

# LAKE BALBOA NEIGHBORHOOD COUNCIL



**Joint Meeting of LBNC &  
Land Use Meeting Committee**  
**Monday FEBRUARY 20, 2016**  
**7:00 pm - Meeting Starts**  
**Fly Away Building-Conference Room**  
**7610 Woodley Ave. - Lake Balboa, CA 91406**



## AGENDA

The public is requested to fill out a “**Speaker Card**” to address the Board on any item of the agenda prior to the Board taking action on an item. Agenda is posted for public review at; Ralph’s Market, 17250 Saticoy St. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. This is a joint meeting of Land Use Committee and LBNC Board. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting (818) 374-9898 or (213) 978-1551 or toll-free at (866) LA HELPS, or email [NCsupport@LAcity.org](mailto:NCsupport@LAcity.org).

1. **Welcome:** Please Sign In.
2. **Roll Call and Adoption of the Agenda:** For the February 20, 2017 meeting.
3. **Approval of Minutes:** For the January 17, 2017 meeting
4. **15800 Roscoe Blvd. et al., ZA-2016-4783ZV:** Anheuser-Busch Brewery is seeking a zone variance for reduced parking to create more space for truck loading due to changes in operations and mechanization that requires less employees and more truck loading to distribute the product. **A possible voting item. A 10 minute presentation with Q & A.**
5. **17621 Sherman Way, ZA 2006-5886-CUB:** Conditional Use Permit for the continued sale and dispensing of beer and wine only for on-site consumption in conjunction with an existing 1200 sq. ft. restaurant, hours of operation 10:30 a.m. to 2 a.m. with 58 patrons. **A possible voting item. A 15 minute presentation including Q & A.**
6. **7430 Balboa Ave.-7425 Mc Lennan Ave., ZA 2016-4590-ZAA:** A Zoning Administrator’s Adjustment to grant relief from Sector 12.08c.4 of the LAMC to allow a 20’ 6” mid-point lot with Parcel 2, in lieu of the 50’ required in the R1-1 zone. The Tentative Tract map was approved in 2008. **A possible voting item. A 15 minute presentation including Q & A.**
7. **8100 Balboa Place, Asphalt Pile:** A presentation by Jamie Lynn Schilling concerning a 30 foot high pile of used street asphalt that appears to be having an adverse effect on the health and property of the Lake Balboa community to the west of the pile. **A possible voting item. A 45 minute presentation including Q & A.**
8. **Public Comment:** Comments from Public on Non-Agenda Items, Issues, Announcements and complaints within the jurisdiction of the Lake Balboa NC. Please fill out a speaker card. One-minute limit per speaker. If there is a large number of speakers chairman may ask that a represent present the partition of the group. Board has discretion to comment or not respond.

## Adjournment

**Next Regular Meeting of the  
Lake Balboa Land Use Committee  
Monday March 20, 2017 at 7:00 PM**

Please be advised that the Bylaws of the Lake Balboa Neighborhood Council provide a process for reconsideration of actions, as well as a grievance procedure. For your convenience, the Bylaws are available on our website:

[www.LakeBalboaNC.org](http://www.LakeBalboaNC.org)

"In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting, may be viewed at our website by clicking on the following link: [www.lakebalboanc.org](http://www.lakebalboanc.org), or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact [ruth@lakebalboanc.org](mailto:ruth@lakebalboanc.org) our current secretary.

## Lake Balboa Neighborhood Council

P.O. Box 7720, Lake Balboa, and CA 91409 -- Voicemail (818) 779-9026

**Visit our website: [www.LakeBalboaNC.org](http://www.LakeBalboaNC.org)**

# Lake Balboa Neighborhood Council

## LAND USE COMMITTEE

### Minutes of January 2017 Meeting

The minutes of the December 2016 meeting were approved. Meeting began at 7:04 pm

People in attendance- see attached July attendance sheet, including members of the LBNC & Land Use committee included Linda Garvani, Jim Stein, Jordan Reed, Cindy Kurland and Tom Riley.

Items discussed:

**16107 Victory Blvd., ZA2016-4478-CUB:** A conditional use permit for the continued sale of a full line of alcoholic beverages for off-sale consumption in conjunction with an existing 22,796 sq. ft. supermarket having hours of operation from 7a.m. to 11 p.m. daily.

**After discussion by the Land Use Committee a vote was taken with 6 recommending approval of the application to the LBNC, with 0 opposed, abstained or recused.**

**17206 Saticoy Street, ZA-2016-3887-CUB:** Request for a Conditional Use Permit to allow the sale & dispensing of beer & wine for on/site consumption in Conjunction w/proposed 1702 sq. ft. restaurant w/ a total of 48 indoor seats w/hrs. of operation: 11 a.m. to 9:30 p.m., Monday thru Saturday.

**After discussion by the Land Use Committee a vote was taken with 6 recommending approval of the application to the LBNC, with 0 opposed, abstained or recused.**

**6933 De Celis Place AA2016-714:** divide one lot into three. The project is on hold per the Planning Department.

**6701 Louise:** The development of eight houses on Louise **ONLY**, approved by South Valley Area Planning Commission. The developer has applied for a new Tentative Tract Map, that require no action on LBNC's part, because we already voted on the project.

**17615 Sherman Way, New Permit for a Karaoke License:** Because of the change of closing time, from 12 a.m. to 2 a.m., they had to reapply for a new karaoke permit with the Police Commissioner.

General discussion on a number of items, including 17621 Sherman Way, for the renewal of their beer & wine license, 7754 Haskell, the building of a new warehouse, 7430 Balboa, the building on 3 new houses on McLennan Ave. and the Budweiser Plant reconfiguring their parking lot.

