

# **POLICY MOTION**

**COMMITTEE:** Planning and Land Use Management (PLUM)

**TITLE:** Approval of a Conditional Use Permit for the on-site sale and consumption of a full line of alcohol at Modern V restaurant

**PURPOSE:** This motion is to express the Mar Vista Community Council's support of a conditional use permit (CUP) for the on-site sale and consumption of a full line of alcohol at Modern V, located 2535 S. Barrington Ave.

## **BACKGROUND:**

On December 22nd, 2021, the proprietors of local business Modern V submitted an application for a conditional use permit to enable the on-site sale and consumption of a full line of alcoholic beverages. This permit would expand Modern V's existing operations as a vegan restaurant, whose current footprint includes 1,911 square feet and 45 seats of interior space and 386 square feet and 12 seats worth of patio seating. Modern V representative Brett Engstrom appeared before the MVCC PLUM committee on January 11th, 2022, to present this application and ask for community support. The MVCC PLUM committee subsequently voted to give its approval of this permit.

## **THE MOTION:**

The MVCC is for the granting of a conditional use permit to Modern V for the on-site sale and consumption of a full line of alcoholic beverages.

## **DIRECTED TO:**

City of Los Angeles Department of City Planning  
Attn: Edwin Cano  
Planning Assistant  
edwin.cano@lacity.org  
213-202-5474

## **ACTION/VOTE COUNT:**

MVCC PLUM Committee meeting, January 11<sup>th</sup>, 2022

Motion of approve moved by Laferriere, seconded by McHenry

Motion of approval approved by MVCC PLUM 11 - 0

**APPLICATION TO THE ZONING ADMINISTRATOR FOR CONDITIONAL USE PERMIT – ALCOHOLIC BEVERAGES (CUB)**

APPLICANT: **MODERN V, LLC**

PROPERTY: **2535 S. BARRINGTON AVE.  
LOS ANGELES, CA 90064**

REFERENCE: **CONDITIONAL USE PERMIT (CUB) TO ALLOW THE SALE OF A FULL LINE OF ALCOHOL AT A 1,911 SF VEGAN RESTAURANT LOCATED IN THE C2-1VL ZONE.**

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The applicant is requesting a Conditional Use Permit to allow the sale and dispensing of a full line of alcohol for on-site consumption in conjunction with a vegan restaurant located in the C2-1VL zone. The restaurant is located on a 12,166.7 sf commercially zoned property which it shares with an adjacent commercial tenant. The restaurant occupies a 1,911 sf interior tenant space and offers 45 interior seats. The restaurant also has a 386 sf patio with 12 seats. The patio is located entirely within the parcel and does not encroach into the public right of way. The tenant space was previously occupied by another restaurant. The applicant has taken over the space and updating the menu to a vegan based cuisine. Hours of operation are 10am to 11pm daily.

The property is located in the C2-1VL zone and designated Neighborhood Office Commercial under General Plan Land Use designations. It is located within Council District 11, the Palms - Mar Vista - Del Rey Community Plan area, West LA Transportation Improvement and Mitigation Plan Area and the Exposition Corridor Transit Neighborhood Plan.

**BACKGROUND**

The project site is located within the Palms - Mar Vista - Del Rey Community Plan area on the southeast corner of S. Barrington Ave and Gateway Blvd. The subject property is relatively flat and contains a small retail shopping center with two tenants, and on-site parking area with 17 spaces which are shared by the two on-site tenants.

The area is urban in character, relatively flat and consists primarily of commercial land uses along Gateway Blvd., and single-family and multi unit residential developments along S. Barrington Ave. The area is fully improved with streets, sidewalks, utility poles, storm drains, sewers and infrastructure.

The Palms - Mar Vista - Del Rey Community Plan Map designates the property for Neighborhood Office Commercial land uses with the corresponding C2-1VL zone and is subject to Height District No. 1VL

**GENERAL FINDINGS**

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

The restaurant is located within a small retail center at the intersection of two established thoroughfares of Gateway Blvd. & S. Barrington Ave. The retail center was constructed in 1975, and was designed and developed to be compatible with the built environment of the surrounding neighborhood. The vegan restaurant will provide a service to the area by offering a new vegan dining option to the residents in the area, as well as those employed nearby. The approval of this application will allow the restaurant to compete with similarly situated restaurants and offer a more complete menu of food and beverage items.

