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**Decision Date:** June 23, 2023

**Appeal Period Ends:** July 10, 2023

Robert Kim (A)  
Ktown Hospitality, LLC  
1155 South Grand Avenue, Unit 1007  
Los Angeles, CA 90015

3923 West 6<sup>th</sup> LLC & West 6<sup>th</sup> Street  
Center, LLC (O)  
9250 Wilshire Boulevard, Unit 200  
Beverly Hills, CA 90212

Steve S. Kim (R)  
GSD Partners  
800 West 1<sup>st</sup> Street, Unit 1907  
Los Angeles, CA 90012

George Kelly (R)  
Kelly Architects  
2404 Wilshire Boulevard, Unit 1E  
Los Angeles, CA 90057

**CASE NO. ZA-2022-7998-CUB  
CONDITIONAL USE – ALCOHOL**

554 South Western Avenue (554-558 South  
Western Avenue, 3917-3921 West 6<sup>th</sup>  
Street)  
Wilshire Community Plan  
Zone: C2-1  
C.D: 10  
D.M.: 135B193  
CEQA: ENV-2022-7999-CE  
Legal Description: Lot 10; Block None;  
Kensington Place Tract

Pursuant to California Environmental Quality Act, I hereby **DETERMINE:**

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 (Existing Facilities), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

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

a conditional use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with a proposed restaurant in the C2-1 Zone;

Pursuant to Los Angeles Municipal Code Section 12.24W.27, I hereby APPROVE:

a conditional use to authorize hours of operation beyond the 7 a.m. and 11 p.m. otherwise permitted within a Commercial Corner/Mini-Shopping Center in the C2-1 Zone;

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for inclusion in the case file.
7. **Authorization.** Approved herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed approximately 1,177 square-foot restaurant, upon the following:

- a. Indoor seating shall be limited to a maximum of 31 seats. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
  - b. The maximum number of patrons within the restaurant shall be limited to the number of authorized seats; no standing-only patrons shall be allowed. This does not preclude patrons standing within the wait area who have not yet been seated.
  - c. The hours of operation are limited to 11 a.m. to 4 a.m., daily.
  - d. After hour use shall be prohibited, except routine clean-up. This includes, but is not limited to, private or promotional events, special events, excluding any activities which are issued film permits by the City.
8. **Complaint Log.** Prior to the utilization of this grant, a telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
- a. Entry, visible to pedestrians
  - b. Customer service desk, front desk or near the hostess station

Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved.

9. **Private Events.** Any use of the facility for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.

The premises shall not be used exclusively for private parties in which the general public is excluded.

10. **STAR/LEAD Training.** Within the first six months of the effective date of this authorization, all employees involved with the sale or service of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or California Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter to the Department of City Planning referencing Case No. ZA-2022-7998-CUB and identifying which employees completed the training. STAR or LEAD training shall be conducted for all new hires within three months of their employment and all employees every 24 months thereafter.
11. Within 30 days of the effective date of this grant, the applicant shall establish a "Designated Driver Program" which shall include, but it is not limited to, free non-

- alcoholic beverages, such as coffee, tea or soft drinks offered to the designated driver of a group. The availability of this program shall be made known to the restaurant patrons either via signs/cards notifying patrons of the program or printed on the menu. The signs/cards shall be visible to the customer and posted or printed in prominent locations or areas, such as tables, entrance(s), host station, waiting area, bars, or bathrooms.
12. An electronic age verification device shall be purchased and retained on the premises available to determine the age of any individual and shall be installed at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
  13. Upon receipt of any violations issued by any City department or other public jurisdictions relating to such operation's alcohol service, the applicant shall submit a copy of the violation, within five business days, to the Development Services Center, Department of City Planning, for inclusion in the administrative case file.
  14. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.01, 112.06, 115.02, or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
  15. A camera surveillance system shall be installed, in consultation with the Los Angeles Police Department, and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department. All data shall be made available to law enforcement upon request.
  16. **Security Plan.** The applicant shall prepare a security plan that must be reviewed and approved by the Police Department within 12 months of the approval of this grant. The approved security plan shall be submitted to the Department of City Planning, Development Services Center, and be made available to the Police Department and the Department of Building and Safety for the purpose of verification or inspections. At a minimum, the plan shall include the following:
    - a. Security shall be provided at a minimum ratio of one for every 50 patrons when live entertainment is offered.
    - b. Security lighting at the corner of 6<sup>th</sup> and Western Boulevard.
  17. No variance from parking requirements have been granted herein. Parking shall be subject to the determination of the Department of Building and Safety.

