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April 01, 2021

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c/o Milwood Management Corporation
430 Park Avenue, Unit 201
New York, NY 10022

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LiquorLicense.com
2222 Damon Street
Los Angeles, CA 90021

CASE NO. ZA-2020-4944-MCUP
MAIN CONDITIONAL USE
Related Cases: ZA-2020-4946-MPA,
ZA-2020-4948-MPA, ZA-2020-4950-MPA,
ZA-2020-4952-MPA, ZA-2020-4954-MPA
12833 West Ventura Boulevard
(12833-12835 West Ventura Boulevard;
4218-4220 North Coldwater Canyon
Avenue; and 4230 North Coldwater
Canyon Avenue)
Sherman Oaks-Studio City-Toluca Lake
Cahuenga Pass Community Plan
Zone: C1.5-1VL-RIO
C.D: 2
D.M.: 165B161
CEQA: ENV-2020-4945-CE
Legal Description: Lots A and PT 5,
Blocks Arb 1 and Arb 2, Tracts PM
353 and 1368

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

Pursuant to Los Angeles Municipal Code (LAMC) Section 12.24 W.1, I hereby APPROVE:

a Main Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption at up to three venues and the sale of beer and wine for on-site consumption at up to five venues; the sale of a full line of alcoholic beverages for off-site consumption with on-site instructional tasting at one establishment and the sale and dispensing of beer and wine for on-site consumption, the sale of a full line of alcoholic beverages for off-site consumption and on-site instructional tastings at one venue in the C1.5-1VL-RIO 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 and floor 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 Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Within 30 days of the effective date of this grant, 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 form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for inclusion in the case file.

7. Authorized herein is a Main Conditional Use to permit alcohol sales at up to 10 venues. The grant shall be subject to the following limitations:
 - a. The sale and dispensing of a full line of alcoholic beverages for on-site consumption at up to three restaurants; the sale of and dispensing of beer and wine for on-site consumption at up to five restaurants; the sale of a full line of alcoholic beverages for off-site consumption with on-site instructional tasting at a market; and the sale of beer and wine for on-site consumption and the sale of a full line of alcoholic beverages for off-site consumption and on-site instructional tastings at a proposed bar/retail store. Alcohol sales are limited to a maximum square-footage of 34,362 square feet indoors with 4,046 square feet of outdoor patio space.
 - b. The hours of operation shall be limited to 6:00 a.m. to 1:00 a.m. daily. Outdoor patio seating shall be limited to the hours of operation to 10:00 a.m. to 11:00 p.m., daily.
 - c. Indoor seating shall be limited to a maximum of 608 indoor seats. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
 - d. On-site outdoor seating shall be limited to a maximum of 304 outdoor patio seats. The final number of seats and their location may be modified by the Department of Building and Safety in order to provide accessibility and required clearances from existing structures.
8. **Main Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Main Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Main Conditional Use authorization granted. The purpose of the Main Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. The Zoning Administrator may impose more restrictive or less restrictive conditions on each individual tenant at the time of review of each Plan Approval application.
9. **MPA Public Hearing Requirement.** A public hearing for any Main Plan Approval (MPA) request may be waived at the discretion of the Chief Zoning Administrator.

10. Notwithstanding approved "Exhibit A" and the Conditions above, this grant recognizes that there may be changes resulting from identified tenants, which may result in smaller or larger restaurants, different locations, and/or a reduced number of restaurants than those originally proposed and identified in "Exhibit A". Such outcome is permitted provided that the other conditions noted herein, specifically those related to the combined maximum interior floor areas, maximum interior and exterior seating numbers, maximum (total) number of establishments authorized under this grant, and the maximum number of establishments approved for each type of grant in the Conditions above are not exceeded. The sale and dispensing of beer and wine may be provided in lieu of a full line of alcoholic beverages at any of the establishments approved for a full line of alcoholic beverages (but not the reverse), provided that the maximum (total) number of establishments authorized for alcoholic beverages is not exceeded, and subject to all other conditions of this grant.
11. After hour use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
12. **Complaint Log.** Prior to the utilization of this grant, a telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Customer service desk, front desk or near the hostess station

Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved.
13. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure behavior that does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
14. The applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
15. The applicant shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, including the sidewalk in front of the establishment.
16. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department, Department of Alcoholic Beverage Control, or the Department of Building and Safety. The on-site Manager and employees shall be knowledgeable of the conditions herein.

17. Any music, sound or noise which is under control of the applicant shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance) and shall not be audible beyond the subject premises. At any time during the term of the grant a City inspector may visit the site during operating hours to measure the noise levels using a calibrated decibel/sound level meter. If, upon inspection, it is found that the noise level exceeds those allowed by the Citywide Noise Ordinance, the owner/operator will be notified and will be required to modify or, eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
18. There shall be no live entertainment or amplified music on the premises. There shall be no karaoke, disc jockey, topless entertainment, male or female performers or fashion shows.
19. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
20. A minimum of two security guards shall be on duty at any one shift during operating hours. Security personnel shall wear clothing or uniforms that are easily identifiable. The security guard shall regularly patrol the area under the control of the establishment to prevent loitering or undesirable activity by persons around the premises. The security guard must be certified by the State Department Bureau of Consumer Affairs, Bureau and Security and Investigative Services.
21. The applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
22. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.

ADMINISTRATIVE CONDITIONS

23. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30-days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.
24. At any time during the period of validity of the grant (authorizing the sale of alcoholic beverages), if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require that the owner or operator file a Plan Approval application, in association with the appropriate fees, and a 500-foot notification radius. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
25. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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 three 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.

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 upon you to 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 \$2,500 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 16, 2021** unless an appeal therefrom 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 available on-line at <http://planning.lacity.org>.** Public offices are located at:

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

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

West Los Angeles
West Los Angeles Development
Services Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2598

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, and the statements made at the public hearing on January 27, 2021, 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 approval under the provisions of Section 12.24-W,1 have been established by the following facts:

BACKGROUND

The subject property is a 173,157 square-foot, flat, irregular-shaped parcel with dual frontages on Coldwater Canyon Avenue and Ventura Boulevard. The site is currently being developed with a new mixed-use shopping center known as the Shops at Sportsmen’s Lodge. The development was previously approved under Case No. DIR-2014-0886-SPP-SPPA-2A-M1, which authorized a new 97,807 square-foot mixed-use shopping center with 24,251 square feet of restaurant uses, 37,518 square feet of retail, 30,000 square feet of health club, and 6,038 square feet of accessory space with 446 shared parking spaces. The center is expected to be anchored by an Equinox Fitness Center and an Erewhon market. Constructed is slated to be complete sometime in early 2021.

