code (LAMC).
7. Vendor(s) delivery of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 7:00 p.m. each day of the week.
8. Petitioner(s) shall not require an admission or cover charge. There shall not be a requirement to purchase a minimum number of drinks.
9. There shall be no sidewalk dining.
10. No pay phone shall be maintained on the exterior of the premises.
11. No pool or billiard table shall be maintained on the premises.
12. No person under 21 years of age shall sell or deliver alcoholic beverages.
13. There shall be no karaoke, topless dancing, nude dancing or male dancers, pursuant to Los Angeles Municipal Code (LAMC) Section 12.70.
14. 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.
15. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s), shall be removed or painted over within 24 hours of being applied.
16. Any music, sound, or noise emitted that is under the control of the Petitioner(s), shall not exceed decibel levels that are stated in Noise Abatement Laws and Zoning Administrative Authority Section, 12.24 x 2 (b) (LAMC).
17. Petitioners shall regularly police the area under their control in an effort to prevent the loitering of persons about the premises.

18. Electronic age verification device, which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products, 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 beverage or tobacco products.
19. The business operator of said premises shall maintain on that premise and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information, and a valid emergency contact phone number used by the business.
20. Conditions of this grant shall be posted in the office on the premises at all times and shall be made immediately available upon request by any Los Angeles Police Officer or Alcohol Beverage Control Investigator. The manager and all employees shall be knowledgeable of the conditions herein.
21. No after-hour use of the establishment is permitted. This includes but is not limited to private or promotional events, excluding any activities which are issued film permits by the City.
22. The Operator shall install and maintain surveillance cameras in all areas of the site, include entrances and exits. A minimum of a four week worth of video coverage shall be maintained of all common areas of such business. The footage shall be made available to the Police Department upon request.
23. Within 60 days of the effective date of the City's conditional use approval, Standardized Training for Alcohol Retailers (STAR) shall be requested from the LAPD and a copy of the written request shall be provided to the Zoning Administration. Upon completion of the training, the applicant shall provide evidence to the Zoning Administrator that such training was provided. Training shall be repeated on an annual basis.
24. Further, the Zoning Administrator reserves the discretion to hold a public hearing if documented evidence is submitted showing continued violation(s) of any of the following: Conditional Use Business (CUB) Condition(s) of Approval, undue disruption of or interference with the peaceful enjoyment of adjacent neighboring properties, and/or alcohol-related enforcement actions from other public jurisdictions. Such public hearings held in conjunction with the Plan Approval and payment of associated fees, shall be publicly noticed for the purpose of conducting a public review of the Petitioner's compliance with and the effectiveness of the CUB Conditions for Approval and related enforcement actions. The Petitioner shall, prior to the public hearing, submit detailed documentation as to how compliance with each condition of the grant and related enforcement action has or will be attained.
25. The subject alcoholic beverage license shall not be exchanged for a public premise type license.

26. No portable bar(s) shall be permitted at the location. A waitress or waiter shall conduct all alcoholic beverage service.
27. Only the front door shall be used for patron access. The rear/side door(s) of the premises shall be equipped, on the inside, with an automatic locking device and shall be kept closed at all times. This door(s) shall not be used as a means of access by patrons to and from the premises. Temporary use of this door(s) for delivery of supplies or trash removal does not constitute a violation. Said door(s) are not to consist solely of a screen or ventilated security door, but shall be solid.
28. Any future operator or owner for this site must file a new Plan Approval Application to allow the City of Los Angeles to review the "mode and character" of the usage.
29. Any use of the property for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public shall be subject to the same provisions and hours of operation unless further restricted by LAPD.
30. The operator shall be responsible for mitigating the potential negative impacts of its operation on surrounding users, especially, noise derived from patrons exiting and crowd control during entry and exiting.

If you have any further questions regarding this matter, please contact Sergeant John Vasquez, Officer-in-Charge, Central Area Vice, at (213) 972-1274.

Very truly yours,

CHARLIE BECK
Chief of Police

HORACE E. FRANK, Captain
Commanding Officer
Central Community Police Station

cc: Alcoholic Beverage Control

Fr. Richard Hoynes
St. Francis Xavier Chapel and Japanese Catholic Center
222 South Hewitt Street
Los Angeles, CA 90012
213.626.2279
ritchiehoynes@aol.com

July 27, 2013

Department of City Planning
Expedited Processing Section
200 N. Spring Street, Room 721
Los Angeles, CA 90012

RE: EightyTwo Case ZA-2013-1326-CUB-CUX-CU

To whom it may concern:

My name is Father Richard Hoynes and I am the priest and administrator of the St. Francis Xavier Chapel and Japanese Catholic Center located at 222 South Hewitt Street, Los Angeles, CA. I am writing to express my support of the new business "EightyTwo" located at 707 East 4th Place.

