

Planning, Land Use and Mobility Committee



Case Report Conditional Use Permit Application

ZA-2020-4646-CUB

ENV-2020-4647-CUB

For The Variel, Senior Housing Facility,
6233-6279 Variel Ave., Woodland Hills, CA 91367



PLUM Meeting: November 5, 2020

Project Description: The applicant is seeking a Conditional Use Permit to allow for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the operation of a 413,111-square foot senior housing facility currently being constructed in the College District of the Warner Center 2035 Specific Plan. Alcoholic beverages will be dispensed and consumed in a number of designated areas within the 8-story structure. While the senior housing facility will operate 24-hours a day, 7-days a week, the proposed hours of alcohol service and sales will be from 7 AM to 12 AM, 7 days a week. The application is to allow alcohol sales and

consumption with or without food to residents and their guests during service hours, but will not be available to the general public.

The senior housing facility contains Senior Independent Housing units (Independent Living), Assisted Living Care housing units (Assisted Living), and Alzheimer's/Dementia Care housing units (Memory Care), but alcohol will only be available to Independent Living and Assisted Living residents and their guests. There will be a total of approximately 570 indoor seats and 86 outdoor seats in the areas where alcohol will primarily be served. All outdoor patios and terraces are on private property and will have walls or fences.

Applicant/Owner: Joseph P. McMonigle (V.P.)
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Representatives: Brad Rosenheim / Jessica Pakdaman
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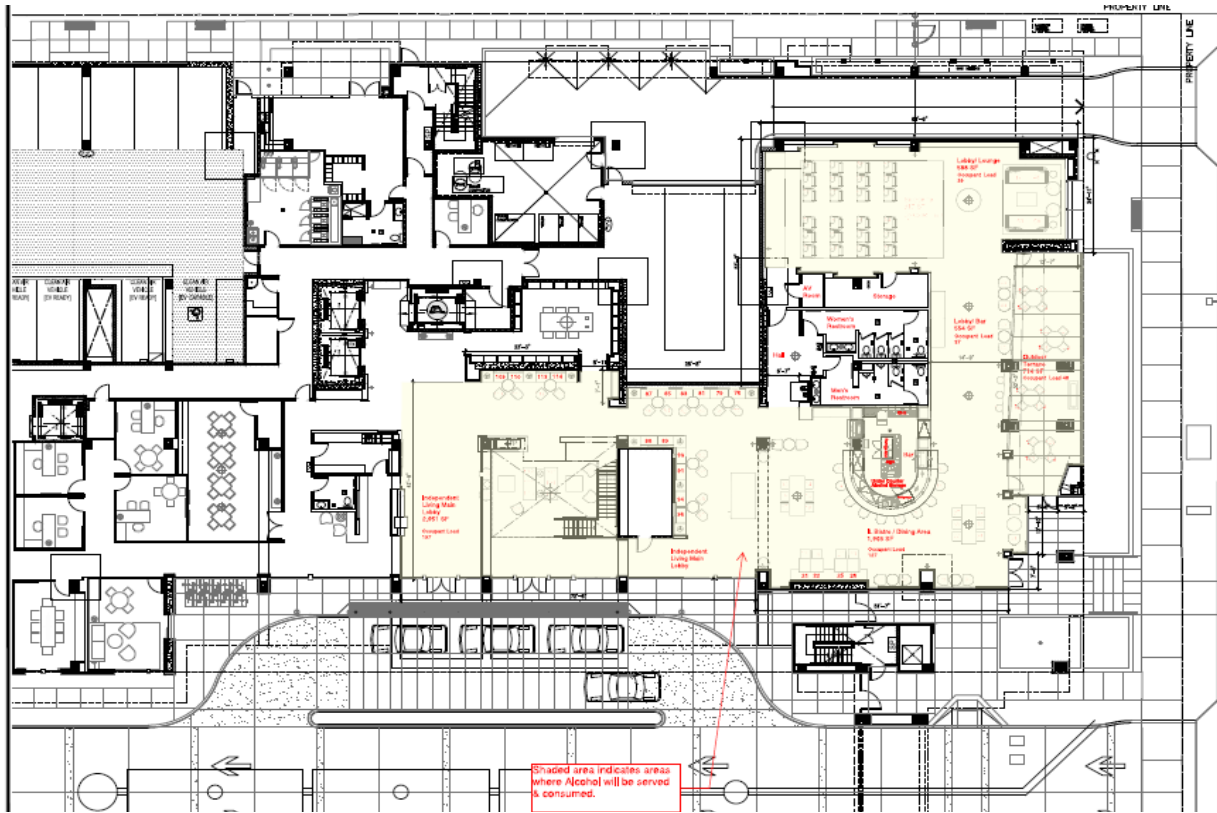
LA City Planner: Stephanie Escobar: Email: Stephanie.escobar@lacity.org

PLUM Case Leader: Martin Lipkin: E-Mail: martinlipkin@yahoo.com

Project Overview: The application for this CUB is a request to sell and serve a full spectrum of alcoholic beverages to the residents and their guests of a very large Senior Housing Facility currently under construction in the College District of Warner Center. When completed, the project will have a total of 336 units and will house three (3) categories of seniors. A total of 275 parking spaces have been approved by the City for the project.