The meeting was adjourned at 7:53 pm



**APPLICATIONS:****DEPARTMENT OF CITY PLANNING APPLICATION***THIS BOX FOR CITY PLANNING STAFF USE ONLY*

Case Number \_\_\_\_\_

Env. Case Number \_\_\_\_\_

Application Type \_\_\_\_\_

Case Filed With (Print Name) \_\_\_\_\_

Date Filed \_\_\_\_\_

Application includes letter requesting:

☐ Waived hearing☐ Concurrent hearing☐ Hearing not be scheduled on a specific date (e.g. vacation hold)

Related Case Number \_\_\_\_\_

*Provide all information requested. Missing, incomplete or inconsistent information will cause delays.  
All terms in this document are applicable to the singular as well as the plural forms of such terms.*

**1. PROJECT LOCATION**Street Address<sup>1</sup> 15800 Roscoe Blvd et al. See Exhibit A Unit/Space Number \_\_\_\_\_Legal Description<sup>2</sup> (Lot, Block, Tract) See Exhibit AAssessor Parcel Number 267-302-1041 Total Lot Area 3,089,693 sf (71 acres)**2. PROJECT DESCRIPTION**Present Use Brewery FacilityProposed Use Brewery FacilityProject Name (if applicable) Anheuser-Busch Truck Project

Describe in detail the characteristics, scope and/or operation of the proposed project Applicant is seeking a zone variance for reduced parking to create more space for truck loading due to changes in operations and mechanization that requires less employees and more truck loading to distribute the product.

Additional information attached ☒ YES ☐ NO

Complete and check all that apply:

**Existing Site Conditions**☐ Site is undeveloped or unimproved (i.e. vacant)☒ Site is located within 500 feet of a freeway or railroad☒ Site has existing buildings (provide copies of building permits)☐ Site is located within 500 feet of a sensitive use (e.g. school, park)☐ Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)☐ Site has special designation (e.g. National Historic Register, Survey LA)

<sup>1</sup> Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)

<sup>2</sup> Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

**Proposed Project Information**

- ☐ Demolition of existing buildings/structures
- ☐ Relocation of existing buildings/structures
- ☐ Interior tenant improvement
- ☐ Additions to existing buildings
- ☐ Grading
- ☐ Removal of any on-site tree
- ☐ Removal of any street tree

- ☐ New construction: \_\_\_\_\_ square feet
- ☒ Accessory use (fence, sign, wireless, carport, etc.)
- ☐ Exterior renovation or alteration
- ☐ Change of use and/or hours of operation
- ☐ Haul Route
- ☐ Uses or structures in public right-of-way
- ☐ Phased project

**Housing Component Information**

Number of Residential Units: Existing 0 – Demolish(ed)<sup>3</sup> 0 + Adding 0 = Total 0

Number of Affordable Units<sup>4</sup> Existing 0 – Demolish(ed) 0 + Adding 0 = Total 0

Number of Market Rate Units Existing 0 – Demolish(ed) 0 + Adding 0 = Total 0

Mixed Use Projects, Amount of Non-Residential Floor Area: N/A square feet

**3. ACTION(S) REQUESTED**

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? ☐ YES ☒ NO

Authorizing section 12.27 Section from which relief is requested (if any): 12.24-A, 1

Request: A Zone Variance to reduce code-required parking granting 563 on-site parking spaces in lieu of the  
Code required 866 existing parking spaces in conjunction with the use and expansion of truck loading  
space in a portion of the existing employee parking area.

Authorizing section \_\_\_\_\_ Section from which relief is requested (if any): \_\_\_\_\_

Request: \_\_\_\_\_

Authorizing section \_\_\_\_\_ Section from which relief is requested (if any): \_\_\_\_\_

Request: \_\_\_\_\_

Additional Requests Attached ☐ YES ☒ NO

<sup>3</sup> Number of units to be demolished and/or which have been demolished within the last five (5) years.

<sup>4</sup> As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? ☒ YES ☐ NO

If YES, list all case number(s) ZA 95-0403(ZV)

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. \_\_\_\_\_

Ordinance No.: \_\_\_\_\_

☐ Condition compliance review

☐ Clarification of Q (Qualified) classification

☐ Modification of conditions

☐ Clarification of D (Development Limitations) classification

☐ Revision of approved plans

☐ Amendment to T (Tentative) classification

☐ Renewal of entitlement

☐ Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? ☐ YES ☒ NO

Have you filed, or is there intent to file, a Subdivision with this project? ☐ YES ☐ NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

N/A

5. OTHER AGENCY REFERRALS/REFERENCE

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please check all that apply and provide reference number if known.

Are there any outstanding Orders to Comply/citations at this property? ☐ YES (provide copy) ☒ NO

Are there any recorded Covenants, affidavits or easements on this property? ☐ YES (provide copy) ☒ NO

☐ Development Services Case Management Number \_\_\_\_\_

☐ Building and Safety Plan Check Number \_\_\_\_\_

☐ Bureau of Engineering Planning Referral (PCRF) \_\_\_\_\_

☐ Bureau of Engineering Hillside Referral \_\_\_\_\_

☐ Housing and Community Investment Department Application Number \_\_\_\_\_

☐ Bureau of Engineering Revocable Permit Number \_\_\_\_\_

☐ Other—specify \_\_\_\_\_



6. PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant<sup>5</sup> name \_\_\_\_\_

Company/Firm Anheuser-Busch Commercial Strategy, LLC

Address: One Busch Place Unit/Space Number \_\_\_\_\_

City St. Louis State Missouri Zip Code: 63118

Telephone (818) 908-5463 E-mail: \_\_\_\_\_

Are you in escrow to purchase the subject property? ☐ YES ☐ NO

Property Owner of Record ☒ Same as applicant ☐ Different from applicant

Name (if different from applicant) \_\_\_\_\_

Address \_\_\_\_\_ Unit/Space Number \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

Agent/Representative name Elizabeth Peterson

Company/Firm Elizabeth Peterson Group, Inc.

Address: 400 S. Main St. Unit/Space Number Ste. 808

City Los Angeles State CA Zip: 90013

Telephone (213) 620-1904 E-mail: nick@epgla.com

Other (Specify Architect, Engineer, CEQA Consultant etc.) \_\_\_\_\_

Name \_\_\_\_\_

Company/Firm \_\_\_\_\_

Address: \_\_\_\_\_ Unit/Space Number \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

Primary Contact for Project Information  
(select only one)

☐ Owner

☐ Applicant

☒ Agent/Representative

☐ Other \_\_\_\_\_

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

<sup>5</sup> An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).




