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planning.lacity.org

Decision Date: August 22, 2025

Last Day to File an Appeal: September 8, 2025

Victoria Fayad (A) (R)
Bucatini
2146 West Sunset Boulevard
Los Angeles, CA 90026

Jonathan Steier JS Realty Co. (O)
2146 West Sunset Boulevard
Los Angeles, CA 90026

CASE NO. ZA-2021-9046-CUB
CLASS 2 CONDITIONAL USE PERMIT
2146 West Sunset Boulevard
Silver Lake – Echo Park – Elysian Valley
Community Plan
Zone: [Q]C2-1VL
C.D: 13 Soto-Martinez
D.M.:139-5A207
CEQA: ENV-2021-9048-CE
Legal Description: Fraction Lot 2, Block 7,
Washington Heights Tract

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301, Class 1 (Existing Facilities), and there is no substantial evidence demonstrating that any exception to a categorical exemption pursuant to CEQA guidelines, Section 15300.2 applies.

Pursuant to Los Angeles Municipal Code (LAMC), Chapter 1, Section 12.24 W.1, I hereby APPROVE:

a Class 2 Conditional Use Permit to allow the sale of a full line of alcoholic beverages for off-site consumption, in conjunction with an existing 1,123 square-foot market/specialty shop in the [Q]C2-1VL Zone.

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 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 to the Development Services Center for inclusion in the case file.
7. Authorized herein is the sale of a full line of alcoholic beverages for off-site consumption in conjunction with an existing 1,123 square-foot market/specialty shop. The hours of operation shall be limited to 9:00 a.m. to 8:00 p.m., daily.
8. After hour 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.
9. Game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
10. 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.

11. 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 disruptive to persons on adjacent properties.
12. 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 store by Police and/or private security.
13. **Good Neighbor Program.** A telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Customer service desk, front desk or near the reception area.

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.

14. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
15. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under the control of the applicant to assure such conduct does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
16. 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 facility.
17. At least one on-duty manager with authority over the activities within the facility 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.
18. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department, Department of Alcoholic Beverage Control, or the Department of Building and Safety. The on-site Manager and employees shall be knowledgeable of the conditions herein.
 19. 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.
 20. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
 21. The applicant(s) shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
 22. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.

ADMINISTRATIVE CONDITIONS

23. **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 Clearance - ZA 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. A second inspection will take place within 36 months of the first inspection. 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.

24. Should there be a change in the ownership and/or the operator of the business, the filing of a Plan Approval application shall be required of the new owner or operator of the business within 30 days of beginning operations under the new owner or operator in order to continue the sale of alcoholic beverages for off-site consumption. The purpose of the Plan Approval will be to review the new operations as proposed and the effectiveness of the conditions. Upon this review, the Zoning Administrator may modify, add, or delete conditions as warranted.
25. 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 initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19.01 E, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 300-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, as warranted.
26. **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.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. Unless otherwise provided in Chapter 1A, Chapter 1 (General Provisions and Zoning), or in a project's conditions of approval, any approval by the Zoning Administrator, Director of Planning, an Area Planning Commission, or the City Planning Commission as initial decision makers that is not effectuated within three years of its effective date becomes null and void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Chapter 1A Section 13A.2.7 G of the Los Angeles Municipal Code provides:

"A Quasi-judicial action or any conditional approval granted by the Director, pursuant to the authority of this Chapter or Chapter 1 (General Provisions and Zoning) of this Code shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. the violation of any condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission, or City Council in connection with the granting of any action taken pursuant to the authority of this Chapter or Chapter 1 (General Provisions and Zoning), shall constitute a violation of this Chapter or Chapter 1 (General Provisions and Zoning) and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted there with, and the statements made at the public hearing on August 5, 2025 all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a Class 2 Conditional Use Permit under the provisions of Sections 12.24 W.1 of Chapter 1 and Section 13B.2.2. of Chapter 1A of the Los Angeles Municipal Code have been established by the following facts:

BACKGROUND

The subject property is a generally level and rectangular approximately 6,539 square-foot lot, having a frontage of 50 feet along the southerly side of Sunset Boulevard. The subject property is located within the jurisdiction of the Silver Lake – Echo Park – Elysian Valley Community Plan, which designates the site for Community Commercial land uses, corresponding to the CR, C2, C4, RAS3 Zones. The subject property is zoned [Q]C2-1VL, which is consistent with the Plan's land use designation. The "Q" Qualifying condition prohibits certain uses, such as automotive related uses, recyclable material deposit, and drive-through windows; includes building and access requirements for new structures; and requires parking to be located to the rear of the lot or underground. The height district is No. 1VL, which limits building height to three stories and 45 feet and floor area to one and one-half times the buildable area of the lot.

