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September 13, 2017

VIA E-MAIL AND U.S. MAIL

Frank Quon
Associate Zoning Administrator
City of Los Angeles
City Hall, Rm. 763
200 N. Spring Street
Los Angeles, CA 90012
E-Mail: frank.quon@lacity.org

Re: Case No. ZA 2017-1555-CUB-CUX
Hearing Date: September 19, 2017
6263 W. Hollywood Blvd. ("Subject Property")

Dear Mr. Quon:

This firm represents Ned Pan, Inc. ("Ned Pan"), the owner of property located at 6233 Hollywood Boulevard (the "Pantages Property"). The Pantages Property is occupied by the historic Pantages Theater and is located directly east of the Subject Property.

The Subject Property is occupied by a 12-story building (the "Equitable Building"), which became a City of Los Angeles Historic-Cultural Monument in 2015 pursuant to Case No. CHC-2015-333-HCM. The Equitable Building had previously been approved for adaptive re-use (ground floor commercial and residential units above), and the Subject Property was subsequently subdivided for commercial and residential condominiums pursuant to Tract Map 60544. Meco Properties, LLC ("Meco"), the applicant in this case, is the owner of the two commercial condominium units that together comprise the entire ground floor of the Equitable Building.

The Subject Property includes an existing restaurant known as 33 Taps, which is currently operating pursuant to a conditional use permit ("CUP") that was conditionally granted in 2009 pursuant to Case No. ZA 2009-1494-CUB.¹ In the present case, Meco requests a new CUP to allow (1) the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption with 167 interior seats and new live entertainment, and (2) patron dancing on a 300 sq. ft. dance floor, in conjunction with an existing 8,015 sq. ft. restaurant (33 Taps) on the ground floor of the Equitable Building (the "Project"). As set forth below, Ned Pan has serious concerns

¹ A copy of the determination letter in Case No. ZA 2009-1494-CUB is attached hereto as Exhibit A.

about the Project as currently proposed, and respectfully requests that these concerns be considered and addressed by the Zoning Administrator.

Pedestrian Easement

The northern 10 feet of the Subject Property is subject to a non-exclusive easement (the "Easement") that provides the owner of the Pantages Property with a right of pedestrian access to and from Vine Street. The Easement provides a critically-needed exit route for patrons of the 2,700-seat Pantages Theater in the event of a fire or other emergency.²

Unfortunately, when the upper floors of the Equitable Building were converted to residential use, a cinder block wall and stairwell structure (the "Cinder Block Obstruction") was constructed along the north (rear) wall of the Equitable Building within the Easement. The Cinder Block Obstruction violates the Easement and presents a major safety hazard inasmuch as it severely restricts the flow of persons who would be able to safely exit from the Pantages Theater in an emergency. Specifically, the Cinder Block Obstruction extends approximately five (5) feet into the 10-foot-wide Easement, leaving only an approximately 5-foot-wide pathway from the Pantages Theater to Vine Street.³

In 2010, the City required the removal of the Cinder Block Obstruction as a condition of approval in Case No. ZA 2009-3423-CUB, which authorized the sale and dispensing of a full line of alcoholic beverages for on-site consumption within a 4,296 sq. ft. restaurant in the rear portion of the ground floor of the Equitable Building (which is now owned by Meco).⁴ Specifically, condition no. 17 states as follows:

"The applicant shall remove the stairwell in the easement to the satisfaction of the Fire Department and the Department of Building and Safety."

Indeed, the then-owner of the Subject Property (Vinewood, LLC), who was also the applicant in the case, admitted that the Cinder Block Obstruction encroached into the easement

² The determination letter in Case No. ZA 2009-1494-CUB (Exhibit A) erroneously states, on pages 6-7, that the Subject Property "abuts an approximately 10 to 14-foot wide *public alley* located to the north with an entrance from Vine Street." (Emphasis added.) There is no public alley in the vicinity of the Subject Property.

³ A steel fence runs along the north side of the Easement. Thus, in an emergency, many (potentially hundreds) of people would have to quickly pass through the narrow 5-foot-wide space between the fence and the Cinder Block Obstruction in order to reach Vine Street.

⁴ A copy of the determination letter in Case No. ZA 2009-3423-CUB is attached hereto as Exhibit B.

and expressly agreed to remove it. Specifically, page 9 of the determination letter in Case No. ZA 2009-3423-CUB (see Exhibit B) states as follows:

"In an email dated March 8, 2010, the applicant's representative stated that the applicant would remove the back staircase attached to the Equitable Building that encroaches on the easement."

Unfortunately, the Cinder Block Obstruction was never removed as required by condition no. 17. The CUP that was approved in Case No. ZA 2009-3423-CUB was never effectuated and/or expired pursuant to condition no. 9 thereof, which provides that the authorization "shall become null and void" five (5) years from the effective date of the grant.

When Mecos acquired the Subject Property on August 31, 2010, it did so with full knowledge of the determination letter in Case No. ZA 2009-3423-CUB (including condition no. 17) which was issued on March 24, 2010. In fact, a representative of Mecos has publicly acknowledged that when Mecos acquired the Subject Property in 2010, it obtained a monetary "credit" from the seller toward the cost of removing the Cinder Block Obstruction. Furthermore, in 2013, Ned Pan and Mecos entered into a Cooperation Agreement wherein Mecos agreed, among other things, to take specific steps to have the Cinder Block Obstruction removed promptly in exchange for Ned Pan's agreement not to oppose the transfer of a liquor license to a new tenant on the Subject Property. Unfortunately, Mecos failed to take the agreed-upon steps to have the Cinder Block Obstruction removed.

The Cinder Block Obstruction clearly presents a safety hazard. For this reason, in the event that the Zoning Administrator decides to grant the requested CUP in this case, it should require the removal of the Cinder Block Obstruction as a condition of approval. Moreover, given Mecos's previous failure to comply with condition no. 17 of Case No. ZA 2009-3423-CUB, the Zoning Administrator should ensure that the condition is actually satisfied by requiring the removal of the Cinder Block Obstruction *before* any permits are issued for the proposed use.

Mecos may argue that the Cinder Block Obstruction is irrelevant to the subject application inasmuch as it concerns the "front" commercial space (6263 W. Hollywood Boulevard), whereas Case No. ZA 2009-3423-CUB concerned the "rear" commercial space (1708 Vine Street). This argument, if made, should be rejected for at least two reasons.

First, the plans submitted with the subject application clearly show that the proposed restaurant/bar will utilize an existing hallway that extends from the northeast corner of the restaurant/bar to the Easement area for deliveries. The plan also indicates that a required path of travel for disabled access extends through this hallway to the Easement area and then out to Vine Street using the Easement area. This path of travel, which is indicated on the plan using a dashed line and arrows, likely also serves as a required fire exit. Thus, there is a direct nexus

between the subject application and the need for removal of the Cinder Block Obstruction in the Easement. In fact, by significantly increasing the intensity of the restaurant use (e.g., by adding bars and dancing), the Project will greatly exacerbate the safety issues associated with the Cinder Block Obstruction.

Second, Mecos is identified as the property owner in a separate but related case involving the "rear" commercial space, which is currently pending and will be heard by the Zoning Administrator on September 26, 2017 (Case No. ZA 2017-2289-CUB-CUX). In that case, the applicant is seeking a CUP to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed 4,296 sq. ft. "bar/lounge" in the rear portion of the ground floor of Equitable Building, including a 800 sq. ft. mezzanine with two fixed bars, a 200 sq. ft. dance floor, and a 550 sq. ft. outdoor uncovered patio in the public right of way, with 109 indoor seats capacity and 30 outdoor seats with live entertainment. Thus, any attempt to distinguish the present application from the Zoning Administrator's decision in Case No. 2009-3423-CUB based on the physical location of the premises within the Equitable Building would be disingenuous. The removal of the Cinder Block Obstruction should be required as a condition of approval in both this case and related Case No. ZA 2017-2217-2289-CUB-CUX.

Intensification of Use

Ned Pan supports the addition of new high-quality restaurants in the area, and generally does not oppose the sale of alcoholic beverages for on-site consumption in conjunction with bona fide eating establishments. However, in this case, the proposed Project would greatly intensify the current use of the premises by adding new bars, new live entertainment, and dancing. Indeed, the proposed floor plan shows what appears to be a separate, "stand-alone" bar with direct access to Vine Street. Ned Pan is concerned that, absent appropriate conditions of approval and strict limitations on the proposed use, the current restaurant use will transform into a nightclub with the potential to adversely affect existing uses on surrounding properties. In particular, Ned Pan is concerned that noise generated by the establishment could adversely affect performances at the Pantages Theater.

