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CITY CLERK

BY

DEPUTY

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

COUNCIL FILE: \_\_\_\_\_

BACKGROUND INFORMATION

TIME LIMIT FILE: \_\_\_\_\_

As part of the application, the applicant must submit the names and addresses of all 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 Bernadette's

Address 361 S. Broadway

Type of Business Bar (BEER/WINE ONLY)

Applicant Bernadette's, ATTN: Jim Van Blaricum  
Name  
454 W. Avenue 44, Los Angeles, CA 90065  
Address  
323-536-2888  
Phone Number/Fax Number

Property Owner 357 South Broadway, LLC  
Name  
200 E. Del Mar Boulevard, Suite 212, Pasadena, CA 91105  
Address  
626-792-7500  
Phone Number/Fax Number

Representative Apex LA c/o Margaret Taylor  
Name  
5419 Hollywood Boulevard, Suite C747 Los Angeles, CA 90027  
Address  
818-398-2740 / 213-330-0335  
Phone Number/Fax Number

A. PROJECT DETAILS

THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS:

- Has the City previously approved a conditional use permit for alcoholic beverage sales at this site? Yes x No \_\_\_\_ If Yes, what is the City case number(s)  
ZA 2015-1679 CUB
- Have you recently filed for a new conditional use permit? Yes \_\_\_\_ No \_\_\_\_  
If Yes, provide the City case number(s) \_\_\_\_\_
- 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.):  
Type 42
5. Size of Business: 1,254 with 180 sq. ft. outdoor patio
6. % of floor space devoted to alcoholic beverages: Approx 75%
7. Hours of Operation:
- a. What are the proposed hours of operation and which days of the week will the establishment be open? 8 am - 2 am, 7 days/week
- b. What are the proposed hours of alcohol sales? 8 am - 2 am, 7 days/week
8. Parking:
- a. Is parking available on the site? (If so, how many spaces? no
- b. If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant? N/A
- c. Where? N/A
- d. 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? One (1) video game machine
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? Approx 3
13. Will all employees who sell alcohol attend the local State ABC training class on how to properly sell alcohol? They will take the LAPD "STAR" Training per Condition 13 of ZA 2015-1679 CUB.
14. What security measures will be taken including:
- a. Posting of rules and regulations on the premises to prevent such problems as gambling, loitering, theft, vandalism and truancy.
- b. Will security guards be provided and if so, when and how many? One during operating hours Thursday, Friday and Saturday.
15. Will there be minimum age requirements for patrons? If so, how will this be enforced?  
Yes, 21 years of age, enforced through electronic age verification and training



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

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

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

Yes

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

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

1. Will the gross sale of alcohol exceed the gross sale of food items on a quarterly basis?  
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 (750 ml)? N/A
4. Will "fortified" wine (greater than 16% alcohol) be 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)?  
To Be Determined
2. What is the proposed seating in all areas? 30 interior and 16 exterior
3. Is there to be entertainment such as a piano bar, juke box, dancing, live entertainment, movies, etc.? Live DJ or up to 3 for ambient purposes
4. If a cocktail lounge is to be maintained incidental to a restaurant, the required floor plans must show details of the cocktail lounge and the separation between the dining and lounge facilities.
5. Food Service
  - a. Will alcohol be sold without a food order? Yes - is a bar, but there will be food offered as well
  - b. Will there be a kitchen on the site as defined in the Los Angeles Municipal Code?  
No
6. Will discount alcoholic drinks or a "Happy Hour" be offered at any time? Provide a copy of the proposed menu if food is to be served. Yes

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

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

##### 1. Possible Benefits

Would the business:

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

##### 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
- b. Police resources being already strained
- c. High rates of alcoholism, homelessness, etc.
- d. Large "youth" (under 21) population

##### 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.)
- b. Would the business duplicate a nearby business already in existence?

- 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.

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.\*\*

See ZA 2015-1679 CUB approval.

Applicant also met with LAPD and developed a security plan, as well as an operation and training program.

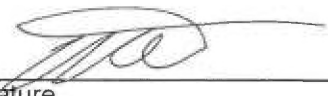
Owner has already participated in STAR training.

\*\* 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:

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

  
Applicant signature

December 18, 2015  
Date

357 South Broadway, LLC by:   
Signature of property owner if tenant or lessee is filling application

*Managing Member*  
*Scott David Schwartz*

\*\*\*\*\*

ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of See updated notary acknowledgment form ATTACHED

On \_\_\_\_\_, before me \_\_\_\_\_

(Insert Name of Notary Public and Title)

personally appeared \_\_\_\_\_, 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 (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.



## ACKNOWLEDGMENT

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

12/18/08

before me,

HEUNG RYONG HA

(NOTARY  
Public)

(insert name and title of the officer)

personally appeared

SCOTT DAVID SCHWARTZ

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

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

WITNESS my hand and official seal.

Signature

[Signature]

(Seal)



## 23958.4 B & P APPLICATION WORK SHEET

PREMISES ADDRESS:

Bernadette's  
361 S. Broadway  
Los Angeles, CA 90013

LICENSE TYPE: 21

### 1. CRIME REPORTING DISTRICT

\_\_\_\_\_ Jurisdiction unable to provide statistical data.

Reporting District: 133

Total number of reporting districts: 1135.

Total number of offenses: 202,733.

Average number of offenses per district: 179.

120% of average number of offenses: 215.

Total offenses in district: 61.

Location is within a high crime reporting district: Yes / No

### 2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 2073.01.

Population: 4521

Number of licenses allowed: 4.

Number of existing licenses: 54.

Undue concentration exists: Yes / No.

Letter of public convenience or necessity required: Governing Body.

## PENALTY OF PERJURY STATEMENT

I hereby certify that to the best of my knowledge the attached radius map correctly depicts the required data obtained from the records of the City Engineer, City Clerk, and/or the Los Angeles Department of City Planning and, where appropriate, the State Division of Highways.

I further hereby certify that to the best of my knowledge, and under the penalty of perjury, the attached ownership list correctly shows the latest names and addresses on the City Engineer's land records as of the following date: 4/25/2016. In certain circumstances, such as in annexation proceedings, where there may be no City Engineer records, the records of the County Assessor's Office may be accepted by the City Planning Commission.

Margaret Taylor

(Print or type)



(Signature)

I hereby certify that to the best of my knowledge and under the penalty of perjury, the attached occupants list correctly indicates addresses of the required occupants that fall within the radius as of the following date: 4/25/2016.

Margaret Taylor

(Print or type)

(Signature)

In certain instances I may have been unable to verify all occupants, therefore the following indicates which occupants I was not able to identify. I understand that the Department of City Planning will determine if reasonable attempts were made to secure these addresses from the information provided below.

Ownership #	Reason unable to verify *	Attempts made to verify **	Additional Information

- \* (1) Secured Building
- (2) Gated Yard
- (3) Refused Access
- (4) Other: Specify

- \*\* (1) Returned to building on three separate occasions
- (2) Efforts to contact owner or manager without success
- (3) Contact made with owner or manager, who refused to provide the information
- (4) Other: Specify

**NOTE:** The Department shall not accept the application, maps and ownership list which bear a date of more than 90 days prior to the date the application is accepted for process. Furthermore, the applicant may be required to update the radius map and ownership list prior to scheduling the public hearing for a discretionary Planning Department application.



THE FOLLOWING CASES APPLIED TO ALL LOTS  
 CPC-1928-606-GPC ENV-1998-107-1000  
 1994-225-CUP-7C 2005-1123-CE  
 2005-1122-CE 2005-1125-CE  
 2003-1128-CA 2005-362-CE  
 2005-361-CA 2008-4509-ND  
 2008-4502-GPA 2010-214-ND  
 2010-219-CE 2013-0309-CE  
 ZA-1965-132-PAB  
 1986-1325-PAD-PAB

CASE NO.

DATE APRIL 27, 2015

D.M. 130.5A211, 130.5A213

129A211, 129A213

SCALE 1"=100'

USE FIELD

T.B.

PAGE 634 GRID F-4

C.D. 14 C.T. 2073.01

P.A. 110 CCY

#### LEGEND

- ON-SITE CONSUMPTION OF FULL LINE ALCOHOLIC BEVERAGES
- ON-SITE CONSUMPTION OF BEER AND/OR WINE
- OFF-SITE CONSUMPTION OF FULL LINE ALCOHOLIC BEVERAGES
- OFF-SITE CONSUMPTION OF BEER AND/OR WINE

LEGAL: FR LOT 1 (ARB 1), BLOCK 8, ORD'S SURVEY MR 53-66/73

TMG SOLUTIONS, INC.  
 19401 S. VERMONT AVE. #B201-H  
 LOS ANGELES, CA 90502  
 (310) 480-5407

0.23 AC.



361 S Broadway



Permit #:

15016 - 10000 - 17680

Plan Check #: B15LA11729

Printed: 02/16/16 10:13 AM

Event Code:

Bldg-Alter/Repair Commercial Regular Plan Check Plan Check	City of Los Angeles - Department of Building and Safety <b>APPLICATION FOR BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY</b>	Issued on: 02/16/2016 Last Status: Issued Status Date: 02/16/2016
---------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
ORD'S SURVEY	8	1	1	M R 53-66/73	130-5A211 156	5149 - 015 - 023

<b>3. PARCEL INFORMATION</b>		
Area Planning Commission - Central LADBS Branch Office - LA Bldg. Line - 5 Council District - 14 Community Design Overlay District - Broadway	Certified Neighborhood Council - Downtown Los Angeles Community Plan Area - Central City Census Tract - 2073.01 District Map - 130-5A211 Energy Zone - 9	Fire District - 1 (Entire parcel) Hillside Grading Area - YES Near Source Zone Distance - 1.5 Parking Dist. - CCPD Parking Dist. - DPD
ZONES(S): [Q]C2-4D-CDO		

<b>4. DOCUMENTS</b>			
ZI - ZI-145-2083	ZA - ZA-1990-876-CUZ-PAD-CUX	ZA - ZA-2014-1593-CUB-CUX-ZV	ORD - ORD-137036
ZI - ZI-2374 LOS ANGELES STATE ENTER	ZA - ZA-1996-847-CUZ	ZA - ZA-2015-1679-CUB	ORD - ORD-164307-SA955
ZI - ZI-2385 Greater Downtown Housing Ince	ZA - ZA-2002-6900-CUX	ORD - ORD-129944	ORD - ORD-180871
ZI - ZI-2408 Broadway	ZA - ZA-2007-5829-CUX	ORD - ORD-135901	ORD - ORD-75667

<b>5. CHECKLIST ITEMS</b>	
Std. Work Descr - Doors/Windows Changeout Permit Flag - Fire Life Safety by LADBS Std. Work Descr - Seismic Gas Shut Off Valve	

<b>6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION</b>	For Cashier's Use Only	W/O #: 51617680
Owner(s): 357 SOUTH BROADWAY LLC 200 DEL MAR BLVD STE 212, PASADENA CA 91105 -- Tenant: JIM VAN BLARICUM - , -- (310) 592-7160 Applicant: (Relationship: Agent for Owner) DAVID POFFENBERGER - RAVELED STUDIO 408 S. SPRING ST. 1205, LA CA 90013 -- (213) 220-0822		

<b>7. EXISTING USE</b>	<b>PROPOSED USE</b>
(16) Retail	(17) Bar

<b>8. DESCRIPTION OF WORK</b>
Change of use from Retail to Beer Bar and Limited food, add Bathrooms, Mezzanine to 2 Story URM Building with Basement.

<b>9. # Bldgs on Site &amp; Use:</b>
--------------------------------------

<b>10. APPLICATION PROCESSING INFORMATION</b>	
BLDG. PC By: Salvador Quintanilla	DAS PC By: Wai Lau
OK for Cashier: Sharon Khaw	Coord. OK:
Signature: <i>Sharon Khaw</i>	Date: 02/16/2016

<b>11. PROJECT VALUATION</b> Final Fee Period	
Permit Valuation: \$120,000	PC Valuation:
Sewer Cap ID:	Total Bond(s) Due:

<b>12. ATTACHMENTS</b>
Plot Plan <i>SK</i>

For inspection requests, call toll-free (888) LA4BUILD (524-2845). Outside LA County, call (213) 482-0000 or request inspections via <a href="http://www.ladbs.org">www.ladbs.org</a> . To speak to a Call Center agent, call 311. Outside LA County, call (213) 473-3231.
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

LA ESTE 104079532 2/16/2016 10:13:42 AM

BUILDING PERMIT COMM	\$916.88
BUILDING PLAN CHECK	\$0.00
BUILDING PLAN CHECK	\$0.00
PLAN MAINTENANCE	\$18.34
EI COMMERCIAL	\$33.60
ONE STOP SURCH	\$19.38
SYSTEMS DEVT FEE	\$58.13
CITY PLANNING SURCH	\$56.11
MISCELLANEOUS	\$10.00
PLANNING GEN PLAN MAINT SURCH	\$46.76
CA BLDG STD COMMISSION SURCHARGE	\$5.00
BUILDING PLAN CHECK	\$0.00

Sub Total: \$1,164.20

Permit #: 150161000017680

Building Card #: 2016LA59966

Receipt #: 0104545896



\* P 1 5 0 1 6 1 0 0 0 1 7 6 8 0 F N \*

1050224201606110

**13. STRUCTURE INVENTORY**

(Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

**15016 - 10000 - 17680**

(P) Floor Area (ZC): 0 Sqft / Sqft  
(P) Height (BC): 0 Feet / Feet  
(P) Height (ZC): 0 Feet / Feet  
(P) Length: 0 Feet / Feet  
(P) Stories: 0 Stories / Stories  
(P) Width: 0 Feet / Feet  
(P) B Occ. Group: +151.6 Sqft / Sqft  
(P) M Occ. Group: -950.4 Sqft / Sqft  
(P) B Occ. Load: -4 Max Occ. / 28 Max Occ.  
(P) Parking Req'd for Bldg (Auto+Bicycle): 0 Stalls / Stall

**14. APPLICATION COMMENTS:**

\*\* Approved Seismic Gas Shut-Off Valve may be required. \*\* No change in parking spaces. The project is located in a Los Angeles State Enterprise Zone. After intensive search all the records found shows that this space is a Retail. Also per permit number 1930LA22220 the Mezzanine was removed. Affidavit 49202 is for Maintenance of a Building where the upper 3 Floors were to be sealed off and maintained vacant. Per permit number 1987LA68920 the upper 5 stories were removed leaving a 2 story building. Balcony in mezzanine will not be usable/Occup. Outside Seating will be under separate permit (Revocable). Occupant load for existing use is 32 and new occupant load is

In the event that any box (i.e. 1-15) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

**15. BUILDING RELOCATED FROM:****16. CONTRACTOR, ARCHITECT & ENGINEER NAME****ADDRESS****CLASS****LICENSE#****PHONE#**

(C) BOLT ACTION G C INC

2635 W AVENUE 35,

LOS ANGELES, CA 90065

B

874027

(E) VASQUEZ, LUIS FERNANDO

1551 RANDALL ST,

GLENDALE, CA 91201

C56232

**PERMIT EXPIRATION/REFUNDS:** This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

**17. LICENSED CONTRACTOR'S DECLARATION**

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: **B** License No.: **874027** Contractor: **BOLT ACTION G C INC**

**18. WORKERS' COMPENSATION DECLARATION**

I hereby affirm, under penalty of perjury, one of the following declarations:

☐ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☒ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: **STATE COMP. INS. FUND**

Policy Number: **9066069**

☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

**WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.**

**19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING**

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at [www.aqmd.gov](http://www.aqmd.gov). Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or [www.dhs.ca.gov/childlead](http://www.dhs.ca.gov/childlead).