The subject property is also located within a Transit Priority Area in the City of Los Angeles (ZI-2452), Lower Income Rezoning Housing Element Site (ZI-2534), State Enterprise Zone: Los Angeles (ZI-2374), Urban Agriculture Incentive Zone, an area eligible for AB 2097, and is within 0.53 km from the Upper Elysian Park Fault Zone. Assembly Bill (AB) 2097 (2022) prohibits the City of Los Angeles from imposing or enforcing minimum parking standards on any development project, with limited exceptions, within one-half mile of a Major Transit Stop. Applicants are responsible for updating records with the Department of Building and Safety.

The property is developed with a two-story 5,220 square-foot commercial building constructed in 1921. A ground floor 1,123 square-foot tenant space has been operated by the applicant as Bucatini, a market and specialty shop, since 2020. The market/specialty shop currently sells gourmet food provisions, tableware, and antique items.

The applicant is requesting a Class 2 Conditional Use Permit to allow the sale of a full line of alcoholic beverages for off-site consumption in conjunction with the operation of the existing market/specialty shop. The proposed hours of operation are from 9:00 a.m. to 8:00 p.m., daily. No new construction is proposed.

SURROUNDING PROPERTIES

Properties to the north across Sunset Boulevard are zoned [Q]C2-1VL and developed with commercial land uses. Property abutting the subject property to the east is zoned [Q]C2-1VL and developed with a Los Angeles Fire Department fire station. Properties to the west of the subject site are zoned [Q]C2-1VL and developed with commercial land uses. Properties to the south, across the alley, are zoned RD2-1VL and include a parking lot and multi-family residences.

STREETS

Sunset Boulevard, abutting the property to the north, is designated as an Avenue I, with a designated right-of-way width of 100 feet and roadway width of 70 feet, and improved with asphalt roadway and concrete gutter, curb, and sidewalk.

Alley, abutting the subject property to the south, is a 14-foot-wide public right-of-way improved with asphalt roadway and concrete V-gutter.

Previous Cases, Affidavits, Permits, and Orders on the Subject Property:

ZA-2019-671-CUB – On September 9, 2019, the Associate Zoning Administrator approved a conditional use to allow the sale and dispensing of beer and wine for on-site and off-site consumption in conjunction with a wine bar.

ZA-2013-2906-CUB – On June 12, 2014, the Associate Zoning Administrator approved a conditional use to allow the sale of beer and wine for on- and off- site consumption at a 1,917 square-foot wine bar.

ZA-2008-0319-CUB-PA1 - On July 6, 2010, the Associate Zoning Administrator determined that there has been substantial compliance with the conditions of Case No. ZA 2008-0319(CUB), which was approved by the Zoning Administrator on June 26, 2008, in connection with the sale and dispensing of beer and wine only for on- and off-site consumption in conjunction with an existing 1,317 square-foot retail shop, wine shop and wine bar.

ZA-2008-0319-CUB – On June 26, 2008, the Associate Zoning Administrator approved a Conditional Use for the sale and dispensing of beer and wine only for on- and offsite consumption in conjunction with a 1,317 square-foot retail shop, wine shop and wine bar.

Previous Cases, Affidavits, Permits, and Orders on the Surrounding Properties:

Staff utilized a 500-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Zoning Administrator determinations associated with the sales and dispensing of alcoholic beverages.

ZA-2013-3312-CUB-CU – On July 9, 2014, the Associate Zoning Administrator approved a conditional use to permit the sale and dispensing of beer and wine only for off-site consumption, in conjunction with the continued operation of an existing 3,235 square-foot convenience store at 2220 West Sunset Boulevard.

ZA-2013-0050-CUB – On April 30, 2013, the Associate Zoning Administrator approved a conditional use to permit the continued sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant at 2212 West Sunset Boulevard.

ZA-2012-1324-CUB – On October 1, 2012, the Associate Zoning Administrator approved a conditional use to allow the sale and dispensing for consideration of beer and wine for on-site consumption in conjunction with an existing restaurant at 2133-2135 West Sunset Boulevard.

ZA-2007-1765-CUB – On July 23, 2007, the Associate Zoning Administrator approved a conditional use to allow the sale and dispensing for consideration of beer and wine for on-site consumption in conjunction with an existing restaurant at 2212 West Sunset Boulevard.

Public Correspondence

Andrew Garsten, President, Echo Park Improvement Association, in a letter dated January 27, 2022, indicated the Association's support for the applicant's request, given its location, hours, and specialization, but requested any new business owner be required to reapply for a Conditional Use Permit to provide an opportunity for the community to review the new operations.

