

Hearing Officer Transmittal Checklist

Hearing Date
Feb. 3, 2015
Agenda Item No.
11

Project Number: R2013-02725-(4)
Case(s): Conditional Use Permit Case No. 201300143
Environmental Assessment Case No.201300233
Planner: Jeantine Nazar

- Project Summary
- Property Location Map
- Staff Analysis
- 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/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- ABC
- Sherriff's Report
- CUP 02-266 Approval

Reviewed By: 



Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012

PROJECT NUMBER **HEARING DATE**
 R2013-02725-(4) February 3, 2015

REQUESTED ENTITLEMENTS
 Conditional Use Permit No. 201300143
 Environmental Assessment No. 201300233

PROJECT SUMMARY

OWNER / APPLICANT

Rowland Ranch Properties, LLC/ Yoo Mi Park

MAP/EXHIBIT DATE

August 2014

PROJECT OVERVIEW

The applicant requests a Conditional Use Permit ("CUP") to allow the sale of beer and wine for on-site consumption Type 41 (On-Sale Beer and Wine – Eating Place) for a restaurant (New House of Korea) located in the Rowland Plaza Center at the intersection of Colima Road and Nogales Street within the C-3 zone in the community of Hacienda Heights. A CUP is required for the sale of alcoholic beverages in the C-3 zone pursuant to Sections 22.28.210 and 22.56.195 of the Los Angeles County Code.

LOCATION

18981 Colima Road

ACCESS

Colima Road and Nogales Street

ASSESSORS PARCEL NUMBER(S)

8761-012-012

SITE AREA

11.83 Acres

GENERAL PLAN / LOCAL PLAN

Rowland Heights

ZONED DISTRICT

Puente

LAND USE DESIGNATION

C-(Commercial)

ZONE

C-3-BE (Unlimited Commercial Billboard Exclusion)

PROPOSED UNITS

None

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

Rowland Heights CSD

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.28.210 (C3 zone Uses Subject to Permit)
 - 22.56.195 (Alcoholic Beverage Sales Requirements)
 - 22.44.132 (Rowland Heights Community Standards District)

CASE PLANNER:

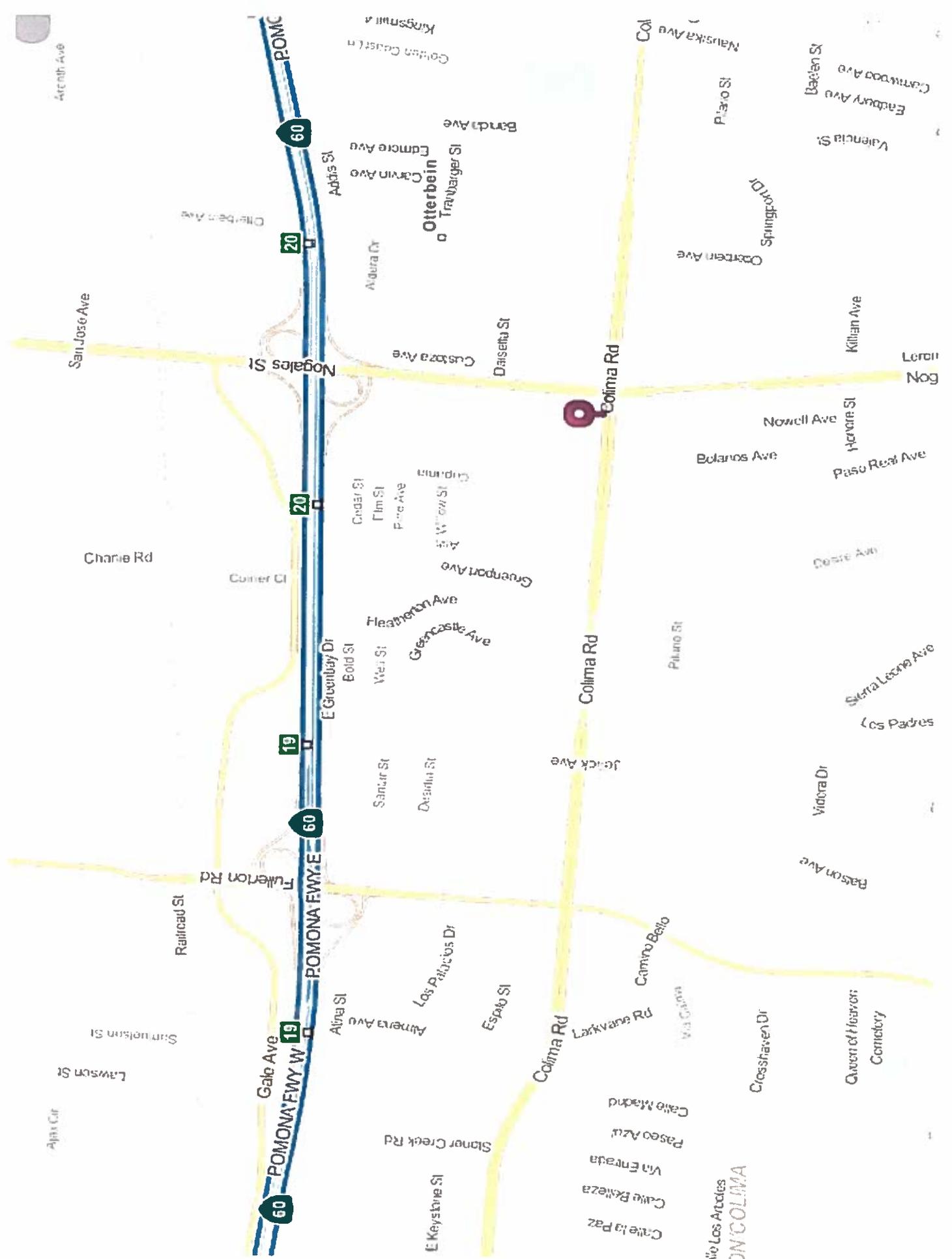
Jeantine Nazar

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Los Angeles
IN COLIMA

ENTITLEMENTS REQUESTED

A Conditional Use Permit ("CUP") is required for the sale of alcoholic beverages (Type 41) for on-site consumption within the C-3-BE zone, pursuant to Sections 22.28.210 and 22.56.195 of the Los Angeles County Code.

PROJECT DESCRIPTION

The applicant, Yoo Mi Park, is requesting a CUP in order to authorize the sale of beer and wine for on-site consumption in an existing restaurant (New House of Korea) located in the C-3-BE (Unlimited Commercial – Billboard Exclusion) zone. The previous CUP 02-266 approved a Type 41 (On-Sale Beer and Wine – Eating Place) for on-site consumption of alcoholic beverages with an expiration date of May 7, 2013. The Building and Safety office approved the previous floor plan for a maximum occupancy load of 110 persons. The new operator of the restaurant has provided a new floor plan for the restaurant approved by the Building and Safety office increasing the occupant load to 138.

SITE PLAN DESCRIPTION

The floor plan depicts the dining area and the kitchen. The occupancy load calculation approved by the Building and Safety office on August 15, 2014 shows a total of 138 occupants, which includes 133 for the dining area and five for the kitchen area. The applicant has not provided an accurate site plan depicting the subject mall and the parking calculation associated with this project. Staff included a condition requiring that the applicant file for a plot plan and a plan for signage for tenant improvement within 60 days of the approval of this permit.

LOCATION

The subject property is within the Rowland Plaza Center located at 18981 E. Colima Road in the community of Rowland Heights and within the Rowland Heights Community Standards District.

EXISTING ZONING

The subject property is zoned C-3-BE (Unlimited Commercial Billboard Exclusion) zone.

Surrounding properties are zoned as follows:

North: C-3-BE

South: A-1-6,000 (Light Agricultural, 6,000 square foot minimum lot size), C-2-BE (Neighborhood Business, Billboard Exclusion)

East: C-2-BE

West: C-2-BE, R-3-12U (Multi-Family Residence – Maximum 12 Units/Acre)

EXISTING LAND USES

The subject property is developed with a restaurant.

Surrounding properties are developed as follows:

North: Retail Plaza, Fire Station

South: Retail Plaza, Church, Single-Family Dwellings

East: Retail Plaza, Bank

West: Gas Station, Trailer Park

PREVIOUS CASES/ZONING HISTORY

CUP 02-266- Approved a restaurant and authorized the sale of beer and wine for on-site consumption at 18981 E Colima Road on February 26, 2003. This permit expired on May 7, 2013.

RPP201300682-Approved a tenant improvement for a loan processing office located within the shopping center on August 22, 2013. This project did not propose any changes to parking or reduction to the parking requirements. The approval included 611 required parking spaces.