The application asks for alcohol services as an added amenity for residents and guests in the Independent Living and Assisted Living Care housing areas, but not in or for residents in the separated Memory Care section. The request is for alcohol consumption to be served both with and without food within the facility, including the common areas, the outdoor terraces of the project, and primarily in the designated dining and bar areas, lounge areas, café, kitchen and other common gathering areas within the facility. There will be no

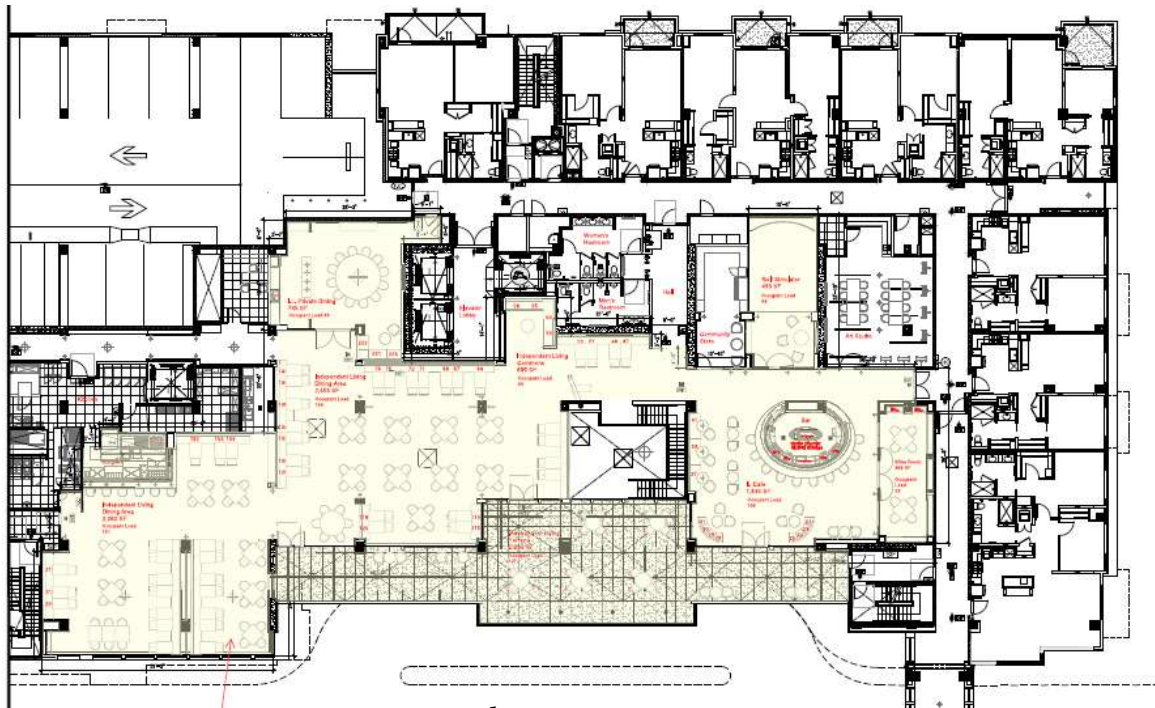
access to these areas for the general public unless they are guests of a resident. All servers will be over the age of 18 and will have taken all of the required State, County and City training.



Partial view of ground floor showing 1st floor alcohol serving areas for Independent Living section.

The overall Senior Housing Facility project has been designed to provide a self-contained, complete spectrum of services and activities, including food service, exercise and physical therapy facilities and services including a pool, activities such as movies, games, classes, and social interactions.