The site is zoned C1.5-1VL within the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan with a General Plan Land Use Designation of Neighborhood Commercial with corresponding zones of C1, C1.5, C2, C4, RAS3, RAS4, and P. The site is further located within the Ventura/Cahuenga Boulevard Corridor Specific Plan (Subarea 11), the Studio City/Cahuenga Pass Streetscape Plan area, and the Urban Agricultural Incentive Zone. The site is 2.62 kilometers from the nearest known fault (Hollywood Fault).

The applicant is requesting a Main Conditional Use (MCUP) to permit the sale and dispensing of alcoholic beverages at up to 10 venues at the new shopping center. The request includes a maximum of 34,362 square feet of indoor floor area and 4,046 square feet of outdoor patio area, 10 venues, 608 interior seats, 304 outdoor patio seats, and hours of operation from 6:00 a.m. to 1:00 a.m., daily. Below is a breakdown of the venue requests with type of alcohol sale outlined.

Venue	Type
Restaurant	On-Site – Full Line
Restaurant	On-Site – Full Line
Restaurant	On-Site – Full Line
Restaurant	On-Site – Beer and Wine
Restaurant	On-Site – Beer and Wine
Restaurant	On-Site – Beer and Wine
Restaurant	On-Site – Beer and Wine
Restaurant	On-Site – Beer and Wine
Retail	Off-Site – Full Line with On-Site Instructional Tastings
Bar/Retail	On-Site – Beer and Wine, Off-Site – Full Line with On-Site Instructional Tastings

SURROUNDING PROPERTIES

The surrounding land uses consists of a mix of commercial uses along the Ventura Boulevard Corridor including offices, restaurants, retail stores, parking lots, and professional services. The Los Angeles River is located to the north of the site and beyond that are single- and multi-family residential uses. The northern adjoining properties are zoned OS-1XL-RIO and R4P-1VL-RIO and are developed with the LA River and surface parking. The eastern adjoining property is zoned C1.5-1VL-RIO and is developed with the Sportsmen's Lodge hotel and conference center. The southern properties, located across Ventura Boulevard are zoned C2-1VL-RIO, (Q)P-1VL-RIO, and C1.5-1VL-RIO and are developed with a supermarket and surface parking lot and retail and restaurant uses. The western properties, located across Coldwater Canyon Avenue are zoned C1.5-1VL-RIO and (T)(Q)CR-1VL-RIO and are developed with restaurants, offices, and associated parking lots.

STREETS AND CIRCULATION

Ventura Boulevard, adjoining the property to the south, is a designated Boulevard II, dedicated to a width of 100 feet and is improved with asphalt roadway, concrete curb, gutter, and sidewalk.

Coldwater Canyon Avenue, adjoining the property to the west, is a designated Avenue II, dedicated to a width of 86 feet and improved with asphalt roadway, concrete curb, gutter, and sidewalk.

Previous zoning related actions, and building permits on the subject site include:

Case No. DIR-2016-1896-DI-1A – On October 11, 2016, the City Planning Commission denied an appeal and sustained the Director of Planning's interpretation pursuant to LAMC Section 11.5.7 H, to conclude that a change of use which increases the parking requirements per Section 7.F when the requirement can be provided on-site either through automotive parking spaces or through bicycle parking spaces.

Case No. DIR-2014-0886-SPP-SPPA-2A-M1 – On August 26, 2020, a Clarification Letter was issued that incorporates and supersedes the previous Modification under DIR-2014-886-SPP-SPPA-2A-M1 and modifies Conditions 15.a. and 15.b. which relates to street dedication and improvements per LADOT correspondence. The initial decision approved Project Permit Compliance Review for the construction of a new 97,807 square-foot mixed-use shopping center with 24,251 square feet of restaurant space, 37,518 square feet of retail space, 30,000 square feet of health club space, and 6,038 square feet of accessory space with 446 shared parking spaces; Approve Specific Plan Adjustment to allow the construction of a new building with a maximum height of 33 feet in lieu of the maximum 30 feet allowed by the Specific Plan.

Case No. ZA-2020-4946-MPA – On August 20, 2020, a Main Plan Approval request was filed to allow the sale and dispensing of a full line of alcoholic beverages for off-site consumption and on-site instructional alcohol tasting in conjunction with a new 11,825 square-foot supermarket with six interior seats and hours of operation between 6:00 a.m. to 12:00 a.m., daily. The case was heard concurrently with the subject request on January 27, 2021.

Case No. ZA-2020-4948-MPA – On August 20, 2020, a Main Plan Approval request was filed to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a new 1,640 square-foot restaurant with 46 interior seats, a 320 square-foot outdoor patio with 32 exterior seats, and proposed hours of operation of 10:00 a.m. to 12:00 a.m. Sunday to Thursday and from 10:00 a.m. to 1:00 a.m. on Friday and Saturday. The case was heard concurrently with the subject request on January 27, 2021.

Case No. ZA-2020-4950-MPA – On August 20, 2020, a Main Plan Approval request was filed to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a new 1,650 square-foot restaurant with 40 interior seats, a 276 square-foot outdoor patio with 20 exterior seats, and proposed hours of operation of 10:00 a.m. to 1:00 a.m., daily. The case was heard concurrently with the subject request on January 27, 2021.

Case No. ZA-2020-4952-MPA – On August 20, 2020, a Main Plan Approval request was filed to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a new 1,370 square-foot restaurant with 51 interior seats and a 266 square-foot patio 24 exterior seats and hours of operation of 10:00 a.m. to 12:00 a.m. Sunday to Thursday and 10:00 a.m. to 1:00 a.m. Friday to Saturday. The case was heard concurrently with the subject request on January 27, 2021.

Case No. ZA-2020-4954-MPA – On August 20, 2020, a Main Plan Approval request was filed to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a new 2,650 square-foot restaurant with 60 interior seats and a 615 square-foot patio 39 exterior seats and hours of operation of 9:00 a.m. to 12:00 a.m. Sunday to Wednesday and 9:00 a.m. to 1:00 a.m. Thursday to Saturday. The case was heard concurrently with the subject request on January 27, 2021.

