

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

APPLICANT: **BLAZIN WINGS, INC.
DBA: BUFFALO WILD WINGS**

PROPERTY: **6081 CENTER DR., #105-106
LOS ANGELES, CA 90045**

REFERENCE: **CUB TO ALLOW THE SALE OF A FULL LINE OF ALCOHOL FOR ON-SITE CONSUMPTION AND ANCILLARY SALE OF BEER & WINE FOR OFF-SITE CONSUMPTION IN CONJUNCTION WITH THE OPERATION OF AN EXISTING 7,696 SF BUFFALO WILD WINGS RESTAURANT.**

The applicant is requesting a Conditional Use Permit to allow the sale and dispensing of a full line of alcohol for on-site consumption and ancillary sale of beer & wine for off-site consumption in conjunction with an existing restaurant located in the C2-1 zone. The restaurant is located within an existing shopping center surrounded by a variety of other retail, restaurant, entertainment and services tenants. The restaurant occupies a 7,696 sf interior tenant space and offers 259 interior seats. There is also an 828 sf patio with an additional 36 seats, the patio is located within the parcel and does not encroach onto the public right of way. Hours of operation are 8am to 1am daily.

The property is located in the C2-1 zone and designated Regional Commercial under General Plan Land Use designations. It is located within Council District 11, the Westchester - Playa Del Rey Community Plan area and Los Angeles Coastal Transportation Corridor Specific Plan area.

BACKGROUND

The overall project site consists of an irregular-shaped 5.54 net-acres parcel consisting of six adjoining lots. The site has a frontage of approximately 1,030 feet on the northeast side of Center Drive, a local street, and a second frontage of approximately 540 feet on the east side of Center Drive West, also a local street. The property is developed with a two-level, approximately 250,000 square-foot shopping center that features numerous retail stores, restaurants, an IMAX theater complex, Nordstrom Rack, Mrs. Fields, and various other uses. The shopping center has 2,719 parking spaces located in multi-level parking structures on the northwest and far eastern portions of the site, accessed via driveways from Center Drive, Center Drive West and Park Terrace Drive.

The restaurant is irregular in shape and has a glass storefront facing Center Drive and the outside patio. The main entrance to the restaurant is through a double door located at the northwest corner of it. In addition, there are two (2) doors linking the restaurant to the outside patio. A greater portion of the restaurant's interior and the entire patio are devoted to seating areas arranged in rows consisting of 2 chairs per table or 4 chairs per table.

The subject property is zoned C2-1, and is located within the Westchester-Playa Del Rey Community Plan, which designates site for Regional Commercial land uses, corresponding to the CR, Cl.5, C2, C2(PV), C4 R3, R4, R5, RAS3 and RAS4 Zones, and Height District 2. The property's C2-1 zoning is consistent with its land use designation. The subject property is also within a designated Regional Center.

The subject site is located within the Los Angeles Coastal Transportation Corridor Specific Plan, a traffic impact ordinance administered by the Department of Transportation. The project site is not within an Alquist-Priolo Fault Zone, but is located within 3.2 kilometers of the Newport-Inglewood Fault. The site is also within a liquefaction zone, a Hillside Grading Area and a Methane Buffer Zone. However, it is not

within a landslide or tsunami-prone area, a high wind velocity area, or a high-risk fire zone. The site is also within an Airport Hazard Area, subject to a 250-foot height limit above Elevation 126.

Surrounding properties are within the C2-1 and PF-IXL Zones, and are developed with commercial uses that are mainly high-rise office buildings. The nearest single-family dwellings are located on the west side of Sepulveda Boulevard, approximately 800 feet west of the proposed restaurant. Adjoining properties to the north and east are zoned PF-IXL and are developed with the San Diego Freeway (1-405) and the Howard Hughes Parkway off-ramp. Properties to the south and west of Center Drive and Center Drive West are zoned C2-1 and developed with commercial office buildings approximately 11 stories in height, which are part of the Howard Hughes Center commercial complex that also includes the subject shopping center.

The subject property adjoins the San Diego Freeway (1-405) to the northeast, which is Caltrans jurisdiction and an Interstate Highway. In addition, the City of Culver City is located north of the San Diego Freeway to the north of the subject property.

APPLICANT

Buffalo Wild Wings restaurants have been in operation for over 30 years. The first restaurant was opened by two friends from Buffalo, New York, who had relocated to Ohio. They immediately began to miss the chicken wings they enjoyed back in New York, and began to develop an idea for a new restaurant. The first Buffalo Wild Wings restaurant was a raging success, and has now grown to 1,200 restaurants in 10 countries. The Buffalo Wild Wings brand is one that creates the ultimate social experience for friends, family, business associates and sports fans to watch sporting events while enjoying the famous Buffalo New York style chicken wings. It is within the restaurant environment, where patrons can share an inviting space with comfortable seating and feel like they are in their own living room. The widespread appeal of the concept establishes Buffalo Wild Wings as a neighborhood destination. The menu of competitively priced food selections make Buffalo Wild Wings an excellent choice, which lays between fast casual and casual dining.

