

**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: 16-1125

BACKGROUND INFORMATION

TIME LIMIT FILE: _____

As part of the application, the applicant must submit the names and addresses of property owners of all property adjacent (including across the street/alley) to the subject property on gummed labels. Applicant must also submit the following information: 1) notarized signature, 2) a site plan prepared by a map maker (see Planning Department for map maker's list), 3) one 4 by 6-inch picture of the property from each side of the site, and 4) a copy of all previous building permits for the site (Room 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	<u>Birds and Bees</u>
Address	<u>207 South Broadway, Suite 32</u>
Type of Business	<u>Bar/Lounge</u>
Applicant	<u>Dev Desai</u> Name <u>21231 Avenida Nubes, Lake Forest, CA 92630</u> Address <u>510-710-6129</u> Phone Number/Fax Number
Property Owner	<u>Broadway Civic Center, LLC</u> Name <u>205 S. Broadway, Suite 510, Los Angeles, CA 90012</u> Address <u>213-628-1141</u> Phone Number/Fax Number
Representative	<u>Margaret Taylor</u> Name <u>5419 Hollywood Boulevard, Suite C747, Los Angeles, CA 90027</u> Address <u>818-398-2740</u> <u>MARGARET@APEX-LA.COM</u> Phone Number/Fax Number

RECEIVED
CITY CLERK'S OFFICE
2016 SEP 30 PM 4:23
CITY CLERK
DEPUTY

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-2015-4054(MPA)
- Have you recently filed for a new conditional use permit? Yes ____ No X. If Yes, provide the City case number(s) _____
- Has a previous ABC license been issued? Yes X No ____ If Yes, when and what type of license. _____

4. Type of Alcohol Sales Requested (on- or off-site, beer and wine, full alcohol, etc.):
On-site, Full alcohol
5. Size of Business: 2920 Sq. ft.
6. % of floor space devoted to alcoholic beverages: ~100%
7. Hours of Operation:
- a. What are the proposed hours of operation and which days of the week will the establishment be open? 11:30 a.m. – 2 a.m. Mon-Sun
- b. What are the proposed hours of alcohol sales? 11:30 a.m. – 2 a.m. Mon-Sun
8. Parking:
- a. Is parking available on the site? (If so, how many spaces? Yes, 77 shared spaces
- b. If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant? Yes
- c. Where? Abutting 222 S. Hill St. & 215 S. Broadway
- d. How many off-site spaces? 88
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? No
11. Will you have signs visible on the outside which advertise the availability of alcohol?
Yes
12. How many employees will you have on the site at any given time? Approx. 10
13. Will all employees who sell alcohol attend the local State ABC training class on how to properly sell alcohol? Yes
14. What security measures will be taken including:
- a. Posting of rules and regulations on the premises to prevent such problems as gambling, loitering, theft, vandalism and truancy. Yes
- b. Will security guards be provided and if so, when and how many? Yes, during operating hours (1)
15. Will there be minimum age requirements for patrons? If so, how will this be enforced?
Yes, 21+ enforced with security guards, electronic age verification devices.
-

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)

No

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? No

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 sold? N/A

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

1. What is the occupancy load as determined by the Fire Department (number of patrons)?
122
2. What is the proposed seating in all areas? All Indoor seating
3. Is there to be entertainment such as a piano bar, juke box, dancing, live entertainment, movies, etc.? Live entertainment – no dancing
4. If a cocktail lounge is to be maintained incidental to a restaurant, the required floor plans must show details of the cocktail lounge and the separation between the dining and lounge facilities.
5. Food Service
 - a. Will alcohol be sold without a food order? Yes
 - b. Will there be a kitchen on the site as defined in the Los Angeles Municipal Code?
No
6. Will discount alcoholic drinks or a "Happy Hour" be offered at any time? 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

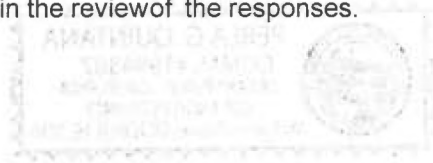
3. With regard to the operation of the proposed business explain:

- 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?

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.**

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

** 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.

9/30/2016
Date

Perla Quintana
Applicant signature

Perla Quintana
Signature of property owner if tenant or lessee is filling application

ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On 9/30/2016, before me Perla G. Quintana, Public Notary
(Insert Name of Notary Public and Title)

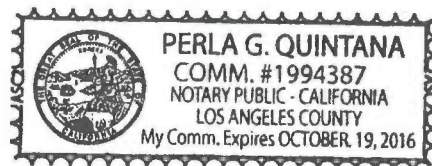
personally appeared Mihail Obogeanu, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s)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

Perla Quintana
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.

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: 8/25/2016. 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: _____.

MITAL OBOREANU

(Print or type)



(Signature)

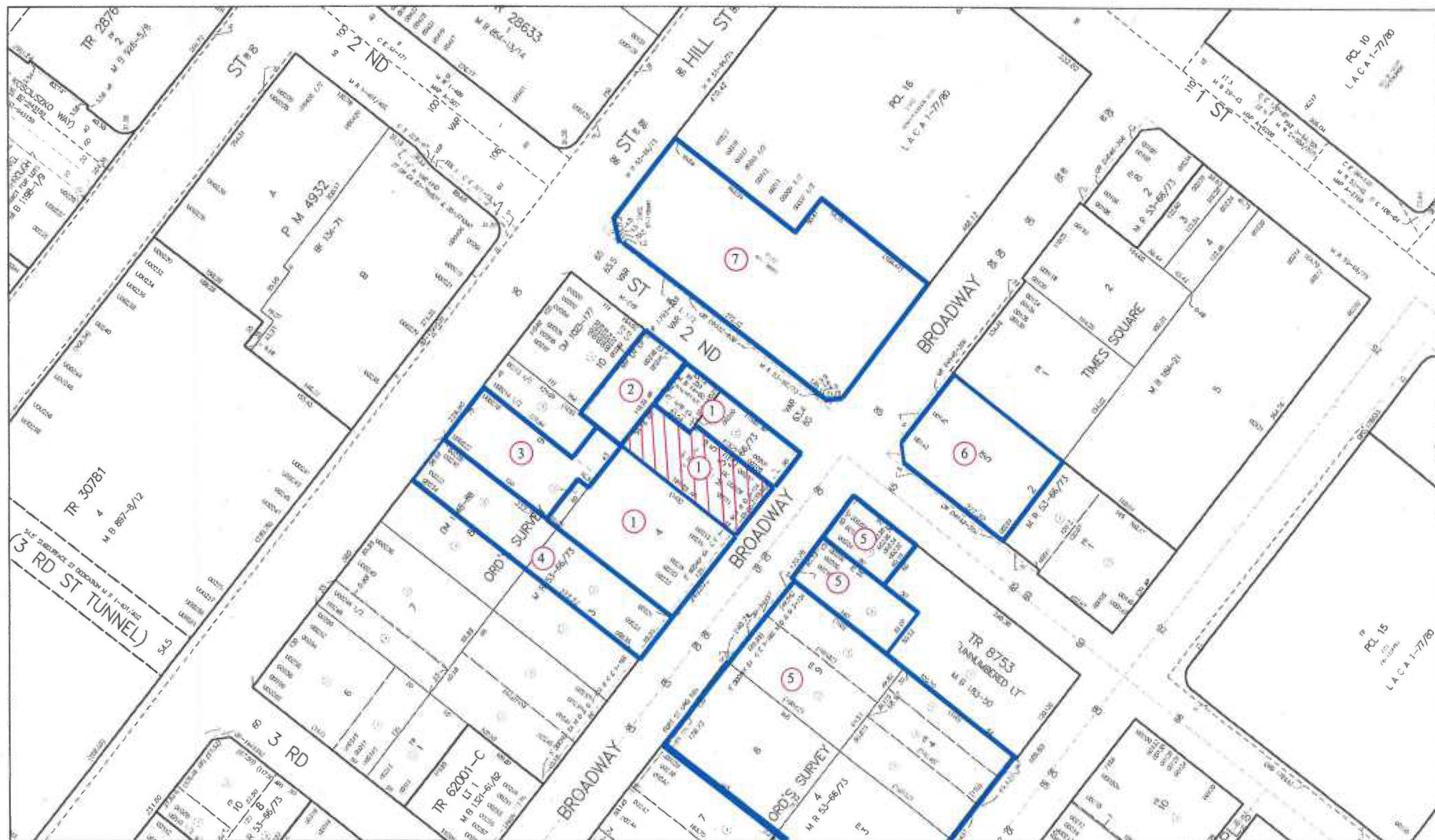
In certain instances I may have been unable to verify all occupants, therefore the following indicates which occupants I was not able to identify. I understand that the Department of City Planning will determine if reasonable attempts were made to secure these addresses from the information provided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



