



The City of Beverly Hills will hold a Determination of Public Convenience and Necessity Hearing, at the following time and place, and will address the agenda listed below:

**CITY OF BEVERLY HILLS
Room 280A
455 North Rexford Drive
Beverly Hills, CA 90210**

In-Person / Telephonic / Video Conference Meeting

**Wednesday, November 16, 2022
10:00 AM**

Please be advised that pre-entry metal detector screening requirements are now in place at City Hall. Members of the public are requested to plan visits accordingly.

Members of the public can participate in the meeting by using this link: www.beverlyhills.org/hearings (passcode 90210) or by phone at 833-548-0276 (Meeting ID 844 6491 8768). The hearing will also be aired live on BHTV Channel 10 and streamed live at www.beverlyhills.org/live.

Written comment may be offered through email at agomez@beverlyhills.org

It is recommended that written public comments be submitted by 9:00 AM on the meeting date. Public comments will also be taken during the meeting when the topic is being reviewed by the Hearing Officer. Written comments should identify the Agenda Item number or topic in the subject line of the email. In order to be read at the meeting, written comments will be allowed with a maximum of 350 words, which corresponds to approximately three (3) minutes of speaking time. If a comment is received after the agenda item is heard, it will not be a part of the record.

AGENDA

COMMUNICATIONS FROM THE AUDIENCE

Members of the public may address the Hearing Officer regarding any items not on the Agenda that are within the subject matter jurisdiction of the Hearing Officer. By State law, the Hearing Officer may not discuss or vote on items not on the Agenda.

NEW BUSINESS

1. 9696 WILSHIRE BOULEVARD

Determination of Public Convenience or Necessity (PL2200142)

A request for a Determination of Public Convenience or Necessity pursuant to a Type 47 On-Sale General license with the California Department of Alcoholic Beverage Control (ABC) at 9696 Wilshire Boulevard (Steak 48). Pursuant to §23958.4 of the California Business and Professions Code, the city of Beverly Hills is required to make

Determination of Public Convenience and Necessity Hearing
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a determination as to whether allowing the sale of alcohol from the project site will serve the public convenience or necessity. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Hearing Officer will also consider finding the project exempt from further review under CEQA. (Alvaro Gomez, AICP, Associate Planner)

ADJOURNMENT



Pursuant to the Americans with Disabilities Act, the City of Beverly Hills will make reasonable efforts to accommodate persons with disabilities. If you require special assistance, please call (310) 285-1126 (voice) or (310) 285-6881 (TTY). Providing at least forty-eight (48) hours advance notice will help to ensure availability of services.



PUBLIC CONVENIENCE OR NECESSITY STAFF REPORT

Meeting Date: November 16, 2022

Subject: **9696 WILSHIRE BOULEVARD**
Determination of Public Convenience or Necessity (PL2200142)
A request for a Determination of Public Convenience or Necessity pursuant to a Type 47 On-Sale General license with the California Department of Alcoholic Beverage Control (ABC) at 9696 Wilshire Boulevard (Steak 48). Pursuant to §23958.4 of the California Business and Professions Code, the city of Beverly Hills is required to make a determination as to whether allowing the sale of alcohol from the project site will serve the public convenience or necessity. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Hearing Officer will also consider finding the project exempt from further review under CEQA.

Project Applicant: Steak 48 Beverly Hills LLC

Recommendation: Staff recommends that the Hearing Officer make a determination of public convenience.

REPORT SUMMARY

A request has been made for a Determination of Public Convenience or Necessity to allow the sale of alcoholic beverages at Steak 48, new full service restaurant located on the ground floor of 9696 Wilshire Boulevard. To obtain a license from the California Department of Alcoholic Beverage Control (ABC), the applicant must first obtain a determination from the city of Beverly Hills that the project serves the public convenience or necessity. This report outlines the details of the proposed location and operations of the store, surrounding land uses, and makes the recommendation that a determination of public convenience be granted.

BACKGROUND

File Date	8/16/2022
CEQA Recommendation	Class 1 Categorical Exemption (Existing Facilities)
Applicant(s)	Steak 48
Property Owner(s)	Pacific Wilshire Roxbury LLC
Representative(s)	Mark Egerman, Egerman Law Group LLP

Attachment(s):

- A. Applicable State Code Sections
- B. Draft Notice of Determination
- C. Active ABC Licenses in Census Tract
- D. Public Notice
- E. Public Correspondence
- F. Planning Commission Resolution No. 1914
- G. Premises Diagram

Report Author and Contact Information:
Alvaro Gomez, AICP, Associate Planner
(310) 285-1142
agomez@beverlyhills.org



Public Convenience or Necessity Staff Report

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Prior Planning Commission Action Resolution No. 1914 (5/21/2020): Approval of an extended hours permit for Steak 48.

Prior City Council Action None

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address(es)	9696 Wilshire Boulevard
Assessor's ID No.	4343-007-003, 4343-007-004
Zoning District	C-3 – Commercial Zone
General Plan	Commercial Low Density General
Existing Land Use(s)	Commercial

PROJECT DESCRIPTION AND AREA CHARACTERISTICS

The project site is located on the southeast corner of the intersection of Wilshire Boulevard and South Roxbury Drive—outside of the Business Triangle area of the city. The project site is located on the ground floor of a three-story, multi-tenant commercial building that is occupied by office uses. The project site is surrounded by commercial uses on all sides including office and retail uses to the north, east, and west, and a multi-level parking structure to the south. The applicant, Steak 48, is a high-end full restaurant and steak house that proposes to offer a full line of alcoholic beverages (including craft beers, fine wines, and hard liquors such as bourbons, scotches, whiskeys, gins, vodkas, tequilas, and a wide variety of after dinner drinks such as cognacs, ports, and cordials) for onsite consumption. The space to be occupied by Steak 48 will offer seating for approximately 385 patrons and will have a combined dining and bar area of approximately 8,145 square feet. Steak 48 will operate daily between the hours of 4:00 PM and 12:30 AM pursuant to an Extended Hours Permit adopted by the Planning Commission on May 21, 2020 (Resolution No. 1914, Attachment F).

REQUESTED ENTITLEMENTS

The applicant is requesting a Determination of Public Convenience or Necessity in pursuit of a Type 47 On-Sale General License to allow the sale of a full line of alcoholic beverages for on-site consumption, between the hours of 4:00 PM and 12:30 AM daily.^{1,2} The city of Beverly Hills does not require discretionary review or entitlements for the sale of alcoholic beverages. However, whenever the ratio of on-sale licenses for sale of alcoholic beverages to population in a given census tract exceeds the ratio of on-sale licenses to the population in the county as a whole, the California Department of Alcoholic Beverage Control (ABC) requires that a municipality make a Determination of Public Convenience or Necessity to allow additional licenses to be issued within that census tract. The requested Determination of Public Convenience or Necessity would allow ABC to authorize the issuance of a Type 47 on-sale general alcohol license to the applicant.

¹ A Type 47 On-Sale General – Eating Place (Restaurant) License: authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

² Pursuant to §25631 of the California Business and Professions Code, the sale of alcoholic beverages for any business with a valid on-sale or off-sale alcohol license is limited to the hours between 6:00 AM and 2:00 AM the following day. Any licensee, or agent or employee of that licensee, who sells, gives, or delivers alcoholic beverages or any person who purchases any alcoholic beverage between the hours of 2:00 AM and 6:00 AM is guilty of a misdemeanor. As such, the applicant will be required to comply with state licensing requirements at all times.



GENERAL PLAN³ POLICIES

The General Plan includes numerous goals and policies intended to help guide development in the city. Some of the policies relevant to the review of the project include the following:

- **Policy LU 9.1 - Uses for Diverse Customers**
- **Policy LU 12.1 - Functional and Operational Compatibility**
- **Policy LU 15.1 - Economic Vitality and Business Revenue**

ENVIRONMENTAL ASSESSMENT

The project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.), the State CEQA Guidelines⁴ (California Code of Regulations, Title 14, Section 15000 et seq.), and the environmental regulations of the City. Upon review, the project appears to qualify for a Class 1 Categorical Exemption (Existing Facilities) in accordance with the requirements of Section 15301 of the state CEQA Guidelines. Accordingly, staff recommends that the Hearing Officer find the project exempt from further review under CEQA.

PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Actual Period	Required Date	Actual Date
Notice of Pending Application	N/A	N/A	NA	NA
Adjacent Neighbors Notice	N/A	N/A	N/A	N/A
Notice of Public Hearing (Owners & Occupants – 300' Radius + block face)	20 Days	20 Days	10/27/2022	10/27/2022
Newspaper Notice ¹	20 Days	20 Days	10/27/2022	10/27/2022
Property Posting	20 Days	21 Days	10/27/2022	10/26/2022
Agenda Posting	72 Hours	7 Days	11/13/2022	11/9/2022
Website	72 Hours	7 Days	11/13/2022	11/9/2022

¹ The Project was noticed in the October 27, 2022 edition of *The Beverly Hills Weekly* and the November 4, 2022 edition of *The Beverly Hills Courier*.

Public Comment

Staff received four comments from nearby residents citing safety and traffic concerns. All public correspondence is included as Attachment E.

³ Available online at <http://www.beverlyhills.org/business/constructionlanduse/generalplan/generalplandocument/>

⁴ The CEQA Guidelines and Statute are available online at <http://ceres.ca.gov/ceqa/guidelines>



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ANALYSIS

The following analysis is intended to facilitate the decision of the Hearing Officer.

Concentration of On-Sale Licenses

The project site is located within Census Tract No. 7010.00 which is located south of Wilshire Boulevard and west of South Beverly Drive as shown on the map in Attachment C. Within this tract, there are currently a total of 16 on-sale licenses with five of them being Type 47 licenses (see Attachment C for all active on-sale license within the census tract). With a population of approximately 5,301 residents⁵, the ratio of total active on-sale licenses to population within the project's census tract is one on-sale alcohol license for every 331.3 residents. With the addition of another on-sale license, the ratio of active off-sale licenses to population within the census tract would be approximately 1 per 311.8 residents. With a total of 12,840 active on-sale alcohol licenses countywide⁶ and a population of 10,014,009,⁷ the ratio of on-sale licenses to county population is currently one license for every 779.9 residents. While the project site census tract has a higher ratio of on-sale licenses to residents than the county, there does not appear to be an overconcentration of alcohol licenses as several of the active licenses are associated with established commercial entities within the city such as hotels (Peninsula Hotel, Mosaic Hotel, Maison 140) and restaurants located along the city's South Beverly Drive business district. Moreover, active licenses are located only along the north and eastern boundaries of the census tract. A higher concentration of alcohol sales within this census tract is thus expected given the current mix of businesses located along its edges. Additionally, the requested license would allow the restaurant to offer a service that is normal and customary for similar restaurants.

Proximity to Sensitive Uses

The project site is not located immediately adjacent to any residential uses or schools. The nearest residential uses are located approximately 180' to the south on the 100 block of Roxbury Drive and the nearest school, Good Shepherd Catholic School at 148 South Linden Drive, is located more than 600 feet from the project site. Because of these distances, in addition to the parking facilities immediately south of the commercial buildings on Wilshire Boulevard which serve as a buffer between residential and commercial uses, the project would not substantially impact any residential uses. Moreover, the applicant's proposed hours of operation are intended to serve evening patrons and would not conflict with school hours. Finally, a condition of approval in the adopted Extended Hours Permit resolution (Condition No.8, Resolution 1914) prohibits left turns onto South Roxbury Drive from the project site's parking facility between the hours of 10:00 PM and 7:00 AM daily. Based on the above, it does not appear that the new use and the issuance of a Type 47 On-Sale General License will substantially conflict with any sensitive uses.

Recommendation

Given the type and limited concentration of other on-sale licenses within the project site's census tract, the project is anticipated to serve the public's convenience by offering a convenient service without resulting in detrimental impacts to the surrounding neighborhood or an over-concentration of on-sale licenses for this type of specialty use. Therefore, staff recommends that a determination of public convenience be made with regard to the proposed project, subject to the conditions of approval outlined in the draft Notice of Determination (Attachment B).

⁵ Federal Financial Institutions Examination Council (FFIEC) - Census Demographic Data - <https://geomap.ffiec.gov/FFIECGeocMap/GeocodeMap1.aspx> (accessed November 2022)

⁶ California Department of Alcoholic Beverage Control (ABC) – Licenses by County and Census Tract - <https://www.abc.ca.gov/licensing/licensing-reports/licenses-by-county-and-census-tract/> (accessed November 2022)

⁷ United States Census Bureau – Los Angeles County, California Dataset - <https://data.census.gov/cedsci/profile?q=05000000US06037> (accessed July 2022)



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NEXT STEPS

It is recommended that the hearing officer conduct the public hearing and direct staff to certify the attached Notice of Determination conditionally allowing the sale of a full line of alcoholic beverages pursuant to a Type 47 On-Sale General License at the project site within five days of the public hearing.

Alternatively, the hearing officer may consider the following actions:

1. Approve the project with modified findings or conditions of approval.
2. Deny the project, or portions of the project, based on revised findings.
3. Refer the matter to the City Council for a public hearing.

Report Reviewed By:

A handwritten signature in cursive script that reads "Cindy Gordon".

Cindy Gordon, AICP
Principal Planner

ATTACHMENT A

Applicable State Code Sections

State of California

BUSINESS AND PROFESSIONS CODE

Section 23958.4

23958.4. (a) For purposes of Section 23958, “undue concentration” means the case in which the applicant premises for an original or premises-to-premises transfer of any retail license are located in an area where any of the following conditions exist:

(1) The applicant premises are located in a crime reporting district that has a 20 percent greater number of reported crimes, as defined in subdivision (c), than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.

(2) As to on-sale retail license applications, the ratio of on-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of on-sale retail licenses to population in the county in which the applicant premises are located.

(3) As to off-sale retail license applications, the ratio of off-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.

(b) Notwithstanding Section 23958, the department may issue a license as follows:

(1) With respect to a nonretail license, a retail on-sale bona fide eating place license, a retail license issued for a hotel, motel, or other lodging establishment, as defined in subdivision (b) of Section 25503.16, a retail license issued in conjunction with a beer manufacturer’s license, or a winegrower’s license, if the applicant shows that public convenience or necessity would be served by the issuance.

(2) With respect to any other license, if the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. The 90-day period shall commence upon receipt by the local governing body of (A) notification by the department of an application for licensure, or (B) a completed application according to local requirements, if any, whichever is later.

If the local governing body, or its designated subordinate officer or body, does not make a determination within the 90-day period, then the department may issue a license if the applicant shows the department that public convenience or necessity would be served by the issuance. In making its determination, the department shall not attribute any weight to the failure of the local governing body, or its designated subordinate officer or body, to make a determination regarding public convenience or necessity within the 90-day period.

(c) For purposes of this section, the following definitions shall apply:

(1) “Reporting districts” means geographical areas within the boundaries of a single governmental entity (city or the unincorporated area of a county) that are identified by the local law enforcement agency in the compilation and maintenance of statistical information on reported crimes and arrests.

(2) “Reported crimes” means the most recent yearly compilation by the local law enforcement agency of reported offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic citations.

(3) “Population within the census tract or census division” means the population as determined by the most recent United States decennial or special census. The population determination shall not operate to prevent an applicant from establishing that an increase of resident population has occurred within the census tract or census division.

(4) “Population in the county” shall be determined by the annual population estimate for California counties published by the Demographic Research Unit of the Department of Finance.

(5) “Retail licenses” shall include the following:

(A) Off-sale retail licenses: Type 20 (off-sale beer and wine) and Type 21 (off-sale general).

