

MASTER LAND USE PERMIT APPLICATION

LOS ANGELES CITY PLANNING DEPARTMENT

Planning Staff Use Only

ENV No	Existing Zone C2-1D	District Map 148.5 A 195
APC Central	Community Plan 070	Council District 04
Census Tract 1904	APN 5544-009-026	Staff Approval * Date

**Approval for filing by Community Planning Staff. When Applicable*

CASE No. _____

APPLICATION TYPE Conditional Use – Alcoholic Beverages
(zone change, variance, conditional use, tract/parcel map, specific plan exception, etc.)

1. PROJECT LOCATION AND SIZE

Street Address of Project 5273 W. Hollywood Boulevard Zip Code 90027
 Legal Description: Por. Lots 3 & 4, Fr. Lot 1, Arb 2, Lander Sunnyside Tract, M.B. 8 - 158
 Lot Dimensions 203.2' x 205' Lot Area (sq. ft.) 40,579.6 Total Project Size (sq. ft.) 2,970

2. PROJECT DESCRIPTION

Describe what is to be done: Add Live Entertainment to restaurant use.
 Present Use: Restaurant with beer and wine service Proposed Use: Same with live entertainment
 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 checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Residential	

Additions to the building:

<input type="checkbox"/> Rear	<input type="checkbox"/> Front	<input type="checkbox"/> Height	<input type="checkbox"/> Side Yard
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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: 12.24-W, 1

To permit the establishment of live entertainment, as otherwise not permitted under Case No. ZAI 81-228-E; with the continued sale and dispensing of beer and wine only for on-site consumption in an existing 2,970 square-foot restaurant; having hours of operation from 11 a.m. to 4 a.m., daily, and alcohol sales from 11 a.m. to 2 a.m., daily; accommodating 116 interior and 16 outdoor patrons; in the C2-1D zone.

List related or pending case numbers relating to this site:

ZA 2006-0305-CUB ZA 2007-5760-CUB ZA 2009-0921-CUB

ZA 2009 - 3236

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 **PIYARONG SAIYAJIT** dba: THAI PATIO RESTAURANT
 Address: 5273 Hollywood Boulevard Telephone: (323) 466-3894 Fax: ()
 Los Angeles Zip: 90027 E-mail:

Property Owner's Name (if different than applicant) **UNEDRA NO. 5253 FAMILY LIMITED**
 Address: 841 Singing Wood Drive Telephone: (323) 662-7943 Fax: ()
 Arcadia Zip: 91006 E-mail:

Contact Person for project Information - **CLR Enterprises, Inc. Attn: Lee Rabun**
 Address: 420 S. San Pedro Street #225 Telephone: (213) 229-4300 Fax: (213) 229-8933
 Los Angeles Zip: 90013 E-mail:

5. APPLICANT'S AFFIDAVIT

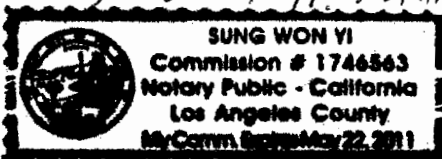
Under penalty of perjury the following declarations are made:

- 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: *[Handwritten Signature]* Subscribed and sworn before me this (date): 7/27/09
(Record-owner only)

Print: IL Y KIM / MANAGING PARTNER In the County of LOS ANGELES, State of California
 Notary Public *[Signature]*

Date: 7/27/09 Stamp: SUNG-WON YI, NOTARY PUBLIC



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 an attached sheet(s), this additional information using the hand-out as a guide.

NOTE All applicants are eligible to request a onetime, 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

CLR 09-2798
Thai Patio Restaurant
5273 Hollywood Boulevard

INTRODUCTION

REQUEST:

To permit the establishment of live entertainment, as otherwise not permitted under Case No. ZAI 81-228-E; with the continued sale and dispensing of beer and wine only for on-site consumption in an existing 2,970 square-foot restaurant; having hours of operation and alcohol sales from 11 a.m. to 12-midnight, daily; accommodating 116 interior and 16 outdoor patrons; in the C2-1D zone.