Public Hearing

A Notice of Public Hearing was sent to owners and occupants of property within 300 feet of the subject site for which an application was filed with the Department of City Planning. The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. All interested persons were invited to attend the public hearing where they could listen, ask questions, or present testimony regarding the project. Interested parties were also invited to submit written comments regarding the project prior to the public hearing. The public hearing was held on August 5, at 9:00 a.m. Since Zoning Administrator hearings are not subject to the Brown Act, the hearing was conducted entirely telephonically and by videoconference.

The applicant provided a brief presentation about the project, highlighting the following points:

- The market is called Bucatini and sells imported goods for the pantry, kitchen, and home, tableware, antique finds, and gourmet provisions.
- The store originally sold only pantry items but has expanded into home goods.
- They are old world in style and new world in energy.
- Their pillars are share, gift, celebrate.
- They sponsor events such as pasta making classes, private dinners.

- Their current hours are 11:00 a.m. to 7:00 p.m. and not open on Monday.
- They are located next to a bus stop.
- Alcohol will be stored in the back and displayed in the front.
- They are ready to expand into alcohol sales, which will be a curated selection of alcoholic beverages not found elsewhere. This has long been a part of their plan.

Following the presentation, the Zoning Administrator asked questions that were answered, summarized as follows:

Zoning Administrator: Have you presented the project to the Echo Park Neighborhood Council? We received a letter of support from the Echo Park Improvement Association, dated January 27, 2022.

Applicant: Yes, the Echo Park Neighborhood Council issued a letter of support that they will submit.

Zoning Administrator: The market is currently in operation? Since when?

Applicant: They opened about five years ago, during the pandemic.

Zoning Administrator: What kind of market is it? It's not a liquor store, correct?

Applicant: No, it's a gourmet market, specialty shop. The focus is on mediterranean imports, provisions, ceramics, glassware, china, linens.

Zoning Administrator: Your presentation indicated the hours of operation are Tuesday through Sunday, 11:00 a.m. to 7:00 p.m., but the hearing notice indicated 9:00 a.m. to 8:00 p.m., daily. Which is correct?

Applicant: The 11:00 a.m. to 7:00 p.m. are their current hours. They are requesting approval for 9:00 a.m. to 8:00 p.m.

Zoning Administrator: The presentation mentions private dinners and block parties. However, the grant you are requesting is to sell alcoholic beverages for off-site consumption.

Applicant: They understand the limitations.

The hearing was then opened for public testimony. There was no one in attendance wishing to speak on the project, and the public hearing was closed. The Zoning Administrator stated she was inclined to approve the project.

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the Zoning Administrator has not imposed Conditions

specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- The quarterly gross sales of alcohol shall not exceed the quarterly gross sales of food. The business operator shall maintain records which reflect these numbers and make them available to the Police Department upon request.
- No signs are permitted on the outside of the building or directed from the inside to the outside which display or advertise the availability of alcoholic beverages.
- Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages and shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverages.
- The single unit sales of malt liquors and/or malt-based products shall be prohibited.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a Class 2 Conditional Use Permit from the Zoning Administrator are located within LAMC, Chapter 1, Section 12.24 W. In order for the sale and dispensing of alcoholic beverages to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

GENERAL CLASS 2 CONDITIONAL USE PERMIT FINDINGS, PURSUANT TO LAMC, CHAPTER 1A, SECTION 13B.2.2.

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 rectangular approximately 6,539 square-foot lot, having a frontage of 50 feet along the southerly side of Sunset Boulevard. The subject property is also located within an area eligible for AB 2097. Assembly Bill (AB) 2097 (2022) prohibits the City of Los Angeles from imposing or enforcing minimum parking standards on any development project, with limited exceptions, within one-half mile of a Major Transit Stop. Applicants are responsible for updating records with the Department of Building and Safety.

The property is developed with a two-story 5,220 square-foot commercial building constructed in 1921. A ground floor 1,123 square-foot tenant space has been operated by the applicant as Bucatini, a market and specialty shop, since 2020. The market/specialty shop originally sold only pantry items but has since expanded to offering home goods. Currently, the shop offers gourmet food provisions, including pantry staples, charcuterie, cheeses, and breads; imported tableware; and antique items. The proprietors are now ready to expand into offering a curated, unique selection of alcoholic beverages. No new construction is proposed.

The applicant is requesting a Class 2 Conditional Use Permit to allow the sale of a full line of alcoholic beverages for off-site consumption in conjunction with the operation of the existing market/specialty shop. The proposed hours of operation are from 9:00 a.m. to 8:00 p.m., daily.