ABUTTING OWNERSHIP MAP

Subject Site: APN 5149009022 207 S. Broadway Los Angeles, CA 90012

Legal Description: LOT FR5, BLOCK 5, TRACT ORD'S SURVEY

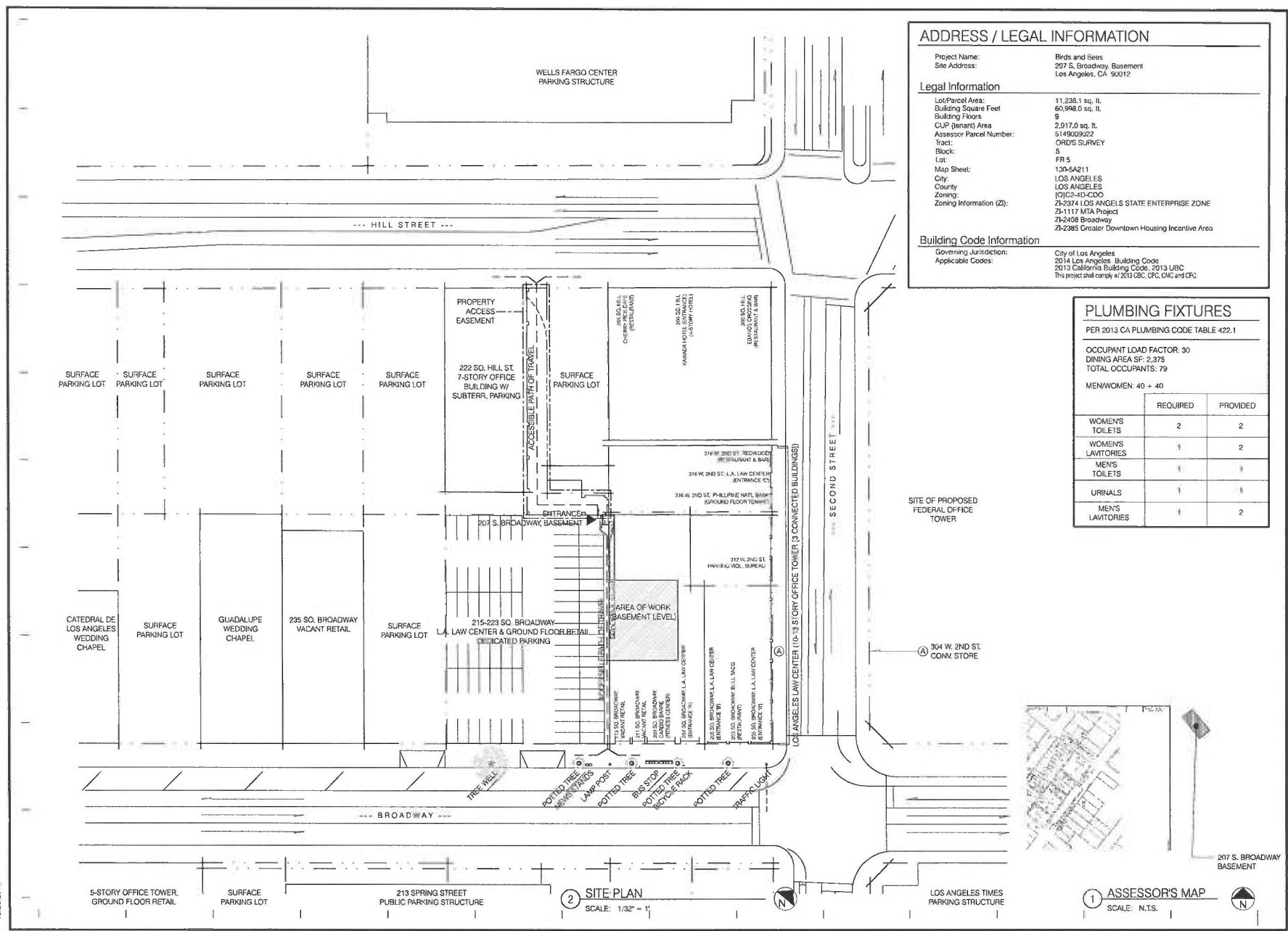
Prepared by: APEX LA

5419 Hollywood Blvd Ste C747

Los Angeles CA 90027 (213) 330-0335



City of Los Angeles
Mapping & Land Records Division



ADDRESS / LEGAL INFORMATION

Project Name: Birds and Bees
Site Address: 207 S. Broadway, Basement
Los Angeles, CA 90012

Legal Information

Lot/Parcel Area:	11,238.1 sq. ft.
Building Square Feet	60,988.0 sq. ft.
Building Floors	2
CLUP (parent) Area	9,917.0 sq. ft.
Assessor's Parcel Number	5149093022
Tract:	ORDS SURVEY
Block:	5
Lot:	FR 5
Map Sheet:	130-5A211
City:	LOS ANGELES
County:	LOS ANGELES
Zone:	OTC1C-4D-CDD
Zoning Information (Z):	12-2374 LOS ANGELES STATE ENTERPRISE ZONE
	12-1117 MTA Project
	21-2018 Broadway
	21-2385 Greater Downtown Housing Incentive Area

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, CBC, CMC and CFC

PLUMBING FIXTURES

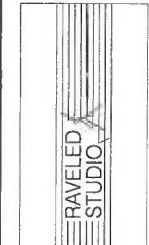
PER 2013 CA PLUMBING CODE TABLE 422.1

OCCUPANT LOAD FACTOR: 30

DINING AREA SF: 2,375
TOTAL OCCUPANTS: 79

MEN/WOMEN: 40 + 40

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



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

The Internet has transformed the way we do business and has provided us with a wealth of information. However, the Internet has also become a source of information for criminals. Criminals can use the Internet to find out about a company's security measures, to find out about a company's employees, and to find out about a company's financial situation. Criminals can also use the Internet to find out about a company's location and to find out about a company's contact information. Criminals can use this information to plan a crime or to carry out a crime. Criminals can also use the Internet to find out about a company's reputation and to find out about a company's history. Criminals can use this information to plan a crime or to carry out a crime. Criminals can also use the Internet to find out about a company's employees and to find out about a company's financial situation. Criminals can use this information to plan a crime or to carry out a crime. Criminals can also use the Internet to find out about a company's location and to find out about a company's contact information. Criminals can use this information to plan a crime or to carry out a crime. Criminals can also use the Internet to find out about a company's reputation and to find out about a company's history. Criminals can use this information to plan a crime or to carry out a crime.

PROJECT
Birds and Bees
207 S. Broadway Basement
Los Angeles, CA 90012

ISSUED FOR	DATE
Schematic Design	06/03/15
Exhibit 'A' Submittal	10/02/15

INFO	
Drawn:	CP - RT
Scale:	As Shown
Job no	1510

TITLE

A-1

NUMBER

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

RENEE DAKE WILSON
VICE-PRESIDENT

ROBERT L. AHN
CAROLINE CHOE
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SAMANTHA MILLMAN
VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
DEPUTY DIRECTOR
(213) 978-1272

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

September 13, 2016

Dev Desai (A)
Birds and Bees, LLC
21231 Avenida Nubes
Lake Forest, CA 92630

Broadway Civic Center, LLC (O)
Abraham Florentin
205 S. Broadway, Suite No. 510
Los Angeles, CA 90012

Margaret Taylor (R)
Apex LA
5419 Hollywood Blvd., Suite C747
Los Angeles, CA 90027

CASE NO. ZA-2015-4054-MPA
LETTER OF CORRECTION
Related Case: ZA-2011-3166(MCUP)(CUX)
207 South Broadway, Basement
Planning Area: Central City
Zone: [Q]C2-4D-CDO
C.D.: 14
D.M.: 1305A211
CEQA: ENV-2015-3167-MND
Legal Description: Lot: 4 and FR 5, Block: 5,
Tract: Ord's Survey

On March 23, 2016, the Zoning Administrator approved:

Plans to allow for the continued sale of a full line of alcoholic beverages for on-site consumption at a bar/lounge with live entertainment and with hours of operation from 11:30 a.m. to 2:00 a.m. daily

It was brought to the attention of the Zoning Administrator that the address for the subject location was incorrect in the letter of determination and requires to be modified to include the term "Basement" in lieu of suite number. Therefore, the address for subject establishment includes the term Basement and it is corrected to read:

207 South Broadway, Basement Suite 32

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.

