



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: JAN 17 2024

Case No. ZA-2022-4655-CUB-1A
CEQA: ENV-2022-4656-CE
Plan Area: Brentwood – Pacific Palisades

Council District: 11 – Park

Project Site: 223-225 South 26th Street

Applicant: Jeff Cerciello, Farmshop, LLC
Representative: Brett Engstorm & Candy Block

Appellant 1: Avondale Avenue Homeowners Coalition
Representative: Robert L. Glushon; Luna & Glushon

Appellant 2: Jonathan Pink

At its meeting of **October 18, 2023**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the following project:

The request to expand the off-site sales and consumption from beer and wine to a full line of alcoholic beverages in conjunction with an existing 6,076 square foot market/restaurant/bakery with hours of operation from 7:00 a.m. - 10:00 p.m. daily.

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 (Existing Facilities), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies;
2. **Denied** the appeal in part and **granted** the appeal in part, and **sustained** the Zoning Administrator's determination dated July 11, 2023;
3. **Approved**, a conditional use to authorize the sale and dispensing of a full line of alcoholic beverages for off-site consumption and the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing 6,076 square-foot food establishment, which includes a sit-down restaurant, bakery, and market, in the C1-1XLD Zone;
4. **Adopted** the attached Modified Conditions of Approval; and
5. **Adopted** the attached Findings.

This vote proceeded as follows:

Moved: Waltz Morocco
Second: Shelton
Ayes: Feng, Margulies, Sandifer

Vote: 5 – 0 – 0



Nevery Ann Hill, Commission Executive Assistant
West Los Angeles Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the West Los Angeles Area Planning Commission is not further appealable and shall become final upon the mailing of this determination letter.

Notice: An appeal of the CEQA clearance for the Project pursuant to LAMC Section 11.5.13 is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable and the decision is final.** For other limitations see LAMC Section 11.5.13.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, Findings, Appeal Filing Procedures (CEQA)

c: Phyllis Nathanson, Associate Zoning Administrator
Ariel Jones, City Planner

CONDITIONS OF APPROVAL

(As Modified by the West Los Angeles Area Planning Commission on October 18, 2023)

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
7. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption and the continued sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with an existing 6,706 square-foot food establishment, which includes a sit-down restaurant, bakery, and market. The grant shall be subject to the following limitations:
 - a. The hours of operation shall be limited to 7:00 a.m. – 10:00 p.m., daily. The premises shall be vacated by all patrons no later than 11:30 p.m.

- b. Seating shall be limited to a maximum of 76 indoor seats. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
 - c. No service of alcoholic beverages at outdoor seating was requested or approved under this grant. No alcoholic beverage may be served or otherwise consumed in the outdoor areas of the Brentwood Country Mart. No patron or employee shall be permitted to carry an alcoholic beverage from inside the restaurant to any outdoor areas of the Brentwood Country Mart.
 - d. The restaurant component of the food establishment shall be maintained as a bona fide eating place with a kitchen and shall provide a menu containing an assortment of food normally offered in such restaurants. Food service shall be available at all times during authorized operating hours.
 - e. After-hours use shall be prohibited, except routine clean-up. This includes, but is not limited to, private or promotional events, special events, excluding any activities which are issued film permits by the City.
 - f. The approval herein is for the operation of an establishment operated as a restaurant/bakery/market and not as a bar, night club, dance hall, or liquor store.
 - g. Sale of alcohol for on-site consumption shall be in conjunction with the operation of the restaurant, only; sale of alcohol for off-site consumption shall be in conjunction with the operation of the market, only.
8. All the conditions in this grant supersede conditions of approval imposed under previously issued grants approving the sale and dispensing of alcoholic beverages for either on-site or off-site consumption at the subject establishment.
9. There shall be no live entertainment or amplified music on the premises. There shall be no karaoke, disc jockey, topless entertainment, performers, or fashion shows. Any background or other recorded ambient music shall not be audible beyond the area under the control of the applicant.
10. No conditional use for dancing has been requested or granted herein. Dancing is prohibited.
11. There shall be no Adult Entertainment of any type, pursuant to LAMC Section 12.70.
12. There shall be no required admission charge, cover charge, or minimum drink purchase, or other manner similar to a nightclub.

