



Culver CITY

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**PLANNING COMMISSION
MEETING AGENDA
WEDNESDAY, SEPTEMBER 10, 2014
7:00 P.M.**

PUBLIC COMMENT

The Planning Commission will listen to the public on any item on the agenda or item of interest that is not on the agenda. The Planning Commission cannot legally take action on any item not scheduled on the agenda. Such items may be referred for administrative action or scheduled on a future agenda.

If you wish to speak to the Commissioners, please complete a Speaker's Card and present it to the Secretary before the agenda item is called. You will be called to the podium by name when it is your turn to speak to the Commissioners.

PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Persons wishing to speak on agenda items will be called at the time the agenda item is brought forward. Comments will generally be limited to five minutes per speaker; however, a three-minute limit may be declared by the Chairperson for agenda items for which many Speaker Cards have been submitted.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

A total of twenty minutes shall be devoted to audience participation at the beginning of the agenda. Speakers will be called on in the order cards were received by the Secretary. If additional time is needed, the Chairperson will allow for same at the end of the agenda.

When the Secretary calls your name, please advance to the podium and state your name and city of residence. Speakers must limit their comments to five minutes. A three-minute limit may be declared by the Chairperson if there is a large number of individuals desiring to address the Commissioners.

NOTE: AT OR ABOUT 11:00 P.M., COMMISSION MEMBERS WILL DETERMINE WHETHER TO CONTINUE WITH DISCUSSION OF REMAINING ITEMS ON THE AGENDA OR TO CARRY SOME/ALL OF THE ITEMS OVER TO A FUTURE MEETING DATE.

CELL PHONES AND OTHER DISTRACTIONS

Use of cell phones, pagers and other communication devices is prohibited while the Planning Commission Meeting is in session. Please turn all devices off or place on silent alert and leave the Chambers to use. During the meeting, please refrain from applause or other actions that may be disruptive to the speakers or the conduct of City business.

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ALD

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Culver CITY

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AGENDA
Planning Commission
Wednesday, September 10, 2014
7:00 p.m.
Mike Balkman Council Chambers

CALL TO ORDER & ROLL CALL

Linda Smith-Frost, Chair
Kevin Lachoff, Vice Chair
Dana Amy Sayles, Commissioner
David VonCannon, Commissioner
Scott Wyant, Commissioner

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT – Items Not On the Agenda

PUBLIC HEARINGS

- PH-1. Zoning Code Amendment, ZCA P-2014135:** Zoning Code Amendments related to Supportive Housing that are required by California State housing law and Measure 2L of the City's 2013-2021 Housing Element.
Recommendation: Adopt resolution recommending APPROVAL of Zoning Code Amendment to the City Council.
- PH-2. Administrative Use Permit, AUP-P2014072:** Request to allow modifications to an existing Type-47 (on-sale general eating place) alcohol license extending the sale of alcohol until 2:00 a.m. daily at El Baron Restaurant and Nightclub located at 8641 W. Washington Boulevard.
Recommendation: Adopt resolution DENYING the request.

CONSENT CALENDAR *Note: Consent Calendar items are considered to be routine in nature and may be approved by one motion. Public requests to discuss Consent Calendar items must be filed with the Secretary before the Consent Calendar is called.*

C-1. Approval of Minutes of August 13, 2014.

ITEMS FROM STAFF

ITEMS FROM PLANNING COMMISSION

ADJOURN

Upcoming Public Meeting Schedule –(Tentative) – 2014

Date	Day	Time	Location
<i>City Council</i>			
September 22	Monday	7:00PM	Council Chambers
<i>Civil Service Commission</i>			
October 1	Wednesday	7:00PM	Council Chambers
<i>Cultural Affairs Commission</i>			
October 14	Tuesday	7:00PM	Council Chambers
<i>Parks & Recreation Commission</i>			
October 7	Tuesday	7:00PM	Council Chambers
<i>Planning Commission</i>			
October 8 October 22	Wednesday	7:00PM	Council Chambers

Meetings may be added or changed.

City of Culver City, California
Planning Commission Agenda Item Report

Meeting Date: September 10, 2014		Item Number: PH-1
AGENDA ITEM: Zoning Code Amendment, ZCA P-2014135: Zoning Code Amendment related to Supportive Housing that are required by California State housing law and Measure 2L of the City's 2013-2021 Housing Element.		
Contact Person/Dept.: Jose Mendivil, Associate Planner		Phone Number: (310) 253-5757
Public Hearing: ☒	Action Item: ☐	Attachments: ☒
Public Notification: Publication in Culver City News (August 14, 2014). Mailed to housing advocates and developers and the Always List (August 20, 2014), Emailed to the Master Notification List (September 3, 2014).		
Planning Approval: Thomas Gorham, Planning Manager		Department Approval: Sol Blumenfeld, Community Development Director

RECOMMENDATION:

That the Planning Commission adopt Resolution No. 2014-P009 (Attachment No. 1) recommending to the City Council approval of Zoning Code Amendment, ZCA P-2014135.

PROCEDURES:

1. Chair calls on staff for a brief staff report and Commission poses questions to staff as desired.
2. Chair opens the public hearing, providing the general public the opportunity to speak. Chair seeks a motion to close the public hearing after all testimony has been presented.
3. Commission discusses the matter and arrives at its decision.

BACKGROUND:

California State Legislation, Chapter 633, Statutes of 2007 (established through passage of California Senate Bill 2 or SB 2), effective January 1, 2008, requires that local jurisdictions treat transitional and supportive housing as residential uses. The City of Culver City 2008-2014 Housing Element, adopted by the City Council on June 10, 2010 and certified by the State of California Department of Housing and Community Development (HCD) on August 11, 2010, included measures to incorporate the State requirements for transitional housing and supportive housing into the City of Culver City Zoning Code consistent with State Housing Law. Ordinance No. 2013-008 adopted by the City Council on August 12, 2013, included amendments to the Zoning Code that were intended to ensure transitional housing

City of Culver City, California
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and supportive housing are treated as residential uses thereby complying with SB 2.

More specifically the 2013 amendments require that transitional and supportive housing be treated as residential uses that are subject to only to those requirements that apply to other residential uses of the same type in the same zone. The amendments include definitions, standards and permitting procedures for these uses that are no more restrictive than for other residential developments of the same type in the same zone. For example a single family, duplex, triplex, or multi-family use used as transitional or supportive housing must be treated the same as any other single family, duplex, triplex, or other multi-family use.

During the drafting of the 2013-2021 Housing Element, HCD reviewed the draft Housing Element prior to adoption to ensure that it complied with State housing law. The draft document reported on the 2013 SB 2 amendments and based on HCD's review of the amendments, they determined that the 2013 amendments affecting supportive housing were not consistent with State housing law. The amendments did not remove the Conditional Use Permit (CUP) requirement for Supportive Housing containing seven (7) or more residents which HCD stated was out of compliance with SB 2. HCD required that the City include a Zoning Code amendment measure in the draft 2013-2021 Housing Element to address this issue. In response to this comment, staff included Measure 2L of the draft 2013-2021 Housing Element which commits the City to amend the Zoning Code to ensure Supportive Housing zoning requirements are consistent with SB2. On January 27, 2014, the City Council adopted the 2013-2021 Housing Element which contains Measure 2L (Included within Attachment No. 3) as described above; HCD certified the document as compliant with State housing law on February 19, 2014.

DISCUSSION:

During the drafting of the 2013 SB 2 related amendments as noted above, Culver City relied on previous State Planning Law that allows cities to impose additional regulations on Supportive Housing serving seven (7) or more residents. The 2013 amendments required a Conditional Use Permit (CUP) for Supportive Housing serving 7 or more residents. HCD noted that SB 2 supersedes previous State Planning Law relating to Supportive Housing and that a CUP cannot be placed on these residential uses regardless of the number of residents if other residential uses do not require a CUP. Since the Zoning Code does not require a CUP for residential uses (i.e. single family dwelling, duplex, triplex or multi-family dwelling), a CUP cannot be required for Supportive Housing units regardless of the number of residents. The amendments as noted in Attachment No. 2 simply delete all references to a CUP requirement and number of residents with regard to

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Supportive Housing. HCD asked that this clean-up to the Zoning Code be completed within the first year of the 2013–2021 Housing Element period.

Summary of Amendments

Proposed text changes are outlined in Exhibit A (Attachment No. 2) in “strikethrough/underline” format and as described below. The following changes will be made to the Zoning Code.

Zoning Code Sections 17.210.015.A, Table 2-2 (allowed uses in Residential Zones) and 17.220.015, Table 2-5 (allowed uses in Commercial Zones):

- References to 6 or fewer or 7 or more residents in Supportive Housing dwellings will be deleted;
- References to Supportive Housing dwellings of 7 or more residents requiring a conditional use permit will be deleted.

Zoning Code Section Sections 17.700.010.S (Definitions):

- References to 6 or fewer residents in the Supportive Housing definition will be deleted.

ENVIRONMENTAL DETERMINATION:

Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA), ZCA P-2014135 is within the scope of the Culver City General Plan Update Program EIR approved on September 24, 1996 (PEIR 1), the Culver City Redevelopment Plan Amendment and Merger Program Subsequent EIR approved on November 16, 1998 (PEIR 2), and the Negative Declaration approved on January 27, 2014 for the 2013-2021 Housing Element Update. The circumstances under which PEIR 1, PEIR 2, and the Negative Declaration were prepared have not significantly changed and no new significant information has been found that would impact either PEIR 1, PEIR 2, and the Negative Declaration and therefore no new environmental analysis is required.

CONCLUSION:

Adoption of the Amendment will bring the Zoning Code standards for Supportive Housing into compliance with State law and will fulfill measure 2L of the 2013-2021 Housing Element. Consistent with State Housing Law and the Culver City Adopted and State certified Housing Element, staff recommends the Commission

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recommend to the City Council approval of proposed amendments as shown on Exhibit A of Resolution No. Resolution No. 2014-P009 (Attachment 1).

ALTERNATIVE OPTIONS:

The following alternative actions may be considered by the Planning Commission:

1. Recommend that the City Council approve the proposed amendments if the required findings for a Zoning Code Amendment can be made.
2. Recommend that the City Council approve the proposed amendments with additional or different amendment language if deemed necessary to meet the required findings for a Zoning Code Amendment.
3. Disapprove the amendment request if it does not meet the required findings.
4. Continue the Agenda Item and request staff to conduct additional analysis prior to arriving at a final recommendation.

ATTACHMENTS:

1. Resolution No. 2014-P009.
2. Exhibit A – Proposed Text Changes in “strikethrough/underline” format.
3. Excerpt from Chapter V, Housing Programs of the 2013-2021 Housing Element.

1 RESOLUTION NO. 2014-P009

2 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER
3 CITY, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL
4 OF ZONING CODE AMENDMENT, ZCA P-2014135 AMENDING TITLE 17,
5 ZONING, OF THE CULVER CITY MUNICIPAL CODE (CCMC), SECTION
6 17.210.015.A, TABLE 2-2 – ALLOWED USES IN RESIDENTIAL ZONES;
7 SECTION 17.220.015, TABLE 2-5 – ALLOWED USES IN COMMERCIAL
8 ZONES; AND SECTION 17.700.010 DEFINITIONS, AS SET FORTH IN EXHIBIT
9 “A” ATTACHED HERETO.

10 (Zoning Code Amendment, ZCA P-2014135)

11 WHEREAS, on January 27, 2014, the City Council adopted the Culver City 2013-
12 2021 Housing Element and on February 19, 2014, the State of California Department of
13 Housing and Community Development certified said Housing Element; and,

14 WHEREAS, said adopted and certified Housing Element includes measures to
15 incorporate State legislative requirements addressing allowances, development standards,
16 and/or definitions for supportive housing (Measure 2L of said Housing Element) into the City
17 of Culver City Zoning Code consistent with State Housing Law; and,

18 WHEREAS, on September 10, 2014, the Planning Commission conducted a duly
19 noticed public hearing on City-initiated Zoning Code Amendment, ZCA P-2014135 regarding
20 supportive housing, fully considering all reports, studies, testimony, and environmental
21 information presented; and

22 WHEREAS, following conclusion of the public discussion and thorough
23 deliberation of the subject matter, the Planning Commission determined by a vote of __ to
24 __ that Zoning Code Amendment, ZCA P-2014135 should be recommended for approval to
25 the City Council as set forth herein below.
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1 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF
2 CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

3 **SECTION 1.** Pursuant to the foregoing and as outlines in Title 17, Section
4 17.620.030 of the CCMC, the following findings for ZCA P-2014135 are hereby made:

- 5 **1. The proposed amendment ensures and maintains internal consistency with the**
6 **goals, policies, and strategies of all elements of the General Plan and will not**
7 **create any inconsistencies with this Title, in the case of a the Zoning Code**
8 **amendment.**

9 Zoning Code Amendment ZCA P-2014135 will implement General Plan Housing
10 Element Measure 2L addressing Supportive Housing. Further, implementation of this
11 measure through this zoning code amendment will compliment and implement
12 General Plan Land Use Element Objective 3 by encouraging the provision of housing
13 opportunities for varied members of the community. This amendment will not create
14 inconsistencies with other elements of the General Plan as there are no policies or
15 goals in the General Plan that prohibit or discourage Supportive Housing. Further,
16 this amendment will cause the Zoning Code to be compliant with State housing law.

