



# Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / www.VeniceNC.org  
Email: info@VeniceNC.org / Phone or Fax: 310.606.2015



## Land Use and Planning Committee Staff Report DRAFT

<b>Address of Project:</b>	2524 S PACIFIC AVE
<b>Project Name (if available):</b>	The Bus Stop
<b>Case Number(s):</b>	APCW-2012-1979-SPE-CDP-ZV-SPP
<b>Date of Last Revision:</b>	November 4, 2012
<b>LUPC Case Manager:</b>	James Murez
<b>Project Description (as described by LUPC Staff Member):</b>	
<p>Entitlement actions for a change of use from a vacant single-family home to an approximately 1135 square foot combination deli/market and art gallery. The applicant is applying for a Type 20 alcohol license (beer and wine for off-site only)</p> <p>Additionally, see applicant description.</p>	
<b>Project Description (as described by Applicant):</b>	
<p>The proposed project is the re-establishment of a former non-conforming 1,240 square foot one-story grocery/deli. The grocery/deli will serve the neighborhood with convenience goods and freshly prepared foods and juices. Beer and wine will be sold for off-site consumption. The grocery will specialize in high-end wines and will feature products from local vendors and artisans.</p> <p><u>Site History:</u></p> <p>The site operated continuously as a grocery/deli from 1937 until 2006. Since that point, the site has remained vacant.</p> <p>In 1973, the property was down-zoned to RD1.5 and the (then) existing grocery store was rendered legal/non-conforming.</p> <p>The legal non-conforming right to operate a grocery store at the site expired in 2001 when no application to renew the non-conforming authorization was filed.</p> <p>In 1991, the Planning Department approved the continued maintenance of the non-conforming grocery store at this site, citing that “the continued operation of the non-conforming grocery store would provide an essential service or retail convenience to the immediate residential neighborhood”.</p> <p>Based on the feedback that we’ve received from our neighbors, we feel that a grocery/deli is still the highest and best use for this property.</p>	



# Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / [www.VeniceNC.org](http://www.VeniceNC.org)  
Email: [info@VeniceNC.org](mailto:info@VeniceNC.org) / Phone or Fax: 310.606.2015



## Entitlement Requests:

1. **Coastal Development Permit** to re-establish a grocery/deli use in the Venice Coastal Zone Specific Plan.
2. **Zone Variance** to re-establish a grocery/deli use in the RD1.5-1 Zone.
3. **Zone Variance** to permit the sale of alcoholic beverages for off-site consumption.
4. **Zone Variance** to permit 3 required commercial parking spaces to back out onto a public street (Strongs Drive).
5. **Project Permit Compliance** to determine whether or not the project complies with the Venice Coastal Zone Specific Plan.

## **Summary of Arguments For this Project/Issue:**

The applicant conducted a neighborhood outreach meeting on October 25, 2012. About 25 people attended. Everyone was in support of the proposed use as well as the applicants promises to be the business owner/operator for the term of the 16 year lease. There was a fair amount of questions and answers having to do with the list of recommended conditions specified in the draft motion below.

Everyone agreed having a neighborhood market return to this location would be a benefit. It has a long history of serving both the local and visitor communities.

Directly in front of this location is 26<sup>th</sup> Ave where it provides a walk street to the beach. Along this stretch of beach there are no retail shops 1/2 mile (So. of Venice Bl. and No. of Washington Bl.) of the location. To the rear of the site where customer parking will be provided is Strongs Drive, the adjacent vehicle street for the properties on the Grand Cannel.

One neighbor who has been working with DOT and the Council office reported that in the very near future the crosswalk which is currently directly in front of this location will be moved one block to the north. As this is done, the bus stop that is presently at the northern location is expected to be moved to this location. Having a retail store at the bus stop location will enhance the visitor serving uses in the area.

The owner/operator Mr. Brad Neal of the proposed business has vowed to remain control of the site and the daily operation of the business for the 16 year term of the lease. Mr. Neal went on to say that the lease explicitly exclude a sublease and that he would not seek to change this condition. The neighbors felt good about this as Mr. Neal is a local resident. Concerns were raised what might become with the site if he sold or terminated his lease. He assured everyone his rent was so low that he could afford to stay involved.

The issue of beer and wine sales was talked about for some time. Concerns about the hours of service and the quality of products sold were talked about. The LUPC staff member who was present reassured the neighbors that the VNC has a standard list of conditions that would be applied to resolve many of these concerns. Everyone was ok with that. One neighbor wanted to be sure the site would not become a bar nor would the operator be hosting any sorts of events such as wine tastings. The liquor license would be for off-site sales only... this was echoed by most of the people in the room. The operator reassured everyone this was his intent.

