

**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> 6669 Hollywood Blvd

Unit/Space Number \_\_\_\_\_

Legal Description<sup>2</sup> (Lot, Block, Tract) 3, 2, Hollywood Ocean ViewAssessor Parcel Number 5547-009-006Total Lot Area 15,300**2. PROJECT DESCRIPTION**Present Use RestaurantProposed Use SameProject Name (if applicable) Cabo CantinaDescribe in detail the characteristics, scope and/or operation of the proposed project Plan Approval to modifyConditions 6, 7, 11, 12, 15, 22, and 24 within the existing operation's existing conditional usepermit, ZA-2014-4151-CUB.

Additional information attached

☒ YES☐ NO

Complete and check all that apply:

**Existing Site Conditions**☐ Site is undeveloped or unimproved (i.e. vacant)☒ Site has existing buildings (provide copies of building permits)☐ 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)☐ Site is located within 500 feet of a freeway or railroad☒ Site is located within 500 feet of a sensitive use (e.g. school, park)☐ 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**

- |  |  |
|--|--|
| <input type="checkbox"/> Demolition of existing buildings/structures | <input type="checkbox"/> New construction: _____ square feet                       |
| <input type="checkbox"/> Relocation of existing buildings/structures | <input type="checkbox"/> Accessory use (fence, sign, wireless, carport, etc.)      |
| <input type="checkbox"/> Interior tenant improvement                 | <input type="checkbox"/> Exterior renovation or alteration                         |
| <input type="checkbox"/> Additions to existing buildings             | <input checked="" type="checkbox"/> Change of use <u>and/or</u> hours of operation |
| <input type="checkbox"/> Grading                                     | <input type="checkbox"/> Haul Route  |
| <input type="checkbox"/> Removal of any on-site tree                 | <input type="checkbox"/> Uses or structures in public right-of-way                 |
| <input type="checkbox"/> Removal of any street tree                  | <input type="checkbox"/> Phased project  |

**Housing Component Information**

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

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

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

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.M Section from which relief is requested (if any): \_\_\_\_\_

Request: Plan Approval to modify Conditions 6, 7, 11, 12, 15, 22, and 24 within the existing operation's existing conditional use permit, ZA-2014-4151-CUB.

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) ZA-2014-4151-CUB

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. ZA-2014-4151-CUB

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:

**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** \_\_\_\_\_  
Company/Firm CCHLWD, LLC  
Address: 6669 Hollywood Blvd Unit/Space Number \_\_\_\_\_  
City Los Angeles State CA Zip Code: 90028  
Telephone \_\_\_\_\_ 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) 812 La Cienega Partners, LP  
Address 8228 Sunset Blvd., Suite 102 Unit/Space Number \_\_\_\_\_  
City West Hollywood State CA Zip Code: 90046  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

**Agent/Representative name** Michael Gonzales  
Company/Firm Gonzales Law Group APC  
Address: 555 S Flower Street Unit/Space Number 650  
City Los Angeles State CA Zip: 90071  
Telephone (213) 481-6569 E-mail: mlgonzales@gonzaleslawgroup.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

Date

4-5-17

Print Name

Caroline Brick

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 APRIL 5, 2017 before me, JOON WAN KIM NOTARY PUBLIC  
(Insert Name of Notary Public and Title)

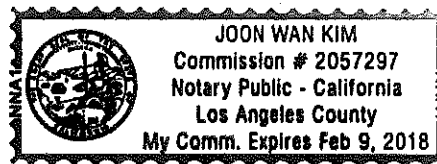
personally appeared CAROL BRAIDI, who  
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within  
instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that  
by his/her/their signature(s)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

J 12  
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: \_\_\_\_\_

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

**OPTIONAL**  
**NEIGHBORHOOD CONTACT SHEET**

**SIGNATURES** of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (PRINT)	SIGNATURE	ADDRESS	KEY # ON MAP

**REVIEW** of the project by the applicable Neighborhood Council is not required, but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).

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## **SPECIAL INSTRUCTIONS FOR ALCOHOL (CUB) & ADULT ENTERTAINMENT ESTABLISHMENTS (CUX) – LAMC 12.24 W.1 & 12.24 W.18**

City of Los Angeles – Department of City Planning

The Special Instructions for Alcohol (CUB) & Adult Entertainment Establishments is a required attachment to the *MASTER LAND USE APPLICATION INSTRUCTIONS* (CP-7810). Only utilize this form when filing for a conditional use permit pursuant to LAMC Section 12.24 W.1 for alcohol establishments or pursuant to 12.24 W.18 for adult entertainment establishments.

### **ADDITIONAL REQUIREMENTS/FINDINGS FOR APPROVAL OF A CUB or CUX:**

*For a CUB or CUX request to be considered, the following additional information and findings must be provided.*

#### **1. RADIUS MAP REQUIREMENTS.** In addition to the Public Noticing requirements detailed in the Master Land Use Application Instructions (CP-7810):

- Radius Maps for alcohol uses must show land use to a 600-foot radius.
- A **LIST OF ALCOHOL ESTABLISHMENTS** between 600 and 1,000 feet of the site is required. Include in the list the type of license and address.
- A **LIST OF THE FOLLOWING USES** within 600 feet is also required:
  - (1) residential uses and type (single-family, apartment, hotel, etc.);
  - (2) churches;
  - (3) schools, including nursery schools and child-care facilities;
  - (4) hospitals;
  - (5) parks, public playgrounds and recreational areas; and
  - (6) establishments dispensing, for consideration, alcoholic beverages for consumption on or off premises.

#### **2. FINDINGS (on a separate sheet)**

##### **a. General Conditional Use**

- i. That 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.
- ii. That 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.
- iii. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

##### **b. Additional Findings**

- i. Explain how the proposed use will not adversely affect the welfare of the pertinent community.
- ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.
- iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

- b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc...? Please specify: Ambient music, televisions, karaoke

**Note:** *An establishment that allows for dancing needs a conditional use pursuant to 12.24 W.18.*

- c. Will there be minimum age requirements for entry? Yes If yes, what is the minimum age requirement and how will it be enforced? Id check at door

- d. Will there be any accessory retail uses on the site? Yes What will be sold? Apparel

e. **Security**

- i. How many employees will you have on the site at any given time? Max - 20

- ii. Will security guards be provided on-site? Yes

1. If yes, how many and when? 5pm to 2:30 am, seven days a week

- iii. Has LAPD issued any citations or violations? No If yes, please provide copies.

f. **Alcohol**

- i. Will there be beer & wine only, or a full-line of alcoholic beverages available? Full-line

- ii. Will "fortified" wine (greater than 16% alcohol) be sold? No

- iii. Will alcohol be consumed on any adjacent property under the control of the applicant? No

- iv. Will there be signs visible from the exterior that advertise the availability of alcohol? No

v. **Food**

1. Will there be a kitchen on the site? Yes

2. Will alcohol be sold without a food order? Yes

3. Will the sale of alcohol exceed the sale of food items on a quarterly basis? Per State Law

4. Provide a copy of the menu if food is to be served.

vi. **On-Site**

1. Will a bar or cocktail lounge be maintained incidental to a restaurant? No

- a. If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.

2. Will off-site sales of alcohol be provided accessory to on-site sales ("Take Out")? No

- a. If yes, a request for off-site sales of alcohol is required as well.

3. Will discounted alcoholic drinks ("Happy Hour") be offered at any time? Per State Law

## Attachment A

### Plan Approval to Modify Conditions 6, 7, 11, 12, 15, 22 and 24, within an Existing Conditional Use Permit for the Sale and Service of a Full Line of Alcohol.

Cabo Cantina  
6669 Hollywood Boulevard

ZA - 2014 - 4151

#### Applicant and Property Description

812 La Cienega Partners, LP is the owner of that certain parcel of real property located on the northerly side of Hollywood Boulevard between Las Palmas Avenue and Cherokee Avenue (the "Property"). The Property contains two tied parcels totaling 15,300 square feet of lot area. The Property is improved with a 15,300 square foot, two story building (the "Improvements"). The Improvements include a 2,417 square foot restaurant space (the "Premises"), which have been home to various restaurants for six years.<sup>1</sup> Since 2011, CC HLWD, LLC (the "Applicant") has operated *Cabo Cantina* (the "Existing Operation") at the Premises.

The Property, and more specifically, the Premises, have been approved for the sale and service of a full line of alcohol by two separate conditional use permits. In July 1, 2009, City Planning Case No. ZA-2008-4721-CUB (the "Prior CUB") originally approved a 2,417 square foot restaurant with a total of 75 seats without limitations on hours of operation. The Prior CUB's Condition 8 limited the grant term to 5 years, thereby expiring on July 1, 2014. This condition did not cite to any provision within the Los Angeles Municipal Code ("LAMC") or any other legal authority (including but not limited to findings that such a constriction is reasonably related to the operation). Nevertheless, the Applicant agreed to cooperatively request a new conditional use permit (ZA-2014-4151-CUB, or the "Existing CUB") for the sale and consumption of a full line of alcohol in connection with the Existing Operation.<sup>2</sup>

The request for the Existing CUB was intended to enable the Existing Operation to operate in the same manner as permitted by the Prior CUB. During the time between the Existing CUB's public hearing and its approval, the Los Angeles Police Department ("LAPD") submitted recommended conditions to the record, attached herein as **Exhibit A**. Despite requests for access to the letter prior to the determination, the Applicant's representatives were not furnished with a

<sup>1</sup> LADBS Permit No. 07016-70000-17874, issued on July, 7, 2008 changed the Premises' use from a store to a restaurant.

<sup>2</sup> The Applicant submitted the request for the Existing CUP without waiving its contention that the Prior CUP for the Property, authorizing the on-site sale and consumption of a full line of alcoholic beverages within the Existing Operation, was never expired or been abandoned, "runs with the land," and therefore continues in its existence without necessity for renewal or extension.

copy of the letter until after the Existing CUB's determination letter was published. A copy of the email correspondences between the Applicant's representatives and City Staff is attached as **Exhibit B**.

The Existing CUB included various conditions proposed by LAPD and additional conditions drafted by City Staff without prior consultation with the Applicant or its representatives. Some of these conditions, include Existing CUB Conditions 6, 7, 11, 12, 15, 22, and 24, exceed the restrictions placed on the Property by the Prior CUB without explaining reasons to limit the Prior CUB's maintained property rights, thereby negatively impact the Existing Operation without cause. Therefore, the Applicant is requesting a plan approval, pursuant to LAMC Section 12.24.M, to change the aforementioned conditions from the Existing CUB. The nature of this request is described in more detail below.

### **Property Information**

The Property is zoned C4-2D-SN, which is a commercial zone in the Number 2 Height District and within the Hollywood Community Plan.<sup>3</sup> The C4 zone is a high intensity commercial zone that allows many commercial uses, including bars, office space, and restaurants, such as the Existing Operation. Properties located within the C4 Zone and within Height District No. 2 typically have a permitted FAR of 6:1. The D Limitation (Ordinance No. 165,657, effective May 7, 1990), however, further restricts by-right FAR to 3 to 1. The requested New CUB does not entail additional construction; permissible building regulations such as FAR and height restrictions are not implicated. The "SN" refers to the Hollywood Signage District.

The Property's general vicinity is developed primarily with commercial uses, such as restaurants, retail stores, and office uses. Residential uses are not typical along that portion of Hollywood Boulevard nearest to the Property, though there are higher density residential uses along Cherokee Avenue. Cherokee Avenue is also home to a four story parking garage. The Property's immediate neighbors include various bars and restaurants, including the world famous *Musso and Frank Grill*. The Existing Operation has been a key part of this section along Hollywood Boulevard, attracting both local residents and tourists with its lively atmosphere and quality food. Opportunities for restaurant guests to use public transportation are abundant; the Property is located a mere two blocks from the Hollywood / Highland Station on the LA Metro Red Line, and Hollywood Boulevard is served by many LA Metro bus lines, including Routes 212, 312, 217, and 222.

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<sup>3</sup> This application references the 1988 Hollywood Community Plan, as opposed to the 2012 Hollywood Community Plan ("HCPU"), because as of April 4, 2014, the HCPU was rescinded, effective April 8, 2014. Similarly, Ordinance 182,960 repealed Ordinance 182,173, the rezoning action to implement the HCPU.

