



CITY LAND USE
FOR EVERYTHING OUTSIDE THE BOX

OFFICE OF THE CITY CLERK
Council and Public Services Division
200 N. Spring Street, Room 395
Los Angeles, CA 90012

LA City PLUM Committee Hearing
Tuesday, August 3, 2021
CD 11

July 28, 2021

Applicants Statement
APCW-2020-1521-SPE-SPP-CDP-CUB-ZV-1A; ENV-2020-1522-CE
205 -213 Ocean Front Walk. (On the Waterfront Restaurant)

Members of the Committee,

City Land Use, Inc. represents the Applicant on the above-referenced Case approved by the West Los Angeles Area Planning Commission by unanimous decision on March 04, 2021. This letter provides substantive responses to the Appeal Application submitted by the Appellant on March 19, 2021.

1. **The Appellant asserts that the proposed project seeks to join four commercial lots. In contrast, the Venice Specific Plan Overlay allows Lot Consolidation of two commercial lots in the North Venice Sub-area.**
 - a) The County Assessor's Parcel Map of the subject area confirms that three lots underlying the existing restaurant adjacent to the proposed project site were tied before the Venice Specific Plan certification in 2004 and recorded under one APN number.
 - b) Zimas illustrates that the three contiguous lots are tied and function as one lot under this scenario.

Tying the adjacent lot (213), the proposed project site, to the previously lot-tied parcels conforms with the two-lot limit for commercially zoned projects per Section 9 A.B.2 "Lot Consolidation" of the Venice Specific Plan.

2. **The Appellant asserts that the restaurant seeks to upgrade its existing alcohol license without foodservice equipment to serve food as required for an ABC Type-47 "General Eating Place."**

A 1981 Zoning Administration Case No. ZAI 81-068¹ B "Interpretation of Conditional Use Status – **Existing Restaurant**...201.5-205 Ocean Front Walk, Venice District" determined that the site has a conditional use for the sale of alcoholic beverages within the existing one-story restaurant and outdoor dining area since 1926. The existing restaurant adjacent to the project site has a permitted (and upgraded) code-compliant commercial kitchen that

¹ ZAI-81-068, Section B "Interpretation of Conditional Use Status", (May, 1981)

serves food to its patrons. A current menu may be found at this link <https://www.thewaterfrontvenice.com/menu>. Both documents accompany this letter.

3. The Appellant asserts that the proposed 558-square-foot "Recreation Area" of the outdoor addition to the existing restaurant is not consistent with restaurant use.

The objection does not meet the burden of proof to mitigate the findings by the West Los Angeles Area Planning Commission for a 1,792 sq. FT addition conditioned with 930 sq. FT of new Service Floor area for the consumption of alcoholic beverages and food and parked per the requirements of a full-service restaurant at one space per 50 sq. FT of Service Floor Area.

The approved Service Floor Area incorporates a modest outdoor recreational area that is incidental to the service of food and beverages. The 1976 Coastal Act Development Policies encourage outdoor recreational tourists serving amenities for Coastal Developments. Furthermore, limitations prohibiting combining a recreational area within a restaurant footprint cannot be found in either the Venice Specific Plan or the Venice Coastal: Land Use Plan. Specific code references are identified below:

- a) The LUP emphasizes restaurant uses as preferable in areas designated as Community Commercial. Ocean Front Walk is identified in the LUP as a significant tourist attraction and pedestrian thoroughfare for the more than 18 million visitors who visit Venice annually.
- b) Section 30213 Article 2 of the Coastal Act "Lower Cost visitor and recreational facilities" shall be protected and encouraged. Therefore, developments providing public recreational opportunities (* such as this project) are preferred.
- c) Section 30222. Article 3 of the Coastal Act "Private lands; a priority of development purposes." The use of private lands for visitor-serving commercial, recreational facilities designed to enhance public recreation shall prioritize private residential, general industrial, or general commercial development.