**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 the adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

The restaurant occupies an existing tenant space within a small retail center; no new construction will result from the subject application. The commercial property was designed to be compatible with the surrounding area, and therefore blend better with its surroundings. The size of the restaurant is reasonable at 1,911 sf, which helps maintain the restaurant's focus on serving nearby residents and others in the near vicinity. The property has some on-site parking, which will help avoid causing traffic and parking concerns in the surrounding neighborhoods. In addition, the restaurant's location along a major commercial thoroughfare and facing the busy avenue, will ensure that any ancillary noise produced at the restaurant is drowned out by the traffic noises in the avenue. Should the subject application be granted, the restaurant will work to peacefully coexist with the neighborhood and avoid detrimentally affecting neighboring properties. As such, the full-service restaurant will not adversely affect or further degrade the adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

**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 small restaurant substantially conforms to the purpose, intent and provisions of the General Plan. The General Plan promotes the provision of services throughout the city in locations that adequately serve the public yet do not detrimentally impact nearby residential properties. The operating restaurant serves the area by offering an additional dining option, while remaining proper in size so that it remains focused on neighborhood operations. The approval of the subject request will allow the restaurant to continue to operate in a reasonable manner, without introducing additional issues into the neighborhood.

**ADDITIONAL CUB FINDINGS**

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

The service of alcohol at a sit down restaurant is commonplace and an expected amenity in similarly situated restaurants. The restaurant operation is reasonable in size and seat count, which helps limit the possibility of large and loud groups. The restaurant's location is proper in that it is located within a small retail center, near the intersection of two established thoroughfares for this part of the city. With the addition of suitable operating conditions placed on the restaurant, the approval of the subject application will not result in the restaurant adversely affecting the pertinent community. Nonetheless, the restaurant operators are aware of the responsibility of serving alcohol for on-site consumption and the restaurant will strive to continue to be a positive contributor to the neighborhood.

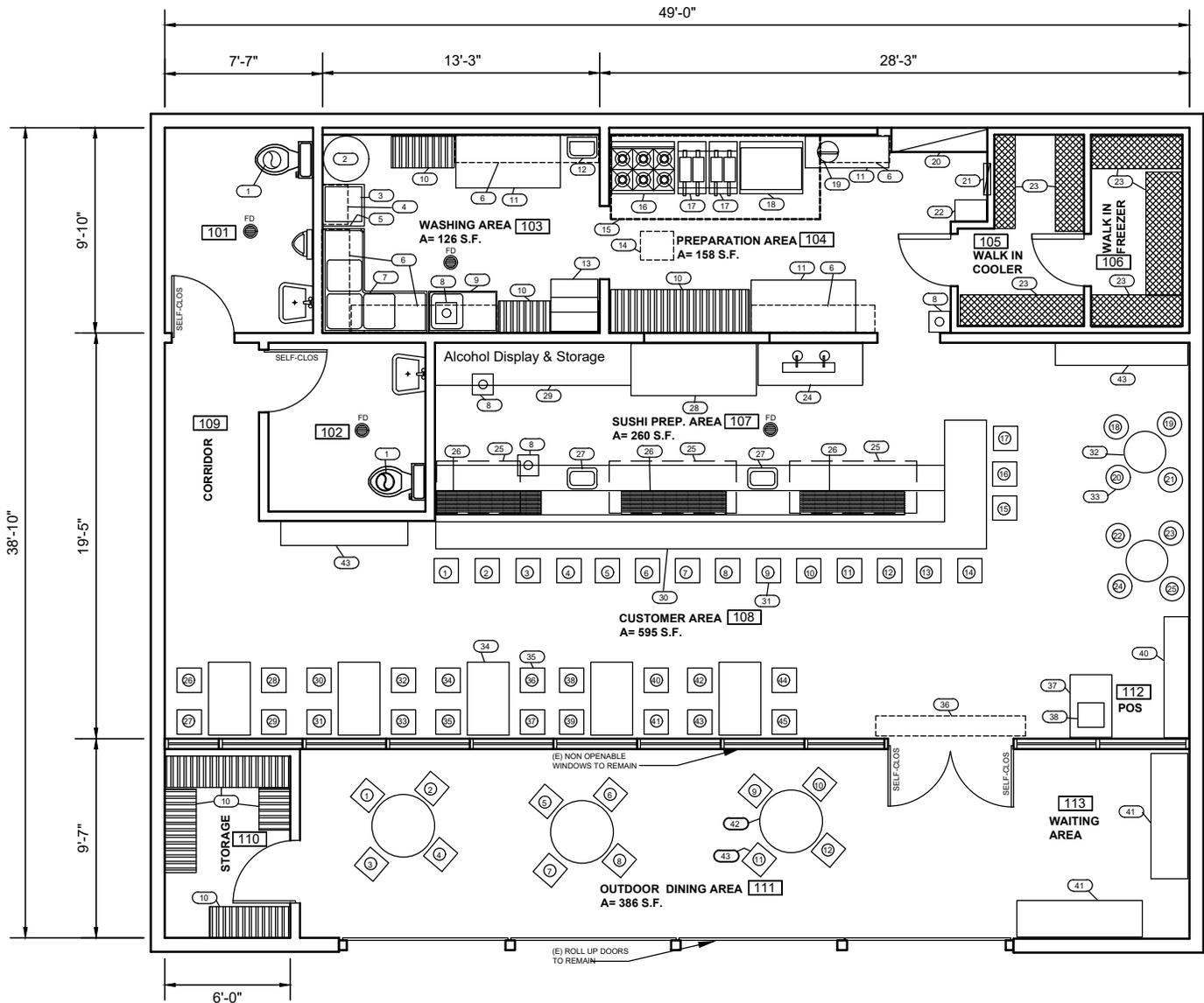
**ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.**

