



# Venice Neighborhood Council

P. O. Box 550, Venice, CA 90294

[www.VeniceNC.org](http://www.VeniceNC.org)



## Land Use & Planning Committee (LUPC)

### Staff Report --DRAFT

September 25<sup>th</sup> 2025

City Case No: ZA-2025-3446-CU2-CUB-CDP

CEQUA Case No: ENV-2025-3447-CE

Project Address: 1239 Abbot Kinney Blvd

Coastal Zone: Single

Known As: "Greenleaf Kitchen and Cocktails" (However Per owner: There will be a new tenant in this space to which the permit will be transferred. The new tenant will be "Truly Pizza Venice Beach LLC")

Applicant/ Owner: Jon Rollo

Applicant's Representative: Margaret Taylor

City Planner: David Woon

LUPC STAFF: David Feige

Hearing Scheduled: No

### Detailed Project Description:

*Class 2 Conditional Use Permit allowing on-site sale of a full line of alcoholic beverages in conjunction with the operation of a 4,655 square-foot, 154-seat restaurant with hours of operation from 7 am -2 am, daily (interior and Patio 1) and 7 am - 11 pm daily on Permanent Al Fresco Patio (2) and Coastal Development Permit for Permanent Al Fresco dining.*

### Size of Proposed Al Fresco Area: 1,330Sq. Feet

Current Interior Seats: 69 \*\* Proposed Additional Al Fresco Seats: 85 New Total: 154 **Capacity Increase: 123%**

Does the Requested Permit Reduce Parking? ☒ YES ☐ NO (If yes) by how many parking spaces **9**

\*\*Counted for purposes of the interior space calculation are pre-approved, pre-covid semi-exterior seats in the covered space between buildings.

Are Additional Bathrooms Proposed to Accommodate Added Capacity?	<input type="checkbox"/> YES	NO	<input checked="" type="checkbox"/>
Has Owner Read the Al-Fresco Ordinance and Agreed to Abide by It?	<input checked="" type="checkbox"/> YES	NO	<input type="checkbox"/>
Has Owner Certified That They are Currently in Compliance with the Ordinance?	<input checked="" type="checkbox"/> YES	NO	<input type="checkbox"/>
Does LUPC Staff Agree that Owner is Currently in Compliance with the Ordinance?	<input checked="" type="checkbox"/> YES	NO	<input type="checkbox"/>

### Affected Area and Community Response:

Approximate Number of Homes/Apartments within 500 feet of proposed Al Fresco Space: **83**

Is There Current Opposition by Neighbors to Issuance of Al Fresco Permit? ☐ YES ☒ NO

Have There Been Previous Complaints About Al Fresco Space to City or to Owners? ☐ YES ☒ NO

If Yes, Approximate Number of Complaints to City? **NONE** Complaints directly to Owner? **NONE**

**Nature of Complaints: (check all that Apply)**

Noise:	<input type="checkbox"/>	Unpermitted Speakers or Screens:	<input type="checkbox"/>
Operating Hours:	<input type="checkbox"/>	Maintenance of Adjacent Areas:	<input type="checkbox"/>
Other:	<input type="checkbox"/>	Unpermitted Live Music or Karaoke:	<input type="checkbox"/>



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### Evaluator Report:

#### **Background:**

The applicant, Greenleaf, located at 1239 Abbot Kinney Blvd is a health-focused eatery offering made-to-order salads, wraps & sandwiches, and a creative juice bar. The interior space, primarily a counter built around a large central serving has some 35 seats, with a covered patio comprising an additional seating area of 34 seats for a total of 69. The patio has been in use for many years prior to the pandemic (since 2012) and though it is a subject of the current application it will be treated as legacy space for purposes of this evaluation.

In addition, in a somewhat unusual situation, the current applicant “Greenleaf” is departing as a tenant. The owner has already secured a new tenant—and thus the eventual beneficiary of the Al Fresco permit to be issued here is actually “Truly Pizza” a highly rated sit-down pizza shop with locations in Dana Point and Laguna Beach.

The applicant here seeks to make permanent the addition of 85 seats in the Al Fresco area (shown on plans as “Patio 2”) The proposed addition will result in a total of 154 seats. It is unquestionably true that more than doubling the current capacity constitutes a fairly substantial addition in terms of overall load and carries with it some obvious concerns (addressed below). But while an expansion of this magnitude may be cause for scrutiny, it is not (at least at this point) a disqualifier insofar as we have not yet received guidance from City Planning as to what they consider to be the appropriate outer limits of Al Fresco expansions.