Inquiries regarding the matter shall be directed to Rony Giron, Planning Staff for the Office of Zoning Administration, (213) 202-5403



ALETA D. JAMES
Associate Zoning Administrator

ADJ:RG

cc: Councilmember Jose Huizar
Fourteenth Council District
Adjacent Property Owners

PHOTO EXHIBIT



BIRDS AND BEES

207 S Broadway

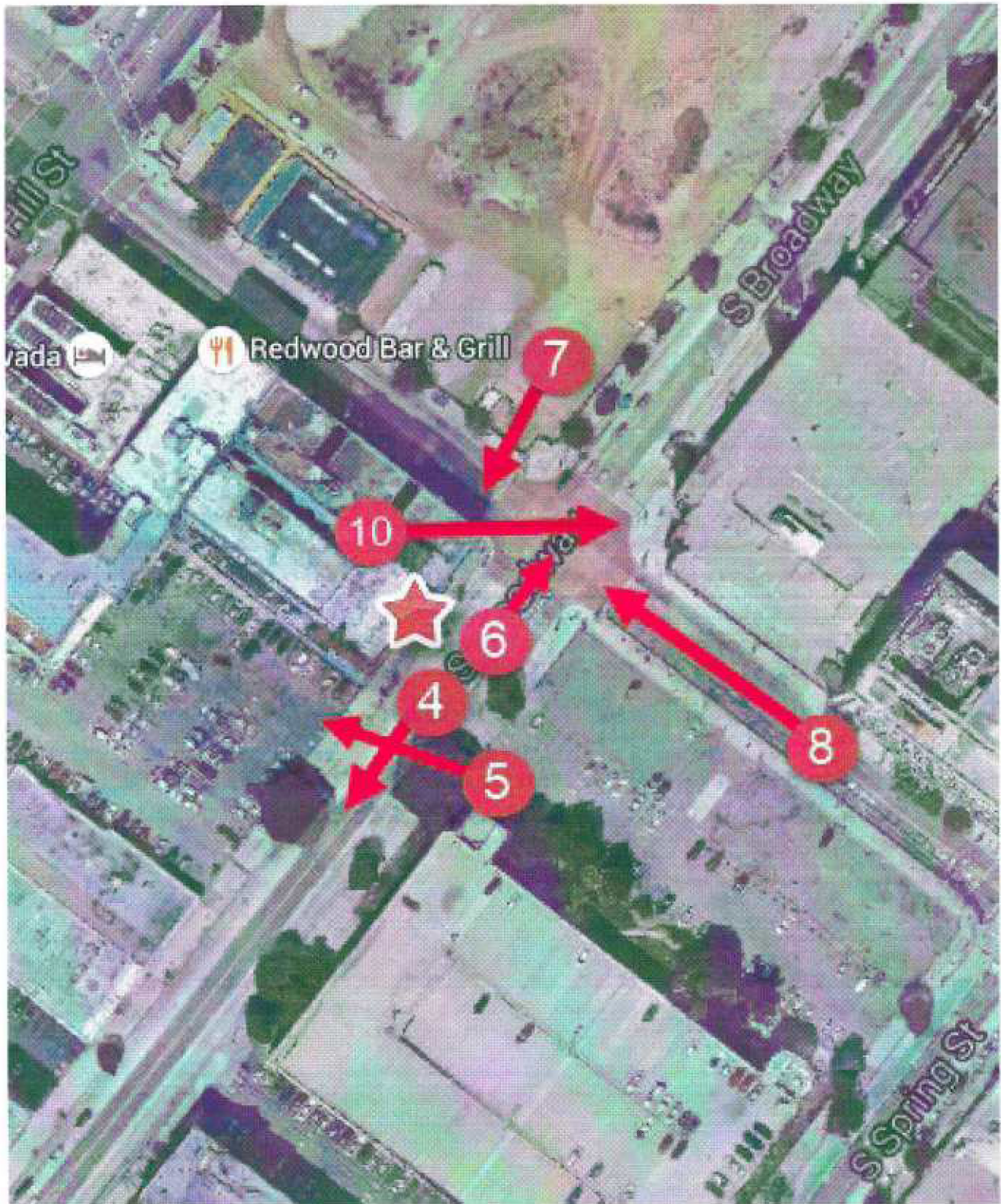
APEX LA

5419 Hollywood Boulevard, Suite C747

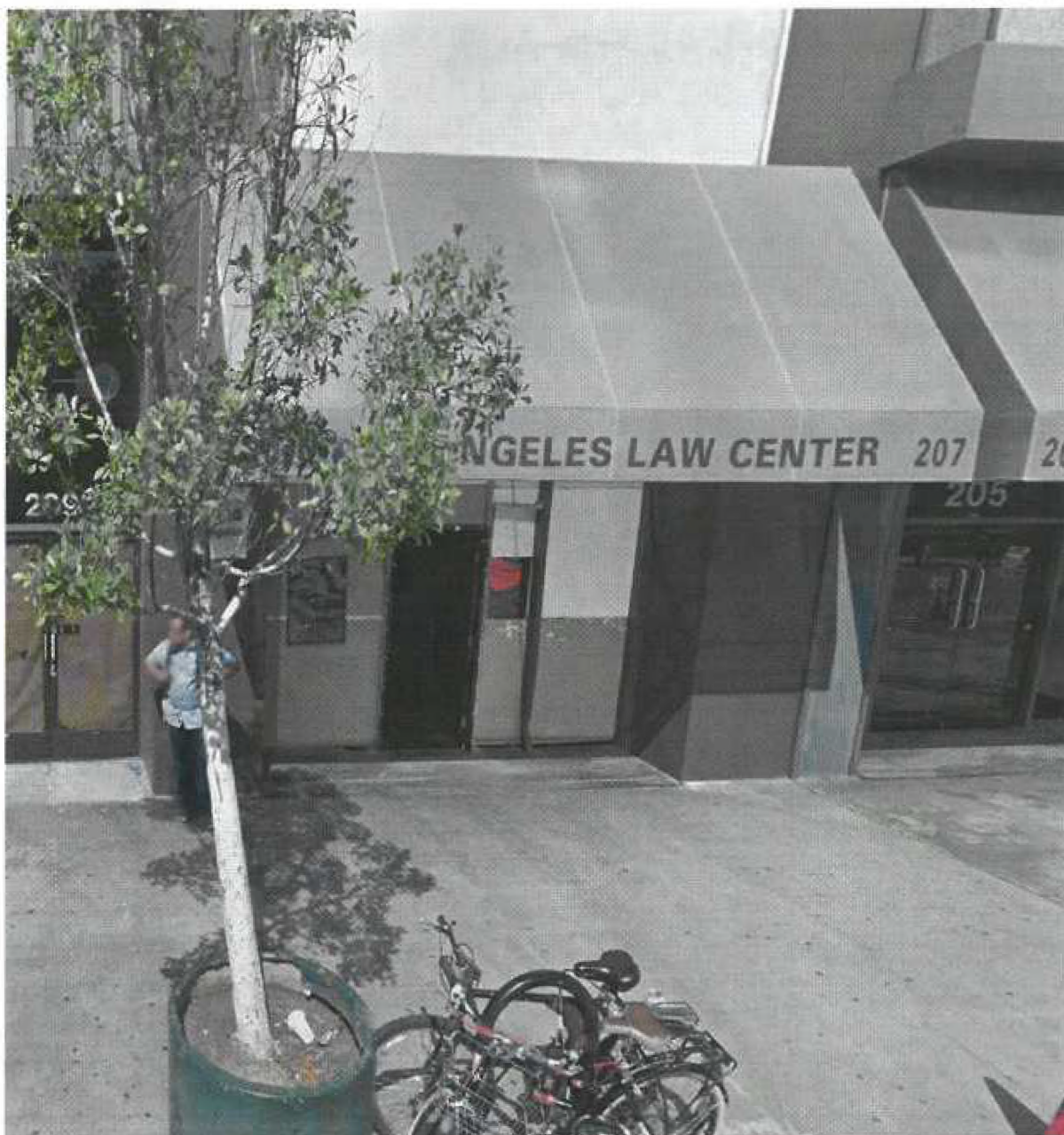
Los Angeles, CA 90027

www.apex-la.com

Photo Reference Index



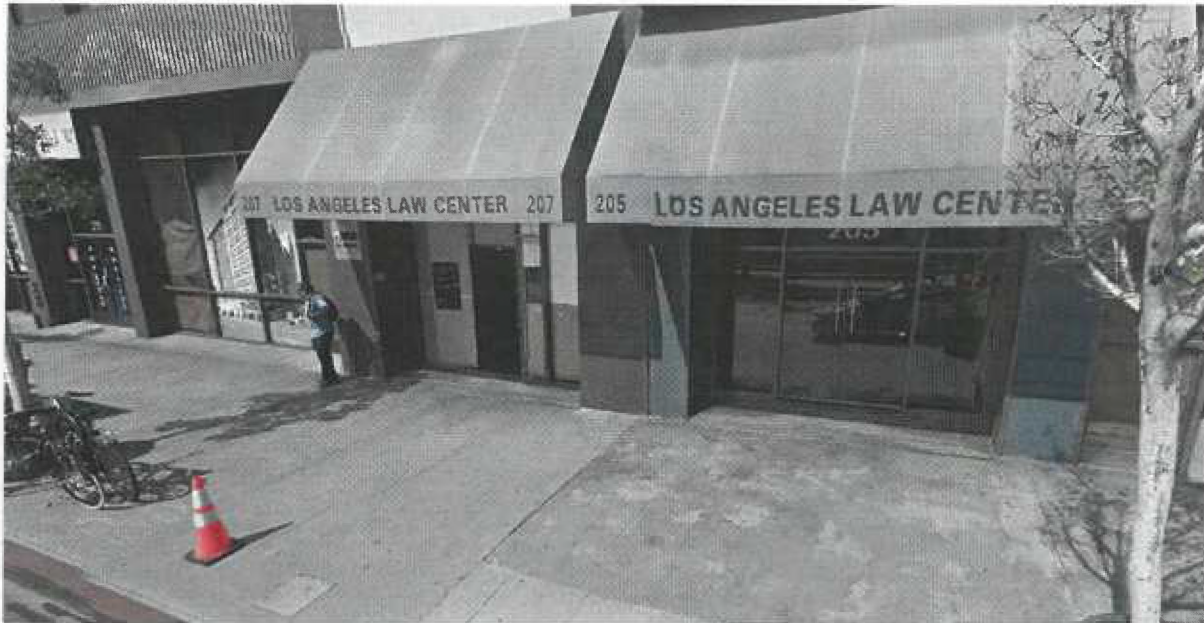
1. Subject site.