The Property is located within the Community Plan, which implements the City's General Plan Land Use Element. The Property is designated as Regional Center Commercial. This designation contemplates a mixture of commercial uses like retail, restaurant and office. Additionally, a more urbanized and dense feeling is envisioned. Approval of the requested Plan Approval not result in any new construction and will only allow the continued on-site sale, service, and consumption of a full line of alcoholic beverages with the same use and intensity as the preceding decade. Therefore, this request is consistent with the Community Plan.

### **Project Description**

The Applicant is requesting a Plan Approval to modify the Conditions of the Existing CUB, allowing the continued existence and operation of an existing business. In total, the Existing Operation contains approximately 2,417 square feet of floor area, including 2,027 square feet of floor area and a 390 square foot outdoor patio. The Existing Operation has approximately 75 total seats, including 51 indoors (all on the first floor) and 24 outdoors. While the Prior CUB allowed 24 hours-a-day operations, the Existing CUB's condition 6.D limited the Existing Operation's hours to 10am to 2am. The Applicant has operated the subject space as a restaurant and bar serving a full line of alcoholic beverages for approximately three years. In other words, the requested approval will not authorize a new use at the subject site or the Property.

*Cabo Cantina* has become not only an integral part of the community, but also a stimulus for tourism and activity. The Existing Operation's patrons enjoy its high quality Mexican food, as well as its quality tequila and margaritas. The atmosphere is lively; the open-air patio allows restaurant guests to enjoy Hollywood's tremendous weather. The outdoor patio also brings activity to Hollywood Boulevard. Pedestrians enjoy the interaction between outdoor cafes and the sidewalk.

Given this lively culture, the Existing Operation is not naïve about guest safety. Security guards are present during the hours of 5 pm to 2:30 am each night of the week to prevent guests from making too much noise or causing any other problems. Moreover, because the Existing Operation is already established, all staff members have been well-trained to handle the service of alcohol.

The Property does not contain parking spaces, nor are any spaces required by the LAMC. The Improvements were constructed in 1935,<sup>4</sup> well before parking was required for commercial properties. Since then, the property has maintain legal non-conforming parking requirements. More recently, LADBS Permit No. 07016-70000-17874 changed the Premises' use from store to restaurant, while citing no changes in the required parking. The Applicant, however, had provided, and will continue to provide valet parking for guests.

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<sup>4</sup> LADBS Permit No. 1935LA01255.

This approval will only result in the continued on-site sale, service and consumption of a full line of alcoholic beverages in connection with the Existing Operation and will not result in any new construction. Notwithstanding Existing CUB Condition 7, the Applicant reiterates its contention that the Existing CUP "runs with the land" and has not expired and thus continues in existence without the need for a renewal or extension. Again, as noted above, approving this request would allow the continued use of the Existing Operation in the same manner and intensity as it has been used for approximately five years.

### Surrounding Zoning and Uses

- North: C4-2D-SN and [Q] R5-2: Parking uses, with multi-family residential buildings beyond the parking lots.
- South: C4-2D-SN: Commercial uses, including shops and restaurants
- East: C4-2D-SN: Commercial uses, including shops and restaurants
- West: C4-2D-SN: Commercial uses, including shops, restaurants, and a nightclub.

### Requested Actions

The Applicant requests a Plan Approval, pursuant to LAMC Section 12.24.M, for the continued on-site sale and consumption of a full line of alcoholic beverages in connection with the Existing Operation. The Applicant agrees to comply with the requirements of the Existing CUP, yet requests the following changes:

- ✓ 1) A modification to Condition 6.d, to permit hours of operation from 9am to 2am, seven days a week;
- ✓ 2) To remove Condition 7, clarifying the Existing CUB's grant clause and removing the Existing CUB's expiration date.
- ✓ 3) A modification to Condition 11, to require that the Existing Operation maintain a video library for one month;
- ✓ 4) A modification to Condition 12, to eliminate the requirement that security guards maintain *American Red Cross* first-aid cards and to adjust the required security hours to include 9pm to closing, seven days a week; 5/11/11
- ✓ 5) A modification to Condition 15, to clarify the condition to permit the restaurant to be leased to another entity for a private party, so long as the restaurant remains under the operator's control at all times; 9/12/11
- ✓ 6) To remove Condition 22's ban on karaoke; and 4/14
- ✓ 7) A modification to Condition 24, to clarify the type of operation. 9/12

### Case Files

Previous City of Los Angeles Planning Department Cases:

- Case No. ZA-2008-4721-CUB – The Prior CUB
- Case No. ZA-2014-4151-CUB – the Existing CUB

### Modifications of Conditions of Approval

The CUB and Plan Approval processes ensure, among other things, that restaurants serving alcohol operate as a bona fide restaurants. Over the previous five years, the Applicant has demonstrated its willingness and desire to operate as a food-driven, bona fide restaurant within the confines of all applicable legal requirements. However, the following conditions placed within the Existing CUB deviate from the Prior CUB and create practical impacts without explaining the reason for such restrictions. Therefore, the proposed changes to the Existing CUP are intended to allow the Existing Operation to continue to operate in a manner consistent with the Prior CUB.

- **Condition 6.D – Hours of Operation:** at the August 20, 2015 hearing, the Applicant requested that the 24 hour privilege provided by the Prior CUB be maintained in order to allow for potential future early morning demand. The Applicant stated his willingness to reduce hours to 8am if it would please LAPD, but specifically cited the need to maintain earlier hours for breakfast service. The LAPD Letter requested a 10am opening without consultation from the Applicant. 10am is too late to begin breakfast service
- **Condition 7 – Grant Term:** There are two issues with Condition 7. First, the first sentence contradicts the Existing CUB's grant clause by only permitting the sale of beer and wine as opposed to a full line of alcohol. The Existing Operation has operated pursuant to an ABC Type 47 license for its entire existence, and neither the Applicant, LAPD, nor City Staff has ever provided any desire or reason to change this license type. Second, the Applicant maintains that Condition 7's expiration date cannot be enforced because the Existing Operation has not been abandoned or created a public nuisance and because conditional use approvals "run with the land," and therefore continue in their existence without necessity for renewal or extension.
- **Condition 11 – One Month Video Library:** the Existing Operation has maintained a one-month video library for the full lifespan of the business. There is no evidence that adding the additional two months of capacity would benefit the public. As such, the upgraded system would create an unnecessary cost to the Existing Operation.
- **Condition 12 – Security (First-aid Cards):** the Existing Operation provides ample security and maintains a safe environment for restaurant guests. The Applicant, however, objects to requiring security guards to maintain first-aid certification because it would

increase security costs without better protecting the business's clientele. Furthermore, Existing CUB Condition 12 requires security be present during all hours of operation. This requirement is extremely burdensome to the Applicant; security is very expensive to provide. Though the Applicant agrees that security is important at night, there is no need for security during the morning and afternoon hours.

- **Condition 15 – Private Parties:** the Applicant wishes to clarify Condition 15 to prevent possible confusion. Condition 15's first sentence ("The premises shall not be leased or rented to outside promoters... which are not open to the general public") contradicts the remainder of the condition, which permits private parties so long as the Applicant maintains control over the Existing Operation at all times. Like many restaurants, the Existing Operation often has private events. Therefore, the Applicant requests Condition 15's first sentence be modified to permit private events. The Applicant does not object to the requirement that it maintains full operational control at all times during a private event.
- **Condition 22 – Karaoke:** the Prior CUB did not prohibit karaoke. The LAPD's recommended conditions did not ask for karaoke to be prohibited. There is no community benefit to prohibiting a use that has legally existing at the Property if LAPD does not believe the use to be harmful to the community's well-being.
- **Condition 24 – Windows:** while the Applicant agrees to this condition in general, this condition references a liquor store. The Existing Operation does not maintain an off-site license, and there are no proposals in which the Existing Operation will function as a liquor store. Therefore, Condition 24 should be altered to correctly describe the Existing Operation.

### **Conditional Use Permit Findings**

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

The Applicant is only requesting the continuation of an existing conditional use approval and the modification of conditions that, if unchanged, would continue to negatively impact an existing business without providing a public benefit. The Existing Operation has legally engaged in this use for about five years. Prior Operations have utilized the Restaurant Space since as early as 2008. The requested Plan Approval will not involve any new construction because it is simply the continuation of the Existing Operation. Therefore the requested action will have little to no effect on the built environment surrounding the neighborhood because no new structures are proposed.



The Existing Operation provides a service that is beneficial to the community because the Existing Operation continues to provide a dining option for residents, employees and tourists that frequent the Hollywood Community. A thriving urban environment must have a vast diversity of dining options that also offer a full line of alcoholic beverages to its patrons. The Existing Operation accomplishes this goal. Approving the requested action will allow the Existing Operations' continued operation and will not authorize a new use within the subject tenant space or on the Property.

By approving the requested action, the Existing Operation will continue providing tax revenue to the City resulting from the sale of any and all taxable goods. The Existing Operation employs a variety of workers, thereby strengthening the local job market and contributing more revenue to the local economy via the indirect multiplier effect. This effect (described as the economic impact in excess of an employee's wages to the local economy as a result of paying for local rent, groceries, etc.) continuously stimulates economic growth throughout the Hollywood area.

- 2. That 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 Project is an Existing Operation. There is no need for any construction that would negatively affect neighboring properties. The Existing Operation and the location as a whole will look exactly how it does now. The location of the Existing Operation is a highly active, urban, and transit-oriented. The Existing Operation's location and the area's mix of tourist and commercial uses mean that there are many people, both from the area and from other parts of the city, who come to the location for one reason or another. As a result of the nearby transit facilities, many different activities and restaurants, such as this one, are needed to enhance Hollywood's identity. The requested plan approval will better allow the Existing Operation to continue offering this much needed service, at the highest quality possible, to the residents, employees, and other area residents enjoying the Hollywood Boulevard.

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

The General Plan for the location is Regional Center Commercial. This designation envisions an active urban streetscape, complete with a healthy mix of commercial and retail businesses. The Existing Operation conforms very well with this vision because restaurant uses are a fundamental element of a thriving urban setting. In an area that is actively growing in intensity and density, residents and visitors alike need to have many restaurants which are easily accessible, and the Existing Operation fits this description.

The Existing Operation reinforces many of the Community Plan's stated goals, including, but not limited to, "allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards," as well as to "further the development of Hollywood as a major center of population, employment, retail services, and entertainment."<sup>5</sup> The Existing Operation furthers these goals by providing dining and drinking opportunities to residents and tourists within one of the region's most active areas. The Existing Operation also helps Hollywood "retain existing neighborhood commercial activities," as described in the Framework Element of the City's General Plan,<sup>6</sup> by continuing to operate in a manner consistent with the Community Plan.

### **Additional Alcohol Related Findings**

The Applicant submits the necessary findings for 12.24.W.1, requesting approval for alcohol related uses:

- 1. That the proposed use will not adversely affect the welfare of the pertinent community.**

The Existing Operation has served alcohol at this establishment for the past five years and the requested plan approval does nothing but allow this practice to continue. The requested changes in the Existing CUB will not adversely affect the community's welfare because the permitted use has been and continues to occur at the Property. Additionally the community and the surrounding areas are very urban, and area residents expect uses like the Existing Operation. Restaurants serving alcohol in areas such as these are not only the norm, but expected by residents. Restaurants who do not serve alcohol are at a disadvantage because residents will not patronize an establishment which lacks something considered a standard.

- 2. That 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**

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<sup>5</sup> Hollywood Community Plan, Pages HO-1 and HO-2. December 13, 1998.

<sup>6</sup> City of Los Angeles General Plan, Framework Element, Chapter 7, Goal 7.3.2., July, 1995.

**conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

Granting the application will not result in the undue concentration of premises for the sale and dispensing for consideration of alcoholic beverages in this area of the City. The Property is located on Hollywood Boulevard, and is designated as Regional Center Commercial by the Community Plan. The Property's land use designation encourages a vibrant mixture of uses including residential, commercial retail and commercial office. Multiple restaurants, eateries, and bars are expected in regional centers. Many of these venues must have the ability to serve alcohol to ensure their success. Therefore, given the Property's location in the Hollywood Community, granting the application will not create an undue concentration.

According to the California Business and Professions Code, the definition of an undue concentration is a circumstance when the "ratio of on-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of on-sale retail licenses to population in the county in which the applicant premises are located."<sup>7</sup> This definition, however, does not include factors such as employment density and tourism. Tourism is a driving economic force in only a handful of the State's Census Tracts, including the Property's Census Tract (CT 1902.02). In these cases, the State's definition of an undue concentration unfairly omits factors that determine the societal need for alcohol-serving restaurants within a region. Tourists have had, and will likely continue to have, a preference towards restaurants that serve alcohol. Therefore, a concentration of alcohol-serving restaurants, such as the Existing Operation, is necessary for the economic well-being of areas designed for tourism activity.

