

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI  
MAYOR

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

**WEDNESDAY, September 10, 2014 – 3:15 PM-5:15 PM  
Westwood Branch Library 1246 Glendon Ave, 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 Boulevard, Damoka Gallery, 1424 Westwood Boulevard, and Westwood Public Library, 1246 Glendon Avenue.

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**Land Use and Planning Committee Agenda - September 10, 2014**

**1. 3:15 p.m. Call to Order - Roll Call 2. Approval of this agenda as presented or amended (1 minute)**

**3. PUBLIC COMMENT (4 minutes)**

**4. NEW BUSINESS:**

**a. TENDER GREENS PROJECT PRESENTATION (20 minutes)**

**Case Number: DIR-2013-3454-DRB-SPP-COA; ZA-2016-4020-CUB**

**Applicant Info:** TYP Restaurant Group, LLC (dba Tender Greens) / David Dressler, Matt Lyman, and Erik Oberholtzer

**Contact Info:** Elizabeth Valerio, Valerio Architects, 323.954.8996 x 101

**Project Title:** Tender Greens

**Project Description:** Conditional Use Beverage Permit (CUB) for an approximately 5,989 square-foot casual dining restaurant located at 1109 Glendon Avenue, containing 148 seats (78 in dining room, 70 in patio), with hours of operation from 10:00 a.m. to 12:00 midnight seven days a week, offering meal service and the sale of beer and wine for on-site consumption in connection with a General Eating Place, Design Review (DRB), Project Permit Compliance with the Westwood Village Specific Plan (SPP), and Certificate of Appropriateness (COA), pursuant to Sections 12.24 W.21, 16.50, 11.5.7, and 12.20.3 K, N, O, P, and Q of the Los Angeles Municipal Code.

**Project Address:** 1109 Glendon Avenue, Los Angeles, CA 90024

**Action(s) Requested:** Recommendation to WWNC Board to vote in favor of Motion to send Letters of Support to:

A. Westwood Community Design Review Board (DRB) recommending approval for

(i) Modification to facade improvements and exterior signage on a Locally Significant Historic-Cultural Resource, pursuant to Section 16.50 of the Los Angeles Municipal Code.

(ii) Project Permit Compliance with the Westwood Village Specific Plan (SPP) for Change of Use, for a change from "Restaurant" use to "Fast Food" use at 1109 Glendon Avenue (formerly Acapulco Mexican Restaurant and Cantina), and change from "Fast Food" use to "Restaurant" use at 1121 Glendon Avenue (formerly Sak's Teriyaki), pursuant to Section 11.5.7 of the Los Angeles Municipal Code; and

(iii) Certificate of Appropriateness (COA) for Modification to exterior alterations and installation of new signage on a Locally Significant Historic-Cultural Resource, in accordance with the Secretary of the Interior's Standards for Rehabilitation, pursuant to Sections 12.20.3 K, N, O, P, and Q of the Los Angeles Municipal Code; and

B. Office of Zoning Administration, recommending approval for and including the following Conditions:

(i) Conditional Use Beverage Permit (CUB) in connection with an ABC Type 41 License for the sale of beer and wine for on-site consumption in connection with a General Eating Place located at 1109 Glendon Avenue, containing 148 seats (78 in dining room, 70 in patio), with hours of operation from 10:00 a.m. to 12:00 midnight seven days a week, pursuant to Section 12.24 W.21 of the Los Angeles Municipal Code, with the following Conditions:

1. The alcoholic beverages to be sold shall be limited to beer and wine only with no hard liquor. Beer and wine sales shall be limited to 10:00 A.M. to 12:00 midnight daily. All alcohol sales limited to the interior of the premises.

2. The licensee shall not provide a "happy hour" for the service of alcoholic beverages at a reduced price for a specific limited time period. 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 sign indicating the availability of beer and wine in the premises.

8. Applicant shall not permit any loitering at the premises or in any outside dining area.

9. 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.

10. All employees involved with sales of alcohol to customers shall be at least 18 years of age.

Within 90 days 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 90 days 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. No pool nor billiard tables may be maintained on the premises.

17. No more than two 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.

18. There shall be no dancing permitted on the premises at any time.

19. 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.

20. 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.

21. No patron bar counter, other than a service bar, shall be maintained in the premises in connection with the sale or service of beer and wine.

22. The sale of any alcoholic beverages in pitchers is strictly prohibited. Beer shall be sold only in individual servings, e.g. single glasses, single bottles, single cans, etc.

23. There shall be no lounge area exclusively for alcohol consumption in the licensed premises. The main purpose and use of the facility shall always be for a full service restaurant.

24. 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.

25. 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.

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

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

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

29. 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.

**PUBLIC COMMENT** (20 minutes)

**DELIBERATION ON TENDER GREENS PROJECT WITH RECOMMENDATION TO WWNC BOARD** (15 minutes)

**b. DISCUSSION RE KORETZ MOTION TO AMEND BASELINE MANSIONIZATION ORDINANCE (20 minutes)**

**Actions(s) Requested: Recommendation to WWNC Board to vote in favor of Motion to support other stakeholders across the city in favor of Councilman Paul Koretz's Motion to amend the Baseline Mansionization Ordinance.**

**PUBLIC COMMENT** (20 minutes)

**DELIBERATION RE PROPOSAL WITH RECOMMENDATION TO WWNC BOARD** (20 minutes)

**5. 5:15 p.m. ADJOURNMENT**