Several weeks ago, based on our church's general opposition to new alcohol-service establishments in the area, I sent a letter stating our opposition to the new business EightyTwo. However, after a lengthy discussion with the owners of EightyTwo, Scott Davids and Noah Sutcliffe, about their business, I have decided to retract our earlier opposition and to issue this letter of support for EightyTwo.

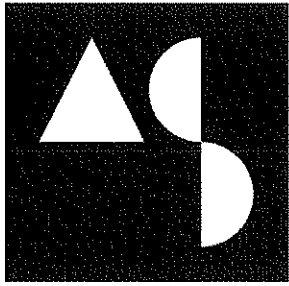
Scott and Noah described their project in detail to me, and I believe that their vision of a classic pinball and arcade gallery and bar which will celebrate the historic and cultural aspects of pinball, classic videogames and art will be a natural fit for the neighborhood. I have offered my counsel and support to Scott and Noah in their effort to smoothly integrate this exciting new business into our Arts District / Little Tokyo neighborhood.

As a community leader in the Arts District / Little Tokyo area, and one whose office resides in the immediate impact zone, I believe EightyTwo is a great fit for the community. Please consider this a retraction of our earlier opposition to EightyTwo and a firm indication that the St. Xavier Chapel, Japanese Catholic Center, and I support the project.

Sincerely,


Fr. Richard Hoynes

July 28, 2013



ART SHARE

BOARD OF DIRECTORS

President - Rick Robinson,
Managing Director, MacDonald
Media

Treasurer - Kevin Rodin, LEED A.P.
Michaels Development Company

Secretary - Laura Maly, Owner
Wonderist Agency

Kara Alter, Brand Strategist
Innovation Protocol

Patti Berman, President
DLANC

Richard Birt, Co-founder
Pharmaka

Steve Grody, Author/Lecturer
Graffiti L.A.: Street Styles and Art

Andrew Raitt, Real-estate Developer
Verono, LLC

Mark Walsh, Artist/Manager
Downtown Artists Workspace

T.J. Troy, Musician/Composer

Department of City Planning
Expedited Processing Section
200 N. Spring St, Room 721
LA, CA 90012

RE: Eighty Two case ZA-2013-1326-CUB-CUX-CU

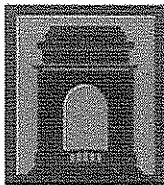
To Whom It May Concern:

My name is Rick Robinson and I own a business 701 East 3rd Street, Suite #320, LA, CA 90013. I also am Board President for Art Share LA. I want to express our support for the new business "Eighty Two" located at 707 East 4th Place.

The owners Scott Davids and Noah Sutcliffe have done an excellent job with community outreach. I have toured the project and believe it to be of proper scale for the impact zone and will be an asset to the neighborhood.

Please approve this project.

Rick Robinson
Managing Director – MacDonald Media
Board President – Art Share LA



LARABA

Los Angeles River Artists and Business Association

August 6, 2013

Letter of Support for Project at 740 E. 4th Pl.

The board of the Los Angeles River Artists and Business Association (LARABA), the community betterment association of the Arts District, voted at its meeting on August 5th, 2013, to endorse the proposed CUP for a bar featuring classic pinball and video games at 740 E. 4th Pl. The board agreed the eclectic nature of the project is consistent with the tone and character of the Arts District community. The board further recommends that that in the event of a sale or change of ownership, the essential character of the business (that it feature vintage video and pinball games) be preserved.

Sincerely,

A handwritten signature in black ink, appearing to read 'JJ', is written over the signature line.

