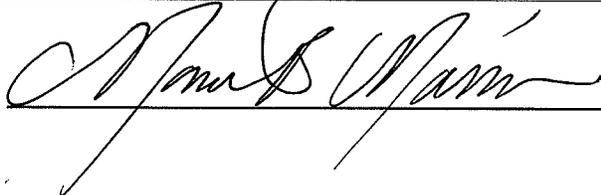


Regional Planning Commission Transmittal Checklist

Hearing Date
04/06/2011
Agenda Item No.
8

Project Number: R2006-03880
Case(s): Conditional Use Permit Case No. 200900140
Planner: Steven Mar

- Factual
- Property Location Map
- Staff Report
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use Radius Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- Rowland Heights Community Coordinating Council Email Memo
- Sheriff's Department Letter
- CA Alcoholic Beverage Control Letter

Reviewed By: 



Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012
Telephone (213) 974-6461

PROJECT NUMBER R2006-03880-(1)
CONDITIONAL USE PERMIT No. 200900140

PUBLIC HEARING DATE
April 6, 2011

AGENDA ITEM
8

RPC CONSENT DATE
N/A

CONTINUE TO
N/A

APPLICANT

SS & W Corporation

OWNER

JTNA Enterprises LLC

REPRESENTATIVE

Seo & Company, Justin Kim

PROJECT DESCRIPTION

The applicant, SS & W Corporation, is requesting a Conditional Use Permit (CUP) for the sale and dispensing of beer and wine for on-site consumption in an existing 1,176 sq. ft restaurant within an existing shopping center (Rowland Heights Shopping Center) containing 393 parking spaces in the C-1 (Restricted Business) and P-R (Restricted Parking) zones in the Puente Zoned District pursuant to Los Angeles County Code Section 22.56.195. There are three maximum employees per shift, from 11 a.m. to 2 a.m., with a total of four employees.

REQUIRED ENTITLEMENTS

A Conditional Use Permit (Alcoholic Beverage Consumption – Type 41) is required to allow the sale of beer and wine for on-site consumption in the C-1 (Restricted Business) zone pursuant to Los Angeles County Code Section 22.56.195.

LOCATION/ADDRESS

18333 Colima Rd., #B, Rowland Heights

SITE DESCRIPTION

The site plan depicts an existing 1,176 sq. ft. restaurant (Love Letter restaurant) located in a 31,500 sq. ft. shopping center (Rowland Heights Shopping Center). Residential uses surround the site immediately to the north and west, a 2-story parking structure and office use to the east, and commercial office and retail uses to the south and west. Currently, there are twelve other establishments within a 600-ft radius selling alcohol.

ACCESS

via Colima Road, Fullerton Road, Baston Avenue

ZONED DISTRICT

Puente

ASSESSORS PARCEL NUMBER

8270-005-043

COMMUNITY

Rowland Heights

SIZE

5.02 Acres (site)

COMMUNITY STANDARDS DISTRICT

Rowland Heights CSD

	EXISTING LAND USE	EXISTING ZONING
Project Site	Shopping plaza w/appurtenant parking	C-1 (Restricted Business), P-R (Restricted Parking)
North	Single-family Residences	A-1-6000 (Light Agriculture – 6,000 sq. ft. Minimum Required Area)
East	Single-family Residences	A-1-6000 (Light Agriculture – 6,000 sq. ft. Minimum Required Area)
South	Retail, Office	C-2-BE (Neighborhood Commercial – Billboard Exclusion Zone)
West	Retail, Office, Single-family Residences	C-1 (Restricted Business), A-1-6000 (Light Agriculture – 6,000 sq. ft. Minimum Required Area)

GENERAL PLAN/COMMUNITY PLAN

Rowland Heights Community Plan

LAND USE DESIGNATION

C - Commercial

MAXIMUM DENSITY

N/A

ENVIRONMENTAL DETERMINATION

Categorical Exemption, Class 1 – Existing Facilities

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON: Steve Mar		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) 0 (F) 0	PETITIONS (O) 0 (F) 0	LETTERS (O) 0 (F) 0

