



A SIMPLE REQUEST:

Just Follow the Rules

**A memo in Support of The Speedway-Washington Action Committee's
Motion to Comply with The City's Duly Enacted Permanent "Al Fresco" Ordinance**

**Respectfully Submitted by David Feige on behalf of nearly 100 Residents and Homeowners
who live in Venice Including:**

**Yaniv Moyal
David Feige
Robin Steinberg
David Weissman
Jud Fine
Barbara McCarren
Myron Lieberman
Arlene Lieberman
Jonah Stone
Gavin Lieberman
Jack Diamond
Dorothy Mountian
Dan Mountian
Jacob Bratman
Nina Boyd
Mitchell Klein
Saul Rossoff
Duncan Marshall
Melissa Rose
Marilyn Roland
Katie Wood
Marcus Blumenfeld
Scott Drazan**

**Hannah Mackay
Dave Skinner
Shannon Dahoyta
Rhodes Rader
Alex Lippman
Alex Mercer
Albert Valentine
Mike Targon
Robin Targon
Lenny Targon
Sean Culkin
Molly Finn
Gwen McShane
James Adams
Kelly Adams
Jason Shuster
Bob Balentine
Whitney Sander
Catherine Hollis
Chantal Venati
Lisa Valenti
Jack Diamond
Shelley Berger**

**Todd Westphal
James Adams
Bill Bennett
Debbie Horn
Gavin Lieberman
Wally Wolodarsky
Nick Schwartz
Shantelle Sun
John Stansberry IV
Steve Glass
Maya Forbes
Laura Deeley
Sam Klován
Dan Dalzotto
Lindsay Liu
Sandor Kaplan
Nora Mejia
Andy Singer
Sara Duran Singer
Dawn Hoffman
Frank Bergman
Peter Bergman
Bill Gross**

**Jan Oxenberg
Karen Kroner
Linda Shusett
Marianne Shell
Robin Rudisil
Noel Gould
Mark Galanty
Lillian Dana
Julie Bean
Marlene Sturm
Cynthia Conway
Sara Marcum
Anna Tison
Beverly Weise
Theodore Henderson
Mark Ralph
Kim Stenton
Lisa Osborn
Kelsey Alders
Alexandra Lippman**

ONE HUNDRED AND TWO TABLES
and
THREE HUNDRED AND FIFTY THREE SEATS.

Not a single additional toilet was added.

This was all fine during Covid. People ate and drank outside, used bathrooms inside. Many of the vulnerable businesses (which we all support) got through it. But as the threat of Covid subsided, and indoor dining was once again allowed, the Al Fresco spaces remained, and thrived, offering a substantial new revenue stream for the businesses that were taking advantage of it.

The problem however is that our community, which had long lived in harmony with the businesses along Washington, began to bear the brunt of the ever-increasing load packing both indoor and outdoor spaces. In short order 30th Place (the Alley just north of Washington) became the go-to bathroom with more than two dozen people urinating in the alley on a typical night.



Adding to the issues is the noise. Adding over 350 outdoor seats creates a lot of it. Adding outdoor speakers and screens can make it unbearable.

We are Venetians. We are used to some crowds and some noise. But not this. The bars on Washington began to routinely disturb the neighborhood. Four or five night a week, (and sometimes more in summer) we were woken from a dead sleep (despite closed double paned windows, earplugs and a white noise machine) by the speakers, and crowds on Washington. Not long ago, I went down to determine just how loud it was outside on the street.



Outside, Looking into Hinano

I'd simply ask any board members who might be uncertain as to what 91Db sounds like, to download a free app, turn your home stereo up until the Db meter consistently reads 90 Db and leave it that way for 2 minutes. Then imagine that volume under your windows until 2 or 3 am three or four nights a week.

Yes, we spoke directly with the owners. And, of course we tried to find some neighborly compromises, and a few of our better neighbors responded, working hard to get the music under control. But unfortunately, not all of them did.

