

MASTER LAND USE PERMIT APPLICATION
LOS ANGELES CITY PLANNING DEPARTMENT

ENV No. <u>2009-3137-CE</u>		Existing Zone <u>C4-1D</u>		District Map <u>150 B 197</u>	
APC <u>Central</u>		Community Plan <u>Hollywood</u>		Council District <u>4</u>	
Census Tract <u>1891.00</u>	APN <u>5590007036</u>	Staff Approval*		Date	

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

CASE NO. ZA-2009-3136-CUB

APPLICATION TYPE CONDITIONAL USE PERMIT- CUB

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

1. PROJECT LOCATION AND SIZE

Street Address of Project 2081 N. HILLHURST AVE. Zip Code 90027
 Legal Description: Lot 75-82 Block _____ Tract BROTHERTON PLACE
 Lot Dimensions irregular Lot Area (sq. ft.) 105,850.8 sq.ft. Total Project Size (sq. ft.) 1,292.0 sq. ft.

2. PROJECT DESCRIPTION

Describe what is to be done: A CUB to permit the continued sale & dispensing of beer & wine in conjunction w/ an existing 812 sq. ft. restaurant with 480 sq. ft. proposed patio dining addition, accomodating 20 patrons, and having the hours of operation from 7 a.m.-11 p.m.(Monday-Saturday) & 11 a.m.- 10 p.m.(Sunday).

Present Use: restaurant Proposed Use: same
 Plan Check No. (if available) 09014-10000-01238 Date Filed: 04/21/2009

Check all that apply:

<input checked="" 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	<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: 12.24 W 1
A CUB to permit the continued sale & dispensing of beer & wine in conjunction w/ an existing 812 sq. ft. restaurant with 480 sq. ft. proposed patio dining addition.
 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:
ZA-2001-3468-CUB

4. OWNER/APPLICANT INFORMATION

Applicant's name GISOYA JAPANESE RESTAURANT, INC. Company CALIFORNIA ROLL & SUSHI
 Address: 2081 HILLHURST AVE #A Telephone: (323) 874-8965 Fax: ()
LOS ANGELES, CA Zip: 90027 E-mail: _____

Property owner's name (if different from applicant) PIKEN SILVERMAN, E.L.A., LLC
 Address: 12725 VENTURA BLVD. SUITE A Telephone: (818) 755-2700 Fax: ()
STUDIO CITY, CA Zip: 91604 E-mail: hpiken@piken.com

Contact person for project information ALEX Y. WOO Company GENESIS CONSULTING INC.
 Address: 3600 WILSHIRE BLVD. SUITE 834 Telephone: (213) 471-2077 Fax: (213) 596-8541
LOS ANGELES, CA Zip: 90010 E-mail: alexwoo@gmail.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: Herbert M. Piken

Print: HERBERT M. PIKEN

ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

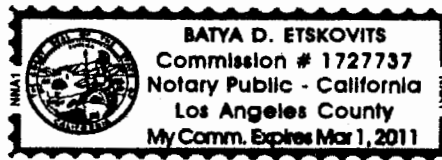
On September 21, 2009 before me, Batya D. Etskovits, Notary Public
(Insert Name of Notary Public and Title)

personally appeared Herbert M. Piken, 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.

Batya D. Etskovits (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 <u>\$6A74</u>	Reviewed and Accepted by <u>ROBERT S. HEREDIA</u>	Date <u>SEPTEMBER 25, 2009</u>
Receipt No. <u>282003</u>	Deemed Complete by	Date

<p>(Applicant) Gisoya Japanese Restaurant Inc. 2081 N. Hillhurst Avenue Los Angeles, CA 90027</p> <p>(Representative) Genesis Consulting Inc. 3600 Wilshire Blvd. #824 Los Angeles, CA 90010</p>	<p>Case : Conditional Use-CUB</p> <p>Site Address: 2081 N. Hillhurst Avenue Community Plan Area: Hollywood Area Planning Commission: Central C.D.: 4 Zone: C4-1D Census Tract: 1891.00</p> <p>Legal Description: Lots 75-82, of Brotherton Place Tract</p>
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Request:

A **Conditional Use Permit**, pursuant to the provisions of **Section 12.24 W, 1** of the Los Angeles Municipal Code, to permit the continued sale and dispensing of beer and wine for on-site consumption in conjunction with the operation of an existing 1,292 sq. ft. restaurant accommodating 47 patrons; and having hours of operation from 7:00 a.m. to 11:00 p.m. (Monday-Saturday) and 11 a.m. to 10 p.m. on Sunday.



CONDITIONAL USE PERMIT

[Section 12.24-W, 1: on-premises sale & consumption of alcoholic beverages]

- a. **The proposed location will be desirable to the public convenience or welfare and to the development of the community.**

The subject restaurant will continue to enhance the commercial activity in this area. Said use will provide convenience to patrons who reside, work or visit in the area, and also vitalizes commercial activities within the commercial development itself. Therefore, the subject restaurant is appropriate for the location and desirable for the welfare of the community.