18. The establishment shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
19. Alcoholic beverage consumption shall be accessory, ancillary, and subordinate to the primary restaurant use. At no time shall the facility be operated such that alcoholic beverage consumption becomes the primary use and/or focus of the establishment.
20. Vendor(s) delivery of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. through 7:00 p.m. daily.
21. No booth or group seating shall be installed that completely prohibits observation of the occupants.
22. Partitions separating booth/dining areas shall not exceed 54 inches in height. No obstructions shall be attached, fastened or connected to the booths/dining areas within the interior space of the facility that restrict, limit or obstruct the clear observation of the occupants.
23. No enclosed room, other than restrooms, intended for use by patrons or customers shall be permitted. No private dining room with a separate access door shall be permitted.
24. Adequate lighting shall be installed and maintained in all areas within the business in conformance with the LAMC. The lighting shall be such that it renders all objects and persons clearly visible.
25. The exterior windows and glass doors of the restaurant shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height so as to permit surveillance into the restaurant by Police and private security.
26. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
27. Only the front door or entryway shall be used for patron access. All other doors shall be equipped on the inside with an automatic locking device and shall be kept closed at all times other than to permit temporary access for delivery of supplies and trash removal. These doors shall not consist solely of a screen or ventilated security door, but shall be solid.
28. The applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
29. Loitering is prohibited on or around these premises or the area under the control of the applicant. Signs shall be prominently posted in English and the predominant

language of the facility's clientele, if different, stating that California State law prohibits sale of alcoholic beverages to persons who are under 21 years of age. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility in the same language(s).

30. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
31. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
32. No employee or agent shall be permitted to accept money or any other item of value from a customer for the purpose of sitting or otherwise spending time with the customers while on the premises. No female or male patrons shall be made available to act as escorts, companions or guests of customers. Employees shall not be allowed to solicit or accept any alcoholic or non-alcoholic beverage from any customers in the premises.
33. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
34. The applicant(s) shall comply with Section 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
35. The applicant/business operator/manager shall retain full control of all events within the subject premises. At no time will the premises host raves or other similar events. The premises shall not sublet to outside promoters or to any third parties for private parties or special events.
36. The applicant/business operator/manager shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
37. Conditions of this grant shall be retained at all times on the premises and shall be made immediately available upon request by the LAPD, ABC, Building and Safety, or City Planning. The manager and all employees shall be knowledgeable of the conditions herein.
38. The applicant/business operator/manager of the premise permitted by this action shall maintain on the premise, and present upon request to any law enforcement officer, a copy of the business permit and insurance information.

39. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and the facility to discourage illegal and criminal activities and any exterior area, including accessory parking areas, over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
40. The applicant/business operator/manager shall be responsible for mitigating the potential negative impacts of its operation on surrounding uses, especially, noise derived from patrons exiting and crowd control during entry and exiting.
41. Prior to commencing operations, the applicant/business operator/manager of the facility shall be made aware of the conditions of this grant and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees shall be provided to the Department of City Planning, Development Services Center. The statement shall state:

*We, the undersigned, have read and understood the conditions of approval to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with the restaurant venue located at **554 South Western Avenue**, and agree to abide and comply with said conditions.*

42. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C Section 19.01-E,3 - Monitoring of Conditional Use Permits, Inspection, and Field Compliance for Review of Operations and Section 19.04 - Miscellaneous ZA Sign Offs shall be paid to the City.
  - a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
  - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
43. Should there be a change in the ownership and/or the operator of the business, the property owner and/or the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business.

Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Development Services Center, Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Development Services Center, Department of City Planning, within 30 days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.

44. Should there be a change in the ownership and/or the operator of the business, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval. The application, in association with the appropriate fees, shall be submitted to the Development Services Center, Department of City Planning, within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct a public hearing, that may also be conducted for nuisance abatement/revocation purposes.
45. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (upon their own initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall file for a plan approval application together with associated fees, prepare a radius map, and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office, the Los Angeles Police Department's corresponding division, and the local Neighborhood Council. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
46. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing



and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

### **OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES**

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

### **TRANSFERABILITY**

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

### **VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

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

### **NOTICE**

The applicant is further advised that subsequent contact regarding this determination must be with the staff assigned to this case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a

minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on **MAY 3, 2023**, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use approval under the provisions of Section 12.24 have been established by the following facts:

### BACKGROUND

The subject property is a level, rectangular-shaped, corner lot, approximately 8,873 square-feet in size with a 150-foot frontage on the north side of 6<sup>th</sup> Street and a 60-foot frontage on the east side of Western Avenue. The property has a relatively even width and depth of 150 feet and 60 feet, respectively.

