



Address Any Communications to:
OFFICE OF ZONING ADMINISTRATION
200 N. SPRING ST., 7TH FLOOR
LOS ANGELES, CA 90012
(213) 978-1318
FAX - (213) 978-1334

NOTICE OF PUBLIC HEARING TO PROPERTY OWNERS

- Within a 100-Foot Radius
- Within a 500-Foot Radius
- Abutting a Proposed Development Site
- And Occupants within a 100-Foot Radius
- And Occupants within a 500-Foot Radius

CASE NO. DIR 98 -0963(RV)(PA4)
REVIEW OF COMPLIANCE WITH
CONDITIONS AND POSSIBLE
REVOCATION OF USE
CEQA NO. ENV 2009-1320-CE

HOLLYWOOD PLANNING AREA
DISTRICT MAP NO. 150B197 AND 150B201
COUNCIL DISTRICT NO. 4

The Office of Zoning Administration will conduct a public hearing which you may attend.

PLACE: Los Angeles City Hall
200 North Spring Street, Room 1050
(Enter From Main Street)
Los Angeles, CA 90012

TIME: **MONDAY, JULY 20, 2009 AT 2:00 P.M.**

APPLICANT: S ROAD DINING/TANGIER RESTAURANT

The purpose of the hearing is to obtain testimony of the property owner and/or business operator, plus affected and/or interested persons regarding the operation of the Tangier Restaurant (formally know as Prima Vera Restaurant), use location address: 2138 North Hillhurst Avenue, (property location addresses of: 2132, 2134, 2138, 2140 and 2144 North Hillhurst Avenue; 4449 and 4453 West Avocado Street).

Following the hearing, the Zoning Administrator may require the discontinuance of the use; or modify, delete or impose additional conditions regarding its use as a restaurant in order to mitigate any land use impacts caused by the use. The public is also invited to submit written comments prior to the hearing.

REQUEST: A Plan Approval, pursuant to Los Angeles Municipal Code Section 12.27.1 and Condition No. 34 of the Zoning Administrator's determination of May 18, 2007 for the purpose of reviewing compliance with the conditions and effectiveness of the conditions in eliminating the public nuisance problems.

BACKGROUND: On July 6 1999, the Zoning Administrator ZA 98-0963(RV) issued a determination finding that the operation of the former Prima Vera Restaurant (now operating as Tangier Restaurant) constituted a public nuisance and imposed corrective Conditions on the continued operation pursuant to LAMC Section 12.27.1 in order to mitigate adverse impacts caused by the operation of the restaurant.

On February 14, 2002 the Zoning Administrator (DIR 98-0963(RV)(PA1)), in a review of the effectiveness of the Conditions maintained some Conditions and modified others. A second review on October 29, 2003, DIR 98-0963(RV)(PA2)) of the effectiveness of the Conditions found general compliance with the Conditions previously established by Case No. DIR 98-0963(RV)(PA1).

On May 18, 2007, the Zoning Administrator (DIR 98-0963(RV)(PA3)), in a review of the effectiveness of the Conditions determined that compliance has not been fully attained with the corrective conditions previously established on October 29, 2003 thereby maintaining, modifying, deleting and adding conditions as required. The effectiveness of compliance with conditions has been reviewed three times.

Condition No. 34 of the determination dated May 3, 2007 states in relevant part:

34. The property owner/operator shall file a Plan Approval review within 6 months of the effective date of this action with the Office of Zoning Administration together with a filing fee and a mailing list of owners and occupants within 500 feet of the premises to determine the effectiveness of compliance with the Conditions herein, and to determine whether additional and more restrictive conditions or fewer conditions need to be considered for the operation of the facility or whether revocation is appropriate. The matter shall be set for public hearing.

Applicant has filed the instant application in compliance with the above Condition. Application for review of plans was due no later than November 18, 2007 and was filed late on April 30, 2009.

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

PROPERTY INVOLVED: The business conducted at the subject property is known as Tangier Restaurant and is located at 2138 North Hillhurst Avenue. The property is legally described as Lot 25 Arb 1 and 2; Fr. Lot 6 Arb 3; and Fr. Lots 26 and 27, Avocado Tract, as more specifically described in the application. The property is zoned C4-1D and R2-1XL.

REVIEW OF FILE: Case No. DIR 98-0963 (RV)(PA4) containing the file, maps and exhibits, is available in the Office of Zoning Administration, 200 North Spring Street, Room 763, Los Angeles, CA 90012, between the hours of 7:15 a.m. and 4 p.m., Monday through Friday. Please call (213) 978-1318, (818) 756-8121 or (310) 548-7721 in advance to assure that the file will be available. The file will be unavailable for review the day of the hearing.

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As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities.

Pursuant to California Government Code Section 65009(b)(2), any court challenge to the Zoning Administrator's action on this matter may be limited to only those issues raised prior to the close of the public hearing.