- 17 **2. The proposed amendment would not be detrimental to the public interest,**
18 **health, safety, convenience and welfare of the City.**

19 Zoning Code Amendment, ZCA P-2014135 amends Zoning Code Sections
20 17.210.015.A – Table 2-2 and 17.220.015 - Table 2-5, regarding allowed uses in
21 residential and commercial zones. It will establish supportive housing as a
22 residential use similar to other residential uses of the same type in the same zone
23 with no reference to a limit on number of residents or conditional use requirements
24 thereby confirming supportive housing as housing allowed within the fabric of the
25 community.

26 The amendments to Zoning Code Section 17.700.010, regarding definitions will
27 make the supportive housing definition consistent with State housing law by
28 removing the reference to a limit on the number of residents. This will also confirm
29 supportive housing as housing allowed within the fabric of the community.

- 30 **3. The proposed amendment is in compliance with the provisions of the**
31 **California Environmental Quality Act (CEQA).**

32 Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act
33 (CEQA), ZCA P-2014135 is within the scope of the Culver City General Plan Update
34 Program EIR approved on September 24, 1996 (PEIR 1), the Culver City
35 Redevelopment Plan Amendment and Merger Program Subsequent EIR approved
36 on November 16, 1998 (PEIR 2), and the Negative Declaration approved on January

1 27, 2014 for the 2013-2021 Housing Element Update. The circumstances under
2 which PEIR 1, PEIR 2, and the Negative Declaration were prepared have not
3 significantly changed and no new significant information has been found that would
4 impact either PEIR 1, PEIR 2, and the Negative Declaration and therefore no new
5 environmental analysis is required.

6 **SECTION 2.** Pursuant to the foregoing recitations and findings, the Planning
7 Commission of the City of Culver City, California, hereby recommends approval of Zoning
8 Code Amendment, ZCA P-2014135 to the City Council as set forth in Exhibit A attached
9 hereto and made a part thereof.

10 APPROVED and ADOPTED this 10th day of September, 2014.

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13 LINDA SMITH-FROST, CHAIRPERSON
14 PLANNING COMMISSION
15 CITY OF CULVER CITY, CALIFORNIA
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17 Attested by:

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19 Yvonne Hunt
20 Administrative Secretary
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EXHIBIT A
ZONING CODE AMENDMENT ZCA P-2014135

TABLE 2-2 Allowed Uses and Permit Requirements for Residential Zoning Districts	P Permitted Use CUP Conditional Use Permit Required AUP Administrative Use Permit Required - Use not allowed						
LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT						See Specific Use Regulations:
	R1	R2	R3	RLD	RMD	RHD	

RECREATION, EDUCATION, & PUBLIC ASSEMBLY

Public recreational and cultural facilities	P	P	P	P	P	P	
Private residential recreational facilities	-	-	-	P	P	P	
Religious places of worship	CUP	CUP	CUP	CUP	CUP	CUP	
Public Schools - Kindergarten to 12th grade (2)	P	P	P	P	P	P	
Private Schools - Kindergarten to 12th grade (2)	CUP(3)	CUP(3)	CUP(3)	CUP	CUP	CUP	

RESIDENTIAL

Accessory dwelling units	AUP	AUP	AUP	-	-	-	17.400.095
Accessory residential structures and uses	P	P	P	P	P	P	17.400.100
Duplex	-	P	P	P	P	P	
Home occupations	P	P	P	P	P	P	17.400.055
Multiple-family dwellings	-	-	-	P	P	P	17.400.105
Residential care facility, 6 or fewer clients	P	P	P	P	P	P	
Residential care facility, 7 or more clients	CUP(4)	CUP(4)	CUP(4)	CUP	CUP	CUP	
Senior citizen congregate care housing	-	-	-	CUP	CUP	CUP	
Single-family dwellings	P	P	P	P	P	P	
Supportive Housing, 6 or fewer residents (6)	P	P	P	P	P	P	
Supportive Housing, 7 or more residents	CUP(4)	CUP(4)	CUP(4)	CUP	CUP	CUP	
Transitional Housing (6)	P	P	P	P	P	P	
Triplex	-	-	P	P	P	P	

SERVICE

Adult day care facilities	CUP	CUP	CUP	CUP	CUP	CUP	
Child day care centers	-	-	-	CUP	CUP	CUP	17.400.035
Child day care, Large family day care homes	AUP	AUP	AUP	AUP	AUP	AUP	17.400.035
Child day care, Small family day care homes	P	P	P	P	P	P	17.400.035
Public utility or safety facilities	CUP	CUP	CUP	CUP	CUP	CUP	

TRANSPORTATION & COMMUNICATIONS

Pipelines and utility lines (underground)	P	P	P	P	P	P	
Telecommunications facilities, cellular (5)	CUP	CUP	CUP	CUP	CUP	CUP	17.400.110
Telecommunications facilities, dish antennas	See Section 17.400.110 for permit requirements						17.400.110

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) Use only allowed on a site designated for such use by the General Plan.
- (3) Use only allowed on a site declared surplus by the Culver City Unified School District.
- (4) Use only allowed on a site of 5 acres or more.
- (5) Use only allowed on a site owned and controlled by the City or other governmental agency.
- (6) Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.

EXHIBIT A
ZONING CODE AMENDMENT ZCA P-2014135

TABLE 2-5 Allowed Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use CUP Conditional Use Permit required AUP Administrative Use Permit Required - Use not allowed						
	PERMIT REQUIREMENT BY DISTRICT						See Specific Use Regulations:
LAND USE (1)	CN	CG	CC	CD	CRR	CRB	

INDUSTRY, MANUFACTURING & PROCESSING

Cosmetic product manufacturing	-	-	-	-	-	P	
Electronics and equipment manufacturing	-	-	-	-	-	P	
Fabric products manufacturing	-	-	-	-	-	P	
Handcraft industries	-	-	-	-	-	P	
Media production - Indoor support facilities	-	P	-	-	-	P	
Media production - Soundstages	-	-	-	-	-	P	
Printing and publishing	-	P	P	-	P	P	
Recycling facility - Incidental small collection	-	P	P	-	P	P	17.400.090
Recycling facility - Small collection	-	AUP	AUP	-	AUP	AUP	17.400.090
Research and development (R&D)	-	-	-	-	-	P	
Wholesaling and distribution facilities	-	-	-	-	-	P(2)	

RECREATION, EDUCATION & PUBLIC ASSEMBLY

Arcade	-	AUP	AUP	P(3)	AUP	-	
Clubs, lodges, and private meeting halls	-	P	P	P(4)	-	P	
Health/fitness facilities	-	P	P	P(4)	P	P	
Indoor amusement/entertainment facilities	-	P	P	P	P	-	
Outdoor commercial recreation	-	CUP	CUP	-	CUP	CUP	
Public recreational and cultural facilities	P	P	P	P	P	P	
Public Schools	P	P	P	P	P	P	
Private Schools (5)	CUP	CUP	CUP	CUP	-	CUP	
Religious places of worship	CUP	P	P	-	-	P	
Studios - Art, dance, music, photography, etc.	P	P	P	P	P	P	
Theaters	P	P	P	P	P	P	

RESIDENTIAL

Home occupations	P	P	P	P	-	-	17.400.055
Live/work units	P	P	P	P	-	-	17.400.060
Mixed use projects	P	P	P	P	-	-	17.400.065
Residential care facilities, 6 or fewer clients	P	P	P	P	-	-	
Residential care facilities, 7 or more clients	CUP	CUP	CUP	-	-	-	
Senior citizen congregate care housing	CUP	CUP	CUP	-	-	-	
Single Room Occupancy units (8)	P	P	P	P			17.400.106
Supportive Housing, 6 or fewer residents (7)(8)	P	P	P	P	-	-	
Supportive Housing, 7 or more residents (8)	CUP	CUP	CUP	CUP	-	-	
Transitional Housing (7)(8)	P	P	P	P	-	-	

RETAIL TRADE

Accessory food service	P	P	P	P	P	P	
Accessory retail uses	P	P	P	P	P	P	
Adult businesses (6)	-	P	P	-	-	-	
Artisan shops	P	P	P	P	P	P	

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) 10,000 sf maximum floor area.
- (3) Up to 10 amusement devices are allowed in conjunction with a multiplex movie theater subject to Section 17.230.030
- (4) Subject to ground floor restrictions; see Section 17.220.035 (CD District Requirements).
- (5) AUP required for schools up to 1,500 square feet in area.
- (6) Use only allowed subject to approval of an Adult Use Development Permit (See CCMC Chapter 11.13).
- (7) Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.
- (8) Use only allowed as part of a mixed use project

EXHIBIT A
ZONING CODE AMENDMENT ZCA P-2014135

17.700.010 Definitions

Definitions, “S”

Supportive Housing. Housing with no limit on length of stay, that is occupied by the target population and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and when possible, work in the community. Supportive Housing ~~with 6 or fewer residents per unit~~ shall be considered a residential use of the same type as other residential uses of the same type in the same zone.

California, Department of Finance has approved the Housing Division to retain the Globe land as an asset but has disallowed any financial assistance to the project. The developer, Habitat for Humanity of Greater Los Angeles, will attempt to raise the necessary funding to complete the project.

- Q. Redevelopment Agency/Successor to the Redevelopment Agency Housing Replacement. Use financial resources, if available, from the Successor to the Redevelopment Agency, to help replace residential units lost as a result of Successor Agency actions. There were no residential units lost due to Redevelopment Agency actions. This measure will remain in the event that actions by the successor agency to the Redevelopment Agency results in a loss of units.

Measure 2. Programs to Facilitate Additional Housing. To support the policies of the Housing Element, the Housing and Planning Divisions will implement the following programs.

- A. Density Bonus Program. Provide information on the Density Bonus Ordinance to affordable housing applicants.
- B. West Culver City Residential Rehabilitation Program. Offer rehabilitation grants to eligible property owners in West Culver City and provide grants to affordable housing developers who wish to acquire and rehabilitate units to provide low-income rental housing.

The West Washington Residential Rehabilitation program is approved in the Redevelopment Agency's 2009-2010 Budget for \$300,000. This program was not fully implemented due to the dissolution of the Redevelopment Agency. Implementation of this measure will be resurrected once funding from State/Federal sources becomes available.

- C. Accessory Dwelling Ordinance. Implement the Accessory Dwelling Ordinance, which allows the construction of accessory dwelling units subject to an Administrative Use Permit.
- D. Design Guidelines. Develop design guidelines for residential zones to ensure that new multiple-family developments will be consistent with the existing low-density character of the neighborhood. The city will ensure that the effect of the Guidelines will not cause an undue burden on housing supply and affordability.
- E. Nine Units per Lot Restriction. Analyze the impact of the nine units-per-lot restriction in the RMD Zone and consider eliminating the restriction.
- F. Comprehensive Housing Strategy (CHS)/Redevelopment Site Study. As part of the CHS, a study of former Redevelopment Agency-owned sites will be undertaken to analyze opportunities for housing or mixed-use developments with affordable housing components. This will include a review of sites located along commercial corridors that are currently used only for parking to determine if small-scale parking garages combined with housing would be feasible. The city will review implementation programming on a project by

project basis. Additionally, where financially feasible, the Housing Authority will include extremely-low-income units in the mix of potential projects identified in the CHS beyond years 1 and 2.