The property is constructed with a four-story mixed-use building, constructed circa 1926, and totaling approximately 31,914 square-feet. There is no parking on-site.

The property is located within the Wilshire Community Plan Area. The Community Plan Area Map designates the subject property for Neighborhood Office Commercial land uses corresponding to the C1, C1.5, C2, C4, P, CR, RAS3, and RAS4 zones. The property is zoned C2-1 and is thus consistent with the General Plan's land use designation for the site. The property is further located within a General Restaurant Beverage Program Eligible Area, Transit Priority Area (ZI-2452), Los Angeles State Enterprise Zone (ZI-2374), Wilshire Center/Koreatown Redevelopment Project Area (ZI-2488), Adaptive Reuse Incentive Area, an Urban Agriculture Incentive Zone, and is within 1.14 kilometers of the Puente Hills Blind Thrust fault.

The applicant seeks conditional use authorization to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed approximately 1,177 square-foot restaurant, with hours of operation from 11 a.m. to 4 a.m., daily, with alcohol sales from 11 a.m. to 2 a.m., daily.

According to the submitted plans, the 1,177 square-foot restaurant will be located on the ground floor of a four-story mixed-use building, and consists of a 31-seat interior dining space, a sushi bar, a kitchen, food prep area, storage area, cooler, freezer, and restrooms.

### Surrounding properties

The northern adjoining properties are zoned C2-1 and developed with a single-story bank. The eastern adjoining properties are zoned C2-1 and developed with a two-story mixed-use building. The southern adjoining properties, across 6<sup>th</sup> Street, are zoned C2-2 and developed with a multi-story, mixed-use building. The western adjoining properties, across Western Avenue, are zoned C2-1 and developed with a two-story commercial building with surface parking lot.

### **Streets**

6<sup>th</sup> Street, adjoining the subject property to the north, is a designated Avenue II, dedicated to a right-of-way width of 86 feet and improved with asphalt roadway, concrete curb, and sidewalk.

Western Avenue, adjoining the subject property to the west, is a designated Avenue II, dedicated to a right-of-way width of 86 feet and improved with asphalt roadway, concrete curb, and sidewalk.

### **Previous Cases, Affidavits, and Orders**

#### **Subject Property:**

No relevant cases, affidavits, or orders were found on the subject property.

#### **Surrounding Properties:**

Staff utilized a 1000-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Zoning Administrator determinations associated with the sales and dispensing of alcoholic beverages. The following relevant cases were filed within the last 5 years and identified as being within 500 feet of the project site:

Case No. ZA-2022-418-CUB – On August 30, 2022, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an expansion of an existing restaurant in the C2-1 Zone, and approved a Conditional Use to permit hours of operation of 11:00 a.m. to 2:00 a.m., daily, in conjunction with an expansion of an existing restaurant, exceeding the otherwise permitted hours of 7:00 a.m. to 11:00 p.m., daily, for Commercial Corner Developments, located at 4001 West 6<sup>th</sup> Street.

Case No. ZA-2021-2521-CUB-CU – On August 13, 2021, the Zoning Administrator approved a conditional use to authorize the sale and dispensing of beer and wine only for on-site consumption, in conjunction with a proposed restaurant in the C2-2 Zone, and dismissed a conditional use to authorize hours of operation from 10:00 a.m. to 2:00 a.m., daily, in conjunction with a proposed restaurant, located at 621 South Western Avenue, Units 116-117.

Case No. ZA-2019-6796-CUB – On June 9, 2020, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a proposed restaurant in the C2-1 Zone, located at 4001 West 6<sup>th</sup> Street.

Case No. ZA-2019-3310-CUB – On March 5, 2020, the Zoning Administrator approved a Conditional Use Permit to allow the continued sale and dispensing of beer and wine for on-site consumption, in conjunction with an existing restaurant in the C2-2 and [T][Q]C2-2 Zones, located at 621 South Western Avenue.

Case No. ZA-2019-1536-CUB – On November 12, 2019, the Zoning Administrator approved a conditional use permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed restaurant in the C2-2 Zone, located at 611 South Western Avenue, Suite B.

Case No. ZA-2019-510-CUB-CUX – On August 16, 2019, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with a proposed restaurant and karaoke lounge, and approved a Conditional Use Permit to allow live entertainment including public patron dancing, in conjunction with a proposed restaurant and karaoke lounge in the C2-2 Zone, located at 3900 West 6<sup>th</sup> Street.