IF YOU ARE NO LONGER THE OWNER OF THE PROPERTY WITHIN THIS AREA, PLEASE FORWARD THIS NOTICE OF HEARING TO THE NEW OWNER.

(Tear Off)

CASE NO. DIR 98-0963(RV)(PA4)

You will be sent a copy of the decision if your property touches or is across the street from the subject property. Others wishing a copy must mail this tear-off form and a self-addressed stamped legal-size envelope within 15 days to:

Office of Zoning Administration
7th Floor
200 North Spring Street
Los Angeles, CA 90012

Name

Address

City, State, Zip Code

MASTER LAND USE PERMIT APPLICATION
LOS ANGELES CITY PLANNING DEPARTMENT

Planning Staff Use Only

ENV No.	Existing Zone C4-1D	District Map MB 22-138/139
APC CENTRAL	Community Plan HOLLYWOOD	Council District 4
Census Tract 1891.00	APN 5590001024	Staff Approval*
		Date

* Approval for Filing by Community Planning & Design of Land Staff, When Applicable

CASE No. DIR. 98-0963 **DIR 1998 963**

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

1. PROJECT LOCATION AND SIZE

Street Address of Project 2138 HILLHURST AVENUE, LOS ANGELES, CA Zip Code 90027
 Legal Description: Lot 25 Block NONE Tract AVOCADO TRACT
 Lot Dimensions irregular Lot Area (sq. ft.) _____ Total Project Size (sq. ft.) 7,329.0 sq. ft.

2. PROJECT DESCRIPTION

Describe what is to be done: PA as called for cond. 3A of DIR 1998-0963 RU-PA3

Present Use: _____ Proposed Use: _____

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

- Check all that apply:
- | | | | |
|---|--|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Change of Use | <input type="checkbox"/> Alterations | <input type="checkbox"/> Demolition |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Industrial | <input type="checkbox"/> Residential | <input type="checkbox"/> LEED Silver |
- Additions to the building:
- | | | | |
|-------------------------------|--------------------------------|---------------------------------|------------------------------------|
| <input type="checkbox"/> Rear | <input type="checkbox"/> Front | <input type="checkbox"/> Height | <input type="checkbox"/> Side Yard |
|-------------------------------|--------------------------------|---------------------------------|------------------------------------|
- No. of residential units: Existing _____ To be demolished _____ Adding _____ Total _____

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: 12.24M
PA as called for cond. 3A of DIR 1998-0963 RU-PA3

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:

DIR 1998-0963 RU-PA3

4. OWNER/APPLICANT INFORMATION

Applicant's name S ROAD DINING INC. Company _____
 Address: 2138 HILLHURST AVE. Telephone: (213) 268-8787 Fax: () _____
LOS ANGELES, CA Zip: 90027 E-mail: _____

Property owner's name (if different from applicant) PAULO GRECO FAMILY TRUST
 Address: 4824 LOS FELIZ BLVD. Telephone: () _____ Fax: () _____
LOS ANGELES, CA Zip: 90027 E-mail: _____

Contact person for project information STEVE S. KIM Company GSD Partners Inc.
 Address: 3731 WILSHIRE BLVD., SUITE 620 Telephone: (213) 389-8877 Fax: (213) 389-8876
LOS ANGELES, CA Zip: 90010 E-mail: sskim@gsd-partners.com

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: Flora Greco Trustee Print: FLORA GRECO TRS

ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of LOS ANGELES

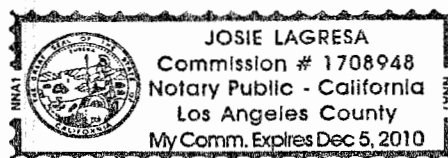
On MARCH 13th, 2009 before me, JOSIE LAGRESA, NOTARY PUBLIC
 (Insert Name of Notary Public and Title)

personally appeared FLORA S. GRECO, 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.

[Signature] (Seal)
 Signature



6. 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 handout 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

(Applicant)

S Road Dining Inc.
2138 Hillhurst Avenue
Los Angeles, CA 90027

Case No.

PLAN APPROVAL

Project Address:

2138 Hillhurst Avenue
Los Angeles, CA 90027

(Owner)

Paulo Greco Family Trust
4824 Los Feliz Blvd.
Los Angeles, CA 90027

Plan: Hollywood District Plan

Zone: C4-1D

D.M.: 150B197

C.D.: 4

C.T.: 1952

(Representative)

Steve S. Kim / GSD Partners, Inc.
3731 Wilshire Blvd. #620
Los Angeles, CA 90010

Legal Description: See Radius Map.