The restaurant will offer a full menu of food items, including their famous wings, burgers, specialty salads, sandwiches, wraps, etc. A selection of menu items will be available during all hours of operation. As with all Buffalo Wild Wings operations, a complete menu of beverages will be available. This includes a large selection of specialty craft beers, wine by the glass and cocktails, as well as a large selection of non-alcoholic beverages including, soft drinks, lemon and limeades, sparkling waters, etc. In order to allow the on-site beer, wine and spirits service and ancillary to go beer & wine, the applicant is requesting a conditional use permit to allow the sale of alcoholic beverages. All alcoholic beverages will be dispensed by a Buffalo Wild Wings employee, no "self pour" operations are proposed. All Buffalo Wild Wings employees involved with the sale of alcohol will be properly trained regarding this service including proper identification, identifying underage patrons and avoiding over service of alcohol.

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 operating restaurant is located in a ground-floor tenant space within an existing regional shopping center in the Howard Hughes Center. The subject application only requests the ability to continue the sale of alcohol at the operating restaurant. The project will not expand the building envelope or alter the built environment as it exists on the subject property. The sale of alcoholic beverages provides a service and convenience for local residents, workers, shoppers and other visitors to the regional commercial center. The operating restaurant is consistent with the character of the major regional shopping center that includes restaurants and numerous commercial businesses. The restaurant is permitted by right

under the site's commercial zoning and the sale of alcoholic beverages as an accessory use is consistent with the commercial character of the surrounding area. The operating restaurant caters to families and sports fans and provides an alternative dining establishment. As such, the proposed use will provide a service that is beneficial to the community.

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.

As mentioned, the project is located in a tenant space in an existing regional shopping center and will not expand or change the size, height or other aspects of the physical environment as it exists on the subject site. The sale of alcoholic beverages at the restaurant is compatible with the surrounding properties because the subject property is commercially developed as a regional shopping center and located within a designated Regional Center. The subject business is oriented to the interior of the Howard Hughes Center, where all surrounding properties are also commercially zoned.

Although there are residential uses to the west of Sepulveda Boulevard, the subject restaurant is oriented to the interior of the Howard Hughes Center. The nearby residential uses are buffered from the restaurant by other large-scale commercial buildings within Howard Hughes Center and by Sepulveda Boulevard, a Class I Major Highway with six lanes of through traffic and multiple turn lanes within an approximately 120-foot dedication. In addition, the restaurant has had numerous conditions regulating the operation of the restaurant to prevent adverse impacts to the neighborhood and protect the public health, welfare and safety. Therefore, with proper operating conditions, the sale of alcoholic beverages at the restaurant is compatible with and will not adversely affect 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.

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 is divided into 35 Community Plans. The subject property is located within the Westchester-Playa Del Rey Community Plan, which designates the site for Regional Commercial land use with corresponding zones of CR, Cl.5, C2, C2(PV), C4 R3, R4, R5, RAS3 and RAS4 Zones, and Height District 2. The existing C2-1 zoning and the operating restaurant are consistent with this designation. The subject site is also within a designated Regional Center.

The sale of alcoholic beverages in conjunction with a restaurant is not specifically addressed in the Community Plan text. In such cases, the Zoning Administrator must interpret the intent of the Plan. The project will provide a service in a regional commercial center of the community, and is thus consistent with a number of goals, objectives and policies of the adopted Community Plan, including Goal 2: "Encourage strong and competitive commercial sectors which promote economic vitality and serve the needs of the Westchester-Playa Del Rey Community;" Objective 2-1: "Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas;" and Policy 2-1.1: "New commercial uses should be located in existing established commercial areas or shopping centers." Therefore, the project will be consistent with the intent of the General Plan and its elements. Based on the above, the project substantially conforms

with the purpose, intent and provisions of the General Plan, the Westchester-Playa Del Rey Community Plan Community Plan, and the Los Angeles Coastal Transportation Corridor Specific Plan.

ADDITIONAL CUB FINDINGS

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

The use is allowed by right in the C2-1 zone and the sale of a full line of alcoholic beverages occurs as an ancillary use within the confines of the operating restaurant. The request does not include public dancing, a cocktail lounge or any form of live entertainment. The emphasis of the business will remain food service and a full menu will be available at all times including within the bar area. The restaurant provides an inviting atmosphere that caters to sports fans and families. The requested entitlement can be conditioned in such a manner to ensure the operation remains compatible with the welfare of the community. Such conditioning may be aimed at preventing impacts and ensure the use remains integrated into the community as well as protect community members from adverse potential impacts. Other conditions may be imposed to maintain the order, ensure the cleanliness, and reduce the noise levels of the restaurant. Therefore, as conditioned herein, the continuing 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.

The restaurant currently operates with a Type #47 license. There will be no new licenses introduced as a result of the subject application. Approval of this request will allow the operating restaurant to continue to serve the larger regional area. Nonetheless the applicants are aware of the responsibility of serving alcoholic beverages, and will adhere to all conditions placed on it by the City of LA and the Dept of ABC.