RPP201000445 –Approved a recycling center on January 25, 2011 with a minimum of 611 parking spaces required while 627 were provided on January 25, 2011. The signage proposed must comply with the sign program approved in RPP200602359.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. CUP 02-266 approved the sale of alcoholic beverages for East-Sea Restaurant at this location. The new operator is requesting the continued sale of alcoholic beverages and increases the occupant load from 110 to 138 persons requiring additional nine (9) parking spaces. The existing shopping center includes 627 available parking spaces while 620 are required, which includes the parking spaces for the subject restaurant. The project involves minor expansion of use. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the "C" (Commercial) land use category of the Rowland Heights Community Plan. This designation is intended for retail, service, commercial and office uses. The existing restaurant in conjunction with the sale of alcoholic beverages is consistent with the land use designation, and is therefore, consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- The proposed use should be easily accessible and should be situated at community focal points such as major intersections and established neighborhood shopping facilities. (General Plan Land Use Policy Page LU-A5).
The subject restaurant is located within a major shopping center at the intersection of Colima Road and Nogales Street, two major intersections.
- The proposed use should be located so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns.

The residential neighborhood is located to the south of the subject property, which is separated by Colima Road, a major highway.

The Rowland Heights community General Plan includes goals and policies in order to maintain the single-family character of the community and beautify the commercial areas. The following policies of the Rowland Heights Community General Plan are applicable to the proposed project:

- Encourage the beautification of new and existing commercial areas. Where practical, adhere to the following guidelines:

All businesses in a center (three establishments or more) should present a general harmony of facades.

The architectural features of the subject restaurant are well integrated within the shopping center and include cohesive façade elements such as a large glass entry, a pedestrian walkway, columns, and signs with identical forms and similar sizes.

- Limit signs to one for each street frontage of a shopping center listing all businesses. The sign should reflect the architectural style of the center.

The existing pole sign facing the street lists the businesses in this portion of the shopping center, and reflects the modern architectural style of the center as illustrated in photos.

Zoning Ordinance and Development Standards Compliance

The subject shopping center has been existing for a number of years and complies with the development standards required in Sections 22.28.220 (C-3 Zone) and 22.44.132 (Rowland Heights CSD). The site plan submitted for this project is consistent with the previous approval for the restaurant in terms of height, size, setbacks, parking and landscaping. Pursuant to 22.52.1110 every structure used for eating shall provide one or more automobile parking spaces for each three persons based on the occupant load as determined by the county engineer. The proposed project with a occupant load of 138 requires 46 parking spaces, which will increase the parking requirement of the shopping center to 620 spaces while 627 are available.

Site Visit

Staff visited the site on March 27, 2014 around 6:00 pm in the afternoon and noticed that the restaurant was almost full of customers. It appears that the subject restaurant is very popular and serves the community needs.

Burden of Proof

The applicant is required to substantiate all facts identified by Sections 22.56.040 and 22.56.195 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The subject restaurant is located within a major shopping center in Rowland Heights surrounded by other similar shopping centers. The sale of on-site beer and wine is complementary to the food services. There is an undue concentration in the subject

census tract with five licenses allowed where 60 exist. Rowland Heights is characterized by major commercial centers along Colima Road, which explains the high number of existing businesses selling alcoholic beverages within the census tract. There is a church within a 600-foot radius. The subject restaurant serves the local community and appears to be popular.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Public Health

The Department of Public Health (DPH) has no objection to the approval of this CUP in its letter dated December 27, 2013. DPH approval is contingent upon the restaurant maintaining compliance with all Public Health requirements relating to the operation of food establishments, and more specifically to the requirements relating to onsite consumption of alcoholic beverages.

Sheriff's Department

Staff has received recommendation from the Sheriff's Department along with the Sheriff's crime report for the last five years stating that the subject property received 10 calls for service within the past five years. The Sheriff's Department indicated that this inquiry revealed that the subject restaurant had a valid ABC license. The records show that the ABC license expired on March 31, 2014, and is pending upon the approval of this CUP. The Sheriff Department recommends approval.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

California Department of Alcoholic Beverage Control (ABC)

Coordination between the County and ABC is required relating to the sale of alcoholic beverages in the subject community. ABC reported the following findings regarding the project location within the Community of Rowland Heights.

1. The crime-reporting district for the subject community is Crime Reporting District No. 2931. The subject census tract is located within a crime-reporting district with higher than average crime. The average number of offenses per district, countywide was 90.9 crime offenses. An area is considered a "high crime" area if 120% of average criminal offenses are present (120 percent of 90.5 offenses is 109.1 offenses). The reported crimes total 301; this represents above the average criminal offenses estimated countywide. This percentage exceeds the 120 percent threshold of 109.1 offenses. The area, therefore, is considered a "high-crime" reporting district.

2. ABC monitors alcoholic licenses based on countywide population formulas for total licenses issued and the resale of existing licenses no longer in use. Included in its analysis is information by census tract indicating the number of licenses allowed and the numbers of existing licenses in the subject census tract. ABC indicates whether an "undue concentration" of alcohol exists based on those statistics. In the report, ABC provided the following information: The census tract for the subject community is Tract No. 4082.11. Sixty liquor licenses are located within the subject census tract and five licenses are "allowed" according to ABC formulas. An undue concentration of licenses exists and a letter of public

convenience or necessity is required by a Governing Body.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has not received any comments in support or against this project.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2013-02725, Conditional Use Permit Number 201300143, subject to the attached conditions.

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201300143 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Jeantine Nazar, Zoning Permits East Section

Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings, Draft Conditions of Approval

Applicant's Burden of Proof statement

Correspondence

Site Photographs, Aerial Image

Site Plan, Land Use Map

MM: JN

1/25/2015

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. RR2013-02725 -(4)
CONDITIONAL USE PERMIT NO. 201300143**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201300143 ("CUP") on February 3, 2015.
2. The permittee, New House of Korea ("permittee"), requests the Project Permit to authorize the sale of alcoholic beverages, Type 41 (On-Sale Beer and Wine – Eating Place), for on-site consumption in conjunction with the food services of an existing restaurant ("Project") on a property located at 18981 Colima Road in the unincorporated community of Rowland Heights ("Project Site") in the C-3-BE (Unlimited Commercial – Billboard Exclusion) zone pursuant to Los Angeles County Code ("County Code") Sections 22.28.210 and 22.56.195.
3. The Project Site is located within an 11.83 acres shopping center. The Project Site is irregular in shape with less than 20 percent slope topography. The subject restaurant use was approved previously for a different tenant authorizing the sale of beer and wine for on-site consumption.
4. The Project Site is located in the La Puente Zoned District and is currently zoned C-3-BE. The subject restaurant is within a shopping mall located at 18981 E. Colima Road in the community of Rowland Heights and in the Rowland Heights Community Standards District.
5. The Project Site is located within the commercial land use category of the Rowland Heights Community Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: C-3-BE
 - South: A-1-6,000 (Light Agricultural – 6,000 Square feet Minimum Lot Size), C-2-BE (Neighborhood Business, Billboard Exclusion)
 - East: C-2-BE
 - West: C-2-BE, R-3-12U (Multi-Family Residence – Maximum 12 Units/Acre)
7. Surrounding land uses within a 500-foot radius include:
 - North: Retail Plaza, Fire Station
 - South: Retail Plaza, Church, Single-Family Dwellings
 - East: Retail Plaza, Bank
 - West: Gas Station, Trailer Park
8. Conditional Use Permit 02-266 authorized the sale of beer and wine for on-site consumption in a restaurant on February 26, 2003. This permit expired in 2013 and

the subject application is a request to continue the sale of beer and wine previously approved. The most recent Plot Plan 201300682 approved a loan processing office on August 22, 2013 within the shopping center requiring a minimum of 611 parking spaces, while 627 were provided.

9. The floor plan approved by the Building and Safety office depicts the dining area and the kitchen. The occupancy load calculation approved on August 15, 2014 shows a total of 138 occupants, which includes 133 for the dining area and five for the kitchen area. The applicant has not provided a floor plan to the Regional Planning staff depicting the information approved by the Building and Safety office.
10. The Project Site is accessible via Colima Road to the south and Nogales Street to the east.
11. The Building and Safety office has determined that the occupancy load for the Project is 138 persons requiring a total of 46 parking spaces. The previous permit occupant load was 110 requiring a total of 37 parking spaces. Therefore, a total of nine (9) additional parking spaces are required. The most recent parking calculation for the shopping center was approved through Plot Plan 2010000445 in 2011 providing 627 parking spaces while 611 were required. This permit will increase the total number of required parking spaces to 620 spaces while 627 are provided. The applicant has not provided a parking calculation depicting the available and required parking spaces.
12. The County Department of Public Health ("DPH") recommends approval of this CUP in its letter dated December 27, 2013. DPH approval is contingent upon the restaurant maintaining compliance with all Public Health requirements relating to the operation of food establishments, and more specifically to the requirements relating to onsite consumption of alcoholic beverages. The County Sheriff's Department recommends approval of this case. The Hearing Officer finds that there are no incidents related to alcohol sales at this location.
13. The State Alcoholic Beverage Control Department (ABC) submitted a report stating that the subject restaurant is within a high crime reporting district. Further ABC indicates that there are five licenses allowed within the Census Tract No 4082.11 while 60 licenses exist, therefore, an undue concentration exist and a letter of public convenience or necessity is required by the Governing Body.
14. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the continued sale of alcoholic beverages in an existing restaurant, with minor changes to the parking requirements.
15. Staff has not received any comments against or in favor of the Project.

