

MASTER LAND USE PERMIT APPLICATION

LOS ANGELES CITY PLANNING DEPARTMENT

Planning Staff Use Only

ENV No.	Existing Zone	District Map	
APC	Community Plan	Council District	
Census Tract	APN	Case Filed With <small>[DSC Staff]</small>	Date

CASE NO. _____

APPLICATION TYPE Conditional Use Beverage ("CUB") for on-sale beer and wine (Type 41)
(zone change, variance, conditional use, tract/parcel map, specific plan exception, etc.)

1. PROJECT LOCATION AND SIZE

Street Address of Project: 1101 Glendon Avenue, Los Angeles, CA Zip Code 90024
 Legal Description: Lot 4 Block 10 Tract TR 10600
 Lot Dimensions 87.97' x 144.2' x 89.3' x 65' x 18.41' Lot Area (sq. ft.) 8,973.3 sf Total Project Size (sq. ft.) 5,697 sf

2. PROJECT DESCRIPTION

Describe what is to be done: Re-open restaurant with a Type 41 On-Sale Beer & Wine Eating Place alcoholic beverage license. The proposed use of the restaurant is as a "Tender Greens".
 Construction is limited to interior tenant improvements and exterior signage change.

Present Use: Restaurant w/ "Full Line" alcohol (former) Proposed Use: Restaurant w/ beer and wine

Plan Check No. (if available) _____ Date Filed: _____

- Check all that apply:
- New Construction Change of Use Alterations Demolition
 - Commercial Industrial Residential Tier 1 LA Green Code
 - Additions to the building: Rear Front Height Side Yard
 - No. of residential units: Existing N/A To be demolished _____ Adding _____ Total _____

3. ACTION(S) REQUESTED

Describe the requested entitlement which either authorizes actions OR grants a variance:

Code Section from which relief is requested: _____ Code Section which authorizes relief: 12.24W.1
To grant approval of existing an restaurant space to sell beer and wine for on-site consumption in conjunction with the operations of a bona fide restaurant.

Code Section from which relief is requested: _____ Code Section which authorizes relief: _____

Code Section from which relief is requested: _____ Code Section which authorizes relief: _____

List related or pending case numbers relating to this site:
None. The prior restaurant space was licensed for 30+ years. Last operated as an "Acapulco Mexican Restaurant"

4. OWNER/APPLICANT INFORMATION

Applicant's name Celeste Capaldo-Smith Company TYP Restaurant Group Inc. dba Tender Greens
 Address: 2633 Fairfax Avenue Telephone: (310) 954-1415 Fax: ()
Culver City, CA Zip: 90232 E-mail: celeste@tendergreens.com
 Property owner's name (if different from applicant) 1101 Glendon Avenue, LLC attn: Joshua Weissman
 Address: c/o Rosenfield & Co., 921 Montana Avenue Telephone: (310) 458-6682 Fax: (310) 458-6681
Santa Monica, CA Zip: 90403 E-mail:

Contact person for project information Michael Cho Company Palmieri, Tyler, Wfener, Wilhelm & Waldron LLP
 Address: 2603 Main Street, Suite 1300 Telephone: (949) 851-7268 Fax: (949) 825-5425
Irvine, CA Zip: 92614 E-mail: mcho@plwww.com

5. APPLICANT'S AFFIDAVIT

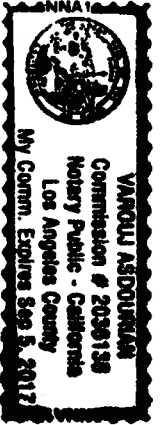
Under penalty of perjury the following declarations are made:

- The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof). (NOTE: for zone changes lessee **MAY NOT** sign).
- The information presented is true and correct to the best of my knowledge.
- In exchange for the City's processing of this Application, the undersigned Applicant agrees to defend, indemnify and hold harmless the City, its agents, officers or employees, against any legal claim, action, or proceeding against the City or its agents, officers, or employees, to attack, set aside, void or annul any approval given as a result of this Application.