Case No. DIR-2014-0886-SPP-SPPA-2A – On April 23, 2015, the South Valley Area Planning Commission granted the appeal in part by adding additional conditions and sustained the Director of Planning's determination of Project Permit Compliance and Project Permit Adjustment Conditional Approval for the redevelopment of a portion of the Sportsmen's Lodge site to accommodate a new shopping center. The project calls for the demolition of 56,000 square feet of restaurant and convention use and a 3,102 square-foot fire station.

Case No. DIR-2013-3240-SPP – On November 26, 2013, the Director of Planning approved plans to install illuminated channel letter and logo wall sign "River Walk."

Case No. DIR-2010-1000-SPP-SPPA – On November 22, 2010, the Director of Planning approved Specific Plan Project Permit Compliance for the construction of a new two-story 30,000 square-foot gym; approved Specific Plan Adjustment for a height of 33 feet in lieu of maximum 30 feet allowed by the Specific Plan; approved a shared parking request to permit 567 spaces to be shared for Sportsmen’s Lodge and the proposed gym in lieu of the 1,025 parking spaces required.

Cases on Surrounding Properties (within 1,000 feet):

Case No. ZA-2016-1650-CUB – On August 14, 2016, the Zoning Administrator approved a Conditional Use to allow the sale of beer and wine for on-site consumption in conjunction with an existing 2,107 square-foot restaurant with a 463 square-foot outdoor patio, within the C1.5-1VL-RIO Zone, located at 12905 West Ventura Boulevard. The hours of operation limited to 7:00 a.m. - 11:00 p.m. Sunday through Thursday, and 7:00 a.m. – 12:00 a.m. Friday and Saturday; and patio hours 7:00 a.m. – 11:00 p.m. Friday and Saturday.

Case No. ZA-2015-2434-CUB – On February 5, 2016, the Zoning Administrator approved a Conditional Use to permit the sale of a full line of alcoholic beverages for on-site consumption in an existing 2,139 square-foot restaurant with a 748 square-foot outdoor dining area, within the C1.5-1VL-RIO Zone, located at 12745 West Ventura Boulevard. The hours of operation limited to 11:30 a.m. to 11:00 p.m. Sunday through Thursday, 11:30 a.m. to 1:00 a.m. and Friday and Saturday, and outdoor dining until 11:00 p.m. daily.

Case No. ZA-2014-0701-CUB – On July 25, 2014, the Zoning Administrator approved a Conditional Use to permit the sale of beer and wine for on-site consumption in conjunction with an existing 1,854 square-foot restaurant with a 240 square-foot patio area in the C2-1VL Zone, located at West 13045 Ventura Boulevard. The hours of operation limited to 7 a.m. to 7:30 p.m. daily.

Case No. ZA-2011-1714-CUB-1A – On May 15, 2012, the South Valley Area Planning Commission granted the appeal and approved a Conditional Use to allow the continued sale of beer and wine for on-site consumption at an 1,460 square-foot existing restaurant with 40 seats and an outdoor patio of 5 seats, within the C1.5-1VL Zone, located at 12930 West Ventura Boulevard #120. The hours of operation limited from 10:00 a.m. to 12 midnight, daily.

Case No. ZA-2010-2328-CUB-1A – On February 18, 2011, the South Valley Area Planning Commission denied the appeal and sustained the decision of the Zoning Administrator to approve a Conditional Use to allow the sale of beer and wine for on-and off-site consumption in conjunction with a 900 square-foot smoothie bar with 14 interior seats and 12 patio seats in the C1.5-1VL Zone, located at 12747 ½ Ventura Boulevard. The hours of operation limited from 7:00 a.m. to midnight, Monday through Saturday and 10:00 a.m. to 10:00 p.m. Sunday.

Agency Correspondence

A letter was received from the Studio City Neighborhood Council, dated September 16, 2020. The letter stated in support of the Main Conditional Use Permit allowing up to 10 venues with the hours of operation from 6:00 a.m. to 1:00 a.m., daily.

A Conditions for Service Industry Establishments in Studio City was received signed by the applicant; representatives of Erewhon, Sugarfish, HiHi Cheeseburger, Pasta Uovo, and Tocaya; and the Chair of the Land Use Committee of the Studio City Neighborhood council that included the following conditions:

1. The authorized use shall be conducted at all times with due regard for the peaceful, quiet enjoyment of the neighborhood and users of the adjacent properties.
2. Exterior signs must comply with the Ventura/Cahuenga Boulevard Corridor Specific Plan or the Los Angeles Municipal Code whichever is more restrictive.
3. All graffiti on the site shall be removed or painted over within 24 hours of its occurrence. If painted, the paint shall be compatible with the existing paint color.
4. The use and development of the property shall conform with the floor plan submitted with these conditions to all regulatory agencies with jurisdiction.
5. No music or amplified sound shall be audible beyond the property lines.
6. Business shall close at 12:00 AM on Sunday through Thursday and close at 1:00 AM on Friday and Saturday.
7. All usage of outdoor seating areas shall cease at 12:00 AM, seven days per week.
8. A phone number for the property manager when can immediately address concerns with any of the tenants serving alcohol shall be prominently displayed at all entrances to the Property.
9. The manager and all employees shall be made aware of all these conditions. As a condition of employment, all employees must read and sign a statement that acknowledges their understanding of the conditions placed on the establishment. These forms must be maintained in a file on the premises and be available for public inspection during the hours of operation.
10. If there is a controlled access to an establishment, a door person limiting the ingress of the public, when a member of the public requests to see the posted permits, management is required to provide immediate access.
11. The owners shall consult with and abide by all regulatory agencies.
12. No opaque coverage of windows above three feet from the ground according to City code and the properties Conditions of Approval.
13. If alcohol is served outside, one trash can and a minimum of two commercially manufactured smokeless free standing cigarette containers must be placed in front of the location. a minimum of one commercially manufactured smokeless free standing cigarette containers must be placed in front of the location during the hours of operation. The establishment must be in compliance with the LAMC 41.50.
14. Outdoor serving areas must comply with LAMC 41.50.
15. Valet service provided by or for the establishment must abide LAMC 103.203 AND 103.203.1, Division 8, Article 3, Chapter 10.