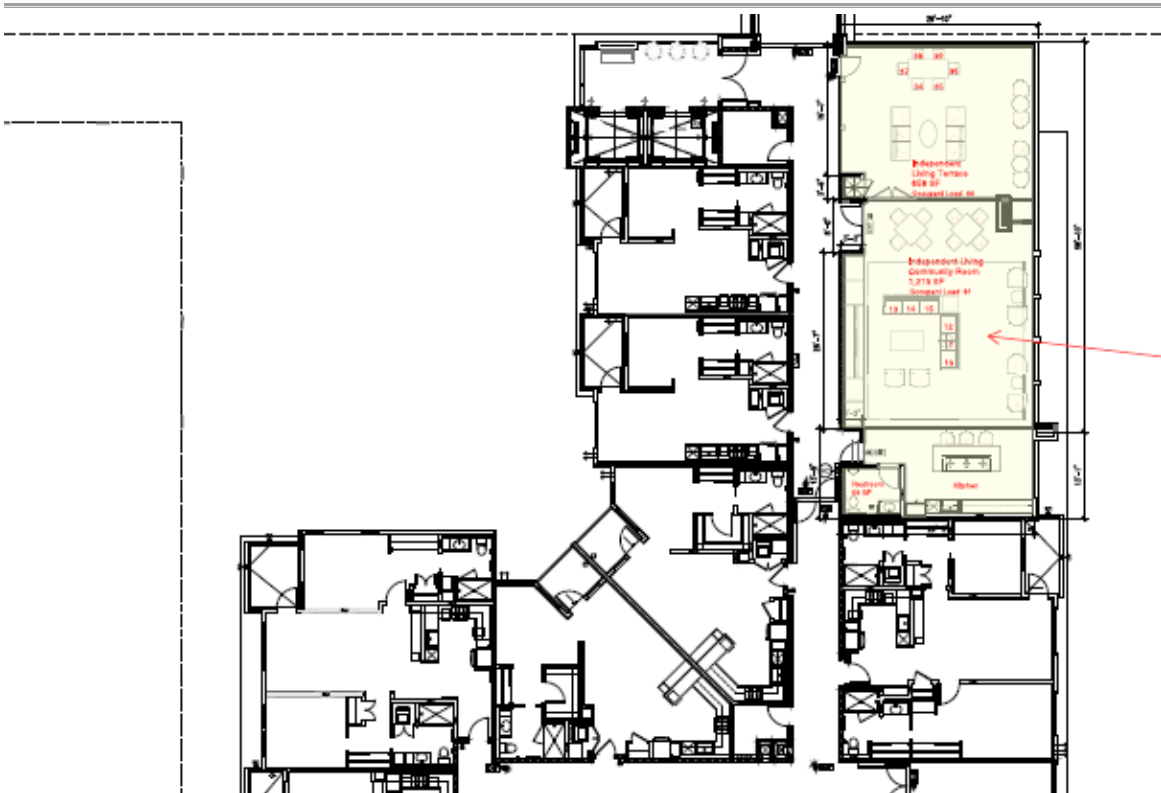
Because of the self-contained design and operations of the facility, the issuance of a CUB and the additional requests for service without food) will not negatively impact adjacent properties and will be compatible with the 2035 Warner Center Specific Plan requirements and with the Community Plan. There are no schools, houses of worship, nursery schools or parks within 1,000 feet of the project.



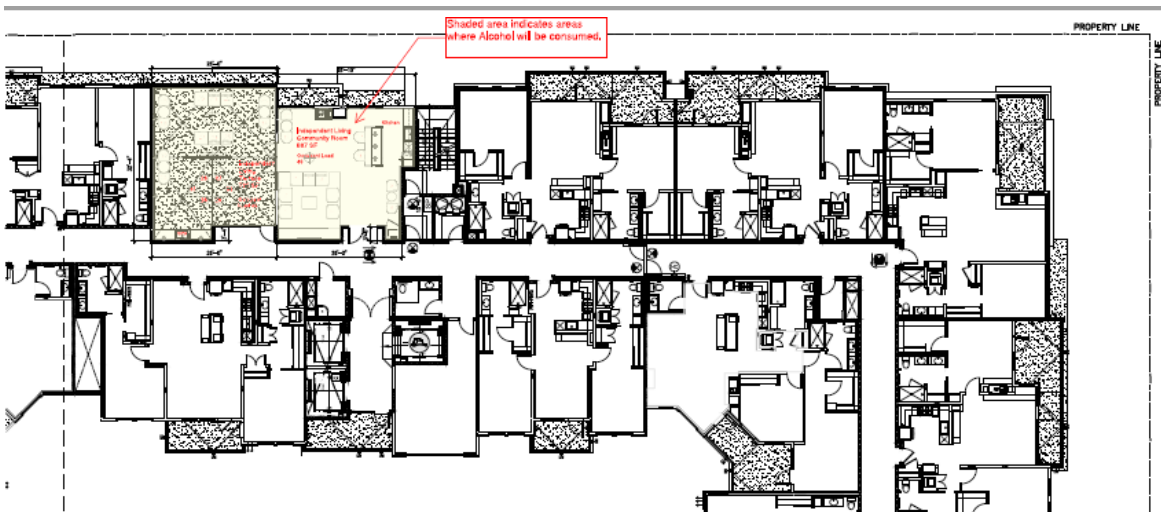
Partial view showing 2nd floor alcohol serving areas for Independent Living section.



