

CITY OF LOS ANGELES
CALIFORNIA



DEPARTMENT OF CITY PLANNING

**NOTICE OF PUBLIC HEARING
REVIEW OF CONDITIONS AND POSSIBLE REVOCATION OF USE**

To Owners: ☐ Within a 100-Foot Radius
☒ Within a 500-Foot Radius
☐ Abutting a Proposed Development Site

And Occupants: ☐ Within a 100-Foot Radius
☒ Within a 500-Foot Radius
And: ☐ Others

The purpose of the hearing is to obtain testimony of the property owner and/or business operator, plus affected and/or interested persons regarding the operation of the Luna Mexican Restaurant / Club 2000, use location address: 6439 North Lankershim Boulevard, (property location addresses of: 6433, 6439, 6443, and 6445 North Lankershim Boulevard; 11713, 11719, and 11721 West Gilmore Street). Following the hearing, the Zoning Administrator may require the discontinuance of the use; or modify, delete, or impose additional conditions regarding its use as a restaurant and nightclub in order to mitigate any land use impacts caused by the use. The public is also invited to submit written comments prior to the hearing.

Hearing: Office of Zoning Administration
Date: Wednesday, January 6, 2016
Time: 11:30 a.m.
Place: Marvin Braude San Fernando Valley
Constituent Service Center
6262 Van Nuys Boulevard, Room 1B
Van Nuys, CA 91401

Case No.: DIR 2006-6025(RV)(PA2)
CEQA No.: ENV 2015-4151(CE)
Council Dist.: 2
Plan Area: North Hollywood-Valley Village
Zone: C2-1VL

Applicant: City of Los Angeles

Staff Contact: Tim Fargo
Phone No.: (213) 978-1458
Tim.Fargo@lacity.org

PROJECT LOCATION: 6439 North Lankershim Boulevard
The property is legally described as Fractional Lot 2, Arbs 5-9, 11; Fractional Lot 3, Arbs 6-11; and Fractional Lot 4, Arbs 6-8, 10-11; Tract 6843.

REQUESTED ACTION: The Zoning Administrator will consider:

1. A Plan Approval, pursuant to Los Angeles Municipal Code Section 12.27.1 and Condition No. 3 of the Zoning Administrator's determination in Case No. DIR 2006-6025(RV)(PA1), effective September 4, 2009, for the purpose of reviewing compliance with the conditions and the effectiveness of the conditions in eliminating public nuisance problems.
2. Pursuant to Section 21084 of the California Public Resources Code, the above referenced project has been determined not to have a significant effect on the environment and which shall therefore be exempt from the provisions of CEQA.

The environmental document will be among the matters considered at the hearing. The decision maker will consider all the testimony presented at the hearing, written communication received prior to or at the hearing, and the merits of the project as it relates to existing environmental and land use regulations. On October 11,

2007, the Zoning Administrator determined in Case No. DIR 2006-6025(RV) that the operation of the Rusty's Hacienda / Hacienda Sol / Club 2000 (also known as Club Axxess) constituted a public nuisance and imposed corrective conditions pursuant to LAMC Section 12.27.1 in order to mitigate adverse impacts caused by the operation of the restaurant and nightclub. The Zoning Administrator's action was appealed to the City Council (CF No. 07-3582), who denied the appeal and sustained the action of the Zoning Administrator. Prior community allegations and police reports of nuisance and criminal activities on and associated with the site included alcohol related DUIs originating from the dance club, late night disturbances, patron loitering, vomiting in the parking lot, public urination and defecation, fighting, yelling, public drinking, and sale of alcoholic beverages to minors and obviously intoxicated persons. On August 19, 2009, the Zoning Administrator, in accordance with Section 12.27.1 of the Los Angeles Municipal Code, issued a determination in Case No. DIR 2006-6025(RV)(PA1) requiring the continued modification of the operation of the restaurant and nightclub, which is now known as Luna Mexican Restaurant / Club 2000.

Condition No. 3 of the determination states in relevant part:

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. (Standard Condition)

Based on submissions from the Los Angeles Police Department, the Zoning Administrator is exercising the right to consider the imposition of additional corrective Conditions and to review compliance with existing Conditions, requiring a Plan Approval.

Authority: The Director of Planning, through the Office of Zoning Administration, has the authority to modify, discontinue or revoke the use; or to modify, delete or impose additional corrective conditions on the operation of the existing business as a restaurant and nightclub under Section 12.27.1 (land use impacts caused by any use) of the Los Angeles Municipal Code.

Exhaustion Of Administrative Remedies: If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on these matters delivered to the Department before the action on this matter will become a part of the administrative record. Note: This may not be the last hearing on this matter.

Advice To Public: The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Los Angeles City Planning Department, Office of Zoning Administration, 200 N. Spring Street, Room 763, Los Angeles, CA 90012 (attention: Tim Fargo).

Review Of File: The file, including the application and the environmental assessment, are available for public inspection at this location between the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday. Please call (213) 978-1914 several days in advance to assure that the files will be available. The files are not available for review the day of the hearing.

Accommodations: As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. Other services, such as translation between English and other languages, may also be provided upon request.

To ensure availability of services, please make your request no later than three working days (72 hours) prior to the hearing by calling the staff person referenced in this notice.

Como entidad cubierta bajo el Título II del Acto de los Americanos con Desabilidades, la Ciudad de Los Angeles no discrimina. La facilidad donde la junta se llevará a cabo y su estacionamiento son accesibles para sillas de ruedas. Traductores de Lengua de Muestra, dispositivos de oído, u otras ayudas auxiliares se pueden hacer disponibles si usted las pide en avance. Otros servicios, como traducción de Inglés a otros idiomas, también pueden hacerse disponibles si usted los pide en avance.

Para asegurar la disponibilidad de éstos servicios, por favor haga su petición al mínimo de tres días (72 horas) antes de la reunión, llamando a la persona del personal mencionada en este aviso.