13. Coin-operated games, pool tables, video machines, or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
14. The applicant shall fully comply with all California Department of Alcoholic Beverage Control (ABC) regulations governing the sale of alcoholic beverages.
15. The applicant shall comply with all applicable laws and conditions and shall properly manage the establishment to discourage illegal and criminal activity on the premises and adjoining parking areas over which they exercise control.
16. The applicant shall comply with the Section 6404.5 of the California Labor Code, which prohibits smoking within any place of employment.
17. The applicant shall not provide ashtrays or other receptacles used for the purpose of collecting cigarette/cigar butts.
18. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under their control to prevent behavior, other than within the applicant's normal operational activities, that may adversely affect or may detract from the quality of life for adjoining residents, property owners, and businesses, including but not limited to the honking of vehicle horns, loud noise, smoking, idling of vehicles and trucks, loud machinery and similar adverse impacts to the extent within the applicant's reasonable control.
19. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject premises and throughout the parking lot. These signs shall be posted in both English and Spanish and shall be a minimum of 2 feet by 2 feet in size so as to be readily visible and legible.
20. The applicant shall be responsible for ensuring persons are dissuaded from loitering on or immediately around the subject premises, and that unauthorized afterhours vehicles in the parking lot are subject to towing and removal by law enforcement.
21. A sign shall be prominently posted stating that California state law prohibits the sale of alcoholic beverages to persons under the age of twenty-one years or to intoxicated persons, and no such sales shall be made.
22. The applicant shall shall take all appropriate actions to control any unnecessary noise made by its employees, including employees contracted by the applicant.
23. The applicant shall comply with the City of Los Angeles Noise Ordinance (Ordinance Nos. 144,331, 161,574, and subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses,) unless technically infeasible.

24. **Private Events.** Any use of the premises for private events, including corporate events, birthday or anniversary parties, weddings, or other private events that are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
25. The restaurant premises shall not be rented to any outside promoter, and the use of the restaurant premises shall at all times be operated by and under the control of the applicant. Any private parties shall be limited to the interior of the restaurant premises subject to the maximum seating of 76 patrons and further subject to the service of food and beverage by the applicant.
26. Any incidental catering and delivery uses shall be subject to the limitations, restrictions and regulations of the existing C-1 zoning on the site and shall strictly comply with all conditions of this grant as set forth herein.
27. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
28. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being highly visible to persons on adjacent residential properties or shining onto adjacent residential properties.
29. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the establishment by Police and/or private security.
30. **Complaint Log.** Prior to the utilization of this grant, the name and direct contact information (telephone number and email address) of a staff person at the premises who will be available to neighbors during hours of operation at the site shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted as well as distributed to neighbors and schools within a 500-foot radius of the establishment, the City Council District office, and to the applicable neighborhood council. The posted information shall be kept in top condition and posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Customer service desk, front desk or near the hostess station

Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint,

and (3) the manner in which the complaint was resolved. This log shall be made available to law enforcement personnel upon request and included as part of any application related to the continuance or expansion of the subject establishment's operation as granted herein.

31. **STAR/LEAD/RBS Training.** Within the first six months of effectuating this grant, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or either the California Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) or the Responsible Beverage Service (RBS) training programs. Upon completion of such training, the applicant shall request a letter identifying which employees completed the training and transmit a copy to the Department of City Planning as evidence of compliance, referencing Case No. ZA-2022-4655-CUB. STAR, LEAD, or RBS training shall be conducted for all new hires within three months of their employment.
32. Pennants, banners, ribbons, streamers, spinners, and balloon signs shall be prohibited.
33. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the applicant or operator provide, permit, or make available either gratuitous or for compensation, individuals who act as escorts, companions, or guests of and for the customers.
34. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from a customer while in the premises.
35. There shall be no obstructions attached, fastened, or connected to partitions or the ceiling to separate booths/dining areas within the interior space of the premises.
36. The applicant shall not maintain or construct any type of enclosed room intended for use by patrons or customers for any purpose, except for restrooms. There shall not be any type of VIP room or similar type of room on the premises.
37. Staff shall monitor patrons to ensure they do not take open alcoholic beverages beyond the confines of the establishment. Staff shall also monitor the immediate vicinity in order to ensure that no public consumption of alcoholic beverage occurs.
38. The applicant shall at all times maintain a policy of not selling or serving obviously intoxicated patrons and take preventive measures to help avert intoxication-related problems.
39. At least one on-duty manager with authority over the activities associated with the establishment shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure

compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and the facility to discourage illegal and criminal activities and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.

40. **Prior to the utilization of this grant**, the manager of the facility shall be made aware of the conditions and shall inform the employees of the same. A statement with the signature, printed name, position, and date signed by the manager and the employees shall be provided to the Department of City Planning. The statement shall state:

We, the undersigned, have read and understood the conditions of approval to allow the sale and dispensing of a full line of alcoholic beverages at Farmshop, for on-site consumption in conjunction with the restaurant and for off-site consumption from the bakery/market, and agree to abide by and comply with said conditions.

41. A copy of the conditions of this letter of determination, business permit, and insurance information shall be retained on the premises at all times and produced upon request of the Police Department, the Department of Building and Safety, or the California Department of Alcoholic Beverage Control.
42. The applicant shall be responsible for maintaining the premises over which they have control, including the adjoining sidewalk and any public or temporarily closed alleys abutting the site, free of debris or litter.
43. Farmshop shall provide a minimum of two separate restroom facilities that shall be in compliance with City and County code requirements.
44. Parking shall be subject to the determination of the Department of provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.
45. Parking shall be provided in substantial conformance with the parking spaces shown on Exhibit "A", providing 132 parking spaces on the Brentwood Country Mart property to include 116 standard parking spaces, 11 compact tandem parking spaces, and 5 handicapped parking spaces, pursuant to final approval from the Department of Building and Safety.
46. The applicant shall prohibit employees from parking in the adjacent and surrounding residential neighborhood.