The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. Over concentration can be undue when the addition of a license will negatively impact a community. Over concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license will benefit the public welfare and convenience. The proposed restaurant will be located within a restaurant tenant space on a commercially zoned property. The restaurant will provide a service of offering an additional vegan dining option to those in the area.

The operating restaurant is located within a small commercial property at the intersection of S. Barrington Ave and Gateway Blvd. There are a large number of commercial operations along Gateway Blvd. However, there are only 3 other ABC Licenses within 1,000 feet of the project site. Nonetheless, the new business will be operated in a professional and responsible manner should the subject request be granted. The applicants will abide by all operating conditions placed on the restaurant by the City of LA, Dept of ABC and LAPD.

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

The subject restaurant occupies a tenant space that was previously occupied by another restaurant. The business is situated on the parcel so that parking and patron activity occur facing the intersection of S. Barrington Ave and Gateway Blvd. This will help avoid any unintended noise from traveling beyond the busy intersection. With the addition of suitable operating conditions placed on the restaurant, the approval of the subject application will not result in the restaurant adversely affecting the pertinent community. Nonetheless, the restaurant will continue to be operated in such a manner so as to avoid detrimentally affecting neighboring properties, including nearby residents.



### LEGEND

- ID NUMBER OF SEATS: (X)
- EQUIPMENT NOTATION: (XX)
- SEE SHEET F-2
- ROOM FINISH ID ROOMS: (XXX)
- SEE SHEET F-2
- NUMBER OF INDOOR SEATING: 45 SEATS
- NUMBER OF OUTDOOR SEATING: 12 SEATS
- TOTAL SEATING: 12 SEATS



### FLOOR PLAN W/ EQUIPMENT

1/4"=1'-0"

PROJECT SITE  
2535 S. BARRINGTON AVE.  
LOS ANGELES, CA 90064

LEGAL DESCRIPTION  
LOTS: 73-76  
BLOCK: NONE  
TRACT: TR 5498  
APN: 4257-013-042

SITE AREA: 12,166.7 SF

ON-SITE PARKING: 17 SHARED PARKING SPACES

PROJECT AREA  
INTERIOR: 1,911 SF  
PATIO: 386 SF

SEAT COUNT  
INTERIOR: 45 SEATS  
PATIO: 12 SEATS



APPLICATIONS:

DEPARTMENT OF CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

Case Number \_\_\_\_\_
Env. Case Number \_\_\_\_\_
Application Type \_\_\_\_\_
Case Filed With (Print Name) \_\_\_\_\_ Date Filed \_\_\_\_\_

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

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.
All terms in this document are applicable to the singular as well as the plural forms of such terms.
Detailed filing instructions are found on form CP-7810