Thus, at this point, we should consider this project on the merits: compliance with the ordinance, the “neighborliness” of the operators, the impact on the community of the temporary operation and the projected impact of granting a permanent permit, and of course the additional mechanical and aesthetic requirements outlined in the city and LADBS regulations.

#### **Compliance with the Ordinance and “Neighborliness”**

As shown on the attached radius map, there are some 83 homes/residences within 500 feet of the applicant. But because of the specific location of the applicant there is a significant buffer between them and most of those residences—a commercial strip with some parking to the east, Abbot Kinney and the businesses on the west side of it, and additional commercial space to the north and south. This buffer also means (as discussed below) that while applicant is “adjacent to” a residential neighborhood it does not “Abut” it for purposes of the ordinance.

Most importantly (though slightly less relevant than usual) is that to date, applicant (Greenleaf) has been an exemplary neighbor, with no known complaints concerning, noise, service hours, loitering, trash or any other concern. So though we are mindful that there will be a new tenant in the space with no track record in Venice to speak of, nonetheless, the excellent track record of Greenleaf (insofar as it also reflects on the owner of the property) is worth noting. In addition, The Truly Pizza team has been involved in the discussions concerning the proposed Al Fresco space, as has the owner of the building, Jon Rollo. All parties are aware of the ordinance, and have pledged to abide by it. Indeed, a site visit verified that speakers in the Al Fresco space had been removed and capped—and photographic documentation of the same is attached to this report.

In addition, the applicant and new tenant quickly signed all the new self-certification materials acknowledging their awareness of and full compliance with the al fresco ordinance and confirming that they had received no neighborhood complaints. As noted above, LUPC staff’s site visit corroborated these statements, and thus we are pleased to find that the applicant is currently in compliance with the ordinance.



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The good faith actions of the applicants in immediately removing improper speakers to ensure compliance, coupled with a total lack of community opposition, and complete absence of complaints suggests that while the proposed additional load is substantial—and indeed seems to be either at or possibly even beyond the limits of appropriate load additions, given that all the additional space is on private property, that there are no abutting residential neighbors (even the closest neighbor is over 150 feet away with a large building between them) the chance that the proposed Al Fresco area would disturb the neighborhood is actually minimal. Moreover, the good faith actions of the owners strongly suggests that if neighborhood issues arise in the future the owners would be considerate and responsive.

### **Parking**

The current AL Fresco area is located on private property on the North side of the building in what was previously a parking lot. The result of this application is the loss of 9 spaces previously used for Valet parking pursuant to Conditions 11 and 12 of an earlier determination letter. No alternative parking is being provided. Applicants have done a parking survey which maintains that because of the large amount of municipal parking near Abbot Kinney the loss of these spaces does not substantially impact the parking situation. While there has been a broad parking study commissioned by the council to evaluate the parking impacts of the Al Fresco transition, this study is not yet complete. As a consequence, it is impossible to adequately assess or contextualize the larger parking impacts of the Al Fresco transition, but it is clear that in the instant case, under the prior rules, not only would alternatives have been required but additional parking for the additional service floor area would have also been required. It is the view of the committee that such an overall assessment is critical to the evaluation of any Al Fresco application, and the failure to have completed that study is a significant impediment to a full and proper assessment of any application.

### **Bathrooms**

With any expansion of this magnitude the question of bathrooms becomes important. That is because, all around Venice, the advent of Al Fresco dining has brought with it a substantial increase in public urination—particularly around bars. While both Greenleaf and Truly Pizza are restaurants serving both food and drink, (and per the applicant Truly Pizza will be a sit-down restaurant and all alcohol service will be served by waitstaff to seated patrons in compliance with the ordinance) an expansion of this scope nonetheless makes this an issue to be cognizant of.

Currently, there are two toilets (a men's room and a women's room) for the 69 interior seats. According to table 422.1(A2) of the plumbing code that appears to already be substandard, and with the additional 85 seats bringing the total to 154 seats, more bathroom space is required. The applicant is aware of this and is in current discussions with LADBS concerning the necessity of adding restroom space. It is the view of the evaluator that compliance with specific plumbing code sections applicable to this project should be a condition of approval.

### **Aesthetic or Code Concerns:**

A review of the site plans, and renderings suggests quite a lovely space with a trellis and greenspace which would both minimize ambient noise and add to the greenspace of the neighborhood. Other than the large number of seats, and the bathroom issues noted above there is nothing to suggest any concern about other code issues nor any aesthetic objection.