Case No. ZA-2019-1506-CUB – On September 20, 2019, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine for on-site consumption, in conjunction with a proposed restaurant in the C2-1 Zone, located at 533 South Western Avenue, Unit C.

Case No. ZA-2018-6464-CUB – On April 3, 2019, the Zoning Administrator approved a conditional use to allow the sale of beer and wine only for on-site consumption, in conjunction with an existing restaurant in the C2-1 Zone, located at 3905 West 6<sup>th</sup> Street.

### **Correspondence**

No public correspondence was received.

### **PUBLIC HEARING**

A Notice of Public Hearing was sent to property owners and/or occupants residing within 500 feet of the subject site for which an application was filed with the Department of City Planning. All interested persons were invited to attend the public hearing where they could listen, ask questions or present testimony regarding the project. Interested parties were also invited to submit written comments regarding the request prior to the public hearing. A public hearing was held before the Zoning Administrator on May 3, 2023 at 9:30 am. Due to concerns over COVID-19, the hearing was conducted entirely telephonically. 2 individuals participated in the meeting. The purpose of the hearing was to obtain public testimony from affected and/or interested persons regarding the application.

The hearing was attended by the applicant's representative, Steve Kim and a representative from Council District 10, Hakeem Parke-Davis. No members of the public or LAPD were in attendance of the meeting. The meeting started with Mr. Kim's presentation, which detailed the request for a conditional use authorization to allow the sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with a proposed approximately 1,177 square-foot restaurant with hours of operation from 11 a.m. to 4 a.m., daily, with alcohol sales from 11 a.m. to 2 a.m., daily, and 31 interior seats.

After the applicant's presentation, Council District 10 Representative, Mr. Parke-Davis provided a comment requesting that the applicant meet with the council office along with a couple of questions regarding to the hours of operation and public safety on the corner of

6<sup>th</sup> and Western. During the rebuttal period, the project representative stated that he would meet with the Council Office to discuss any concerns they may have. With Regards to the hours of operation, the representative explained that food will be served until 4 am in order to maintain a level of service comparable to other business in the area. Alcohol will only be provided per the state restrictions and ABC License. The space will not provide any entertainment or live music. With regards to safety, the owner will be investing in lights to increase security on the corner of the building.

The hearing ended with the Zoning Administrator holding the project under advisement for a period of 15 days. The Zoning Administrator has not received any additional concerns or correspondence from members of the public, LAPD, Council Office or the applicant.

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

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

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

None were submitted for consideration.

**BASIS FOR CONDITIONAL USE PERMITS**

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a Conditional Use Permit from the Zoning Administrator are located within Section 12.24 of the Los Angeles Municipal Code. In order for the sale and dispensing of a full line of alcoholic beverages for on-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

**FINDINGS**

Following is a delineation of the findings and the application of the relevant facts to same:

1. **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The subject property is a level, rectangular-shaped, corner lot, approximately 8,873 square-feet in size with a 150-foot frontage on the north side of 6th Street and a 60-foot frontage on the east side of Western Avenue. The property has a relatively even width and depth of 150 feet and 60 feet, respectively.

The property is constructed with a four-story mixed-use building, constructed circa 1926, and totaling approximately 31,914 square-feet. There is no parking on-site.

The northern adjoining properties are zoned C2-1 and developed with a single-story bank. The eastern adjoining properties are zoned C2-1 and developed with a two-story mixed-use building. The southern adjoining properties, across 6th Street, are zoned C2-2 and developed with a multi-story, mixed-use building. The western adjoining properties, across Western Avenue, are zoned C2-1 and developed with a two-story commercial building with surface parking lot.

The applicant seeks conditional use authorization to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed approximately 1,177 square-foot restaurant, with hours of operation from 11 a.m. to 4 a.m., daily, with alcohol sales from 11 a.m. to 2 a.m., daily.

The proposed restaurant will be a part of the fabric of the local commercial activity within the community. The area serves a mixture of uses which includes commercial uses, with residential uses nearby. Granting the request will assist with the activation of the site and promote commercial activity by contributing to the viability of a local restaurant.

The restaurant will contribute to the economic welfare of the community and add economic vigor by drawing more customers to the area. The sale of alcoholic beverages will allow the restaurant to be competitive with other establishments in the area. The restaurant will be a viable dining option for residents and employees of the immediate area as well as visitors looking for greater dining options.