**20. CONSTRUCTION LENDING AGENCY DECLARATION**

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): \_\_\_\_\_ Lender's Address: \_\_\_\_\_

**21. FINAL DECLARATION**

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

(1) I accept all the declarations above namely the Licensed Contractor's Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, Construction Lending Agency Declaration, and Final Declaration; and

(2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: **JAMES PERES**

Sign: \_\_\_\_\_

Date: **02/16/2016**

☒

Contractor

☐

Authorized Agent

361 S Broadway

Permit Application #: 15016 - 10000 - 17680

Bldg-Alter/Repair  
Commercial  
Plan Check

City of Los Angeles - Department of Building and Safety

Plan Check #: B15LA11729FO

Initiating Office: METRO

Printed on: 02/04/16 10:38:02

# PLOT PLAN ATTACHMENT

1050224201606116

(DO NOT DRAW, WRITE, OR PASTE ATTACHMENTS OUTSIDE BORDER)

4TH ST

ADJ.  
TENANT

19'5"

5'8"

ADJ.  
TENANT

ADJ.  
BUILDING

AREA OF WORK

361 S. BROADWAY

BROADWAY



RTI FEB 04 2016

# PHOTO EXHIBIT

## Bernadette's

361 S. Broadway

### APEX LA

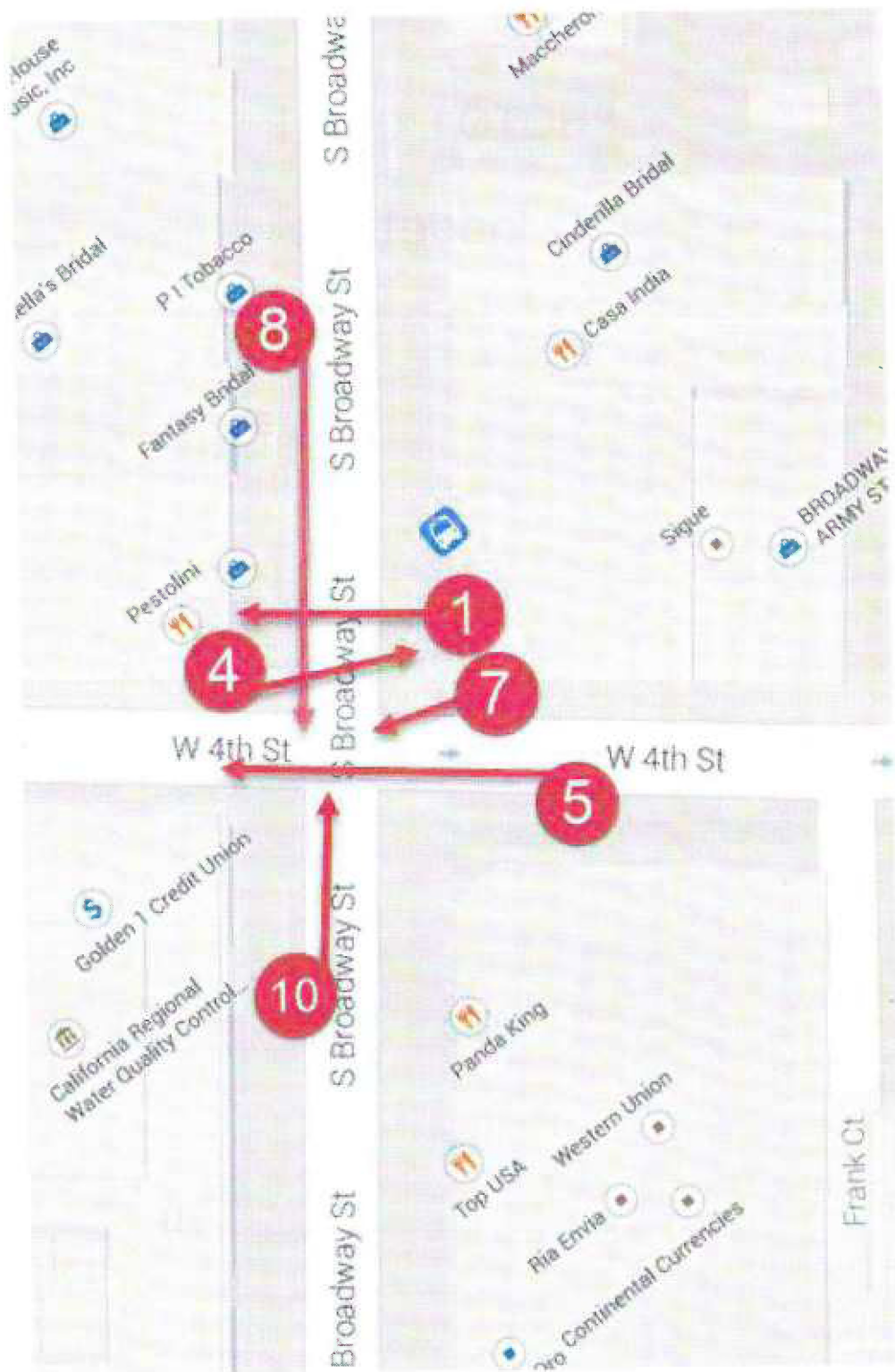
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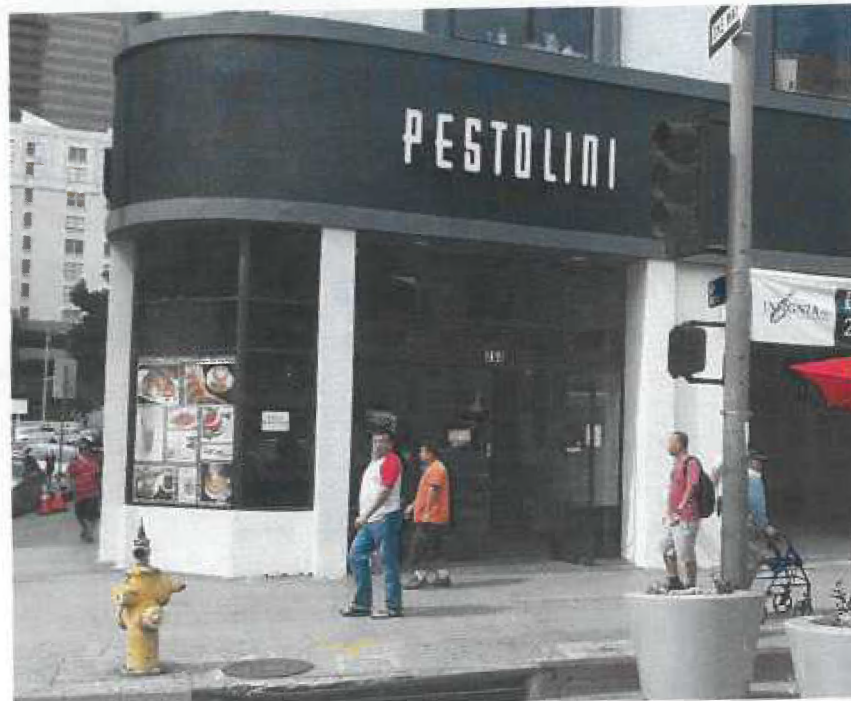
## Photo Reference Index



1. Subject site.



2. South adjacent





3. North adjacent



4. Directly across the street from subject site





5. West on 4<sup>th</sup> St



6. Northwest corner of Broadway and 4th





7. Southwest corner of Broadway and 4th



8. Looking south on Broadway St





9. Southeast corner of Broadway and 4th



10. Looking north on Broadway St







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CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

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November 16, 2015

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Margaret Taylor (R)  
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Los Angeles, CA 90027

CASE NO. ZA 2015-1679(CUB)  
CONDITIONAL USE  
361 S. Broadway  
Central City Community Plan  
Zone : [Q]C2-4D-CDO  
D. M. : 126A211  
C. D. : 14  
CEQA : ENV-2015-1680-ND  
Legal Description: FR. Lot 1, Block 8,  
Ord's Survey Tract

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

a Conditional Use to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with a new bar in the [Q]C2-4D-CDO Zone;

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.



4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center, and the Department of Building and Safety for purposes of having a building permit issued.
6. The bar shall be subject to the following limitations:
  - a. The bar shall not exceed 1,254 square feet with a 180 square foot outdoor patio providing seating for 46 patrons (approximately 30 interior seats and 16 exterior seats). Maximum occupancy shall be as determined by the Department of Building and Safety and/or by the Fire Department.
  - b. Any live entertainment shall be non-amplified and shall be limited to 3 or fewer musicians. An ambient D.J. is also permitted.
  - c. A maximum of one (1) video arcade game may be maintained on the premises.
  - d. Hours of operation shall be limited from 8 a.m. to 2 a.m., daily.
  - e. A revocable permit shall be obtained for any portion of the exterior patio located within the right-of-way.
7. No music, sound or noise shall be emitted from the subject businesses at a level prohibited by the noise regulations of the Los Angeles Municipal Code. Amplified recorded-music shall not be audible beyond the area under control of the applicant, and any sound or noise emitted that is under the control of the petitioner shall constitute a violation of Section 116.01 of the LAMC, including any loud, unnecessary or unusual noise that disturbs the peace or quiet of any neighborhood or that causes discomfort. The establishment shall make an effort to control any unnecessary noise made by restaurant staff or any employees contracted by the restaurant, or any noise associated with the operation of the establishment, or equipment of the restaurant.
8. The conditions of this grant, a police permit, a copy of a business license, insurance information and an emergency contact phone number for the operator and valet service(s), if any, shall be retained on the premises at all times and be immediately produced upon request of the Los Angeles Police Department, the Department of City Planning, State Department of Alcoholic Beverage Control or other responsible agencies. The manager and all employees shall be knowledgeable of these Conditions.
9. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.
10. The authorization granted herein for the sale and dispensing of a beer and wine for on-site consumption is valid for a period of **five (5) years** from the effective date of this grant. Thereafter, a new authorization to allow the on-site sale and dispensing of a beer and wine for on-site consumption will be required. The applicant is



advised that he/she should allow appropriate time for a new entitlement application to be processed and the application should be approved prior to the expiration date of this grant in order to continue the sale of beer and wine at the restaurant.

11. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require the petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review the petitioner's compliance with and the effectiveness of the conditions of the grant. The petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
12. There shall be no dancing, piano bar, movies, karaoke, pool or billiard tables permitted on the premises at any time.
13. 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 completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator who acted on this case as evidence of compliance. In the event there is a change in the licensee, within one year of such change, this training program shall be required for all new staff. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months. The STAR training shall be conducted for all new hires within 2 months of their employment.
14. The applicant shall not permit any loitering on the premises or on property adjacent to the premises.
15. The applicant shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, including the 180 square foot outdoor patio and adjacent sidewalk in front of the bar.
16. 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.
17. The applicant/cafe operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:
  - posted at the entry, and the cashier or customer service desk,
  - provided to the immediately adjacent tenants, and the Neighborhood Council,

- responded to within 24-hours of any complaints/inquiries received on this hot line, and
  - the applicant shall document and maintain a log of complaints received, the date and time received and the disposition of the response. The log shall be made available for review by the Los Angeles Police Department and the Zoning Administrator upon request.
18. The applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
  19. 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 be solid.
  20. The applicant shall not maintain or construct any type of enclosed room intended for use by patrons or customers for any purpose, except for the restrooms.
  21. Petitioner(s) shall install and maintain security cameras and a two-week DVR that covers all common areas of the business, high-risk areas, entrances and exits. The DVRs shall be made available to the Los Angeles Police Department upon request.
  22. No pay phone may be maintained on the exterior of the premises.
  23. Exterior lighting on the building shall be maintained and provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible. Said lighting shall be directed in such a manner so as not to illuminate any nearby residence.
  24. No after-hours use of the establishment is permitted. This includes, but is not limited to private parties, excluding any activities which are issued film permits by the City.
  25. Any use of the premises for private events which are not open to the general public shall be subject to the same provisions and hours of operation unless further restricted by the L.A.P.D.
  26. The applicant/operator shall not require an admission or cover charge at any time. The premises shall not be leased or rented to third party promoters.
  27. There shall be no queue lines allowed any time.
  28. The applicant/operator shall meet with the L.A.P.D., Central Area Vice Unit on a quarterly basis.