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### Service Hours and Noise Concerns:

The applicant has also made clear via self-certification and representations to the evaluator that they will continue to abide by the ordinance and will not have any speakers, live music or other prohibited conduct in the Al Fresco Space. This is significant because in a previous determination letter issued on December 31<sup>st</sup> 2014, (attached) some live music was permitted inside (see Conditions 17-20) though not on the outdoor patio. Specifically, those conditions read:

*"Live entertainment shall be limited to a 12-foot by 12-foot area at the front of the restaurant at the farthest point from the residential uses. Live entertainment consisting of acoustic music shall be limited to guitar and vocal performances. No live entertainment shall be permitted on an outdoor patio. Amplified music inside the restaurant shall be kept at a low volume for background music such that any music playing shall not be audible beyond the subject premises. No amplified music shall be permitted on an outdoor patio. No public address system, no paging system shall be installed or maintained on the subject property, which are audible outside the building in which it is located."*

Given the slight confusion concerning the status of the legacy space (Patio 1) and the clear dictate that "no amplified music shall be permitted on an outdoor patio" It is recommended that these conditions be re-iterated and clarified to make clear that the Al Fresco ordinance's prohibitions on speakers, screens, amplified or live music applies to all outdoor spaces –specifically including Patio 1 and Patio 2.

As for Service Hours, the applicant has requested in their Land Use Application that they be allowed to serve from 7am to 2 am 7 days a week inside and on Patio 1 and 7 am to 11 PM on Patio 2.

The 7am to 2am 7 days a week request represents an expansion from the hours approved in condition 10 of the 2014 Determination Letter which mandates that *"The hours of operation shall be limited to 7 a.m. to 12 midnight, Sunday, Monday, Tuesday, Wednesday and Thursday, except for holidays, and shall be 7 a.m. to 2 a.m. Friday and Saturday."* That condition in turn represents an expansion of the hours permitted on a commercial corner development which limits late night hours to no later than 11pm. Thus as operating hours have already been expanded twice before, granting the current application would represent the third expansion.

As discussed above, although there are over 80 homes with 500 feet of the applicant, the applicant's property is merely adjacent rather than abutting a residential area and thus not subject to the Al Fresco ordinance service hour requirements. That said, the property is subject to the commercial corner regulations as well as bound by the previous determination which already expanded those hours. Here it seems that some balancing is appropriate given both the vibrant street life of Abbot Kinney, and the presence of nearby residences. Given the specific layout applicant has proposed, it is recommended that a specific condition be imposed allowing the extended service hours of 7am to 2am in the interior space, but limiting the service hours on Patio 1 and 2.

### Conclusion

What we have here is an application for a very significant load expansion from an extremely thoughtful applicant with no history of neighborhood issues or complaints who has demonstrated good faith though the temporary period in complying with the Ordinance. While the overall size of the expansion raises some concerns, LUPC staff believes these can be adequately addressed though the addition of three fairly minimal conditions mostly directed at the most exposed of the two patio spaces.



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### Recommendation:

### **APPROVE WITH CONDITIONS**

### Applicable Law:

Coastal Act, with certified Land Use Plan (LUP) as guidance  
Venice Community Plan

AI Fresco Dining Ordinance:

[mailto:https://cityclerk.lacity.org/online/docs/2020/20-1074-S4\\_ord\\_188073\\_1-31-24.pdf](mailto:https://cityclerk.lacity.org/online/docs/2020/20-1074-S4_ord_188073_1-31-24.pdf)

### Proposed Motion:

The Venice Neighborhood Council (VNC) LUPC recommends that the City APPROVE of the project at 1239 Abbot Kinney Blvd, as proposed, with the following additional conditions:

1. That applicant be required to add restroom space to comply with all plumbing code sections applicable to this project such as those codified in table 422.1 (A2) of the Building & Safety Code.
2. That both Patio 1 and Patio 2 constitute AI Fresco space for purposes of the ordinance's prohibitions on speakers, screens, amplified and live music.
3. That the service hours be extended to 7 am to 2 am in the interior space, but limited to 7 am to 11 pm on Patios 1 & 2.
4. That the CDP for AI Fresco Dining shall be subject to the City's Coastal Access study and any mitigation measures adopted to address the impacts of the loss of parking related to coastal access.