Preliminary analysis of former Redevelopment Agency-owned sites was conducted from early 2007 to early 2008. This information was incorporated in the CHS, which was reviewed by the former Redevelopment Agency. The former Redevelopment Agency authorized implementation of years 1 and 2 and instructed staff to return to the former Redevelopment Agency with further discussion of the other projects identified in the CHS. Community Development staff from the Building Safety, Housing, Planning and Redevelopment Divisions collaborated in evaluating the former Redevelopment Agency-owned sites using six criteria:

- Financial Feasibility – The project is cost effective and makes sound financial sense.
- Implementation – The project is suitable for the area without rezoning, can quickly move through the entitlement process, and has limited construction constraints.
- Timing – The project can be accomplished in a reasonable timeframe.
- Neighborhood Impact – The project make sense for the neighborhood and is compatible in terms of density, housing type, parking, mix of incomes, and impact on traffic. The project addresses blight and nuisance and improves the appearance of the neighborhood.
- Economic Benefit – The project increases the tax base and solves other fiscal needs of the city.
- Community Impact – The project site is near transit, creates open space, promotes sustainability goals, removes blight and nuisance, and substantially improves the appearance of the community.

In addition to these criteria, prototype affordable projects were identified and preliminary site plans were prepared. These prototype projects were then priced using industry standard construction cost estimating techniques. The CHS details the financial feasibility, site analysis and timeframe for each former Redevelopment Agency-owned site.

Under measure 1P above, Years 1-2 of the CHS were adopted by the former Redevelopment Agency. The Tilden Terrace and Culver Villas projects will complete construction in 2013 and produce 44 affordable units. The Globe project is projected to commence construction in 2014. This project will provide 10 affordable units. With the completion of the Globe project, Years 1-2 of the CHS will be completed. Affordable housing development beyond Years 1-2 of the CHS will be resurrected once funding from State/Federal sources becomes available.

- G. Comprehensive Housing Strategy and Infill Development Programs. Monitor applications for mixed-use developments along commercial corridors and for

residential developments in the RMD zone and encourage developers to apply for DOBI applications in order to include affordable units within development projects. If proposed developments are part of the CHS, work with the developer to ensure an affordable housing component. Maintain the city's site inventory of underutilized or vacant residential and commercial lots which are appropriate for infill or mixed-use development, to be used as an informational tool for the city's CHS.

- H. Comprehensive Housing Strategy/Housing Priority List. As part of the CHS, acquire sites identified in the city's housing priority list and build affordable housing commensurate with the quantified objectives. The former Redevelopment Agency acquired two sites for implementation in years 1 and 2. To the extent possible, based upon funding, market conditions, economic forces and property availability, the city may initiate the process to acquire additional sites identified in the CHS.

Implementation of this measure is de-funded due to State legislative action eliminating the city Redevelopment Agency. Implementation of this measure will be resurrected once funding from State/Federal sources becomes available.

- I. Washington/Venice Land Use. Washington Place and Venice Blvd. are two sites identified for potential development of multi-family affordable housing in the CHS. A full analysis of these sites will be conducted to determine project feasibility.
- J. Work Force Housing. The City of Culver City staff collaborated with staff from other jurisdictions in the Westside Council of Governments (COG) to complete a Workforce Housing Study. The target households for workforce housing are those that are above the eligible income levels for traditional affordable housing programs (typically 120% of median income) but still cannot afford housing. The study provides suggestions on how to create workforce housing using various private sector/government ventures and creative financing. Money and programs set aside for traditional affordable housing cannot be used due to income restrictions on these programs. To bring awareness to the local Culver City community regarding the need for Workforce Housing, a presentation was made to the Culver City City Council in Spring 2009. Additionally, staff will review the CHS to incorporate Workforce Housing into proposed projects where feasible. This review will be after years 1 and 2 of the CHS. Because funding for Workforce Housing cannot come from redevelopment Set-Aside funds and requires private sector collaboration and/or creative financing, implementation of workforce housing measures is difficult and cannot easily be included in housing programs or strategies that normally can be expected to rely on set-aside funds.
- K. Single Room Occupancy (SRO) Housing. Implement development of SRO's, which allows the construction of SRO's within mixed use developments subject to specific SRO development standards.

- L. Zoning for Emergency Shelters and Transitional/Supportive Housing. Implement development of Emergency Shelters and Transitional/Supportive Housing subject to specific development standards for Emergency Shelters and existing residential standards for Transitional/Supportive Housing. Amend the Zoning Code to state that Supportive Housing, regardless of the number of residents, is subject to only those restrictions that apply to other residential uses of the same type in the same zone.
- M. Definition of "Family". A definition of "family" consistent with state law is included in the Glossary section of the Housing Element. In addition the Municipal Code will be amended to include a definition of "family" consistent with state law.
- N. Reasonable Accommodation Procedures. Process Reasonable Accommodations requests subject to approval of an administrative approval and compliance with applicable code standards.
- O. Reduced Parking For Affordable Units. The city will amend its parking standards such that, upon a developer's request and when a required percentage of units are reserved for very-low- (including extremely-low-) and lower-income households, only one parking space will be required for studio and 1-bedroom units.
- P. Surcharge Fee for New Construction. The city will offset the New Construction Surcharge fee for affordable units assisted by the Redevelopment Agency with housing set-aside funds. This measure cannot be implemented due to the State legislated elimination of Redevelopment Agencies. It will be resurrected when funding sources become available.

Measure 3. Housing Division Administrative Activities. To assist affordable housing developers and preserve affordable housing opportunities, the city's Housing Division will provide the following administrative services. Implementation of this measure is de-funded due to State legislative action eliminating the city Redevelopment Agency. Implementation of this measure will be resurrected once funding from State/Federal sources becomes available. The Housing Division will continue to provide technical assistance to developers and organization that produce housing for person with special needs and monitor at-risk affordable housing units.

- A. Financial Support and Technical Assistance. Provide financial support and technical assistance to organizations that develop housing for populations with special needs.

To encourage the inclusion of affordable housing units in new housing development, the Housing Division will work in partnership with Planning to offer density bonuses and financial assistance where appropriate to developers. The city will continue to inform developers when they first contact Planning that the city may be able to provide some financial assistance to their project in exchange for affordability commitments, (assuming there is funding in place to replace redevelopment set-aside funds that no longer exist). Additionally,

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Meeting Date: September 10, 2014		Item Number: PH-2
AGENDA ITEM: Administrative Use Permit, AUP-P2014072 to allow proposed modifications to an existing Type-47 (on-sale general eating place) alcohol license extending the sale of alcohol until 2:00 a.m. daily at El Baron Restaurant and Nightclub located at 8641 W. Washington Boulevard.		
Contact Person/Dept.: Manuel Muñoz, Assistant Planner		Phone Number: (310) 253-5756
Public Hearing: ☒	Action Item: ☐	Attachments: ☒
Public Notification: On August 20, 2014, 2014, notices were mailed to all the property owners and occupants within a 500-foot radius of the site. Email to the Master Notification List was made on August 20, 2014.		
Planning Approval: Thomas Gorham, Deputy Community Development Director/Planning Manager		Department Approval: Sol Blumenfeld, Community Development Director

RECOMMENDATION:

That the Planning Commission:

1. Deny Administrative Use Permit, AUP-P2014072, as stated in Resolution No. 2014-P10 (Attachment No. 2).

PROCEDURES:

1. Chair calls on staff for a brief staff report and Commission poses questions to staff as desired.
2. Chair opens the public hearing, providing the applicant the first opportunity to speak, followed by the general public.
3. Chair seeks a motion to close the public hearing after all testimony has been presented.
4. Commission discusses the matter and arrives at its decision.

REQUEST:

On April 28, 2014, Marta A. Palacios of El Baron Restaurant and Nightclub (Applicant), submitted an application for an Administrative Use Permit (AUP) to allow the continued sale of alcoholic beverages for on-site consumption, including proposed modifications to an existing Type-47 (on-sale general eating place) alcohol license extending the sale of alcohol until 2:00 am on the subject property.

Pursuant to Culver City Municipal Code (CCMC) Section 17.630.0115 – “Notice of Decision”, the Community Development Director has decided to refer the AUP to the Planning Commission for determination. The reason for the referral to the

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Planning Commission is the high level of interest in the subject application from the surrounding neighborhood and comments submitted related to concerns over noise, parking, and others.

BACKGROUND:

City records indicate that the building was established in 1927 and has been a nightclub/cocktail bar and restaurant since 1954 as indicated by Building Safety Division records. The earliest available business license tax certificate was issued on May 18, 1983 to Tropical Club. The present operator, El Baron Restaurant and Nightclub took over ownership of the restaurant and nightclub on August 3, 2006. The earliest available alcohol license from the Department of Alcohol Beverage Control (ABC) was issued on June 3, 1988 as a Type-48 (on-sale general public premises) and was transferred to various owners. The last transfer was to El Baron and changed to a Type-47 (on-sale general eating place) on October 17, 2006 from the previous business Con Sabor Club Tropical. Below is a table of the various alcohol licenses issued to the property:

Business Name	Issued Date	License Type	License Number
Paul Vargas	6/3/88	Type-48	218525
Francisco Quezada	4/30/94	Type-48	292818
Tropical Club	5/9/96	Type-48	316817
Con Sabor Club Tropical	4/22/02	Type-48	385099
El Baron de Centro America	10/17/06	Type-47	443964

General Information

See Attachment No. 1, Project Summary.

Existing Conditions

The site is comprised of a single lot with Washington Boulevard frontage to the south, Sherbourne Drive to the east, an alley to the north and commercial properties to the west and located within the Culver City's Arts District. The lot is 4,420 square feet in area and located on the north side of Washington Boulevard between National Boulevard and La Cienega Boulevard. (See Attachment No's. 3 and 4) The property currently has a 3,595 square-foot, two-story building. The site currently has total of 5 parking stalls and is considered legal non-conforming as a total of 28 parking stalls are required under the current Zoning Code requirements for restaurants. See Attachment No 5 for photos of existing conditions of the project site.

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The area surrounding the project site is a mix of commercial and residential uses. Directly to the south and across Washington Boulevard are commercial properties zoned CG (General Commercial) and beyond are residential properties zoned R2 (Residential Two Family) approximately 200' from the subject site. To the north are residential properties zoned RMD (Residential Medium Density Multiple) in the City of Culver City and more residential properties zoned R2 beyond in the City of Los Angeles. A 15' wide alley separates the restaurant/bar/nightclub from the residential property immediately to the north. To the west and east are commercial properties zoned CG (General Commercial). Culver Automotive, a vehicle repair business is located to the west and Muddy Leek, a restaurant is located to the east.

Project Description

El Baron Restaurant and Nightclub is a family-owned restaurant which offers a full menu of regional dishes from El Salvador and Mexico. They serve breakfast, lunch and dinner. The business is open from 8:00 am to 2:00 am from Monday to Sunday. Food is served from 8:00 am to 11:00 pm. As outlined on the project plans (See Attachment No 6), the restaurant has 35 movable tables and 70 chairs for dining with 5 seats at the bar. The restaurant also has a full kitchen, stage, dance floor, and restrooms for men and women. The approved occupancy load for each area are as follows:

- Dance Floor 69 People
- Dining Area 102 People
- Kitchen 3 people
- Total Occupant Load 174 Persons

El Baron also offers karaoke night, salsa classes, bachata and cumbia classes, and belly dancing classes Monday through Thursday. On Friday through Sunday from 8:00 P.M. to 1:45 A.M. El Baron introduces a nightclub component to their operations with dancing which may include a DJ and/or live music. There is a cover charge on Friday and Saturday nights after 8:00 P.M. for those patrons not having dinner. See attached Operations Statement provided by the Applicant (Attachment No. 7)

The applicant is proposing to modify the operating hours of an existing type-47 (on-sale general eating place) alcohol license. The license currently limits sale, service and consumption of alcohol between the hours of Sunday through Thursday, 11:00 a.m.-10:00 p.m. and Friday and Saturday 11:00 a.m.-12:00 midnight.

The proposed modification to the hours would extend the sale, service and consumption of alcohol until 2:00 am on Monday to Sunday. The above

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restrictions were imposed by ABC in 2006 when the Type-48 license was changed to a Type-47 license (See Attachment No. 8) when El Baron Restaurant & Nightclub secured ownership of business and alcohol license in 2006. According to the ABC license the restricted hours were imposed due to the close proximity of residential uses

ANALYSIS:

Inventory of Alcohol Licenses

The tables below illustrates all the alcohol license within census tract 7024. Specifically, on Washington Boulevard between National Boulevard and La Cienega Boulevard. The area has a total of 13 licenses in which 5 businesses have been issued an Administrative Use Permit (AUP) for alcohol use. The rest of the business are legal non-conforming and will require an AUP should they make changes to the license or use.

