

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.**

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.