

**APPLICATIONS:****DEPARTMENT OF CITY PLANNING APPLICATION***THIS BOX FOR CITY PLANNING STAFF USE ONLY*

Case Number \_\_\_\_\_

Env. Case Number \_\_\_\_\_

Application Type \_\_\_\_\_

Case Filed With (Print Name) \_\_\_\_\_ Date Filed \_\_\_\_\_

Application includes letter requesting:

☐ Waived hearing      ☐ Concurrent hearing      ☐ Hearing not be scheduled on a specific date (e.g. vacation hold)

Related Case Number \_\_\_\_\_

***Provide all information requested. Missing, incomplete or inconsistent information will cause delays.****All terms in this document are applicable to the singular as well as the plural forms of such terms.***1. PROJECT LOCATION**

Street Address<sup>1</sup> 16451-16455 Vanowen Street Unit/Space Number \_\_\_\_\_

Legal Description<sup>2</sup> (Lot, Block, Tract) FR 27, None, TR 1338

Assessor Parcel Number 2224019020 Total Lot Area 10940.4 sq ft

**2. PROJECT DESCRIPTION**

Present Use Bar w/food

Proposed Use Bar w/food

Project Name (if applicable) First Round Sports Bar

Describe in detail the characteristics, scope and/or operation of the proposed project Remodel aging bar/lounge to a modern sports-themed bar with food service. Modest exterior renovations including repainting, improving signage etc. Connect 2 units by removing a portion of an interior wall.

Additional information attached      ☒ YES      ☐ NO

Complete and check all that apply:

**Existing Site Conditions**

- |   |  |
|---|--|
| <input type="checkbox"/> Site is undeveloped or unimproved (i.e. vacant)  | <input type="checkbox"/> Site is located within 500 feet of a freeway or railroad                  |
| <input checked="" type="checkbox"/> Site has existing buildings (provide copies of building permits)  | <input type="checkbox"/> Site is located within 500 feet of a sensitive use (e.g. school, park)    |
| <input type="checkbox"/> Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial) | <input type="checkbox"/> Site has special designation (e.g. National Historic Register, Survey LA) |

<sup>1</sup> Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)<sup>2</sup> Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

**Proposed Project Information**

- ☐ Demolition of existing buildings/structures
- ☐ Relocation of existing buildings/structures
- ☒ Interior tenant improvement
- ☐ Additions to existing buildings
- ☐ Grading
- ☐ Removal of any on-site tree
- ☐ Removal of any street tree

- ☐ New construction: \_\_\_\_\_ square feet
- ☐ Accessory use (fence, sign, wireless, carport, etc.)
- ☐ Exterior renovation or alteration
- ☒ Change of use and/or hours of operation
- ☐ Haul Route
- ☐ Uses or structures in public right-of-way
- ☐ Phased project

**Housing Component Information**

Number of Residential Units: Existing 0 – Demolish(ed)<sup>3</sup> 0 + Adding 0 = Total 0

Number of Affordable Units<sup>4</sup> Existing 0 – Demolish(ed) 0 + Adding 0 = Total 0

Number of Market Rate Units Existing 0 – Demolish(ed) 0 + Adding 0 = Total 0

Mixed Use Projects, Amount of Non-Residential Floor Area: \_\_\_\_\_ square feet

**3. ACTION(S) REQUESTED**

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? ☐ YES ☒ NO

Authorizing section 12.24(W)(1) Section from which relief is requested (if any): 12.24(W)(1)

Request: Applicant seeks a Conditional Use Permit for the sale and dispensing of wine and beer for on-site consumption in conjunction with a proposed 2,548 square-foot sports bar with food service.

Authorizing section \_\_\_\_\_ Section from which relief is requested (if any): \_\_\_\_\_

Request: \_\_\_\_\_

Authorizing section \_\_\_\_\_ Section from which relief is requested (if any): \_\_\_\_\_

Request: \_\_\_\_\_

Additional Requests Attached ☐ YES ☒ NO

<sup>3</sup> Number of units to be demolished and/or which have been demolished within the last five (5) years.

<sup>4</sup> As determined by the Housing and Community Investment Department

**4. RELATED DEPARTMENT OF CITY PLANNING CASES**

Are there previous or pending cases/decisions/environmental clearances on the project site? ☐ YES ☒ NO

If YES, list all case number(s) \_\_\_\_\_

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. \_\_\_\_\_

Ordinance No.: \_\_\_\_\_

☐ Condition compliance review

☐ Clarification of Q (Qualified) classification

☐ Modification of conditions

☐ Clarification of D (Development Limitations) classification

☐ Revision of approved plans

☐ Amendment to T (Tentative) classification

☐ Renewal of entitlement

☐ Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? ☐ YES ☒ NO

Have you filed, or is there intent to file, a Subdivision with this project? ☐ YES ☒ NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

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**5. OTHER AGENCY REFERRALS/REFERENCE**

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please check all that apply and provide reference number if known.

Are there any outstanding Orders to Comply/citations at this property? ☐ YES (provide copy) ☒ NO

Are there any recorded Covenants, affidavits or easements on this property? ☐ YES (provide copy) ☒ NO

☐ Development Services Case Management Number \_\_\_\_\_

☐ Building and Safety Plan Check Number \_\_\_\_\_

☐ Bureau of Engineering Planning Referral (PCRF) \_\_\_\_\_

☐ Bureau of Engineering Hillside Referral \_\_\_\_\_

☐ Housing and Community Investment Department Application Number \_\_\_\_\_

☐ Bureau of Engineering Revocable Permit Number \_\_\_\_\_

☐ Other—specify \_\_\_\_\_



**6. PROJECT TEAM INFORMATION** (Complete all applicable fields)

**Applicant<sup>5</sup> name** Jesus Morales

**Company/Firm** First Round Sports Bar LLC

**Address:** 18643 Collins St. **Unit/Space Number** 4

**City** Tarzana **State** CA **Zip Code:** 91356

**Telephone** (818) 808-8895 **E-mail:** \_\_\_\_\_

Are you in escrow to purchase the subject property? ☐ YES ☒ NO

**Property Owner of Record** ☐ Same as applicant ☒ Different from applicant

**Name (if different from applicant)** Melvyn L. Williams Trust

**Address** 15446 Valley Vista Blvd **Unit/Space Number** \_\_\_\_\_

**City** Sherman Oaks **State** CA **Zip Code:** 91403

**Telephone** (818) 807-7663 **E-mail:** mlwills25@yahoo.com

**Agent/Representative name** Larry Mondragon

**Company/Firm** Craig Fry & Associates LLC

**Address:** 1010 South Arroyo Parkway **Unit/Space Number** 6

**City** Pasadena **State** CA **Zip:** 91105

**Telephone** (310) 621-2309 **E-mail:** dragon@craigfryandassociates.com

**Other** (Specify Architect, Engineer, CEQA Consultant etc.) \_\_\_\_\_

**Name** \_\_\_\_\_

**Company/Firm** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Unit/Space Number** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip Code:** \_\_\_\_\_

**Telephone** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

**Primary Contact for Project Information**  
(select only one)

☐ Owner

☐ Applicant

☒ Agent/Representative

☐ Other \_\_\_\_\_

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

<sup>5</sup> An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).



PROPERTY OWNER

9. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service of process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

- A. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- B. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- C. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- D. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.  
The City requires an original signature from the property owner with the "wet" notary stamp.  
A Notary Acknowledgement is available for your convenience on following page.*

Signature M. J. Williams

Date April 15, 2016

Print Name MELVYN L. Williams

Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

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 04/15/2016 before me, Rosa M. Rivera (Notary Public)  
(Insert Name of Notary Public and Title)

personally appeared Melvyn L Williams, 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.