TOTAL NEIGHBORING ALCOHOL LICENSES ON WASHINGTON BLVD. BETWEEN NATIONAL BLVD. AND LA CIENEGA BLVD.		
Alcohol License Type	Number of License	Total Number of License
13 (Distilled Spirits Importer's General)	1	13
20 (Off-Sale Beer and Wine)	2	
21 (Off-Sale General)	2	
41 (On-Sale Beer and Wine – Eating Place)	6	
42 (On-Sale Beer and Wine – Public Premises)	2	

NEIGHBORING ALCOHOL LICENSES ON WASHINGTON BLVD. BETWEEN NATIONAL BLVD. AND LA CIENEGA BLVD.				
Business Name	Business Address	Alcohol Type	Expiration Date	Alcohol AUP Issued
Surfas	8777 Washington Blvd.	41 (On-Sale Beer and Wine – Eating Place)	1/31/15	No
Bucato	3280 Helms Ave.	41 (On-Sale Beer and Wine – Eating Place)	6/30/14	Yes
La Dijonaise Café Et Boulangerie	8703 Washington Blvd.	41 (On-Sale Beer and Wine – Eating Place)	8/31/14	No
Muddy Leek	8631 Washington Blvd.	41 (On-Sale Beer and Wine – Eating Place)	6/30/14	Yes
Chris Market	8636 Washington Blvd.	20 (Off-Sale Beer and Wine)	9/31/14	No
R & Z Liquor	8582 Washington Blvd.	21 (Off-Sale General)	8/31/14	No
Ludlows Cocktail Co.	8588 Washington Blvd.	13 (Distilled Spirits Importer's General)	2/28/15	No
Alteno Sports Bar	8554 Washington Blvd.	42 (On-Sale Beer and Wine – Public Premises)	6/30/14	No

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Bar & Garden	6142 Washington Blvd.	21 (Off-Sale General) & 42 (On-Sale Beer and Wine)	10/31/14	Yes
Industry Café & Jazz	6039 Washington Blvd.	41 (On-Sale Beer and Wine – Eating Place)	6/30/14	Yes
Brunello Trattoria	6001 Washington Blvd.	41 (On-Sale Beer and Wine – Eating Place)		No
7 Eleven	5900 Washington Blvd.	20 (Off-Sale Beer and Wine)	6/30/14	Yes with 24 hours sales

Noise

The project site is within commercial and residential areas and located among other restaurants. Noise levels will result from vehicles entering and leaving the site and from the music being played indoors during the nightclub portion of the business operation. The applicant has taken measures of decreasing noise levels by installing sound proofing material around the dance floor of the building. This voluntary mitigation measure was installed in June 2014.

Security

El Baron Restaurant and Nightclub has hired a security company and established a security plan (See Attachment No 9). The security company provides its services when the nightclub portion of the operation operates from 8:00 p.m. to 2:00 a.m. or until the last guest patron has been escorted out of the building with a total of three (3) security guards on Fridays, five (5) on Saturday and two (2) on Sunday. All security guards will be dressed in black suits, black shirts, and black shoes and will be equipped with a small flash light, two-way radio and an earpiece. Pepper spray, mace, tazers, knives, fire arms, or any other weapons may never be carried with any of the security guards. Culver City Police Department states that significant decrease in police activity has dropped once ownership transferred from Con Sabor Club Tropical to El Baron Restaurant and Nightclub in 2006.

Enforcement History

Code Enforcement staff has provided a history of enforcement activities (See Attachment No. 10). Most issues were in regards to exterior violations including signage, outdoor seating, obstructed parking, and planting. As indicated, all issues have been corrected.

Parking

The site does not meet current parking requirements for the existing restaurant. The existing site is legal non-conforming and has been a continued use since early 1950s as a restaurant/nightclub. The site currently has five (5) onsite parking stalls

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and requires a total of 28 parking stalls per existing code requirements. The applicant is aware of the parking deficiency and the need for additional parking stalls and have taken measures to decrease business patrons from parking in the neighboring residential areas by providing off-site parking and valet parking.

They proactively hired a valet company when they took over ownership in 2006. The valet company is staffed by two personnel and has an agreement with its neighbor to the west, Culver Automotive during after-hours to park additional vehicles. Culver Automotive has the capacity of filling its parking lot with about 30 vehicles. Between the offsite parking of 30 stalls and the 5 exiting onsite stalls, the use will have a surplus of parking by 7 stalls. The valet parking plan has not been formally approved by the City. Staff will be working with the Applicant to formalize the off-site and valet parking operations. The Applicant will be required to submit a valet plan to be reviewed and approved by the Planning Division and the Public Works Department and indicate a proposed circulation route. The circulation route will not include any routes through residential streets and/or the alley at the rear of the site. It will also highlight that the valet company may not park vehicles in residential streets and/or alleys.

Traffic

The project site will continue to be accessed by two driveways one off of Washington Boulevard and one off of Sherbourne Drive.

The Applicant does not propose to include any additional square footage to the existing footprint of the building. The proposed extended hours for alcohol service is not expected to generate any additional amounts of traffic.

Non-conforming Issues

Parking

The site is currently deficient by 23 parking stalls. The site has 5 parking stalls and required a total of 28 parking stalls for the exiting use.

Landscaping

The site currently has no permanent landscaping. They have potted plants along the existing canopy. Planning Staff is working with the Applicant to build

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permanent landscape planters along the west property and the canopy in the parking lot.

Pay Phone Removal

The site has an existing non-functional pay phone located on the southeast corner of the parking lot. Planning staff is working with the Applicant to get the non-functional pay phone removed.

Trash Enclosure

The site currently has no trash enclosure. The trash bin is located at the northeast corner of the property facing the alley. Planning staff is working with the Applicant to get the installation of a trash enclosure at the existing trash bin location.

Community Outreach

On May 23, 2014, the City of Culver City Planning Division mailed a Pending Notice of Administrative Decision to all the residents and occupants within a 500'-radius of the subject property including City of Los Angeles residents for the proposed project and invited input from the community. The community expressed concerns about the proposed project. Therefore, a community meeting was required to open a dialogue of the issues between the community and the applicant.

On July 10, 2014, the applicant held a community meeting at 7:00 pm at the site location and a total of 19 community members attended the meeting. The applicant made a presentation on the proposed changes, along with the valet and security companies. The community expressed concerned with the following issues; noise, security, parking, and traffic/circulation. The meeting notice was mailed on June 25, 2014 to all the residents and occupants within a 500'-radius of the subject property including City of Los Angeles residents.

On August 20, 2014, the City of Culver City Planning Division mailed a Public Hearing Notice for the proposed project that would be presented before the Planning Commission for a decision. The meeting notice was mailed to all the residents and occupants within a 500'-radius of the subject property including City of Los Angeles residents.

Staff has received a number of correspondences since the original Pending Notice of Administrative Decision was mailed out on May 23, 2014. Most of the correspondence expressed concern with noise, security, traffic and parking (See Attachment No. 11)

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ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) guidelines, initial review of the project established that there are no potentially significant adverse impacts on the environment and the project has been determined to be Categorical Exempt under Section 15301, Class 1 – Existing Facilities because the proposed project consists of the operation of an existing structure, that does not involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination and the project is consistent with the General Plan General Corridor Land Use Designation and the Commercial General (CG) Zone.

CONCLUSION:

The applicant is proposing a modification to the hours that would extend the sale, service and consumption of alcohol until 2:00 am Monday to Sunday. In light of the fact that the business already has extensive operating hours and serves alcohol over 11 hours per day Sunday through Thursday and 13 hours per day Friday and Saturday and given the close proximity of the business to residential properties to the north, staff believes that the extension of operating hours will have a detrimental impact on adjacent area properties and may negatively impact the health, safety and welfare of the community. There are a substantial number of businesses that offer on-sale and off-sale alcohol in the East Washington area and there is the potential to create a nuisance condition with a business that is both a restaurant and a nightclub serving alcohol. The business will not be a full service restaurant with a full menu offered during their proposed extended hours of alcohol service which means that the business will function more like a bar and nightclub than a restaurant during the period. Further, there is significant code enforcement history with the prior business operations and the potential to create future code enforcement problems given its location and proposed operations.

Like many businesses in the East Washington area, the site is under-parked and there is no evidence that the proposed valet parking operation for the site will address the current parking demand for the business. Spill over commercial parking in the residential neighborhoods is a typical problem where commercial uses abut residential property and the fact that the site is currently under-supplied with parking may present a predestined code enforcement problem for the area. Therefore, Staff recommends that the Planning Commission deny the AUP for extended hours of alcohol service.

City of Culver City, California
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ALTERNATIVE OPTIONS:

The following alternative actions may be considered by the Planning Commission:

1. Deny the application as recommended by staff as outlined in the findings contained in Resolution No. 2014-P010.
2. Approve the application with conditions of approval and direct staff to draft a resolution approving the AUP and continue the item in order for staff to bring back a revised resolution of approval and draft conditions of approval.

ATTACHMENTS:

1. Project Summary
2. Resolution No. 2014-P010
3. Vicinity Map
4. Aerial Map
5. Existing Conditions
6. Project Plans
7. Operation Statement
8. ABC License
9. Security Plan
10. Enforcement History
11. Correspondences

PROJECT SUMMARY

APPLICATION TITLE & CASE NO:		
Administrative Use Permit to allow the continued sale of alcoholic beverages for on-site consumption, including proposed modifications to an existing Type-47 (on-sale general eating place) alcohol license extending the sale of alcohol until 2:00 a.m. at El Baron Restaurant and Nightclub located at 8641 W. Washington Boulevard.		
PROJECT ADDRESS/LOCATION:		APPLICANT INFORMATION:
8641 W. Washington Boulevard Culver City, CA 90232		Marta A. Palacios 1646 S. Sierra Bonita Los Angeles, CA 90019
PERMIT/APPLICATION TYPE:		
☒ Administrative Use Permit ☐ Conditional Use Permit ☐ Administrative Site Plan Review ☐ Site Plan Review ☐ Administrative Variance ☐ Variance ☐ Master Sign Program ☐ Certificate of Appropriateness ☐ Certificate of Exemption ☐ DOBI		
☐ Tentative Parcel Map ☐ Tentative Tract Map ☐ Lot Line Adjustment ☐ Zoning Code Amendment - Text ☐ Zoning Code Amendment -Map ☐ General Plan Amendment - Text ☐ General Plan Amendment - Map ☐ Planned Unit Development ☐ Specific Plan ☐ Other:		
APPROVAL BODY: ☒ Public Hearing ☐ Public Meeting ☐ Administrative		
☐ Administrative ☒ Planning Commission ☐ City Council		☐ Redevelopment Agency ☐ Other:
ENVIRONMENTAL DETERMINATION AND NOTICING:		
CEQA Determination	☒ Categorical Exemption, Class ☐ Negative Declaration or ☐ Mitigated Negative Declaration ☐ Environmental Impact Report, Type: _____	
CEQA Noticing	☒ Notice of Exemption (w/in 5 days of decision) ☐ Notice of Intent to Adopt (21 days prior to decision) ☐ Notice of Determination (w/in 5 days of decision) 1 ☐ Fish & Game Certificate of Fee Exemption (w/in 5 days of decision) ☐ Notice of Preparation ☐ Notice of Availability ☐ Notice of Completeness	
PUBLIC NOTIFICATION:		
Mailing Date: 5/19/14	☒ Property Owners ☒ Occupants ☐ Adjacent Property Owners & Occupants	☐ w/in 300' foot radius ☐ w/in 300' foot radius / Extended ☒ Other: w/in 500' foot radius
Posting Date: N/A	☐ Onsite ☐ Offsite	☐ Other:
Publication Date: N/A	☐ Culver City News	☐ Other:
Courtesy Date: 5/20/14	☒ City Council ☒ Commissions ☒ Master Notification List ☐ Culver City Website ☐ Cable Crawler	☐ Press Release ☐ HOA /Neighborhood Groups ☐ Culver City Organizations ☐ Other: City of Los Angeles (LADOT, Planning, CD 11)
GENERAL INFORMATION:		
General Plan General Corridor		Zoning Commercial General (CG)
Legal Description: Tract No. 5522, Lots 8 and 9		Overlay Zone/District Commercial Zero Setback Overlay
Existing Land Use Restaurant (El Baron Restaurant and Nightclub)		

PROJECT SUMMARY

ADJACENT ZONING AND LAND USES

<u>Location</u>	<u>Zoning</u>	<u>Land Use</u>
North:	RMD	Single family residential homes
South:	CG	Various commercial businesses
East:	CG	Restaurant
West:	CG	Automotive business

<u>Project Data</u>	<u>Existing</u>	<u>Proposed</u>	<u>Required/Allowed</u>
Lot Area	4,420 S.F.	4,420 S.F.	Determined by subdivision review
Restaurant (1 st Floor)	2,388 S.F.	2,388 S.F.	1 per 100 S.F.
Storage (2 nd Floor)	1,207 S.F.	1,207 S.F.	1 per 350 S.F.
Parking:			
Standard	4	4	
Restaurant	0	23 (Off-Site)	1 per 100 S.F.
Storage	0	0	1 per 350 S.F.
Handicapped	1	1	1
Total:	5	28	28
Building Setbacks:			
Front	20'-0"	No change	0'
Rear	2'-0"	No change	2'
Side (West)	2'-0"	No change	2'
Side (East)	0'-0"	No change	0'

ESTIMATED FEES:

☐ New Development Impact: <u>TBD</u>	☐ School District: <u>TBD</u>	☒ Plan Check: <u>TBD</u>
☐ In Lieu Parkland: <u>TBD</u>	☐ Art:	☒ Sewer: <u>TBD</u>

INTERDEPARTMENTAL REVIEW:

Planning, Engineering, Building & Safety, Fire Prevention and Sanitation reviewed the project. Comments have been incorporated into the plans or where made part of the recommended conditions of approval.

