



APPLICATIONS:

THIS BOX FOR CITY PLANNING STAFF USE ONLY

ED 1 Eligible

Case Number _____

Env. Case Number _____

Application Type _____

Case Filed With (Print Name) _____

Date Filed _____

Application includes letter requesting:

Waived hearing

Concurrent hearing

Hearing not be scheduled on a specific date (e.g., vacation hold)

Related Case Number(s): _____

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.

All terms in this document are applicable to the singular as well as the plural forms of such terms.

Refer to the Department of City Planning Application Filing Instructions (CP-7810) for more information.

1. PROJECT LOCATION

Street Address¹ 107 W 4th Street, Los Angeles, CA 90013

Unit/Space Number n/a

Legal Description² (Lot, Block, Tract) FR1 , 6 , ORD'S - Survey

Assessor Parcel Number 5149020012

Total Lot Area 15,754sqft

2. PROJECT DESCRIPTION

Present Use Existing Bar

Proposed Use Existing Bar / club

Project Name (if applicable) Score DTLA

Describe in detail the characteristics, scope and/or operation of the proposed project A conditional use permit for the on-site sale of full line of alcoholic beverages in conjunction with an existing 2068 sq ft bar with 55 seats

dancing and live entertainment, operating from 10am-2am daily.

Additional information attached YES NO

Complete and check all that apply:

Existing Site Conditions

Site is undeveloped or unimproved (i.e., vacant)

Site has existing buildings (provide copies of building permits)

Site is/was developed with uses that could release hazardous materials on soil and/or groundwater (e.g., dry cleaning, gas station, auto repair, industrial)

Site is located within 500 feet of a freeway or railroad

Site is located within 500 feet of a sensitive use (e.g., school, park)

Site has special designation (e.g., National Historic Register, Survey LA)

¹ Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)

² Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

Proposed Project Information

(Check all that apply or could apply)

- Demolition of existing buildings/structures
- Relocation of existing buildings/structures
- Removal of any on-site tree
- Removal of any street tree
- Removal of protected trees onsite / public right-of-way
- Grading
- Haul Route

- New construction: _____ square feet
- Additions to existing buildings
- Interior tenant improvement
- Exterior renovation or alteration
- Change of use and/or hours of operation
- Uses or structures in public right-of-way
- Phased project

Housing Component Information

Number of Residential Units: Existing _____ – Demolish(ed)³ _____ + Adding _____ = Total _____

Number of Affordable Units⁴ Existing _____ – Demolish(ed) _____ + Adding _____ = Total _____

Number of Market Rate Units Existing _____ – Demolish(ed) _____ + Adding _____ = Total _____

Mixed Use Projects, Amount of Non-Residential Floor Area: _____ square feet

Public Right-of-Way Information

Have you submitted the Planning Case Referral Form to BOE? (required) YES NO

Is your project required to dedicate land to the public right-of-way? YES NO

If so, what is/are your dedication requirement(s)? _____ feet

If you have dedication requirements on multiple streets, please indicate: _____

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? YES NO

Authorizing Code Section 12 24 W1

Code Section from which relief is requested (if any): N/A

Action Requested, Narrative: Conditional use permit for the on-site sale of a full line of alcoholic beverages in conjunction with an existing 2068sq.ft bar with 55 seats,dancing,live entrtmnt operating 10am-2am daily

Authorizing Code Section n/a

Code Section from which relief is requested (if any): n/a

Action Requested, Narrative: n/a

Additional Requests Attached YES NO

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? YES NO

If YES, list all case number(s) ZA-1986-342-CUX

³ Number of units to be demolished and/or which have been demolished within the last five (5) years.

⁴ As determined by the Housing and Community Investment Department

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. n/a

Ordinance No.: n/a

- Condition Compliance Review
- Modification of Conditions
- Revision of Approved Plans
- Renewal of Entitlement
- Plan Approval subsequent to Main Conditional Use

- Clarification of Q (Qualified) Condition
- Clarification of D (Development) Limitation
- Amendment to T (Tentative) Classification

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? YES NO

Have you filed, or is there intent to file, a Subdivision with this project? YES NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City: _____

5. RELATED DOCUMENTS / REFERRALS

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide a copy of any applicable form and reference number if known.

