

APPLICATION TO THE ZONING ADMINISTRATOR FOR CONDITIONAL USE PERMIT – BEER & WINE (CUB)

APPLICANT: **AMAAA CORP.
DBA: TRIANGLE WINES**

PROPERTY: **6235 W. 87TH ST.
LOS ANGELES, CA 90045**

REFERENCE: **CONDITIONAL USE PERMIT TO ALLOW THE SALE OF BEER & WINE FOR ON-SITE CONSUMPTION AND OFF-SITE CONSUMPTION IN CONJUNCTION WITH A NEW 905 S.F. WINE SHOP AND ASSOCIATED WINE BAR.**

Summary of Request

Pursuant to L.A.M.C. Section 12.24-W, 1, the Applicant AMAAA Corp. is seeking discretionary approval to allow the sale of beer & wine for off-site and on-site consumption in conjunction with the operation of a new wine shop and wine bar. The establishment will occupy a 905 sf tenant space within an existing commercial located in the Westchester neighborhood. The main operation will be a wine shop which will cover approx 348 sf of the tenant space. There is also an associated wine bar in the rear of the tenant space that covers approximately 300 sf and has 14 seats. The wine shop will operate with an ABC Type #20 License for off-site sales, and an ABC Type #42 License for on-site consumption. Hours of operation are 10am to 12am daily.

The property is within the [Q]C2-1-CDO zone, and is designated Community Commercial under the General Plan Land Use designations. It is located within Council District 11, the Westchester - Playa Del Rey and the Los Angeles State Enterprise Zone.

BACKGROUND

The subject property is comprised of two, level, interior, rectangular parcels of land, consisting of approximately 12,000 sf, having a frontage of 120 feet on the northside of 87th Street (Local Street), a frontage of 120 ft on the south side of an alleyway, and a uniform depth of 100 feet. The property is currently developed with two one-story commercial buildings totaling 8,410 sf, and consists of multiple tenant spaces. The subject site is located within the Downtown Westchester Community Design Overlay District (21-2388), a Los Angeles State Enterprise Zone (21-2374), the Los Angeles Coastal Transportation Corridor Specific Plan, a 500-foot school zone (Westside Innovative School House), an airport hazard zone, and is within 4.45 kilometers of the nearest known fault (Newport - Inglewood Fault Zone).

The northern adjoining property (across the alleyway) is zoned [Q]C2-1-CDO and is developed with a surface parking lot. Beyond the parking lot are commercial buildings that front onto Manchester Avenue.

The eastern adjoining property is zoned [Q]C2-1-CDO and is developed with a 5,268 sf square-foot commercial building.

The southern adjoining properties (across 87th Street) are zoned [Q]C2-1-CDO and are developed with commercial buildings.

The western adjoining property is zoned [Q]C2-1-CDO and is developed with a 5,160 sf commercial building.

West 87th Street, adjoining the subject site to the south, is a Local Street, dedicated to a width of 60 feet and improved with asphalt roadway, concrete curb, gutter, and sidewalk. Sepulveda Eastway, located within the vicinity of the subject site to the south, is a Local Street, dedicated to a width of 50 feet and improved with asphalt roadway, concrete curb, gutter, and sidewalk.

Alley, adjoining the subject site to the north, is an alleyway, dedicated to a width of 20 feet and improved with asphalt roadway and concrete gutter.

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 project site is situated within a commercial strip on the northside of West 87th Street within the Downtown Westchester Community Design Overlay District. No major changes are proposed to the exterior of the building, thereby maintaining the historic facade of the building and quality of the neighborhood. The subject project entails a request for the sale of beer & wine for on-site and off-site consumption, in conjunction with a proposed wine shop and associated wine bar. The overall project is reasonable in size at 905 sf, which keeps it in tune with the surrounding "village" feel of the surrounding neighborhood. The wine bar portion of the business is meant to be ancillary to the wine shop, and as such is limited to only 14 seats. The surrounding area includes a mix of commercial and retail uses and the location is well-buffered from residential and sensitive uses. As such, the request to sell alcohol remains compatible and will provide a service that will be beneficial to the community, which in conjunction with the imposition of suitable operating conditions addressing will result in the enhancement of the built environment.

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

The proposed use will occupy a 905 sf tenant space within an existing commercial building. The building was constructed in 1948, similar to many others in the immediate neighborhood. As such, the property's location, size, height and other features bear a very close resemblance to other properties in the immediate vicinity. As such, the size, height and other significant features are compatible with the surrounding neighborhood. The operation itself is also an appropriate size for the neighborhood. The surrounding businesses are all neighborhood serving businesses of modest size when compared to the larger box stores located on the properties behind along Manchester Ave. A small wine shop with an intimate wine bar in back is the proper type of business to fit in with the nature of the street. The use itself is the proper size for the neighborhood, as the entire project totals only 905 sf. This contributes to the nature of the immediate neighborhood as a collection of small unique operations which appreciate and support the small neighborhood feel.