Moreover, granting the application will not introduce a new license because it would simply allow the continued use the license existing on the Property. The Existing Operation is operating pursuant to ABC License 510824 and will continue to operate under this license. Granting the application will only result in the continuance of the Existing Operation, with the same operational character as currently exists. A new ABC license is not needed and a new ABC license will not be added to the community. Therefore, granting the application will not create an undue concentration of ABC licenses in the surrounding community.

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

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<sup>7</sup> CA Business and Professions Code Section 23958.4(a)(2)

The Project will have no detrimental effect to the residentially zoned communities or establishments. The uses listed such as churches, school, and playgrounds are all most active during the daytime while restaurants, such as the Existing Operation, receive most of their business during the evening hours. None of these establishments would have their busiest hours coincide with each other, and even if a restaurant is open for lunch it generally receives far less business than during dinner hours. Additionally, the Existing Operation fronts Hollywood Boulevard, the busiest street in the neighborhood. Noise and traffic from Hollywood Boulevard are prevalent with or without the Existing Operation. Residents of the area feel no additional detrimental effect from the presence of the Existing Operation.

Given the Project is located in the Hollywood Redevelopment Project Area, the Community Plan acknowledges the need for a thriving street atmosphere. New residents are coming to Hollywood, looking for a vibrant, transit-oriented culture. Specifically, they move into the area expecting to live where they will have many options for food, entertainment and shopping within a short walking distance. As such, the Existing Operation is what local residents are looking for.

# EXHIBIT A

Cabo  
(8.20.15 HRG)

LOS ANGELES POLICE DEPARTMENT

**CHARLIE BECK**  
Chief of Police



**ERIC GARCETTI**  
Mayor

P. O. Box 30158  
Los Angeles, Calif. 90030  
Telephone: (213) 972-2996  
TDD: (877) 275-5273  
Ref #: 6.1

August 19, 2015

Ms. Linn Wyatt, Chief Zoning Administrator  
Office of Zoning Administration  
200 North Spring Street, 7th Floor  
Los Angeles, California 90012

CASE NO. ZA 2014-4151(CUB)

Dear Ms. Wyatt:


The Los Angeles Police Department (LAPD), Hollywood Area, received written correspondence from the Department of City Planning that applicant, **CCHLWD, LLC** doing business at 6669 Hollywood Boulevard, Suite A, Los Angeles is applying for continued use of an existing Conditional Use Beverage (CUB).

The LAPD has reviewed the Master Land Use Permit Application and conducted an on-site inspection. At this time, we have no opposition to the continued use of the permit. However, we do have question as to the relevance of Condition 9 of the current CUB which states, "The restaurant shall be open 24 hours a day, 7 days a week." Throughout its tenure, the restaurant has not utilized, and shows no inclination of using those hours (their operational hours are 11 a.m.-2 a.m.). We would request a condition more representative of the hours of actual operation. In addition, we would like to add a few conditions which appear to have become standard on many of the recently issued CUBs (see attached). Should you choose to approve the CUB, we do request that the above concerns and attached conditions be taken into consideration.

Thank you for your cooperation in this matter. If you have any questions or concerns, please contact Officer Jeffry Poole [36827@lapd.lacity.org](mailto:36827@lapd.lacity.org) or, Officer Randall Kutscher [36827@lapd.lacity.org](mailto:36827@lapd.lacity.org) ABC Section, Hollywood Vice at: (213) 972-2996.

Very truly yours,

**CHARLIE BECK**  
Chief of Police

  
**PETER A. ZARCONE**, Captain  
Commanding Officer  
Hollywood Area

**AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER**  
[www.LAPDonline.org](http://www.LAPDonline.org)  
[www.joinLAPD.com](http://www.joinLAPD.com)

**Conditional Use Permit (CUP/ABC) recommendations for:**  
**6669 Hollywood Blvd                      ZA 2014-4151 (CUB)**

- ✓ 1. Within six months of the date of this determination and within six months of hire, all personnel acting in the capacity of a manager of the premise and all personnel who serve alcoholic beverages shall attend Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months. Upon completion of the training, the applicant shall provide evidence to the Zoning Administrator that such training was provided.
- 2 ② Electronic age verifications device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premise at each point-of-sale location. This device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.
- ✓ 3. The hours of operation shall start after 10 a.m. daily and not exceed 2 a.m. each day of the week. After-hours use of the facility, other than for routine clean-up and maintenance, is not permitted.
- 2 ④ This grant shall have a life of five (5) years after which time the grant shall lapse and the applicant shall need to file for and win approval of a new conditional use permit in order to continue the use of the land as authorized.
- ✓ 5. The premises 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 of the full menu shall be available at all times during all operating hours. All alcohol shall be sold in conjunction with food service.
- ⑥ The applicant shall not sublet the premises to outside "promoters" for nightclub or concert activity.
7. All tables and booths shall be furnished with cutlery, condiments and other eating utensils available where food may be comfortably consumed by patrons.
8. Only the front door shall be used for patron access. All other doors shall be equipped on the inside with an automatic locking device and shall be kept closed at all times other than to permit temporary access for delivery of supplies and trash removal. These doors shall not consist solely of a screen or ventilated security door but shall be solid.
9. Partitions separating booth/dining areas shall not exceed 54 inches in height. No obstructions shall be attached, fastened or connected to the booth/dining areas within the interior space for the facility that restrict, limit, or obstruct the clear observations of the occupants.
- ✓ 10. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and private security.
11. 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 and no floodlighting shall be located as to be seen directly by persons on adjacent properties. ✓
12. There shall be no pool table or billiards table, electronic games, coin-operated games, dart games, or video machines maintained upon the premises at any time. ✓
13. There shall be no live entertainment or music allowed. A single ambient DJ shall not be deemed a violation of this condition, with the requirement that any sound, or noise emitted that is under the control of the petitioner(s) shall not be audible beyond the location. ✓

**SUBMITTED  
AT HEARING  
BY LAPD**

**Conditional Use Permit (CUP/ABC) recommendations for:**  
**6669 Hollywood Blvd                      ZA 2014-4151 (CUB)**

14. Petitioner(s) shall not require an admission charge or cover charge. Any advertisement of an admission charge or cover charge is prohibited.
15. There shall be no Adult Entertainment of any type pursuant to L.A.M.C. Section 12.70.
16. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licensee provide, permit, or make available, either gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of and for the customer.
17. Any future operator or owner for this site must file a new Plan Approval Application or an equivalent to allow the City of Los Angeles to review the "mode and character" of the usage, and attached appropriate conditions of use.
18. The owner/restaurant operator shall at all times maintain the abutting sidewalk and alley free of obstruction. Any sidewalk area patio or alley patio seating must be approved by a revocable permit from the Department of Public Works and be enclosed in such a manner that a passerby cannot grab food or beverages off the tables.
19. Petitioner(s) shall install and maintain security cameras and a three-month video library that covers all common areas of the business, high-risk areas, sidewalk areas, and entrances or exits. The videotapes shall be made available to police upon request.
20. The Petitioner(s) shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of being applied.
21. A copy of these conditions shall be maintained on site in the office. Additionally a copy shall be provided to all employees who shall sign an acknowledgement form stating that they have read and understood all of the ABC and conditional use permit conditions. Said form shall be maintained at the location by the owner and/or manager who shall present it to Police personnel, ABC investigators or any other City agency upon request. All licenses, permits and conditions shall be posted in a conspicuous location at the subject establishment.
22. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid emergency contact phone number for the Security Company service(s), Valet Company service(s), and the property owner.
23. The applicant shall provide the Zoning Administrator a copy of each license, suspension thereof, or citation issued by the State Department of Alcoholic Beverage Control or the Los Angeles Police Department upon such instance.
24. The facility shall not be leased or contracted out to third party promoters that will require a cover charge or prepayment for admission to the facility for uses such as or similar to rave parties, electronic music parties, or record release parties advertised and open to the general public.
25. There shall be no service, sales or possession of an alcoholic beverage on any sidewalk area or adjacent parking lot or alley way. There shall not be off-site sales of Alcohol beverages.
26. During all hours of operation, the Petitioner(s) shall provide a minimum of one (1) security guard on the premise. The security guard shall not have any other activities other than those that are security related. Security personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross first-aid card. The security personnel shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement personnel.



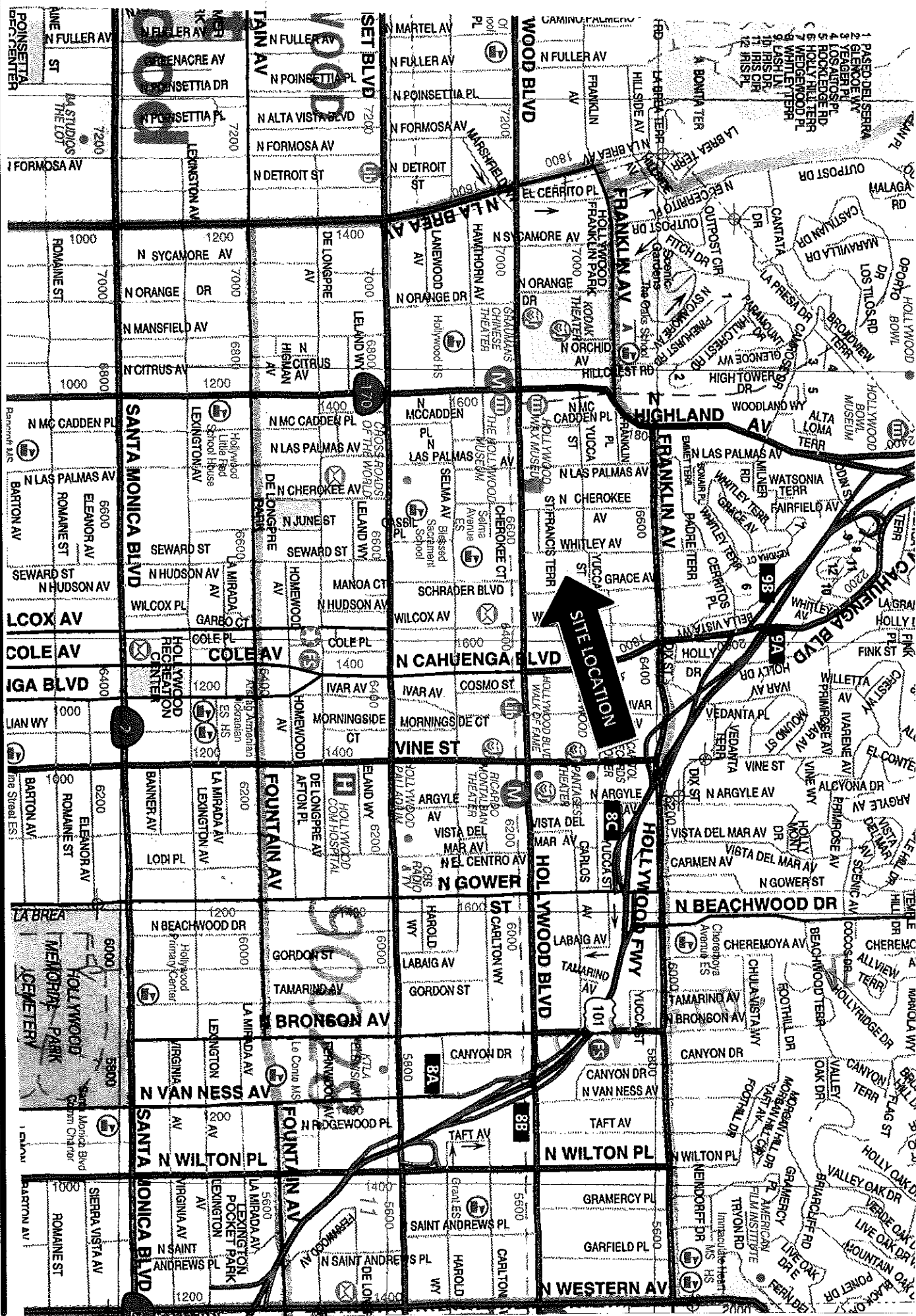
**Conditional Use Permit (CUP/ABC) recommendations for:**  
**6669 Hollywood Blvd                      ZA 2014-4151 (CUB)**

27. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the license's business. Said records shall be kept no less frequently than a quarterly basis and shall be made available at the premises to the Police Department on demand. ✓
28. There shall be no "Bottle Service" of distilled spirits, nor "Buckets" of Beer allowed. Portable bars are prohibited. There shall be no "Minimum drink" required of patrons. In addition, there shall be NO sales of table(s) and/or seating where alcoholic beverages are in any way included in the sale cost of the seating. ✓
29. A "Free Designated Driver Program" shall be implemented in which free non-alcoholic beverages such as water, coffee, tea and soft drinks will be offered to the designated driver of a group. The availability of this program shall be made known to restaurant patrons either via a two-sided card placed on all tables and/or a program description printed on the menu. ✓
30. 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 his/her initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-I (Miscellaneous Plan Approval), the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall 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 and the Los Angeles Police Department's corresponding division. 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.