As stated above, the current 33 Taps restaurant use is operating pursuant to a CUP that was conditionally granted in 2009 pursuant to Case No. ZA 2009-1494-CUB. Immediately prior to filing the present application, an application was filed for "plan approval" under Case No. ZA 2009-1494-CUB to *delete* various conditions of approval that had previously been imposed on the restaurant operation, including condition nos. 9 (prohibiting an admission charge), 11 (prohibiting service of alcohol in any patio or sidewalk area), 12 (no portable bars), 16 (no dancing), 17 (no live entertainment), 18 (no pool tables), 19 (no coin operated games), 23 (provide required off-street parking), 24 (provide security officer), 25 (provide security cameras), and 31 (provide non-required parking off-site by lease). See Case No. ZA-2009-1494-CUB-PA1. Although this application was "terminated" on January 25, 2017, it appears that Mecos's current

request for a new CUP is motivated, at least in part, by a desire to free itself of certain conditions that were imposed by the City in 2009. However, rather than eliminating current conditions of approval, the Zoning Administrator should retain and/or expand upon those conditions of approval as needed to protect surrounding uses and the character of the area.

The Project is Not Categorically Exempt from CEQA

The hearing notice in this case indicates that the Zoning Administrator will be asked to determine that the Project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code §§ 21000 et seq. Specifically, the Notice of Exemption filed by the applicant states that the Project qualifies as a "Class 5, Category 34" categorical exemption pursuant to the City's CEQA Guidelines. However, under the City's CEQA Guidelines, a Class 5, Category 34 categorical exemption is limited to the following:

"Granting of a conditional use for the on-site consumption of alcoholic beverages ..., [the premises where] 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 ... permit* from the Los Angeles Police Commission." (Emphasis added.)

In this case, the plans submitted with the application indicate that the premises will have a calculated occupancy load of over 200 persons. Moreover, because the Project would add dancing, an original dancehall permit is required from the Los Angeles Police Commission pursuant to LAMC § 103.00 et seq. Therefore, the Project does not qualify for a Class 5, Category 34 categorical exemption.

Furthermore, categorical exemptions are inapplicable when the cumulative impact of successive projects "of the same type in the same place" over time is significant. CEQA Guidelines, § 15300.2, subd. (b). Here, the Project, together with the pending application for a CUP for the rear portion of the Equitable Building in Case No. ZA 2017-2289-CUB-CU, will have cumulative effects that have not been evaluated and may be significant.

Similarly, categorical exemptions may not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. CEQA Guidelines, § 15300.2, subd. (c). Here, the hazards posed by the Cinder Block Obstruction, as well as the fact that the Project would be developed within a historic structure and in proximity to the historic Pantages Theater, are unusual circumstances applicable to the Project. As discussed above, there is a reasonable possibility that the intensification of the existing restaurant use will exacerbate the public safety issues associated with the Cinder Block Obstruction. Furthermore, there is a reasonable possibility that the extensive tenant improvements

Frank Quon, Associate Zoning Administrator
September 13, 2017
Page 6

associated with the Project would have a significant impact on the historic Equitable Building, and that noise from the proposed bar and dancing activities would adversely affect performances at the adjacent Pantages Theater.

For these reasons, the Zoning Administrator should not find that the Project is categorically exempt from CEQA, but should instead require the preparation of an initial study leading to the preparation of a Mitigated Negative Declaration or environmental impact report.

Conclusion

In order to grant the subject application, the Zoning Administrator must find, among other things, that the location of the proposed activity is proper in relation to adjacent uses and will not be materially detrimental to the character of development in the immediate area. We submit that these findings cannot be made in this case so long as the Cinder Block Obstruction exists. Because the Cinder Block Obstruction presents a safety hazard, any decision by the Zoning Administrator to approve the requested CUP should be conditioned upon the removal of the Cinder Block Obstruction prior to the issuance of any permits for the Project. Furthermore, the Zoning Administrator should impose other conditions of approval as needed to ensure that the Project will not have adverse impacts on the surrounding community or the environment.

Thank you for your consideration.

Very truly yours,



JOHN M. BOWMAN
Elkins Kalt Weintraub Reuben Gartside LLP

JMB:jmb

cc: Graciela Acosta, City Planning Associate (via email)
Daniel Halden, Field Deputy, Council District No. 13 (via email)
Walter Schild, Meco Properties, LLC (via email)
Rochelle Ceballos, Action Property Management (via email)
David Green, Ned Pan, Inc. (via email)

EXHIBIT A

MICHAEL LOGRANDE
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

PATRICIA BROWN
R. NICOLAS BROWN
SUE CHANG
ANIK CHARRON
LARRY FRIEDMAN
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200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012
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September 10, 2009

Omar Moss (A)
Green Guys 1, LLC
6263 Hollywood Boulevard
Los Angeles, CA 90028

David Gold (O)
10880 Wilshire Boulevard, #1400
Los Angeles, CA 90024

Elizabeth Peterson Group (R)
1850 Industrial Street, #606
Los Angeles, CA 90021

CASE NO. ZA 2009-1494(CUB)
CONDITIONAL USE
6653-6265 West Hollywood Boulevard
Hollywood Planning Area
Zone : C4-2D-SN
D. M. : 148-5A189
C. D. : 13
CEQA : ENV-2009-1495-ND
Legal Description: Lot 1, Tract 60544

Pursuant to Los Angeles Municipal Code Section 12.24-W,1, I hereby APPROVE:

a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in a restaurant in the C4-2D-SN Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.



4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.
6. Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
8. Sales, services, and consumption of a full-line of alcoholic beverages shall be permitted only between the hours of 11:00 a.m. to 2:00 a.m. 7 days a week. There shall be no business operations between the hours of 2:00 a.m. and 11:00 a.m. including but not limited to private events and promotional events. (Applicant-Volunteered)
9. Petitioners shall not require an admission charge or cover charge, nor shall there be a requirement to purchase a minimum number of drinks. (Applicant-Volunteered)
10. The subject alcoholic beverage license shall not be exchanged for a public premises type license. (Applicant-Volunteered)
11. There shall be no service, sales or possession of an alcoholic beverage in any patio, or on any sidewalk area. (Applicant-Volunteered)
12. No fixed or portable bar(s) shall be permitted at the location. A waitress or waiter for table service only shall conduct any alcoholic beverage service. (Applicant-Volunteered)
13. The premises shall be maintained as a bona fide eating place (restaurant) with an operation kitchen and shall provide a menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during normal operating hours. (Applicant-Volunteered)
14. No pay phone will be maintained on the exterior of the premises.

15. There shall be no Adult Entertainment of any type pursuant to L.A.M.C. Section 12.70.
16. No dancing shall be allowed at the location.
17. There shall be no live entertainment of any type, including but not limited to; live music, disc jockey or karaoke nights.
18. No pool or billiard tables may be maintained on the premises.
19. There shall be no coin-operated games or video machines.
20. The rear/side door(s) of the premises shall be equipped on the inside with an automatic locking device and shall be kept closed at all times. This door(s) shall not be used as a means of access by patrons to and from the premises. Temporary use of this door(s) for delivery of supplies does not constitute a violation. Said door(s) are not to consist solely of a screen or ventilated security door.
21. The Petitioner shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.
22. Any music, sound or noise emitted that is under the control of the petitioner shall not violate Section 116.1 of the Los Angeles Municipal Code.
23. The Petitioner shall provide off-street parking spaces for vehicles used by patrons of the premises as per the City of Los Angeles Zoning Regulations.
24. During the operation hours of the business, the Petitioner(s) shall provide security officer(s) inside the premises and security officer(s) in the parking lot. One additional security officer acting as a supervisor shall be on the premises during these same hours. All security personnel shall maintain order therein and prevent any activity that would interfere with the quiet enjoyment of their property by nearby residents. Said personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross first aid card. The security personnel shall be dressed in such manner as to be readily identifiable to patrons and law enforcement personnel.
25. Petitioner(s) shall install and maintain security cameras and one month video library that covers all common areas of the business, high risk areas and entrances or exits. The videotapes shall be made available to police upon request.
26. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premises at each point-of-sale location. This device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.