16. *To be inserted after the public hearing to reflect hearing proceedings.*
17. The Hearing Officer finds that the sale of alcoholic beverages has existed at this location for over ten (10) years without incidents related to the operation. The restaurant is located in a commercial area and provides a public convenience.
18. The Hearing Officer finds that the Project site is located within the "C" (Commercial) land use category of the Rowland Heights Community Plan. This designation is intended for retail, service, commercial and office uses. The proposed sale of alcoholic beverages is appropriate in the commercial areas.
19. The Hearing Officer finds that the following policies of the General Plan are applicable to the proposed project:
 - The proposed use should be easily accessible and should be situated at community focal points such as major intersections and established neighborhood shopping facilities. (General Plan Land Use Policy Page LU-A5). *The subject restaurant is located within a major shopping center at the intersection of Colima Road and Nogales Street, two major intersections.*
 - The proposed use should be located so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns. *The residential neighborhood is located to the south of the subject property, which is separated by Colima Road, a major highway.*
20. The Hearing Officer finds that the Project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, and 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 Sheriff's report for the last five years does not indicate any incidents related to the sale of alcoholic beverages. Additionally, the permittee is implementing a designated Driver program (i.e. free soft drinks or coffee to a designated driver of a group).
21. The Hearing Officer finds that the Project site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features as is required in order to integrate the Project into the surrounding area. The Project is consistent with applicable development standards in the C-3-BE zone, as set forth in Section 22.28.220 (C-3 Zone) and 22.44.132 (Rowland Heights CSD) of the County Code. The project is identical to the previous approval in terms of height, size, setbacks, parking and landscaping. No new construction or improvement is proposed.
22. The Hearing Officer finds 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 pedestrian, bicycle, and vehicle traffic such use would generate. The Project site is served by two major intersections, Colima Road and Nogales Street.

23. The Hearing Officer finds 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 Project site is located within a major commercial center surrounded by commercial uses on all sides. The California IQ Academy and Bell Memorial United Methodist Church are located within a 600-foot radius. Staff has not received any comments opposing the project.
24. The Hearing Officer finds 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 subject restaurant is located within a shopping center approximately 10 acres in size and is surrounded by other commercial uses.
25. The requested use at the proposed location will 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 on-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. The applicant has provided information showing there are three similar uses with Type 41 licenses, two General alcohol sales for eating places and four alcohol sales for off-site consumption within a 500-foot radius. The subject site is located within a regional commercial center, and includes a number of restaurants and will provide a public convenience..
26. The Hearing Officer finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community. The restaurant contributes to the economic well being of the community by contributing to the tax share.
27. The Hearing Officer finds that the exterior appearance of the structure is consistent with the exterior appearance of commercial structures already constructed within the immediate neighborhood, and do not cause blight, deterioration, or substantially diminish or impair property values within the neighborhood. The existing building facades are consistent with Rowland Heights Community General Plan in terms of large glass entries, columns and pedestrian walkways. The restaurant's sign is consistent with the other signs in the shopping center in terms of size, form and color.
28. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the terms of the Conditional Use Permit to 15 years.

29. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of Rowland Heights community. On December 24, 2014, a total of 60 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as nine (9) notices to those on the courtesy mailing list for the Puente Zoned District and to any additional interested parties.
30. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site 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.
- C. 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 the uses in the surrounding area.
- D. 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.
- 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.
- F. The requested use at the proposed location will 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 on-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.

- G. The requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.
- H. 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.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit No 201300143, subject to the attached conditions.

MM: JN

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2013-02725-(5)
CONDITIONAL USE PERMIT NO. 201300143**

PROJECT DESCRIPTION

The project is a request for a Conditional Use Permit in order to authorize the continued sale of beer and wine in a restaurant subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. 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. 7, and until all required monies have been paid pursuant to Condition No. 10, and 12. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean 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 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate 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 reasonably 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 make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses 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 \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. 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.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property 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.
8. **This grant shall terminate on February 3, 2030.** 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 six (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 the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued sale of alcoholic beverages in conjunction with the existing restaurant and satisfaction of Condition No. 2 shall be considered use of this grant.
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 (one 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 any 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 ("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, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. 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 of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification 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.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." The permittee shall provide three copies of the revised floor plan, and include the parking calculations for the restaurant. The applicant shall provide a plan of the shopping center depicting the location of the restaurant.
18. If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **Three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by April 3, 2015.
19. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **Three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS

20. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein;
21. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
22. 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 Planning for approval prior to the approval of the Exhibit "A". A printed two-sided card explaining this program shall be printed on the menu;
23. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or 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;

24. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures;
25. The permittee shall adhere to all State of California Department of Alcoholic Beverage Control regulations. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced;
26. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public;
27. This grant authorizes the sale of alcoholic beverages from 5:00 p.m. to 10:00 p.m., daily.
28. There shall be no consumption of alcoholic beverages outside the designated areas of the subject facility. The permittee shall instruct all designated employees, who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary;
29. All servers of alcoholic beverages must be at least 21 years of age;
30. There shall be no music or other noise audible beyond the restaurant premises;

PERMIT SPECIFIC CONDITIONS

The operation of the facility (New House of Korea) is further subject to all of the following conditions:

31. No live entertainment, dancing, or dance floor is authorized in or outside the premises;
32. The permittee shall not install or maintain video games, pool tables, or similar game activities or equipment in the subject restaurant;
33. The occupancy of the restaurant shall not exceed 138 persons;
34. Alcoholic beverages shall be sold to customers only when food is ordered and consumed within the subject restaurant only;
35. The sale and serving of alcoholic beverages for consumption outside the restaurant is prohibited;

36. The business shall employ not less than one full-time cook that is engaged in the preparation of meals for patrons during the permissible hours of operation;
37. Not less than fifty-one percent of the income from the business enterprise shall be derived from the sale of food and non-alcoholic beverages. The business owner shall at all times maintain records which reflect separately the gross sale of food and the gross sale of alcoholic beverages. Said records shall be made available to the Los Angeles County Department of Regional Planning, the Department of Alcoholic Beverage Control, or the Los Angeles County Sheriff's Department on demand;
38. Food service shall be continuously provided during operating hours.

PROJECT SITE SPECIFIC CONDITIONS

39. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of 1:3. The restaurant has a an occupant load of 138 persons which would require not less than 46 spaces be provided based on the applicable ratio. If the permittee changes the operation of restaurant so as to require less parking than the minimum requirement, the permittee shall submit an application for a Revised Exhibit "A" within 90 days of such occurrence.
40. If the restaurant substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement, the permittee shall submit an application for a plot plan and a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 30 days of such occurrence.
41. The permittee shall file for a tenant improvement plot plan and include a sign plan within 30 days of the approval of this permit.
42. The permittee shall comply with all conditions set forth in the attached County Public Works, Fire, Public Health, Departments requirements.

Attachments:

Public Health Department Letter dated December 27, 2013



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

CYNTHIA A. HARDING, M.P.H.
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

TERRI S. WILLIAMS, REHS
Assistant Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5100 • FAX (626) 813-3000

www.publichealth.lacounty.gov

BOARD OF SUPERVISORS

Gloria Molina
First District

Mark Ridley-Thomas
Second District

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Fourth District

Michael D. Antonovich
Fifth District

December 27, 2013

Submitted on 4/03/2014 (mt)

TO: Jeantine Nazar
Regional Planning Assistant II
Department of Regional Planning

FROM: Michelle Tsiebos, MPA, REHS (M.T)
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2013-02725/ RCUP 201300143
New House of Korea
18981 E. Colima Road, Rowland Heights

- Public Health recommends approval of this CUP.
- Public Health does NOT recommend approval of this CUP.

The Department of Public Health-Environmental Health Division has reviewed the information provided for the project identified above. The CUP is for the continued sale of alcoholic beverages for on-site consumption in conjunction with the operation of an existing restaurant.