There is no restriction in the LAMC code or the Venice Specific Plan that bar the inclusion of a modest recreation area in a restaurant.

4. The Appellant asserts that the subject area is over-saturated with alcohol licenses, and the Applicant's request to upgrade an existing alcohol license should not be approved.

- a) The Appellant does not disclose that an alcohol license already exists at the subject site, and therefore the upgrading of an existing alcohol license does not constitute a cumulative impact. The requested action is simply an upgrade to an existing alcohol license to serve full-line spirits.
- b) The current alcohol license allows the existing restaurant to serve alcoholic beverages until two AM, seven days a week. Per Section 15 "Alcoholic Beverage Conditions" of the



APCW Letter of Determination,² the Applicant voluntarily restricts their hours of alcohol service to the following conditions:

"The restaurant will operate from 8:00 a.m. to 11:00 p.m. Sunday through Thursday and from 8:00 a.m. to 12:00 a.m. Friday, Saturday, and holidays."

Alcohol service will be limited from 10:00 a.m. to 11:00 p.m. Sunday through Thursday and from 10:00 a.m. to 12:00 a.m. Friday, Saturday and holidays."

- c) Granting a new upgraded alcohol license requires all employees to undergo extensive training, including the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program.
- d) Increased security, lighting, and noise prevention are conditioned to comport with the current LAMC code.

With the imposition of such conditions, the sale of a full line of alcoholic beverages for on-site consumption at this location will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

5. The Appellant asserts that a Specific Plan Exemption to allow for off-site valet parking does not constitute a meritorious "Hardship."

- a) The proposed building addition, constituting less than twenty-five percent of the allowable FAR, provides an outdoor beachfront walk-up food and beverage counter, recreational amenities, and ten new restrooms to serve both patrons and the public with a total of 35 auto parking spaces satisfied by a combination of on-site and off-site parking serviced by valet parking management as well as 40 bicycle parking spaces on-site.
- b) The off-site parking supply approved by the West LA Area Planning Commission fulfills the additional parking demand generated by the addition during its busiest hours of operation. In addition, it serves to reduce pressure on the existing public parking supply at the Rose Avenue Public Beach, which in turn does not hinder the public's access to the beach.
- c) During weekends and evenings, the Applicant will provide 16 spaces off-site through Valet. That is four more parking spaces than required.
- d) Based on a quantifiable study of the valet parking receipts for the one year before the pandemic (February 2019 – March 2020), the existing restaurant typically fills only fifty percent of the sixteen existing on-site parking spaces during lunch and dinner during the week. The additional off-site parking on Holidays and all day on weekends will provide an ample supply of parking availability.
- e) The project includes a new beachfront walk-up service counter, a unique feature designed to cater to those who do not drive to the location but walk up from the beach or the boardwalk.
- f) The proposed evening and weekend off-site parking area is located at the 65 space lower

² APCW-2020-1521-SPE-SPP-CDP-CUB-ZV, Entitlements, Section 15, "Alcohol Beverage Conditions", March 4, 2021



lot of the Saint Clement Center and has a CDP for shared-leased parking. Therefore, the proposed off-site parking reservoir capacity can be amply accommodated without detriment to beachgoers.

- g) An on-site valet parking stands in a designated drop-off area will be easily accessible.
- h) Certified Venice LUP Policy II.A.10 states:

Valet parking programs may be permitted and implemented to increase available public parking in parking impacted areas. To ensure that any valet parking program that is allowed to operate in the Venice Coastal Zone does not negatively impact coastal access opportunities, all approved valet parking programs shall comply with the following policies:

Public parking areas for valet Drop-off/Pick-up stations shall be limited to the minimum size necessary and occupy the fewest number of public parking spaces.

*The proposed development will provide an on-site valet Drop-off/Pick-up station and not encumber public parking spaces.

Vehicle Storage/parking. The storage of vehicles by valets is prohibited in public parking lots, on public rights-of-way, and in on-street parking spaces (except for loading and unloading) unless it is determined that the public parking area will not conflict with the need for public parking by beachgoers.