Jonathan Jerald, Secretary
Los Angeles River Artists and Business Association

SECURITY PLAN FOR TILT @ 707 E. 4TH PLACE

Tilt's security team will consist of 4 highly-trained operators, all with law-enforcement and/or military background. All operators will have clicker-access to the parking gate and keys to all doors:

- There will be one operator stationed at the front door at all times. He will monitor the clientele and any line, perform a full ID check for each patron, and keep an accurate in/out count.
- There will be two operators inside Tilt, one monitoring the fire exits and another roaming the interior. The exit monitor will ensure that no one sneaks in or props the exits, and will also aid in efficient evacuation in the event of a fire. The interior roamer will ensure that aisles are maintained for easy movement within Tilt, keep drinks off the games, and observe and ensure that patrons are adhering to the rules of the establishment.
- There will be one outside roamer to monitor the perimeter of the establishment to ensure that there is no unruly or unwanted behavior occurring in the area surrounding Tilt.

The goal of Tilt's security program will be to protect, preserve and enhance our business venture by ensuring the safety and security of our patrons and the surrounding community. We intend to accomplish this by creating and maintaining a security program above and beyond minimum requirements, and being proactive in our policies and the execution thereof:

- ALL staff (including bar and wait staff) will receive STAR training as well as Red Cross CPR training.
- There will be zero tolerance for boisterous, belligerent, or intoxicated patrons – whether waiting at the door or inside Tilt. No individuals displaying such characteristics will gain access to the establishment, and if anyone inside becomes boisterous, belligerent, or overly intoxicated, they will be asked to leave. Our motto at Tilt is that “if we wouldn't want you in our home, we don't want you in our business.”
- Our operators will offer and provide escort to any customers who desire accompaniment (or who we desire to accompany) to their vehicles at all times.

5163 009001, 004
Kim Sang and Sung H
567 Meadow Grove St.
La Canada, CA 91011

5147 001 013
Alameda Plaza LLC
4433 Gould Ave.
La Canada, CA 91011

5163 010 004,008
Lin Kevin C
519 N Bedford Dr.
Beverly Hills, CA 90210

5163 -12 006
Muramoto Hiroko
1590 Rolling Hill Dr.
Monterey Park, CA 91754

HBK Investments (O)
629 S. Central Ave.
Los Angeles, CA 90021

Tilt Downtown L.A. Partners, LLC
(A)
707 E. 4th Place
Los Angeles, CA 90013

Rabuild Commercial ®
417 B. West Foothill Blvd. 157
Glendora, CA 91741



LOS ANGELES
 201 N. LOS ANGELES ST., STE. 13A
 LOS ANGELES, CA 90012
 TEL: (213)617-9600, FAX: (213)617-9643

VAN NUYS
 14540 SYLVAN ST.
 VAN NUYS, CA 91411
 TEL: (818) 779-8866, FAX: (818) 779-8870

CASE NUMBER: BTCID: LA13-319

REFERENCE: DATE: 5/2/2013

SITE ADDRESS: 707 E. 4TH ST.

AUTHORIZED BY: WINSTON

DESCRIPTION OF SERVICES AND FEES:

Labels and Mailing Preparation - Number	0	x \$1.77	
Mailing Only - Number	763	x \$1.42	\$1,083.46
Appeals - Number		x \$1.52	
Posting of Site - Number of signs		x \$75.00 (1 st)	
		x \$60.00 (addtl.)	
Research/Add'l N.C. and Council Notification			\$12.20
All Weather Posting (optional)		\$20.00	
Removal of Signs (optional)	0	\$50.00	

TOTAL DUE: \$1,095.66

A COPY OF THIS FORM MUST BE PRESENTED TO THE PLANNING DEPARTMENT AT THE TIME OF FILING TO HAVE YOUR APPLICATION DEEMED "COMPLETE"

Note: If applicant/map maker is retaining labels for addition of case number, labels must be returned to BTC within 7 days from the date of this invoice, or BTC will be forced to produce labels and charge the applicant/map maker. If bill is not paid, further processing of your other cases will stop. For cases requiring immediate mailing, labels must be submitted on the day of payment or BTC will produce labels and charge applicant/map maker.

x *dl*

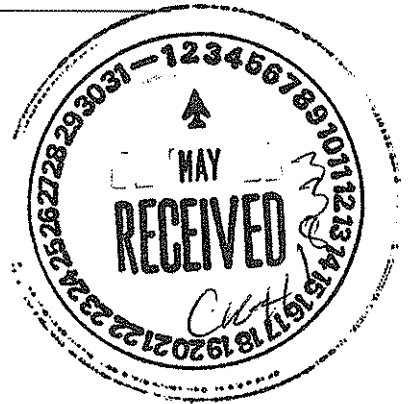
The City of LA usually generates a determination letter comprising of one(1) to three(3) pages which requires 1st Class postage. If your project requires a determination letter that exceeds three pages, you will be billed for excess postage and material costs that are due on receipt of bill. A \$ 50.00 fee will be charged if you want a copy of the BTC file(s).