29. Within 30 days of the effective date of the Department of Alcoholic Beverage Control license, and within 30 days of the effective date of any modification or alteration of terms of said license, the applicant shall transmit a copy of the valid Department of Alcoholic Beverage Control license to the Conditions Compliance Unit for attachment to the case file.
30. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
31. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

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

Applicant shall do all of the following:

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



indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions 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 **December 2, 2015**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>**. Public offices are located at:

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

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

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

### NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the statements made at the public hearing on August 5, 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.1 have been established by the following facts:

### BACKGROUND

The subject property consists of a rectangular shaped, generally level, corner parcel of land approximately 10,292 square feet in area, with street frontages of approximately 81 feet along Broadway and 125 feet along Fourth Street. The project site is zoned [Q]C2-4D-CDO and designated for Regional Center Commercial uses under the Central City Community Plan. The [Q] qualified classification of the Zone pertains to the Broadway CDO (Ordinance No. 180,871) which regulates prevailing setback, streetwall, uses, building form and massing, parking, ground floor treatment, urban design, mechanical equipment, signage, and removes the existing [Q] found in Ordinance No. 161,603 applicable to specified properties. However, as identified in the Community Planning Referral Form dated April 29, 2015, the subject request for a Conditional Use for alcohol sales is not a project under the CDO Ordinance. Improvements to the existing building's façade will be addressed under separate permit request (see DIR-2015-3116-CDO). A 5-foot building line also exists across the subject property's Broadway frontage.

The subject property is currently developed with a two-story, approximately 19,701 square-foot commercial office building constructed in 1902. The building contains four retail tenant spaces on the ground level (all with separate addresses), including the subject tenant space (361 S. Broadway). The subject tenant space is currently vacant and provides approximately 1,074 square feet of floor area. The second floor of the building was recently granted a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed restaurant, with limited public dancing, as well as a Zone Variance to allow zero parking spaces in lieu of the seven spaces required for the change of use from office to restaurant (see ZA-2014-1593(CUB(CUX)(ZV)). No on-site parking spaces are located on the site, and the applicant does not propose any parking spaces. Building permit (14016-10000-03683) issued for the adjacent tenant space (363 S. Broadway) within the same building identifies a total parking space requirement of zero (0) spaces. The subject property does meet the definition of a Mini-Mall, pursuant to LAMC 12.03, however, as the subject property's lot lines do not adjoin, are not across an alley from, and are not across the street from, any portion of a lot zoned A or R, the site is not



subject to the additional development standards and operating requirements set forth in LAMC 12.24.W.27.

The adjacent properties to the north, east, and west are zoned [Q]C2-4D-CDO and C2-4D, and developed with commercial retail and office uses two- to five-stories in height. The adjacent property to the south is zoned PF-4D-CDO and developed with an eight-story commercial office building operated by the State of California.

The subject property is located within Fire District No. 1, Special Grading Area (BOE Basic Grid Map A-13372), and 1.5 kilometers from the nearest known earthquake fault. There are no other known hazards associated with the subject property. Fire protection service is provided by Division 1, Battalion 1, Fire Station 3 of the Los Angeles Fire Department. Police services are provided by Reporting District 134, Central Division, Central Bureau of the Los Angeles Police Department.

The site is located in the Broadway Theater and Commercial District within Downtown Los Angeles which is a designated historic district listed under the National and California Registers. The subject building, however, is not a contributing structure due to the numerous renovations undergone over the years. The subject property is also located within the in the Broadway Streetscape Plan area, the Broadway Community Design Overlay area, Los Angeles State Enterprise Zone, the Greater Downtown Housing Incentive Area, the City Center Redevelopment Project Area, the Downtown Center Business Improvement District, the Central City Revitalization Zone, the Downtown Adaptive Reuse Incentive Area, the Central City Parking Area, and the Downtown Parking Area.

The proposed project consists of a Conditional use for the sale and dispensing of beer and wine for onsite consumption, a change of use from retail to bar, and tenant improvements for a new 1,254 square-foot bar, providing 46 seats, including an approximately 180 square-foot outdoor patio with 16 seats, live entertainment, one (1) video arcade game, and hours of operation from 8 a.m. to 2 a.m., daily, within an existing two-story, approximately 19,701 square-foot commercial building in the [Q]C2-4D-CDO Zone. A revocable use permit will be required for the outdoor patio area which encroaches into the public right-of-way. Proposed live entertainment will include non-amplified music performed by 3 or fewer musicians, or amplified music played by a disc jockey for ambient purposes only. The live entertainment would be located on the 187 square foot mezzanine. The applicant has indicated that the possibility of themed nights when a DJ would be featured, as well as acoustic bands/musicians performing on special occasions/holidays. Community events hosted at the bar are also anticipated.

The applicant has provided the following additional details about the operation of the proposed restaurant and its request for alcohol sales:

- There will be live entertainment (no dancing) and one (1) arcade game.
- There will not be a minimum age (i.e., 21 years of age) requirement for entry.
- There will not be any accessory retail use on the site.
- There will be 1 – 3 employees on site at any given time.
- There will be security staff on-site Thursdays, Fridays, and Saturdays. The Applicant is open to extending this coverage to 7 days a week if customer

volume supports it. The applicant's expectation is that this security will function to go beyond simply checking IDs, to include frequent walkthroughs/sweeps of the bar, looking for possible issues (e.g., physical aggression/fighting, predatory "separation" behavior targeting female guests, guests who have had too much to drink, or who arrive already intoxicated from other locations, etc.). Bartenders will be expected to display this same training and awareness.

- The security cameras will be state-of-the-art security cameras covering the entire premises from multiple angles, equipped with standard and infrared/night vision modes, and management will be trained on how to access and share this footage with LAPD if needed.
- All bar staff will be also expected to attend mandatory monthly staff meetings.
- A bar log will be maintained to document potential problems as they arise, available for staff to review. In addition to the standard bar log, preprinted incident report forms will also be available behind the bar for staff to fill out in the event of a serious incident, especially anything requiring LAPD intervention. These forms will be maintained on file so an in-house record of all major issues can be maintained.
- Bathroom mirrors will have prominent signage saying something like "IF ANYONE IS MAKING YOU FEEL UNSAFE IN ANY WAY, PLEASE LET YOUR BARTENDER KNOW AND WE WILL HELP YOU."
- The premises will not maintain a full operational kitchen set-up (i.e., a bona-fide eating place), but will offer small plate/snack food, made with locally-sourced breads, meats & cheeses, house-made pickles & jams, olives, and nuts that the bartender can easily and quickly serve from a small food preparation area. Food items will be available during all hours of operation.
- Alcoholic beverages will be sold without a food order.
- "Fortified" wine will not be offered.
- The sale of alcohol will exceed the sale of food items on a quarterly basis.
- Off-site sales of alcohol will not be provided accessory to on-site sales.
- Discounted alcoholic drinks will be offered at any time.

#### **Streets:**

S. Broadway, adjoining the property to the east, is a designated Modified Avenue II dedicated to a width of 84.5 feet along the property's frontage, and is improved with asphalt roadway, parklet, concrete curb, gutter and sidewalk.

Fourth Street, adjoining the property to the south, is a designated Modified Avenue III dedicated to a width of 60 feet, and improved with asphalt roadway, concrete gutter, curb, and sidewalk.

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

Case No. CPC-2014-1593-CUB-CUX-ZV – On January 23, 2015, a Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed restaurant in the [Q]C2-4D-CDO Zone; approved a Conditional Use to permit limited public dancing in conjunction with a proposed restaurant in the [Q]C2-4D-CDO Zone;



and approved a Zone Variance to allow zero parking spaces in lieu of the seven parking spaces required pursuant to Section 12.21-A,4 in conjunction with the proposed change of use from approximately 8,470 square feet of office to restaurant on the subject property in the [Q]C2-4D-CDO Zone (305 W 4<sup>th</sup> Street).

Case No. CPC-2007-5829-CUX(PA1) – On March 20, 2014, a Zoning Administrator approved plans to modify Condition No. 8 of Case No. ZA 2007-5829(CUX), thereby extending the life of the grant an additional five years, in conjunction with the continued use and maintenance of an existing hostess dance hall ("Club Fantasy") on the subject property in the [Q]C2-4D-CDO Zone (307 W 4<sup>th</sup> Street).

Ordinance 180,871 – On October 26, 2009 Ordinance No. 180,871 became effective establishing the boundaries of the Broadway Theater and Entertainment District Design Guide (Community Design Overlay District), and changing the zoning on the subject property from C2-4-D to [Q]C2-4D-CDO. The conditions and limitations imposed by the [Q] qualified classification conditions regulate prevailing setback, streetwall, uses, building form and massing, parking, ground floor treatment, urban design, mechanical equipment, signage, and removal of the existing [Q] found in Ordinance No. 161,603 from the subject properties.

Case No. CPC-2007-5829-CUX – On October 17, 2008, a Zoning Administrator approved a request for a conditional use permit for the continued use, maintenance and operation of an existing hostess dance hall on the subject property in the C2-4-D Zone (307 W 4<sup>th</sup> Street).

Case No. ZA 2002-6900(CUX)(PA1) – On May 23, 2005, a Zoning Administrator approved plans, as required by Condition No. 4 under Case No. ZA 2002-6900(CUX) to permit the continued use of the hostess dance hall, on the subject property in the C2 Zone (307 W. 7<sup>th</sup> Street).

Case No. ZA 2002-6900(CUX) – On April 21, 2003, a Zoning Administrator approved a Conditional Use to permit a hostess dance hall on the subject property in the C2 Zone (307 W. 7<sup>th</sup> Street).

Case No. ZA-96-0847(CUZ) – On December 27, 1996 a Zoning Administrator approved a conditional use to permit the establishment and maintenance of a penny arcade use on the subject property in the C2 Zone (363 S. Broadway).

Ordinance 164,307-SA955 – On January 30, 1989 Ordinance No. 164,307 became effective changing the zoning on the subject property to C2-4-D. The D limitation restricts the total floor area contained in all buildings on a lot to 6:1 with exceptions for projects approved under specified Sections of the Central Business District Redevelopment Project area, or approved pursuant to any procedure to regulate transfers of floor area.

**Previous Cases, Affidavits, Permits, and Orders on the Surrounding Properties:**

CASE NO. ZA 2014-2307(CUB)(CU) – On June 11, 2015 a Zoning Administrator approved a conditional use to allow the sale and dispensing of a full line of alcoholic

beverages for on-site consumption in a proposed 4,577-square-foot bar with 18 coin-operated game machines in the [Q]C2-4D-CDO Zone (353 South Broadway).

Case No. ZA-2013-1097(MCUP) – On October 25, 2013, a Zoning Administrator approved a Master Conditional Use Permit to permit the sale and dispensing of beer and wine and a full line alcoholic beverages for on-site and off-site consumption in conjunction with 21 establishments including restaurants within an existing building known as the Grand Central Market in the [Q]C2-4D-CDO Zone; and two bars with live entertainment within an existing building known as the Million Dollar Theater in the [Q]C2-4D-CDO Zone (317 South Broadway).

### **PUBLIC HEARING**

The public hearing was conducted on September 2, 2015 at approximately 1:00 p.m. at the Los Angeles City Hall, Room 1020. The hearing was attended by the applicant, Mr. Jim Van Blaricum, by the applicant's representative, Ms. Margaret Taylor and by a representative of Council District 14, Ms. Clare Eberle.

Ms. Taylor described the proposed project and the requested entitlement. She noted that the applicant is seeking a Conditional Use to serve beer and wine in connection with a new bar with an outdoor sidewalk patio. The applicant seeks a Type 42 ABC License (beer and wine) and no spirits will be served. Ms. Taylor noted that the applicant has prior experience operating a bar in New York known as Bar Culture. She stated that the applicant follows best practices in managing his business and that outreach had been conducted with the Downtown LA Neighborhood Council and the L.A.P.D. Security and safety measures and procedures have been reviewed with LAPD for the proposed bar and LAPD is not opposed to the request.

Ms. Taylor noted that the proposed patio was discussed with LAPD as well as Council District 14 staff. Although the premises will operate as a bar, food will be available and security measures will be implemented. The proposed patio will maintain the required clearance in conformance to Public Works standards and will not result in any sidewalk obstructions. Ms. Taylor stated that although the hours of operation are proposed from 8 a.m. to 2 a.m., the bar would normally open later and would only open early for occasional events downtown.

Ms. Taylor also indicated that there is a small permitted mezzanine on the premises and the live non-amplified entertainment limited to three musicians or an ambient DJ is proposed and would likely be located on the mezzanine. The applicant also proposes to maintain one video arcade game on the premises.

Ms. Eberle stated that CD 14 has a non-opposition position concerning the request. She stated that she met with the applicant and appreciated the applicant's outreach. Her officer was not opposed to the proposed patio and would defer to LAPD on any concerns or issues regarding the patio and the path of travel. She noted that the proposed tenant improvement will include a glass façade consistent with the Broadway CDO. Ms. Eberle requested that the matter be taken under advisement to allow the LAPD an opportunity to submit a letter with recommended conditions.



The Zoning Administrator took the request under advisement. A letter from the LAPD dated October 22, 2015 was received on October 29, 2015.