The project will provide a service that is beneficial to the community. The development in the area caters to a variety of needs and serves a mixture of residential, office and commercial uses, as well as visitors. The restaurant use, offering a full line of alcoholic beverages for on-site consumption is a contributing part of that mix. In conjunction with the imposition of several conditions addressing operational and alcohol-related issues, the authorization will assure that the service of alcohol is not disruptive to the community. Compliance with the conditions of operation will minimize the potential for disruptive impacts on the surrounding community.

Through the approval of these requests, the restaurant will serve its patrons as well as contribute to the collection of tax revenue, increased employment opportunities,

and the cultural character of the community. Therefore, as conditioned, the project will provide a service that is beneficial to the community, city or region.

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

The subject property is a level, rectangular-shaped, corner lot, approximately 8,873 square-feet in size with a 150-foot frontage on the north side of 6th Street and a 60-foot frontage on the east side of Western Avenue. The property has a relatively even width and depth of 150 feet and 60 feet, respectively.

The property is constructed with a four-story mixed-use building, constructed circa 1926, and totaling approximately 31,914 square-feet. There is no parking on-site.

The northern adjoining properties are zoned C2-1 and developed with a single-story bank. The eastern adjoining properties are zoned C2-1 and developed with a two-story mixed-use building. The southern adjoining properties, across 6th Street, are zoned C2-2 and developed with a multi-story, mixed-use building. The western adjoining properties, across Western Avenue, are zoned C2-1 and developed with a two-story commercial building with surface parking lot.

The applicant seeks conditional use authorization to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed approximately 1,177 square-foot restaurant, with hours of operation from 11 a.m. to 4 a.m., daily, with alcohol sales from 11 a.m. to 2 a.m., daily.

According to the submitted plans, the 1,177 square-foot restaurant will be located on the ground floor of a four-story mixed-use building, and consists of a 31-seat interior dining space, a sushi bar, a kitchen, food prep area, storage area, cooler, freezer, and restrooms.

The restaurant's emphasis will be on food service in general, in conjunction with the sale and on-site consumption of a full line of alcohol, which would be offered as an incidental amenity, which is reasonable given the restaurant's location in a commercially zoned area.

In addition to standard conditions, conditions have been adopted to ensure the mode and character of the restaurant will operate as proposed. The grant authorized herein incorporates conditions that are intended to ensure that the proposed operation with on-site alcoholic beverage sales and service, will be compatible with other uses in the surrounding community. These conditions represent limitations on the type of activity that is allowed to be conducted on the site as well as explicit advisories about the responsibilities of the applicant. Further, conditions have been imposed to delineate steps to be taken if the operation of the restaurant is found to be noncompliant with these conditions. Therefore, based on the facts herein and in conjunction with the imposition of operational conditions, the project's location, size,



height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located within the Wilshire Community Plan area. The associated General Plan Land Use Map designates the property for Neighborhood Office Commercial land uses, with corresponding zones of C1, C1.5, C2, C4, P, CR, RAS3, and RAS4. The property is zoned C2-1 and is thus consistent with the General Plan's land use designation for the site. The property's zoning is thus consistent with the General Plan's land use designation for the site.

The Wilshire Community Plan text is silent with regards to the sale and dispensing of alcohol. In such cases, the Zoning Administrator must interpret the intent of the Plans. Specifically, the project addresses the following goals and policies of the Community Plan:

**GOAL 2:** *ENCOURAGE STRONG AND COMPETITIVE COMMERCIAL SECTORS WHICH PROMOTE ECONOMIC VITALITY AND SERVE THE NEEDS OF THE WILSHIRE COMMUNITY THROUGH WELL-DESIGNED, SALE, AND ACCESSIBLE AREAS, WHILE PRESERVING HISTORIC AND CULTURAL CHARACTER.*

**Objective 2-1:** *Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services.*

**Policy 2-1.3:** *Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.*

Multiple requests for conditional use authority to offer alcoholic beverages upon the property have been granted since 2001. The instant request is not substantially different from those previously considered and approved. Approval of the request to offer a full line of alcoholic beverages for on-site consumption in conjunction with an

existing restaurant will enhance the viability and competitiveness of this business, which is in conformity with Policy 2-1.3.

