***Special Instructions for Alcohol (CUB) – LAMC 12.24 W.1 /W27***

*City of Los Angeles – Department of City Planning*

**Request:** Code Section 12:24 W.1

D 1 Cafe

110959 Kinross Ave

Los Angeles, CA 90024

Conditional Use Permit to allow the sale of a Beer, Wine and distilled spirits on-site consumption only; in conjunction with a 3,126 Mediterranean Cuisine Restaurant; with the hours of operation being 10:00 to 2AM, seven days a week.

**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.

This existing restaurant is ideally situated to serve the population of residents, workers and shoppers in this part of the City. Their wide selection of items to choose from their menu will only enhance the surrounding neighborhood. This location has been a restaurant in the past, so continued use is a logical extension and will prove valuable to a clientele looking for a broader range of beverage choices, thereby providing a benefit to the community.

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.

The subject premises is located within the Westwood Community Plan area and is designated as a community commercial within the C4-2D-O zone. The surrounding properties have compatible and similar uses to that of the proposed, commercial, general office, service-related and storefront retail uses. This location has served the community as restaurant for many years. This location will continue to add to the diversification of uses within this established center and should remain in proper relation to the adjacent uses.) The instant request is an organic extension of the use that has been at this site for many years and will remain in appropriate relation to the contiguous uses and ongoing development of the community.

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 subject restaurant is an established business within the commercial area of the community. This request is a permitted use within the community plan and will not change the site’s ability to conform to any elements or objectives of the General Plan. This location enhanced this corner and made a difference to the development of this area. This location has followed the specific plan for alcohol and signage under SPP and DRB with approval under DIR-2016-1997-DRB-SPP.

**b. Additional Findings**

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

Inclusion of full line of alcohol beverages is incidental to the use and common in this type of establishment. The applicant will be a responsible business within community without any policing issues and help continue to assist in the financial health of the community; improve the economic base of the area through the exchange of goods and services with other commercial uses and generate tax revenue to various municipalities.

CP-7773 (04/24/12) Page **1** of **5**

ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.

We are confident that the surrounding businesses and community will continue to benefit from the Mediterranean Cuisine restaurant. The approval of this project will allow the applicant to offer a full line of alcohol beverages. This grant will enhance the financial health of the community; improve the economic base of the area through the exchange of goods and services with other commercial uses and generate tax revenue to various municipalities.

This area of Westwood is recognized for local businesses and shopping destination for both locals as well as visitors to the area, accounts for the number of licenses in the census tract.. However, over-concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. This has location has been a restaurant for many years and will continue not to adversely affect community welfare because a restaurant is a desirable use in an area designated for such.

iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses. ***SPECIAL*** INSTRUCTIONS FOR ALCOHOL (CUB) & ADULT ENTERTAINMENT

The subject premises is bounded on three sides by commercially developed properties and is well-buffered from nearby, residentially zoned and occupied properties.

**QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE**

• \_What is the total square footage of the building or center the establishment is located in?

The building is 3,126 square feet.

• \_What is the total square footage of the space the establishment will occupy?

The subject premises is 3,126 square feet.

• \_What is the total occupancy load of the space as determined by the Fire Department?

\_What is the total number of seats that will be provided indoors and outdoors?

Occupancy load

• \_If there is an outdoor area, will there be an option to consume alcohol outdoors?

Yes .

• \_If there is an outdoor area, is it on private property or the public right-of-way, or both?

Yes private – 73 seats

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

N/A

\* \_Are you adding floor area? If yes, how much is enclosed? Outdoors?

No additional floor space is being added.

**Parking**

• \_How many parking spaces are available on the site?

Parking is provided off-site approved with no additional parking per COO.

• \_Are they shared or designated for the subject use?

Yes shared. Parking structure

CP-7773 (04/24/12) Page **2** of **5**

• \_If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety? No additional floor space is being added.

• \_Have any arrangements been made to provide parking off-site? Yes owned and operated by Owner of property.

• \_If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety? Yes

**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.*

• \_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.

• \_Will valet service be available? \_\_No\_\_ Will the service be for a charge? \_\_No\_\_

• \_Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks? \_Yes\_

• \_For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Businesses as defined by LAMC 12.70 B17? \_\_\_N/A\_\_\_

**QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT**

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

Monday Tuesday Wednesday Thursday Friday Saturday Sunday

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Proposed Hours of Operation** | **6:00 am to 2am** | **6:00 am to 2am** | **6:00 am to 2amht** | **6:00 am to 2am** | **6:00 am to 2amt** | **6:00 am to 2am** | **6:00 am to 2am** |
| **Proposed Hours of Alcohol Sale** | **6:00am to 2am** | **6:00 am to 2am** | **6:00 am to 2am** | **6:00 am to 2am** | **6:00 am to 2am** | **6:00 am to 2am** | **6:00 am to 2am** |

Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc…? Please specify: None

**Note:** *An establishment that allows for dancing needs a conditional use pursuant to 12.24 W.18.*

• \_Will there be minimum age requirements for entry? \_No\_ If yes, what is the minimum age requirement and how will it be enforced? This is an on-site full service restaurant, type 47 only

• \_Will there be any accessory retail uses on the site? No What will be sold? N/A

**Security**

• \_How many employees will you have on the site at any given time? o There will be 3 to 5 employees on site at all times.

• \_Will security guards be provided on-site? o No. The applicant has security cameras inside and is a family restaurant.

• \_Has LAPD issued any citations or violations? No If yes, please provide copies.

CP-7773 (04/24/12) Page **3** of **5**

**Alcohol**

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

Full-line On-site only.

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

No fortified wine will be sold.

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

No. This is an on-site only.

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

There will be no signs advertising alcohol visible from the outside.

**Food**

1. Will there be a kitchen on the site?

Yes.

2. Will alcohol be sold without a food order?

Yes, but food will be offered at all times.

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

No, the gross sale of alcohol will not exceed the gross sale of food items on a quarterly basis.

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

enclosed

**On-Site**

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

No alcohol will sold at tables .

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

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

No. This is an on-site request only.

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

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

Wednesday – Saturday from 4 to 7 if permitted in request

**Off-Site**

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

No cups, glasses or containers will be sold for the consumption of alcohol on the premises.

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

N/A on-site only

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

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

CP-7773 (04/24/12) Page **4** of **5**

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

This request is for On-site sales only.

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

Yes type 47 Bona-fide restaurant (Family)

1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:

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

No

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

No lottery license for restaurant.

d. 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**.

Not for a Bona fide restaurant

**ADDITIONAL REQUIREMENTS FOR MASTER CUBs/CUXs.** In addition to all requirements detailed in the Master Land

Use Application Instructions (CP-7810), applications for Master CUBs/CUXs shall include:

• \_A separate sheet containing a table identifying all CUB or CUX requests on the subject site, indicating: the type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; the identifying address or suite/unit number corresponding to each CUB/CUX request; and (if known) the tenant-operator of each alcohol or adult entertainment establishment.

• \_All CUB or CUX requests on the subject site clearly identified and labeled on the plot plan and applicable floor plans, indicating: each type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; and the identifying address or suite/unit number corresponding to each CUB/CUX request.

**NOTE:** *Please consider submitting documents beyond the requirements outlined in this form. If there are other circumstances which may further a more complete understanding of the project, do not hesitate to submit such information. The documents submitted with the application and the public hearing constitute the* ***primary opportunity*** *to clarify and define the project.*

CP-7773 (04/24/12) Page **5** of **5**