As the market is also being presented as a deli that will be serving sandwiches and wants to have outdoor tables in the rear where customers might want to sit, the issues of noise intruding into neighboring houses



# Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / www.VeniceNC.org  
Email: info@VeniceNC.org / Phone or Fax: 310.606.2015



were address. The solution seemed to be to limit the house. The applicant did not thing allowing customers to self-serve themselves in a picnic table like setting would constitute a restaurant use and thereby trigger additional parking requirements.

Some of the neighbors from the canals were interested in access to the business from the rear entrance. The operator committed to maintain a rear door that would provide access to the patio and parking area and had no objections to neighbors entering from here either. This dialog led to a conversation to the passageway along the north side of the building. Several neighbors liked the passageway but were also concerned about security, noise and trash issues that had developed here over the years. The applicant agreed to look into this condition and if necessary install a gate, security lights and a surveillance camera.

Assuming all goes well, open date late Spring 2013

### Summary of Arguments Against this Project/Issue:

Overall there were NO major objections by anyone at the neighborhood meeting. Concerns have been expressed about noise, cleanliness and onsite parking. These issues are addressed in the conditions of approval.

### Summary of Public Comment:

Good, the sooner the better.

### LUPC'S DRAFT MOTION FOR VNC TO CONSIDER:

The Venice Neighborhood Council recommends approval of the project as presented, noting:

- ~~1. Patio hours of operation 7 am - 7 pm~~
- ~~2. Employee parking provided on-site~~
- ~~3. Deliveries hours be limited~~
- 4. Signage to not be intrusive to neighbors (ABC policy)
- ~~5. Beer and wine for off site consumption only~~
- ~~6. Trash container(s) be kept from smelling and hours of pick up be restricted (BMP policy)~~
- ~~7. No on-site events including wine tasting~~
- ~~8. Six on-site parking spaces shell be maintained~~
- ~~9. Rear door shall remain available for customers ingress and egress.~~
- ~~10. Patio seating area to be limited to self service~~

- 1) The applicant shall provide no ~~more~~ **fewer** than 3 parking spaces along Strongs Drive. The westerly portion of the existing parking area shall be improved with bicycle racks to prevent tandem parking and to discourage double parking along Strongs Drive.

**Employees shell be permitted to park on-site at no charge but will be encouraged to bike, take the bus or walk to work.**



# Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / [www.VeniceNC.org](http://www.VeniceNC.org)  
Email: [info@VeniceNC.org](mailto:info@VeniceNC.org) / Phone or Fax: 310.606.2015



- 2) Hours of operation for the grocery/deli shall be limited to those hours between 7am and 9pm, daily. Hours of operation for the rear patio shall be limited to those hours between 7:30am and 7pm, daily.

No alcohol consumption shall be permitted on patio.

No food service shall be permitted on the patio.

"No Loitering" and "No Public Drinking" signs shall be posted (where?)

- 3) The applicant shall establish and maintain an entrance on the rear of the building, along Strongs Drive.
- 4) Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Applicant shall be removed or painted over within 24 hours of being applied, and the paint shall match the original color.
- 5) The Applicant shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.
- 6) Noise generated on-site shall not exceed the decibel levels stated in the Citywide Noise Ordinance.
- 7) The use and development of the property shall be in substantial conformance with the floor plan submitted.
- 8) No tobacco sales allowed on the premises. (or limit to full packages...just not signals)
- 9) The Applicant shall adhere to Best Management Practices as they pertain to the location.
- 10) To encourage a walk-friendly environment, the applicant will install bicycle racks.
- 11) Exterior lighting on the building shall be maintained and provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible. Said lighting shall be directed in such a manner so as not to illuminate any nearby residence.

New lighting shall be installed along the northerly walkway between Pacific Avenue and Strongs Drive so as to completely illuminate the walkway area at night. Lighting shall operate on a sensor so that it remains on during all nighttime hours. If this lighting is broken or becomes non-operational, it shall be fixed or replaced within 48 hours.



# Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / [www.VeniceNC.org](http://www.VeniceNC.org)  
Email: [info@VeniceNC.org](mailto:info@VeniceNC.org) / Phone or Fax: 310.606.2015



- 12) The Applicant shall regularly police the area under their control in an effort to prevent loitering.
- 13) The entitlement will run with the applicant (**Brad Neal, an individual**), not the property.
- 14) ~~Trash receptacles used will be designed to contain odors per~~ **shell comply to** Best Management Practices as defined by LA City, Department of Public Work.
- 15) Cleanup and all trash removal will be performed in such a manner as to prevent debris from entering the storm drain system, and will not interfere in any way with surrounding uses.
- 16) No exterior work-related activity will occur either before opening or over one hour after closing.  
  