16. No deliveries that engage a truck back-up alarm shall be allowed in the north parking lot area between the hours of 6:00 PM and 6:00 AM daily. No trash pick-up shall be allowed between the hours of 7:00 PM to 7:00 AM daily.
17. Hours of Operation for tenants identified at the time of the application: a. MCUP: 6am – 1am b. Erewhon: 6am – 12am c. Sugarfish: 10am – 12am Sunday through Thursday, 10am – 1am Friday and Saturday d. HiHo: 10am – 12am Sunday through Thursday, 10am – 1am Friday and Saturday e. Pasta Uovo: 10am – 1am f. Tocaya: 9am – 12am Sunday through Thursday, 9am – 1am Friday and Saturday
18. All Conditional Use Permits shall be submitted for mandatory review to the City Planning Department with notification to the Studio City Neighborhood Council.
19. All Conditional Use Permits must be reviewed on a regular basis by the governing agencies and the Studio City Neighborhood Council.
20. These covenants shall run with the CUP.

A letter was received from the Los Angeles Police Department, North Hollywood Area Vice Unit, dated September 16, 2020. The letter stated the North Hollywood Area Vice would not be opposed if the recommended conditions be imposed to help mitigate possible future nuisances and crime.

Public Correspondence

Eleven correspondences were received in opposition of the proposed project, stating the following:

- The NC narrowly approved the request and there are new factors. Late hours were the fact that the center would be next to a hotel and offer services at later hours and now they intend to demolish hotel and build a mixed-use project.
- All other restaurant locations close at 10:00 or 11:00 p.m. and are not allowed to stay open until late; restrict hours to 10:00 p.m.
- Opposition of the sale of alcohol and the proposed hours.
- Attended several meetings of the Neighborhood Council and Studio City Residents Association; owners of the restaurants were vague.
- Area would be adversely affected by late night noise and increased criminal opportunity.
- The L.A. river is concrete and creates an echo from the area of the restaurant, noise is amplified to the neighborhood to the north, sound propagates unpredictably from the subject site.
- Quiet neighborhood will be affected by late hours.
- People often linger in parking lots after hours.
- Noise made worse by outdoor patio seating.
- Development does not care about the damage to the quality of life on the Studio City neighborhood.
- No need for hours past 10:00 p.m. but welcomes the addition of the market and restaurants to the area.
- Studio City is not a hot spot of late night venues
- Increase in drivers leaving while intoxicated and increase likelihood of accidents.

- Nightmare with late-night concerts, parties, and tour buses running all night.
- Quality of life has been negatively affected.
- Countless calls to management and the police, a waste of time as owners have never done anything to mitigate noise.
- Previously little outside seating, primarily all indoors and now there will be hundreds of outdoor seats
- Project drawings are not the same, original plan did not state ten restaurants, Sportsmen's hotel on the website shows outdated rendering of project, photos do not match.
- A wall at the north of the parking lot was recommended by Sportsman experts Veneklasen Accoustics in a report dated 2/6/15 to mitigate sound to the north, but recommendation disappeared.
- None of the Neighborhood Council members live near the project, nor were all facts presented to the committee or board, nothing ethical about making decisions based on board's statement, project details were kept from the neighbors by a Land Use Chair and Committee member, more than one member of the current Land Use Committee did not favor the hours but were afraid.
- Mr. Besley does not have a good relation with the neighbors and does nothing to mitigate the noise and crime.
- Email acquired via the California Publics Records Request Act to demonstrate the bias for the development, against the neighbors on this project.
- Traffic at intersection at Ventura Boulevard and Coldwater Canyon.
- Planning Department is not interested on how these developments affect neighborhood -Harvard/Westlake parking and Weddington Golf and Tennis.
- Not enough parking.

One correspondence in support was received, stating the following:

- The Shops at Sportsmen's Lodge will be a very beautiful facility for the community.
- Should have flexibility and opportunity to remain open for business past midnight.
- Historically restaurants do not intend to nor will they stay open until 1:00 a.m., due to lack of business generated past a certain time but should be able to as most restaurant in community do without complaints from surrounding neighbors.

Public Hearing

The hearing was held on January 27, 2021 at approximately 9:30 a.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the Office of Zoning Administration Public Hearing was conducted entirely telephonically. The subject Main Conditional Use under Case No. ZA-2020-4946-MCUP was heard in conjunction with the following Main Plan Approvals: Case Nos. ZA-2020-4950-MPA, ZA-2020-4948-MPA, ZA-2020-4946-MPA, ZA-2020-4952-MPA, and ZA-2020-4954-MPA.

Valerie Sacks, the project representative, introduced the project and stated the following:

- Sportsman Lodge is an iconic Valley landmark.

- Past 10 years approvals were for physical improvements, incorporates the indoor and outdoor, the site has lots of landscaping.
- Intent of the Main Conditional Use is to develop a cohesive master plan and to have internal consistency throughout the project site, perspective tenants have predictability and the idea of cohesiveness.
- Each tenant have the same characteristics, locally owned and operated, have multiple locations and understand the community, experienced operators.
- Did outreach with the Studio City Neighborhood Council on September 16, 2020 and with the Land Use Committee on September 9, 2020.

Ben Besley, representative of Sportsman Lodge, stated the following:

- Of the proposed 10 tenants, five are here today and very excited to come to the Studio City neighborhood.
- They are all well regarded businesses, proud to have them.
- All have did outreach to the Neighborhood Council.
- Met with Shawn Smith, with LAPD, and he stated there is not a lot of activity in the area.
- The project will have a full time security team.
- Erewhon market will be an anchor tenant and they want to sell alcohol and it is what the community expects.
- There will be no live entertainment nor dancing.

Ms. Sacks, introduced the following cases:

Case No. ZA-2020-4950-MPA (Pasta Uovo/Sugarfish)

- Pasta Uovo is a concept behind Sugarfish.
- Sugarfish is owned and operated by Sushi Nozawa, a popular restaurant.
- In 2012, Sushi Nozawa created the branch Sugarfish, provides high quality sushi and a price point that is more affordable.
- It has a streamline menu.
- There are 11 restaurants in southern California and three in New York.
- This is LA based and there is one in Studio City, this will be the twelfth one in Los Angeles.
- Pasta Uovo will provide a different cuisine, provide high quality ingredients and pasta, with a simplified menu.
- Pasta is egg based and from Italy.
- People praise their food and want a glass of wine with their food.
- Has a record of compliance.
- This will be their third location; there is currently one in Santa Monica and one in Miracle Mile.
- Met with the Studio City Neighborhood Council on September 16, 2020 and with Land Use Committee on September 9, 2020. The proposed hours of operation of 10:00 a.m. to 1:00 a.m. are the same as discussed with the Neighborhood Council.

