CUP Application Proposal
October 15, 2019

Before the
City of Los Angeles Planning Department
Case No.: ZA 2019-6028-CUB-CUX

TENTATIVE Hearing Date: FEB. 28, 2020

Project description: Authorization Section 12.24-W-1

Request: A Conditional Use Permit to allow the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a 3,760 sq. ft. bar/lounge with 123 seats, and live entertainment including a 200 sq. ft. (Ground Floor), and a 400 sq. ft. (Basement) dance floors in the C2-4D zone. Proposed hours of operation from 10:00am to 2:00am daily.

Authorization Section 12.24-W,18

Request: A conditional Use Permit to allow patron dancing on two dance floors measuring 200 sq. ft. (round Floor), and 400 sq. ft. (Basement), in conjunction with a bar/lounge in the C2-4D Zone.

Applicant: Eduardo Castillo

Dba: Pattern Bar

Land Owner: LA Apparel Mart, LLC

Address of premises: 100 W. 9th Street

ABC License applied for: Type 48, On-Sale General Public Premises (issued)

Menu/Theme: Venezuelan foods

Square feet: 3760 sq. ft.
   1560 sq. ft. First floor (in use)
   2200 Sq. ft. Basement level (to be developed)

Seating provided: 123 total
46 First floor
77 Basement level

Hours of operation: Existing hours are 6am to 4am, daily
Hours of alcohol sales: 10am to 2am daily

Fixed bar counter: One on first floor with 10 bar stools

Live Entertainment: Yes

Dancing: Yes

ABC license history: Currently licensed Type 48 (48-509027, issued June 2011)

Parking Required: None, per12.21-A,4(i) (Downtown Business District)

Parking provided (on-site): None

Security: None required. 4-12 employees on-site at all times.

Number of employees: 4-12
**APPLICATIONS:**

**DEPARTMENT OF CITY PLANNING APPLICATION**

**THIS BOX FOR CITY PLANNING STAFF USE ONLY**

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Application includes letter requesting:
- Waived hearing
- Concurrent hearing
- Hearing not be scheduled on a specific date (e.g. vacation hold)
  - Related Case Number

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.

All terms in this document are applicable to the singular as well as the plural forms of such terms.

Detailed filing instructions are found on form CP-7810

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### 1. PROJECT LOCATION

- **Street Address**: 100 W 9TH STREET
- **Legal Description**: LOT 1, TRACT 1857
- **Assessor Parcel Number**: 5139-002-021
- **Total Lot Area**: 15,068.5 SQ FT

### 2. PROJECT DESCRIPTION

- **Present Use**: BAR/LOUNGE
- **Proposed Use**: SAME
- **Project Name (if applicable)**:
- **Describe in detail the characteristics, scope and/or operation of the proposed project**: SEE ATTACHED DETAILED DESCRIPTION

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Additional information attached
- **YES**
- **NO**

Complete and check all that apply:

**Existing Site Conditions**

- Site is undeveloped or unimproved (i.e. vacant)
- Site has existing buildings (provide copies of building permits)
- Site is located within 500 feet of a freeway or railroad
- Site is located within 500 feet of a sensitive use (e.g. school, park)

---

1 Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—http://zimas.lacity.org)
2 Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)
Proposed Project Information

(Check all that apply or could apply)

☐ Demolition of existing buildings/structures
☐ Relocation of existing buildings/structures
☐ Interior tenant improvement
☐ Additions to existing buildings
☐ Grading
☐ Removal of any on-site tree
☐ Removal of any street tree

Housing Component Information

Number of Residential Units: Existing _____ - Demolish(ed) _____ + Adding _____ = Total _____
Number of Affordable Units
Existing _____ - Demolish(ed) _____ + Adding _____ = Total _____
Number of Market Rate Units
Existing _____ - Demolish(ed) _____ + Adding _____ = Total _____

Mixed Use Projects, Amount of Non-Residential Floor Area: N/A square feet

Public Right-of-Way Information

Have you submitted the Planning Case Referral Form to BOE? (required) ☐ YES ☐ NO
Is your project required to dedicate land to the public right-of-way? ☐ YES ☐ NO
If so, what is/are your dedication requirement(s)? ______ ft.
If you have dedication requirements on multiple streets, please indicate: N/A

Additional Requests Attached
☐ YES ☐ NO

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? ☐ YES ☐ NO

Authorizing Code Section 12.24-W, 1

Code Section from which relief is requested (if any):

Action Requested, Narrative: SEE ATTACHED REQUEST CLAUSE

Authorizing Code Section 12.24-W, 18

Code Section from which relief is requested (if any):

Action Requested, Narrative: SEE ATTACHED REQUEST CLAUSE

Additional Requests Attached ☒ YES ☐ NO

3 Number of units to be demolished and/or which have been demolished within the last five (5) years.

4 As determined by the Housing and Community Investment Department.
9. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service of process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.

- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.

- **Grant Deed.** Provide a Copy of the Grant Deed if the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.

- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

A. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.

B. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.

C. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.

D. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Property Owner's signatures must be signed/notarized in the presence of a Notary Public. The City requires an original signature from the property owner with the "wet" notary stamp. A Notary Acknowledgement is available for your convenience on following page.

Signature __________________________ Date __________________________

Print Name __________________________

Signature __________________________ Date __________________________

Print Name __________________________
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

On 3/11/2019 before me, Barbara A. Winderman-Kaplan, a notary public,
personally appeared KHALID HOSRAVI

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 of 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.

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: __________________________ Number of Pages: __________

Signer(s) Other Than Named Above: __________________________

Capacity(ies) Claimed by Signer(s)

Signer’s Name: __________________________

☐ Corporate Officer — Title(s): __________________________

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: __________________________

Signer Is Representing: __________________________

☐ Corporate Officer — Title(s): __________________________

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: __________________________

Signer Is Representing: __________________________

©2016 National Notary Association • www.NationalNotary.org • 1-800-US NOTARY (1-800-876-6827) Item #5907
10. **APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

A. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.

B. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.

C. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.

D. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.

E. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.

F. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.

G. I understand that if this application is denied, there is no refund of fees paid.

H. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.

I. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

*The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.*

Signature: ___________________________ Date: ______/____/____

Print Name: ___________________________
**OPTIONAL**

**NEIGHBORHOOD CONTACT SHEET**

Signatures of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

<table>
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Review of the project by the applicable Neighborhood Council is not required, but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).
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

PROJECT TITLE
• PATTERN BAR

PROJECT LOCATION
• 100 W 9TH STREET

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
• CONDITIONAL USE PERMIT-BEVERAGES

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

CONTACT PERSON
• LEE RABUN

AREA CODE
• 213

TELEPHONE NUMBER
• 229-4300

EXEMPT STATUS: (Check One)

STATE CEQA GUIDELINES

CITY CEQA GUIDELINES

• MINISTERIAL
  Sec. 15268
  Art. II, Sec. 2b

• DECLARED EMERGENCY
  Sec. 15269
  Art. II, Sec. 2a (1)

• EMERGENCY PROJECT
  Sec. 15269 (b) & (c)
  Art. II, Sec. 2a (2) & (3)

• CATEGORICAL EXEMPTION
  Sec. 15300 et seq.
  Art. III, Sec. 1

Class 5 Category 34 (City CEQA Guidelines)

• 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.

SIGNATURE

TITLE

DATE

FEE:

RECEIPT NO.

REC'D. BY

DATE

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

IF FILED BY THE APPLICANT:

C. L. RABUN

NAME (PRINTED)

SIGNATURE

DATE
ATTACHMENT
(Continuation page)

DETAILED DESCRIPTION:

A new Conditional Use Permit to allow the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a 3,760 sq. ft. bar/lounge with 123 seats and live entertainment including a 200 sq. ft. (Ground Floor), and a 400 sq. ft. (Basement) dance floors in the C2-4D zone. Proposed hours of operation from 10:00am to 2:00am daily.

REQUEST CLAUSE:

Authorizing Section 12.24-W.1

Request: A Conditional Use Permit to allow the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption conjunction with a 3,760 sq. ft. bar/lounge with 123 seats, and live entertainment including a 200 sq. ft. (Ground Floor), and a 400 sq. ft. (Basement) dance floors in the C2-4D zone. Proposed hours of operation from 10:00am to 2:00am daily.

Authorizing Section 12.24-W.18

Request: A Conditional Use Permit to allow public patron dancing on two dance floors measuring 200 sq. ft. (Ground Floor), and a 400 sq. ft. (Basement), in conjunction with a bar/lounge in the C2-4D Zone.
INTRODUCTION

REQUEST:

Pursuant to Condition No. 9 of Case No. ZA 2010-1055(CUB)(CUX), a renewal of a Conditional Use Permit to allow the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption; and to permit public dancing with live entertainment within an existing bar/lounge; having hours of operation and alcohol sales from 10 a.m. to 2 a.m., daily; with a seating capacity for 123 patrons; in the C4-2D zone.

BACKGROUND:

The subject property is a level, rectangular-shaped, corner, parcel of land, having a frontage of 116.37-feet along the northerly side of Main Street and a frontage of 147.42-feet along the southerly side of 9th Street. The site is developed with a twelve-story commercial/office building with the ground floor occupied by three restaurants, a travel agency, a leather accessory store and a yoga studio with general office uses above. There is no provision for on-site parking.

SURROUNDING PROPERTIES:

Northeastery, across 9th Street, adjoining property is classified in the CS-4D zone and improved with a 12-story office/commercial building occupied by retail uses and the Orpheum Theatre complex on the ground floor with general office uses above.

Southeasterly, across Main Street, adjoining property is classified in the [Q]C5-2D zone and improved with a two-story commercial building occupied by a bank, a clothing store and the California Market Center complex.

Southwesterly and Northwesterly, adjoining property is classified in the C2-4D zone and improved with a 6-story apartment building with ground floor commercial uses.

CIRCULATION:

9th Street, adjoining the subject property to the northwest, is a designated an Avenue I Highway, dedicated to a variable width of 70 to 80-feet and improved with curb, gutter and sidewalk. 9th Street is a major one-way eastbound arterial.

Main Street, adjoining the subject property to the southeast, is a designated Major Highway, dedicated to a variable width of xx-feet and improved with curb, gutter and sidewalk.
PRIOR CASES, PERMITS, ETC.:

Subject Property:

Case No. ZA 2010-1055(CUB)(CUX)- On March 9, 2011, the Zoning Administrator approved a conditional use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, and a conditional use to permit public dancing with live entertainment, in conjunction with a proposed bar/lounge.

Case No. ZA 2010-1055(CUB)(CUX)- On March 31, 2011, the Zoning Administrator issued a Letter of Correction to modify Condition No. 19 as follows: The food preparation area shall be maintained on the subject premises in order to provide food when such service of food becomes necessary at the bar.

Certificate of Occupancy No. 2011LA65913- Issued July 15, 2011 to convert 1525 sq ft (E) ground level retail space to bar & lounge with 200 sq ft dance/seating areas, live entertainment and a full line of alcoholic beverage sales for on-site consumption per ZA 2010-1055(CUB)(CUX). A2 Occupancy = 81 max occupants, hours of operation 10 a.m. to 2 a.m.

Case No. CPC 2005-1122(CA)- On June 7, 2005, the City Planning Commission implemented incentives to encourage the production of affordable and workforce housing in the Central City Plan Area.

Case No. CPC 2005-1124(CA)- On April 14, 2005, the City Planning Commission implemented an ordinance requiring projects in the Central City Plan to comply with design and streetscape guidelines.