Specialized Requirement Form form 773 - see attached

Geographic Project Planning Referral n/a

Case Consultation Referral Form n/a

Redevelopment Project Area – Administrative Review and Referral Form n/a

HPOZ Authorization Form n/a

Affordable Housing Referral Form n/a

Transit Oriented Communities Referral Form n/a

Preliminary Zoning Assessment Referral Form (Plan Check #) n/a

Optional HCA Vesting Preliminary Application n/a

Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form n/a

Mello Form n/a

Citywide Design Guidelines Compliance Review Form n/a

GPA Initiation Request Form n/a

Expedite Fee Agreement n/a

Department of Transportation (DOT) Referral Form n/a

Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) n/a

Hillside Referral Form (BOE) n/a

Building Permits and Certificates of Occupancy see attached

Order to Comply n/a

Low Impact Development (LID) Referral Form (Stormwater Mitigation) n/a

Replacement Unit Determination (LAHD) n/a

Are there any recorded Covenants, affidavits or easements on this property? YES (provide copy) NO

PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant⁵ Name Bradley Nitz
Company/Firm Ryno Group LLC
Address 810 S Flower Street Unit/Space Number 1015
City Los Angeles State CA Zip Code 90017
Telephone (323) 283-2213 E-mail nitzbk@gmail.com
Are you in escrow to purchase the subject property? YES NO

Property Owner of Record Same as applicant Different from applicant
Name (if different from applicant) AIDS Healthcare Foundation -
Address 6255 Sunset Blvd, 21 Floor Unit/Space Number _____
City Los Angeles State CA Zip Code: 90028
Telephone (323) 860-5200 E-mail: Rafi.Orfahli@ahf.org

Agent/Representative Name _____
Company/Firm _____
Address _____ Unit/Space Number _____
City _____ State _____ Zip _____
Telephone _____ E-mail _____

Other (Specify Architect, Engineer, CEQA Consultant etc.) _____
Name _____
Company/Firm _____
Address: _____ Unit/Space Number _____
City _____ State _____ Zip Code: _____
Telephone _____ E-mail _____

Primary Contact for Project⁶ Owner Applicant
(Select only one. Email address and phone Agent/Representative Other
number are required.) _____

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List and the Abutting Property Owners List.

⁵ An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e., usually not the agent/representative).
⁶ As of June 8, 2022, the Primary Contact for Project is required to have an Angeleno Account and register with the Ethics Commission for Significant Project Entitlements, as defined in LAMC Section 49.7.37(A)(6). An email address and phone number shall be required on the DCP Application Form, and the email address provided shall match the email address used to create the Angeleno Account.

PROPERTY OWNER

7. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC, or trust, a disclosure identifying an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC, or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g., John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

- a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC, or trust as evidenced by the documents attached hereto.
- b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.
The City requires an original signature from the property owner with the "wet" notary stamp.
A Notary Acknowledgement is available for your convenience on following page.*

Signature  _____

Date 3-1-2023 _____

Print Name Mark Dyer _____

Signature _____

Date _____

Print Name _____

Space Below for Notary's Use

Civil Code ' 1189

California All-Purpose Acknowledgement

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

On March 1, 2023 before me, Claudia R. Immerzeel, Notary Public
(Insert Name of Notary Public and Title)

personally appeared Mark Dyer, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Claudia R Immerzeel
Signature

(Seal)



APPLICANT

8. **APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.
- a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
 - b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
 - c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
 - d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
 - e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
 - f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
 - g. I understand that if this application is denied, there is no refund of fees paid.
 - i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
 - j. I understand that the City is protected by numerous statutory immunities from liability for damages that may be caused by its land use regulatory actions, as set forth in Government Code, section 818, et seq. For instance, the City cannot be held liable for personal or property injuries or damages allegedly caused by its approval and issuance of any discretionary permit, entitlement or approval (Gov. Code § 818.4), or its failure to inspect or its negligence in inspecting a property for the purpose of determining whether the property complies with or violates any permit, entitlement or approval or contains or constitutes a hazard to health or safety (Gov. Code § 818.6).
 - k. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

Signature: _____



Print Name: _____

Bradley Nitz

Date: _____

2.21.23

**OPTIONAL
NEIGHBORHOOD CONTACT SHEET**

9. **SIGNATURES** of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (PRINT)	SIGNATURE	ADDRESS	KEY # ON MAP

REVIEW of the project by the applicable Neighborhood Council is not required but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).

FINDINGS

A. General Conditional Use for the CUB and/or CUX

- i. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.