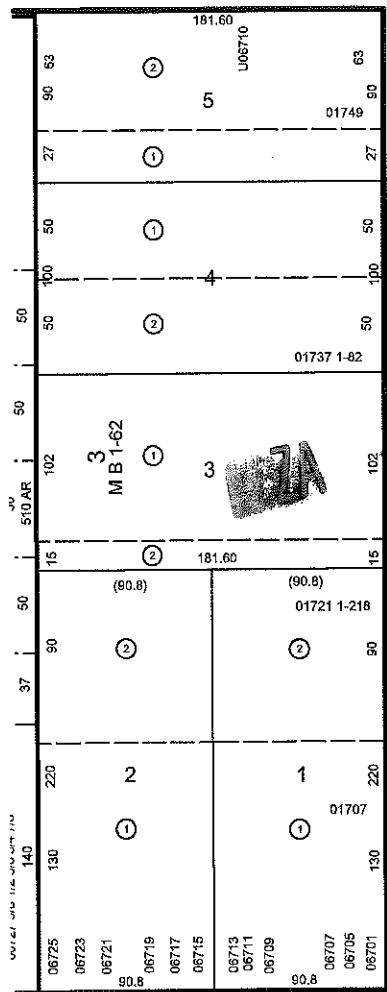
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6669 W. HOLLYWOOD BOULEVARD  
LOS ANGELES, CA 90028

CASE NO: .

T.B. PAGE: 593 GRID: E-4



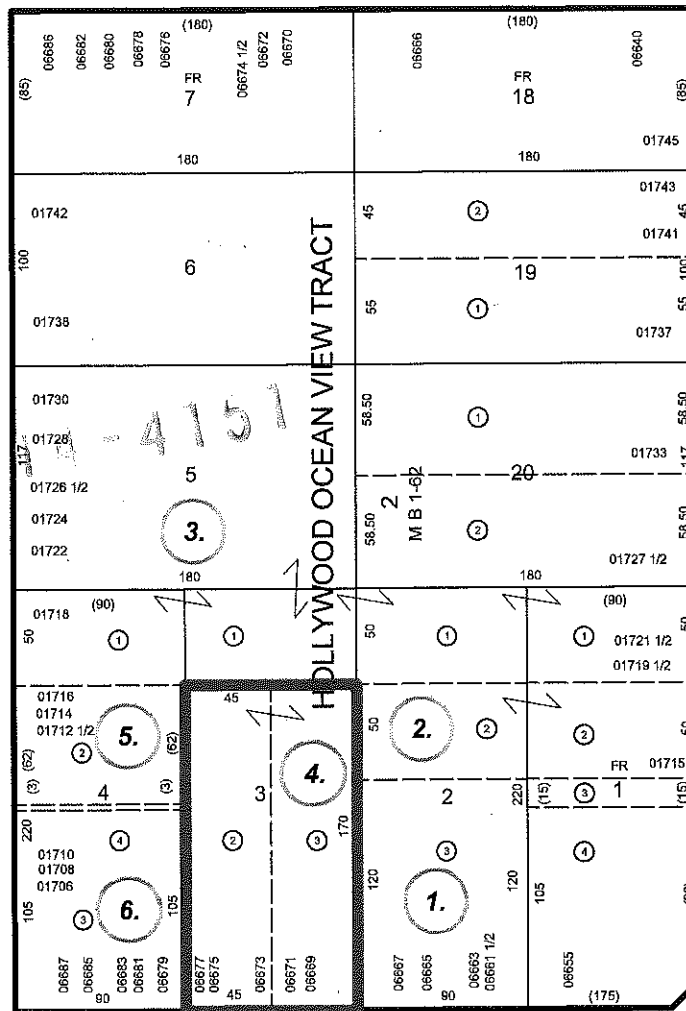
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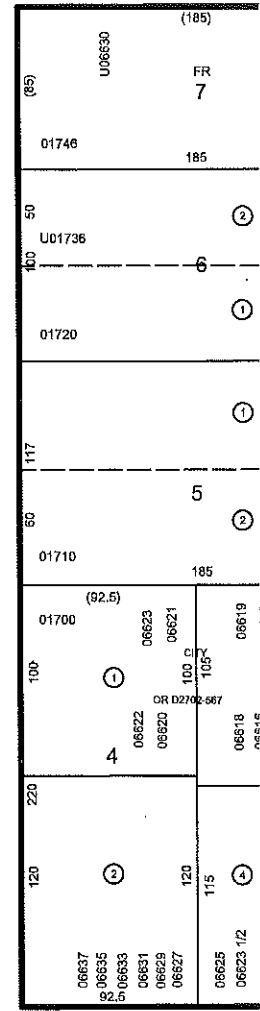


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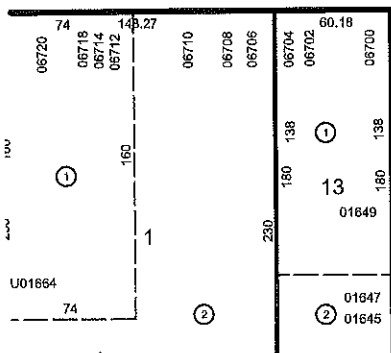
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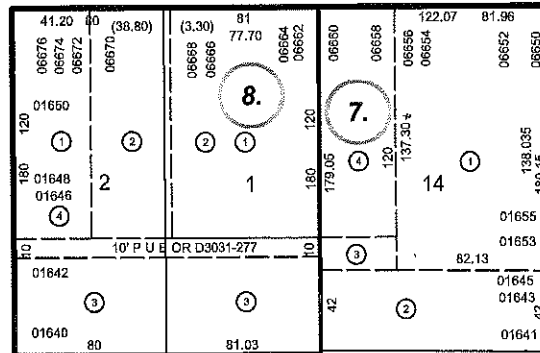


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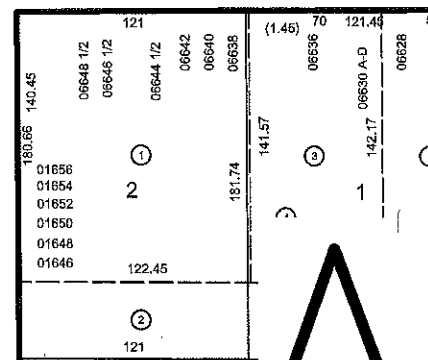
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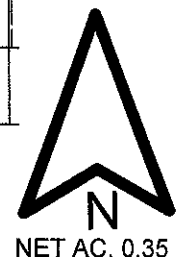
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CHEROKEE AVE 50



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C.T. 1902.02  
P.A. HOLLYWOOD  
N.C. HOLLYWOOD  
HILLS WEST



NET AC. 0.35

# ABUTTING OWNERSHIP MAP

## RADIUS MAPS ETC

3544 PORTOLA AVENUE  
LOS ANGELES CA 90032  
TEL/FAX: (323) 221-4555

[radiusmapsetc@sbcglobal.net](mailto:radiusmapsetc@sbcglobal.net)

**SITE LOCATION:**  
6669 W. HOLLYWOOD BOULEVARD  
LOS ANGELES CA 90028

**LEGAL DESCRIPTION:**  
S. 170 FT. OF LOT 3 (ARB 2,3), BLOCK 2,  
HOLLYWOOD OCEAN VIEW TRACT,  
M.B. 1-62. (SEE APPLICATION)

## LEGEND

5. OWNERSHIP NO.  
1. OWNERSHIP HOOK

CASE NO.:

DATE: 05 - 17 - 2017  
SCALE: 1" = 100'  
D.M.: 148.5 A 185  
T.B.PAGE: 593 GRID: E-4  
APN: 5547-009-006

COUNTY CLERK'S USE

## CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 360  
LOS ANGELES, CALIFORNIA 90012

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY

City of Los Angeles Department of City Planning

COUNCIL DISTRICT

13

PROJECT TITLE

\* Calao Cantina

LOG REFERENCE

ENV-2017-2235-CG

PROJECT LOCATION

\* 6669 Hollywood Blvd, Los Angeles, CA 90028

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

\* Plan Approval to modify conditions of the existing CUP, ZA-2014-4151-CND

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

\*

CONTACT PERSON

\*

AREA CODE

\*

TELEPHONE NUMBER

\*

EXT.

EXEMPT STATUS: (Check One)

## STATE CEQA GUIDELINES

## CITY CEQA GUIDELINES

- |   |                      |                            |
|---|----------------------|----------------------------|
| <input type="checkbox"/> MINISTERIAL                      | Sec. 15268           | Art. II, Sec. 2b           |
| <input type="checkbox"/> DECLARED EMERGENCY               | Sec. 15269           | Art. II, Sec. 2a (1)       |
| <input type="checkbox"/> EMERGENCY PROJECT                | Sec. 15269 (b) & (c) | Art. II, Sec. 2a (2) & (3) |
| <input checked="" type="checkbox"/> CATEGORICAL EXEMPTION | Sec. 15300 et seq.   | Art. III, Sec. 1           |

Class 5 Category 34 (City CEQA Guidelines)

- ☐ OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)

JUSTIFICATION FOR PROJECT EXEMPTION: Granting of a conditional use for the on-site consumption of alcoholic beverages pursuant to L.A.M.C. sections 12.24 W 1 and 12.24 X 2; beverages will be dispensed and consumed do not exceed an occupant load of 200 persons, and provided that the premises will not also require an original dancehall, skating rink or bowling alley permit from the Los Angeles Police Commission.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE

TITLE

DATE

FEE:

\$81.00

RECEIPT NO.

37618

REC'D BY

Justine Shaw

DATE

6/9/17

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record  
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

\* Maria Velasco  
NAME (PRINTED)

\* 6/6/17  
DATE

\* [Signature]  
SIGNATURE

COUNTY CLERK'S USE

## CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 360  
LOS ANGELES, CALIFORNIA 90012

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

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LEAD CITY AGENCY

City of Los Angeles Department of City Planning

COUNCIL DISTRICT  
13

PROJECT TITLE

W 6669 Hollywood Blvd

LOG REFERENCE

ENV-2017-2235-C6

PROJECT LOCATION

W 6669 Hollywood Blvd, Los Angeles, CA 90028

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

W Plan Approval to modify conditions of the existing CUP, ZA-2014-4151-CUB

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

W

CONTACT PERSON

W

AREA CODE

W

TELEPHONE NUMBER

W

EXT.

EXEMPT STATUS: (Check One)

## STATE CEQA GUIDELINES

## CITY CEQA GUIDELINES

9 MINISTERIAL

Sec. 15268

Art. II, Sec. 2b

9 DECLARED EMERGENCY

Sec. 15269

Art. II, Sec. 2a (1)

9 EMERGENCY PROJECT

Sec. 15269 (b) &amp; (c)

Art. II, Sec. 2a (2) &amp; (3)

U CATEGORICAL EXEMPTION

Sec. 15300 *et seq.*

Art. III, Sec. 1

Class 5 Category 23 (City CEQA Guidelines)

9 OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)

JUSTIFICATION FOR PROJECT EXEMPTION: Granting or renewal of a variance or conditional use for a non-significant change of use of land.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE

TITLE

DATE

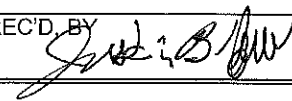
FEE:

\$81.00

RECEIPT NO.

