



Venice Neighborhood Council

LAND USE AND PLANNING COMMITTEE

PO Box 550, Venice, CA 90294 | www.VeniceNC.org

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LUPC STAFF REPORT

October 17, 2026

City Case No:	DIR-2026-3260-CDP-CDO
CEQA Case No:	ENV-2026-3261-EAF
Address of Project:	4089 - 4101 S. Lincoln Blvd
APNs:	4229-005-096 and 4229-005-097 (three lots, 28,377 sq ft)
Applicant / Owner:	Nicholas Marler, Great Company Hospitality LLC ("The Turtle")
Applicant's Rep:	Kevin Scott / Brian Silveira, Brian Silveira & Associates (lobbyist)
Zoning:	[Q]C4(OX)-2D-CDO, Community Commercial; Lincoln Blvd Community Design Overlay
Standard of Review:	Coastal Act with certified LUP as guidance (CDP) Venice Community Plan; Oxford Triangle Specific Plan LAMC 12.21 A.24 (Al Fresco / Outdoor Dining Ordinance)
Coastal Zone:	Single Permit Jurisdiction
City Hearing:	Not yet scheduled — confirm with City Planner, Luis Lopez
LUPC Staff assigned:	Jalal Awan & Robin Rudisill

I. Detailed Project Description

The site operated as Brennan's Pub from 1972 until it closed temporarily in December 2025. The applicant proposes to reopen it as a family oriented restaurant, "The Turtle," and to make permanent the al fresco dining that was permitted temporarily during the COVID-19 pandemic. The project adds no floor area and no new building. Both existing structures--the 3,509 sq ft main restaurant building (1954) and the 1,575 sq ft rear accessory building--are outside the project scope.

What is being proposed is a large, permanent expansion of outdoor dining and a substantial reduction in on-site parking.

Existing outdoor service area	2,971 sq ft (the COVID-era al fresco area, south of the main building)
Proposed outdoor service area	6,859 sq ft
Net expansion	+3,888 sq ft, a 131% increase in outdoor service floor area
Proposed outdoor seats	180 seats (existing seats estimated at 89, an approximate doubling)
Existing on-site parking	32 stalls
Proposed on-site parking	20 stalls to remain
Net parking loss	-12 stalls (-37.5%)
Bicycle parking	16 short-term stalls proposed

The three outdoor dining areas to be permanently authorized are: (1) the existing pergola covered area south of the main building; (2) a new area on the southernmost parcel fronting Lincoln and Berkeley; and (3) a new area in the southwest corner of the existing parking lot, which is the area where parking stalls are converted to dining area. The project also proposes a glazed street wall along the Lincoln frontage and vine screening of perimeter chain-link to address CDO Standard 12c.

Related but outside this application: the applicant has applied to ABC (California Department of Alcoholic Beverage Control) to exchange the Type 48 (public premises/bar) license for a Type 47 (on-sale general, bona fide eating place). Public notice was posted at the site on September 11, 2026 (see Photo F). This exchange is a net positive as a Type 47 license ties alcohol service to food service. However, it is a State ABC matter, is not part of the City entitlement, and is not referenced in the application materials. The VNC should note it rather than rely on it.

II. Motion

The Venice Neighborhood Council recommends approval of the Coastal Development Permit for the Al Fresco Dining areas, construction of a street wall, and construction of a perimeter sound wall for the project at 4089–4101 Lincoln Blvd, subject to the following conditions:

- 1. Prior to issuance of any building or demolition permit, a written construction noise mitigation plan shall be submitted, specifying permitted work hours consistent with LAMC 41.40 and the noise limits of LAMC 111.03, the sequencing and duration of jackhammering, if any, and other impact demolition, and a named on-site contact with a published phone number for construction complaints.**
- 2. Soundproofing specifications for noise mitigation at the west boundary abutting Carter Avenue shall be submitted, including the construction, height and acoustic rating of the proposed acoustic fence, sufficient to demonstrate significant attenuation to the abutting residential properties during operating hours.**
- 3. Written confirmation shall be submitted that no outdoor stage, performance venue, raised platform, dance floor or similar facility shall be proposed or installed in any outdoor dining area.**
- 4. Hours of operation shall follow the Al Fresco Dining Ordinance regulation for abutting properties--“An Outdoor Dining Area shall operate no later than 10:30 pm on Sundays through Thursdays and no later than 11 pm on Fridays and Saturdays.”**
- 5. There shall be no charge for customer parking at the property.**
- 6. At least 12 large native trees (48” box) shall be planted in the ground, situated throughout the property in order to shade seating locations as reflected in the applicant’s floor plan, and native hedging, such as Toyon or Tree Ceanothus, shall be planted around the south and east corners, with as many remaining plants as possible to be chosen from the native plant list on the VNC website: <https://www.venicenc.org/assets/documents/5/committee6a28e0b2840c2.pdf>**

Motion & Conditions 1 – 5: Moved by Jalal, seconded by Nicole Meyer, 6-0-1(DT) (MMack absent, SW recused)

Condition 6: Moved by Sarah Wauters, seconded by Mark Mack, 8-0-0 (1 absent)

III. Pros & Cons of Project

Positive aspects of project

- Thorough residential outreach: the applicant went door to door rather than holding a single meeting. The effort was confirmed independently during LUPC staff’s own in person visits and conversations with residents. Approximately 310 addresses within 500 feet were visited across six days; residents at 9 of the 11 homes within 100 feet were spoken with directly, several more than once. Sixteen letters of support were submitted, including from the closest residence.
- Reuse of a long vacant, deteriorating site. The southern parcel is currently bare ground behind exposed chain-link (Photos A-B); the project would replace that with an improved, landscaped, occupied frontage.
- No new floor area, no new building mass, no change to height or exterior profile.
- The Type 48 to Type 47 exchange, if completed, ties alcohol service to bona fide food service, a meaningful improvement over the prior bar licence.

- 16 short-term bicycle stalls somewhat offset the reduction in automobile access, consistent with Coastal Act section 30252.

