



FE DESIGN & CONSULTING

Conditional Use Permit-Alcohol (CUB) Additional Information/Findings 2813 & 2819 S. Flower St

KTT Investments, LLC (A)(O)
5322 Lincoln Avenue
Los Angeles, CA 90042

South Los Angeles Community Plan Area
Zone: C2-1L
C.D.: 9 – Curren D. Price, Jr.
Legal Description:
Lots FR 15 (Arb 2) & FR 16, Judson Tract

FE Design & Consulting (R)
327 E. 2nd St. #222
Los Angeles, CA 90012

REQUEST s

Pursuant to Los Angeles Municipal Code Section 12.24-W, 1, A Conditional Use Permit to allow the sale & dispensing of a full line of alcoholic beverages for on-site consumption at a proposed five story hotel (47 guestrooms, including in-room controlled access cabinets), including its restaurant, cafe, lounge area, & outdoor dining areas (including a rooftop bar). Proposed hours of operation are 11:00 AM - 2:00 AM daily.

BACKGROUND

The subject property consists of two lots (Lots FR 15 (Arb 5) & FR 16, Judson Tract), observing a frontage of 98 feet along Flower Street. The property is two rectangular parcels with three existing, commercial buildings with paved surface parking areas that supported the existing uses of the site. Those structures are to be demolished and replaced with the subject boutique hotel.

The applicant team is composed of Tony Chou, Alan Liu, and Francis Miranda. Their backgrounds are collectively in hospitality, architecture, finance, and real estate development, and two-thirds of the team are Los Angeles natives. Mr. Miranda has ample hospitality

experience. He has invested, created, and operated successful food & beverage businesses, such as James Beard nominated restaurant *Nightshade* in LA's Art District, an upscale tea house on the very popular Fairfax block called Pearl's Finest Teas, and most recently, the highly anticipated opening of Daybird, a fast casual Szechuan fried chicken concept with Top Chef Winner Mei Lin.

The applicant team behind this project would describe their vision for this boutique hotel is ultimately to create a quality, design-driven and comfortable space for the surrounding areas. The interior aesthetic could be described as having a modern oriental influence. This team believes that with their abilities, expertise, and team we are able to deliver a well thought-out, valuable hospitality option that fits in and will serve the neighborhood in the near future as well as over time for many years to come. They possess a unique, exciting vision for this site and are ready to increase their portfolio with the proposed hotel for the local community as well as the greater Los Angeles.

The technical elements of the project scope are being facilitated through the applicable permits through LADBS.

Details of the project are as follows:

	New Approval
Use	Hotel/Restaurant
Hours of Operation	11:00 a.m. to 2:00 a.m. daily
Type of Alcohol	Type 47 – On-Sale General
Food	Full menu
Live Entertainment	None
Dancing	None
Census Tract	2247.00
Parking	Required: 25 stalls Provided: 29 stalls

SURROUNDING PROPERTIES

The properties to the north are zoned C2-1L and improved with commercial, restaurant uses, and surface parking lots.

The properties to the south are zoned C2-1L and improved with an office building and surface parking lots.

The properties to the east are zoned PF-1 and improved with the 110-Freeway as well as institutional uses.

The properties to the west are zoned [Q] C2-1L-O and improved with restaurant and retail uses as well as surface parking lots.

CIRCULATION

Flower Street is a designated Avenue II dedicated to a right-of-way width of 86 feet and improved with curb, gutter, and sidewalk.

28th Street is a designated Local Street-Standard dedicated to a right-of-way width of 60 feet and improved with curb, gutter, and sidewalk.

29th Street is a designated Local Street-Standard dedicated to a right-of-way width of 60 feet and improved with curb, gutter, and sidewalk.

RELATED PRIOR CASES

Subject Property:

None.

Surrounding Properties:

Case No. ZA-2019-7315-CUB - On July 15, 2020, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine for onsite consumption in conjunction with a proposed 4,400 square-foot restaurant with 130 indoor seats, including a 166 square-foot uncovered outdoor dining area with 8 exterior seats, with hours of operation from 6:00 a.m. to 12:00 a.m. daily in the C2-1L Zone, located at 2700 South Figueroa, Suite 101.

