

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

**WESTWOOD NEIGHBORHOOD COUNCIL
LAND USE AND PLANNING COMMITTEE MEETING**

WEDNESDAY, June 12, 2013 – 4:15 PM-5:15 PM
Westwood Branch Library - 1246 Glendon Avenue, Meeting Room
Los Angeles, CA 90024

The public is requested to fill out a **"Speaker Card"** to address the Committee on any agenda item before the Committee takes action on an item. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the agenda that are within the Committee's jurisdiction will be heard during "General Public Comments." No individual speaker will be allowed more than 2 minutes, subject to the discretion of the Chair. Agenda items are subject to board action. The agenda is posted for public review at: Sterling Cleaners, 1600 Westwood Blvd., Damoka Gallery, 1424 Westwood Blvd., Print-Run, 950 Gayley Ave., Westwood Public Library, 1246 Glendon Ave., and on the walkway between Bunche Hall and Public Policy on the UCLA campus.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assisted listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72-hours) prior to the meeting by contacting Constance Boukidis at CBoukidis@wwnc.org.

Land Use and Planning Committee Agenda - June 12, 2013

1. 4:15 p.m. Call to Order - Roll Call
2. Approval of this agenda as presented or amended (1 minute)
3. Approval of Minutes for LUPC Meetings held on 3/13/13 (4 minutes)
4. PUBLIC COMMENT (5 minutes)
5. NEW BUSINESS:

a. CHIPOTLE/SHOPHOUSE PROJECT - 1059 Broxton Avenue PRESENTATION (15 minutes)

Project Developer Name: Chipotle Mexican Grill

Contact Info: Valerie Sacks, Liquor License Specialists, 310-500-8262

Project Description: Pursuant to the provisions of Section 12.24-M of the LAMC and as required by Condition No. 48 of Case No. ZA-2012-0134 (CUB), plan approval to permit the change of operator and continued sale/service of beer and wine for on-site consumption at a 3,315 square foot (2,365 first floor, 950 square foot second floor office/storage area) restaurant and reduced indoor seating from 74 to 38 seats inside and from 12 to 8 seats on a 200 square foot patio and reduced hours of operation from 11 a.m. to 2 a.m. daily to 11 a.m. to 10 p.m. daily, and located in the C2-4D-O zone.

Project Address: 1059 Broxton Avenue, Los Angeles, CA 90024

Action(s) Requested: Approval to permit the change of operator and continued sale/service of beer and wine for on-site consumption in connection with a restaurant, as originally approved pursuant to Case ZA-2012-0134 (CUB) on June 13, 2012.

Planning Department File Number: ZA 2012-0134 CUB PAI

REQUESTED ACTION: Recommendation to WWNC Board

PUBLIC COMMENT (15 minutes)

DELIBERATION ON CHIPOTLE APPLICATION WITH RECOMMENDATION TO WWNC

BOARD (20 minutes) Does the Land Use and Planning Committee of the Westwood Neighborhood Council recommend that the Westwood Neighborhood Council Board of Directors support the Application by Chipotle/ShopHouse that pursuant to the provisions of Section 12.24-M of the Los Angeles Municipal Code and as required by Condition No. 48 of Case ZA 2012-0134(CUB), the Zoning Administrator consider an Approval of Plans to allow the change of operator with the continued sale and dispensing of beer and wine for on-site consumption at a 3,315 square foot (2,365 first floor, 950 square foot second floor office/storage area) restaurant and reduced indoor seating from 74 to 38 seats inside and from 12 to 8 seats on a 200 square foot patio and reduced hours of operation from 11 a.m. to 2 a.m. daily to 11 a.m. to 10 p.m. daily, on the conditions that prior to its Zoning Administrator hearing on its Application on June 27, 2013, Chipotle /ShopHouse revises and clarifies its Master Land Use Permit Application dated May 7, 2013, and incorporate by reference as if set forth there in full, Conditions 1 through 37 into its Project Description as set forth below:

1. All graffiti on the site shall be removed or painted over to match the to surface to which it is applied within 24 hours of its occurrence.
2. Hours of Operation shall not exceed 11 a.m. to 10 p.m., seven days week.

3. The establishment shall not be operated where an admission is charged at the door or other manner similar to a nightclub or after-hours establishment.
4. No live entertainment or dancing is permitted.
5. A 24 hour "hot line" phone number shall be provided for the receipt of complaints from the community regarding the subject facility and shall be posted at the entry, posted at the customer service desk and provided to the immediate neighbors, schools, and local neighborhood council groups.
6. The property owner/operator shall keep a log of complaints received, the date and time received, and the disposition of the response. This shall be available for inspection by the Department.
7. Within 6 months of the effective date of this determination, all personnel acting in the capacity of a manager, bartender, and server of the premises shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored by the Police Department. The applicant shall contact the WLA Vice Unit of the Los Angeles Police Department and make arrangements for such training.
8. The premises shall be maintained as a bona-fide restaurant with an operating kitchen and shall provide a menu containing an assortment of foods normally offered in restaurants. Food service shall be available at all times during normal operating hours.
9. Any alcoholic beverage sold or dispensed for consideration shall only be for consumption on the premises and shall be served at tables or sit-down counters by employees of the restaurant.
10. Alcohol sales shall be incidental to food orders only. Drink orders shall only be taken in conjunction with a food order.
11. The only on-site advertisement indicating the availability of alcoholic beverages shall be the posting on a menu.
12. There shall be no bar or lounge area upon the licensed premises. The main purposes and use of the facility shall always be a full service restaurant.
13. No "Happy Hour" type of reduced-price alcoholic beverage or "2 for 1" promotion shall be allowed at any time. Discounted food promotions are encouraged.
14. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department and City Planning.
15. No pennants, banners, ribbons, streamers, spinners or balloon signs shall be permitted.
16. The quarterly gross sales 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 available to the Department upon demand.
17. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licensee(s) provide, permit, or make available, either gratuitous or for compensation, male or female patrons who act as escorts, companions or guests of and for the customers.
18. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while in the premises.
19. Applicant shall not allow the premises to be used for private parties.
20. Applicant shall not require an admission charge or a cover charge, nor shall there be a requirement to purchase a minimum number of drinks.
21. There shall be no karaoke, disc jockey, topless entertainment, male or female performers or fashion shows.
22. Amplified recorded music shall not be audible beyond the area under control of the applicant.
23. There shall be no pool tables, coin-operated games, or video machines permitted on the premises at any time.
24. There shall be no dancing allowed on the premises.
25. The subject alcoholic beverage license shall not be exchanged for a public premise type license nor operated as public premise.
26. No obstructions shall be attached, fastened, or connected to the partitions or ceiling to separate the booths/dining areas within the interior space of the licensed premises.
27. The applicant shall not maintain or construct any type of enclosed room intended for use by patrons or customers for any purpose, except for the restrooms. There shall not be any type of VIP Room or similar type of room on the premises.
28. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises. No open alcoholic beverages shall be taken out of the restaurant, except in an enclosed patio area.
29. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
30. Applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment.
31. Applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarette/cigar butts.
32. Loitering is prohibited on or around these premises or the area under the control of the applicant.
33. The applicant shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
34. The business operator shall install and maintain at each point-of-sale an age-verification device to preclude sales to minors.
35. A 6-month review/inspection shall be conducted to ensure Permittee's compliance with all operating conditions.
36. Only single servings of beer are allowed, i.e. no sales of pitchers of beer.
37. When a carafe of wine is served, all I.D.'s must be checked at the table.

6. 5:15 p.m. ADJOURNMENT