27. Within six months of the date of this determination and within six months of hire, all personnel acting in the capacity of a manager of the premise and all personnel who serve alcoholic beverages shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months.
28. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance Information and a valid emergency contact phone number for the Valet service and Security Company services used by the Petitioner(s).
29. Any future operator or owner for this site must file a new Plan Approval Application or an equivalent to allow the City of Los Angeles to review the "mode and character" of the usage.
30. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require the Petitioner to file for a plan approval application together with the associated fees, to hold a public hearing to review the Petitioner's compliance with and the effectiveness of the conditions of the grant. The Petitioner shall submit a summary and supporting documentation on how compliance with each condition of the grant has been attained.
31. Non-required parking shall be maintained off-site at the property located at 1500 N. Vine Street through a lease for the period and life of this grant herein. (Applicant-Volunteered)
32. Prior to issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. This agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION

All terms and Conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried

on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for one additional period not to exceed one year, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after September 25, 2009, unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are also available on-line at**

<http://cityplanning.lacity.org/> Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits, which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Department of City Planning Staff thereon, and the statements made at the public hearing on August 12, 2009, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use permit for the sale of a full line of alcoholic beverages for on-site consumption under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

The proposed project falls within the Hollywood Community Plan and is located at 6623-6625 W. Hollywood Boulevard on the corner of Hollywood Boulevard and Vine Street. The site is zoned C4-2D-SN and has a Regional Center Commercial land use designation. The subject site falls within the Hollywood Redevelopment Project Area and falls within Historic Preservation Review Area; and a Hollywood Signage Supplemental Use District, however no new construction or signs are proposed. In addition, the subject site falls within the Hollywood Entertainment Business Improvement District, a Central City Revitalization Zone, and the Los Angeles State Enterprise Zone.

The subject site is an approximately 12,600 square foot corner lot that is currently developed with a historic 75-foot tall building, also known as the Hollywood and Vine Lofts that will remain. The site abuts an approximately 10 to 14-foot wide public alley located to

the north with an entrance from Vine Street. The proposed project is located approximately 0.68 kilometers of a nearest fault; it falls within a hillside grading area and a Fire District No.1 and 2 areas. Adjacent land uses and zoning within 500 feet of the proposed project are a mix of commercial and residential dwellings to the north, south, east and west in the C4-2D-SN Zone as follows: a restaurant abuts the subject site to the North, a parking lot abuts the subject site to the east; a vacant lot and a building under construction are located to the west across the street from the subject site; the Broadway Lofts are located to the southwest and are diagonally across from the subject site in the C4-2D-SN Zone, and an MTA metro station and the proposed W Hotel currently under construction, is located south of the subject property along Argyle Avenue and Hollywood Boulevard in the [Q]C4-2-SN Zone.

Previous zoning related actions on the site:

Case No. ZA 2004-7000(CUB): On April 27, 2005, the Zoning Administrator approved a conditional use to permit the modification of existing conditions of operation in conjunction with expanded hours of operation of an existing restaurant/nightclub with public dancing and live entertainment previously approved under Case No. ZA-2002-2806(CUB) on the subject property.

Surrounding Properties:

Case No. ZA 2009-1818(PAB): On September 2, 2009, the Zoning Administrator approved a conditional use plan approval for the sale and dispensing of a full line of alcoholic beverages as part of the restaurant and bar located within the W Hotel currently under construction at 6250 Hollywood Boulevard.

Case No. ZA 2005-8073(CUB)(ZV): On January 22, 2007, the Zoning Administrator approved a conditional use for the sale and dispensing of a full line of alcoholic beverages and a zone variance to permit off-site parking as part of a restaurant located at 1707 N. Vine Street.

Case No. ZA 2005-0062(CUB)(CUX)(ZV)(ZAA)(SPR): On July 15, 2005, the Zoning Administrator approved the request for authorizing sale and dispensing of alcoholic beverages and public dancing at the Broadway Lofts located at 1645 Vine Street across the street from the subject site.

Case No. ZA 2003-8555(CUB): On March 18, 2004, the Zoning Administrator approved a conditional use for the sale and dispensing of a full line of alcoholic beverages in a restaurant with live entertainment and dancing located at 1716-1718 N. Vine Street.

The Hollywood Community Plan designates the property for Regional Center Commercial land use with a corresponding zone of C4-2D-SN and no limit for Height District No. 2. The "D" limitation restricts the FAR to a 6:1 maximum.

Hollywood Boulevard is a Major Highway Class II dedicated to a 100-foot width at the project's street frontage.

Vine Street is a Major Highway Class II dedicated to a 100-foot width at the project's eastern street frontage.

Public Hearing

The public hearing was held on August 12, 2009 in City Hall. The hearing was attended by the applicant's representative, an officer from LAPD Vice Squad, a tenant in the building, a member of the Neighborhood Council, and the Planning Deputy from CD 13. Elizabeth Peterson described the proposed restaurant and the need for the conditional use for the sale of alcoholic beverages. She said the restaurant is 90% complete and it replaces the former Hollywood and Vine Diner which had an active liquor license until 2008. She stated that restaurant will be called Dillon's Irish Pub and will serve to revitalize the intersection of Hollywood and Vine which currently has vacant storefronts on three of the corners. The restaurant will provide a needed dining alternative for patrons of the Pantages Theater. Valet parking will be provided in front of the restaurant.

Brent Martini and Matt Fischer both spoke in support of the proposed conditional use and described the need for the restaurant to revitalize the building. Officer Ritchie of LAPD stated that they were in support of the restaurant and was okay with the volunteered conditions of approval. He stated there are parking issues in the area and would like the applicant to be required to provide parking. Robert Abrahamian of the Hollywood United Neighborhood Council said that the case was going before the full board on August 18, 2009. The PLUM committee had some concerns about parking for the site, the distance to the valet lot, and the potential conflict of adding another valet stand on the block. He was unsure about the façade changes that were proposed. Katherine Hennigan from CD 13 said the Council Office was working hard to bring more restaurants to Hollywood, and appreciated that applicant's willingness to work with the community. In closing Elizabeth Peterson stated that it was imperative that the façade of the restaurant stand out, and that the CRA had approved the paint color. She said there would be no patio dining even though a revocable permit exists for one. The applicant was working on getting the best parking lot possible, and they would coordinate with the existing valet service on the block.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24 of the Los Angeles Municipal Code. In order for this grant to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the four standard findings for most other conditional use categories.

MANDATED FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. **The proposed location will be desirable to the public convenience or welfare.**

The proposed project is located at 6623-6625 West Hollywood Boulevard on the corner of Hollywood Boulevard and Vine Street. The site is zoned C4-2D-SN and has a Regional Center commercial land use designation. The subject site falls within the Hollywood Redevelopment Project Area and Historic Preservation Review Area; and the Hollywood Signage Supplemental Use District. In addition, the subject site is in the Hollywood Entertainment Business Improvement District, Central City Revitalization Zone, and the Los Angeles State Enterprise Zone. The subject site is an approximately 12,600 square foot corner lot that is currently developed with a historic 75-foot tall building known as the Hollywood and Vine Lofts which will remain. The applicant is requesting a conditional use permit for an 8,015 square foot restaurant with the sales, service, and dispensing of a full line of alcoholic beverages [Type-47] license, having 302 seats and hours of operation from 11:00 a.m. to 2:00 a.m. in the C4-2D-SN Zone.

The restaurant will provide a place for the patrons from the Pantages Theater and other Hollywood entertainment venues and community members to relax and enjoy food and refreshments. The proposed location will be desirable to the public convenience and welfare as it is in the midst of the renowned and revitalized entertainment district of Hollywood, accessible by both bus and rail transit. This area is a destination for both tourists and local residents and having a variety of dining choices is crucial to the success of an entertainment district. Serving alcoholic beverages at a restaurant allows the restaurant to compete with other similar restaurants in the vicinity and therefore convenient to the public in offering dining options.

2. **The location is proper in relation to adjacent uses or the development of the community.**

Adjacent land uses and zoning within 500 feet of the proposed project are a mix of commercial and residential dwellings to the north, south, east and west in the C4-2D-SN Zone as follows: a restaurant abuts the subject site to the north in the C4-2D-SN Zone with a conditional use for alcohol (ZA 2003-8555-CUB-CUX); a parking lot abuts the subject site to the east in the C4-2D-SN Zone; a vacant lot and a building under construction are located to the west across the street from the subject site in the C4-2D-SN Zone and had a conditional use for alcohol approved in 2005 (ZA 2005-8073-CUB); the Broadway Lofts are located to the southwest and are diagonally across from the subject site in the C4-2D-SN Zone and also has an approved conditional use for alcohol (ZA 2005-62-CUB-CUX-ZV-ZAA-SPR); and the MTA Red Line subway station and the proposed W Hotel currently under construction, is located south of the subject property along Argyle Avenue and Hollywood Boulevard in the [Q]C4-2-SN Zone.