The Department has no objection to the approval of the CUP contingent upon the restaurant maintaining compliance with all Public Health requirements relating to the operation of food establishments, and more specifically to the requirements relating to onsite consumption of alcoholic beverages.

For any questions, please feel free to contact me at (626) 430-5382 or mtsiebos@ph.lacounty.gov.



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.195, the applicant shall substantiate the following:
(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

ABC License Type No(s): 41 (e.g. Type 20, Type 41)

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.

No schools, public facilities, or churches are located within 600 feet of the restaurant.

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 restaurant is located within an existing shopping center (Rowland Plaza) and these existing businesses in the shopping center separate (buffer) the existing restaurant from an existing trailer park.

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.

CUP is for the serving of alcohol within the restaurant for on-site consumption only.

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

CUP permits the serving of alcohol for on-site consumption. The CUP will apply to an existing restaurant use.

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.

No new construction will occur. The CUP will apply to the existing New House of Korea BBQ Restaurant.



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location 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 proposed CUP's implementation will not affect any of the aforementioned (Items #1, #2, or #3) listed under paragraph A.

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 the uses in the surrounding area.

No new construction will occur as part of the implementation of the proposed CUP. All activities will be conducted indoors within the existing restaurant use.

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 existing restaurant is located on the northwest corner of Nogales St. and Colima Rd. No changes to the existing on-site or off-site circulation will occur.

美膳園 北方 麵

新 韓國之家
NEW HOUSE OF KOREA · ALL YOU CAN EAT B.B.Q.

ALL YOU CAN EAT B.B.Q.
LUNCH SPECIAL \$9





ROWLAND PLAZA

LAW OFFICES OF DENNIS K. SHIN
테니스 신 변호사

YALE Teacher Supplies
일파의원
THE ACADEMY
 PMAT SAT SAT II

SAVING HAIR BOUTIQUE
지미용선

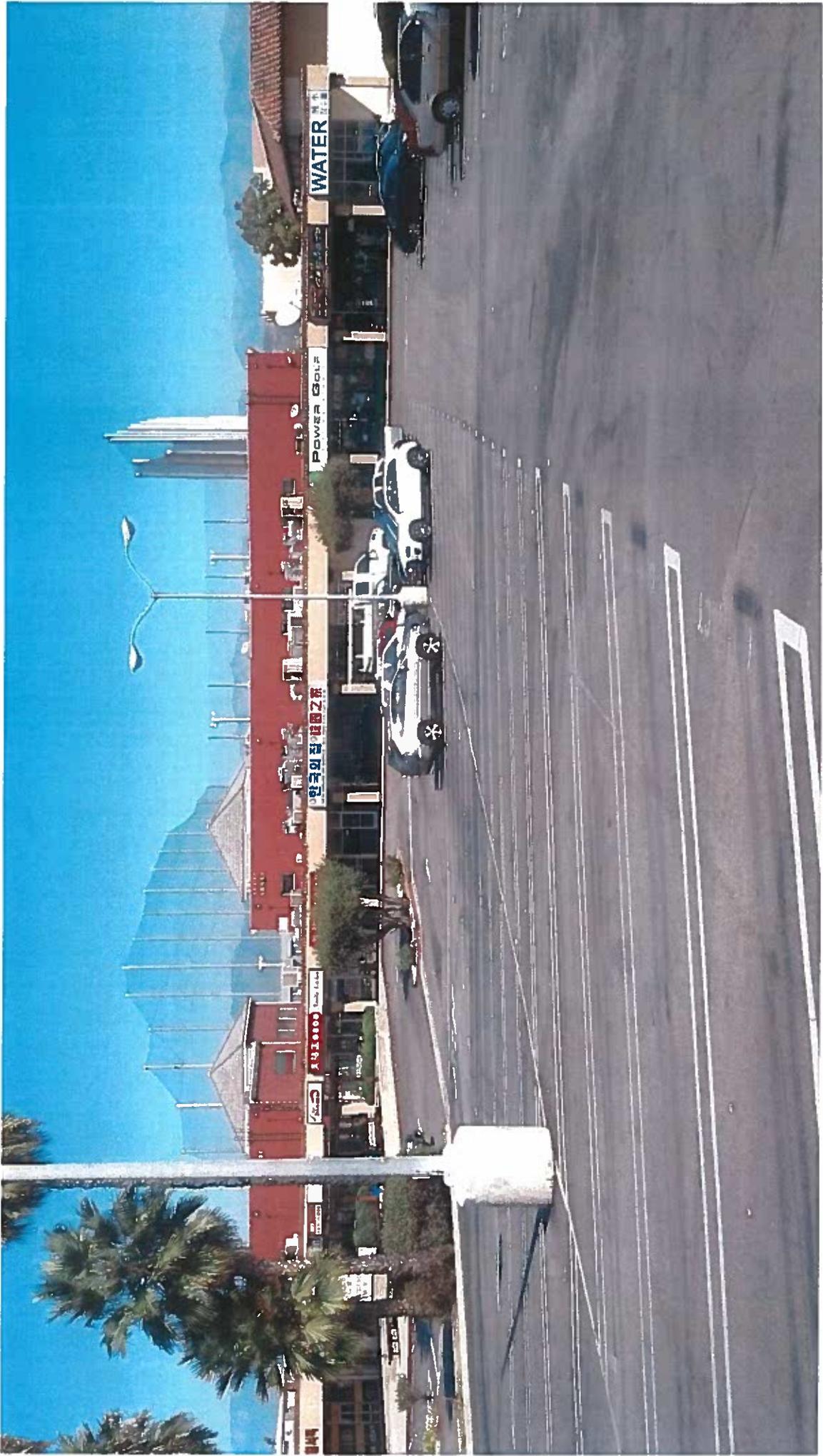
JACKS Lock & Key
종합 화장품

VACUUM - SEWING SALES - REPAIRS
플린마 옷수선 전문
 COLLAR ALTERATIONS

THE STACKS
POWER GRAY

純水 WATER

RENTALS





美膳園

한국의 집
NEW HOUSE OF KOREAN - ALL YOU CAN EAT'S B.C.

9.99

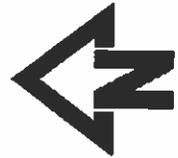
AMERICAN DINING



Created in GIS-NET3

Printed: Jul 15, 2014

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Area	Use	Proposed Occupant Load	Min. Occupant Load*	Determined Occupant Load*
A	DINING	143	133	133
B	KITCHEN	5	5	5
C	TOILETS	0	0	
D	SP. RISER	0	0	
E				
F				
G				
H				

Proposed Occupant Load	148
Proposed Minimum Occupant Load	133
Total Occupant Load Determined By Building Official	133

* To be completed by the Building Official

Minimum Accessible Parking Requirements (Table 11B-6)				
# Of Parking Spaces	# Of Accessible Parking Spaces	# Of Accessible Parking Spaces	# Of Accessible Parking Spaces	# Of Accessible Parking Spaces
1-25	101-150	6	6	9
26-50	151-200	6	7	9
51-75	201-300	7	7	9
76-100	301-400	8	8	9

One in every 6 accessible spaces, but not less than 1, shall be van accessible space.
 Van accessible spaces shall have an 8-ft. access aisle on the passenger side.
 Other accessible spaces shall be a minimum width of 3 ft. and length of 18 ft. with a 5-ft access aisle.
 † Two percent of total
 †† Twenty plus one for each 100, or fraction over 1,001

Definition of Assembly Occupant Load-Parking Type of Occupancy: <u>A-2</u> Occupant Load: <u>138</u> By (Print Name): <u>Alecia Long</u> Signature: <u>Alecia Long</u> Date: <u>8/1/19</u>	District Office Stamp  COUNTY OF LOS ANGELES Hours: 8:00-4:30 Monday-Friday (626) 961-9611 FAX: (626) 961-8168 16005 E. Central Avenue La Puente, CA 91744
--	--

Return a copy of this signed form and one Exhibit A to the Department of Regional Planning.

Supersedes AM 60.10 dated 10-19-06
 File: D:\Engineering & Construction\AM 60.10 Parking Requirements\AM 60.10 Parking Requirements Form A.doc



Leroy D. Baca, Sheriff

**County of Los Angeles
Sheriff's Department Headquarters**

4700 Ramona Boulevard
Monterey Park, California 91754-2169

(909) 595-2264



Subject: Conditional Use Permit (CUP) Consultation for Sale of Alcohol
Project No.: R2013-02725-(4)
Permit No.: Conditional Use Permit Nos. 201300143
Establishment: Miga Korean Restaurant/New House Of Korea
Location: 18981 Colima Road, Rowland Heights
Description: Conditional use permit to serve alcoholic beverages type 41 for on sale beer and wine in existing restaurant.