Case No. CPC 2005-0361(CA)- On June 7, 2005, the City Planning Commission implemented a Code Amendment to upgrade standards and incentivize housing in the Central City Plan Area.

Case No. CPC 86-0606(GPC)- On February 12, 1988, in conjunction with the General Plan Zoning Consistency Program for the Central City Community Plan, the City Council adopted a zone change to C2-4D for the subject property. Ordinance No. 164,307 became final on January 30, 1989 for Subarea 2385.

Surrounding Property:

Case No. ZA 2008-2430(CUB)(CUX)- On February 5, 2009, the Zoning Administrator approved a Conditional Use to permit the on-site consumption of alcoholic beverages with public dancing in a bar/lounge located at 510 W. 8th Street.

ADDITIONAL REQUIREMENTS/FINDINGS FOR APPROVAL OF A CUB OR CUX:

1. RADIUS MAP REQUIREMENTS.

See attached 500’/600’ radius map package

See the last page of this format for a list of alcohol establishments from the subject premises to 1,000 feet of the site.
2. FINDINGS
   
a.  General Conditional Use
      
i.  That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.

   The location of this project is situated in the culturally diverse downtown area of the City which continues to experience a renaissance of new residential and commercial development. The existing bar/lounge is situated in the heart of downtown and more importantly, proximal to the garment, financial and jewelry districts. Major thoroughfares such as 8th and 9th Streets, Broadway and the Spring Street/Main Street corridor bring significant numbers of commuters and visitors by vehicle and Metro transit into proximity to this existing use.

   The site is located within a regional center in proximity to a variety of other office, commercial and residential uses. The amenities associated with the existing use represent an effort to provide live entertainment, public dancing and a beverage service which promotes the revitalization the area. The predominately commercial nature of this area serves as an appropriate location of the existing use. The request, in conjunction with the imposition of conditions addressing potential impacts associated with the sale of alcoholic beverages and dancing with live entertainment, will continue to provide a service that is beneficial to the community, city, or region.

      
   ii.  That the project’s location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

   Surrounding properties are characterized by level topography and fully improved streets. The surrounding properties are developed with multi-storied commercial, office and residential buildings with their attendant parking lots and parking structures. Being in the historic core of the Central Business District, there is a high degree of pedestrian activity and traffic circulation within the general area. Several MTA bus lines service the building on surrounding streets.

   This bar/lounge, when considering the broad range of uses in the immediate vicinity, is unlikely to adversely affect the development of the community. With the imposition of, and strict adherence to prior conditions to mitigate potential impacts to adjacent uses, the applicant does not anticipate future problems with the business operation. Furthermore, proper management and monitoring of the use will prevent the business operation from becoming a nuisance.

   The prior authorization incorporated conditions that were intended to ensure that the operation of the bar/lounge, with the sale of a full line of alcoholic beverages, would be compatible with other uses in the surrounding community. Those conditions included alcohol-service training for employees, site maintenance, camera surveillance and age verification. The hours of operation that were approved should not result in nuisance activities such as loitering or drinking in public. The existing use is commercially developed and located within a prime commercial area with other establishments that serve alcoholic beverages.
iii. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The Central City Community Plan Map designates the subject property for Regional Center Commercial land use with its corresponding zone and C2 and Height District No. 4D. The subject property is not within the area of any Specific Plan or Interim Control Ordinance. The property is located within the City Center Redevelopment Project Area, the Central Business District Redevelopment Project Area, the Los Angeles State Enterprise Zone and the Downtown Adaptive Reuse Incentive Area. An objective of the Plan is to encourage development and public improvements in the Fashion District and South Markets area that enhance the pedestrian environments, improve pedestrian circulation within the area and provide pedestrian linkages to other downtown activity centers, particularly the Broadway retail and Theater District.

The project appears to be consistent with the following objectives and policies of the Central City Community Plan:

Objective 2-1: To improve Central City’s competitiveness as a location for offices, business, retail and industry.

Objective 2-2: To retain the existing retail base in Central City.

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows and tourism.

Policy 2-4.1: Promote night life activity by encouraging restaurants, pubs, nightclubs, small theaters and other specialty uses to reinforce existing pockets of activity.

The sale of alcohol in conjunction with the operation of the bar/lounge will continue to provide a recreational amenity to area visitors, workers and residents alike and as such, it appears to be an appropriate service. Alcohol sales, public dancing and live entertainment in bar/lounges are commonplace for such business activity. Therefore, the existing use appears to be consistent with the goals and objectives of the Community Plan and consistent with the General Plan and its elements.

b. Additional Findings

i. Explain how the proposed use will not adversely affect the welfare of the pertinent community.

The bar/lounge will continue to provide employment for the community and tax revenues, purchase goods and services to support the use and investments in tenant improvements. There is every expectation that the existing bar/lounge will continue to provide an economic stimulus to the community and the will serve to increase the attraction of this commercial area and is expected to help promote commerce and tourism in Downtown Los Angeles.

The Central City Community Plan lists issues expressed from the community such as the lack of neighborhood-oriented businesses to support residential areas and lack of the necessary mix of commercial uses to attract a variety of people to the downtown area in the evenings and on weekends. A variety of commercial uses are an intrinsic part of these neighborhood-oriented service amenities necessary for the conservation, development and success of a vibrant downtown Los Angeles.
ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.

Despite possible concerns regarding the over-concentration of alcoholic beverage licenses, the subject property is located within an intensive commercial and manufacturing area in downtown Los Angeles. The number of allocated licenses is calculated based upon the resident population and the fact that the employment and shopping population far exceeds the resident population of the census tract. Land use in the immediate area is characterized by a wide variety of commercial uses which provide diverse entertainment venues with service of alcoholic beverages. Although the census tract is numerically over-concentrated, the bar/lounge is already in operation and does not add an additional license to the census tract and the use will utilize the same license that currently exists.

iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

There are older and newer residential units developed in the area which also represent conversions of buildings which were previously solely used for commercial uses. However, there are no residential dwelling units in direct proximity to the subject site. Since the site is situated in a prime commercial area, the diversity amongst the uses is not uncommon and is also representative of the effort to bring in a variety of uses that would cater to residents and employees alike. The bar/lounge is operated within a contained environment where monitoring is facilitated. The prior grant has placed numerous conditions of the existing use and non-authorized uses of the property which might create potential nuisances for the surrounding area. Such imposition of conditions will make the use a more compatible and accountable neighbor to the surrounding uses than would otherwise be the case.

3. QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE

The conditions site below were imposed by the Zoning Administrator under Case No. ZA 2010-1055(CUB)(CUX) and the applicant will continue to comply with those conditions.

a. What is the total square footage of the building or center the establishment is located in?

The total square footage of the commercial building is 155,614

b. What is the total square footage of the space the establishment will occupy?

The total square footage of the subject premises is 3,760

c. What is the total occupancy load of the space as determined by the Fire Department?

Condition No. 7b:
The patron seats shall not exceed the maximum capacity/occupancy permitted by the Los Angeles fire Department and the Department of Building and Safety. Notwithstanding any Fire Department occupancy limitations that exceed these restrictions, the applicant shall post the Zoning Administrator’s occupancy restrictions next to the posting of the Fire Department’s occupancy sign.
d. What is the total number of seats that will be provided indoors? Outdoors?

Condition No. 7b:
The subject premises shall be limited to 123 patron seats, 46 of which are on the ground floor and the remaining 77 seats in the basement as shown of Exhibit “A”.

e. If there is an outdoor area, will there be an option to consume alcohol outdoors?

There is no outdoor dining area.

f. If there is an outdoor area, is it on private property or the public right-of-way, or both?

NA

i. If an outdoor area is on the public right-of-way, has a revocable permit been obtained?

NA

g. Are you adding floor area? If yes, how much is enclosed? Outdoors?

This request does not involve additional floor area.

h. Parking

i. How many parking spaces are available on the site?

There is no provision for on-site parking. Pursuant to Code Section 12.21-A, 4 (i), on-site parking spaces are not required for the site because of its location within the boundary of the Downtown Business District parking area.

ii. Are they shared or designated for the subject use?

NA

iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety?

This request does not involve additional floor area and the bar/lounge will not provide on-site parking.

iv. Have any arrangements been made to provide parking off-site?

Arrangements have not been made to provide parking off-site.

1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety.

Note: Required parking must be secured via a covenant pursuant to LAMC 12.26 E 5. A private lease is only permitted by a Zone Variance.
2. Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve.

3. Will valet service be available? Will the service be for a charge?
   i. Is the site within 1,000 feet of any schools (public, private or nursery schools, churches or parks)?
      No
   j. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Business as defined by LAMC 12.70 B 17? NA

4. Questions Regarding the Operation of the Establishment
   a. What are the proposed hours of operation and which days of the week will the establishment be open?

      Condition No. 7c:
      The hours of operation shall be between 10 a.m. and 2 a.m., daily.

      After-hours use of the premises other than for routine clean-up and maintenance shall not be permitted. Hours of operation shall be posted at the entrance of the subject premises and on the menu.

   b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc? Please specify:

      Condition No. 7d:
      Live entertainment shall be limited to no more than four musicians/singers/performers only and the use of outside promoters shall be prohibited.

      Public dancing shall be permitted only within the dual-purpose dance floor/seating area measuring no more than 200 square feet on the ground floor and 400 square feet in the basement where the area is identified for dancing and is fully enclosed as shown on Exhibit “A”. No dancing, no live entertainment and no amplified music shall be allowed outside the premises.

      Amplified music shall not audible beyond the premises. Noise generated on-site shall not exceed the decibel levels stated in the Citywide Noise Ordinance.

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   Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.

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   Pool tables, billiard tables, and Adult Entertainment uses [Municipal Code Section 12.70] shall be prohibited.
c. Will there be minimum age requirements for entry? If yes, what is the minimum age requirement and how will it be enforced?

Persons must be 21 years of age or older to enter the subject premises.

d. Will there be any accessory retail uses on the site? What will be sold?

There are no accessory retail uses associated with the existing bar/lounge use.

e. Security

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

There will be 4-12 employees on the site at any given time.

ii. Will security guards be provided on-site? If yes, how many and when?

Condition No. 28:
Prior to the issuance of any building permit, a security plan shall be submitted to the satisfaction of the Los Angeles Police Department [LAPD].

The security plan shall include, at a minimum, a number of uniformed security guards and their patrol hours in accordance with the operational needs. The operator shall determine, as needed, days and times when such a presence is necessary giving special consideration to weekend evenings and other special events/performances when a large attendance of patrons are anticipated to patronize the subject premises.

A minimum of one State licensed security guard for every 50 patrons shall be provided from 6 p.m. until one-half after closing during the operating hours. The security guard shall have a State guard license, wear a uniform and have, at a minimum, the following qualifications and responsibilities:

a. The guard shall patrol the premises including the adjacent sidewalk and the area of the parking garage utilized by patrons.

b. The guard shall not conduct any other activities while employed at the premises other than those of a security guard. The security guards shall maintain order and prevent activity that would interfere with the quiet enjoyment of the surrounding properties and the owners, tenants and visitors of those properties. The guard shall be responsible for preventing loitering and any criminal activity on and around the subject premises including public drinking, littering, trespassing, transactions involving controlled substances and other illegal and public nuisance activities.

iii. Has LAPD issued any citations or violations? If yes, please provide copies.

No
f. Alcohol

i. Will there be beer & wine only, or a full line of alcoholic beverages available?

This request is for the continuation of a full line of alcoholic beverages.

ii. Will “fortified” wine (greater than 16% alcohol) be sold?

“Fortified” wine will not be sold.

iii. Will alcohol be consumed on any adjacent property under the control of the applicant?