**Cleaning or maintenance (wash-down of equipment, mop wash rinsing and floor mat cleaning, etc.) shall be prohibited in the exterior of the building.**
- 17) Offsite advertising signage will be prohibited.
- 18) Trash pickup will occur between the hours of **9am and 3pm** on weekdays as necessary.
- 19) Loading and unloading hours will be arranged to avoid conflict with surrounding uses, and will in no case occur **before 9am or after 3pm on weekdays.**  
  
[All commercial deliveries shall occur along Pacific Avenue. Commercial deliveries shall not be permitted along Strongs Drive.](#)
- 20) The storage/changing room will be clearly marked as such on plans submitted to the City, and will not be used as service area.
- 21) The applicant will appear before LUPC twelve months after opening.
- 22) Upon change or termination of any lease regarding satisfaction of the Conditions of Approval, the applicant will notify the Department of Planning and the Venice Neighborhood Council, and will comply within thirty days.
- 23) Upon change of **operator or** ownership, the new owner must appear before the City within 30 days of the close of escrow, with a plan approval application to renew the conditions and demonstrate that the required parking can be provided.



# Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / [www.VeniceNC.org](http://www.VeniceNC.org)  
Email: [info@VeniceNC.org](mailto:info@VeniceNC.org) / Phone or Fax: 310.606.2015



- 24) The applicant must obtain approval for all outside signage, or must remove nonconforming signage.
- 25) All bottles will be recycled upon removal from the premises.
- 26) A laminated copy of these Conditions shall be posted in a conspicuous **place at the front door.**  
  
**Contact number and email address of owner/operator shall be posted should someone need want to register a complaint.**
- 27) **No alcohol sales of containers smaller than... No individual beer... no fortified wine...**  
  
**No single can sales of beverages is permitted. No "miniature "bottles of beverages (2 ounces or less) shall be sold unless over \$1.60 in value. One - half pint containers of beverages less than \$3.20 or whiskey less than \$3.50 in value are not permitted to be sold.**
- 28) **No on-site events shall be permitted including but not limited to wine tastings.**
- 29) **No individual cups, corkscrews or ice in less than five pound bags shall be sold.**
- 30) **The sale of balloons is prohibited.**

## Volunteer Conditions:

- 1) No branded alcohol advertisements shall be visible from the outside of the premises.
- 2) There shall be no coin-operated games, video machines, pool tables or similar game activities maintained upon the premises at any time.
- 3) Any future operator or owner for this site must file a new Plan Approval Application to allow the City of Los Angeles to review the "mode and character" of the usage.
- 4) The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in



# Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / [www.VeniceNC.org](http://www.VeniceNC.org)  
 Email: [info@VeniceNC.org](mailto:info@VeniceNC.org) / Phone or Fax: 310.606.2015



- the neighborhood or occupants of adjacent property.
- 5) The applicant shall train staff to provide Designated Driver resources, when appropriate, for restaurant patrons, such as taxicabs, referral services (e.g., [www.designateddriver.com](http://www.designateddriver.com)).
  - 6) In addition to the business name or entity, the name of the individual Applicant(s) shall appear on the alcohol license and any related permits.

<b>APN:</b>	???
<b>Zoning:</b>	<b>RD1.5</b>
<b>COO Use:</b>	<b>Commercial</b>
<b>COO Date:</b>	<b>TBD</b>
<b>Lot Size:</b>	<b>Sq Ft</b>
<b>Year of Build:</b>	<b>TBD</b>
<b>No of Units:</b>	<b>1</b>
<b>Last Owner Change Date:</b>	???
<b>Parking Required:</b>	<b>Based on strictly retail (1:225SF), 7 which includes 1 BIZ and 1 HC. Walk-up Food service (1:50SF) for the Deli/prepared foods/juices requires ??? (need to see floor plan)</b>
<b>Parking Provided:</b>	<b>3</b>
<b>Height Allowed:</b>	<b>existing</b>
<b>Height Requested:</b>	<b>existing</b>
<b>Venice Subarea:</b>	<b>South Venice</b>
<b>City Staff:</b>	<b>Unknown</b>
<b>City Staff Email:</b>	<b>unknown@lacity.org</b>
<b>Representative:</b>	
<b>Representative Contact Information:</b>	
<b>Representative Email Address:</b>	
<b>Permit Application Date:</b>	
<b>Date(s) of Community Meeting:</b>	<b>October 25, 2012</b>
<b>Date(s) heard by LUPC:</b>	<b>November 7, 2012</b>
<b>Date(s) of Neighborhood Council Meeting:</b>	<b>To be determined</b>
<b>Date(s) Other:</b>	

**ADDITIONAL NOTES:**