(B) On-sale retail licenses: All retail on-sale licenses, except Type 43 (on-sale beer and wine for train), Type 44 (on-sale beer and wine for fishing party boat), Type 45 (on-sale beer and wine for boat), Type 46 (on-sale beer and wine for airplane), Type 53 (on-sale general for train and sleeping car), Type 54 (on-sale general for boat), Type 55 (on-sale general for airplane), Type 56 (on-sale general for vessels of more than 1,000 tons burden), and Type 62 (on-sale general bona fide public eating place intermittent dockside license for vessels of more than 15,000 tons displacement).

(6) A “premises-to-premises transfer” refers to each license being separate and distinct, and transferable upon approval of the department.

(d) For purposes of this section, the number of retail licenses in the county shall be established by the department on an annual basis.

(e) The enactment of this section shall not affect any existing rights of any holder of a retail license issued before April 29, 1992, whose premises were destroyed or rendered unusable as a result of the civil disturbances occurring in Los Angeles from April 29 to May 2, 1992, to reopen and operate those licensed premises.

(f) This section shall not apply if the premises have been licensed and operated with the same type license within 90 days of the application.

(Amended by Stats. 2019, Ch. 29, Sec. 46. (SB 82) Effective June 27, 2019.)

ATTACHMENT B

Draft Notice of Determination



NOTICE OF DETERMINATION

CITY OF BEVERLY HILLS

REQUEST: **Determination of Public Convenience or Necessity Permit** to allow for the sale of alcohol (beer, wine, and distilled spirits) at Steak 48 at the project address noted below.

PROJECT ADDRESS: **9680-9696 Wilshire Boulevard**

APPLICANT: **Steak 48 Beverly Hills LLC**
9680-9696 Wilshire Boulevard
Beverly Hills, CA 90210

PROPERTY OWNER: Pacific Wilshire Roxbury LLC

REPRESENTATIVE: Mark Egerman
Egerman Law Group, LLP
280 S Beverly Drive, Ste. 304
Beverly Hills, CA 90212

PROJECT PLANNER Alvaro Gomez, AICP, Associate Planner

ACTION: **APPROVED ON 11/16/2022 SUBJECT TO CONDITIONS AND FINDINGS IN PERMIT PL2200366**

For any questions regarding the information on this notice, contact **Alvaro Gomez, Associate Planner** at **agomez@beverlyhills.org** or **310-285-1142**.

Timothea Tway, AICP, City Planner

Date

Decisions made by the Director of Community Development may be appealed to the City Council within fourteen (14) days of the Director's action by filing a written appeal with the City Clerk. Appeal forms are available in the City Clerk's office. (Note: Appeal Fee Required.)

PROJECT DESCRIPTION AND AREA CHARACTERISTICS

The applicant is requesting a Determination of Public Convenience or Necessity in pursuit of a Type 47 On-Sale General License to allow the sale of a full line of alcoholic beverages for on-site consumption, between the hours of 4:00 PM and 12:30 AM daily. The city of Beverly Hills does not require discretionary review or entitlements for the sale of alcoholic beverages. However, whenever the ratio of on-sale licenses for sale of alcoholic beverages to population in a given census tract exceeds the ratio of on-sale licenses to the population in the county as a whole, the California Department of Alcoholic Beverage Control (ABC) requires that a municipality make a Determination of Public Convenience or Necessity to allow additional licenses to be issued within that census tract. The requested Determination of Public Convenience or Necessity will allow ABC to authorize the issuance of a Type 47 on-sale general alcohol license to the applicant.

The project site is located on the ground floor of a three-story, multi-tenant commercial building on the southeast corner of the intersection of Wilshire Boulevard and South Roxbury Drive. The ground floor of the building is currently vacant while the remaining floors are occupied by office uses. The project site is surrounded by commercial uses on all sides including office and retail uses to the north, east, and west, and a multi-level parking structure to the south.

ENVIRONMENTAL ASSESSMENT

The Project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.), the State CEQA Guidelines⁴ (California Code of Regulations, Title 14, Section 15000 et seq.), and the environmental regulations of the City. Upon review, the Project qualifies for a Class 1 Categorical Exemption (Existing Facilities) in accordance with the requirements of Section 15301 of the state CEQA Guidelines. Accordingly, the City finds the Project exempt from further review under CEQA.

PUBLIC NOTICE AND COMMENTS

Notice regarding the subject public hearing was provided in accordance with state and local requirements. Specifically, the notice included publishing in two newspapers of local circulation (the *Beverly Hills Courier* and *Beverly Hills Weekly*), and direct mailing via U.S. mail to all property owners within a 300-foot radius of the project site. A public hearing was held in person at Commission Meeting Room 280A at Beverly Hills City Hall on November 16, 2022 at 10:00 AM.

DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY

Concentration of On-Sale Licenses

The project site is located within Census Tract No. 7010.00 which is located south of Wilshire Boulevard and west of South Beverly Drive. Within this tract, there are currently a total of 16 on-sale licenses with five of them being Type 47 licenses. With a population of approximately 5,301 residents, the ratio of total active on-sale licenses to population within the project's census tract is one on-sale alcohol license for every 331.3 residents. With the addition of another on-sale license, the ratio of active off-sale licenses to population within the census tract will be approximately 1 per 311.8 residents. With a total of 12,840 active on-sale alcohol licenses countywide⁶ and a population of 10,014,009, the ratio of on-sale licenses to county population is currently one license for every 779.9 residents. While the project site census tract has a higher ratio of on-sale licenses to residents than the county, there does not appear to be an

overconcentration of alcohol licenses as several of the active licenses are associated with established commercial entities within the city such as hotels (Peninsula Hotel, Mosaic Hotel, Maison 140) and restaurants located along the city's South Beverly Drive business district. Moreover, active licenses are located only along the north and eastern boundaries of the census tract. A higher concentration of alcohol sales within this census tract is thus expected given the current mix of businesses located along its edges. Additionally, the requested license will allow the restaurant to offer a service that is normal and customary for similar restaurants.

Proximity to Sensitive Uses

The project site is not located immediately adjacent to any residential uses or schools. The nearest residential uses are located approximately 180' to the south on the 100 block of Roxbury Drive and the nearest school, Good Shepherd Catholic School at 148 South Linden Drive, is located more than 600 feet from the project site. Because of these distances, in addition to the parking facilities immediately south of the commercial buildings on Wilshire Boulevard which serve as a buffer between residential and commercial uses, the Project will not substantially impact any residential uses. Moreover, the applicant's proposed hours of operation are intended to serve evening patrons and will not conflict with school hours. Finally, a condition of approval in the adopted Extended Hours Permit resolution (Condition No.8, Resolution 1914) prohibits left turns onto South Roxbury Drive from the project site's parking facility between the hours of 10:00 PM and 7:00 AM daily. Based on the above, it does not appear that the new use and the issuance of a Type 47 On-Sale General License will substantially conflict with any sensitive uses.

Given the type and limited concentration of other on-sale licenses within the project site's census tract, the Project is anticipated to serve the public's convenience by offering a convenient service without resulting in detrimental impacts to the surrounding neighborhood or an over-concentration of on-sale licenses for this type of specialty use. Therefore, staff recommends that a determination of public convenience be made with regard to the Project, subject to the following conditions of approval:

CONDITIONS OF APPROVAL

1. No signs related to alcoholic products shall be displayed on the building or premises.
2. The location and display of beer, wine, and distilled spirits in accordance with the request for a Type 47 General Off-Sale General License shall remain substantially similar to the description provided by the applicant. The sale of alcohol shall be appurtenant and associated with a bona fide eating place. Additionally, the sale of alcohol shall comply with all applicable operational requirements imposed by the California Department of Alcoholic Beverage Control. Failure to comply with this condition shall constitute grounds for revocation of this determination for public convenience.
3. This determination of public convenience for an off-sale license is specific to Steak 48 owned and operated by Steak 48 Beverly Hills LLC. In the event that ownership of Steak 48 should change, this determination of public convenience may continue, provided that business operations remain substantially the same to current operations, subject to review by the Director of Community Development.