BACKGROUND:

The subject property is a level, nearly square-shaped, interior, parcel of land comprised of a portion and fraction of three lots, having a frontage of 203.2-feet along the north side of Hollywood Boulevard and a uniform depth of 205-feet. The site is developed with three free-standing commercial buildings. The structure along the west lot line is a one-story, 6,120 square-foot building occupied by two restaurants, one of which is the subject restaurant, and a market. The structure at the rear of the site, along the north lot line is a one-story, 4,020 square-foot building occupied by a restaurant. The structure along the east lot line is a one-story, 6,564 square-foot building occupied by a video store, an acupuncture clinic, a hair salon, a donut shop and two restaurants. Vehicular access is via one, two-way driveway along the Hollywood Boulevard frontage leading to 64 surface parking spaces.

SURROUNDING PROPERTIES:

Northerly, adjoining property is classified in the R3-1 zone and improved with 4 to 16-unit two-story apartment buildings having frontage along Loma Linda Avenue.

Easterly, adjoining property is classified in the C2-1D zone and improved with a two-story motel extending to Harvard Boulevard.

Southerly, across Hollywood Boulevard, adjoining property is classified in the C2-1D zone and improved with one and two-story commercial buildings occupied by service-related commercial uses.

Westerly, adjoining property is classified in the C2-1D zone and improved with a two-story shopping center.

ZA 2009-3236

CIRCULATION:

Hollywood Boulevard, adjoining the subject property to the south, is a designated Major Highway, dedicated to a variable width of 90 to 100-feet and improved with curb, gutter, side walk and street lights.

PRIOR CASES:

Subject Property:

Case No. ZA 2006-0305(CUB) – On July 19, 2006, the Zoning Administrator approved a conditional use permit for the sale and dispensing of beer and wine only for on-site consumption.

Case No. ZA 2007-5760(CUB) – On April 10, 2008, the Zoning Administrator approved a conditional use to permit the sale and dispensing of beer and wine only for on-site consumption, in conjunction with a proposed 760 square-foot restaurant at 5259 Hollywood Boulevard.

ADDITIONAL INFORMATION/FINDINGS FOR ZA CASES ALCOHOLIC BEVERAGES

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

The subject site is in an established commercial corridor with a high intensity of service-related and retail shops, including a concentration of restaurants east and west of the subject site; along Hollywood Boulevard which has a history of being part of Thai Town. The subject site is essentially bounded on three sides by commercially zoned properties that are being used exclusively for these purposes. These adjoining properties are zoned and developed similarly to the subject site and the commercial structure is in the midst of other similar buildings that facilitate many complimenting uses. The inclusion of live entertainment is a logical extension of the business activity and the restaurant should continue to add to the diversification of commercial activities in the immediate vicinity and should remain proper in relation to adjacent uses or the development of the community.

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

The location is convenient to the general public as it is located on Hollywood Boulevard, a designated Major Highway. The immediate vicinity is well served by public transportation and the site is bordered by roadway corridors affording adequate traffic circulation necessary to attract and retain a patron base. There are 65 surface parking spaces within the shopping center which are shared among the other commercial tenants of the site. The property generally provides the same accessibility and convenience to patrons who want to consume alcohol with their meals without obligating others who want non-alcoholic beverages with their meals and be entertained with live music. The subject restaurant is an existing use and appears appropriately located to

accommodate the applicant's desire to provide beer and wine as an accessory use to meals, as well as live entertainment, as a convenience not only to local residents and business people, but also visitors and tourists. Therefore, the use is convenient to the full spectrum of public users.

c. Describe how the proposed project will not 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 instant request is for the inclusion of live entertainment as background music for the dining experience and does not involve patron dancing, a fixed bar, a cocktail lounge, video games nor happy hours. The omission of these features will allow the applicant to focus the restaurant's on-going mission of providing quality food at popular prices rather than promoting, and depending upon, the sale of alcoholic beverages. In doing so, the character of the surrounding community should be unchanged. There is no reason to presume that the subject restaurant will affect the neighborhood character to a greater degree than most other restaurants in the shopping center or in the immediate vicinity which have been issued liquor licenses.

The Hollywood Community Plan Map designates the subject property for Highway Oriented Commercial land use with its corresponding zone of C2 and Height District No. 1D. It is further located within the Vermont / Western Station Neighborhood Area Plan and the Los Angeles State Enterprise Zone; however, it is not located within the area of any Interim Control Ordinance. The request appears to be consistent with the general objective of the Plan to encourage economic well being and public convenience by enhancing commercial vitality in the area.