2. Adjacent left of subject site



3. Adjacent to the right of subject site



4. Looking south on Broadway



5. Parking lot left of the building



6. Looking north on Broadway



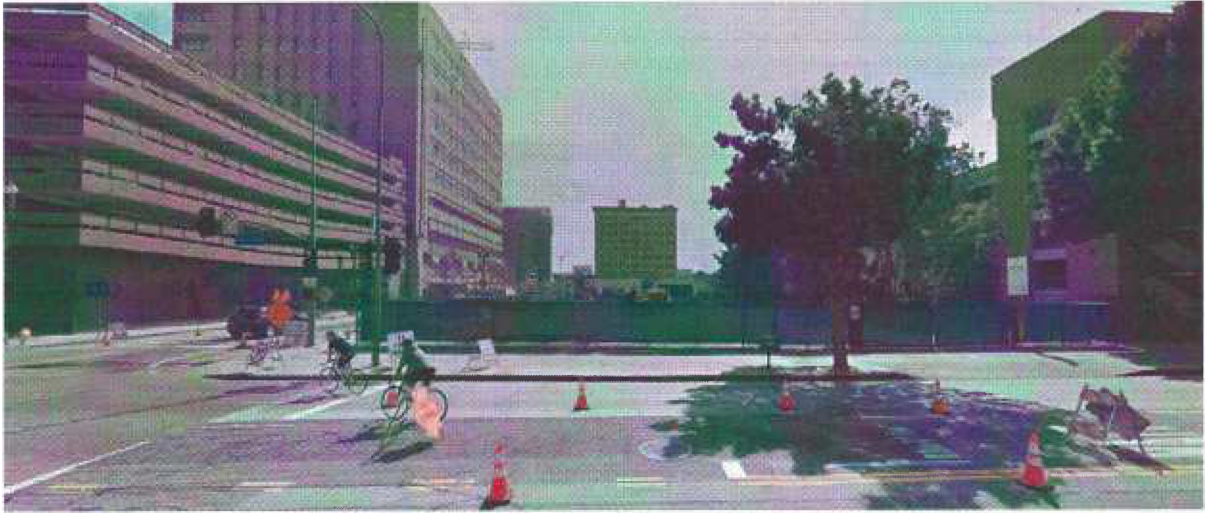
7. Looking at south west corner of S Broadway and W 2nd St



8. Looking west on 2nd St



9. Directly across the street from subject site



10. North east corner of Broadway and 2nd St



16016 - 10000 - 00577
Printed: 05/24/16 09:35 AM

Permit #: 160161000000577
Building Card #: 2016LA64414
Receipt #: 0101586059



13. STRUCTURE INVENTORY

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

16016 - 10000 - 00577

(P) Floor Area (ZC): 0 Sqft / Sqft
(P) NFPA-13 Fire Sprinklers Thru-out
(P) A2 Occ. Group: +2659 Sqft / 2659 Sqft
(P) A3 Occ. Group: -2659 Sqft / Sqft
(P) A2 Occ. Load: +122 Max Occ. / 122 Max Occ.
(P) Parking Req'd for Bldg (Auto+Bicycle): 0 Stalls / Stall
(P) Type I-A Construction

14. APPLICATION COMMENTS:

** Approved Seismic Gas Shut-Off Valve may be required. ** (E) ASSEMBLY USE AND GYM ARE UNDER PERMIT 72/49303 AND 72/49990 4 EMPLOYEES PER SHIFT

In the event that any box (i.e. 1-16) 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**

(C) CALASIA CONSTRUCTION INC

ADDRESS

3050 FLETCHER DRIVE,

LOS ANGELES, CA 90065

CLASS

B

LICENSE #

938255

PHONE #

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.: **938255** Contractor: **CALASIA CONSTRUCTION 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: **GRANITE STATE INS. CO.** Policy Number: **WC065257979**

☐ 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. 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.

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: **MYRNA MURAWSKI**

Sign: _____

Date: **05/24/2016**



Contractor



Authorized Agent

207 S Broadway

Permit

location #: 16016 - 10000 - 00577

Bldg-Alter/Repair
Commercial
Plan Check

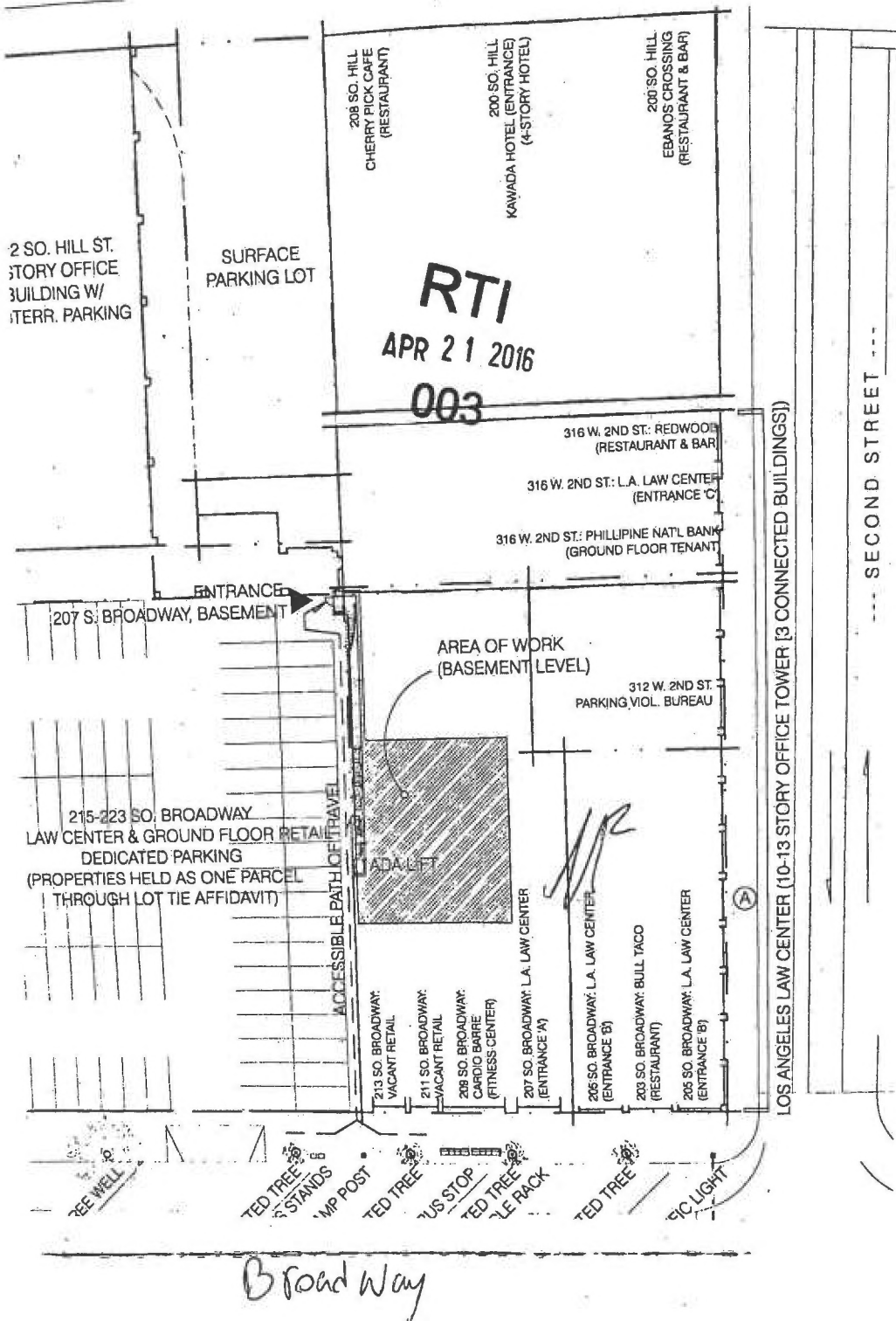
City of Los Angeles Department of Building and Safety