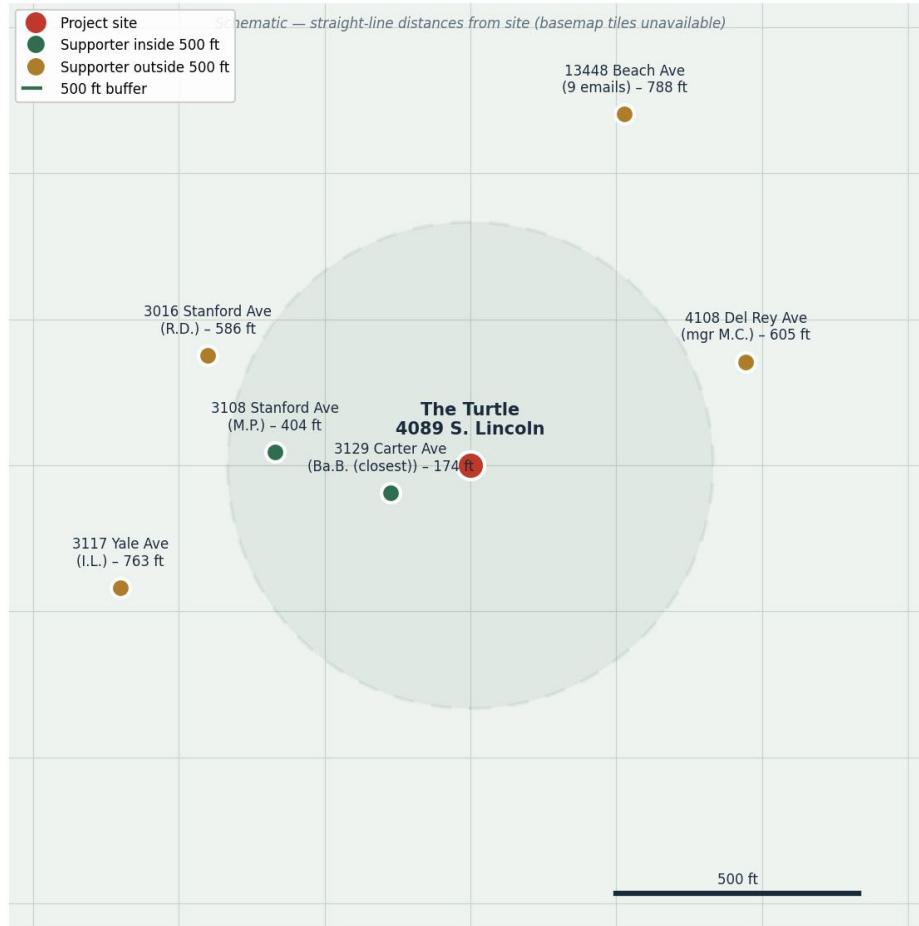
Negative aspects of project

- The scale of the outdoor expansion is the central issue. Outdoor service area more than doubles, from 2,971 to 6,859 sq ft (+131%) and from an estimated existing 89 seats to 180 outdoor seats, on a site whose western boundary abuts single-family residential homes across a narrow residential street (Photo E).
- Loss of 12 of 32 on-site parking stalls (-37.5%) to create additional outdoor dining, while seating capacity increases. Carter Avenue street parking is already fully occupied on a weekday afternoon (Photo E). The application contains no parking study, no demand analysis and no mitigation for displaced demand (other than the bike parking).
- No operational noise analysis. The CDO findings state only that “the project proposes a sound dampening wall along the western boundary” (p. 11). No acoustic specification, rating or study is provided for a 131% expansion of outdoor activity abutting residential uses.
- Stage/outdoor performance area. Neither the plan set nor the CDO findings mention a stage, platform or performance area. The applicant has stated verbally that none is planned; nothing in the record binds that.
- Perimeter fencing is not in the condition the findings describe. The findings rely on a continuous vine-covered “green fence” with “no exposed chain-link visible as such.” Site photographs taken September 12, 2026 show substantial exposed chain-link and sparse, dying vine cover on the south and west perimeters (Photos A through C).
- Rodent harborage concern raised repeatedly by neighbors, tied to the open chain-link perimeter and the untended southern parcel abutting the residential units on Carter Avenue.
- Limited commercial stakeholder outreach was conducted, despite a specific request from LUPC staff on September 14, 2026.

IV. Neighborhood Outreach / Summary of Community Input

Outreach by the applicant. Between July 23 and September 17, 2026 the applicant and his business partner walked the neighborhood on six days and visited approximately 310 addresses within 500 feet: the 11 homes closest to the site, 59 additional single-family homes on Berkeley, Carter, Stanford and Yale, roughly 220 apartments at 13448 Beach Ave, and 17 businesses along Lincoln. They report more than 100 in person conversations, more than 80 expressions of support, and no opposition encountered. Where no one answered, materials were left and delivery photographed. Building management at 3221 Carter Ave and 4108 Del Rey Ave agreed in writing to circulate the project letter; 13448 Beach Ave provided a letter of support.

The Turtle (4089 S. Lincoln Blvd) — Support Letters vs. 500 ft Notice Buffer



Outreach by LUPC Staff. Staff conducted an independent in person site visit and spoke with residents directly. The applicant’s account of the residential outreach is consistent with what staff heard on the ground, and the outreach should be credited as genuine. LUPC also distributed flyers to residents within a 500 foot radius (approximately 75 residential units) including notice of the October 1st LUPC hearing.

Gap. Commercial stakeholders were not specifically provided a chance to provide feedback. LUPC Staff specifically requested on September 14, 2026 that businesses be included, naming Felipe’s Car Wash immediately north of the site (and Arby’s Grill). The applicant’s outreach summary records 17 businesses along Lincoln as visited, but on a second visit on Sept. 27, Arby’s owner was uninformed. This was subsequently resolved.

Favorable comments from neighbors: support for reopening a long standing neighborhood institution; preference for a family oriented restaurant over the prior bar use; appreciation that the operators live locally (one within 500 feet) and gave residents direct contact details; sixteen written letters of support, including from the nearest homeowner of 17 years.

# (initials)	Type	What the neighbor valued (quote)	Good-neighbor condition it implies
I.L.	Pro	"I appreciate that the owners have thoughtfully designed the outdoor dining area and have proactively reached out to nearby residents"	Keep the outdoor design as presented; maintain proactive resident outreach
B.B. (closest neighbor, property owner)	Pro	"I am the closest neighbor to this forthcoming business and support... if any neighbor would object, it would be me"	Preserve buffer to the closest parcel; keep that neighbor informed as built
J.R.	Pro	"This is needed"	General support, no condition
S.N.	Pro	"Nice to have a family space/restaurant"	Maintain family friendly character and hours
M.P. (Marissa)	Pro	"family friendly place where we can go with our young son... energetic, welcoming environment"	Family friendly operation
Multiple (checkbox forms)	Condition	"The outdoor area faces Lincoln, away from the houses behind it"	Keep outdoor/amplified activity oriented to Lincoln, not the residential rear
Multiple	Condition	"The fence and landscaping screen the property well from my side"	Install and maintain the screening fence and landscaping as shown
Multiple	Condition	"The parking is on their own lot, so it doesn't push cars onto my street"	Keep parking on site; no spillover onto residential streets
Multiple	Condition	"The new operators came to my door... gave me their contact information and told me how to reach them directly"	Provide a standing direct contact for neighbor complaints

Concerns expressed by neighbors (raised to LUPC staff during independent outreach):

- Construction noise, particularly jackhammer timing, and compliance with LAMC 111.03.
- Rodent infestation associated with the chain-link fence on the west side abutting Carter Avenue and the residential units, and with the untended southern parcel.
- Loss of on-site parking and displacement of demand onto Carter Avenue and adjacent residential streets.
- Operational noise from the expanded outdoor areas, including from any outdoor stage.

Suggestions from neighbors: bind the no stage commitment in writing; specify soundproofing on the Carter Avenue boundary; close and maintain the perimeter fencing to eliminate rodent harborage; plant the southern boundary.