Case No. ZA-2014-1661-CUB-CU - On October 22, 2014, the Zoning Administrator approved a Conditional Use to permit the on-site sales and dispensing of a beer and wine & a Conditional Use to permit deviations from the Commercial Corner/Mini Shopping Center maximum permitted hours of operation in conjunction with the establishment of a new 1,230 square foot

restaurant with hours of operation from 11:00 a.m. to 10:00 p.m. Sunday through Wednesday and 10:00 a.m. to 12:00 a.m. Thursday through Saturday, in the C2-VL-O Zone Zone, located at 2528 South Figueroa Street (2526-2540 South Figueroa Street).

Case No. ZA-2012-2288-CUB-CU - On December 5, 2012, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine only for on-site consumption & a Conditional Use to allow a deviation from the Mini-Shopping Center provisions in conjunction with a new 2,247 square foot restaurant with 51 seats with hours of operation from 9:00 a.m. to 2:00 a.m. daily in the [Q]C2-1VL-O Zone, located at 3001 South Figueroa Street.

Case No. ZA-2008-4701-CUB - On August 7, 2009, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing for consideration of a full line of alcoholic beverages for on-site consumption in conjunction with an existing 3,370 square foot restaurant having 97 indoor seats, with hours of operation from 7:00 a.m. to 12:00 a.m. Sunday through Thursday and 7:00 a.m. to 2:00 a.m. Friday and Saturday in the [Q]C2-1VL-O Zone, located at 3031 Figueroa Boulevard.

Case No. ZA-2004-4267-CUB-PA1 - On April 10, 2008, the Zoning Administrator approved an Approval of Plans determining that substantial but not full compliance with the conditions of the prior action [ZA-2004-4267-CUB] has been attained in association with the approval of a conditional use to allow the sale of beer and wine for on-site consumption at a 1,285 square foot restaurant having indoor 44 seats with hours of operation from 11:00 a.m. to 10:00 p.m. daily in the R3-1-O/C2-1VL-O Zone, located at 3017 South Figueroa Street.

Case No. ZA-2004-4267-CUB - On October 28, 2004, the Zoning Administrator approved a Conditional Use to allow the sale of beer and wine for on-site consumption as a use accessory to a 1,285 square foot restaurant having indoor 44 seats with hours of operation from 11:00 a.m. to 11:00 p.m. daily in the R3-1-O/C2-1VL-O Zone, located at 3017 South Figueroa Street.

GENERAL CONDITIONAL USE 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 subject site is located along Flower Street in the South Los Angeles neighborhood, which hosts primarily low density and medium density commercial, institutional, and residential uses. The Applicant is requesting the on-site sale and service of alcoholic beverages at a new hotel/restaurant.

This project will enhance the built environment by continuing to activate Flower with a commercial use. It provides additional lodging and dining amenities for the local neighborhood

by encouraging pedestrian activity with an occupied and active commercial storefront and sidewalk (through the small convenience store at street level and proposed cafe outdoor terrace on the second floor). It will also contribute a vibrant commercial element for the area's mixed-use corridor as an additional lodging and dining option, which also has a convenience store, that is within walking distance for residents, workers, and tourists in the community.

The neighborhood will benefit from having an occupied, repurposed commercial property and street level storefront that helps further encourage pedestrian activity for this block and the area-at-large. The regular foot traffic, coupled with an activated commercial storefront and sidewalk, will add to a more desirable environment for these neighboring properties. The hotel with sit-down dining establishments and service areas providing ancillary alcoholic beverage service will serve to enhance the aesthetics, convenience, livability, and security of the area. It will also promote livability and convenience for the residents and employees of as well as visitors to the neighborhood and furthers community and economic development within the Community Plan area.

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.

This project's location, size, height, and operations will be compatible with the neighborhood as the subject establishment is a new hotel/restaurant on an existing commercial property along an established mixed-use, commercial corridor. Once completed, the subject hotel would include 47 guestrooms, a restaurant, cafe, lounge area, & outdoor dining areas (including a rooftop bar service area). The proposed establishment is in conformance with the site's Height District 1L restrictions and is not requesting to deviate from the Code or Citywide Design Guidelines. Aside from the request herein for on-site alcoholic beverage service, this project will comply with all applicable requirements of the LAMC.

The proposed hotel with restaurant uses is allowed in the C2 zone, and remains in conformance with the type of use this zone allows. The purpose of the subject filing is the applicant's request to allow ancillary alcoholic beverage sales on the hotel and its menus as well as from controlled access cabinets within the guestrooms. The Conditional Use for the site will establish clear conditions on the sale and dispensing of alcoholic beverages to ensure that they will not have detrimental impacts on residents, businesses, and visitors to the area. These conditions are intended to clearly define the operational parameters for use of the site in order to make accountability and oversight more efficient.