47. The applicant may arrange for alternative employee parking, including but not limited to off-site parking, carpooling or ridesharing, or the subsidization of employee public transportation costs. Any use of off-site parking locations for employees shall not include parking spaces which are required parking for another use, or which have been committed to another business entity. Parking spaces shall be exclusively reserved for employees of the applicant. This condition shall not preclude the use of any required additional parking which otherwise not in use during evenings and weekends, due to the main use which it serves being closed during the evenings and weekends, from being made available during said hours.
48. **Prior to the utilization of the grant**, a valid valet parking contract in compliance with this condition shall be submitted to the Department of City Planning.
- a. The contract shall be maintained for the life of this grant and shall include the hours of valet service, the number of valet attendants, and the valet parking locations. If the valet operator is replaced, a copy of the replacement contract shall be provided to the Development Services Centre upon execution of the new contract.
 - b. Valet parking service for the Brentwood Country Mart shall be available to patrons of the Brentwood Country Mart between the hours of 11 a.m. and 3 p.m. and between 6 p.m. and 9 p.m., during customer business time seven days a week.
 - c. Subject to approval of the responsible City department that has jurisdiction over 26th Street abutting the Brentwood Country Mart, the valet shall be located on 26th Street after 6 p.m., daily.
 - d. Subject to the approval of the Department of Building and Safety, the valet may park cars in tandem stalls on the Brentwood Country Mart lot, provided that after 8 p.m. the valet shall not park any vehicles in any parking spaces on the east side of the Brentwood Country Mart; any vehicles parked by the valet prior to 8 p.m. shall be relocated from the east side of the Brentwood Country Mart, and vehicles shall be physically prevented from parking in the spaces abutting the alley along the east property line of the Brentwood Country Mart and the east property line of the bank property to the south.
 - e. Valet parking shall be prohibited on any public street or highway and the valet parking service agreement shall provide that valet parking shall be prohibited on any public street or highway.
 - f. Under no circumstances shall the valet be located along the east side of the Brentwood Country Mart or bank property after 6 p.m., daily. However, handicapped patrons shall have the option to use the valet service on 26th Street or park their vehicles in the handicapped parking spaces along the east side of Brentwood Country Mart.
49. The applicant shall provide an incentive for employees who carpool to work with two or more employees within one vehicle, including: for each day/evening two or more employees carpool to work within one vehicle the employees who participate will receive fuel reimbursement or dining allowance.

50. The applicant shall provide all employees the opportunity to take public transit to and from employment at Farmshop for a discounted rate by contributing to the expense of a transit pass for each day/evening each employee works at Farmshop.
51. The parking in the entire row adjacent to the easterly alley abutting the Brentwood Country Mart shall be roped off or otherwise physically restricted to prevent the parking of vehicles after 8:00 p.m. each evening. Signage shall be posted that complies with all applicable laws that vehicles parked in such spaces after 8:00 p.m. will be towed.
52. The portion of the parking spaces within the bank's off-street parking lot which are located within the row adjacent to the easterly alley shall be roped off or otherwise physically restricted to prevent the parking of vehicles after 8:00 p.m. each evening. Signage shall be posted that complies with all applicable laws that vehicles parked in such spaces after 8:00 p.m. will be towed.
53. Applicant shall prohibit employees from parking in the parking stalls on the east side of the Brentwood Country Mart parking lot and in the parking stalls directly adjacent to the existing alley on the east side of the Bank of America parking lot.
54. Employees shall not be permitted to work inside the premises or in the outdoor areas of the Brentwood Country Mart earlier than two hours before opening nor later than two hours after closing.
55. Employees shall not enter or exit the premises via the easterly building entrance during non-customer hours, and, during such times, shall only use the northerly or southerly entrances to the premises.
56. During any early morning (prior to 9:00 a.m.) or late evening hours (after 8:00 p.m.) when off-site employee parking facilities are not available, employees shall park along the northwesterly side of the premises only and not along the easterly side of the subject premises.
57. The gates and door at the easterly entrance to the Brentwood Country Mart, as shown on the site plan marked as Exhibit B, dated December 2, 2010 (reproduced from ZA-2010-1954-CUB), shall be open and unlocked during all hours of operation, but a uniformed monitor shall patrol the area to assist in enforcing noise limitations and direct patrons entering or exiting the establishment to use the north exit doors after 9 p.m., and such gates and door shall be locked daily between 9:00 p.m. and 7:00 a.m. to prohibit access other than emergency or legally required disabled access.
58. The interior patios adjacent to the premises shall be closed for business no later than 9 p.m., daily.
59. Any nighttime cleaning services for the premises shall be prohibited from parking in the parking lot behind the premises adjacent to any residential uses. The cleaning

service shall be required to park on 26th Street or in the first five parking stalls in the northwest part of the parking lot and enter the premises through the north interior entrance. Nighttime cleaning crews shall not open windows or leave doors open and shall not play music or otherwise generate noise that is audible to the single-family neighborhood to the east of the Brentwood Country Mart.