Public Comments at October 1, 2026 LUPC hearing:

- We expect a restaurant to be more mellow than the former bar.
- The Al Fresco Dining area will be on private property, not on the public right-of-way sidewalk or street area.
- I want the area to flourish.
- If the focus is to be a family place and food focused, why stay open until 2 am?
- Why can't parts of the bar and Al Fresco area close earlier?
- If closing one of the Al Fresco areas, close the south end.
- I am supportive and not worried about the parking.
- I am concerned about any amplified music and sound.
- With a reduction from 32 existing to 20 parking spaces proposed, the neighborhood will become the de facto parking lot.
- Noise is the number one issue for us as we have a 2 year old son.
- You say it's going to be a lively place, so what does that mean?
- If you are making this a lively place, open until 2 am, I have grave concerns.
- We should be able to get peace and quiet enjoyment in our homes.
- 2 long-time residents from Market St, Venice, indicated that these owner/operators have a restaurant near where they live, and as they are excellent operators it has only benefitted the area.
- Very glad this business owner is a local resident.

- The activity is welcome--more eyes on the street and people around.
- There is tons of parking on Lincoln Blvd after normal business hours.
- This will be a very different clientele than there was for Brennan's bar.
- This is an AB 2097 eligible project.
- Brought in a rodent specialist, will bring in a security company, and actively working on sound mitigation.
- We welcome the new owners, who have spent a good amount of time introducing themselves to the surrounding neighbors.

V. Findings re. Entitlements

Parking and Coastal Access--Coastal Act section 30252 provides that new development should maintain and enhance public access to the coast by, among other things, "providing adequate parking facilities or providing substitute means of serving the development with public transportation." The project reduces on-site parking by 12 of 32 stalls (-37.5%) while increasing outdoor seating to 180 seats. The application provides no parking demand analysis and no substitute means of serving the development. Street parking on Carter Avenue is already saturated. The project does not presently demonstrate conformance with section 30252 for parking and coastal access. AB 2097 may limit the City's ability to impose minimum parking requirements, although it does not permit a reduction in parking and it does not relieve preparation of a parking demand analysis, which is a separate standard of review.

LUPC Staff has recommended a condition that, at a minimum, there should be no charge for parking on site. Consideration should also be given to eliminating the Al Fresco area where parking is eliminated in order to preserve the existing parking spaces. This is also advisable as it would be the Al Fresco Dining area closest to the homes on Carter Ave and therefore would have the most adverse impacts on the residential area.

Coastal Act section 30251 — Scenic and Visual Qualities. The project adds no floor area, mass or height. Replacing exposed chain-link and bare ground on the southern parcel with a landscaped, glazed street wall would improve the Lincoln Boulevard frontage. **The project conforms**, provided the vine screening and landscaping are conditioned to be maintained in perpetuity — the applicant has accepted such a condition in the CDO findings, and VNC motion, Condition 6 extends it to native planting on the south side.

Coastal Act section 30253(e) / LUP Policy I.E. — Special Coastal Community. The reuse of a long standing local establishment, at existing scale and with no new massing, is consistent with protection of Venice as a Special Coastal Community. **The project conforms**, subject to the operational conditions below, which go to whether the intensity of use remains compatible with the abutting residential neighborhood.

Al Fresco / Outdoor Dining — LAMC 12.21 A.24, and an abutting zone question the Committee should resolve. The applicant's representative has taken the position that the closing hour limits of LAMC 12.21 A.24(d)(1)(v) do not apply because the project is across a street (Carter Avenue) from the residential zone rather than abutting it or separated by an alley. The applicant's own CDO findings describe the site as abutting, in four places:

- "The subject property fronts Lincoln Boulevard to the east, abuts Carter Avenue to the west, and extends southward to Berkeley Drive." (CDO Findings, p. 1; repeated p. 13)
- "Although the property abuts Carter Avenue to the west, the parking lot sits several feet higher in grade..." (p. 4)
- "The property's western boundary abuts residentially zoned single-family residential uses." (p. 11)
- "...fronts Lincoln Boulevard to the east, abuts Carter Avenue and residentially zoned residential uses to the west..." (p. 13)

VI. Support of Condition 4. for Applying Residential Abutting/Alley Outdoor Dining Hours

The physical configuration of Carter Avenue, its function as a narrow commercial-residential buffer/transition corridor, and the substantial size of the proposed 6,859 square foot outdoor dining area require application of the operating hour restrictions established to protect residential neighborhoods.

The ordinance's distinction between properties separated by an alley and those separated by a street produces an unreasonable result when applied mechanically to Carter Avenue and this project because the physical separation, exposure to noise and potential impacts on adjacent residences are substantially equivalent to, and potentially greater than, those the ordinance seeks to protect.

There are two main reasons Carter Avenue's official designation as a street must not prevent the City from treating it as an alley:

- Carter Avenue has the physical characteristics and land use function of an alley, rather than an ordinary street, and should be treated accordingly for purposes of the ordinance's residential protection provision.
- Even though Carter Ave is essentially the rear alley of the commercial zone, if the City determines that Carter Avenue technically falls outside the ordinance's alley provision, the Coastal Development Permit (CDP) should independently impose the same earlier closing times to prevent adverse impacts on the adjoining residential neighborhood.

A. The Al Fresco Dining Ordinance expressly recognizes that outdoor dining requires additional protections near residential neighborhoods.

LAMC 12.21 A.24(d)(1)(v) of the Al Fresco Dining Ordinance establishes two different operating hour standards:

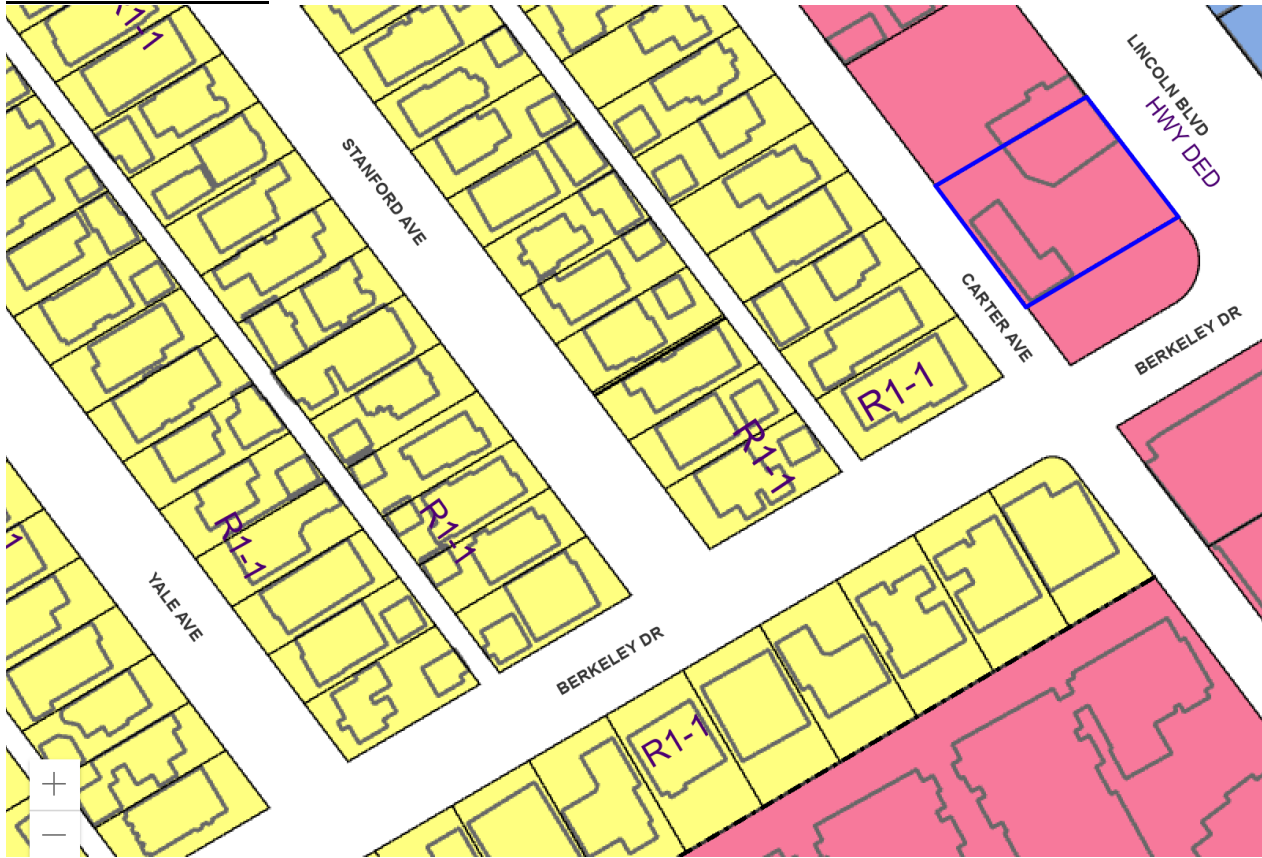
Location of outdoor dining	Sunday–Thursday	Friday–Saturday
Abutting or across an alley from a residential zone	Close by 10:30 p.m.	Close by 11:00 p.m.
Not abutting or across an alley	Subject to otherwise applicable restrictions	Subject to otherwise applicable restrictions

The ordinance does not automatically authorize outdoor dining until 2:00 a.m. in the second category. Rather, it preserves whatever restrictions are established by other laws, permits, or discretionary approvals. This distinction is significant, as the City has already made a legislative determination that the proximity of outdoor dining to residentially zoned property justifies earlier closing hours.

The question presented by Carter Avenue is whether the City should disregard the actual physical relationship between the proposed restaurant and nearby residences solely because the given right-of-way carries the designation *Avenue* rather than *Alley*.

The physical impacts of outdoor dining do not depend on the official name assigned to the intervening roadway. They depend on the actual distance, configuration, intensity of use, and degree of separation between the commercial activity and neighboring residences.

B. Carter Avenue functions as a narrow commercial–residential transition corridor, not as a conventional avenue.



The zoning map demonstrates that Carter Avenue forms the boundary between the commercial properties along Lincoln Boulevard and the residential neighborhood within the Oxford Triangle.

The blue outlined commercial property is separated from the yellow residential parcels by Carter Avenue. Based on the dimensions and conditions provided, Carter Avenue differs substantially from the other streets within the neighborhood.

Characteristic	Carter Avenue	Stanford, Yale, Berkeley
Width	Approximately 19 feet of usable roadway, plus approximately 9 feet to the commercial building wall	Approximately 40 feet
Curbs	Absent on commercial side	Present on both sides
Sidewalks/aprons	Absent on commercial side	Present
Landscaping	Absent along commercial edge	Present on both sides
Vehicle circulation	Extremely constrained two way passage	Wider conventional street configuration
Land use function	Commercial–residential boundary and access corridor	Residential circulation streets

Dimensions are approximate and should be verified against City engineering records or a survey.

Carter Avenue is approximately 52.5% narrower than the other neighborhood “avenues,” comparing its reported 19 foot usable roadway with their 40 foot widths. Even counting the entire approximately 28 foot space between the commercial building wall and the opposite side of the roadway, the corridor remains approximately 30% narrower than those streets. This is important for three reasons.

- Carter Avenue lacks the physical separation ordinarily associated with a conventional street. The absence of a sidewalk, landscaping, and other improvements on the commercial side means that the commercial building directly confronts the narrow roadway, as the width does not provide the same pedestrian oriented or landscaped transition as the other avenues.
- Carter Avenue's function resembles that of a service alley. It provides a narrow interface between commercial operations and residential property, rather than functioning as a broad, landscaped neighborhood street. The designation *Avenue* does not change these physical characteristics.
- Carter Avenue's narrow configuration places residential properties in close proximity to commercial activities. Where outdoor dining is located near this boundary, residents will experience exposure comparable to that of homes situated across an alley from a restaurant.

The appropriate comparison is therefore not between the *names* of the roadways, but between their actual functions and physical dimensions.

C. Carter Avenue serves the same land use function as a buffer or transition alley.

In urban planning, narrow alleys frequently serve as transitional spaces between commercial and residential development. Their functions may include service access, refuse collection, deliveries, and separation of otherwise incompatible land uses. Carter Avenue exhibits several of these same characteristics. It marks the transition from commercial zoning to single-family residential zoning. It is unusually narrow, has constrained vehicular circulation, and lacks the commercial side improvements characteristic of conventional streets.

Importantly, the existence of residential frontage or a curb on the residential side does not eliminate the corridor's functional resemblance to an alley. ***A corridor may serve residential access on one side while also functioning as the rear service boundary of commercial development on the other.*** Carter Avenue is thus best characterized, for purposes of evaluating land use impacts, as an alley like commercial-residential transition corridor.

This does not require asserting that the City has formally classified Carter Avenue as an alley. Indeed, terms such as *buffer alley* and *transition alley* are descriptive planning concepts and should not be presented as legally established classifications without an applicable City definition. Instead, the relevant finding is that Carter Avenue provides substantially the same, and potentially less, physical separation between commercial outdoor activity and residential properties as the alley condition expressly addressed by the Al Fresco Ordinance. The City should therefore evaluate the proposed outdoor dining with the same concern for residential compatibility that motivated the ordinance's earlier closing hour requirement.

D. A strict distinction based solely on street designation would produce an inconsistent result.

Consider two otherwise identical outdoor dining establishments. In the first case, an outdoor dining area is separated from a residence by a 20 foot alley. The ordinance requires closing by 10:30 p.m. on weekdays and 11:00 p.m. on weekends. In the second case, an outdoor dining area is separated from a residence by a 19 foot roadway designated as an avenue, with minimal additional separation.

Under a strictly literal application of the ordinance, the first restaurant would be subject to the residential protective closing hours, while the second might be permitted to operate substantially later. Yet the residents across the 19 foot roadway could experience equal or greater noise and disturbance. There is no meaningful impact based justification for providing less protection to residents separated from commercial outdoor dining by a narrow avenue than to residents separated by a comparably narrow alley.

Such a result would make residential protection turn on roadway nomenclature rather than the actual conditions the regulation is intended to address. This is especially important in older neighborhoods, where

historical street designations may not correspond to modern roadway dimensions, improvements, or land use functions. The City should avoid an interpretation that allows a narrow commercial-residential transition corridor to defeat the protective purpose of the ordinance simply because it is formally called an avenue.

