

WESTWOOD NEIGHBORHOOD COUNCIL
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WWNC.ORG

May 17, 2017

VIA EMAIL oliver.netburn@lacity.org

Department of City Planning, Office of Zoning Administration
Los Angeles City Hall
200 North Spring Street, Room 1020
Los Angeles, CA 90012

RE: BROXTON PROJECT
Case Number: ZA 2017-179-CUB CEQA Number: ENV-2017-180-CE
Hearing Date: Wednesday, May 3, 2017 Time: 11:00 a.m.
Place: 200 North Spring Street, Room 1020
Los Angeles, CA 90012
Council District: 5 Plan Area: Westwood Zone: C4-2D-O
Applicant: Cary Berger, Artisanal Brewers Collective, LLC
Project Address: 1099 South Westwood Boulevard, Los Angeles, CA 90024

Greetings:

On March 8, 2016, Cary Berger with Artisanal Brewers Collective and Margaret Taylor with Apex first presented Applicant's project to the Westwood Neighborhood Council (WWNC) Land Use and Planning Committee (LUPC). They reached out to the community in a timely manner to receive input regarding their project. At that time, they agreed to return to the WWNC LUPC April meeting and provide single seat numbers, total seat numbers, the maximum occupancy number, last call time, identify valet arrangements, address seismic issues, and conditions to be incorporated into their ABC application. Suggestions were offered regarding the possible issue presented by the open outside patio and homeless.

On April 12th, Applicant returned to the WWNC LUPC meeting, and members made various recommendations to the Applicant and WWNC BOD including, but not limited to: add more entrée items to the menu, light, transparency and landscaping to outside area to highlight historic architecture, possibly lower the patio; allow 16 ounce beer servings, six televisions, and Applicant file a Petition for a Conditional License (due to the undue concentration of on-site consumption alcohol licenses within the subject Census Tract) with the California Department of Alcoholic Beverage Control relative to their sale and distribution of alcoholic beverages that incorporates the alcohol-related conditions such that those specific requests be placed on the Type 75 license and Applicant agrees to accept this Type 75 license only if it contains those conditions. A quorum was not present at this meeting.

Later that evening on April 12th, at the regular Board Meeting of the WWNC, Apex representative Michael Obogeanu presented the project on behalf of the Applicant and a number of UCLA students spoke in favor of it. The following amended Motion was passed unanimously:

The Westwood Neighborhood Council supports the following: Applicant's request for a CUB permit with last call for alcohol taking place 30 minutes before closing; Applicant is allowed to open at 7 a.m. seven days a week for meetings; Applicant can serve beer in 16 ounce servings, and Applicant can put up to ten televisions inside the premises.

Due to confusion regarding what were the actual specifics of the votes that took place on April 12th, the WWNC requested that the City leave the file open so that its position could be clarified and the City agreed. An attendee of the April 12th WWNC LUPC meeting was unable to attend on May 10th so the specifics of that April 12th LUPC meeting will be clarified at the June meeting.

However, there was a quorum present at the May 10th LUPC meeting and it was recommended unanimously that the WWNC BOD pass the Motion that was passed later that evening with the exception of Condition 18, with the LUPC recommending a maximum of ten television sets allowed on the premises as opposed to twenty maximum that was finally approved.

Later that evening on May 10th at the regular Board of Directors Meeting of the WWNC, the Motion set forth below was passed:

The Westwood Neighborhood Council (WWNC) supports Applicant's project for a Conditional Use Beverage permit pursuant to Los Angeles Municipal Code Section 12.24, W-1, to allow the addition of a microbrewery for on-site beer manufacturing use secondary and ancillary to the primary use of restaurant with on-site sales of a full-line of alcoholic beverages for on-site consumption at 1099 Westwood Boulevard, Los Angeles, CA 90024, including a total space of 5,266 sf, with a total of 219 seats, 165 interior and 54 exterior, contingent upon Applicant filing a Petition for a new Type 75 Conditional License (due to the undue concentration of on-site consumption alcohol licenses within the subject Census Tract) with the California Department of Alcoholic Beverage Control that both incorporates the following conditions and requests that the ABC incorporate these conditions on the new ABC Type 75 license:

1. Alcohol sales shall be limited to their business hours on Sundays through Saturdays from 7:00 a.m. to 2:00 a.m.
2. No "Happy Hour" type of reduced-price alcoholic beverage promotion shall be allowed or "2 for 1" promotion shall be allowed at any time. This restriction does not apply to reduced food and beverage promotions for patrons. Reduced price food is allowed.
3. 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 discovery.
4. There shall be no coin operated games or video machines or other amusement devices maintained upon the premises at any time.
5. The applicant shall be responsible for maintaining the premises free of litter.
6. No alcoholic beverages shall be sold, served or consumed on any property adjacent to the licensed premises under the control of the applicant.
7. There shall be no exterior advertising of any kind or type, including advertising directly 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.
8. Last call will take place 30 minutes before closing
9. Applicant shall not permit any loitering at the premises or in any outside dining area.
10. Applicant shall conduct the premises at all times with due regard for the peaceful and quiet enjoyment of the surrounding community and adjacent property users.