The proposed use will provide a unique service that should prove beneficial to the community in that it will operate from 10am to 2am daily, which will activate the street location with viable business. To keep the area vital and improving, it is necessary that all locations on the street be occupied by successful business operations so that there is a sufficient amount of pedestrian traffic and "eyes on the street" in the area so as to deter criminal elements.

One of the factors necessary to ensure the long-term success of the proposed bar is the availability of an alcoholic beverage service to ensure the business operator to compete effectively with other restaurants and bars that operate in the downtown area. The applicant is aware of liquor license privilege and will actively work with neighbors to keep the area clean and safe.

This is the type of business operation that is needed to reinvigorate and improve the area. Downtown has suffered from economic and social depression over the past 6-7 decades. Over the past 10 years or so, bars and restaurants have led the way towards an urban renewal and gentrification to create the type of environment that is conducive to a residential population.

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

- The subject property is located in the urban, high-density area of the Historic District of Downtown Los Angeles and the area is developed with multi-storied commercial/office buildings and residential lofts, many of which contain restaurants/bars on the ground floor. Many of the commercial/office buildings have been adaptively re-used for residential uses coinciding with the renaissance of the Downtown area.
- The location appears to be appropriate for the bar/restaurant use. The subject site is within a long-establishment commercial district in Downtown Los Angeles which is commercially designated and zoned and is surrounded on all sides by other properties similarly designated and zoned for these types of uses. Therefore, it is unlikely that the proposed use would adversely affect or further damage adjacent properties, the surrounding neighborhood or the public health, welfare and safety. To the contrary, this bar with limited entertainment will be unique business adding to the attractiveness of downtown.

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

The Central City Community Plan map designates the subject property for community commercial land use with its corresponding zone of c2 and height district No. 2D. The property is not currently within the area of any specific plans or interim control ordinances. The proposed use appears to be consistent with a number of the plan's objectives and policies for commercial land use, including the following:

Objective 2-1: To improve central city's competitiveness as a location for offices, business, retail and industry.

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to downtown for business, conventions, trade shows and tourism.

Objective 2-4: To encourage a mix of uses which create an active 24-hour downtown environment for current residents and which would also foster increased tourism.

Objective 2-4.1: Promote night life activity by encouraging restaurants, pubs, nightclubs, small theatres and other specialty uses to reinforce existing pockets of activity.

B. Additional Findings for CUB

i. That the proposed use will not adversely affect the welfare of the pertinent community.

- Granting of the conditional use permit at this location should not adversely affect the economic welfare of the community because the project will introduce a unique bar/restaurant theme to the downtown vicinity, that being a bar/restaurant owned, and operated by a Gay owned enterprise. There currently exists a lack of hospitality establishments in the immediate area where a gay clientele feels not only comfortable, but welcomed and catered to. In this location this bar will promote economic vitality through a nighttime entertainment use without disturbing the residential neighborhood. Such nighttime venues add to the safety of the pedestrian traffic while providing opportunities for economic activity during non-peak hours. This will add to the economic base of the community through the exchange of goods and services with other nearby commercial activity, create and maintain employment opportunity and generate tax revenue to various municipalities.

II. That the granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

- The main reason the number of licenses in this census tract is significantly higher than the residential population based allocation is its location in Downtown Los Angeles, which serves as a major business and entertainment destination for the entire region, yet still has a relatively low residential population when compared to other neighborhoods. In addition to the residents, the area also has a large number of workers and visitors that require food and beverage sales. Over concentration can be undue when the addition of a license will negatively impact a neighborhood. Over concentration is not undue when the approval of a license does not adversely affect an area, but rather such licensed beverage establishments benefit the public welfare and convenience.
- Although the census tract is numerically over concentrated, the request will not adversely affect community welfare because the proposed use is a desirable use in the Downtown area which has undergone a major revitalization. An approval of the request will not contribute to an undue concentration because the Downtown area where the restaurant will be located is a center of intense commercial activities offering a variety of opportunities for dining and entertainment. It is a goal of the City to promote an active "24-hour" environment in the Downtown area. The sale of alcoholic beverages is considered to be a facilitating element towards achieving this goal. The existing development and uses in the surrounding area does not favor concentration of one particular type of dining fare, but offers a variety of menus with various levels of service including live entertainment. This bar will be oriented towards a Gay clientele and there are no bars in downtown serving that population. The operation of the proposed bar/restaurant and the service of alcoholic beverages will blend well with the currently established straight bars/restaurants.