ART IN PUBLIC PLACES:

Art in Public Places Fee shall be determined if applicable at Plan Check submission.

1 RESOLUTION NO. 2014-P010

2
3 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER
4 CITY, CALIFORNIA, DENYING ADMINISTRATIVE USE PERMIT, AUP-
5 P2014072 TO ALLOW PROPOSED MODIFICATIONS TO AN EXISTING TYPE-
6 47 (ON-SALE GENERAL EATING PLACE) ALCOHOL LICENSE EXTENDING
THE SALE OF ALCOHOL UNTIL 2:00 AM AT 8641 W. WASHINGTON
BOULEVARD IN THE COMMERCIAL GENERAL (CG) ZONE.

7 (Administrative Use Permit, AUP-P2014072)

8 WHEREAS, on April 28, 2014, Marta A. Palacios of El Baron Restaurant and
9 Nightclub (Applicant) filed an Administrative Use Permit (AUP) application to allow proposed
10 modifications to an existing type-47 (on-sale general eating place) alcohol license extending
11 the sale of alcohol until 2:00 am at 8641 W. Washington Boulevard (the "Project"), located in
12 the City of Culver City, County of Los Angeles, State of California; and,
13

14 WHEREAS, in order to implement the Project, approval of the following land use
15 permit application is required:
16

17 Administrative Use Permit, AUP-P2014072: To ensure the Project complies with all
18 required standards and City ordinances and establish all onsite and offsite conditions of
19 approval to reflect the use features and compatibility of the proposed project with the
uses on adjoining properties; and,

20 WHEREAS, on September 10, 2014, after conducting a duly noticed public
21 hearing on the subject application, including full consideration of the plans, staff report,
22 environmental information and all testimony presented, the Planning Commission (i) by a vote
23 of ___ to ___, denied Administrative Use Permit, AUP-P2014072 as set forth herein below.
24

25 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF
26 CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:
27
28
29

SECTION 1. Pursuant to the foregoing recitations and the provisions of Culver City Municipal Code (CCMC), as outlined in CCMC Title 17, Section 17.530.020, the following findings for denying the Administrative Use Permit are hereby made:

E. The establishment, maintenance or operation of the proposed use will be detrimental to the public interest, health, safety, or general welfare, or injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

In light of the fact that the business already has extensive operating hours and serves alcohol over 11 hours per day Sunday through Thursday and 13 hours per day Friday and Saturday and given the close proximity of the business to residential properties to the north, the extension of operating hours will have a detrimental impact on adjacent area properties and may negatively impact the health, safety and welfare of the community. There are a substantial number of businesses that offer on-sale and off-sale alcohol in the East Washington area and there is the potential to create a nuisance condition with a business that is both a restaurant and a nightclub serving alcohol. The business will not be a full service restaurant with a full menu offered during their proposed extended hours of alcohol service which means that the business will function more like a bar and nightclub than a restaurant during the period. Further, there is significant code enforcement history with the prior business operations and the potential to create future code enforcement problems given its location and proposed operations.

Like many businesses in the East Washington area, the site is under-parked and there is no evidence that the proposed valet parking operation for the site will address the current parking demand for the business. Spill over commercial parking in the residential neighborhoods is a typical problem where commercial uses abut residential property and the fact that the site is currently under-supplied with parking may present a predestined code enforcement problem for the area that may be detrimental to the adjacent residential properties.

SECTION 2. Pursuant to the foregoing recitations and findings, the Planning Commission of the City of Culver City, California, hereby denies Administrative Use Permit, AUP-P2014072.

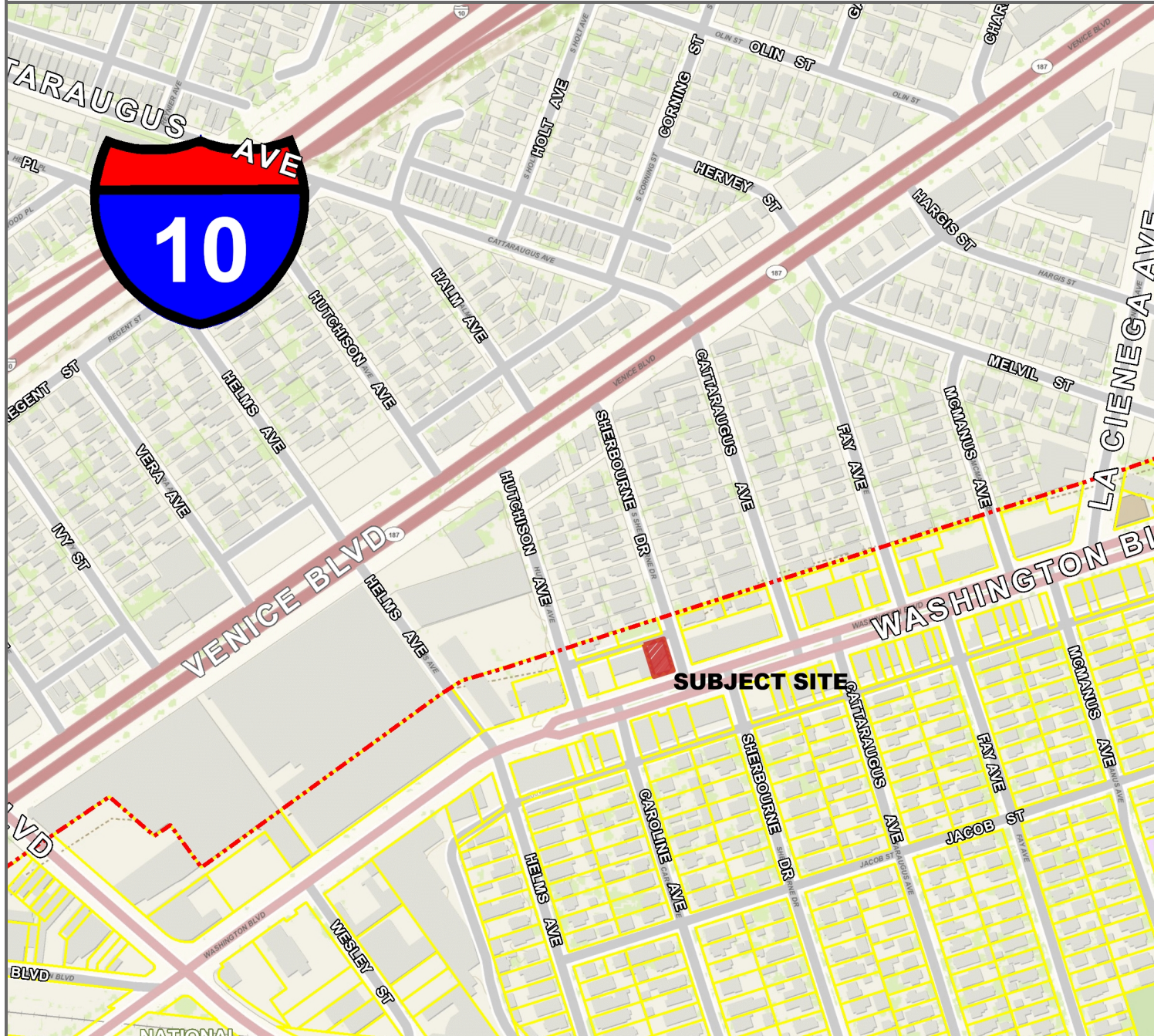
ADOPTED this 10th day of September, 2014.

LINDA SMITH-FROST, CHAIRPERSON
PLANNING COMMISSION
CITY OF CULVER CITY, CALIFORNIA

Attested by:

Yvonne Hunt, Administrative Secretary

Attachment No.
8641 W. Washington Blvd.



Source: Planning Division
Map Created: 08/19/2014
Meeting Date: September 10, 2014

AUP-P2014072



**THE CITY OF
CULVER CITY**



INFORMATION TECHNOLOGY DEPARTMENT

GEOGRAPHIC INFORMATION SYSTEMS

9770 CULVER BLVD
CULVER CITY, CA 90232

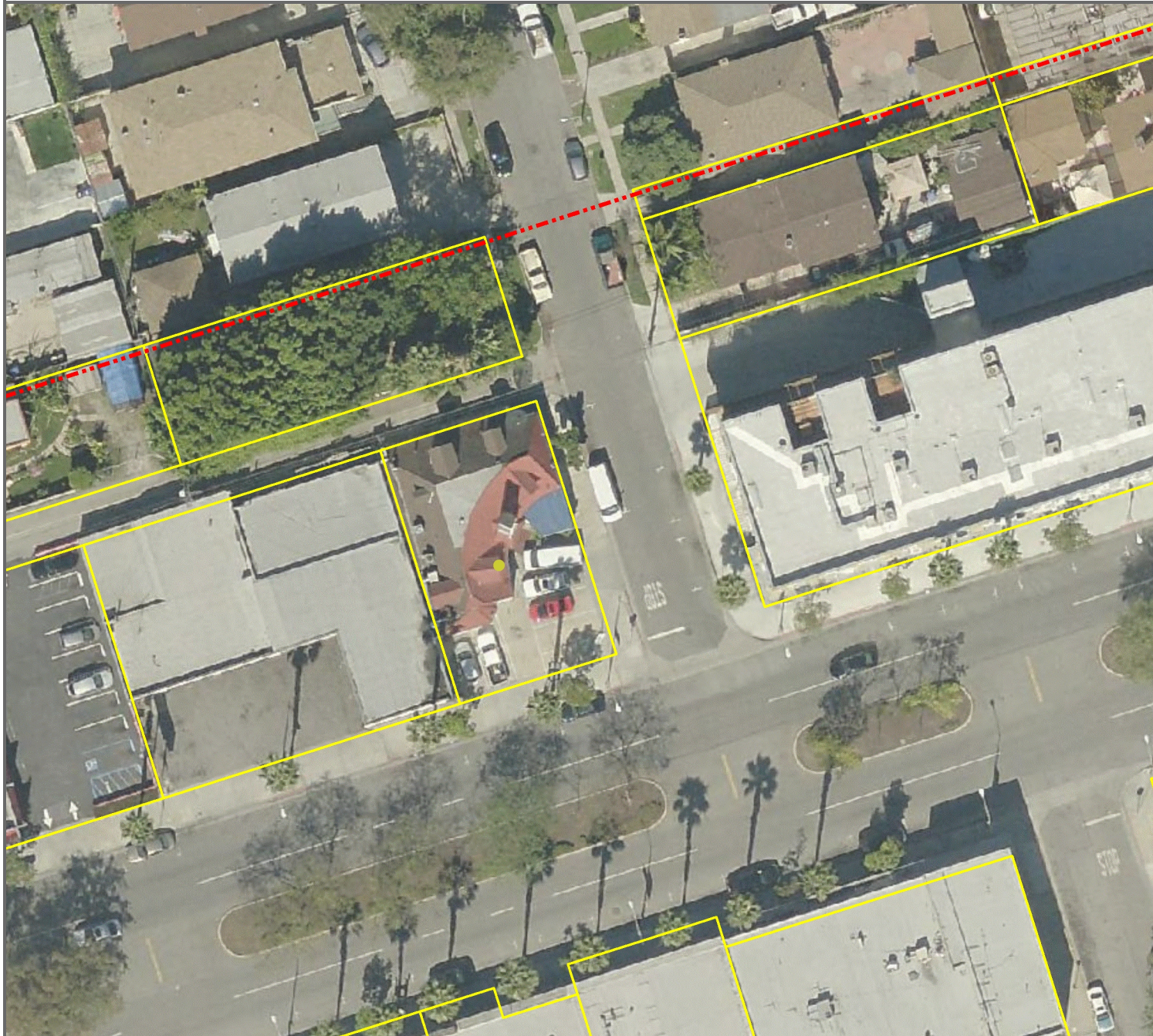
TEL: 310-253-5976

Scale: 1:5,503



0 229.28 458.6 Feet

Attachment No. 4
8641 W. Washington Blvd.
Aerial Map



Source: Planning Division
Map Created: 09/02/2014
Meeting Date: September 10, 2014