**PROPERTY OWNER**

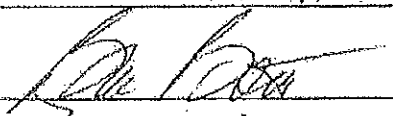
9. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service of process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
  - **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in Items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
  - **Grant Deed.** Provide a Copy of the Grant Deed if the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
  - **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.
- A. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- B. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- C. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- D. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.  
The City requires an original signature from the property owner with the "wet" notary stamp.  
A Notary Acknowledgement is available for your convenience on following page.*

Signature  Date 8/23/16

Print Name LUIS A. CAYO

Signature  Date 8/23/16

Print Name BRUCE BORST

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of

Los Angeles

On

Aug. 23, 2016

before me,

Jill Melton, Notary Public

(Insert Name of Notary Public and Title)

personally appeared

Luis Adolfo Cayo

who

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Jill Melton  
Signature

(Seal)



**APPLICANT**

**10. APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

- A. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
- B. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
- C. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
- D. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
- E. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
- F. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
- G. I understand that if this application is denied, there is no refund of fees paid.
- H. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but is not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
- I. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

*The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

**APPLICATIONS:****DEPARTMENT OF CITY PLANNING APPLICATION***THIS BOX FOR CITY PLANNING STAFF USE ONLY*

Case Number \_\_\_\_\_

Env. Case Number \_\_\_\_\_

Application Type \_\_\_\_\_

Case Filed With (Print Name) \_\_\_\_\_

Date Filed \_\_\_\_\_

Application includes letter requesting:

☐ Waived hearing☐ Concurrent hearing  
Related Case Number \_\_\_\_\_☐ Hearing not be scheduled on a specific date (e.g. vacation hold)

*Provide all information requested. Missing, incomplete or inconsistent information will cause delays.  
All terms in this document are applicable to the singular as well as the plural forms of such terms.*

**1. PROJECT LOCATION**Street Address<sup>1</sup> 17621 Sherman Way

Unit/Space Number \_\_\_\_\_

Legal Description<sup>2</sup> (Lot, Block, Tract) Lot 257, Tract 14425Assessor Parcel Number 2228004007Total Lot Area 15,884.7 (sq ft)**2. PROJECT DESCRIPTION**Present Use RestaurantProposed Use RestaurantProject Name (if applicable) Evergreen Restaurant

Describe in detail the characteristics, scope and/or operation of the proposed project Conditional Use Permit  
for the continued sale and dispensing of beer and wine only for on-site consumption, in conjunction  
with an existing 1,200 sq ft restaurant, hours of operation 10:30am-2:00 a.m. with 58 patrons.

Additional information attached ☐ YES ☒ NO

Complete and check all that apply:

**Existing Site Conditions**☐ Site is undeveloped or unimproved (i.e. vacant)☒ Site has existing buildings (provide copies of building permits)☐ Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)☐ Site is located within 500 feet of a freeway or railroad☐ Site is located within 500 feet of a sensitive use (e.g. school, park)☐ Site has special designation (e.g. National Historic Register, Survey LA)

<sup>1</sup> Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)  
<sup>2</sup> Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

**Proposed Project Information**

- ☐ Demolition of existing buildings/structures
- ☐ Relocation of existing buildings/structures
- ☐ Interior tenant improvement
- ☐ Additions to existing buildings
- ☐ Grading
- ☐ Removal of any on-site tree
- ☐ Removal of any street tree

- ☐ New construction: \_\_\_\_\_ square feet
- ☐ Accessory use (fence, sign, wireless, carport, etc.)
- ☐ Exterior renovation or alteration
- ☐ Change of use and/or hours of operation
- ☐ Haul Route
- ☐ Uses or structures in public right-of-way
- ☐ Phased project

**Housing Component Information**

Number of Residential Units: Existing \_\_\_\_\_ - Demolish(ed)<sup>3</sup> \_\_\_\_\_ + Adding \_\_\_\_\_ = Total \_\_\_\_\_

Number of Affordable Units<sup>4</sup> Existing \_\_\_\_\_ - Demolish(ed) \_\_\_\_\_ + Adding \_\_\_\_\_ = Total \_\_\_\_\_

Number of Market Rate Units Existing \_\_\_\_\_ - Demolish(ed) \_\_\_\_\_ + Adding \_\_\_\_\_ = Total \_\_\_\_\_

Mixed Use Projects, Amount of Non-Residential Floor Area: \_\_\_\_\_ square feet

**3. ACTION(S) REQUESTED**

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? ☐ YES ☒ NO

Authorizing section 12.24-W,1 Section from which relief is requested (if any): \_\_\_\_\_

Request: Conditional Use to allow the continued sale and dispensing of beer and wine for on-site consumption  
in conjunction with an existing 1,200 sq ft restaurant seating 58 patrons.

Authorizing section \_\_\_\_\_ Section from which relief is requested (if any): \_\_\_\_\_

Request: \_\_\_\_\_

Authorizing section \_\_\_\_\_ Section from which relief is requested (if any): \_\_\_\_\_

Request: \_\_\_\_\_

Additional Requests Attached ☐ YES ☐ NO

<sup>3</sup> Number of units to be demolished and/or which have been demolished within the last five (5) years.

<sup>4</sup> As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? ☒ YES ☐ NO

If YES, list all case number(s) ZA 2006-5886

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. ZA 2006-5886

Ordinance No.: \_\_\_\_\_

☐ Condition compliance review

☐ Clarification of Q (Qualified) classification

☐ Modification of conditions

☐ Clarification of D (Development Limitations) classification

☐ Revision of approved plans

☐ Amendment to T (Tentative) classification

☒ Renewal of entitlement

☐ Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? ☐ YES ☒ NO

Have you filed, or is there intent to file, a Subdivision with this project? ☐ YES ☒ NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

5. OTHER AGENCY REFERRALS/REFERENCE

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please check all that apply and provide reference number if known.