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

The restaurant use is allowed by right in the C2-1 zone and the service of a full line of alcoholic beverages is an ancillary use at the operating restaurant. The request does not include public dancing, a cocktail lounge or any form of live entertainment. The restaurant includes a bar area and a number of televisions. However, the emphasis of the business will remain food service and it will be available at all times including the bar area. The restaurant provides an inviting atmosphere that caters to sports fans and families. The requested entitlement can be effectively conditioned to reflect the mode of operation as a sit down restaurant which will remain compatible with the welfare of the community.

The restaurant is located on the ground floor of a very large commercial retail center. The restaurant is situated in such a manner that it faces the interior of the commercial center, and is therefore sufficiently buffered from any nearby residential uses. The restaurant has been in operation for approximately seven years, and in this time its operation has had no detrimental effects on nearby residential uses. This same responsible operating manner will be continued should the subject application be approved.

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?

Total s.f. of the buildings is 250,000 s.f.

b. What is the total square footage of the space the establishment will occupy?

The restaurant occupies a 7,696 sf interior space, and an 828 sf patio area.

c. What is the total occupancy load of the space as determined by the Fire Department?

Applicant is uncertain of the exact occupancy load.

d. What is the total number of seats that will be provided indoors? Outdoors?

Indoor seating will total 259, outdoor seating will total 36.

e. If there is an outdoor area, will there be an option to consume alcohol outdoors?

Yes, alcohol service is available in the patio area.

f. If there is an outdoor area, is it on private property or the public right of way, or both?

The patio area is located entirely within the parcel.

i. If any outdoor area is on public right-of-way, has a revocable permit been obtained?

N/A, the patio area is located entirely within the parcel.

g. Are you adding floor area?

The restaurant is existing. No additional floor area will be added as a result of the subject application.

h. Parking

i. How many parking spaces are available on the site?

The shopping center has 2,719 parking spaces located in multi-level parking structures.

ii. Are they shared or designated for the subject use?

They are shared by all uses on the site.

iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety?

No floor area is being added.

iv. Have any arrangements been made to provide parking off-site?

No, no arrangements have been made for off-site parking.

1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety?

N/A

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.

N/A.

3. Will valet service be available? Will the service be for a charge?

Applicant has not yet determined if valet service will be provided.

i. Is the site within 1,000 feet of any schools (public private or nursery), churches, or parks?

There are three sensitive uses within 600 feet of the project:

- Pepperdine University; 6100 Center Dr.
- Color Me Mine; 6081 Center Dr., #206
- Triangle Park; 6865-6879 Park Terrace

There are no sensitive uses between 600 feet and 1,000 feet of the project.

j. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Establishment as defined by LAMC 12.70 B17?

N/A.

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 to 1am	8am to 1am	8am to 1am	8am to 1am	8am to 1am	8am to 1am	8am to 1am
Proposed Hours of Alcohol Sales	8am to 1am	8am to 1am	8am to 1am	8am to 1am	8am to 1am	8am to 1am	8am to 1am

b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video games machines, etc..?

Pre-recorded music will also be played in the background and televisions will be placed around the restaurant.

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

There is no minimum age requirement to enter the premises. However, all patrons who purchase alcohol must be at least 21 years old. Any patrons who look under the age of 30 will be asked to show valid identification upon purchase of any alcoholic beverages.

d. Will there be any accessory retail uses on the site?

The restaurant may offer t-shirts or other memorabilia for retail sale.

e. Security

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

There will be 5-35 employees on site at any given moment. Number of employees on site will be influenced in part by time of day, season and anticipated foot traffic.

ii. Will security guards be provided on-site?

The restaurant does not propose to provide security.

iii. Has LAPD issued any citations or violations?

No, the LAPD has not issued any citations or violations.

f. Alcohol

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

A full line of alcohol will be available for on-site consumption, and beer & wine will be available for off-site consumption.

ii. Will “fortified” wine (greater than 16% alcohol) be sold?

Specialty wines with greater than 16% alcohol may be sold. However inexpensive fortified wines will not be sold.

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

No, alcohol will not be consumed on adjacent properties.

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

The applicant will abide by all ABC regulations regarding the advertising of alcohol.

v. Food

1. Will there be a kitchen on the site?

Yes there will be a full kitchen on the site.

2. Will alcohol be sold without a food order?

Yes, alcohol will be available without a food order.

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

Under the proposed business plan the sale of alcohol will not exceed the sale of food items on a quarterly basis.

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

A menu will be submitted to the file.

vi. On-Site

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

There is a bar/dining counter located within the restaurant. However a full menu of food items is available throughout the restaurant.

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

Ancillary sale of beer & wine for off-site consumption will be available.

3. Will discounted alcoholic drinks (“Happy Hour”) be offered at any time?

Applicants are requesting the ability to offer “happy hour.”

vii. Off-Site

1. Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises?

The main portion of the subject request is for the on-site consumption of alcohol.

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 and wine may be sold in single servings.

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

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?

This request is for on-site sales of alcohol and ancillary sale of beer & wine for off-site consumption.

i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel?

The establishment is a bona-fide eating establishment.