*(O) = Opponents (F) = In Favor



Rowland Heights, CA

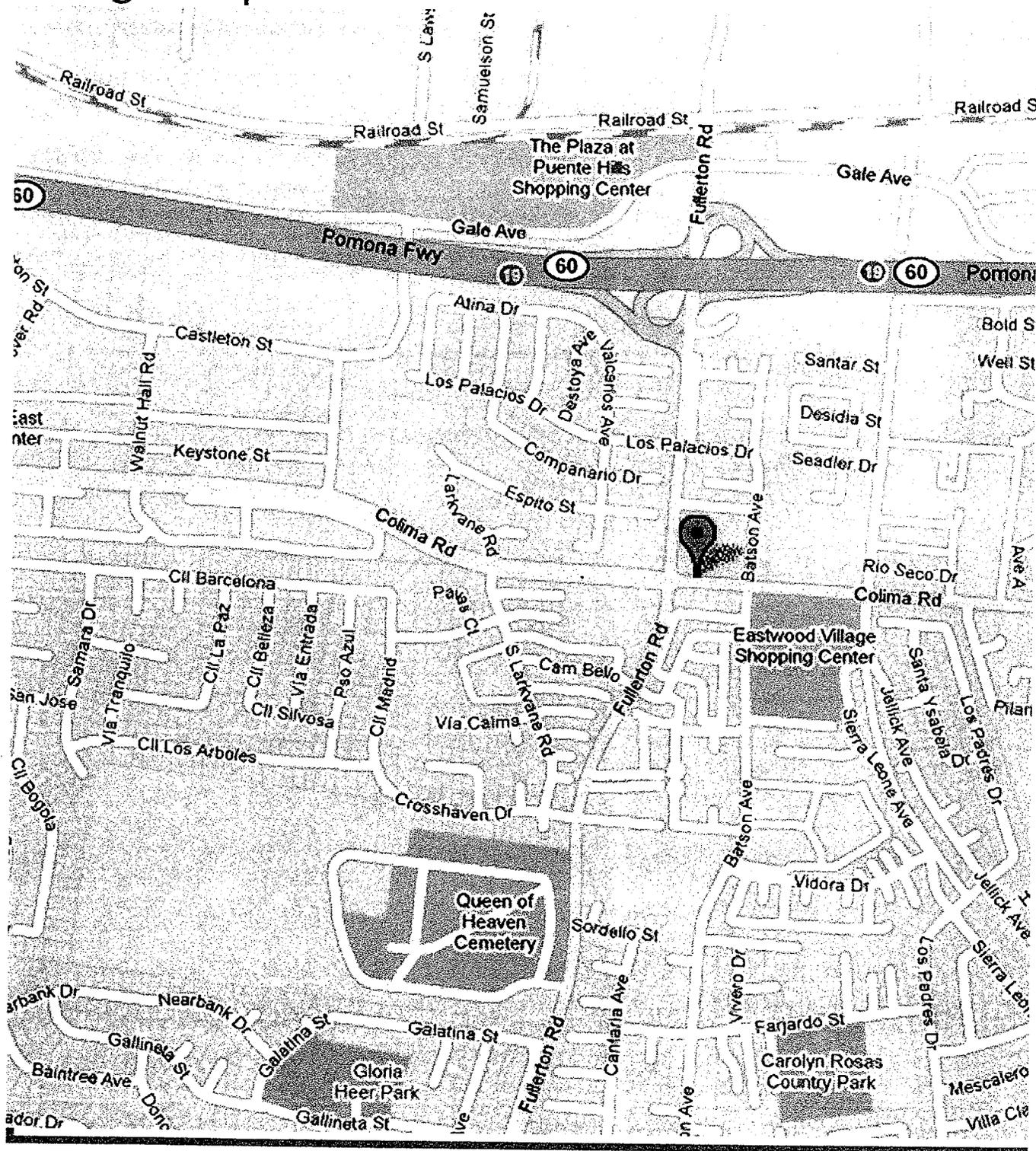
1-800-MELISSA

Products

Solutions

Downloads & Trials

Google Map



18333 colima rd
 rowland heights, ca 91748-2793

STAFF REPORT
PROJECT NUMBER R2006-03880 - (1)
CONDITIONAL USE PERMIT NUMBER 200900140

ENTITLEMENT REQUESTED

Pursuant to Section 22.56.195 of the Los Angeles County Code, the applicant is requesting a Conditional Use Permit (CUP) to authorize the sale of alcoholic beverages for on-site consumption at an existing restaurant located within an existing shopping center.

PROJECT DESCRIPTION

The applicant, SS & W Corporation, is requesting a Conditional Use Permit (CUP) for the sale of beer and wine for on-site consumption in an existing 1,176 sq. ft restaurant within an existing shopping center (Rowland Heights Shopping Center) in the C-1 (Restricted Business) and P-R (Restricted Parking) zones in the Puente Zoned District pursuant to Los Angeles County Code Section 22.56.195. There are three maximum employees per shift, from 11 a.m. to 2 a.m., with a total of four employees.

DESCRIPTION OF SUBJECT PROPERTY

Location

The restaurant occupies a tenant space in an existing multi-tenant shopping center located at 18333 #B Colima Road in Rowland Heights and in the Puente Zoned District.

Assessor's Parcel Number: 8270-005-043

Physical Features

The restaurant occupies 1,176 square feet in a 31,500 sq. ft. shopping center that contains various retail businesses and restaurants on a level, paved, and irregular shaped 5.02 acre parcel. A total of 393 parking spaces are located within the shopping center.