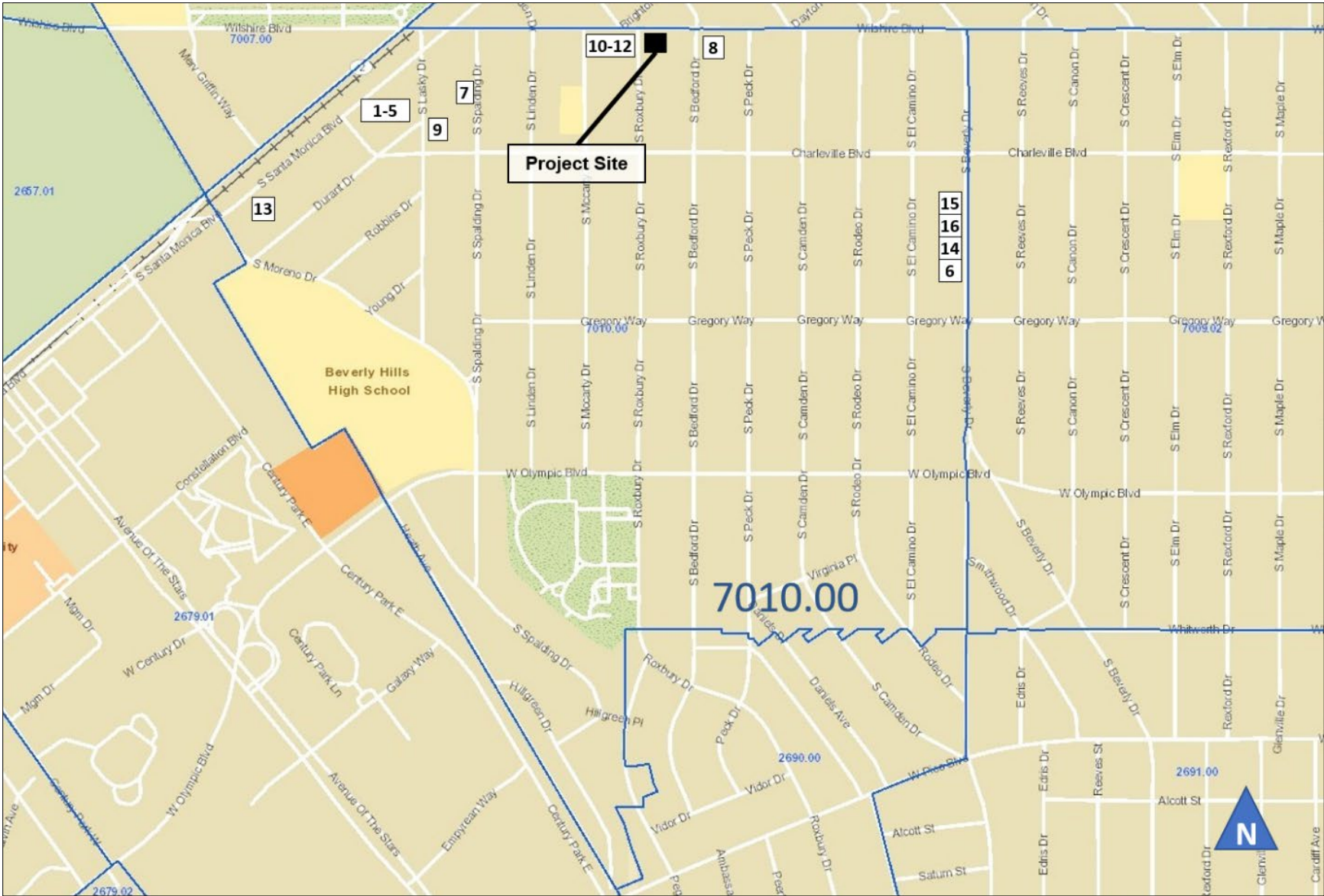
ATTACHMENT C

Active ABC Licenses in Census Tract

On-Sale General ABC Licenses (Census Tract 7010.00)

Map ID	Number	Status	Type	Orig. Iss. Date	Expir. Date	Primary Owner	Premises Addr.	Business Name
1	259211	ACTIVE	58	8/12/1991	1/31/2023	BELVEDERE AMERICA CORPORATION	9882 SANTA MONICA BLVD,BEVERLY HILLS, CA 90212	PENINSULA BEVERLY HILLS THE
2	259211	ACTIVE	47	8/12/1991	1/31/2023	BELVEDERE AMERICA CORPORATION	9882 SANTA MONICA BLVD,BEVERLY HILLS, CA 90212	PENINSULA BEVERLY HILLS THE
3	259211	ACTIVE	68	8/12/1991	1/31/2023	BELVEDERE AMERICA CORPORATION	9882 SANTA MONICA BLVD,BEVERLY HILLS, CA 90212	PENINSULA BEVERLY HILLS THE
4	259211	ACTIVE	66	8/12/1991	1/31/2023	BELVEDERE AMERICA CORPORATION	9882 SANTA MONICA BLVD,BEVERLY HILLS, CA 90212	PENINSULA BEVERLY HILLS THE
5	259211	ACTIVE	48	8/12/1991	1/31/2023	BELVEDERE AMERICA CORPORATION	9882 SANTA MONICA BLVD,BEVERLY HILLS, CA 90212	PENINSULA BEVERLY HILLS THE
6	343437	ACTIVE	41	7/10/1998	6/30/2023	HENKEN, TAMAKO	255 S BEVERLY DR,BEVERLY HILLS, CA 90212	RESTAURANT KIYONO
7	370959	ACTIVE	47	2/13/2001	1/31/2023	BOUTIQUE HOTEL COMPANY BEVERLY HILLS LLC	125 S SPALDING DR,BEVERLY HILLS, CA 90212-1806	MOSAIC HOTEL BEVERLY HILLS THE
8	507579	ACTIVE	41	5/25/2011	4/30/2023	CAFE SFA MINNEAPOLIS LLC	9600 WILSHIRE BLVD,BEVERLY HILLS, CA 90212-2307	SNAKS
9	524155	ACTIVE	70	9/19/2012	8/31/2023	BOUTIQUE HOTEL COMPANY BEVERLY HILLS LLC	140 S LASKY DR,BEVERLY HILLS, CA 90212-1704	MAISON 140
10	544579	ACTIVE	58	11/25/2014	10/31/2023	NEMA BEVERAGE CORPORATION	9700 WILSHIRE BLVD, GROUND FL,BEVERLY HILLS, CA 90212-2027	MARIPOSA
11	544579	ACTIVE	48	11/25/2014	10/31/2023	NEMA BEVERAGE CORPORATION	9700 WILSHIRE BLVD, GROUND FL,BEVERLY HILLS, CA 90212-2027	MARIPOSA
12	544579	ACTIVE	47	11/25/2014	10/31/2023	NEMA BEVERAGE CORPORATION	9700 WILSHIRE BLVD, GROUND FL,BEVERLY HILLS, CA 90212-2027	MARIPOSA
13	561400	ACTIVE	47	10/27/2016	9/30/2023	BTBH LLC	9960 SANTA MONICA BLVD,BEVERLY HILLS, CA 90212-1607	NERANO
14	564143	ACTIVE	41	4/18/2016	3/31/2023	UC BEVERLY HILLS LLC	243 S BEVERLY DR,BEVERLY HILLS, CA 90212-3807	UPPER CRUST PIZZERIA
15	619792	ACTIVE	41	6/3/2022	5/31/2023	STRING RAMEN BEVERLY HILLS INC	225 S BEVERLY DR,BEVERLY HILLS, CA 90212-3807	STRING RAMEN BEVERLY HILLS INC.
16	621656	ACTIVE	47	3/23/2021	2/28/2023	GRASS FED WAGYU, LLC	239 S BEVERLY DR, STE 100,BEVERLY HILLS, CA 90212-3807	MATU

Active On-Sale Licenses within Project Site Census Tract (7010.00)



Source: Federal Financial Institutions Examination Council (FFIEC) and CA Department of Alcoholic Beverage Control (ABC)

ATTACHMENT D

Public Notice



NOTICE OF PUBLIC HEARING

DATE: Wednesday, November 16, 2022

TIME: 10:00 A.M. or as soon thereafter
as the matter may be heard

LOCATION: Meeting will be held in person at:
Commission Meeting Room 280A
Beverly Hills City Hall
455 North Rexford Drive
Beverly Hills, CA 90210



Members of the public may also participate via teleconference; details provided below.

