

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

Pursuant to Section 23958 and 23858.4
California Business and Professions Code
TO BE SUBMITTED TO CITY CLERK'S OFFICE
ROOM 395, CITY HALL

CD13
COUNCIL FILE NO. 16-0225
TIME LIMIT FILE: _____

BACKGROUND INFORMATION

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 101, 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	_____	Tabula Rasa Bar, LLC	_____
Address	_____	5125 Hollywood Boulevard, Los Angeles, CA 90027	_____
Type of Business	_____	Wine and Beer bar	_____
Applicant	_____	Zachary Negin	_____
	Name	_____	
	Address	_____	4325 1/2 Avocado Street, Los Angeles, CA 90027
	Phone Number/Fax Number	_____	(310) 990-6309
Property Owner	_____	Irwin and Maxine Tuchfeld 2014 Revocable Trust	_____
	Name	_____	
	Address	_____	5119 Hollywood Boulevard, Los Angeles, CA 90027
	Phone Number/Fax Number	_____	Phone: (323) 661-7774 Fax _____
Representative	_____	Christopher Murray c/o Rosenheim & Associates, Inc.	_____
	Name	_____	
	Address	_____	21600 Oxnard Street, Suite 630; Woodland Hills, CA 91367
	Phone Number/Fax Number	_____	Phone: (818) 716-2782 Fax (818) 593-6184

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 ___ No X If Yes, what is the City case number(s) _____
2. Have you recently filed for a new conditional use permit? Yes X No ___ If Yes, provide the City case number(s) ZA-2015-3350-CUB-SPP

3. Has a previous ABC license been issued? Yes ___ No X. 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-sale beer and wine - Public Premises (Type 42 license).
5. Size of Business 1,250-square foot bar with 380-square foot outdoor patio.
6. % of floor space devoted to alcoholic beverages Approximately 25% of the floor area is devoted to storage of alcohol and/or the bar where alcohol is served.
7. Hours of Operation:
- What are the proposed hours of operation and which days of the week will the establishment be open? The proposed hours of operation for Tabula Rasa Bar are 11:00 AM - 2:00 AM, Monday through Friday and 10:00 AM - 2:00 AM, Saturday and Sunday.
 - What are the proposed hours of alcohol sales? The same.
8. Parking:
- Is parking available on the site? (If so, how many spaces?) 2 parking spaces.
 - If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant? N/A
 - Where? N/A
 - How many off-site spaces? N/A
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? No.
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? 2 - 5 employees will be onsite at any given time.
13. Will all employees who sell alcohol attend the local State ABC training class on how to properly sell alcohol? Yes, all employees will complete LEAD, STAR, T.I.P.S., or other approved ABC training class.
14. What security measures will be taken including:
- Posting of rules and regulations on the premises to prevent such problems as gambling, loitering, theft, vandalism and truancy. Yes.
 - Will security guards be provided and if so, when and how many?
Security guards will not be present. This is a neighborhood wine and beer bar, not a nightclub.
15. Will there be minimum age requirements for patrons? If so, how will this be enforced?
Yes, you must be 21 years of age or older to enter Tabula Rasa Bar. Customers will be required to provide ID and staff will have access to age verification device.
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, please see the attached list of alcohol establishments within 600 feet of the site.

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, please see the attached list of uses within 1,000 feet of the site.

18. Will the exterior of the site be fenced and locked when not in use? Yes. The storefront door will be locked behind a locked security fence. The rear door to the establishment will be locked and the door from the exterior patio to the rear of the lot will be locked. There is also a locked gate at the alley.

19. Will the exterior of the site be illuminated with security lighting bright enough to see patrons from the street? Yes, lighting in the bar will be maintained at a level to allow patrons to be seen through the storefront windows from the street.

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? N/A

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

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

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

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)? 49

2. What is the proposed seating in all areas? As shown on the attached floor plans, interior seating is provided in a mix of seats the bar, booth seating, and seats in a storefront window. Exterior patio seats will be provided a small tabletops.

3. Is there to be entertainment such as a piano bar, jukebox, dancing, live entertainment, movies, etc.? (Specify?) Yes, 1 to 3 musicians will provide live acoustical music.

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. N/A

5. Food Service

a. Will alcohol be sold without a food order? Yes, however prepared bar food will be offered for sale during all hours of operation.

b. Will there be a kitchen on the site as defined in the Los Angeles Municipal Code? No, however prepared food will be offered during all hours of operation.

6. Will discount alcoholic drinks or a "Happy Hour" be offered at any time? Provide a copy of the proposed menu if food is to be served. No.

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) 482-7077 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.

The Project Site is located within Census Tract 1904.01. According to the California Department of Alcoholic Beverage Control ("ABC") licensing criteria, two on-sale and two off-sale alcoholic beverage licenses are allocated. According to the ABC License Query System (<http://www.abc.ca.gov/datport/AHCountyCT.asp>), there are four existing on-sale and two existing off-sale licenses in Census Tract 1904.01.

The subject location is within the highly developed Hollywood Boulevard commercial corridor, which contains a variety of restaurants and entertainment venues, and has resulted in the number of existing on-sale alcohol licenses exceeding the maximum allocated. Although the subject census tract is numerically over-concentrated, the project will not adversely affect community welfare because the proposed sale of alcoholic beverages is located along a major commercial corridor in an area improved with and designated for such uses. Within the urban context of this Hollywood Boulevard commercial district, the proposed sale of alcoholic beverages within a upscale beer and wine bar will be consistent with the character of other development in the area. Thus, it can be reasonably assured that the welfare of the community will not be adversely impacted

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.

We are unaware of any applicable targeted law enforcement activity in the area.

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.

The following sensitive uses are located within 600 feet of the proposed site:

- Templo de Christo La Verdad – 5158 Hollywood Boulevard
- Creative Angels Preschool – 1725 N. Mariposa Avenue

The following sensitive uses are within 600 to 1,000 feet of the site:

- Rose and Alex Pilibos Armenian School – 1615 N. Alexandria Street
- Church of Jesus Christ and Latter Day Saints – 1550 N. Normandie Avenue

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, and/or loitering.

In the Determination Letter issued by the Los Angeles Department of City Planning's Zoning Administrator on January 26, 2016 for Tabula Rasa Bar, the Zoning Administrator addresses alcohol-related crime concerns in the following statements:

"According to statistics provided by the Los Angeles Police Department, which has jurisdiction over the subject property, within Crime Reporting District No. 639, a total of 113 crimes were reported in 2014, compared to the citywide average of 163 crimes and the high crime reporting district average of 196 crimes for the same period.

In 2014, there were 18 Narcotics, 9 Liquor Law, 16 Public Drunkenness, 2 Disturbing the Peace, 2 Disorderly Conduct, and 5 OWI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Although the number of existing licenses is above the number currently allocated, the project site is located in an area of concentrated commercial development with existing alcohol establishments. Further, the crime rate numbers are lower than those rates identified for the City. In addition, conditions have been imposed to mitigate any adverse impacts on the area, including the requirement for surveillance cameras, limited hours of operation and a limited term grant that will allow the City the opportunity to review the tenant in more detail through the plan approval process which shall include a public hearing within five years of the effective date of this action. At such time

the conditions of operation can be more specifically considered and addressed on an individual basis. Letters of support have also been submitted by surrounding residents expressing the need for a more sophisticated beer and wine establishment in the general area.

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

5. The proposed site is located in a Specific Plan or Community Redevelopment Agency Project area that specifically includes a policy to control future alcoholic beverage sales.

The Subject Property is located within the adopted Hollywood Community Plan area and within the adopted Vermont/Western Station Neighborhood Area Plan. Neither the Community Plan nor the Specific Plan 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) Yes, the establishment will employ up to 10 local residents.
- b. Generate taxes (provide estimate) Yes, the business stands to generate approximately \$117,000 in taxes to the City of Los Angeles per year.
- c. Provide unique goods and services (which ones) Yes, Tabula Rasa will feature locally sourced beer from Southern California brewers and select wines from around the world.
- d. Result in an aesthetic upgrade to the neighborhood (in what exact way) Yes, Tabula Rasa Bar will occupy a long vacant commercial tenant space along the Hollywood Boulevard corridor. New bi-fold storefront windows will provide a pedestrian scale connection to the street frontage while maintaining the character of the existing building by preserving the brick façade and transom windows.
- e. Contribute to the long-term economic development (how) Tabula Rasa Bar will occupy a vacant storefront on Hollywood Boulevard, adding to the current mix of commercial retail, restaurant, and entertainment uses along this commercial corridor. Area residents and businesses will benefit from this business since it will provide a new option for a gathering-place and will attract new foot traffic to the area. Therefore, this Project will contribute to the long-term economic development of the community, city, and region.
- f. Provide a beneficial cultural/entertainment outlet (specify) Tabula Rasa Bar will provide locally sourced beer from Southern California brewers and select wines from around the world. A food menu of prepared items will be offered as an accompaniment to the beer and wine selection. The variety of seating options allows for social gathering or more intimate conversation. In this regard, Tabula Rasa Bar will offer both a cultural and entertainment benefit that is not provided by a traditional bar or restaurant.