Are there any outstanding Orders to Comply/citations at this property? ☐ YES (provide copy) ☒ NO

Are there any recorded Covenants, affidavits or easements on this property? ☐ YES (provide copy) ☒ NO

☐ Development Services Case Management Number \_\_\_\_\_

☐ Building and Safety Plan Check Number \_\_\_\_\_

☐ Bureau of Engineering Planning Referral (PCRF) \_\_\_\_\_

☐ Bureau of Engineering Hillside Referral \_\_\_\_\_

☐ Housing and Community Investment Department Application Number \_\_\_\_\_

☐ Bureau of Engineering Revocable Permit Number \_\_\_\_\_

☐ Other—specify \_\_\_\_\_

**6. PROJECT TEAM INFORMATION** (Complete all applicable fields)

**Applicant<sup>5</sup> name** Hyo Soon Choi

**Company/Firm** Evergreen Restaurant

**Address:** 17621 Sherman Way **Unit/Space Number** \_\_\_\_\_

**City** Van Nuys **State** CA **Zip Code:** 91406

**Telephone** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

Are you in escrow to purchase the subject property? ☐ YES ☐ NO

**Property Owner of Record** ☐ Same as applicant ☒ Different from applicant

**Name (if different from applicant)** HK Valley Center LLC

**Address** 17643 Sherman Way **Unit/Space Number** \_\_\_\_\_

**City** Van Nuys **State** CA **Zip Code:** 91406

**Telephone** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

**Agent/Representative name** Jonathan Yang

**Company/Firm** Genesis Consulting Inc.

**Address:** 3530 Wilshire Blvd **Unit/Space Number** \_\_\_\_\_

**City** Los Angeles **State** CA **Zip:** 90010

**Telephone** (213) 471-2089 **E-mail:** jon@gci-la.com

**Other (Specify Architect, Engineer, CEQA Consultant etc.)** \_\_\_\_\_

**Name** \_\_\_\_\_

**Company/Firm** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Unit/Space Number** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip Code:** \_\_\_\_\_

**Telephone** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

**Primary Contact for Project Information**  
(select only one)

☐ Owner

☐ Applicant

☒ Agent/Representative

☐ Other \_\_\_\_\_

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

<sup>5</sup> An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).



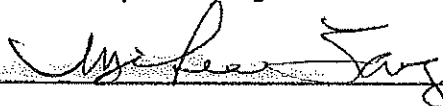
**PROPERTY OWNER**

9. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service of process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed if the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

- A. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- B. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- C. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- D. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.  
The City requires an original signature from the property owner with the "wet" notary stamp.  
A Notary Acknowledgement is available for your convenience on following page.*

Signature 

Date 9-27-16

Print Name HK Valley Center LLC / Mihre Targ, Manager

Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

On 09/27/2016 before me, FRED K. JACOBSON A Notary Public  
(Insert Name of Notary Public and Title)

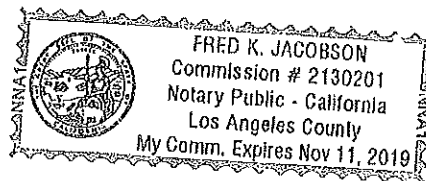
personally appeared MIHER KIM JANG who  
proved to me on the basis of satisfactory evidence to be the person ~~whose name(s)~~ is/~~are~~ subscribed to the within  
instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity~~(ies)~~, and that  
by ~~his/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf on which the person~~(s)~~ acted,  
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

FRED K. JACOBSON  
Signature

(Seal)



**APPLICANT**

**10. APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

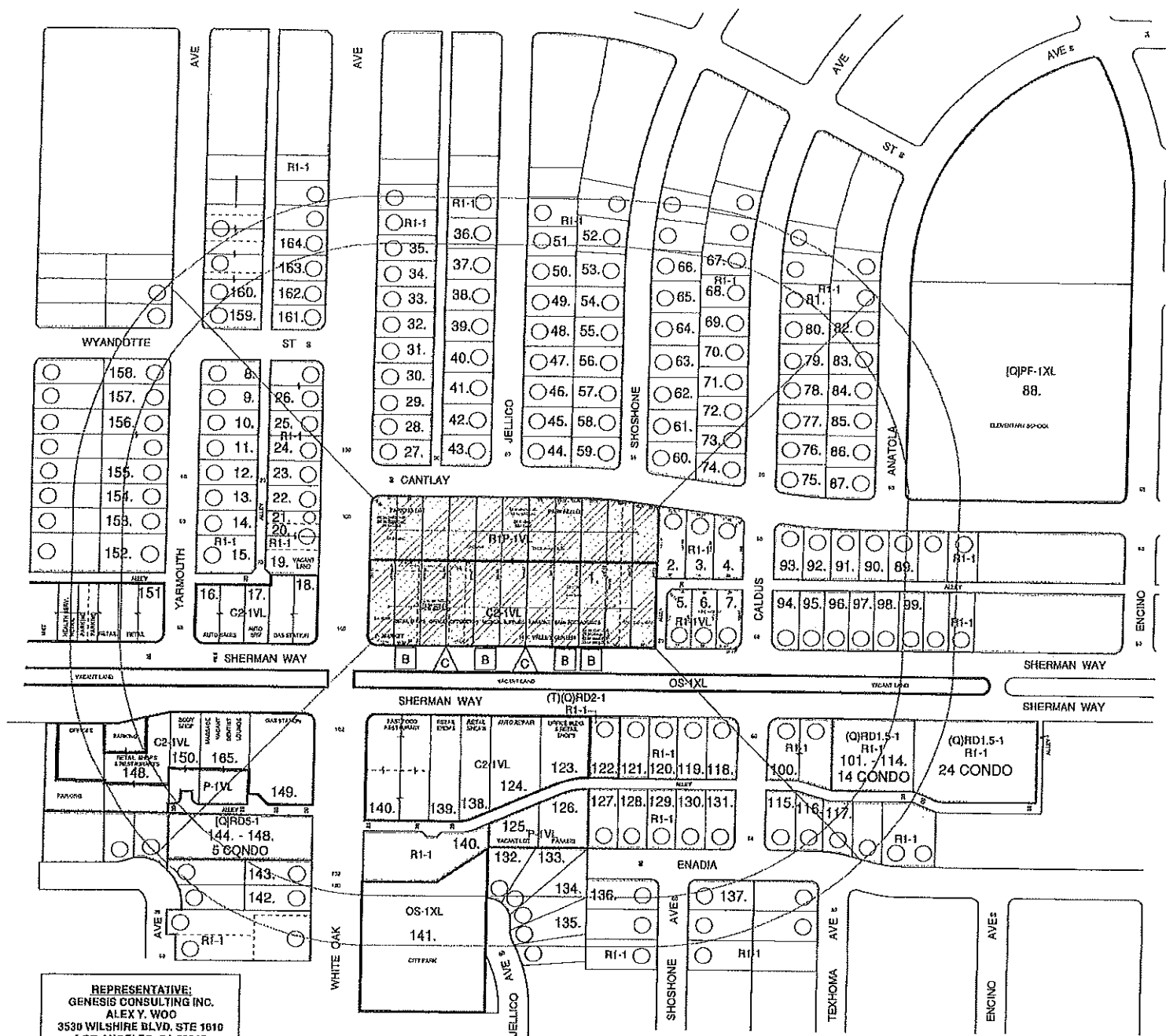
- A. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
- B. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
- C. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
- D. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
- E. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
- F. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
- G. I understand that if this application is denied, there is no refund of fees paid.
- H. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but is not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
- I. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