PROJECT ADDRESS: 9696 Wilshire Boulevard
(nearest cross street: Roxbury Drive)

The Hearing Officer of the City of Beverly Hills will hold a public hearing on Wednesday, November 16, 2022 beginning at 10:00 A.M. to consider the following:

A request for a **Determination of Public Convenience or Necessity** to allow the sale of a full line of alcoholic beverages for on-site consumption pursuant to a Type-47 On-Sale General license with the California Department of Alcoholic Beverage Control (ABC) within a new full service restaurant (Steak 48) located on the ground floor of 9696 Wilshire Boulevard. Pursuant to §23958.4 of the California Business and Professions Code, the City of Beverly Hills is required to make a determination as to whether allowing the sale of alcohol from the project site will serve the public convenience or necessity.

This project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), and the environmental regulations of the City. Upon review, the project appears to qualify for a Class 1 Categorical Exemption (Existing Facilities) in accordance with the requirements of Section 15301 of the state CEQA Guidelines. Accordingly, the City will consider a recommendation to find the project exempt from the environmental review requirements of CEQA.

How to Participate

In the interest of maintaining appropriate social distancing, members of the public can participate in, watch, or listen to the meeting through the following methods:

- In Person: Submit a speaker card to the Recording Secretary at the meeting.
- Oral Comment / Listen Only: Call (833-548-0276) and enter meeting ID 844 6491 8768.
- Video Comment: www.beverlyhills.org/hearings, enter passcode: 90210 when prompted.
- Written Comment: Email agomez@beverlyhills.org
- Watch LIVE: BHTV Channel 10 on Spectrum Cable or www.beverlyhills.org/watchlive

It is recommended that written public comments be submitted by 9:00 AM on the meeting date. Public comments will also be taken during the meeting when the topic is being reviewed by the Hearing Officer.

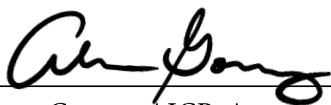
Written comments should identify the Agenda Item number or topic in the subject line of the email. In order to be read at the meeting, written comments will be allowed with a maximum of 350 words, which corresponds to approximately three (3) minutes of speaking time. If a comment is received after the agenda item is heard, it will not be a part of the record.

Any written comments received by end of the day on Tuesday, November 8, 2022 will be attached to the agenda report regarding this item. Any comments received after Tuesday, November 8, 2022, but prior the public hearing, will be distributed to the Hearing Officer under separate cover.

According to Government Code Section 65009, if you challenge the City's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City, either at or prior to the public hearing. Please note that any comments received prior to or during the public hearing will be considered as part of the public record.

If there are any questions regarding this notice, please contact **Alvaro Gomez, AICP, Associate Planner**, in the Planning Division at (310) 285-1142, or by email at agomez@beverlyhills.org. Copies of the project plans and associated application materials are on file in the Community Development Department, and can be reviewed by contacting the project planner listed above.

Sincerely,



Alvaro Gomez, AICP, Associate Planner

Mailed: October 27, 2022



Pursuant to the Americans with Disabilities Act, the City of Beverly Hills will make reasonable efforts to accommodate persons with disabilities. If you require special assistance, please call (310) 285-1126 (voice) or (310) 285-6881 (TTY). Providing at least forty-eight (48) hours advance notice will help to ensure availability of services. City Hall, including the Council Chamber Room and Room 280A, is wheelchair accessible. The City Hall Council Chamber and Room 280A are also equipped with audio equipment for the hearing impaired.

ATTACHMENT E

Public Correspondence

From: Jill G [REDACTED]
Sent: Thursday, September 1, 2022 11:11 PM
To: Alvaro Gomez
Cc: Beverly G
Subject: 48 Steak

CAUTION External Sender
Use caution when clicking links or opening attachments

Dear Mr Gomez

What conditions are set to mitigate the parking impact the new 48 Steak restaurant will have on local streets, specifically on Roxbury Drive? There are no restrictions from 6pm 2am on the 200 and 300 block I am sure valet parking will be substantial and the alternate to pay zero for parking on the local streets will be popular.

The noise and the congestion will be substantial. I see they are applying for a liquor license.
What is the city doing to mitigate the impact this restaurant will have on the local neighborhood?

Best regards,

Jill Goldner
[REDACTED]

From: Jill G [REDACTED]
Sent: Thursday, September 8, 2022 7 28 AM
To: Alvaro Gomez
Cc: Beverly G; George Chavez; Ryan Gohlich; WebCBH MAYORANDCITYCOUNCIL
Subject: Re: 48 Steak
Attachments: Wilshire Blvd 9696 (Reso No 1914) pdf

CAUTION: External Sender

Use caution when clicking links or opening attachments

Dear Alvaro

Thank you for your prompt reply.

What happens between 6-8pm when there is no free parking and there is no parking restrictions on the 200 blocks of the local streets just south of Wilshire?

How exactly will directing traffic away from the local residents work? Each night the direction from Wilshire to Olympic is blocked off?

While it is admirable there were some conditions they do not go far enough to limit parking and traffic to protect the residential neighborhood. Currently the only parking restrictions are up to 6pm. In reality they can park on these blocks after 6pm. Furthermore, I am very aware how the City of Beverly Hills parking enforcement works as we have little to none on my extremely congested street.

Why would you pay to park in the lot when you can park on the street for free? That is where I would park to avoid paying for parking.

This is the one of the first restaurants on the South side of the street along Wilshire in a long time. All the other businesses are on the north side of the street.

It seems to be a losing proposition for the residents.

There are so many favorable conditions for businesses. Go Beverly Hills!

I look forward to hearing from you and do appreciate your concern and time.

Kind regards,

Jill Goldner

[REDACTED]

[REDACTED]

From: Bev G [REDACTED]
Sent: Wednesday, September 21, 2022 8:49 AM
To: Alvaro Gomez
Subject: 48 Steak

CAUTION: External Sender
Use caution when clicking links or opening attachments

I live on the two hundred block of Roxbury Drive I am concerned about the parking and traffic generated by this huge new restaurant .

Who is going to enforce no left turn exiting the restaurant?

There is one exiting Neiman Marcus on McCarty Drive and most people turn left anyway, including me.

I think it is irresponsible

For the planning commission to grant extended liquor service especially at this time of increased crime.

Greed by the city and too bad for the residents

Roxbury Drive resident

Sent from my iPhone

From: Jill G [REDACTED]
Sent: Tuesday, September 20, 2022 10 50 PM
To: Cindy Gordon
Cc: Alvaro Gomez; Beverly G; George Chavez; Ryan Gohlich; WebCBH
MAYORANDCITYCOUNCIL
Subject: Re 48 Steak
Attachments: Wilshire Blvd 9696 (Reso No. 1914).pdf

CAUTION: External Sender

Use caution when clicking links or opening attachments

Dear Ms Gordon

I can assure you that allowing extended hours until 1230am for a bar serving alcohol in a residential neighborhood will not settle well with the local residents. C-3 or otherwise. Allowing a bar to stay open right next to residents should not be approved by anyone in the city. I grew up on Roxbury Drive and am very well aware of the history and issues with traffic and parking alone. Operational standards/codes by the City codified are seemingly subjective and under supervised or make no sense. As you all know from my many letters to various City employees I am experiencing that now in my neighborhood. The City continues to defer, ignore excuse the lack of code enforcement. I suspect it will continue the same reference 'discretionary extended hours'.