### **Public Correspondence**

A letter of support dated August 11, 2015 was received from the Downtown Los Angeles Neighborhood Council, which noted that the subject request would also be subject to any additional conditions recommended by the LAPD and the Council Office.

### **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.

They may include those identified during hearing testimony, received as part of Correspondence via stakeholder groups, city agency, other responsible agency, Council District, Mayor's office, etc.)

- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no exterior advertising or signs of any type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- The sale of alcoholic beverages for consumption off the premises is prohibited.
- No signs are permitted on the outside of the building or directed from the inside to the outside which display or advertise the availability of alcoholic beverages. The off-site sale of alcoholic beverages as a secondary use (i.e., "take out") is not permitted.
- No persons under 21 years of age shall sell or deliver alcoholic beverages.



**BASIS FOR CONDITIONAL USE PERMITS**

A particular type of development is subject to the Conditional Use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a Conditional Use permit from the Zoning Administrator are located within Section 12.24-W of the Los Angeles Municipal Code. In order for the sale of a full line of alcoholic beverages for on-site and off-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 site is located in the Central City Community Plan area and has a Regional Center Commercial land use designation.

The subject property consists of a rectangular shaped, generally level, corner parcel of land approximately 10,300 square feet in area at the northwest corner of Broadway and 4<sup>th</sup> Street, with street frontages of approximately 81 feet along Broadway and 125 feet along Fourth Street. It is zoned [Q]C2-4D-CDO. The subject property is currently developed with a two-story, approximately 20,000 square-foot commercial office building constructed in 1902 and located in the Broadway Theater and Commercial District within Downtown Los Angeles which is a designated historic district listed under the National and California Registers. The subject building, however, is not a contributing structure due to the numerous renovations undergone over the years.

The applicant is requesting a Conditional Use, pursuant to the provisions of Section 12.24-W, 1 of the Los Angeles Municipal Code, to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with a new 1,254 square-foot bar having seating for total of 46 patrons, including 30 interior and 16 exterior seats, limited live entertainment, and hours of operation from 8 a.m. to 2 a.m., daily.

The proposed menu offered in conjunction with the proposed bar use will include macaroni and cheese, chorizo roll, bratwurst & sauerkraut, crispy smashed potatoes, charcuterie plate, sardine plate, homemade pickles, roasted nuts, Bernadette's chocolate bar, Mexican coke, mineral water and iced tea.

The property is located in the heart of the downtown Los Angeles Central Business District and the Broadway Theater and Commercial District within the Central City Community Planning Area. Due to the historic and landmark nature of the surrounding area, as well as the rapidly expanding residential occupancy downtown, the location is ideal for pedestrians desiring a lively urban streetscape with a friendly-neighborhood feel.

This proposed project contributes to the revitalization of the Downtown area, which has undergone and continues to be transformed. There has been a concerted effort by the City, private property owners, local residents and public interest groups to develop and enhance the Old Theater/Downtown Broadway District and to create a unique, creative, lively and pedestrian-friendly atmosphere. Additionally the city has created the Historic Downtown Retail Project to attract businesses and visitors to the Broadway Theater and Entertainment area, Gallery Row on Spring and Main Streets and the Old Bank District.

The proposed bar will serve the needs of local business people, shoppers and residents alike. Surrounding offices and shops attract more people to the area and the expanded local work force increases the day and nighttime population. This population seeks a diversity of services, which will be served by the proposed use.

The outdoor patio dining area will support the pedestrian-friendly nature of the street and allow for more vitality in the neighborhood. It will also be a place where people can come with their pets.

The exterior of the building is clean and free of graffiti. The exterior improvements will be reviewed and approved per the Broadway Theater and Entertainment Community Design Overlay District.

There are no parking spaces available on the site. No variance from City parking requirements has been requested by the applicant nor granted by the Zoning Administrator because none will be required for the subject use. With the low seat count and square-footage, as well as the target customer being local to the neighborhood, the project is not anticipated to impact parking. The project will continue to provide parking in accordance with the requirements of the Los Angeles Municipal Code and to the satisfaction of the Department of Building and Safety.

Bernadette's will be located in the heart of downtown Los Angeles within walking distance of the financial district, government offices and courthouses, and historic attractions. It is part of the Angel's Walk Pedestrian Master Plan which links the transit and pedestrian districts of historic downtown Los Angeles and ties public investment in bus and rail transit to urban design improvements making the city more attractive to pedestrians.



In addition to walking proximity, the location is proximate to substantial public transportation. The site's proximity to the Metro station, major bus lines, Union Station and freeways make it easily accessible from virtually any part of the City. The Metro Pershing Square subway station is on the same block as the subject site, at the corner of Fourth and Hill Streets and runs the Red and Purple Lines. The site is also directly accessible from either direction of the 110 Freeway and proximate to the 101 and 10 Freeways.

The purpose of this zoning district is to provide services for a diverse mix of land uses designed to create a vibrant district in the center of the city. Therefore, the proposed use will perform a function and provide a service that is essential and beneficial to the community, city and region

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

The subject site is located in the Central City Community Plan area and has a Regional Center Commercial land use designation. The subject property consists of a rectangular shaped, level, corner parcel of land approximately 10,300 square feet in area at the northwest corner of Broadway and 4<sup>th</sup> Street, with street frontages of approximately 81 feet along Broadway and 125 feet along Fourth Street. It is zoned [Q]C2-4D-CDO and is currently developed with a two-story, approximately 20,000 square-foot commercial office building constructed in 1902 located in the Broadway Theater and Commercial District within Downtown Los Angeles. As identified under "Background" the site is located in a designated historic district listed in the National and California Registers. The subject building, however, is not a contributing structure due to the numerous renovations undergone over the years.

The applicant is requesting a Conditional Use, pursuant to the provisions of Section 12.24-W, 1 of the Los Angeles Municipal Code, to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with a new 1,254 square-foot bar having seating for total of 46 patrons, including 30 interior and 16 exterior seats, limited live entertainment, and hours of operation from 8 a.m. to 2 a.m., daily.

The adjacent properties to the north, east, and west are zoned [Q]C2-4D-CDO and C2-4D, and developed with commercial retail and office uses two- to five-stories in height. The adjacent property to the south is zoned PF-4D-CDO and developed with an eight-story commercial office building operated by the State of California.

No new construction is proposed and no change to the existing building's height will occur. The grant will include a number of conditions which will safeguard the community. Employees will be required to complete training on the sale of alcoholic beverages provided by the Los Angeles Police Department STAR



(Standardized Training for Alcohol Retailers) Program. Alcohol will be served by trained operators in a controlled environment including video surveillance cameras with recording capability. The outdoor patio dining area is small and oriented away from the residential uses and is not expected to create any noise above the ambient noise level on Broadway. The proposed use is situated in an existing commercial building, on C2 Zoned property which provides for compatibility between commercial uses. As such, it will positively benefit, not defer from, the public health, welfare and safety.

The proposed bar is generally located in Downtown LA in the Historic Core area between the Jewelry and Financial District, and Bunker Hill in an area containing retail, office and commercial uses. At 1,254 square feet of floor area, including a small outdoor patio area, the proposed bar use is compatible in size and character with the characteristics of the immediate area. The use will include live entertainment, a permitted use in the C2 zone. No dancing, piano bar, movies, or karaoke would be included with the proposed project.

A public hearing on the matter was held on September 2, 2015. No opposition to the request was received.

Conditions have been imposed on the proposed operation to prevent the occurrence of any possible negative impact on adjacent uses, among which a plan approval review with public hearing which would be mandated should the use result in any negative impact upon the immediate area, or in the event that the applicant continuously violates any condition of this grant. This condition aims at providing the occupants/owners of surrounding property with a tool of review and control of any use of the property resulting in negative impacts upon the surrounding area, and conversely encouraging the applicant to conduct the business in compliance with the conditions of approval, and with due regard to the character of the surrounding area, in order to avoid the burden of additional review and possible revocation of the use.

Considering the location of the establishment, and the conditions imposed by this grant, it can be deemed that the location of the proposed use is proper in relation to adjacent uses and the development of the community and the use will not be materially detrimental to the character of the development in the immediate neighborhood.

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

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies in these Elements are implemented in the form of Code Requirements within the Los Angeles Municipal Code. Except for the entitlement described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Central City Community Plan Map designates the property for Regional Center Commercial uses, with corresponding zones of CR, C1 .5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4. Footnote 3 is applicable to this land use designation, and corresponds to Height District No. 4-D. The project site is zoned [Q]C2-4D-CDO, corresponding to the site's Regional Center Commercial land use designation.

The proposed project is also located within the in the Los Angeles State Enterprise Zone, the Broadway Streetscape Plan area, the Greater Downtown Housing Incentive Area, the City Center Redevelopment Project Area, the Fashion District Business Improvement District, the Los Angeles Renewal Community, the Central City Revitalization Zone, the Downtown Adaptive Reuse Incentive Area, the Central City Parking Area, and the Downtown Parking Area. It is not located within any Specific Plan or Interim Control Ordinance area, and the subject request for a Conditional Use approval for the on-site sale of beer and wine is not a project under these plans.

The goal of the Central City Community Plan is to create an environment conducive to conducting business and actively promoting Downtown Los Angeles as the economic center for the region and California. The plan also seeks to encourage the investment in Central City of all types of businesses including commercial office, retail, manufacturing, and tourism, which in turn expands job opportunities for all of the city's residents.

The project site is located within the Historic Core area, where the goal of expanding the downtown residential community is viewed as a major component of efforts to revitalize Downtown. Ground-floor commercial uses are seen as an important component, providing neighborhood-supporting retail, services and amenities for a growing residential community. The proposed project will promote economic development and contribute to the services and amenities necessary to create a vibrant 24-hour downtown commercial services area for residents, visitors, and theater district patrons within the Core area. While the Community plan does not specifically address the sale of alcohol or the proposed bar use, it does provide a number of policies and objectives which the proposed project would be in conformance with, including:

Objective 2-4: To encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism.

Policy 2-4.1 Promote night life activity by encouraging restaurants, pubs, night clubs, small theaters, and other specialty uses to reinforce existing pockets of activity.

Objective 2-5 To increase specialty and ethnic markets in order to foster a diverse range of retail and commercial uses in Central City.



Policy 2-5.1: Make Downtown a tourist destination by combining its cultural and commercial offerings with those of the ethnic communities surrounding it.

The proposed project rejuvenates historic uses, invests in new uses, supports tourism, highlights cultural diversity and provides unique offerings. Therefore, the project substantially conforms with the purpose, intent and provisions of the Community Plan, and by extension, the General Plan.

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

The proposed bar use is located within a 1,254 square foot tenant space in an existing approximately 19,701 square foot commercial building that contains 3 other ground floor commercial tenants and an approved restaurant use on the second floor. The adjacent properties to the north, east, and west are zoned [Q]C2-4D-CDO and C2-4D, and developed with commercial retail and office uses two- to five-stories in height. The adjacent property to the south is zoned PF-4D-CDO and developed with an eight-story commercial office building operated by the State of California.

The site is generally located in Downtown LA in the Historic Core area between the Jewelry and Financial District, and Bunker Hill. The proposed bar with incidental food sales would be compatible with the adjacent and surrounding land uses, as well as visitors to the downtown area, who would be able to access this establishment on foot, reducing additional traffic impacts.

The requested approval is for a Conditional Use to allow the on-site sales and dispensing of beer and wine, with incidental food sales limited live entertainment, and hours of operation from 8 a.m. to 2 a.m., daily. Approval of the requested Conditional Use will not adversely affect the welfare of the community. The bar use will positively impact the financial health of the property and improve the economic vitality of the area via increases in taxable revenue and local employment. The project will provide much needed economic revitalization to the Broadway corridor and will provide jobs within the community. The subject property is zoned for commercial uses and will be utilized as such.

The grant authorized herein incorporates a number of conditions which have been imposed upon the bar use to maintain its compatibility with the character of the immediate neighborhood. The subject grant is authorized for a term grant of five (5) years. The term grant allows the City an opportunity to review the operation of the bar anew. If the operation has been conducted appropriately and without creating problems, then a subsequent decision on a new Conditional Use may take that into favorable consideration. A record of poor compliance and/or nuisance complaints would allow the City the discretion to not grant a Conditional Use and thus avoid the need to proceed with prolonged nuisance abatement proceedings. As such, the proposed project will not adversely affect the welfare of the pertinent community.



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

According to the California State Department of Alcoholic Beverage Control licensing criteria, six licenses (four on-sale and two off-sale) are allocated to the subject Census Tract No. 2073.01, which had a population of 4,521 as of August, 2014. There are currently fifty-seven active licenses, forty-five on-site and twelve off-site, within this census tract.

There are a total of thirty-six establishments with an active alcohol license located within 1,000 feet of the subject site: eighteen establishments have an active on-site or off-site alcohol license within 600-feet, and; eighteen establishments have an active on-site or off-site license between 600 feet and 1,000 feet from the project site.

Statistics from the Los Angeles Police Department reveal that in Crime Reporting District No. 134, which has jurisdiction over the subject property, a total of 132 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. The 132 crimes reported include the following: Rape (1), Robbery (6), Aggravated Assault (3), Burglary (2), Auto Theft (2), and Larceny (22). During the same time period, arrests were made for Other Assault (4), Narcotics/Drugs (7), Liquor Laws (14), Drunk (16), Disorderly Conduct (15), DWI Related (3), and Other (34). 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.