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### **Attached Documents:**

- I. Signed Self Certification of Compliance
- II. LUPC Community Relations Form
- III. Photos of Capped Speakers
- IV. CDP Coastal Act, Standard of Review and Parking Study Information
- V. Affected Area Map
- VI. Determination Letter (December 31<sup>st</sup> 2014)
- VII. Floor / Site Plan



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## ATTACHMENT ONE:

### SELF-CERTIFICATION OF COMPLIANCE WITH AL FRESCO ORDINANCE

Page 1

Docusign Envelope ID: E6027747-2E67-4470-9635-779B95BBE2FB

#### LAND USE PLANNING COMMITTEE AL FRESCO DINING PERMIT SELF-CERTIFICATION

**Instructions:** Owner/Applicant should fill out this form, only after reviewing the Al Fresco Ordinance or the Fact Sheet distributed by the LUPC which lists the basic requirements of the ordinance. Please initial each box and sign the certification at the bottom. The form need not be notarized. Please return the signed and dated form to the assigned evaluator via USPS or E-mail for inclusion in the staff report to the board. Please note that a failure to execute this self-certification will be a factor to be considered in the evaluator's recommendations.

1. I Donna Baldwin am the owner and applicant, and am seeking a permanent Al Fresco Dining Permit for my business, known as Truly Pizza and located at 1235-1239 S. Abbot Kinney Boulevard in Venice, CA.

2. I have personally reviewed Ordinance 188073, enacted by the City Council on December 23<sup>rd</sup>, 2023 and I am familiar with the requirements therein—my initials in the boxes below indicate my familiarity with, and agreement that I am aware of, abiding by, and will continue to abide by each the following provisions:

#### The Operational Requirements contained in LAMC Section 12.21 A:

- ☒ Section 24(d)(ii) of the Ordinance prohibits background music and speakers in outdoor areas.
- ☒ Section 24(d)(iii) of the Ordinance prohibits television monitors and similar audio-visual devices in outdoor areas
- ☒ Section 24(d)(iv) of the Ordinance prohibits Live music, and live entertainment including but not limited to disc jockeys, karaoke, dancing, pool tables, billiard tables, and adult entertainment uses.
- ☒ Section 24(d)(v) mandates that An Outdoor Dining Area shall operate no later than 10:30 p.m. on Sundays through Thursdays and no later than 11:00 p.m. on Fridays and Saturdays, if abutting or across an alley from a residential zone, not including the RAS zone. If the Outdoor Dining Area is not abutting or across an alley from a residential zone, then the Outdoor Dining Area is subject to any applicable hours limitation imposed by law, discretionary action, or previously issued permit.
- ☒ Section 24(d)(vi) requires that notwithstanding any provisions to the contrary, the noise levels of the Outdoor Dining Area shall not exceed the standards set forth in the Noise Ordinance (Ordinance No. 156,363).
- ☒ Section 24(d)(vii) requires that Outdoor Dining Areas shall be cleaned nightly and adjoining sidewalk areas shall be kept free of debris, litter, and graffiti.
- ☒ Section 24(d)(viii) requires that A City-issued identification be posted and clearly visible indicating that the area is subject to the standards of the Al Fresco Ordinance. The identification shall include the City's MyLA311, A hotline phone number and contact information for LADBS, and a telephone number of the restaurant operator or manager for complaints or concerns regarding the operation of the Outdoor Dining Area.
- ☒ Section 24(d)(ix) Requires that a sign reminding guests to be respectful of surrounding neighbors shall be posted in the Outdoor Dining Area.
- ☒ Section 24(d)(3)(i)(a)-(c) provide that All patrons shall must be seated, all alcohol shall be delivered to and served at tables by employees, and that only fixed or portable bars not used as a point of sale are permitted in an Outdoor Dining Area.



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Finally, I understand that any violation of LAMC Section 12.21 A.24 may be prosecuted criminally as a misdemeanor, and that failure to comply with those or any other of the regulations and standards set forth in the Ordinance shall constitute a violation of the AI Fresco Ordinance and may result in a citation, Administrative Citation, Orders to Comply and/or other available enforcement mechanisms.

***By signing below, I Affirm That:***

***-- I have reviewed the AI Fresco Ordinance in connection with my application for a permanent AI Fresco Permit.***

***--That I, the applicant, am currently in compliance with all the requirements of the AI Fresco Ordinance.***

***--That I, the applicant, will continue, in the future, to comply with all of the requirements of the AI Fresco Ordinance as well as any specific conditions related to the granting of the AI Fresco Permit for which I am currently applying.***

**SIGNED ON THIS** 11 **DAY OF** September, **202** 5

DocuSigned by:

*Donna Baldwin*

E9AEF1BDA4E74E6...