(1) Summary of service calls and crime history for the project site over the last five years:

Please provide a summary of service calls and crime history for the project site over the last five years. Provide the total number of service calls, and summarize the types of calls (violent crimes by type, property crimes by type, other activities, etc.). When providing a CFS (Call for Service)/Incident Event report, please provide a redacted version. (These documents are kept in our case files and are subject to public records act requests.)

There have been only calls for alarm activations and one vehicle theft report. At this time we have no specific concerns.

(2) Comments/recommended conditions:

Please provide any comments or recommend conditions of approval you feel are necessary to maintain public safety at the project site.

We recommend that the locations have security cameras installed inside and outside facing the parking lot. The location is also in close proximity to the 60 freeway which could make it a target for burglaries and robberies. We recommend burglary and robbery alarms. We also recommend that if the location is used in a night club or bar setting in the later hours, that a security guard be hired for those evenings.

(3) Overall recommendation:

- Sheriff recommends approval of this CUP.
- Sheriff does **NOT** recommend approval of this CUP.

Sincerely,

LEROY D. BACA, SHERIFF

Jeffrey L. Scroggin, Captain
Walnut/Diamond Bar Station

A Tradition of Service Since 1850

WALNUT
01/06/2014

Report RAP6_300A
Regional Allocation of Police Services

Location Inquiry from 01/01/2009 To 01/05/2014

Incident Date: 06/25/2009

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
O	D	R	18981 COLIMA RD,RH	305	C-4 DET 1	ARRESTED/CITED HUANG,RUI HONG PA/070970 RE:602.1A PC 5,000 CITRUS WARRANT CIT9JB0064801	293	1713	1736

Incident Date: 02/09/2010

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
O	D	R	18981 COLIMA RD,RH	304	PARKING LOT	LOC.,CKED OK	294	2104	2132
C	D	R	18981 COLIMA RD,RH "MIGA REST"	177	M/H LAYING IN FRONT OP RESTAURANT, P390,,NFD,,	XENG 145,CPT PUTICH REA MEDICAL	293	1833	1859

Incident Date: 07/31/2011

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
O	D	R	18981 COLIMA RD,RH	123		ARBA CK OK	293U1	1656	1721

Incident Date: 08/12/2011

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
O	D	R	18981 COLIMA,RH	99		CONT BELOW RB:TRAFFIC STOP,,SEE BELOW..	294B	1131	1138

Incident Date: 04/19/2012

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
9	B	P	18981 COLIMA RD,RH "MORAN BBQ"	278	D/P IS MA/35 5-05 WRG GRY SRT W/BLK STRIPES,INF IS MANAGERD/P REFUSING TO PAY,	ASSISTED 290R AS NEEDED.	293F	2112	2132

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
9	B	P	18981 COLIMA RD,RH "MORAN BBQ"	278	D/P IS MA/35 5-05 WRG GRY SRT W/BLK STRIPES,INF IS MANAGERD/P REFUSING TO PAY,	CONTD SONNY YI, MA 122464 RE 415B. WILCO	290R	2112	2134

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
O	D	R	18981 COLIMA RD,RH	293	MORAN BBQ	ASSTD 290R RB:415B	293U4	2127	2133

Incident Date: 05/28/2012

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
C	D	R	18981 COLIMA RD,RH "MORAN BBQ"	145	NEW OWNERS REFUSING TO PAY OLD OWNER		293U1	1830	1903

Report RAPS_300A

Regional Allocation of Police Services

Location Inquiry from 01/01/2009 To 01/05/2014

WALNUT
01/06/2014

Incident Date: 05/28/2012

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
C	D	R	18981 COLIMA RD, RH "MORAN B89"	145	NEW OWNERS REFUSING TO PAY OLD OWNER	CNTD INVOUNG CHOB PA/032455 AND STEVE KIM MA/111685, DIPUTE OVER RENT MONEY, ADVSD CIVIL MATTER	293U2	1830	1858

Incident Date: 09/05/2012

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
O	D	R	18981 COLIMA RD, RH	111		ABC APPLICATION INVESTIGATION. SEE FILB	293X1	1404	1807

Incident Date: 11/28/2012

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
O	D	R	18981 COLIMA RD, RH	98	RONLAND PLAZA	AREA CHECKED OK RE:459	293D	1050	1054

Incident Date: 03/13/2013

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>	<u>Unit</u>	<u>Entry</u>	<u>10/98</u>
O	D	R	18981 COLIMA RD, RH	100		ABC LICENSE INVBST.	293X1	1210	1303

23958.4 B & P APPLICATION WORK SHEET

PREMISES ADDRESS:

18981 Colima Rd
Ronliard Heights 91748-2942 (art)

LICENSE TYPE: 41

1. CRIME REPORTING DISTRICT

_____ Jurisdiction unable to provide statistical data.

Walnut SS
579-55

Reporting District: 293 /

Total number of reporting districts: 553

Total number of offenses: 50,259

Average number of offenses per district: 90.9

120% of average number of offenses: 109 /

Total offenses in district: 301

Location is within a high crime reporting district: Yes / No

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 4382.11

Population: 5,947 / County Ratio 1.1,061

Number of licenses allowed: 5

Number of existing licenses: 60

Undue concentration exists: Yes / No

Letter of public convenience or necessity required: Governing Body / Applicant

Three time publication required: Yes / No

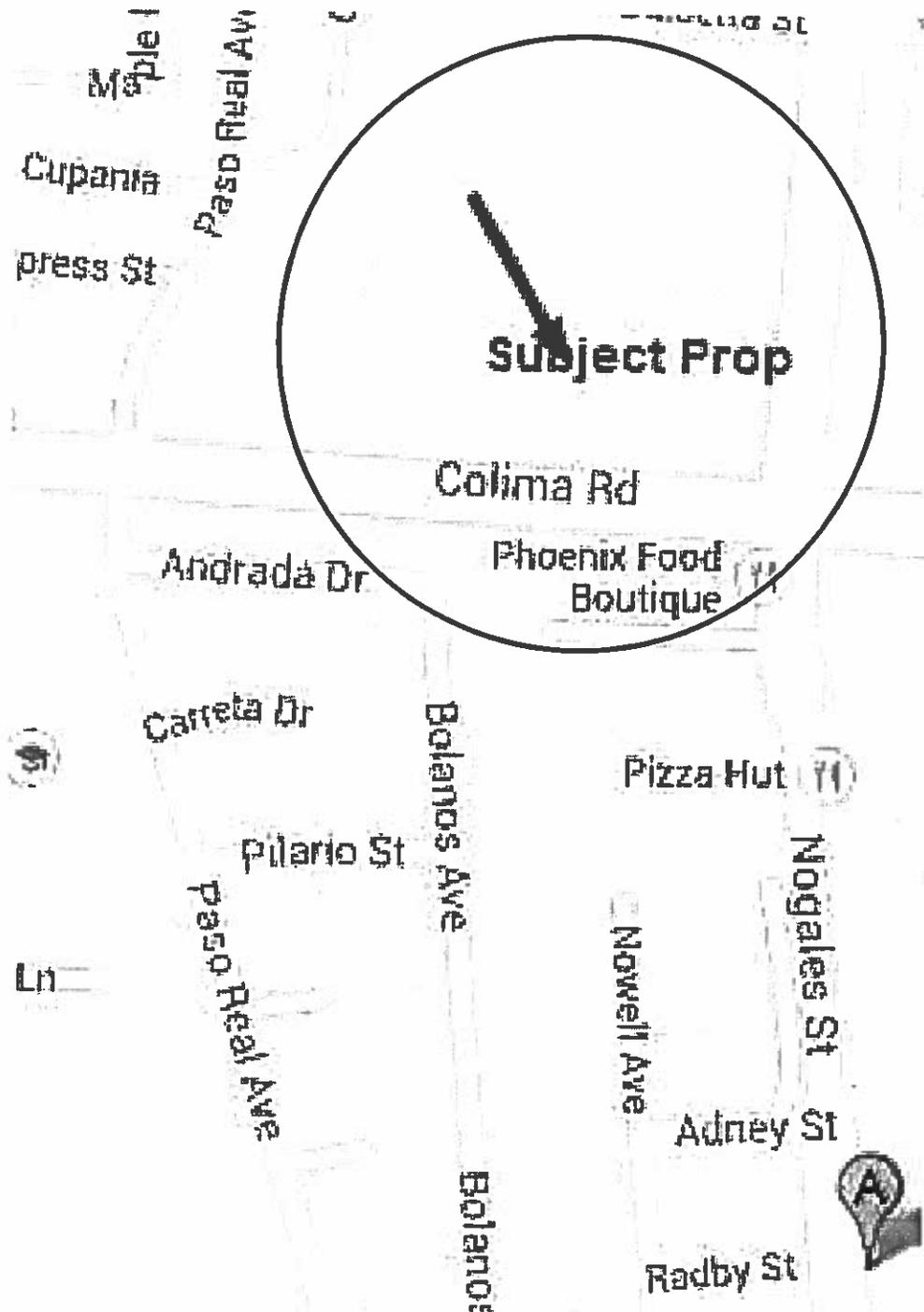
[Signature]
Person Taking Application

Investigator

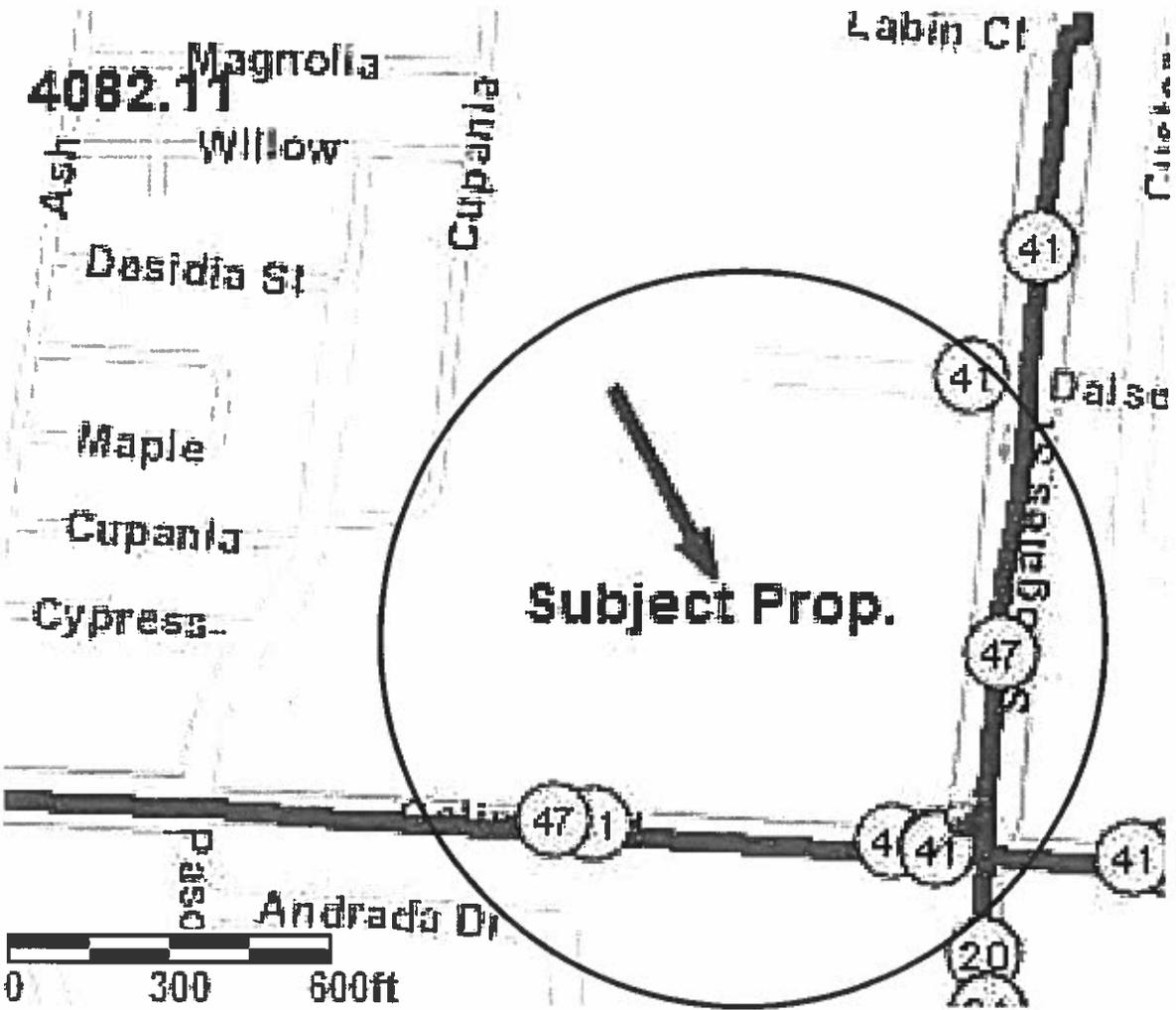
Supervisor

Over

A: LQ Academy California-Los Angeles School more info
1830 Nogales Street
Rowland Heights, CA 91748
(866) 398-5515



New House of Korea, 18981 Colima Rd., Rowland Heights, CA 91748



New House of Korea, 18981 Colima Rd, Rowland Heights, CA 91748

500' Radius Map and List of Entities with ABC licenses

SEAFOOD VILLAGE ROWLAND HEIGHTS
1463 NOGALES ST, ROWLAND HEIGHTS, CA, 91748

License: 510547
Census Tract: 4082.11

License Types:
41 - On-Sale Beer And Wine - Eating Place
Status: ACTIVE, Expires: 30-JUN-2014

CAPE NO. 7, LLC
18958 DAISSETTA ST, ROWLAND HEIGHTS, CA, 91748

License: 529721
Census Tract: 4082.11

License Types:
41 - On-Sale Beer And Wine - Eating Place
Status: ACTIVE, Expires: 28-FEB-2015

CAFE CASA BLANCA
1616 NOGALES ST, ROWLAND HEIGHTS, CA, 91748

License: 530019
Census Tract: 4082.12

License Types:
47 - On-Sale General Eating Place
Status: ACTIVE, Expires: 31-MAY-2014

RITE AID STORE 5591
18993 COLIMA RD, ROWLAND HEIGHTS, CA, 91748

License: 69642
Census Tract: 4082.11

License Types:
21 - Off-Sale General
Status: ACTIVE, Expires: 30-JUN-2014

MIGA KOREAN RESTAURANT
18981 COLIMA RD, ROWLAND HEIGHTS, CA, 91748

License: 502984
Census Tract: 4082.11

License Types:

New House of Korea, 18981 Colima Rd, Rowland Heights, CA 91748

41 - On-Sale Beer And Wine - Eating Place
Status: SUREND, Expires: 30-SEP-2014

GREENLAND MARKET
18901 COLIMA RD, ROWLAND HEIGHTS, CA, 91748

License: 386178
Census Tract: 4082.11

License Types:
21 - Off-Sale General
Status: ACTIVE, Expires: 31-MAR-2015

GAM JA GOL
18891 COLIMA RD, ROWLAND HEIGHTS, CA, 91748

License: 533312
Census Tract: 4082.11

License Types:
47 - On-Sale General Eating Place
Status: ACTIVE, Expires: 31-MAY-2014