A diversity of commercial uses is necessary for the conservation, development, and success of a vibrant commercial area. The subject market/specialty shop is located along the vibrant commercial corridor of Sunset Boulevard and is accessible by multiple modes of travel. This is an area with varied commercial businesses, and the operation of a market/specialty store offering the sale of a full line of alcohol for off-site consumption contributes to and complements the existing variety of other uses in the community.

As granted, the establishment is subject to conditions that have been imposed to address operational and safety and security issues. This will ensure the sale of a full line of alcoholic beverages for off-site consumption in conjunction with the existing market/specialty shop, will not be disruptive to the community. Through the approval of the applicant's request, the market/specialty shop will serve its patrons as well as contribute to the collection of tax revenue, employment opportunities, and the cultural character of the community.

Therefore, the project will perform a function that is beneficial to the community.

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 subject property is a generally level and rectangular approximately 6,539 square-foot lot, having a frontage of 50 feet along the southerly side of Sunset Boulevard. The subject property is located within the jurisdiction of the Silver Lake – Echo Park – Elysian Valley Community Plan, which designates the site for Community Commercial land uses, corresponding to the CR, C2, C4, RAS3 Zones. The subject property is zoned [Q]C2-1VL, which is consistent with the Plan's land use designation.

The property is developed with a two-story 5,220 square-foot commercial building constructed in 1921. A ground floor 1,123 square-foot tenant space has been operated by the applicant as Bucatini, a market and specialty shop, since 2020. The market/specialty shop currently sells gourmet food provisions, tableware, and antique items.

The applicant is requesting a Class 2 Conditional Use Permit to allow the sale of a full line of alcoholic beverages for off-site consumption in conjunction with the operation of the existing market/specialty shop. The proposed hours of operation are from 9:00 a.m. to 8:00 p.m., daily. No new construction is proposed.

Properties to the north across Sunset Boulevard are zoned [Q]C2-1VL and developed with commercial land uses. Property abutting the subject property to the east is zoned [Q]C2-1VL and developed with a Los Angeles Fire Department fire station. Properties to the west of the subject site are zoned [Q]C2-1VL and developed with commercial land uses. Properties to the south, across the alley, are zoned RD2-1VL and include a parking lot and multi-family residences.

The Zoning Administrator has granted the applicant's request subject to a set of conditions to ensure that allowing the sale of a full line of alcoholic beverages in conjunction with the operation of the existing market/specialty shop will remain compatible with the surrounding community. Such conditions include limited hours of operation, limitations on the use, and requirements to remove graffiti and respond to community complaints within 24 hours, provide an on-duty manager to monitor the premises and ensure compliance with the conditions, and compliance with the City's noise ordinance. In addition, the establishment will be subject to two proactive inspections within five years of utilizing the grant. In deference to a request by the Echo Park Improvement Association, if there is a change in ownership, an application for a Plan Approval is required to consider the new operations and impose additional conditions if warranted. Finally, if there is documented evidence showing continued violations, the Zoning Administrator has reserved the right to require the applicant to subject a Plan Approval application so that compliance with and the effectiveness of the conditions of approval can be evaluated and modifications made, if necessary. See Finding No. 4 for discussion about safety and security issues.

The sale of alcohol is regulated by the State of California through the issuance of an Alcohol Beverage Control (ABC) license. The Zoning Administrator has recommended a set of Conditions related to alcohol sales and distribution for consideration by the State of California Department of Alcoholic Beverage Control (ABC) that will complement the land use conditions imposed herein. These conditions include restrictions on signage, and no incentives to promote alcohol sales and consumption.

The land use conditions imposed herein, combined with the enforcement authority of ABC and the Los Angeles Departments of Building and Safety and Police will ensure that the sale of a full line of alcoholic beverages in conjunction with the operations of the existing market/specialty shop will not be detrimental to the surrounding community.

Therefore, 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. Objective 7.3 of the Framework Element sets a goal to "maintain and enhance the existing businesses in the City" and Policy 7.3.2 encourages the establishment and retention of "neighborhood commercial activities within walking distance of residential areas."

The Land Use Element of the City's General Plan divides the City into 34 community plans. The subject property is located within the jurisdiction of the Silver Lake – Echo Park – Elysian Valley Community Plan, which designates the site for Community Commercial land uses, corresponding to the CR, C2, C4, RAS3 Zones. The subject property is zoned [Q] C2-1VL, which is consistent with the Plan's land use designation.

