

APPLICATION TO THE ZONING ADMINISTRATOR FOR CONDITIONAL USE PERMIT – ALCOHOLIC BEVERAGES

APPLICANT: **VENICE DEVELOPMENT, INC.**

PROPERTY: **9 DUDLEY AVE.
VENICE, CA 90291**

REFERENCE: **PER LAMC 12.24-W, 1, CONDITIONAL USE PERMIT TO ALLOW THE SALE OF BEER AND WINE ONLY FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH THE OPERATION OF A NEWY REMODELED 1,463 S.F. MARKET/CAFÉ.**

ADDITIONAL FINDINGS

a. General Conditional Use

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

The newly remodeled business will operate within an existing commercial building, which has housed this type of business for over a decade and is proper in relation to the adjacent uses. The business is under new ownership and is undergoing a complete remodel and upgrade. The addition of beer and wine sales is appropriate at this time, as the business will now offer a more complete service to those residing and visiting the area.

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

According to the LA County Assessor, this building was first constructed in 1922, thereby making it compatible and consistent with the adjacent properties. The newly remodeled café/market is looking to increase the visibility of this corner, which should assist in deterring crime and blight for this portion of Dudley Ave. Should this application be granted, the business owner will operate in a responsible manner so as to avoid adversely affecting the surrounding area or the public health, welfare and safety.

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

The project substantially conforms to the purpose, intent and provisions of the General Plan. The General Plan and Venice Coastal Plan promote the provision

of services throughout the city in locations that are convenient to the public yet do not unnecessarily impact nearby residential properties. The subject property is zoned C1-1 and developed with commercial uses, and the retail and restaurant uses are allowed by right. With professional and responsible conduct in the sale of beer and wine, the project will remain in harmony with the various elements and objectives of the General Plan and the Specific Plan, and will not be materially detrimental to the character of development in the immediate neighborhood.

b. Additional Findings

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

A similar business has operated in this location for some time, and a newly remodeled café/market under new ownership will help to reinvigorate this portion of Dudley Ave. This heightened exposure and activity should contribute in curtailing crime and other unwanted activities in the area. Should this application be approved, the business will work to become an integral part of the nearby community and in-line with their other neighbors on Dudley Ave.

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

While there are other alcohol-serving establishments operating within the vicinity, this is a popular destination point for the travelers with large numbers of tourists and is therefore able to support various establishments. The business should not have a detrimental effect on the area with a professional and responsible approach to the sale of beer and wine.

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

A new vibrancy with the remodeled market/café at this corner will help to deter crime and unwanted activities. Ultimately, the business will be operated in a responsible and professional manner, with sensitivity to any possible detriment to those residential properties in the area.

QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE

a. What is the total square footage of the building or center the establishment is located in?

The square footage of the building is 8,139 sq.ft.

b. What is the total square footage of the space the establishment will occupy?

The establishment will occupy 1,463 sq.ft. of the space.

c. What is the total occupancy load of the space as determined by the Fire Department?

Maximum total occupancy load as per Fire Department is 49.

d. What is the total number of seats that will be provided indoors? Outdoors?

The total number of seats provided is 20. There will be no outdoor seating.

e. If there is an outdoor area, will there be an option to consume alcohol outdoors?

No, there will be no outdoor area.

f. If there is an outdoor area, is it on private property or the public right of way, or both?

N/A

i. If any outdoor area is on public right-of-way, has a revocable permit has been obtained?

N/A

g. Are you adding floor area?

No, no floor area is being added.

h. Parking

i. How many parking spaces are available on the site?

The subject property is located within an existing commercial building that does not offer space for on-site parking. A similar business has been in operation for a long period of time without possessing current code required on-site parking. The new owners are hoping for patronage from nearby residents, guests at the Cadillac Hotel and those tourists already visiting Venice. In addition, the business is located approximately 75 feet from Rose Avenue municipal parking area, which has 288 spaces available.

ii. Are they shared or designated for the subject use?

N/A

iii. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety?

N/A

iv. Have any arrangements been made to provide parking off-site?

No, the restaurant is located approximately 75 feet from Rose Avenue municipal parking area, which has 288 spaces available.

1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety?

N/A

2. Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area and the use it is to serve.

N/A

3. Will valet service be available? Will the service be for a charge?

Valet service may be offered on an “as needed” basis.

i. Is the site within 1,000 feet of any schools (public private or nursery), churches, or parks?

There are two sensitive uses within 1,000 feet from the site:

Israel Levin in Community Center
201 Ocean Front Walk

Pacific Jewish Center
505 Ocean Front Walk

j. For massage parlors and sexual encounter establishments, is the site within 1,000 feet of any other Adult Establishment as defined by LAMC 12.70 B17?

N/A

QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT

a. What are the proposed hours of operation and which days of the week will the establishment be open?