EXISTING ZONING

Subject Property Zoning

The subject property is zoned C-1 (Restricted Business) and P-R (Restricted Parking).

Surrounding Properties Zoning:

- North: A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area) zone.
- East: A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area) zone.
- South: C-2-BE (Neighborhood Commercial – Billboard Exclusion) zone.
- West: C-1 (Restricted Business), A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area) zone.

EXISTING LAND USE

Subject Property Land Use

The subject property is developed within a multi-tenant shopping center.

Surrounding Properties Land Uses:

- North – Single-family Residences
- East – Single-family Residences
- South – Retail, Office
- West – Retail, Office, Single-family Residences

Community Standards District (CSD): Rowland Heights CSD

Town Council / Homeowners Association: Rowland Heights Community Coordinating Council

PREVIOUS CASES/ZONING HISTORY

Over 30 Regional Planning land use permits are listed on the subject property for various tenant improvements, alcoholic beverage sales, and business license referrals.

ROWLAND HEIGHTS COMMUNITY PLAN

Land Use Policy Map

The Rowland Heights Community Plan land use designation of the subject property is C-Commercial. Areas within this designation are suited for retail, commercial, service and office uses. While there are no specific policies concerning commercial uses in the Rowland Heights Community Plan, the Countywide General Plan defines local commercial uses as individual enterprises, or small scale multi-use centers, serving the needs of the local community. Examples of such uses include facilities providing neighborhood or community convenience goods and services and local community/neighborhood-serving office and professional services. The proposed sales of beer and wine within an existing restaurant that serves the surrounding community is compatible with the commercial designation of the General Plan.

SITE PLAN

The site plan depicts an existing 1,176 sq. ft. restaurant (*Love Letter Restaurant*) located in the 31,500 sq. ft. shopping center within the 5.02 acre subject property. There are 393 parking spaces shown on the site plan for the subject property. Access to the site is via Colima Road, Fullerton Road, and Baston Avenue.

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Zoning Ordinance and Development Standards Compliance

The subject property is located in the C-1 (Restricted Business) and P-R (Restricted Parking) zone. Restaurant use with on-site alcohol sales and consumption is allowed in Zone C-1 with a CUP. There is no new construction proposed with this project.

Parking

Pursuant to Section 22.28.220-B, parking shall be provided according to Section 22.52.1110 of the County Code. Entertainment, dining, and accessory uses require one space for every three persons based on the occupant load as determined by the county engineer. The Rowland Heights Shopping Center was permitted with a restaurant use in this location, as such the 393 parking spaces currently provided for the shopping center include the required for the existing subject restaurant.

Outside Storage

Section 22.28.220-D states the requirements for outside storage in the Zone C-3-BE.

No outside storage is shown on the site plan. The site plan complies with this requirement.

Signage

Section 22.52.870 of the County Code, states the requirements for business signs in a commercial zone. No additional signage has been proposed for this project.

Neighborhood Impact/Land Use Compatibility

Staff is of the opinion that approval of the CUP request will not have a negative impact on the surrounding area. The request is to allow for the sale of beer and wine for on-site consumption in an existing restaurant. With the proposed draft conditions it shall remain consistent and compatible with the surrounding community. The subject property is not located within close proximity to sensitive uses. The existing restaurant has operated successfully with no history of complaints or violations.

BURDEN OF PROOF

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Commission, the following facts:

- A. That the requested use at the location proposed will not:
 - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- B. That the proposed site is adequate in size and shape to accommodate the yards, wells, fence, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

- C. That the proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

The applicant's Burden of Proof responses are attached to this document. Staff is of the opinion that the Burden of Proof has been met.

ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

Per Section 22.56.195 of the Los Angeles County Code, in addition to the findings required pursuant to subsection A of Section 22.56.090, the applicant shall also substantiate to the Hearing Officer and/or Commission the following facts:

- A. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600' radius; and
- B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500' shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500' radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than 5% of the total shelf space in the establishment; and
- D. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- E. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

The applicant's Burden of Proof responses are attached to this document. Staff is of the opinion that the Burden of Proof has been met.

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning has determined that a Class 1 Categorical Exemption - Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) and the Los Angeles County Environmental Document Reporting Guidelines, since the project will not require any

addition or significant alteration to the existing facility beyond that which existed at the time of the environmental determination.

**STATE AND COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS
California Department of Alcoholic Beverage Control**

Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located in a high crime area. The subject property is in Reporting District 2931. The average number of offenses reported is 164.56 and the actual number of crimes reported for District 2931 is 357. The subject property lies within Census Tract 4082.11. There are currently 55 existing and 3 pending alcohol licenses in this census tract and 6 licenses are allowed.