Rosa M. Rivera  
Signature

(Seal)





## APPLICANT

**10. APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

- A. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
- B. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
- C. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
- D. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
- E. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
- F. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
- G. I understand that if this application is denied, there is no refund of fees paid.
- H. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
- I. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

*The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.*

Signature: 

Date: 4-21-16

Print Name: Jesus Morales



# **CONDITIONAL USE PERMIT – ALCOHOL (CUB)**

## **ADDITIONAL INFORMATION & FINDINGS**

16451-16455 Vanowen Street, Los Angeles, California 91406

### **REPRESENTATIVE:**

Larry Mondragon  
Craig Fry & Associates LLC  
1010 South Arroyo Parkway  
Suite No. 6  
Pasadena, California 91105  
(P) 310.621.2309  
[dragon@craigfryandassociates.com](mailto:dragon@craigfryandassociates.com)

### **APPLICANT:**

Jesus Morales, proprietor & sole owner  
First Round Sports Bar  
16451 Vanowen Street  
Los Angeles, CA 91406  
(P) 818.808.8895  
[gves22@gmail.com](mailto:gves22@gmail.com)

### **REQUESTED ACTIONS**

#### **Approval of a Conditional Use:**

In accordance with the provisions of the Los Angeles Municipal Code (the “Code”) Section 12.24(W)(1), Applicant is requesting a Conditional Use Permit for the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed 2,531.7 square-foot sports bar with limited food service, pursuant to an Alcoholic Beverage Control Type 42 license.

#### **Change of Use:**

A portion of a wall will be removed between an existing 1,778.2 sq. ft. bar with an adjoining 753.5 sq. ft. space that is currently designated for retail uses. Accordingly, Applicant is requesting that the use of the retail space be changed to allow a unified sports bar with 2,531.7 sq. ft. of floor space.

### **APPLICANT**

Jesus Morales (“Applicant”) is a lifelong resident of the San Fernando Valley who attended Stag Street Elementary School, Mulholland Middle School and Birmingham High School. His father owned a bar in Van Nuys, which he eventually sold. Applicant has worked in the front of the house at several area restaurants, including *El Torito* and *Casita Americana*. He has also taken business classes locally at West Valley Occupational Center.

Applicant has long lamented the lack of viable options in this area for people who want to gather and to watch soccer, football and other sporting events with their friends. By opening a sports bar in an unattractive, currently vacant structure, Applicant will fulfill this need by providing a recreational resource to the community, while at the same time, providing a livelihood for his wife and children. Applicant has been saving towards this

goal for many years, and plans to invest his life savings from his work in the hospitality industry and his current job in a meat processing plant into the proposed sports bar. Applicant will be the sole owner as he pursues the American dream of owning his own business.

## THE PROPERTY

Applicant's proposed business will be known as "The First Round Sports Bar" and will be located in an older structure that was built in 1961 on the North side of W. Vanowen Street. The property is a level, square-shaped, corner lot covering 10,940 square feet of land and is developed with a one-story mini-shopping center. The subject property lies in close proximity to the main runway of Van Nuys airport, which lies approximately 500 feet to the East. The proposed business will occupy two of the units (16451 and 16455) at the East end of the property. Together, these units include 2548 square feet of floor space with indoor seating for 97 persons. Applicant's business will have the exclusive use of 6 of the 12 onsite parking spaces, including one handicap parking space (see Exhibit D).

To the West, Applicant's business abuts *Musica Latina*, which in turn is adjoining *Louie's Liquor* store at the building's end unit. To the East, Applicant's business neighbors a similar mini-shopping center. That property contains *Bank's Thai Restaurant* which in turn is bordered by a vacant storefront on its East side, and then two more restaurants, *Café Chapin* and *Costa Azul*.

Two separate units consisting of a retail space and a bar space would be combined to form the footprint for Applicant's new business. A portion of a wall will be removed to join the existing 1778.2 square-foot bar space with an adjoining 753.5 square-foot space most recently used for a retail store. Applicant is requesting that the portion of the building that is currently recognized by the City for retail use be approved for use as part of Applicant's business, resulting in a total area of 2,531.7 square feet.

## GENERAL PLAN AND COMMUNITY PLAN

The Reseda-West Van Nuys Plan Map designates the property for Neighborhood and Office Commercial land uses with corresponding zones of C1, C1.5, C2, C4, RAS3, RAS4, and P and Height District No. 1VL.

The property falls in the ZI-2374 Los Angeles State Enterprise Zone. The proposed business will be both locally and minority owned, and is precisely the type of local investment and employment generator that Enterprise Zones seek to encourage through tax and regulatory relief.

On page 237 of the General Plan, this area is identified, among other things, as a major center for entertainment and tourism. The Business in question will provide much needed entertainment for sports enthusiasts in an area that is notably lacking in sports bars, as detailed elsewhere herein and in Exhibit B. By creating employment for security staff, waiters, bartenders and management, the business in question will serve

as an example of the type of economic well-being, public convenience and enhanced commercial vitality that the City's General Plan advocates, and that the Reseda-West Van Nuys Plan adopts as one of its goals to create.

The Reseda-West Van Nuys Plan notes several planning issues in the area. Page I-3 notes the "lack of cohesiveness and continuity of complementary uses along commercial frontages." Page I-4 points to shopping areas with convenient parking and updated signage as an opportunity to improve the vitality of the community's commercial districts. Applicant's business will address both of those points of the Community Plan. This commercial district has several small ethnically-focused restaurants and the addition of a sports bar will compliment these uses and begin to establish this row as a local destination for food and entertainment. Few properties in the area present more of an opportunity to improve the look and signage along a major commercial street than Applicant's chosen site. The Applicant plans to repaint and redo the entire look of the front of this location. Additionally, the site already has ample convenient parking at its disposal.

This business is properly located in accordance with the Zoning Code, the General Plan and the Reseda-West Van Nuys Plan. Given its proximity to an active airport runway, there are few uses that would properly fit the location, and fewer still that could be successful. Applicant's proposed sports bar is one of the few uses truly fit for the area. Locally, minority-owned businesses are encouraged by the state through the enterprise zone designation and through various goals and provisions of the General and Reseda-West Van Nuys plans.

## SURROUNDING ZONING AND USES

There are a variety of commercial uses along Vanowen Street with an airport and golf course to the East and residential use to the West of Hayvenhurst Avenue.

The adjoining property to the North is zoned C2-1VL and the property to the East is zoned [Q]C2-1VL. Further to the east is another developed one-story, multi-tenant commercial strip fronting Vanowen Street. To the North on Hayvenhurst Avenue is an auto-repair facility. Across West Vanowen Street to the South are a variety of commercial uses.

West Vanowen Street, adjoining the subject property on the South, is an East-West designated Secondary Highway with regular dedication requirements, a dedicated width of 84 feet, and is fully improved with curb, gutter and sidewalks. Similarly, Hayvenhurst Avenue, adjoining the property on the West, is a North-South designated Secondary Highway with regular dedication requirements, a dedicated width of 84 feet, and is fully improved with curb, gutter and sidewalks.

Being so close to an airport and on a major street, there are few residents and/or sensitive uses nearby. There is one sensitive land use within 1000 feet, the St. Michael Community Church, located at 16643 W. Vanowen Street.



