



Venice Neighborhood Council

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



February 12, 2008

Councilmember Bill Rosendahl
City of Los Angeles
200 North Spring Street
Los Angeles, California 90012

Re: Case Number ZA 2007-2874 CUB
ENV 2007-2875 MND, 1142 Abbot Kinney Blvd

Dear Bill:

The Venice Neighborhood Council (VNC) Board of Officers, in a regular meeting October 17, 2007, by a motion of 15-0-2, recommends the following action in accordance with the recommendation from our Land Use and Planning Committee.

That the VNC approve the Conditional Use Permit for Elvino LLC, AT 1142 Abbot Kinney Blvd. owned by Bart Miali and Caroline Sachs (husband and wife) based on the following conditions:

- (1) Applicant will post on the premises a laminated copy of the conditions of approval, in a conspicuous place where the public can see them;
- (2) Applicant shall provide two (2) substandard parking spaces;
- (3) No branded alcohol advertisements shall be placed in the window or door glass of the property which is visible from the outside of the premises;
- (4) Malt beverages shall not be sold in single-serving containers larger than 16 ounces capacity and all malt beverages sold must be priced \$5.00 per unit or greater. Malt beverage based coolers in containers of 16 ounces or less may only be sold in four-pack quantities as pre-packaged by the manufacturer. All other malt beverages in containers of 16 ounces or less may only be sold in six-pack quantities as pre-packaged by the manufacturer. Applicant may only sell fortified wines with 20% fortification or less and priced at \$10.00 per unit or greater. The sale of alcoholic beverage miniature bottles (2 ounces or less), and pint or half pint containers will not be permitted.
- (5) No self-service alcohol vending machines shall be allowed on the premises;
- (6) Hours of operation are from 8am to 11pm, with hours of alcohol sales being the same;



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- (7) That the use and development of the property shall be in substantial conformance with the floor plan submitted and marked Exhibit A. With reference to this condition, please note that we have requested the Applicant to clearly "bubble" and label on the Exhibit (floor plan) the area within which alcohol will be displayed to the public, attached as Exhibit A.
- (8) No further additions or structural alterations shall be made to the subject building unless necessary to comply with an order issued by a governmental agency in the interests of health, safety, or welfare;
- (9) The subject building and property shall be maintained in a neat, attractive, and safe condition at all times including repainting of the building on a regular basis;
- (10) No adult books, magazines, and video tapes shall be sold on the premises;
- (11) No tobacco sales allowed on the premises;
- (12) In addition to the business name or entity, the name of the Applicants, Bart Miali and Caroline Sachs shall appear on the alcohol license and any related permits;
- (13) No pay phone will be maintained on the exterior of the premise;
- (14) There shall be no coin-operated games or video machines maintained upon the premises at any time;
- (15) Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of being applied, and the paint shall match the original color;
- (16) The Petitioner(s) shall be responsible for maintaining free of litter, the area adjacent to the premises over which they have control;
- (17) Electronic age verifications device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premise at each point-of-sale location. This device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product;
- (18) The Petitioner(s) shall install and maintain security cameras and a one-month video library that covers all common areas of the business, high-risk areas and entrances or exits. The videotapes shall be made available to police upon request;
- (19) 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;
- (20) If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the



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adjoining and neighboring properties, the Zoning Administrator will have the right to require The Petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review The Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained;

The LUPC asks that the VNC Board consider adding the following condition:

- (21) The Type 42 ABC license shall be restricted for wine tasting only. With respect to the wine tasting, individual servings of alcoholic beverages shall not exceed two ounces per glass or container. This condition shall not be construed so as to prevent a patron from sampling more than one glass and/or container of an alcoholic beverage for the purpose of comparative tasting(s).

Enclosed is a Community Impact Statement from the Venice Neighborhood Council regarding this project which is being sent to the LA City Clerk (<http://appla1.lacity.org/cis>, for inclusion on the agenda of any city agency hearing this project.

Please do not hesitate to contact me for any further information on our deliberation on this case.

Sincerely,

Mike Newhouse
President, Venice Neighborhood Council

MRN/cm

CC: Mr. Joseph Cruz, Deputy Director, joseph.cruz@abc.ca.gov
Alcohol Beverage Control
12750 Center Court Drive, #700
Cerritos, California 90703
Sergeant Burrus, Vice, LAPD, Pacific Division
12312 Culver Blvd, Los Angeles 90066
Christine Mahfouz, Christine.mahfouz@lacity.org
City of Los Angeles Planning Department
200 North Spring Street, Los Angeles 90012
Zoning Administration, Hearing Officer
200 North Spring Street, Los Angeles 90012



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Mr. James Williams, Executive Secretary, James.Williams@lacity.org or
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West Los Angeles Area Planning Commission
200 North Spring Street, Los Angeles 90012,
Elizabeth Peterson and Brandon Finch, Elizabeth Peterson Group
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Bart Miali and Caroline Sachs, 1142 Abbot Kinney Blvd, Venice, 90291

COMMUNITY IMPACT STATEMENT

Regarding Case Number ZA 2007-2874 CUB, ENV 2007-2875 MND: the Venice Neighborhood Council stands in support of Bart Miali and Caroline Sachs (husband and wife) in their wine shop at 1142 Abbot Kinney Boulevard in accordance with the unanimous recommendation of the VNC Land Use and Planning Committee.

We welcome this gourmet wine shop operated by Venice stakeholders and residents into our community.

To be sent to: (<http://appla1.lacity.org/cis>, for inclusion on the agenda of any LA City agency hearing Case Number Case Number ZA 2007-2874 CUB