APPLICATION TO THE ZONING ADMINISTRATOR FOR CONDITIONAL USE PERMIT—ALCOHOLIC BEVERAGE SERVICE

APPLICANT: HACIENDA PLAYA LLC
8415 S PERSHING DR., PLAYA DEL REY, CA 90203

ACTION(s) REQUESTED:

PER LAMC 12.24-W,1, A CONDITIONAL USE PERMIT TO ALLOW THE SALE AND DISPENSING OF A FULL LINE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH AN EXISTING 2,691.25 SQUARE-FOOT RESTAURANT WITH 90 INTERIOR SEATS HAVING LIMITED LIVE ENTERTAINMENT SUCH AS LIVE MUSIC/MARIACHI (INDOOR/COVERED PATIOS), KARAOKE AND 1 VIDEO GAME MACHINE (INDOOR), A 679.25 SQUARE-FOOT COVERED PATIO WITH 60 SEATS, AND A 301 SQUARE-FOOT PATIO IN THE PUBLIC RIGHT-OF-WAY WITH 18 SEATS PROVIDING BACKGROUND MUSIC. AMPLIFIED MUSIC, LIVE MUSIC OR ENTERTAINMENT ON PREMISES SHALL CEASE AT 10:00P.M. DAILY AND RECORDED MUSIC ON PATIO FACING PERSHING DRIVE SHALL CEASE AT 10:00P.M. DAILY. PROPOSED HOURS OF OPERATION FROM 7:00 A.M. TO 12:00 A.M., SUNDAY TO THURSDAY AND 7:00 A.M. TO 1:00 A.M., FRIDAY AND SATURDAY IN THE C2-1VL ZONE.

ADDITIONAL INFORMATION:

3. FINDINGS

a. General Condition Use

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.

This project will enhance the built environment for the surrounding neighborhood and will provide a service that will be beneficial to the Playa del Rey community, City of Los Angeles and region. The applicant seeks a conditional use permit to allow the continued sale of a full line of alcoholic beverages in an existing restaurant in Playa del Rey. The subject project is located in one of the five neighborhood commercial areas and surrounded by low to medium-density residential uses. Hacienda Playa is an amenity to neighboring residents who walk or bike-ride and is a well-loved restaurant operating on the Pershing Drive since 2011. The current establishment is a family-friendly Mexican restaurant that offers hand-made tortillas, excellent fajitas and many authentic cultural foods. The full menu gives the clientele options from salads and fajitas to soups and other Mexican combinations. The restaurant’s clientele range from daytime workers at peak lunch hours, single and retired patrons in late afternoon, families in early evening and couples in the late evening looking for a bite to eat. The alcoholic beverage service is consistent and compatible with the community and
only seeks to provide the same level of amenities as expected at other restaurants. The addition of live entertainment will provide a well-rounded dining experience that is not readily available in the vicinity, which will directly benefit the community by creating a family atmosphere.

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.**

Hacienda Playa operates within an established commercial corridor on Pershing Drive that was specifically developed for such uses. It is an existing restaurant and there will be no exterior or interior modifications. The existing physical components of the building (size, height, operation) blend with the nature of the neighborhood, and suitable to the use and development in relation to the area. The property itself is a commercially zoned parcel (C2-1VL) and designated as Neighborhood Commercial under the General Plan’s Land Use designations. Should this application be granted, Hacienda Playa will continue to operate in a professional manner and continue to coexist with other uses in the vicinity, while avoiding any detrimental effects to nearby residential properties. As such, the business has and will not adversely affect or degrade and 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.**

The project will continue to substantially conform to the purpose, intent and provisions of the General Plan and applicable community plan.

**General Plan:** This project falls within a Neighborhood Commercial designation. Hacienda Playa fits perfectly into this designation as a restaurant that serves the needs of local residents and workers. A CUP will allow Hacienda Playa to continue to serve the neighborhood and further the goals of the general plan.

**Community Plan:** The project falls in the Westchester-Playa Del Rey Community Plan area. As demonstrated below, the requested Conditional Use Permit application conforms to the following objectives and policies of the community plan.

