

**PROJECT DESCRIPTION AND FINDINGS OF FACT
CONDITIONAL USE PERMIT
13730 W. Ventura Boulevard**



REQUEST

As allowed under Section 12.24 W 1 of the Los Angeles Municipal Code, the applicant is requesting a Conditional Use Permit to allow the addition of a microbrewery use secondary and ancillary to the operation of a new tenant in an existing 4,215 sq. ft., 120-seat restaurant of which 3,819 sq. ft., and 114 seats are on the interior and 255 square-feet are on an outdoor patio dining area. Proposed hours of operation are 7 am – 2 am, 7 days/week.

ABOUT BLUEBIRD BRASSERIE

“Brasserie” will be an homage to the brewing tradition combined with the great cafes and culinary tastes of Belgium. The venue features a simple, straightforward menu featuring an assortment of Moules-Frites and Steak Frites dishes, both traditional and with modern flavors intermingled; paired with Belgian-inspired beer brewed both onsite and from the best breweries around.

The setting is reminiscent of the type of centuries-old brewery you may find in Bruges or the Belgian countryside, while creating a social and jovial environment to enjoy the dining experience. Family-oriented and inclusive, Brasserie will provide a comfortable, joyful gathering place for the neighborhood for years to come.

PERMITS AND CERTIFICATES OF OCCUPANCY

Building Permit No. 16016-10000-19737 – On November 10, 2016, the Department of Building and Safety issued a building permit for a “tenant improvement to (e) restaurant to consist of non-structural demo, new non-load bearing partitions, new storefront, new suspended ceiling, partial slab repair and minor structural repair.”

Building Permit No. 00014-20000-01471 – On October 1, 2001, the Department of Building and Safety issued a building permit for an “addition: add storeroom to existing restaurant (9’ x 24’6”) & interior non-structural remodel.”

Certificate of Occupancy: Certificate of Occupancy No. 44999 – On June 6, 2008, the Department of Building and Safety issued a Certificate of Occupancy to “add [a] new 240 sq. ft. storage room to an existing restaurant.”

FINDINGS:

1. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

The applicant is taking over an existing restaurant tenant space in a strip commercial portion of Ventura Boulevard which was previously entitled with a Conditional Use Permit for the sale and consumption of a full line of alcoholic beverages.

The restaurant provides the community with an economically viable and respected establishment. The proposed project is part of an optimal development plan that increases the utility of land, provides Sherman Oaks residents and employees the option of enjoying food and drink without having to drive elsewhere, and adds appropriately to the mix of uses in the building and immediate vicinity.

In light of these issues, the proposed location is admirably suited for the request, in that it furthers community and economic development in the vicinity.

The applicant has experience successfully running restaurants with secondary / ancillary microbrewery uses. This is a critical change to a tenant space that has had inexperienced operators fail resulting in vacancies and turnovers. The experience of the applicant will allow the location to thrive as a neighborhood venue.

The outdoor patio dining allows pet owners to walk to the location and dine with their pets, which is helpful to the many residents in the Sherman Oaks community.

The proposed use will enhance the built environment and benefit the community.

2. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

Granting of the conditional use will lead to a project that will be desirable to the public convenience and welfare. A restaurant with alcohol sales continues the historic use on site and compliments the pattern of mixed-use retail, restaurant and office uses that create the urban environment envisioned by the City for the commercially-designated space.

Full menu service is provided at every seat in the restaurant. The primary function of the venue is a restaurant with a top tier caliber chef and substantial square-footage of the floor area dedicated to the kitchen. Under the Type 75 ABC license, no off-site sales can occur. The microbrewery is to enhance the dining experience that is the foundation of the premise.

The addition of the microbrewery component has no practical change to the consumption allowed under the full alcohol sales rights of the existing Conditional Use Permit. The applicant is reopening under that grant as a restaurant with a full line of alcoholic beverages. Therefore, there is no reason to expect any impact on property or improvements in the same zone or vicinity by simply adding the microbrewery equipment to the location.

3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The Sherman Oaks - Studio City – Toluca Lake – Cahuenga Pass Community Plan designates the subject property for General Commercial uses. Food establishments are permitted uses and the sale and consumption of alcohol with a microbrewery is permitted with a conditional use permit.

