

Conditional Use / Plan Approval

Project Address: 6429 Van Nuys Blvd, Van Nuys, 91401

**Applicant: Jose A. Andrade
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Date: 8-20-16**

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Project description:

Plan Approval of Conditional Use Permit, ZA-2010-0261(CUB) for the sale and dispensing of beer and wine for on - site consumption in conjunction with a 3,535 sq.ft. restaurant with total of 115 indoor seats, 16 proposed outdoor seats, and live entertainment with a change of hours of operation from 9:00 am to 1:00 am daily. (originally approved for 9:00 am – 10:00 pm daily).

Request :

The applicant is seeking for Plan Approval for continuation on dispensing of beer and Wine.

LEGAL DESCRIPTION:

FR 1 and FR 2, ARB 1, block 42 of TR 1200

Map sheet, 180 B 149

Map Ref, M B 19 / 35

REFERENCED SECTION CODE:

Section 12.24-W,1

GENERAL FINDINGS

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

The subject restaurant is located within offices, small retail shops, and also close to all governmental agencies, such as court houses, valley civic center, federal and state Buildings.

- 2- 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 existing restaurant is located on southwest corner of Van Nuys Blvd and Gilmore Street and this restaurant has the certificate of occupancy since 1967 and has provided A clean and healthy food establishment for surrounding neighborhood and it is one of oldest restaurants in operation and it has never had a negative affects on the adjacent properties.

The subject property is located within [Q]C2-1L-CDO zoned properties which are mix of small retail stores and general offices.

- 3- That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The subject property is located in Van Nuys-North Sherman Oaks Community Plan Area and the map designates the property for Regional Center Commercial land use with the corresponding zones of C2-1L and is not within any Specific Plan area, and We believe that our request for continuation for Beer and Wine for on site consumption and request for live entertainment with extension on hours will not have any kind of effect on any of the elements of General Plan.

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

Normally the sale of alcohol, as seen throughout the City and has been identified as contributing to loitering, prostitution, drug transactions, public urination, nuisance, and similar crime activities. However previous conditions of approvals which was given as protective measure for surrounding residents, businesses, and visitors to the area and to clearly define the operation parameters for the use of the site.

- 5- The granting of such application will not result in an undue concentration in the area of establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, giving consideration to applicable State laws and to the California Dep. of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of such establishments within a 1,000-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.

Per State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, 6 on-sale and 5 off-sale licenses are allocated to subject Census Tract No.1278.06 There are currently 7 on-site and 6 off-site licenses in this Census Tract. ABC information from the previous request in 2007 showed the same allocation as above however, at that time there were 8 on-site and 7 off-site licenses issued in the subject Census Tract. Similarly, there were five alcohol establishments within 600 feet of the subject site. Following is the list of existing businesses within 1000 feet.

1. Type 20 Off-Sale - Beer and Wine, 7-Eleven Inc. -14557 Victory Blvd. (issued 1988)
2. Type 21 Off-Sale – General, Short Stop 25 (Liquor Store) -14411 Victory Blvd. (issued 1992)
3. Type 41 On-Sale - Beer and Wine - Eating Place - 14511 Victory Blvd. (issued 1986)
4. Type 41 On-Sale - Beer and Wine - Eating Place - 14429 Victory Blvd. (issued 1990)
5. Type 41 On-Sale - Beer and Wine - Eating Place - 14438 Victory Blvd. (issued 1987)

6- The proposed use will not detrimentally affect nearby residentially zoned communities in the area after giving consideration to the distance of the proposed use from the following: 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.

Following are the list of Sensitive uses within the 1000 foot radius.

1. Small church located within 200 feet.
2. Small church located within 150 feet on Gilmore Street.
3. Multi-family and Single family uses within 600 feet on west side.

Other than above uses, the subject property is surrounded within commercial uses properties.