**Purpose -** __Improving the function, design and economic vitality of commercial areas.____

The Pershing Drive commercial corridor is a small commercial area in Playa del Rey. As a popular destination for local families, Hacienda Playa has made great contributions to the economic vitality of this commercial area. The proposed use will allow Hacienda Playa to be more competitive to other similar uses in other areas.
Purpose - preserving and enhancing the positive characteristics of existing uses which provide the foundation for community identity, such as scale, height, bulk, setbacks and appearance.

Hacienda Playa will remain as a family-friendly and neighborhood-serving restaurant. The existing site is compatible with the established community identity. The patio is oriented toward the Pershing Drive and the restaurant as a whole will continue to provide a relaxing and welcoming atmosphere for both patrons and passer-by.

Purpose - preserving and strengthening commercial developments to provide a diverse job-producing economic base.

As a long-standing restaurant, the proposed use will continue to generate tax revenue for the city and establish the stability of local economic base by maintaining local employment opportunity. The patio would generate pedestrian activity along this stretch of Pershing Drive while contributing to its revitalization.

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

The proposed use will not adversely affect the welfare of the community. Hacienda Playa is located on a commercial strip on Pershing Drive and falls into the Neighborhood Commercial land use designation that is designated at that location. The establishment will cater to residents in close proximity and employees in the local area. The inclusion of alcoholic beverages and entertainment will allow the restaurant to provide a more complete dining service to its patrons. The sale of alcohol beverages is incidental to the selection of food options available. The entertainment at the restaurant will be ancillary to the restaurant use and will not jeopardize Hacienda Playa's safe and friendly environment. The restaurant operates at a professional standard of service and management to provide patrons exceptional restaurant services while not detracting from patron safety. The on-site sales of a full line of alcohol, together with live entertainment, will be desirable to the public.

b. Additional Findings

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

The approval of this application will not result in or contribute to an undue concentration of such establishment. While the department of Alcoholic Beverage Control authorized 3 on-sale licenses and 1 off-sale license in the census tract 2781.02, there are only 2 other establishments selling alcoholic beverages within 1,000-ft radius of the site. Hacienda Playa is an existing restaurant that has been operating with an alcoholic beverage license since 2011 and thus approval of this request will not increase or change the license concentration for this Census Tract. Furthermore, the proposed use differs from the majority of surrounding
uses that serve alcohol. The incidental live entertainment is not readily available in the neighborhood, so the combination of a full service restaurant with entertainment elements make the proposal a unique and desirable dining option to residents in the area. The existing development and uses in the surrounding area are limited for such establishments, so the subject project will not catalyze a proliferation of similar uses in the area.

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

Hacienda Playa operates in a commercial area and is therefore a proper use at this location. There is no sensitive use within 1,000 feet radius of the site. The residents in the adjacent area have and will only benefit from this restaurant. The restaurant will not negatively affect the residents in close proximity, but rather offer them a safe and family-friendly restaurant within walking distance. The restaurant owners have conducted employee education to limit after-hours noise disturbance. The applicant has researched and proposed signage to be posted in all parking areas to remind patrons and employees to be considerate of neighbors and keep noise levels at a minimum when arriving and leaving the premises (image of sign to be included). A 24 hot-line number will be posted at the cashier and exterior wall at the entry. The operator has had a very good relationship with local community and will continue to be a good neighbor. The restaurant has maintained a perfect record of compliance with Alcoholic Beverage Control as well as LAPD. No disciplinary action regarding restaurant operation has been found in ABC record system. The sale of alcohol will be closely monitored and controlled to prevent any potential abuse. Hacienda Playa very well understands their responsibilities as operators of a restaurant serving alcoholic beverages, and continues to ensure that their operations will have no negative effects on residential zones or uses.

