

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: See attached

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*) See attached CUB Findings

a. General Conditional Use

- i. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.
- 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? 3,159
- b. What is the total square footage of the space the establishment will occupy? 2,296 w/ 863 sf patio
- c. What is the total occupancy load of the space as determined by the Fire Department? 82
- d. What is the total number of seats that will be provided indoors? 22 Outdoors? 68
- e. If there is an outdoor area, will there be an option to consume alcohol outdoors? Yes
- f. If there is an outdoor area, is it on private property or the public right-of-way, or both? Private
 - i. If an outdoor area is on the public right-of-way, has a revocable permit been obtained? N/A
- g. Are you adding floor area? No If yes, how much is enclosed? N/A Outdoors? N/A

h. Parking

- i. How many parking spaces are available on the site? 5 - see attached parking covenants
- ii. Are they shared or designated for the subject use? Designated
- iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety? N/A- see attached parking covenants
- iv. Have any arrangements been made to provide parking off-site? Covenant for parking attendant
 - 1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety? Covenant for parking attendant

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? No Will the service be for a charge? N/A
- i. Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks? Yes
- 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? N/A

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?

	M	Tu	W	Th	F	Sa	Su
Proposed Hours of Operation	8am-11pm	8am-11pm	8am-11pm	8am-11pm	8am-11pm	8am-11pm	8am-11pm
Proposed Hours of Alcohol Sale	8am-11pm	8am-11pm	8am-11pm	8am-11pm	8am-11pm	8am-11pm	8am-11pm

- b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc...? Please specify: No

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? No If yes, what is the minimum age requirement and how will it be enforced? N/A

- d. Will there be any accessory retail uses on the site? No What will be sold? No

e. **Security**

- i. How many employees will you have on the site at any given time? 4

- ii. Will security guards be provided on-site? No

1. If yes, how many and when? N/A

- iii. Has LAPD issued any citations or violations? No If yes, please provide copies.

f. **Alcohol**

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

- ii. Will "fortified" wine (greater than 16% alcohol) be sold? No

- iii. Will alcohol be consumed on any adjacent property under the control of the applicant? No

- iv. Will there be signs visible from the exterior that advertise the availability of alcohol? No

v. **Food**

1. Will there be a kitchen on the site? Yes

2. Will alcohol be sold without a food order? Yes

3. Will the sale of alcohol exceed the sale of food items on a quarterly basis? No

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

vi. **On-Site**

1. Will a bar or cocktail lounge be maintained incidental to a restaurant? No

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

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

- 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? No

vii. **Off-Site**

1. Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises? No
2. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)? Beer is sold in cans. Wine is not sold in containers less than 1 liter

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? on-site and off-site sales
 - i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel? Bona-fide Restaurant
 1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:
 - a. issuance of a license to serve alcohol on-site or off-site 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.*

**Special Instructions for Alcohol (CUB) & Adult Entertainment
HomeState Restaurant
13424 W. Ventura Blvd
Sherman Oaks, CA 91423**

2. Findings

a. General Conditional Use

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

Landlord has received a Project Permit (DIR 2018-729-SPP) which included approval of change of use to restaurant and exterior building design. Landlord demolished the previous building and is constructing a new building. HomeState Restaurant will be the restaurant tenant in this building and will comply with the approved design. The request is for an approval for a full line of alcohol for on-site and off-site sales. The project is a successful restaurant concept that will generate taxable revenue for the City of Los Angeles.

- 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*

Landlord has received a Project Permit (DIR 2018-729-SPP) which included approval of change of use to restaurant and exterior building design. HomeState Restaurant will be the restaurant tenant in this building and will be consistent with the approved design. The height will remain the same and is consistent with surrounding uses. Landlord is also improving the parking lot. The use will not cause a detrimental impact to the immediate neighborhood and will be in harmony with the various elements and objectives of the neighborhood.

- 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 project is in substantial compliance with the General Plan and Zoning Designation of this site. The use is a bona-fide restaurant and meets the intent and provisions of the General Plan.

b. Additional Findings

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

The primary use of the facility will be a restaurant full line of alcohol sales will be an incidental use. HomeState will provide a convenient dining option to the community and will continue to do so in future. The project will not have a detrimental impact on the public welfare.

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

Landlord has received a Project Permit (DIR 2018-729-SPP) which included approval of change of use to restaurant and exterior building design. HomeState Restaurant will be the restaurant tenant in this building and will be consistent with the approved design. Landlord is also improving the parking lot. The use will not cause a detrimental impact to the immediate neighborhood and will be in harmony with the various elements and objectives of the neighborhood without contributing to an undue concentration.

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

The primary use of the facility will be a restaurant full line of alcohol sales will be an incidental use. HomeState will provide a convenient dining option to the community and will continue to do so in future. The sale of alcohol is in conjunction with sale of food. There will be no additional impact nor will the project be detrimental to the surrounding uses.