x *dl*

Refunds and Credits only valid one year from the original filing date. Cancellations and changes are subject to a 20% or \$50.00 handling fee, whichever is greater. Returned checks subject to a \$200.00 fee. If the check is fraudulent, the City will be notified that the invoice is null and void. A fee of 10% will be charged to re-activate all null and void invoices. If case goes to appeal, processing & mailing costs of \$1.52/label will be paid.

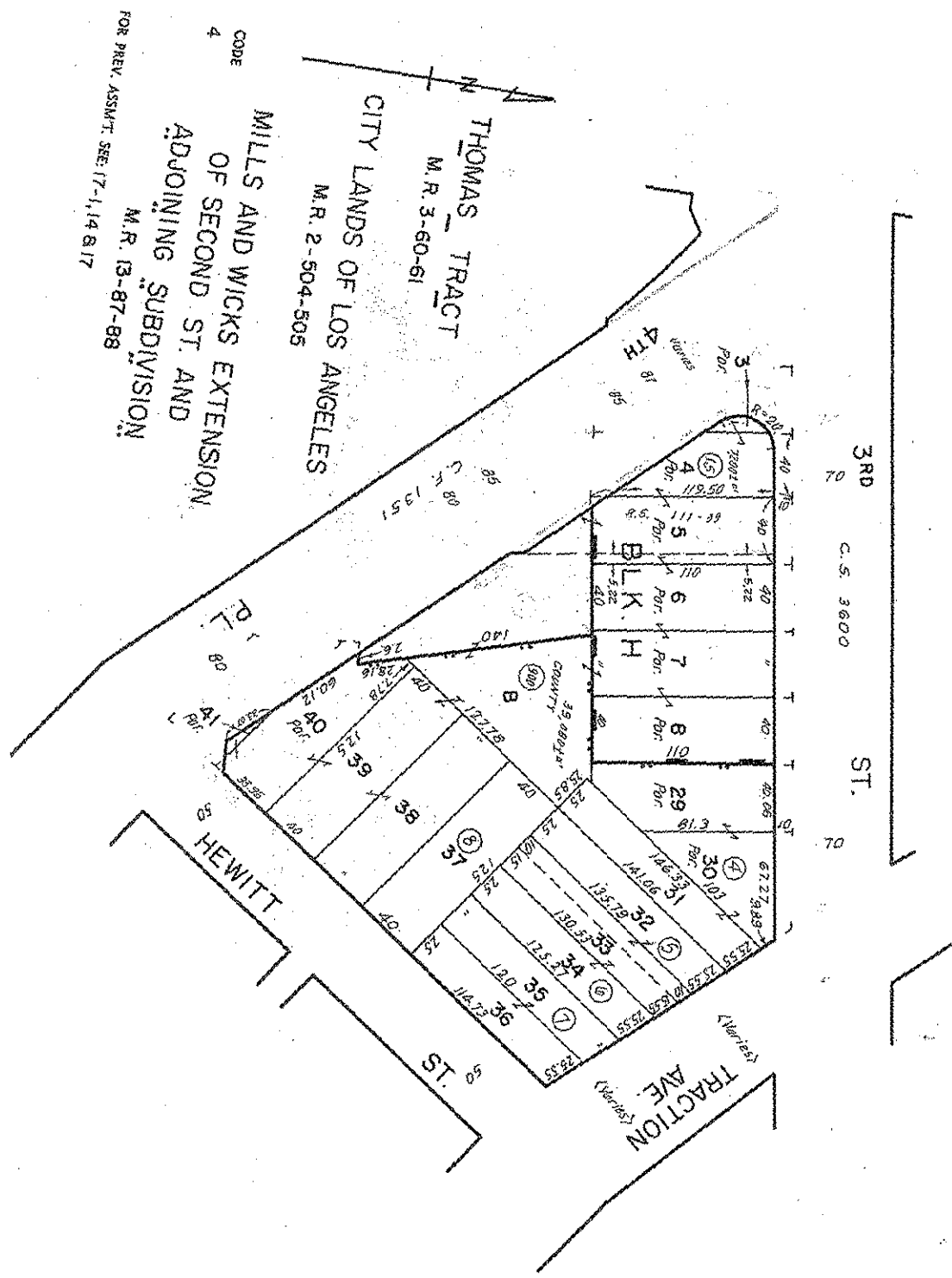
x *dl*

Signature: *Veronica Becerra*
 Telephone: (213) 272-4784
 Print Name: NOAH SUTCLIFFE/VERONICA BECERRA



Refunds and Credits only valid one year from the original filing date.