2. Possible Detrimental Impacts

Is the immediate area in which the license is sought subject to: (Check with your local Police Department area "Senior Lead Officer")

- a. Excessive calls to the Police Department Not to our knowledge.
- b. Police resources being already strained Not to our knowledge.

- c. High rates of alcoholism, homelessness, etc. Not to our knowledge.
- d. Large "youth" (under 21) population Not to our knowledge.
- 3. With regard to the operation of the proposed business explain:
 - a. The method of business operation: (large volume of alcohol to food sales, "late" hours (after midnight), high % unskilled (no ABC training class) staff, high % of underage (under 21) staff, etc.) Tabula Rasa Bar is required, pursuant to City Planning Case No. ZA-2015-3350-CUB-SPP, to comply with 46 different conditions of approval. Many of these conditions are operational in nature and relate to service and sales of alcohol. For example, Tabula Rasa Bar staff must be trained via the Los Angeles Police Department's Standardized Training for Alcohol Retailers (a.k.a. "STAR Training"). A copy of City Planning Case No. ZA-2015-3350-CUB-SPP is attached to this application for reference.
 - b. Would the business duplicate a nearby business already in existence? No, Tabula Rasa Bar offers a beer and wine bar unlike any other bar in the near vicinity. It is not a restaurant, not a nightclub and is not dive bar. Tabula Rasa will offer craft beer from local Southern California brewers and a selection of naturally produced wines from around the world in a comfortable, inviting neighborhood-gathering place. Though not a restaurant, Tabula Rasa Bar will provide a unique menu of prepared bar food, focused on locally sourced products as a compliment to their beer and wine selections. A variety of seating options will allow intimate conversation in private booths or communal gathering at bar seating as well as outdoor patio seating.
 - c. Other non-alcohol sales business options available so alcohol does not have to be sold, e.g., more specialty products, broader range of items like fresh meats or fruits and vegetables, etc. Yes, pre-made bar food will be offered for sale as a compliment to the beer and wine selections.

The City Council will evaluate these factors and make a decision on the overall merits of your request. Therefore, you should answer below as to why you believe any of these above listed beneficial or detrimental conditions apply to your project and provide any documented proof to support your belief:**

Answers to the "above listed beneficial or detrimental conditions" applicable to Tabula Rasa Bar have been provided above under each listed item/question. Additionally and where applicable, documentation that supports these responses and/or statements has been attached to this application.

** 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.

F. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- 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).
- The information presented is true and correct to the best of my knowledge.

Applicant signature Zachary Negin

Date 2/11/16

Signature of property owner if tenant or lessee is filling application

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

State of California

County of Los Angeles

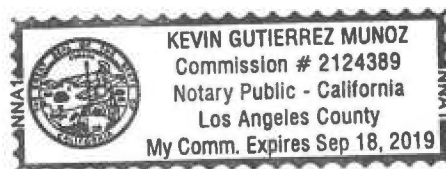
On Feb. 11, 2016 before me Kevin Gutierrez Munoz (Notary public)

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

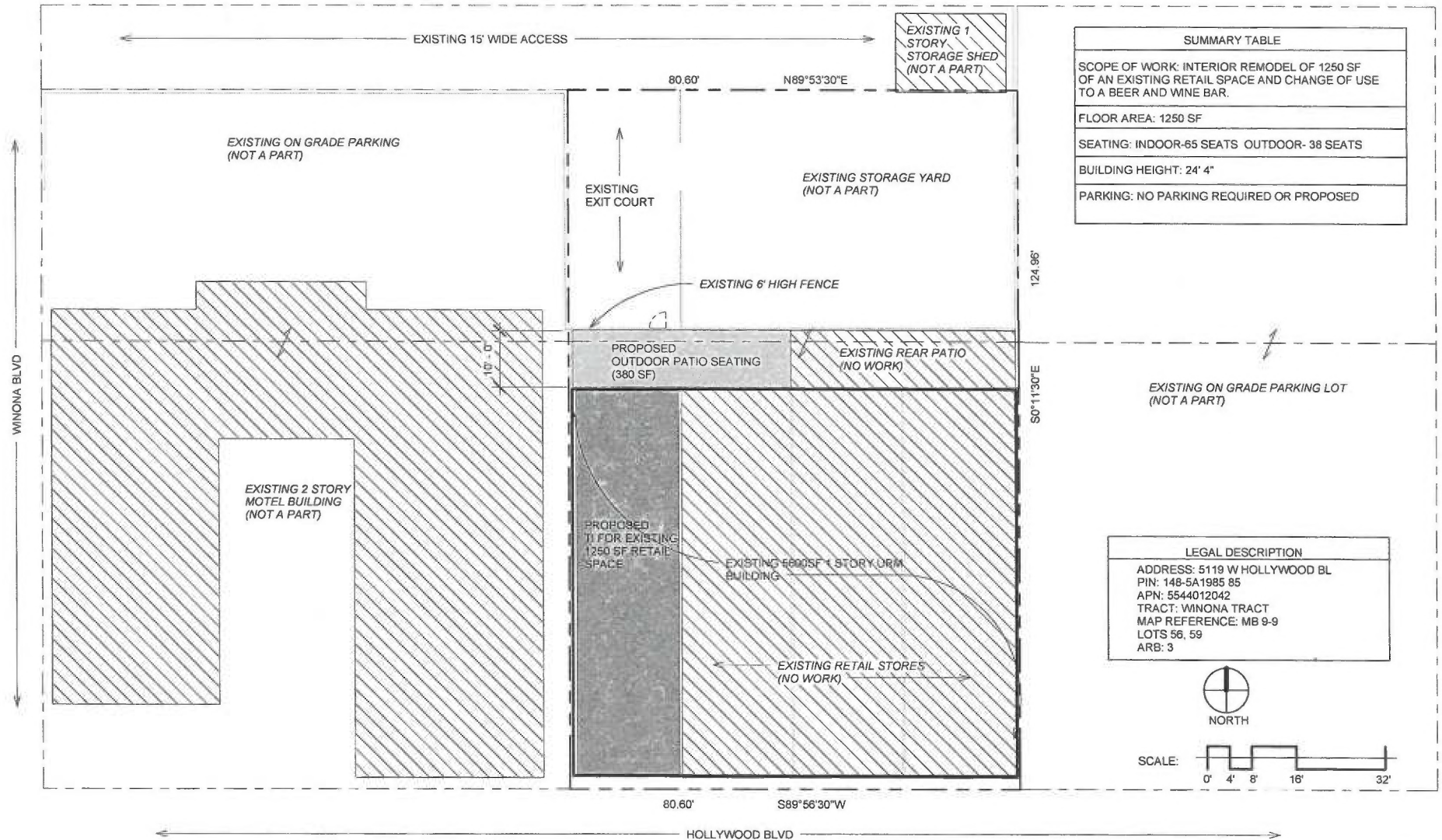
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public (Seal)



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, 201 North Figueroa Street 4th Floor, or 6262 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.



CITY OF LOS ANGELES, CITY PLANNING DEPT CUB SUBMITTAL

TABULA RASA: BEER & WINE BAR

5119 HOLLYWOOD BLVD, LOS ANGELES, CA 90027

Project number 1555	01	SPAD
Date 8-25-2015		
PLOT PLAN	Scale 1/16" = 1'-0"	

TABULA RASA BAR
5125 W. HOLLYWOOD BOULEVARD



TABULA RASA BAR
5125 W. HOLLYWOOD BOULEVARD



TABULA RASA BAR
5125 W. HOLLYWOOD BOULEVARD



The map shows an aerial view of a city block. Hollywood Blvd runs horizontally across the middle. A proposed highway dedication area is highlighted in pink, starting from the left edge and extending eastward. The area is bounded by Winona Blvd to the north and south, and Normandie Ave to the east. The map is divided into several rectangular lots. Zoning districts are labeled: R3-1 in the top left, C2-1D in the top right, and C2-1D in the bottom right. A series of numbered arrows (1-5) indicate the proposed highway alignment and its intersection with Hollywood Blvd. Arrow 1 points east from the left edge. Arrow 2 points east from the intersection of Hollywood Blvd and Normandie Ave. Arrow 3 points east from the intersection of Hollywood Blvd and Ordway Blvd. Arrow 4 points east from the intersection of Hollywood Blvd and Winona Blvd. Arrow 5 points east from the intersection of Hollywood Blvd and Winona Blvd. The map also shows other streets like Winona Blvd, Normandie Ave, and Ordway Blvd. The map is divided into several rectangular lots. Zoning districts are labeled: R3-1 in the top left, C2-1D in the top right, and C2-1D in the bottom right.