37618

REC'D BY



DATE

6/9/17

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record  
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

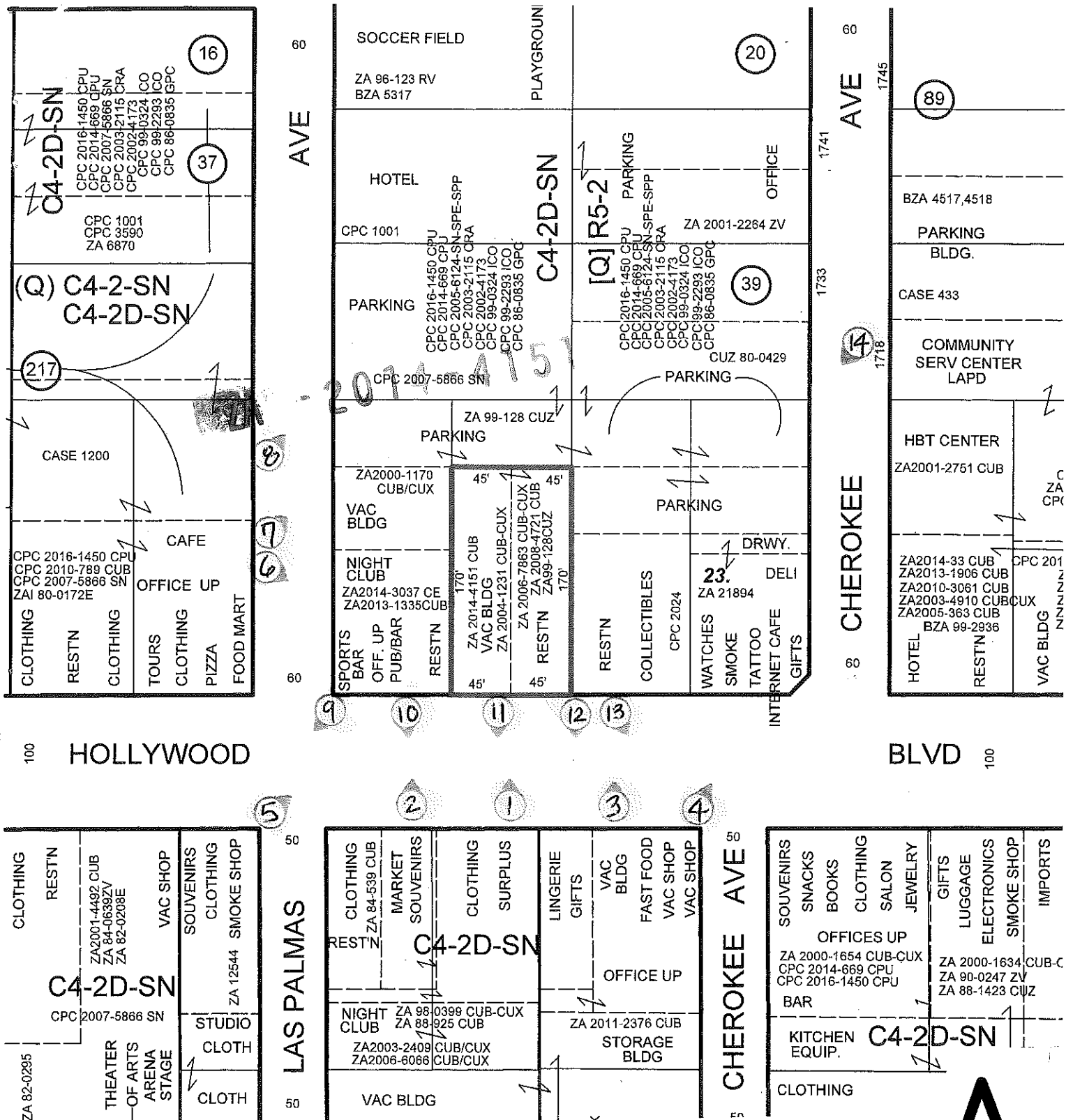
W Marc Levun

NAME (PRINTED)

W   
SIGNATURE

W 2/17/17

DATE



## PHOTO BROCHURE

### RADIUS MAPS ETC

3544 PORTOLA AVENUE  
LOS ANGELES CA 90032  
TEL/FAX: (323) 221-4555

radiusmapsetc@sbcglobal.net

### SITE LOCATION:

6669 W. HOLLYWOOD BOULEVARD  
LOS ANGELES CA 90028

### CASE NO.:

DATE: 05 - 17 - 2017  
D.M.: 148.5 A 185  
T.B. PAGE: 593 GRID: E-4  
APN: 5547-009-006

1.



2.