*The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.*

Signature: 

Date: 10-4-16

Print Name: Hyo Soon Choi



## CONDITIONAL USE - CUB

**ZONE:** R1P-1VL & C2-1VL  
**C.T.:** 1319.00  
**P.A.:** RESEDA - WEST VAN NUYS  
**T.B. PAGE:** 531 GRID: B4, B5  
**MAP REF.:** M B 359-21/27  
**D.M. NO.:** 183B129, 186B129

**LEGAL DESCRIPTION:**  
**TRACT:** TR 14425  
**BLOCK:** NONE  
**LOT:** 250, 251, 252, 253, 254, 255  
256, 257, 258, 259 & 260 ARB: 1, 2 & 3  
**C.D.:** 6 - NURY MARTINEZ

**SUBJECT SITE**  
17621 SHERMAN WAY  
A.P.N.: 2228-004-001, 005, 006, 007,  
008, 009, 010, 019, 020

- |  |  |
|--|--|
|  | On-site consumption of full-line alcoholic beverage  |
|  | On-site consumption of beer and/or wine              |
|  | Off-site consumption of full-line alcoholic beverage |
|  | Off-site consumption of beer and/or wine             |

**CASE:**

**DATE:**  
12-07-2016

**UPDATED:**  
**USES:** FIELD  
**NET AC:** 3.984 (AC)  
**SCALE:** 1" = 100'



Evergreen Restaurant - 17621 Sherman Way Van Nuys, CA  
Attachment "A"

**ATTACHMENT "A"**  
**Evergreen Restaurant**  
**17621 Sherman Way**  
**Van Nuys, CA 91406**

**Request**

Applicant Evergreen ("Applicant") requests the following discretionary approvals:

A Conditional use, pursuant to Los Angeles Municipal Code ("LAMC") Section 12.24-W, 1, to allow the continued sale and dispensing of beer and wine for on-site consumption in conjunction with an existing 1,200 square foot restaurant.

**Background**

The subject property is a level, regular-shaped, corner lot, consisting of ten parcels, for a total of approximately 173,402 square feet, having a frontage of approximately 581 feet on the north side of Sherman Way and the south side of Cantlay Street, a frontage of approximately 300 feet on the east side of White Oak Avenue and a frontage of approximately 140 feet on the west side of a public alley (to the east of the property). The site is developed with a 34,848 square-foot building (fronting Sherman Way and White Oak Avenue), a 20,978.19 square-foot building (fronting Sherman Way and a public alley), and an approximately 248-car surface parking lot (fronting Cantlay Street and White Oak Avenue). The existing uses include a supermarket, an optometrist, a cosmetics store, a bank, a women's clothing store, a barbershop, cafes, and restaurants.

The properties to the north are zoned R1-I and developed with one-story, single-family dwellings.

The properties to the east are zoned R1-I and R1-1VL and developed with one-story, single-family dwellings.

The properties to the west are zoned R1-I and C2-1VL and developed with one-story, single-family dwellings, a gas station and auto body shop.

The properties to the south are zoned Os-IXL, R1-I, [T:I[Q]RD2-1, C2-1V and P-1VL and developed with one- and two-story commercial retail and office uses and one-story single-family dwellings.

Sherman Way-adjoining the property on the south is a Scenic Major Highway-Class II, with a width of 135 feet, and improved with center landscape median (35 feet wide), two asphalt roadways (50 feet wide each), concrete curb, gutter and sidewalk.

White Oak Avenue-adjoining the property on the west is a Major Highway-Class II with a width of 100 feet and improved with asphalt roadway, concrete curb, gutter and sidewalk.

Cantlay Street-adjoining the property on the north is a Local Street with a width of 60 feet and improved with asphalt roadway, concrete curb, gutter and sidewalk. Public Alley, adjoining the

Evergreen Restaurant - 17621 Sherman Way Van Nuys, CA  
Attachment "A"

property to the east, is a through alley with a width of 20 feet and improved with asphalt pavement and center concrete gutter.

### **Subject Properties**

Case No. ZA 2006-5886(CUB) - On October 12, 2006, the Zoning Administrator approved the sale of beer and wine only for on-site consumption, in conjunction with an existing restaurant. (17621 Sherman Way).

Case No. ZA 2005-9499(CUB) - On July 7, 2006, the Zoning Administrator approved the sale of beer and wine for on-site consumption in conjunction with the operation of a restaurant karaoke studio in the C2-IVL and R1 P-IVL Zones. (17615-17617 Sherman Way).

Case No. ZA 2004-5830(CUB) - On December 15, 2004, the Zoning Administrator approved the sale of beer and wine only for on-site consumption. (17619 Sherman Way).