Case No. ZA-2020-4948-MPA (Sugarfish)

- Sugarfish provides high quality sushi.
- This is a very popular restaurant with a big demand, community favorite.
- They are a responsible operator and are invested in the Los Angeles community.
- Sugarfish is in compliance with all ABC conditions.
- They are a very experienced operator.
- Met with the Studio City Neighborhood Council on September 16, 2020 and with Land Use Committee on September 9, 2020. The proposed hours of operation of 10:00 a.m. to 1:00 a.m. are the same as discussed with the Neighborhood Council.

Case No. ZA-2020-4946-MPA (Erewhon)

- Erewhon is smaller than the standard supermarket, smaller than Whole Foods and Pavillions.
- Erewhon will be the anchor of the center.
- They are locally owned and operated.
- There are six stores in Southern California.
- Erewhon has a good track record and success.
- It is a high end, upscale market and offers specialty curated foods.
- Believes in sustainability and health.
- There are none in the Valley and this will be a good addition.
- Erewhon is a responsible operator.
- Their primary focus is on groceries and not a lot of shelf space is dedicated for alcohol.
- The market specializes in different types of food.
- There will be no outdoor component and everything will be indoors.
- Met with the Studio City Neighborhood Council on September 16, 2020 and with Land Use Committee on September 9, 2020. The proposed hours of operation of 6:00 a.m. to 12:00 a.m. are the same as discussed with the Neighborhood Council.
- On-site tasting will be only be limited times per year and the hours will be from 10:00 a.m. to 9:00 p.m., will not be in a dedicated part of the store, but it can be at the serving area, will be a cornered off with a temporary barrier and you will need to be the age of 21.
- To clarify, the serving area will be used for the customers to eat, but they cannot have alcohol in this area.

Case No. ZA-2020-4952-MPA (HiHo)

- HiHo is a hamburger concept created by Nozawa.
- It was launched at the same time as Pasta Uovo.
- There is one in Santa Monica and one in Miracle Mile and this will be the third location.
- HiHo has the same food concept of pure and quality ingredients, use 100% grass fed Wagyu beef.
- Met with the Studio City Neighborhood Council on September 16, 2020 and with Land Use Committee on September 9, 2020. The proposed hours of operation of 10:00 a.m. to 1:00 a.m. are the same as discussed with the Neighborhood Council.

- They look at the Sugarfish locations for managerial perspective.
- Customers want beer and wine to accompany their meals.

Case No. ZA-2020-4954-MPA (Tocaya)

- Launched its concept in Venice in 2016.
- Has 13 locations.
- They are local operators.
- Tocaya uses fresh, high quality food, and ingredients.
- Modern Mexican cuisine.
- Has vegan, gluten free, and vegetarian options.
- Alcohol is only 4% of gross receipt.
- Met with the Studio City Neighborhood Council on September 16, 2020 and with Land Use Committee on September 9, 2020. The proposed hours of operation of 9:00 a.m. to 12:00 a.m., Sunday through Wednesday; and 9:00 a.m. to 1:00 a.m., Thursday through Saturday are the same as discussed with the Neighborhood Council.

Four members of the public spoke in opposition of the project, stating the following:

- The property has a history of concern.
- This was approved for retail and now they are proposing restaurants with outdoor dining and all with the hours of operation until 1:00 a.m.
- Noise and traffic concerns.
- Alcohol should be served until 10:00 p.m.
- Should respect the neighborhood.
- Owners bought the property in 2008.
- Concerns regarding sound.
- They are bad neighbors; they need to be good neighbors.
- There is crime.
- The restaurants all sound terrific and have no issues, but doesn't know why they need to operate so late, has concerns on hours.
- Other Erewhon hours are until 11:00 p.m. and the other restaurants locations operate until 10:00 p.m.
- Sound travels.
- The Neighborhood Council has no consideration for hours and consideration for the neighborhood and live five miles from the project site; did give approval, but the nuisance was ignored; have cozy relations with the project; questions if they are neutral; if the chair supports the project, the members go with the chair; bias.
- They are separated by the LA River and sound travels strangely there.
- Mall could back up to the river.
- It has an open concept and no landscaping will buffer the sound. Bad relationship with the site.
- Limit the hours to 10:00 p.m.
- Look forward to the restaurants, but when they proposed the hours, it was for the hotel and it will no longer be a hotel.

- Noise will disrupt the neighborhood.
- The restaurants are not party places, however don't want to encourage that.

The Chair of the Land Use Committee, stated the following:

- All the applicants agreed to the 20 points set in the conditions.
- They are for service industry and these reflect the hours.
- The 20 points were read into the record and a copy would be emailed for the case file.

One member of the public spoke in favor of the project and stated the following:

- Many restaurants in the community comply with the 20 points.
- Some restaurants have the same hours.
- The 10:00 p.m. is their choosing for the restaurants.
- Similar to the Grove, it has high end dining, opens late at night, and proceeds upon demand.
- Fair for all businesses to be given the same opportunity for competition.

The Planning Deputy representing Council District 2, stated the following:

- They are supportive of the project.
- The project should have security, hotline, and on-site security measures and they should be re-enforced.
- Would like project to have a positive relationship with the community.
- Supportive of the Master Conditional Use.

In response to statements made during the hearing and questions raised by the Zoning Administrator, Mr. Besley stated the following:

- Has talked to Peter, Adele, and Patrice and they know how to contact him.
- This project is for alcohol, the past approval was for the development.
- If you look at the previously approved plans for the development, it had ten restaurants.
- Project was 150 feet further north, but has been re-configured to be further from the river.
- All the restaurants are adjacent to the Ventura Boulevard.
- This is a commercial zoned property.
- Move activity to the south.
- Went back and forth with the Neighborhood Council to avoid noise.
- The parking wraps around the to the north and around to the east
- Parking lot to the right, adjacent to the west, has a shared parking agreement.
- Guests can self park or valet.
- There will be on-site security at the shopping center and parking; and on-site security cameras.