4. **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? 10,000.6 sq.ft.

   b. What is the total square footage of the space the establishment will occupy? 3,671.5 sq.ft.

   c. What is the total occupancy load of the space as determined by the Fire Department? On July 5, 2018, the Fire Department has determined that the total occupancy load for dining room and patio dining is 90 and 60 respectively.

   d. What is the total number of seats that will be provided indoors? Outdoors? There will be 90 seats indoors, 60 seats on the covered patio and 18 seats on the outdoor patio.

   e. If there is an outdoor area, will there be an option to consume alcohol outdoors? Yes.
f. If there is an outdoor area, is it on private property or on the public right-of-way, or both? Both. Part of the outdoor uncovered area on Pershing Drive is on private property and the rest of the patio is on the public right-of-way.

g. If an outdoor area is on the public right-of-way, has a revocable permit been obtained? To be confirmed.

h. Are you adding floor area? No

i. Parking

   i. How many parking spaces are available on the site? There are 13 on-site parking spaces available for patrons.

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

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

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

      1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety? The lease for the restaurant allows the patrons to use 19 off-site spaces on the parking lot next door after 5:00 pm.

      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 and the use it is to serve. Shown on the site plan.

      3. Will valet service be available? No

         Will the service be for a charge? N/A

j. Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks? No.

k. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Entertainment Businesses as defined by LAMC 12.70 B17? N/A
5. QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT

a. Has the use been discontinued for more than a year?
   The restaurant has been in continuous operation since 2011.

b. What are the proposed hours of operation and which days of the week will the establishment be open?

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c. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc…? Please specify
   The applicant requests the ability to provide our guests with soft music, piano bar, guitarist, mariachis and/or karaoke. A karaoke machine and a video game machine will be located in the indoor area only and will not be on covered patio. Karaoke will not be audible beyond the boundaries of the subject restaurant. There will be no amplified music, live music or entertainment on premises after 10:00p.m. daily. The applicant also requests background music on both patios and there will no music on outdoor patio after 10:00pm, daily. Music generated onsite should be not exceed the decibel level stated in the city-wide ordinances, which is 65 decibels in the daytime and 55 decibels at night. There will be no use of a PA system or subwoofers.

d. Will there be minimum age requirements for entry?
   No

   If yes, what is the minimum age requirement and how will it be enforced?
   N/A

e. Will there be any accessory retail uses on the site?
   No.

   What will be sold?
   N/A

f. Security
i. How many employees will you have on the site at any given time? 
   6-10

ii. Will security guards be provided on-site? 
   No.

   1. If yes, how many and when? 
      N/A

iii. Has LAPD issued any citations or violations? 
   No.

g. Alcohol

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

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

iii. Will alcohol be consumed on any adjacent property under the control of the applicant? 
   No, alcohol will not be allowed to consume on any adjacent property under the control of the applicant.

iv. Will there be signs visible from the exterior that advertise the availability of alcohol? 
   The applicant requests to be allowed to advertise the availability of alcohol with signs visible from the exterior. Advertising is a very important aspect to any business especially the restaurant industry.

v. Food

   1. Will there be a kitchen on site? 
      Yes.

   2. Will alcohol be sold without a food order? 
      Yes.

   3. Will the sale of alcohol exceed the sale of food items on a quarterly basis? 
      No.

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

vi. On-Site

   1. Will a bar or cocktail lounge be maintained incidental to a restaurant? 
      Yes.
a. If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.  
N/A

2. Will off-site sales of alcohol be provided accessory to on-site sales (“Take Out”)?  
The sale of alcoholic beverages for off-site consumption will be offered with “to-go food order” or “delivery” only.

   a. If yes, a request for off-site sales of alcohol is required as well. The sale of beer and wine for off-site consumption along with “to-go food orders” is permitted by the Alcoholic Beverage Control (ABC act section 23401) unless ABC conditions specifically prohibits it.

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

   vii. Off-site

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

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

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

6. 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? On-site sales of alcoholic beverages

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

      1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:

         a. Issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or

         b. If issuance would result in, or add to an undue concentration of license.
This project does not increase the number of licenses in operation, as the owner is utilizing the same Type-47 license from its current location. Therefore, the project will not lead to an undue concentration of licenses in the area.

b. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for public convenience or necessity.

N/A.