The City needs to take a serious look at the health and safety of all residents. A bar operating until 1230am is unacceptable and irresponsible of all the City officials. Perhaps when a drunk driver speeds down the street with a fatal outcome will be the only form of 'discretionary review'.

Best regards,

Jill Goldner
[REDACTED]

ATTACHMENT F

Planning Commission Resolution No. 1914

RESOLUTION NO. 1914

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING AN EXTENDED HOURS PERMIT TO ALLOW EXTENDED HOURS OPERATION OF A PROPOSED NEW RESTAURANT (STEAK 48) LOCATED AT 9696 WILSHIRE BOULEVARD

The Planning Commission of the City of Beverly Hills hereby finds, resolves, and determines as follows:

Section 1. Sheri Bonstelle of Jeffer Mangels Butler & Mitchell LLP and Cosimo Pizzulli of Pizzulli Associates, Inc., on behalf of Pacific Wilshire Roxbury, LLC (collectively the “Applicant”), have submitted an application for an Extended Hours Permit to allow extended hours operation of a proposed new restaurant (Steak 48) located at 9696 Wilshire Boulevard (the “Project”). The Project requires entitlements that can be approved by the Planning Commission pursuant to the required findings for an Extended Hours Permit.

Section 2. The proposed Project is a request to operate a new steak house restaurant with approximately 8,145 SF of bar/dining area on the ground floor of an existing three-story commercial building, during extended hours. The restaurant proposes to operate between the hours of 4:00 PM and 12:30 AM daily. The space to be occupied by the applicant is currently vacant but was occupied by a retail tenant (Façonnable) as recently as spring 2016. The restaurant will utilize the existing parking allocated to the subject property, which is located in the neighboring commercial parking garage. Pursuant to recently adopted regulations to encourage the attraction of new restaurants, parking requirements for restaurants are identical to those for retailers in this part of the City (1 parking space for each 350 SF of floor area). Therefore, no

additional parking is required for the new restaurant. The space to be occupied by the applicant is located in a C-3 Commercial Zone while the parking garage is located in an R-4 zone. Accordingly, the property at 9696 Wilshire Boulevard is located in a Commercial-Residential Transition Area.

Section 3. The Project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), and the environmental regulations of the City. The project qualifies for a Class 1 Categorical Exemption (Existing Facilities) in accordance with the requirements of Section 15301 of the State CEQA Guidelines. This exemption is applicable to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Accordingly, the Planning Commission hereby finds the project exempt from further review under CEQA.

Section 4. Notice of the Project and public hearing was mailed on March 6, 2020, to all property owners and residential occupants within a 1,000-foot radius of the property plus block-face, and posted on the property. On May 21, 2020, the Planning Commission considered the application at a duly noticed public hearing. Evidence, both written and oral, was presented at the meeting.

Section 5. In reviewing the request for an Extended Hours Permit, the Planning Commission considered whether the requested extended hours operation will substantially disrupt the peace and quiet of the adjacent neighborhood as a result of any of the following:

1. The accumulation of garbage, litter, or other waste, both on and off of the subject site;
2. Noise created by the extended hours operation or by employees or visitors entering or exiting the extended hours operation;
3. Light and glare;
4. Odors and noxious fumes;
5. Pedestrian queuing;
6. Crime or peril to personal safety and security;
7. Use of residential streets for parking which is likely to cause activity associated with the subject extended hours operation to intrude substantially into a residential area;
8. Effects on traffic volumes and congestion on local residential streets; and
9. Cumulative impacts relating to the existing concentration of extended hours operations in the vicinity of the proposed extended hours operation.

Section 6. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the Extended Hours Permit:

1. **Garbage, Litter, or Waste:** The restaurant will have a large trash room located inside the loading dock off the alley where all trash will be stored and collected. This will minimize the potential for accumulation of garbage or litter. In addition, the project will comply with all of the required operational standards for transitional zones, including those that regulate the refuse and refuse bins.

Based on the foregoing, the Project will not substantially disrupt the peace and quiet of the adjacent neighborhood as a result of the accumulation of garbage, litter, or other waste, both on and off the subject site.

2. **Noise:** As proposed, the restaurant has indoor seating only and does not have operable windows or doors that will create any outdoor seating areas. Waiting for reservations will occur in the interior waiting area. As proposed, the restaurant will not include any live entertainment on site. As described in the Restaurant Operations Plan (Attachment B), there may be ambient recorded/streamed music played as background music within the restaurant space. No music is proposed to be audible in any exterior locations. In addition, the project will comply with all of the required operational standards for transitional zones, including those that regulate doors and windows.

Valet parking operations will be located primarily in the alley between the parking garage and restaurant lobby—approximately 170' minimum from any nearby residential properties—between the hours of 4:00 PM to 1:30 AM. The valet service may operate up to one hour after the closure of the restaurant to allow for retrieval of patron vehicles but the restaurant will stop accepting patrons after 12:30 AM. To discourage noise impacts during extended hours, the applicant has provided a Parking Operations Plan and will post signs requesting that patrons be quiet and respectful of neighbors, and must locate the patron valet waiting area and ride share pick up/drop off area in the alley, away from Roxbury Drive.

Employees, agents, associates, or contractors may not congregate behind the nonresidential structure or in any open area or public right-of-way separating a nonresidential structure and a residential zone.

Additionally, the Project remains subject to all provisions of BHMC §5-1-100, regarding general noise regulations and disturbances.

Based on the foregoing, the Project will not substantially disrupt the peace and quiet of the adjacent neighborhood as a result of noise created by the extended hours operation or by employees or visitors entering or exiting the extended hours operation.

3. **Light and Glare:** Impacts from light and glare emanating from the restaurant during extended hours operations will be limited because the restaurant is located farther away from neighboring residential uses and is buffered by parking garages to the south on both sides of Roxbury Drive. At its nearest point, the Project site is located approximately 180' from the nearest property containing a residential use.

In addition, proposed exterior lighting along Roxbury Drive is required to comply with all provisions of BHMC §10-4-314 (Lighting of Premises) regarding general lighting regulations.

Finally, as the alley between the restaurant and parking garage currently operates in a one-way (east to west) configuration, vehicles exiting off the alley will not turn onto Bedford Drive thus minimizing impacts from light and glare of exiting vehicles. To further discourage potential impacts of light and glare from turning vehicles, the Project is conditioned to install signage prohibiting left turns for vehicles exiting the alley or parking garage during extended hours, thereby limiting vehicular travel on residential street segments.

Based on the foregoing, the Project will not substantially disrupt the peace and quiet of the adjacent neighborhood as a result of light and glare.

4. **Odors and Noxious Fumes:** The applicant has indicated that all venting will comply with code requirements that stipulate that no mechanical venting may face any residential use. Thus, it is not anticipated that the Project would affect this finding as venting will be routed to the roof of the building and not face any residential zones.

Based on the foregoing, the Project will not substantially disrupt the peace and quiet of the adjacent neighborhood as a result of odors or noxious fumes.

5. **Pedestrian Queuing:** With the primary entrance and waiting area to the restaurant located on the corner of Wilshire Boulevard and Roxbury Drive, any queuing would be concentrated primarily in the proposed 315 square foot waiting area located within the interior space of the restaurant. Given that the entrance and waiting is located at the furthest point from the neighboring residential areas (approximately 325'), impacts from pedestrian queuing would likely be minimal, particularly during Extended Hours, as restaurant operations after 10:00 PM typically tend to be an off-peak period for new patrons arriving at a restaurant. However, to discourage any queuing that may occur, the Project has been conditioned to require that any outdoor waiting/ queuing shall be prohibited along Roxbury Drive and directed to the Wilshire Boulevard side of the restaurant if necessary.