All Applications Must be Filled Out by Applicant

Bldg. Form 2

PLANS AND SPECIFICATIONS
and other data must also be filled

BUILDING DIVISION

2

DEPARTMENT OF BUILDING AND SAFETY

Application for the Erection of Frame Buildings CLASS "D"

To the Board of Building and Safety Commissioners of the City of Los Angeles:
Application is hereby made to the Board of Building and Safety Commissioners of the City of Los Angeles, through the office of the Superintendent of Building, for a building permit in accordance with the description and for the purpose hereinafter set forth. This application is made subject to the following conditions, which are hereby agreed to by the undersigned applicant and which shall be deemed conditions entering into the exercise of the permit:
First: That the permit does not grant any right or privilege to erect any building or other structure therein described, or any portion thereof, upon any street, alley, or other public place or portion thereof.
Second: That the permit does not grant any right or privilege to use any building or other structure therein described, or any portion thereof, for any purpose that is, or may hereafter be prohibited by ordinance of the City of Los Angeles.
Third: That the granting of the permit does not affect or prejudice any claim of title to, or right of possession in, the property described in such permit.

Lot No. 80 Block 1
(Description of Property)

TAKE TO ROOM No. 248 (2ND FLOOR)
CITY CLERK PLEASE VERIFY

TAKE TO ROOM No. 5 (MAIN ST FLOOR)
ENGINEER PLEASE VERIFY

District No. 1 M. B. Page F. B. Page

No. 3721 Hollywood Blvd. Street
(Location of Job)

Peterson, Norman
(USE INK OR INDELIBLE PENCIL)

O. K. City Clerk By O. K. City Engineer Deputy

- Purpose of Building Private Living No. of Rooms 2 No. of Families 1
- Owner's name Anna Peterson Phone No. 18946
- Owner's address 1751 W. Normandie
- Architect's name Frank R. Rasmussen Phone 17288
- Contractor's name Frank R. Rasmussen Phone 17288
- Contractor's address 516 S. Hollywood Blvd.
- VALUATION OF PROPOSED WORK (including all material, Labor, Finishing Equip-ment and Appliances in Completed Building) \$ 200.00
- Is there any existing building or permit for a building on lot? no How Used? Store
- Size of proposed building 12 x 22 Height to highest point 10 feet
- Number of Stories in height 1 Character of ground Decomposed Granite
- Material of foundation Concrete Size of footings 12 x 12 Size of wall 12 x 12 Depth below ground 4
- Material of chimneys None Number of Inlets, to flue None Interior size of flues None
- Material of exterior walls Stucco & Siding
- Give sizes of following materials: REDWOOD MUDDSILLS 2 x 6 Girders 2 x 6
EXTERIOR studs 2 x 4 INTERIOR BEARING studs 2 x 6 Interior Non-Bearing Studs 2 x 4
Ceiling joists 2 x 4 Roof Rafters 2 x 6 FIRST FLOOR JOISTS 2 x 6
Second floor joists 2 x 4 Specify material of roof Composition
- Will all provisions of State Housing Act be Complied with? Yes
- Will all lathing and plastering Comply with Ordinance? Yes
- What Zone is Property in? Zone 1

I have carefully examined and read the above application and know the same is true and correct, and that all provisions of the Ordinances and Laws governing Building Construction will be complied with, whether herein specified or not.

OVER

(Sign Here)

(Owner or Authorized Agent)

FOR DEPARTMENT USE ONLY

PERMIT NO. 8876	Plans and Specifications checked and found to conform to Ordinances, State Laws, etc. Plan Examiner	Application checked and found <u>4-18-30</u> <u>2C</u> <u>1100</u> <u>NSK</u> Clerk	RECEIVED APR 18 1930 TODAY
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FOR DEPARTMENT USE ONLY

APPLICATION	O.K.
CONSTRUCTION	O.K.
ZONING	O.K.
SET-BACK LINE	O.K.
ORD. 33761 (N. S.)	O.K.
FIRE DISTRICT	O.K.

REMARKS

The building referred to in this application will be more than 10% (1/2) from *Hollywood Blvd.*

Frank R. Rake
Owner or Authorized Agent

All Applications must be filled out by Applicant

Blkg. Form 1

PLANS AND SPECIFICATIONS
and other data must also be filed

1

BOARD OF PUBLIC WORKS
DEPARTMENT OF BUILDINGS

Application for the Erection of Buildings

CLASS "A" "B" "C"

To the Board of Public Works of the City of Los Angeles:

Application is hereby made to the Board of Public Works of the City of Los Angeles, through the office of the Chief Inspector of Buildings, for a building permit in accordance with the description and for the purpose hereinafter set forth. This application is made subject to the following conditions, which are hereby agreed to by the undersigned applicant and which shall be deemed conditions entering into the exercise of the permit:

First: That the permit does not grant any right or privilege to erect any building or other structure therein described, or any portion thereof, upon any street, alley, or other public place or portion thereof.

Second: That the permit does not grant any right or privilege to use any building or other structure therein described, or any portion thereof, for any purpose that is, or may hereafter be prohibited by ordinance of the City of Los Angeles.

Third: That the granting of the permit does not affect or prejudice any claim of title to, or right of possession in, the property described in such permit.

TAKE TO
REAR OF
NORTH
ANNEX
1st FLOOR

CITY CLERK
PLEASE
VERIFY

TAKE TO
ROOM N. 403
SOUTH
ANNEX

ENGINEER
PLEASE
VERIFY

East Roft of 59
Lot No. _____ Block _____
(Description of Property)
Union Truck
District No. 32 M. B. Page 11 F. B. Page _____

No. 5119-21-23-25 Hollywood Blvd Street
(Location of Job)
N.E. Cor. Wilcox Blvd & Hollywood Blvd

(USE INK OR INDELIBLE PENCIL)

O. K. City Clerk
By _____

O. K. City Engineer
By _____

1. Purpose of Building Stores No. of Rooms 4 No. of Families _____
2. Owner's name Anna M. Calver Phone 598-046
3. Owner's address 1751 N. Normandie Ave.
4. Architect's name Frank Ranch Phone Hollywood 1758
5. Contractor's name _____ Phone _____
6. Contractor's address 5652 Hollywood Blvd
7. TOTAL VALUATION OF BUILDING (Including Plumbing, Gas Fitting, Sewers, Cesspools, Elevators, Painting, Finishing, all Labor, etc.) \$ 12,500.00
8. Any other buildings on lot at present? Yes How used? Garage Station 30' 0" FROM BUILDING
9. Size of proposed building 80 x 70 Size of lot 79.88 x 175 feet
10. Number of stories in height one Height to highest point 24'-4"
11. Material of foundation Concrete Character of soil Decomposed Granite
12. Size of footings 2'-0" Depth below surface of ground 1'-8"
13. Number of chimneys _____ Material of chimneys _____
14. Number of inlets to each flue _____ Interior size of such flues _____
15. Material of exterior walls Brick
16. Material of interior construction Lumber
17. Material of floors Concrete
18. Material of roof Composition
19. Are there any other buildings within 30 feet of the proposed structure? Yes

I have carefully examined and read the above application and know the same is true and correct, and hereby certify and agree that if a permit is issued that all of the provisions of the Building Ordinances will be complied with, which herein specified or not; also certify that the plans and specifications herewith filed conform to all of the provisions of the Building Ordinances and State Laws.

OVER 3/22/24

(Sign here)

(Owner or Authorized Agent.)

PERMIT NO. 15120	Plans and Specifications checked and found to conform to Ordinances, State Laws, etc. <u>Charles J. Sec.</u> Plan Examiner	Application checked and found O. K. <u>W. J. Price</u> Clerk	Stamp here when permit is issued MAR 25 1924
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W. J. Noonan 2375




COMPSTAT

Hollywood Area Profile

01/10/16 - 02/06/16





AREA

COMMANDING OFFICER:

Rank:

Date of Rank:

Date Assigned Area:

LAPD Appointment Date:


Peter A. Zarcone

CAPT-III

January 13, 2014

September 8, 2013

September 12, 1988



PATROL DIVISION

COMMANDING OFFICER:

Rank:

Date of Rank:

Date Assigned Area:

LAPD Appointment Date:

Armand A. Carranza

CAPT-I

March 8, 2015

June 7, 2015

November 5, 1990

CRIME STATISTICS for week ending 02/06/16

VIOLENT CRIMES	01/10/16 TO 02/06/16	12/13/15 TO 01/09/16	% Change	12/13/15 TO 01/09/16	11/15/15 TO 12/12/15	% Change	YTD 2016	YTD 2015	% Change	YTD 2016	YTD 2014	% Change
HOMICIDE	0	1	-100.0%	1	0	N.C.*	0	1	-100.0%	0	0	N.C.*
RAPE (121,122)	8	4	100.0%	4	7	-42.9%	9	8	12.5%	9	5	80.0%
RAPE (815,820,821)	3	4	-25.0%	4	5	-20.0%	4	4	0.0%	4	1	300.0%
TOTAL RAPE	11	8	37.5%	8	12	-33.3%	13	12	8.3%	13	6	116.7%
ROBBERY	39	30	30.0%	30	37	-18.9%	50	36	38.9%	50	38	31.6%
AGGRAVATED ASSAULTS	34	29	17.2%	29	58	-50.0%	41	40	2.5%	41	28	46.4%
TOTAL VIOLENT	84	68	23.5%	68	107	-36.4%	104	89	16.9%	104	72	44.4%