The Silver Lake – Echo Park – Elysian Valley Community Plan text is silent with regards to the sale and dispensing of alcohol. In such cases, the Zoning Administrator must interpret the intent of the Plan. Specifically, the project addresses the following objectives and policies of the Silver Lake – Echo Park – Elysian Valley Community Plan:

Goal 2: An Economically vital commercial sector and strong viable commercial areas that offer a diversity of goods and services to meet the needs of the community in the Plan Area. Commercial Areas should satisfy market demand, maximize convenience and accessibility while preserving and enhancing the unique historic and cultural identity of the district.

Objective 2-2: Preserve pedestrian-oriented areas through the use of available overlay zones to provide alternatives to automobile-oriented commercial activity.

Policy 3-2:1: Improve the physical appearance of older industrial areas.

The project fulfills the intent of the Silver Lake – Echo Park – Elysian Valley Community Plan provisions regarding land use compatibility, by preserving and strengthening an existing viable commercial development within a commercial corridor. The eclectic market/specialty shop contributes to the diversity of goods, including special selections of alcoholic beverages, to the surrounding neighborhood and broader community.

Therefore, the project substantially conforms to the purpose, intent and provisions of the General Plan and the Silver Lake – Echo Park – Elysian Valley Community Plan.

SUPPLEMENTAL CLASS 2 CONDITIONAL USE PERMIT FINDINGS, PURSUANT TO LAMC, CHAPTER 1, SECTION 12.24 W.1 (ALCOHOLIC BEVERAGES)

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

The subject property is developed with a two-story 5,220 square-foot commercial building constructed in 1921. A ground floor 1,123 square-foot tenant space has been operated by the applicant as Bucatini, a market and specialty shop, since 2020. The market/specialty shop originally sold only pantry items but has since expanded to offering home goods. Currently, the shop offers gourmet food provisions, including pantry staples, charcuterie, cheeses, and breads; imported tableware; and antique items. The proprietors are now ready to expand into offering a curated, unique selection of alcoholic beverages. No new construction is proposed.

The applicant is requesting a Class 2 Conditional Use Permit to allow the sale of a full line of alcoholic beverages for off-site consumption in conjunction with the operation of the existing market/specialty shop. The proposed hours of operation are from 9:00 a.m. to 8:00 p.m., daily.

Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against

loitering. Employees will undergo training on the sale of alcoholic beverages, including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program. Other conditions imposed that relate to safety and security include the installation of a camera surveillance system, adequate exterior illumination in the evening, exterior windows and glass doors to remain free of signage and other obstructions to permit surveillance by Police or private security, monitoring of employee and patron behavior, and prohibition on loitering with required advisory signage. In addition, the establishment will be subject to two proactive inspections within five years of utilizing the grant. If there is a change in ownership, an application for a Plan Approval is required to consider the new operations and impose additional conditions if warranted. Finally, if there is documented evidence showing continued violations, the Zoning Administrator has reserved the right to require the applicant to subject a Plan Approval application so that compliance with and the effectiveness of the conditions of approval can be evaluated and modifications made. See Finding No. 2 for discussion regarding operational issues.

Therefore, as conditioned, approval of the Conditional Use 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 California Department of Alcoholic Beverage Control (ABC) licensing criteria, there are four on-sale licenses, and two off-sale licenses allocated to the subject census tract (Census Tract 1957.10). Currently, there are a total of six active on-sale licenses, and two active off-sale licenses in the subject census tract:

- (5) Type 41 – On Sale Beer and Wine
- (1) Type 42 – On Sale Beer and Wine – Public Premises
- (2) Type 20 – Off Sale Beer and Wine

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 does not negatively impact an area, but rather such license provides a public service and benefits the community, public welfare, and convenience. The number of active on-sale and off-sale ABC licenses within the census tract where the subject

site is located does not exceed ABC guidelines. The granting of the applicant's request would add one more off-sale license within the census tract and exceed the ABC allocation by one license. However, in this case, the granting of the application, as conditioned, will not result in undue concentration as the project will enable the provision of an additional unique service and destination to complement the commercial diversity in the subject neighborhood.

According to statistics provided by the Los Angeles Police Department's Rampart Division Vice Unit, within Crime Reporting District No. 216, which has jurisdiction over the subject property, a total of 104 crimes were reported in 2024 (52 Part I and 52 Part II crimes), compared to the Citywide Average of 89 crimes and the High Crime Reporting District Average of 106 crimes. Part II Crimes reported include (2) Drug Abuse Violations, (2) Driving Under the Influence, (0) Liquor Laws, (0) Disorderly Conduct, (3) All other offenses. 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 above statistics indicate that the crime rate in the reporting district where the subject site is located is higher than the Citywide Average but slightly lower than the High Crime Reporting District. However, no evidence was submitted for the record establishing any link between the subject site and the area's crime rate. No communication from the Police Department was received that indicated concern regarding approving the applicant's request.