1. PROJECT LOCATION

Street Address1 2535 S. Barrington Ave., Los Angeles, CA 90064 Unit/Space Number \_\_\_\_\_
Legal Description2 (Lot, Block, Tract) Lot: 73-76; Block: None; Tract: TR 5498
Assessor Parcel Number 4257-013-042 Total Lot Area 12,166.7 sf

2. PROJECT DESCRIPTION

Present Use Restaurant
Proposed Use Restaurant
Project Name (if applicable) The Modern V
Describe in detail the characteristics, scope and/or operation of the proposed project Sale & dispensing of a full line of alcohol for on-site consumption in conjunction with a 1,911 sf vegan restaurant with 45 interior seats, and a 386 sf patio with 12 seats. Hours of operation 10am to 11pm daily.

Additional information attached [ ] YES [x] NO

Complete and check all that apply:

Existing Site Conditions

- [ ] Site is undeveloped or unimproved (i.e. vacant)
[x] Site has existing buildings (provide copies of building permits)
[ ] Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)
[ ] Site is located within 500 feet of a freeway or railroad
[x] Site is located within 500 feet of a sensitive use (e.g. school, park)
[ ] Site has special designation (e.g. National Historic Register, Survey LA)

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

**Proposed Project Information**

(Check all that apply or could apply)

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

- Removal of protected trees on site or in the public right of way
- New construction: \_\_\_\_\_ square feet
- Accessory use (fence, sign, wireless, carport, etc.)
- Exterior renovation or alteration
- Change of use and/or hours of operation
- Haul Route
- Uses or structures in public right-of-way
- Phased project

**Housing Component Information**

Number of Residential Units: Existing  0  – Demolish(ed)<sup>3</sup>  0  + Adding  0  = Total  0   
 Number of Affordable Units<sup>4</sup> Existing  0  – Demolish(ed)  0  + Adding  0  = Total  0   
 Number of Market Rate Units Existing  0  – Demolish(ed)  0  + Adding  0  = Total  0   
 Mixed Use Projects, Amount of Non-Residential Floor Area:  0  square feet

**Public Right-of-Way Information**

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

**3. ACTION(S) REQUESTED**

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

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

Authorizing Code Section 12.24, W-1

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

Action Requested, Narrative: CUB to allow sale of a full line of alcohol for on-site consumption at a 1,911 sf vegan restaurant with 45 seats & 386sf patio with 12 seats. Hours of operation 10am-11pm daily.

Authorizing Code Section \_\_\_\_\_

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

Action Requested, Narrative: \_\_\_\_\_

Additional Requests Attached  YES  NO

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

<sup>4</sup> As determined by the Housing and Community Investment Department

**4. RELATED DEPARTMENT OF CITY PLANNING CASES**

Are there previous or pending cases/decisions/environmental clearances on the project site?  YES  NO

If YES, list all case number(s) N/A

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. \_\_\_\_\_ Ordinance No.: \_\_\_\_\_

- Condition compliance review
- Clarification of Q (Qualified) classification
- Modification of conditions
- Clarification of D (Development Limitations) classification
- Revision of approved plans
- Amendment to T (Tentative) classification
- Renewal of entitlement
- Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project?  YES  NO

Have you filed, or is there intent to file, a Subdivision with this project?  YES  NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

N/A

**5. RELATED DOCUMENTS / REFERRALS**

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide a copy of any applicable form and reference number if known.

- a. Specialized Requirement Form N/A
- b. Geographic Project Planning Referral N/A
- c. Citywide Design Guidelines Compliance Review Form N/A
- d. Affordable Housing Referral Form N/A
- e. Mello Form N/A
- f. Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form N/A
- g. HPOZ Authorization Form N/A
- h. Management Team Authorization N/A
- i. Expedite Fee Agreement N/A
- j. Department of Transportation (DOT) Referral Form N/A
- k. Preliminary Zoning Assessment Referral Form N/A
- l. SB330 Preliminary Application N/A
- m. Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) N/A
- n. Order to Comply N/A
- o. Building Permits and Certificates of Occupancy To be submitted.
- p. Hillside Referral Form (BOE) N/A
- q. Low Impact Development (LID) Referral Form (Storm water Mitigation) N/A
- r. SB330 Determination Letter from Housing and Community Investment Department N/A
- s. Are there any recorded Covenants, affidavits or easements on this property?  YES (provide copy)  NO

