

APPLICATION FOR DETERMINATION OF
"PUBLIC CONVENIENCE OR NECESSITY"
ALCOHOL SALES

Pursuant to Section 23958 and 23858.4
California Business and Professions Code

TO BE SUBMITTED TO CITY CLERK'S OFFICE
ROOM 395, CITY HALL

CD 11

COUNCIL FILE NO. 124-0096

BACKGROUND INFORMATION

TIME LIMIT FILE: _____

As part of the application, the applicant must submit the names and addresses of property owners of all property adjacent (including across the street/alley) to the subject property on gummed labels. Applicant must also submit the following information: 1) notarized signature, 2) a site plan prepared by a map maker (see Planning Department for map maker's list), 3) one 4- by 6-inch picture of the property from each side of the site, and 4) a copy of all previous building permits for the site (Room 400, 201 North Figueroa Street). When you meet with ABC to get the crime and license concentration information for your site, you must bring back the ABC information (on the ABC form) to the City Clerk.

Project Name Local 1205

Address 1205 Abbot Kinney Blvd., Los Angeles, CA 90291

Type of Business Restaurant/ Gourmet Market

Applicant Local, Inc.
 Name _____
1205 Abbot Kinney Blvd., Los Angeles, CA 90291
 Address _____
917-678-8750
 Phone Number/Fax Number _____

Property Owner 1205 Abbot Kinney LLC
 Name _____
1205 Abbot Kinney Blvd., Los Angeles, CA 90291
 Address _____
 Phone Number/Fax Number _____

Representative Elizabeth Peterson
 Name _____
400 S Main St. Suite 808, Los Angeles, CA 90013
 Address _____
213-620-1904
 Phone Number/Fax Number _____

A. PROJECT DETAILS

THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS:

- Has the City previously approved a conditional use permit for alcoholic beverage sales at this site? Yes No If Yes, what is the City case number(s) _____;
- Have you recently filed for a new conditional use permit? Yes No . If Yes, provide the City case number(s) ZA-2012-3443-CUB

3. Has a previous ABC license been issued? Yes ___ No X. If Yes, when and what type of license

4. Type of Alcohol Sales Requested (on- or off-site, beer and wine, full alcohol, etc.):
41 - On-sale beer & wine, eating place; 20 - off-sale beer and wine
5. Size of Business 3,193 sq. ft.
6. % of floor space devoted to alcoholic beverages 52%
7. Hours of Operation:
- a. What are the proposed hours of operation and which days of the week will the establishment be open? 7am to 3am daily
- b. What are the proposed hours of alcohol sales? 7 am to 2 am
8. Parking:
- a. Is parking available on the site? (If so, how many spaces?) No
- b. If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant? N/A
- c. Where? N/A
- d. How many off-site spaces? N/A
9. Has the owner or lessee of the subject property been suspended from the sale of alcoholic beverages on the subject property or fined by the Alcoholic Beverage Control Department (ABC) in the last 365 days and if so, for what reasons? Provide ABC case number and a copy of final ABC action.
No
10. Will video game machines or pool or billiard tables be available for use on the subject property and if so, how many? No
11. Will you have signs visible on the outside which advertise the availability of alcohol?
No
12. How many employees will you have on the site at any given time? 4-14
13. Will all employees who sell alcohol attend the local State ABC training class on how to properly sell alcohol? Yes
14. What security measures will be taken including:
- a. Posting of rules and regulations on the premises to prevent such problems as gambling, loitering, theft, vandalism and truancy.
- b. Will security guards be provided and if so, when and how many?
1 evening security guard from 7 pm to 3 am

15. Will there be minimum age requirements for patrons? If so, how will this be enforced?

No, but electronic age verification devices will be used for sales

16. Are there any other alcoholic beverage outlets within a 600-foot radius of the site? Provide names and address of such business and type of business.

Please see attached list

17. Are there any schools (public or private and including nursery schools) churches or parks within 1,000 feet of your proposed business? Where? (Give Address)

Westminister Avenue Elementary School - 1010 Abbot Kinney Blvd; 2nd Community Baptist Church - 1041 Abbot Kinney Blvd.; Ecole Claire Fontaine Bilingual Preschool & Kindergarden School - 1047-51 Abbot Kinney Blvd.; New Bethel Baptist Church - 503 Brooks Ave.; Ecole Claire Fontaine Preschool - 226 Westminister Ave; Venice Foursquare Church - 1400 Riviera Ave

18. Will the exterior of the site be fenced and locked when not in use?

Yes

19. Will the exterior of the site be illuminated with security lighting bright enough to see patrons from the street? Yes

B. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED WHERE ONLY THE OFF-SITE SALE OF ALCOHOLIC BEVERAGES IS SOUGHT:

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

No

2. Will cups, glasses or other similar containers be sold which might be used for the consumption of liquor on the premises? No