60. There shall be no trash collection or removal of trash containers from the enclosure permitted on the premises prior to 8:00 a.m. or after 5:00 p.m. Monday through Saturday. No trash collection shall be permitted on Sunday. The trash collection company and Brentwood Country Mart employees shall be instructed to clean up any trash or debris that falls from bins during the collection process.
61. There shall be no outdoor speaker or public address system permitted in the parking lot or on the easterly exterior wall of the Brentwood Country Mart. Any music, sound or noise emanating from the applicant's premises, and any amplified music or sound from the existing speaker system in the Brentwood Country Mart, shall not be audible beyond the premises, and not cause any loud, unnecessary and unusual noise which disturbs the peace and quiet of the surrounding neighborhood or causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area in violation of Section 116.01 of the Municipal Code, to the satisfaction of the Police Department.
62. Applicant shall prohibit employees, contractors and vendors from playing music or otherwise generating noise in the parking lot so as to be audible to the single-family neighborhood to the east of the Brentwood Country Mart.
63. Signs shall comply with all applicable City standards and requirements, including but not limited to the San Vicente Scenic Corridor Specific Plan. Multiple signs in the windows are prohibited. Blinking and flashing signs are prohibited.
64. There shall be no trash bins located on any portion of the property adjacent to any residential use. All trash bins shall be maintained in an enclosed area specifically designed for that purpose and shall be closed and/or locked to prohibit the escape of fugitive trash and debris. There shall be no trash enclosures located within 60 feet of the closest residential property line. All non-glass trash and refuse shall be deposited in trash bins no earlier than 8:00 a.m. and no later than 9:00 p.m. and all glass trash shall be deposited in trash bins between the hours of 9:00 a.m. and 5:00 p.m. only.
65. Trash pick-up, compacting, loading and unloading and receiving activities shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday and 10 a.m. to 4 p.m. on Saturday. No deliveries or trash pick-up shall occur on Sunday. Deliveries and trash pick-up shall be coordinated with vendors and trash companies so that these activities are not conducted within one-hour of the start time of any school or within one hour of the end time of regular school hours.

66. No full-size supermarket shopping carts or shopping carts that have metal or other components that generate undue noise when rolled or stacked shall be utilized on the premises. Any type of cart utilized by the market shall be collected from the parking lot and adjacent residential neighborhood to the east no later than 9:00 p.m. daily.
67. Between the hours of 8:00 p.m. and the departure of the last restaurant dinner patrons each evening, a uniformed monitor shall patrol the exterior of the Brentwood Country Mart to assist in enforcing noise limitations, closure of the interior courtyard, parking prohibitions along the easterly boundary, including directing vehicular egress from the parking lot to 26th Street, and other conditions of this grant.
68. An electronic age verification device shall be purchased and retained on the premises available to determine the age of any individual and shall be installed at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
69. Loading and deliveries to and from the restaurant/bakery/market shall comply with the following:
 - a. All loading, unloading, and deliveries to the restaurant/bakery/market shall be from designated loading areas only. The loading areas and traffic flow of delivery trucks shall be in accordance with the Site Plan Exhibit B, dated December 2, 2010 (reproduced from ZA-2010-1954-CUB). There shall be no delivery truck blockage of any public street or alley.
 - b. All delivery trucks shall be prohibited from parking or waiting to load or unload on any residential street or alley adjacent to the premises.
 - c. Delivery trucks must turn off their engines during loading and unloading operations; no idling of engines shall be permitted while loading or unloading occurs.
 - d. Delivery trucks shall be instructed to not use Avondale Avenue or Brentwood Terrace for access to or from the restaurant/bakery/market.
 - e. Except for Farmshop vehicles, which shall be subject to restrictions provided in 69(g) below, all deliveries shall take place 8 a.m. to 12 p.m. and 2 p.m. to 5 p.m., Monday through Saturday, with no deliveries on Sunday, New Year's Day, Thanksgiving, or on Christmas.
 - f. The applicant shall obtain a written agreement from all delivering vendors to adhere to the following:
 - i. No semi-trailers, also known as semis, tractor-trailers or 18 wheelers, shall be authorized on the Brentwood Country Mart's premises.