Partial view showing 2nd floor alcohol serving areas for Assisted Living section.



Partial view showing 7th floor alcohol serving areas for Independent Living residents.



Partial view showing 8th floor alcohol serving areas for Independent Living residents.

MOTION

PLUM Motion pertaining to The Variel (Senior Housing Facility) in the College Zone of Warner Center, at 6233-6279 Variel Avenue, Woodland Hills, CA 91364

As pertaining to Case **ZA-2020-4646-CUB**, having held **one** public meeting for issuance of a Conditional Use Permit (CUB) allowing for a full line of alcohol on-site consumption in a 413,111-square foot, 8-story Senior Housing Facility with 336 resident and guest units and providing approximately 570 indoor seats and 86 outdoor seats in areas where alcohol will be primarily served. The proposed hours of alcohol service and sales will be from 7 AM to 12 AM, 7 days a week, and the request is to allow alcohol sales and consumption with or without food to residents and their guests during service hours, but alcohol will not be available to the general public.

The applicant attests that the following is true:

WHEREAS, The Facility access is limited to residents, their guests and staff, and all alcohol sales and consumption will occur on-site, fully within the project and associated outdoor terraces, and will be consumed both with and without food in designated areas within the facility; and,

WHEREAS the establishment has not been the subject of nuisance abatement; and,

WHEREAS, the establishment will have a total of 656 available indoor and outdoor seats in areas for serving and consumption, and the facility is not available to the general public unless as a guest of a resident or staff; and,

WHEREAS, the daily hours of operation for alcohol service and sales are limited to the hours between **7 AM to 12 AM daily**, other than for routine clean-up and maintenance; and,

WHEREAS, all alcoholic beverages will be served by employees who are at least 18 years of age and who have taken and passed the required State alcohol beverage training; and,

WHEREAS the property does not abut an A or R zone nor an A or R zone across the alley; and,

WHEREAS, the listed conditions follow the proposed requirements for the Restaurant Beverage Program;

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 Beverage Permit application and plans submitted on behalf of The Variel Senior Housing Facility 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.) There will be no Adult Entertainment pursuant to LAMC Section 12.70.

- 2.) The facility does not organize or participate in organized events where participants or customers pre-purchase tickets or tokens to be exchanged for alcoholic beverages.
- 3.) The facility does not sell distilled spirits by the bottle, or wine or champagne bottles that exceed 750 milliliters.
- 4.) No employee, while working, is allowed to solicit or accept any alcoholic or non-alcoholic beverage from any customer while on the premises.
- 5.) Entertainment in conjunction with the areas where alcohol is being served is limited to indoor ambient music to complement the dining experience, and is limited to a low volume that is not audible outside of the facility.
- 6.) Any music, sound or noise under control of the facility will not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (citywide noise regulations).
- 7.) All portions of the facility are subject to all the provisions and hours of operation stated herein.
- 8.) Any complaints shall be responded to within 24 hours by the management of the facility. They 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 facility, the interiors shall be adequately illuminated so as to make discernible all objects and persons, or have a minimum average surface illumination of 2.0 foot-candles (21.5 lx).
- 9.) The facility shall be responsible for maintaining the premises and adjoining rights-of-way free of debris and litter.
- 10.) The facility shall be responsible for monitoring resident, guest and staffs 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.
- 11.) The facility 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.
- 12.) Within 24 hours of its occurrence, all graffiti on the property under the facility's control shall be removed or painted over to match the color of the surface to which it is applied.
- 13.) All trash and recycling bins under control of the facility 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.
- 14.) The facility 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.

- 15.) A minimum of one on-duty manager with authority over the activities within each alcohol service area shall be on the premises at all times that area is open. 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 facility shall be responsible for discouraging illegal and criminal activity on the subject premises and any exterior area under its control.
- 16.) Within the first six months of operation with an alcohol license, 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 (RIBS) Training Program. Upon completion of such training, the restaurant shall request the Police Department or Department of Alcohol 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.
- 17.) The City shall have the authority to conduct inspections to verify compliance with any and all of these requirements.
- 18.) 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.
- 19.) 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.

FURTHERMORE, The Planning, Land Use and Mobility Committee recommends 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 November 5, 2020.

Motion: Marty Lipkin

Second:

Vote: Aye: X

Nay: X

Abstain: X