E. The proposed 6,859 square foot outdoor dining area substantially increases the importance of residential protections.

The proposed outdoor dining area is not a small sidewalk café or a few tables outside a neighborhood restaurant. At 6,859 square feet, it represents a substantial outdoor commercial activity area. 6,859 square feet is approximately 0.157 acres, or 2.38 times the area of a standard 2,880 square foot tennis court. The intensity of potential impacts must be evaluated in relation to this scale.

A dining area of this size may accommodate a substantial number of patrons, depending on its approved seating plan, layout, circulation areas, and occupancy limits. The City should require the applicant to identify the maximum proposed outdoor occupancy and assess its potential effects. Relevant impacts include:

- Patron conversation and crowd noise. Numerous simultaneous conversations can produce a substantial cumulative sound environment, even without amplified music.
- Late night activity. Noise from voices, laughter, chairs, dishes, and restaurant operations may become particularly intrusive during hours when residential ambient noise is lower.
- Departing patrons. Closing time is not necessarily the end of neighborhood impacts. Patrons may continue talking, congregating, and entering vehicles after outdoor service concludes.
- Commercial service operations. Refuse handling, deliveries, cleaning, and employee activity may create additional disturbances in a corridor already constrained by its width.
- Cumulative exposure. Residents may experience these effects repeatedly throughout the week, rather than as occasional special events.

These are foreseeable potential impacts. Their significance should be evaluated using the actual site plan, occupancy, operating procedures, and distance to residences.

A substantial outdoor dining area immediately adjacent to a narrow residential transition corridor warrants greater scrutiny than a much smaller outdoor dining area separated from homes by a conventional street.

The combination of large outdoor dining capacity constrained physical separation and direct adjacency to residential zoning are exactly the type of residential compatibility concern for which the ordinance established earlier closing hours.

F. Compliance with the City's Noise Ordinance is not a substitute for reasonable closing hours.

The Al Fresco Ordinance separately requires compliance with applicable noise limits. That requirement does not eliminate the need for operational restrictions. Noise regulations and closing hour restrictions serve related but different purposes. Noise standards regulate sound levels, while closing hour limitations restrict the duration of potentially disruptive activities during sensitive evening and nighttime periods.

Moreover, ordinary patron conversations, laughter, movement, and intermittent disturbances can affect residential enjoyment even when a particular noise violation has not been established. Relying exclusively on after the fact noise enforcement would place the burden on nearby residents to document and report disturbances repeatedly. An enforceable closing hour condition provides a clearer, more predictable safeguard for both the restaurant operator and the surrounding community. The prohibition or restriction of amplified sound, by itself, does not resolve the impacts associated with a large concentration of outdoor patrons.

G. The legislative history strengthens the argument for residential protection.

In November 2023, the City Attorney reported that the City Council had specifically directed City Planning to narrow the application of the residential curfew to certain residential areas, establishing the 10:30 p.m. and 11:00 p.m. closing times. The earlier closing hours were deliberately adopted to protect residentially zoned properties near outdoor dining. Although the distinction between an alley and a street was intentional, the

City's subsequent November 2023 Planning report recognizes that outdoor dining areas outside the residential adjacency provision remain subject to limitations imposed by discretionary actions and previously issued permits.

The strongest legal pathway is that the City can recognize that Carter Avenue is officially a street while nevertheless imposing the same protective hours as a site specific condition of approval, authorized by the applicable CDP, Venice Community Plan, Oxford Triangle Specific Plan, and any other discretionary permit standards. There is no need to rewrite the ordinance or formally redesignate Carter Avenue as an alley to reach that result.

H. The Coastal Act requires that compatibility be addressed.

Because this project requires a CDP, the City must make the applicable Coastal Act findings. The Coastal Act provides additional context for considering the compatibility of an unusually large outdoor dining operation with the surrounding neighborhood. The level of noise in conjunction with operating hours later than those for abutting properties/alleys would harm the special coastal community character of Venice. Permitting outdoor dining until 2:00 a.m., if that is what the applicant proposes, would not be compatible with nearby single-family residences given the unusually narrow separation provided by Carter Avenue.

The proposed 6,859 square foot Al Fresco Dining Area must also be evaluated for its compatibility with the adjoining Oxford Triangle residential neighborhood and the protection of Venice's distinctive community character under the California Coastal Act and certified Venice Land Use Plan. Venice's community character is not limited to the appearance of its buildings. It includes the distinctive social and residential character of its neighborhoods and the relationship between residential and commercial uses.

Coastal Act Section 30253(e) requires, where appropriate, protection of special communities and neighborhoods whose unique characteristics make them popular visitor destinations. Venice has long been recognized as a Special Coastal Community, and certified Venice LUP Policy I.E.1 calls for protection of Venice's unique social and architectural diversity.

The Coastal Act's protection of communities and neighborhoods must be considered in evaluating the effects of new development on established residential areas. A development may be architecturally compatible with its surroundings yet create operational impacts that substantially affect the character and livability of adjoining residential neighborhoods. This distinction is especially important where an unusually large outdoor dining area is proposed immediately adjacent to a single-family residential neighborhood.

The Oxford Triangle consists of established residential development adjoining the commercial properties along Lincoln Boulevard. Carter Avenue serves as the narrow transition between these distinctly different land uses. Although officially designated an avenue, Carter Avenue has physical characteristics substantially more analogous to a commercial-residential service alley than to a conventional residential street. It has approximately 19 feet of usable roadway, with an additional approximately 9 feet extending to the commercial building wall. It lacks conventional curbs, sidewalks, aprons, and landscaping along the commercial frontage.

By comparison, Stanford, Yale, and Berkeley Avenues are approximately 40 feet wide and have conventional street improvements on both sides. Consequently, Carter Avenue provides very limited physical separation between the proposed commercial activity and the adjacent residential zone.

The City's Al Fresco Dining Ordinance expressly recognizes the need for additional nighttime protection where outdoor dining abuts or is separated from residential zoning by an alley. It establishes closing hours of 10:30 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday. The residential compatibility concerns underlying those restrictions apply with comparable force to Carter Avenue. Allowing substantially later outdoor dining hours solely because this unusually narrow corridor is officially designated an avenue would produce an inconsistent result: residential properties separated from a restaurant by an alley would

receive greater protection than similarly situated properties separated by an equally narrow or narrower roadway.

The physical impacts of outdoor dining are determined by the actual conditions on the ground, not by the name assigned to the given public right-of-way. The size of the proposed outdoor dining area further heightens these concerns. At 6,859 square feet, the project could accommodate a substantial concentration of outdoor patrons, subject to its approved seating and occupancy limits. Potential impacts include cumulative patron conversation, laughter, movement of chairs and equipment, nighttime circulation, and activities associated with closing and cleaning. Such impacts may be particularly intrusive during late night hours when ambient residential noise is generally lower.

Certified Venice LUP Policy I.E.2 requires respect for the scale and character of community development and emphasizes compatibility with existing residential neighborhoods, including appropriate buffers. The unusually narrow configuration of Carter Avenue makes it essential to evaluate whether adequate buffering exists between the proposed outdoor dining activity and nearby homes.