The proposed project is consistent with the following Goals, Objectives and Policies of the Community Plan:

GOAL 2: AN ECONOMICALLY VITAL COMMERCIAL SECTOR OFFERING A DIVERSITY OF GOODS AND SERVICES TO MEET THE NEEDS OF THE COMMUNITY PLAN AREA. THIS MEANS THAT COMMERCIAL LAND USE POLICIES MUST SUPPORT MAXIMUM EFFICIENCY AND ACCESSIBILITY OF COMMERCIAL DEVELOPMENT WHILE PRESERVING THE HISTORIC COMMERCIAL AND CULTURAL CHARACTER OF THE DISTRICT

OBJECTIVE 2-1:

To conserve and strengthen viable commercial development

Policies

2-1.1 New commercial uses shall be located in existing established commercial areas or existing shopping centers.

2-3.2 New development needs to add to and enhance the existing pedestrian street activity.

The applicant reinvested into an existing key vacant restaurant space. The patio dining area will further enhance that investment in a manner which is supported by the surrounding tenants. By the doing so, the project will strengthen the viability of a commercial center.

The proposed project is designated for Regional Commercial uses under the Ventura / Cahuenga Boulevard Specific Plan.

The proposed microbrewery addition will be in harmony with these ideals and various elements and objectives of the General Plan and Specific Plan.

The restaurant sells alcohol responsibly and adheres to all applicable governmental regulations. The applicant's request is consistent and harmonious with the adjacent and surrounding uses and

will improve the aesthetics of the streetscape and bring much needed life to the pedestrian-friendly interaction with the street.

The proposed project will enhance, not damage, the character of development in the immediate neighborhood.

4. The proposed use will not adversely affect the welfare of the pertinent community.

The granting of the request will activate a vacant tenant space, support viability of the building, provide needed services to the region and attract new patrons to the area. The proposed project will contribute to the economic vitality of the site and to the City's tax base. The economic welfare of the community depends on healthy and viable commerce and this restaurant will provide the community with an economically viable and respected commercial establishment. Furthermore, this establishment will also create service sector employment opportunities in the area.

Thus, the granting of the request will not adversely affect the economic welfare of the community but will instead stimulate economic activity in the community.

5. The granting of such application will not result in an undue concentration in the area of establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of such establishments within a one thousand feet radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the Area.

The continuation of the food establishment at the location as modified will not be materially detrimental to the character of this redevelopment, but will actually serve a benefit to the community. Well-designed, quality establishments that are effectively maintained and operated by trained staff enhance the neighborhood's aesthetics, convenience, livability and security. Additionally, the operating hours as proposed provide a secure environment by providing security, lighting and activity into the nighttime hours.

The operators provide a high quality, hearty menu. Again, the proposed project is part of an optimal development plan that increases the utility of land, provides Sherman Oaks residents and employees the option of enjoying food and drink without having to drive elsewhere, and adds appropriately to the mix of uses in the center and immediate vicinity. In light of these issues, the location is well suited for the restaurant, in that it promotes livability and convenience of the mixed-use project, as well as the larger neighborhood.

The subject restaurant is located in an area which is planned and designed to provide regional retail, entertainment, and dining experiences for a large population in the area. As this planning

concept has been implemented, the area has grown in activity as well as population density. In concert with this growth, the number of licenses has increased. The addition of this license will, when weighed against the added dining capacity to be provided and when compared to the nature and intensity of commercial development in the surrounding area, does not unduly concentrate licenses for the sale of alcoholic beverages.

6. The proposed use will not detrimentally affect nearby residentially zoned communities in the area after giving consideration to the distance of the proposed use from the following: residential buildings, churches, schools, hospitals, public playgrounds, and other similar uses; and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.

There are sensitive uses within 1,000 feet focused on physical fitness and education. None of them would be impacted by the proposed use.

Within 600 feet:

The End Results (Education Services) at 13719 Ventura Boulevard #B

Within 1,000 feet:

NONE

The closest single-family residential neighborhood is located across a 20-foot alley south of the subject restaurant. Like the subject site, these uses back onto the alley and will be buffered from any potential noise or other impacts from the proposed use.

There is a convenience to having this authentic, responsible, high quality restaurant in their community. It will become a focal point of connection for the community and benefits the neighborhood overall. During high traffic hours, it is especially convenient to be able to walk to the location and walk home.

The sale of alcohol with the microbrewery component is in conjunction with a quality restaurant with a substantial menu prepared by a highly professional operation. Continuation of the use with alcohol sales as modified per this application and in compliance with conditions will not impact the welfare of the area, but rather enhance a successful use at the site.

For these reasons, we respectfully request approval of the subject request.

MT:m
1/5/16