Over-concentration can be undue when the addition of a license will negatively impact a neighborhood. Over-concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. Although the number of active ABC licenses in the census tract where the site is located exceeds ABC guidelines, the addition of one license to the census tract is not expected to result in undue concentration and adversely affect the community welfare. The crime rate in the census tract where the subject site is located is below the citywide average. Further, it is noted that the crime statistics cover the entire reporting district, and do not pertain uniquely to the subject site. In addition, there is no evidence submitted to the record establishing a link between the subject site and crime rates in the community. The Zoning Administrator has incorporated numerous operational conditions to the grant that address noise, safety and security to ensure the

proposed use is conducted with due regard for surrounding properties and to reduce any potential crime issues or nuisance activity and that will serve to mitigate potential impacts on police services.

The proposed bar would be a desirable use in the existing commercial services and retail building, and is part of a much larger commercially zoned area with other restaurants that also serve alcoholic beverages.

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

The following sensitive uses are located within 1,000 feet of the subject site:

- Spring Street Park (426 S. Spring)
- Angels Knoll Park (356 S. Olive Street)
- LA Barber College (440 S. Broadway # G8)
- Cal-Tot Child Care Center; Serendipity Pre-School (300 S. Spring Street)
- Christian Science Reading Room (350 S. Grand Avenue #R1b)
- Park Church (245 S. Hill Street)
- New Name Baptist Church (420 S. Grand Avenue)
- New City Church of Los Angeles (514 S. Spring Street)
- Pershing Square Park (532 S. Olive Street)
- US Post Office (506 S. Spring Street)

The site is located in Downtown LA in the Historic Core area between the Jewelry and Financial District, and Bunker Hill, proximate to the S. Broadway Theater District, and the surrounding neighborhood has been and continues to include a mixture of commercial, office, and high-density residential uses where diversity amongst land use is not uncommon. This grant has placed numerous conditions on the proposed project. Such imposition of conditions will make the use a more compatible and accountable neighbor to the surrounding and on-site uses than would otherwise be the case. Therefore, the sale and dispensing of beer and wine for on-site consumption will not detrimentally affect the neighboring residential properties or other sensitive uses in the area.

The applicant has been working with LAPD to mitigate their concerns about alcohol sales. The surrounding neighborhood has been and continues to be a commercial neighborhood with a mixture of retail, restaurant, and residential uses. The applicant understands the character of the neighborhood and is committed to help preserve such character through responsible service of alcohol in conjunction with the operation of the bar.

It is important to understand the convenience to this neighborhood to have an authentic, responsible, high quality neighborhood meeting place in their



community. It benefits the neighborhood overall. During high traffic hours, it is especially convenient to be able to walk to the location and walk home.

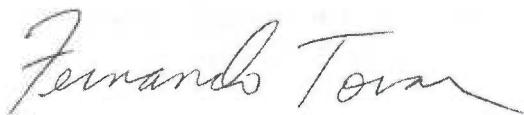
The proposed bar will operate in a tenant space of an existing commercial building on commercially zoned property in an existing commercial building. The proposed use will be subject to conditions to ensure compatibility with the surrounding land uses, and is therefore a proper use at the subject location. The establishment will offer a variety of foods during all hours of operation. Staff will attend STAR training in order to learn best practices for conducting the serve of alcoholic beverages. The imposition of operational conditions that clearly define the limits under which the bar may operate will reduce the potential for detrimental effects to nearby sensitive institutions in the area.

#### ADDITIONAL MANDATORY FINDINGS

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas determined to be outside the 0.2 percent annual chance of flooding.
8. On September 9, 2015, the City Planning Department issued Negative Declaration No. ENV-2015-11680-ND (Article V - City CEQA Guidelines). This Negative Declaration reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment. I hereby adopt that action. The custodian of the documents or other material which constitute the record of proceedings upon which the decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

Inquiries regarding this matter should be directed to Peg Malone-Brown, Planning Staff for the Office of Zoning Administration.

Peg Malone-Brown  
City Planning Associate  
(213) 978-1172

  
FERNANDO TOVAR  
Associate Zoning Administrator  
Direct Telephone No. (213) 978-1303

JT:PMB:jjq

cc: Councilmember Jose Huizar  
Fourteenth District  
Adjacent Property Owners



# ADDRESS / LEGAL INFORMATION

Site Address:

361 S Broadway  
Los Angeles, CA 90013

## Legal Information

APPLICANT: RAVELED STUDIO  
 PROJECT: 361 S Broadway  
 BUILDING TYPE: 2  
 BUILDING FLOOR: 2  
 BUILDING SQUARE FEET: 19,707.0 sq. ft.  
 APPLICANT'S TAX ID: 314801507  
 APPLICANT'S TRACT NUMBER: 2  
 TRACT SURVEY: 1994231  
 MAP SHEET: 1  
 ZONING: 26-234 LOS ANGELES STATE ENTERPRISE ZONE  
 ZONING INFORMATION (Z): 26-234 Los Angeles State Enterprise Zone  
 ZONING INFORMATION (Z): 26-234 Los Angeles State Enterprise Zone  
 ZONING INFORMATION (Z): 26-234 Los Angeles State Enterprise Zone

## Building Code Information

Issuing Jurisdiction: City of Los Angeles  
 Approving Code: 2013 LBC  
 The project final survey is 2013 DEC. 04. CAC 10101

# PLUMBING FIXTURES

PER 2013 CA PLUMBING CODE TABLE 407.1

OCCUPANT LOAD FACTOR 30  
 DRAINAGE AREA 651  
 TOTAL OCCUPANTS 22  
 MEN/WOMEN 11 + 11

	REQUIRED	PROVIDED
WATERING	1	1
TOILETS	1	1
WOMEN'S	1	1
WOMEN'S	1	1
WOMEN'S	1	1
WOMEN'S	1	1
WOMEN'S	1	1
WOMEN'S	1	1
WOMEN'S	1	1
WOMEN'S	1	1
WOMEN'S	1	1

## PARKING

USE	SQUARE FOOTAGE	PARKING REQUIRED	REMARKS
(E) Retail	981 SF	1,500*	

\* Los Angeles State Enterprise Zone 2/10/08  
 \*\* Change of Use from retail to industrial  
 Retail to Industrial = 1,500 sq. ft. per person. No parking required.



## 2 SITE PLAN

SCALE: 1" = 10' - 0"

## EXHIBIT "A"

Page No. 1 of 2

Case No. ZA-2015-1679(CUB)

## 1 ASSESSORS MAP

SCALE: NTS

REVISED

NUMBER  
A-1

TITLE  
SITE PLAN, CALCULATIONS, NOTES

DATE  
08/03/15

PROJECT  
Barnardette  
361 S Broadway  
Los Angeles, CA 90013

DATE  
08/03/15

PROJECT  
Barnardette  
361 S Broadway  
Los Angeles, CA 90013

DATE  
08/03/15

PROJECT  
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361 S Broadway  
Los Angeles, CA 90013



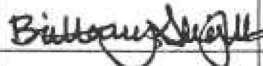
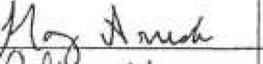
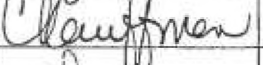
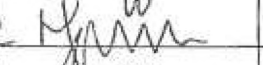
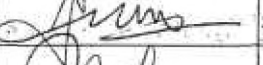
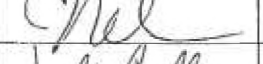
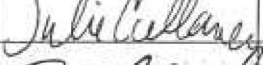

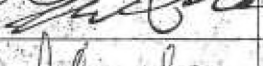
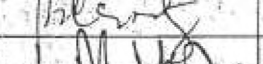
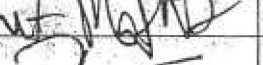








I support the City of Los Angeles Planning Department application ZA 2015-1679 CUB:

**Subject Site:**

Bernadette's  
361 S. Broadway  
Los Angeles, CA 90013

**Request:** Conditional Use to Permit the on-site sale of beer and wine in conjunction with the operation of a 28-seat, 887 square-foot bar, 15-seat, 180 square-foot outdoor patio and 187 square-foot mezzanine with ambient live entertainment (no dancing), one (1) arcade machine and hours of operation from 8:00 am – 2:00 am, daily.

Name (print)	Signature	Live or work in area?	Address / email contact
Brittany Sheight		yes	steight@yahoo.com
Angela Fillmore		yes	atillmore21@gmail.com
Nancy Arreola		yes	nancy.glez.rivas@gmail.com
Ceres Kauffman		yes/work	butterz@yahoo.com
Nicole Schlesinger		yes	nschlesinger31@gmail.com
Augusto Casarelli		yes/work	ago@yahoo.com
Melanie Sohrn		yes/work	mtaves@unich.edu
Julie Collana		yes/work	juliecollana@yahoo.com
Bernette Stott		yes/work	bernette.dziga@yahoo.com
Natalya Steindler		yes/work	nsteindler@gmail.com
Bess Cervantes		yes/work	bess.cervantes@yahoo.com
Genevieve Mathis		yes	GEMathis@gmail.com
Maribel Burton		yes	maribel@gmail.com
Melissa Flippen		NO/yes	mel.sr.flippen@gmail.com
James Shaffer		NO/yes	motorheadvance@aol.com
Lena Degtara		NO/YES	ldegtara@hotmail.com
Vivian Espinoza		NO/YES	vms28@hotmail.com
Shay Neri		yes	bradstacy@att.net
David Meia		yes	ucifersfarre@gmail.com


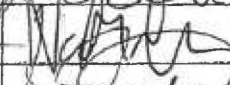
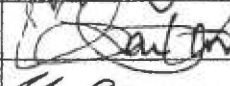
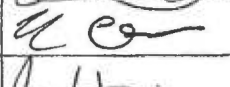





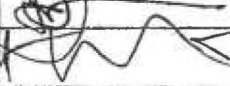


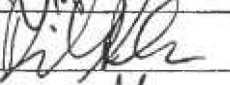
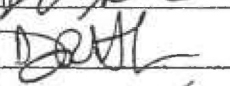
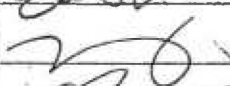





I support the City of Los Angeles Planning Department application ZA 2015-1679 CUB:

**Subject Site:**

Bernadette's  
361 S. Broadway  
Los Angeles, CA 90013

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Name (print)	Signature	Live or work in area?	Address / email contact
Ross O'Connell		yes	548 S Spring St #113
Nathalie Nott		yes	532 S Colorado St
Scott Dastie		YES	541 S. SPRING ST #1109
Randa Davison		yes/yes	931 C Pico #231
Michael Hasejian		yes	650 S Spring St
Scott Hazel		yes	541 S Spring St #407
Wilhelm		Ja	3032 Palmer dr. LACA9005
Jon Beavregard		yes	505 Spring St LACA 90013
JILL ANTON		YES	650 S SPRING ST #1094 JILLANTON@GMAIL.COM
ELIANA PARRA		YES	600 S MAIN ST. LA, CA. 90014
Will Wright		Yes	610 S Main St LA, CA 90014
NICHOLAS KRON		yes	1200 S SPRING ST. nicholas.kron@gmail.com
NEIL SHUMAN		YES	548 S SPRING ST Shuman.Neil@gmail.com
DAVID PARK		YES	DAVIDFPARK@GMAIL.COM
DAVE HOLMES		yes	DAVE@STCOM@NAC.COM
Selena Leong		yes	SelenaLeong@gmail.com
Sherry Shin		yes	SNS175@GMAIL.COM
Jennifer Abel		yes	jenniferlienenabel@gmail.com





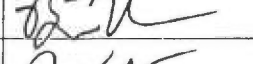

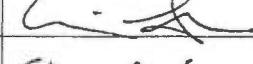




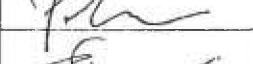


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Name (print)	Signature	Live or work in area?	Address / email contact
Andy Sohrn		Yes-Work	andy.sohrn@gmail.com
Tim Kuo		Yes-Work	timdkuo@gmail.com
Josh Harrison		Yes-Work	JOSH.HARRISON@YAHOO.COM
Jon Wieman		Yes-work	jwienan@hotmail.com
Dale Choi		Yes-work	daeildale@yahoo.com
Brian Kreckman		Yes-work	venicebrian@gmail.com
CHRIS JUNG		YES-work	CHRIS.JUNG@GMAIL.COM
Eric Shu		Yes-work	ewshu@hotmail.com
Shane Cox		Yes-work	scoxd@hotmail.com
MARK TSENG		YES-work	tseng-mark@yahoo.com
Sang Lee		Yes-work	sang311@yahoo.com
Jennifer Kim		Yes-work	jik926@gmail.com
Michael Buffardi		Yes-work	michael.buffardi@gmail.com
Shawn McEnnis		Yes-work	smcennisa@gmail.com
Nina Freedman		Yes-work	nsfreedman@gmail.com
Peter Kane		Yes-work	pkane20@gmail.com
JASON LEE		Yes-work	JASONLEE@OUTLOOK.COM

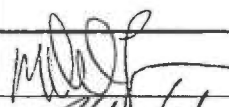
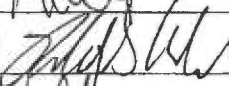
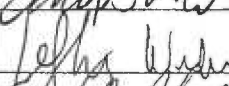
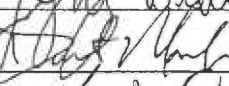
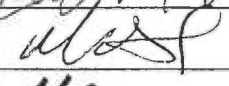
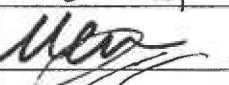
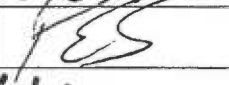



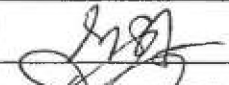




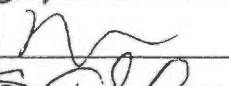
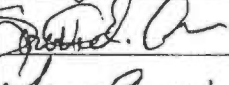
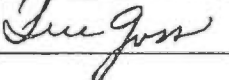