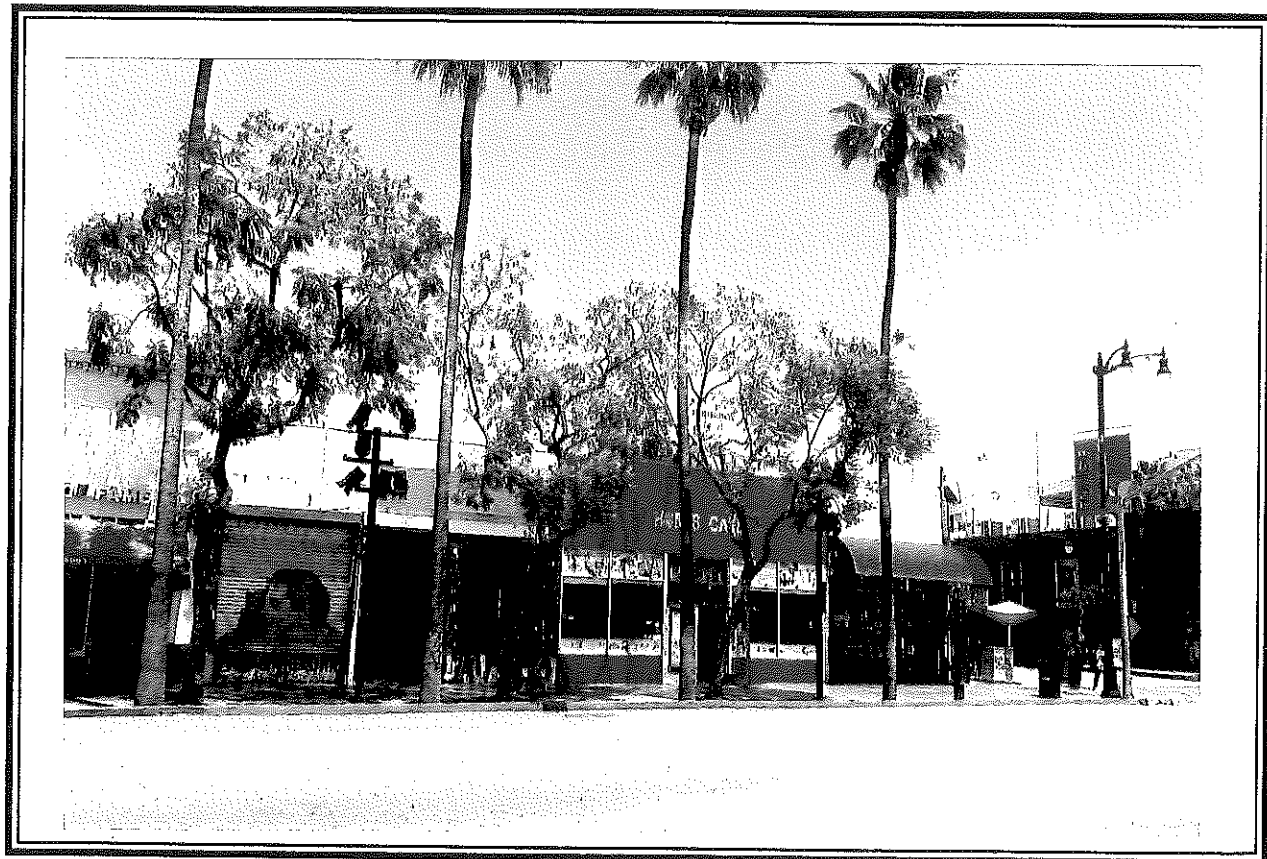




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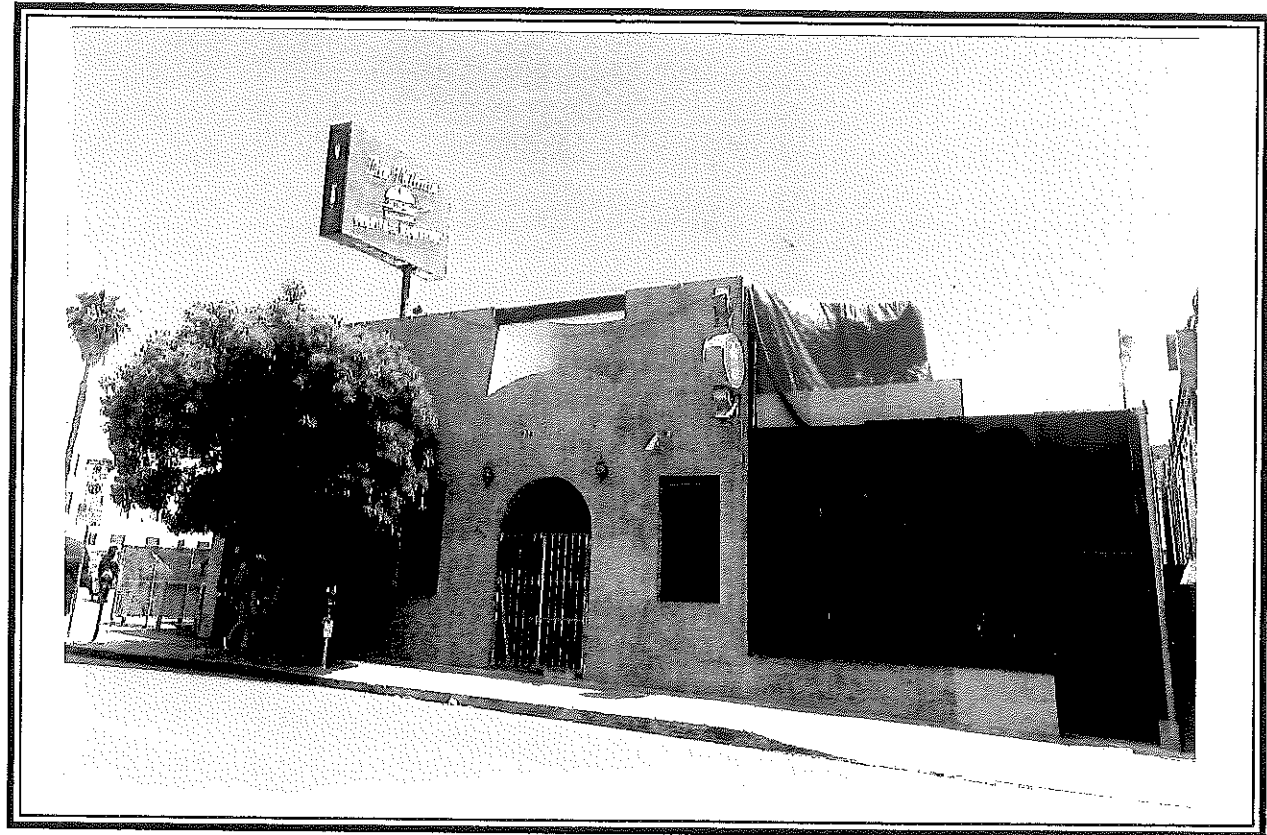
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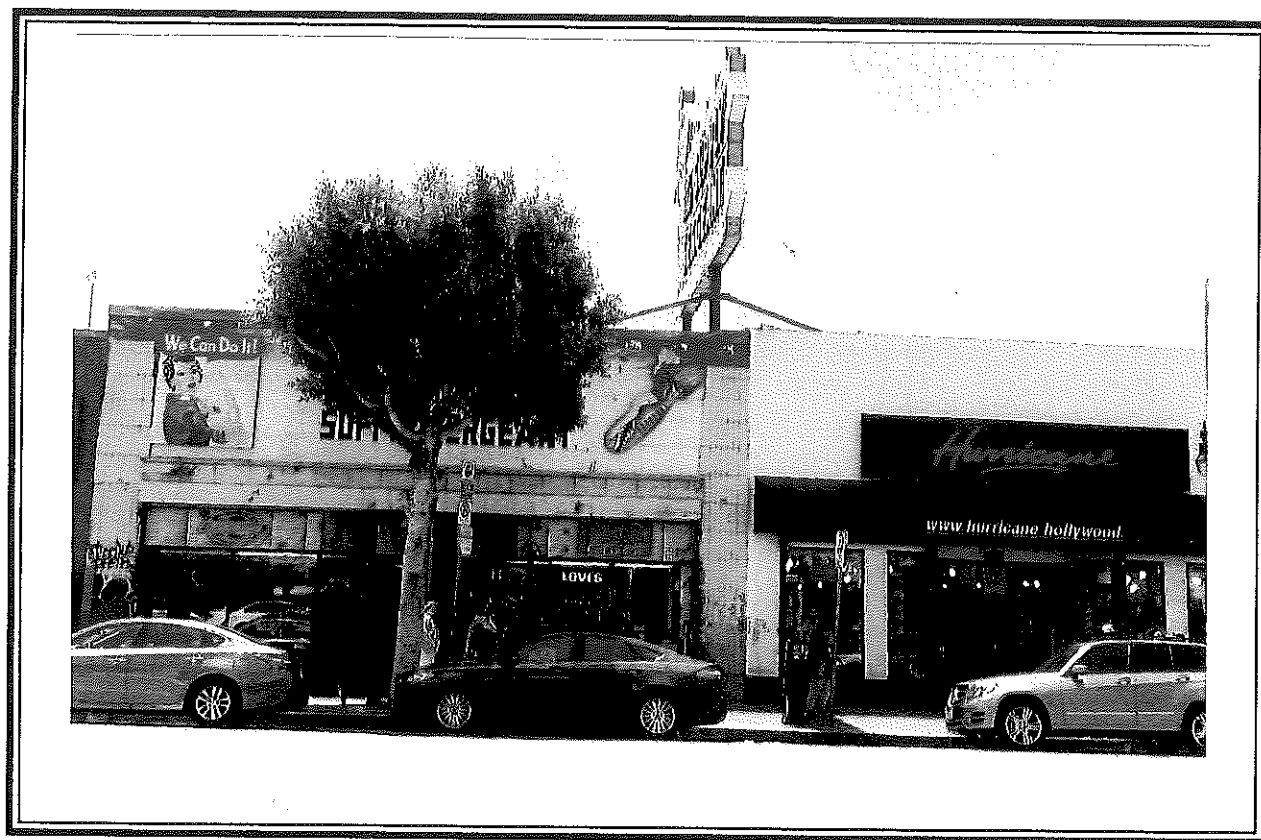
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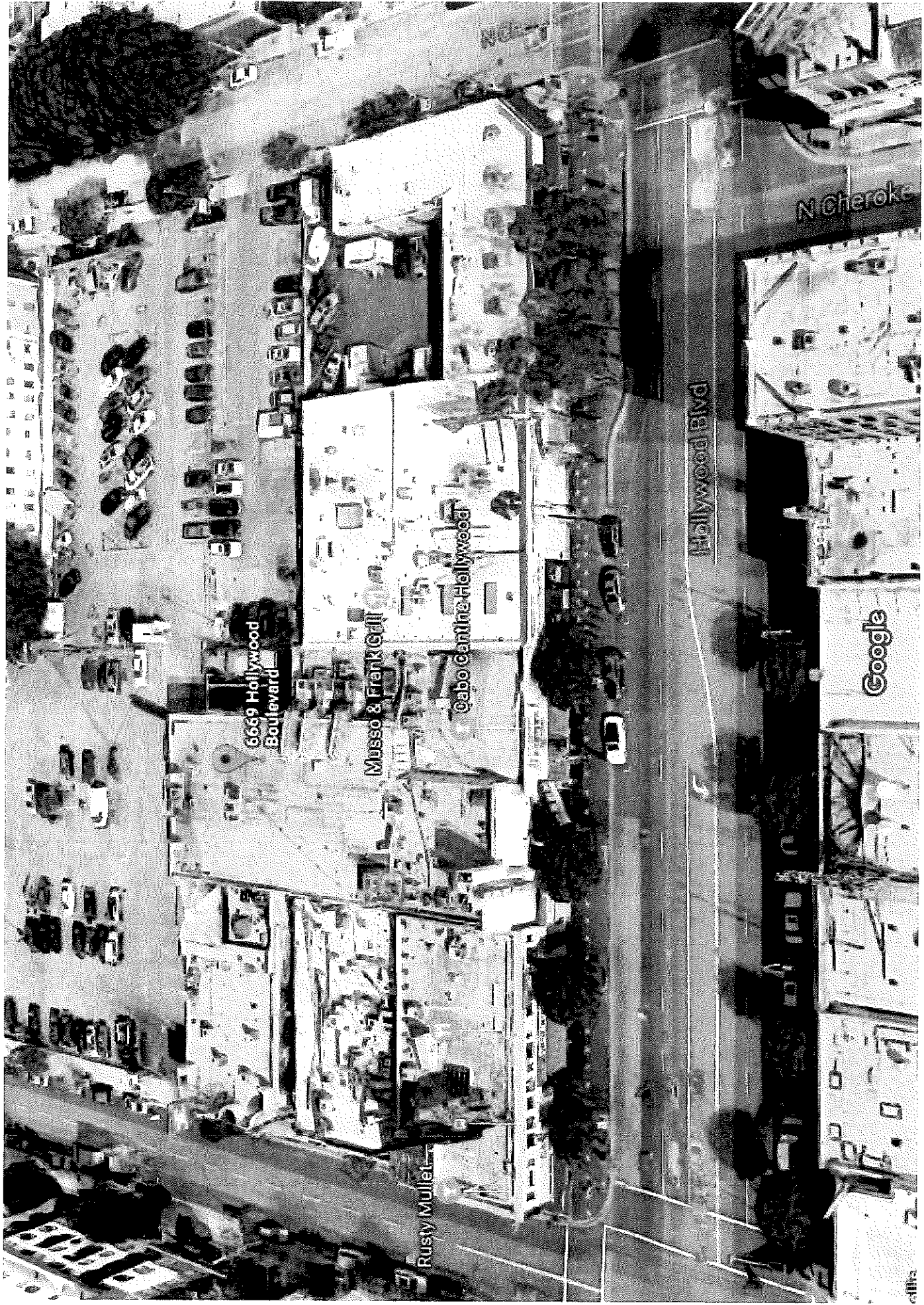
13.



14.







LINN K. WYATT  
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG  
LOURDES GREEN  
THEODORE L. IRVING  
CHARLES J. RAUSCH, JR.  
JIM TOKUNAGA  
FERNANDO TOVAR  
DAVID S. WEINTRAUB  
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES  
CALIFORNIA



ERIC GARCETTI  
MAYOR

DEPARTMENT OF  
CITY PLANNING  
MICHAEL J. LOGRANDE  
DIRECTOR

OFFICE OF  
ZONING ADMINISTRATION

200 N. SPRING STREET, 7TH FLOOR  
LOS ANGELES, CA 90012  
(213) 978-1318  
FAX: (213) 978-1334  
[www.planning.lacity.org](http://www.planning.lacity.org)

October 7, 2015

CCHLWD, LLC (A)  
6669 Hollywood Boulevard  
Los Angeles, CA 90028

812 La Cienega Partners, LP (O)  
6925 Hollywood Boulevard  
Los Angeles, CA 90028

Michael Gonzales (R)  
Gonzales Law Group  
555 S Flower Street, Suite 650  
Los Angeles, CA 90013

CASE NO. ZA 2014-4151(CUB)  
CONDITIONAL USE  
6669 Hollywood Boulevard  
Planning Area: Hollywood  
Zone: C4-2D-SN  
D.M.: 148-5A185  
C. D.: 13  
CEQA: ENV-2014-4152-CE  
Legal Description: Lot 3 (Arbs 2 and 3),  
Block 2, Hollywood Ocean View Tract

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

a Conditional Use Permit to allow the continued sale and dispensing of a full line of alcoholic beverages in conjunction with an existing restaurant in the C4-2D-SN 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.

9. **Within 30-days from the 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 CCU for attachment to the subject case file.
10. **Within 30 days of the effective date of this grant**, the applicant shall establish a "Free Designated Driver Program" which may include, but it is not limited to, free non-alcoholic beverages, such as water, 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. A copy or sample of the signs/cards and/or of the menu shall be submitted to the CCU for inclusion in the case file.
11. **Within 30-days from the date of this grant**, evidence of a camera surveillance system shall be submitted to the Condition Compliance Unit. The system shall be maintained to monitor interior and exterior areas of the premises. Recorded tapes/images shall be maintained for a minimum period of three (3) months. The tapes shall be furnished to the Los Angeles Police Department upon request. Evidence of the system may be by an invoice/receipt from the installer, photographs of the cameras installed, the central monitoring screen and a schematic plan cross-referencing the camera locations. The video camera location plan will be maintained in the Condition Compliance Unit and be made available to the Police Department and the Department of Building and Safety for the purpose of verification or inspections.
12. The Applicant shall provide at least one (1) State Licensed security guard during all hours of operations. The guards shall comply with the requirements of the California Business and Profession Code Section 7582.26(f) and the Los Angeles Police Commission standards. The security guard shall maintain an active American Red Cross first-aid card and shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement. A copy of the security agreement/contract and the first-aid card shall be provided to the Condition Compliance Unit for inclusion in the case file, **prior to the effectuation of this grant**.
13. **Within 30-days from the date of this grant**, an electronic age verification device shall be purchased and retained on the premises for use during operational hours. This device shall be maintained in operational condition and all employees shall be instructed in its use. A copy of the purchase receipt and photographs of the device shall be provided to the Condition Compliance Unit for inclusion in the case file.



18. Within the **first six months of the beginning of operations** at this establishment, all employees, all employees involved with the sale of beer and wine shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter referencing Case No. ZA-2014-4151(CUB), from the Police Department to the Condition Compliance Unit as evidence of compliance. In the event there is a change in the licensee, within six months of such change, this training program shall be required for all new staff. The STAR training shall be conducted for all new hires within two months of their employment.
19. At least one on-duty manager with authority over the activities within the facility shall be on the premises at all times that the facility is open for business. 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 facility to discourage illegal and criminal activity on the subject premises and any exterior area 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.
20. Any music, sound or noise including amplified or acoustic music which is under control of the applicant shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance) and shall not be audible beyond the subject premises. At any time during the term of the grant a City inspector may visit the site during operating hours to measure the noise levels using a calibrated decibel/sound level meter. If, upon inspection, it is found that the noise level exceeds those allowed by the Citywide Noise Ordinance, 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.
21. Entertainment in conjunction with the restaurant is limited to amplified ambience background music, including a single DJ, to compliment the dining experience at a low volume such that it is not audible beyond the premises.
22. Karaoke is not allowed.
23. 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.
24. The exterior windows and glass doors of the liquor store shall be maintained substantially free of signs and other materials from the ground to at least six (6)

30. **MVIP – Monitoring, Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.

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

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City

**VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 12.29 of the Los Angeles Municipal Code provides:

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

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

**APPEAL PERIOD- EFFECTIVE DATE**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **OCTOBER 22, 2015**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at <http://planning.lacity.org>. Public offices are located at:

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

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

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

site primarily functions as a neighborhood-serving commercial business and does not have its own designated parking area.

In 2009, the Zoning Administrator approved Case No. ZA 2008-472-CUB ("2008 ZA Case") for the sale and dispensing of a full line of alcoholic beverages in conjunction with an existing 2,592 square-foot restaurant with 51 seats in the interior dining room and 24 seats in the front patio. The 2008 ZA Case, granted the Applicant a grant term of 5 years which expired on July 3, 2014. On November 4, 2014, the Applicant submitted an application requesting to renew said grant.

The subject application entails a conditional use to permit the continued sale and dispensing of a full-line of alcoholic beverages in conjunction with an existing restaurant with 51 indoor seats and 24 outdoor seats.

Hollywood Boulevard, adjoining the property to the south, is a Class II Major Highway improved with a variable width of 100 feet. The Hollywood Walk of Fame is a designated Cultural Monument (No. 194).

**Cases, permits and orders on the subject property):**

Case No. ZA 2006-7863-CUB-CUZ-ZV-1A-PA1 – On February 8, 2013, the Zoning Administrator determined that the use is generally in substantial compliance with the Conditions of the prior action of the Central Los Angeles Area Planning Commission dated January 28, 2008 in association with the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a supper club with dancing and live entertainment; and plans to permit the addition of an outdoor patio. (Staff Comment: Subject to the tenant Supper Club LA on the subject property).

Case No. ZA 2008-4721-CUB – On June 16, 2009, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages in conjunction with an existing 2,592 square foot restaurant with 51 seats in the interior dining room and 24 seats in the front patio in the C4-2D-SN Zone.

Certificate of Occupancy (C of O) No.67064– Issued on December 8, 2008, for a change of use 2027 sq to restaurant.