Plan Check #: B16LA00354FO

Initiating Office: METRO

Printed on: 01/29/16 14:55:41

PLOT PLAN ATTACHMENT



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

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

- Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME <i>Birds and Bees LLC</i>				3. LICENSE TYPE <i>48</i>	
2. PREMISES ADDRESS (Street number and name, city, zip code) <i>207 S Broadway, Basement LA 90012</i>					
4. TYPE OF BUSINESS					
<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Hofbrau/Cafeteria	<input checked="" type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club		
<input checked="" type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club	<input type="checkbox"/> Veterans Club		
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern: Beer	<input type="checkbox"/> Fraternal Club		
<input type="checkbox"/> Bed & Breakfast:	<input type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine	<input type="checkbox"/> Wine Tasting Room		
<input type="checkbox"/> Wine only	<input type="checkbox"/> All				
<input type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market		
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy		
<input type="checkbox"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline			
<input type="checkbox"/> Other - describe:					
5. COUNTY POPULATION <i>4521</i>		6. TOTAL NUMBER OF LICENSES IN COUNTY <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale		7. RATIO OF LICENSES TO POPULATION IN COUNTY <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	
8. CENSUS TRACT NUMBER <i>2073.01</i>		9. NO. OF LICENSES ALLOWED IN CENSUS TRACT <i>4</i> <input checked="" type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale		10. NO. OF LICENSES EXISTING IN CENSUS TRACT <i>19</i> <i>54</i> <input checked="" type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	
11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?) <input checked="" type="checkbox"/> Yes, the number of existing licenses exceeds the number allowed <input type="checkbox"/> No, the number of existing licenses is lower than the number allowed					
12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS? <input checked="" type="checkbox"/> Yes (Go to Item #13) <input checked="" type="checkbox"/> No (Go to Item #20)					
13. CRIME REPORTING DISTRICT NUMBER <i>Central 133</i>		14. TOTAL NUMBER OF REPORTING DISTRICTS <i>1135</i>		15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS <i>202,733</i>	
16. AVERAGE NO. OF OFFENSES PER DISTRICT <i>179</i>		17. 120% OF AVERAGE NUMBER OF OFFENSES <i>215</i>		18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT <i>61</i>	
19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency) <input type="checkbox"/> Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17 <input checked="" type="checkbox"/> No, the total number of offenses in the reporting district is lower than the total number in item #17					
20. CHECK THE BOX THAT APPLIES (check only one box)					
<input type="checkbox"/> a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.					
<input type="checkbox"/> b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.					
<input type="checkbox"/> c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.					

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

Margot Hoffman

ABC-245 (rev. 01-11)



Downtown
Los Angeles
Neighborhood
Council

www.dlanc.com

P.O. Box# 13096
Los Angeles, CA 90013-0096



Patti Berman, President
Russell Chan, VP Administration
Anastasia Johnson, VP Outreach &
Communication
Quinn Tang, Treasurer
Stephen León Kane, Secretary

February 9, 2016

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

RE: **Planning Case #:** ZA-2015-4054-MPA
Project Address: 207 S. Broadway
Applicant: Birds and Bees, LLC

Dear Zoning Administrator:

At our regularly held public meeting on February 9, 2016, the Board of Directors of the Downtown Los Angeles Neighborhood Council ("DLANC") voted to support the above request, pursuant to the motion passed on January 19, 2016, by DLANC's Planning & Land Use Committee ("PLUC").

DLANC supports the applicant's request listed below:

Master Plan Approval to permit the sale of a full line of alcoholic beverages for on-site consumption in conjunction with the operations of an approximately 2,917 square foot bar with 122 sets, live entertainment (no dancing), and hours of operation from 11:30 a.m. to 2:00 a.m., 7 days/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 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, LEEP AP
DLANC Planning & Land Use Committee Co-Chair

CC: Shawn Kuk (Council District 14)
Sgt. John Strasner (Los Angeles Police Department)
Margaret Taylor (Apex LA, on behalf of Birds and Bees, LLC)

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS
JACK CHIANG
HENRY CHU
LOURDES GREEN
JAE H. KIM
ALETA D. JAMES
CHARLES J. RAUSCH, JR.
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSky

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING

VINCENT P. BERTONI, AICP
DIRECTOR

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

March 31, 2016

Dev Desai (A)
Birds and Bees, LLC
21231 Avenida Nubes
Lake Forest, CA 92630

Broadway Civic Center, LLC (O)
Abraham Florentin
205 S. Broadway, Suite No. 510
Los Angeles, CA 90012

Margaret Taylor (R)
Apex LA
5419 Hollywood Blvd., Suite C747
Los Angeles, CA 90027

CASE NO. ZA-2015-4054(MPA)
APPROVAL OF PLANS
207 South Broadway, Suite 32
Planning Area: Central City
Zone: [Q]C2-4D-CDO
C.D.: 14
D.M.: 1305A211
CEQA: ENV-2015-3167-MND
Legal Description: Lot: 4 and FR 5, Block:
5, Tract: Ord's Survey

Pursuant to Los Angeles Municipal Code Section 12.24 M, and Condition No. 19 of Case No. ZA-2011-3166(MCUP)(CUX), I hereby APPROVE:

plans to allow the sale of a full line of alcoholic beverages for on-site consumption in conjunction with a bar/lounge 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. Authorized herein is the sale of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed 2,920 square-foot bar/lounge with the following limitations:
 - a. Seating shall be limited to a maximum of 122 seats, provided the number of seats does not exceed the maximum allowable occupancy as determined by the Department of Building and Safety.
 - b. The hours of operation shall be from 11:30 a.m. to 2:00 a.m. daily.
7. The authorization granted herein for the on-site sale and dispensing of a full line of alcoholic beverages for on-site consumption is for a period of **ten (10) years** from the effective date of this grant. Thereafter, a new authorization will be required. The applicant is advised that he/she should allow appropriate time for a new entitlement application to be processed and the application should be approved prior to the expiration date of this grant in order to continue the sale of alcoholic beverages at the lounge/bar.
8. **Prior to the beginning of operations**, the applicant shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards notifying patrons of the program. The signs/cards shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, at the bars, or on the bathrooms, or a statement in the menus. A copy or sample of the signs/cards shall be submitted to the CCU for inclusion in the case file.
9. **Prior to the effectuation of this grant**, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the Condition Compliance Unit for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the

Development Services Center or Condition Compliance Unit for inclusion in the case file.

10. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator shall have the right to require the applicant to file a plan approval application together with the associated fees and to hold a public hearing to review the applicant's compliance with, and effectiveness of, the conditions of the grant. The applicant shall be required to submit a summary and supporting documentation demonstrating how compliance with each condition of the grant has been attained. Upon review, the Zoning Administrator may modify, add or delete conditions and reserves the right to conduct the public hearing for nuisance abatement revocation purposes if so warranted by documentation.
11. Live entertainment is permitted and limited to a jazz band, lounge music or up to a 4-musician acoustic band.
12. 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 or live entertainment from a disc jockey 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 and exceeds the decibel level permitted by the city's Noise Ordinance 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 staff or any employees contracted by the establishment, or any noise associated with the operation of the establishment, or equipment of the establishment.
13. No pool or billiard tables or coin operated games shall be maintained on the premises at any time. Video projections shall be limited to locations not facing any public right-of-ways.
14. No dancing shall be permitted on the premises at any time.
15. There shall be no patron or employee dancing or entertainment involving Section 12.70 "Adult Entertainment" use, nude or obscene presentations including, but not limited to wet T-shirt contests, mud or oil wrestling, exotic dancing and/or lap dancing.
16. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages and shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in

an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverages.

17. **Within the first six months of the beginning of operations** at this establishment, all employees involved with the sale of alcohol 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 referencing Case No. ZA-2015-4054(MPA), from the Police Department to the Condition Compliance Unit as evidence of compliance. In the event there is a change in the licensee, within six months of such change, this training program shall be required for all new staff. The STAR training shall be conducted for all new hires within two months of their employment.
18. The applicant shall maintain a log of all calls, detailing: (1) date complaint received, (2) nature of complaint; and (3) the manner in which the complaint was resolved. This log shall be made available to law enforcement personnel upon request and presented as part of the application if and when a new application to continue the operation is submitted to the Department. Complaints shall be responded to within twenty four hours. **Prior to the beginning of operations**, the applicant shall provide photographs of the sign postings and a copy of the log to the Condition Compliance Unit for inclusion in the case file.
19. A security plan for the establishment shall be approved by the Los Angeles Police Department **prior to the effectuation of the grant**. The Applicant shall provide security both inside and outside the premises. Security provisions prepared by a State Licensed security firm, shall be reviewed by the Police Department, Central Vice and their recommendations submitted in writing shall be incorporated into the security plan for on and off-site security. A copy of the approved security plan shall be submitted to the Condition Compliance Unit.
20. **Prior to the beginning of operations**, 24-hour "hot line" shall be provided for complaints or concerns from the community regarding the operation. The 24-hour phone number shall be posted at the following locations:
 - Entry, visible to pedestrians
 - Customer service desk, front desk or near the hostess station
21. The applicant shall not require an admission charge or cover charge, and there shall be no requirement to purchase a minimum number of drinks.
22. It shall be the responsibility of the owner/operator to ensure compliance of these conditions at all times. The manager on duty shall be made familiar with these conditions and implement them as required.