- ii. Only two-axle trucks shall be permitted, including two-axle tandem-bogie style trucks.
 - iii. The maximum length authorized is 30 feet.
 - iv. All deliveries must be made through the delivery entrance at the back of the parking lot on the east side. All delivery trucks must use loading areas and not block or interfere with any alley access.
 - v. The truck's engine must be turned off during a delivery.
 - vi. Vehicles shall be relocated to street parking on San Vicente or 26th Street after load-in, when necessary, in order to always ease route paths for guest cars.
 - vii. Licensed transportation companies, such as taxis and limos, or ride hailing services shall pick up and drop off patrons at the 26th Street entrance. Vehicles and drivers may hold/stage only in an area pre-designated by Farmshop, never to include the east side of the parking lot adjacent/parallel to Avondale Avenue. At no time, while on the Brentwood Country Mart property or adjacent streets, shall vehicles have their engines idling during the full stay of patrons.
- g. The use of any vehicles for incidental catering and deliveries that may be allowed by the existing C1 Zoning shall comply with Condition Nos. 62 (a) through (d) as follows: There shall be no parking or use of incidental catering vehicles, including but not limited to loading or unloading to or from any catering vehicles or delivery vehicles on the east side of the Brentwood Country Mart or the Bank of America parking lot after 8 p.m. or before 7 a.m., Monday through Friday, after 8 p.m. or before 8 a.m. on Saturday, Sunday, and on New Year's Day, Thanksgiving Day, and Christmas Day.
70. All deliveries shall be made in the rear parking area. No loading or unloading of deliveries shall be permitted along 26th Street.
71. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C Section 19.01-E,3 - Monitoring of Conditional Use Permits, Inspection, and Field Compliance for Review of Operations and Section 19.04 - Miscellaneous ZA Sign Offs shall be paid to the City.
- a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.

- b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
72. This grant shall have a life of **ten years** from the effective date of this grant, after which the applicant shall file for and win an authorization from the Office of Zoning Administration in order to continue the sale of a full line of alcohol for on-site and off-site consumption.
73. Prior to any sign-off of plans by the City Planning staff or the issuance of any permits associated with the proposed use, City Planning shall review, process and sign-off as necessary that the restaurant/bakery/market complies with any applicable provisions or approvals required pursuant to the provisions of the San Vicente Scenic Corridor Specific Plan.
74. The square footage of the subject establishment shall not be expanded without further authorization by the Zoning Administrator, which shall require a Plan Approval with notice and a public hearing.
75. Should there be a change in the ownership and/or the operator of the business, the property owner and/or the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Development Services Center, Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Development Services Center, Department of City Planning, within 30 days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.
76. In the event of any change of tenancy from Farmshop to another business or operation with a use that differs from the present mode of restaurant/bakery/market operations, the new operator of the subject licensed premises shall be required to file a plan approval in order to maintain authorization for the sale of alcohol.
77. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (upon their own initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing, the purpose of

which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall file for a plan approval application together with associated fees, prepare a radius map, and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

78. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

1. **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 property is a slightly sloping, irregularly shaped 1.73-acre lot having a frontage of approximately 460 feet along 26th Street, 306 feet along the abutting alley to the north, and 340 feet along the abutting alley to the east. The property is improved with a multi-tenant shopping center commonly referred to as the Brentwood Country Mart, served by a surface level parking lot that generally surrounds the structures. The subject establishment is Farmshop, a 6,076 square-foot restaurant/bakery/market, which includes an 1,820 square-foot restaurant and a 4,256 square-foot the bakery/market, and is located within the Brentwood Country Mart. The Brentwood Country Mart has provided shopping and dining services for the Brentwood community since 1948. Uses on the subject property include clothing stores, a post office, toy store, a food court, and a general store.

The applicant is requesting a Conditional Use authorization to allow the sale of a full line of alcoholic beverages for off-site consumption in conjunction with an existing 6,076 square-foot restaurant/bakery/market with 76 interior seats with hours of operation from 7:00 a.m. to 10:00 p.m., daily. This includes the continuation of the previous authorization allowing the sale and dispensing of a full line of alcoholic beverages for on-site consumption.

According to the applicant:

The request includes an upgrade from the previously approved beer & wine for off-site consumption to a full line of alcoholic beverages for off-site consumption for the market operation only. There are no changes proposed to the on-site operations at the restaurant under the subject application. The availability of alcoholic beverages for off-site consumption in conjunction with an operating gourmet market will offer an improved amenity to the local community, local employees, the patrons and the residents in the neighborhood and enhance the shopping experience at the subject business which has been operating in the community since 2010. With the continued responsible operation of the business and the addition of suitable operating conditions, the approval of the subject request will not harm the community but will continue to enhance the built environment and provide a convenient and essential service to the community.

Adding the sale of a full line of alcoholic beverages for off-site consumption in conjunction with the existing 4,256-square-foot bakery/market is not an uncommon request and offering it is an increasingly expected amenity. Of the total 6,076 square feet of the combined operation, the previous grant authorized, under Case No. ZA-2018-4827-CUB, the sale and dispensing of a full line of alcoholic beverages in conjunction with the 1,820-square-foot restaurant and is being continued with this grant. Granting the subject request will expand the sale of alcoholic beverages for off-site consumption from beer and wine,

only, to a full line. The expansion will assist with the continued activation of the site and promote commercial activity by contributing to the viability of a local restaurant/bakery/market. Through the approval of this request, the operation will continue to serve its patrons as well as contribute to the collection of tax revenue, increased employment opportunities, and the cultural character of the community. Therefore, as conditioned, the sale of a full line of alcoholic beverages for off-site consumption, in conjunction with an existing market/bakery, and the continued sale and dispensing of alcoholic beverages in conjunction with the restaurant, will perform a function and provide a service that is beneficial to the community, city or region.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The applicant is requesting a Conditional Use authorization to allow the sale of a full line of alcoholic beverages for off-site consumption, and the continued sale and dispensing of alcoholic beverages for on-site consumption, in conjunction with a 6,076 square-foot restaurant/bakery/market with 76 interior seats having hours of operation from 7:00 a.m. to 10:00 p.m., daily.

