



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

September 16, 2015

Richard J. Bruckner
Director

Gen Rowland Heights, LP
1388 Fullerton Road Unit #B
Rowland Heights, CA 91748

**REGARDING: PROJECT NO. R2015-00338-(4)
CONDITIONAL USE PERMIT NO. 201500015
1388 FULLERTON ROAD, (APN: 8270-002-051)**

The Regional Planning Commission, by its action of **SEPTEMBER 16, 2015**, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **September 30, 2015**. **Appeals must be delivered in person.**

Appeals:

To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Jeantine Nazar of the Zoning Permits East Section at (213) 974-6435, or by email at jnazar@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

M. Masis for MM
Maria Masis, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion),
c: DPW (Building and Safety); Zoning Enforcement; ABC
MM: JN

**FINAL FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2015-00338 - (4)
CONDITIONAL USE PERMIT NO. 201500015**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201500015 ("CUP") on September 2, 2015.
2. The permittee, GEN BBQ, ("permittee"), requests a CUP to authorize the sale of beer and wine for on-site consumption with a Type 41 ABC license in conjunction with a newly established restaurant (GEN Korean BBQ House) ("Project") on a property located at 1388 Fullerton Road Unit #B in the unincorporated community of Rowland Heights ("Project Site") in the C-2-DP-BE (Commercial Neighborhood-Development Program, Billboard Exclusion) zone pursuant to County Code Section 22.28.160. The sale of alcoholic beverages is incidental to the food services. The restaurant was approved under Revised Exhibit A ("REA") 201400277 on September 4, 2014 and is currently operating. The hours of operation for the restaurant are from 11:00 a.m. to 11:00 p.m. Mondays through Saturdays and 11:00 a.m. to 10:00 p.m. on Sundays.
3. The Project Site is 10,497 square feet in size located within a 7.61 acre parcel, which includes 4.35 acres within unincorporated Los Angeles County and 3.26 acres within the City of Industry. The Project Site is irregular in shape with generally flat topography and is developed with a restaurant.
4. The Project Site is located in the Puente Zoned District and is currently zoned C-2-DP-BE.
5. The Project Site is located within the Commercial land use category of the Rowland Heights Community Plan and within the Rowland Heights Community Standards District (CSD).
6. Surrounding Zoning within a 500-foot radius includes:
 - North: Pomona Freeway, City of Industry
 - South: R-3-3000-14U-DP (Limited Multiple Residences, 3,000 Square Feet Minimum Required Lot Area, 14 Units per Acre-Development Program).
 - East: RPD-6,000-10U (Residential Planned Development- 6,000 Square Feet Minimum Required Lot Area, 10 Units Per Acre).
 - West: City of Industry
7. Surrounding land uses within a 500-foot radius include:
 - North: Pomona 60 freeway
 - South: Single-family dwellings
 - East: Jellick Elementary School
 - West: Fullerton Road, City of Industry

8. Ordinance No. 82-0065Z, adopted by the Board of Supervisors on March 16, 1982 established the C-2-DP-BE zone at this location. CUP 90-242 approved a multi-tenant commercial complex (Diamond Plaza) within unincorporated Los Angeles County, which included retail sales and services, office, and restaurants on December 4, 1991. CUP 200500180 modified the hours of operation established under the previous CUP. County Assessor's records show that the structures were developed between 1993 and 1994. The Rowland Heights Community Standards District was adopted on November 27, 2001. REA201400277 related to CUP 90-242 approved the restaurant tenant improvement on September 4, 2014.
9. The site plan depicts the subject restaurant located within a commercial complex (Diamond Plaza), which includes Buildings A and B within the unincorporated Los Angeles County portion of the plaza and Buildings 1 and 2 within the City of Industry. There are two major buildings within the unincorporated Los Angeles County portion of the plaza: Building A (1370 Fullerton) with 11,560 square feet of area and Building B (1380, 1388A, 1388B Fullerton) with 35,091 square feet of area. The site plan does not depict the portion of the plaza located within the City of Industry, but the applicant provided a building area summary showing that this portion of the plaza includes Building 1 (1330 Fullerton) with 28,311 square feet of area and Building 2 (1390 Fullerton) with 12,594 square feet of area. The total built area for the commercial center is 87,558 square feet, which includes 46,653 square feet of commercial areas within the unincorporated Los Angeles County portion of the plaza. The subject property has a total of 7.61 acres of area, which includes 4.35 acres located within unincorporated Los Angeles County and 3.26 acres within the City of Industry.
10. The floor plan depicts 10,457 square feet of floor area consisting of sitting/dining areas, a garden, an entry/reception area, a storage room, a bar, a kitchen, and restrooms. The Building and Safety office has determined that the restaurant occupancy load is 255 patrons, which includes 239 patrons for the dining and bar seating areas, 16 patrons for the kitchen, the entrance, and storage areas, requiring a total of 85 parking spaces.
11. The parking calculation shows a total of 674 parking spaces, including 347 parking spaces within the unincorporated Los Angeles County portion of the commercial plaza. 329 parking spaces are required, including the 85 parking spaces required for GEN BBQ restaurant and 18 extra parking spaces.
12. The Project Site is accessible via Fullerton Road to the west and Jellick Avenue to the east. Primary access to the Project Site is via an entrance/exit on Fullerton Road. Secondary access to the Project Site is via a gated entrance on Jellick Avenue for emergency use only.
13. The Walnut/Diamond Bar Sheriff's Station recommends approval of this CUP. The Sheriff's comments indicate that this location has several calls for service; however these calls are not related to alcohol related issues.

