

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 Staff, When Applicable*

CASE NO. **ZA 2008 787**

APPLICATION TYPE **ZA - CONDITIONAL USE ON-SITE BEER AND WINE**

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

1. Project Location and Size

Street Address of Project **4325 SUNSET BLVD., LA, CA** Zip Code **90029**
 Legal Description: Lot **1-6 & POR VAC STREET** Block **N/A** Tract **BATES SUNSET BLVD (MB 10-103)**
 Lot Dimensions **VARIES** Lot Area (sq. ft.) **40,576** Total Project Size (sq. ft.) **2,268**

2. Project Description

Describe what is to be done: **ADD BEER AND WINE**

Present Use: **EXISTING RESTNT**

Proposed Use: **RESTNT WITH BEER AND WINE**

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: **12.24 W1**

CONDITIONAL USE PERMIT TO ALLOW THE SALE AND DISPENSING FOR CONSIDERATION OF BEER AND WINE FOR ON-SITE CONSUMPTION, AS AN ACCESSORY USE, IN CONJUNCTION WITH AN EXISTING RESTAURANT ACCOMODATING 60 SEATS WITH HOURS OF OPERATION FROM 11AM UNTIL 11 PM EVERYDAY WITHIN THE C1-1VL COMMERCIAL ZONE.

List related or pending case numbers relating to this site

ZAI 81-301-E; ZAI 82-181-E; ZAI 83-045-E; ZA 2004-7124(CUB)

4. 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

5. Owner/Applicant Information

Applicant's Name **AMRIK SINGH AULAKH** Company **AGRA CAFÉ**
 Address: **4325 SUNSET BLVD** Telephone: **(323) 665-7890** Fax: ()
LA, CA Zip: **90029** E-mail:

Property Owner's Name (if different than applicant) **IMEDRA NO 4325 FAMILY LTD PRTRNSHP**
 Address: **3919 W BEVERLY BLVD., #100** Telephone: () Fax: ()
LA, CA Zip: **90004** E-mail:

Contact Person for project information **NIEVES AND ASSOCIATES**
 Address: **P.O. Box 3958** Telephone: **(310) 375-5925** Fax: ()
REDONDO BEACH, CA Zip: **90277** E-mail:

6. Owner's Affidavit

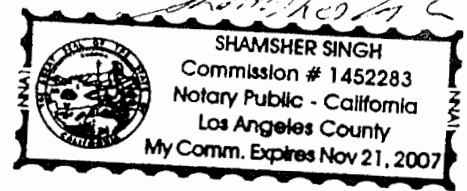
Under penalty of perjury the following declarations are made:

- 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: *Shamsher Singh*
 Print: **MYEONG KIM**
 Date: **5/7/07**

(Record owner only)
 Subscribed and sworn before me this (date):
 In the County of Los Angeles, State of California

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 an 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 on an application.

Planning Staff Use Only

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

**REQUIRED FINDINGS AND QUESTIONS RELATING TO ALCOHOL
(CUB) AND ADULT ENTERTAINMENT (CUX) CASES**

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

The existing restaurant occupies a ground floor portion of a two-story, irregular masonry commercial building that was constructed in 1981. The subject property is within the Silver Lake –Echo Park-Elysian Valley Community Planning Area.

The proposed use caters to workers and residents in the community desirous of having an upscale Indian restaurant serving various traditional entrees. The proposed use will be an integral part of the restaurant and provides a valuable amenity. An on-site manager will be present at all times. The existing restaurant accommodates 60 seats. There is ample on-site parking.

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

The area, being within the Sunset Boulevard/Fountain Avenue vicinity, is recognized as a location where residents, workers and visitors come to for a variety of shopping, eating and entertainment experiences. The proposed restaurant seeks to offer beer and wine service only.

Availability of these privileges is required to complete the range of food and beverage items to be offered. The applicant is providing a first class venue and the requested privileges will compliment the ambiance of the premises. These privileges are presently granted to many other restaurants in the area, and is a normal aspect associated with a restaurant.

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 proposed use will merely be incorporated into the restaurant operation. These types of accessory facilities to the restaurant operation have a reasonable expectancy and will provide an economic enhancement to the area. The subject property is located within the Sunset Boulevard/Fountain Avenue vicinity of Silver Lake. The premise is located within an area that has a multitude of intensive commercial and office developments. This location will not cause any potential adverse impacts to the surrounding neighborhood.

The adopted Silver Lake –Echo Park-Elysian Valley District Plan designates the project site for Neighborhood Commercial with corresponding zones of C2 and P, and Height District No. 1VL. The subject property is zoned [Q]C2-1 which allows restaurants by right.

The overall goal of the Community Plan is to promote an arrangement of land uses, circulation and services which will encourage and contribute to the economic, social, physical health, safety, welfare and convenience of the people who live and work in the plan area and to guide the development of the district to meet existing and anticipated needs and conditions.

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

No. The proposed use will actually bring clientele into the area thereby patronizing nearby businesses. The approval of the Conditional Use will benefit the community through the generation of additional business dollars, as well as, tax revenue for the City of Los Angeles. The establishment of the restaurant can only benefit the economic welfare of the community by ensuring a diversity of uses and the full occupancy of an under-utilized commercial building. Therefore, the proposed use will not adversely affect the economic welfare of the community.