Signature: *David Dressler* Print: DAVID DRESSLER

ALL-PURPOSE ACKNOWLEDGMENT

State of California
 County of Los Angeles
 On Sept 21 2013 before me, David Dressler Notary Public Aditi
 personally appeared David Dressler (Insert Name of Notary Public and Title) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same (in his/her/their authorized capacity(ies), and that he/she/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
 WITNESS my hand and official seal.
 Signature *David Dressler* (Seal)


6. ADDITIONAL INFORMATION/FINDINGS
 In order for the City to render a determination on your application, additional information may be required. Consult the appropriate Special Instructions handout. Provide on attached sheet(s) this additional information using the handout as a guide.

NOTE: All applicants are eligible to request a one time, one-year only freeze on fees charged by various City departments in connection with your project. It is advisable only when this application is deemed complete or upon payment of Building and Safety plan check fees. Please ask staff for details or an application.

Planning Staff Use Only	
Base Fee	Reviewed and Accepted by
Receipt No.	Deemed Complete by
	Date
GP-7771 (09/09/2011)	

SIGNATURE SHEET

SIGNATURES of adjoining or neighboring property owners in support of the request; not required but helpful, especially for projects in single-family residential areas. (Attach additional sheet, if necessary)

NAME (print)	SIGNATURE	ADDRESS	KEY # ON MAP

OWNERSHIP DECLARATION

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING

To whom it may concern,

We, the undersigned, declare that the property located at 1101 Glendon Avenue, Los Angeles, CA 90024 (Westwood) is owned by 1101 Glendon Avenue, LLC, ("Landlord").

The lease dated February 25, 2013 with TYP Restaurant Group, LLC ("Tenant") doing business as "Tender Greens" is valid and Tenant is authorized to file an application for a conditional use permit ("CUB") for the on-sale of beer, wine and distilled spirits ("Full Line") (Type 47 On-Sale General Eating Place alcoholic beverage license) as part of an existing restaurant.

LANDLORD:

1101 GLENDON AVENUE, LLC

By: 

Name: James J. Rosecrance

It's: Mayor

ACKNOWLEDGMENT

State of California)
County of Marin)

On October 2, 2013, before me, J. Twitchell, Notary Public
(insert name and title of the officer)

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

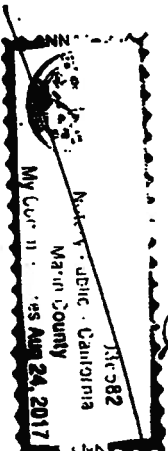
I certify under PENALTY OF PERJURY under the laws of the State of California
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



TENANT: TYP Restaurant Group LLC dba "Tender Greens"
PROPOSED USE: Approval of an On-Sale General Eating Place Type 41 On-Sale Beer & Wine alcoholic beverage license for a new restaurant.
ADDRESS: 1101 Glendon Avenue, Los Angeles, CA 90024 (Westwood)

PROJECT NARRATIVE

The proposed project consists of a proposed farm-to-fork casual dining food and community conscience restaurant doing business as "Tender Greens". The applicant will be filing with the California Department of Alcoholic Beverage Control for a Type 41 On-Sale Beer & Wine Eating Place alcoholic beverage license. The site formerly was last operated as an "Acapulco Mexican Restaurant" with a Type 47 On-Sale General Eating Place license ("Full Line").

The applicant requests approval of the following:

1. A conditional use permit (CUB) to permit a Type 41 On-Sale Beer & Wine Eating Place alcoholic beverage license to allow the on premise consumption of beer and wine in conjunction with the operations of a restaurant.

This request is to permit the sale of beer and wine for on-sale consumption in conjunction with the operations of the restaurant. Service of alcoholic beverages is made for the convenience of patrons dining at the restaurant. No exterior improvements or changes are proposed other than signage consistent with City requirements.

The subject property is located on the corner of Glendon Avenue and Kinross Avenue, a major thoroughfare and commercial district. The site is bounded by other commercial and office uses along Linbrook Drive and Kinross Avenue. The proposed restaurant will serve the local residents and workers of the surrounding community.