## ADDITIONAL INFORMATION & FINDINGS

Within 600 feet there are four alcohol establishments, only one of which provides for on-site consumption:

Louies Liquor – 16461 Vanowen – Full Line, Off Site Type 21  
Costa Azul – 16441 Vanowen – Beer/Wine, On Site Type 41  
7 Eleven – 16450 Vanowen – Beer/Wine, Off Site Type 20  
Alta Dena Market Drive Thru – 16435 Vanowen - – Beer/Wine, Off Site Type 20

There are also two other alcohol establishments within 600 to 1,000 feet of Applicant's business location:

Vampire Vineyards – 6920 Hayvenhurst Ave - – Beer/Wine, Off Site Types 2, 9, 12, 17, 18, 20  
Van Nuys Golf Course – 6550 Odessa Ave – Beer, On Site, Type 40

## PREVIOUS CASES:

### **ZA-91-0760(PAB)**

On February 3, 1992, and in accordance with a now-outdated version of the Code, the City denied an applicant's request to expand the size of an existing bar licensed to sell a full line of alcoholic beverages for onsite consumption. The bar featured a pool table (and the applicant sought to add a second table), a jukebox and various electronic games. In denying the application, the Zoning Administrator heavily weighted his decision on the past shortcomings and mistakes of the bar's previous owners. There were many past violations quoted and a history of criminal activity originating from the establishment. An excessive number of licenses in the area, as well as a relatively high crime rate, were also cited as factors in the ZA's ruling against the applicants.

This application draws many distinctions against this past denied application. The new Applicant is a local family man who has spent his entire life in this area saving up for this opportunity. His new Sports Bar is only seeking permission to serve beer and wine while the previous bars served a full line of alcoholic beverages. Moreover, the Applicant in the present case has no plans to have any electronic games on the premises.

The current Applicant has no troubled history of managing a problem bar. Rather, he is a hard worker who will start with a clean slate and a desire to not repeat the mistakes of the past operator, and accordingly, he asks not to be judged as if he had any connection to the problems of the past. The previous owners did not adequately exercise control over their business nor did they discourage the types of problem drinking that made the LAPD refer to their establishment as a "problem place." The current Applicant has already met with LAPD to go over the plans for his new business and is incorporating the recommendations he received into his business plan.

While the decision in this case cited an overabundance of similar ABC licenses in the area, by looking at Exhibit B, you can see that today, that is clearly not the case. Applicant's sports bar will be relatively unique in an area that has little to no options for places to go to enjoy professional sports. The Los Angeles area is home to a high

percentage of avid sports fans (the popular website Bleacher Report ranked the LA area as the #2 best city for sports fans). Accordingly, the need for safe and friendly places to watch major sporting events is only going to grow with the return of the Los Angeles Rams to Los Angeles next season. The First Round Sports Bar hopes to satisfy this demand in the local area.

The Zoning Administrator also cited crime as a factor in the denial of the previous owner's application. A lot has changed in the character of this area in the 25 years since this application was denied. Crime levels have hit historic lows several times in the last decade. In particular, crimes that are traditionally associated with areas with problematic bars, like public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace, and disorderly conduct, have dropped considerably in this area over the last 25 years (see finding #5 for more specific crime statistics). Moreover, the quality of life in the Van Nuys area has improved considerably, to the point where Applicant believes the community is ready for his new business.

#### **AB-9412**

On December 13, 2014, the Alcoholic Beverage Control Appeals Board affirmed a decision of the Department of Alcoholic Beverage Control which revoked the license of the subject site's prior operator, The Landing Strip, for permitting drink solicitation activity, in violation of Business and Professions Code sections 24200.5(b), 25657(a) and (b), and for license condition violations under Section 23804.

#### **GENERAL FINDINGS**

##### **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 previous tenant occupying Applicant's space was *The Landing Strip*, a local bar and nightclub featuring music entertainment and dancing. Long a problem business, *The Landing Strip* generated regular calls for service to LAPD. The business was marked by its exterior appearance. Draped in a loud orange color, and imposing on passersby with overbearing signage, *The Landing Strip* stood out for all the wrong reasons.

In comparison, Applicant's proposed business will enhance the built environment of the neighborhood. Improving an under-utilized space along a major commercial thoroughfare will encourage further revitalization of the businesses and properties in the surrounding area. This area lacks a gathering place of this type where people can share a beer and light snacks while watching a sporting event within a clean and friendly environment. As elaborated on in Exhibit B, there are very few sports bars in the area and this bar will address a common need of most communities to have a place to gather to enjoy an adult beverage while cheering for their favorite team.

The exterior will be attractive in its appearance and maintained in a clean, neat condition. This will be in stark contrast to the run-down state that the premises was left in by the previous bar operator. Looking at the photos in Exhibit A, it is apparent that there is a lot of room for improvement from the striking orange paint and inelegant signage employed by the prior tenant that attracted the wrong kind of attention.

In light of the above, Applicant believes that his sports bar will be an asset to the community and positively contribute to the public convenience by providing an alternative recreational experience for Van Nuys residents and visitors.

**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 sports-oriented bar is located within a mini-mall along a major thoroughfare (Vanowen Street) and is close to the corner of Hayvenhurst Avenue, which is another major route through Van Nuys. This particular intersection is characterized by retail commercial uses and surface parking, and provides needed commercial amenities and services to the local community.

The Applicant will sell beer and wine for on-site consumption in conjunction with a limited food menu (see Exhibit C). The proposed hours of operation are 12 noon to 2am daily. The size of the business will allow it to be an anchor to the area's other commercial tenants, drawing in further economic activity.

For many years this site has been a location with distilled spirits, live entertainment and dancing. However, the Applicant does not intend to have live music or dancing, nor serve anything but beer and wine. Moreover, his business will have a specialty focus-sports. As a result, Applicant's business will constitute a much less intensive use of the space than was exercised by the previous bars that operated at this location.

Applicant's business is an older area that has seen little real estate investment in recent times, and many nearby properties have fallen into disrepair. The urban deterioration that is seen in much of this area leads to several negative outcomes for the local community. In addition to the poor aesthetics of the built environment, vacant and under-used commercial areas provide places where criminal activities are unlikely to be witnessed, and not surprisingly, they have become a breeding ground for crime that then spills out into the surrounding areas. Without sufficient economic activity along major Valley corridors such as Vanowen, the City fails to collect the tax revenue needed to sufficiently maintain services, infrastructure and public safety, leading to a downward spiral in the quality of life. Not surprisingly, as more businesses move out, more crime moves in. The loss of employment opportunities when commercial areas become vacant further diminishes the quality of life for area residents.



## ADDITIONAL INFORMATION & FINDINGS

Applicant's business will clean up this storefront, improving the street appeal of the building (see Exhibit A to see the current state of the structure). The current paint stands out in the worst possible way and is a sad reminder of the problematic bar that occupied this location for many years. Applicant's new sports bar will be everything the previous establishment was not. It will raise economic activity in the area, demonstrating that Van Nuys remains a viable location for business investment.

With a robust security program that will be overseen by a professional, licensed and bonded security firm, Applicant's sports bar will not brook public drunkenness. The staff, which will be fully STAR trained, will cut off patrons before they become intoxicated and present a danger to themselves or the Van Nuys community. Applicant will offer discounted non-alcoholic beverages to designated drivers in order to encourage public safety. For patrons without a designated driver to take them home, staff will offer free calls to cabs and ride sharing services to eliminate potential DUI concerns on neighborhood streets.

The proposed business has already reached out to law enforcement in the hopes of building a close working relationship. While this area continues in its transition towards a safer future, there is still criminal activity in the community, and Applicant will make security camera footage available to LAPD whenever it help to discourage problematic behavior or prosecute criminal acts.