3. **The use will not be materially detrimental to the character of the development in the immediate neighborhood.**

The proposed service of alcohol for on-site consumption at this location will not be materially detrimental because the site was previously occupied by a restaurant serving alcoholic beverages and the neighborhood is primarily characterized by retail, entertainment, and restaurant uses. The location along Hollywood Boulevard is an appropriate location for sit-down dining. The primary focus of the restaurant is the serving of food and not alcohol. The applicant in conjunction with the Neighborhood Council and LAPD Vice Unit volunteered numerous conditions of approval which will reduce the impact of the operation of the restaurant.

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

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans.

The project site is located within the Hollywood Community Plan Area. The plan designates the subject site for Regional Commercial land uses with the corresponding C4-2D-SN Zone. The location of a restaurant in a Regional Center is consistent with the many goals the Hollywood Community Plan. According to the General Plan Framework, Regional Centers are intended to serve as a focal point of regional commerce, identity and activity, and contain a diversity of uses, including corporate and professional offices, residential, retail commercial malls, entertainment and cultural facilities and supporting services. The Hollywood Community Plan text is silent with regards to alcohol sales. In such cases, the Zoning Administrator must interpret the intent of the Plan. Given the numerous conditions of approval, and the fact that this request is for alcohol incidental to food service, the proposed use can be deemed to be in harmony with the General Plan.

5. **The proposed use will not adversely affect the welfare of the pertinent community**

The approval of the conditional use request will not adversely affect the welfare of the Hollywood community. The subject property is zoned for commercial uses and will be utilized as such with the proposed alcohol sales in conjunction with a proposed restaurant. In addition, the site was previously used as a restaurant with authorization to serve a full line of alcoholic beverages similar to the current request. The project will incrementally add to the economic revitalization of the community.

6. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the State Department of Alcoholic Beverage Control (ABC), there are 45 active existing licenses for the sale of on-site consumption issued within Census Tract No. 1902. The State Department of Alcoholic Beverage Control has allotted approximately six on-site and four off-site licenses to this tract. The tract is therefore over concentrated. Over-concentration can be undue when the addition of a license will negatively impact a neighborhood. 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. Although the census tract is numerically over-concentrated, the project will not adversely affect community welfare because the restaurant replaces a previous restaurant that closed last year.

Statistics from the Los Angeles Police Department reveal that in the subject Crime Reporting District No. 636 which has jurisdiction over the subject property, a total of 396 Part I crimes and 902 Part II crimes were reported in 2007, compared to the citywide average of 256 crimes for the same period. The above figures indicate that the restaurant is located within a high crime reporting district. Arrests for each calendar year may reflect crimes reported in previous years. The applicant has volunteered numerous conditions related to the service of alcohol that will further reduce any potential crime issues.

7. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The subject property is zoned for commercial uses and the Hollywood Community Plan designates it as a Regional Center commercial. The following sensitive uses are located within a 1,000-foot radius of the project site:

- Church of Scientology
6331 W. Hollywood Boulevard

- Hollywood Education Literacy Project
6336 W. Hollywood Boulevard
- The Oasis & Zion (Kids Club)
1725-1727 N. Ivar Avenue
- Saint Stephen Episcopal Church and Pre-School
6128 Yucca Street
- Hollywood Branch Library
1623 N. Ivar Avenue
- Hollywood Pal
6411 W. Hollywood Boulevard

The applicant worked with LAPD Vice Unit and the Neighborhood Council to mitigate their concerns about the operation of the proposed project. The surrounding neighborhood has been and continues to be a commercial neighborhood with a mixture of retail, restaurant, and entertainment outlets. The applicant understands the character of the neighborhood and is committed to help preserve such character through responsible service of a full line of alcohol in conjunction with the operation of the restaurant. The restaurant is self-contained use that will not interfere with sensitive uses in the area. A restaurant has previously been located at this site and is not the introduction of a new use to the site.

ADDITIONAL MANDATORY FINDINGS

8. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
9. On August 5, 2009, the Department of City Planning issued Negative Declaration No. ENV-2009-1495-ND. This Negative Declaration reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided and no mitigation measures are necessary. I hereby adopt that action. The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

I concur with the report prepared by Jim Tokunaga, Planning Staff for the Office of Zoning Administration, on this application and approve same.

Jim Tokunaga
Senior City Planner
(213) 978-1309

Maya E. Zaitzovsky

MAYA E.ZAITZEVSKY
Associate Zoning Administrator

MEZ:JT;jjq

cc: Councilmember Eric Garcetti
Thirteenth District
Adjacent Property Owners

2A 2009 1494

EXHIBIT 1 of 3
 Page No. 1
 Case No. 2A-2009-1494-CUR

Building & Zoning Code Analysis

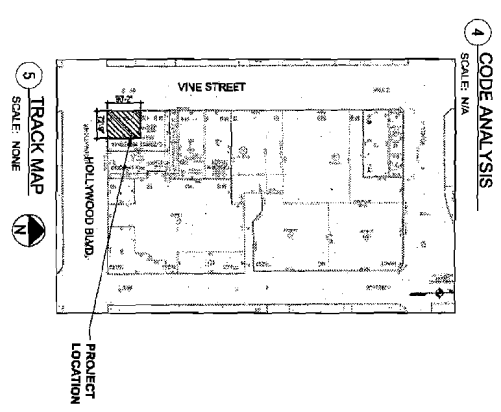
Address: 1708 Vine St. Unit 1
 City: Los Angeles, CA 90028
 Parcel No.: 541708010000
 Zoning: CDD-1
 Project Name: Dillion's Irish Pub

General Information

1. Building Type: Restaurant
 2. Building Height: 2 Stories
 3. Building Area: 10,000 SF
 4. Building Volume: 20,000 CU FT
 5. Building Use: Assembly w/o Fixed Seats - Unmonitored

Code Analysis

1. Building Type: Restaurant
 2. Building Height: 2 Stories
 3. Building Area: 10,000 SF
 4. Building Volume: 20,000 CU FT
 5. Building Use: Assembly w/o Fixed Seats - Unmonitored



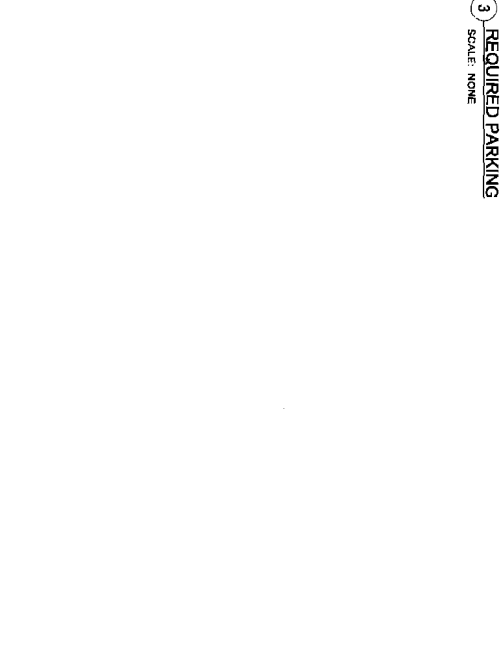
2 OCCUPANCY CALCULATION
 SCALE: NONE

Room Number	Room Name	Area	CBC Table 1004.1.1 Use	Load Factor	Calculated Occupants	No. of Seats
01	Entry	233	Assembly Standing Room	1.5 Net	47	4
02	Main Bar / Lounge	1,191	Assembly w/o Fixed Seats - Unmonitored	1.5 Net	79	72
03	Dining 1	833	Assembly w/o Fixed Seats - Unmonitored	1.5 Net	56	56
04	Dining 2	750	Assembly w/o Fixed Seats - Unmonitored	1.5 Net	50	44
05	Customer's Tolls	511	Accessory Area	2	2	0
06	Kitchen / Storage	2,146	Kitchen	200 Gross	11	0
Total Assigned SF		5,664			244	176
Total Unassigned SF		338				
Total Gross SF		6,002				
Mesozone						
10	Mesozone Dining	1,191	Assembly w/o Fixed Seats - Unmonitored	1.5 Net	79	54
11	Mesozone Bar	208	Accessory Area	300 Gross	1	0
Total Assigned SF		1,399			80	54
Total Unassigned SF		574				
Total Gross SF		1,973				
Exterior						
12	Steward Dining	1,187	Assembly w/o Fixed Seats - Unmonitored	1.5 Net	79	72
Total Assigned SF		1,187			79	72