23. Prior to the beginning of operations, the applicant shall notify the Condition Compliance Unit via email or U.S. Mail when operations are scheduled to begin and shall submit a copy of the Certificate of Occupancy **within 30 days of its issuance** for the Case File. The notification shall be submitted to planning.ccu@lacity.org, with the subject of the email to include the case number, "ZA-2015-4054-MPA / Operation Notification".
24. **Prior to the effectuation of this grant**, the manager of the facility shall be made aware of the conditions and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees shall be provided to the Condition Compliance Unit. The statement shall state,

We, the undersigned, have read and understood the conditions of approval to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with the bar/lounge known as Birds and Bees and agree to abide and comply with said conditions.

A copy of the conditions of this letter of determination shall be retained on the premises at all times and produced upon request by the Police Department, the Department of Building and Safety or the State Department of Alcoholic Beverage Control.

25. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator, shall be submitted to the CCU in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the CCU within 30-days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.
26. **Monitoring, Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.

27. 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, in whole or in part, 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, in whole or in part, 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 include actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City

Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

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

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 **April 15, 2016**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

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

Marvin Braude San Fernando Valley
Constituent Service Center
6262 Van Nuys Boulevard, Rm. 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 Planning Staff assigned to the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the testimony presented at the public hearing on January 26, 2016, 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-M, have been established by the following facts:

BACKGROUND

The site is comprised of five slightly sloping parcels, consisting of approximately 1.09 acres, having a frontage of approximately 230 feet along the south side of 2nd Street and a frontage of approximately 244 feet along the west side of South Broadway. The property is developed with four multi-story commercial buildings, known collectively as the Broadway Civic Center, and a 20,000 square-foot surface parking lot which provides 77 parking spaces to the subject site.

The subject application is one of nine establishments approved to sell alcoholic beverages by Case No. ZA-2011-3166(MCUP)(CUX). Condition No. 19 requires a Plan Approval to be submitted for review for each individual venue. This condition further allows the Plan Approvals for individual venues to have an effective life of **10 years** from their individual effective dates.

The MCUP approved the sale of alcoholic beverages in nine for on-site and off-site consumption, some offering live entertainment and public dancing, in conjunction with the rehabilitation of existing buildings, each to be independently operated within nine spaces including; bars, restaurants, specialty markets, a production facility, coffee shop, and nightclub.

The subject bar/lounge will be located at the basement level of the building and it's depicted in the MCUP as Exhibit H. The approved exhibit for the subject basement was for a 5,000 sq. ft. bar/lounge which included a dance floor and a different layout. The current request is for a reduced project size of 2,920 sq. ft. of floor area which does not include the dance floor area.

The property is located within the Bringing Back Broadway Initiative, Los Angeles State Enterprise Zone, the Greater Downtown Housing Incentive Area, the Downtown Adaptive Reuse Incentive Area, the City Center Redevelopment Project Area, an MTA project area (ZI-1117), is within the Broadway CDO, Central City Parking, Downtown Parking, is within Fire District 1, and a liquefaction area.

According to the applicant, the nine subject uses do not require additional parking due to the age of the subject buildings as they were constructed prior to any parking requirements. In addition, subsequent Certificates of Occupancy do not indicate any parking requirements.

The subject property has access to more than 85 spaces per the following affidavits:

PKG No. 5117, dated March 10th, 1982, requires not less than 45 spaces to be provided at adjacent address, 222 S. Hill St., to provide required parking for 207 S. Broadway and 316 W. 2nd St.

PKG No. 5118, dated January 25, 1983, requires 43 spaces to be maintained on the subject property (215 S. Broadway) for the use of a portion of the subject property (207 S. Broadway and 316 W. 2nd St.). 215 S. Broadway formerly contained a building that was torn down and turned into parking.

Surrounding properties are classified within the [Q]C2-4D-CDO, C2-4D and PF-4D. The abutting property to the north of the subject site, is zoned C2-4D and is developed with a hotel and restaurants (Kawada Hotel, 200 South Hill Street). Adjacent properties to the south of the subject site across Broadway are zoned [Q]C2-4D-CDO and are developed with surface parking lots and a parking structure. Adjacent properties to the east of the subject site across 2nd Street are zoned PF4D and consist of a large empty lot. Abutting properties to the west of the subject site are zoned C2-4D and [Q]C2-4D-CDO and are developed with surface parking lots and commercial buildings.

South Broadway, abutting the subject site to the south, is a designated Modified Avenue II in the Mobility Plan 2035, dedicated to a right-of-way width of 80 feet, and fully improved with curb, gutter and sidewalk.

2nd Street, abutting the subject site to the east, is a designated Modified Avenue II in the Mobility Plan 2035, dedicated to a right-of-way width of 74 feet, and fully improved with curb gutter and sidewalk.

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

Case No. ZA-2011-3169-MPA – On February 14, 2014, the Zoning Administrator approved the Approval of Plans to allow the sale and dispensing of a full line of alcoholic beverages for onsite consumption and to permit public dancing and live entertainment, at one of the nine establishments allowed to sale alcoholic beverages in ZA-2011-3166-MCUP-CUX. Exhibit D – 207 S. Broadway (DBA the Production Facility)

Case No. ZA-2011-3168-MPA – Case being terminated by the Office of the Zoning Administrator. On November 5, 2013, the Applicant requested to place case on hold. On December 4, 2015, the Zoning Administrator forwarded a letter to the Applicant indicating her intent to terminate the case. Request for the sale of a full line of alcoholic beverages for on-site consumption at the subject location for this application. DBA: Birds and Bees, basement level.

Case No. CPC 2012-1737(MSC) - On June 7, 2013, the City Planning Commission adopted a Resolution to approve the Broadway Streetscape Plan to encourage

pedestrian-oriented and visitor-serving uses during the evening hours to facilitate the development of the Broadway Theater Entertainment District.

Parking Affidavit No. 5117 - Dated March 10, 1982, requires not less than 45 spaces to be provided at adjacent address, 222 S. Hill St., to provide required parking for 207 S. Broadway and 316 W. 2nd St.

Parking Affidavit No. 5118 - Dated January 25, 1983, requires 43 spaces to be maintained on the subject property (215 S. Broadway) for the use of a portion of the subject property (207 S. Broadway and 316 W. 2nd St.). 215 S. Broadway formerly contained a building that was torn down and turned into parking.

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

Case No. ZA-2015-1047-MPA – Public Hearing held on October 13, 2015, Master Plan Approval to allow the sale of beer and wine on-site consumption at a 676 sq. ft. restaurant, unit A4 and A5 at 317 S. Broadway (Grand Central Market). Letter of Determination approving the site not yet issued.

Case No. ZA-2014-3935-MPA – On July 29, 2015, the Zoning Administrator approved a Master Plan Approval to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with the operation of a vendor restaurant within the Grand Central Market. 317 South Broadway, Unit 03. Related Case No. ZA 2013-1097(MCUP)

Case No. ZA-2014-4348-MPA – On April 2, 2015, the Zoning Administrator approved Master Plan Approval to allow the sale and dispensing of beer and wine only for on-site consumption and to permit incidental off-site consumption in conjunction with a new restaurant. 317 South Broadway, Units A9, A10 & A11. Related Case No. ZA 2013-1097(MCUP).

Case No. ZA-2014-4750-MPA – On April 28, 2015, the Zoning Administrator approved a Master Plan Approval to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a new restaurant and within on-site common dining areas at 317 South Broadway, Units 89 and 810. Related Case No. ZA-2013-1097(MCUP);

Case No. ZA 2013-2653(CUB) - On August 27, 2013, a request was filed for a Conditional Use to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with a restaurant located at 332 South Broadway.

Case No. ZA 2013-2122(CUB) - On September 17, 2013, this case was heard by the Zoning Administrator for the continued sale of beer and wine in conjunction with an existing restaurant located at 108 West 2nd Street.

Case No. ZA 201 3-1 097(MCUP) - On October 25, 2013, the Zoning Administrator approved a Master Conditional Use Permit for the sale of alcoholic beverages in conjunction with 23 establishments in total, with MPAs for six restaurants Case Nos. ZA

201 3-1 099(MPA); ZA 2013-1 101 (NIPA); ZA 2013-1102(MPA); ZA 2013-1103 (MPA); ZA 2013-1104(MPA) and ZA 2013-1105(MPA); and for 15 future restaurants and two bars located at 317 South Broadway.