Case No. ZA 2001-1942(ZV) - On August 3, 2001, the Zoning Administrator approved the construction, use and maintenance of an outside stairway to provide secondary access to a retail area located on the second floor of an existing two-story market structure on property located in the R1 P-I Zone. (17643 Sherman Way)

BZA Case 110,5738 and Case No. ZA 94-0800(CUB)(PAB) - On July 20 1999, the Board of Zoning Appeals denied the protestant appeal, and approved the applicant's request at the hearing to modify the application by deleting the request for a full line of alcohol sales and replacing it with the sale of beer and wine, all in conjunction with an existing restaurant and granted a Zoning Administrator's approval of plans to permit the on-site consumption of beer and wine in conjunction with a restaurant with karaoke. (17615-17617 Sherman Way)

Case No. ZA 94-0800(CLIB)(PAB) - On May 7, 1999, the Zoning Administrator approved a full line of alcohol sales in conjunction with a restaurant with karaoke in the C2-I VL Zone. (17615-17617 Sherman Way)

Case No. ZA 98-0083(CUZ) - On June 30, 1998, the Zoning Administrator approved the establishment, use and maintenance of a billiard studio within a commercial corner development in the C2-IVL and R1 P-IVL Zones. (17637 Sherman Way)

BZA Case No. 5324 and Case No. ZA 96-0521 (CUB) - November 19, 1996, the Board of Zoning Appeals denied the applicant appeal and denied, pursuant to Los Angeles Municipal Code Section 12.24-C.33, a conditional use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption at two existing restaurants in the C2 and R1-P Zones. (17607-17635 Sherman Way)

Case No. ZA 96-0521 (CUB) - On September 4, 1996, the Zoning Administrator denied the sale of a full line of alcoholic beverages for on-site consumption at two existing restaurants in the C2 and R1-P Zones. (17607-17635 Sherman Way).

Evergreen Restaurant - 17621 Sherman Way Van Nuys, CA  
Attachment "A"

Case No. ZA 94-0800(CUB) - On January 30, 1995, the Zoning Administrator approved the sale of alcoholic beverages for on-site consumption, in connection with three proposed restaurants. (17615-17617 Sherman Way) On February 10, 1995, the Zoning Administrator issued a Letter of Modification increasing the total restaurant size to 9,700 square feet.

Case No. ZA 93-061 5(CUB) - On September 10, 1993, the Zoning Administrator approved the sale of beer and wine for on-site consumption, in conjunction with three proposed restaurants; and the sale of an off-site line of alcoholic beverages for off-site consumption in conjunction with a proposed supermarket. (17607-17643 Sherman Way)

Case No. ZA 93-0652(ZV) - On September 10, 1993, the Zoning Administrator approved the construction, use, and maintenance of a loading and trash enclosure, as not permitted in the R1-P Zone, i.e., R1 and P combined zone. (17607-17643 Sherman Way)

**Surrounding Properties**

Case No. ZA 2003-5423(CUB)(CU) - On October 30, 2003, Zoning Administrator denied the sale of beer and wine only for on-site consumption, with deviations from the requirements of Section 12.22-A23, in conjunction with an existing 1,728 square-foot convenience market having hours of operation from 8 a.m. to 11 p.m. daily (17731-17733 Sherman Way)

Case No. ZA 90-0364(CLIB) - On August 9, 1990, Zoning Administrator approved the sale of beer and wine for off-site consumption in conjunction with an existing 1,200 square-foot retail store in a gasoline station, open 24 hours daily, and having hours of operation for beer and wine sales from 6 a.m. to 12 midnight, daily. (17707 S Herman Way)

Case No. ZA 86-0688(CUB) - On October 27, 1986, Zoning Administrator denied the sale of beer and wine for off-site consumption, in conjunction with an existing convenience store in the C2-1 Zone, and impose appropriate conditions pursuant to Ordinance No. 160867. (17707 Sherman Way)

**FINDINGS**

**1. The Proposed location will be desirable to the public convenience or welfare.**

The project site is a level, regular shaped corner lot consisting of ten parcels, which form a rectangle. The site area is approximately 34,848 square feet and is zoned C2-1VL and R1P-1VL. The project site is developed with a restaurant and a surface parking lot. The restaurant is located at the intersection of Sherman Way and White Oak Ave. The applicant is requesting a Conditional Use Permit to allow the continued sale and dispensing of beer and wine for on-site consumption in conjunction with an existing 1,200 square foot restaurant (Evergreen Restaurant). The restaurant is currently operating daily from 10:30 A.M. to 12:00 A.M. and the applicant is requesting to serve beer and wine within these hours.

The location will continue to be desirable to the public convenience because the site is within proximity to neighborhood serving businesses and a residential population. As proposed, the



Evergreen Restaurant - 17621 Sherman Way Van Nuys, CA  
Attachment "A"

restaurant with beer and wine sales incidental to food will serve the public convenience and welfare and as sited, the location is compatible with the character of the surrounding uses. The location is appropriate in that there is adequate parking and is buffered from residential uses. The location is also desirable because they have successfully been in business for ten years and have served the community with delicious Korean food that is affordable and authentic. The site has not had any police or community complaints for the time they have in business. In addition, the proposed continued use in conjunction with the imposition of a number of conditions addressing operational noise and alcohol related issues will safeguard public welfare and enhance public convenience. The restaurant will continue to provide services to the public that is in close proximity to the businesses and residents of the neighborhood.

**2. The location is proper in relation to adjacent uses or the development of the community.**

The adjoining property to the north of the site, across Cantlay Street, is zoned R1-1 and is developed with one-story, single family dwellings. Adjoining properties to the west of the site, across White Oak Avenue, are zoned R1-1 and C2-1VL and developed with one-story single family dwellings, a gas station and auto body shop. Adjoining properties to the south are zoned OS-1XL, R1-1, [T][Q]RD2-1, C2-1V and P-1VL and developed with one- and two-story commercial retail and office uses and one-story single family dwellings. Adjoining property to the east of the site is zoned R1-1 and R1-1VL and developed with one-story dwellings. The location is proper in relation to adjacent uses and the development of the community in that the subject site within an area of mixed commercial and residential uses, is buffered from residential zones, and the restaurant has successfully operated at the site for 10 years. The zoning administrator has imposed a number of conditions addressing alcohol-related, noise, and crime issues that will safeguard public welfare and enhance public convenience.

**3. The use will not be materially detrimental to the character of the development in the immediate neighborhood.**

The proposed service of beer and wine for on-site consumption at a bona fide restaurant will not be materially detrimental because the area is primarily characterized by commercial uses. Noise generated on the property is not allowed to exceed the noise limits as regulated by the City's Noise Ordinance, therefore the use of the site is not expected to be detrimental to the existing residential neighborhood. In addition, the use in conjunction with the imposition of a number of conditions addressing operational and alcohol-related issues will safeguard public welfare and enhance public convenience. As conditioned, the grant to permit the sale of alcohol for on-site consumption will not be materially detrimental to the character of the immediate neighborhood.

