

Conditional Use Permit Application
4326 Sunset Blvd
Los Angeles CA 90029

Representative:

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Applicant:

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REQUEST:

Pursuant to the LAMC Section 12.24 W1, the applicant is requesting A Conditional Use to permit the expanded service of an existing 2,225 sq ft 150 seat restaurant with a Type 47 full line of alcoholic beverages. A proposed 1,457 sq ft 2nd floor expansion with 80 proposed seats along with the extension of alcohol service to the existing 735 sq ft 1st floor outdoor patio, totaling a full expansion of 2,192 sq ft. for a new restaurant sq ft. of 3,682 and total seating of 230 seats, having live entertainment and hours of operation 8am to 2am, daily.

BACKGROUND:

The subject property is a rectangular lot having a frontage of approximately 127 feet on the south side of Sunset Boulevard with a uniform depth of 100 feet. It is currently developed with a restaurant having both interior and exterior dining areas

Surrounding properties are principally developed with commercial usages with retail storefronts. The Northern side of Sunset Blvd is zoned C2-1VL and developed with auto repair facilities, a vacant hotel, and a Jewish community center. The southern side of Sunset Boulevard, where the project is located, is zoned C2-1D and developed with restaurants, parking lots, auto repair centers, vacant retail, and office buildings.

Sunset Boulevard, adjoining the property to the North, is a designated Major Scenic Highway dedicated a width of 100 feet and fully improved.

Bates Avenue, adjoining the property to the East, is a local street dedicated a varying width of 50 to 55 feet and fully improved.

PENDING/RELATED CASES:

CPC-1986-831-GPC

CPC-1981-706

ORD-164693

ORD-161116

ZA-1980-76
ND-82-133-CUZ
FF-48895
CUZ-1982-142

ADDITIONAL FINDINGS:

- a. Describe briefly how the proposed project will be proper in relation to adjacent uses or the development of the community.**

The subject property is a rectangular-shaped parcel of land zoned C2-1D with a frontage of 127 ft. on the south side of Sunset Boulevard. The subject site is planned and zoned for commercial uses and has a frontage on Sunset Boulevard, a designated Major Highway. Moreover, the property is in the Silver Lake neighborhood and is sufficiently situated in the newly regenerated area of East Hollywood where such businesses are a large factor in its redevelopment. Additionally, the project will contribute to the goal of revitalizing the Echo Park/Silver Lake area and will be in proper relation to the adjacent uses and development of the community. The request in this application simply addresses the expansion of alcohol service into the 2nd floor area and the 1st floor outdoor patio. Restaurant uses are by right in the C2 zone and in addition this location is grand fathered as it pre-dates the zoning era.

- b. Why does applicant believe the location of the project will be desirable to the public convenience and welfare?**

The establishment will provide a convenient location for dining and entertainment; serving the needs of local residents and especially traveling visitors from afar. Additionally, this location is in the midst of revitalization and area improvements. The growth in the Silver Lake/Echo Park area has also warranted the development of such establishments to offer a much need amenity to visitors of the area as well as provide jobs for local residents.

Furthermore, the proposed project will contribute to enhancing the local development of the Echo Park/ Silver Lake area by remaking and creating a new energy lacking in Echo Park which will put it on the social scene map.

- c. Describe how the proposed project will be detrimental to the character of development in the immediate neighborhood and will be in harmony with the various elements and objectives of the General Plan.**

The proposed project will not be detrimental to the character of the development in the immediate neighborhood and will be in harmony with the various elements and objectives of the General Plan. The area is zoned for commercial uses such as the proposed use, which is allowed by right, the sale of alcoholic beverages at the location. Thus the requested entitlements will not adversely affect or compromise any element of the General Plan.

The Silver Lake-Echo Plan Map designates the subject property for Highway Oriented Commercial Uses corresponding to the C1, C2 and R2 zones. And with conditions and limitations imposed by the Zoning Administrator if approved, surrounding properties should be protected from predictable

impacts of the proposed use. The use is consistent with the granted uses in the area. Therefore the proposed project is in harmony with the General Plan.

d. Will the approval of the Conditional Use at this location adversely affect the economic welfare of the community? Why?

The use will not adversely affect the economic welfare of the community because it shall be assisting in the financial health of the property and improving the economic vitality of the area by contributing to additional tax dollars and new jobs.

Additionally, the location is in the midst of a development that favors great economic growth for all businesses in the area. Improvements in the building will attract new progressive businesses to the area, which will further stimulate growth throughout the area. Beyond that, the social need for such establishments will remain prominent and their growth will be in sync with the economic growth of the city as an economic whole.

e. Will the approval of the Conditional Use result in or contribute to an undue concentration of such establishments? Why?