5163 12
 SCALE 1" = 60'
 1991



CODE
 4
 FOR PREV. ASMT. SEE 17-1, 14, 8, 17

701039559
 71005320
 7100235
 80024
 80024404-88
 800290600001
 51021407000001-23

ASSESSOR'S MAP
 COUNTY OF LOS ANGELES, CALIF.

600 FT. ALCOHOL LIST

707 E. 4TH ST.

1. RESIDENTIAL USES:
 - A. SINGLE FAMILY - NONE
 - B. MULTI FAMILY - 6
 - C. CONDOMINIUMS - 2

2. CHURCHES:
 - A. UNITED METHODIST CHURCH
300 S. CENTRAL AVE.
 - B. JAPANESE CATHOLIC CHURCH
222 S. HEWITT ST.

3. SCHOOLS:
 - A. KUMON MATH & READING CENTER
222 S. HEWITT ST.
 - B. SUSHI CULINARY SCHOOL
843 E. 9TH ST,

















4. HOSPITALS: NONE

5. RECREATIONAL AREAS: NONE

6. ALCOHOL ESTABLISHMENTS:
 - A. B KAGAYA
418 E. 2ND ST.

 - B. C TAPPAS & WINE BAR C
428 E. 2ND ST.

 - C. B HASHI
442 E. 2ND ST.

- D.  SUSHI GEN
422 E. 2ND ST.
- E.  XLIXE PIZZERIA
432 E. 2ND ST.
- F.  MEN OHI
456 E. 2ND ST.
- G.  &  ANGEL CITY BREWING COMPANY
216 S. ALAMEDA ST.
- H.  SAUSAGE GRILL
800 E. 3RD ST.
- I.  NOLA'S
734 E. 3RD ST.
- J.  DISTRICT BBQ & LOUNGE
738 E. 3RD ST.
- K.  ZIP FUSION SUSHI
744 E. 3RD ST.
- L.  THE PHO SHOP
333 S. ALAMEDA ST. #125
- M.  LITTLE TOKYO GALLERIA MARKET
333 S. ALAMEDA ST. #100
- N.  CHYNNA DIM SUM LOUNGE
333 S. ALAMEDA ST. #115
- O.  SHOJIN
333 S. ALAMEDA ST. #310
- P.  THE HOUSE OF KOREA
333 S. ALAMEDA ST. #312
- Q.  MANNA KOREAN BBQ
333 S. ALAMEDA ST. #305
- R.  HANNA ICHIMONME
333 S. ALAMEDA ST. #303

S. B SUSHI GO 55
333 S. ALAMEDA ST. #317

T. B HONDA LITTLE TOKYO
333 S. ALAMEDA ST. #314



- LEGEND:
- ☐ ON-SITE CONSUMPTION OF FULL LINE ALCOHOLIC BEVERAGES
 - Ⓜ ON-SITE CONSUMPTION OF BEER AND OR WINE
 - △ OFF-SITE CONSUMPTION OF FULL LINE ALCOHOLIC BEVERAGES
 - ⚠ OFF-SITE CONSUMPTION OF BEER AND OR WINE

LEGAL: LOTS 3, 4, AND PORTION OF LOT 5, BLK. H, THOMAS TRACT, M.R. 3-60-61,
AND PORTION OF UNNUMBERED LOT, CITY LANDS OF LOS ANGELES.
(SEE APPLICATION)

C.D. 14
C.T. 2060.31
P.A. CENTRAL CITY NORTH



GC MAPPING SERVICE, INC.

3056 WEST VALLEY BOULEVARD
ALHAMBRA CA 91803
(626) 441-1080 FAX (626) 441-8850

CONDITIONAL USE - A.B.

0.17 NET AC.

CASE NO.
DATE: 04-12-2013
SCALE: 1" = 100'
USES FIELD
D.M. 127.5 A 215,
129 A 215
T.B. PAGE: 634 GRID: G-5