AUP-P2014072



**THE CITY OF
CULVER CITY**



INFORMATION TECHNOLOGY DEPARTMENT
GEOGRAPHIC INFORMATION SYSTEMS

9770 CULVER BLVD
CULVER CITY, CA 90232

TEL: 310-253-5976

Scale: 1: 688



0 28.66 57.3 Feet



Attachment 5-A
Existing Conditions – Front Elevation
8641 W. Washington Blvd.
AUP-P2014072



Kitchen/Bar Area



Dance Floor



Dining Area

Alley Entrance Looking East from Sherbourne Drive



Alley Entrance Looking West from Hutchinson Avenue



Existing trash bin
at the rear of the
property



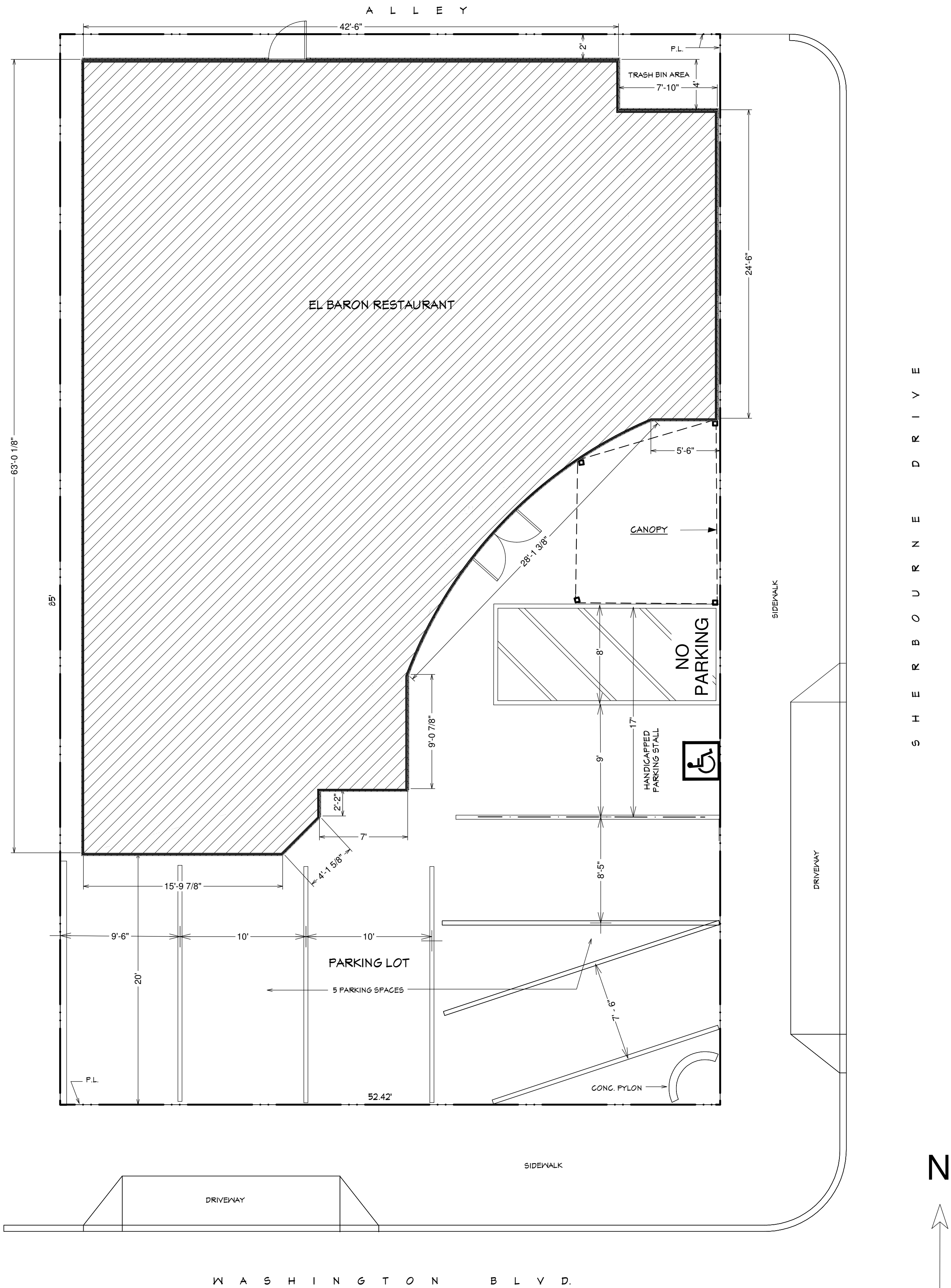
Existing non-functional pay phone



No permanent
landscaping



Existing Planter



PLOT PLAN

SCALE: 3/16" = 1' - 0"

LEGAL DESCRIPTION: TRACT No. 5522, LOTS 8 AND 9

GEORGE A FURCHTGOTT
ARCHITECT

4871 Wilshire Street, Los Angeles, CA 90041 Tel: (323) 258-6529

EL BARON RESTAURANT
8841 W. WASHINGTON BLVD., CULVER CITY, CA 90232

PLOT PLAN

DATE:
4/28/2014

SHEET:

1

RECEIVED

APR 28 2014

Culver City
Planning Division

To: Planning and Zoning Department

The reason for this letter is because we are asking city of Culver City to allow us to modify a condition set on our hours for the sale and consumption of liquor on our premises. We are located at 8641 W. Washington Blvd Culver City, CA 90232. Our business name is El Baron Restaurant and Nightclub. We are open from 8am-2am Monday through Sunday. We are a full menu restaurant with bartenders, waitresses and cooks. We serve food from 8am-11pm Monday through Sunday. Monday through Thursday we have a variety of events for our customers. For example, karaoke night, salsa classes, Bachata and Cumbia class, Belly Dance class with a show etc. we have dancing from 8pm to 1:45 am.

We currently sale, serve and allow consumption of alcohol beverages from 11am-10pm Sunday through Thursday and 11am through 12 midnight, Friday and Saturday. However, we would like and ask the city to allow us to extend our current hours of alcohol sale, service and consumption.

We ask that the hours be changed to the following...

Monday through Thursday 10is through 2am and Friday through Sunday from 9am through 2am. The reason we are asking for these hours is because it would increase the amount of customers that come and stay longer. They would consume more food, beverages and alcohol because of this. This means more revenue for our business and the city. Last call for alcohol sale and service will be at 1:30am and drink pick up time will be at 1:45am.

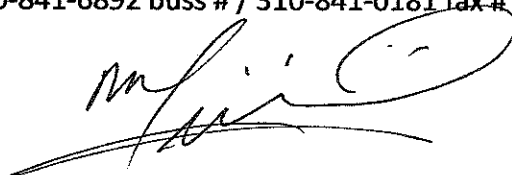
We have increased our security measures also to help and keep our business, patrons, and employees safe. I have attached a security plan from our security company. We also have 2 dvr systems with a total of 32 cameras that surround outside and inside the restaurant to also help protect our business, patrons and employees. We also have valet parking for our customers Friday through Sunday from 7pm to 2am. And have rented extra parking space from our next door business neighbor Culver Automotive which is also available to our patron Monday-Thursday when valet is not available. If there is anything else we can do to make things better and easier for our Culver City residents, we are also available and open to new ideas and suggestions. Please consider and accept our petition for the increase hours for the sale, service and consumption of alcohol.

Thank you!

Marta A. Palacios/El Baron Restaurant & NightClub

baronrestaurant@aol.com / 323-377-4777 cell

310-841-6892 buss # / 310-841-0181 fax #



Security Plan for El Baron Restaurant and Night Club

RECEIVED

APR 28 2014

This security plan is made and entered into as of the 1st day of April 2014. For the above Culver City mentioned business located at, 8641 W Washington Blvd Culver City, CA 90232 by Alliance Group Protection Services, Inc. Planning Division

1. Security services will be provided from the hours of 8:00pm to 2:00am, or until last guest has been escorted out of the location.
2. For every fifty (50) patrons there will be a security guard present (50/1 ratio). Security personnel will be dressed in black suits (coat and pants), black shirt and black shoes. Each security officer will display a black pin with the letters "AG" on the right coat lapel. The security officers will be equipped with a small flashlight, a two-way radio and an earpiece. **PEPPER SPRAY, MACE, TAZERS, KNIVES, FIRE ARMS, OR ANY OTHER WEAPON MAY NEVER BE CARRIED WHILE WORKING AT EL BARON NIGHTCLUB.**
3. Alliance Group will assigned a total of three (3) security officers on Fridays, five (5) on Saturdays and two (2) on Sundays. One security officer will be posted at the front door (main entrance) and will be responsible for identification verification and enforcement of the minimum age requirement. This security officer will also ensure that no patrons enter the nightclub while intoxicated and will enforce the dress code. One security officer will be posted in the hall area near the restrooms and emergency exit. All additional guards will be roaming to provide high visibility and enforcement in the bar and dance floor area.
4. In the event of an altercation between patrons, the security officer assigned to the front door will relinquish his post to the nightclub's manager to assist the roaming security officer with the situation. Security guards will utilize their flashlights to pinpoint the exact location and will identify the parties involved. The first action by security will be to separate the parties and guide them to the nearest exit. They will then determine if injuries are involved and request paramedics if required. Security will then determine if a crime is involved and if Police services are required. They will act only as mediators and enforce the observe and report rule. If no further action is required security officers will ensure that the parties involved are not intoxicated and are able to care for themselves. If the parties involved parked with the nightclub's valet, security will immediately notify valet personnel so that their vehicles can be ready in the front.
5. In the event of a verbal altercation security personnel must attempt to resolve every situation through good communication. However while working as a security officer situations may require the use of force. The use of force is only justified in situations where all other avenues have been exhausted and only then when in situations where it is clearly provoked only by the other party and not by security personnel.
6. In the event of injuries to anyone in the night club due to any type of accident, security will immediately provide comfort and request paramedics if required or requested by the injured party.

7. In case of a fire inside of the nightclub or in an area near the nightclub where patrons safety is of concern, security personnel will do the following: security will immediately escort the patrons to the nearest exit (front door or emergency exit) depending on the location of the fire. Security will do this in a calm and safe manner. When feasible security will utilize the fire extinguishers located (2) in the bar area, (1) by the entrance area and (1) by the rear emergency exit area to prevent injury to people and property damage.
8. Security personnel will complete and incident report for any incident (altercations, thefts, injury, etc.). To document all pertinent information that may be required for insurance claims, Police investigations or court proceedings in the future. These incident reports will include, but will not be limited to: Dates, times, names and personal information of all parties involved, license plate numbers of vehicles, description of injuries (if present), names and unit numbers of Police and Fire department personnel.

Venue information

El Baron Night Club

8641 W Washington Blvd
Culver City, CA 90232

Club Hours: Friday-Sunday 8:00pm-2:00am

Last Call: 1:30 am

Drink Pick Up Time: 1:45 am

Culver City Police Department

4040 Duquesne Ave
Culver City, CA 90232

Culver City Fire Department

9770 Culver Blvd
Culver City, CA 90232

Nearest Hospital

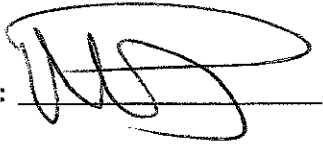
Kaiser Permanente Hospital

5971 Venice Blvd
Los Angeles, CA 90034

ALLIANCE GROUP PROTECTION SERVICES, INC.