In the process of conducting research for the Applicants new business, LAPD Vice officers were consulted. These officers gave Applicant many recommendations as to "best practices" in operating an area bar. They strongly recommended that the Applicant look at *Pogo's*, a nearby bar that had been a constant source of problems for the police, but which has been rehabilitated through a series of management actions and policies. This applicant has learned these lessons and assimilated them into his business plan.

While there are some residential uses nearby, due to the fact that the subject property is situated on a commercial corridor and next to the main runway of the Van Nuys airport, this is one of the least likely places for residents and/or sensitive uses to be impacted by the type of evening noise and traffic that a successful establishment can create. Nonetheless, in order to ensure that nearby residents are not affected by recorded music played inside the new business, Applicant will follow the example of *Pogo's*, which installed a recorded music system having a limited volume capacity that served to resolve noise issues the bar had with its neighbors. Based on his visits to area bars that were recommended by LAPD, Applicant has improved his security plans as well as updated his seating and floor plans. While these other locations used to present problem for LAPD, they are now thriving and contributing positively to the local community. Applicant hopes that his First Round Sports Bar will soon join this list and become a place that LAPD can cite as a local business success story.

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

The proposed use will fulfil several of the planning objectives articulated in the Reseda-West Van Nuys Plan. By adding a complimentary business to this mini-mall, Applicant's sports bar will address the "lack of cohesiveness and continuity of complementary uses along commercial frontages" sited in the Plan. The Community Plan also recognized the need to "increase the commercial employment base for community residents whenever possible." Applicant's business will provide a livelihood for his family while also providing employment opportunities for others within the community.

The General Plan also addresses the need for compatibility, job growth and creation, and the ongoing effort to combat crime. By responsibly operating his business, by contributing to the economic diversity of this area, and by avoiding any conflict with adjacent land uses, Applicant's business will advance the goals of the General Plan.

Due to its proximity to the Van Nuys airport, there are limited land uses that would find this location desirable. Coupled with a lack of investment over the years, the area evidences its neglect, vacancy and deterioration as evidenced in Exhibit A. A new business will bring much-needed positive attention and economic activity to this area, and can be the spark that helps ignite further revitalization of the neighborhood.

The authorization is consistent with the general objective of the Plan to encourage economic well being and public convenience and enhances commercial vitality in the area. While The General plan doesn't address CUPs or the use of alcohol, the Applicants' plan will address a core goal of the plan as it reinvigorate this blighted neighborhood.

Applicant's proposed business will turn a vacant store front in a run-down structure (which has trouble attracting a new tenant due to its proximity to the airport), into a thriving neighborhood gathering place. This will address the goal stated in the General Plan to promote economic well-being and public convenience.

**ADDITIONAL ALCOHOL-RELATED FINDINGS**

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

Applicant's business will be located in the middle of what is currently a blighted strip mall. Before opening, Applicant's portion of the building will be cleaned up and improved in many significant ways. New paint, safety lighting and visible security cameras will remake the exterior of the business, and the employment of trained security staff will send an immediate message that Applicant will not put up with the nuisance behavior that had been the norm at this location for many years. Applicant has carefully studied other troubled businesses in the Van Nuys area that are being cited by LAPD Vice offers as examples of successful turn-arounds, such as *Pogo's* and

*Dark Horse*, that used to be the source of chronic problems, and that have been cleaned up and become evening destinations that the entire community can enjoy and be proud of.

Many studies show that by increasing human activity and by lighting dark areas, crime can be significantly reduced. By placing his new business within a currently vacant and run-down space, Applicant's business will help to deter crime in the area. A reorganization of the space when coupled with new paint, lighting, signage, security cameras, and decorations both inside and out, will improve the look and feel of this entire row of businesses. This project is in the proper zone as designated by both the Zoning Code and General Plan. 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), has been consistently achieving historical lows over the past few years.

There are very few establishments of this type in the local community. Exhibit B shows a map of the area noting that there is only one sports-themed bar (*Springbok*) located within a mile of Applicant's proposed site. With an emphasis on New Zealand, *Springbok* has a decidedly different appeal than the more familiar sports bar that Applicant envisions for his Van Nuys location.

Other than live sporting events and recorded ambient music, Applicant has no intention to have any live music or dancing thus no nuisance for anyone who lives and/or works nearby or for any sensitive uses.

## **5. The approval of this application will not result in, or contribute to, an undue concentration of alcohol establishments**

Applicant's leased space is situated in an area where there are no other similarly themed Sports Bars or taverns nearby (See the map in Exhibit B).

The subject location is at the end of an active runway that is part of the Van Nuys Airport, does not lend itself to many other uses which is evident in the lack of schools or playgrounds in the surrounding area.

According to State ABC records, there are no other Type 42 licenses in the same census tract or zip code. In fact, within the entire city of Van Nuys there are only two active Type 42 licenses. In Census Tract 9800.08 there are only 4 alcohol licenses including three Type 47 and one Type 41 licenses. The closest Type 40 license is close to 1,000 feet away at the Van Nuys Golf Course.

Census Tract 9800.08 is mostly taken up by the landing strips of the Van Nuys Airport, leaving only 145 residents and a small number of non-airport related business in the remaining area. Given the small population in this neighborhood, due to it being at the foot of an active runway. ABC has not allocated any alcohol permits for this area. The area directly around and airport is not conducive to a number of other land uses but that



## ADDITIONAL INFORMATION & FINDINGS

is due to the fact that this is a place where there are not a lot of competing uses of land and is a place that has been determined to be an appropriate location for bars and restaurants that serve alcoholic beverages. By putting these types of uses together here, in an area that is sparsely populated, it diminishes the demand to put these types of uses in the more densely populated Census Tract that surround it.

The Applicant's Business is situated on the boarder of much larger census tract 1321.02 that begins across Hayvenhurst and for proper analysis of the surrounding area, it would be more equitable for the Applicant and more significant for the community for it to be compared with and judged for concentration based on Census Tract 1321.02. While far bigger, with 5,310 residents, Census Tract 1321.02 has similarly few alcohol licenses as 9800.08, with a total of four, all Type 41 licenses. The ABC has authorized 5 for Census Tract 1321.02. This Census Tract, is built out with many residential and sensitive uses and enjoys a buffer from alcohol and other types of uses that are typical less welcome in densely populated areas. The area of the proposed Business, being in adjacent to an active runway, takes the burden away from those with more sensitive land uses. Providing unique resources in adjacent areas that compliment each other is arguably the better planning of land use for the area.

Proximate to Applicant's business are several restaurants, only one of which has the right to sell beer and wine with a Type 41 license. There is liquor store at one end of the shopping strip with a Type 21 license, a convenience store at the end of the adjacent lot with a Type 20 license and a convenience store across the street with a Type 20 license.

One additional consideration for the Zoning Administrator is how the grant of the requested Conditional Use would contribute to Van Nuys' crime rate. Given the preponderance of blighted properties and the lack of investment and business development in the area noted in earlier sections, it is not surprising to learn that, according to the Los Angeles Times "Mapping L.A." website, the overall crime rate in this district is not one of the lowest in the City. According to Los Angeles Times research, over the past six months Van Nuys has experienced a total crime rate of 156.5 crimes per 10,000 persons. However, while this crime rate is somewhat higher than average for the area and higher than many of its neighbors. It is not, however, amongst the most crime ridden areas in the city, ranking in the middle of the lower half of neighborhoods at 46<sup>th</sup> out of 209 for violent crime and 64<sup>th</sup> out of 209 for property crimes. Van Nuys was significantly safer during this period than nearby Northridge with a rate of 197 crimes per 10,000 people. Furthermore, according to CrimeMapping.com there have not been any DUI or Alcohol violations within two miles of this Business during this time frame.