**PROJECT TEAM INFORMATION (Complete all applicable fields)**

**Applicant<sup>5</sup> name** \_\_\_\_\_  
Company/Firm The Modern V, LLC  
Address: 2535 S. Barrington Ave. Unit/Space Number \_\_\_\_\_  
City Los Angeles State CA Zip Code: 90064  
Telephone (916) 267-8183 E-mail: themodernvrestaurant@gmail.com  
Are you in escrow to purchase the subject property?  YES  NO

**Property Owner of Record**  Same as applicant  Different from applicant  
Name (if different from applicant) Linda Sim Lee Ching  
Address 11700 Gateway Blvd. Unit/Space Number \_\_\_\_\_  
City Los Angeles State CA Zip Code: 90064  
Telephone (916) 267-8183 E-mail: lindaslching@gmail.com

**Agent/Representative name** Brett Engstrom  
Company/Firm LiquorLicense.com  
Address: 2222 Damon St. Unit/Space Number \_\_\_\_\_  
City Los Angeles State CA Zip: 90021  
Telephone (626) 993-7350 E-mail: brett@liquorlicense.com

**Other (Specify Architect, Engineer, CEQA Consultant etc.)** N/A  
Name \_\_\_\_\_  
Company/Firm \_\_\_\_\_  
Address: \_\_\_\_\_ Unit/Space Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

**Primary Contact for Project Information**  Owner  Applicant  
*(select only one)*  Agent/Representative  Other

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

**PROPERTY OWNER**

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

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

- a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

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

Signature 

Date 10/14/2021

Print Name Linda Ching

Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

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

State of California

County of LOS ANGELES

On OCTOBER 14, 2021 before me, SHLOMO RACKLIFF - NOTARY PUBLIC  
(Insert Name of Notary Public and Title)

personally appeared LINDA CHING who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
Signature

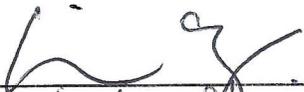
(Seal)



**APPLICANT**

- 8. APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.
- a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
  - b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
  - c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
  - d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
  - e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
  - f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
  - g. I understand that if this application is denied, there is no refund of fees paid.
  - i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
  - i. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

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

Signature:   
Print Name: Linda Ching

Date: 10/14/2021

# SPECIAL INSTRUCTIONS FOR ALCOHOL (CUB) & ADULT ENTERTAINMENT ESTABLISHMENTS (CUX) – LAMC 12.24 W.1 & 12.24 W.18

City of Los Angeles – Department of City Planning

The Special Instructions for Alcohol (CUB) & Adult Entertainment Establishments is a required attachment to the *MASTER LAND USE APPLICATION INSTRUCTIONS* (CP-7810). Only utilize this form when filing for a conditional use permit pursuant to LAMC Section 12.24 W.1 for alcohol establishments or pursuant to 12.24 W.18 for adult entertainment establishments.

## ADDITIONAL REQUIREMENTS/FINDINGS FOR APPROVAL OF A CUB or CUX:

*For a CUB or CUX request to be considered, the following additional information and findings must be provided.*

1. **RADIUS MAP REQUIREMENTS.** In addition to the Public Noticing requirements detailed in the Master Land Use Application Instructions (CP-7810):
  - Radius Maps for alcohol uses must show land use to a 600-foot radius.
  - A **LIST OF ALCOHOL ESTABLISHMENTS** between 600 and 1,000 feet of the site is required. Include in the list the type of license and address.
  - A **LIST OF THE FOLLOWING USES** within 600 feet is also required:
    - (1) residential uses and type (single-family, apartment, hotel, etc.);
    - (2) churches;
    - (3) schools, including nursery schools and child-care facilities;
    - (4) hospitals;
    - (5) parks, public playgrounds and recreational areas; and
    - (6) establishments dispensing, for consideration, alcoholic beverages for consumption on or off premises.
2. **FINDINGS (on a separate sheet)**
  - 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.
    - 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.
    - 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.
  - b. **Additional Findings**
    - i. Explain how the proposed use will not adversely affect the welfare of the pertinent community.
    - ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.
    - iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