Case No. ZA 2012-0914(CUB) - On July 27, 2012, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a restaurant located at 108 West 2nd Street, Suite 104.

Case No. ZA 2008-3405(CUB)(CUX) - On May 28, 2009, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption with patron dancing located at 108 West 2nd Street.

Case No. ZA 2007-0790(CUB) - On May 17, 2007, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing for consideration of a full line of alcoholic beverages as a use accessory to a restaurant located at 257 South Spring Street.

Case No. ZA 2007-0771 (CUB)(CUX) - On July 13, 2007, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption within: (a) a 9,652 square-foot restaurant with live entertainment and public dancing, (b) a 35,216 square-foot event space with live entertainment and public patron dancing, and (c) a 2,614 square-foot cafe/gallery with live entertainment in the C2 Zone located at 110-124 East 2nd Street.

Case No. ZA 2005-8006(CUB) - On June 13, 2006, the Zoning Administrator approved a Conditional Use permit for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed restaurant/cafe located within the ground floor lobby entrance area of an existing historic theater located at 307 South Broadway.

Case No. ZA 2005-6322(CUB) - On May 12, 2006, the Zoning Administrator approved the request for a Conditional Use permit to allow the sale of beer and wine in conjunction with a restaurant located at 108 West 2nd Street.

Case No. ZA 2003-5768(CUB) - On November 19, 2003, the Zoning Administrator denied a Conditional Use permit request to allow the sale of beer and wine for offsite consumption within a retail area associated with a proposed restaurant and approved a Conditional Use permit to allow the sale of a full line of alcoholic beverages for consideration for on-site consumption in conjunction with a proposed restaurant located at 112 West 2nd Street.

Case No. ZA 2003-5275(CUB)(PA1) - On December 30, 2005, the Zoning Administrator approved plans to modify Condition No. 12 to permit the addition of one pool table and a determination of-compliance with conditions as required by Condition No. 7, all in conjunction with the sale and dispensing of a full line of alcoholic beverages for on-site

consumption in a new bar/nightclub with dancing and live entertainment in the C4-4D Zone, located at 108 West 2nd Street.

Case No. ZA 2006-9702(ZC)(CU)(CUB)(CUX)(ZV)(DA) - On June 26, 2007, the City Planning Commission approved a Conditional Use to permit a mixed-use development to sale and dispense alcoholic beverages for 35 establishments that will offer on-site sale and consumption, or off-site sales, including 28 establishments that will offer on-site alcoholic beverage service, five establishments that will sell alcoholic beverages for off-site consumption, and two establishments with a combination of on- and off-site consumption in the C2 Zone incident to the Zone Change, located at 225 South Grand Avenue.

Public Hearing

The public hearing was held on January 26, 2016, in City Hall, 200 North Spring Street, Room 1070, Los Angeles. Margaret Taylor of Apex LA, the Applicant's representative was in attendance. Also in attendance were Officer Maria Crescenzo, Los Angeles Police Department and Clare Eberle representing the Office of Councilmember Huizar of the Fourteenth Council District.

Staff made a brief Power Point presentation, describing the project, the property and the surrounding properties' land use designations and uses. The site plan and the floor plan were presented as were several photographs of the site. A copy of the 7-slide presentation is included in the Case file.

Ms. Taylor presented the following testimony:

- The request is for a master plan approval of a previously approved conditional use permit.
- This is one of the nine venues approved in that MCUP
- The bar has been reduced from its originally proposed floor area of 5,900 square-feet and 199 seats to 2,917 square-feet.
- There will be approximately 122 seats.
- The proposed hours of operation are from 11:30 a.m. to 2:00 a.m. daily as opposed to the originally approved 6:00 a.m. opening time.
- Live entertainment will consists of local artists, a jazz band mostly.
- The building has access to 77 parking spaces; this tenant improvement does not trigger new parking requirements.
- There will be no dancing.
- This is not a standing around type of bar.
- We want to created conversational groupings, and a fun and approachable atmosphere.
- We have met with Captain Oreb and Officer Crescenzo of the LAPD
- On January 19, 2016, we received unanimous support from the Downtown Los Angeles Neighborhood Council (DLANC) PLUM Committee.
- The full board meets on February 9, 2016.

Officer Crescenzo presented the following testimony:

- We want to see a detailed security plan
- We will submit a letter for the record
- Not opposed to the project

Clare Eberle presented the following testimony:

- We are not opposed to the project
- We deferred to LAPD for any conditions they would like see imposed
- The request is less intensive than what was originally approved

CORRESPONDENCE:

Letter dated February 9, 2016, from DLANC Board of Directors in support of the request as presented.

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 provides the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

No written recommendations were submitted for consideration.

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 M of the Los Angeles Municipal Code. In order for the sale and on-site consumption of a full line of alcoholic beverages at the bar/lounge 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 applicant is requesting a conditional use permit for the sale and dispensing of alcoholic beverages for on-site consumption in conjunction with a 2,920 square-foot bar/lounge. This entitlement was originally approved in concept under a master conditional use permit, by Case No. ZA 2011-3166(MCUP)(CUX), which approved nine venues for on-site and off-site consumption of alcoholic beverages. The subject project was originally approved as a 5,900 square foot bar/lounge with operating hours of 6:00 a.m. to 2:00 a.m. daily. Since then, the project was reduced to the proposed 2,920 square-foot bar/lounge with reduced hours of operation. Currently, the subject building functions as office space and is known as the Los Angeles Law Center / Broadway Civic Center.

The subject request is associated with the rehabilitation of existing buildings, which make up the Los Angeles Law Center. The existing buildings are located within the Central City Community Plan within a Regional Center Commercial designation. As stated above, nine distinct venues are proposed to sell alcoholic beverages within the existing establishments in the approved Master Conditional Use permit, which provides an umbrella entitlement with conditions that apply to the subject property. Condition No. 19 of said entitlement requires for each venue to file for an Approval of Plans which will detail the operational conditions that are tailored to the specific use.

This request represents an Approval of Plans determination for the sale and dispensing of a full line of alcoholic beverages for on-site consumption conjunction the bar/lounge with live entertainment, located on basement level of the building located at 207 South Broadway. The site take access from doorway at Broadway. The doorway leads to a landing and a stairway, which then leads to a corridor connecting to lounge rooms and bar areas.

As noted, the request is associated with the rehabilitation of existing commercial office building and is designed to provide a variety of options that will serve residents, employees, and visitors to the area. No physical changes to the exterior of the existing buildings will occur. As proposed, the request does not represent the introduction of a use not common to the area. The use will serve a public convenience and welfare and as sited, the location is compatible with the character

of the surrounding uses. In addition, the proposed use in conjunction with the imposition of a number of conditions addressing operational issues will safeguard public welfare and enhance public convenience.

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 request to rehabilitate existing buildings will enhance the surrounding neighborhood by providing entertainment and dining options near the Civic Center area. The site's proximity to the city's Civic Center is another important consideration. As stated in the Community Plan, "the civic center should be a pedestrian-oriented district used by visitors, workers and residents." The location of restaurant and nightlife uses within close proximity to the Civic Center area will bring an increase in day and nighttime pedestrian activity. Conditions have been imposed under the corresponding master conditional use permit, which are applicable to all venues on the property. Additional conditions, tailored to this specific venue, have been imposed under this Approval of Plans determination. These conditions are intended to minimize impacts on surrounding uses.

The instant requests reflect and further the Commercial Objectives and Policies of the Central City Community Plan to establish a "24/7 downtown." The proposed project contributes to making the area more vibrant, safe, and diverse for those living in, working in, and visiting downtown. The rehabilitation of the existing buildings will act as a catalyst for additional economic investment along this stretch of Broadway.

The subject grant is authorized for a term of 10 years after which time the applicant will need to apply for a new authorization to continue any alcoholic beverages sales. The term grant allows the City an opportunity to review the operation of the bar/lounge anew. If the operation has been conducted appropriately and without creating problems for the neighborhood, then a decision on a subsequent action may take that into favorable consideration. A record of poor compliance and/or nuisance complaints would allow the City the discretion to not grant any authorization to continue alcohol sales and public dancing and thus avoid the need to proceed with prolonged nuisance abatement proceedings. Thus, as conditioned, the use is anticipated to not degrade adjacent areas properties or the neighborhood.

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

The Central City Community Plan Map designates the property as [Q]C2-4D-CDO for Regional Commercial land uses with corresponding zones of CR, C2, C4,

RAS3, and RAS4 and height limited to District No. 2D. The property is not currently within the area of any specific plans or interim control ordinances.

The subject property is planned and zoned for commercial uses. The conditional authorization for the sale of alcoholic beverages on-site is allowed through the approval of the Zoning Administrator subject to certain findings. The required findings in support have been made herein. The request is in keeping with the goals for a Regional Center which promotes this type of revitalization and uses that cater to not only local needs but also to regional needs.