A California Corporation (PPO #16811)

By: _____

A handwritten signature in black ink, appearing to be 'H. Valdez', is written over a horizontal line.

Hugo E. Valdez
President
(213) 706-6805

BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA

RECEIVED

IN THE MATTER OF THE APPLICATION OF

PALACIOSALAS, Marta A.
8641 Washington Blvd.
Culver City, CA 90232

} FILE 47-443964

}

} REG.

}

} PETITION FOR CONDITIONAL
} LICENSE

APR 28 2014
Culver City
Planning Division

For Issuance of an On-Sale General Eating Place License

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, the proposed premises is within 24 feet from residences; and,

WHEREAS, issuance of an unrestricted license without the below-describe conditions may interfere with the quiet enjoyment of the above-mentioned residents; and,

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare and morals;

NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

1. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand
2. Entertainment provided shall not be audible beyond the area under the control of the licensee(s) as defined on the ABC-257 dated 8-30-06 and ABC-253 dated 8-30-06.
3. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 11:00 a.m. and 10:00 p.m., Sunday through Thursday and 11:00 a.m. to 12:00 midnight, Friday and Saturday.

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS

10

DAY OF

October

20

06

Applicant/Petitioner

Applicant/Petitioner

El Baron

8641 Washington Blvd.

Property owner: Marta A Alas Palacios

Owner's rep: Elizabeth Alas

Code Enforcement Case:

Exterior Violations:

01/2010 - Several unpermitted signs on property.
 - Unpermitted Outdoor Dining
 - Unapproved Valet Parking
 - Obstructed Parking
 - Unpermitted Awning
 - Unpermitted Lights on Awning
 - Plants on the Public Sidewalk

Compliance: All issues corrected.

07/2011 Permits obtained for Signs, Awning and lights on awning
 Plants removed from sidewalk.
 Outdoor dining removed.
 Items removed from parking lot.
 Valet Parking discontinued.

Interior: No Code Enforcement issues on interior of restaurant/bar

Other Complaints to Code Enforcement:

Complaints received periodically between 2010 and present regarding vehicles parked in the alley obstructing the public right-of-way. Includes Culver Automotive Repair Shops and El Baron.

Neighbors advised code enforcement of a trash fire in 2013 caused by patrons of El Baron Restaurant.

We live in Culver City, 3257 Sherbourne Drive. Next to our house is an alley, where we have our parking in front of our garage. On the other side of the alley is a car shop (upholstery etc).

His customers are parking in the alley and he works in the alley too with a lot of noises and dust. When we have to leave, his customers give us dirty looks and we have to ask, if they can move their cars, so we can get out of our property. Sometimes they tell us, to wait a few minutes, this is not acceptable!!!

Last week, when I came home, a car left our parking space in a hurry, I think, he parked there, when we are not home. We have a sign there, "private property", but it doesn't work.

Also at the corner Washington/Sherbourne Drive is a restaurant. Sometimes business cars or trucks park in the alley, they put a cone there, so it looks like they are working, but an hour later they come out with doggy bags, that does not look like work to me!!! Also in the nighttime, the restaurant customers park in the alley for a while and have very loud music on, sometimes at 12 or 1 o'clock in the morning.

Today is Sunday and we could not get into our parking, because the car shop is open and his customer had a motorcycle and van parked in the alley in front of our parking space. He did not like that we had to park right now. Then the Towtruck came and blocked our parking for half an hour.

Page 1

RECEIVED

JUL 29 2014

Culver City
Planning Division

we talked about

~~Untitled~~

We are really fed up with all the noise and to deal with his customers every day, just to get in and out of our parking. And sometimes he works til 9 p.m. or later and the noise is unacceptable too. We can never sit in our backyard or have friends over, our cars are full of dust too.

Please look into it (we went a few times to your office and complained and showed pictures) and put a sign "No parking in the alley" there. It would help us a lot. I wonder, if the carshop owner would like to have this at his house!!!!?? I saw in Santa Monica, they have this sign in many alleys there.

Sincerely

Renate and Richard Gallegos

Untitled

one lady comes in the afternoon to sell Fruits and food from her truck. She stays one hour ,talking and laughing. A NO PARKING IN THE ALLEY sign would really help.

The other day somebody who parked in the alley told my wife ,to get out of his face, when she asked him to please move the car out of our way.

The 2 shops in the back of the building, both rent the space and should not park in the alley, their work should be confined to their shops,not the alley.

it get's worse every day. Right now, somebody parked there and told us, to go out the other way, he would not move the car for us to get out. And this guy is sleeping in his van all the time. we really had it and please help us with this big problem.

Again, a NO PARKING IN THE ALLEY sign would really help.

SPEED Limit sign" - "Tow-Away sign"
"NO PARKING Signs"
Now we have to put up with
Moeter cycle shop. Lots; Lots, Lots
OF NOISE + PARKING PROBLEMS

Richard Gallagos
3257 Sherbourne Dr

PLEASE HELP US

Page 1

Calver City

H 310 2042669

C 310 280-8345

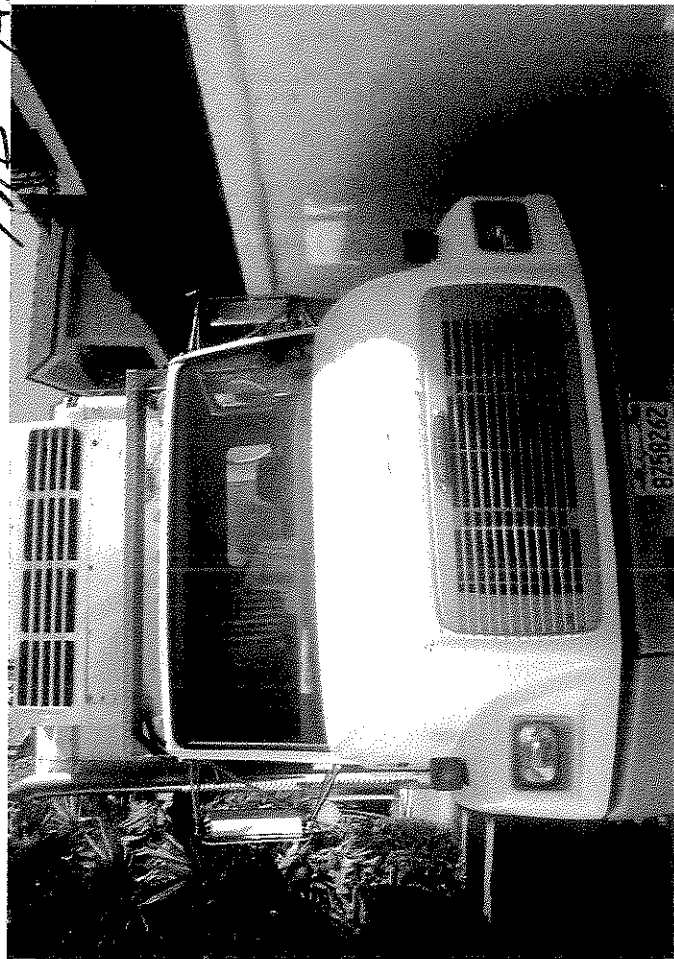


THIS HAPPENS EVERY DAY





THIS HAPPENS EVERY DAY





This Happens
Every day

02-26-2010

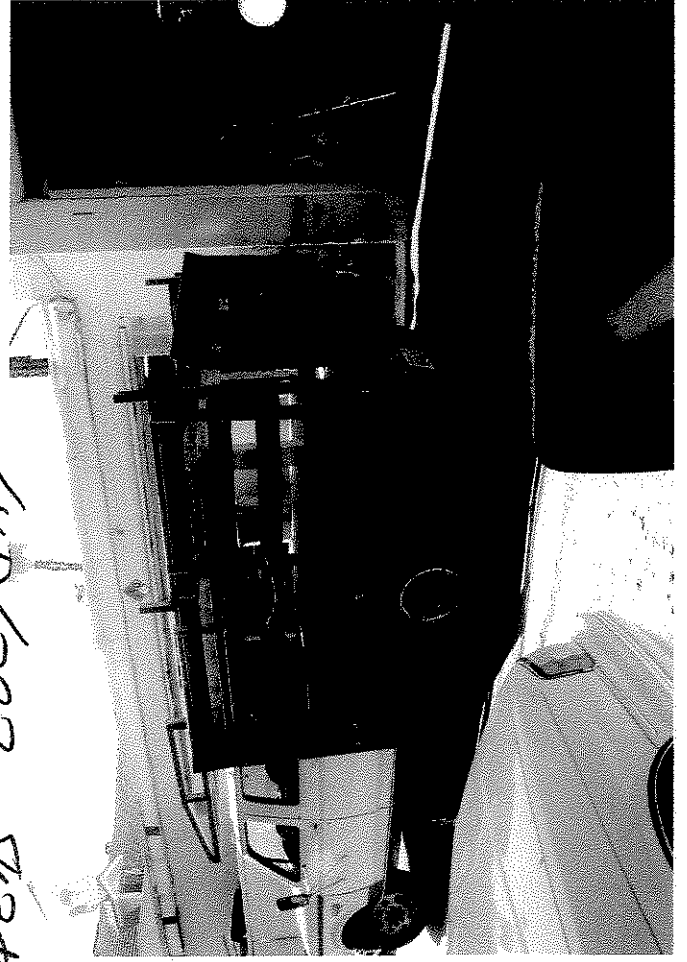


THIS HAPPENS EVERY DAY



THIS HAPPENS
EVERY DAY





THIS HAPPENS EVERYDAY



Munoz, Manuel

From: Paul Goodwin <paulg@goodwinsimon.com>
Sent: July 23, 2014 8:46 PM
To: Munoz, Manuel
Subject: El Baron

Mr. Munoz, I live on Cattaraugus south of Washington, near El Baron. My neighbors were telling me about the plan to extend its hours to 2:00 am, and the potential impact this may have on crime and quality of life in our neighborhood.

I do hope that the city is considering the past history of this nightclub and the potential that this decision might have on our community. I have lived on Cattaraugus since 1990, co-founded the East Culver City Neighborhood Alliance, and am proud of how our neighborhood has come together and improved. We had our years with gang shootings, drugs, homelessness, and prostitution on our streets, and we were tired of being the forgotten and neglected corner of the city. We have fought for many years to change this and to be fully part of the Culver City community. It would be painful if the city helped push us backwards.

Please let me know what steps the city is taking to stop the extension of operating hours for El Baron and to protect our community.

Thank you, Paul Goodwin

310/558-4761 (o)
310/210-8984 (c)
310/558-0539 (f)
paulg@goodwinsimon.com

Munoz, Manuel

From: Dino Parks <dinoparks@mac.com>
Sent: July 16, 2014 7:58 AM
To: Munoz, Manuel
Cc: Blumenfeld, Sol; Yun, Susan
Subject: El Baron AUP liquor license

Hello Manuel,

I'm writing to let you know I oppose the proposed extension of hours for liquor sales at our neighborhood nightclub, El Baron. The hours were previously restricted by the California ABC after repeated instances of disorderly and violent behavior by the patrons of the Club. I am sure that a record exists of the history of complaints and incidents reported to ABC. Further, I am sure that the Culver City Police Department responded on numerous occasions to these incidents. I personally called the CCPD more than once at or around 2 am, and I imagine other neighbors did too. For several years being awakened at that hour was the norm every Friday and Saturday night. This didn't change until late 2008. This followed a brawl on Caroline Avenue that included a stabbing.

I imagine this date will coincide with the time restrictions were placed on the sale of alcohol.

I was present at the Community Meeting on July 10, and you heard these stories as well as descriptions of currently ongoing disruptive behavior adjacent to the Club on Sherbourne Ave. The owners and employees were very nice, but nothing in their presentation suggested that they would be able to control the behavior of their patrons when they leave the premises. Unfortunately many of those patrons will have to park in our neighborhood in front of our homes. The Club has \$5 valet parking for 20 to 30 cars. The occupancy of the Club is 135. Obviously a busy night at El Baron means dozens of cars in our neighborhood. And dozens of patrons leaving the Club around 2 am after drinking for hours.

Another point of note: the Club currently hires 5 security guards each night, 3 inside and 2 at the door. This suggests to me that they need security to control the crowd that is there, and reflects on the disposition of their customers.

