

## BARNEY'S BEANERY - PROJECT DESCRIPTION

The Applicant is requesting a renewal for the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption at an existing 7,458 square foot restaurant with 181 indoor seats and 29 outdoor seats on a 362 sq. ft. patio, operating from 7am to 2 am, daily, with a request to modify Conditions 21, 22, and 50 of the prior Conditional Use Permit.

On August 27, 2008, pursuant to Los Angeles Municipal Code Section ("LAMC") 12.24-W.1, the Zoning Administrator ("ZA") approved a Conditional Use Permit ("CUP") for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the remodeling of an existing restaurant – Barney's Beanery (Case No. ZA 2008-0617(CUB)). Then, on November 21, 2011, the ZA approved a Plan Approval for "the continued sale and dispensing of the full line of alcoholic beverages...as previously granted", pursuant to LAMC Section 12.24-M. (Case No. ZA 2008-0617(CUB)(PA)(1A)). Now, the Applicant, Barney's Beanery, is requesting the renewal of its prior CUP authorizing the continued on-site sale and consumption of alcoholic beverages at its existing restaurant on South Broxton Avenue.<sup>1</sup> The following is the current language for Conditions 21, 22, and 50 along with the proposed modified language:

➤ **Condition 21 – Current Condition Language:**

"Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed."

**Condition 21 - MODIFICATION REQUESTED:**

This condition requested to be **deleted** in its entirety OR modified to state: "A maximum of three (3) coin operated game machines are allowed. All other similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed."

➤ **Condition 22 – Current Condition Language:**

"Pool tables, billiard tables, and Adult Entertainment uses [Municipal Code Section 12.70] shall be prohibited. There shall be no disc jockey, topless entertainment, public performances or fashion shows.

Live music/entertainment shall be limited to karaoke after 10 p.m. daily. The karaoke shall be limited to the open dining area and a separate karaoke room shall not be permitted. The restaurant operator shall keep a record of the karaoke nights, which shall be made available on the site upon request by the Building and Safety, Police and Planning Departments, the Alcoholic Beverages Control and other responsible agencies.

Live music/entertainment and televisions shall not be permitted in the outdoor patio."

**Condition 22 - MODIFICATION REQUESTED:**

"Adult Entertainment uses [Municipal Code Section 12.70] shall be prohibited. There shall be no disc jockey, topless entertainment, public performances or fashion shows.

Live music/entertainment shall be limited to karaoke after 10 p.m. daily. The karaoke shall be limited to the open dining area and a separate karaoke room shall not be permitted. The restaurant operator shall keep a record of the karaoke nights, which shall be made available on the site upon request by the Building and Safety, Police and Planning Departments, the Alcoholic Beverages Control and other responsible agencies."

➤ **Condition 50 – Current Condition Language:**

"The Applicant shall be prohibited from providing a "Happy Hour", but the Applicant shall be allowed to promote and offer discounted priced alcoholic beverages so long as such promotion is offered during all hours the Applicant is open to the public; and, the type of alcoholic beverage which is offered at a discounted price, and the discounted price, need not be the same every day. The Applicant shall request the ABC to insert language in its ABC License which is similar to the foregoing."

**Condition 50 - MODIFICATION REQUESTED:**

This condition requested to be **deleted** in its entirety. \*\* The removal of this Condition is consistent with the City's policy not to place alcohol-related conditions on Conditional Use Permits\*\*

<sup>1</sup> This Application is being submitted in the spirit of cooperation, and to comply with the language of ZA-2008-0617(CUB), ZA-2008-0617(CUB)(PA1), and ZA-2008-0617(CUB)(PA1)(1A). However, the Applicant does not waive its contention that CUPs run with the land and therefore, by law, do not expire.