3 REQUIRED PARKING
 SCALE: NONE

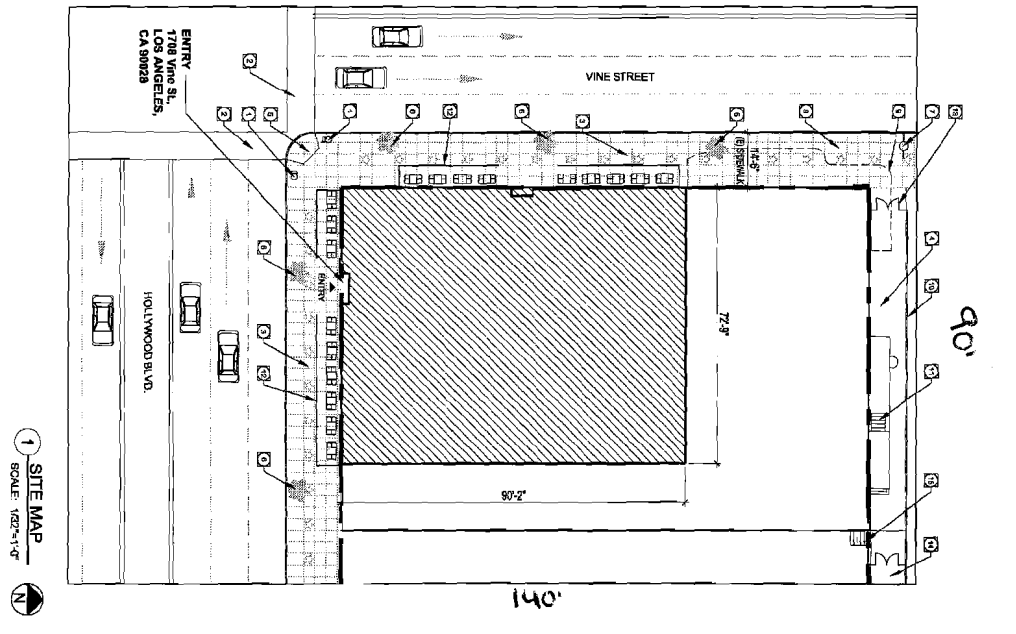
Existing historic building. No changes in parking required.

REQUIRED PARKING SPACES	REQUIRED	PROVIDED	DEFICIT
Assembly w/o Fixed Seats - Unmonitored	1,187	1,700	0
Accessory Area	208	200	0
Kitchen	2,146	200	0
Total	3,541	3,100	0



LEGEND:

- 1. Existing Traffic Light
- 2. Existing Pedestrian Crosswalk
- 3. Existing Sidewalk
- 4. Existing Street Light
- 5. Existing Street Sign
- 6. Existing Street Post
- 7. Existing Street Post
- 8. Existing Street Post
- 9. Existing Street Post
- 10. Existing Street Post
- 11. Existing Street Post
- 12. New sign with photo hardware
- 13. New sign with photo hardware
- 14. New sign with photo hardware
- 15. New sign with photo hardware
- 16. New sign with photo hardware



KELLY ARCHITECTS

2009 Webster Blvd, Suite 100
 Los Angeles, CA 90028
 Tel: 310.213.3800
 Fax: 310.213.3800

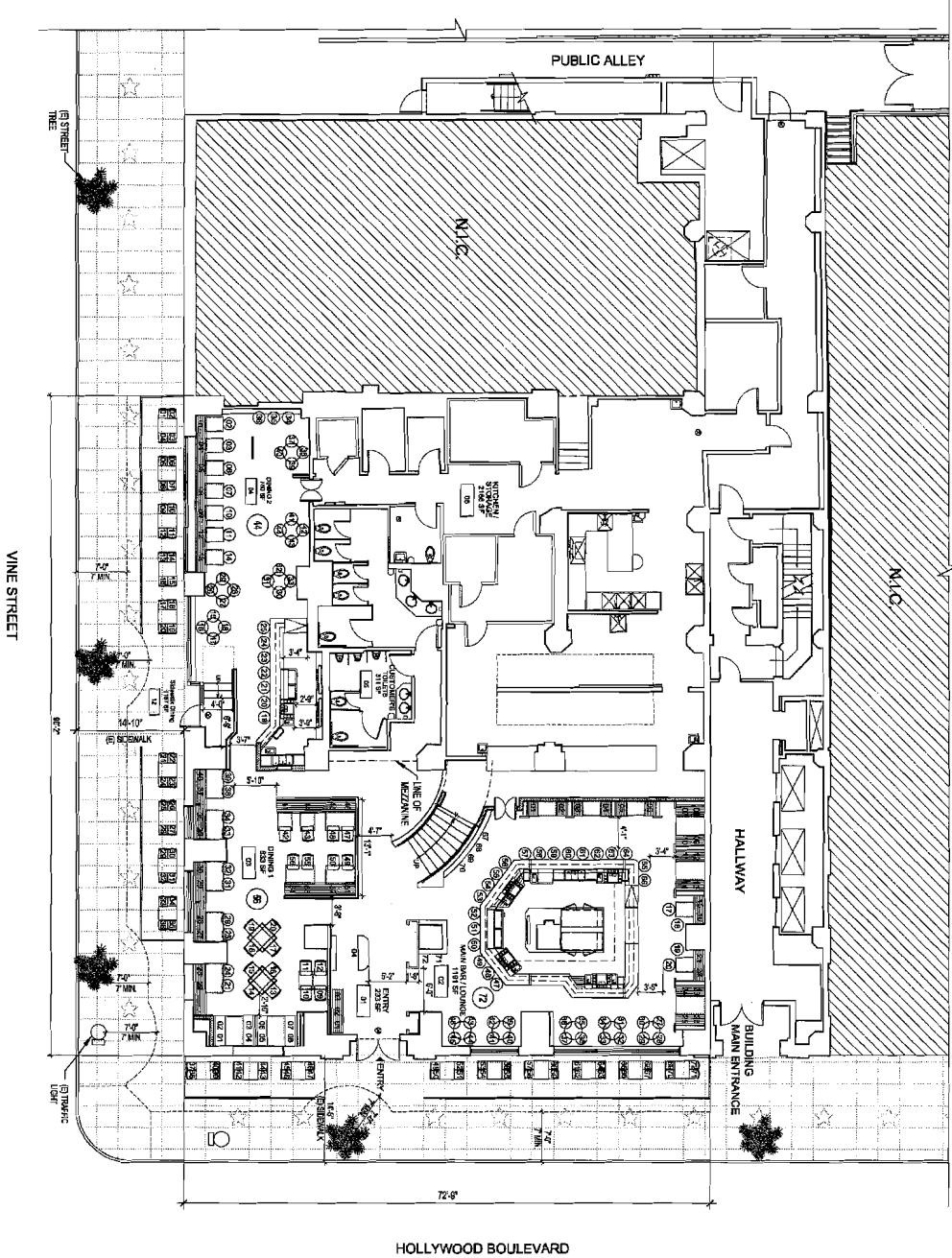
PROJECT: Dillion's Irish Pub
 1708 Vine St., Los Angeles, CA 90028

ISSUED FOR: DATE: PROJECT:

INFO: Drawn by: JS
 Checked by: Job No. 801
 GWC
 Origin Date: January 16, 2009

TITLE: SITE PLAN, OCCUPANCY CALCULATION, TRACK MAP

NUMBER: A-1



1 FLOOR PLAN
SCALE: 1/8"=1'-0"



EXHIBIT 11A
 Page No. 2 of 3
 Case No. 2A-2009-1494-CVS

**EXIT ANALYSIS
LEGEND & SYMBOLS:**

- ① Catchbasin occupies
- ② Calculated's escape route
- ③ Calculated's occupant load @ door
- ④ Required seat width, in inches
- ⑤ Provided seat width, in inches
- ⑥ Accessible path of travel

**EXIT ANALYSIS
NOTES:**

- A. All new exit door has 3'-0" wide
- ultramini provides model
- B. Allowed occupant through 3'-0" door is calculated at 100, based on 2" per occupant inch

LEGEND:

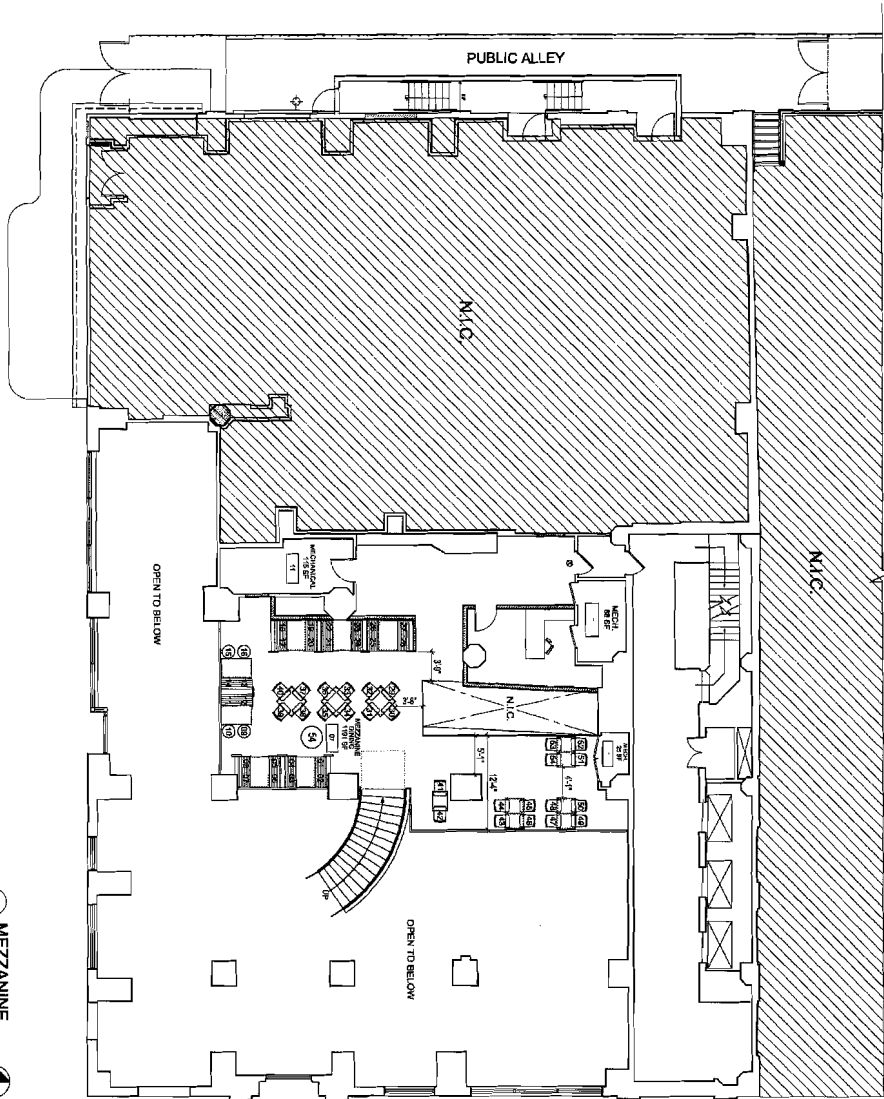
- ▲ ENTRY
- ◀ EXIT
- PROPERTY LINE



2209 Wilshire Blvd., Suite 101
 Los Angeles, CA 90057-2810
 Tel: 213.380.8495
 Fax: 213.380.8495

**KELLY
ARCHITECTS**

NUMBER A-2	TITLE Floor Plan	INFO Drawn by: JS Checked by: Job No. 801 Date: January 19, 2009	ISSUED FOR	DATE	PROJECT Dillon's Irish PUB 1708 Vine St., Los Angeles, CA 90028
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MEZZANINE
SCALE: 1/8"=1'-0"

**EXIT ANALYSIS
LEGEND & SYMBOLS:**

- ③ Calculated occupancy
- ④ Calculated area used
- ⑤ Required exit width, in inches
- ⑥ Provided exit width, in inches
- ⑦ Accessible path of travel

**EXIT ANALYSIS
NOTES:**

- A. All new exit door sets 3' or wider
- B. All new exit door sets 3' or wider
- C. All new exit door sets 3' or wider
- D. All new exit door sets 3' or wider

LEGEND:

- ▲ ENTRY
- ⊙ EXIT
- PROPERTY LINE

EXHIBIT 3
 Page No. 3 of 3
 Case No. 2A-2009-1494 CVC

NUMBER A-3	TITLE Mezzanine Floor Plan	INFO Drawn by: JS Checked by: GMM Date: January 16, 2009	ISSUED FOR	DATE	PROJECT Dillon's Irish PUB 1708 Vine St., Los Angeles, CA 90028
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KELLY ARCHITECTS

1708 VINE ST. LOS ANGELES, CA 90028
 TEL: 213.380.8498
 FAX: 213.380.8499

EXHIBIT B

MICHAEL LOGRANDE
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

R. NICOLAS BROWN
SUE CHANG
LARRY FRIEDMAN
LOURDES GREEN
LINN K. WYATT
MICHAEL S.Y. YOUNG
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF
CITY PLANNING

S. GAIL GOLDBERG, AICP
DIRECTOR

OFFICE OF
ZONING ADMINISTRATION

200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012
(213) 978-1318
FAX: (213) 978-1334
www.lacity.org/PLN

March 24, 2010

David Gold (A)(O)
Vinewood, LLC
10880 Wilshire Boulevard, Suite 1400
Los Angeles, CA 90024

Elizabeth Peterson (R)
Elizabeth Peterson Group, Inc.
1850 Industrial Street, #606
Los Angeles, CA 90021

CASE NO ZA 2009-3423(CUB)
CONDITIONAL USE
1704-1708 North Vine Street, 6253-6263
West Hollywood Boulevard
Hollywood Planning Area
Zone : C4-2D-SN
D.M. : 1485A189
C.D. : 13
CEQA : ENV-2009-3424-MND
Legal Description: Lot 1, Tract 60544-C

Pursuant to Los Angeles Municipal Code Section 12.24-W,1, I hereby APPROVE:

a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption within a 4,296 square-foot restaurant in the C4-2D-SN Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.
6. Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. This approval is tied ENV-2009-3424-MND. The applicant shall comply with all mitigation measures and conditions of approval identified in that case.
8. Approved herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a 4,296 square-foot restaurant, with 109 seats in the interior dining room, to be operated daily from 11:00 a.m. to 2:00 a.m.
9. The authorization granted herein is for a period of **five (5) years** from the effective date of this grant. Thereafter, this authorization shall become null and void and a new conditional use to allow the sale of alcohol will be required.
10. Petitioner(s) shall not require an admission charge or cover charge, nor shall there be a requirement to purchase a minimum number of drinks. (Applicant volunteered)
11. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The Petitioner(s) shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Police Department upon demand. (Applicant volunteered)
12. The premises shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during normal operating hours. (Applicant volunteered)
13. The subject alcoholic beverage license shall not be exchanged for a public premise type license.
14. No pay phone will be maintained on the exterior of the premise.
15. There shall be no Adult Entertainment of any type pursuant to L.A.M.C. Section 12.70.
16. There shall be no live entertainment of any type, except for a single ambient deejay.

17. The applicant shall remove the stairwell in the easement to the satisfaction of the Fire Department and the Department of Building and Safety.
18. No dancing shall be allowed at the location.
19. No pool or billiard tables may be maintained on the premises.
20. There shall be no coin-operated games or video machines maintained upon the premises at any time.
21. The rear/side door(s) of the premises shall be equipped on the inside with an automatic locking device and shall be kept closed at all times. This door(s) shall not be used as a means of access by patrons to and from the premises. Temporary uses of this door(s) for delivery of supplies does not constitute a violation. Said door(s) are not to consist solely of a screen or ventilated security door.
22. The Petitioner(s) shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.
23. Any music, sound or noise emitted that is under the control of the petitioner(s) shall not violate the Los Angeles Municipal Code.
24. Petitioner(s) shall install and maintain security cameras and a one-month library that covers all common areas of the business, high-risk areas and entrances or exits. The videotapes shall be made available to police upon request.
25. Electronic age verifications device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premise an each point-of-sale location. This device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.
26. Within six months of the date of this determination and within six months of hire, all personnel acting in the capacity of a manager of the premise and all personnel who serve alcoholic beverages shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months.
27. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid 24 hour emergency contact phone number, including numbers for the Valet services and Security companies used by the Petitioner(s) at all times.
28. Any future operator or owner for this site must file a new Plan Approval Application to allow the City of Los Angeles to review the "mode and character" of the usage. Petitioner, (s) operator(s), of licensee(s), shall maintain on the premises and present upon request to any neighborhood council and/or immediate neighbor the valid, current, name, phone number, and any other contact information needed to facilitate timely communication with the representative responsible for the establishment.

29. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require The Petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review The Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
30. The applicant shall post on the premises a 24-hour hotline with a name and phone number in case of emergency.
31. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City planning, Expedited Processing Section.
32. Prior to issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. This agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION

All terms and Conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for one additional period not to exceed one year, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after April 8, 2010, unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are also available on-line at <http://planning.lacity.org>** Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits, which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Department of City Planning Staff thereon, and the statements made at the public hearing on January 20, 2010, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use permit under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

The project site is located at the northeast corner of Hollywood Boulevard and Vine Street. The site is rectangular in shape, and totals 12,600 square feet. The site has a width of 90 feet along Hollywood Boulevard and a 140-foot depth along Vine Street. The site is zoned C4-2D-SN, and has a Regional Center Commercial land use designation within the Hollywood Community Plan and the Community Redevelopment Agency's Hollywood Redevelopment Plan area and Hollywood Signage Supplement Use District. The site is part the Hollywood Boulevard Commercial and Entertainment District, which has a national register designation (State Property No. 074407).

The proposed project would be located within the ground floor of the historic Hollywood Equitable Building (Historic State Property No. 021516), located at the northeast corner of Hollywood Boulevard and Vine Street. The project site is located within the Adaptive Reuse Incentive Areas Specific Plan and the Hollywood Entertainment District Business Improvement District.

The project includes the sale of a full-range of alcoholic beverages for on-site consumption of a full-range of alcoholic beverages in conjunction with a tenant improvement to an existing 4,296 square-foot restaurant, known as Dillon's Irish Pub & Grill, in the C4-2D-SN Zone.

A restaurant bar/lounge has been in existence for a number of years, and the request would be to continue this use as a bona fide eating establishment that serves a full line of alcoholic beverages in conjunction with minor renovations to an existing ground floor space, previously used as a restaurant, of a mixed use building, known as the Hollywood Vine Lofts. Because of its historic designation, the subject building has no parking requirements. The restaurant is proposed to have 109 seats with proposed hours of operation from 11:00 a.m. to 2:00 a.m. daily.

Surrounding properties are within the C4-2D-SN Zone and are developed with commercial buildings, office spaces, and parking lots. More specifically, a restaurant is located to the north; a parking lot, donut shop and cafe, and the Pantages Theater are located east of the subject site; the Taft Building comprised of offices and retail and the W Hotel (currently under construction) are located to the south across Hollywood Boulevard; and a mix of retail and buildings under construction for hotel residence and retail are to the west across Vine Street. The Hollywood/Vine Metro Red Line Station is located across the street.

According to the map maker, three sensitive uses exist within 1,000 feet from the project site. These uses as mentioned above include:

1) Church of Scientology located at 6331 W. Hollywood Boulevard, 2) Hollywood Education Literacy located at 6336 W. Hollywood Boulevard, 3) Oasis-Zion Kids Club located at 1725-1727 N. Ivar Avenue, 4) St. Stephens Episcopal Church located at 6128 Yucca Street, and 5) Hollywood Library located at 6411 W. Hollywood Boulevard.

Previous Cases, Affidavits, Permits, and Orders On the Applicant's Property:

Case No. ZA 2009-1494(CUB). On September 10, 2009, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in a restaurant in the C4-2D-SN Zone.

Case No. ZA 2004-7000(CUB). On April 27, 2005, the Zoning Administrator approved a Conditional Use to permit the modification of conditions of operation from 6:00 a.m. to 2:00 a.m. seven days a week to 24 hours seven days a week in conjunction with expanded hours of operation of an existing restaurant/nightclub with public dancing and live entertainment previously approved under Case No. ZA-2002-2806(CUB).

Case No. ZA 2000-2806(CUB)(PA1). On June 19, 2000, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of alcoholic beverages at an existing restaurant located at 6282-6284 Hollywood Boulevard.

Case No. ZA 2000-1216(CUB). On June 19, 2000, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of alcoholic beverages at an existing restaurant located at 6282-6284 Hollywood Boulevard.

Case No. ZA 94-0785(CUX). On February 10, 1985, the Zoning Administrator approved a Conditional Use to permit among other things, the sale and dispensing of alcoholic beverages for a restaurant located at 1707 North Vine Street.

Previous Cases, Affidavits, Permits, and Orders On Surrounding Properties:

Case No. ZA-2005-62(CUB)(CUX)(ZV)(ZAA)(SPR). On July 15, 2005, the Zoning Administrator approved requests for Conditional Uses authorizing the sale and dispensing of alcoholic beverages and public dancing for 1) a 2,340 square-foot ground floor 148 seat restaurant with a full line of alcoholic beverages for on-site consumption including live entertainment with incidental public dancing and an outdoor patio dining area; 2) approximately 2,016 square-foot ground floor 87 seat bar and lounge with a full line of alcoholic beverages for on-site consumption including live entertainment with incidental public dancing and an outdoor patio dining area; and 3) approximately 2,250 square-foot ground floor 166 seat café/gourmet market restaurant with a full line of alcoholic beverages

for on-site consumption including live entertainment with incidental public dancing and an outdoor dining area and the sale and dispensing of beer and wine for off-site consumption in conjunction with the gourmet market. Other approvals include requests for four other zone variances, one adjustment, and an exemption from a Site Plan Review. The project address is 1645 North Vine Street and 6300-6312 Hollywood Boulevard.

Case No. ZA-2005-8073(CUB)(ZV). On January 22, 2007, the Zoning Administrator approved a request for a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed 1,297 square-foot addition to a 5,171 square-foot restaurant with dancing and live entertainment in the C4 Zone. The requested zone variance was withdrawn. The project address is 1707 North Vine Street.

Case No. ZA-2006-1062(CUB)(CUX)(ZV). On September 16, 2009, the Zoning Administrator approved a request for a Conditional Use to permit the sale and dispensing for consideration of a full line of alcoholic beverages for on-site consumption in conjunction with a ground floor restaurant. A request for a zone variance was dismissed. The project address is 6327-6329 Hollywood Boulevard.

The Hollywood Community Plan Map designates the property for Regional Center Commercial land uses with corresponding zones of CR, C2, C4, P, and PB and Height District No. 2D. The Hollywood Plan includes Footnote No. 9 for the Regional Center Commercial land use designation, which states that the designation is limited to the Hollywood Redevelopment Plan Area. Development intensity is limited to 4.5:1 FAR with a maximum of 6:1 FAR possible through a Transfer of Development Rights procedure and/or City Planning Commission approval.

Hollywood Boulevard is a Major Highway dedicated to a width of 100 feet.

Vine Street is a Major Highway dedicated to a width of 100 feet.

Public Hearing

The public hearing was held on January 20, 2010 in City Hall Room 1020 in Los Angeles. The hearing was attended by: the applicant's representative, Officer Ritchie from LAPD Vice, and a neighboring property owner. Elizabeth Peterson, the applicant's representative, described the proposed project stating that it is a request for a conditional use for the sale of a full line of alcoholic beverages and live entertainment in conjunction with a restaurant. She met with Council District 13 and LAPD and they both stated they did not want another nightclub. The project was approved by the Neighborhood Council on January 18, 2010. She said the location of the restaurant is desirable because it is at the intersection of Hollywood Boulevard and Vine Street. Three of the four corners have either vacant store fronts or have glazing over the windows. This restaurant will help to revitalize the area, serve theater goers, and activate the sidewalk. No parking is required for the site because it is located in the historic equitable building, but they will share valet parking with Dylan's restaurant located next door. She said the Council Office and LAPD would like the record held open for a few weeks to meet with the applicant and possibly submit conditions.

Officer Ritchie stated that he had originally written a letter of opposition for the project because they were concerned it would be a nightclub. They are asking for a Type 47 license from ABC. They have had problems with these types of uses being converted into night clubs with very little food service. He requested a week or so to meet with his Captain to discuss conditions. David Green spoke on behalf of the adjacent property owner stating concern for an obstruction that has been constructed on their easement. He applauds the opening of a restaurant at the restaurant at the location but wants the issue resolved before a decision is issued by the Zoning Administrator. Elizabeth Peterson stated that the obstruction is a stairwell with a four-hour fire separation that was constructed in 2004. She stated she would meet with the Nederlander's to try to resolve the issue.