* The proposed parking facility is a private, not public, off-street parking lot approved for shared, leased parking during all hours of operation.

6. The Appellant asserts that the Applicant intends to use the public parking lot located at Rose Avenue to fulfill its code-required parking supply for the proposed project.

The Appellant has not reviewed the proposed parking management program. There is no reliance on public parking to satisfy the project's parking requirement.

Thank you for your time and consideration,

Laurette Healey

Principal,
City Land Use, Inc.
Laurette@citylanduse.com

Cc by email:
Bindu Kanan
Jake Mathews
Jason Douglas
Office of the City Clerk



CITY OF LOS ANGELES
CALIFORNIA



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ASSOCIATE ZONING ADMINISTRATOR
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OFFICE OF
ZONING ADMINISTRATION
DEPARTMENT OF
CITY PLANNING
600 CITY HALL
LOS ANGELES, CALIF. 90012
485-3851

June 9, 1981

The Sidewalk Cantina
Attn: Joseph C. Girard
205 Ocean Front Walk
Venice, CA 90291
Department of Building and Safety

Re: CASE NO. ZAI 81-068 B
INTERPRETATION OF
CONDITIONAL USE STATUS-
EXISTING RESTAURANT
APPROVAL OF PLANS-
INTERIOR ALTERATIONS
201½-205 Ocean Front Walk
Venice District
D.M. 7184 - C.D. 6

In the matter of the application of Joseph C. Girard for interpretation of the zoning status of an existing restaurant in the C1-1 Zone to sell alcoholic beverages for on-site consumption, please be advised that based upon the findings of fact hereinafter set forth and by virtue of authority contained in Sections 12.24-F and G of the Municipal Code, the Administrator hereby determines that the site described as Lots 197, 199 and 201, Block 2 of Golden Bay Tract and located at 201½-205 Ocean Front Walk, has the status of an approved conditional use site for the sale of alcoholic beverages for consumption on the premises and approves plans for completion and maintenance of the interior alterations within the existing restaurant with small bar,

upon the following terms and conditions:

1. That the property declared to have deemed-to-be-approved conditional use status includes the portion of Ocean Front Walk presently being used under Revocable Permit No. 4998-504, the open area on the north side of the building and the open area between the restaurant building and the tandem off-street parking area adjacent to the speedway.
2. That a loading space shall be provided on the property adjoining the Speedway as required in Section 12.21-C,6 of the Municipal Code.
3. That the occupancy load of the entire premises not exceed 200 persons and dancing or entertainment shall not be permitted.

On March 23, 1981, the Environmental Review Section of the City of Los Angeles issued a categorical exemption indicating that the project will not have a significant adverse impact on the environment.

The applicant's attention is called to the fact that this interpretation is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the existence of this interpretation. The Administrator's action in this matter will become effective after June 24, 1981 unless an appeal therefrom is filed with the Board of Zoning Appeals on or before the above date. Any appeal must be filed on forms, prescribed by the Board and accompanied by the fee required by the Municipal Code.

FINDINGS OF FACT

After thorough consideration of the statements and plans contained in the affidavit, filed by the applicant, which is by reference made a part hereof, as well as personal knowledge of the site and surrounding district, I find as follows:

1. The property involved consists of three record lots located between the Speedway and Ocean Front Walk and approximately 100 ft. north of Rose Avenue. The property is improved with an approximate 1,875-sq.-ft., one-story restaurant and an approximate 3,450-sq.-ft. outdoor dining area, a tandem off-street automobile parking area and a trash pick-up area. The applicant has submitted written affidavits indicating that the rear (outdoor) area was definitely being used for outside eating and drinking purposes during 1926. Sheet No. 17 of the Comprehensive Zoning Plan indicates the property as originally being subject to the C3 Zone. Ordinance No. 123,074 repealed that zoning and on November 24, 1962, established the C2 Zone. This zoning classification permitted outdoor dining. Ordinance No. 145,252 (CPC 24385 - Commission's initiative) was published on November 27, 1973, which ordinance established the present C1 limited commercial zone, which classification limits the permitted activities to be conducted wholly within an enclosed building, which does not now permit outdoor dining. From the above, it appears a nonconforming right has been established for the outdoor dining area located northerly and easterly of the restaurant building. Such status appears applicable to the area located within the portion of Ocean Front Walk presently being used by the applicant under Revocable Permit No. 4998-502(01300), as such permit was issued on December 1, 1973. Although this date is subsequent to November 27, 1973 and the property apparently did not at that time have benefit of a revocable Public Work Permit, nevertheless affidavits attached to the file show rather conclusively that the Ocean Front Walk area in front of the building and also along the only side thereof have been used for many years for outdoor dining, including the time when the property was zoned C2 permitting outdoor dining.

The establishment has been continuously licensed from at least March 18, 1975 to the present time. The establishment is presently being remodeled, refurbished and redecorated. The application was filed to establish the conditional use of the property and the approval of plans concerning such improvement.

2. As provided for in Section 12.24-F and G of the Municipal Code, any property being lawfully used for this purpose on March 1, 1977 and not discontinued for a continuous period of one year, will be considered a deemed-to-be-approved conditional use and such a business can be continued, but is subject to review and approval of plans by a Zoning Administrator for any additions or alterations to the building or new buildings which would constitute expansion of the use on the site. A Zoning Administrator may impose conditions in considering and approving such plans or additions on the same basis as if they were considering a new application for the establishment of a conditional use.

This determination will supersede the determination dated May 19, 1981.


CHARLES V. CADWALLADER
Associate Zoning Administrator

CVC:ga

cc: Director of Planning
County Assessor
Department of Health Services
Los Angeles Police Department
Councilwoman Pat Russell
Sixth District
Department of Alcoholic Beverage Control
Inglewood District Office
Murphy, Thornton, Hinerfield and Cahill
Attn: John D. Cahill
611 West Sixth Street, Suite 1610
Los Angeles, CA 90017

6783D/0185A

Snacks

*** KUMIAI OYSTERS 18 / 32 (GF)**

BAJA, MEXICO

*** CEVICHE 16 (GF)**

ROCKFISH, SHRIMP, OCTOPUS, RED ONION, TOMATO, AVOCADO, PINEAPPLE, CHILI

*** CRUDO 18 (GF)**

SCALLOPS, OCEAN TROUT, HEIRLOOM TOMATO, YUZU KOSHU, OPAL BASIL

CHILI ROCK SHRIMP 14

PACIFIC ROCK SHRIMP, CHILI & LIME AIOLI, SESAME SEED & NORI

CHIPS & GUAC 12 (GF)

HEIRLOOM TOMATO, PICO, CHARRED SWEET CORN, BLUE CORN TORTILLA CHIPS (V)

CRUDITE AND PEA DIP 14 (GF)

ENGLISH PEA AND CASHEW HUMMUS, SEASONAL LOCAL VEGETABLES (V/N)

HEIRLOOM TOMATOES & BURRATINI TOAST 16

CONFIT SHALLOTS, OPAL BASIL

WATERFRONT NACHOS 18 (GF)

CHEESE, SALSA ROJA, PICO, BLACK BEANS, CILANTRO, JALAPENO, SOUR CREAM, CORN SALSA, AVOCADO (VEG)

(ADD CHICKEN/ CHORIZO +8)

Plates

VENICE CAESAR SALAD 14

KALE, BABY GEM, ALMONDS, SOURDOUGH CROUTONS (V/N)

SUMMER CORN AGNOLOTTI 22

RICOTTA SALATA, TAJIN, CHIVES (VEG)

*** RICE BOWL 24 (GF)**

MISO GLAZED STRIPED BASS, MIZUNA SALAD, CUCUMBER, RADISH, WHITE SOY PONZU DRESSING

LINE-CAUGHT BAJA STRIPED BASS 28

RITA'S FLOUR TORTILLA, SHISO / LEMON, CALIFORNIA OLIVE OIL

ROTISSERIE CHICKEN HALF 24 / WHOLE 45 (GF)