**Signature of Applicant**





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### ATTACHMENT TWO: SELF-CERTIFICATION: AL FRESCO COMMUNITY RELATIONS FORM

Docusign Envelope ID: 0497016C-15AD-4AD3-9A3E-424F0B9AC6AD

#### LAND USE PLANNING COMMITTEE COMMUNITY RELATIONS SURVEY

**Instructions:** Owner/Applicant should fill out this form, and sign the certification at the bottom. The form need not be notarized. Please return the signed and dated form to the assigned evaluator via USPS or E-mail for inclusion in the staff report to the board. Please note that a failure to execute this survey will be a factor to be considered in the evaluator's recommendations.

1. I Jon Rollo am the owner and applicant, and am seeking a permanent Al Fresco Dining Permit for my business, known as Greenleaf and located at 1235-1239 S. Abbot Kinney Boulevard in Venice, CA.
2. We (check one) ☐ HAVE or ☒ HAVE NOT received complaints from the community concerning the noise, crowds, or other issues concerning the operation of our temporary Al Fresco Space.

If "HAVE NOT" is checked, please simply sign and date the form below. If HAVE is checked please fill out the sections below.

3. The complaints we received concerned (check all that apply):  
☐ Noise ☐ Hours of Operation ☐ Conduct of Patrons ☐ Cleanliness ☐ Other
4. Approximate number of complaints (count each person and date as a separate complaint) \_\_\_\_\_  
Approximate dates of complaints received: \_\_\_\_\_
5. Please describe below any actions taken as a result of these complaints and the resolution, if any (feel free to use additional space if necessary):

N/A

By signing below, I Affirm that the above statements are true:

SIGNED ON THIS 11 DAY OF September, 202 25

Signed by:

Jonathan Rollo

4FE0CF112C45228

Signature of Applicant



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### ATTACHMENT THREE: PHOTOS OF CAPPED SPEAKERS IN AL FRESCO SPACE





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### ATTACHMENT FOUR:

#### CDP Coastal Act, Standard of Review and Parking Study Information:

#### **Coastal Development Permit (CDP)—Coastal Act & certified Land Use Plan (LUP) are standard of review**

#### **Parking/Coastal Access—Assembly Bill 2097 must also be considered in the standard of review**

Coastal Act Section 30252 states: *The location and amount of new development should maintain and enhance public access to the coast by:*

- 1. facilitating the provision or extension of transit service*
- 2. providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads*
- 3. providing non-automobile circulation within the development*
- 4. providing adequate parking facilities or providing substitute means of serving the development with public transportation*

Coastal Access is a Coastal Resource that must be protected under the Coastal Act. In order to assure conformance of the project with the Coastal Act and certified LUP Coastal Access provisions, no CDP for Al Fresco Dining shall be issued until the City's Coastal Access study to assess the impacts of the loss of parking related to the Al Fresco program on public coastal access is completed and mitigation measures to address impacts to public coastal access are determined.

#### **Information about the City's Coastal Access study:**

#### **City Planning and LADOT Launch a New Study to Assess Coastal Access in Venice**

Last month, Los Angeles City Planning launched a collaboration with the Los Angeles Department of Transportation (LADOT) and Walker Consultants to prepare a study to assess public access to the Venice Coastal Zone area, including parking and other mobility options. The analysis will include the observation of outdoor dining areas under the Al Fresco program and their impacts to public coastal access. This study will assist restaurants with temporary Al Fresco authorizations obtain a Coastal Development Permit (CDP) in order to transition into the permanent Al Fresco program by providing a list of mitigation measures to address impacts to public coastal access. The study will be completed in 2026 and is available to track through Council File No. [Council File 20-1074-S5](#). This effort is an example of how City Planning supports small businesses as part of Mayor Karen Bass' [Executive Directive No. 4 - Identifying Barriers to Small Business Creation, Development and Growth](#).

#### **Information about the need for the Coastal Access study:**

[https://cityclerk.lacity.org/online/docs/2020/20-1074-S5\\_rpt\\_plan\\_05-28-25.pdf](https://cityclerk.lacity.org/online/docs/2020/20-1074-S5_rpt_plan_05-28-25.pdf)



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### ATTACHMENT FIVE: AFFECTED AREA MAP:





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**ATTACHMENT SIX:**  
**DETERMINATION LETTER OF DECEMBER 31, 2014**

**The determination letter is accessible at:**

<mailto:https://planning.lacity.gov/pdiscaseinfo/document/MTQzNjY50/de98c26c-073f-43dc-b739-b418741a3276/pdd>





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## ATTACHMENT SEVEN: PROPOSED SITE / FLOOR PLAN