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Name (print)	Signature	Live or work in area?	Address / email contact
Michael Fisher		work	MOFisher@Buchalter.com
Robert Addison		work	isaonline@me.com
Jeffrey Winkle		work	jwinkle@buchalter.com
David Mark		work	dmadmark@buchalter.com
Matthew Serer		work	mserer@gmail.com
Mark Cramer		work	mcramerica@gmail.com
Kanya Solvi		work	psolvi@buchalter.com
Kamala Mani		work	kamani@buchalter.com
DeKera Johnson		LIVE	De-Kera.Johnson@yahoo.com
Scott Smith		work	ssmith@buchalter.com
George Stephan		work	georgejstephan@yahoo.com
BARRY SMITH		work	Bsmith@Buchalter.com
Gerron		work live	gerron@Buchalter.com
Michael Muse Fisher		work	musefisher@gmail.com
JOHN W. WACHTEL		work	mwachtel@buchalter.com
Jim Barr		work	JimBarr.com
Loretta Arias		work	larias@buchalter.com
Tee Goss		work	tgoss@buchalter.com

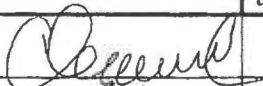
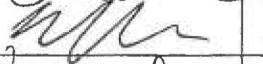
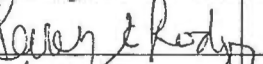

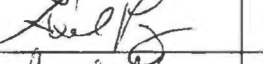
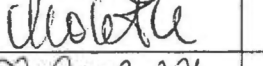
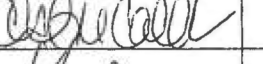

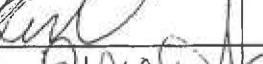

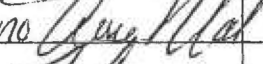
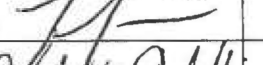
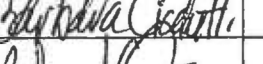
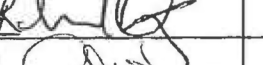


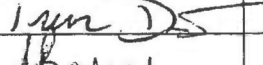



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Name (print)	Signature	Live or work in area?	Address / email contact
Christine Acosta		yes	cacosta@buchalter.com
Will Miller		yes	willmiller@buchalter.com
Karen Rodgers		yes	Karenkay5@gmail.com
Aaron Levin		yes	alevin@buchalter.com
Niel Perez		yes	staxman7@gmail.com
Violet Carrem		yes	violetacarrem@yahoo.com
Christine Calderon		yes	ccalderon@buchalter.com
Eric Cordova		YES	ericjcordova@hotmail.com
Kelb Borrell		Yes	godsonofhorse@hotmail.com
Diana Alboyadjian		yes	dalboyadjian@yahoo.com
Veronica Medrano		yes	vmedrano77@yahoo.com
Frank Mendoza		yes	fjmendoza09@yahoo.com
Richard Ortiz		yes	rcicchetti94@gmail.com
Richard Ortiz		yes	raortiz-1@netzero.com
Andry Herodias		yes	andry0808@gmail.com
Jose Ramos		yes	jongry@gmail.com
Trevor Davis		Yes	4trevor2@gmail.com
Anesha Berryman		YES	aneshab604@gmail.com



[illegible]


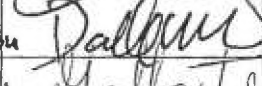
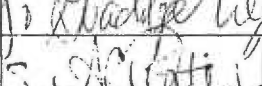
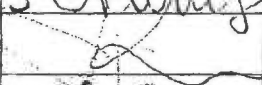





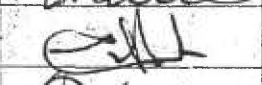
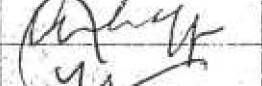
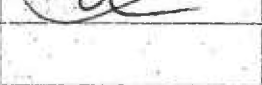





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Name (print)	Signature	Live or work in area?	Address / email contact
CESAR ANIMS		YES/YES	XEXAN @ LIVE.COM
Danielle McPherson		yes	dmcpherson6@gmail.com
Guadalupe Trejo		yes	lupe.trejo18@gmail.com
Antonia Quells		YES	acurtis_92@yahoo.com
Sophia Robles		yes	SROBLES.R316@gmail.com
Isaac Gilmore		yes	lgilmore@radclothing.com
Barbara		yes	barbaralradclothing.com
Bethany		yes	Bethany.PSH@gmail.com
Janine Enrique		yes	Janine@radclothing.com
Caroline Siegel		yes	CSiegel@radclothing.com
Arianna Modtriz		yes	moultystyling@gmail.com
CATHERINE STEN		yes!	cstein@radclothing.com
GUILLERMO LARRINCA		yes	ONCALDETAINB@YAHOO.COM
Amanda Yib		yes	amandayib@gmail.com
Gilbert Larrinca		yes	Gilbert.Larrinca@yahoo.com



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[illegible]

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[illegible]



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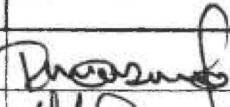



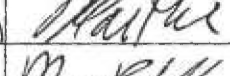


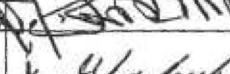
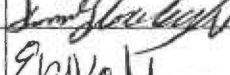


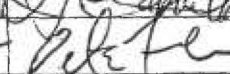


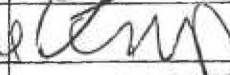

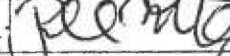

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Name (print)	Signature	Live or work in area?	Address / email contact
Ryan M. Turner		Work	480 So. Spring #1205, 90013
DAVID POTTENBERGER		LIVE + WORK	488 So. Spring #1208 90013
Cory Baskin		Live & Work	818 S. Grand Ave #303, 90017
Amos		work	363 S. Broadway LA CA 90013 (PESTOLINI)
Matthe Rin		work	357 S. Broadway L.A. CA
Monica Roeder		work	320 4th St. LA CA
CHRIS BEPPE		both	560 S. MAIN 90013
<del>John M. [unclear]</del>	<del></del>	<del>live</del>	<del>5263 Main St. 90013</del>
Kimberly [unclear]		work	kimasphyxia@gmail.com
Enka Miller		live	esvmiller@gmail.com
Zoe Bioneman		live	Zoebioneman@gmail.com
JUSTINO ALVAREZ		Work	453 S. Spring St
Seth Fleischman		work	teachersest@gmail.com
Steve Chang		work	smuchang@gmail.com
Guofan Fan		work	gffan1@gmail.com
MARSSA [unclear]		work	MARSSA [unclear]@gmail.com
PAUL [unclear]		work	306 W. 3rd St.
Russell Malin		live & work	324 S. Hill St. 90013


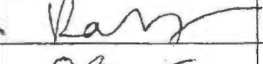
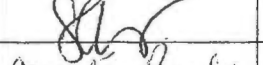
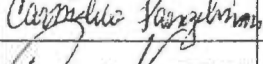
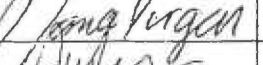
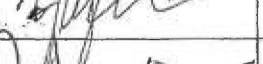
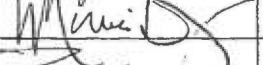

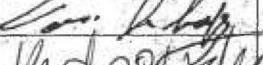
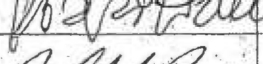
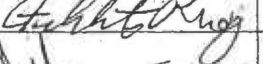
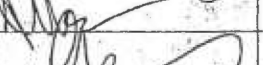

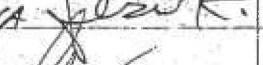

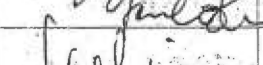

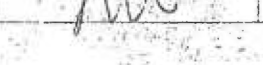


I support the City of Los Angeles Planning Department application ZA 2015-1679 CUB:

**Subject Site:**

Bernadette's  
361 S. Broadway  
Los Angeles, CA 90013

**Request:** Conditional Use to Permit the on-site sale of beer and wine in conjunction with the operation of a 28-seat, 887 square-foot bar, 15-seat, 180 square-foot outdoor patio and 187 square-foot mezzanine with ambient live entertainment (no dancing), one (1) arcade machine and hours of operation from 8:00 am – 2:00 am, daily.

Name (print)	Signature	Live or work in area?	Address / email contact
Louise Cahar		work in area	Louise <sup>72</sup> @g.mail.com
Rachel Dickinson		work	rdickinson10@gmail.com
Samantha Allen		work	uksammi.74@gmail.com
Carmelita Pangilinan		work	carmie_mirasol@yahoo.com
Tania Vigan		work	Tannia0930@yahoo.com
JEFF MARR		work	JEFFMARR@GARTAB.COM
Monica Diaz		work	modayze@live.com
IRENE ROBLES		work	IRENE@ONEUBELDAPPAL.COM
NOEMIS LOPEZ		work	402 S. Moorpark MP. 91754
Kodan? Walke		work	superwalkoek@gmail.com
Filiberto Ruiz		work	NA
ARLENE FLORES		work	1615 E. 15TH STREET, LA, CA
Joanna Chavez		work	"
Jesus Reyna		work	1575 E 15 ST C.A.
Claudia Gomez		work	Cpgomez273@yahoo.com
Yan Zhu		work	5209 1/2 Acacia St. San Gabriel, CA
Kelina Liu		work	Kelina.liu@yahoo.com
Theresa Wilson		work	TRICIA@FIVESTARTEAM.COM



**Subject Site:**  
Bernadette's  
361 S. Broadway  
Los Angeles, CA 90013

[illegible]



[illegible]



August 11, 2015

Los Angeles Department of City Planning  
Office of Zoning Administration, 7th Floor  
200 North Spring Street  
Los Angeles, California 90012

RE: **Planning Case #:** ZA-2015-1679-CUB  
**Project Address:** 361 S. Broadway  
**Applicant:** Bernadette's

Dear Zoning Administrator:

At our regularly held public meeting on August 11, 2015, the Board of Directors of the Downtown Los Angeles Neighborhood Council ("DLANC") voted to support the above request, pursuant to the motion passed on July 21, 2015, by DLANC's Planning & Land Use Committee ("PLUC").

DLANC supports the applicant's request listed below:

1. A Condition Use Permit to allow the on-site ale of beer and wine in conjunction with the operation of an approximately 28-seat, 887 square foot bar, 15seat 180 square foot patio and 187 square foot mezzanine with live entertainment (but no dancing) and hours of operation from 8:00 a.m. – 2:00 a.m., 7 days a week.

In DLANC's view, the information presented provides adequate justification for granting the requested approvals, subject to any additional conditions recommended by the LAPD and City Council Office. DLANC fully supports the applicant's request and encourages the city to approve.

If possible, please provide a digital copy of the decision letter by mail to [planning@dlanc.com](mailto:planning@dlanc.com) instead of sending a hard copy. Thank you for your consideration of these comments.

Very truly yours,

Patricia Berman  
DLANC President

Very truly yours,

Simon Ha, AIA, LEED AP  
DLANC Planning & Land Use Committee Co-Chair

CC: Sara Hernandez (Council District 14)



# BERNADETTE'S FOOD MENU

## Mac & Cheese Grilled Cheese.....\$7

Homemade mac & cheese stuffed between white bread and grilled until it's the best thing you've ever eaten. Served with a housemade pickle. And some napkins, probably.

## Chorizo Roll..... \$6

Chorizo sausage. On a roll. To eat with your face. Served with our special beer mustard.

## Bratwurst & Sauerkraut ..... \$8

Bratwurst sausage on a roll with a hefty portion of our delicious, stinky housemade sauerkraut.

## Crispy Smashed Potatoes.....\$4

Baby red potatoes smashed then grilled with olive oil & fresh thyme.  
Served w/ side of sour cream, because duh.

## Charcuterie Plate.....\$15

3 meats and 3 cheeses. Served with crostini, honey, housemade pickle and our special beer mustard, all on a very fancy-looking plate. Almost *too* fancy-looking.  
(just Meat or just Cheese - \$10)

## Sardine Plate.....\$6

Wild-caught sardines topped with a pinch of smoked sea salt, served with lemon & crostini.  
Eat like a grandparent!

## Housemade Pickles.....\$5

Housemade pickles. Selection rotates seasonally depending on what we feel like pickling.

## Roasted Nuts.....\$3

Blend of nuts, roasted in our blend of spices. If you don't like these, then you must be completely, uh, crazy.

## Bernadette's Chocolate Bar.....\$3

Dark chocolate bar topped with bits of toffee. There's no joke here, just chocolate.

## Mexican Coke (12 oz.).....\$3

## Topo Chico Sparkling Mineral Water (12 oz.).....3

## Stumptown Cold Brew Iced Coffee (10.5 oz).....\$5

## 2. OPERATION PLAN

We're committed to being responsible, proactive bar proprietors, and hope to be a positive force in the neighborhood and among our industry peers.

- **Sidewalk patio**

- The sidewalk patio will be an integral part of our business and the overall customer experience, and will also help create a more vibrant and lively atmosphere for pedestrians along this stretch of Broadway.
- We're taking proactive steps to make sure that the patio remains a beneficial part of the Broadway sidewalk, and to mitigate potential issues that may come up:
  - When **security** is on-site they'll be posted outside the storefront, giving them direct access to the patio and a view of the surrounding sidewalk
  - Two **security cameras** will cover the patio and surrounding sidewalk, and the footage will be on a live feed to a tablet behind the bar, next to the register. This way, the bartenders can easily keep an eye on the patio even when they're assisting guests inside the bar.
  - Our seating area will feature **folding benches**, which can be pulled up and padlocked after closing to prevent them from being used as beds
  - There will be wooden **planter boxes** running along the top of the patio railing. The plants will provide a bit of an eye-level privacy break / physical barrier between the sidewalk and customers sitting on the patio, thus making it more difficult for panhandlers to ask for money or interfere with customers food/drinks.
  - An **open railing design** will allow the lower portion of the patio to be visible from the sidewalk or from a passing police cruiser, making it more difficult for people to sleep or otherwise trespass on the patio.
  - The storefront facade will be primarily **transparent glass**, giving the staff and other customers a better view of the patio area, helping them stay aware of any issues
  - If possible, we'd also like to install some kind of **motion detector lights** out front to serve as an additional deterrent to nighttime camping on the patio.