11. All employees involved with sales of alcohol to customers shall be at least 18 years of age. Within six months of the issuance of the alcohol beverage license, applicant shall make arrangements for all employees who manage, supervise, dispense or are involved with the sale of alcoholic beverages to patrons to enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR). The training shall be conducted for all newly hired employees within six months of their employment. The applicant shall request written confirmation of completion of the initial training from the Police Department and shall submit a copy of such a request to any relevant governmental authority requiring same.
12. The telephone number of a responsible party representative of Applicant shall be available from the cashier in the premises in the event of any disturbances or complaints regarding the operation of the subject facility.
13. Signs shall be prominently posted stating that California state law prohibits the sale of alcoholic beverages to persons who are under the age of twenty-one years or intoxicated and no such sales will be made.
14. The premises shall at all times be operated in conformity with the Los Angeles Municipal Code and all other constitutionally applicable state laws and local codes.
15. The premises shall be maintained at all times as a bona fide restaurant. At all times during normal meal hours, during which the Applicant is exercising the privileges of the ABC license, said Applicant shall offer menus and meals consistent with what is customarily offered during said meal periods. Food service shall be available to customers at all times when alcoholic beverages are offered for sale.
16. The quarterly gross sales of alcoholic beverages shall not exceed 50% of total gross sales during that quarter. The Applicant shall at all times maintain records which reflect said sales.
17. No pool nor billiard tables may be maintained on the premises.
18. No more than ten television sets, screens or monitors, other than those used exclusively by employees for point of sale systems or company administrative business, shall be maintained on the premises and they shall be only inside the premises, not visible from the exterior.
19. There shall be no dancing permitted on the premises at any time.
20. There shall be no live entertainment consisting of a disc jockey, karaoke, topless entertainment or fashion shows. However, applicant reserves the right, in the future, to apply for a live entertainment permit to permit live music performance that would not consist of anything larger than a quartet, inside the premises only, but will not do so unless properly licensed and permitted by all relevant government authorities.
21. Applicant shall insure that any use of the public right of way for any food or alcoholic beverage service is in full compliance with the L.A.M.C., including the Westwood Village Specific Plan and the applicable ABC regulations.
22. The sale or service of any alcoholic beverages in pitchers or kegs is strictly prohibited.
23. Beer shall not be sold or served in quantities of more than 16 ounces per serving. Beer may be served in individual bottles.
24. The main purpose and use of the facility shall always be for a full service restaurant.
25. The approved conditions for this restaurant shall be retained on the premises at all times and produced immediately upon request of the Police Department or City Planning.

26. There shall be no admission charge for entry to the premises nor any cover charge nor shall there be a requirement to purchase a minimum number of alcoholic drinks.

27. Amplified or live music, if presented, shall conform in decibel level to the standards of the Los Angeles Municipal Code (Sound Ordinance).

28. The subject alcohol beverage license shall not be exchanged for a public premises-type license nor operated as a public premises.

29. Applicant shall comply with all relevant provisions of the California Code prohibiting smoking within any place of employment.

30. Applicant shall not sell any alcoholic beverage to any minor. When a bottle or carafe of wine is served, all I.D.'s of all patrons at that table must be verified as being over the age of 21 years.

31. No hookah will be allowed.

32. Any future or successor owner or operator of the approved restaurant with full-alcohol service and microbrewery for onsite consumption, must file a new Plan Approval Application with notice to a 500 foot radius to allow the Zoning Administrator to review the "mode and character" of usage. Any change to the mode or character of the existing restaurant to a different public hospitality use with on-site alcoholic beverage consumption would also require such Plan Approval. Letters stating same shall be sent to both the Zoning Administrator assigned to Case Number ZA-2017-179 CUB and to the California State Alcoholic Beverage Control Board.

33. Any future or successor owner or operator must come to the WWNC for plan approval.

Very truly yours,

/s/Constance Boukidis

Constance Boukidis
Chair, Land Use and Planning Committee
Westwood Neighborhood Council
310-766-5030