14. Prior to the Commission'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 sale of alcoholic beverages for on-site consumption at a restaurant and does not require any new construction or improvements to the existing buildings.
15. Prior to the Commission's public hearing, the Regional Planning staff received a comment letter from the Rowland Heights Community Council supporting the Project.
16. A duly noticed public hearing was held on September 16, 2015 before the Commission. Commissioners Louie, Pedersen, and Modugno were present. Commissioners Valadez and Pincetl, were absent. The applicant's representative, Eric Wang presented testimony in favor of the request and answered questions presented by the Commission. There being no further testimony, the Commission closed the public hearing and recommended approval.
17. The Commission finds that the project site is located within the Commercial land use category of the Rowland Heights Community Plan. This designation is intended for retail commercial, service and office uses. The subject restaurant is consistent with the land use designation by serving food to local residents. The sale of alcoholic beverages is consistent with the Rowland Heights Community Plan by providing commercial services and is therefore consistent with the permitted uses of the underlying land use category.
18. The Commission finds that the subject restaurant building includes facades that match the overall architectural features of the commercial center with bright colors, large windows, and columns. Therefore, the Project is consistent with the Rowland Heights Community Plan, which encourages the beautification of new and existing commercial areas.
19. The Commission 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 regional shopping center with access from Fullerton Road and Jellick Avenue.
 - 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. (General Plan Land Use Policy Page LU-A6). The residential neighborhood is located to the south of the subject property, which is separated from the commercial use by an eight-

foot-high wall. The access from Jellick Avenue, which also provides access to the adjacent elementary school, is restricted to emergency use only and does not conflict with the vehicular circulation patterns of the school. Additionally, the subject restaurant is located within a regional shopping center served with fully improved roads.

20. The Commission finds that the subject restaurant is located in the C-2 Zone and subject to the development standards prescribed under County Code Section 22.28.170. These development standards include provisions for landscaping, parking, height, and outside displays. CUP 90-242 approved the commercial center, including the subject restaurant building, which met the development standards for landscaping and parking at the time of the approval. The restaurant is a single-story building and does not exceed 35 feet in height. The applicant is not proposing outside display areas.
21. The Commission finds that the existing restaurant is not subject to the Rowland Heights CSD requirements. Building permits show that the building was built in 1993 and 1994 and conformed to the development standards in effect at the time it was built and is therefore not subject to the CSD requirements, which were adopted in 2001.
22. The State Alcoholic Beverage Control (ABC) Department submitted a report stating that the subject restaurant is within a high crime reporting district. ABC also indicates that there are five licenses allowed within Census Tract No 4082.11 while 65 licenses exist. Therefore, an undue concentration exists, and a letter of public convenience or necessity is required by the Governing Body.
23. The Commission finds that the sale of beer, wine and distilled spirits at a new restaurant on the subject property is compatible with the surrounding area. Rowland Heights is characterized by regional commercial centers along the main corridors providing goods and services to the residents. Currently, there are eight establishments within 500 feet of the existing restaurant selling alcoholic beverages for on-site consumption, including five within Diamond Plaza. Although this constitutes an undue concentration of alcohol sales per Code Section 22.56.195.B.3, the proposed additional sale of alcoholic beverages for on-site consumption within the commercial center provides needed service to the community and serves as a public convenience and necessity.
24. The Commission 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. An elementary school, a church, and single-family dwellings are located within a 600-foot radius of the subject property. CUP 90-242 approved the commercial center and required sufficient buffering in relation to the elementary school and residential dwellings. The church is located on the north side of the Pomona Freeway and is not visible from the existing restaurant. Therefore, the subject property includes sufficient buffering in relation to sensitive uses within the immediate vicinity so as not to adversely affect said areas.

25. The Commission 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 Department recommends approval. The permittee is implementing a designated driver program (i.e. free soft drinks or coffee to a designated driver for a group).
26. The Commission 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 accessible by fully improved roads and served by existing public utilities.
27. The Commission 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 sales taxes.
28. The Commission finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 15 years.
29. The Commission 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 August 6, 2015, a total of 88 Notices of Public Hearing were mailed to all property owners as identified in the County Assessor's records within a 500-foot radius from the Project Site, as well as four 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 Commission'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 REGIONAL PLANNING COMMISSION 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. However, the Commission finds 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 REGIONAL PLANNING COMMISSION:

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 201500015, subject to the attached final conditions.

**FINAL CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2015-000338-(4)
CONDITIONAL USE PERMIT NO. 201500015**

PROJECT DESCRIPTION

The project is a Conditional Use Permit in order to authorize the sale of beer, wine and distilled spirits (Type 47) 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. 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 September 16, 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 two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
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. 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 as approved by the Building and Safety office. The applicant shall provide a map 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 **November 2, 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.

GENERAL PERMIT 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 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 newly 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 regulation. 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 11:00 a.m. to 11:00 p.m. Monday through Saturday and 11:00 a.m. to 10:00 p.m. on Sundays.
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 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. Alcoholic beverages shall be sold to customers only when food is ordered and consumed within the subject restaurant only;
33. The sale and serving of alcoholic beverages for consumption outside the restaurant is prohibited;
34. The business shall employ at least one full-time cook that is engaged in the preparation of meals for patrons during the permissible hours of operation;
35. At least 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;

36. Food service shall be continuously provided during operating hours;
37. Payphones shall be prohibited on the premises;
38. All parking lot and other exterior lighting shall be hooded and directed away from neighboring residences to prevent direct illumination and glare, and shall be turned off within thirty minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot;

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 an occupant load of 255 patrons which would require at least 85 spaces to be provided based on the applicable ratio. If the permittee changes the operation of the restaurant so as to require less parking than the minimum requirement specified in this condition, the permittee shall submit an application for a Revised Exhibit "A" within 90 days of such occurrence.

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 specified in this condition, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.

40. The permittee shall comply with the requirements of the County Public Works, Building and Safety, Fire, and Public Health Departments requirements.