An undue concentration of alcoholic beverage licenses currently exists within Reporting District 2931 and Census Tract 4032.11, therefore the applicant would require a finding of public convenience and necessity in order to obtain authorization from ABC to allow for alcohol sales. The granting of this CUP to sell beer and wine for on-site consumption at an existing restaurant would serve as a public convenience to the surrounding neighborhood and would be a complementary use for the restaurant. Neighboring restaurants in the vicinity already serve alcohol as part of their food service. Therefore the sale of alcohol by the applicant would provide a customary accompaniment to full service dining that is available at similar restaurants in the neighborhood.

Sheriff's Station

Deputy Joe LoMonaco of the County of Los Angeles Sheriff's Department researched the database from January 1, 2005, thru December 31, 2009, and numerous calls for service were made to the shopping center. The Sheriff's comments contain no details to the nature of the calls other than vehicular-related citations. Upon review of the application, the Sheriff's Department had no objection to the Conditional Use Permit to authorize the sale of alcoholic beverages for on-site consumption (report attached).

PUBLIC COMMENTS

No public comments has been received at the time of this report.

Rowland Heights Community Coordinating Council

The Rowland Heights Community Coordinating Council has reviewed the application and has no objections to the granting of the Conditional Use Permit.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

The public was properly notified of the public hearing pursuant to applicable notice requirements. A total of 153 public hearing notices were mailed to property owners within a 500-foot radius of the subject property on March 1, 2011, to notify the surrounding residents of the project. This number also includes notices sent to the local community groups and residents on The Puente Zoned District courtesy list. The hearing notice was also advertised in the San Gabriel Valley Tribune on March 3, 2011, as well as in La Opinion on March 2, 2011. Case-related material, including the Notice

of Public Hearing, Factual, and Burden of Proof were sent on March 1, 2011 to the Rowland Heights County Library located at 1850 Nogales St., Rowland Heights. The hearing notice has been posted on the property for a minimum of 30 days prior to the public hearing date. Staff received the Certificate of Posting and photos from the applicant's agent stating that the Notice of Public Hearing was posted on March 8, 2011. No comments were received from the public opposing this proposal.

STAFF EVALUATION

The subject restaurant is located within an existing shopping center currently containing various retail establishments. Currently, there are eight (8) other restaurants within 600 feet of the project that have a license to sell beer and wine for on-site consumption, one (1) other restaurant that has a license to sell a full line of alcohol for on-site consumption, and three (3) businesses have licenses to sell a full line of alcohol for off-site consumption.

Upon review of the application, the Sheriff's Department had no objection to the CUP to authorize the sale of alcoholic beverages for on-site consumption. There are also no sensitive uses situated within 600 feet of the subject property that will be adversely affected by the sale of alcoholic beverages for on-site consumption at this location. The impact of the project would also be mitigated by the fact that the license would be for on-site consumption only, and then only in conjunction with food served in a restaurant. The sale of beer and wine for on-site consumption at a restaurant is consistent with other neighboring restaurants in the vicinity that serve alcohol as part of their food service. Therefore the sale of alcohol by the applicant would provide a customary accompaniment to full service dining that is available at similar restaurants in the neighborhood.

The granting of this Conditional Use Permit to sell beer and wine for on-site consumption at an existing restaurant would serve as a public convenience to the surrounding community.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Project No. R2006-03880 / Conditional Use Permit No. 200900140, subject to the attached draft conditions.

FEES/DEPOSIT

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

SUGGESTED APPROVAL MOTION

<p>I move that the Regional Planning Commission close the public hearing, determine that the project is exempt from the California Environmental Quality Act pursuant to a Class 1 categorical exemption, and approve Conditional Use Permit 200900140 (Project number R2009-03880) with the attached findings and conditions of approval.</p>
--

Prepared by Steven Mar, Regional Planning Assistant II, Zoning Permits East
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East

Attachments:

Factual

Draft Conditions of Approval

Draft Findings for Approval

Applicant's Burden of Proof and Addendum Burden of Proof statements

California ABC Census Tract Statistics

Site Photographs

MM:SM

4/6/11

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

REQUEST: To authorize the sale of beer and wine for on-site consumption at an existing restaurant.

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

Findings

1. The applicant is requesting a conditional use permit ("CUP") for the sale of beer and wine for on-site consumption at an existing restaurant in the C-1 zone, which allows for the sale of alcohol for on-site consumption with a CUP.
2. The location of the subject parcel is 18333 Colima Rd., #B, in Rowland Heights within the Puente Zoned District in the unincorporated portion of Los Angeles County.
3. The restaurant occupies 1,176 sq. ft. of a total floor area of 31,500 sq. ft. situated on a paved, 5.02 acre irregular shaped parcel. The subject property is developed with a multi-tenant shopping center comprised of various retail businesses and restaurants.
4. The subject property is zoned C-1 (Restricted Business).
5. Surrounding properties are zoned as follows:
 - North: A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area)
 - South: C-2-BE (Neighborhood Commercial – Billboard Exclusion Zone)
 - East: A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area)
 - West: C-1 (Restricted Business), A-1-6000 (Light Agricultural – 6,000 sq. ft. Minimum Required Area)
6. Land uses surrounding the property include:
 - North: Single-family Residences
 - South: Retail, Office
 - East: Single-family Residences
 - West: Retail, Office, Single-family Residences
7. Previous cases on the property include the following:

Over 30 permits are listed on the subject property for tenant improvements, alcoholic beverage sales, and business license referrals.
8. The project is consistent with the adopted general plan for the area. The land use designation within the Rowland Heights Community Plan for the subject property and surrounding area is Commercial. Areas within this designation are suited for retail, commercial, service and office uses. While there are no specific policies concerning commercial uses in the Rowland Heights Plan, the Countywide General Plan defined local commercial uses as individual enterprises, or small scale multi-use centers, serving the needs of the local community. Examples of such uses include facilities providing neighborhood or community convenience goods and services and local community/neighborhood-serving office and professional services. The plan provides guidelines for the location, scale, design and circulation

characteristics of local commercial services. The proposed sales of beer and wine within an existing restaurant that serves the surrounding community is compatible with the commercial designation of the General Plan.

9. The project on the subject property will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare. The project is located in an existing shopping center and is consistent with the surrounding area, The sale of alcoholic beverages is consistent with other restaurants in the area and is a customary and accompanying service with full service dining.
10. The site plan depicts the 31,500 sq ft existing multi-tenant shopping plaza (Rowland Heights Shopping Center) on the 5.02 acre subject property. The subject request is for a Conditional Use Permit (Alcoholic Beverage Consumption – Type 41) to allow the sale of beer and wine for on-site consumption in an existing 1,176 sq ft restaurant located in the shopping center.
11. There are 393 parking spaces shown on the site plan for the subject property. The proposed use requires 20 parking spaces. The Rowland Heights Shopping Center was permitted with a restaurant use in this location, as such the 393 parking spaces currently provided for the shopping center include the required for the existing subject restaurant.
12. The subject property is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required. Access to the shopping center is via Colima Road, Fullteron Road, both fully improved arterial streets, and Baston Avenue, a two-lane street. The site is served by all necessary public and private facilities, including water, sewer, electricity, and trash collection.
13. The proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area. Unless specifically modified by a conditional use permit during the discretionary review process, the project shall be subject to the following development standards:

- A. Parking. Pursuant to Section 22.28.120-B, parking shall be provided according to Section 22.52.1110 of the County Code. Entertainment, dining, and accessory uses require one space for every three person based on the occupant load as determined by the county engineer.

As determined by the Building and Safety Division of Public Works, the occupant load for the restaurant is 60 persons. The existing restaurant requires the provision of 20 parking spaces. The commercial center provides 393 parking spaces and complies with this requirement.

- B. Signage. Section 22.52.870 of the County Code, states the requirements for business signs in a commercial zone.

No additional signage has been proposed as part of the project.

C. Outside Storage. Section 22.28.120-G states the requirements for outside storage in the Zone C-1.

No outside storage is shown on the site plan. The site plan complies with this requirement. No outside storage is proposed.

14. The project on the subject property will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius because no such uses are found within a 600' radius of the project.
15. The project is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area because the project site is buffered by a wall on its northern property line and by an adjacent multi-story office building and parking structure on its eastern boundary.
16. The project will not adversely affect the economic welfare of the nearby community because it is located in an existing shopping center and will maintain existing hours of operation and food service and the additional sale of alcoholic beverages will make it consistent with other nearby restaurants and improving its economic welfare.
17. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood because no exterior alterations are being proposed.
18. The Regional Planning Commission determined that the project qualifies for a Categorical Exemption under Class 1, Existing Facilities, of the CEQA reporting requirements and the Los Angeles County Environmental Document Reporting Guidelines, since the project will not require any addition or significant alteration to the existing facility beyond that which existed at the time of the environmental determination.
19. The public was properly noticed of the public hearing for the project. A total of 153 public hearing notices were mailed to property owners within a 500-foot radius of the subject property on March 1, 2011 to notify the surrounding residents regarding the proposal. The hearing notice was also published in the San Gabriel Valley Tribune Newspaper on March 3, 2011, as well as in La Opinion on March 2, 2011. Case-related material, including the hearing notice, factual and burden of proof were sent on March 1, 2011 to the Rowland Heights Library located at 1850 Nogales St., Rowland Heights. The hearing notice has been posted on the property for a minimum of 30 days prior to the public hearing date.
20. No comments were received from the public opposing this proposal.
21. According to the California Department of Alcoholic Beverage Control, the requested use at the proposed location will result in an undue concentration of similar premises within Reporting District 2931 and Census Tract 4082.11. There are currently 55 existing and 3 pending alcohol licenses in this census tract and 6 licenses are allowed. The average number offenses reported in Reporting District 2931 is 164.56 and the actual number of crimes reported for the District is 357. Therefore, the applicant would require a finding of public