Furthermore, the sale of alcoholic beverages will be closely regulated to prevent sales to minors. The conditions of the grant address noise, security, loitering and maintenance to deter any nuisance activity on or adjacent to the site. The conditions of the grant require STAR/LEAD/RBS training for employees, adequate site maintenance, installation of surveillance cameras, and the maintenance of age verification devices. These conditions will deter or prevent nuisance or criminal activity such as loitering or public drinking and will improve public safety. In addition, if the ownership of the premises changes hands, a Plan Approval application is required to review the new operations and update the conditions of approval if warranted.

Therefore, as conditioned, the use is not expected to contribute to the area's crime rate and will not result in an undue concentration of establishments providing 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.**

The following sensitive uses are located within a 1,000-foot radius of the site:

Residential	
Single Family Residences, Multi-Family Residences	
School, Church, Hospital, Park	
St. Barnabas Senior Services Echo Park Senior Center	1021 North Alvarado Street
Camino Nuevo Charter Academy – Sandra Cisneros	1018 Mohawk Street

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The grant has been well conditioned to protect the health, safety, and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The project is consistent with the zoning for the property and will be compatible with the existing uses in the vicinity of the property. The proposed project will contribute to the neighborhood and will serve the neighboring residents, local employees, and visitors.

Therefore, as conditioned, the project will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

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.186,952, have been reviewed and it has been determined that this project is located outside the flood zone.

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. 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 the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (<https://planning.lacity.org/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment 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
planning.figcounter@lacity.org

Van Nuys DSC
(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401
planning.mbc2@lacity.org

South LA DSC
(In person appointments
available on Tuesdays and
Thursdays 8am-4pm only)
8475 S. Vermont Avenue
1st Floor
Los Angeles, CA 90044
planning.southla@lacity.org

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 LAMC provisions.

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.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City's [BuildLA](https://appointments.lacity.org) portal (appointments.lacity.org). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to
Online Appeal
Filing



QR Code to Forms for In-
Person Appeal Filing



QR Code to BuildLA Appointment Portal
for Condition Clearance

Inquiries regarding the matter shall be directed to Andres Gutierrez, Planning Staff for the Department of City Planning at (213) 682-6399 or andres.gutierrez@lacity.org.

A handwritten signature in blue ink that reads "Phyllis Nathanson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Phyllis Nathanson
Associate Zoning Administrator

PN:AC:AT:AG:mc

CC: Councilmember Hugo Soto-Martinez
Thirteenth Council District
Adjoining property owners
Interested Parties

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PARKING MATRIX

5220 SF / 500 = 11 SPACES REQUIRED
11 SPACES PROVIDED
W/ 2 ACCESSIBLE PARKING STATE ENTERPRISE ZONE
NO CHANGE OF USE
NO CHANGE IN PARKING

BFS

BABAK FARROKH SIAR

2009 245th Street, Lumbia,
CA 90717

Phone: 310-347-8087

Email
babak.silmanagement@gmail.com

REV	DATE	DESCRIPTION

PROJECT NAME: GROCERY STORE WITH OFF-SITE ALCOHOL CONSUMPTION PERMIT
ADDRESS: 2146 SUNSET BLVD, LOS ANGELES CALIFORNIA 90025

Issue Date:

Ref. No.

Scale:

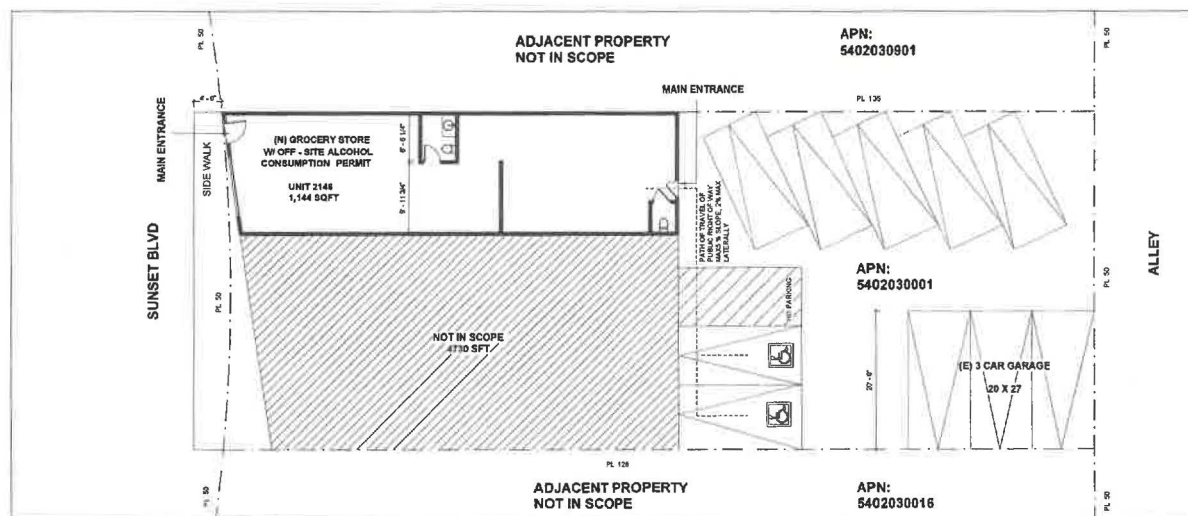
Drawn By:

Time

SITE PLAN

3746

A0



1 SITE PLAN
1/8" = 1'-0"



REV	DATE	DESCRIPTION

PROJECT NAME: GROCERY STORE WITH OFF-SITE ALCOHOL CONSUMPTION PERMIT
ADDRESS: 2146 SUNSET BLVD, LOS ANGELES CALIFORNIA 90025

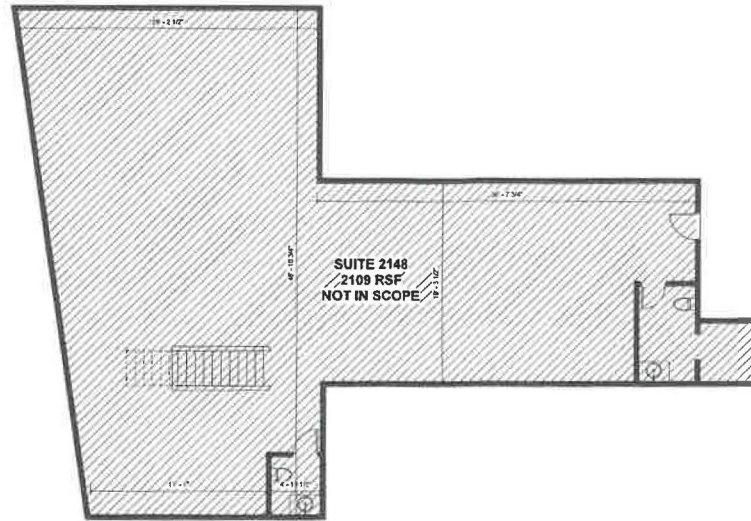
Issue Date:
Ref. No:
Scale:
Drawn By:
Title:

(E) FLOOR PLAN

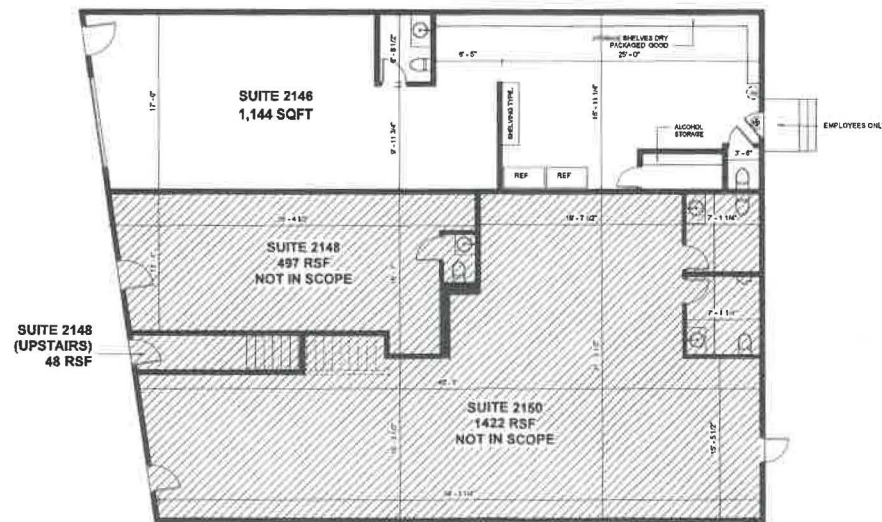
Sheet No:

A1

EXHIBIT "A"
Page No. 2 of 3
Case No. ZA-2021-9046-CUB

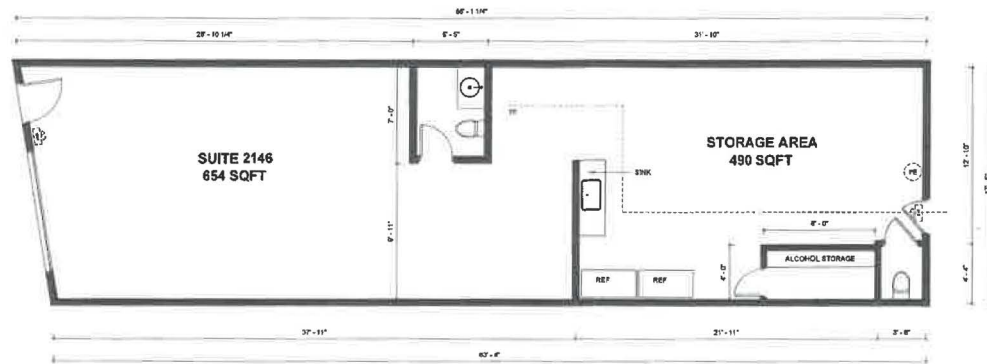


1 (E) 2ND FLOOR PLAN
3/16" = 1'-0"

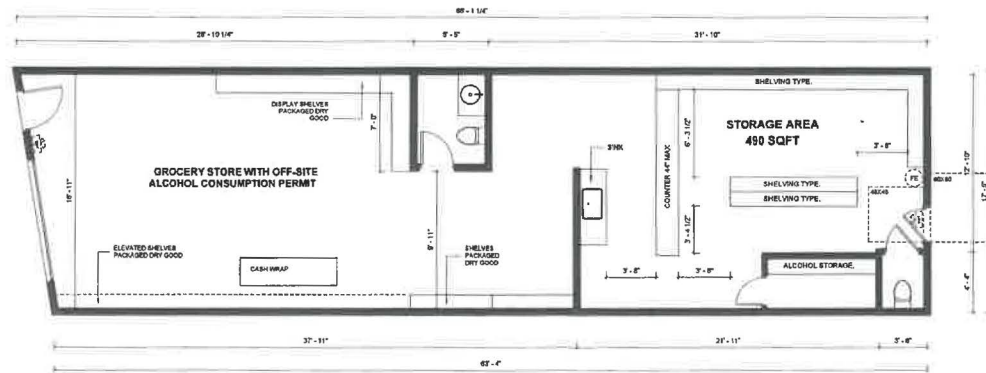


2 (E) 1ST FLOOR PLAN
3/16" = 1'-0"





1 (E) EGRESS FLOOR PLAN
1/4" = 1'-0"



2 (N) FIXTURE & ADA FLOOR PLAN
1/4" = 1'-0"



FIRE LIFE SAFETY LEGEND



DUAL POWERED ILLUMINATED EXIT SIGN
W/ "BUG-EYE"
BATTERY IS ALTERNATE POWER SOURCE, MAIN
POWER OUTAGE TO EXECUTE BATTERY POWER



TYPE A FIRE EXTINGUISHER

PLUMBING FIXTURE COUNT
GROUP B OCCUPANCY, LOAD FACTOR 30, TABLE A, CPC
654 SQFT / 30 = 21.8 PERSONS

UNISEX ADA RESTROOM PROVIDED & 1 SERVICE SINK

1. PROVIDE ULTRA LOW FLUSH TOILET
2. PROVIDE FAUCETS WITH MAX 1.8 GPM PER MINUTE
3. MIN 24" CLEARANCE IN FRONT OF TOILETS, TYP FOR NON ADA TOILETS

AS PER TABLE 2902.1

OCC PER SEX	RATIO WC	RQD WC	PRD WC	RATIO LAV	RQD LAV	PRD LAV	RQD SERV SINK	PRD SERV SINK
MALE 50 % = 2	1 PER 150	1	1	1 PER 200	1	1	1	1
FEMALE 50 % = 2	1 PER 150	1	1	1 PER 200	1	1		

EXHIBIT "A"
Page No. 3 of 3
Case No. ZA-2021-9046-CUB

BFS

BABAK FARROKHSHAR
2009 245th Street, Lanham,
CA 90717
Phone: 310-381-0887
Email: babak.farrokhshar@gmail.com

REV DATE DESCRIPTION

PROJECT NAME: GROCERY STORE WITH OFF-SITE ALCOHOL CONSUMPTION PERMIT
ADDRESS: 2146 SUNSET BLVD, LOS ANGELES CALIFORNIA 90025

Issue Date:
Ref. No:
Scale:
Drawn By:
Title:

(N) EGRESS PLAN

Sheet No:

A2