Other similar restaurants in the immediate area have already been established and operate successfully. The restaurant is located within an existing commercial development, along a commercial corridor occupied by other, similar kinds of development and establishments. The availability of a full line of alcohol for sale and service for on-site consumption is often a key ingredient to the economic success of a restaurant operation. Numerous conditions have been adopted as a part of this determination to minimize the potential of this restaurant from becoming incompatible with its surroundings. Therefore, as conditioned, the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

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

The applicant seeks conditional use authorization to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed approximately 1,177 square-foot restaurant, with hours of operation from 11 a.m. to 4 a.m., daily, with alcohol sales from 11 a.m. to 2 a.m., daily.

The northern adjoining properties are zoned C2-1 and developed with a single-story bank. The eastern adjoining properties are zoned C2-1 and developed with a two-story mixed-use building. The southern adjoining properties, across 6th Street, are zoned C2-2 and developed with a multi-story, mixed-use building. The western adjoining properties, across Western Avenue, are zoned C2-1 and developed with a two-story commercial building with surface parking lot.

The responsible service of alcoholic beverages at the restaurant will enhance the neighborhood by supporting a proposed business that will activate a commercial tenant space along Western Avenue. The sale of alcohol will provide an additional amenity and service that many guests often expect in restaurants. The project will enhance the viability of the area and surrounding businesses by supporting a proposed business. Restaurant uses, including alcohol sales, are an intrinsic part of the service amenities necessary for the success of a vibrant commercial areas. Further, the restaurant will be located within an area designated for commercial uses, and it is appropriate for a greater mix and intensity of uses to be occurring in this area.

In conjunction with the approval of the request to authorize the sale and consumption of a full line of alcohol within the restaurant, the Zoning Administrator has imposed numerous conditions of approval that the owner/operator/manager is required to comply with. These conditions represent limitations on the type of activity that is allowed to be conducted on the site as well as explicit advisories about the responsibilities of the applicant. Further, conditions have been imposed to delineate steps to be taken if the operation of the restaurant is found to be noncompliant with these conditions. Conditions are intended to ensure that the continued use and

operation of the restaurant is well integrated into the community as well as protect community members from potential adverse impacts associated with alcohol sales. Conditions imposed will require responsible operations and will maintain the order and ensure cleanliness of the project and its surroundings. Adherence to and compliance with these conditions of approval will minimize the potential for adverse impacts on the surrounding community, and as a result, granting the request will not adversely affect the welfare of the pertinent community.

The availability of alcoholic beverages for on-site consumption will contribute to the collection of tax revenue, increased employment opportunities, and the cultural and commercial vibrancy of the neighborhood. Thus, as conditioned, it can be found that the proposed use, including the sale, dispensing, and on-site consumption of a full line of alcohol will not adversely affect the welfare of the pertinent community.

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

The applicant seeks conditional use authorization to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed approximately 1,177 square-foot restaurant, with hours of operation from 11 a.m. to 4 a.m., daily, with alcohol sales from 11 a.m. to 2 a.m., daily.

According to the California State Department of Alcoholic Beverage Control (ABC) licensing criteria, five on-site and three off-site licenses are allocated to the subject Census Tract 2118.02. Currently there are 39 active on-site license and one active off-site license in this Census Tract.

According to information submitted by the applicant, within 1,000 feet of the subject site, the following establishments have an ABC license:

<b>Alcohol Establishment</b>	<b>License Type</b>	<b>Address</b>
CVS Pharmacy	Off-site – Full Line	3751 Wilshire Boulevard
Beer Belly	On-site – Beer & Wine	532 South Western Avenue
Frank N Hanks	On-site – Full Line	518 South Western Avenue
Here's Looking At You	On-site – Full Line	3901 West 6 <sup>th</sup> Street
Ddong Goo & Dragon Boba	On-site – Beer & Wine	528 South Western Avenue
Sushi One Restaurant	On-site – Beer & Wine	3905 West 6 <sup>th</sup> Street
Won Jo Kokerang Agurang	On-site – Beer & Wine	533 South Western Avenue, Suite C