As shown on the map in Exhibit B, this sports bar theme the Applicant is pursuing will be unique in this area and will be complimentary to the other food and alcohol serving establishments in the area. Applicant believes that his bar will become a valuable amenity in the local area. It will be the only nearby bar where residents and visitors can find a friendly, clean, and comfortable atmosphere to enjoy an beer or a glass of wine

while conversing with friends and colleagues and/or while watching sporting events. Therefore, the grant of this application will not result in an undue concentration of premises selling alcoholic beverages when considering the property's location, the other nearby businesses holding ABC Licenses, and the character of the surrounding Van Nuys community.

## **6. The approval of the application will not detrimentally affect nearby residential zones or uses.**

The proposed use will not detrimentally affect nearby residentially-zoned communities in the Van Nuys area, 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 property is on the corner of a two major commercial thoroughfares, and will be located in the middle of a strip mall that is surrounded by other commercial uses. Nearby are properties zoned for industrial uses. While there are residential uses in the area, they are generally buffered by other commercial uses between the location proposed for Applicant's business. Thus, the proposed use should not have a detrimental effect on nearby residentially-zoned communities.

Applicant's business will hire professionally-trained security personnel from a licensed and bonded firm. Staff will be equipped with age identification devices to allow them to swipe ID's and ensure no one underage is able to purchase alcohol. In addition to controlling the street entrance into the establishment, security personnel will be a calming force in the parking lot outside of the business and will assist the staff (who will all be STAR trained), in identifying and averting potential problems before they become serious, such as patrons who have had enough to drink.

The business will have a camera system that will keep an ongoing record of at least the prior 48 hours of activity. During business hours there will always be someone available who will be able to operate the security camera system and who can assist LAPD in gaining access to footage, should they request it.

Applicant's business, unlike its predecessor, will be a place where women will feel comfortable having a bite to eat or a glass of wine in a safe, controlled environment where sports fans can root for their favorite teams. Since the focus of this establishment will be for patrons to enjoy sporting events and the company of others, there will not be loud music or dancing at any time. This will not be a club environment, but rather a community gathering place where anyone can feel comfortable going and spending time.

Patrons will be carded with electronic scanners to combat underage drinking and the professional security staff will work closely with the LAPD to maintain this as a safe location for all. As a result, Applicant believes that the proposed conditional use will not be detrimental to the surrounding community.

## ADDITIONAL INFORMATION & FINDINGS

Moreover, with regard to the sale and service of alcoholic beverages, Applicant will volunteer the following conditions:

- Applicant will agree to not work with any outside promoters who put on large events that draw crowds from outside the area and who often have little respect for the community they are visiting.
- Applicant will not permit any live entertainment or dancing.
- In an effort to demonstrate his goodwill, and in anticipation of a positive working relationship with the surrounding community, Applicant agrees to submit to a plan review in five years.

The above conditions are being submitted and volunteered by the Applicant and were developed in conjunction with LAPD's Vice unit, and incorporate "best practices" as recommended by law enforcement and the ABC.



## EXHIBIT B – BARS IN THE SURROUNDING AREA

The bars on this map, and pictured below, offer valuable comparison points for the proposed Business.

These four are the only establishments in the area classifying themselves as a “Sports Bar.” According to 2010 census data, approximately 150,000 people live in this mapped area, a number that could support several more sports oriented establishments. The two locations within a mile of the proposed Business are very different from the type of establishment that is proposed. “Springbok” is New Zealand themed, which is not the same as a typical “Sports Bar” where you can expect to find the type of American sports being shown that is customary. While “Clipper Club” identifies itself as a “Sports Bar,” situated as it is in a hotel connected to the Van Nuys Airport, the look, feel and appeal as well as the the interaction with and effect on the surrounding community is very different.

- 1- Springbok, almost a mile away at 16153 Victory.
- 2- Clipper Club Lounge almost a mile away in the Airtel Plaza Hotel at 7277 Valjean.
- 3- Ujpest Sports Lounge, 3 miles away at 14034 Vanowen.
- 4- The Surly Goat, 3.5 miles away at 17337 Ventura.

The following two bars are significant because of their historical similarities to the proposed project. Each of these locations were a significant nuisance for their community leading to complaints from neighbors and regular police calls. Both sites are roll models for the Applicant for how they have cleaned up their business and are now places that anyone can feel comfortable going to watch a big game or to catch up with friends while enjoying a beer or glass or wine. The proposed Business hopes to be mentioned along side these two success stories when people discuss the revitalization of the Van Nuys area in the future.

- 5- Pogo's, 2 miles away at 17314 Saticoy.
- 6- Dark Horse Tavern, almost 4 miles away at 5507 Reseda.



## EXHIBIT B – BARS IN THE SURROUNDING AREA

Springbok, almost a mile away at 16153 Victory, is the closest “Sports Bar” to the proposed Business.

## EXHIBIT B – BARS IN THE SURROUNDING AREA



1

## EXHIBIT B – BARS IN THE SURROUNDING AREA





EXHIBIT B – BARS IN THE SURROUNDING AREA



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## EXHIBIT B – BARS IN THE SURROUNDING AREA





## EXHIBIT B – BARS IN THE SURROUNDING AREA



# **CONDITIONAL USE PERMIT – ALCOHOL (CUB)**

## **ADDITIONAL INFORMATION & FINDINGS**

16451-16455 Vanowen Street, Los Angeles, California 91406

### **REPRESENTATIVE:**

Larry Mondragon  
Craig Fry & Associates LLC  
1010 South Arroyo Parkway  
Suite No. 6  
Pasadena, California 91105  
(P) 310.621.2309  
[dragon@craigfryandassociates.com](mailto:dragon@craigfryandassociates.com)

### **APPLICANT:**

Jesus Morales, proprietor & sole owner  
First Round Sports Bar  
16451 Vanowen Street  
Los Angeles, CA 91406  
(P) 818.808.8895  
[gves22@gmail.com](mailto:gves22@gmail.com)

### **REQUESTED ACTIONS**

#### Approval of a Conditional Use:

In accordance with the provisions of the Los Angeles Municipal Code (the “Code”) Section 12.24(W)(1), Applicant is requesting a Conditional Use Permit for the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed 2,531.7 square-foot sports bar with limited food service, pursuant to an Alcoholic Beverage Control Type 42 license.

#### Change of Use:

A portion of a wall will be removed between an existing 1,778.2 sq. ft. bar with an adjoining 753.5 sq. ft. space that is currently designated for retail uses. Accordingly, Applicant is requesting that the use of the retail space be changed to allow a unified sports bar with 2,531.7 sq. ft. of floor space.

### **APPLICANT**

Jesus Morales (“Applicant”) is a lifelong resident of the San Fernando Valley who attended Stag Street Elementary School, Mulholland Middle School and Birmingham High School. His father owned a bar in Van Nuys, which he eventually sold. Applicant has worked in the front of the house at several area restaurants, including *El Torito* and *Casita Americana*. He has also taken business classes locally at West Valley Occupational Center.

Applicant has long lamented the lack of viable options in this area for people who want to gather and to watch soccer, football and other sporting events with their friends. By opening a sports bar in an unattractive, currently vacant structure, Applicant will fulfill this need by providing a recreational resource to the community, while at the same time, providing a livelihood for his wife and children. Applicant has been saving towards this

goal for many years, and plans to invest his life savings from his work in the hospitality industry and his current job in a meat processing plant into the proposed sports bar. Applicant will be the sole owner as he pursues the American dream of owning his own business.