Based on the foregoing, the Project will not substantially disrupt the peace and quiet of the adjacent neighborhood as a result of pedestrian queuing.

6. **Crime or Peril to Personal Safety and Security:** As proposed, the restaurant seeks to provide an upscale, fine dining venue that will not function like a traditional bar or nightclub. The restaurant will have managers on site to immediately address any issues related to security or safety at the restaurant. Additionally, the valet operator will be

on site at any time that patrons are there to ensure security in the parking structure. The proposed recessed light fixtures along Roxbury Drive would likely also discourage any crime or peril to safety or security along this side of the building.

Based on the foregoing, the Project will not substantially disrupt the peace and quiet of the adjacent neighborhood as a result of crime or peril to personal safety and security.

7. **Parking:** Employee and patron parking will be provided in the commercial parking garage behind the restaurant via a valet company that currently manages the structure. The valet operator will operate between 4:00 PM to 1:30 AM daily. Parking along both sides of the 100-block of South Roxbury Drive between Wilshire Boulevard and Charleville Boulevard is not permitted except by permit, regardless of time of day. These restrictions also apply to the 100-block of Bedford Drive and the east side of McCarty Drive. A limited number of metered parking spaces (4) are available on the east side of Roxbury Drive in front of the parking garage. These spaces allow one hour parking between the hours of 8:00 AM and 6:00 PM, and could conceivably be used by the restaurant patrons or nearby residents for longer periods of time after 6:00 PM. South Bedford Drive also offers a limited number of metered parking spaces (6). Currently, metered parking is not available on McCarty Drive.

Overnight parking and parking between 8:00 AM and 6:00 PM, Monday through Saturday, is prohibited beyond Charleville without a “C” permit. However, parking in this area is permitted between the hours of 6:00 PM and 2:30 AM without a permit and all day Sunday. Because the restaurant proposes to operate between 4:00 PM and 12:30 PM daily, it may be possible for patrons to park beyond South Roxbury

Drive without a permit between 6:00 PM and 2:30 AM. However, since the 200-block of Roxbury is located approximately 750 feet (at its nearest point) from the corner of Wilshire Boulevard and Roxbury Drive, the distance may discourage patrons from seeking to park here.

Based on the foregoing, the Project will not substantially disrupt the peace and quiet of the adjacent neighborhood as a result of the use of residential streets for parking which is likely to cause activity associated with the subject extended hours operation to intrude substantially into a residential area.

8. **Traffic and Congestion:** Because the restaurant will be open in the evenings (4:00 PM to 12:30 PM), traffic associated with the Project will generally not overlap with peak traffic hours and be limited to arriving employees and/or deliveries. It is anticipated that a majority of patrons accessing the Project site would likely access the valet area by turning onto Bedford Drive from Wilshire Boulevard and into the alley as the garage and alley are inaccessible directly from Roxbury Drive (egress only).

With valet operations being confined to the alley behind the restaurant, no significant effects from valet queuing or staging are anticipated on South Roxbury Drive or South Bedford Drive. The alley currently measures approximately 270'-0" in linear feet and is sufficiently wide enough to allow for valet staging (while maintaining space for access/egress into the garage and elevators) and a drive aisle for thru traffic and rideshare/taxi pick up/drop off. Based on historic imagery of the site, it appears that the operator may stage up to 8-10 vehicles at any given time while maintaining a sufficiently wide enough drive aisle to allow for thru traffic.

To further discourage potential impacts from traffic and congestion, the Project is conditioned to install signage prohibiting left turns for vehicles exiting the alley or parking garage during extended hours, thereby limiting vehicular travel on residential street segments.

Based on the foregoing, the Project will not substantially disrupt the peace and quiet of the adjacent neighborhood as a result of the effects on traffic volumes and congestion on local residential streets.

9. **Cumulative Impacts:** There are no known neighboring uses operating during extended hours within the immediate vicinity of the project site. Because of the lack of extended hours operations in neighboring properties, there are no cumulative impacts resulting from this Project. Generally, the hours of operation for the Proposed project do not overlap with the hours of operation for the adjacent uses.

Based on the foregoing, the Project will not substantially disrupt the peace and quiet of the adjacent neighborhood as a result of cumulative impacts relating to the existing concentration of extended hours operations in the vicinity of the proposed extended hours operation.

Section 7. Based on the foregoing, the Planning Commission hereby grants the Extended Hours Permit subject to the following conditions:

Project Specific Conditions

1. This approval is for those plans submitted to the Planning Commission on May 21, 2020, a copy of which shall be maintained in the files of the Community Development Department. Project construction shall be consistent with such plans, except as otherwise specified in these conditions of approval.

2. Minor amendments to the approved Project shall be subject to approval by the Director of Community Development. A significant change to the approved Project, as determined by the Director, shall be subject to Planning Commission Review.
3. Project Plans are subject to compliance with all applicable zoning regulations, except as may be expressly modified herein. Project plans shall be subject to a complete Code Compliance review when building plans are submitted for plan check. Compliance with all applicable Municipal Code and General Plan Policies is required prior to the issuance of a building permit. Further, the Project shall comply with all prerequisites to the issuance of demolition permit as set forth in the Municipal Code and these conditions of approval before any such demolition permit shall be issued.
4. The restaurant shall not allow new patrons to enter the facility beyond 12:30 AM daily.
5. The applicant shall offer parking free of charge to all of its employees during all hours of operation in a designated lot chosen by the applicant.
6. In the event that patrons queue outside the restaurant while waiting to be seated, said queuing shall be limited to the Wilshire Boulevard side of the Project site. No queueing shall be permitted on South Roxbury Drive.
7. To discourage the use of residential streets for parking, the applicant shall offer free self-parking in the parking structure at 120 Roxbury Drive/125 Bedford Drive for patrons arriving beyond 8:00 PM daily.
8. The Applicant shall install signage adjacent to the alley and at the parking garage driveway that exits directly onto South Roxbury Drive prohibiting left turns onto South Roxbury Drive between the hours of 10:00 PM and 7:00 AM daily.

Standard Conditions

9. APPEAL. The decision of the Planning Commission regarding the Extended Hours Permit may be appealed to the City Council within fourteen (14) days of the Planning Commission action by filing a written appeal with the City Clerk. Appeals forms are available in the City Clerk's office and an appeal fee is required.
10. RECORDATION. This resolution approving an Extended Hours Permit shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this resolution. The covenant shall include a copy of this resolution as an exhibit. The Applicant shall deliver the executed covenant to the Department of Community Development within 60 days of the Planning Commission decision. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving an amendment to the Planned Development shall be null and void and of no further effect. Notwithstanding the foregoing, the Director of Community Development may, upon a written request by the Applicant, grant a written waiver from the 60-day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state or local law that would affect the Project.
11. EXPIRATION. Extended Hours Permit: The exercise of rights granted in such approval shall be commenced within three (3) years of adoption of such resolution unless otherwise extended in accordance with the provisions of Section 10-3-1958 of the Beverly Hills Municipal Code.

12. VIOLATION OF CONDITIONS: A violation of any of these conditions of approval may result in a termination of the entitlements granted herein.

13. APPROVAL RUNS WITH LAND: These conditions shall run with the land and shall remain in full force for the duration of the life of the Project.