Alcohol will not be allowed to be consumed on any adjacent property under control of the applicant.

iv. Will there be signs visible from the exterior that advertise the availability of alcohol?

Condition No. 31:
There shall be exterior advertising or signs of any type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute violation of this condition. This condition is not meant to preclude an interior display of alcoholic beverage containers within the interior of the restaurant space. The only exception to this restriction is the posting of a single menu on the outside wall and/or posting of “Pattern Bar” for business identification purposes.

v. Food

1. Will there be a kitchen on the site?

Condition No. 19:
The food preparation area shall be maintained on the subject premises in order to provide food when such service of food becomes necessary at the bar.

2. Will alcohol be sold without a food order?

On occasion, an outside vendor will cater a food service for certain events, which will be available to patrons within the bar/lounge.

3. Will the sale of alcohol exceed the sale of food items on a quarterly basis?

The subject use is a bar/lounge and does not operate as bona-fide restaurant.

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

NA
vi. On-Site

1. Will a bar or cocktail lounge be maintained incidental to a restaurant?

The subject use operates as a bar/lounge.

   a. If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.

2. Will off-site sales of alcohol be provided accessory to on-site sales ("Take Out")?

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

   a. If yes, a request for off-site sales of alcohol is required as well.

3. Will discounted alcoholic drinks ("Happy Hour") be offered at any time?

Discounted alcoholic drinks will not be offered at any time.

vii. Off-Site

1. Will cups, glasses or other container be sold which might be used for the Consumption of alcohol on the premises?

NA

2. Will beer or wine coolers be sold in single can, or will wine be sold in Containers less than 1 liter (750 ml)?

NA

viii. Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements – [http://www.abc.ca.gov/](http://www.abc.ca.gov/).

5. CALDERA BILL (CA Business and Professions Code Section 23958 and 23958.4)

   a. Is this application a request for on-site or off-site sales of alcoholic beverages?

This request is for on-site sales of alcoholic beverages.

   i. If yes, is the establishment a bona fide eating place (restaurant) or hotel/motel?

The subject premises is a bar/lounge and is not maintained as a bona fide eating place [restaurant].
1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:

   a. issuance of a license to serve alcohol on-site or off-site tend to create a law enforcement problem, or

   b. if issuance would result in, or add to an undue concentration of licenses.

b. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for public convenience or necessity.

6. ADDITIONAL REQUIREMENTS FOR MASTER CUBs/CUXs.

   NA

   LIQUOR ESTABLISHMENTS FROM SUBJECT PREMISES TO 600 FEET

   Orpheum Theater – Type 47  
   842 S Broadway

   Broadway Bar – Type 48  
   830 S Broadway

   Tuck Restaurant – Type 47  
   820 S Spring St

   Pattern Bar – Type 48  
   100 W 9th St

   Impossible – Type 47  
   852 S Broadway

   Preux & Proper – Type 47  
   840 S Spring St

   Lalla’s – Type 41  
   105 W 9th St

   Tony’s Mini Market – Type 20  
   224 W 9th St

   DTLA Ramen – Type 41  
   952 S Broadway

   Il Café – Type 41  
   855 S Broadway

   Downtown Peking Tavern – Type 47  
   806 S Spring St

   Terroni – Type 47  
   801 S Main St

   Woodspoon – Type 41  
   107 W 9th St

   Crane’s Bar – Type 48  
   810 S Spring St

   Jason’s Wine & Spirits – Type 21  
   110 E 9th St

   Omnom Organics – Type 20  
   217 W 9th St

   Amante Italian Restaurant – Type 41  
   121-125 E 9th St
<table>
<thead>
<tr>
<th>Name</th>
<th>Type</th>
<th>Address</th>
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<tbody>
<tr>
<td>Elinor’s Snack Shop</td>
<td>Type 20</td>
<td>807 S Santee St</td>
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<tr>
<td>Golden Gopher</td>
<td>Type 48/20</td>
<td>417 W 8th St</td>
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<td>Ace Hotel</td>
<td>Type 47</td>
<td>921-933 S Broadway</td>
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<td>Restaurant Cabanas</td>
<td>Type 41</td>
<td>1003 S Hill St</td>
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<tr>
<td>Chipolte</td>
<td>Type 41</td>
<td>301 Olympic Blvd</td>
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<td>Mikkeller Bar</td>
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<td>Biergarten</td>
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<td>752-754 S Broadway</td>
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<tr>
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<td>433 W 8th St</td>
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<td>Free Hand</td>
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<td>Mayan Night Club</td>
<td>Type 41</td>
<td>1038 S Hill St</td>
</tr>
<tr>
<td>Shekarchi Grill</td>
<td>Type 47</td>
<td>920 S Olive St</td>
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INTRODUCTION

REQUEST:

Pursuant to Condition No. 9 of Case No. ZA 2010-1055(CUB)(CUX), a renewal of a Conditional Use Permit to allow the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption; and to permit public dancing with live entertainment within an existing bar/lounge; having hours of operation and alcohol sales from 10 a.m. to 2 a.m., daily; with a seating capacity for 123 patrons; in the C4-2D zone.

BACKGROUND:

The subject property is a level, rectangular-shaped, corner, parcel of land, having a frontage of 116.37-feet along the northerly side of Main Street and a frontage of 147.42-feet along the southerly side of 9th Street. The site is developed with a twelve-story commercial/office building with the ground floor occupied by three restaurants, a travel agency, a leather accessory store and a yoga studio with general office uses above. There is no provision for on-site parking.

SURROUNDING PROPERTIES:

Northeasterly, across 9th Street, adjoining property is classified in the C5-4D zone and improved with a 12-story office/commercial building occupied by retail uses and the Orpheum Theatre complex on the ground floor with general office uses above.

Southeasterly, across Main Street, adjoining property is classified in the C5-2D zone and improved with a two-story commercial building occupied by a bank, a clothing store and the California Market Center complex.