I notice that the Los Angeles portion of Sherbourne Ave. north of the Club has elected to enact 24/7 permit parking only. I can understand that they might be reacting to parking pressure created by the Club patrons. This would be an option for our streets in the McManus neighborhood, although it would be very unfortunate for all the businesses on Washington. But I would prefer it to being awakened every weekend in the middle of the night, and worrying about the safety of my family and anyone who happened to be on the street at 2 am.

I hope you will balance the interests of neighborhood residents against the desire of the Club to expand its hours of operation.

Respectfully,

Dino Parks
(310) 890-3532

Munoz, Manuel

From: Christie Gaynor <christiemg@gmail.com>
Sent: July 14, 2014 9:41 PM
To: Munoz, Manuel
Subject: El Baron liquor license

Dear Mr. Munoz,

I was very disturbed to hear the report from my neighbors that the city is considering granting a 2 AM liquor license to El Baron restaurant.

The residential neighborhoods in this area in which I also live are very family oriented with lots of children. There is absolutely no need for any establishment to have a license that extends to 2 AM in the morning especially to one that currently exhibits disorderly conduct with multiple neighbor complaints. The Arts District is becoming more sophisticated and a nice draw for great restaurants. This element would bring down this whole area.

I implore you as a resident of this neighborhood, a mother and a Culver City business owner to deny this license.

Thank you,

Christie Gaynor

Excuse any typos, sent from my iPhone

Munoz, Manuel

From: info@codedsource.com
Sent: July 14, 2014 10:46 PM
To: Munoz, Manuel
Subject: Regarding El Baron

Dear Mr Munoz,

I understand that El Baron restaurant has applied for a liquor license extension which would allow them to operate until 2 AM. My wife and I are vehemently opposed to that extension or any extension that would allow them to stay open and serve liquor later at night. We live in a quiet neighborhood which on many occasions has been disrupted and turned violent due to the actions of some customers from EL Baron. Much of that behavior is due to alcohol abuse. Perhaps you are not be aware that the police have been called numerous times to deal with their violent and destructive behavior.

The residents are opposed.

Thank you,
G.E. Stinson
Culver City, CA 90232

Munoz, Manuel

From: Mariena Quintanilla <la.mariena@yahoo.com>
Sent: July 14, 2014 3:51 PM
To: Munoz, Manuel
Subject: El Baron liquor license

Mr. Munoz,

I write to you as a resident of the Helms Art district in Culver City. It has come to my attention that the El Baron nightclub wishes to extend the hours they can serve liquor until 2am.

This establishment has not proven itself as one that benefits our community and I am concerned for the negative impacts to the residents of our neighborhood if liquor is served later than it is already. More and more families are living in the Helms Arts district and as a parent myself I don't want an establishment with a history for patrons that disrepspt the neighborhood to be further intoxicated.

Please keep this in consideration as their request is evaluated.

With regard,
Mariena Quintanilla
3033 Reid Avenue

Munoz, Manuel

From: Jill Korengold <itupelo@gmail.com>
Sent: July 14, 2014 8:51 AM
To: Munoz, Manuel
Subject: El Baron

Hi Manuel,

So, I was at the meeting the other night and I have some concerns that I just wanted to stress here to you as I didn't really speak at that gathering. That night I was interested in hearing all sides, and then taking a minute to form my own opinion.

First off, I appreciate so much that the meeting even took place. It's very comforting to know that the community of which I live in is passionate about the care that's being treated to not only the neighbors, but to the company owners as well.

As I reflect on some of the points that were made, I keep going back to one item of note that I can't get out of my head. Why on earth would a place that small need 5 security guards? To me that is incredibly telling of the needs of this establishment as is, and so to then give them yet more alcohol to potentially fuel bad behavior even more, just doesn't make sense. In fact, it goes way beyond not making sense, it seems positively reckless.

I appreciate so much that the owners are trying to be responsible and are open and wanting to take steps to hopefully alleviate the problems that have been currently occurring. I had no idea what had been happening, and hearing the accounts of these things from the immediate neighbors made me very concerned. I'm not sure what I would do if these things were happening so close to me.

I understand the need and want to make more money, I do. But to me this is so clearly not the right combination of things.

Anyway, thank you for being open to communicating about this.

Jill Korengold

nightclub

Culver City
Planning Division

May 28th 2014

We live next to the El Baron Restaurant/Nightclub and we are against the Sale of Alcoholic Beverages.

Before the fire in the alley, which was caused by drunken customers of the nightclub, we heard so many noises like screaming fighting, throwing bottles etc. People were urinating, defacating and vomiting in our front yard, it was terrible, we couldn't sleep or woke up.

When the nightclub closed, we heard running cars, women fighting and screaming on the street or alley.

This is now a quiet neighborhood - in the nighttime - we (and other neighbors too) don't want it to start again with all the noises.

Sometimes the cars are speeding in the alley or park there, when people go out to eat. A sign in the Alley "no parking in the alley" would really help too.

Would anybody, who works at City Hall like to live like this? We pay our taxes. This is a residential Neighborhood and nobody likes to wake up every night to hear noises from people who are drunk.

So please, don't let this happen again.

Sincerely

Richard and Renate Gallegos

Munoz, Manuel

From: constance moffatt <artitalia@ca.rr.com>
Sent: May 27, 2014 8:31 PM
To: Munoz, Manuel
Subject: Liquor license at 8641 West Washington Blvd.

RE: El Baron nightclub

Dear Mr. Munoz and Culver City Planning Department and City Council Members

On behalf of myself and my husband, I beg you to not grant this liquor license. We have lived across from this nightclub since it opened and have been awakend by drunk and disorderly clients who park in front of our house, who scream and get in fights on Washington (which always wakes us up after the nightclub closes), and who have been involved in screeching accidents on Washington. They sound drunk as they wobble down the street. We can see them clearly from our bedroom window and balcony (after they've awakened us in the middle of the night), as we have a two-story house. We have called the police on many occasions and they have arrived to disperse or talk to noisy, drunk clients of El Baron. The behavior seems to have lessened. Did they lose their liquor license recently?

Not only have we been awakened at 2am, but the music comes directly at our bedroom, as there is nothing to stop it. We are the first house on Sherbourne Drive, south of Washington and the way the sound travels, the music is very loud, so much so that it awakens us, even though we are all the way across the street. It is, however, the drunken folks that affect us the most. Since we live on an alley, they walk down the alley and urinate on our plants, our house, and our garage door. We find it the next morning after a noisy, unruly crowd has passed by the house on the alley side.

Please reconsider the issues I've outlined here. If you allow this liquor license you are providing them with a means of disturbing an entire neighborhood. I can only speak for our disturbances, but, surely, there are others.

Sincerely,

A working couple who needs their sleep.

Constance Moffatt and John Maloney

--

Constance Moffatt, Ph.D.
Professor of Art History
Department of Art + Architecture
Pierce College
818.710.4365

Munoz, Manuel

From: Laurie Hughes <laurie@alchemystrategicgroup.com>
Sent: May 29, 2014 1:28 PM
To: Munoz, Manuel
Subject: El Paron Administrative Use Permit

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Manuel,

I received a note from the city alerting me to the request by El Baron to continue their liquor license and request to stay open until 2am.

I would like to comment that I strongly oppose this business being open until 2am. This is primarily a residential neighborhood. El Baron does not offer their own parking and many of their patrons park in our neighborhood. I don't think it's appropriate for their patrons to be traveling through our neighborhood to get their cars and go home until 2am. I am also concerned about the increase of alcohol some patrons may be consuming and the impact that would have on our neighborhood.

El Baron has been able to thrive as a business currently as it is. I don't want to impede or hurt their business. But I think a primarily residential neighborhood such as East Culver does not need to have a nightclub open until 2am.

I would appreciate a response to let me know your received my comments and to inform me of how they will be incorporated.

I appreciate you listening to me.

Best regards,
Laurie Hughes

Laurie Hughes
3334 Cattaraugus Ave
Culver City, CA 90232

Munoz, Manuel

From: Henry Navarrete <navarrete_henry@yahoo.com>
Sent: June 02, 2014 8:34 PM
To: Munoz, Manuel
Subject: El Baron- 8641 W. Washington Blvd. Permit Sale of Alcoholic Beverages

Follow Up Flag: Follow up
Flag Status: Completed

Good Evening Mr. Munoz,

I hope this email finds you well. I am writing to you on behalf of my family who has lived in Culver City since 1993/ residence at 3272 Sherbourne Dr., Culver City. Culver City has been a city that has changed a lot since the 90s. We have seen all the positive changes that the city has done to improve the community and maintain the high standards of taking care of the city and its reputation.

Unfortunately El Baron has not abided in improving the community nor in taking care of the city. With the extension of having El Baron at 8641 W. Washington Blvd serve alcohol till 2am will not leave a positive effect on the nearby residential area. There was a time El Baron did sell alcohol till 2am and numerous times my family had to pick up Alcoholic Beverages left the next day from the restaurant. Many times we would encounter people under the influence, playing loud music and all this after 2am. This was a time the restaurant would simply close down for the day and not care of what their clients were doing to our residential area. There is always people urinating drunk in front of our house and 4 times so far this year: I have personally opened my gate to put my car inside and find a drunk person from the restaurant trying to come inside the gate/not knowing what they were doing. My car, my brother-in-laws car, and brother's car have all been hit in the night while parked across from El Baron. We have asked for their surveillance cameras to see who hit our car and they always had told us they did not have no records of it.

We have children and families that live in this area, the restaurant has continued to play loud music throughout the nights, has had left the nearby residential areas dirty, has not set a good example in the community, and at times has caused fear in our family of going outside at 2am while knowing there might be a potential/drunken person always left on the side coming out from the restaurant. Culver City has been an amazing city, unfortunately extending the hours for El Baron will create the residential area to speak up and call for a change in the restaurant in the future. Extending their hours to sell alcoholic beverages will lead to more failures this restaurant has brought to our residence.

We want organization and tranquility without having a mess the next day in the morning, not having fear of knowing there might be intoxicated/unconscious people outside of our neighborhood. In order to maintain this peace-of-mind we can't allow the extension to occur.

Thank you for your time taken for this e-mail.

Looking forward to hearing back from you!
Thank you for your consideration,

Kind Regards
Henry Navarrete

Munoz, Manuel

From: gnavarrete93 <gnavarrete93@hotmail.com>
Sent: June 04, 2014 8:32 AM
To: Munoz, Manuel
Subject: Administrative Use Permit AUP-P2014072

June 4th 2014

Dear Mr. Munoz,

I hope you are doing well and I want to thank you for taking the time to go over this letter. I wanted to start this letter stating that I have been a resident at 3272 Sherbourne Dr. Culver City my entire life, since 1993. I can say with certainty that I really enjoy living here but with one flaw. The club across the street "El Baron" or also known as "El Club Tropical" has never been a part of this community and I can assure you that there are others who also agree. Imagine waking up almost every morning seeing vomit, beer bottles, broken beer bottles, and trash on your front lawn, on top of your cars inside your truck beds. Unfortunately imagining is merely the easy part, my family and I are not able to imagine any of the things I just described, because we actually wake up and live through that. I don't think that I have to write down what a pain it is to have to pick up after other people who are drunk and ignorant because they are under some sort of influence. I use to work a late night shift and when I got home all I would see is people drinking with open containers outside in the street, sometimes I would even see cars parked in my driveway. Having this so called "Club" is not what the City of Culver City is about. Culver City is known to have very nice people and a great Police Force whom I have become very fond of. Not people who have business and allow their customers to come out drunk, acting disorderly, urinating on my lawn or next to a trash can.

Another thing that I want to bring up about this "Club" is they do not know how to serve alcohol. They serve and serve and serve and do not see how their customers walk out of their location. They are not responsible. There are multiple nights where my daughter wakes up because people are either screaming outside or the music is too loud. And all of this is just not something this community needs. We live in a residential neighborhood, why is there so much disorderly conduct going around this one particular location. There are drunk drivers leaving their parking spaces. Both of my brothers and my brother in law have had their cars hit by their drivers, I have seen drivers hit my neighbors truck and drive off, he called the police but unfortunately nothing was done about this. We have asked for their surveillance tapes but they refuse to give us those tapes because they know the drivers come out drunk from their location. With all of this said I really hope Culver City can come to a decision to close this place down. Allowing them to serve alcoholic beverages is not going to benefit this community at all. If anything it will help to demolish this city that we live in.

Thank you once again, and I hope to hear back from you soon. Enjoy the rest of your week.

Sincerely,

Gerson Navarrete

Culver City Resident since 1993