

Planning, Land Use and Mobility Committee



Case Report Conditional Use Permit (CUB) Beverage Application



ZA-2021-7538-CUB

Ruth's Chris Steak House, 5919 Canoga Ave., Woodland Hills, 91367
CUB to allow the sale of a full line of alcohol for on-site consumption only.

PLUM Presentation(s):

January 6, 2021

Description:

The applicant is requesting a CUB Alcohol (CUB) Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the new location for Ruth's Chris Steak House in Allison Plaza (Downtown District) in Warner Center. Ruth's Chris will be moving into an enlarged 10,139 sq. ft. building previously occupied by TGI Friday's restaurant which had a CUB for a full line of alcoholic beverages at the site for 35+ years, and had a patio which complied with State and City CUB requirements. Ruth's Chris Steak House is currently operating in the remaining structure of The Promenade shopping center, and currently has a CUB

which it has retained for almost 20 years under a Master CUB that was issued to Westfield. Because the restaurant is moving to a new location that does not have a Master CUB permit, the Applicant is required to apply for a new one. The new Ruth's Chris location will have 279 indoor seats and 41 outdoor seats for a high-end restaurant. The requested hours of operation will be from 4 PM to 11 PM daily, with bar service during those hours.

Applicant: Ruth's Hospitality Group. Inc.
Luz Gonzales; tel: (407) 639-2682; email: lgonzales@rhgi.com

Representative: Steve Rawlings, Rawlings Consulting; tel: (951) 667-5152;
Email: SER@RawlingsPM.com

LA City Planner: Tim Fargo; tel: (818) 374-9911

Property Owner: David Allison, Allison Plaza LLC; email: david.allisonassetmgt.com

PLUM Case Leader: Martin Lipkin, martinlipkin@yahoo.com; tel: (818) 999-4340

ANALYSIS:

A major Warner Center high-end restaurant for 20+ years, Ruth's Chris Steak House will be moving from the now closed Promenade shopping center to a new Warner Center location in Allison Plaza (Canoga and Oxnard), and will relocate to the former TGI Friday's restaurant building. Ruth's Chris has a sterling reputation and has had a full-service CUB in its Promenade location since opening, with no notable license infractions during its operations there. The new location to Allison Plaza will be into a stand-alone building specifically designed to house a major restaurant with full-service bar and table service that meets the State's and City's liquor service requirements for bar service, table service and patio liquor service. The patio was built with the required railing to separate it from the walkway and prevent access to liquor from anyone outside of the restaurant property. All sales, restaurant, and bar/liquor service facilities are located entirely on private property, and no entertainment, dancing or adult entertainment has been proposed for the facility. There will be no alcohol sales for offsite consumption, and alcoholic beverages are a secondary but integral part of the Ruth's Chris menu offerings. There will be no off-site consumption.

The Allison Plaza site provides substantial parking for the companies sited there and there is more than required parking for the new restaurant. In its previous 30+-year use as a TGI Friday's restaurant, large numbers of diners and patrons found parking and entry/exit access easy to access and negotiate. Ruth's Chris Steak House is not expected to exceed the volume of parking required for the TGI Friday's operation. Additionally, all service vehicles and trash removal have separate areas that do not impact parking spaces. The Allison Plaza location is sited in the area of the Downtown District's tallest buildings and is relatively separate from residential areas to the south.

The Applicant is asking for operating hours from 4 PM to 11 PM daily. Alcohol sold in cans or bottles will not exceed 750 ml. and will need to be consumed on the premises. The proposed Ruth's Chris Steak House site complies with the Caldera Bill, Sec. 23958 and Sec 23958.4 as the establishment is a restaurant. The CUB will be for a type 47 license, and licensing is deemed a "bona fide eating place"—an organized restaurant setting with food readily available at all times.

CASE REPORT RECOMMENDATION:

The Applicant and parent company for Ruth's Chris Steak House has been successfully operating this restaurant in Warner Center's Downtown District for 20+ years, and there have been no issues reported concerning their current CUB during that time. Because the restaurant has been forced to find a new location due to plans (already approved by the City of Los Angeles) to replace the Promenade shopping center with other structures, they are required to apply for a new CUB because they will no longer be operating under the current Promenade Master CUB license. The restaurant has found an ideal location in the former TGI Friday's restaurant building located in Allison Plaza. Since the new site formerly housed a major restaurant that had a Type-47 CUB license, the building already complies with the State's requirements concerning the bar location and patio railing/fencing, and because the Applicant is asking for greatly reduced operating hours than were in effect with the previous tenant, the recommendation of this report is for the WHWCNC PLUM Committee and the full WHWCNC Board to support this request for a new CUB to be issued to the Ruth's Chris applicant, and the following motion has been drafted.