Southwesterly and Northwesterly, adjoining property is classified in the C2-4D zone and improved with a 6-story apartment building with ground floor commercial uses.

CIRCULATION:

9th Street, adjoining the subject property to the northwest, is a designated an Avenue I Highway, dedicated to a variable width of 70 to 80-feet and improved with curb, gutter and sidewalk. 9th Street is a major one-way eastbound arterial.

Main Street, adjoining the subject property to the southeast, is a designated Major Highway, dedicated to a variable width of xx-feet and improved with curb, gutter and sidewalk.
PRIOR CASES, PERMITS, ETC.:

Subject Property:

Case No. ZA 2010-1055(CUB)(CUX)- On March 9, 2011, the Zoning Administrator approved a conditional use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, and a conditional use to permit public dancing with live entertainment, in conjunction with a proposed bar/lounge.

Case No. ZA 2010-1055(CUB)(CUX)- On March 31, 2011, the Zoning Administrator issued a Letter of Correction to modify Condition No. 19 as follows: The food preparation area shall be maintained on the subject premises in order to provide food when such service of food becomes necessary at the bar.

Certificate of Occupancy No. 2011-0A65913- Issued July 15, 2011 to convert 1525 sq ft (E) ground level retail space to bar & lounge with 200 sq ft dance/seating areas, live entertainment and a full line of alcoholic beverage sales for on-site consumption per ZA 2010-1055(CUB)(CUX), A2 Occupancy = 81 max occupants, hours of operation 10 a.m. to 2 a.m.

Case No. CPC 2005-1122(CA)- On June 7, 2005, the City Planning Commission implemented incentives to encourage the production of affordable and workforce housing in the Central City Plan Area.

Case No. CPC 2005-1124(CA)- On April 14, 2005, the City Planning Commission implemented an ordinance requiring projects in the Central City Plan to comply with design and streetscape guidelines.

Case No. CPC 2005-0361(CA)- On June 7, 2005, the City Planning Commission implemented a Code Amendment to upgrade standards and incentivize housing in the Central City Plan Area.

Case No. CPC 86-0606(GPC)- On February 12, 1988, in conjunction with the General Plan Zoning Consistency Program for the Central City Community Plan, the City Council adopted a zone change to C2-4D for the subject property. Ordinance No. 164,307 became final on January 30, 1989 for Subarea 2385.

Surrounding Property:

Case No. ZA 2008-2430(CUB)(CUX)- On February 5, 2009, the Zoning Administrator approved a Conditional Use to permit the on-site consumption of alcoholic beverages with public dancing in a bar/lounge located at 510 W. 8th Street.

ADDITIONAL REQUIREMENTS/FINDINGS FOR APPROVAL OF A CUB OR CUX:

1. RADIUS MAP REQUIREMENTS.

See attached 500’/600’ radius map package

See the last page of this format for a list of alcohol establishments from the subject premises to 1,000 feet of the site.
2. FINDINGS

a. General Conditional Use

i. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.

The location of this project is situated in the culturally diverse downtown area of the City which continues to experience a renaissance of new residential and commercial development. The existing bar/lounge is situated in the heart of downtown and more importantly, proximal to the garment, financial and jewelry districts. Major thoroughfares such as 8th and 9th Streets, Broadway and the Spring Street/Main Street corridor bring significant numbers of commuters and visitors by vehicle and Metro transit into proximity to this existing use.

The site is located within a regional center in proximity to a variety of other office, commercial and residential uses. The amenities associated with the existing use represent an effort to provide live entertainment, public dancing and a beverage service which promotes the revitalization of the area. The predominately commercial nature of this area serves as an appropriate location of the existing use. The request, in conjunction with the imposition of conditions addressing potential impacts associated with the sale of alcoholic beverages and dancing with live entertainment, will continue to provide a service that is beneficial to the community, city, or region.

ii. That the project’s location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

Surrounding properties are characterized by level topography and fully improved streets. The surrounding properties are developed with multi-storied commercial, office and residential buildings with their attendant parking lots and parking structures. Being in the historic core of the Central Business District, there is a high degree of pedestrian activity and traffic circulation within the general area. Several MTA bus lines service the building on surrounding streets.

This bar/lounge, when considering the broad range of uses in the immediate vicinity, is unlikely to adversely affect the development of the community. With the imposition of, and strict adherence to prior conditions to mitigate potential impacts to adjacent uses, the applicant does not anticipate future problems with the business operation. Furthermore, proper management and monitoring of the use will prevent the business operation from becoming a nuisance.

The prior authorization incorporated conditions that were intended to ensure that the operation of the bar/lounge, with the sale of a full line of alcoholic beverages, would be compatible with other uses in the surrounding community. Those conditions included alcohol-service training for employees, site maintenance, camera surveillance and age verification. The hours of operation that were approved should not result in nuisance activities such as loitering or drinking in public. The existing use is commercially developed and located within a prime commercial area with other establishments that serve alcoholic beverages.
iii. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The Central City Community Plan Map designates the subject property for Regional Center Commercial land use with its corresponding zone and C2 and Height District No. 4D. The subject property is not within the area of any Specific Plan or Interim Control Ordinance. The property is located within the City Center Redevelopment Project Area, the Central Business District Redevelopment Project Area, the Los Angeles State Enterprise Zone and the Downtown Adaptive Reuse Incentive Area. An objective of the Plan is to encourage development and public improvements in the Fashion District and South Markets area that enhance the pedestrian environments, improve pedestrian circulation within the area and provide pedestrian linkages to other downtown activity centers, particularly the Broadway retail and Theater District.

The project appears to be consistent with the following objectives and policies of the Central City Community Plan:

Objective 2-1: To improve Central City’s competitiveness as a location for offices, business, retail and industry.

Objective 2-2: To retain the existing retail base in Central City.

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows and tourism.

