

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

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

WEDNESDAY, February 13, 2013 – 4:15 PM-5:30 PM

Westwood Branch Library 1246 Glendon Ave, Meeting Room Los Angeles, CA 90024

- 1. 4:15 p.m. Call to Order - Roll Call - Constance Boukidis, Dr. Jerry Brown, Marjan Jamshidi, Ann Hayman, and Mark Herd present**
- 2. Unanimous approval of agenda as presented.**
- 3. Unanimous approval of Minutes for LUPC Meetings held on 9/19/12 and 11/9/12.**
- 4. NEW BUSINESS:**

a. VEGGIE GRILL PROJECT - 10916 West Lindbrook Avenue, Los Angeles, CA 90024

Contact Info: Christina Yee, Bruce A. Miller & Associates, 909-967-4255

Project Description: Request for Conditional Use Permit to allow sale of beer and wine for on-site consumption as a use accessory to and in conjunction with the operation of a new 2,823 square foot restaurant, with a 93 square-foot outdoor dining area, accomodating a total of 87 seats (83 interior dining seats and 4 exterior dining seats) with hours of operation and alcohol sales from 11 a.m. to 11 p.m. daily.

Planning Department File Number: ZA 2012-3358 (CUB)

Bruce Miller of Bruce A. Miller & Associates and Mike Karns of Veggie Grill presented the above-entitled project on behalf of Applicant Veggie Grill (Applicant). Notice of this meeting was sent out by Applicant to all addresses within 500 feet of the project. Applicant sought support for the Veggie Grill application pursuant to Los Angeles Municipal Code Section 12.24-W1, for a Conditional Use Permit (CUB) to allow the sale of beer and wine for on-site consumption as an accessory use to and in conjunction with the operation of a new 2,823 square-foot restaurant, with a 93 square foot outdoor dining area, accomodating a total of 87 seats (83 interior dining seats and 4 exterior dining seats) with hours of operation and alcohol sales from 11 am to 11 pm daily. Five committee members as well as members of the public offered suggestions and comments. No written correspondence was received from stakeholders regarding the project. No stakeholders came forward to oppose the application.

The WWNC LUPC voted 3-2 to recommend that the WWNC Board of Directors vote to support Applicant's Conditional Use Permit Application (CUB) as outlined above on the condition that Applicant amend and clarify its Master Land Use Application filed in December, 2012 to incorporate by reference as if set forth there in full the following conditions as part of its Project Description:

Conditions 1-35 as outlined in Captain Evangelyn Nathan's letter dated December 26, 2012 to Linn Wyatt, Chief Zoning Administrator and listed herein regarding this project which should include a revised Condition 2 limiting the hours of operation to 11 a.m. to 11 p.m. and clarification that Condition 10 replaces and supercedes Applicant's original request, Item 4.f.v.2 on Page 3 of its Special Instructions filed with its Master Land Use Application such that alcohol will only be served with food orders.

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 11 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.
- Additional Condition 36. Only single servings of beer are allowed, i.e. no sales of pitchers of beer.
- Additional Condition 37. When a carafe of wine is served, all I.D.'s must be checked at the table.

b. Upon motion, the LUPC unanimously agreed to move LUPC meeting days to same day as WWNC Board meetings, i.e. second Wednesday of month.

6. 5:30 p.m. Unanimous approval of Motion to Adjourn.