convenience and necessity in order to obtain authorization from ABC to allow for alcohol sales. The granting of this CUP to sell beer and wine for on-site consumption at an existing restaurant would serve as a public convenience to the surrounding neighborhood and would be a complementary use for the restaurant. Neighboring restaurants in the vicinity already serve alcohol as part of their food service. Therefore the sale of alcohol by the applicant would provide a customary accompaniment to full service dining that is available at similar restaurants in the neighborhood.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use is consistent with the adopted general plan for the area; and
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required; and
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- G. The requested use at the proposed location will result in an undue concentration of similar premises under ABC regulations as currently there are 55 existing licenses and 6 are allowed. Therefore, the approval of the permit requires a finding of public convenience and necessity. There is need for another license as a public convenience to the community. Under County code, there is no undue concentration of alcohol licenses because the project is for on-site consumption; and
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a Conditional Use Permit for alcohol sales as set forth in Sections 22.56.040 and 22.56.195, Title 22, of the Los Angeles County Code.

REGIONAL PLANNING COMMISSION ACTION:

1. The Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of facts and conclusions presented above, Project No. 2006-03880-(1) / Conditional Use Permit 200900140 is **APPROVED**, subject to the attached conditions.

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date: April 6, 2011

MM:SM

This grant allows for the sale of beer and wine for on-site consumption at an existing restaurant, as depicted on the approved Exhibit "A". This grant is subject to all of the following conditions of approval.

1. This grant authorizes the sale of beer wine for on-site consumption at an existing restaurant, as depicted on the approved Exhibit "A". This grant is subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property, if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required fees have been paid pursuant to Condition No. 10. The recorded affidavit shall be filed and the required monies shall be paid by June 6, 2011. Notwithstanding the foregoing, this condition (No.3), and Condition Nos. 4 5, and 6 shall be effective immediately upon the date of final approval of this grant by the County. The date of final approval is the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the

number of supplemental deposits that may be required prior to completion of the litigation.

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

6. This grant shall expire unless used within two (2) years from the date of final approval by the County. A single one-year time extension may be requested in writing with payment of the applicable fee before the expiration date.
7. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the permittee, or property owner if other than the permittee, shall record the terms and conditions of the grant in the office of the County Clerk/Registrar-Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or property owner if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. **This grant shall terminate on April 6, 2026.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least 6 months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to then-applicable regulations.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund

provides for eight (8) biennial (once every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time such additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
12. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in the conditions or as shown on the approved plans.
14. The permittee shall comply with all applicable requirements of the County Department of Public Health. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
15. All structures, walls, and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such graffiti or other extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
16. A copy of these conditions shall be kept in the office and shall be made available to all enforcement personnel upon request.

17. The operation of this restaurant, including the sale of beer and wine for on-site consumption, is subject to the following conditions:
- a. The sale of beer and wine for on-site consumption shall be limited from 11 a.m. to 2 a.m., 7 days a week;
 - b. The occupancy of the restaurant is limited to a maximum of 60 patrons;
 - c. The sale of alcoholic beverages shall be in conjunction with food ordered and consumed and within the subject restaurant only. The sale and serving of alcoholic beverages for consumption outside the restaurant is prohibited;
 - d. Loitering shall be prohibited on the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises prohibiting loitering. The signage shall be in English and the predominant second language in the neighborhood (Korean). Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
 - e. The permittee shall post signage on the premises in both English and the predominant second language in the neighborhood (Korean), which is clearly visible to members and guests, prohibiting the consumption of alcohol outside of said facility;
 - f. The permittee shall develop and implement a Designated Driver program (i.e. free soft drinks or coffee to a designated driver of a group). The permittee shall submit the program to the Director of Regional Planning for review and approval prior to the effective date of the permit. A printed two-sided card explaining this program shall be placed on all tables in the restaurant or an explanation regarding the program shall be printed on the menu;
 - g. The permittee, and all managers and designated employees of the establishment, who are directly in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program, or other similar program, provided by the State of California Department of Alcoholic Beverage Control. This training shall be on-going, and all new designated employees shall be required to attend. The licensee shall display a certificate of plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request;
 - h. All servers of alcoholic beverages shall be a minimum of 18 years of age;
 - i. The permittee shall not advertise the sale of alcoholic beverages on the exterior walls or windows of the subject building or at any location on the subject