The adopted Venice Community Plan independently establishes Objective 1-3, calling for preservation and enhancement of the distinct residential character and integrity of existing residential neighborhoods.

The Oxford Triangle Specific Plan states:

- The purposes of this Specific Plan are as follows...To adequately buffer all existing single-family uses from new commercial and residential development in the C4(OX)-2-D zone.
- Section 9. Standards for Development. A. Building Standards. 7. The proposed buildings which face the single-family residential neighborhood shall be designed to preserve the privacy of the residential. Neighborhood.
- Section 9. Standards for Development B. Landscape, sign and Buffering Standards. 1. All open areas...not utilized for buildings, driveways, parking areas, recreational facilities or walks shall be landscaped. And 3. Existing single-family residences shall be reasonably buffered from adjacent commercial uses including parking structures where such uses contain sources of noise, lighting, odor, or other nuisance or hazard not compatible with such residential uses. Such buffer mechanisms might include performance standards pertaining to noise levels and additional landscaping and tree provisions.

The Venice Community Plan policies and Oxford Triangle Specific Plan standards collectively support a thorough evaluation of the proposed operation's compatibility with the Oxford Triangle residential area. They require consideration of the surrounding residential context rather than limiting review to the restaurant's architectural appearance or underlying commercial zoning.

Protecting Venice's special community character must include meaningful consideration of the continued residential character of its neighborhoods. A large outdoor dining operation extending until 2:00 a.m. along an unusually narrow commercial-residential boundary presents foreseeable compatibility concerns that cannot be resolved solely because Carter Avenue is technically classified as a street. Nor should general compliance with noise regulations substitute for reasonable operating hour limitations. Noise regulations and closing hour restrictions address different aspects of residential compatibility. The latter provide a predictable means of preventing late night disturbances before they occur.

The VNC motion's requesting Condition 4. would not prohibit restaurant operations or outdoor dining. It would allow substantial outdoor dining activity while applying the same nighttime protections already established by the City for restaurants separated from residential neighborhoods by alleys. Accordingly, the City should evaluate Carter Avenue as the functional equivalent of an alley for purposes of residential compatibility and impose outdoor dining closing hours of 10:30 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday.

Even if the City concludes that Carter Avenue's official designation precludes direct application of the Al Fresco Ordinance's alley adjacency provision, the same operating hour limitations should be considered independently as conditions of the CDP and any other applicable discretionary approvals.

The City must provide a site specific analysis addressing the proposed outdoor seating capacity, the actual separation from residential property lines and homes, anticipated nighttime noise, the adequacy of physical buffering, and the compatibility of the proposed operations with the residential character of the Oxford Triangle. The City must also explain how its determination accounts for Coastal Act Section 30253(e), certified Venice LUP Policies I.E.1 and I.E.2, Oxford Triangle Specific Plan, and Venice Community Plan Objective 1-3. Without such analysis, a conclusion that late night outdoor dining is compatible with the adjoining residential neighborhood would lack an adequately explained factual basis.

The appropriate outcome is to allow the proposed outdoor dining use subject to operating hours that respect the established residential character of the Oxford Triangle and the community character protections recognized by the Coastal Act and certified Venice Land Use Plan. In addition, the California Coastal Commission has recognized Commercial Intensification, Neighborhood Character, and Buffering as Coastal Issues requiring resolution in Venice.

The need to protect the Oxford Triangle from incompatible late night commercial activity is further supported by Exhibit 3, "Summary of Venice Coastal Issues," in the certified Venice Land Use Plan (LUP), pages I-3 and I-4.

As explained on page I-2 of the LUP, the City of Los Angeles and California Coastal Commission staff jointly evaluated the coastal issues applicable to Venice, identified potential conflicts between development and Coastal Act policies, and developed a work program that was approved by both the City and the Coastal Commission in 1979. The resulting Summary of Venice Coastal Issues identifies several concerns directly relevant to the proposed development, including:

- "Over-intensification of commercial uses."
- "Regulation of development which is out of scale with existing community character."
- "Preservation of community character, scale and architectural diversity."
- "Development of appropriate height, density, buffer and setback standards."
- "Over-development of the Coastal Zone resulting in traffic congestion."

These are not merely concerns newly raised by residents of the Oxford Triangle. They are longstanding coastal planning issues formally identified through the City's and Coastal Commission's Venice planning process and incorporated into the certified LUP. The proposed 6,859 square foot outdoor dining area raises exactly these types of concerns. Its substantial size, potential concentration of patrons, and possible late night operations must be evaluated in relation to the established residential neighborhood immediately across Carter Avenue.

Of particular importance is the LUP's express identification of appropriate buffer standards as a Venice coastal issue. Carter Avenue provides an unusually narrow separation between the commercial property and the residential neighborhood. Although designated an avenue, its physical characteristics resemble those of a commercial-residential transition alley. It lacks the width and improvements associated with conventional residential streets and provides little physical buffering between the two uses.

The City's Al Fresco Ordinance recognizes the importance of protecting residential neighborhoods from late night outdoor dining by requiring earlier closing hours where outdoor dining abuts or is separated from residential zoning by an alley. Those same residential compatibility concerns arise here, regardless of Carter Avenue's official street designation.

Furthermore, the LUP's identification of over-intensification of commercial uses as a coastal issue demonstrates that the mere permissibility of a commercial use does not resolve whether its proposed intensity is appropriate in a particular coastal neighborhood.

Commercial intensity includes more than building size. The scale of an outdoor dining operation, the number of patrons, its proximity to residential properties, its outdoor service area, and its hours of operation are all relevant to evaluating its effects on surrounding land uses. The Coastal Commission has continued to recognize preservation of Venice's community character as an important unresolved planning concern. The Coastal Commission has therefore recognized the underlying coastal planning issues implicated by this proposal. The City must not approve late night outdoor dining without meaningfully evaluating and addressing those issues in the context of Carter Avenue and the adjoining Oxford Triangle neighborhood. The applicant should be required to demonstrate how the proposed operating hours and outdoor dining intensity would be compatible with the residential neighborhood, given the limited separation and lack of substantial physical buffering.

Accordingly, the City should impose closing hours of 10:30 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday, consistent with the residential protective standards already established by the City's Al Fresco Ordinance. Such a condition would allow substantial outdoor dining while addressing the commercial intensification, buffering, and neighborhood character concerns expressly recognized in the certified Venice LUP.

I. In summary, Carter Avenue must be treated as the functional equivalent of an Alley for purposes of protecting adjacent/adjoining residential properties.

The LUPC Staff has made the following findings:

1. Carter Avenue constitutes an unusually narrow commercial-residential transition corridor, notwithstanding its official designation as an avenue.
2. Its limited width, lack of commercial side curbing and sidewalks, absence of landscaping, and constrained circulation create a physical relationship between commercial and residential properties comparable to that found across an alley.
3. The proposed 6,859 square foot outdoor dining area has the potential to generate substantial nighttime activity affecting the adjacent residences.
4. The earlier closing hour provisions of the Al Fresco Ordinance establish an appropriate residential protective requirement for this site's unusual physical conditions.
5. Independently of whether the ordinance's mandatory alley adjacency provision technically applies, equivalent closing hours are warranted as a condition of discretionary approval.