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

No, any element added to a business entity can only enhance the business practice. The inclusion of live entertainment to complement the meal service will add to the economic base of the community through the exchange of goods and services with other nearby commercial uses, create and maintain employment opportunity and generate tax revenue to various municipalities.

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

No, this request is motivated by the applicant's desire to remain on a par and be competitive with other restaurants in the immediate area and the boundary of Thai Town. The food fare is unique and the beer and wine service along with the entertainment feature becomes an intrinsic part of that meal service. Given the substantial work force and visitor population in the vicinity and the ease of access to the restaurant, the number of existing on-site alcoholic beverage outlets does not appear out of proportion for the area.

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

A cocktail lounge will not be maintained incidental to the restaurant use.

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?

The lessee of the subject premise has never been suspended from the sale of alcoholic beverages on the subject property or fined by the Department of Alcoholic Beverage Control.

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 will be no pool/billiard tables, video games or coin-operated amusement devices maintained upon the premises at any time.

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

Signs will not be visible on the outside which advertise 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?

The premises will be maintained as a bona fide eating place [restaurant] with an operational kitchen and will provide a menu containing an assortment of foods normally offered in such restaurants. Food service will be available at all times during operating hours. All seating areas will be furnished with cutlery, condiments and other eating utensils for use by patrons.

r. Will beer or wine coolers be sold in single cans or wine in containers less than 1 liter?

NA

s. Will "fortified" wine (greater than 16% alcohol) be sold?

"Fortified" wine will not be sold.

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

Off-site sales of alcohol as a secondary use to on-site sales will not occur.

dd. 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 cabaret, adult motel, adult motion picture theater or adult theater?

NA

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

NA

LIQUOR ESTABLISHMENTS FROM SUBJECT PREMISE TO 600 FEET

El Adobe Market & Liquor – Type 21
5203 Hollywood Blvd

The Stone Bar – Type 42
5221 Hollywood Blvd

Shirak Market – Type 20
5235 Hollywood Blvd

Hollywood Thai Cuisine – Type 47
5241 Hollywood Blvd

Kazoku Sushi – Type 41
5259 Hollywood Blvd

Red Corner Asia Rest – Type 41
5267 Hollywood Blvd

Ganda Siamese Restaurant – Type 41
5269 Hollywood Blvd

Thai Patio – Type 41
5273 Hollywood Blvd

Silom Supermarket – Type 21
5321 Hollywood Blvd

Jinda Thai Cuisine – Type 47
5321 Hollywood Blvd 2nd Flr

Ralph's Supermarket – Type 21
5429 Hollywood Blvd

**LIQUOR ESTABLISHMENTS BETWEEN 600 FEET TO 1,000 FEET
OF SUBJECT PREMISE**

Kruang Tedd Restaurant – Type 41
5151 Hollywood Blvd

Jumbo Clown Room – Type 48
5153 Hollywood Blvd

COUNTY CLERK'S USE

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

CITY CLERK'S USE

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 13/04
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PROJECT TITLE * CONDITIONAL USE - ALCOHOLIC BEVERAGES	LOG REFERENCE ENV2009-3237-CE
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PROJECT LOCATION * 5273 HOLLYWOOD BLVD
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DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: PERMIT LIVE ENTERTAINMENT IN EXISTING RESTAURANT; 132 PATRONS; 11 AM TO 12 MIDNIGHT, DAILY; C2-1D ZONE

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY: * CLUB ENTERPRISES, INC. 420 S. SAN PEDRO ST. # 225 LOS ANGELES, CA 90013
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CONTACT PERSON * LEE RABUN	AREA CODE * 213	TELEPHONE NUMBER * 229-4300	EXT.
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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 <u>5</u> Category <u>34</u> (City CEQA Guidelines)		
<input type="checkbox"/> 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 <i>Javier Solorzano</i>	TITLE CPA	DATE 10-5-09
FEE: \$ <u>75</u>	RECEIPT NO. 278,823	REC'D. BY BES
		DATE 10-5-09

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

IF FILED BY THE APPLICANT:

* C. Wick
NAME (PRINTED)

* 
SIGNATURE

* 10-5-09
DATE

ZA 2009-3236