	M	Tu	W	Th	F	Sa	Su
Proposed Hours of Operation	7am – 11pm	7am - 11pm	7am – 11pm	7am - 11pm	7am - 11pm	7am - 11pm	7am – 11pm

Proposed Hours of Alcohol Sales	7am – 11pm						
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b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video games machines, etc.?

There may be a television located within the dining area, and pre-recorded background music may be played. All noise level will be kept to reasonable levels so as to avoid disturbing nearby residential properties. No live entertainment is requested.

c. Will there be minimum age requirements or entry? If yes, what is the minimum age requirement and how will it be enforced?

No age restriction for entrance to the premises is required. However, any patron wishing to purchase and consume and alcoholic beverage will be required to produce valid identification proving they are at least 21 years or older.

d. Will there be any accessory retail uses on the site?

This application includes a request for the sale of beer and wine only for on-site consumption. A portion of the business will be dedicated to a gourmet market and retail sales, however no off-site alcohol sales is being requested.

e. Security

i. How many employees will you have on the site at any given time?

There will be 2 - 5 employees on site at any given moment. Number of employees on site will be influenced in part by time of day, season and anticipated foot traffic.

ii. Will security guards be provided on-site?

Security may be provided on an “as needed” basis.

iii. Has LAPD issued any citations or violations?

No, the LAPD has not issued any citations or violations.

f. Alcohol

i. Will there be beer & wine only, or a full-line of alcoholic beverages available?

The business will offer beer and wine only.

ii. Will “fortified” wine (greater than 16% alcohol) be sold?

Specialty wines (aged Ports, etc.) with greater than 16% alcohol may be sold.

iii. Will alcohol be consumed on any adjacent property under the control of the applicant?

No.

iv. Will there be signs visible from the exterior-that advertise the availability of alcohol?

The business will not have signs visible from the exterior that advertise the availability of alcohol.

v. Food

1. Will there be a kitchen on the site?

Yes, there will be a kitchen on the site.

2. Will alcohol be sold without a food order?

Yes, alcohol may be sold without a food order. However the main function of the operation is a full service restaurant.

3. Will the sale of alcohol exceed the sale of food items on a quarterly basis?

The main business operation is that of a full-service restaurant. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand.

4. Provide a copy of the menu if food is to be served.

A copy of the menu will be forwarded for the file prior to the Public Hearing.

vi. On-Site

1. Will a bar or cocktail lounge be maintained incidental to a restaurant?

There will be no separate bar or cocktail lounge within the business. There is a dining counter where food service is available at all hours of operation.

2. Will off-site sales of alcohol be provided accessory to on-site sales (“Take Out”)?

No off-site sale of alcoholic beverages is being requested. This application includes a request for the sale of beer and wine only for on-site consumption. A portion of the business will be dedicated to a gourmet market and retail sales of non-alcoholic items. No off-site sale of alcoholic beverages is being requested.

3. Will discounted alcoholic drinks (“Happy Hour”) be offered at any time?

Applicant would like to retain the ability to offer “Happy Hour” but would include discounted food only.

vii. Off-Site

1. Will cups, glasses or other containers be sold which might be used for the consumption of alcohol on the premises?

Cups, glasses or other containers may be sold, but are not intended for consumption on the premises.

2. Will beer or wine coolers be sold in single cans, or will wine be sold in containers less than 1 liter (750 ml)?

Beer and wine may be sold in amounts less than 1 liter, but for on-site consumption.

viii. Contact the CA Department of Alcoholic Beverage Control (ABC) regarding its requirements

CALDERA BILL (CA Business and Professions Code Section 23958 and 23958.4)

a. Is this application a request for on-site or off-site sales of alcoholic beverages?

This request is for on-site of beer and wine.

i. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel?

The establishment will be a café/market, a portion being a bona-fide eating place.

1. If no, contact the CA Department of Alcoholic Beverage Control (ABC) to determine whether the proposed site is located in an area whereby:
 - a. issuance of a license to serve alcohol on-site or off-site would tend to create a law enforcement problem, or
 - b. if issuance would result in, or add to an undue concentration of licenses.
- b. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for public convenience or necessity.

6. ADDITIONAL REQUIREMENTS FOR MASTER CUBs/CUXs.

In addition to all requirements detailed in the Master Land Use Application Instructions (CP-7810), applications for Master CUBs/CUXs shall include:

- A separate sheet containing a table identifying all CUB or CUX requests on the subject site, indicating: the type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; the identifying address or suite/unit number corresponding to each CUB/CUX request; and (if known) the tenant-operator of each alcohol or adult entertainment establishment.
- All CUB or CUX requests on the subject site clearly identified and labeled on the plot plan and applicable floor plans, indicating: each type of alcohol permit sought; the square footage of each particular restaurant, bar or event space; and the identifying address or suite/unit number corresponding to each CUB/CUX request.

NOTE: *Please consider submitting documents beyond the requirements outlined in this form. If there are other circumstances which may further a more complete understanding of the project, do not hesitate to submit such information. The documents submitted with the application and the public hearing constitute the primary opportunity to clarify and define the project.*