2. The Ordinance:

Venice was not alone in recognizing that in the aftermath of COVID, with AI Fresco dining now a fact on the ground that some regulation might be in order. Ramshackle spaces obstructed sidewalks, created hazards, and there were noise complaints, and other issues across the city. As a consequence, the city created some temporary regulations, and then, after many months of fact-finding and testimony, on December 15th of 2023, the city council passed Ordinance 188073.

On December 21st of 2023 Mayor Karen Bass signed that ordinance into law. It had an effective date of January 31st 2024.

The new ordinance sought to balance the interests of business owners with the needs of adjacent communities. As a result, while the new ordinance allows the continued use of Al Fresco spaces (once properly permitted), it does impose rules and limitations on the use of those spaces. Some of those rules are as follows:

--The ordinance requires that operators of Al Fresco spaces obtain permits for their permanent operation. In advancing that goal, local businesses have and will come to the VNC for support.

In order to comply with the ordinance businesses must also do the following:

--Speakers, Screens or other audiovisual devices, Live Music, Disc Jockeys, Karaoke, Dancing, Pool or Billiard Tables and Adult Entertainment are prohibited unless a separate permit is obtained.

--If abutting or across an alley from a residential zone, an Outdoor Dining Area may only operate **until 10:30 p.m. on Sundays through Thursdays and no later than 11:00 p.m. on Fridays and Saturdays.** After these hours, the Al Fresco space must be closed and all activities confined to permitted indoor spaces.

--Alcohol served in an Outdoor Dining Area must be delivered to tables by employees. All patrons must be seated, and only fixed or portable bars not used as a point of sale are permitted.

--Ambient crowd noise may not exceed the standards in the Noise Ordinance. All Outdoor Dining Areas must be cleaned nightly. Adjoining sidewalk areas must be kept free of debris, litter, loitering and graffiti. The flow of pedestrian traffic may not be impeded.

--Two City-issued identification signs must be clearly posted in the Outdoor Dining Area. One indicating that the area is subject to the standards of the Al Fresco Ordinance. The sign must also list the following ways to register complaints or concerns regarding the operation of the Outdoor Dining Area. (i) The City's MyLA311 (ii) the hotline phone for LADBS (iii) A telephone number of the restaurant operator or manager. The second sign must remind guests to be respectful of surrounding neighbors. It shall also be clearly posted in the Outdoor Dining Area.

These rules are designed to allow dining, while minimizing the disruptions to the surrounding neighborhood. Much like Paris and New York whose Al Fresco experiments also rely on keeping ambient noise to a minimum, the Ordinance aims to preserve the business's revenue stream while balancing the disturbances to those of us who live nearby.

Certainly, the ordinance represents a compromise. For example, the neighbors would have preferred stricter limitations on the size of outdoor spaces, and would have preferred a 9 PM cut off for outdoor service. But in the end, the compromise struck by the city became the law, and a result, we were all resolved to live with it—and the additional noise and activity. At least until 11PM on weekends and 10:30 PM on weekdays.

3. The Problem:

The problem is this: The bars on Washington have completely ignored the rules.

Speakers and screens are everywhere, creating a wall of sound and raising the ambient levels significantly. And while a few of the bars like Nalu Vida are good about respecting the time limitations and insisting that everyone move indoors at the proper hours, others—notably Hinano, continuously flouts the rules.

Below is a picture of Hinano from just this past weekend. It is taken well after midnight nearly 90 minutes past the time everyone is supposed to vacate the outdoor space. As you can see, not only are people there, they are not seated, and not being served by an employees:



To be clear—this image—with 30-40 people congregating out front until late in the night is entirely typical. It happens 4 to 5 nights a week.