The surrounding land uses consists of a mix of commercial and residential uses. The property to the east across the alley is zoned R1-1 and is developed with residential uses. The property to the north, across the alley is zoned C1-1XLD and is improved with multiple commercial and service uses and gas station. The property to the south abutting the subject site is zoned C1- 1 XLD and is developed with a Bank of America location. The properties to the west across 26th Street are located with the City of Santa Monica.

According to the applicant:

Farmshop has been a local business serving the nearby community since 2010. The business currently offers beer & wine for off-site consumption within market operations and has done so in a responsible with no major issues. They are now requesting the upgrade of those off-site abilities from beer and wine to a full line of alcohol. Should the subject request be approved, Farmshop will continue to operate in a responsible and professional manner with an awareness of how the operation may affect the surrounding neighborhood. With the inclusion of suitable operating conditions that can help to address any perceived issues, the approval of the subject CUB request will not adversely affect or further degrade the adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

The sale of alcoholic beverages for off-site consumption is proposed only as an amenity to the market operation; the grant has been thus conditioned, and recommendations have been made to the California Department of Alcoholic Beverage Control for consideration to ensure that the establishment's focus remains on food service.

The Los Angeles Police Department dated September 28, 2022, does not oppose the project, and has recommended conditions to ensure that the availability of alcoholic

beverages at this location does not become a burden on their resources. Those recommended conditions have been incorporated into the conditions of approval or incorporated into the list of recommended conditions for consideration by the Department of Alcoholic Beverage Control.

The grant authorized herein incorporates an extensive list of conditions that are intended to ensure the proposed operation, with the proposed addition of sales of a full line of alcoholic beverages for off-site consumption, will continue to be compatible with other uses in the surrounding community. These include conditions that represent restrictions and responsibilities, some of which are standard and routinely imposed on most establishments of this type, and others that are conditions tailored to the subject establishment. Conditions have also been suggested to the Department of Alcoholic Beverages Control for consideration as part of their license issuing and/or renewal process.

Conditions from previous grants for the sale of alcoholic beverages on the premises were carried forward, some in updated language, and incorporated into this grant as appropriate. Many of those conditions mirror conditions presented in a private agreement executed between the applicant, the Brentwood Country Mart, and neighbors. From communications received, these conditions continue to be relevant and desired by neighbors, though adherence appears to have slackened over time. Recent outreach by the applicant and Brentwood Country Mart demonstrates renewed attention to the importance and internal enforcement of said conditions.

However, previous conditions of approval related to the regulation of alcoholic beverage sales have not been carried forward because the Office of Zoning Administration has no authority to regulate alcohol sales. Instead, as is the current practice for all determination letters pertaining to alcoholic beverages, those types of conditions have been included in a separate section of the grant as suggestions to the California Department of Alcoholic Beverage Control for its consideration. In addition, conditions of approval in previous grants that restricted the content of advertisements and signage were also not carried forward, in recognition that the City cannot restrict message content of such items.

Therefore, based on the facts herein and in conjunction with the imposition of said conditions, 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.

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

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs 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 implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The

Framework Element establishes the broad overall policy and direction for the General Plan.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located within the Brentwood-Pacific Palisades Community Plan area. The Community Plan Area Map designates the property for Neighborhood Commercial land uses, with corresponding zones of C1, C1.5, C2, C4, RAS3, and RAS4. The property is zoned C1-1XLD. The property's zoning is thus consistent with the General Plan's land use designation for the site.

The Brentwood-Pacific Palisades Community Plan is silent with regard to the sale of alcohol. In such cases, the Zoning Administrator must interpret the intent of the Plans. Specifically, the project addresses the following goals and policies of the Community Plan:

Goal 2 *A strong and competitive commercial sector which best serves the need of the community through maximum efficiency and accessibility while preserving the unique character of the community.*

Objective 2-1 *To conserve and strengthen viable commercial development.*

Policies 2-1.1 New commercial uses shall be located in existing established commercial areas or existing shopping centers.

The request is also consistent with Chapter 7 of the General Plan Framework Element objectives:

Objective 7. 2 Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.

Policy 7. 3. 2 Retain existing neighborhood commercial activities within walking distance of residential areas.

According to the applicant:

The use will continue to contribute to the community. The site is located along a major corridor within an area that provides retail services, and entertainment and will continue to provide an alternative dining and retail option for residents, tourists and employees of the area. Therefore, the proposed use of the subject site conforms with the intent, purpose, and provisions of the General Plan and the Brentwood-Pacific Palisades Community Plan and advances the objectives and intent of the plan by offering a service that will be convenient for the residents in the community.