PROPERTY CRIMES	01/10/16 TO 02/06/16	12/13/15 TO 01/09/16	% Change	12/13/15 TO 01/09/16	11/15/15 TO 12/12/15	% Change	YTD 2016	YTD 2015	% Change	YTD 2016	YTD 2014	% Change
BURGLARY	37	45	-17.8%	45	51	-11.8%	51	43	18.6%	51	73	-30.1%
MOTOR VEHICLE THEFT	56	58	-3.4%	58	44	31.8%	70	65	7.7%	70	33	112.1%
BTFV	113	112	0.9%	112	132	-15.2%	149	157	-5.1%	149	120	24.2%
PERSONAL/OTHER THEFT	132	124	6.5%	124	180	-31.1%	177	139	27.3%	177	156	13.5%
TOTAL PROPERTY	338	339	-0.3%	339	407	-16.7%	447	404	10.6%	447	382	17.0%
TOTAL PART I	422	407	3.7%	407	514	-20.8%	551	493	11.8%	551	454	21.4%

Child/Spousal Abuse (Part I & II)*	36	26	38.5%	26	43	-39.5%	44	48	-8.3%	44	46	-4.3%
SHOTS FIRED	3	5	-40.0%	5	1	400.0%	4	5	-20.0%	4	4	0.0%
SHOOTING VICTIMS	0	2	-100.0%	2	0	N.C.*	0	2	-100.0%	0	0	N.C.*

ARREST STATISTICS for week ending 02/06/16

ARRESTS	01/10/16 TO 02/06/16	12/13/15 TO 01/09/16	% Change	12/13/15 TO 01/09/16	11/15/15 TO 12/12/15	% Change	YTD 2016	YTD 2015	% Change	YTD 2016	YTD 2014	% Change
HOMICIDE	0	0	N.C.*	0	0	N.C.*	0	2	-100.0%	0	0	N.C.*
RAPE	1	0	N.C.*	0	0	N.C.*	1	2	-50.0%	1	1	0.0%
ROBBERY	14	6	133.3%	6	20	-70.0%	18	24	-25.0%	18	10	80.0%
AGGRAVATED ASSAULT**	37	33	12.1%	33	41	-19.5%	45	40	12.5%	45	30	50.0%
BURGLARY	9	5	80.0%	5	11	-54.5%	13	8	62.5%	13	17	-23.5%
LARCENY	25	24	4.2%	24	17	41.2%	35	23	52.2%	35	41	-14.6%
MOTOR VEHICLE THEFT	13	6	116.7%	6	8	-25.0%	14	5	180.0%	14	6	133.3%
TOTAL VIOLENT	52	39	33.3%	39	61	-36.1%	64	68	-5.9%	64	41	56.1%
TOTAL PART I	99	74	33.8%	74	97	-23.7%	126	104	21.2%	126	105	20.0%
TOTAL ALL ARRESTS	847	726	16.7%	726	813	-10.7%	1097	1556	-29.5%	1097	1260	-12.9%

*Part II Child/Spousal Abuse Simple Assaults not included in Part I Aggravated Assaults above to comply with the FBI's Uniform Crime Reporting guidelines.

**Statistics include domestic violence.

N.C. - Not Calculable

Statistics are based on the date the crime or arrest occurred.



**California Department of Alcoholic Beverage Control
For the County of LOS ANGELES - (On-Sale Licenses)
and Census Tract = 1904.01**

Report as of 2/21/2016

	License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1)	284933	ACTIVE	47	12/8/1993	11/30/2016	THAILAND PLAZA INC 5321 HOLLYWOOD BLVD 2ND FL, 2ND FL LOS ANGELES, CA 90027 Census Tract: 1904.01	THAILAND PLAZA		1933
2)	381059	ACTIVE	47	12/16/2002	11/30/2016	TUCHINDA, PANYA 5241 HOLLYWOOD BLVD LOS ANGELES, CA 90027 Census Tract: 1904.01	HOLLYWOOD THAI RESTAURANT		1933
3)	38542	ACTIVE	48	1/1/1994	2/29/2016	18301 1/2 E 5TH AVE CORP 5153 HOLLYWOOD BLVD LOS ANGELES, CA 90027 Census Tract: 1904.01	JUMBOS CLOWN ROOM		1933
4)	454226	ACTIVE	41	7/25/2007	6/30/2016	5151 HOLLYWOOD LLC 5151 HOLLYWOOD BLVD LOS ANGELES, CA 90027-6113 Census Tract: 1904.01	5151 HOLLYWOOD LLC		1933
5)	484264	ACTIVE	48	7/27/2012 4:25:16 PM	6/30/2016	HOUSTON, MARK PAUL 5221-23 HOLLYWOOD BLVD LOS ANGELES, CA 90027-6113 Census Tract: 1904.01		6541 HOLLYWOOD BLVD, STE 202 LOS ANGELES, CA 90028-6272	1933
6)	546391	ACTIVE	41	4/29/2015 10:51:34 AM	3/31/2016	AKSORNKIT, TRIRERK 5103 HOLLYWOOD BLVD LOS ANGELES, CA 90027-6105 Census Tract: 1904.01	YUM YUM RESTAURANT		1933

- - - End of Report - - -

For a definition of codes, view our [glossary](#).

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
LOURDES GREEN
JAE H. KIM
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

January 26, 2016

Zach Negin (A)
Tabula Rasa Bar, LLC
4325-1/2 Avocado Street
Los Angeles, CA 90027

Irwin and Maxine Tuchfeld
2014 Revocable Trust (O)
5119 Hollywood Boulevard
Los Angeles, CA 90027

Chris Murray and Erika Iverson (R)
Rosenheim & Associates, Inc.
21600 Oxnard Street, Suite 630
Woodland Hills, CA 91367

CASE NO. ZA 2015-3350(CUB)(SPP)
CONDITIONAL USE/SPECIFIC PLAN
PROJECT PERMIT COMPLIANCE
5125 West Hollywood Boulevard
Hollywood Planning Area
Zone : C2-1D
D. M. : 148-5A195
C. D. : 13
CEQA: ENV 2015-3351-CE
Legal Description: Lots 56 & 59,
Winona Tract

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

a Conditional Use to allow the sale and dispensing of beer and wine only for on-site consumption in conjunction with a bar located in the C2-1D Zone; and

Pursuant to LAMC Section 11.5.7 C. and the Vermont/Western Station Neighborhood Area Specific Plan, Ordinance 173,749, I hereby APPROVE:

a Project Permit Compliance Review to allow a change of use from retail to a beer and wine bar within 1,250 square feet of floor area of an existing one-story commercial building located in Subarea B of the Vermont/Western Station Neighborhood Area Plan,

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. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the Condition Compliance Unit for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or Condition Compliance Unit for inclusion in the case file.
7. Authorization:
 - a. Approved herein is the sale and dispensing of beer and wine for on-site consumption in conjunction within a 1,250 square-foot bar, a 380 square-foot rear patio and a 32 square-foot front patio within an existing one-story building. The subject property shall be limited to commercial uses permitted in the C1.5 Limited Commercial Zone by Section 12.13.5 of the Code.
 - b. Maximum seating shall not exceed 63 interior seats and 38 exterior seats within the rear patio for a total of 101 seats.
 - c. Hours of operation for the interior bar shall be limited to the following hours:

Monday-Thursday	–	11 a.m. to 1 a.m.
Friday	–	11 a.m. to 2 a.m.
Saturday	–	10 a.m. to 2 a.m.
Sunday	–	10 a.m. to 1 a.m.

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

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

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

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

A soloist, duo or trio shall not be deemed a violation of this condition provided the music is acoustical in nature and does not extend to the patio area. Any noise emitted that is under the control of the applicant shall not extend beyond the establishment.
11. There shall be no outside speakers installed in the patio area. The operator shall create a sound barrier along the edge of the patio area with a row of plants in planters, clear vinyl plastic curtain or similar material to prevent any sound travel outside of the premises.
12. The use of mass transit shall be promoted on the establishment's website and other social media outlets.
13. If not currently available, lighting shall be installed to provide visibility to the loading area at the rear of the subject building. All exterior lighting sources shall be: maintained and provide sufficient illumination of the immediate environment so as to render persons clearly visible; directed onto the subject property in order to prevent glare; and shielded such that the light source is not visible from adjacent properties, specifically, the residential uses to the north.
14. Trash and recycling bins and storage areas shall be located within a gated, covered enclosure constructed of materials identical to the exterior wall materials of the building. The enclosure shall be a minimum of 6 feet high, and shall have a separate area for recyclable materials.
15. Delivery, trash pickups and disposal of bar waste, including the disposal of bottles, shall be conducted no earlier than 8:00 a.m. and no later than 6:00 p.m., daily.