The City's Al Fresco Ordinance establishes earlier closing hours for outdoor dining areas abutting or across an alley from residential zoning. The evident purpose of this provision is to protect residential neighborhoods from the adverse effects of late night outdoor commercial activity where there is minimal physical separation between the two uses. The proposed restaurant's 6,859 square foot outdoor dining area presents this exact concern.

Although Carter Avenue is officially designated as an avenue, it bears little resemblance to the conventional 40 foot wide residential avenues elsewhere in the Oxford Triangle. Carter Avenue has only approximately 19 feet of usable roadway, with another approximately 9 feet extending to the commercial building wall. It lacks sidewalks, curbs, aprons, and landscaping on the commercial side. Vehicular passage is severely constrained.

Carter Avenue functions as a narrow commercial-residential transition corridor, separating the Lincoln Boulevard commercial uses from the immediately adjoining single-family residential neighborhood. In its physical configuration, dimensions, and land use function, it is far more analogous to a commercial service alley than to a conventional residential street. The distinction is particularly consequential here. The Al Fresco Ordinance protects residences across an alley from late night outdoor dining, yet a strictly literal application could provide less protection to the Oxford Triangle residences across Carter Avenue, even though their physical separation from the commercial activity may be comparable or smaller.

The impacts of outdoor dining do not change merely because a narrow roadway is designated an avenue rather than an alley. Noise does not recognize street names or roadway classifications. Nor is this a minor outdoor

dining operation. At 6,859 square feet, the proposed outdoor dining area represents a substantial concentration of commercial activity with the potential to generate significant cumulative patron noise, nighttime circulation, and related operational disturbances.

The City's residential protective closing hours provide an appropriate and already established standard for addressing these impacts. Applying those same hours here would not prohibit outdoor dining, diminish the property's underlying commercial zoning, or prevent reasonable restaurant operations. It would simply require the operator to observe the same reasonable nighttime limitations imposed on similarly situated restaurants separated from residential neighborhoods by narrow alleys.

Carter Avenue's functional equivalence to an alley for purposes of evaluating residential compatibility must be recognized for purposes of the residential protective hours established by the Al Fresco Dining Ordinance. Alternatively, even if the City concludes that Carter Avenue's official street designation precludes direct application of that provision, the City should independently impose identical hours as a condition of the Coastal Development Permit, Venice Community Plan compliance, Oxford Triangle Specific Plan compliance, and any other applicable discretionary approval.

To allow this substantial outdoor dining operation to continue until 2:00 a.m. solely because the narrow intervening corridor is named Carter Avenue rather than Carter Alley would elevate a technical roadway designation over the actual conditions affecting neighboring residents and undermine the residential protective purpose of the City's Al Fresco regulations.

Community Design Overlay--LAMC 13.08.

LUPC Staff has reviewed the applicant's supplemental CDO findings. The applicant's supplemental findings contend that the proposed restaurant and permanent expansion of outdoor dining at 4089 - 4101 Lincoln Boulevard substantially comply with the Lincoln Boulevard Community Design Overlay (CDO). The applicant emphasizes that the project adds no building floor area or height, preserves the existing architectural character, improves pedestrian orientation through a new glazed street wall, and provides landscaping and screening of existing chain-link fencing.

The findings also assert that the proposed outdoor dining areas are consistent with the CDO's encouragement of active pedestrian oriented uses and that the development remains harmonious with surrounding commercial and residential properties. The setback, parking access, façade, entrance, signage and historic resource findings are reasonable and largely turn on the absence of new construction.

However, the fencing finding (Standard 12c) does not match current site conditions: the findings indicate a continuous vine screen with no chain-link visible as such, while site photographs taken by LUPC Staff on September 12, 2026 show extensive exposed chain-link on the south and west perimeters. Standard 12c is the sole [Q] condition in Section 12 and is therefore mandatory. Conformance should be conditioned on verification of the fencing as described in the applicant's findings.

Also, the findings do not conclusively establish compliance with all applicable CDO guidelines and standards. In particular, the proposed 8½ foot street wall raises questions under Standards 12a and 12b, which discourage walls fronting public streets and generally limit their height to 42 inches. The applicant's characterization of this structure as a street façade rather than a wall or enclosure requires independent evaluation.

Additionally, the continued use of chain-link fencing, even when screened by vegetation, raises questions under Standard 12c, while the absence of a landscape buffer adjacent to residential properties warrants closer examination under Guideline 14.

Consequently, although the project appears consistent with several of the CDO's architectural and pedestrian oriented objectives, the submitted findings do not adequately demonstrate that the project substantially complies with the CDO as a whole. These outstanding issues must be resolved prior to the City's approval of the required CDO findings.

VII. Site Photographs

All photographs taken by LUPC staff during site visit, September 12, 2026.



Photo A--Southern parcel, Lincoln Blvd frontage looking southwest. Exposed chain-link with sparse, partly dead vine cover and torn shade fabric. This is the perimeter the CDO findings describe as a continuous “green fence” with no chain-link visible as such (Standard 12c, a mandatory [Q] condition).



Photo B--Southern parcel interior, looking northwest. Bare, untended ground proposed as permanent outdoor dining area. Open chain-link on all visible sides; unmaintained vegetation at the fence line, one of the conditions neighbors associate with rodent harborage.



Photo C--Existing al fresco area south of the main building, from the Lincoln Blvd sidewalk. The 2,971 sq ft COVID-era area to be made permanent, with pergola structures.



Photo D--Parking Lot looking west toward Carter Avenue. The existing wood fence on concrete retaining wall forming the west boundary, with homes immediately behind.



Photo E--Carter Avenue looking north, from the residential side. The site's west boundary wall is at right; single-family homes at left. Street parking is fully occupied on a weekday afternoon. This is the street onto which displaced parking demand would fall, and the boundary across which operational noise would carry.