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

- a. What is the total square footage of the building or center the establishment is located in? \_\_\_\_\_
- b. What is the total square footage of the space the establishment will occupy? \_\_\_\_\_
- c. What is the total occupancy load of the space as determined by the Fire Department? \_\_\_\_\_
- d. What is the total number of seats that will be provided indoors? \_\_\_\_\_ Outdoors? \_\_\_\_\_
- e. If there is an outdoor area, will there be an option to consume alcohol outdoors? \_\_\_\_\_
- f. If there is an outdoor area, is it on private property or the public right-of-way, or both? \_\_\_\_\_
  - i. If an outdoor area is on the public right-of-way, has a revocable permit been obtained? \_\_\_\_\_
- g. Are you adding floor area? \_\_\_\_\_ If yes, how much is enclosed? \_\_\_\_\_ Outdoors? \_\_\_\_\_

**h. Parking**

- i. How many parking spaces are available on the site? \_\_\_\_\_
- ii. Are they shared or designated for the subject use? \_\_\_\_\_
- iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety? \_\_\_\_\_
- iv. Have any arrangements been made to provide parking off-site? \_\_\_\_\_
  - 1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety? \_\_\_\_\_

**Note:** Required parking must be secured via a covenant pursuant to LAMC 12.26 E 5. A private lease is only permitted by a Zone Variance.

- 2. Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area the use it is to serve.
- 3. Will valet service be available? \_\_\_\_\_ Will the service be for a charge? \_\_\_\_\_
- i. Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks? \_\_\_\_\_
- j. 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? \_\_\_\_\_

4. **QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT**

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

	<b>M</b>	<b>Tu</b>	<b>W</b>	<b>Th</b>	<b>F</b>	<b>Sa</b>	<b>Su</b>
Proposed Hours of Operation							
Proposed Hours of Alcohol Sale							

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

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

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

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

e. **Security**

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

- ii. Will security guards be provided on-site? \_\_\_\_\_

1. If yes, how many and when? \_\_\_\_\_

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

f. **Alcohol**

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

- ii. Will "fortified" wine (greater than 16% alcohol) be sold? \_\_\_\_\_

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

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

v. **Food**

1. Will there be a kitchen on the site? \_\_\_\_\_

2. Will alcohol be sold without a food order? \_\_\_\_\_

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

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

vi. **On-Site**

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

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

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

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

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

vii. **Off-Site**

1. Will cups, glasses or other containers be sold which might be used 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)? \_\_\_\_\_

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

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

- a. Is this application a request for on-site or off-site sales of alcoholic beverages? \_\_\_\_\_
  - i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel? \_\_\_\_\_
    1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:
      - a. issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or
      - b. if issuance would result in, or add to an undue concentration of licenses.
    - b. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for **public convenience or necessity**.

**6. ADDITIONAL REQUIREMENTS FOR MASTER CUBs/CUXs.** 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.*



**Subject:** Support for CPUC permits at Barrington and Gateway

**First Name:** Damien

**Last Name:** [REDACTED]

**Phone:** [REDACTED]

**Email:** [REDACTED]

**Zip Code:**

**Referrer:**

**Message:** Hi Drew, I'm a resident and former Zone 2 Director. Just wanted to take a second to voice my support for the two permits for new restaurants at the corner of Barrington and Gateway. They'll both be assets for the community and I look forward to visiting them. All the Best, D



**Subject:** new vegan restaurant at 2535 S. Barrington

**First Name:** Sherri

**Last Name:** [REDACTED]

**Phone:** [REDACTED]

**Email:** [REDACTED]

**Zip Code:**

**Referrer:**

**Message:** I want to add my support to the new vegan restaurant proposed for 2535 S. Barrington (the former Burgerim); the applicant is Modern V, LLC. Sadly, as a vegan, all of my restaurant dollars are spent in Culver City and Santa Monica and points beyond since there are no vegan restaurants in Mar Vista! I would love to do my spending here.



**Subject:** Support for New Restaurant CUPS

**First Name:** Michael

**Last Name:** [REDACTED]

**Phone:**

**Email:** [REDACTED]

**Zip Code:**

**Referrer:**

**Message:** Hello! I was informed that your committee will be considering conditional use permit applications for a vegan restaurant at 2535 S. Barrington and a Thai restaurant at 11688 Gateway. As a resident of the immediate neighborhood (I live on Federal near Brookhaven), I'm enthusiastic about the prospect of more food variety and new, walkable restaurants in the area, and offer my support for these applications. Thank you!