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 the Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The subject site is not located within a designated specific plan area, and located within the Westchester - Playa Del Rey Community Plan. The community plan is silent in regards to alcohol sales. In such cases, the

Zoning Administrator must interpret the intent of the plan. With a responsible operator and appropriate operating conditions delivered by the Zoning Administrator and the Dept of ABC, the proposed project will substantially conform to the purpose, intent, and provision of the General Plan.

ADDITIONAL CUB FINDINGS

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

The project will be located in a small commercial area within Westchester. The area consists of a variety of neighborhood serving businesses, each of which are modest in size and contribute to an overall “village” feel of the neighborhood. The proposed use will occupy an existing 905 sf tenant space within a commercial building constructed in 1948. Its size and design blend well with the other properties in the area as they were developed during the same time period. The use will be a small wine shop which will offer a selection of wines from smaller vintners and hard to find items. Along with a small intimate wine bar operation at the rear of the tenant space, the proposed use will fit well with the existing feel of the surrounding neighborhood. With this in mind, applicants feel the proposed use will not adversely affect the welfare of the pertinent community.

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

The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. Over concentration can be undue when the addition of a license will negatively impact a community. Over concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license will benefit the public welfare and convenience. The proposed use will be located in a small commercial neighborhood consisting of properties originally developed in the 1940's, and maintained to keep the original feel. The proposed use is modest in size and operational characteristics, thereby maintaining the “village” feel of the neighborhood. There are only 3 other off-site ABC Licenses within 1,000 feet of the proposed business. Each of those licenses are assigned to large “big-box” retailers. The proposed wine shop and wine bar will fill a niche in the area with a more personal, boutique operation. Nonetheless, the new business will be operated in a professional and responsible manner should the subject request be granted. The applicants will abide by all operating conditions placed on the restaurant by the City of LA, Dept of ABC and LAPD.

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

The new business will be located within an existing single story commercial building. The property is surrounded by numerous commercial properties with similar neighborhood oriented uses. The nearest residential uses are nearly 500 ft from the proposed business and sufficiently buffered by 100's of feet of existing commercial buildings and businesses. The entire proposed business will be located within the building, with no patio proposed. This will also help to eliminate any unnecessary noise from disrupting nearby uses. Nonetheless, the new business will be operated in a professional and responsible manner so as to avoid detrimentally affecting nearby residential zones or uses.

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 building is 3,792 s.f.

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

The new wine shop and wine bar will occupy a 905 s.f. tenant space.

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

Exact occupancy load is yet to be determined.

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

Indoor seating totals 14, no outdoor seating is proposed.

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

No patio is proposed.

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

No patio is proposed.

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

No patio is proposed.

g. Are you adding floor area?

No, no new floor area is being added.

h. Parking

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

There are 18 tandem on-site spaces. However the site abuts a large shopping center with a large number of parking spaces.

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

The on-site parking spaces are shared by all the tenants.

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 off-site parking spaces are being provided.

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?

No valet service is proposed.

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:

- LAX Calvary Chapel; 6258 W. Manchester Ave.
- Tenshin-Kai Karate (kids classes); 6238 W. 87th St.
- 360 Self Defense Academy; 8707 Truxton Ave.

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 | 10am to 12am | 10am to 12am | 10am to 12am | 10am to 12am | 10am to 12am | 10am to 12am | 10am to 12am |
| Proposed Hours of Alcohol Sales | 10am to 12am | 10am to 12am | 10am to 12am | 10am to 12am | 10am to 12am | 10am to 12am | 10am to 12am |

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

Pre-recorded music will be played over the in house speaker system, and a television may be placed on the interior.

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 retail portion of the business. However only those patrons that are 21 years and older will be permitted in the wine bar area.

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

A portion of the business is a retail wine shop.

e. Security

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

There will be 2-5 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?

No security guards will be provided by the business.

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?

Beer & wine is available for on-site and off-site consumption.

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

Specialty wines with greater than 16% alcohol may be sold. However cheap, fortified wines such as “Thunderbird” 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?

No, there is no kitchen on-site.

2. Will alcohol be sold without a food order?

Yes, beer & wine will be available without food. .

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

The sale of beer & wine is expected to exceed the sale of food items on a quarterly basis.

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

There is no established menu for this business.

vi. On-Site

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

There is a wine bar in the rear of the business. It includes counter seating as well as tables and chairs.

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

Off-site sales of beer and wine is a part of the proposed business.

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

Applicants would like to offer happy hour in the wine bar section of the business.

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 business may offer glassware, wine openers, and other wine drinking items. These items may be used at the patron’s home, or could be a specialty item that can be used within the on-site wine bar.

2. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)?

All beer and wine for off-site consumption will be sold in predetermined quantities as delivered by the distributor or vintner.

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 and off-site consumption of beer & wine.

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

No. The proposed business is a retail wine shop and associated wine bar.