The on-site service of alcoholic beverages with the subject hotel/restaurant uses will not adversely affect public health, welfare and safety because the alcoholic beverage sales will be incidental to food service. By approving the instant request, the establishment will be on equal

footing with similar establishments locally and citywide and will have the best opportunity to remain viable in the long term.

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 General Plan consists of eleven elements, each establishing 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 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 General Plan Land Use element divides the City into 35 Community Plan Areas. The subject property is within the South Los Angeles Community Plan Area, which designates this site for Community Commercial land uses. Hotels with restaurants are a Community Commercial land use, and the subject site is zoned C2, wherein restaurants are allowed by-right.

Furthermore, it contributes to furthering most of the following goals and policies of the Community Plan, which are¹:

Goal LU12: Strong and competitive community commercial areas that serve the needs of the surrounding community while preserving historic commercial and cultural character.

Policy LU12.1 Density and Mixed-Use: Locate higher densities and a mix of uses in areas designated community commercial, as appropriate, unless identified as commercial-only.

Policy LU12.2 Design for Transitions: The scale and massing of new development along corridors should provide appropriate transitions in building height and bulk that are sensitive to the physical and visual character of adjoining neighborhoods with lower development intensities and building heights.

LU12.3 Design Standards and Guidelines. Recommend that new development projects conform to design standards and guidelines that promote high-quality and attractive buildings, as well as an active pedestrian oriented environment.

The hotel/restaurant maintains an overall commercial use for the subject site, repurposes the site's functions within the community and neighborhood at-large and will continue providing job opportunities, thus strengthening the community's economic base. While there is a change of use, the type of use proposed is allowed by-right in this zone and within this land use designation. The hotel also proposes a cafe, restaurant, outdoor service areas, and a small

¹ South Los Angeles Community Plan, Chapter 3: Land Use and Urban Design, 3-31

convenience store which would be accessible to not only the hotel guests but also members of the public.

The subject site is also with the South Los Angeles Alcohol Sales Specific Plan, but the subject request does not include a request for off-site sales of alcoholic beverages. Thus, it is not considered a project and also furthers the objective of the Community Plan as it relates to limiting off-site alcohol establishments within the Plan area.

The subject property is an existing commercial site along an existing mixed-use, commercial corridor. It is therefore a very appropriate location for a business that will serve the local community.

ADDITIONAL FINDINGS - CUB

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

The proposed hotel/restaurant is in a convenient location that area residents can reach by walking or by utilizing public transit. Many of these patrons enjoy the option of having an alcoholic beverage with their meal. An active hotel property that includes dining establishments will continue encouraging legitimate business activity on the adjacent streets and further activate this block and the street-at-large. The small convenience store proposed for the ground floor, which abuts the entrance to the on-site parking, will further activate the adjacent sidewalk. This kind of establishment attracts foot traffic and attention to the area which, in turn, results in a safer and desirable neighborhood by enhancing overall security within the neighborhood.

The subject site is surrounded immediately by commercial uses and residential uses begin further away. The cafe's outdoor dining area (also referred to as "terrace" on the plans) is across from the 110-freeway, while the rooftop service area is buffered on two sides by the hotel building and is located on the third floor (out of the property's five total above-ground floors). The restaurant's outdoor dining area is on the second floor, with 3 stories above it. Approval of the Conditional Use is fully in line with other restaurant and hotel uses in the area and will not adversely affect the welfare of the community. The density of commercial and residential uses in this portion of the South Los Angeles neighborhood necessitates a corresponding number of service establishments, of which restaurants are an indispensable part. Approving the instant request allows the full economic use of the site and supports the needs of the neighborhood while operating without any detrimental effects on the welfare of the community.

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

The existing intensity of commercial and residential development in the immediate area explains the moderate number of active on-site and off-site alcohol licenses within the census tract. The community has been experiencing stable development and economic investment, which attracts new and diverse businesses and residents over time. A number of these commercial uses often offer a variety of food that may want to accompany alcoholic beverages that local residents, workers, and tourists have found and continue to find desirable.

As the number of on-site and off-site licenses does exceed the number permitted based upon ABC criteria, it should be noted that this scenario can be typical of areas comparable to this type of area at-large. The ABC establishes the allotted number of licenses per census tract by population and cannot take into account these other crucial neighborhood-specific factors; however, they do continue to approve new licenses and allow renewal of existing licenses in these types of areas due to those circumstances mentioned above.