Building Permit No. 07016-70000-1784 – Issued on July 7, 2008, for a change of use from retail to restaurant. Remove partition wall between tenant spaces (6679-6671 W. Hollywood Blvd) to create on (2027 sq-ft.) restaurant space. No change in parking.

Case No. ZA 2006-7863-CUB-CUX-ZV-1A – On January 29, 2008, the Central Area Planning Commission granted the appeal; overturned the Zoning Administrator's determination dated June 20, 2007; and approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption, a Conditional use to permit public dancing, and a Variance from Section 12.16-E,5 to permit 11 required parking spaces off-site through lease in lieu of a recorded covenant. (Staff Comment: Subject to the tenant Supper Club LA on the subject property.)

alcoholic beverages for on-site consumption in conjunction with an existing restaurant; and a Conditional Use Permit authorizing dancing and live entertainment (6633 Hollywood Boulevard).

Case No. ZA 2010-789-CUB – On July 1, 2010, 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 2,121 square-foot restaurant in the [Q]C4-2D-SN Zone (6719-6721 Hollywood Boulevard).

Case No. ZA 2010-3061-CUB – On February 10, 2010, 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 2,638 square-foot restaurant with 109 seats in an existing tenant spaces in the C4-2D-SN Zone (6615-6617 Hollywood Boulevard).

Case No. ZA 2009-1840-CUB-CUX – On October 8, 2009, 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 an existing nightclub; and a Conditional Use Permit to allow patron dancing and live entertainment in the aforementioned nightclub (6623-6625 Hollywood Boulevard).

Case No. ZA 2008-3710-CUB-CUX – On July 23, 2009, the Zoning Administrator approved a conditional use permit to allow the continued sale and dispensing for a consideration of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant; and a conditional use permit for the continuation of public dancing in conjunction with an existing restaurant (6714 Hollywood Boulevard).

Case No. ZA 2006-10129-CUB-CUX – On April 4, 2008, the Zoning Administrator approved a request for a conditional use permit for the sale and dispensing of a full line of alcoholic beverages for on-site consumption, and a request for a conditional use permit for dancing throughout the building as shown on Exhibit "A" attached to the file (6608 Hollywood Boulevard).

Case No. ZA 2006-7843-CUB – On May 3, 2007, the Zoning Administrator approved a conditional use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with a 3,888 square-foot restaurant and 100 square-foot sidewalk dining area, seating a total of 161 patrons (6627-6631 Hollywood Boulevard).

Case No. ZA 2006-6066-CUB-CUX-ZV – On February 2, 2007, the Zoning Administrator approved a conditional use to permit the continued sale and dispensing for consideration of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant/club; and a conditional use to permit dancing in conjunction with an existing restaurant/club, a variance from Section 12.26-E,5 of the Municipal Code to allow required parking to be provided off-site by lease in lieu of a recorded covenant (1642 Las Palmas Avenue).

Case No. ZA 2006-8766-CUB – On January 25, 2007, the Zoning Administrator approved a conditional use to permit the sale and dispensing of beer and wine for on-site

opposed to a 10:00 a.m. opening hour, but not to stay open past 2:00 a.m. He concurred that the Golden Box is part of the building but not part of the operation.

Mr. Benjamin addressed the Hearing Officer and that their main concern is that Hollywood Boulevard is evolving into a more residential population and want to reduce the use of signage akin to a "partying" atmosphere such as the inflatable beer bottle sign, etc. He requested that, if granted, a condition should be requiring compliance with current code requirements related to signage. He requested that the matter be held under advisement to consider the signage issue.

Mr. Gonzales requested that the 24-hour operation be permitted so that they can serve breakfast and that many hotels coming in the core of Hollywood to give an alternative to the hotel dining which are open 24 hours. At minimum at 8:00 a.m. start. Requested a 10 year grant. Operator has a 15 year lease.

Will keep record open to work out the hours of operation.

#### COMMUNICATIONS:

- Letter dated August 19, 2015, from Captain Peter A. Zarcone, Commanding Officer, Hollywood Area with recommended conditions of approval.
- Draft letter dated July 27, 2015, from Anastasia Mann, President, Hollywood Hills West Neighborhood council

#### 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.

- No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licensee provide, permit, or make available, either gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of and for the customer.

hours daily originally approved in 2009 to 10:00 a.m. to 2:00 a.m. daily. Therefore, the subject grant does not represent the introduction of a new use or an intensification of an existing use to the area and will have little to no effect on the built environment or its surrounding neighborhood.

The existing operation provides a service that is beneficial to the community because it continues to provide a dining option for residents, employees and tourists that frequent the Hollywood Community. A thriving urban environment must have a vast diversity of dining options that also offer a full line of alcoholic beverages to its patrons. Approving the requested action will allow the continued operation and will not authorize a new use within the subject tenant space or on the Property.

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

The project site is located within an established commercial district, in a commercially designated zone and along heavily trafficked thoroughfare. The project's location is compatible to the adjacent uses and the surrounding neighborhood due to the concentration and diversity of restaurants and retail establishments along Hollywood Boulevard. As proposed, the continued on-site sales of a full line of alcoholic beverages does not introduce a use uncommon to the area or for similar restaurants throughout the community.

The grant requires that employees undergo training regarding the sale of alcoholic beverages conducted by the Los Angeles Police Department. Additional conditions are required to deter or mitigate other types of negative or criminal behavior associated with these types of establishments, such as a surveillance system, a security guard who is required to provide a weekly log of disturbances or violations, other types of live entertainment, dancing, adult entertainment and loitering are prohibited. The grant also requires that the establishment maintain and use an age verification device to deter and prevent underage drinking.

The subject grant for alcohol sales is authorized for a term of five years after which time the applicant will have to request authorization to continue the sale of alcohol. This allows the City an opportunity to review the operation of the restaurant anew. If the operation has been conducted appropriately and without creating problems, then a subsequent decision to allow the continuation of such sales may take that into favorable consideration. A record of poor compliance and/or nuisance complaints would allow the City the discretion to not continue the requested use and thus avoid the need to proceed with prolonged nuisance abatement proceedings. Thus, as conditioned the use is anticipated to be compatible with the surrounding area. The subject grant updates the conditions imposed by the previous 2009 grant and allows the establishment to compete with other restaurants in the area. As conditioned the grant will not adversely affect or further degrade the adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

Existing Operation furthers these goals by providing dining and drinking opportunities to residents and tourists within one of the region's most active areas. The Existing Operation also helps Hollywood "retain existing neighborhood commercial activities," as described in the Framework Element of the City's General Plan, by continuing to operate in a manner consistent with the Community Plan.

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

The proposed request for the continued sale of alcoholic beverages in association with the subject restaurant is an incidental use common to restaurants. The renewed ability to sell alcoholic beverages will simply allow the business to continue operations

The grant requires that employees undergo training regarding the sale of alcoholic beverages conducted by the Los Angeles Police Department. Additional conditions are required to deter or mitigate other types of negative or criminal behavior associated with these types of establishments, such as a surveillance system, a security guard who is required to provide a weekly log of disturbances or violations, other types of live entertainment, dancing, adult entertainment and loitering are prohibited. The grant also requires that the establishment maintain and use an age verification device to deter and prevent underage drinking.

The subject establishment has served alcohol at this establishment for the past three years. Allowing the existing operation to continue will not adversely affect the community's welfare because the permitted use has been, and continues to be compatible with the surrounding community and it is supported by both the Council Office and the Police Department, provided the hours of operation are reduced to less than a 24-hour a day operation. Additionally the community and the surrounding areas are very urban, and area residents expect uses as that offered by the subject establishment. Restaurants serving alcohol in areas such as Hollywood are not only the norm, but expected by residents and tourists alike.

**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 1,000-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 subject site is located within Census Tract 1902.02. According to the California Department of Alcoholic Beverage Control ("ABC") licensing criteria, 2 on-sale and 1 off-sale alcoholic beverage licenses are allocated to subject Census Tract No. 1902.02. Data provided on the ABC's License Query System indicate



Disturbing the Peace, 53 Disorderly Conduct, and 110 DWI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

The restaurant is located in an area of high crime. The conditions imposed in this grant address the negative impacts commonly associated with alcoholic beverages. These impacts are typically increased criminal activity, loitering, noise and public drunkenness. The measures imposed such as requiring lighting, surveillance, establishing a Designated Driver Program and prohibiting uses such as night clubs, loud live entertainment and loitering will minimize the impact on the community.

The Property is located on Hollywood Boulevard, and is designated as Regional Center Commercial by the Community Plan. The Property's land use designation encourages a vibrant mixture of uses including residential, commercial retail and commercial office. Multiple restaurants, eateries, and bars are expected in regional centers. Many of these venues must have the ability to serve alcohol to ensure their success.

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

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

Multi-Family Residential Homes, Las Palmas Avenue  
Ecclesia Hollywood, 6433 Hollywood Boulevard  
Church of Scientology, 6724 Hollywood Boulevard  
Music Institute, 6752 Hollywood Boulevard  
International Dance Academy, 6755 Hollywood Boulevard  
Church of the Blessed Sacrament School, 6641 Sunset Boulevard  
Church of the Blessed Sacrament, 6657 Sunset Boulevard  
Selma Park, 6567 Selma Avenue  
First Baptist Church, 6682 Selma Avenue  
YMCA, 1553 Schrader Boulevard  
Theater of Arts College for the Contemporary, 1647 Las Palmas Avenue  
Canyon Co-Operative Pre School, 1820 Las Palmas Avenue  
Las Palmas Senior Center, 1820 Las Palmas Avenue

The subject property is located within the C4-2D-SN Zone within the Hollywood Community Plan area. The subject restaurant is surrounded by properties within the same zoning classification. The area is a busy region of Hollywood Boulevard. Residential uses in the vicinity are immersed in a lively, mixed-use urban environment. This grant has placed a number of conditions on the proposed

COUNTY CLERK'S USE

## CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 360  
LOS ANGELES, CALIFORNIA 90012

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY <b>City of Los Angeles Department of City Planning</b>		COUNCIL DISTRICT <b>13</b>	
PROJECT TITLE W 6669 Hollywood Blvd		LOG REFERENCE ENV	
PROJECT LOCATION W 6669 Hollywood Blvd, Los Angeles, CA 90028			
DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: W Plan Approval to modify conditions of the existing CUP, ZA-2014-4151-CUB			
NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY: W			
CONTACT PERSON W	AREA CODE W	TELEPHONE NUMBER W	EXT.
EXEMPT STATUS: (Check One)			
	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES	
9 MINISTERIAL	Sec. 15268	Art. II, Sec. 2b	
9 DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)	
9 EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)	
U CATEGORICAL EXEMPTION	Sec. 15300 et seq.	Art. III, Sec. 1	
Class <u>5</u> Category <u>23</u> (City CEQA Guidelines)			
9 OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)			
JUSTIFICATION FOR PROJECT EXEMPTION: Granting or renewal of a variance or conditional use for a non-significant change of use of land.			
IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.			
SIGNATURE		TITLE	DATE
FEE:	RECEIPT NO.	REC'D. BY	DATE

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record  
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

W Marc Levun  
NAME (PRINTED)

W   
SIGNATURE

W 2/17/17  
DATE

MICHAEL LOGRANDE  
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

PATRICIA BROWN  
R. NICOLAS BROWN  
SUE CHANG  
ANIK CHARRON  
LARRY FRIEDMAN  
LOURDES GREEN  
ERIC RITTER  
LINN K. WYATT  
MICHAEL S.Y. YOUNG  
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

DEPARTMENT OF  
CITY PLANNING

S. GAIL GOLDBERG, AICP  
DIRECTOR

OFFICE OF  
ZONING ADMINISTRATION

200 N. SPRING STREET, 7TH FLOOR  
LOS ANGELES, CA 90012  
(213) 978-1318  
FAX: (213) 978-1334  
www.lacity.org/PLN

June 16, 2009

Alan Hajjar (A)  
6714 Hollywood Boulevard  
Los Angeles, CA 90028

812 La Cienega Partners, LP (O)  
8228 Sunset Boulevard  
Los Angeles, CA 90069

Elizabeth Peterson (R)  
Elizabeth Peterson Group  
1850 Industrial Street, #606  
Los Angeles, CA 90021

CASE NO. ZA-2008-4721(CUB)  
CONDITIONAL USE  
6669 Hollywood Boulevard, Suite A  
Hollywood Planning Area  
Zone : C4-2D-SN  
D. M. : 148-5A185  
C. D. : 13  
CEQA : ENV-2008-4672-MND  
Legal Description: Lot 3, Hollywood  
Ocean View Tract

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

a Conditional Use Permit to allow the sale and dispensing of a full-line of alcoholic beverages in conjunction with the operation of an existing 2,592 square foot restaurant with 51 seats in the interior dining room and 24 seats in the front patio in the C4-2D-SN Zone,

upon the following additional terms and conditions:

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



16. There shall be no Adult Entertainment of any type pursuant to L.A.M.C. Section 12.70.
17. No dancing shall be allowed at the location.
18. No pool or billiard tables may be maintained on the premises.
19. There shall be no coin-operated games or video machines maintained upon the premises at any time.
20. The Petitioner shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.
21. Any music, sound or noise emitted that is under the control of the petitioner shall not violate Section 116.1 of the Los Angeles Municipal Code.
22. The Petitioner shall provide off-street parking spaces for vehicles used by patrons of the premises as per the City of Los Angeles Zoning Regulations.
23. Petitioners shall install and maintain security cameras and a one-month video library that covers all common areas of the business, high-risk areas and entrances or exits. The videotapes shall be made available to police upon request.
24. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premises at each point-of-sale location. This device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.
25. Within six months of the date of this determination and within six months of hire, all personnel acting in the capacity of a manager of the premise and all personnel who serve alcoholic beverages shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months.
26. Petition(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance Information and a valid emergency contact phone number for the Valet service and Security Company services used by the Petitioner(s).
27. Any future operator or owner for this site must file a new Plan Approval Application or an equivalent to allow the City of Los Angeles to review the "mode and character" of the usage.

