

Attachment "A"
Soleil Restaurant Westwood
Site Address: 1386 S. Westwood Boulevard
Applicant: Luc, Inc.

THE REQUEST

Luc, Inc. ("the Applicant") is seeking the following discretionary approval:

- Pursuant To L.A.M.C. Section 12.24 M, an Approval of Plans to modify Condition No. 8 to continue the sale and dispensing of a full line of alcohol in conjunction with an existing 2,397 square-foot restaurant with 71 interior seats and 8 exterior seats with hours of operation from 11:30 a.m. to midnight, Monday through Friday, and 10:00 a.m. to midnight Saturday and Sunday.

PROJECT DESCRIPTION

Soleil Restaurant

The Applicant requests an Approval of Plans to continue the sale of alcohol in an existing 2,397 square foot restaurant. Soleil is an upscale French restaurant that has been serving high quality food and spirits for over 15 years. Located at the southeast corner of Westwood Boulevard and Wilkens Avenue, Soleil fronts Westwood Boulevard. Soleil occupies the front half of the first floor in a mixed use building, with the remaining ground floor occupied by other restaurants and commercial uses on the second floor.

The restaurant has a total of 79 seats with 60 indoor, table height seats and 11 bar height seats. The restaurant also has a fully enclosed atrium/patio space on Westwood Boulevard that has 8 seats and serves both food and alcohol.

Soleil is open from 11:30 am to midnight Monday through Friday and 10:00 am to midnight Saturday and Sunday.

Surrounding Properties

The site is located in an existing mixed use center on the east side of Westwood Boulevard, just south of Wilshire Boulevard and Westwood Village. The center has a variety of retail and commercial uses, including a travel agency, a skin care center, a second restaurant, Globex International Courier and a passport/notary store. The site is bordered by commercial and retail uses along Westwood Boulevard, which creates a buffer from the adjacent multi- and single-family residential development adjacent to the commercial and retail uses.

West: The properties to the west, directly across Westwood Boulevard, are zoned C4-1VL-POD and are developed with retail, restaurant and commercial uses. There are residential uses behind the commercial buffer and those properties are zoned R4-1L and developed with multi-family housing.

North: The properties to the north of the site along Westwood Boulevard are zoned C4-1VL-POD and are developed with commercial, retail and restaurant uses.

East: The properties to the east are zoned and developed as single family residential. These properties are zoned R1-1.

South: The properties to the south of the site along Westwood Boulevard are zoned C4-1VL-POD and are developed with commercial, retail and restaurant uses.

GENERAL FINDINGS

- 1. 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.**

The applicant is requesting a Conditional Use Permit to allow the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a ground floor restaurant in an existing mixed use building. Soleil is located in an existing mixed-use building on the east side of Westwood Boulevard, between Wilkins and Rochester Avenues and will not have any impact on the built environment. The restaurant and the associated outdoor/atrium dining will continue to activate both the building and the sidewalk, as well as provide much desired services and goods to the growing commercial and residential community.

Provision of a quality establishment that is effectively maintained and operated, with ample lighting and trained staff, enhances the neighborhood's aesthetics, convenience, livability, and security. With operating hours until midnight, the restaurant helps improve the security, lighting, and attractiveness of the location into the nighttime hours. The restaurant provides the community with an economically viable and respected commercial establishment as part of its neighborhood-serving retail.

It is important in a dense, urban area to have as much variety as possible and locating several restaurants along a commercial corridor, such as Westwood Boulevard, keeps the street active and vital. This restaurant has been operating at this location since 2000 and has been an integrated part of the neighborhood since opening. Soleil has a unique menu offered by a French restaurant operator; a menu not found in other restaurants along Westwood Boulevard. With the increasing number of residents and workers in the neighborhood, it is important to have a variety of options available.

- 2. 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 zoning along Westwood Boulevard is C4-1VL and has commercial, restaurant and retail uses along the east and west sides of the Boulevard, both north and south of Soleil. The restaurant has had a liquor license for over 20 years and the current tenant has been the operator since 2000. This space has been operated as a food establishment for many years and is similar to all adjacent uses and developments along Westwood Boulevard.

A high quality food establishment will not be materially detrimental to the character of the neighborhood or the mixed-use building in which it is located. The restaurant will keep the building active and leased. The use is complementary to the surrounding, existing retail and office development, serving the employees and residents in the area. This area is designated a Pedestrian Oriented District and Soleil is a neighborhood restaurant, with many of the patrons walking from the adjacent residential neighborhoods. Therefore, this is the perfect type of business to be located in this zone. Additionally, the restaurant has street facing, enclosed atrium seating that looks out onto the sidewalk and the building addresses the street.

The restaurant has and will be operated by a reputable company and the staff will minimize any adverse effects on the surrounding residential community. This operator has been at this location for over 15 years, without any negative effects on the community and with this application, the operating model will stay constant. The restaurant increases the utility of the land, provides nearby residents and employees the option of enjoying food and drinks without having to drive elsewhere, makes available a unique, high quality dining experience and adds appropriately to the mix of uses in the building and the immediate vicinity. Soleil has created additional revenues and jobs with the expansion of the size of the restaurant and the larger selection in beverages, thus improving the economic vitality of this commercial area

3. 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. With the approval of this application, the restaurant conforms to all code requirements in the L.A.M.C.

