

MASTER LAND USE PERMIT APPLICATION
LOS ANGELES CITY PLANNING DEPARTMENT

Planning Staff Use Only

ENV No. <u>2008-26130E</u>	Existing Zone <u>C-1D</u>	District Map <u>147A203</u>
APC <u>CENTRAL</u>	Community Plan <u>Hollywood 070</u>	Council District <u>4</u>
Census Tract <u>1952.00</u>	APN <u>5430027-009</u>	Staff Approval *
		Date

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

CASE NO. 1 ZA 2008-2612 CUB

APPLICATION TYPE C.U.B. /

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

1. PROJECT LOCATION AND SIZE

Street Address of Project 3917 W FOUNTAIN AVE Zip Code 90027

Legal Description: Lot FR, 10, 9, 31, 8, 7, 6 Block NONE Tract TR 3594

Lot Dimensions 192' X 70' Lot Area (sq. ft.) 13,440 Total Project Size (sq. ft.) 663 SQ. FT.

2. PROJECT DESCRIPTION

Describe what is to be done: To allow new CUB for on-site beer and wine sales. Hours of operation 7 am to 11 pm daily with beer and wine sale from 11 am to 11pm. seating 22 seats, 16 in-side and 6 on the patio.

Present Use: RESTAURANT Proposed Use: RESTAURANT

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	
Additions to the building:	<input type="checkbox"/> Rear	<input type="checkbox"/> Front	<input type="checkbox"/> Height <input type="checkbox"/> 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: 12.24 W1

(CUB) Conditional Use Permit, to allow on-site beer and wine license in conjunction with restaurant. hours of operation 7 am to 11 pm daily with beer and wine sales from 11 am to 11pm. seating 22 seats, 16 in-side and 6 on the patio.

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

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List related or pending case numbers relating to this site:

ZA 2008-2612

ADDITIONAL INFORMATION FOR ZA CASES: Please answer the following questions on the form or on additional sheets.

3917 Fountain Ave.

In order to grant your request the following findings/questions must be addressed by the Zoning Administrator. Please try to explain as best as possible how your request conforms to the following requirements.

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

We have remodeled this existing building into a new restaurant. We are asking for on-site beer and wine license as an amenity to our menu to better meet the needs and convenience of our patrons.

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

The location has been transformed into a restaurant for the convince and support of the nearby community, the applicant has operated anther business next door for many years and has now re-modeled this property.

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.

This is an older developed area and the investment in this property has encouraged other nearby businesses to invest in and re-model their properties. We are harmonious with the elements and objectives of the general plan.

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

No. These types of permits help solidify the success and longevity of these types of businesses as well as provide a convenient amenity to the community.

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

No. We are a bonafid e restaurant and beer and wine sales me secondary and complimentary to our restaurant.

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

No. We have direct access to any residential 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?

7:00 am. To 11 pm. Daily, beer and wine sales are from 11:00 am. to 11:00 pm.

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

22 occupancy and 16 seats in-side and 6 seats on patio.

I. Is parking available on site? (If so, how many spaces?) If spaces are not available on site, have arrangements been made for off-site parking by lease or covenant?

7 parking spaces on site.

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

No.

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

Just beer and wine

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)

No.

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)

No cocktail lounge.

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?

No.

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

No.

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?

No, and yes there a kitchen.

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

Yes.

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

No.

T. Will off-site sales of alcohol as a secondary use to on-site 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?

no

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

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

Will be provided

Z. How many employees will you have on site at any given time?

aa. What security measures will be taken including:

(1) Posting of rules and regulations on premises.

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

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

(4) Other measures.

- ALL RULES AND REGULATIONS WILL BE PROMINENTLY DISPLAY IN AN EMPLOYEE AREA.
- MANAGER AND BAR EMPLOYEES WILL ATTEND BOTH AND L.A.P.D. AND A.B.C. SPONSORED CLASSES REGARDING ALCOHOL SALES.
- ALL CONDITION FROM CITY PLANNING AND THE STATE A.B.C WILL BE READILY AVAILABLE ON-SITE FOR OFFICIAL INSPECTION.
- The property will feature 2 security guards Sunday through Thursday and three security guards Friday and Saturday.

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

Yes. For the public premises, no one permitted under the age of 21 will be admitted. The remainder of the property will be available to patrons of all ages.

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

YES. PLEASE SEE ATTACHED LIST.

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

1,000 FOOT SURVEY

Date: May 21, 2008

Property Address: 3917 Fountain Ave

List of Alcohol Establishments between 0 and 600 feet

Lee's Liquor , 3907 Fountain Ave Type 21 License

List of Alcohol Establishments between 600 and 1,000 feet:

Casita Del Campo, 1920 Hyperion Ave Type 47 License
Hyperion Avenue Tavern, 1941 Hyperion Ave Type 40 License

Schools, churches, hospitals or parks within 1,000 feet:

Thomas Starrking Middle School, 4201 Fountain Ave
Home Day Care, 1815 Griffith Park Bl

COUNTY CLERK'S USE

CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK

ROOM 395, CITY HALL

LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(Article III, Section 3—City CEQA Guidelines)

Submission of this form is optional. 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: 4

PROJECT TITLE: ZA 2008-2612 CWB; LOG REFERENCE: ENV 2008-2613

PROJECT LOCATION: 3917 Fountain Ave.

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: to Allow Beers and wine to Existing Restaurant with 82 seats.

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

CONTACT PERSON: Patrick Panzerello; AREA CODE: 1 * 318; TELEPHONE NUMBER: * 351-0054; EXT.:

Table with 3 columns: EXEMPT STATUS (Check One), CITY CEQA GUIDELINES, STATE EIR GUIDELINE. Includes categories like MINISTERIAL, DECLARED EMERGENCY, EMERGENCY PROJECT, GENERAL EXEMPTION, and CATEGORICAL EXEMPTION (checked). Class 5, Category 34.

JUSTIFICATION FOR PROJECT EXEMPTION: Project involves the on-site consumption of alcoholic beverages where the premises does not exceed an occupant load of 200 persons and does not require an original dance hall, skating rink, or bowling alley permit from the Los Angeles Police Commission.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.

SIGNATURE: Dennis C. Chen; TITLE: City Planning Associate; DATE: 6/24/08

FEE: 66; RECEIPT NO: 272410; RECEIVED BY: [Signature]; DATE: 6/24/08

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record Form Gen. 183 (Rev. 8-90) (Appendix A) (C.S. 4/98) (P.C. 5/02)

THE APPLICANT CERTIFIES THAT HE OR SHE UNDERSTANDS THE FOLLOWING: Completion of this form by an employee of the City constitutes only a staff recommendation that an exemption from CEQA be granted. A Notice of Exemption is only effective if, after a public review and any required public hearings, it is adopted by the City agency having final jurisdiction (including any appeals) over the project application. If a CEQA exemption is found inappropriate, preparation of a Negative Declaration or Environmental Impact Report will be required. IF THE INFORMATION SUBMITTED BY THE APPLICANT IS INCORRECT OR INCOMPLETE SUCH ERROR OR OMISSION COULD INVALIDATE ANY CITY ACTIONS ON THE PROJECT, INCLUDING CEQA FINDINGS.

* James Koesevic NAME (PRINTED)

[Signature] SIGNATURE