The restaurant has been operating in good standing reflected by the letter received from the Police Department, which indicates it is not opposed to the applicant's request. The addition of a full line of alcoholic beverages for sale for off-site consumption service will help keep the bakery/market operation competitive. Granting the request, as conditioned,

ensures that the availability of alcoholic beverages at this location, will be an amenity to Farmshop and will remain compatible with the surrounding community.

Farmshop has contributed to the economic vitality of the neighborhood. The required findings in support have been made and conditions of approval have been imposed on the establishment to minimize potential impacts on the surrounding neighborhood. For the reasons given above, the Zoning Administrator finds that project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

ADDITIONAL FINDINGS FOR ALCOHOL

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

The surrounding land uses consists of a mix of commercial and residential uses. The property to the east across the Alley is zoned R1-1 and is developed with residential uses. The property to the north, across the Alley is zoned C1-1XLD and is improved with multiple commercial and service uses and gas station. The property to the south abutting the subject site is zoned C1- 1 XLD and is developed with a Bank of America location. The properties to the west across 26th Street are located with the City of Santa Monica.

According to the applicant:

Farmshop is categorized as an artisanal restaurant, bakery and market created by chef-owner Jeff Cerciello. The restaurant/bakery/market is a destination for food enthusiasts and part of the local Brentwood community, where patrons can enjoy locally sourced, California-inspired fare served daily for breakfast, lunch and dinner. The restaurant currently serves a full line of alcohol for on-site consumption, and the market operation sells beer and wine for off-site consumption. The subject request is to upgrade the market operations to sell a full line of alcohol for off-site consumption. Hours of operation will remain 7:00 a.m. to 10:00 p.m. daily, and there are no other changes proposed to the operation under the subject application.

Farmshop has been serving the surrounding area since 2010 and has done so in a responsible manner. The same professional approach to the business operations will continue should this CUB request be granted. Appropriate operating conditions may be included to address any perceived issues such as monitoring patron & employee conduct on the premises and in the parking areas to assure behavior does not adversely affect adjoining residents, property owners, and businesses. The business owner will also agree to the standard safety measures such age verification devices, security cameras and continue with training provided by the Los Angeles Police Department STAR (Standardized Training for Alcohol Retailers) Program.

The upgrade to the sale of a full line of alcohol will not significantly change the nature of the business but allow it to better serve its existing patron base and encourage the success of the existing local business. Therefore, the applicants believe that the

request for the sale and dispensing of a full line of alcoholic beverages for off-site consumption will not adversely affect the welfare of the pertinent community.

The applicant is requesting a Conditional Use authorization to allow the sale of a full line of alcoholic beverages for off-site consumption, and the continued sale of a full line of alcoholic beverages for on-site consumption, in conjunction with a 6,076 square-foot restaurant/bakery/market with 76 interior seats having hours of operation from 7:00 a.m. to 10:00 p.m., daily.

The operation has been in good standing for more than 10 years providing economic vitality to the neighborhood. The addition of a full line of alcoholic beverages for sale for off-site consumption will help keep the operation competitive and provide added services to the neighborhood. Granting the request, as conditioned, ensures that the availability of a full line of alcoholic beverages at this location, will be an amenity to the bakery/market operation, and will remain compatible with the surrounding community.

The Los Angeles Police Department dated September 28, 2022, does not oppose the project and has recommended conditions to ensure that the availability of alcoholic beverages at this location does not become a burden on their resources. These recommended conditions have been incorporated into the conditions of approval or incorporated into the list of recommended conditions for consideration by the Department of Alcoholic Beverage Control.

The Los Angeles Police Department dated September 28, 2022, does not oppose the project, and has recommended conditions to ensure that the availability of alcoholic beverages at this location does not become a burden on their resources. Those recommended conditions have been incorporated into the conditions of approval or incorporated into the list of recommended conditions for consideration by the Department of Alcoholic Beverage Control.

The grant authorized herein incorporates an extensive list of conditions that are intended to ensure the proposed operation, with the proposed addition of sales of a full line of alcoholic beverages for off-site consumption, will continue to be compatible with other uses in the surrounding community. These include conditions that represent restrictions and responsibilities, some of which are standard and routinely imposed on most establishments of this type, and others that are conditions tailored to the subject establishment. Conditions have also been suggested to the Department of Alcoholic Beverages Control for consideration as part of their license issuing and/or renewal process.

Conditions from previous grants for the sale of alcoholic beverages on the premises were carried forward, some in updated language, and incorporated into this grant as appropriate. Many of those conditions mirror conditions presented in a private agreement executed between the applicant, the Brentwood Country Mart, and neighbors. From communications received, these conditions continue to be relevant and desired by neighbors, though adherence appears to have slackened over time. Recent outreach by

the applicant and Brentwood Country Mart demonstrates renewed attention to the importance and internal enforcement of said conditions.