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

Yes. Within Census Tract 1954 there are four other facilities with on-site licenses and nine presently exist. ABC concentration statistics are calculated based on the residential population within the census tract in which the subject premises is located. In the instant case this creates an artificially low count for the subject census tract.

The apparent over-concentration of licenses based solely on the population of the particular census tract is overstated. In fact, the labor force and visitors in the area are much larger than the residential population. If the day/evening working and visiting population were taken into account the demand and number of allowed licenses would be much higher. The restaurant is on a major commercial corridor where many of these types of licenses should exist. In addition, the type of cuisine being offered is unique and should be factored into the equation of over-concentration. There is no other Indian restaurant within the area.

Approval of the instant request will result in no appreciable net gain of alcoholic beverage licenses since the entire Silver Lake-Hollywood area is a

well- recognized dining and entertainment area capable of attracting patronage from areas beyond the immediate and neighboring census tracts.

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

No. The proposed use will occur within an existing structure that is self-contained. The proposed restaurant is located at the middle portion of the existing two story building that faces to the interior of a parking lot that fronts onto Sunset Boulevard. There is ample on-site parking. There is no direct access to any residential areas. The applicant's premise is located within and adjacent to an intensive retail commercial and office oriented business district. The proposed use will not detrimentally affect the area.

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 ?

The restaurant will be open everyday from 11AM until 11 AM.

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

The restaurant will accommodate 60 seats.

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. 60 parking spaces are provided on-site.

J] Is there to be entertainment such as a piano bar, juke box, 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/or wine ?

Beer and wine only.

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)

N/A.

- 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 ?**
None available.
- P] Will you have signs visible on the outside which advertise the availability of alcohol ?**
Yes.
- 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. There is a full kitchen. Please see floor plan.
- R] Will beer and/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 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 ?**
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.

Attached.

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

The staff will consist of up to five employees.

AA] 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, vandalism and truancy.

Management supervision.

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

None.

(4) Other measures.

ID required for alcoholic beverage purchases.

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

Yes. ID required for alcoholic beverage purchases.

CC] Are there any schools (public or private and including nursery schools) churches, libraries, parks or playgrounds within 1,000 feet of your proposed business ? Where ?

See attached.

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

SENSITIVE USES LIST
0' - 1,000'
4325 SUNSET BLVD.
LOS ANGELES, CA 90029

96.
CHRIST & CHRISTIAN
LIVING MINISTRY
4370 FOUNTAIN AVE.
LOS ANGELES, CA 90029

INDIAN SPIRITUAL HEALER
1302 MANZANITA ST.
LOS ANGELES, CA 90029

ALCOHOL ESTABLISHMENTS

600'-1,000'

4325 SUNSET BLVD.

LOS ANGELES, CA 90029

TYPE: 48-ON SALE GENERAL
DETOUR BAR
1087 MANZANITA ST.
LOS ANGELES, CA 90029

TYPE: 41-ON SALE B/W EATING PL.
DON FELIX REST.
4435 FOUNTAIN AVE.
LOS ANGELES, CA 90029

INFORMATION AND INSTRUCTIONS

Section 23958.4

OVER CONCENTRATION

APPLICANT(S) NAME: _____

PREMISES ADDRESS: 4325 W Sunset Blvd., Los Angeles, CA 90029

TYPE OF LICENSE: _____

CENSUS TRACT: 1954. POPULATION: _____

NUMBER OF LICENSES ALLOWED: ON - 4 OFF - 3 NUMBER OF EXISTING LICENSES: ON - 9 OFF - 3

REPORTING DISTRICT # 1171

LICENSES IN REPORTING DISTRICT: 259 REPORTING DISTRICT high 316
~~1171~~ 377

The above premises are located in an area which has an over concentration of alcoholic beverage licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code.

The Department is required to deny your application unless it can be shown that public convenience or necessity would be served by issuance of another license in this area.

The Department has determined that in most instances public convenience or necessity is already served by the existing licenses.

If you wish to proceed at this location, and your application is for an On-Sale Bona Fide Eating Place license or a license for a hotel, motel, or other lodging establishment it will be necessary for you to submit a letter at the time of the formal application setting forth valid reasons why issuance of another license is justified in this area.

If your application is for an Off-Sale license or an On-Sale Public Premises license, the local governing body of the city in which the premises is located must determine that public convenience or necessity would be served by issuance of the license.

If, in any event another license can be justified, it will be subject to appropriate conditions.

02-06-08
11:53 AM

CENSUS TRACT INFORMATION BY CENSUS TRACT NUMBER
 where county is 19-LOS ANGELES and census tract is 1954.

TOTAL: 12

COUNTY	Census Tract	DO	License Num	On Sale Active	On Sale Pend	Off Sale Active	Off Sale Pend
19	1954.	04	266034	Y	N	N	N
19	1954.	04	284629	Y	N	N	N
19	1954.	04	287651	N	N	Y	N
19	1954.	04	315174	Y	N	N	N
19	1954.	04	319158	Y	N	N	N
19	1954.	04	332629	Y	N	N	N
19	1954.	04	365498	Y	N	N	N
19	1954.	04	375561	Y	N	N	N
19	1954.	04	405757	N	N	Y	N
19	1954.	04	422098	Y	N	N	N
19	1954.	04	439116	N	N	Y	N
19	1954.	04	445171	Y	N	N	N
Totals				9	0	3	0