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

Video tapes shall be maintained for 90 days and shall be made available to the Police Department or other enforcement agency upon request

28. A 24-hour "hot line" phone number shall, be provided for the receipt of complaints from the community regarding the subject facility and shall be:
 - a. Posted at the entry.
 - b. Posted at the Customer Service desk.
 - c. The property owner/operator shall keep a log of complaints received, the date and time received, and the disposition of the response.
 - d. The log shall be available for inspection by the LAPD, the State Alcoholic Beverages Control Board staff and the Department of City Planning upon request.
29. The applicant shall document and maintain a log of complaints received, the date and time received and the disposition of the response. The log shall be made available for review by the Los Angeles Police Department and the Zoning Administrator upon request. All trash, recycling, and storage areas shall be completely enclosed.
30. Any music, sound or noise emitted from the subject business shall comply with the noise regulations in the Los Angeles Municipal Code.
31. The property and all associated parking, including any adjacent area under the control of the operator, sidewalk and alley shall be maintained in an attractive condition and shall be kept free of obstruction, trash, litter and debris at all times.
32. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licensee provide, permit, or make available, either gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of and for the customer.
33. The applicant shall provide the Zoning Administrator a copy of each license, suspension thereof, or citation issued by the State Department of Alcoholic Beverage Control or the Los Angeles Police Department upon such instance.
34. No portion of the restaurant shall be deemed to be "private", for the purpose of dispensing alcoholic beverages to selected patrons. At no time shall any form of membership card or compensation be a pre-requisite for admission to the restaurant at large, or to any sub-portion of the restaurant.
35. Loitering is prohibited on or around the premises, and the area under the control of the applicant.
36. Within six months of the effective date of this action, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter

identifying which employees completing the training. The applicant shall transmit a copy of the letter from the Police Department to Development Services Center or Condition Compliance Unit as evidence of compliance during effectuation.

37. A copy of the conditions of this letter of determination, and valid business permit, shall be retained on the premises at all times and be immediately produced upon the request of any Los Angeles Police officer, employee of the State Department of Alcoholic Beverage Control, or the City's Department of City Planning. Additionally, a copy shall be provided to all employees who shall sign an acknowledgement form stating that they have read and understood all of the ABC and conditional use permit conditions.
38. The authorization granted herein for the sale of beer and wine on the subject premises is for a period of **five (5) years** from the effective date of this grant. Thereafter, a new authorization shall be required to continue the sale of beer and wine.
39. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator shall have the right to require the applicant to file a plan approval application together with the associated fees and to hold a public hearing to review the applicant's compliance with, and effectiveness of, the conditions of the grant. The applicant shall be required to submit a summary and supporting documentation demonstrating how compliance with each condition of the grant has been attained. Upon review, the Zoning Administrator may modify, add or delete conditions and reserves the right to conduct the public hearing for nuisance abatement revocation purposes if so warranted by documentation.
40. The applicant owner and on-site manager(s) shall comply with all applicable laws and conditions and shall properly manage the facility to discourage illegal and criminal activity on the subject premises and any accessory parking areas over which they exercise control, including insuring that no activities associated with narcotics sales, use or possession, gambling or prostitution occur.
41. **Prior to the beginning of operations**, the applicant shall notify the Condition Compliance Unit via email or U.S. Mail when operations are scheduled to begin and shall submit a copy of the Certificate of Occupancy for the Case File. The notification shall be submitted to planning.ccu@lacity.org, with the subject of the email to include the case number, "**ZA-2015-3350-CUB-SPP/Operation Notification**". The applicant shall also submit (attached or mailed) evidence of compliance with any conditions which require compliance "prior to the beginning of operations" as stated by these conditions.
42. **Prior to the beginning of operations**, the manager of the facility shall be made aware of the conditions and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees shall be provided to the Condition Compliance Unit.

within 30 days of the beginning day of operation of the establishment. The statement shall read as follows,

We, the undersigned, have read and understand the conditions of approval to allow the sale and dispensing of a beer and wine only for on-site consumption, in conjunction the bar, known as Tabula Rasa Bar, and agree to abide and comply with said conditions.

43. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the Condition Compliance Unit in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Condition Compliance Unit within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.
44. Should there be a change in the ownership and/or the operator of the business, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or If at any time during the period of validity of this grant, documented evidence is submitted showing continued violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The Zoning Administrator reserves the right to call for a public hearing requiring the applicant to file for a plan approval application. The application, in association with the appropriate fees, shall be submitted to the Department of Planning, Condition Compliance Unit within 30 days of the date of legal acquisition by the new owner or operator. The purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
45. **MViP – Monitoring, Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be

notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.

46. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

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 FEBRUARY 9, 2016, 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 subsequent contact regarding this determination must be with the Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on December 3, 2015, 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 relatively level, L-shaped lot comprised of three contiguously owned parcels of land located on Hollywood Boulevard between Normandie Avenue and Winona Boulevard. The property has an 80-foot frontage along Hollywood Boulevard with a uniform depth of approximately 125 feet and 15 feet of frontage along Winona Boulevard with a uniform depth of 175 feet, for a gross lot area of 12,691 square feet. The property is zoned C2-1D and is currently developed with a 5,600 square-foot, one-story commercial building built in 1924, containing four tenant spaces. Pedestrian access to the building is along the Hollywood Boulevard frontage, while vehicular access is available from Winona Boulevard, though no parking is provided on-site. The property is located within the Hollywood Community Plan area and is subject to the regulations set forth within Subarea B (Mixed Use Boulevards) of the Vermont/Western Station Neighborhood Area Plan (SNAP). The subject building is listed on SurveyLA as having the potential to be an historic resource. As such, all proposed exterior modifications have been vetted by the Office of Historic Resources (OHR) to ensure compliance with the Secretary of Interior's Standards.

The subject tenancy is currently occupied by 1,250 square feet of vacant retail space located at the westerly end of the building. The applicant is seeking a Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a 1,250 square-foot bar, a 380 square-foot rear patio and a 32 square-foot front patio; and a Project Permit Compliance to allow a change of use from retail to a beer and wine bar within the Vermont/Western SNAP. The proposed bar will contain 63 indoor seats and 38 seats within a rear outdoor patio, for a total of 101 seats on-site. Proposed hours of operation will be Monday through Friday, from 11:00 a.m. to 2:00 a.m.; and Saturday and Sunday from 10:00 a.m. to 2:00 a.m. The project work scope involves interior renovations but no addition in floor area. No entertainment is proposed or permitted within Subarea B of the SNAP.

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

The adjacent property to the north, fronting on Winona Boulevard, is zoned R3-1 and improved with a two-story, multifamily residential apartment building.

The adjacent properties to the east and west area zoned C2-1D and developed with a surface parking lot and a motel, respectively.

The adjacent properties to the south, across Hollywood Boulevard, are zoned C2-1D and developed with a mini-shopping center containing retail and restaurant uses.

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

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

Previous zoning related actions in the area include:

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

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

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

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

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

PUBLIC HEARING

A Notice of Public Hearing was sent to nearby property owners and/or occupants residing near the subject site on November 5, 2015, for which an application, as described below, had been filed with the Department of City Planning. All interested persons are invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project.

The Public Hearing was held on Thursday, December 3, 2015, at approximately 9:30 a.m. in the Los Angeles City Hall at 200 North Spring Street, Room 1020.

The applicant's representative Christopher Murray, and the applicant and the owner of Tabula Rasa Bar, LLC, Zach Negin commented as follows:

- The bar is located in the mid-block on Hollywood Boulevard commercial corridor.
- It is an area in transition where many businesses are coming back in.
- The building where the bar will be located at has many tenant spaces and the bar will go into one of the vacant units.
- The bar consists of 1,250 interior square feet, and 412 outdoor square feet. Interior seating number is 63 with 38 outdoor seats.
- The bar is not a restaurant, but will serve food.
- There is only one exit in the rear for delivery and emergency exit only.
- The site is zoned C2 in the Vermont/Western SNAP plan. It is in City's "Promise Zone".
- The building was constructed in 1924, there is no additional parking spaces required for the change of use from retail to bar.
- The requested hours of operation is from 11 am to 2 am Monday to Friday, and 10 a.m. to 2 a.m. on Saturday and Sunday.
- The applicant wants to open and provide a "gathering spot" to the neighborhood in a beautiful setting.
- The concept started 3 years ago, the idea is only serving beer and wine with a bit of food. A place for local residents to hang out.
- The applicant is passionate about the art of craft beer and culture, and will serve rare and special selected beer.
- The tenant space has been vacant and a blight to the community for many years.
- It was a bail bond office, then a marijuana dispensary that never opened, to his selected beer and wine bar.
- The interior of the bar has mural art.
- There are many bars in the area, but none is serving beer and wine only.
- Intentionally to not serve liquid because the clientele changes.?????
- Most customers will come on by walking, transit and bike, and using UBER and LYFT taxi services.
- The project is in line with Vermont/Western SNAP Plan as SNAP encourages the alternative mode of transportation.
- The applicant intends to provide a low-key and quiet place that he can be proud of.
- The applicant is in a continuing conversation with LAPD, a site visit occurred in July 2015.
- The applicant has also conducted an extensive outreach to the local residents to address various concerns. Much support has been received from the neighbors who live in the area.

Zoning Administrator asked a few questions prior to the public comment period:

- Would the applicant consider revising the hours of operation? The rear patio hours seem excessive, it operates late into the night.
- Any exterior speakers?
- Is there any live entertainment provided?
- Any security plan?

Officer Poole, Los Angeles Police Department:

- LAPD will issue a comment letter for the project.
- The local police office have conducted a site visit and the applicant was amiable to the Police recommendation.