ORGANIC CHICKEN, CHARRED BROCCOLINI, SHERRY VINAIGRETTE

*** GRASS-FED NY STRIP 16OZ 60 (GF)**

CHIMICHURRI, GARDEN SALAD

GRILLED SHRIMP TACOS 20 (SERVED 3 PER PLATE)

CABBAGE SLAW, AVOCADO, CHIPOTLE CREMA, PICO, QUESO FRESCO

*** WATERFRONT SLIDERS - HALF 26 / DOZEN 48**

HOUSE SAUCE, AMERICAN CHEESE, BRIOCHE BUN

BEYOND BURGER 22

LETTUCE, TOMATO, VEGAN CHEESE, VEGAN WATERFRONT SAUCE, VEGAN BUN, FRIES (V)

FRIED CHICKEN SANDWICH 22

MAPLE CHILE CABBAGE SLAW, PICKLES, SPICED HOUSE SAUCE, SESAME BUN, FRIES

Sweet

*** DONUT 5**

VANILLA CREAM OR OREO CUSTARD

*** ETON MESS 12**

STRAWBERRIES, MERINGUE CREAM

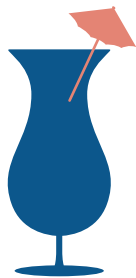


(V) VEGAN (VEG) VEGETARIAN (N) CONTAINS NUTS

*THE CONSUMPTION OF RAW OR UNDERCOOKED MEATS, POULTRY, SHELLFISH OR EGGS MAY INCREASE YOUR RISK OF FOOD-BORNE ILLNESS. THE WATERFRONT IS A CALIFORNIA BEER GARDEN. OUR INGREDIENTS ARE SEASONALLY FARMED AND RESPECTFULLY SOURCED. PLEASE INFORM YOUR SERVER OF ANY ALLERGIES OR INTOLERANCES. A 4.5% SURCHARGE WILL BE ADDED TO YOUR CHECK.