**4. The proposed location will be in harmony with the various elements and objectives of the General Plan.**

The Reseda- West Van Nuys Community Plan Map designates the property for Neighborhood Office Commercial Land Use with corresponding zones of C1, C1.5, C2, C4, RAS3, RAS4, and P. The plan seeks to promote economic well-being of the community by designating land for commercial purposes subject to appropriate planning standards that enhance the appearance of commercial districts. The request is consistent with the following Plan goals and objectives:

**Objective 2-1:** To conserve and strengthen viable commercial development. To enhance the appearance of commercial districts, to promote the economic health, revitalization and public convenience by promoting orderly development and enhancement of the Commercial Business District (CBD).

**Policy 2-1.1:** Require that any proposed development be designed to enhance and be compatible with adjacent development.

**Objective 2-4:** To maintain and increase the commercial employment base for community residents whenever possible.

**Policy 2-1.4:** Protect commercial plan designations so that commercial development is encouraged.

Except for the entitlement described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The subject property is planned and zoned for commercial uses and the restaurant has operated successfully at the site for 10 years. The Community Plan is silent with regards to alcohol sales. In such cases, the Zoning Administrator must interpret the intent of the plan. Given the numerous conditions of the approval, the proposed use can be deemed to be in harmony with the General Plan. In addition, the proposed use advances the goal of the community plan to encourage appropriate commercial activity.

**5. The proposed use will not adversely affect the welfare of the pertinent community.**

The sale of alcoholic beverages, as seen in some parts of the City, has been identified as contributing to loitering, littering, prostitution, drug transactions, public urination, public drunkenness, nuisance, and other crime activities. However, conditions established herein are a protective measure for residents, businesses, and visitors to the area and to clearly define the operation parameters for the use of the site.

In the instant case, feasible and effective mitigation measures are imposed to control potential crime and nuisance activities related to the sale of alcoholic beverage. The conditions of approval will ensure the use would not have a detrimental impact to the community and then further, the City's goal to ensure that the establishment does not require additional resources of LAPD to monitor and enforce.

**6. 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 Department 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.**

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According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, four (4) on-sale and two (2) off-sale licenses are allocated to subject Census Tract No. 1319. There are currently seven (7) on-sale and five (5) off-sale licenses in this Census Tract.

Within a 1000-foot radius of the subject property, the following types of alcoholic beverage licenses are active or pending:

- (1) Type 21 Off-Sale - General
- (2) Type 41 On-Sale - Beer and Wine - Eating Place

**The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from 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.**

The following sensitive uses are located within 1,000 feet of the project site:

- Jesse Owens Mini Park  
7100-22 White Oak Avenue
- Anatola Elementary School  
7243 Encino Avenue and 7346-64 Anatola Avenue

As indicated above, the number of current on-sale and off-sale license are just above the number allocated to Census Tract No. 1319, within which the subject property is located. The restaurant is located on Sherman Way, a major thoroughfare in the Reseda-West Van Nuys community. The frontage of this thoroughfare contains many commercial nodes with restaurants, shops, and various offices, and the interior areas behind the business corridor contain single and multi family-family housing. It is expected that there would be a number of restaurants serving the dining needs of this busy area, and many of the restaurants would serve alcohol. Even though the number of on and off-sale licenses include the license issued to the subject restaurant and therefore authorizing the continued sale and dispensing of beer and wine for on-site consumption, in conjunction with this restaurant will not result into a net increase in the number of licenses in the subject Census Tract.

The purpose of Approval of Plans Review is to verify compliance with the conditions and evaluate changed conditions in the surrounding area. If there are problems during the years of operation, the decision maker evaluates and mitigates the impacts by modifying existing conditions or by adding additional conditions. In this instance, a review of the conditions compliance and administrative records verify that the applicant has substantially complied with the conditions of the grant and baseline conditions surrounding the project have remained essentially unchanged. The modified conditions of approval contained in this grant will continue to ensure the sale and dispensing of beer and wine for on-site consumption and will not have any detrimental impact on the surrounding uses and developments in the area.

Further, In Case No. ZA 2006-5886 (CUB), findings were made in the affirmative. The subject

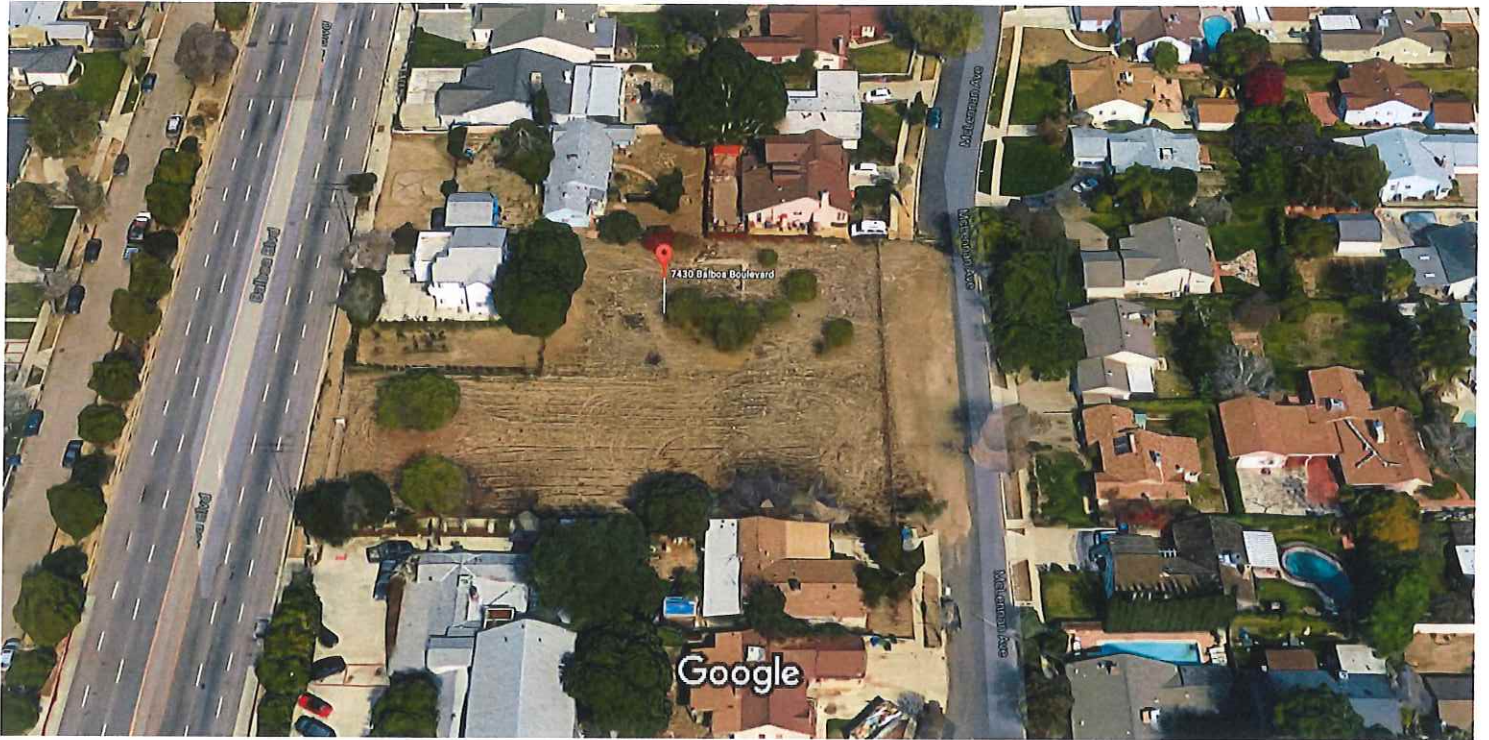
Evergreen Restaurant - 17621 Sherman Way Van Nuys, CA  
Attachment "A"