Request:

Pursuant to the provisions of *Sec.12.24 M* of the Los Angeles Municipal Code, a Plan Approval as required by *Condition No. 34* of case *-DIR 1998-0963(RV)(PA3)* for Zoning Administrator's review of the approved sale of full line alcoholic beverages for on-site consumption in conjunction with an existing 7,329 sq. ft. restaurant.

PLAN APPROVAL

Additional information/Findings:

Explain how the location of the project will be desirable to the public convenience and welfare, proper in relation to adjacent uses of the development in the community, and not 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 instant property is located along the busy Hillhurst Avenue commercial neighborhood characterized by high-rise professional offices, retail shopping centers, and restaurants. In addition, a diverse cultural presence in conjunction with the existing commercial development has made this neighborhood an important location for tourist and international business operations and as such, the demand for restaurant services

greatly outpaces the available choices.

The applicant's intention is to comply with condition # 34 that was imposed under DIR-1998-0963 (RV)(PA3).

The subject project would be desirable to the public convenience in that the restaurant with full line alcoholic beverages with full service meals would become an intrinsic part of their dining and entertainment experience.

Is the application for a deemed-to-be-approved conditional use permit or a conditional use plan approval? Check One.

Plan Approval

What is the current zoning on the property? C4-1D

What was the zoning when the building was built? C4-1D

Subject property is X level sloping and X rectangular triangular irregular-shaped parcel of land.

Describe how the site is presently developed, including details such as square footage of building, occupancy loads, stories, number of seats, etc. If the site has been destroyed, provide detail of what was destroyed and what remains.

The subject site is a level, rectangular-shaped, parcel of land bounded on the north east corner of Hillhurst Avenue and Avocado St. The site is presently developed with a restaurant and a parking lot located at the rear of the property which has 65 parking spaces.

7. **If you are rebuilding, is it on the same foundation?** N/A **Are you adding floor area?** No. **If yes, how much?** N/A

8. **Is a conditional use permit now on the property? If yes, what type? What section of the Municipal Code permits this use(s)? Attach a copy of all prior conditional use cases to this application.**

ZA-1995-0984-CUX- Approved on October 28, 1996. Approved a Conditional Use for a Restaurant/nightclub.

Is the use site the same size when it was established? If the site has changed in size please explain.

The current use is the same when it was established.

Was the use discontinued for a year or more? If yes, please explain: If the use was

discontinued for a period less than one year, give dates:

No.

How many parking spaces are now on the site? 65

How many parking spaces were on the site on the date that the use became established? 65

How many spaces will be required by Code for the proposed addition? same

What will be the total number of parking spaces required by Code for this site, if the plan is approved? The approval of this request does not require and additional parking spaces.

Improvements were originally permitted on 1954 Building Permit No. and Certificate of Occupancy issued on (Attach copies.)

PERMIT NUMBER: 08014-10000-05622 (NEW TENANT IMPROVEMENT)

Research will primarily be based on business licenses, field check, prior cases and building permits. If you will provide a business license history, copies of building permits, certificates of occupancy and photographs, it will help the staff process this request. Please provide a list of all prior cases and plan approval.

How many retail uses did you have originally? How many are proposing? Parking spaces to be provided.

No new retail uses are being proposed with this application.

14. Will the approval of the application at this location adversely affect the economic welfare of the community?

No, the subject restaurants will add economic vigor to the local economy. The project will contribute to the business tax base, and will regenerate resources into the economy. Therefore, the proposed project will benefit the local economic well-being of the community.

15. Will the approval of the application result in or contribute to an undue concentration of such establishments? Why?

The approval of this application will not contribute to an undue concentration of such establishments because this location has already been granted with a full line license. This application is only to comply with the Zoning Administrator's conditions of approval from **DIR-1998-0963 CUB-PA3**. Therefore, the approval of this request shall not be considered as an undue concentration of such establishments.

16. Will the approval of the application detrimentally affect nearby residentially zoned properties? Why?

No. The restaurant has operated at this location for many years problem-free. The subject premises is already been licensed to sell full line alcohol and this request is only for the review of conditions of approval, not a brand new request. Lastly, any specific operational concerns regarding the proposed uses and alcohol sales could be addressed by conditions of approval.

- 17. What are the proposed hours of operation and which days of the week will the establishment be open? What are the proposed hours of alcoholic sales?**

The existing hours of operation are Monday through Sunday from 6 p.m. to 2 a.m. daily.

- 18. 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 is determined at 150 persons.

- 19. 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. 38 parking spaces are available on-site. See Plans for further details.

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

Live entertainment is provided through a live band.

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

Full line sale of alcoholic beverages is to be served.

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

No.

- 23. 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)**

See Floor Plans for detailed information.

- 24. 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.

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

No.

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

No.

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

There is a kitchen on site per LAMC for the preparation of food.

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

No.

- b. Will "fortified" wine (greater than 16% alcohol) be sold?**

No.

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

No.

- d. Will discount alcoholic drinks or a "Happy Hour" be offered at any time?**

No.