"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 \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

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

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after July 1, 2009, unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).** Public offices are located at:

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

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

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

#### **NOTICE**

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would

Case No. CPC-2006-7863-CUB-CUX-ZV: An application for the sale of a full line of alcoholic beverages at the subject site for on-site consumption in conjunction with a 17,852 square-foot restaurant/theatre with 502 seats, live entertainment, dancing, and theatrical massage with off-site parking under lease was filed on September 8, 2006. The case has been placed on hold since November 9, 2006 so the applicant could work out issues with Department of Transportation, the CRA, and the council office.

Case No. ZA-2004-1231-CUX-CUB-1A: An application to permit the sale of a full line of alcoholic beverages for on-site consumption at the subject site in an existing theater complex with live entertainment and dancing with no change in parking. Was denied and appealed soon after by the applicant, where the Central Area Planning Commission heard, and subsequently granted the appeal in favor of the applicant.

This theater project as well as the existing Mediterranean Fresh Restaurant share the same address (6669 Hollywood Boulevard), but are separate projects in separate suites. The theater/dining/ entertainment establishment is under construction and slated to open this year.

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

There are no cases, affidavits, permits or other orders on surrounding properties relevant to this particular case.

The Hollywood Community Plan Map designates the property for Regional Center Commercial land uses, which currently does not identify corresponding zones, but instead, specifies that:

...developments within the Regional Center Commercial land use designation to the equivalent of an average floor area ratio (FAR) of 4.5:1 for the entire area so designated. Proposed developments in excess of 4.5:1 up to 6:1 FAR may be permitted provided that certain objectives in the Redevelopment Plan subsection 506.2.3 are met. In order to provide incentives for historic and cultural preservation, the unused density from significant structures may be transferred to other development sites.

The property is not located within an established Specific Plan, but is subject to the following Supplemental Use District:

Ordinance No. 176,172: An ordinance establishing the Hollywood Signage Supplemental Use District pursuant to Section 13.111 of the Los Angeles Municipal Code. Effective October 4, 2004.

Hollywood Boulevard is a designated Major Highway Class II dedicated to a 100-foot width along the project's frontage.

parcel, the eastern half of the lot, is improved with a vacant theatre, and the western half (subject site) is improved with an existing 2,592 square-foot restaurant in the C4-2D-SN Zone. The restaurant, Mediterranean Fresh, has been in operation at the subject site for approximately five months. The use is comprised of an existing 2,592 square-foot restaurant with a 51-seat dining room, a 24-seat patio area, operating 24 hours daily. The subject site does not have its own designated parking area and primarily functions as a neighborhood-serving commercial business. The applicant is seeking an alcoholic beverage license to sell on-site beer and wine in conjunction with an existing restaurant.

The restaurant will provide a place for the patrons from the Kodak Theater, the Vogue Theater, and the Egyptian Theater and community members to relax and enjoy food and refreshments. The proposed location will be desirable to the public convenience and welfare as it is in the midst of a surging entertainment district within Hollywood, and is accessible by transit. This area is a destination for both tourists and local residents. Therefore, the site is convenient to the public.

**2. The location is proper in relation to adjacent uses or the development of the community.**

The subject property is located on the north side of Hollywood Boulevard with a Regional Center Commercial land use designation in the C4-2D-SN Zone and is within the Hollywood Redevelopment Project Area. Adjacent properties to the north are improved with surface parking, a hotel and residential units under construction in the C4-2D-SN and [Q]R5-2 Zones. To the south across Hollywood Boulevard are retail and office uses in the C4-2D-SN Zone. To the east and west of the subject site are restaurants and retail stores in the C4-2D-SN Zone. There are no single family uses in the immediate area. The area is a dense urban area that has been undergoing a transformation in the past five years. The Hollywood Boulevard location is an appropriate spot for alcohol service in conjunction with a sit down restaurant. The location is proper in relation to adjacent uses and development of the community because it follows an established pattern of orienting dining with alcohol service in a Regional Center away from low density residential uses.

**3. The use will not be materially detrimental to the character of the development in the immediate neighborhood.**

The proposed service of a alcohol for on-site consumption at an existing restaurant will not be materially detrimental because the area is primarily characterized by retail and restaurant uses. The location along Hollywood Boulevard is an appropriate location for sit-down dining. The primary focus of the restaurant is the serving of food and not alcohol. The applicant in conjunction with the Neighborhood Council and LAPD Vice Unit volunteered numerous conditions of approval which will reduce the impact of the operation of the restaurant.

According to the State Department of Alcoholic Beverage Control (ABC), there are 45 active existing licenses for the sale of on-site consumption issued within Census Tract No. 1902. The State Department of Alcoholic Beverage Control has allotted approximately six on-site and four off-site licenses to this tract. The tract is therefore over concentrated. Over-concentration can be undue when the addition of a license will negatively impact a neighborhood. Over-concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. Although the census tract is numerically over-concentrated, the project will not adversely affect community welfare because the restaurant is a desirable use in an area designated for such.

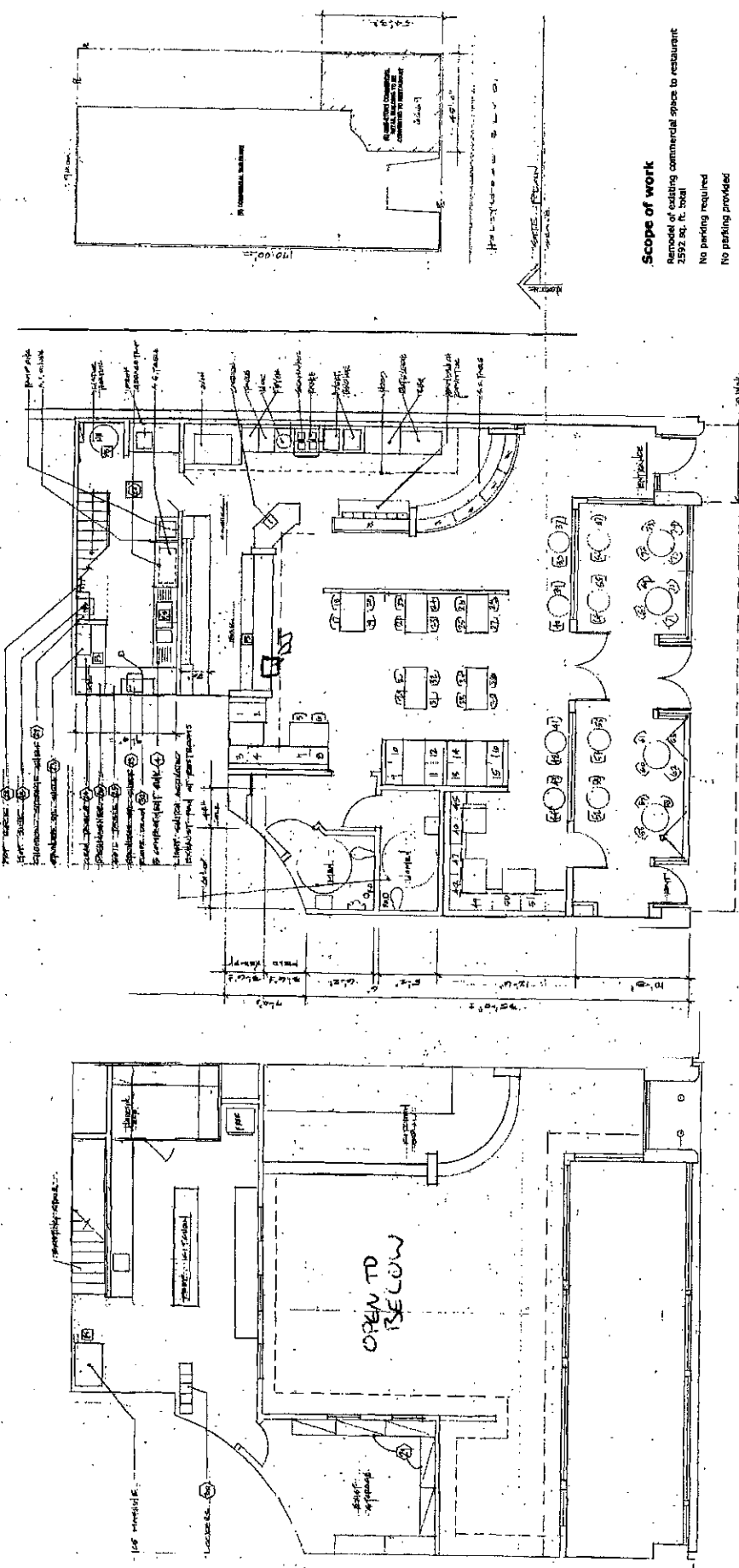
Statistics from the Los Angeles Police Department reveal that in the subject Crime Reporting District No. 636 which has jurisdiction over the subject property, a total of 396 Part I crimes and 902 Part II crimes were reported in 2007, compared to the citywide average of 256 crimes for the same period. The above figures indicate that the restaurant is located within a high crime reporting district. Arrests for each calendar year may reflect crimes reported in previous years. The applicant has volunteered numerous conditions related to the service of alcohol that will further reduce any potential crime issues.

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

The subject property is zoned for commercial uses and the Hollywood Community Plan designates it as a Regional Commercial Center. The following sensitive uses are located within a 1,000-foot radius of the project site:

- Multi-Family: 683 units
- Hotel (1738 Las Palmas Avenue)
- Iglesia Universal (6656 Hollywood Boulevard)
- Scientology (6724 Hollywood Boulevard)
- Yucca Mini Park, Community Center & Playgrounds (6671 Yucca Street)
- Hollywood Community Center (1718 N. Cherokee Avenue)
- Hollywood Pop Academy (6801 Hollywood Boulevard)





**Scope of work**

Remodel of existing commercial space to restaurant  
 2592 sq. ft. total  
 No parking required  
 No parking provided  
 Construction type III  
 Occupancy A-3 Restaurant

**LEGAL DESCRIPTION**  
 Assessor's Parcel No. 44411 SAT 070204  
 2184 LA CANADA CREST DRIVE #2  
 LA CANADA, CA 91011  
 Map Sheet 48-54115

**MEZ. / 2184 LA CANADA CREST DRIVE #2**  
 2184 LA CANADA CREST DRIVE #2  
 LA CANADA, CA 91011  
 Map Sheet 48-54115

**CALCULATION TABLE**  
 SEATS: INDOOR: 51  
 TOTAL: 75  
 RATIO: 24

**7A 2008 4721**

<b>Design</b> Richard Morcon 2184 La Canada Crest Drive #2 La Canada, CA 91011 818248-6665	<b>Med Grill</b> 6669 Hollywood Boulevard Hollywood, California	Sheet Date
<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>EXHIBIT 4721</b> </div> <div style="display: flex; justify-content: space-between;"> <span>Page No. 1 of 1</span> <span>Case No. 7A-2008-4721-CVB</span> </div>		