- property. No self-illuminating advertising for alcoholic beverages shall be located on the exterior of buildings or windows;
- j. The permittee shall provide adequate lighting above all entrances and exits to the restaurant premises. The lighting shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons entering or exiting the premises during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties;
 - k. The licensed premises shall have no coin operated amusements, such as pool tables, juke boxes, video games, or other similar equipments at any time;
 - l. No live entertainment, dancing, or dance floor is authorized in or outside the premises;
 - m. The permittee shall maintain the subject property in a neat and orderly fashion. All areas of the premises controlled by the permittee shall be maintained free of litter.
 - n. The placement of portable signs on sidewalks adjacent to the subject property and temporary signs on walls and poles is prohibited;
 - o. Temporary window signs shall not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage;
 - p. The permittee shall abide by all requirements, licensing or otherwise, established for the sale of alcoholic beverages by the State Department of Alcoholic Beverage Control;
 - q. The permittee shall keep telephone numbers of local law enforcement agencies posted in the restaurant in plain view near the cashier's or similar public service area;
 - r. The permittee shall provide and continuously maintain on file with Regional Planning a contact name and phone number for the current owner of the property and operator of the restaurant in the event that communication by the County is warranted relative to these conditions; and
18. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, a Revised Exhibit "A" shall be submitted Regional Planning within sixty (60) days of the date of final approval of this grant. In the event the subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the director for review and

approval. All revised plans must be accompanied by written authorization of the property owner.

MM:SM
3-28-11

CONDITIONAL USE PERMIT CASE – BURDEN OF PROOF

Applicant: Love Letter Chicken

Project Location: 18333 Colima Rd. #B
Rowland Height, CA 91748

Representative: Seo & Company
3460 Wilshire Blvd. #1240
Los Angeles, CA 90010

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

A. That the requested use at the location proposed will not:

- 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or**
- 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or**
- 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.**

The request for on-site beer and wine in conjunction with the operation of a well established restaurant is a desired amenity and is commonly acknowledged by the general public. The applicant wishes to operate this bona fide family oriented restaurant at this location with the sale of beer and wine incidental to food order only and with proposed hours of operation from 11 a.m. to 2 a.m. daily. The applicant will apply policies that dictate stringent age verifications prior to alcohol sales. He will ensure that the restaurant will be operated harmoniously and without nuisance to the surrounding uses. Moreover, the subject site is suitable for the proposed use and compatible with the existing pattern of development in the immediate neighborhood. Therefore, the proposed use is consistent and harmonious with the adjacent or surrounding uses in that it promotes sound commerce that enhances the character of the development in the immediate

neighborhood.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with uses in the surrounding area.

The design of the site plan was approved under the previous case and the site was constructed to Code or have abided by conditions set forth by the Regional Planning Department. The uses and improvements of the subject project are designed and arranged to enhance the development of adjacent properties. Thus, the subject site is adequate in size and shape to accommodate any required or requested improvements.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quality of traffic such use would generate, and

2. By other public or private service facilities as are required.

The subject property is bounded by Colima Rd. and Fullerton Road, two secondary highway that serves a continuous flow of traffic.

The ingress and egress to the subject project will not constitute a traffic hazard or cause significant traffic congestion, or disruption of vehicular circulation on adjacent streets. Trash pick-up by a private trash contractor will be accessed through the 20 feet wide driveway and conducted at the trash enclosures located near the loading area for the each building. In addition, the subject site receives all utility and sewer services provided through under ground pipes. Thus, the proposed project is adequately served by a sufficiently wide highway and by other public and private service facilities.

ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF
Zoning Code Section 22.56.195
18333 Colima Rd. #B

Project request: A Conditional Use to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with an existing 1,176 sq. ft. restaurant .

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

The requested use will not adversely affect the sensitive uses within 600 feet such as schools, parks, religious worship because this subject restaurant and its request for the beer and wine sales will only compliment the food it provides. This restaurant has served this neighborhood for many years now problem free and adding beer and wine sales will complete the full restaurant service. The applicant wishes only to provide a better service to this community and be at par with other restaurants in the area that has been granted with alcohol sales. Thus, the requested beer and wine sales should not adversely affect the sensitive uses within the vicinity.

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

The properties along Colima Road and Fullerton Road are similarly developed with various commercial uses including retail shops, restaurant, and offices.

The distance from the subject location to the existing residential development is well buffered by the parking lot at rear portion of the building and the brick wall which has created a distance from residential properties. All noise and activities are directed towards Colima Rd. and Fullerton Rd. and away from the residences. Thus, the approval of the Conditional Use will not detrimentally affect nearby residentially zoned properties.

C. The requested use at the proposed location will not result in an undue

concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

The restaurant use in this instance will provide convenience to the immediate business community, local residents and visitors. The conditions of approval addressing operational and alcohol related issues have been imposed to ensure it safeguard the public's welfare and to ensure that the location of the project will be desirable to the public convenience.

Operation of said restaurant would not conflict with other tenants and their patrons; the use including the alcohol sales is compatible with the character of the surrounding uses. The applicant has maintained current operation in compliance with prior requirements established by the County of Los Angeles, and has demonstrated that the use will be operated in a responsible manner in relation to adjacent uses and development of the Community.