For nearly 18 months, there has not been a single week that Hinano has complied with the rules. Even after midnight their outdoor space is packed. They allow people to congregate so densely that they block the sidewalk, and they regularly tolerate outdoor drinking and loitering as well as the use of portable speakers played in and adjacent to their outdoor space. It is, in a word, mayhem. With multiple fights, regular screaming, constant urination, and unceasing noise. Over a dozen separate signatories to this letter expressed to me that they no longer feel safe walking on the North side of Washington at night and, for example, will no longer patronize Nick's Liquor Store which is on that corner.

Indeed, Mike Sapon, the owner of Nick's Liquor Store—a man who has himself owned a business nearly as long as Clabe Hartley of The Cow's End, has expressed to me that he now closes earlier because he fears for the safety of his employees. Moreover he believes that the diminished traffic into Nicks is a direct result of the pandemonium brought about by Hinano's lack of compliance with the Al Fresco rules...

For more specifics on this, I have attached a number of letters from neighbors expressing their specific concerns and fears about the situation at Hinano.

But it is not just Hinano. Speakers and screens remain present at nearly every establishment in direct violation of the ordinance. The problem is simple. As soon as one place starts the music the others respond, the first place turns it up, the others respond and pretty soon, the entire block is divided into loud competing sonic zones which disturb the entire neighborhood.

Below are a few images:

The Speakers at The Whaler



Screens at Cabo Cantina



Speakers at Mercedes:



4. Our Motion and the Reasons For it.

Our request here is simple. It reflects a choice between laws and lawlessness. We are simply asking that the bars in Venice follow the rules.

That's all. Just follow the rules.

The Al Fresco Ordinance reflects a compromise. Imperfect to be sure—less than the residents would want, but also less than the unfettered freedom that bar owners want. But that is the nature of a compromise, the nature of a community, of a neighborhood.

We all agree to live by the rules. But as we've seen all too often in our national politics, it just doesn't work when one side doesn't believe in rules-- when they see themselves as above the law.

That is what's happened here. Despite there being rules about Al Fresco drinking, the bars have chosen to ignore them.

We have asked them to comply. Begged them to turn it down, urged them to be good neighbors. And while some have tried, the situation continues to be a such a problem that the only reasonable solution is a simple demand that everyone actually follow the rules.

That is why we are asking the VNC to agree to the following:

RESOLVED: That the VNC will not support any applications for a permanent Al Fresco Dining permit unless the board finds that the applicant is, in fact, complying with the current Al Fresco Dining regulations.

Abiding by the rules should be an obvious prerequisite to getting a permit. If I asked for a driver's license but made clear I would not take the test, you wouldn't give me a license. If I asked for a C of O for my construction project, but refused to abide by the fire code, I would not get the permit. This is no different.

We are a group of nearly 100 people nearly all of whom live within blocks of the Speedway-Washington corner. We represent nearly every single stakeholder on 30th Avenue, Ocean Front Walk and Pacific Avenue between 30th and Washington. We range in age from 23 to 74. We have voted for different people, argued among ourselves over politics and local issues, but we are entirely united in our belief that our lives and our neighborhoods have been dramatically changed for the worse by what has happened over the last few years on Washington Blvd.

We believe—all of us—in the simple request that the bars be required to follow the rules. We can live with the compromises, but we cannot live with the lawlessness and contempt that the businesses that should be our friends and neighbors have shown toward us.

Asking our representatives to insist on our behalf that we all play by the same rules is not reactionary. It doesn't violate the ethos of Venice or make us less wild, less wonderful or less weird. What it makes

us—is a community-- respectful of difference, tolerant of divergence, but bound together in the love of what this place can be for all of us.

But it requires that we all respect the rules that govern us all.

Please adopt the resolution.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "David Feige", written over a horizontal line.

