

Attachment "B"
Napa Valley Grille
Site Address: 1100 Glendon Avenue, Suite 100
Applicant: Tavistock Restaurants

THE REQUEST

Tavistock Restaurants ("the Applicant") is seeking the following discretionary approval:

- **Pursuant To L.A.M.C. Section 12.24 W 1**, the Applicant requests approval of a Conditional Use application to allow for the continued on-site sale of a full line of alcoholic beverages in conjunction with the use, operation and maintenance of a 10,318 square foot, existing, full service restaurant. The hours of operation will be from 11:30 am to 12 am, Monday through Friday, 11 am to 12 am on Saturday and 11 am to 11 pm on Sunday.

PROJECT DESCRIPTION

Napa Valley Grille

San Francisco based Tavistock Restaurants is a rapidly growing, privately held company operating 28 upscale and fast casual restaurant concepts with more than 100 locations across the United States from Massachusetts to California. Napa Valley Grille, owned and operated by Tavistock Restaurants, is an up-scale restaurant in Westwood Village. Located at the intersection of Glendon and Tiverton Avenues and Lindbrook Drive, the restaurant is on the ground floor of an existing 328,515 square foot office building. Ever since Tavistock Restaurants opened Napa Valley Grille in 2003, it has been a popular and successful restaurant in the Village. The food and wine offered at Napa Valley Grille highlight the quality and authenticity of wine country cuisine. The Executive Chef, Taylor Boudreaux, uses quality ingredients to create rustic cuisine in which the elements are perfectly balanced, see attached menu.

Napa Valley Grille is starting a major renovation project that will invest a substantial amount of money into the appearance of the restaurant. The renovation will allow for an updated design as well as a more effective flow to the restaurant layout.

PREVIOUS ENTITLEMENT

On March 24, 2000, a Zoning Administrator's Determination was approved for 1100 Glendon Avenue, ZA 99-0776 (ZAI), see attached. This approval allowed for a maximum 14,500 square feet of ground floor restaurant uses, exclusive of any outdoor dining area. Under this approval, three restaurants were allowed, one main restaurant and two smaller cafes. On April 27, 2000, a Letter of Clarification was issued to clarify Condition No. 12, allowing for a separate bar/cocktail lounge area with a maximum floor area of 1,375 square feet. Both the Letter of Determination and the Letter of

Clarification are silent as to the seating count or the exact square footage for each restaurant. Therefore, both Planning and Building and Safety are using the approved Exhibit A and originally approved building plans as the basis for both the square footage and seat count allowed today.

The approved set of plans, stamped August 2000, allowed for a total occupancy of 382 seats, 297 indoor seats and 85 patio seats. The seating plan showed 297 total seats, including 70 outdoor seats. The Department of City Planning has determined that the approved number of seats for the original restaurant is 297 total seats.

The current floor plan is identical to the floor plan approved by Building and Safety. The original square footage shown on the approved plans is 9,040 square feet. However, the approved plans show three areas on the plans that were not included in the original square footage of the permitted restaurant, two storage areas (399 square feet and 470 square feet) and an exit vestibule (409 square feet). Therefore, the total restaurant square footage should have been the permitted 9,040 square feet, plus the storage square footage of 869 square feet, plus the exit vestibule of 409 square feet, for a total square footage of 10,318 square feet. The attached plans show this square footage, as well as 1,275 square feet of patio space. Therefore, even though the square footage number is higher in this application, no additional square footage has been added.

As to the seating, there will be an increase of 148 seats from the original seating plan. With the remodel, the ADA ramp that leads to the bathrooms will be relocated and that area will be used for dining. The banquet rooms will also be reconfigured and expanded to allow for more seating. With this optimization of occupancy, the new floor plan is the same square footage, but will accommodate 362 interior seats and 83 patio seats, for a total of 445 seats.

Additionally, both the Letter of Determination and the Letter of Clarification are silent on the location of the allowed square footage for the bar areas. The current restaurant has always had bar seating in the front dining room and on the patio. This application shows the bar area on the floor plans. These areas are not a bar, but rather an extension of the restaurant that allows for counter height seating if the patron prefers it, allowing for single diners or a quick meal. These two areas are less than the originally approved area of 1,375 square feet. The interior bar/lounge area is 932 square feet and is in the original location as sited on the approved Exhibit A. The second bar area is on the patio and is 421 square feet. This is a total of 1,353 square feet. The indoor bar area has 60 seats, which includes 22 counter height seats, including the handicap seating and 38 table height seats (front dining area). The patio bar area has 14 bar height seats and one handicap/table height seat. Again, the total square footage allocated for bar/lounge use would be slightly less than the square footage approved in the April 27, 2000 Letter of Clarification.