-

III. That the proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.

- With a floor area of 2,068 square-feet and a maximum seating capacity for 62 patrons, the proposed restaurant/bar will be a small-scale operation. It's location at the floor level of the building is isolated from the tenant space lobby area.

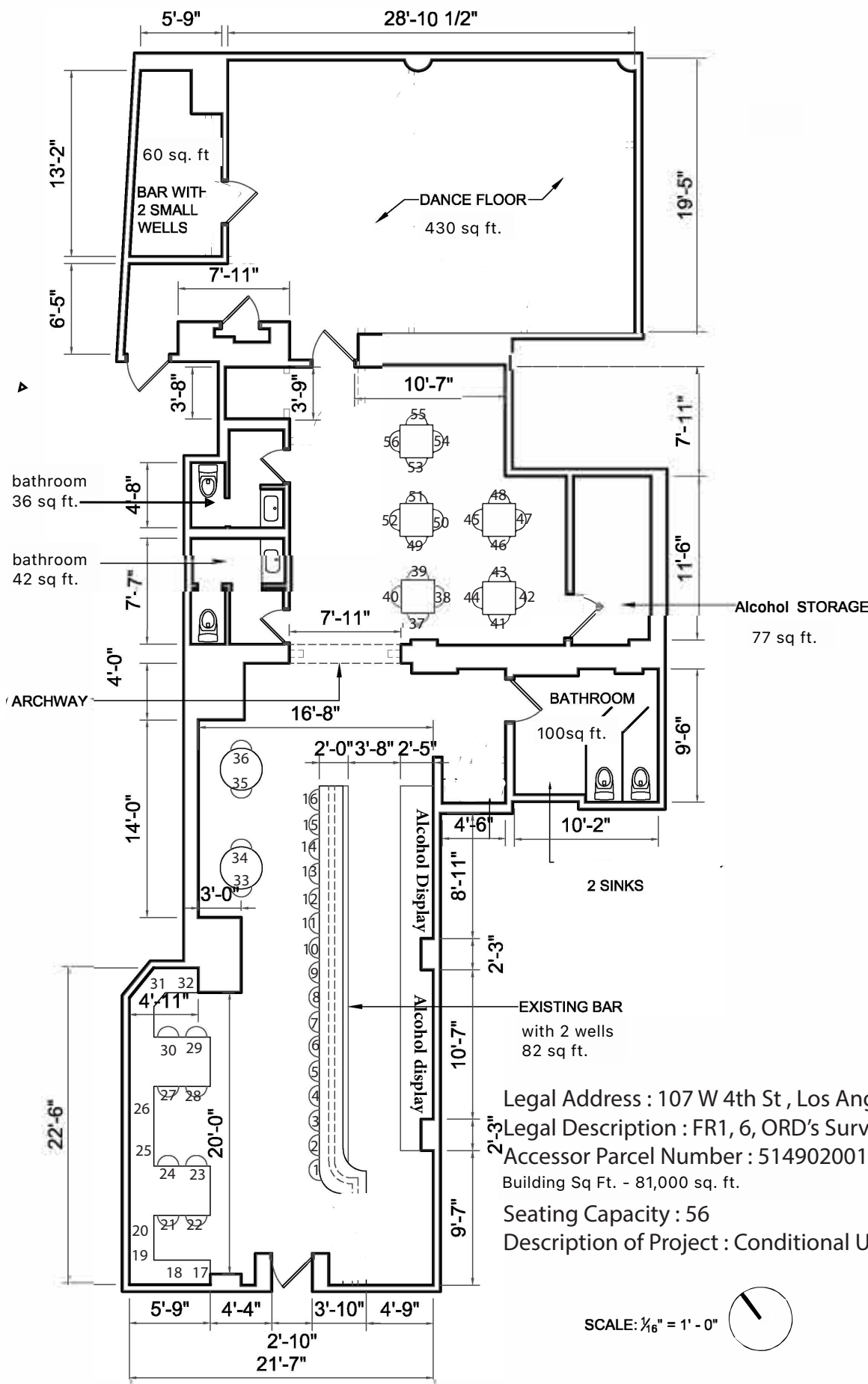
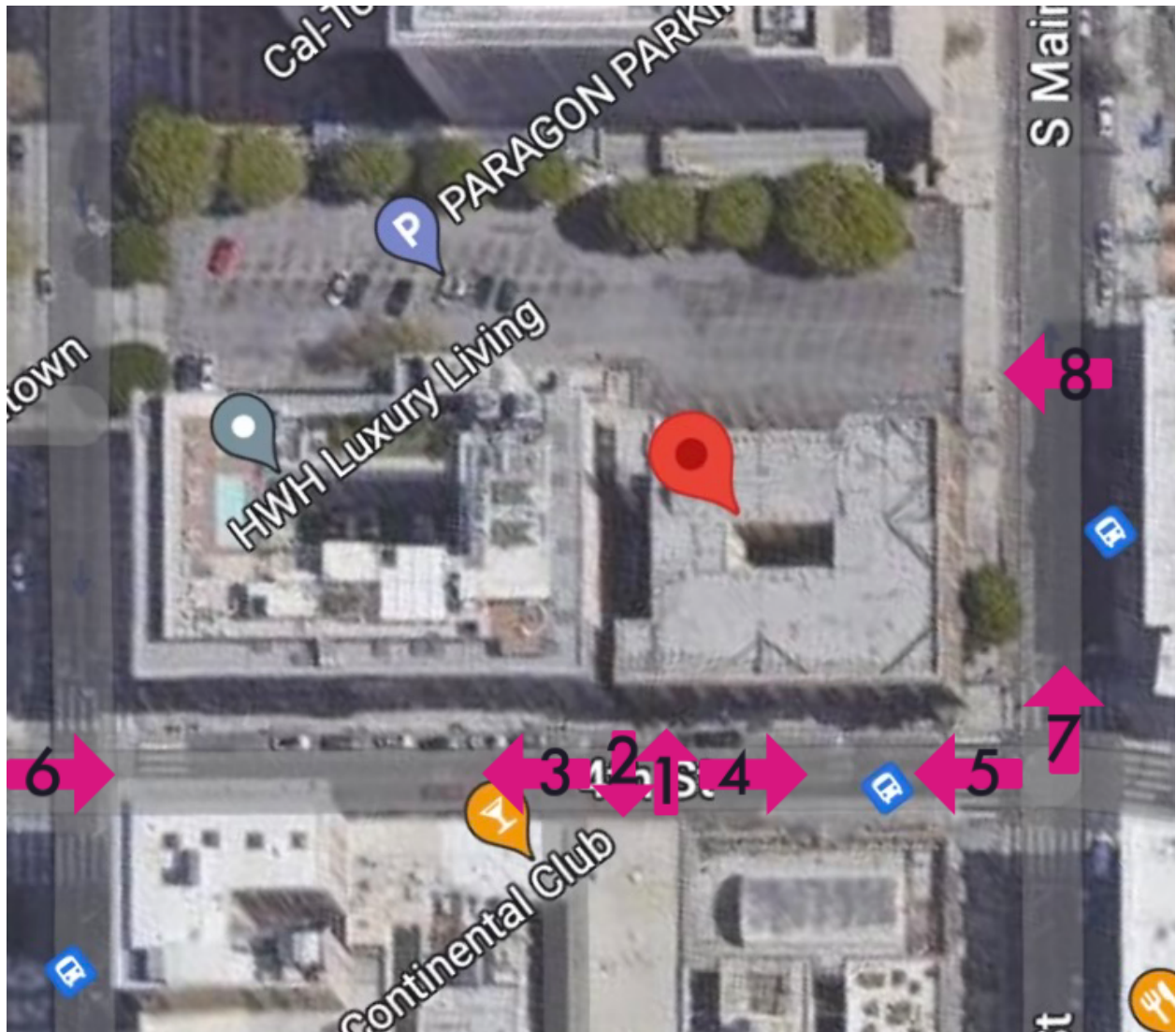