## THE PROPERTY

Applicant's proposed business will be known as "The First Round Sports Bar" and will be located in an older structure that was built in 1961 on the North side of W. Vanowen Street. The property is a level, square-shaped, corner lot covering 10,940 square feet of land and is developed with a one-story mini-shopping center. The subject property lies in close proximity to the main runway of Van Nuys airport, which lies approximately 500 feet to the East. The proposed business will occupy two of the units (16451 and 16455) at the East end of the property. Together, these units include 2548 square feet of floor space with indoor seating for 97 persons. Applicant's business will have the exclusive use of 6 of the 12 onsite parking spaces, including one handicap parking space (see Exhibit D).

To the West, Applicant's business abuts *Musica Latina*, which in turn is adjoining *Louie's Liquor* store at the building's end unit. To the East, Applicant's business neighbors a similar mini-shopping center. That property contains *Bank's Thai Restaurant* which in turn is bordered by a vacant storefront on its East side, and then two more restaurants, *Café Chapin* and *Costa Azul*.

Two separate units consisting of a retail space and a bar space would be combined to form the footprint for Applicant's new business. A portion of a wall will be removed to join the existing 1778.2 square-foot bar space with an adjoining 753.5 square-foot space most recently used for a retail store. Applicant is requesting that the portion of the building that is currently recognized by the City for retail use be approved for use as part of Applicant's business, resulting in a total area of 2,531.7 square feet.

## GENERAL PLAN AND COMMUNITY PLAN

The Reseda-West Van Nuys Plan Map designates the property for Neighborhood and Office Commercial land uses with corresponding zones of C1, C1.5, C2, C4, RAS3, RAS4, and P and Height District No. 1VL.

The property falls in the ZI-2374 Los Angeles State Enterprise Zone. The proposed business will be both locally and minority owned, and is precisely the type of local investment and employment generator that Enterprise Zones seek to encourage through tax and regulatory relief.

On page 237 of the General Plan, this area is identified, among other things, as a major center for entertainment and tourism. The Business in question will provide much needed entertainment for sports enthusiasts in an area that is notably lacking in sports bars, as detailed elsewhere herein and in Exhibit B. By creating employment for security staff, waiters, bartenders and management, the business in question will serve

as an example of the type of economic well-being, public convenience and enhanced commercial vitality that the City's General Plan advocates, and that the Reseda-West Van Nuys Plan adopts as one of its goals to create.

The Reseda-West Van Nuys Plan notes several planning issues in the area. Page I-3 notes the "lack of cohesiveness and continuity of complementary uses along commercial frontages." Page I-4 points to shopping areas with convenient parking and updated signage as an opportunity to improve the vitality of the community's commercial districts. Applicant's business will address both of those points of the Community Plan. This commercial district has several small ethnically-focused restaurants and the addition of a sports bar will compliment these uses and begin to establish this row as a local destination for food and entertainment. Few properties in the area present more of an opportunity to improve the look and signage along a major commercial street than Applicant's chosen site. The Applicant plans to repaint and redo the entire look of the front of this location. Additionally, the site already has ample convenient parking at its disposal.

This business is properly located in accordance with the Zoning Code, the General Plan and the Reseda-West Van Nuys Plan. Given its proximity to an active airport runway, there are few uses that would properly fit the location, and fewer still that could be successful. Applicant's proposed sports bar is one of the few uses truly fit for the area. Locally, minority-owned businesses are encouraged by the state through the enterprise zone designation and through various goals and provisions of the General and Reseda-West Van Nuys plans.

## SURROUNDING ZONING AND USES

There are a variety of commercial uses along Vanowen Street with an airport and golf course to the East and residential use to the West of Hayvenhurst Avenue.

The adjoining property to the North is zoned C2-1VL and the property to the East is zoned [Q]C2-1VL. Further to the east is another developed one-story, multi-tenant commercial strip fronting Vanowen Street. To the North on Hayvenhurst Avenue is an auto-repair facility. Across West Vanowen Street to the South are a variety of commercial uses.

West Vanowen Street, adjoining the subject property on the South, is an East-West designated Secondary Highway with regular dedication requirements, a dedicated width of 84 feet, and is fully improved with curb, gutter and sidewalks. Similarly, Hayvenhurst Avenue, adjoining the property on the West, is a North-South designated Secondary Highway with regular dedication requirements, a dedicated width of 84 feet, and is fully improved with curb, gutter and sidewalks.

Being so close to an airport and on a major street, there are few residents and/or sensitive uses nearby. There is one sensitive land use within 1000 feet, the St. Michael Community Church, located at 16643 W. Vanowen Street.

## ADDITIONAL INFORMATION & FINDINGS

Within 600 feet there are four alcohol establishments, only one of which provides for on-site consumption:

Louies Liquor – 16461 Vanowen – Full Line, Off Site Type 21  
Costa Azul – 16441 Vanowen – Beer/Wine, On Site Type 41  
7 Eleven – 16450 Vanowen – Beer/Wine, Off Site Type 20  
Alta Dena Market Drive Thru – 16435 Vanowen - – Beer/Wine, Off Site Type 20

There are also two other alcohol establishments within 600 to 1,000 feet of Applicant's business location:

Vampire Vineyards – 6920 Hayvenhurst Ave - – Beer/Wine, Off Site Types 2, 9, 12, 17, 18, 20  
Van Nuys Golf Course – 6550 Odessa Ave – Beer, On Site, Type 40

## PREVIOUS CASES:

### **ZA-91-0760(PAB)**

On February 3, 1992, and in accordance with a now-outdated version of the Code, the City denied an applicant's request to expand the size of an existing bar licensed to sell a full line of alcoholic beverages for onsite consumption. The bar featured a pool table (and the applicant sought to add a second table), a jukebox and various electronic games. In denying the application, the Zoning Administrator heavily weighted his decision on the past shortcomings and mistakes of the bar's previous owners. There were many past violations quoted and a history of criminal activity originating from the establishment. An excessive number of licenses in the area, as well as a relatively high crime rate, were also cited as factors in the ZA's ruling against the applicants.

This application draws many distinctions against this past denied application. The new Applicant is a local family man who has spent his entire life in this area saving up for this opportunity. His new Sports Bar is only seeking permission to serve beer and wine while the previous bars served a full line of alcoholic beverages. Moreover, the Applicant in the present case has no plans to have any electronic games on the premises.

The current Applicant has no troubled history of managing a problem bar. Rather, he is a hard worker who will start with a clean slate and a desire to not repeat the mistakes of the past operator, and accordingly, he asks not to be judged as if he had any connection to the problems of the past. The previous owners did not adequately exercise control over their business nor did they discourage the types of problem drinking that made the LAPD refer to their establishment as a "problem place." The current Applicant has already met with LAPD to go over the plans for his new business and is incorporating the recommendations he received into his business plan.

While the decision in this case cited an overabundance of similar ABC licenses in the area, by looking at Exhibit B, you can see that today, that is clearly not the case. Applicant's sports bar will be relatively unique in an area that has little to no options for places to go to enjoy professional sports. The Los Angeles area is home to a high



percentage of avid sports fans (the popular website Bleacher Report ranked the LA area as the #2 best city for sports fans). Accordingly, the need for safe and friendly places to watch major sporting events is only going to grow with the return of the Los Angeles Rams to Los Angeles next season. The First Round Sports Bar hopes to satisfy this demand in the local area.

The Zoning Administrator also cited crime as a factor in the denial of the previous owner's application. A lot has changed in the character of this area in the 25 years since this application was denied. Crime levels have hit historic lows several times in the last decade. In particular, crimes that are traditionally associated with areas with problematic bars, like public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace, and disorderly conduct, have dropped considerably in this area over the last 25 years (see finding #5 for more specific crime statistics). Moreover, the quality of life in the Van Nuys area has improved considerably, to the point where Applicant believes the community is ready for his new business.