Policy 2-4.1: Promote night life activity by encouraging restaurants, pubs, nightclubs, small theaters and other specialty uses to reinforce existing pockets of activity.

The sale of alcohol in conjunction with the operation of the bar/lounge will continue to provide a recreational amenity to area visitors, workers and residents alike and as such, it appears to be an appropriate service. Alcohol sales, public dancing and live entertainment in bar/lounges are commonplace for such business activity. Therefore, the existing use appears to be consistent with the goals and objectives of the Community Plan and consistent with the Genera Plan and its elements.

b. Additional Findings

i. Explain how the proposed use will not adversely affect the welfare of the pertinent community.

The bar/lounge will continue to provide employment for the community and tax revenues, purchase goods and services to support the use and investments in tenant improvements. There is every expectation that the existing bar/lounge will continue to provide an economic stimulus to the community and the will serve to increase the attraction of this commercial area and is expected to help promote commerce and tourism in Downtown Los Angeles.

The Central City Community Plan lists issues expressed from the community such as the lack of neighborhood-oriented businesses to support residential areas and lack of the necessary mix of commercial uses to attract a variety of people to the downtown area in the evenings and on weekends. A variety of commercial uses are an intrinsic part of these neighborhood-oriented service amenities necessary for the conservation, development and success of a vibrant downtown Los Angeles.
ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.

Despite possible concerns regarding the over-concentration of alcoholic beverage licenses, the subject property is located within an intensive commercial and manufacturing area in downtown Los Angeles. The number of allocated licenses is calculated based upon the resident population and the fact that the employment and shopping population far exceeds the resident population of the census tract. Land use in the immediate area is characterized by a wide variety of commercial uses which provide diverse entertainment venues with service of alcoholic beverages. Although the census tract is numerically over-concentrated, the bar/lounge is already in operation and does not add an additional license to the census tract and the use will utilize the same license that currently exists.

iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

There are older and newer residential units developed in the area which also represent conversions of buildings which were previously solely used for commercial uses. However, there are no residential dwelling units in direct proximity to the subject site. Since the site is situated in a prime commercial area, the diversity amongst the uses is not uncommon and is also representative of the effort to bring in a variety of uses that would cater to residents and employees alike. The bar/lounge is operated within a contained environment where monitoring is facilitated. The prior grant has placed numerous conditions of the existing use and non-authorized uses of the property which might create potential nuisances for the surrounding area. Such imposition of conditions will make the use a more compatible and accountable neighbor to the surrounding uses than would otherwise be the case.

3. QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE

The conditions site below were imposed by the Zoning Administrator under Case No. ZA 2010-1055(CUB)(CUX) and the applicant will continue to comply with those conditions.

a. What is the total square footage of the building or center the establishment is located in?

The total square footage of the commercial building is 155,614

b. What is the total square footage of the space the establishment will occupy?

The total square footage of the subject premises is 3,760

c. What is the total occupancy load of the space as determined by the Fire Department?

Condition No. 7b:
The patron seats shall not exceed the maximum capacity/occupancy permitted by the Los Angeles fire Department and the Department of Building and Safety. Notwithstanding any Fire Department occupancy limitations that exceed these restrictions, the applicant shall post the Zoning Administrator's occupancy restrictions next to the posting of the Fire Department's occupancy sign.
d. What is the total number of seats that will be provided indoors? Outdoors?

Condition No. 7b:
The subject premises shall be limited to 123 patron seats, 46 of which are on the ground floor and the remaining 77 seats in the basement as shown of Exhibit “A”.

e. If there is an outdoor area, will there be an option to consume alcohol outdoors?

There is no outdoor dining area.

f. If there is an outdoor area, is it on private property or the public right-of-way, or both?

NA

i. If an outdoor area is on the public right-of-way, has a revocable permit been obtained?

NA

g. Are you adding floor area? If yes, how much is enclosed? Outdoors?

This request does not involve additional floor area.

h. Parking

i. How many parking spaces are available on the site?

There is no provision for on-site parking. Pursuant to Code Section 12.21-A, 4 (i), on-site parking spaces are not required for the site because of its location within the boundary of the Downtown Business District parking area.

ii. Are they shared or designated for the subject use?

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iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety?

This request does not involve additional floor area and the bar/lounge will not provide on-site parking.

iv. Have any arrangements been made to provide parking off-site?

Arrangements have not been made to provide parking off-site.

1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety.

Note: Required parking must be secured via a covenant pursuant to LAMC 12.26 E 5. A private lease is only permitted by a Zone Variance.
2. Please provide a map showing the location of the off-site parking and the Distance, in feet, for pedestrian travel between the parking area the use it is to serve.

3. Will valet service be available? Will the service be for a charge?

   i. Is the site within 1,000 feet of any schools (public, private or nursery schools, churches or parks?)
   
   No

   j. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Business as defined by LAMC 12.70 B 17?
   
   NA

4. QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT

   a. What are the proposed hours of operation and which days of the week will the establishment be open?

   Condition No. 7c:
   The hours of operation shall be between 10 a.m. and 2 a.m., daily.

   After-hours use of the premises other than for routine clean-up and maintenance shall not be permitted. Hours of operation shall be posted at the entrance of the subject premises and on the menu.

   b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc? Please specify:

   Condition No. 7d:
   Live entertainment shall be limited to no more than four musicians/singers/performers only and the use of outside promoters shall be prohibited.

   Public dancing shall be permitted only within the dual-purpose dance floor/seating area measuring no more than 200 square feet on the ground floor and 400 square feet in the basement where the area is identified for dancing and is fully enclosed as shown on Exhibit “A”. No dancing, no live entertainment and no amplified music shall be allowed outside the premises.

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c. Will there be minimum age requirements for entry? If yes, what is the minimum age requirement and how will it be enforced?

Persons must be 21 years of age or older to enter the subject premises.

d. Will there be any accessory retail uses on the site? What will be sold?