PLUM MOTION:

**Ruth's Chris Steak House,
5919 Canoga Ave., Woodland Hills, 91367**

As pertaining to **Case ZA-2021-7538-CUB**, for an application by Ruth's Chris Steak House, 5919 Canoga Ave. for a Conditional Use Permit for a Type-47 CUB license allowing service of a full line of alcoholic beverages for on-site consumption in a free-standing restaurant building in the Downtown District of Warner Center with 279 indoor seats, 41 patio seats, a dedicated bar area and patio area, and with operating hours from 4 PM until 11 PM daily, the Woodland Hills - Warner Center Neighborhood Council Planning, Land Use and Mobility Committee hereby finds that:

WHEREAS, Ruth's Chris Steak House is a Warner Center (Downtown District) restaurant in operation under a Master CUB issued to Westfield for over 20+ years, and must change locations due to plans for the Promenade shopping center to be torn down and replaced with other structures; and,

WHEREAS Ruth's Chris has found a new, free-standing location in the WC Downtown District that previously housed another large restaurant chain that had a CUB for full alcohol beverage service for over 15+ years; and

WHEREAS Ruth's Chris past CUB operations have not received any citations nor been issued any violations by the LAPD during their 15+ years of operation in Warner Center, nor has Ruth's Chris been the subject of any nuisance abatement action; and,

WHEREAS, Ruth's Chris is proposing operating hours with corresponding alcohol service hours from 4 PM to 11 PM daily which are far shorter than the previous restaurant tenant operated under at this location; and

WHEREAS, all of the required structures for full alcohol service are already in place at the Canoga Ave. location, including the mandated separation of the patio from a nearby walkway; and,

WHEREAS, the applicant attests that the following is true:

1. There is more than the required amount of parking spaces and handicapped spaces available in its Allison Plaza location; and,
2. The establishment meets the indoor and outdoor seating limits of the Restaurant Beverage Program; and,
3. The restaurant is not part of a multi-tenant entitlement; and,
4. There is no minimum drink purchase required of patrons; and,
5. All portions of the restaurant used for private events are subject to all these provisions and hours of operation stated herein; and,
6. 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; and,
7. 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,
8. The City shall have the authority to conduct inspections to verify compliance with any and all of these requirements,

THEREFORE, The Planning, Land Use and Mobility Committee, for the findings and conditions stated herein finds that the submitted application and plans by Ruth's Hospitality Group Inc. for the proposed Conditional Use Permit at their new restaurant location in Allison Plaza, 5919 Canoga Avenue, Woodland Hills, 91367 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. All personnel acting in the capacity of manager or server at the premise shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department (LAPD).
2. No illuminated (i.e., neon) or alcohol advertising or digital signage of any type will be located in the windows or on the business storefront.
3. That all exterior public space (front, sides, and rear) will be illuminated with sufficient lighting for the police to identify all persons standing outdoors at night.

4. The business operator shall install video surveillance cameras and monitors inside the premises and cameras outside, which show the outside frontage area, to the satisfaction of the Police Department prior to the exercise of the grant. The business operator shall submit evidence of compliance to the Zoning Administrator. The business operator shall maintain the video for at least two weeks and make it available to the Police Department upon request.
5. The authorized use shall be conducted at all times with due regard for the character of the surrounding district. The Zoning Administrator reserves the right to impose additional corrective conditions if, in the Administrator's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property or to revoke or amend this authorization if conditions are not met, or operation of the site continues to constitute a nuisance.
6. At all times when the premises are open for business, the sale of alcoholic beverages shall be incidental to the sale of food.
7. No person under age 18 shall serve or sell alcohol.
8. There shall be no live entertainment, amplified music, or dancing permitted on the premises at any time.

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 PLUM's findings and its subsequent supporting recommendation to approve this application as presented on January 12, 2022.

Motion: Marty Lipkin
Second: Sean McCarthy

Vote: Yes 8 No 0 Abstain 0