No, this is an existing restaurant with an active Department of Alcoholic Beverage Control Type 47 license. This is an area where the concentration of both residential and commercial uses has made it an appropriate locale for this existing restaurant. It will continue to allow neighbors, visitors, and area workers alike a high-quality dining experience with ancillary alcohol sales. ABC concentration numbers are driven by residential population, in the instant case, creating an artificially low count for the subject census tract. If the day/evening working and visiting populations were taken into account, the demand would be significantly higher.

f. Will the approval of the Conditional Use detrimentally affect nearby residentially zoned properties? Why?

No, the applicant will continue to allow area workers, visitors, and neighborhood residents the opportunity to enjoy an alcoholic beverage with their meals. As demonstrated by the care and consideration that has gone into the project, the restaurant will continue to be operated in a conscientious and thoughtful way, always with a sensitivity to any possible detriment to those residential properties that might be affected. With the existing topography and landscaping elements, enhanced by the applicant's landscape, the grant of a conditional use to allow the sale of alcoholic beverages will not detrimentally affect the quiet enjoyment of nearby properties. .

g. What are the proposed hours of operation and which days of the week will the establishment be open? What are the proposed hours of alcohol sales?

8am to 2am, daily

h. What is the occupancy load as determined by the Fire Department (number of patrons)? What is the proposed seating in all areas?

The occupancy load has not yet been determined as this is a proposed expansion of the restaurant.

- i. **Is parking available on the site? If so, how many spaces? If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant? Where? How many off-site spaces?**

Yes, there are 24 existing parking spaces in the parking lot on the project site. However, these 24 spaces can easily accommodate as many as 40 with a parking attendant.

- j. **Is there to be entertainment such as a piano, bar, jukebox, dancing, live entertainment, movies, etc.? (Specify?) (On-site only)**

Yes, the application is requesting live entertainment as they wish to provide traditional Mexican music to complement their décor and cuisine.

- k. **Is a full line of alcoholic beverages to be served or just beer and wine?**

The applicant presently operated with an active Type 47 license for full line of alcoholic beverages.

- l. **Will cups, glasses or other similar containers be sold which might be used for the consumption of liquor on the premises? (Off-site only)**

All alcoholic beverages will be consumed on premises.

- m. **If a cocktail lounge is to be maintained incidental to a restaurant, the required floor plans must show details of the cocktail lounge and the separation between the dining and lounge facilities. (On-site only).**

Please see the plans.

- n. **Has the owner or lessee of the subject property been suspended from the sale of alcoholic beverages on the subject property or fined by the Alcoholic Beverage Control Department (ABC) in the last 365 days and if so, for what reasons?**

No.

- o. **Will video game machines be available for use on the subject property and if so, how many such machines will be in use?**

There are no arcade or video game machines associated with the proposed project.

- p. **Will you have signs visible on the outside, which advertise the availability of alcohol?**

The applicant will strictly adhere to state guidelines governing the advertisement of the availability of alcohol.

- q. **Will alcohol be sold without a food order? Will there be a kitchen on the site as defined in the Los Angeles Municipal Code.**

Yes, in conjunction the Alcoholic Beverage Control [Type 47] license, restaurant patrons waiting to be served their meals may be served a beverage as they wait. There is a kitchen on site as defined in the Los Angeles Municipal Code.

r. **Will beer or wine coolers be sold in single cans or will wine be sold in containers less than 1 liter (750ml)?**

Yes, the applicant has an existing active Type 47 license

s. **Will “fortified” wine (greater than 16% alcohol) be sold?**

Yes, the applicant has an existing active Type 47 license

t. **Will off-site sales of alcohol as a secondary use to on-site sales occur (i.e., take out)?**

No.

u. **Will discount alcoholic drinks or a “Happy Hour” be offered at any time?**

No.

v. **Will security guards be provided and if so, when and how many?**

The applicant will provide security in consultation with and per site-specific recommendation from the Department of Alcoholic Beverage Control and Police Department.

w. **Will alcohol be allowed to be consumed on any adjacent property under the control of the applicant?**

No.

x. **Will the gross sale of alcohol exceed the gross sale of food items on a quarterly basis?**

No, the restaurant with the [Type 47] Alcoholic Beverage Control license will not exceed the gross sale of food items on a quarterly basis.

y. **Provide a copy of the proposed menu if food is to be served.**

Please see attached menu.

z. **How many employees will you have on the site at any given time?**

As many as 25 in the largest shift.

aa. **What security measures will be taken including:**

(1) Posting of Rules and Regulations on the premises.