There are no accessory retail uses associated with the existing bar/lounge use.

e. Security

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

There will be 4-12 employees on the site at any given time.

ii. Will security guards be provided on-site? If yes, how many and when?

Condition No. 28:
Prior to the issuance of any building permit, a security plan shall be submitted to the satisfaction of the Los Angeles Police Department [LAPD].

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a. The guard shall patrol the premises including the adjacent sidewalk and the area of the parking garage utilized by patrons.

b. The guard shall not conduct any other activities while employed at the premises other than those of a security guard. The security guards shall maintain order and prevent activity that would interfere with the quiet enjoyment of the surrounding properties and the owners, tenants and visitors of those properties. The guard shall be responsible for preventing loitering and any criminal activity on and around the subject premises including public drinking, littering, trespassing, transactions involving controlled substances and other illegal and public nuisance activities.

iii. Has LAPD issued any citations or violations? If yes, please provide copies.

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f. Alcohol

i. Will there be beer & wine only, or a full line of alcoholic beverages available?

This request is for the continuation of a full line of alcoholic beverages.

ii. Will “fortified” wine (greater than 16% alcohol) be sold?

“Fortified” wine will not be sold.

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Alcohol will not be allowed to be consumed on any adjacent property under control of the applicant.

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On occasion, an outside vendor will cater a food service for certain events, which will be available to patrons within the bar/lounge.

3. Will the sale of alcohol exceed the sale of food items on a quarterly basis?

The subject use is a bar/lounge and does not operate as bona-fide restaurant.

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

NA
vi. On-Site

1. Will a bar or cocktail lounge be maintained incidental to a restaurant?

The subject use operates as a bar/lounge.

   a. If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.

2. Will off-site sales of alcohol be provided accessory to on-site sales ("Take Out")?

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

   a. If yes, a request for off-site sales of alcohol is required as well.

3. Will discounted alcoholic drinks ("Happy Hour") be offered at any time?

Discounted alcoholic drinks will not be offered at any time.

vii. Off-Site

1. Will cups, glasses or other container be sold which might be used for the Consumption of alcohol on the premises?

   NA

2. Will beer or wine coolers be sold in single can, or will wine be sold in Containers less than 1 liter (750 ml)?

   NA

viii. Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements – http://www.abc.ca.org/.

5. CALDERA BILL (CA Business and Professions Code Section 23958 and 23958.4)

   a. Is this application a request for on-site or off-site sales of alcoholic beverages?

This request is for on-site sales of alcoholic beverages.

   i. If yes, is the establishment a bona fide eating place (restaurant) or hotel/motel?

The subject premises is a bar/lounge and is not maintained as a bona fide eating place [restaurant].
1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to Determine whether the proposed site is located in an area whereby:

a. issuance of a license to serve alcohol on-site or off-site tend to create a law enforcement problem, or

b. if issuance would result in, or add to an undue concentration of licenses.

b. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for public convenience or necessity.

6. ADDITIONAL REQUIREMENTS FOR MASTER CUBS/CUXs.

NA

LIQUOR ESTABLISHMENTS FROM SUBJECT PREMISES TO 600 FEET

Orpheum Theater – Type 47
842 S Broadway

Il Café – Type 41
855 S Broadway

Broadway Bar – Type 48
830 S Broadway

Downtown Peking Tavern – Type 47
806 S Spring St

Tuck Restaurant – Type 47
820 S Spring St

Terroni – Type 47
801 S Main St

Pattern Bar – Type 48
100 W 9th St

Woodspoon – Type 41
107 W 9th St

Impossible – Type 47
852 S Broadway

Crane’s Bar – Type 48
810 S Spring St

Preux & Proper – Type 47
840 S Spring St

Jason’s Wine & Spirits – Type 21
110 E 9th St

LaLa’s – Type 41
105 W 9th St

Omnom Organics – Type 20
217 W 9th St

Tony’s Mini Market – Type 20
224 W 9th St

Amante Italian Restaurant – Type 41
121-125 E 9th St

DTLA Ramen – Type 41
952 S Broadway
<table>
<thead>
<tr>
<th>Liquor Establishments Between 600 Feet to 1,000 Feet of Subject Premises</th>
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<tbody>
<tr>
<td><strong>Elinor’s Snack Shop</strong> – Type 20</td>
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<tr>
<td>807 S Santee St</td>
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<tr>
<td><strong>Golden Gopher</strong> – Type 48/20</td>
</tr>
<tr>
<td>417 W 8th St</td>
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<tr>
<td><strong>Ace Hotel</strong> – Type 47</td>
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<tr>
<td>921-933 S Broadway</td>
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<td><strong>Restaurant Cabanas</strong> – Type 41</td>
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<td>1003 S Hill St</td>
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<tr>
<td><strong>Chipotle</strong> – Type 41</td>
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<tr>
<td>301 Olympic Blvd</td>
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<tr>
<td><strong>Mikkeller Bar</strong> – Type 47</td>
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<tr>
<td>330 Olympic Blvd</td>
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<tr>
<td><strong>Biergarten</strong> – Type 47</td>
</tr>
<tr>
<td>752-754 S Broadway</td>
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<tr>
<td><strong>The Globe Club</strong> – Type 47</td>
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<td>740 S Broadway</td>
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<td><strong>Ham &amp; Eggs</strong> – Type 42</td>
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<td><strong>Carl’s Junior</strong> – Type 41</td>
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<td><strong>The Stocking Frame</strong> – Type 47</td>
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<td>911 S Hill St</td>
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<td><strong>Shake Shak</strong> – Type 41</td>
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<td><strong>Shibumi</strong> – Type 47</td>
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<td>815 S Hill St</td>
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<td>1038 S Hill St</td>
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<tr>
<td><strong>Shekarchi Grill</strong> – Type 47</td>
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<tr>
<td>920 S Olive St</td>
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