- **Security staff**

- We plan to have security staff on-site Thursdays, Fridays, Saturdays, and are open to extending this coverage to 7 days a week if our customer volume supports it
- Our expectation of security goes beyond simply checking IDs. We want to make sure our security staff are well-trained and do frequent walkthroughs/sweeps of the bar, looking for possible threats... physical aggression/fighting, predatory "separation" behavior targeting female guests, guests who have had too much to drink or who arrive already intoxicated from other locations, etc. This training and awareness will be expected of our bartenders, as well.
- If LAPD has any literature or other training materials they'd like to make available to our staff, or if any officers would like to come to the bar for an in-person training session, we're happy to



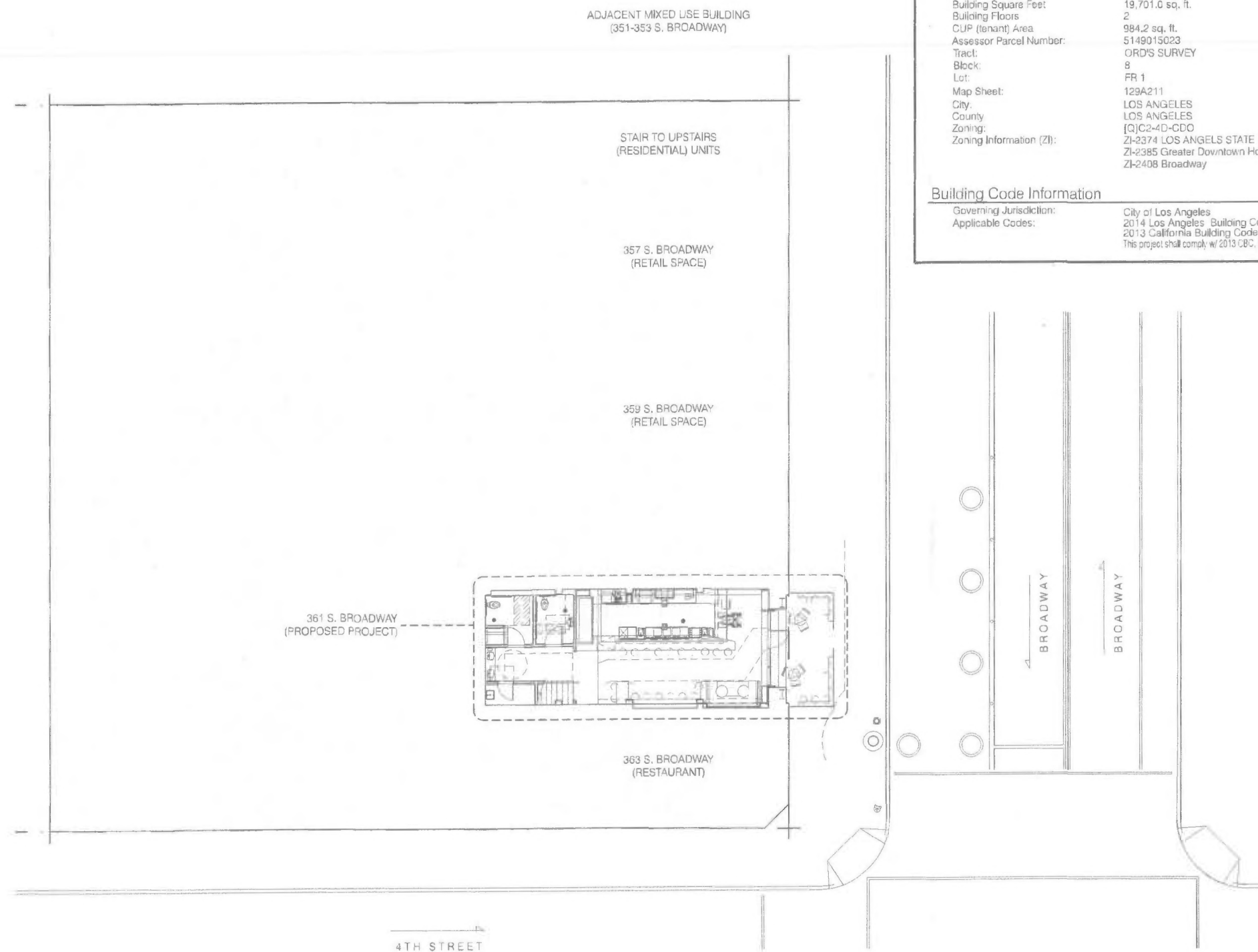
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- **PSA coasters**
  - We're working on a design for coasters that will remind patrons to be aware of their belongings, which will hopefully cut down on potential property crimes.

### 3. EXPERIENCE / ABOUT ME

A few years ago, inspired by close friends who have opened successful bars, I left a career in digital advertising to work as a bartender and investor. I worked as an event bartender for the Brooklyn Brewery in the summers of 2010-12, pouring craft beer for thousands of concertgoers at busy outdoor concerts; then in 2013-14, I trained in classic cocktail technique at The Drink and Nitehawk, both in Brooklyn's Williamsburg neighborhood, before moving back to LA last summer. I'm also a founding partner of Greenpoint Cidery, a small-batch craft cidery based in upstate New York.

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## ADDRESS / LEGAL INFORMATION

Site Address: 361 S. Broadway  
Los Angeles, CA 90013

## Legal Information

Lot/Parcel Area:	10,292.1 sq. ft.
Building Square Feet:	19,701.0 sq. ft.
Building Floors:	2
CJ/P (tenant) Area:	984.2 sq. ft.
Assessor Parcel Number:	5149015023
Tract:	ORD'S SURVEY
Block:	8
Lot:	FR 1
Map Sheet:	129A211
City:	LOS ANGELES
County:	LOS ANGELES
Zoning:	[Q]C2-4D-CDO
Zoning Information (ZI):	ZI-2374 LOS ANGELS STATE ENTERPRISE ZONE ZI-2385 Greater Downtown Housing Incentive Area ZI-2408 Broadway

### Building Code Information

Governing Jurisdiction:	City of Los Angeles
Applicable Codes:	2014 Los Angeles Building Code 2013 California Building Code, 2013 UBC This project shall comply w/ 2013 CBC, GPC, CMC and CFC

## PLUMBING FIXTURES

PER 2013 CA PLUMBING CODE TABLE 422.1

OCCUPANT LOAD FACTOR: 30  
DINING AREA SF: 651  
TOTAL OCCUPANTS: 22

MEN/WOMEN: 11 + 11

	REQUIRED	PROVIDED
WOMEN'S TOILETS	1	1
WOMEN'S LAVATORIES	1	2
MEN'S TOILETS	1	1
URINALS	1	1
MEN'S LAVATORIES	1	2

## PARKING

Parking Regulations: Per LA Zoning Code - Sec 12.21.A4

USE	SQUARE FOOTAGE	PARKING LOAD FACTOR	REQUIRED PARKING
(E) Retail	984 SF	1/500*	0**

\*Los Angeles State Enterprise zone 2/1000 SF.  
\*\*Change of Use from retail to restaurant,  
Retail Parking — 1/500 sf. No change in parking. No  
Parking required.



2 SITE PLAN  
SCALE: 1/32" = 1'

1 ASSESSOR'S MAP  
SCALE: N.T.S.

RAVELED  
STUDIO

408 S. SPRING ST. STE: 1205  
LOS ANGELES, CA 90013

THE DRAWINGS, SPECIFICATIONS, AND CONDITIONS OF AWARD FORMS, IN RESPONSE TO WHICH BIDDERS ARE MADE, SHALL REMAIN THE PROPERTY OF THE DISTRICT AND NOT THEREOF SHALL BE JUDICALLY DECIDED. NOTHING IS TO BE UNDERSTOOD TO BE AN IMPLIED WARRANTY OTHER THAN THE SPECIFIC PRODUCTION OF THE MATERIALS REQUIRED AND DEVELOPED WITHOUT THE NEED FOR CONSIDERATION OF THE USUAL AND NECESSARY CONSTRUCTION OF THE DISTRICTS OF THE DISTRICTS. THE DISTRICTS SHALL BE THE PROPERTY OF THE DISTRICTS.

PROJECT  
Bernadette  
3361 So. Broadway  
Los Angeles, CA 90013

ISSUED FOR	DATE
CUP Exhibit A	05/01/15
CUP Exhibit A Rev. 1	08/03/15

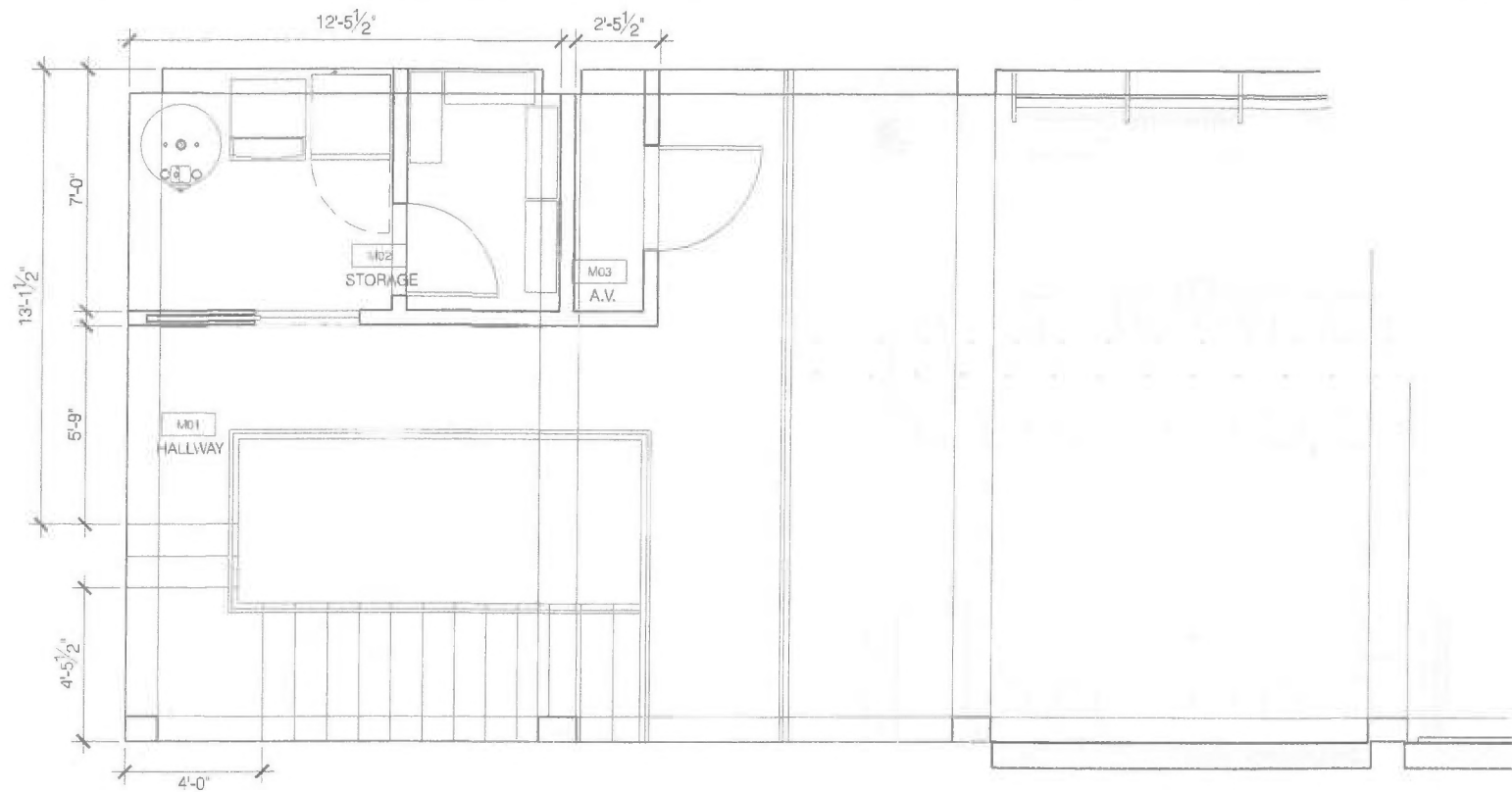
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Drawn:	RT
Scale:	As Shown
Job no:	1504