Super H Mart	Off-site – Full Line	621 South Western Avenue, Suite G03
Mama Lion	On-site – Full Line	601 South Western Avenue
Jam	On-site – Full Line	3979—81 West 6 <sup>th</sup> Street
Chakan Sullungtang	On-site – Beer & Wine	543 South Western Avenue
Kokio Chicken	On-site – Beer & Wine	3977 West 6 <sup>th</sup> Street
Moobongri	On-site – Beer & Wine	545 South Western Avenue, #D
Tengoku Ramen Bar	On-site – Beer & Wine	539 South Western Avenue
Jeong Yuk Jeom	On-site – Full Line	623 South Western Avenue
The House of Axe	On-site – Full Line	611 South Western Avenue
Western Liquor & Wine, Inc.	Off-site – Full Line	553 South Western Avenue, Suite A
The Gangjung	On-site – Beer & Wine	621 South Western Avenue, Suite 302
Daedo	On-site – Beer & Wine	4001 West 6 <sup>th</sup> Street
Yeon Uh	On-site – Beer & Wine	621 South Western Avenue, Suite 208-B
Aki Shabu	On-site – Beer & Wine	621 South Western Avenue, #301
Yang Pyung Sinnae Seoul Hae Jang Kook	On-site – Beer & Wine	3821 West 6 <sup>th</sup> Street
Café Seoul Nandarang	On-site – Beer & Wine	3811-3815 West 6 <sup>th</sup> Street
Caffe Concerto	On-site – Full Line	610 South Serrano Avenue
Kitchen Sooda	On-site – Beer & Wine	618 South Serrano Avenue
Beul	On-site – Beer & Wine	3819 West 6 <sup>th</sup> Street
Hera	On-site – Full Line	3879 Wilshire Boulevard
Star Night	On-site – Full Line	3855 Wilshire Boulevard
Yasiknara	On-site – Beer & Wine	3871 Wilshire Boulevard
Denny's	On-site – Beer & Wine	3750 Wilshire Boulevard
Wiltern Theater	On-site – Full Line	3780 Wilshire Boulevard
Apartment 503	On-site – Full Line	3680 Wilshire Boulevard, Suite 530
Parao	On-site – Full Line	3680 Wilshire Boulevard, Suite B2
A Won Japanese Restaurant	On-site – Beer & Wine	3680 Wilshire Boulevard, Suite 201
Café Scent	On-site – Beer & Wine	3680 Wilshire Boulevard Sp, #P01, P02, P03
Young Dong Restaurant	On-site – Beer & Wine	3828 Wilshire Boulevard
M Grill	On-site – Full Line	3832 Wilshire Boulevard, Suite 202
Sushi Ippo	On-site – Beer & Wine	3800 West Wilshire Boulevard, #110F

According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 2024, which has jurisdiction over the subject property, a total of 287 crimes were reported in 2022 (287 Part I Crimes and 24 Part II Arrests), compared to the Citywide Average of 156 crimes and the High Crime Reporting District Average of 187 crimes. Part II Arrests reported include (5) Narcotics, (0) Liquor Laws, (0) Public Drunkenness, (0) Disturbing the Peace, (0) Disorderly Conduct, (0) Gambling, and (5) DUI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. The number of active on-site ABC licenses within the census tract where the subject site is located exceeds the ABC guidelines. In active commercial areas where there is a demand for licenses beyond the allocated number, the ABC has recognized that high-activity retail and commercial centers are supported by a significant employee population, in addition to the resident population base in the area. ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents.

The above crime statistics indicate that the crime rate in the reporting district where the subject site is located is higher than the citywide average. However, no evidence has been submitted to the record establishing any nexus between the subject site or use and the area's crime rate.

Nevertheless, to safeguard the welfare of the community and provide for a reasonable operation, conditions have been imposed as a part of this approval. Negative impacts commonly associated with the availability of alcohol such as criminal activity, public drunkenness, and loitering are minimized through compliance with public safety measures to mitigate nuisance and criminal activities, such as participation in a STAR/LEAD/RBS Training Program, age verification, security cameras, and staff monitoring, which have been incorporated into the grant by the Zoning Administrator to assure better oversight in conjunction with this approval. The ABC also has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. These imposed conditions are a necessary and integral part of this action and requires diligent compliance on the part of the applicant for effectiveness. As conditioned, allowing the sale of alcoholic beverages for on-site consumption at the subject location will benefit the public welfare and convenience because a successful restaurant business supports the economic vitality of the area. Therefore, as conditioned, the granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages in the area of the City involved.

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

The applicant seeks conditional use authorization to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed approximately 1,177 square-foot restaurant, with hours of operation from 11 a.m. to 4 a.m., daily, with alcohol sales from 11 a.m. to 2 a.m., daily.

The northern adjoining properties are zoned C2-1 and developed with a single-story bank. The eastern adjoining properties are zoned C2-1 and developed with a two-story mixed-use building. The southern adjoining properties, across 6th Street, are zoned C2-2 and developed with a multi-story, mixed-use building. The western adjoining properties, across Western Avenue, are zoned C2-1 and developed with a two-story commercial building with surface parking lot.