BIG LOTS 4094
1730 NOGALES ST, ROWLAND HEIGHTS, CA, 91748

License: 131388
Census Tract: 4087.05

License Types:
20 - Off-Sale Beer And Wine
Status: ACTIVE, Expires: 30-JUN-2014

PLAZA LIQUOR & GROCERY
1725 NOGALES ST, ROWLAND HEIGHTS, CA, 91748

License: 293478
Census Tract: 4087.04

License Types:
21 - Off-Sale General
Status: CANCEL, Expires: 31-MAR-2014

CHU GA KOREAN BBQ HOUSE
19043 COLIMA RD, ROWLAND HEIGHTS, CA, 91748

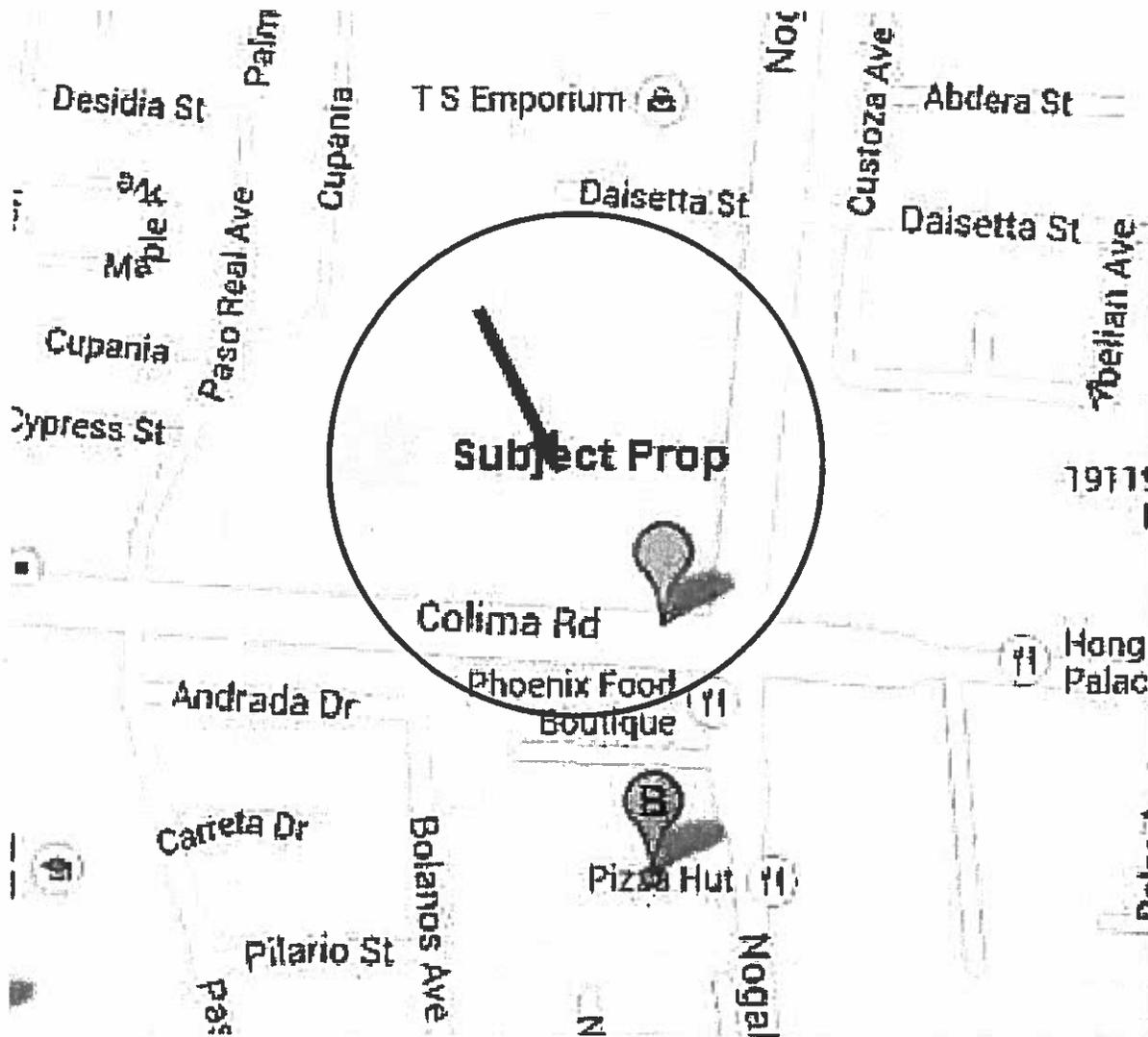
License: 517051
Census Tract: 4082.12

License Types:
41 - On-Sale Beer And Wine - Eating Place
Status: ACTIVE, Expires: 31-JAN-2015

New House of Korea, 18981 Colima Rd, Rowland Heights, CA 91748

500 Radius Map and List of School and Churches

B: Bell Memorial UMC more info
1747 Nogales Street
Rowland Heights, CA 91748
(626) 965-9191



New House of Korea, 18981 Colima Rd., Rowland Heights, CA 91748



License Query System - Map Query

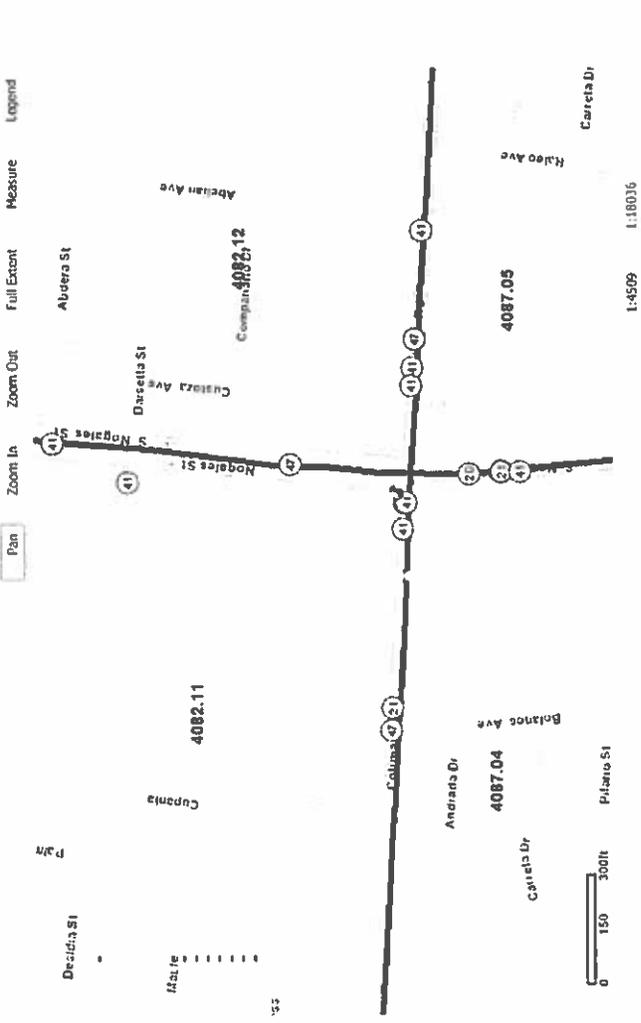
Search for a specific

License Number

Or, locate a general area by entering:

Premises Address

Census Tract



Licenses on the map display the license type that is currently issued for it. In the event there is more than one license type issued, the code MAU is displayed.

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Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

James E. Hartl, AICP
Director of Planning

May 12, 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

East-Sea Restaurant, Inc.
703 S. Vermont Ave. #E
Los Angeles, CA 90005

RE: **CONDITIONAL USE PERMIT CASE NO. 02-266-(1)**
A request to authorize the sale of beer and wine for on-site consumption at a proposed restaurant located at 18981 Colima Road, Rowland Heights.

Dear Applicant:

PLEASE NOTE: This document contains the Regional Planning Commission's findings relating to **APPROVAL** of the above referenced case.

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Violet Varona-Lukens, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012. Contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. The appeal must be post marked or delivered in person within fifteen days after this notice is received by the applicant.

If no appeal is made during this fifteen-day period, the Regional Planning Commission action is final. At the end of the appeal period, please notarize the attached acceptance form and **hand deliver** this form and any other required fees or material to the planner assigned to your case. It is advisable that you **make an appointment** with the case planner to assure that processing will be completed expeditiously. If you have any questions regarding this matter, please contact the Zoning Permits Section at (213) 974-6443.

Very truly yours,

Department of Regional Planning
James E. Hartl, AICP
Director of Planning

Russell J. Fricano, Ph.D., AICP
Acting Section Head
Zoning Permits I Section

RJF:KJ

Conditional Use Permit Case No. 99-138-(1)

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion).

c: Board of Supervisors; Department of Public Works (Building and Safety); Department of Public Works (Subdivision Mapping); Zoning Enforcement; John Borunda, John Rowland.

**CONDITIONAL USE PERMIT NO. 02-266-(1)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

REGIONAL PLANNING COMMISSION HEARING DATE: February 26, 2003

SYNOPSIS:

The applicant is requesting a Conditional Use Permit to authorize the sale of beer and wine for on-site consumption at a proposed restaurant located at 18981 Colima Road, Rowland Heights.

PROCEEDINGS BEFORE THE COMMISSION:

February 26, 2003 Public Hearing

A duly noticed public hearing was held on February 26, 2003 before the Regional Planning Commission. Commissioners Valadez, Helsley, Bellamy and Modugno were present. Two people testified: the applicant's representative, Mr. John Borunda and the property owner, Mr. John Rowland. Mr. Borunda and Mr. Rowland presented testimony in favor of the request.

The Commission heard testimony from the applicant and property owner regarding the proposed operation of the restaurant and accompanying sale of beer and wine. The Commission determined that the sale of beer and wine with meals at the restaurant would not have a detrimental impact on the community with the conditions proposed.

There being no further testimony, the Regional Planning Commission closed the public hearing, indicated its intent to approve the permit, and directed staff to prepare the final environmental documentation and findings and conditions for approval, including changes to the conditions as discussed and as agreed to by the applicant.