David Florez, Bestia Restaurant manager, a supporting party:

- He worked with the applicant in Bestia Restaurant.
- In his 24 year restaurant business experience, he vouches for applicant's responsible leadership.
- City deserves more business owners as the applicant.

Sean Kogge, a supporting party:

- The bar will be a great addition to the community.

Adam Westspot, a business owner and a supporting party:

- The applicant understands the conditional use authority and its obligation.
- The applicant will influence the neighborhood in a positive way.

Courtney Copland, a supporting party:

- The applicant exhibits thoughtfulness to his co-workers and customers, and he will do the same to the local residents.
- The applicant wants to open a quiet establishment.

Pat Kheourai, a nearby concerned local residents:

- She has been a long time resident in the area.
- She is worried about the bar and the effect it will have on the community.
- The bar use is not like the restaurant, it may create a safety issue and the closing time of the bar is too late.
- There is already an over-consumption of alcohol in the area.
- She wants to voice concerns for residents in the area who could not attend the hearing and who do not speak English.

Applicant responses:

- The applicant does not want to be an impediment to the community.
- He will work with the residents to address all of their concerns.
- The applicant would consider reducing the patio hours.
- Live entertainment will be limited to 2-3 piece acoustic music.
- There will be no dancing.
- The bar will provide a doorman to be the monitor of the premises.

- The applicant is working with LAPD to complete the Police comment letter.
- Parking will not be an issue because most Hollywood locals use UBER service very much.

At the close of the hearing the Zoning Administrator stated that he would consider a reduced hours of operation for the bar as the rear patio is abutting to residential use, and he will also consider sound mitigation to the rear patio to prevent noise nuisance. The Zoning Administrator agrees that parking is not an issue because the project is complying with the Code on parking requirement, and people in parking congested areas such as Hollywood have become accustomed to using UBER and LYFT transportation services widely. Finally, the Zoning Administrator indicated he is inclined to approve the application, but he will take the case under advisement and wait for the LAPD recommendation letter.

AGENCY COMMUNICATIONS RECEIVED

The Los Angeles Police Department has issued a recommendation letter for the application on December 2, 2015. The LAPD has reviewed the master Land Use Permit and Application for an Alcoholic Beverage License, and has met with the applicant. Most of the LAPD's concerns were allayed during the meetings and they were generally able to come to consensus regarding the operating conditions for the location. Therefore, provided the attached 30 conditions are implemented, the LAPD does not have an opposition to the granting of a conditional use for the location at this time.

Los Feliz Neighborhood Council issued an approval recommendation letter on November 17, 2015. The Neighborhood Council stated that the Governing Board hereby recommends approval of the application and conditioned on the following revisions to the hours of operations:

1. Applicant revises the rear patio operation hours to Sunday through Thursday from 11:00 AM to 11:00 PM and on Friday and Saturday from 11:00 AM to 12:00 AM.
2. Hours of operation in the Bar Area are revised to Sunday to Thursday from 11:00 AM to 12:00 AM, and Friday and Saturday from 11:00 to 2:00 AM.

Any deviation from the above referenced revisions by the Applicant will constitute automatic withdraw of the recommendation of approval, and revert to opposition of the project in its entirety. There was no formal opposition but concerns regarding parking and noise were raised and addressed.

OPPOSITION LETTER TO THE FILE

A letter dated November 25, 2015, was received from Paul W. Evans who is a long time local resident in the neighborhood. He has several concerns with the bar establishment regarding noise and parking impacts to the neighborhood. The letter further pointed out that the applicant did not address if the bar will be sound-proof. Mr. Evans and other residents need a guarantee that the applicant will act as a good neighbor and not have amplified music, or any music, on the outside patio.

SUPPORT LETTERS TO THE FILE

A letter dated November 24, 2015, was received from Sara Andreasson who is a long term resident in the neighborhood. She stated that her husband and she would be thrilled to have a nice establishment to frequent later in the evenings. Most of places close early are dive bars so they end up going to other communities for a drink and food service. She would like to see the area cleaned up and a more upscale establishment. She expressed that the applicant extensively discussed the scope of the business with her and she is fully support of the project.

A letter dated November 24, 2015, was received from Sasha Gustafson who is a long term resident in the neighborhood. She stated that her husband and she would be excited to have a nice establishment to frequent later in the evenings after a long day at work. They like the proposed live music by the applicant and the close proximity of the bar where they can conveniently catch an UBER ride to the bar. She expressed that the applicant extensively discussed the scope of the business with her and she is fully supportive of the project.

A letter dated November 16, 2015, was received from Stephen Cox who is a long term resident in the neighborhood. She supports the project because there is not an upscale bar in her neighborhood, most are dive bars. The newly ramped-up East-Hollywood neighborhood is ready for some fresh venues that will improve the landscape of the area's nightlife without departing from the local flavor of the businesses around it.

A letter dated November 16, 2015, was received from Sean Kogge who is a long term resident in the neighborhood. He stated that the applicant's vision for the bar will create an establishment that will enrich the community and become easily cherished by longtime residents. The night life culture in Los Angeles has drastically changed in recent years with ride sharing services such as UBER and LYFT. There are very few places in the neighborhood that provide a refined atmosphere to enjoy a glass of wine.

A letter dated October 30, 2015, was received from Mitchell Frank who is a long term resident, property and business owner in the neighborhood. He was contacted by the applicant to have a discussion on the scope of the bar. Mr. Frank stated that in his experience over the years, parking in the area should not be an issue as everyone is walking, using UBER, and bicycle, etc. Having the ability when warranted and business is there to be able to stay open until 2 am, would add to the more "upscale" nature of the business and how that would improve the neighborhood. He fully supports the project.

A letter dated September 8, 2015, was received from Jenna De Mase who is a local resident in the neighborhood. She believes the bar with live music and open patio will be an excellent addition and an update business to the neighborhood. This bar will be a more sophisticate establishment than current bar options on Hollywood Boulevard. She is a frequent user of UBER service, and she does not believe there would be a parking issue. She fully supports the project.

A letter dated August 26, 2015, was received from Justin Bloomer who is a long term resident in the neighborhood. He believes the bar will be a welcome addition to the

neighborhood. He also believes the applicant is a conscientious, passionate businessman and has the community's best interest at heart. He fully supports the project.

A letter dated August 26, 2015, was received from Camarie Greenworld who is a local resident in the neighborhood. She believes the bar will be a welcome addition to the neighborhood with its live music, open patio and have a drink and some food. She also believes the applicant is a conscientious, passionate businessman and has the community's best interest at heart. She fully supports the project.

A letter dated August 25, was received from Lucy Keshismian who is a property owner in the neighborhood. As the residential neighbors with the closest proximity to the project, she stands to be impacted the most by the project. The applicant has extensively discussed the scope of the business. She fully supports the project.

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

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

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

- No "Happy Hour" type of reduced-price alcoholic beverage or "2 for 1" promotion shall be allowed at any time.
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- The sale of alcoholic beverages for consumption off the premises is prohibited.
- Fortified wine (greater than 16% alcohol) shall not be sold.

- There shall be no cocktail lounge or separate bar area.
- The off-site sale of alcoholic beverages as a secondary use (i.e., "take out") is not permitted.
- All service of alcoholic beverages shall be conducted by a waitress or waiter or bartender.
- No sale of alcohol shall be permitted at any self-service, automated checkout station (checkout conducted primarily by the customer, with assistance by a store monitor) if such are available on the site. All sales of alcohol shall be conducted at a full-service checkout station directly attended by a cashier/checkout clerk specifically assigned solely to that station.
- The alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premises.
- There shall be no "Buckets" of beer allowed to be sold. Portable bars are prohibited. There shall be no "Minimum drink" required of patrons. In addition, there shall be NO sales of table(s) and/or seating where alcoholic beverages are in any way included in the sale cost of the seating.
- There shall be no service, sales or possession of an alcoholic beverage on any sidewalk area or adjacent parking lot or alley way. There shall be no off-site sales of 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 beer and wine 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 relatively level, L-shaped lot comprised of three contiguously owned parcels of land located on Hollywood Boulevard between

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

The proposed project includes tenant improvements and a change of use associated with the establishment of a beer and wine bar located within a 1,250 square foot tenancy at the westerly end of the building, in addition to new front and rear patio areas. Other than the vacant retail storefront the proposed beer and wine bar will occupy, the commercial building is shared with a Thai massage parlor, a retail furniture store and a glass repair business. Adjoining the property to the west is an existing motel, and adjoining the property to the east is a surface parking lot. The subject site is located within an area that is established as a retail corridor that shares a similar massing, scale and intensity of use for the surrounding residents. It is also accessible by car, foot and public transit. The proposed bar will enhance the existing building by renovating the storefront façade and inject much needed business activities into a once vacant and blight retail space. The applicant intends to create an upscale neighborhood gathering spot with beer and wine and food service for the local residents to enjoy. The service and function provided by the proposed project is considered as beneficial and convenient to the community.