In conjunction with the approval of the request to authorize the sale of alcoholic beverages for off-site consumption in conjunction with the bakery/market, and the continued sale and dispensing of a full line of alcohol for on-site consumption at the restaurant, the Zoning Administrator has imposed numerous conditions of approval with which the owner/operator/manager is required to comply. These conditions represent limitations on the type of activity that is allowed to be conducted on the site as well as explicit advisories about the responsibilities of the applicant. Additional conditions have been recommended for consideration by the Department of Alcoholic Beverage Control (ABC) in conjunction with their approval process. Conditions are intended to ensure that the continued use and operation of the restaurant is well integrated into the community as well as protect community members from potential adverse impacts associated with alcohol sales. Conditions imposed will require responsible operations and will maintain the order and ensure cleanliness of the project and its surroundings. Adherence to and compliance with these conditions of approval will minimize the potential for adverse impacts on the surrounding community, and as a result, granting the request will not adversely affect the welfare of the pertinent community.

5. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, 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 these establishments within a one thousand 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.**

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, three on-sale and two off-sale licenses are allocated to Census Tract 2643.05 in which the subject property is located. There are currently 13 on-sale and one off-sale licenses in this Census Tract. Within a 1,000-foot radius of the subject property, the following types of alcoholic beverage licenses are active or pending:

- (1) Type 20 Off-Sale General
- (1) Type 47 On-Sale General for Bona Fide Public Eating Place
- (5) Type 41 On-Sale Beer and Wine Eating Place
- (1) Type 58 Caterer's Permit

The property is located within a commercial corridor that has various commercial uses including restaurants. Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license benefits the public welfare and convenience. Alcohol sales will continue to be incidental the existing restaurant/market/bakery. The approval of the requested action

would not result in an additional alcohol license allotted for off-site consumption within the census tract. The approval of the request will enable the applicant to upgrade the Type 20 portion of their active ABC licenses (License No. 506535) to a Type 21 ABC license for the sale of a full line of alcoholic beverages for off-site consumption specifically for the bakery/market in lieu of the existing license that limits the sale of alcoholic beverages for off-site consumption to beer and wine only.

According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 831, which has jurisdiction over the subject property, a total of 185 crimes (173 Part I crime and 12 Part II arrests) were reported in 2022, compared to the citywide average of 156 crimes and high crime reporting district average of 187 crimes for the same period. In 2022, there was 2 Narcotics, 0 Liquor Laws, 0 Drunkenness, 0 Disturbing the Peace, 0 Disorder Conduct, and 0 DUI. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

The statistics presented above indicates that the overall crime rate in the reporting district where the subject site is located is lower than the reported citywide average. Potential negative impacts commonly associated with the off-site consumption of alcoholic beverages such as criminal activity, public drunkenness, and loitering are alleviated by the conditions imposed by this grant. Additionally, there were no revocation or nuisance proceedings initiated for any use within close proximity of the subject site. There was no correspondence received from LAPD indicating that approval of the subject request will result in increased crime in the area. Therefore, the upgrade from beer and wine to a full line of alcoholic beverages for off-site consumption at the subject market/bakery by granting approval of the application will not result in an undue concentration of premises for the sale for consideration of alcoholic beverages.

6. **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.**

Within 1,000-foot radius of the subject establishment there are approximately 112 single-family dwellings and one multi-family building. The Zoning Administrator has given consideration to the distance of the establishment from the surrounding uses. Much attention has been given to protecting the nearby residents from the activity generated by the applicant, in particular, and the Brentwood Country Mart, in general.

This grant incorporates an extensive list of conditions that are intended to ensure the proposed operation will not detrimentally impact the residential neighbors. Conditions from previous grants for the sale of alcoholic beverages on the premises were carried forward and incorporated into this grant as appropriate, many of which mirror conditions presented in a private agreement executed between the applicant, the Brentwood Country Mart, and neighbors. Recent outreach by the applicant and Brentwood Country Mart demonstrates

renewed attention being given to the importance and internal enforcement of said conditions.

The grant has been conditioned to protect the health, safety and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior, criminal activity and underage drinking have been considered and addressed by requiring adequate lighting, requiring the use of electronic age verification devices and requiring proactive security measures. In addition, public correspondence in opposition of the subject request and correspondence received from the Brentwood Community Council have also been considered. As conditioned, the proposed use will not detrimentally affect nearby residentially zoned community and the sensitive uses located in close proximity to the subject site.

ADDITIONAL MANDATORY FINDINGS

7. 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 this project is located outside the flood zone.



LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES

Entitlement and CEQA appeals may be filed using either the Online Application System (OAS) or in person Drop Off at DSC (Development Services Center).

Online Application System: The OAS (<https://planning.lacity.org/oas>) allows appeals to be submitted entirely electronically online; fee payment is by credit card or e-check.

Drop off at DSC: Appeals of this determination can be submitted in person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(CURRENTLY CLOSED)
(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code provisions.

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure that DSC staff members have adequate time to review and accept the documents, and to allow appellants time to submit payment.



QR Code to Online
Appeal Filing



QR Code to Forms
for In-Person Filing