Additionally, 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 Plan area, is zoned C4, has a Neighborhood Office Commercial land use designation and the Specific Plan area is the West Los Angeles Transportation Improvement and Mitigation. Neither the General Plan nor the Community Plan text specifically addresses the sale of alcoholic beverages. However, the Los Angeles Municipal Code authorizes the Zoning Administrator to grant the requested Conditional Use Permit in the C4 Zone.

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 specific plan objective is to

accommodate a diversity of uses that support the needs of the City's existing and future residents. The restaurant furthers all of these goals. It is located in an area with a mix of residential, commercial and retail uses, on a major commercial thoroughfare, close to public transportation. 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 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.

The Community Plan states, "The commercial frontage along Westwood Boulevard south of Wilshire Boulevard consisting of approximately 16 net acres is designated for Neighborhood Commercial. Westwood Boulevard, a north-south arterial, serves as a major link to both Wilshire and Santa Monica Boulevards. The shopping area is primarily small-scale, pedestrian-active and neighborhood-oriented. It provides daily convenience services to people living in nearby residential areas." The goals for the Neighborhood Commercial designation are as follows:

- Improving the function, design and economic vitality of commercial areas.
- Preserving and enhancing the positive characteristics of existing uses which provide the foundation for community identity, such as scale, height, bulk, setbacks and appearance.
- Maximizing development opportunities around future transit systems while minimizing any adverse impacts on residential neighborhoods.
- Preserving and strengthening commercial developments to provide a diverse job-producing economic base and through design guidelines and physical improvements, enhancing the appearance of these areas.

Furthermore, the following goals and objectives are set out in the Community Plan.

Goal 2 – A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH PROMOTES ECONOMIC VITALITY, AND SERVES THE NEEDS OF THE COMMUNITY THROUGH WELL DESIGNED, SAFE AND ACCESSIBLE AREAS WHILE PRESERVING THE COMMUNITY'S UNIQUE COMMERCIAL, HISTORIC AND CULTURAL CHARACTER.

Objective 2-1 To conserve and strengthen viable commercial development in the community and to provide opportunities for new, compatible commercial development and services within existing commercial areas.

Policies

- 2-1.1 New commercial uses should be located in existing established commercial areas or shopping centers.
- 2-1.3 Ensure the viability of existing stores and businesses which support the needs of local residents and are compatible with the neighborhood.

This space has been operated as a food establishment, with a full offering of alcoholic beverages, for many years and is similar to all adjacent uses and developments along Westwood Boulevard. Soleil has created additional revenues and over 20 part- and full-time jobs, thus improving the economic vitality of this commercial area. The restaurant is located in an existing building and will not have any impact on the built environment. Located in a POD and on Westwood Boulevard, the restaurant can be accessed by foot or several major transit lines.

The proposed restaurant will be located in an existing space and will continue providing a service to local residents in a center that meets the aforementioned criteria. Continuing the goals of both the General Plan and the Community Plan, Soleil contributes to a pedestrian scale and provides a neighborhood use that will serve both the neighboring residents and the local employees. The restaurant is not detrimental to the character of development in the immediate neighborhood and it is in keeping with the zoning and all existing, adjacent uses.

ADDITIONAL CUB FINDINGS

4. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a 1,000-foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

This is an existing restaurant with an existing liquor license and therefore will not change the concentration of licenses in the census tract or neighborhood. There are eight existing restaurants, including the subject property, that serve alcohol within a 600-foot radius, all of which are on Westwood Boulevard, (see the attached Alcohol List). There are three restaurants, also along Westwood Boulevard, that sell alcohol within a 600 to 1,000-foot radius of Soleil. There are two establishments with off-site sales along Westwood, 7-Eleven, directly across the street and Bristol Farms, a block south, (see the attached Alcohol List). Providing alcoholic sales for on-site

consumption is consistent with the pattern of markets, restaurants, and other neighborhood food establishments in various urban neighborhoods throughout Los Angeles and this is an extension of an already existing license, therefore, the approval of this application will not increase the concentration.

There have been no instances of increased crime, drug use or disorderly conduct from the sale of alcohol at Soleil.

- 5. The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playground and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

Approval of this application will continue a grant that has been in place for over 20 years, with no detrimental effects on the community. The restaurant has and will be operated by a reputable restaurateur and the staff will minimize any adverse effects on the surrounding residential community. There are no churches, schools or hospitals within 600 feet of the restaurant. One there is one recreational area, Westwood Gardens Park, that is 0.2 miles from Soleil. This a small pocket park that will not be affect by the restaurant in any way.

The economic welfare of the community depends on healthy and viable commerce, and Soleil provides the community with an economically viable and respected commercial establishment as part of its neighborhood-serving retail. Therefore, approval of this Plan Approval will not detrimentally affect any residentially zoned or developed properties and will not affect any nearby sensitive uses.