

PLUM Motion pertaining to Gasolina LLC at 21150 W Ventura Boulevard, Woodland Hills, CA 91364

As pertaining to Case ZA 2020-2196-CUB, having held one public meeting for:

A Conditional Use Permit to allow the sale and dispensing of beer and wine only for on-site consumption a 1,995 sq. ft. restaurant with 46 interior seats with hours of operation from 7:30 a.m. to 11:00 p.m. daily, a 400 sq. ft. uncovered patio with 14 outdoor seats (along Comercio Ln), and a 135 sq. ft. uncovered patio with 8 outdoor seats (along Ventura Blvd) with hours of operation from 7:30 a.m. to 10:00 p.m. daily pursuant to Los Angeles Municipal Code Section 12.24-W, 1.

WHEREAS, the applicant attests that the following is true:

- 1) The establishment is maintained as a bona fide eating place (restaurant) with an operational kitchen where food is prepared on-site and with a full menu containing an assortment of foods. Food service is available at all times during operating hours. The restaurant provides seating and dispenses food and refreshments for consumption on the premises and not solely for the purpose of food takeout or delivery; and,
- 2) The establishment has not been the subject of nuisance abatement; and,
- 3) the establishment plans to have only 66 total indoor and outdoor seats which is between the 20 and 150 seat limits of the Restaurant Beverage Program, which differs from the original application for 68 seats; and,
- 4) The establishment is not a drive-through fast-food restaurant; and,
- 5) The restaurant is not part of a multi-tenant entitlement; and,
- 6) Daily hours of operation are limited to the hours between 7:30 a.m. to 11:00 p.m. for indoor seating and between 7:30 a.m. and 10:00 p.m. for outdoor seating, along with no after-hours use of the establishment, other than for routine clean-up and maintenance; and,
- 7) All food and beverages are delivered to tables by employees; and,
- 8) There are no pool tables or billiard tables; and,
- 9) There is no dancing or Adult Entertainment pursuant to LAMC Section 12.70; and,
- 10) There is no minimum drink purchase required of patrons; and,
- 11) There is no charge for admission; and,
- 12) The restaurant does not organize or participate in organized events where participants or customers pre-purchase tickets or tokens to be exchanged for alcoholic beverages at the restaurant; and,
- 13) All service of alcoholic beverages is conducted by an employee; and,
- 14) The restaurant does not sell distilled spirits by the bottle, or wine or champagne bottles that exceed 750 milliliters; and,
- 15) No employee, while working, is allowed to solicit or accept any alcoholic or non-alcoholic beverage from any customer while on the premises; and,
- 16) No employee, while working, shall be engaged for the specific purpose of sitting with or otherwise spending time with customers while on the premises; and,
- 17) There is no age limitation restricting access to any portion of the restaurant
- 18) The applicant is reducing the outside seating to 20 seats by eliminating 2 seats and one table along Ventura Blvd., such that a maximum of 30 percent of the total number of patron seats may be located outdoors; and,
- 19) There will not be any shared seating between the restaurant and other restaurants; and,
- 20) The restaurant will not use fixed or portable bars; and,
- 21) No booth or group seating is provided. There are no walls or partitions separating seating areas; and,
- 22) The property does not abut an A or R zone nor an A or R zone across the alley; and,
- 23) Outdoor food and beverage service shall be limited to seated patrons; and,
- 24) There shall be no live entertainment, karaoke, or disc jockeys on the premises; and,