The Zoning Administrator closed the public hearing stated the following:

- Cases would be held under advisement for a period of one week to review the proposed hours, pending the receipt of the 20 conditions that was stated by the Neighborhood Council member, and information regarding the on-site tasting.
- The conditions of the Main Conditional Use will be for the overall 10 venues, and each Main Plan Approval will have individual conditions.

Following the hearing, the project representative submitted information regarding ABC's instructional tasting license for off-site licenses. The representative also provided a list of establishment which has operating hours later in the evening prior to COVID-19:

- Casa Vega – 13301 Ventura Boulevard (open until 2:00 a.m.)
- Rain Studio Bar & Lounge – 12215 Ventura Boulevard (Thursday until 1:30 a.m., Friday-Saturday until 1:45 a.m.)
- Laurel Tavern - 11938 Ventura Boulevard (open until 1:00 a.m., daily)
- Black Market Liquor Bar - 11915 Ventura Boulevard (bar portion open until 1:00 a.m. weekends)
- The One Up - 13625 Ventura Boulevard (open until 2:00 a.m. Thursday – Sunday)
- Granville Restaurant – 12345 Ventura Boulevard (Case No. ZA-2014-1106-CUB-PA1 authorizes a 12:00 a.m. close Sun-Thursday, and a 2:00 a.m. close Friday and Saturday)
- Firefly - 11720 Ventura Boulevard (open until 2:00 a.m. Monday - Saturday, 1:00 a.m. close Sunday).

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 standard findings for most other conditional use categories.

CONDITIONAL USE FINDINGS

1. **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 proposed project will enhance the built environment in the surrounding neighborhood and will provide a service that is beneficial to the community. The site is currently being developed with a new mixed-use shopping center known as the Shops at Sportsmen's Lodge. The requested entitlement is a Main Conditional Use to permit the sale of alcoholic beverages at up to 10 venues (three on-site full line, five on-site beer and wine, one off-site full line with on-site instructional tastings and

one on-site beer and wine with off-site full line with on-site instructional tastings). Overall alcohol square-footage is limited to 34,362 square feet with 4,046 square feet of outdoor patio area. Seating is limited to 608 interior seats and 304 outdoor patio seats. The applicant has proposed maximum hours of operation of 6:00 a.m. to 1:00 a.m., daily. No live entertainment is proposed at any venue.

The sale of alcoholic beverages with the commercial stores will provide a service that is beneficial to the community. The project will provide a convenient one-stop shopping experience for patrons and the availability of alcoholic beverages incidental to food service within the proposed restaurants will provide an amenity to diners. The mixed-use center incorporates neighborhood serving commercial uses that will provide alternative shopping options and thus provide a beneficial service and public convenience to the local community. The addition of new tenants will stimulate activity on the site and contribute to the overall economic viability of the center and the overall neighborhood. The Zoning Administrator has incorporated conditions that limit the overall square-footage, seat count, and hours of operation, as well as restrictions on live entertainment that will ensure that the project will not be a nuisance for surrounding properties.

The project will enhance the built environment by activating tenant spaces and stimulating economic activity at the new center. The development was previously approved under Case No. DIR-2014-0886-SPP-SPPA-2A-M1, which authorized a new 97,807 square-foot mixed-use shopping center with 24,251 square feet of restaurant uses, 37,518 square feet of retail, 30,000 square feet of health club, and 6,038 square feet of accessory space with 446 shared parking spaces. The center is bisected by a central pedestrian walkway that is flanked on both sides by multi-tenant commercial buildings. The venues will be located on the ground floor of the center. Outdoor patio areas will be mostly located internal to the site to help minimize noise impacts on surrounding properties. The proposed project seeks to create a gathering place for the community in a modern shopping, dining, and entertainment center. The project site is located adjacent to the historic Sportsmen's Lodge hotel and will be connected to the hotel by shared parking area and internal walkways.

Each individual venue will be required to file a Plan Approval application that will include detailed floor plans. The new mixed-use retail center will provide a beneficial service for local residents, workers, and visitors with additional dining, employment, and entertainment opportunities not currently provided at the site. The project site is located within a Neighborhood Office Commercial land use designation and is expected to contain a diverse number of uses that complement one another. In light of the foregoing, approval of the request will enhance the built environment and will provide a service that is beneficial to the surrounding community.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect adjacent properties. The subject property is a 173,157 square-foot, flat, irregular-shaped parcel with dual frontages on Coldwater Canyon Avenue and Ventura Boulevard. The site is currently being developed with a new mixed-use shopping center known as the Shops at Sportsmen's Lodge. The development was previously approved under Case No. DIR-2014-0886-SPP-SPPA-2A-M1, which authorized a new 97,807 square-foot mixed-use shopping center with 24,251 square feet of restaurant uses, 37,518 square feet of retail, 30,000 square feet of health club, and 6,038 square feet of accessory space with 446 shared parking spaces. Constructed is slated to be complete sometime in early 2021.

No additional floor area or building height will be added as a result of the instant request. The requested entitlement is a Main Conditional Use to permit the sale of alcoholic beverages at up to 10 venues (three on-site full line, five on-site beer and wine, one off-site full line with on-site instructional tastings and one on-site beer and wine with off-site full line of alcoholic beverages with on-site instructional tastings). Overall alcohol square-footage is limited to 34,362 square feet with 4,046 square feet of outdoor patio area. Seating is limited to 608 interior seats and 304 outdoor patio seats. The applicant has proposed maximum hours of operation of 6:00 a.m. to 1:00 a.m., daily. No live entertainment or dancing is proposed or allowed within any of the proposed venues.

The surrounding land uses consists of a mix of commercial uses along the Ventura Boulevard Corridor including offices, restaurants, retail stores, parking lots, and professional services. The Los Angeles River is located to the north of the site and beyond that are single-family and multi-family residential uses. The northern adjoining properties are zoned OS-1XL-RIO and R4P-1VL-RIO and are developed with the LA River and surface parking. The eastern adjoining property is zoned C1.5-1VL-RIO and is developed with the Sportsmen's Lodge hotel and conference center. The southern adjoining properties (across Ventura Boulevard) are zoned C2-1VL-RIO, (Q)P-1VL-RIO, and C1.5-1VL-RIO and are developed with a supermarket and surface parking lot and retail and restaurant uses. The western adjoining properties (across Coldwater Canyon Avenue) are zoned C1.5-1VL-RIO and (T)(Q)CR-1VL-RIO and are developed with restaurants, offices, and associated parking lots. The residential neighborhood to the north is located approximately 110 feet from the north property line and approximately 260 feet from the northernmost portion of the building of the Shops at Sportsmen's Lodge.