#### **AB-9412**

On December 13, 2014, the Alcoholic Beverage Control Appeals Board affirmed a decision of the Department of Alcoholic Beverage Control which revoked the license of the subject site's prior operator, The Landing Strip, for permitting drink solicitation activity, in violation of Business and Professions Code sections 24200.5(b), 25657(a) and (b), and for license condition violations under Section 23804.

#### **GENERAL FINDINGS**

##### **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 previous tenant occupying Applicant's space was *The Landing Strip*, a local bar and nightclub featuring music entertainment and dancing. Long a problem business, *The Landing Strip* generated regular calls for service to LAPD. The business was marked by its exterior appearance. Draped in a loud orange color, and imposing on passersby with overbearing signage, *The Landing Strip* stood out for all the wrong reasons.

In comparison, Applicant's proposed business will enhance the built environment of the neighborhood. Improving an under-utilized space along a major commercial thoroughfare will encourage further revitalization of the businesses and properties in the surrounding area. This area lacks a gathering place of this type where people can share a beer and light snacks while watching a sporting event within a clean and friendly environment. As elaborated on in Exhibit B, there are very few sports bars in the area and this bar will address a common need of most communities to have a place to gather to enjoy an adult beverage while cheering for their favorite team.

The exterior will be attractive in its appearance and maintained in a clean, neat condition. This will be in stark contrast to the run-down state that the premises was left in by the previous bar operator. Looking at the photos in Exhibit A, it is apparent that there is a lot of room for improvement from the striking orange paint and inelegant signage employed by the prior tenant that attracted the wrong kind of attention.

In light of the above, Applicant believes that his sports bar will be an asset to the community and positively contribute to the public convenience by providing an alternative recreational experience for Van Nuys residents and visitors.

**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 sports-oriented bar is located within a mini-mall along a major thoroughfare (Vanowen Street) and is close to the corner of Hayvenhurst Avenue, which is another major route through Van Nuys. This particular intersection is characterized by retail commercial uses and surface parking, and provides needed commercial amenities and services to the local community.

The Applicant will sell beer and wine for on-site consumption in conjunction with a limited food menu (see Exhibit C). The proposed hours of operation are 12 noon to 2am daily. The size of the business will allow it to be an anchor to the area's other commercial tenants, drawing in further economic activity.

For many years this site has been a location with distilled spirits, live entertainment and dancing. However, the Applicant does not intend to have live music or dancing, nor serve anything but beer and wine. Moreover, his business will have a specialty focus-sports. As a result, Applicant's business will constitute a much less intensive use of the space than was exercised by the previous bars that operated at this location.

Applicant's business is an older area that has seen little real estate investment in recent times, and many nearby properties have fallen into disrepair. The urban deterioration that is seen in much of this area leads to several negative outcomes for the local community. In addition to the poor aesthetics of the built environment, vacant and under-used commercial areas provide places where criminal activities are unlikely to be witnessed, and not surprisingly, they have become a breeding ground for crime that then spills out into the surrounding areas. Without sufficient economic activity along major Valley corridors such as Vanowen, the City fails to collect the tax revenue needed to sufficiently maintain services, infrastructure and public safety, leading to a downward spiral in the quality of life. Not surprisingly, as more businesses move out, more crime moves in. The loss of employment opportunities when commercial areas become vacant further diminishes the quality of life for area residents.

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Applicant's business will clean up this storefront, improving the street appeal of the building (see Exhibit A to see the current state of the structure). The current paint stands out in the worst possible way and is a sad reminder of the problematic bar that occupied this location for many years. Applicant's new sports bar will be everything the previous establishment was not. It will raise economic activity in the area, demonstrating that Van Nuys remains a viable location for business investment.

With a robust security program that will be overseen by a professional, licensed and bonded security firm, Applicant's sports bar will not brook public drunkenness. The staff, which will be fully STAR trained, will cut off patrons before they become intoxicated and present a danger to themselves or the Van Nuys community. Applicant will offer discounted non-alcoholic beverages to designated drivers in order to encourage public safety. For patrons without a designated driver to take them home, staff will offer free calls to cabs and ride sharing services to eliminate potential DUI concerns on neighborhood streets.

The proposed business has already reached out to law enforcement in the hopes of building a close working relationship. While this area continues in its transition towards a safer future, there is still criminal activity in the community, and Applicant will make security camera footage available to LAPD whenever it help to discourage problematic behavior or prosecute criminal acts.

In the process of conducting research for the Applicants new business, LAPD Vice officers were consulted. These officers gave Applicant many recommendations as to "best practices" in operating an area bar. They strongly recommended that the Applicant look at *Pogo's*, a nearby bar that had been a constant source of problems for the police, but which has been rehabilitated through a series of management actions and policies. This applicant has learned these lessons and assimilated them into his business plan.

While there are some residential uses nearby, due to the fact that the subject property is situated on a commercial corridor and next to the main runway of the Van Nuys airport, this is one of the least likely places for residents and/or sensitive uses to be impacted by the type of evening noise and traffic that a successful establishment can create. Nonetheless, in order to ensure that nearby residents are not affected by recorded music played inside the new business, Applicant will follow the example of *Pogo's*, which installed a recorded music system having a limited volume capacity that served to resolve noise issues the bar had with its neighbors. Based on his visits to area bars that were recommended by LAPD, Applicant has improved his security plans as well as updated his seating and floor plans. While these other locations used to present problem for LAPD, they are now thriving and contributing positively to the local community. Applicant hopes that his First Round Sports Bar will soon join this list and become a place that LAPD can cite as a local business success story.

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

The proposed use will fulfil several of the planning objectives articulated in the Reseda-West Van Nuys Plan. By adding a complimentary business to this mini-mall, Applicant's sports bar will address the "lack of cohesiveness and continuity of complementary uses along commercial frontages" sited in the Plan. The Community Plan also recognized the need to "increase the commercial employment base for community residents whenever possible." Applicant's business will provide a livelihood for his family while also providing employment opportunities for others within the community.

The General Plan also addresses the need for compatibility, job growth and creation, and the ongoing effort to combat crime. By responsibly operating his business, by contributing to the economic diversity of this area, and by avoiding any conflict with adjacent land uses, Applicant's business will advance the goals of the General Plan.

Due to its proximity to the Van Nuys airport, there are limited land uses that would find this location desirable. Coupled with a lack of investment over the years, the area evidences its neglect, vacancy and deterioration as evidenced in Exhibit A. A new business will bring much-needed positive attention and economic activity to this area, and can be the spark that helps ignite further revitalization of the neighborhood.

The authorization is consistent with the general objective of the Plan to encourage economic well being and public convenience and enhances commercial vitality in the area. While The General plan doesn't address CUPs or the use of alcohol, the Applicants' plan will address a core goal of the plan as it reinvigorate this blighted neighborhood.

Applicant's proposed business will turn a vacant store front in a run-down structure (which has trouble attracting a new tenant due to its proximity to the airport), into a thriving neighborhood gathering place. This will address the goal stated in the General Plan to promote economic well-being and public convenience.

**ADDITIONAL ALCOHOL-RELATED FINDINGS**

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

Applicant's business will be located in the middle of what is currently a blighted strip mall. Before opening, Applicant's portion of the building will be cleaned up and improved in many significant ways. New paint, safety lighting and visible security cameras will remake the exterior of the business, and the employment of trained security staff will send an immediate message that Applicant will not put up with the nuisance behavior that had been the norm at this location for many years. Applicant has carefully studied other troubled businesses in the Van Nuys area that are being cited by LAPD Vice offers as examples of successful turn-arounds, such as *Pogo's* and



*Dark Horse*, that used to be the source of chronic problems, and that have been cleaned up and become evening destinations that the entire community can enjoy and be proud of.