There are currently 11 active retail licenses in Census Tract 2247.00, so approval of a Conditional Use Permit for ancillary alcoholic beverage service and sales will not result in an undue concentration of these establishments.

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

The subject site will not detrimentally affect nearby residential zones or uses. The applicants are willing to volunteer operational measures that will minimize noise and other impacts. They have team members experienced in development as well as in the hospitality and restaurant space. Once of which holds an active ABC license & operates without issue.

This is an existing commercial site that has accommodated a commercial use along an existing mixed-use, primarily commercial corridor for many years. The subject hotel will be redeveloping an existing commercial property. The Applicant is not requesting any live entertainment or dancing.

Self-policing by the owner is essential for an establishment to not adversely impact the community. The applicants will monitor all areas of the establishment in order to prevent loitering, public drunkenness, and noise, as well as maintain a security camera surveillance system, in order to create an environment conducive to a responsible establishment. The tapes will be maintained for a minimum period of 30 days and will be made available to the Police Department upon request.

All employees involved in the sale and dispensing of alcoholic beverages will attend STAR training and a certificate or similar document of proof will be kept on-site at all times.

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?

The existing commercial structures at the two lots will be demolished & replaced with the proposed hotel establishment. The total lot area is 13,390 square feet.

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

The hotel establishment is 19,958 square feet per Zoning Code (or 41,263 square feet per Building Code).

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

The final occupant load of the space will be determined by the Los Angeles Department of Building & Safety and the Fire Department.

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

There will be 199 seats total for the premises, with 110 indoor seats, and 89 outdoor seats (within property lines).

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 the public right-of-way, or both?

Private Property. The restaurant patio is 356 square feet (level 2), terrace is 659 square feet (level 2), and the rooftop bar is 1,288 square feet (level 3).

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

N/A.

g. Are you adding floor area? If yes, how much is enclosed? Outdoors?

N/A – the proposed project is a new build.

h. Parking

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

29 parking spaces

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

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 – the proposed project is a new build.

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

No.

1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety? Note: Required parking must be secured via a covenant pursuant to LAMC 12.26 E 5. A private lease is only permitted by a Zone Variance.

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?

N/A.

i. Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks?

See attached radius maps.

j. 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.

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 and Proposed Hours of Alcohol Sales?

Hours of operation and alcohol sales are to be 11:00 a.m. to 2:00 a.m. daily for the premises.

b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc...? Please specify: Note: An establishment that allows for dancing needs a conditional use pursuant to 12.24 W.18.

No.

c. Will there be minimum age requirements for entry? If yes, what is the minimum age requirement and how will it be enforced?

No.

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

There is a convenience store on the ground floor, selling standard items found at similar, stand-alone businesses.

e. Security

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

There will be approximately 20 employees on-site at any given time. The applicant owner and on-site manager(s) shall comply with all applicable laws and conditions and shall properly manage the facility to discourage illegal and criminal activity on the subject premises and any accessory parking areas over which they exercise control.

All employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall

transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. In the event there is a change in the licensee, within one year of such change, this training program shall be required for all staff.

ii. Will security guards be provided on-site?

Not typically, but there will be voluntary security provided when private events or buy-outs are occurring in certain spaces within the hotel.

1. If yes, how many and when?

N/A.

iii. Has LAPD issued any citations or violations? If yes, please provide copies.

No.

f. Alcohol

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

There will be a full line of alcoholic beverages available.

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.

iv. Will there be signs visible from the exterior that advertise the availability of alcohol?

No, except that the restaurant, café, or rooftop bar may post a menu.

v. Food

1. Will there be a kitchen on the site?

Yes.

2. Will alcohol be sold without a food order?

There will be a kitchen on site as defined in section 12.03 of the LAMC and meals will be offered during all hours of operation. Generally, alcoholic beverages will not be served without a food order; however, there are times when a patron may be served an alcoholic beverage without one. This is a hotel that also has bona-fide eating establishments on the premises.

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?

There are service counters within the overall hotel premises where alcoholic beverages can be dispensed for/to patrons of the cafe, restaurant, and rooftop service areas.

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

No.

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

No.

vii. Off-Site

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

No.

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

No.

viii. Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements.

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.

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

This is a hotel that also has bona-fide eating establishments on the premises.

4/23/21 TK