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

One state licensed security guard is provided.

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

No.

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

No.

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

Menu will be provided during the hearing.

- i. Remember to contact the State Alcoholic Beverage Control Department (ABC) regarding its requirements at the appropriate office.**

The applicant will comply with ABC guidelines.

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

There is approximately 6-8 employees during the largest shift.

- k. What security measures will be taken including:**

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

Yes.

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

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

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

A one state licensed security guard is provided.

- (4) Other measures.**

Security lighting.

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

There is no minimum age for patrons; however, the trained employees will check for proper identification when alcoholic beverages are purchased.

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

See attached.

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

N/A

**2138 HILLHURST AVENUE
CONDITION COMPLIANCE**

Cond. 1-2	The use, plot plan, and floor plan of the subject project have not changed since the approval of the original Conditional Use Permit. See set of plans provided for review.
Cond. 3	The applicant has maintains this property with careful consideration of all rules and regulation from the city and with regard to this community.
Cond. 4	The New applicant has addressed regarding cited violations by acquiring proper permits necessary through Building and Safety. See permit attached.
Cond. 5	Since the Applicant has just recently purchase this restaurant in December 2008, the operation of said restaurant has not been occurred due to a tenant improvement. The applicant will have his managers and himself enrolled in The L.E.A.D. program once he is in full operation.
Cond. 6	Condition Complied. Copy of Imposed conditions is maintained at the site.
Cond. 7	Condition Complied. The New applicant will maintain the premises as a Bona fide restaurant with an approved LAMC kitchen, a full menu, and alcohol will only be serve with a food order.
Cond. 8	Condition Complied. The applicant has direct control of the subject restaurant and understands that he is prohibited to subcontract or rented out to other parties.
Cond. 9	Condition Complied. Valet Parking is provided and discount parking in the form of a rebate for all patrons upon presentation of their Valet ticket will be implemented.
Cond. 10.	Condition Complied. The applicant will provide Valet service to implement the parking situation.
Cond.11	Condition Complied. The Hours of operation will be maintained at 7:30 a.m. to 11 p.m. Sunday through Thursday and 11 a.m. to 2 a.m., Friday & Saturday. No new diners are admitted to the restaurant after 12:30 a.m..
Cond. 12	Condition Complied. The applicant will provide a contract at the public hearing.
Cond. 13	Condition Complied. The applicant will provide the security personnel from 8 p.m. until half hour After closing time.

Cond. 14	Condition Complied. The applicant will work together with Law enforcement for crime prevention measures.
Cond. 16	Condition Complied. The applicant prohibits any drinking of alcohol outside the restaurant.
Cond. 17	Condition Complied. The applicant's maintains the property free of trash and loitering is prohibited.
Cond. 18	Condition Complied. See photos attached.
Cond. 19	Condition Complied. Entertainment is maintained only with the operation of said restaurant occurs and is limited to 5 musicians.
Cond. 19	Condition Complied. Please see attached menu (<i>Exhibit F</i>) No happy hour
Cond. 20	Condition Complied. The applicant will maintain all exterior doors of the restaurant close in order to reduce any noise impact on the adjacent properties.
Cond. 21	Condition Complied. The new applicant has improved the subject restaurant by installing sound attenuation materials through the on-going tenant improvement.
Cond. 22	Condition Complied. Adequate lighting is provided at the exterior of the restaurant
Cond. 23	Conditioned Complied. Applicant maintains all exterior lighting with proper shielding and is directed toward the site.
Cond. 24	Conditioned Complied. Applicant maintains the approved occupancy load of the restaurant.
Cond. 25	Condition Complied. The applicant maintains the site free of graffiti.
Cond. 26,27	Condition Complied. The applicant maintains the site neat and attractive condition.

Cond. 28	Condition Complied. Trash will be on an enclosed trash bins located close to the subject restaurant and away the residence.
Cond. 29	Condition Complied. The applicant maintains any payphones inside the restaurant. No payphones Is being maintained outside the premises. See Photos attached.
Cond. 30	Condition Complied. The applicant provides a 24 hour phone of the Owner & manager and is posted on the interior and exterior of the restaurant.
Cond. 31	Condition Complied. The applicant maintains no games or pool tables on site.
Cond. 32	Condition Complied. The applicant will address this condition when the operation of said use will Occur. The subject restaurant is still under renovation and is proper permits are being acquired to meet all LAMC requirements.
Cond. 33	Condition Complied. The applicant understands that the conditions imposed herein are the responsibility of the owner of the premises and because he is now the new owner of said restaurant, he will comply imposed conditions to show that he will abide all rules and regulations imposed by the City
Cond. 34	Condition Complied. The applicant satisfies this condition by filing this application.
Cond. 36	Condition Complied. A revised copy of the floor plan is provided with this application.