The proposed project is part of a larger restaurant/retail/office center and will support and help maintain a strong, vibrant and competitive downtown area by offering a wide range of desirable amenity to the emerging and already desirable work and residence region in Southern California. The proposed project will conserve and strengthen a viable commercial area by expanding service of a site already approved for the subject uses.

Given the numerous conditions of approval, the instant project is in line with these purpose, intent and provision of the General Plan, the Community Plan and Specific Plans by locating commercial uses in existing established commercial areas and substantially conforms to the project area.

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

The lounge/bar is within an established commercial area and serves the regional center of work and residence. The approval of the conditional use will not adversely affect the welfare of the community. The subject property is zoned for commercial uses and will be utilized as such with the sale of alcoholic beverages.

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 ten years. The term grant allows the City an opportunity to review the operation of the Lounge/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. Both the Conditions of Approval and the requirements of the State Alcoholic Beverage Control agency are intended to protect the public health, welfare and safety of the community. Therefore, it is expected that the allowance for serving a full line of alcoholic beverages in conjunction with the proposed bar 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 State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, 4 on-sale and 2 off-sale licenses are allocated to subject Census Tract No. 2073.01. There are currently 52 on-site and 13 off-site licenses in this Census Tract.

Within a 1,000-foot radius of the subject property, the following types of alcoholic beverage licenses are active or pending:

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

While it would appear that this is an area has a disproportionately a high number of licenses, ABC measure of awarding licenses is substantially based on the number of people residing in the census tract. The conditional use permit procedures required in municipalities throughout the state take additional considerations such as land use and areas of destination such as downtown Los Angeles. The subject bar/lounge will be located is a regionally commercial area which is also a major point of destination for tourist and employees throughout southern California. When this is considered, the number of alcohol sales licenses limited by ABC would create an unreasonable limitation to one of the most dynamics regional commercial centers and it would dampened the efforts to keep up with the economic and resident population growth in downtown Los Angeles. A more accurate determinant of allowable licenses would be to use either the daytime work-force population or the expected evening population once the theater district re-emergence is completed, rather than the full time resident population.

Despite possible concerns regarding the over-concentration of alcoholic beverage licenses, the subject property is located within an intensive commercial area and the proposed lounge/bar is within an existing building. Land use in the immediate

area is characterized by a wide variety of commercial uses, which provide a diverse food service with service of alcoholic beverages. The Zoning Administrator is aware that the number of allocated licenses is primarily calculated based upon resident population and that the employment and visitor populations of the area far exceed the resident population of this census tract. The subject site is located in a commercial corridor where a concentration of restaurants is evident and thus the higher number of alcoholic beverage licenses is anticipated.

According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 133, which has jurisdiction over the subject property, a total of 26 crimes were reported in 2014, compared to the citywide average of 166 crimes and the high crime reporting district average of 196 crimes for the same period. In 2014, the arrest were as follows: 7 Narcotics, 8 Liquor Law, 3 Public Drunkenness, 0 Disturbing the Peace, 4 Disorderly Conduct, and 3 DWI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for, this calendar year may reflect crimes reported in previous years.

The crime rate numbers are lower than those rates identified for the City. Nonetheless, the public safety measures to mitigate nuisance and criminal activities have been incorporated into the grant to assure better oversight including the installation of a surveillance camera and a security plan for each establishment approved herein. The public safety measures recommended by the Los Angeles Police Department have been incorporated as the conditions of the subject grant.

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 subject establishment is located in a highly urbanized area and it's surrounding by similar commercial, retail and restaurant uses to the north, south, east and west.

Within a 1,000-foot radius of the subject site and including the subject property, there are a total of 29 active licenses authorizing the sale of alcoholic beverages:

- (2) Type 20 - Off-Sale - Beer & Wine

Famima – 350 S. Grand

Gallery All – 304 S. Broadway

- (2) Type 21 - Off-Sale - General

Grand Central Liquor – 315 S. Broadway

Gountment Wine and Spirits – 300 S. Grand St.

- (13) Type 41 - On-Sale - Beer & Wine
Foodcourt – 329 S. Broadway
Olio Pizzeria & Café – 317 S. Broadway
Oyster Gourmet – 317 S. Broadway
Belcampo Meat Co. – 317 S. Broadway
Las Morelianas – 317 S. Broadway
Madcapra – 317 S. Broadway
Horse Thief BBQ – 324 S. Hill Street
Casa India – 348 S. Broadway
Maccheroni Republic – 332 S. Broadway
Badmaash – 198 W. 2Nd Street
Luliya China Bistro – 112 W. 2Nd Street
Lemonade – 250 S. Grand
Cinema Properties – 251 S. Main Street
- (2) Type 42
Gountment Wine and Spirits – 300 S. Grand St.
Lexington Theater – 129 E. 3Rd St.
- (8) Type 47 On-Sale – General
Kawada Hotel & Restaurant – 200 S. Hill St.
Redwood Bar & Grill – 316 W. 2Nd St.
Spring – 257 S. Spring St.
Precinct – 307 W. 4Th St.
Omni Hotel – 251 S. Olive St.
Redcat – 631 W. 2Nd St.
Casa – 350 S. Grand St.
Vibiana Events – 210 S. Main St.
- (2) Type 48 - On-Sale General for Public Premises
Edison Bar – 108 W. 2Nd St.
LA Cita – 336 S. Hill St

As conditioned herein, the grant limits impacts related with the sale of alcoholic beverages which would have an effect to residences located near the subject site.

The following sensitive uses are located within 1000 feet from the proposed lounge/bar:

The following sensitive uses were observed within a 1,000-foot radius of the subject property:

Vibiana Cathedral 214 South Main Street
La Catedral de Los Angeles 251 Broadway
The Colburn School 200 South Grand Avenue

Residential dwellings
Grand Park
City Hall Park
2nd Street Park

As conditioned, the project's operations are not expected to adversely affect or further degrade adjacent properties or the surrounding neighborhood. The imposition of operational conditions that clearly define the limits under which the business may operate will reduce the potential for detrimental effects to nearby properties 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 of minimal flooding.
8. On February 14, 2014, a Mitigated Negative Declaration (ENV-2011-3167-MND) was adopted for the proposed project. On the basis of substantial evidence contained in the whole record, no additional environmental review is required for the Project, since from the date of adoption of the MND, there has been no substantial changes in the Project, or substantial changes with respect to the circumstances under which the Project is being undertaken, or new information of substantial importance concerning the Project. Therefore the Mitigated Negative Declaration (ENV-2011-3167-MND) serves as the required environmental clearance for the subject project.

Inquiries regarding this matter should be directed to Rony E. Girón, (213) 202-5403, Planning Staff for the Office of Zoning Administration.



ALETA D. JAMES
Associate Zoning Administrator

ADJ:RG:RW

cc: Councilmember Jose Huizar,
Fourteenth Council District
Adjoining property owners



1
BROADWAY CIVIC CENTER. LP/
BROADWAY CIVIC CENTER, LLC
205 S. BROADWAY, SUITE 510
LOS ANGELES CA 90012

4
L & R INVESTMENT CO.
600 S SPRING ST STE 1700
LOS ANGELES CA 90014

7
UNITED STATES OF AMERICA
GENERAL SERVICES
ADMINISTRATION
888 S. FIGUREOA ST. STE. 1100
LOS ANGELES CA 90012

Applicant
Dev Desai
Birds and Bees, LLC
21231 Avenida Nubes
Lake Forest, CA 92630

Director of Planning, MTA
425 S. Main St.
Los Angeles CA 90013

Community Redevelopment
Agency of the City of Los Angeles
354 S. Spring St #80
Los Angeles CA 90013

Northeast Area Vice Unit
3353 San Fernando Rd.
Los Angeles, CA 90065

2
KAWADA, KAICHIRO
2431 E 1ST ST #1760
LOS ANGELES CA 90033

5
LOS ANGELES TIMES
COMMUNICATIONS LLC.
ATTN: JULIE XANDERS
220 W FIRST STREET
LOS ANGELES CA 90053

Owner
BROADWAY CIVIC CENTER. LP/
BROADWAY CIVIC CENTER, LLC
205 S. BROADWAY, SUITE 510
LOS ANGELES CA 90012

L.A. Unified School Dist.
305 S. Grand Ave. 6th Flr
Los Angeles CA 90071

East Hollywood
Neighborhood Council
P.O. Box 292359
Los Angeles, CA 90029

3
CRJ, LLC
C/O KAWADA COMPANY OF
AMERICA/N. KAWADA
222 S HILL STREET STE 11
LOS ANGELES CA 90012

6
LOS ANGELES TIMES
COMMUNICATIONS LLC
202 W FIRST STREET
LOS ANGELES CA 90012

Representative
Margaret Taylor
Apex LA
5419 Hollywood Blvd Ste C747
Los Angeles CA 90027

State of CA – CAL Trans
Property Development
100 S. Main St. 10th Flr
Los Angeles CA 90012

LA Council District 13
200 N. Spring St. Room 480
Los Angeles CA 90012