D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

. The approval of this conditional use will only add economic vigor to the local economy by drawing more customers to the area. Also, the applicant employs the majority of the staff from the local communities which will contribute to the business tax base, and in turn, will regenerate resources into the community. Therefore, the subject request to sell beer and wine in conjunction with a bona fide family oriented restaurant will enhance the economic wellbeing of the community.

E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

The properties along Colima Road and Fullerton Road are similarly developed with various commercial uses including commercial shopping center with various retail shops

and restaurants, and residential properties in the interior lots. The proposed use is compatible with the development in the surrounding properties. The subject restaurant will operate in the commercial center and will offer an extensive menu and will continue to be a fixture to this community. Again, the sale of beer and wine will be incidental to the food service. Thus, the proposed request will not be materially detrimental to the character of the development in the immediate neighborhood.

SITE PHOTOS

**18333 COLIMA RD.#B
ROWLAND HEIGHTS, CA 91748**





三陽牌抽油煙機
SAN YANG RANGE HOOD

LOVE LETTER
Pizza & Chicken



Mar, Steve

From: Beth Hojnacke [spunx903@roadrunner.com]
Sent: Thursday, February 17, 2011 5:17 PM
To: Mar, Steve; 'Justin Kim'
Subject: RE: Love Letter restaurant ABC license
Attachments: image001.gif

Follow Up Flag: Follow up
Flag Status: Flagged

Thr Rowland Heights Community Coordinating Council has no objections to this application.

Beth Hojnacke

President

Rowland Heights Community Coordinating Council, Inc.

www.rhccc.netfirms.com

562-544-3828

From: Mar, Steve [<mailto:smar@planning.lacounty.gov>]
Sent: Monday, January 31, 2011 11:23 AM
To: Justin Kim
Cc: spunx903@roadrunner.com
Subject: Love Letter restaurant ABC license

Hi Justin,

I would like to reconfirm if you've presented your liquor license application for the Love Letter Restaurant at 18333 Colima Rd. to the Rowland Heights Community Coordinating Council. Thanks.

Steve Mar
Planner
Zoning Permits East Section
Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012
<http://planning.lacounty.gov>
213-974-6435



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R2006-03880



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters

*4700 Ramona Boulevard
Monterey Park, California 91754-2169*



January 15, 2010

Mr. Phillip Estes
Principal Regional Planner
Los Angeles County Department
of Regional Planning
320 West Temple Street
Los Angeles, California 90012

Dear Mr. Estes:

This letter is in response to your request for information regarding the Love Letter Restaurant, located at 18333 Colima Road, Unit B, Rowland Heights, California.

The request for a conditional use permit has been provided to me by my staff. Upon review, I find no objections to the conditional use permit and the allowance of a full line of On-site/Person to Person alcohol sales, beer and wine (Type 41).

If you require additional information, please contact Deputy Joe LoMonaco at (909) 595-2264, extension 3043, or via e-mail at jnlomona@lasd.org

Sincerely,

LEROY D. BACA, SHERIFF

David E. Halm, Captain
Walnut/Diamond Bar Station

A Tradition of Service Since 1850

FEB 02 2010

Department of Alcoholic Beverage Control
Monrovia District Office
222 East Huntington Drive, Suite 114
Monrovia, CA 91016
Phone: 626-256-3241
Fax: 626-357-4173

State of California



FAX TRANSMISSION

Total Number of Pages 2 (Including this cover sheet)

Original: To follow by regular mail Will not follow

To: Steve Man

Firm/Office: J A Co Reg Planning

Fax: 213 626-0434 Date: 1-26-11 Time: 5:15 pm

cc('s): _____

From: Rupe Romero Phone: 626-357-7174

Subject: PBA: Love Letters Chicken & Pizza

Comments:

Applicant: SS & W Corp

CWP# 2009 00140

Project # R2006-03880

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"Be Energy Efficient"

23958.4 B & P APPLICATION WORK SHEET

PREMISES ADDRESS:

18333 Colima Rd Ste B

Roseland Heights, CA 91748-2793

LICENSE TYPE:

New '41"

1. CRIME REPORTING DISTRICT

Walnut Griffs

Jurisdiction unable to provide statistical data.

679-125

Reporting District: ~~2930~~ 2931

G-2

Total number of reporting districts: 374

Total number of offenses: 61,546

Average number of offenses per district: 164.56

120% of average number of offenses: 197.47

Total offenses in district: 549,357

Location is within a high crime reporting district: (Yes) No

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 4082.11

Population: 5947 / County Ratio 1:1159

Number of licenses allowed: 6

Number of existing licenses: 55 + 3 pending

Undue concentration exists: (Yes) No

Letter of public convenience or necessity required: Governing Body (Applicant)

Three time publication required: (Yes) No

Melanson

Person Taking Application

4/22/10

JJ

4-23-10

Investigator

Supervisor

Over