Lastly, the original entitlement allowed for three restaurants, one main restaurant of approximately 10,000 square feet and two smaller café style restaurants. All three were

approved for alcohol sales, but only the main restaurant was allowed with the original approval. The café style restaurants would have needed a Plan Approval to sell alcohol in the future. At present, Napa Valley Grill is the only restaurant in the building and no other will be developed.

Through this application, the Applicant requests a Conditional Use Permit, to continue the on-site sale of full alcohol in conjunction with a full service, existing restaurant with 445 total seats, 362 indoor dining seats and 83 patio seats, an increase of 148 seats from the originally approved seating plan. The operating model of the restaurant will remain the same and the hours of operation will remain the same, even though they are allowed longer hours through the original approval. There is a full menu in the main dining area, the bar/lounge areas and the outdoor patio space. The levels of service and menu options are identical, irrespective of where one sits. The restaurant serves food from opening to close and there is no time when alcohol is offered without the kitchen being open.

Adjacent Properties

The subject site is located in the Westwood Community area and is zoned C4-2D-O and PB-2-O, with a General Plan designation of Community Commercial. The site is also within the Westwood Village Specific Plan Area, the West Los Angeles Transportation Improvement and Mitigation area and the Westwood Community Design Review Board area. This site is located in Councilmember Paul Koretz's 5th Council District.

Surrounding Properties

North: The properties to the north, along Weyburn Avenue, are zoned C4-2D-O and are developed with mixed-use (retail/residential), multi-family and retail uses, including Ralphs grocery store and Target.

West: The properties to the west, along Glendon Avenue, are zoned C4-2D-O and are developed with mixed use (retail/residential) and commercial/retail and restaurant uses.

South: The parcels to the south, along Glendon Avenue and Lindbrook Drive are zoned C4-2D-O, [Q]C4-2D-O and [Q]C4-3-O. These parcels are developed with commercial/retail, office and restaurant uses.

East: The properties to the east, along Tiverton Avenue, are zoned C4-2D-O, [Q]R5-1-O, [Q]R3-1-O and [Q]PB-1-O. There is a Denny's Restaurant on the corner of Tiverton Avenue and Lindbrook Drive and there are multi-family uses along Tiverton Avenue.

Relevant Cases on Subject Property:

ZA-1999-776-ZAI: Request to maintain a 14,500 square foot restaurant with on-site sale of alcoholic beverages on the ground floor in the C4-2D-O and PB-2D-O zones. A Letter of Clarification was issued to allow for a bar/cocktail lounge area with a maximum size of 1,375 square feet.

Relevant Cases, Affidavits, Permits, and Orders on Surrounding Properties

Case No. ZA-2011-2401 – On October 3, 2012, the APC approved a Conditional Use to allow the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a proposed 93,818 square-foot department store with hours of operation and alcohol sales from 8:00 a.m. to 11:00 p.m. (Monday-Saturday) and 8:00 a.m. to 10:00 p.m. on Sunday in the C4-2D-O Zone.

Case No. ZA 2011-1757(CUB) - On July 12, 2011, the Planning Public Counter received an application for a conditional use request for on-site consumption of beer and wine in conjunction with the service of food for an existing 2,900 square-foot restaurant consisting of 74 seats, no fixed bar, and operating daily from 10:00 am to 2:00 am., located at 1142- 1144 Westwood Boulevard.

Case No. ZA 2008-1345(CUB) - On August 12, 2008, the Zoning Administrator's Office approved a conditional use request to permit the sell and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant, located at 11 16 South Westwood Boulevard.

Case No. ZA-2001-3566(CU)(CUB) – On December 20, 2001, the Zoning Administrator approved Conditional Uses to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption, in conjunction with the remodeling of an 18,800 square-foot portion of an existing 222,107 square-foot retail commercial building to accommodate a drug store; and to allow specified deviations from the requirements of Section 12.22-A.23 (a) and (b) of the Code, to permit the remodeling of an 18,800 square-foot portion of an existing 222,107 square-foot retail commercial building to accommodate a drug store and to allow all uses on the site to access the loading dock area 24 hours a day, seven days a week.

