



Venice Neighborhood Council

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



March 17, 2010

Councilmember Bill Rosendahl
City Hall, Room 451
200 North Spring Street
Los Angeles, California 90012

Subject: Proposed Restaurant at 1305 Abbot Kinney Blvd., Venice

Dear Bill:

At the March 16, 2010 regularly scheduled meeting of the VNC Board of Officers the following motion 9(B) failed by a vote of 2-8-4:

Restaurant at 1305 Abbot Kinney Boulevard & Santa Clara **See Exhibit B (see attached)**

Challis Macpherson (310-822-1729; Challis.MacPherson@Verizon.net) & Robert Aronson (310-278-8018; R.Aronson@UReach.com) on behalf of LUPC: The LUPC recommends that the VNC Board recommend approval of the application for the proposed new construction of a restaurant as requested by the applicant, at 1305 Abbot Kinney Boulevard, with interior and outdoor seating, and hours of operation from 10 A.M. to 12 midnight, and for a Condition Use Beverage permit to serve beer and wine, subject to the attached Exhibit B conditions.

Sincerely,

Mike Newhouse
President
Venice Neighborhood Council

CC: Secretary@VeniceNC.org;
Chair-LUPC@VeniceNC.org;
Kevin.Jones@lacity.org;
WLA APC Exec. Assistant. Rhonda.Ketay@lacity.org;
jhenning@planninglawgroup.com



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Exhibit B – Restaurant at 1305 Abbot Kinney Boulevard – Conditions

1. The indoor Service Floor area shall be no greater than 375 square feet, and the outdoor Service Floor area shall be no greater than 225 square feet.
2. The applicant shall install and maintain soundproofing equivalent to or better than the soundproofing at the restaurant Gjelina, located at 1429 Abbot Kinney Boulevard/505 Milwood Avenue.
3. Prior to commencing operations, the applicant shall apply for and obtain a Coastal Development Permit from the California Coastal Commission.
4. There shall be no “grandfathered” parking spaces or nonconforming parking credit. The applicant shall comply with all applicable parking requirements set forth in codes and regulations, and shall provide the required number of parking spaces, including Beach Impact Zone parking spaces, with the following exceptions:
 - a. the applicant may pay the in-lieu for any parking spaces not provided, and the amount of the fee shall be the real cost of providing the parking spaces as determined by the California Coastal Commission, with any in-lieu fee payment made into the Venice Coastal Parking Impact Trust Fund.
 - b. compact parking stalls, and tandem parking, shall be allowed as requested by the applicant, so long as the applicant provides valet parking, with a Parking Attendant Affidavit recorded. The valet parking attendant shall not park on any public street, and there shall be no valet parking zone on Abbot Kinney Boulevard.
5. No loading zone shall be required on the property, however no loading or deliveries shall be made on or from Abbot Kinney Boulevard, and all loading or deliveries shall be made from the abutting alley behind the property, and all loading or deliveries shall be between the hours of 8:30 and 11:30 A.M.
6. The applicant shall comply with all Stormwater Best Management Practices for a restaurant, as promulgated by the City of Los Angeles Stormwater Management Division of the Bureau of Sanitation, Department of Public Works.
7. The applicant is excused from compliance with any provisions of the Mello Act in relation to the change of use from residential to commercial.
8. The conditional use to serve beer and wine for on-site consumption shall be subject to the following conditions:
 - a. The use and development of the property shall be in substantial conformance with the floor plan submitted with this application and attached hereto as Exhibit “A.”
 - b. 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 the neighborhood or occupants of adjacent property.
 - c. A laminated copy of the conditions of approval shall be posted in a conspicuous place where the public can see them.
 - d. No exterior work-related activity will occur either before the hours of operation, or over one hour after the hours of operation.
 - e. Trash pick-up shall occur only between the hours of 8 A.M. and 6 P.M. on week days as necessary.
 - f. The applicant shall provide a telephone number for the responsible party operating this restaurant in the event of a problem, disturbance, or complaint relating to the operation of the restaurant.
 - g. The applicant shall maintain on the premises, and shall make available to the police department or other City of Los Angeles personnel upon request, a copy of the Business Permit, insurance information, and a telephone number for any contracted valet service(s) used by the applicant.
 - h. No branded alcohol advertisements shall be placed in the window or door glass of the property or elsewhere, which is visible from the outside of the premises. The applicant shall obtain approval for all



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signage visible from outside of the premises, and shall remove all nonconforming signage. Offsite advertising signage is prohibited.

- i. In addition to the name of the business or entity operating the restaurant, the name of the individual applicant(s) shall appear on the alcohol license and any related permits;
- j. Any future operator of this restaurant or owner of this property must file a new Plan Approval Application within 30 days of the change of operator or ownership, to allow the City of Los Angeles to review the “mode and character” of the usage.
- k. 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 adjoining and neighboring properties, the Zoning Administrator will have the right to require the applicant to file for a plan approval application together with the associated fees, to hold a public hearing to review The applicant’s compliance with and the effectiveness of the conditions of the grant. The applicant shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
- l. The premises shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during normal operating hours.
- m. No fixed or portable bar(s) shall be permitted at the location. A waitress or waiter for table service only shall conduct any alcoholic beverage service. Alcoholic beverages shall be served only with a food order.
- n. The quarterly gross sale of alcoholic beverages shall not exceed the gross sales of food during the same period. The applicant shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the police department or other City of Los Angeles personnel upon request.
- o. The applicant shall train staff to provide Designated Driver resources, when appropriate, for restaurant patrons, such as taxicabs and referral services (e.g., www.designateddriver.com).
- p. Within six months of the date of effectiveness of this grant, and within six months of date of employment of all new hires, all personnel acting in the capacity of a manager of the premises and all personnel who serve alcoholic beverages shall attend and complete the Standardized Training for Alcohol Retailers (STAR) training program regarding alcohol sales, as sponsored by the Los Angeles Police Department (LAPD). A copy of a letter from the LAPD attesting to the completion of such training shall be forwarded to the Zoning Administrator for inclusion in the file. All managers and personnel who serve alcoholic beverages shall attend follow-up STAR classes every 24 months.
- q. The applicant shall maintain the subject building and premises in a neat, attractive, and safe condition at all times including refinishing of the building when necessary.
- r. The applicant shall maintain the landscaping to a standard in accordance with guidelines established by the Los Angeles City Landscape Ordinance, L.A.M.C. §§ 12.40–12.43.
- s. Exterior lighting on the building shall be maintained and shall provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible. Exterior lighting on the building shall be maintained and directed in such a manner so as not to illuminate any nearby residence.
- t. The applicant shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
- u. 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.
- v. To encourage a walk-friendly environment, the applicant shall install bicycle racks.



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- w. All bottles will be recycled upon removal from the premises.
 - x. There shall be no pool or billiard tables, coin-operated games, video machines, or similar game activities maintained upon the premises.
 - y. There shall be no dancing or live entertainment of any type, including but not limited to live music, disc jockey, or karaoke.
 - z. No tobacco sales shall be made on the premises.
9. The applicant will appear before Venice Neighborhood Council LUPC twelve months after opening.
10. Except as provided above, all Conditions set forth in the Determination of the West Los Angeles Area Planning Commission dated April 8, 2008, shall remain in full force and effect. A copy of those Conditions are at <http://www.venicenc.org/files/1305AK-ExhibitsA&B.pdf>.