David Feige

(On Behalf of The Speedway-Washington Action Committee and the members listed above)

ATTACHMENTS:

- I. LETTERS FROM NEIGHBORS CONCERNING HINANO CAFÉ AND THEIR REQUEST FOR VNC SUPPORT FOR AN AL FRESCO PERMIT:
 1. Letter of Duncan Marshall and Melissa Rose
 2. Letter of Jacob Bratman
 3. Letter of Jan Oxenberg
 4. Letter of Mitchell Klein
 5. Letter of Barbara McCarren and Jud Fine
 6. Letter of David Skinner
 7. Letter of Mike Targon
 8. Letter of Vaniv Moyal

LETTER OF OPPOSITION TO
LUPC ADGENA ITEM 7A ADM-2024-7625-AFC

To Whom It May Concern,

My wife and I own a home on 30th Avenue in Venice, and I'm writing to the committee to ask that you NOT grant Hinano any kind of licence. Hinano Café is a constant problem for us—not just my wife and I but our entire block and neighborhood.

Their trash is everywhere because they don't secure their bins, they are loud and disruptive—so much so that the entire north side of Washington from Speedway to half way down the block is basically impassible most nights—full of loitering drunk people, who are often—while standing right next to the Hinano security guard, playing music at insane volumes, disturbing the entire neighborhood. Basically, Hinano already flouts the rules so I fail to see how they should qualify for a permit.

As a teacher I had once said, "You can't seek asylum while you're running a criminal enterprise." I already signed the neighborhood petition but wanted to write separately to make clear how problematic this is.

Let Hinano prove they can be a good neighbor, let them stop disturbing all of us. Let them be quiet and keep the street in front of and next to them clear for a while and if they do that in good faith, I might be willing to reconsider, but thus far I've need no evidence that is forthcoming.

Thank you,
Sincerely



Duncan Marshall & Melissa Rose
32 30th Avenue-Venice

LETTER ABOUT HINANO'S APPLICATION FOR A PERMIT:

To Whom it May Concern,

My wife and I have lived in Venice for just over 5 years. And for years we have had nothing but problems with Hinano.

We have made countless attempts to bring the bar's attention to the rampant hard drug use, the noise, the fighting, vandalism, public urination and indecent exposure in the presence of my wife, sister and mother. They could not be less interested.

Unlike The Whaler and even Cabo Cantina, who keep their section of the street totally under control and allows no loitering, every night people leave Hinano with cups of beer in their hands—which they carry out into the alleyway to urinate and flagrantly use drugs.

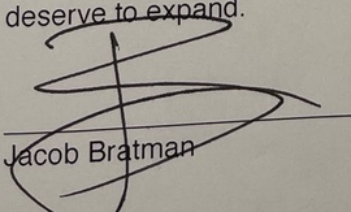
There have been countless instances in which I've had to call LAPD because my attempts to mediate have been met with threats, and hostile combativeness from patrons, and total dismissiveness from the bar itself.

Hinano seems to believe that because they have a long history in Venice, they are immune from following the rules. And while I too value historic businesses. At this point Hinano represents nothing more than the worst stereotypes of Venice. We've tried over and over to talk to Hinano about this. They don't care. They simply act in bad faith. There is no other way to say it, they are bad neighbors.

While I understand that bars can be loud and that intoxication is part of the behavior. The threat that Hinano poses has long crossed a threshold and is now in the "disaster waiting to happen" category.

You can check the LAPD call logs—you will find dozens and dozens of calls concerning them. Basically Hinano is the only commercial venue on Washington that does not behave as if they care about the neighborhood. Instead they consistently break the rules putting myself and my family at risk.

Enough is enough. This place doesn't deserve to be in operation, and certainly doesn't deserve to expand.


Jacob Bratman

February 5, 2025

To the VNC:

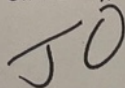
I write this letter as a decades long resident of Venice and someone who loves this area. I live in the canals, not far from Washington. I always try to buy goods at the local stores, eat at local restaurants and generally add to this community in any way that I can. Writing this letter is hard for me but I believe it is important to do so.