Case No. ZA-2001-1243(CU)(CUB) – On August 15, 2001, the Zoning Administrator approved Conditional Uses to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption, in conjunction with the remodeling of a 57,780 square-foot portion of an existing 222,107 square-foot retail commercial building to accommodate a 24-hour food market with interior and exterior seating with alcohol sales between the hours of 6 a.m. and 2 a.m. daily; and permit the remodeled building on a commercial corner site to be exempt from the provisions of Section 12.22-A.23 of the

Los Angeles Municipal Code.

Case No. ZA-98-0765(CUB) – On February 18, 1999, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of alcoholic beverages for on-site consumption in conjunction with a proposed 4,700 square-foot restaurant and to modify the terms and conditions previously imposed under Case No. ZA 97-0425(CUB)(CUZ)(ZV) and located at 1099 Westwood Boulevard.

Case No. ZA 98-0946(CUB) - On February 11, 1999, the Zoning Administrator's Office approved a conditional use request to permit on-site consumption of beer and wine under specific conditions as part of a restaurant service in the C4-2D-0 Zone, located at 4210-1077 South Broxton Avenue.

Case No. ZA-97-0848(CUB) - On April 8, 1998, the Zoning Administrator approved a Conditional Use to permit the on-site consumption of full line of alcoholic beverages, public dancing, and live entertainment for up to 6 restaurant establishments within the Project with total restaurant square footage not to exceed 26,000 square feet (including 600 square feet of outdoor dining patio area) and to accommodate approximately 1,132 persons; and permit the off-site sale of full line of alcoholic beverages at one 50,000 square-foot grocery store and one 20,000 square-foot drugstore located at 1000 South Glendon Avenue.

Case No. ZA 97-0425(CUB)(CUZ)(ZV) – On October 10, 1997, the Zoning Administrator approved a Conditional Use and Zone Variance to permit the sale and dispensing of alcoholic beverages for on-site consumption and permit the 10 automobile parking spaces required in conjunction with the proposed restaurant use to be provided off-site by lease agreement and with the provision of a full valet service, in lieu of the required recorded agreement in conjunction with a proposed 4,700 square foot restaurant located at 1099 Westwood Boulevard.

Case No. ZA-92-00596(CUB) – On September 11, 1992 the Zoning Administrator approved the sale and dispensing of alcoholic beverages for on- and off –site consumption of two businesses located within the 23-story "Center West" retail/office building complex over four levels of parking (782 parking spaces), in the (Q)C4-3-0 Zone, with said establishments described as: P-1 Level. - Beer and wine for off-site consumption in conjunction with an 800 square-foot variety/convenience "sundry" store, having hours of operation from 7 a.m. to 7 p.m. Monday through Friday, 9 a.m. to 1 p.m. on Saturday and closed on Sunday, Ground Floor - Alcoholic beverages for on-site consumption for a 10,000 square-foot restaurant seating 200 patrons, having hours of operation from 11 a.m. to 11 p.m. Sunday through Thursday, and until 1 a.m. on Friday and Saturday. This is for Palomino Restaurant directly across Lindbrook Drive.

a. General Conditional Use

- i. **That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.**

Napa Valley Grille is an existing, upscale restaurant that presently serves the Westwood Village residents, students and workforce. The applicant offers a unique menu with high quality ingredients. With the approval of this application, the applicant will begin a \$1,000,000 renovation of the restaurant to modernize the look of the space. The operation and offerings of the restaurant will not change. The application will not change how the alcohol is served or the type of alcohol being served. The application will allow for an additional 148 seats in the restaurant and it will clarify the existing Letter of Clarification to allow for two bar height seating areas integrated into the front dining room and the patio.

Approving this application will allow Napa Valley Grille to continue to add to the diversity of offerings in the Village, with the alcohol sales being secondary to the sale of food.

- ii. **That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health , welfare, and safety.**

The proposed project is a full service restaurant that will continue to occupy a 10,318 square foot space in an existing, 328,515 square foot office building. The site is situated on a flat, triangular shaped lot at the intersection of Glendon and Tiverton Avenues and Lindbrook Drive, all major thoroughfares in the Village. The subject site is zoned C4-2D-O with a General Plan designation of Community Commercial, which allows a restaurant use and, through a Conditional Use Permit, alcohol sales. The 22-story building has a parking structure with 720 parking spaces utilized both by the valet company and patrons who self-park.