In an email dated March 8, 2010, the applicant's representative stated the applicant would remove the back staircase attached to the Equitable Building that encroaches on the easement.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24 of the Los Angeles Municipal Code. In order for the sale of a full-line of alcoholic beverages for on-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the four standard findings for most other conditional use categories.

MANDATED FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. **The proposed location will be desirable to the public convenience or welfare.**

The subject site is located in the Hollywood Community Plan and has a Regional Center Commercial land use designation. The lot is generally flat, rectangular shaped, located at the northeast corner of Hollywood Boulevard and Vine Street. The site is developed with the historic Equitable Building, a mixed use building comprised of retail/restaurants and joint live/work lofts. There are zero parking spaces for the restaurant. However, since the building is an historic cultural landmark, the restaurant is not required to provide any parking.

The applicant is requesting the sale and dispensing of a full line of alcoholic beverages for on-site consumption with live entertainment, in conjunction with a 4,296 square-foot restaurant space, and seating for 109 patrons to be operated daily from 11:00 a.m. to 2:00 a.m. This restaurant/bar lounge venue is requesting to operate as a bona fide eating place, maintaining its previous use. The location for this request will remain desirable to the public convenience and welfare, serving the

Hollywood community. The restaurant would complement entertainment, shopping, and cultural venues by providing a full menu that caters to neighborhood residents and tourists. The site is also desirable to the public convenience since it is located across the street from the Hollywood and Vine Red Line Station. Proximity to a subway station will provide alternatives to driving to promote safety.

2. **The location is proper in relation to adjacent uses or the development of the community.**

Surrounding properties are within the C4-2D-SN Zone and are developed with commercial buildings, office spaces, and parking lots. More specifically, a restaurant is located to the north; a parking lot, donut shop and cafe, and the Pantages Theater are located east of the subject site; the Taft Building comprised of offices and retail and the W Hotel (currently under construction) are located to the south across Hollywood Boulevard; and a mix of retail and buildings under construction for hotel residence and retail are to the west across Vine Street. The Hollywood/Vine Metro Red Line Station is located across the street. There are no single-family uses in the immediate area.

The subject premises in the historic Hollywood Equitable Building are immediately adjacent to the Pantages Theatre and Capitol Records, which would generate much of the future business for the restaurant. The subject property is surrounded by commercial development and has co-existed with these adjacent commercial uses since the 1920's. Also, the area is experiencing rapid growth in the commercial and residential areas of development. The W Hotel across the street along with new residences located near the site warrant an increase in restaurants and like establishments to offer much-needed amenities as well as provide jobs for local residents. The requested conditional use would be in proper relation to adjacent uses as well as residential uses, and hotels near the subject site. The conditional use would continue the use of the existing restaurant, and provide the enjoyment of meals with alcohol to local residents, guests, and workers of the area. Continued operation will not conflict with other tenants and their patrons. Conditions imposed with this grant will also ensure the use will continue to operate in a reasonable manner in relation to adjacent uses and development of the community.

3. **The use will not be materially detrimental to the character of the development in the immediate neighborhood.**

The proposed service of a full line of alcohol in conjunction with a restaurant, within a mixed use building, will not be materially detrimental since the use would continue. The area is primarily characterized by commercial uses. The location along the intersection of Hollywood Boulevard and Vine Street is an appropriate location for alcohol service in conjunction with a sit down restaurant. Also, given the content of the Conditions and limitations established herein, and based on information from the public, the Police Department, Council Office and other parties, the surrounding land uses will not be adversely impacted.

The restaurant will continue to operate from the hours of 11:00 a.m. to 2:00 a.m., daily, similar to other similar establishments. The applicant has volunteered conditions to ensure the issuance of the conditional use will not be detrimental to surrounding uses and the immediate neighborhood. Finally, the Zoning Administrator will impose conditions of approval to ensure the use will not be materially detrimental to the character of the development in the immediate neighborhood.

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

There are eleven elements of the General Plan. Each of the Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of Los Angeles Municipal Code. Except for the entitlement described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The General Plan of development by the Central Los Angeles Plan Map designates the subject property for Regional Center Commercial uses, which intends to serve the needs of its community and visiting travelers alike. The project will maintain and uphold the objectives of the General Plan.

Additionally, the project site is located within the Hollywood Plan Area. The plan designates the subject site for Regional Center Commercial land use with the corresponding zones of CR, C2, C4, P, and PB and Height District No. 2D. The location of a restaurant in a Regional Center Commercial is consistent with the many goals of the Hollywood Community Plan. The Hollywood Plan text is silent with regards to the sale of alcohol. In such cases, the Zoning Administrator must interpret the intent of the plan. Given the numerous conditions of approval, and the fact that this request is incidental to food service, the proposed use can be deemed to be in harmony with the General Plan.

5. The proposed use will not adversely affect the welfare of the pertinent community.

The approval of the conditional use request will not adversely affect the welfare of the Hollywood community. The subject property is zoned C4-2D-SN, which allows commercial uses, and the restaurant has historically operated on the subject site. The restaurant hours have been limited to 11:00 a.m. to 2:00 a.m., daily to reduce the impact on the community and police services. The tenant space will continue to create a positive benefit both aesthetically and economically to the community. Additionally, the location is in the midst of an increase in development and improvement that favor great economic growth for all businesses in the area. Such include the W Hotel across the street, Boulevard 6200, and several recently approved reuse projects that have created residential lofts in the area. Improvements through new entitlements will attract progressive businesses to the surrounding vicinity which will further stimulate growth throughout the neighborhood.

6. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California State Department of Alcoholic Beverage Control licensing criteria, 3 on-site and 2 off-site licenses are allocated to the subject Census Tract No. 1910.10, which has a population of approximately 3,036 people. There are currently 31 on-site, 6 off-site within this census tract. These figures indicate that there is an over-concentration of on-site licenses, but not a significant over concentration of off-site licenses. The proposed conditional use permit, if approved and implemented, will result in a number of licenses which exceeds the allocation for the census tract area. Although there may be a high concentration of permits for on-site consumption of alcohol in the Hollywood area, the Hollywood community has always been one of the City's entertainment centers. Consequently, large numbers of alcohol licenses are found in the Community's Census Tract, and will be found in other census tracts throughout Hollywood.

Statistics from the Los Angeles Police Department reveal that in the subject Crime Reporting District No. 637, which has jurisdiction over the subject property, a total of 77 crimes were reported in 2008, compared to the citywide average of 235 crimes and 282 crimes in the high crime reporting district for the same period. Crime reporting statistics for 2009 are not yet available. As conditioned, the restaurant should not result in an increase in crime.

7. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The Hollywood Plan Map designates the property for Regional Center Commercial land use. In addition to multi-family uses, the following sensitive uses are located within a 1,000-foot radius of the project site:

- Church of Scientology - 6331 W. Hollywood Boulevard
- Hollywood Education Literacy - 6336 W. Hollywood Boulevard
- Oasis-Zion Kids Club -1725-1727 N. Ivar Avenue
- St. Stephens Episcopal Church - 6128 Yucca Street
- Hollywood Library - 6411 W. Hollywood Boulevard

The term grant allows for a subsequent consideration of the request taking into account any changes in the area which may create impacts. This grant has placed numerous conditions on the proposed project. Such imposition of conditions, will make the use a more compatible and accountable neighbor to the surrounding and on-site uses than would otherwise be the case. The area surrounding the project currently includes a wide variety of office, commercial, and residential uses. The proposed project will provide a dining option for the community, and will be subject to conditions of approval that have been reviewed by the Police Department, neighborhood council, and the Zoning Administrator to ensure the project will not be detrimental to nearby residentially zoned communities.

ADDITIONAL MANDATORY FINDINGS

8. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
9. On December 16, 2009, the City Planning Department issued Mitigated Negative Declaration No. ENV-2009-3424-MND. This Mitigated Negative Declaration reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts are mitigated to a less than significant level. I hereby adopt that action. The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

I concur with the report prepared by Henry Chu, Planning Staff for the Office of Zoning Administration, on this application and approve same.

Henry Chu
City Planner
(213) 473-9919



MAYA E. ZAITZEVSKY
Associate Zoning Administrator

MEZ:HC:jjq

cc: Councilmember Eric Garcetti
Thirteenth District
Adjacent Property Owners