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Section 8. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his/her Certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Adopted: May 21, 2020

Alan Block

Alan Robert Block
Chair of the Planning Commission of the
City of Beverly Hills

Attest:

Ryan Gohlich

Ryan Gohlich, AICP
Secretary of the Planning Commission

Approved as to form:

David M. Snow

David M. Snow
Assistant City Attorney

Approved as to content:

Ryan Gohlich

Ryan Gohlich, AICP
Assistant Director / City Planner
Community Development Department

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF BEVERLY HILLS)

I, KAREN MYRON, Recording Secretary of the Planning Commission of the City of Beverly Hills, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 1914 duly passed, approved and adopted by the Planning Commission of said City at a meeting of said Commission on May 21, 2020, and thereafter duly signed by the Secretary of the Planning Commission, as indicated; and that the Planning Commission of the City consists of five (5) members and said Resolution was passed by the following vote of said Commission, to wit:

AYES: Commissioners Licht, Gordon, Shooshani, Vice Chair Ostroff, Chair
 Block

NOES: None

ABSTAIN: None

ABSENT: None

Karen Myron

KAREN MYRON
Recording Secretary of the
Planning Commission
City of Beverly Hills, California

ATTACHMENT G

Premises Diagram

Department of Alcoholic Beverage Control
LICENSED PREMISES DIAGRAM (RETAIL)

State of California
Gavin Newsom, Governor

1. APPLICANT NAME (Last, first, middle)

STEAK 48 BEVERLY HILLS, LLC

2. LICENSE TYPE

47

3. PREMISES ADDRESS (Street number and name, city, zip code)

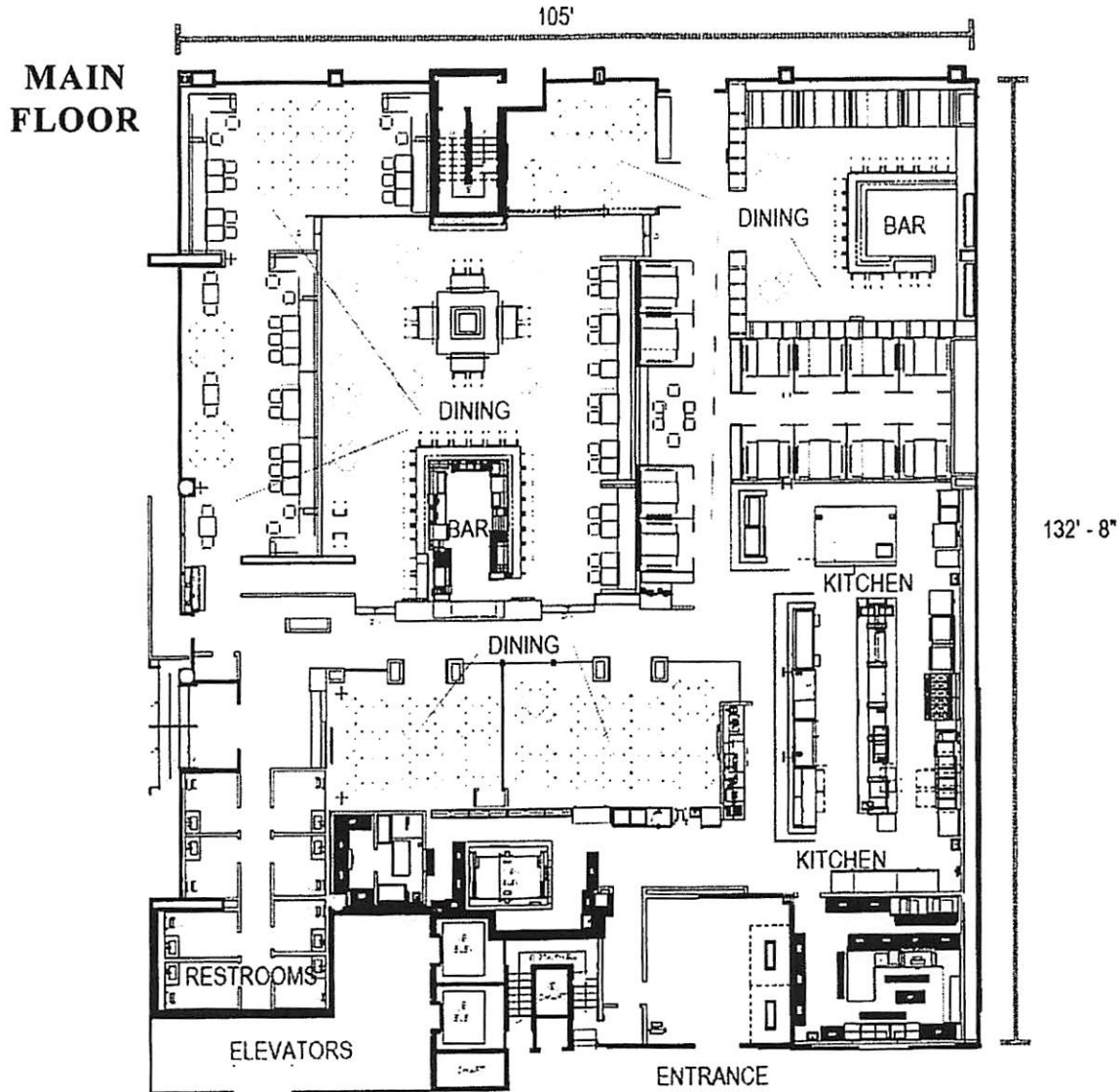
9680 Wilshire Blvd., Beverly Hills, CA 90212

4. NEAREST CROSS STREET

S. Roxbury Drive

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, *including dimensions and identification of each room (i.e., "storeroom", "office", etc.).*

DIAGRAM



It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required)

DATE SIGNED

10/4/2022

FOR ABC USE ONLY

CERTIFIED CORRECT (Signature)

PRINTED NAME

INSPECTION DATE

Department of Alcoholic Beverage Control
LICENSED PREMISES DIAGRAM (RETAIL)

State of California
Gavin Newsom, Governor

1. APPLICANT NAME (Last, first, middle)

STEAK 48 BEVERLY HILLS, LLC

3. PREMISES ADDRESS (Street number and name, city, zip code)

9680 Wilshire Blvd., Beverly Hills, CA 90212

2. LICENSE TYPE

47

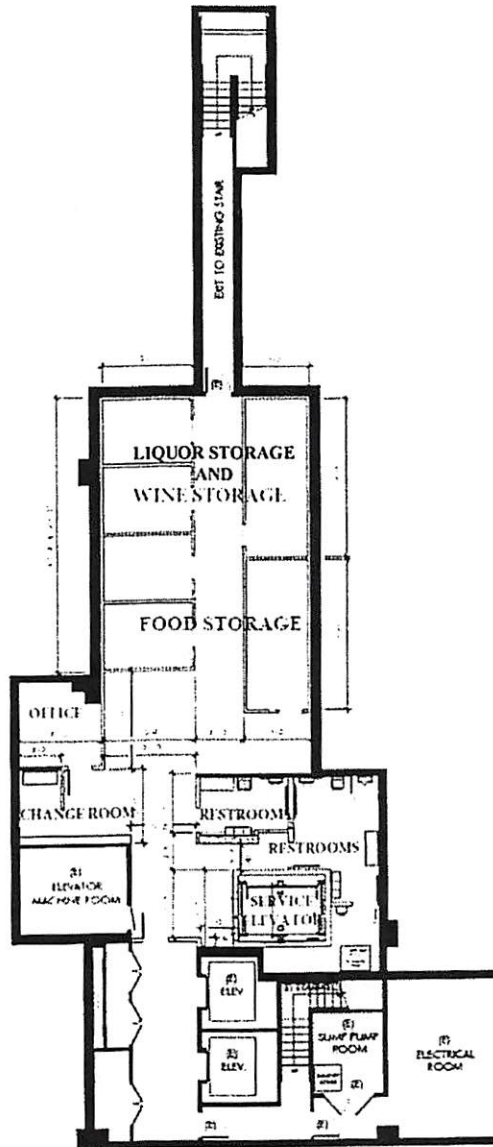
4. NEAREST CROSS STREET

S. Roxbury Drive

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.).

DIAGRAM

BASEMENT



It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required)

DATE SIGNED

10/4/2022

FOR ABC USE ONLY

CERTIFIED CORRECT (Signature)

PRINTED NAME

INSPECTION DATE