The properties that adjoin and are in the vicinity of the subject site are developed with uses ranging from mixed-use (residential/retail), multifamily, office, restaurant, commercial and retail. Specifically, the properties to the north, along Weyburn Avenue, are zoned C4-2D-O and are developed with mixed-use (retail/residential), multi-family and retail uses, including Ralphs grocery store and Target. To the west, along Glendon Avenue, the parcels are zoned C4-2D-O and are developed with mixed use (retail/residential) and commercial/retail and restaurant uses. The parcels to the south, along Glendon Avenue and Lindbrook Drive are zoned C4-2D-O, [Q]C4-2D-O and

[Q]C4-3-O. These parcels are developed with commercial/retail, office and restaurant uses. The properties to the east, along Tiverton Avenue, are zoned C4-2D-O, [Q]R5-1-O, [Q]R3-1-O and [Q]PB-1-O. There is a Denny's Restaurant on the corner of Tiverton Avenue and Lindbrook Drive and there are multi-family uses along Tiverton Avenue. At present, all properties are fully built out and are compatible in height, density, and use to that of the existing, office building.

The operating model of the restaurant will stay the same. Since there are no significant changes in the proposed project, there will be no change to the impact the project has on the neighborhood. The restaurant sells alcohol responsibly and adheres to all applicable governmental regulations. The applicant's request is consistent and harmonious with the adjacent and surrounding uses. The existing building is surrounded by other similar uses, residential projects, restaurants, commercial/retail spaces and parking and should have no impact on any sensitive uses in the community. The approval of this Conditional Use Permit will clearly enhance, not damage, the character of development in the immediate neighborhood.

iii. **That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.**

There are eleven elements of the General Plan, each establishing the policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The subject site is located within the Westwood Community Plan area, is zoned C4-2D-O and has a Community Commercial land use designation. The restaurant use is allowed by right in this zone and within this land use designation. The Community Plan and Specific Plan text is silent with regards to alcohol sales. Additionally, the Planning Department has determined that this request does not qualify as a project under the Specific Plan, see attached Community Planning Referral Form. The subject site is also located within the Westwood Community Design Board area and West Los Angeles Transportation Improvement and Mitigation Specific Plan. Neither designation will regulate this application.

Nonetheless, the City's General Plan provides incentives to encourage housing, jobs and services in closer proximity to one another; and to create balanced communities and neighborhoods. The Housing Element of the General Plan encourages the location of housing, jobs and services in mutual proximity. One plan objective is to accommodate a diversity of uses that

support the needs of the City's existing and future residents. The restaurant furthers these goals. It is located in an area with a mix of residential, commercial and retail uses, on major commercial thoroughfares, close to public transportation (bus lines). A mix of restaurant choices enhances the desirability of the neighborhood as a place to work and live, directly and indirectly contributing to the jobs-housing linkage. Therefore, the location of the restaurant helps realize the goal of co-locating jobs, housing and services in proximity to transit, which in turn encourages greater pedestrian activity and hopefully aids in the longer-term goal of encouraging a safer, more inviting environment.

b. Additional Findings

i. Explain how the proposed use will not adversely affect the welfare of the pertinent community.

The use is allowed by-right and the ability to sell alcohol has already been granted at this site, so it has already been determined that the sale of alcohol does not adversely affect the welfare of the community. The proposed project will not change the impact the restaurant has on the community. If granted, this request will help further the success of an already successful restaurant. This in turn, will contribute to the economic vitality of the site and to the City's tax base. The economic welfare of the community depends on healthy and viable commerce and the restaurant will provide the community with an economically viable and respected commercial establishment as part of its neighborhood-serving retail.

ii. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.

The restaurant currently has a license issued by Alcoholic Beverage Control. Approval of this application will not change the concentration of licenses in the census tract.

iii. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

The addition of seats will have no impact of the residential uses/zones in the neighborhood. The restaurant does not face any of the multi-family units that are adjacent to or in the vicinity of the office building. The restaurant has never had a citation from the Los Angeles Police Department and they have never received any complaints from the neighborhood. The restaurant will continue to be a good neighbor and operate responsibly.