COCKTAILS

Frozen



FROZE 13

Thirst Quenching Frozen Classic

WATERMELON & ROSÉ WITH COCONUT WATER
LIME, STRAWBERRY, AND LILLET

TROPIC 13

Frozen Island Drinking Fun

COCONUT, PINEAPPLE & ORANGE
WITH LIME AND SHERRY



Brunch

DRAFT MIMOSA 9

Refreshingly Fizzy

BURGUNDY BLEND
ORANGE JUICE

ADOBO MICHELADA 9

Southernwestern inspired daytime favorite

LAGER, CHIPOTLE
PINEAPPLE, LIME

Carbonated

PALOMA SPRITZ 13

Mexican Spritz

GRAPEFRUIT & UBE
WITH SPARKLING WATER
AND AGAVE WINE

BALLER #2 13

Coastal Spritz

WATERMELON & SPARKLING WATER
WITH ORANGE, GREEN GRAPES
AND ITALIAN APERITIVO

MAGNUM

ROSE SPRITZ 89

1.5 LITERS

Rose All Damn Day

WATERFRONT ROSE
SPARKLING WATER & LILLET ROSE



Crushed Ice

THE HEAT 13

Bright and Spicy

PINEAPPLE & HABANERO WITH
RED PEPPER, LIME, AND
HIBISCUS APÉRITIF

THE GINGER 13

A Tropical Mule

PASSIONFRUIT & GINGER
WITH LIME AND
FORTIFIED WINES

Non-Alcoholic

GT'S LEMONBERRY JOY 10

KOMBUCHA 25MG CBD, LOS ANGELES

"ALTA" CASAMARA CLUB 7

DRY-STYLE SODA, DETROIT

RUN WILD IPA 7

ATHLETIC BREWING, SAN DIEGO

RED BULL 5

CLASSIC, SUGAR FREE, TROPICAL



BEER

Draft

THE WATERFRONT COASTAL 9

MEXICAN LAGER, TORRANCE — 4.5%

HOUSE BEER 9

AMERICAN LAGER, VENICE — 4.8%

THREE WEAVERS SEAFARER 9

KOLSCH, ENGLEWOOD — 4.8%

ERDINGER 9

HEFE-WEIZEN, GERMANY — 5.3%

DUDE'S COSTA RICAN SOUR 9

GUAVA SOUR, TORRANCE — 4.5%

MADEWEST STANDARD 9

BLONDE ALE, VENTURA — 5.6%

BOOMTOWN NOSE JOB 10

IPA, LOS ANGELES — 6.8%

MODERN TIMES ORDEVILLE 10

HAZY IPA, SAN DIEGO — 7.2%

Cans

MANGO CART 8

LOS ANGELES, 12OZ — 4%

BEACHWOOD HAYABUSA 7

JAPANESE LAGER, LONG BEACH 12OZ — 5.4%

SOONISH 8

GLUTEN FREE NATURAL BEER, LOS ANGELES 12OZ — 4.2%

AMASS FAERIE FIZZ 12

RASPBERRY JASMINE HARD SELTZER, LOS ANGELES, 12OZ — 5%

JUNESHINE 100 11

ORANGE PINEAPPLE KOMBUCHA, SAN DIEGO, 12OZ — 4.2%

NOMADICA 13

SPARKLING ROSÉ, MONTEREY, 12OZ — 12%

BEV 11

PINOT GRIGIO OR ROSÉ, VENICE, 12OZ — 11%

SAWTELLE SAKE 14

JUNMAI GINJO, VENTURA, 187ML — 16%



WINE

Bubbles

FINKES '18

BLANC DE BLANCS
CLARKSBURG 11/44

DELTA '18

NV BRUT ROSÉ, NAPA 11/44

J. BRIX COBOLORUM '20

PET NAT
SANTA BARBARA 18/72

ESPUMA DE PIEDRA

NV BRUT ROSÉ
VALLE DE GUADALUPE 16/64

XL & XXL

SUMMER WATER '19

CENTRAL COAST
89 *Magnum 1.5L*

Whites

BRANDER '19 *Dry Farmed*

SAUVIGNON BLANC, LOS OLIVOS 13/72 1L

PACIFICANA '19 *Sustainable*

CHARDONNAY, CENTRAL COAST 14/77 1L

TESSIER '18 *Sustainable*

DRY RIESLING, ARROYO SECCO 14/56

COPAIN '17

CHARDONNAY, SONOMA COAST 9/35

STOCKWELL '17 *Orange/Skin Contact*

PINOT GRIGIO RAMATO, SANTA CRUZ 17/68

Rosé

SUMMER WATER '19

ROSÉ OF GRENACHE/SYRAH
CENTRAL COAST 12

THE WATERFRONT

SUMMER SESSIONS '18

ROSÉ OF CINSULT

PAYS D'HERAULT 11/44

STOLPMAN '19 *Dry Farmed*

ROSÉ OF GRENACHE

BALLARD CANYON 14/56

Reds

NIELSEN '19 *Dry Farmed*

PINOT NOIR
SANTA RITA HILLS 13/52

CRUNCHIE ROASTIE '19 *Chilled*

SYRAH/VIOGNIER
BALLARD CANYON 14/56

GRASSINI '16 *Sustainable*

CABERNET SAUVIGNON
HAPPY CANYON 18/72

DARK & BOLD '17 *Sustainable*

MERLOT/CABERNET FRANC BLEND
PASO ROBLES 14/56

SCHRAMSBERG '17

BLANC DE BLANCS
CALISTOGA
179 *Magnum 1.5L*

SUMMER WATER '19

CENTRAL COAST
199 *Jeroboam 3L*

SUMMER WATER '19

CENTRAL COAST
399 *Methuselah 6L*