3. Will beer and wine coolers be sold in single cans or will wine be sold in containers less than 1 liter (750 ml)? No

4. Will "fortified" wine (greater than 16% alcohol) be sold? No

C. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED WHERE ONLY THE ON-SITE SALE OF ALCOHOLIC BEVERAGES IS SOUGHT:

1. What is the occupancy load as determined by the Fire Department (number of patrons)? TBD

2. What is the proposed seating in all areas? 58 indoor; 26 outdoor

3. Is there to be entertainment such as a piano bar, juke box, dancing, live entertainment, movies, etc.? (Specify?) No

4. If a cocktail lounge is to be maintained incidental to a restaurant, the required floor plans must show details of the cocktail lounge and the separation between the dining and lounge facilities. N/A

5. Food Service

- a. Will alcohol be sold without a food order? Yes, typically while waiting for food order or at market
- b. Will there be a kitchen on the site as defined in the Los Angeles Municipal Code? Yes

- 6. Will discount alcoholic drinks or a "Happy Hour" be offered at any time? No

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

D. PUBLIC CONVENIENCE AND NECESSITY EVALUATION

The City of Los Angeles is very concerned if a new request to sell alcohol is subject to one of the conditions below. There is a strong likelihood that the City will deny your "public convenience or necessity" application if one of the above listed conditions apply to your site. (It is strongly suggested that you contact your Council Office and discuss your project. If the Council Office does not oppose your project, you should then check with your local area police vice unit as well as the Planning Department Public Counter at (213) 977-6083 for the determination of whether the proposed site is within a Specific Plan area, and the Community Redevelopment Agency (CRA) project staff at (213) 977-1682 or 977-1665, to determine if your site is in a CRA Project Area. If any of the five conditions listed below apply to your site, you should carefully consider if you want to file for a Public Convenience or Necessity finding.

- 1. The proposed site is in an area with a long-term level of undue concentration of alcoholic beverage outlets.
- 2. The geographic area is the target of special law enforcement activity, i.e., police task force is working on reducing vice in the area, or eliminating juvenile crime (such as cruising or graffiti) or gang activity.
- 3. The proposed site is in close proximity to sensitive uses, including schools, parks, churches, youth activities, homeless shelters, mental health or alcohol or drug treatment centers.
- 4. The geographic area has elevated levels of alcohol-related crimes, including but not limited to: public intoxication, driving under the influence, assault, vandalism, prostitution, drug violations, loitering.
- 5. The proposed site is located in a Specific Plan or Community Redevelopment Agency Project area which specifically includes a policy to control future alcoholic beverage sales.

E. If the project site is not subject to one of the above criteria, your project will be evaluated by the City Council with consideration given to the following possible benefits and detriments to the community:

1. Possible Benefits

Would the business:

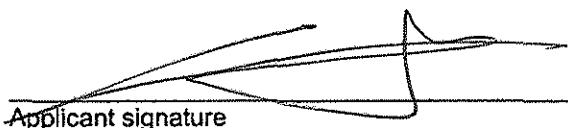
- a. Employ local residents (how many)
- b. Generate taxes (provide estimate)
- c. Provide unique goods and services (which ones)
- d. Result in an aesthetic upgrade to the neighborhood (in what exact way)
- e. Contribute to the long term economic development (how)
- f. Provide a beneficial cultural/entertainment outlet (specify)

F. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a. The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof).
- b. The information presented is true and correct to the best of my knowledge.

1/9/14
Date


Applicant signature

Signature of property owner if tenant or lessee is filling application

State of _____

County of _____

On _____ before me, _____
Date Name of Notary Public

personally appeared _____
Name(s) of Signer(s)

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary Public

*- Please See Attached
Calif A11 - Purpose
Acknowledgment
- C.J.M.
- Jan 9, 2014*

* The Planning Department has a list of private map makers who will prepare the names and addresses for you. This list is available at the public counter, Room 300, Counter N, 201 North Figueroa Street or 6251 Van Nuys Boulevard, Van Nuys. Alternatively, you may obtain a list of such adjoining owners from the City Clerk's Office (Room 730, 201 North Figueroa Street) or from a title company and prepare the labels yourself.

** You may add additional pages to your response if needed. Please utilize numbering system of this form to assist in the review of the responses.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of Los Angeles

On Jan. 9, 2014 before me, Chuck Jiro Murayama, Notary Public

personally appeared Craig Weiss Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. Signature: [Handwritten Signature]

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Applicant's Affidavit

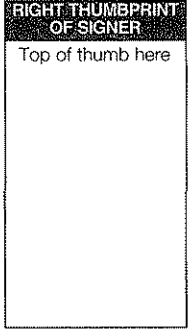
Document Date: Jan 9, 2014 Number of Pages: 1

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: Craig Weiss Signer's Name:

- Corporate Officer -- Title(s):
Individual
Partner -- Limited General
Attorney in Fact
Trustee
Guardian or Conservator
Other:



Signer Is Representing:

P C N A T T A C H M E N T

Local 1205
1205 Abbot Kinney Blvd.
Los Angeles, CA 90291
3,193 Sq. Ft. Restaurant/ Market

Representative:

Elizabeth Peterson Group, Inc.
Elizabeth Peterson
400 S Main St. #808
Los Angeles, CA 90013
T: 213-620-1904
elizabeth@epgla.com

Applicant:

Local 1205
Craig Weiss
1205 Abbot Kinney Blvd.
Los Angeles, CA 90291
Tel: 917-678-8750
Email: craig@local1205.com

- E. If the project site is not subject to one of the above criteria, your project will be evaluated by the City Council with consideration given to the following possible benefits and detriments to the community:
1. Possible Benefits - Would the business:
 - a. Employ local residents (how many)**
Applicant will contribute to the local community by providing as many as 50 jobs to local residents.
 - b. Generate taxes (provide estimate)**
Applicant anticipates approximately \$2.0 million in annual taxable sales.
 - c. Provide unique goods and services (which ones)**
This specialty market and restaurant will provide the Venice community a comfortable place to shop, dine, and socialize at a wide range of hours, offering high quality healthy food options for both dine-in and to-go for the variety of residents in the Venice area and beyond. Amongst the main shops and restaurants along Abbot Kinney Blvd., Local 1205 is unique in offering both a relaxing dine-in experience, gourmet to go options, and a host of housemade specialty items in the market. Beer and wine will compliment all of these uses and serve to expand the unique services offered by Local 1205 as the only off-sale beer and wine market on Abbot Kinney.
 - d. Result in an aesthetic upgrade to the neighborhood (in what exact way)**
This location has been a café since 1947 with no change of use since then. While the applicant has been the operator, the restaurant and market have been run respectfully, responsibly, and conscientiously, focusing on the community safety and needs. Local 1205 is a bright spot on an already dynamic street, offering a

vintage aesthetic that compliments the surrounding character of Abbot Kinney. The applicant will continue to maintain and develop the property.

e. Contribute to the long-term economic development (how)

As a contributing member of the Abbot Kinney community for the past 67 years, this restaurant is committed to the long-term success and economic development of the Abbot Kinney community. The addition of onsite and offsite beer and wine sales will allow Local 1205 to increase to its already successful history of being a significant economic contributor.

f. Provide a beneficial cultural/entertainment outlet (specify)

The proposed project is designed and geared towards the diverse Venice community, welcoming artists, musicians, students, as well as families. This mingling of a variety of people from all walks of life as well as the full day and late night hours will provide a beneficial cultural/entertainment outlet as people are encouraged to stay and socialize, interacting and establishing a sense of community.

2. Possible Detrimental Impacts

Is the immediate area in which the license is sought subject to:

a. Excessive calls to the Police Department

The subject property is located within the close knit community of Venice and Abbot Kinney, and the restaurant/ market is purposed to provide a space to gather and enjoy food, drinks, and community, whether briefly or for an extended time. The result of adding beer and wine will not result in excessive calls to the Police Department.

b. Police resources being already strained

Police resources are not strained in this area and the Los Angeles Police Department maintains a position of non-opposition to the applicant.

c. High rates of alcoholism, homelessness, etc.

There is not a high rate of alcoholism or homelessness, etc. in this immediate area.

d. Large "youth" (under 21) population

There is not a large "youth" population in this area.

3. With regard to the operation of the proposed business explain:

a. The method of business operation: (large volume of alcohol to food sales, "late" hours (after midnight), high % unskilled (no ABC training class) staff, high % of underage (under 21) staff, etc.).

The applicant is committed to providing a responsible and safe hospitality venue to the community and will strictly adhere to the conditions of the Conditional Use

Permit granted for the site, which were developed in collaboration with LAPD. At least one, on-duty manager will be on site during all business hours. In response to Local 1205's late hours, between the hours of 7:00 pm and 3:00 am, a state certified security officer will monitor the interior and exterior. All employees involved in alcohol sales will attend the Los Angeles Police Department's "STAR" training program with follow up courses every 24 months. Electronic age verification devices will be used to determine age of patrons purchasing alcohol.

b. Would the business duplicate a nearby business already in existence?

No. While there are existing complementary hospitality-oriented establishments in the surrounding area, none match the principles and purpose of Local 1205. Local 1205's unique market/ restaurant idea is unique to Abbot Kinney, and it will be the only offsite beer and wine market on Abbot Kinney.

c. Other non-alcohol sales business options available so alcohol does not have to be sold, e.g., more specialty products, broader range of items like fresh meats, or fruits and vegetables, etc.

Besides off-site sales of beer and wine, the applicant will sell a host of other non-alcoholic options. Specializing as an organic restaurant and market, Local 1205 will sell a variety of high quality and healthy food and deli options including cold-pressed juices and smoothies, sandwiches made with house roasted meats, housemade pickles, and packaged gourmet foods. Additionally, pizza and oysters are available during late night hours.