Applicant will post rules and regulations on the premise in consultation with and per site-specific recommendations from the Department of Alcoholic Beverage Control and Police Department.

- (2) To prevent such problems as gambling, loitering, theft, vandalism, and truancy.**

Applicant will comply with all applicable standards requested by the Department of Alcoholic Beverage Control, Police Department, and the Department of Zoning Administration.

- (3) Will security guards be provided and if so, when and how many?**

Please see attached Security Plan.

- (4) Other measures.**

Please see attached Security Plan.

- bb. Will there be minimum age requirements for patrons? If so, how will this be enforced?**

No alcohol is served to anyone under the legal drinking age of 21.

- cc. Are there any schools (public or private and including nursery schools) churches or parks within 1,000 ft. of your proposed business?**

Silverlake – Los Feliz Jewish Community Center	1110 Myra Ave.
Thomas Starr King Middle School	4201 Fountain Ave.

- dd. For massage parlor or sexual encounter establishment applicants: are there any other adult entertainment businesses within 1,000 feet of your proposed establishment (i.e., adult arcade, adult bookstore, adult cabaret, adult motel, adult motion picture theater, adult theater)?**

N/A.

- ee. For off-site sales, where will the alcohol be stored and displayed (indicate on floor plan)**

N/A

MASTER LAND USE PERMIT APPLICATION

LOS ANGELES CITY PLANNING DEPARTMENT

Planning Staff Use Only

ENV No.	Existing Zone	District Map
APC	Community Plan	Council District
Census Tract	APN	Staff Approval *
		Date

* Approval for Filing by Community Planning or Division of Land Staff, When Applicable

CASE No. _____

APPLICATION TYPE _____
(zone change, variance, conditional use, tract/parcel map, specific plan exception, etc.)

1. PROJECT LOCATION AND SIZE

Street Address of Project _____ Zip Code _____
 Legal Description: Lot _____ Block _____ Tract _____
 Lot Dimensions _____ Lot Area (sq. ft.) _____ Total Project Size (sq. ft.) _____

2. PROJECT DESCRIPTION

Describe what is to be done: _____

Present Use: _____ Proposed Use: _____

Plan Check No. (if available) _____ Date Filed: _____

Check all that apply: ' New Construction ' Change of Use ' Alterations ' Demolition
 ' Commercial ' Industrial ' Residential

Additions to the building: ' Rear ' Front ' Height ' Side Yard

3. ACTION(S) REQUESTED

Describe the requested entitlement which either authorizes actions **OR** grants a variance:

Code Section from which relief is requested: _____ Code Section which authorizes relief: _____

Code Section from which relief is requested: _____ Code Section which authorizes relief: _____

Code Section from which relief is requested: _____ Code Section which authorizes relief: _____

Code Section from which relief is requested: _____ Code Section which authorizes relief: _____

List related or pending case numbers relating to this site:

SIGNATURES of adjoining or neighboring property owners in support of the request; not required but helpful, especially for projects in single-family residential areas. (Attach sheet, if necessary)

NAME (Print)	SIGNATURE	ADDRESS	KEY # ON MAP

4. OWNER/APPLICANT INFORMATION

Applicant's Name _____ Company _____

Address: _____ Telephone: () _____ Fax: () _____
 _____ Zip: _____ E-mail: _____

Property Owner's Name (if different than applicant) _____

Address: _____ Telephone: () _____ Fax: () _____
 _____ Zip: _____ E-mail: _____

Contact Person for project Information _____

Address: _____ Telephone: () _____ Fax: (323)464-6272 _____
 _____ Zip: _____ E-mail: _____

5. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a. The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof). (NOTE: for zone changes lessee may not sign).
- b. The information presented is true and correct to the best of my knowledge.

Signature: _____ Subscribed and sworn before me this (date): _____

Print: _____ In the County of _____ State of California

Date: _____ **Notary Public** _____

Stamp:

7. ADDITIONAL INFORMATION/FINDINGS

In order for the City to render a determination on your application, additional information may be required. Consult the appropriate "Special Instructions" handout. Provide on attached sheet(s) this additional information using the hand-out as a guide.

NOTE: All applicants are eligible to request a one time, one-year only freeze on fees charged by various City departments in connection with your project. It is advisable only when this application is deemed complete or upon payment of Building and Safety plan check fees. Please ask staff for details or an application.

Planning Staff Use Only

Base Fee	Reviewed and Accepted by	Date
Receipt No.	Deemed Complete by	Date