authorization does not substantially alter the use from the prior entitlements. Therefore, previous findings are appropriately applied in this action and are herewith incorporated.

#### **ADDITIONAL FINDINGS**

1. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that the property is located in Area X, outside the 0.2% annual chance floodplain.

2. On April 25, 2011, the project was issued a Notice of Exemption (Subsection c, Section 2, Article II, City CEQA Guidelines), log reference ENV 201 1-1030-CE, for a Categorical Exemption, Class 5, Category 34, Article III, Section 1, City CEQA Guidelines (Sections 15300-15333, State CEQA Guidelines). I hereby adopt that action.



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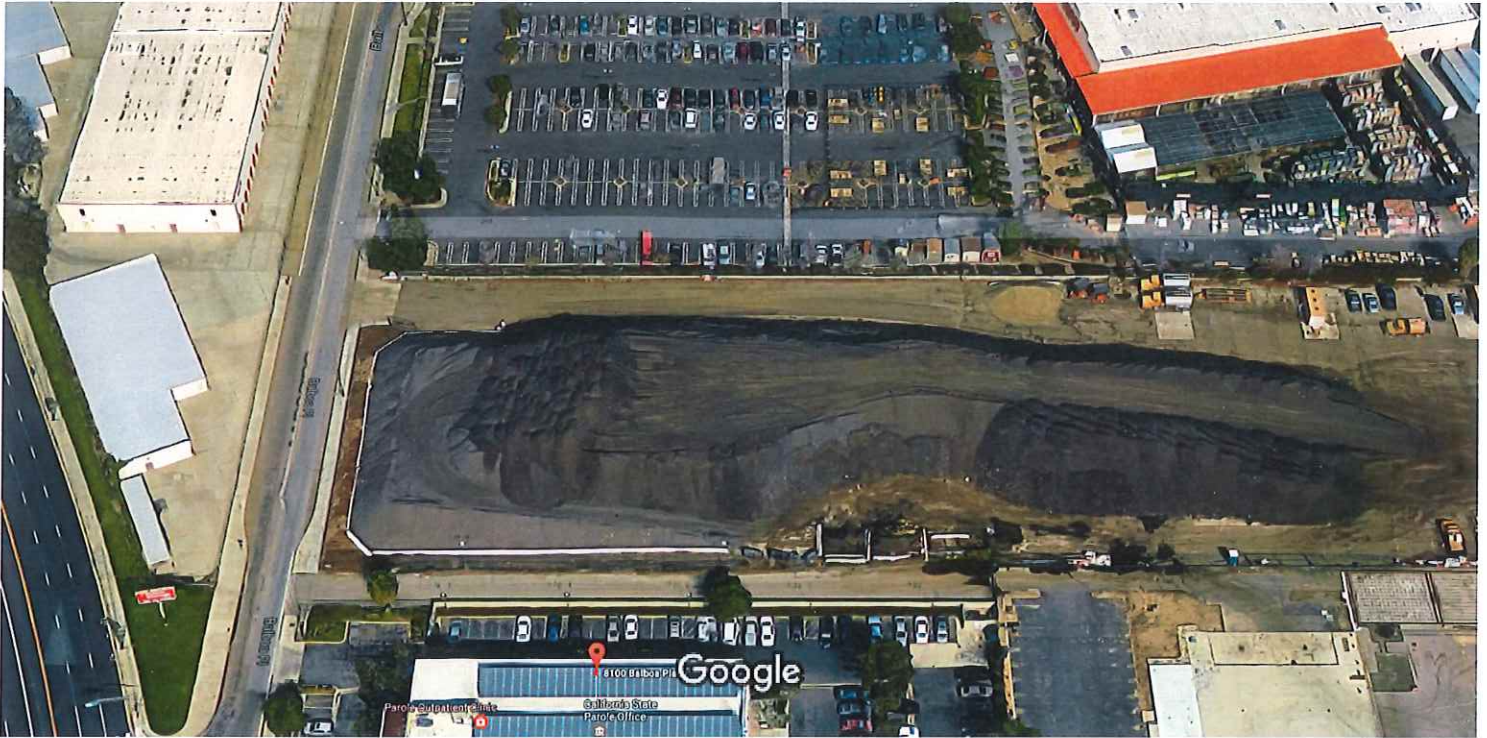
7430 Balboa Blvd

Van Nuys, CA 91406





8100 Balboa Pl



Imagery ©2017 Google, Map data ©2017 Google 20 ft



8100 Balboa Pl

Van Nuys, CA 91406



At this location

California State Parole Office

2.3 ★★☆☆ (3)

State Government Office · 8100 Balboa Pl