Photo Exhibit

107 w 4th Street
Los Angeles, CA 90013

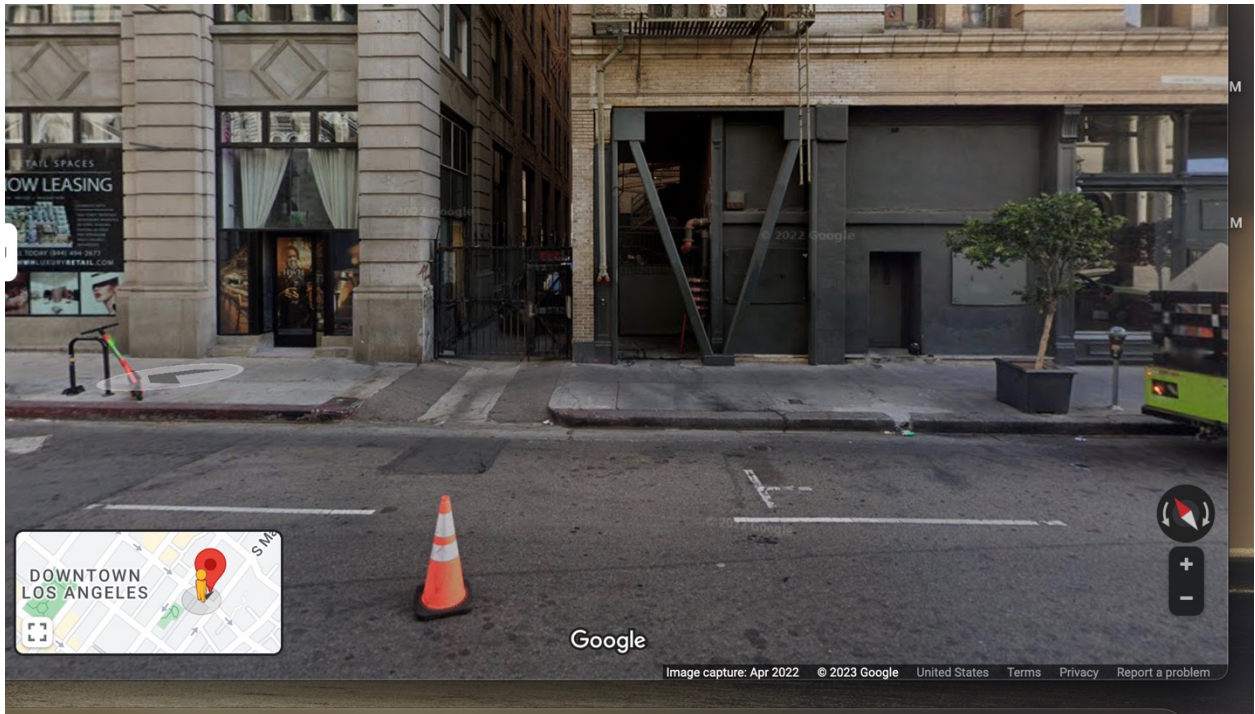
Prepared by : Bradley Nitz

Aerial Reference index

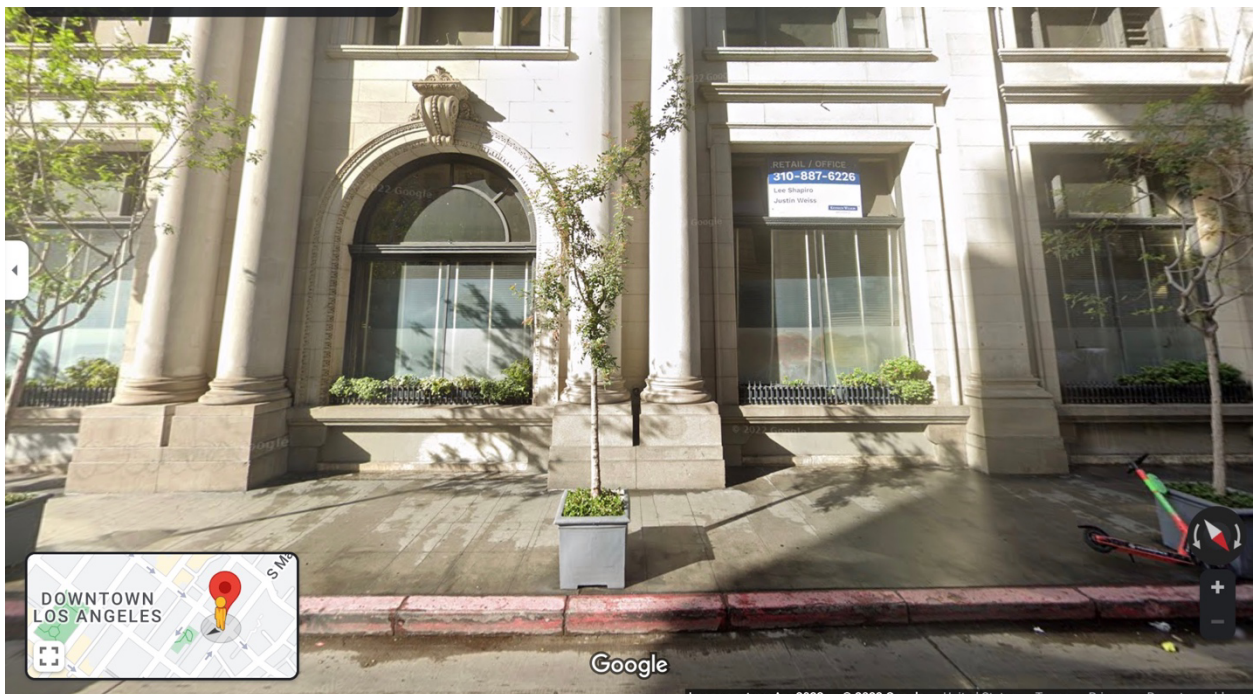


- 1 – facing northeast, towards the entrance of 107 w 4th Street
- 2 – facing southwest, looking across the street from 107 w 4th Street

-1-



-2-

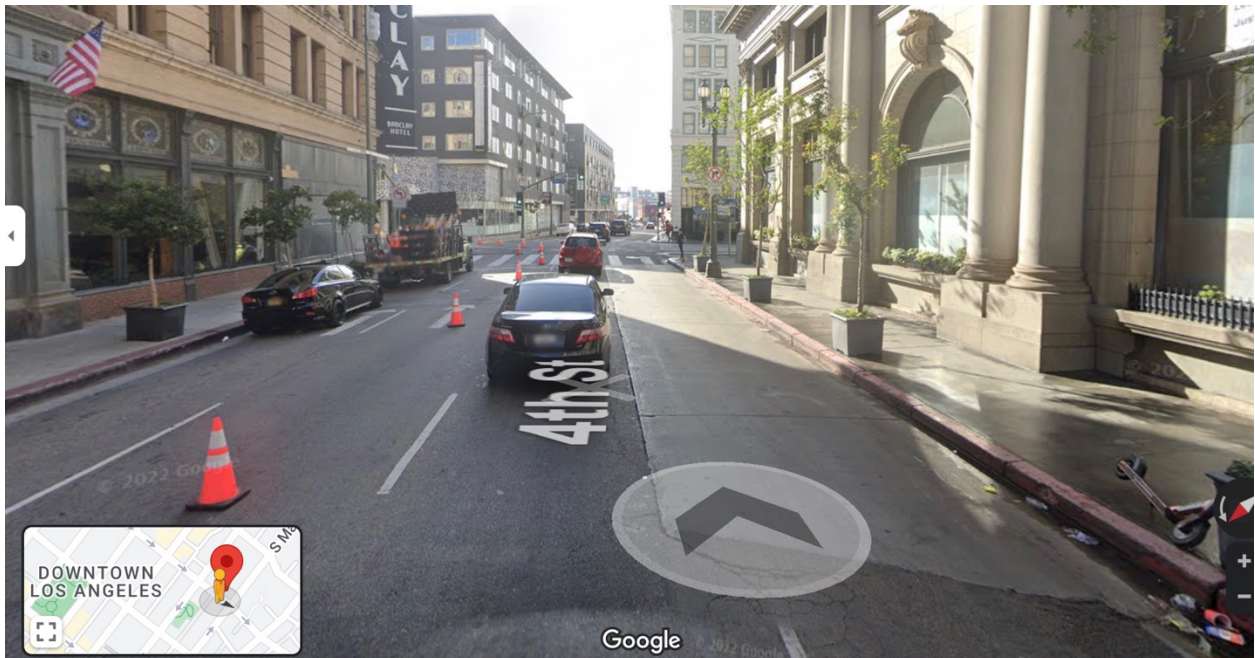


3 – facing northwest on 4th Street in front of 107 w 4th Street towards Spring Street
4 – facing southeast on 4th Street in front of 107 w 4th Street towards Main Street

-3-



-4-



5 – in the intersection of 4th street and Main Street facing northwest towards 107 W 4th Street
6 – in the intersection of 4th Street and Spring Street facing southeast towards 107 W 4th Street

-5-



-6-



- 7 – in intersection of 4th Street and Main Street facing northeast
- 8 – on Main Street facing the back of building

-7-



-8-