- 25) There shall be no television monitors ~~or~~ screens, ~~music or speakers~~ in any outdoor area; and,
- 26) Entertainment in conjunction with the restaurant is limited to ~~indoor~~-ambient music to complement the dining experience, and is limited to background music at a low volume that is not audible ~~outside beyond 20 feet from~~ the building; and,
- 27) Any music, sound or noise under control of the restaurant will not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (citywide noise regulations).
- 28) ~~Any use of the restaurant for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein; and,~~
- 29) ~~All portions of the restaurant used for private events are subject to all these provisions and hours of operation stated herein; and,~~
- 30) A telephone number and an email address shall be provided for complaints or concerns regarding the operation of the restaurant. The phone number and email address shall be posted on a sign at least 8.5 × 11 inches in size, which shall be updated to reflect any changes, at the entry visible to pedestrians and in the reception area; and,
- 31) Complaints shall be responded to within 24 hours by the restaurant. The restaurant shall maintain a log of all calls and emails, detailing the date the complaint was received, the nature of the complaint, and the manner in which the complaint was resolved. This log shall be made available to the Department of City Planning upon request. Within the restaurant, the interior shall be adequately illuminated so as to make discernible all objects and persons, or have a minimum average surface illumination of 2.0 footcandles (21.5 lx); and,
- 32) All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space, or have a minimum average surface illumination of 0.2 footcandles (2.15 lx). Lighting shall be directed onto the site without being disruptive to persons on adjacent properties; and,
- 33) A camera surveillance system shall be installed and in operation at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department; and,
- 34) The restaurant shall be responsible for maintaining the premises and adjoining rights-of- way free of debris and litter; and,
- 35) The restaurant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under its control to prevent behavior that adversely affects or detracts from the quality of life for adjoining residents, property owners, and businesses.
- 36) The restaurant shall take all reasonable steps to ensure the conditions and activities on the premises and within the parking areas under its control do not adversely affect or detract from the quality of life for adjoining properties, property owners, and businesses; and
- 37) Within 24 hours of its occurrence, all graffiti on the property under the restaurant's control shall be removed or painted over to match the color of the surface to which it is applied; and,
- 38) All trash and recycling bins under control of the restaurant shall be kept closed and locked at all times when they are not in use, and shall be maintained such that they do not overflow; and,
- 39) Loitering is prohibited on all areas under the control of the restaurant. A "No Loitering or Public Drinking" sign that is a minimum of 4 × 6 inches shall be posted outside next to every exit; and,
- 40) An electronic age verification device shall be retained on the premises available for use during operational hours. This device shall be maintained in operational condition and all employees shall be instructed in its use; and,
- 41) The restaurant shall comply with California Labor Code 6404.5 which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices or hookah pipes, within any enclosed place of employment; and,
- 42) A minimum of one on-duty manager with authority over the activities within the restaurant shall be on the premises at all times that the restaurant is open for business. The on-duty manager's responsibilities shall include the

monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC). The restaurant shall be responsible for discouraging illegal and criminal activity on the subject premises and any exterior area under its control; and,

- 43) Within the first six months of operation or the administrative clearance, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the restaurant shall request the Police Department or Department of Alcoholic Beverage Control to issue a letter identifying which employees completed the training. Said letter shall be maintained on the premises and shall be made available to the City upon request. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment; and,
- 44) A Revocable Permit from the Bureau of Engineering, Department of Public Works is required for any outdoor dining area located in the public right-of-way. A copy of the approved Revocable Permit, including a plot plan and any conditions thereto, shall be provided to the Department of City Planning prior to placing any seating in the public right-of-way; and,
- 45) The owner or the operator will reapply under the Restaurant Beverage Program or a Conditional Use Permit if there is: (A) a change in State alcohol license type or (B) a modification to the floor plan, including, but not limited to, floor area or number of seats or (C) a change in the ownership or the operator of the restaurant; and,
- 46) The City shall have the authority to conduct inspections to verify compliance with any and all of these requirements; and,
- 47) A copy of the approval requirements from City Planning shall be retained on the premises at all times and produced upon request by the Police Department, the Department of Building and Safety, the Department of City Planning, or the California Department of Alcoholic Beverage Control; and,
- 48) Prior to the Conditional Use Permit final approval, the owner and operator shall execute and record a covenant and agreement satisfactory to the Director of Planning, acknowledging that the owner and operator shall agree to comply with each of the provisions set forth in the determination letter. A certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the requirements attached must be submitted to the Department of City Planning for approval before being recorded; and,

WHEREAS, the above conditions mostly follow the proposed requirements for the proposed new Restaurant Beverage Program from City Planning;

THEREFORE, IT IS HEREBY RESOLVED that the Planning, Land Use and Mobility Committee, for the statements and conditions stated herein, recommends that this PLUM Motion regarding the Conditional Use Permit application and plans submitted on behalf of Sandra Cordero, for Gasolina LLC, located at 21150 W. Ventura Blvd., Woodland Hills, CA 91364, be adopted as its own to receive the support of the Board of the Woodland Hills-Warner Center Neighborhood Council for the requested actions contingent upon the following conditions:

Conditions

1. The applicant reduces the outdoor seating to 20 seats; and,
2. The applicant agrees in writing to follow and be bound by the requirements of the draft Restaurant Beverage Program as they exist at the date of the determination letter issued by City Planning.

The Planning, Land Use and Mobility Committee recommend that the Board of the Woodland Hills-Warner Center Neighborhood Council advise the City of Los Angeles Planning Department and Council District 3 Councilmember Bob Blumenfield of its findings, and its subsequent supporting recommendation to approve this application as presented on July 8th, 2020.

Moved, August Steurer Seconded,

Vote: Yes, No, Abstaining.

July 2nd, 2020

Woodland Hills Warner Center Neighborhood Council – PLUM Committee Virtual Meeting