As stated previously, overall alcohol square-footage is limited to 34,362 square feet with 4,046 square feet of outdoor patio area. The center is bisected by a central pedestrian walkway that is flanked on both sides by multi-tenant commercial buildings. The venues will be located on the ground floor of the center. Store front entrances and outdoor patio areas will mostly be located internal to the site to help minimize impacts on surrounding properties. The project site is located adjacent to the historic Sportsmen's Lodge hotel and will be connected to the hotel by shared parking area and internal walkways. The proposed project seeks to create a gathering place for the community in a modern shopping, dining, and entertainment center.

Public testimony from the public hearing and correspondence received have indicated concerns of the hours proposed, noise, crime, and several other issues, as described in the Public Correspondence and Public Hearing Section of this determination letter. While there are concerns, in order to implement and utilize the Main Conditional Use authorized herein, each venue is required to file Plan Approval application pursuant to Section 12.24-M of the Los Angeles Municipal Code. The purpose of the Main Plan Approval determination is to review each proposed establishment in greater detail and to tailor site-specific conditions of approval for each of the premises. The Zoning Administrator may impose more restrictive or less restrictive conditions on each individual tenant at the time of review of each Plan Approval application. Other conditions of the grant require the installation of surveillance cameras and address noise, safety and loitering to ensure the establishments serving alcohol are carefully controlled and monitored and remain compatible with immediately surrounding uses. Conditions have also been imposed to limit the overall floor area and operating hours of the venues selling alcoholic beverages. Further, the Zoning Administrator limited the outdoor patio hours to close by 11:00 p.m., consistent with other establishments approved within 1,000 feet from the project site. Therefore, as conditioned, approval of the request will not adversely affect or further degrade adjacent properties.

3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific 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 the entitlements described herein, the project does not propose to deviate from any of the requirements of the Municipal Code.

The Land Use Element of the City's General Plan divides the City into 35 Community Plan areas. The Sherman Oaks - Studio City -Toluca Lake - Cahuenga Pass Community Plan designates the subject property for Neighborhood Office Commercial land uses corresponding to the C1, C1.5, C2, C4, RAS3, RAS4, and P Zones and Height District No. 1VL. The site is zoned C1.5-1VL-RIO and is consistent with the land use designation. The Sherman Oaks - Studio City -Toluca Lake - Cahuenga Pass Community Plan contains the following text:

- Goal 2: A strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while preserving the historic commercial and cultural character of the district.
- Objective 2-1: To conserve and strengthen viable commercial development.
- Policy 2-1.1: New commercial uses shall be located in existing established commercial areas or existing shopping centers.
- Policy 2-1.3: Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

The project (the Shops at Sportsmen's Lodge) will help strengthen investment in the commercial district in the plan area by adding a new modern commercial center at the site. The project will be an outdoor lifestyle center with shopping, dining, fitness, and entertainment options along with communal common open space, landscaping, water features, and parking. The applicant is requesting a Main Conditional Use to permit alcohol sales at up to 10 establishments including on-site consumption at eight restaurants (five beer and wine only) and the off-site consumption of a full line of alcoholic beverages with on-site instructional tastings at one venue and the on-site sale of beer and wine with off-site sale of a full line of alcoholic beverages with on-site instructional tastings at one venue.

The project will help strengthen the economic base of the area and introduce new commercial uses within an existing established commercial area. The project will be designed to achieve a high level of quality and will be compatible with existing uses and development along the Ventura Boulevard corridor. The overall development was determined to be compatible with the Ventura-Cahuenga Boulevard Corridor Specific Plan under Case No. DIR-2014-0886-SPP-SPPA-2A-M1. The Sherman Oaks - Studio City -Toluca Lake - Cahuenga Pass Community Plan and the Ventura-Cahuenga Boulevard Corridor Specific Plan are silent with regards to alcohol sales. In such cases, the Zoning Administrator must interpret the intent of the Plan. The Los Angeles Municipal Code authorizes the Zoning Administrator to grant the requested Conditional Uses in the zones corresponding to the Plan land use designation. The proposed venues are permitted uses by the Plan land use category and zone. The project is in line with the vision of bringing in uses to the area that will

help strengthen the commercial center. The conditional use authorization for the sale of alcoholic beverages is allowed through the approval of the Zoning Administrator subject to certain findings. The required findings in support have been made herein. Given the conditions of approval, and the fact that each individual tenant will have to file for a Main Plan Approval, which will give an opportunity to consider more specific operational characteristics of each tenant space, the Conditional Use authorization can be deemed to be in harmony with the General Plan as it will strengthen viable commercial development at the site.

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

The approval of the Main Conditional Use request will not adversely affect the welfare of the community. The property is zoned from commercial uses and will continue to be utilized as such. The new center (the Shops at Sportsmen's Lodge) will include over 90,000 square feet of commercial uses. However, the applicant is only requesting to permit alcohol sales within 34,458 square feet of the center with 608 indoor seats. A total of 10 venues will be authorized with two for off-site consumption and eight for on-site consumption. The project will include 4,046 square feet of outdoor patio area and 304 outdoor patio seats. The center is currently under construction, with an expected completion date sometime in early 2021.

The proposed project will enhance the welfare of the surrounding community by providing additional shopping, dining, and entertainment amenities, as well as job opportunities for area residents, by providing additional customers for local businesses, and by improving area aesthetics and security by adding a new shopping center to create a more modern, community focused center with gathering spaces and neighborhood serving uses. The project also received a letter of non-opposition from LAPD North Hollywood Area Vice dated September 16, 2020 with recommended conditions for the Zoning Administrator to consider.

As noted in more detail under Finding No. 2 above, conditions have been incorporated into this grant to require security measures such as the provision of private security, installation of surveillance cameras and other conditions that address noise, safety and security. As a part of the Main Plan Approval process, each individual venue will have additional conditions imposed and tailored towards the specific use. Such imposition of conditions will make the use a more compatible and accountable neighbor to the surrounding uses. Conditions are intended to integrate the use into the community as well as protect community members from potential adverse impacts associated with alcohol sales. As such, the proposed use will not adversely affect the welfare of the pertinent community.

5. **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 (ABC) licensing criteria for the subject Census Tract No. 1439.01, there are four on-site and two off-site licenses allocated. Currently there are 35 on-site licenses and five off-site licenses in this census tract.

The subject site is located in a census tract where the number of active on-and off-site licenses exceeds ABC guidelines. The subject site is located on Ventura Boulevard in Studio City, a highly developed commercial corridor with a high concentration of retail services, restaurants, and entertainment venues. Concentration can be undue when the addition of licenses will negatively impact a neighborhood. 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. The subject site is being improved with a new commercial center that will include restaurants, retail stores, a grocery store, and a gym. The center is expected to include a diversity of tenants that will serve the community and create an enhanced shopping, dining, and entertaining experience. The proposed sale of alcoholic beverages for off-site consumption in conjunction with a grocery store and retail store and for on-site consumption in conjunction with up to eight proposed restaurants will provide a convenience to shoppers and an amenity to diners.

According to statistics provided by the Los Angeles Police Department's North Hollywood Division, within Crime Reporting District No. 1591 which has jurisdiction over the subject property, a total of 306 crimes were reported in 2020 (208 Part I and 98 Part II crimes), compared to the Citywide Average of 141 crimes and the High Crime Reporting District Average of 169 crimes for the same period. Part II Arrests reported include (6) Narcotics, (0) Liquor Laws, (0) Public Drunkenness, (0) Disturbing the Peace, (0) Disorderly Conduct, (0) Gambling, (5) DUI related, and (17) other offenses. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

The above statistics indicate that the site is located in a census tract where the crime rate is above the citywide average. However, no evidence was submitted for the record establishing a link between the subject site or the area's crime rate. The project received a letter of non-opposition from LAPD North Hollywood Area Vice dated September 16, 2020 with recommended conditions for the Zoning Administrator to consider. Out of 306 Part I and II Crimes over the last year, zero crimes were attributed to public drunkenness and there were zero crimes associated with liquor laws, and disturbing the peace. While five crimes were for DUI related, these incidents are not necessarily directly attributable to sale of alcoholic beverages within the subject census tract. As stated, the sale of alcoholic beverages will be incidental to food service within eight proposed restaurants and incidental to retail sales at a grocery store and at a bar/retail store. None of the restaurants propose to conduct live entertainment or dancing and all of the restaurants' emphasis will be food service. The conditions of the grant address noise, safety and security to ensure the proposed use is conducted with due regard for surrounding properties and to reduce any potential crime issues or nuisance activity. As such, approval of the request will not contribute to the area's crime rate and will therefore not result in an undue concentration of licensed premises

6. **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 project site is currently developed with and zoned for commercial uses and is located within the Sherman Oaks - Studio City -Toluca Lake - Cahuenga Pass Community Plan with an underlying land use designation of Neighborhood Office Commercial. The following sensitive uses were observed within a 1,000-foot radius of the subject property:

Mission Renaissance Fine Art School	12930 Ventura Boulevard #116
Youth Academy of Dramatic Arts	12745 Ventura Boulevard
McPhee international Vocal Studios	12751 Ventura Boulevard
Tumble Kick Martial Arts & Gymnastics	12503 Ventura Boulevard
Elite Esport & Gaming Lounge	12503 Ventura Boulevard
Weddington Gold & Tennis; Nikki's Tennis Crew	4141 Whitsett Avenue
Harvard Westlake School	3700 Coldwater Canyon Avenue

The following alcohol beverage outlets were observed within a 1,000-foot radius of the subject property:

Arts Delicatessen Inc	12224 Ventura Boulevard
Ralphs 701	12842 Ventura Boulevard

Jerry's Famous Deli	12655 Ventura Boulevard
Vons 1674	4033 Laurel Canyon Boulevard
Serras Dine and Dance	12449 Ventura Boulevard
California Pizza Kitchen	12265 Ventura Boulevard
Ramanov Restaruant	12229 Ventura Boulevard
Elite Premier Restaurant	12743 Ventura Boulevard
Sportsman Lodge	12825 Ventura Boulevard
Chin Chin Restaruant	12215 Ventura Boulevard
Bokado by Frank Leon	12341 Ventura Boulevard
Roccos Tavern	12514 Ventura Boulevard
CVS Pharmacy 9675	12143 Ventura Boulevard
Chipotle Mexican Grill	12175 Ventura Boulevard
Mexicali Cocina Cantina and Umami	12159 Ventura Boulevard
Burger Valli	12159 Ventura Boulevard
Six Studio City	12650 Ventura Boulevard
Time Square 2011	12215 Ventura Boulevard
Shiki Sushi	12745 Ventura Boulevard
Pizz Rev	12103 Ventura Boulevard
Flask Fine Wines	12194 Ventura Boulevard
Granville Café	12345 Ventura Boulevard
Accolade Brands	12725 Ventura Boulevard
Flavor of India	12321 Ventura Boulevard
Green Apple China Bistro	12265 Ventura Boulevard
South Cloud Restaurant	12254 Ventura Boulevard
Shanghai Rose Dim Sum	12229 Ventura Boulevard

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses and alcohol beverage outlets. While there are residential dwelling units and hotel rooms in close proximity to the project site, the project has been conditioned to be compatible with the surrounding community. Conditions have been incorporated into this grant to require security measures such as the installation of surveillance cameras and other conditions that address noise, safety and security. In addition, to avoid late night noise impacts on surrounding residential uses, the hours of operation have been limited to a maximum of 1:00 a.m. daily, with all outdoor patio areas required to close by 11:00 p.m.

Further, as a part of the Main Plan Approval process, each individual venue will have additional conditions imposed and tailored towards the specific use. Such imposition of conditions will make the venues a more compatible and accountable neighbor to the surrounding uses. As conditioned, the granting of the Main Conditional Use in conjunction with a new shopping and entertainment center will not detrimentally affect nearby sensitive uses.

FLOOD HAZARD

7. 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 Flood Zone A, areas of 100-year flood; base flood elevations and flood hazard factors not determined.

Inquiries regarding the matter shall be directed to JoJo Pewsawang, Planning Staff for the Department of City Planning at (213) 978-1214 or JoJo.Pewsawang@lacity.org.



CHRISTINA TOY LEE
Associate Zoning Administrator

CTL:JP:bk

cc: Councilmember Paul Krekorian
Second Council District
Adjoining Property Owners
Interested Parties