TITLE

SITE PLAN,  
CALCULATIONS,  
NOTES

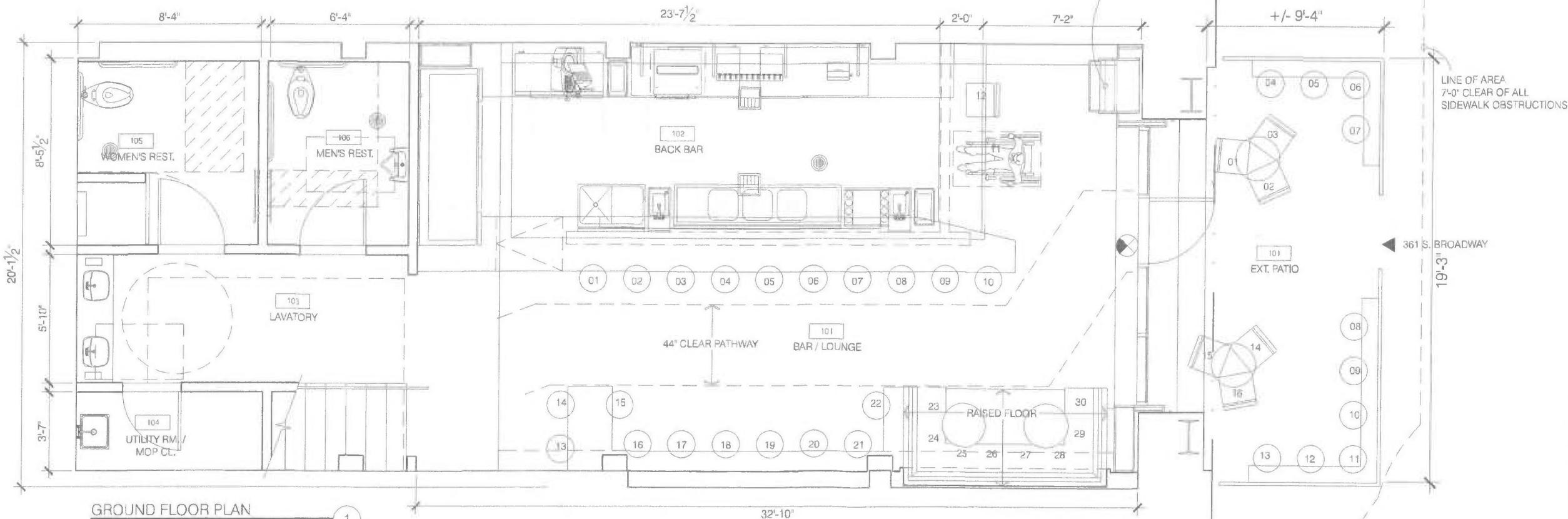
NUMBER
A-1





MEZZANINE FLOOR PLAN

2



GROUND FLOOR PLAN

1



# LEGEND:

- ENTRY
- EXIT
- PROPERTY LINE

## SEATING CALCULATION

#	ROOM	AREA SF	USE	SEATS
EXTERIOR DINING PATIOS				
E01	SIDEWALK PATIO DINING*	180	ASSEMBLY	16
TOTALS (EXTERIOR)		180		16
GROUND FLOOR				
101	BAR / LOUNGE	651	ASSEMBLY	30
102	BACK BAR	50	OTHER	-
103	VANITY	27	OTHER	-
104	UTILITY CLOSET	43	STORAGE	-
105	WOMEN'S RESTROOM	49	OTHER	-
106	MEN'S RESTROOM	67	OTHER	-
TOTALS (G. FLOOR)		887		30
MEZZANINE				
M01	HALLWAY	23	OTHER	-
M02	STORAGE	124	STORAGE	-
M03	A.V. CLOSET	40	OTHER	-
TOTALS (MEZZANINE)		187		0
TOTALS (ALL AREAS)		1,254		46

\*Sidewalk Patio by revocable use permit.  
 \*\*Seating Calc. Chart shows room square footages. Discrepancies in total gross square footages and room square footages are due to interior wall configurations and thicknesses. Note, Bar area includes bar-top and corresponding seating/dining.

RAVELED  
STUDIO

408 S. SPRING ST. STE. 1205  
LOS ANGELES, CA 90013

THE DRAWING OR SPECIFICATION BEING  
 COURTESY OF THE ARCHITECT. THE  
 PROPERTY OF THE ARCHITECT AND NOT THE  
 PROPERTY OF THE CLIENT. THE CLIENT  
 SHALL BE RESPONSIBLE FOR THE  
 ACCURACY OF THE INFORMATION  
 PROVIDED AND FOR THE RESULTS  
 THEREOF. THE ARCHITECT SHALL  
 NOT BE RESPONSIBLE FOR THE  
 RESULTS OF THE CLIENT'S  
 ACTIONS OR INACTION.

SHEET 11 RAVELED DESIGN STUDIO

PROJECT  
 Bernadette  
 361 So. Broadway  
 Los Angeles, CA 90013

ISSUED FOR	DATE
CUP Exhibit A	05/01/15
CUP Exhibit A Rev. 1	08/03/15

INFO	Drawn	RT	Scale	Job no.
			As Shown	1504

TITLE  
 EXHIBIT "A"  
 FLOOR PLAN

NUMBER

A-2

# BERNADETTE'S

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- If LAPD has any literature or other training materials they'd like to make available to our staff, or if any officers would like to come to the bar for an in-person training session, we're happy to

work with them to set that up.

- **Security cameras**

- Unlike some bars, we won't just point an old Betamax camera at the register to protect against employee theft, while ignoring other issues that might affect the safety of our patrons. We'll have a set of state-of-the-art security cameras covering our entire premises from multiple angles, equipped with standard and infrared/night vision modes, and we'll make sure our management is trained in how to access and share this footage with LAPD Vice if needed.

- **Bartender training / Mandatory monthly staff meetings**

- An attentive, proactive bar staff is absolutely the best way to prevent negative incidents from occurring at an establishment. Noticing a problem before it happens, and taking quick steps to resolve a problem if one does happen, are key goals for our bar. To this end, we'll make sure our staff are well-trained not only in beer styles and cheese pairings, but also in bar safety issues, theft/loss prevention, dangers of over-serving, and sexual assault / women's safety.
- All bar staff will be also expected to attend mandatory monthly staff meetings. In addition to keeping them up to date on new products and bar events, this is an excellent way to make the staff aware of any issues arising in the neighborhood-- incidents at other bars in the area, types of crimes being reported, things to be on the lookout for, ways to prevent problems. And from time to time, we'd like to invite LAPD officers to come to these meetings to speak directly to our staff about bar safety and neighborhood issues.

- **Bar logs**

- As each bartender ends their shift, they'll be required to write a brief entry in a bar log that's kept behind the bar; when they start a shift, they'll be required to read all the log entries since their last shift. We've found this to be an invaluable, yet super simple way to keep everyone aware of what's going on in the bar: if a keg is low and might kick during the next shift, if there are any special events or new products, stuff like that.  
But a log is also a great way to make staff aware of potential problems. For example, if you worked on Monday, and some sketchy dude came into the bar harassing people on Tuesday and was asked to leave or even arrested, you might show up for your next shift on Friday with no idea who to be on the lookout for, or even that it had happened at all. With a detailed bar log, all staff knows what has happened since they were last there, and can be more vigilant in maintaining a safe bar atmosphere for everyone.

- **Incident Report Forms**

- In addition to the standard bar log, we'll have preprinted incident report forms behind the bar for staff to fill out in the event of a serious incident, especially anything requiring LAPD intervention. We'll keep these on file so we have an in-house record of all major issues.

- **Safety messages in bathrooms**



- Our bathroom mirrors will have prominent signage saying something like "IF ANYONE IS MAKING YOU FEEL UNSAFE IN ANY WAY, PLEASE LET YOUR BARTENDER KNOW AND WE WILL HELP YOU." Women often retreat to the bathroom as a way to get away from someone making them uncomfortable, and this is a way to reach them at a time when they might be vulnerable, reminding them that our staff can help deal with the situation.
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ABUTTING LIST

9  
353 BROADWAY LLC  
1548 9TH ST. #200  
SANTA MONICA, CA 90401-2709

40  
356 360 S BROADWAY  
C/O GRAND PACIFIC FINANCING CORP  
1255 CORPORATE CENTER DR #PHIO  
MONTEREYPARK CA 91754-7609

COMMUNITY REDEV. AGENCY  
354 S. SPRING ST, #800  
LOS ANGELES, CA 90013

CITY OF LA  
DEPT OF BUILDING & SAFETY  
MAIL STOP 115  
201 N FIGUEROA ST, 10FL  
LOS ANGELES, CA90012

CITY ADMINISTRATIVE OFFICER  
MAIL STOP 130  
ATTN: BERNYCE HOLLINS  
100 N. MAIN ST, 15 FL  
LOS ANGELES, CA90012

DOWNTOWN LA NEIGHBORHOOD  
COUNCIL  
ATTN: PATTI BERMAN  
P.O. BOX 13096  
LOS ANGELES, CA 90013

CENTRALBUREAU DIVISION  
251 E 6TH STREET  
LOS ANGELES, CA 90014

1  
357 SOUTH BROADWAY LLC  
837 TRACTION AVE #400  
LOS ANGELES CA 90013-1928

12  
L A STATE BUILDING AUTHORITY  
4201 VIAMARINA  
MARINADEL REY, CA 90292-5236

42  
GRAND PACIFIC 7 28 LLC  
C/O IZEK SHOMOF  
206 W 6TH ST #100  
LOS ANGELES CA 90014-1849

LA UNIFIED SCHOOL DIST  
305 S GRANDAVE, 6" FL  
LOS ANGELES, CA 90071

DEPT OF NEIGHBORHOOD  
EMPOWERMENT  
ATTN: LISA SARNO  
33-B E. 2nd ST  
LOS ANGELES, CA90012

BUREAU OF ENGINEERING  
1149 S. BROADWAY, #700  
LOS ANGELES, CA 90015

DOWNTOWN LA NEIGHBORHOOD  
COUNCIL  
ATTN: CELINA MANCIA  
P.O. BOX 13096  
LOS ANGELES, CA 90013

REPRESENTATIVE  
MARGARET TAYLOR  
APEX LA  
5419 HOLLYWOOD BLVD. STE C747  
LOS ANGELE, CA 90027

4  
LACMTA  
1 GATEWAY PLAZA, 25TH FL  
LOS ANGELES, CA 90012

39  
350 354 S BROADWAY  
C/O GRAND PACIFIC FINANCING CORP  
1255 CORPORATE CENTER DR, #PHIO  
MONTEREY PARK CA 91754-7609

LACMTA  
1 GATEWAY PLAZA, 25TH FL  
LOS ANGELES, CA 90012

CAL TRANS- STATE OF CA  
PROPERTY DEVELOPMENT  
100 S. MAIN ST, 10 FL  
LOS ANGELES, CA90012

CITY OF LOS ANGELES  
DEPT OF TRANSPORTATION  
100 S. MAIN ST, 10FL  
LOS ANGELES, CA 900 12

JOSE HUIZAR, C.D. 14  
CITY HALL  
200 N. SPRING ST, #465  
LOS ANGELES, CA 90012

DOWNTOWN LA NEIGHBORHOOD  
COUNCIL  
ATTN: HYUN CHUL JAY KIM  
P.O. BOX 13096  
LOS ANGELES, CA 90013

TMG SOLUTIONS,INC  
19401 S VERMONTAVE. #B201-H  
LOS ANGELES, CA 90502





ABUTTING LIST

9  
353 BROADWAY LLC  
1548 9TH ST. #200  
SANTA MONICA, CA 90401-2709

40  
356 360 S BROADWAY  
C/O GRAND PACIFIC FINANCING CORP  
1255 CORPORATE CENTER DR #PHIO  
MONTEREYPARK CA 91754-7609  
  
COMMUNITY REDEV. AGENCY  
354 S. SPRING ST, #800  
LOS ANGELES, CA 90013

CITY OF LA  
DEPT OF BUILDING & SAFETY  
MAIL STOP 115  
201 N FIGUEROA ST, 10FL  
LOS ANGELES, CA90012

CITY ADMINISTRATIVE OFFICER  
MAIL STOP 130  
ATTN: BERNYCE HOLLINS  
100 N. MAIN ST, 15 FL  
LOS ANGELES, CA90012

DOWNTOWN LA NEIGHBORHOOD  
COUNCIL  
ATTN: PATTI BERMAN  
P.O. BOX 13096  
LOS ANGELES, CA 90013

CENTRALBUREAU DIVISION  
251 E 6TH STREET  
LOS ANGELES, CA 90014

1  
357 SOUTH BROADWAY LLC  
837 TRACTION AVE #400  
LOS ANGELES CA 90013-1928

12  
L A STATE BUILDING AUTHORITY  
4201 VIAMARINA  
MARINADEL REY, CA 90292-5236

42  
GRAND PACIFIC 7 28 LLC  
C/O IZEK SHOMOF  
206 W 6TH ST #100  
LOS ANGELES CA 90014-1849

LA UNIFIED SCHOOL DIST  
305 S GRANDAVE, 6" FL  
LOS ANGELES, CA 90071

DEPT OF NEIGHBORHOOD  
EMPOWERMENT  
ATTN: LISA SARNO  
33-B E. 2nd ST  
LOS ANGELES, CA90012

BUREAU OF ENGINEERING  
1149 S. BROADWAY, #700  
LOS ANGELES, CA 90015

DOWNTOWN LA NEIGHBORHOOD  
COUNCIL  
ATTN: CELINA MANCIA  
P.O. BOX 13096  
LOS ANGELES, CA 90013

REPRESENTATIVE  
MARGARET TAYLOR  
APEX LA  
5419 HOLLYWOOD BLVD. STE C747  
LOS ANGELE, CA 90027

4  
LACMTA  
1 GATEWAY PLAZA, 25TH FL  
LOS ANGELES, CA 90012

39  
350 354 S BROADWAY  
C/O GRAND PACIFIC FINANCING CORF  
1255 CORPORATE CENTER DR, #PHIO  
MONTEREY PARK CA 91754-7609

LACMTA  
1 GATEWAY PLAZA, 25TH FL  
LOS ANGELES, CA 90012

CAL TRANS- STATE OF CA  
PROPERTY DEVELOPMENT  
100 S. MAIN ST, 10 FL  
LOS ANGELES, CA90012

CITY OF LOS ANGELES  
DEPT OF TRANSPORTATION  
100 S. MAIN ST, 10FL  
LOS ANGELES, CA 900 12

JOSE HUIZAR, C.D. 14  
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LOS ANGELES, CA 90012

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