Many studies show that by increasing human activity and by lighting dark areas, crime can be significantly reduced. By placing his new business within a currently vacant and run-down space, Applicant's business will help to deter crime in the area. A reorganization of the space when coupled with new paint, lighting, signage, security cameras, and decorations both inside and out, will improve the look and feel of this entire row of businesses. This project is in the proper zone as designated by both the Zoning Code and General Plan. 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), has been consistently achieving historical lows over the past few years.

There are very few establishments of this type in the local community. Exhibit B shows a map of the area noting that there is only one sports-themed bar (*Springbok*) located within a mile of Applicant's proposed site. With an emphasis on New Zealand, *Springbok* has a decidedly different appeal than the more familiar sports bar that Applicant envisions for his Van Nuys location.

Other than live sporting events and recorded ambient music, Applicant has no intention to have any live music or dancing thus no nuisance for anyone who lives and/or works nearby or for any sensitive uses.

## **5. The approval of this application will not result in, or contribute to, an undue concentration of alcohol establishments**

Applicant's leased space is situated in an area where there are no other similarly themed Sports Bars or taverns nearby (See the map in Exhibit B).

The subject location is at the end of an active runway that is part of the Van Nuys Airport, does not lend itself to many other uses which is evident in the lack of schools or playgrounds in the surrounding area.

According to State ABC records, there are no other Type 42 licenses in the same census tract or zip code. In fact, within the entire city of Van Nuys there are only two active Type 42 licenses. In Census Tract 9800.08 there are only 4 alcohol licenses including three Type 47 and one Type 41 licenses. The closest Type 40 license is close to 1,000 feet away at the Van Nuys Golf Course.

Census Tract 9800.08 is mostly taken up by the landing strips of the Van Nuys Airport, leaving only 145 residents and a small number of non-airport related business in the remaining area. Given the small population in this neighborhood, due to it being at the foot of an active runway. ABC has not allocated any alcohol permits for this area. The area directly around and airport is not conducive to a number of other land uses but that

## ADDITIONAL INFORMATION & FINDINGS

is due to the fact that this is a place where there are not a lot of competing uses of land and is a place that has been determined to be an appropriate location for bars and restaurants that serve alcoholic beverages. By putting these types of uses together here, in an area that is sparsely populated, it diminishes the demand to put these types of uses in the more densely populated Census Tract that surround it.

The Applicant's Business is situated on the boarder of much larger census tract 1321.02 that begins across Hayvenhurst and for proper analysis of the surrounding area, it would be more equitable for the Applicant and more significant for the community for it to be compared with and judged for concentration based on Census Tract 1321.02. While far bigger, with 5,310 residents, Census Tract 1321.02 has similarly few alcohol licenses as 9800.08, with a total of four, all Type 41 licenses. The ABC has authorized 5 for Census Tract 1321.02. This Census Tract, is built out with many residential and sensitive uses and enjoys a buffer from alcohol and other types of uses that are typical less welcome in densely populated areas. The area of the proposed Business, being in adjacent to an active runway, takes the burden away from those with more sensitive land uses. Providing unique resources in adjacent areas that compliment each other is arguably the better planning of land use for the area.

Proximate to Applicant's business are several restaurants, only one of which has the right to sell beer and wine with a Type 41 license. There is liquor store at one end of the shopping strip with a Type 21 license, a convenience store at the end of the adjacent lot with a Type 20 license and a convenience store across the street with a Type 20 license.

One additional consideration for the Zoning Administrator is how the grant of the requested Conditional Use would contribute to Van Nuys' crime rate. Given the preponderance of blighted properties and the lack of investment and business development in the area noted in earlier sections, it is not surprising to learn that, according to the Los Angeles Times "Mapping L.A." website, the overall crime rate in this district is not one of the lowest in the City. According to Los Angeles Times research, over the past six months Van Nuys has experienced a total crime rate of 156.5 crimes per 10,000 persons. However, while this crime rate is somewhat higher than average for the area and higher than many of its neighbors. It is not, however, amongst the most crime ridden areas in the city, ranking in the middle of the lower half of neighborhoods at 46<sup>th</sup> out of 209 for violent crime and 64<sup>th</sup> out of 209 for property crimes. Van Nuys was significantly safer during this period than nearby Northridge with a rate of 197 crimes per 10,000 people. Furthermore, according to CrimeMapping.com there have not been any DUI or Alcohol violations within two miles of this Business during this time frame.

As shown on the map in Exhibit B, this sports bar theme the Applicant is pursuing will be unique in this area and will be complimentary to the other food and alcohol serving establishments in the area. Applicant believes that his bar will become a valuable amenity in the local area. It will be the only nearby bar where residents and visitors can find a friendly, clean, and comfortable atmosphere to enjoy an beer or a glass of wine

while conversing with friends and colleagues and/or while watching sporting events. Therefore, the grant of this application will not result in an undue concentration of premises selling alcoholic beverages when considering the property's location, the other nearby businesses holding ABC Licenses, and the character of the surrounding Van Nuys community.

## **6. The approval of the application will not detrimentally affect nearby residential zones or uses.**

The proposed use will not detrimentally affect nearby residentially-zoned communities in the Van Nuys area, 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 property is on the corner of a two major commercial thoroughfares, and will be located in the middle of a strip mall that is surrounded by other commercial uses. Nearby are properties zoned for industrial uses. While there are residential uses in the area, they are generally buffered by other commercial uses between the location proposed for Applicant's business. Thus, the proposed use should not have a detrimental effect on nearby residentially-zoned communities.

Applicant's business will hire professionally-trained security personnel from a licensed and bonded firm. Staff will be equipped with age identification devices to allow them to swipe ID's and ensure no one underage is able to purchase alcohol. In addition to controlling the street entrance into the establishment, security personnel will be a calming force in the parking lot outside of the business and will assist the staff (who will all be STAR trained), in identifying and averting potential problems before they become serious, such as patrons who have had enough to drink.

The business will have a camera system that will keep an ongoing record of at least the prior 48 hours of activity. During business hours there will always be someone available who will be able to operate the security camera system and who can assist LAPD in gaining access to footage, should they request it.

Applicant's business, unlike its predecessor, will be a place where women will feel comfortable having a bite to eat or a glass of wine in a safe, controlled environment where sports fans can root for their favorite teams. Since the focus of this establishment will be for patrons to enjoy sporting events and the company of others, there will not be loud music or dancing at any time. This will not be a club environment, but rather a community gathering place where anyone can feel comfortable going and spending time.

Patrons will be carded with electronic scanners to combat underage drinking and the professional security staff will work closely with the LAPD to maintain this as a safe location for all. As a result, Applicant believes that the proposed conditional use will not be detrimental to the surrounding community.

## ADDITIONAL INFORMATION & FINDINGS

Moreover, with regard to the sale and service of alcoholic beverages, Applicant will volunteer the following conditions:

- Applicant will agree to not work with any outside promoters who put on large events that draw crowds from outside the area and who often have little respect for the community they are visiting.
- Applicant will not permit any live entertainment or dancing.
- In an effort to demonstrate his goodwill, and in anticipation of a positive working relationship with the surrounding community, Applicant agrees to submit to a plan review in five years.

The above conditions are being submitted and volunteered by the Applicant and were developed in conjunction with LAPD's Vice unit, and incorporate "best practices" as recommended by law enforcement and the ABC.