- b. **The location and use will not be materially detrimental to the character of the development in the immediate neighborhood.**

The properties along Hillhurst are similarly developed with various commercial uses such as, restaurants, markets, offices and many other retail uses. The nearby residential uses are located on high rise buildings that had been converted into residential lofts. The proposed use is compatible with the development in the surrounding properties because the requested use is already a fully established restaurant that has serve this area for many years. Also, the requested use is allowed by right in the zone it is located and the restaurant is similar to adjacent uses in this area. The subject restaurant will operate in

the commercial center and will offer an extensive menu for reasonable prices and will continue to be a fixture to this community. Again, the sale of beer and wine will be incidental to food sales. Thus, the proposed request for the continued sale of beer and wine at this bona fide restaurant will not be materially detrimental to the character of the development in the immediate neighborhood.

c. The proposed location will be in harmony with the various elements and objectives of the General Plan.

The plan does not specifically address requests made to sale alcoholic beverages; however, the Los Angeles Municipal Code does allow a Zoning Administrator the privilege to grant such request when appropriate. Since the General Plan promotes services throughout the community in areas that are convenient to its residence, this request would then be consistent. Serving beer and wine sales incidental to food service is a reasonable request. The adjacent properties consist of a few restaurants that have the same hours of operation that is in this request. No negative outcomes have resulted; therefore, this request should not impair the integrity and character of the zone, in which it is located. The zone allows for similar commercial uses, and no significant problems or negative impacts have been caused by such uses or its patrons. Thus, the approval of this request will be in harmony with various 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. The approval of this conditional use will only continue to add economic vigor to the local economy by drawing more customers to the area. Also, the applicant will employ the majority of the staff from the local communities. It will contribute to the business tax base, and in turn, will regenerate resources into the community. Therefore, the request to continue the exiting use will enhance the economic wellbeing of the community.

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

Although there may be an over concentration of alcohol sale within the Census Tract, the subject restaurant has already been approved with a beer and wine license and this request is not for a new license but rather a continued operation of the ongoing services. The applicant will continue to provide a full menu as it has been since the opening of this restaurant and alcohol sales will only be sold incidental to a food order. Furthermore, the property is located within an area of concentrated commercial activity so the number of alcohol licenses is not unexpected. Therefore, the approval of this request shall not be considered as an undue concentration of such establishments.

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

The properties along Hillhurst Avenue are similarly developed with various commercial uses including restaurants, beauty salon, clinic, offices, restaurants, a supermarket and various retail uses within a mini shopping center. The nearby residential uses are located within the interior lots west and north of the site. This residential community is sold on the convenience of the many different choices of restaurants within a walking distance. The subject restaurant also has been serving this community for many years problem-free. Thus, the approval of the Conditional Use will not detrimentally affect nearby residentially zoned 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 alcoholic sales?**

The hours of operation is from 7:00 a.m. to 11:00 p.m. (Monday-Saturday) and 11 a.m. to 10 p.m. on Sunday.

- 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 is 47 patrons.

- 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, approximately 9 on-site parking is available.

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

None.

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

The proposed request is for beer and wine sales.

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

N/A

- 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 is proposed.

- 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 games 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?**

The sale of alcohol will be incidental to a food order. Yes, there is a kitchen in the premises as defined in the LAMC.

- 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. Bottled beer and wine coolers will be sold in containers less than 1 liter.

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

No artificially fortified wine will be sold.

- 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?**

There are no security provided at the moment but if it becomes necessary, the applicant

will provide one.

- 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?**

N/A

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

The applicant will provide the menu at the public hearing.

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

Approximately 3-4 employees will be on site per shift.

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

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

Yes, this will be done.

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

The applicant will display signs to discourage such activity.

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

None.

- (4) **Other measures.**

Security lighting., Surveillance Cameras

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

There will be no minimum age for the premises; however, the staff will be properly trained to check identification when alcoholic beverages are sold.

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

St Mary of the Angels Anglican Church
4510 Finley Ave Los Angeles, CA 90027

Mission of Los Feliz Church
1934 Hillhurst Ave Los Angeles, CA 90027

Our Mother of Good Counsel School
4622 Ambrose Ave Los Angeles, CA 90027

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 motel, adult motion picture, adult theater)?

N/A

ALCOHOLIC ESTABLISHMENTS WITHIN 1000' FEET FROM
2081 N. HILLHURST AVENUE

ALCOVE CAFE & BAKERY TYPE-41
1929 HILLHURST AVE

TANGIER TYPE-47
2138 HILLHURST AVE

MEXICO RESTAURANT TYPE-47
2121-23 HILLHURST AVE

THE PALACE TYPE-47
2112 HILLHURST AVE

PURANS RESTAURANT- TYPE-41
2064 HILLHURST AVE

HILLHURST LIQUOR TYPE-21
2060 HILLHURST AVE

JAPANESE COUNTRY CUISINE TYPE-41
2040 HILLHURST AVE

ALBERTSONS TYP-21
2035 HILLHURST AVE

FARFALLA RESTAURANT TYPE-41
1978 HILLHURST AVE

VILLAGE LIQUOR MART TYPE-21
1859 HILLHURST AVE

SIMPLY THAI RESTAURANT TYPE-41
1850 HILLHURST AVE