Letters of support have been submitted by one (1) business owner and eight (8) residential tenants, two (2) of which are residents in the apartment building directly behind the subject property, stating that they do not have issues with the hours of operation to 2:00 a.m. or the outdoor patio abutting the residential uses and are looking forward to having a more sophisticated neighborhood bar within walking distance. It should also be noted that Subarea B of the Vermont/Western SNAP prohibits entertainment of any type, unless a Specific Plan Exception is obtained.

One letter of opposition was received from a local resident expressing concerns on noise and the lack of parking spaces. Conditions to mitigate noise have been imposed as a part of the determination with outside patio closing hours limited to 11:00 p.m., from Sunday to Thursday, and 12:00 midnight on Friday and Saturday, maintaining a sound barrier, and no music playing at the outdoor patio location. The project complies with the Code on the parking requirement, and no additional parking spaces are needed. Transportation mode used by Angelenos has been evolving as the City encourages public transit, bicycle use and ride share services as UBER and LYFT. Many people who spoke at the public hearing and submitted letters to the file all expressed that they use ride share services and do not believe the project will generate a parking impacts nor believe most of the patrons will drive to the proposed bar.

As proposed, beer and wine bar will serve the public convenience and provide an amenity within walking distance to local residents in the surrounding neighborhood. Further, as conditioned, the sale of alcoholic beverage shall occur within a controlled environment within the store by trained employees, subject to numerous security measures, limited hours of operation, surveillance cameras, STAR training,

and a limited term grant under which the use can be reevaluated in five years regarding compliance with conditions, nuisance complaints and the appropriateness of the use.

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

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

The applicant is seeking a Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a 1,250 square-foot bar, a 380 square-foot rear patio and a 32 square-foot front patio; and a Project Permit Compliance to allow a change of use from retail to a beer and wine bar within the Vermont/Western SNAP. The proposed bar will contain 63 indoor seats and 38 seats within a rear outdoor patio, for a total of 101 seats on-site. Proposed hours of operation will be Monday through Friday, from 11:00 a.m. to 2:00 a.m.; and Saturday and Sunday from 10:00 a.m. to 2:00 a.m. The project work scope involves interior renovations but no addition in floor area. No entertainment is proposed or permitted within Subarea B of the SNAP.

Surrounding properties are within the C2-1D and R3-1 Zones, and developed with a variety of neighborhood serving commercial uses along Hollywood Boulevard, with residential uses to the north along Winona Boulevard. Given that there will be a proposed rear patio abutting the residential properties fronting on Winona Boulevard the Zoning Administrator reduced the hours of operation for the rear patio and limited hours to 11:00 a. m. to 11:00 p.m., from Monday to Thursday, 11:00 a.m. to 12:00 midnight on Friday, 10:00 a.m. to 12:00 midnight on Saturday, and 10:00 a.m. to 11:00 p.m. on Sunday. The operation hours of the interior bar have also been reduced by the decision maker by one hour at night during the week days from the proposed 2:00 a.m. to 1:00 a.m. The approved hours of operation of the project are mostly consistent with the recommendation of the Los Feliz Neighborhood Council except the weekend opening time by one hour earlier and the weekday closing time for the interior bar by one hour later. The predominant concern of the project is the noise traveled from the rear patio to abutting residential properties, especially at nighttime where it can cause the most nuisance. By limiting the operation hours for the rear patio at nighttime, the majority of the noise impact can be eliminated. Conditions have also been imposed to prohibit any music to be played in outdoor area. The operator also needs to maintain a sound buffer to prevent any loud noise overflowing to the adjacent areas. Activities and sounds taking place at interior bar should not be a concern as the bar is in an enclosed building with only one exit to Hollywood Boulevard and away from the rear residential use. The opening time at 10:00 a.m. during the weekend should not be a concern also as the noise nuisance takes place at night and not during the mid-morning hours. The decision maker

respects the Neighborhood Council's recommendation, and he has adhered to the recommended closing time for the rear patio into the condition imposed.

In addition to the change of use, the applicant also proposes to improve and upgrade the storefront the satisfaction of the Office of Historic Resources (OHR), as the building is listed in SurveyLA as a potential historic resource. The applicant has worked with planning staff to ensure that the proposed exterior alterations are compliant with the Secretary of Interior's Standards. A Condition of Approval has also been added to ensure that any future modifications to the exterior return to the OHR for review.

There are five sensitive uses within a 1,000-foot radius, which includes two churches, two schools and a marijuana dispensary. As conditioned, should documented evidence be submitted showing a violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require the applicant to file for a plan approval application. Further, as conditioned, the sale of alcoholic beverages shall occur within a controlled environment within the store by trained employees, subject to numerous security measures. Additional conditions include, but are not limited to, limited hours of operation, limited hours of delivery and trash pickups, surveillance cameras, STAR training, designated driver incentives, prohibition of entertainment on-site, and a limited term grant under which the use can be reevaluated in five years regarding compliance with conditions, nuisance complaints and the appropriateness of the use.

Therefore, based on the facts herein and in conjunction with the imposition of operational conditions, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

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

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. One of the objectives of the Hollywood Community Plan includes promoting economic well-being and public convenience through allocating and distributing commercial lands for retail, service and office facilities in quantities and patterns based on accepted planning principles and standards. The subject property is planned and zoned for commercial uses

and, as demonstrated in the Findings above, allowing a beer and wine bar to operate out of the subject location would provide a public convenience for the surrounding neighborhood. Additionally, the majority of the policies derived from Elements are in the form of Code Requirements of Los Angeles Municipal Code. The conditional authorization for the sale of alcoholic beverages on-site is allowed through the approval of the Zoning Administrator subject to certain findings, of which have been made herein. Therefore, it can be found that granting of the conditional use will allow the proposed project to provide a convenience for the neighborhood, and in conjunction with the imposition of conditions addressing operational and alcohol-related issues, the proposed use will substantially conform with the purpose, intent and provisions of the General Plan and the applicable community plan.

ALCOHOLIC BEVERAGE FINDINGS

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

The project site is located in an area of concentrated commercial development with existing alcohol establishments. Surrounding properties are within the C2-1D and R3-1 Zones developed with a variety of neighborhood serving commercial uses along Hollywood Boulevard, with residential uses to the north along Winona Boulevard. The current request is to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a 1,250 square-foot bar, a 380 square-foot rear patio and a 32 square-foot front patio; and a Project Permit Compliance to allow a change of use from retail to a beer and wine bar within the Vermont/Western SNAP. The proposed bar will contain 63 indoor seats and 38 seats within a rear outdoor patio, for a total of 101 seats on-site. Proposed hours of operation will be Monday through Friday, from 11:00 a.m. to 2:00 a.m.; and Saturday and Sunday from 10:00 a.m. to 2:00 a.m. The decision maker has approved instead hours of operation for the bar area as 11:00 a.m. to 1:00 a.m., from Monday to Thursday, 11:00 a.m. to 2:00 a.m. on Friday, 10:00 a.m. to 2:00 a.m. on Saturday, and 10:00 a.m. to 1:00 a.m. on Sunday. And, hours of operation for the rear patio area as 11:00 a.m. to 11:00 p.m., from Monday to Thursday, 11:00 a.m. to 12:00 midnight on Friday, 10:00 a.m. to 12:00 midnight on Saturday, and 10:00 a.m. to 11:00 p.m. on Sunday. The approved hours of operation aim to eliminate any the noise impact to the surrounding residential uses.

The subject property is zoned for commercial uses and will continue to operate as such given the proposed change of use from retail to a beer and wine bar. Additionally, conditions of approval have been included to ensure the use will not be materially detrimental to the character or the development in the immediate neighborhood. Said conditions include, but are not limited to: limited hours of operation, and further limited hours for the outdoor patio which abuts residential uses; limited hours for delivery and trash pickups; the prohibition of entertainment and live music; the requirement for on-site surveillance cameras, 24-hour hotline, designated driver incentives and STAR training; and a limited term grant under which the use can be reevaluated in five years regarding compliance with conditions, nuisance complaints and the appropriateness of the use. Additional conditions have also been recommended for consideration by the California

Department of Alcoholic Beverage Control that regulate the sales of alcohol to prevent potentially negative impacts to neighborhood. Therefore, based on the information herein and in conjunction with the operational conditions, the proposed use will not adversely affect the welfare of the pertinent community.

The Los Angeles Police Department has recommend 30 conditions relating to crime prevention, noise, alcoholic beverage service practice, and site maintenance for the approval of the project. The decision maker has incorporated all 30 conditions into the decision as well as recommendations to the California State Alcoholic Beverage Control. The decision imposed a total of 46 conditions all to ensure the bar operation will comply with all community expectation and City and State regulations without creating injurious impact to the welfare of the pertinent community.

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

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, two (2) on-sale and two (2) off-sale licenses are allocated to subject Census Tract No. 1904.01. There are currently 6 on-site and 2 off-site licenses in this Census Tract.

Within 600-foot radius of the subject property, the following types of alcoholic beverage licenses are active or pending:

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

According to statistics provided by the Los Angeles Police Department, which has jurisdiction over the subject property, within Crime Reporting District No. 639, a total of 113 crimes were reported in 2014, compared to the citywide average of 163 crimes and the high crime reporting district average of 196 crimes for the same period.