Over the past few years, I have become increasingly concerned about the area on Washington – specifically from Pacific to Speedway. While I used to feel completely safe walking in that area in the evenings I no longer do. Often, the sidewalks are crowded with groups of people who are very intoxicated. And while I love a good party (I was after all raised in the 60's) the public intoxication, loud music, fist fights, yelling and other rude behaviors have become intolerable. I shouldn't have to be afraid of walking at night on a commercial block. And I shouldn't have to see men and women customers of the local establishments peeing on the street and in the alleys because they are too drunk or high to know the difference. But that has become the new reality.

Rewarding establishments and bars in the area that ignore not only local laws and ordinances, but are just being bad neighbors, is a terrible precedent to set. Like the rest of us in Venice, they should be in compliance with the rules and until they are, they should not be granted any new privileges or rights. I urge you to deny any applications to allow more outdoor drinking or dining.

Thank you for your consideration and here is to a better Venice.

Sincerely,



Jan Oxenberg

February 4, 2025

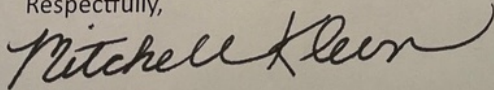
To Whom It May Concern,

I understand that the VNC is considering an application by a local bar – Hinano - to enable it to serve alcohol out of doors as part of the city's Al Fresco dining. I am writing to strenuously oppose authorization of the application.

I do not do this lightly, or easily. But I am a homeowner in the neighborhood and know, first hand, how disruptive and noisy the crowds that gather at Hinano have been for the last few years. So much so that I no longer walk anywhere near the bar (that I used to frequent) or eat/drink there. Every week, I can hear the noise coming from the groups of people who gather outside Hinano drinking alcohol, fighting, yelling and playing music loudly – often until the early morning hours. None of this was a problem before Hinano set up their outdoor “dining” space that extends past its footprint on Washington and has become a gathering place for drunk patrons at night. It has become a constant source of disruption (and sometimes crime) that has impacted my ability to live in Venice peacefully and safely.

I urge you to deny their application unless there is a clear plan for complying with the ordinance and other laws on the books and a way to enforce compliance.

Respectfully,

A handwritten signature in black ink that reads "Mitchell Klein". The signature is written in a cursive style with a large, sweeping flourish at the end.

Mitchell Klein

Home owner, Venice California

LETTER OF OPPOSITION TO
LUPC ADGENA ITEM 7A ADM-2024-7625-AFC

To Whom It May Concern,

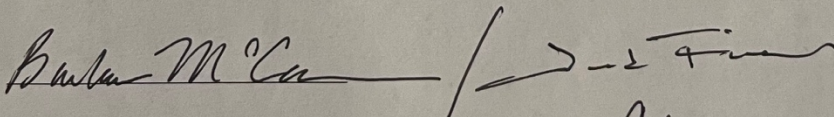
My husband and I are artists who have owned a home on 30th Avenue in Venice for more than 30 years, and I'm writing to beg you not to allow Hinano Café to get an Al Fresco License. That place is terrible—a scourge on the neighborhood. By far the most disruptive place around. Until COVID we had no trouble over here but since you allowed outdoor dining and drinking it has become unlivable.

Noise. Mayhem, police called, fights, public urination, drug use. And much of it comes from them because they don't keep the street clean. They allow people to hang out in front at all hours of the night. Their security does nothing. They let people blast speakers so loudly it wakes up the entire neighborhood.

Nothing has helped. We've had to call the police but they don't respond. Our neighbors have tried to talk to them but nothing works. They have set up TWO LAYERS of outdoor service and despite the ban people wander in and out with alcohol all the time.

You can't allow people to flout the law and ignore the rules and then reward them with a license. Let them prove they can follow the rules they already agreed to!!! They haven't and they won't and they don't deserve any support from VNC or anyplace else! This is what ruins neighborhoods and it needs to stop.