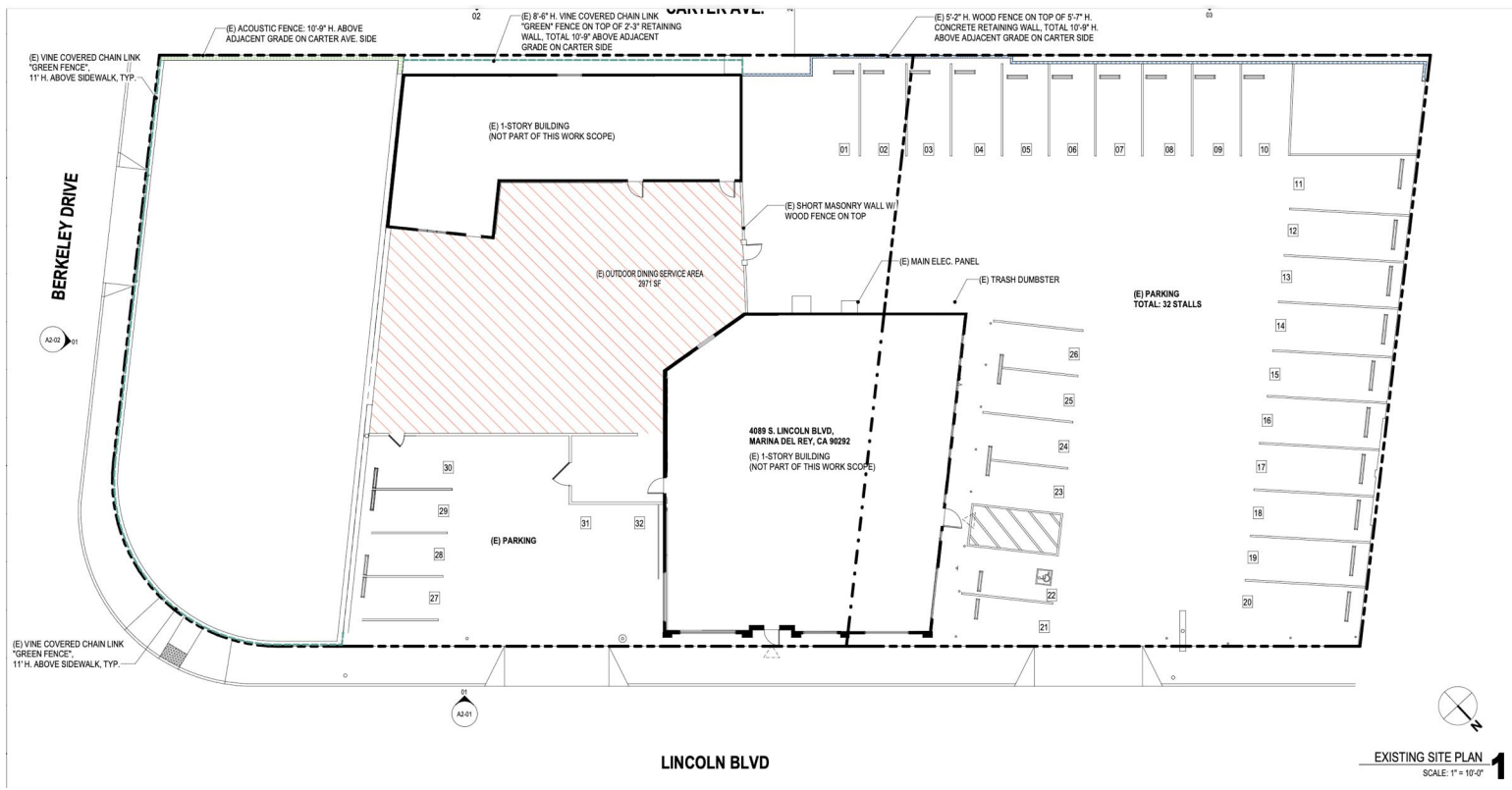


Photo F--ABC public notice posted at the site, dated September 11, 2026. Great Company Hospitality LLC, "The Turtle," Type 47 On-Sale General Eating Place, requesting the exchange of the Type 48 licence for a Type 47. Not referenced in the application materials.

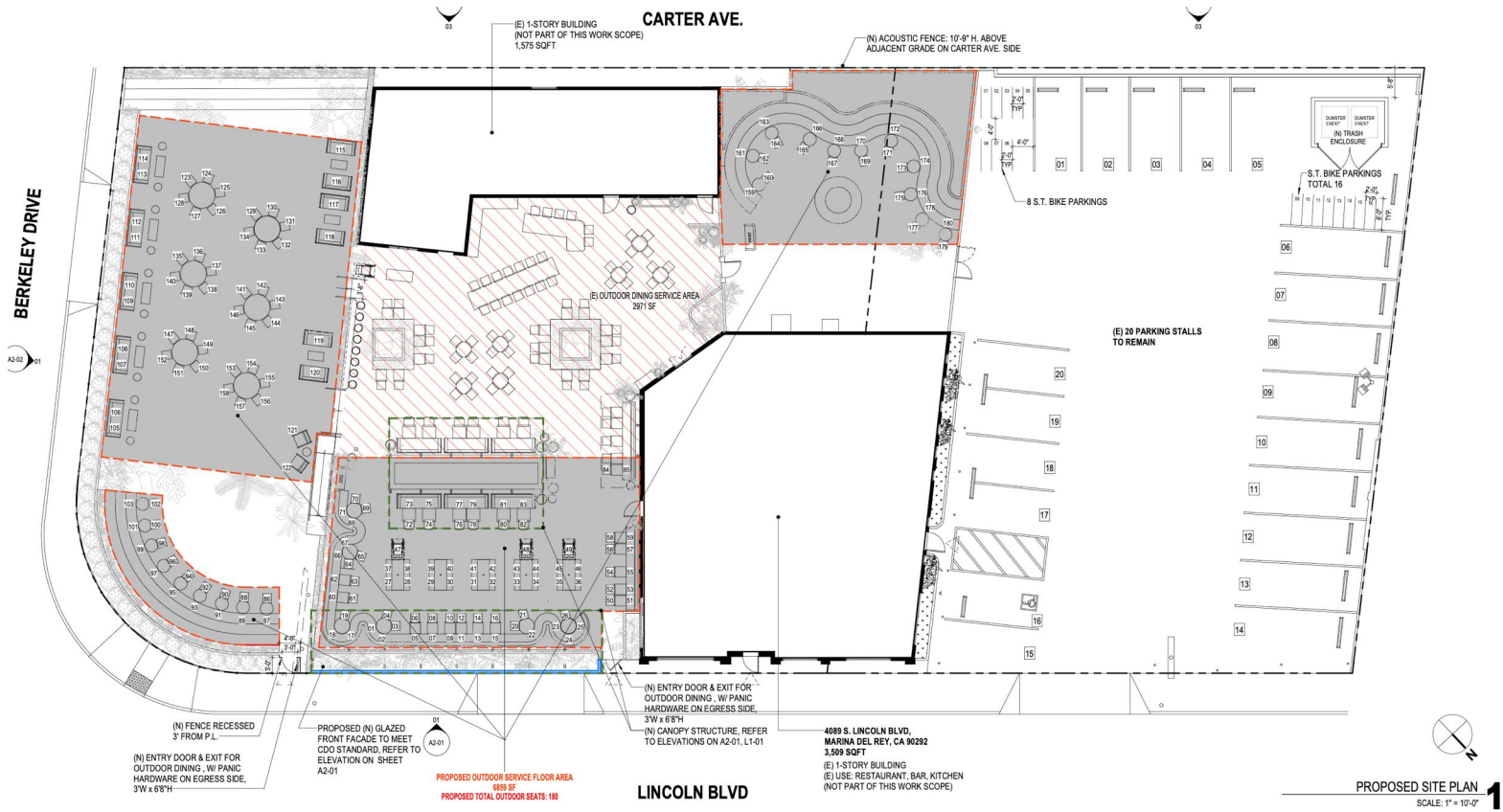
VIII. Rendering:



IX. Existing Site Plan:



X. Proposed Site Plan:



XI. Landscape Plan:

