

Title: NCWP PLUC	Item No. 7.3.3
Meeting date: July 13, 2009	
Agendized by: Steve Donell	
Contact person: Steve Donell	Phone number:310.207.8481
Committee Vote (if appropriate): Unanimous + 1 abstain	
Does this item have a fiscal impact on the Neighborhood Council? ____ Yes X No	
Additional documents attached? X Yes ____ No	

**RECOMMENDATION:**

That the Neighborhood Council of Westchester/Playa deny the request of the applicant for a CUP and variance. The Coffee Co. (Zina Coffee Company, Inc.) located at 8751 LA TIJERA BLVD. LOS ANGELES, CA is the applicant.

**BACKGROUND:**

The applicant illegally expanded into adjacent space years ago. There is currently an Order To Comply that has been issued by the City of Los Angeles as a result of the illegal expansion. To remedy this condition, the applicant seeks a conditional use permit essentially ratifying the expansion. In addition, with larger space, comes the requirement for additional parking. The applicant seeks to comply with such requirement via a lease agreement vs. a covenant that will run with a parcel of land. This procedure is commonly granted by the City of Los Angeles.

**DISCUSSION:**

The Applicant’s illegal expansion has resulted in only a portion of the space being permitted to sell alcohol (the “legal portion). In order to remedy this condition, the space must be legally occupied with a Certificate of Occupancy. In order to obtain a Certificate of Occupancy, the space must be legally occupied, which requires a Conditional Use Permit. Such permit requires that additional parking is provided. The applicant seeks to obtain parking through the approval of a lease vs. a covenant. The applicant did not provide any details as to how it would accomplish this task; indeed, the applicant stated that it had not even begun to look for alternative parking. Instead, it wants its approvals first and then it will seek to secure parking.

Additional parking is scarce in The Triangle. PLUC received comments from the public that raised concerns about how the illegal expansion and associated requirement for additional parking would impact adjacent businesses. PLUC felt that a specific proposal for parking needed to be provided before the matter could be discussed and the vote was to recommend denial of the requested relief.

**FISCAL ANALYSIS:**

Approval of the request could have a negative impact on adjacent businesses because with the illegal expansion, the Coffee Co. is able to serve more customers, which means that more cars will utilize the scarce parking resources available, which could have a negative financial impact on adjacent businesses.

**ATTACHMENTS:**

Application/various support documents

**PROPOSED MOTION:**

**Motion: To (1) oppose approval of a CUP to permit the addition of 2,089 SF to an existing 3,381 SF restaurant with existing beer and wine service for the on-site sale and dispensing of beer and wine, with 166 indoor seats, 8 patio seats and 26 sidewalk seats with hours of 7am – 10pm daily; and (2) oppose approval of a variance pursuant to Section 12.27 of the LAMC to permit offsite parking by lease in lieu of the covenant otherwise required by section 12.26-E,5 of the LAMC.**