Thank you,


25 30th Ave., Venice, CA 90291

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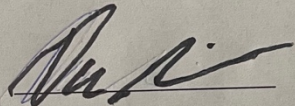
To Whom It May Concern,

I've lived in Venice for 30 years, and I'm writing to plead with you not to allow Hinano Café to get an Al Fresco License. They are quite simply, the most disruptive place in the neighborhood. Almost every night the area in front of them is choked with people screaming, fighting, loitering, playing music and being disorderly. Their lack of bathrooms is why people use the alley as a sewer.

They are awful. Just terrible and no amount of pleading with them has helped. Neighbors have called the police, tried to talk to them but nothing works. They are noisy until 2AM. Their security guards do nothing to keep the sidewalk clear. They have set up TWO LAYERS of outdoor service and despite the ban people wander in and out with alcohol all the time.

They should be prohibited from operating that space until they can prove they can be responsible neighbors. So far they haven't. In fact they make life here horrible--.

Thank you,


DAVID SKINNER

LETTER OF OPPOSITION TO
LUPC ADGENA ITEM 7A ADM-2024-7625-AFC

To Whom It May Concern,

My name is Mike Targon, and I've owned a place on Ocean Front walk for over 20 years.

Hinano doesn't deserve an Al Fresco license. They are terrible neighbors—a constant threat to our quiet enjoyment of our neighborhood. They don't police the sidewalks, let huge crowds gather, they're noisy and allow speakers to blast at all hours. They're more responsible for the public drinking, the peeing, the drugs and the mayhem than anyplace else on the block.

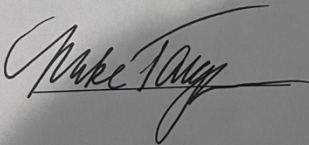
They don't give a shit about us or our neighborhood. The truth is the outside dining had ruined our neighborhood. Before all this it was fine—Venice for sure, but fine. Now it's awful. Really unlivable. Every place has outdoor speakers even though they're banned. Places have live music even though they're not allowed to. They serve when and where they're not supposed to. In short they violate every single rule they agreed to in order to get all this extra free space at the expense of the rest of us.

And as crappy as it is, Hinano is the worst, most disruptive place in the neighborhood. The area in front of them is choked with people, fighting, loitering, playing music disorderly. They already have too many people and not enough bathrooms which is why people use the alley as a sewer.

Also the area they're using isn't even on their property! It extends into the bike shop area.

Please don't let this continue. Make them clean up their act before you even consider giving them a license.

Thank you,

A handwritten signature in black ink that reads "Mike Targon". The signature is written in a cursive, flowing style with a long horizontal line extending to the right.

LETTER OF OPPOSITION TO
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I own the house on the corner of speedway and 30th I'm writing because I (and my tenants) have to live with the situation that has developed since COVID. This used to be a great neighborhood, the bars were cool, everyone had respect, and we all lived in peace. But since all the outdoor space it has become awful. Yeah, there were always drugs, and drunken stupidity. All of us—the whole block knew what was up, but the last few years are totally different.

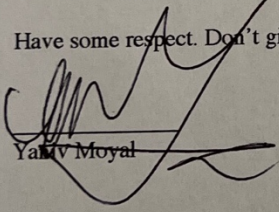
It's unsafe now. It's loud as hell. And it's all because throngs of people—not Venice people come here and places like Hinano—which serves twice as many people but has the same number of bathrooms—let them all hang out outside, while everyone blasts music through speakers.

Bars aren't the only ones paying property taxes. We are too. And we deserve to have a decent place to live. It's not fair that we have to pay the price for them not following the rules.

If they can't keep the street clear they shouldn't be allowed to operate. Simple as that. Keep your shit inside, and keep the outside quiet, and if you're gonna serve outside, keep that quiet too.

Do that, we have no problems here. But so far, they haven't done it.

Have some respect. Don't give them a permit until they do.


Yaliv Moyal