According to information submitted by the applicant, in addition to surrounding residential uses, the following sensitive uses are located within a 1,000-foot radius of the site:

<b>Schools/Day Care</b>	
Straight Perm Beauty School	3863 West 6 <sup>th</sup> Street
International Christian Education College	3807 Wilshire Boulevard, #730
Hera's Income Tax School	3966 West 6 <sup>th</sup> Street
Cinema Makeup School	3780 Wilshire Boulevard Study Room
ECC Academy School	3850 Wilshire Boulevard, #103
Soriel Music Academy	3850 Wilshire Boulevard, #309
Merit University	3699 Wilshire Boulevard, #970
CBD College Vocational School	3699 Wilshire Boulevard, 4 <sup>th</sup> Floor
<b>Religious Institutions</b>	
Christ Church	635 South Manhattan Place
Mijoo Yangkog Church	519 South Western Avenue
LA Buddhist Temple of the Singak Sect	524 South Serrano Avenue
<b>Hospitals</b>	
N/A	N/A
<b>Parks and Recreation</b>	
Liberty Park	3700 Wilshire Boulevard
Westmore Dance Studio	607 South Western Avenue, 3 <sup>rd</sup> Floor

No communication or testimony has been received by any representative of the identified sensitive uses expressing concern or opposition to the project or request.

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. No violations have been noted, and no complaints have been lodged. The grant has been well conditioned, which should protect the health, safety, and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. Numerous conditions have been incorporated into this grant to minimize the potential for adverse effects on the community. The project is consistent with the zoning and in keeping with the existing uses adjacent to the development. This project will contribute to the neighborhood and will serve the neighboring residents and the local employees as well as visitors. Therefore, for the reasons given, the proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, schools,

similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including full line of alcoholic beverages.

7. **Based on data provided by the City Department of Transportation or by a licensed traffic engineer, that ingress to or egress from the project will not create a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets.**

The request 11 a.m. to 4 a.m. operations, daily, with alcohol sales from 11 a.m. to 2 a.m., daily, exceeds the otherwise permitted hours of operation from 7 a.m. to 11 p.m., daily, within a commercial corner development. The 11 a.m. to 4 a.m. operations will have no significant increase in traffic congestion or disruption of vehicular circulation on adjacent streets as this represents hours outside of peak traffic periods and no new access is proposed to adjacent public rights-of-way.

8. **Project approval will not create or add to a detrimental concentration of Mini-Shopping Centers or Commercial Corner Developments in the vicinity of the proposed project.**

The applicant seeks to have hours of operation that extend beyond the 7 a.m. to 11 p.m. limitation for uses located within a Commercial Corner Development/Mini-Shopping Center, on property zoned for commercial use. No new construction is proposed. The proposed 11 a.m. to 4 a.m. daily operations, with alcohol sales from 11 a.m. to 2 a.m., daily, do not result in an increase in the concentration of Commercial Corner Developments or Mini-Shopping Centers in the vicinity of the proposed project.

#### **ADDITIONAL FINDING**

9. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas of minimal flood hazard.

#### **APPEAL PERIOD - EFFECTIVE DATE**

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for

filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

**Online Application System (OAS):** The OAS (<https://planning.lacity.org/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.

**Drop off at DSC.** Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Metro DSC  
(213) 482-7077  
201 N. Figueroa Street  
Los Angeles, CA 90012  
[planning.figcounter@lacity.org](mailto:planning.figcounter@lacity.org)

Van Nuys DSC  
(818) 374-5050  
6262 Van Nuys Boulevard  
Van Nuys, CA 91401  
[planning.mbc2@lacity.org](mailto:planning.mbc2@lacity.org)

West Los Angeles DSC  
(CURRENTLY CLOSED)  
(310) 231-2901  
1828 Sawtelle Boulevard  
West Los Angeles, CA 90025  
[planning.westla@lacity.org](mailto:planning.westla@lacity.org)

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

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





QR Code to  
Online Appeal Filing



QR Code to Forms for In-  
Person Appeal Filing



QR Code to BuildLA  
Appointment Portal for  
Condition Clearance

Inquiries regarding the matter shall be directed to Jaime Espinoza, Planning Staff for the Department of City Planning at (213) 978-1357 or [jaime.espinoza@lacity.org](mailto:jaime.espinoza@lacity.org).

A handwritten signature in cursive script, reading "Christine M. Saponara".

CHRISTINE M. SAPONARA  
Associate Zoning Administrator

CMS:CS:JE

cc: Councilmember Heather Hutt  
Tenth District  
Adjacent Property Owners  
Interested Parties