Findings

1. The applicant is requesting a Conditional Use Permit to authorize the sale of beer and wine for on-site consumption at a proposed restaurant. The site is located at 18981 Colima Road, Rowland Heights, in the Puente Zoned District and in the Rowland Heights Community Standards District.
2. Zoning on the site is C-3-BE (Unlimited Commercial, Billboard Exclusion). Pursuant to Section 22.28.210 of the Los Angeles County Code, the sale of alcoholic beverages for on-site consumption is authorized in the C-3 zone, subject to the requirements of Section 22.56.195 of the County Code, provided a conditional use permit is obtained.
3. The surrounding properties are zoned as follows:

North: C-3-BE
South: A-1-6,000 (Light Agricultural, 6,000 square foot minimum lot size),
C-2-BE (Neighborhood Business, Billboard Exclusion)
East: C-2-BE
West: C-2-BE, P-R (Parking Restricted), CPD (Commercial Planned
Development), R-3-12U (Multi-Family Residence, 12 units per acre
maximum)

4. The subject property is currently used as a retail shopping center.

5. Surrounding land uses consist of the following uses:

North: Fire Station, Bank, Retail Plaza, Vacant Land, Trailer Park
There is one restaurant with alcohol sales to the north.
South: Single and Multi Family Residences, Auto Repair, Restaurant,
Retail Plaza, Church, Gas Station, Medical Building, School
There is one liquor store, one discount store with alcohol sales, and
one restaurant with alcohol sales to the south.
East: Single Family Residences, Retail Plazas, Bank
There are four restaurants with alcohol sales to the east.
West: Bank, Auto Repair, Gas Station, Trailer Park, Retail Plaza
There is one restaurant with alcohol sales to the west.

6. Plot Plan Review Number PP45759 to convert a retail store in an existing shopping center into a restaurant was approved for the subject property in 2002. As a part of this review, it was determined that the proposed restaurant use is in full compliance with the applicable development standards of the Zoning Ordinance including those required in the C-3 zone and in the Rowland Heights Community Standards District.

7. The subject property is designated Commercial in the Rowland Heights Community General Plan. This designation allows retail commercial, service, and office uses. The sale of alcoholic beverages is consistent with this designation. There are no other general plan policies related to the proposed project.

8. The site plan submitted by the applicant depicts the existing shopping center with a variety of retail and service establishments currently existing on the property in 8 separate buildings labeled A-H. Parking (a total of 528 spaces), landscaping and access points are also depicted. The vacant space in which the subject restaurant is proposed to be established is located in Building D on the north-central portion of the site, four spaces west of the existing Rite Aid drug store. The space is 3,600 square feet in size with an occupancy load of 110 persons. Parking, landscaping and

other development features are also depicted on the plans in conformance with the recently approved Plot Plan Review Number PP45759.

9. There are single-family and multi-family residential uses in the immediate vicinity of the subject property. The shopping center in which the subject restaurant is located is within an area designated for commercial development and takes access from Colima Road and Nogales Street, two major thoroughfares in the area. The residences in the vicinity are of a sufficient distance from the subject restaurant and are buffered by other properties and uses so as not to be adversely affected by the sale of beer and wine at the restaurant.
10. There are nine (9) other establishments selling alcoholic beverages within 500 feet of the subject property and two other such establishments on the subject property itself. Six (6) of these establishments are restaurants selling beer and wine for on-site consumption.
11. A church and a school are located within 600 feet of the subject property. These uses are sufficiently buffered from the subject restaurant by sufficient distances and are also buffered by other commercial uses between said uses and the subject restaurant so that they will not be adversely affected by the sale of beer and wine at the restaurant. There are no other churches or schools and no parks, playgrounds or any similar use within a 600-foot radius of the subject property.
12. Statistics from the Department of Alcoholic Beverage Control indicate that the subject property is located in a census tract that is overconcentrated with alcohol sales and is also located in a high crime reporting district.
13. Deputy Lamonica of the Walnut Sheriff's Station indicated that the addition of beer and wine sales at this location would not pose a problem in the community.
14. Restrictive conditions have been established to ensure that beer and wine are only served with sit-down meals, that the restaurant cannot add a bar, and that beer and wine shall not be sold before 5:00 P.M or after 10:00 P.M. In addition, the restaurant is different from other local restaurants in that it is a family oriented restaurant and a seafood restaurant rather than a Chinese or Korean Barbeque restaurant.
15. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study showed that there is no substantial evidence, in light of the whole record before the Commission, that the project may have a significant effect on the environment. Based on the Initial Study, the

Department of Regional Planning has prepared a Negative Declaration for this project. The project is *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from California Department of Fish and Game fees pursuant to Section 711.2 of the California Fish and Game Code.

16. No public comments were received at or prior to the public hearing in relation to this request.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area;
- 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;
- 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;
- 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;
- E. 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;
- F. 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;
- G. That the requested use at the proposed location will not result in an undue concentration of similar premises;
- H. That the requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and

- I. 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 the neighborhood.

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.56.090 and 22.56.195 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Regional Planning Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Negative Declaration.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 02-266-(1) is **APPROVED** subject to the attached conditions.

VOTE **4-0**

Concurring: **Valadez, Bellamy, Helsley, Modugno**

Dissenting: **0**

Abstaining: **0**

Absent: **Rew**

Action Date: **5/7/03**

1. This grant authorizes the use of the subject property for the sale of beer and wine for on-site consumption, as depicted on the approved Exhibit "A", 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 Department of 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 monies have been paid pursuant to Conditions No. 10 and 11.
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 reasonably cooperate in the defense.
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 in accordance with Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing and with payment of the applicable fee, at least six months before the expiration date.

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, 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 will terminate on May 7, 2013.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue the sale of beer and wine for on-site consumption after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of this permit, whether or not any modification of the use is requested at that time.
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. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$1,500.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of 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 **10 annual 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 condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The charge for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

11. Within five (5) days of the approval date of this grant, the permittee shall remit a \$25.00 processing fee payable to the County of Los Angeles in connection with the filling and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code.
12. 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 health or safety or so as to be a nuisance.

13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
15. All structures, walls, and fences open to public view shall remain free of 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.
16. In the event such 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.
17. The subject facility shall be developed and maintained in compliance with requirements of Los Angeles County Department of Health Services. Adequate water and sewage disposal facilities shall be provided to the satisfaction of said Department.
18. The subject property shall be developed and maintained in substantial compliance with the approved Exhibit "A." All revised plot plans must be accompanied by the written authorization of the property owner.
19. The permittee shall adhere to all State of California Department of Alcoholic Beverage Control regulations.
20. The sale of beer and wine for consumption outside the subject restaurant is prohibited. Beer and wine are permitted to be sold only to patrons of the subject restaurant in conjunction with meal orders and shall not be sold to take-out patrons.
21. The sale of beer and wine is permitted only between the hours of 5:00 pm and 10:00pm.
22. The subject restaurant shall not contain a bar or establish a bar area for consumption of beer and wine.

23. The permittee shall not advertise the sale of alcoholic beverages on the exterior walls or windows of the subject restaurant or at any location on the restaurant premises visible from outside the restaurant. No self-illuminating advertising for alcoholic beverages shall be located on the building walls or windows.
24. There shall be no loitering permitted on the premises in areas under the control of the permittee.
25. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages outside the restaurant and prohibiting loitering. The signage shall be in English and the predominant second language in the neighborhood.
26. At all times while this permit is in force, the permittee shall maintain all areas of the premises over which the permittee has control in a neat, clean and healthful condition, free of litter and debris, to the satisfaction of the Director of Planning.
27. The permittee shall provide adequate lighting for the parking lot area. This lighting shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons on or about the parking lot. Lighting shall be of low intensity and directed downward to minimize impacts to adjacent properties.
28. The permittee shall provide adequate lighting above the entrance of the restaurant. This lighting shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons entering or exiting the premises.
29. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area within the service area of the restaurant.
30. There shall be no alcoholic beverages consumed in open areas adjacent to the subject restaurant under the control of the permittee.
31. The permittee shall instruct all employees in the regulations prohibiting loitering and consumption of alcoholic beverages outside the subject restaurant. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
32. The permittee shall not install or maintain video games, pool tables, or similar game activities or equipment in the subject restaurant.
33. The subject restaurant shall have no coin operated amusements, such as small carousel rides or similar riding machines, at any time, with the exception of official State Lottery machines.
34. No dancing or dance floor is permitted.

35. The total occupancy of the restaurant shall not exceed 110 persons.
36. There shall be no cover charge or prepayment fee for food and/or beverage service required for admission to the restaurant;
37. The restaurant shall not be used for private parties (booking of the entire restaurant by one party);
38. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, zoning inspector or ABC investigator. The restaurant manager and all employees of the restaurant shall be knowledgeable of the conditions herein;
39. All servers of alcoholic beverages must be at least 21 years old.
40. Outdoor advertising signs (billboards) are prohibited.
41. The placement of portable signs on sidewalks adjacent to the licensed premises is prohibited.
42. The permittee shall not advertise or hold any "happy hour" drink specials, "2 for 1" specials, or similar promotions.

RJF:KJ
4/30/03