In 2014, there were 18 Narcotics, 9 Liquor Law, 16 Public Drunkenness, 2 Disturbing the Peace, 2 Disorderly Conduct, and 5 DWI related arrests. These

numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Although the number of existing licenses is above the number currently allocated, the project site is located in an area of concentrated commercial development with existing alcohol establishments. Further, the crime rate numbers are lower than those rates identified for the City. In addition, conditions have been imposed to mitigate any adverse impacts on the area, including the requirement for surveillance cameras, limited hours of operation and a limited term grant that will allow the City the opportunity to review the tenant in more detail through the plan approval process which shall include a public hearing within five years of the effective date of this action. At such time the conditions of operation can be more specifically considered and addressed on an individual basis. Letters of support have also been submitted by surrounding residents expressing the need for a more sophisticated beer and wine establishment in the general area.

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

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

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

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

School

Rose and Alex Pilibos Armenian School
Creative Angels Preschool

1615 Alexandria Street
1725 Mariposa Avenue

Church

Templo de Christo La Verdad
The Church of Jesus Christ & Latter Day Saints

5158 Hollywood Boulevard
1550 Normandie Avenue

Marijuana Dispensary
Pure View Dispensary

1725 Mariposa Avenue

However, being located in a prime commercial area, the diversity and proximity to sensitive uses is not uncommon. To ensure that the nearby sensitive uses are adequately buffered from any potential adverse impacts of this project, Conditions of Approval have been included to ensure that no loitering, littering, excessive noise or light will result from the operation of this business. The project site is also prohibited from having live entertainment on-site, in addition to limited hours of operation for the rear patio and delivery and trash pickups, to ensure minimal noise impacts from the business on surrounding residential uses, namely the apartment building abutting the subject site to the north. The limited term grant will also allow for a subsequent consideration of the request taking into account any changes in the area that may create impacts. Therefore, as conditioned, it can be found that the proposed use will not detrimentally affect the nearby residentially zoned communities or create potential nuisances for the surrounding area.

PROJECT PERMIT COMPLIANCE FINDINGS

7. **The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.**
 - a. **Use.** Section 8.A. of the Vermont/Western Specific Plan states that residential uses permitted in the R3 Zone by LAMC Section 12.10 and commercial uses permitted in the C1.5 Limited Commercial Zone by LAMC Section 12.13.5 shall be permitted by-right on any lot located within Subarea B of the Specific Plan area. The proposed project includes a change of use from a retail storefront to a beer and wine bar, a use which is conditionally permitted in the C1.5 Zone. No live entertainment is proposed or permitted on this site. Therefore, in conjunction with the Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site consumption, the project complies with Section 8.A of the Specific Plan.
 - b. **Height and Floor Area.** Section 8.B of the Vermont/Western Specific Plan states that the height of any building comprised exclusively of commercial uses shall not exceed a maximum building height of 35 feet and a floor area ratio (FAR) of 1.5:1. The building, built in 1924, has an existing building height of 24-feet, 4-inches. The project site contains approximately 12,691 square feet of lot area and the existing building contains approximately 5,600 square feet of floor area (including the 1,250 square foot bar tenancy), resulting in an approximately 0.44:1 FAR. In addition, the existing building does not exceed 19-feet in height. The project involves a change of use within an existing building which will not result in additional height or floor area. Though a new covered front patio is proposed, the area is already included in the tenancy floor area as it is being carved out of the existing storefront; the proposed rear patios will remain uncovered and thus does not constitute as additional floor area. Therefore, the project complies with 8.B of the Specific Plan.

- c. **Transitional Height.** Section 8.C of the Vermont/Western Specific Plan states that portions of buildings on a lot located within Subarea B shall not exceed specified transitional height limits as follows: buildings located between 0-49 feet of a Subarea A lot shall be limited 25-feet in height; and buildings within 50-99 feet of a Subarea A lot shall be limited to 33 feet in height. The project site adjoins a Subarea A lot to the north. However, the existing building does not exceed 24-feet, 4-inches in height. Therefore, the project complies with Section 8.C of the Specific Plan.
- d. **Usable Open Space.** Section 8.D of the Vermont/Western Specific Plan states that a Project containing two or more residential units shall provide usable open space in accordance with LAMC Section 12.21 G.2. The project is a non-residential change of use from a retail storefront to a beer and wine bar. Therefore, Section 8.D of the Specific Plan does not apply.
- e. **Project Parking Requirements.** Section 8.E.4 of the Vermont/Western Specific Plan states that no additional parking shall be required for a change of use within an existing building provided that existing onsite parking is maintained. Though there is a surface lot located at the north end of the property and accessible from Winona Boulevard, the building was originally constructed in 1924 without any parking, nor does the project propose to add any parking. Therefore, the project complies with Section 8.E of the Specific Plan.
- f. **Conversion Requirements.** Section 8.F of the Vermont/Western Specific Plan sets forth requirements pertaining to the conversion of existing structures from commercial uses to residential condominium uses. The applicant proposes a change of use from a retail storefront to a beer and wine bar and is not subject to conversion requirements for condominium uses. Therefore, Section 8.F of the Specific Plan does not apply.
- g. **Yards.** Section 8.G of the Vermont/Western Specific Plan specifies that no front, side or rear yard setbacks shall be required for the development of any project within Subarea B. The project involves a change of use within an existing building, which will not result in any expansion of the existing building footprint. Therefore, Section 8.G of the Specific Plan does not apply.
- h. **Pedestrian Throughways.** Section 8.H of the Vermont/Western Specific Plan requires a pedestrian walkway, thoroughway or path for every 250 feet of street frontage for a project. The existing building currently occupies approximately 80 feet of frontage along Hollywood Boulevard, and approximately 15 feet of frontage along Winona Boulevard. Therefore, Section 8.H of the Specific Plan does not apply.
- i. **Development Standards.** Section 8.I. of the Vermont/Western Specific Plan requires that all projects be in substantial conformance with the Development Standards and Design Guidelines. However, the Development Standards and Design Guidelines apply to all new development and extensive

remodeling projects. The proposed project is not new development or considered extensive remodeling. However, the project is a change of use within an existing commercial building and therefore the Development Standards and Design Guidelines do not apply.

8. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

The Zoning Administrator has determined that the project is Categorically Exempt from the environmental review pursuant to Article II, Section 2, Class 5, and Category 34 of the City CEQA Guidelines because the project involves the granting of a Conditional Use Permit to allow the on-site sales and consumption of alcoholic beverages where the premises does not exceed an occupant load of 200 persons and the use does not involve or require an original dancehall, skating rink or bowling alley permit from the Los Angeles Police Commission.

ADDITIONAL MANDATORY FINDINGS

9. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
10. On October 15, 2015 the project was issued a Notice of Exemption (Subsection c, Section 2, Article II, City CEQA Guidelines), log reference ENV 2015-3351-CE, for a Categorical Exemption, Class 5, Category 34, Article III, Section 1, City CEQA Guidelines (Sections 15300-15333, State CEQA Guidelines). I hereby adopt that action.

Inquiries regarding this matter shall be directed to Mindy Nguyen, Planning Staff for the Office of Zoning Administration at (213) 978-1241.



JACK CHIANG
Associate Zoning Administrator

JC:MN:Imc

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

1)	TUCHFELD IRWIN (TE) 12423 DEBBY ST NORTH HOLLYWOOD CA 91606-3106 C016	16)	KANOYAN DESPINA 1717 WINONA BLVD LOS ANGELES CA 90027-3801 C036	17)	RAFFI CORP 1711 WINONA BLVD #5 LOS ANGELES CA 90027-3891 C036
33)	ROUEN EN NORMANDIE LLC 2719 WILSHIRE BLVD #250 SANTA MONICA CA 90403-4705 C029	35)	MEKJIAN HOVANNES J & RAFI 24550 INDIAN HILL LN WEST HILLS CA 91307-3841 C051	43)	KESHISHIAN MIKE H 1716 WINONA BLVD LOS ANGELES CA 90027-3871 C036
45)	PATEL MAGANBHAI L & VAJRAYABEN 141 N ALVARADO ST LOS ANGELES CA 90026-5302 C012	66)	NICOLAS MANOLO P 653 S AVENUE 60 LOS ANGELES CA 90042-4304 C055	74)	HYE PLAZA LLC 23365 BALMORAL LN WEST HILLS CA 91307-1431 C069
	LOS FELIZ NEIGHBORHOOD COUNCIL PO BOX 27003 LOS ANGELS CA 90027		MITCH O'FARRELL, CD 13 CITY HALL 200 N SPRING ST #480 LOS ANGELES CA 90012		ERIKA IVERSON ROSENHEIM & ASSOCIATES 21600 OXNARD ST #630 WOODLAND HILLS CA 91367
	ZACH NEGIN 4325 1/2 AVOCADO ST LOS ANGELES CA 90027		15-272 QUALITY MAPPING SERVICE 14549 ARCHWOOD ST #301 VAN NUYS CA 91405		

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ADJACENT LIST
AUGUST 31 2015
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