The proposed restaurant will have a total area of approximately 5,697 square feet. The proposed restaurant will be open seven (7) days a week. The proposed hours of operation are 10:00 AM to Midnight. The project will employ approximately 19 employees that would be on-site at one time. Employees and the owner will attend ABC LEAD alcoholic beverage sales/service training or the STAR program provided by the LAPD.

The project will employ approximately 19 employees that would be on-site at one time.

The surrounding land uses are as follows:

North:	Commercial/Office.
South:	Commercial/Office.
East:	Commercial/Office.
West:	Commercial/Office.

USE PERMIT APPLICATION JUSTIFICATION

The proposed project is for the approval of on-sale beer and wine privileges for an existing restaurant located within the existing Glendon Avenue commercial corridor.

The applicant proposes obtaining from the California Department of Alcoholic Beverage Control with a Type 41 On-Sale Beer & Wine Eating Place alcoholic beverage license.

The proposed request meets the requirements, goals and policies set forth in the City of Los Angeles Municipal Code and the General Plan.

BURDEN OF PROOF:

- 2. The location, size design or operating characteristics of the proposed project will not be incompatible with and will not adversely affect and will not be materially detrimental to adjacent uses, residences, buildings, structures or natural resources with consideration given to, but not limited to: (a) The adequacy of public facilities, services and utilities to serve the proposed project; (b) The suitability of the site for the type and intensity of use or development which is proposed; and (c) The harmful effect, if any, upon environmental quality and natural resources of the City; or**

Response: The proposed use is not inconsistent with the adjacent uses and will not materially affect the surrounding community or environment. The proposed project is ideally suited for this type of community oriented commercial and shopping area and is well located on a major thoroughfare. The approval of the request that serves the local community and tourists, will not adversely affect the public's health, safety, welfare nor will it jeopardize or endanger the public. It will not be detrimental to the use, valuation or enjoyment of surrounding property owners or residents.

- 2. The impacts of the proposed project will not adversely affect the policies of the General Plan or provisions of the Municipal Code; or**

Response: The proposed use is consistent with the General Plan (designated "Community Commercial") and provisions of the Municipal Code (zoned C4-2D-O).

- 3. The project complies with all other regulations, conditions or policies imposed by the Municipal Code.**

Response: The existing commercial building and proposed use are subject to the all the regulations, conditions, policies or other requirements of the Municipal Code. The proposed use and facilities have been and will be subject to City staff scrutiny and approval through the use permit and building process, if any.

POSSIBLE BENEFITS:

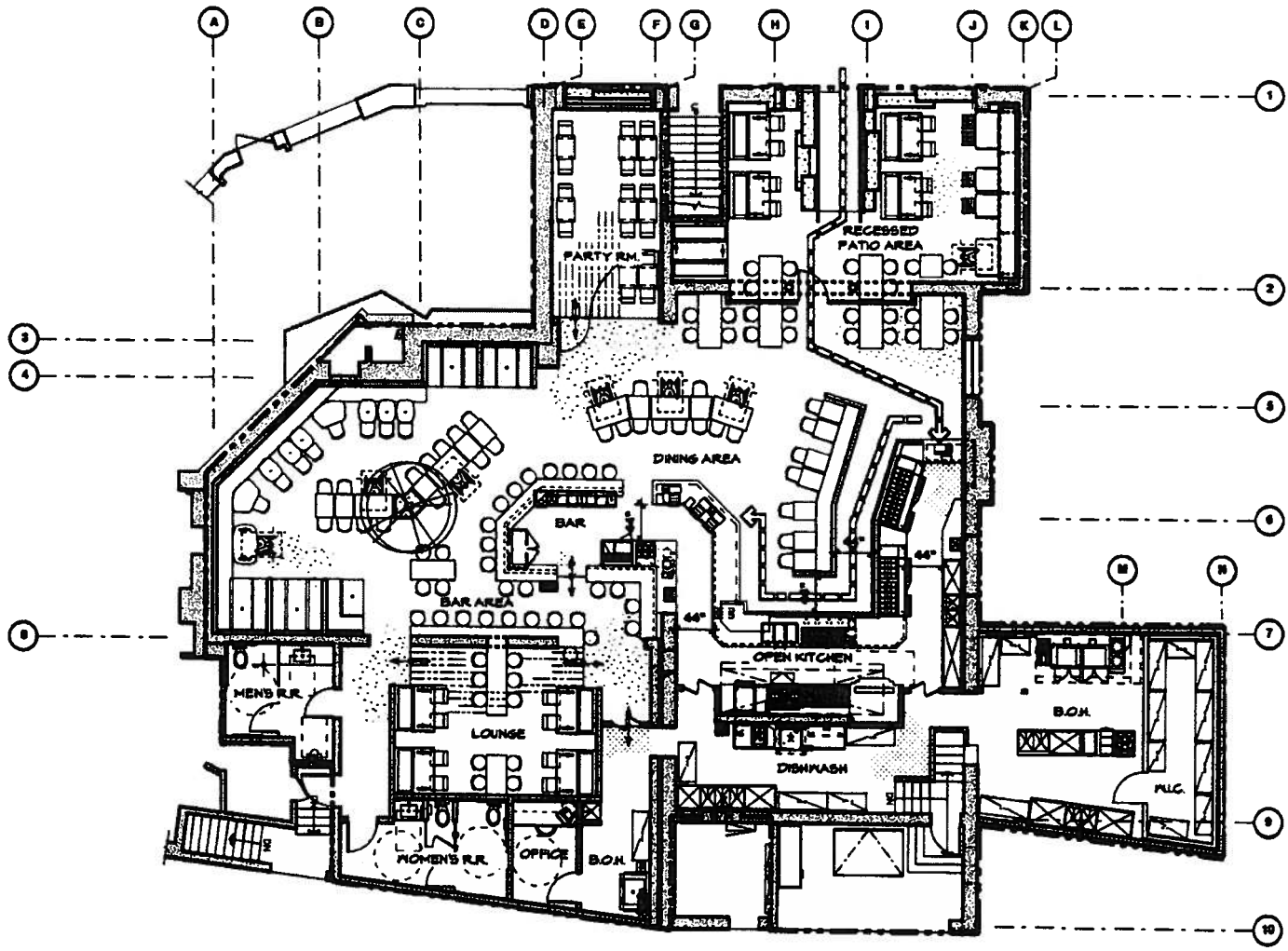
- a. Employment: In order to staff the business during all hours of operation, the applicant will employ approximately 19 local residents.
- b. Taxes Generated: Unknown at this time but the applicant hopes to general taxable gross revenues in excess of \$3 million annually.
- c. Unique Goods and Services. The applicant proposes a unique farm-to-fork restaurant focusing on fresh ingredients in a comfortable setting serving local residents highlighting a healthy lifestyle.
- d. Upgrade to Area. The existing restaurant currently serves the area and was developed from a closed/vacated space in the last year. The existing use provided improvement to interior of the available space, brought patrons into the area, and provided new commercial patronage and vitality to the area.
- e. Long Term Economic Contribution. It is hoped the success of the proposed business will help attract other symbiotic business like art galleries, boutique clothing stores, restaurants and cafes to the immediate area as envisioning for the enterprise zone.
- f. Cultural/Entertainment Benefit. It is hoped that added vitality to the area will assist in developing and attracting persons of culture and those interested is supporting a community conscience healthy lifestyle to the area.

POSSIBLE DETRIMENTS:

The sale of alcoholic beverage may impact the surrounding community and create additional law enforcement needs. However, properly managed/operated, maintained and subject to appropriate conditions from the City and ABC as a bona fide restaurant any impacts should be mitigated or eliminated. Based on the proposed operational characteristics, size and sophisticated wine experience not negative impacts are anticipated.


OPERATIONAL CHARACTERISTICS:

The proposed restaurant will have a total area of approximately 5,697 square feet. The proposed restaurant will be open seven (7) days a week. The proposed hours of operation are 10:00 AM to midnight. The project will employ approximately 19 employees that would be on-site at one time. Employees and the owner will attend ABC LEAD alcoholic beverage sales/service training or the STAR program provided by the LAPD.

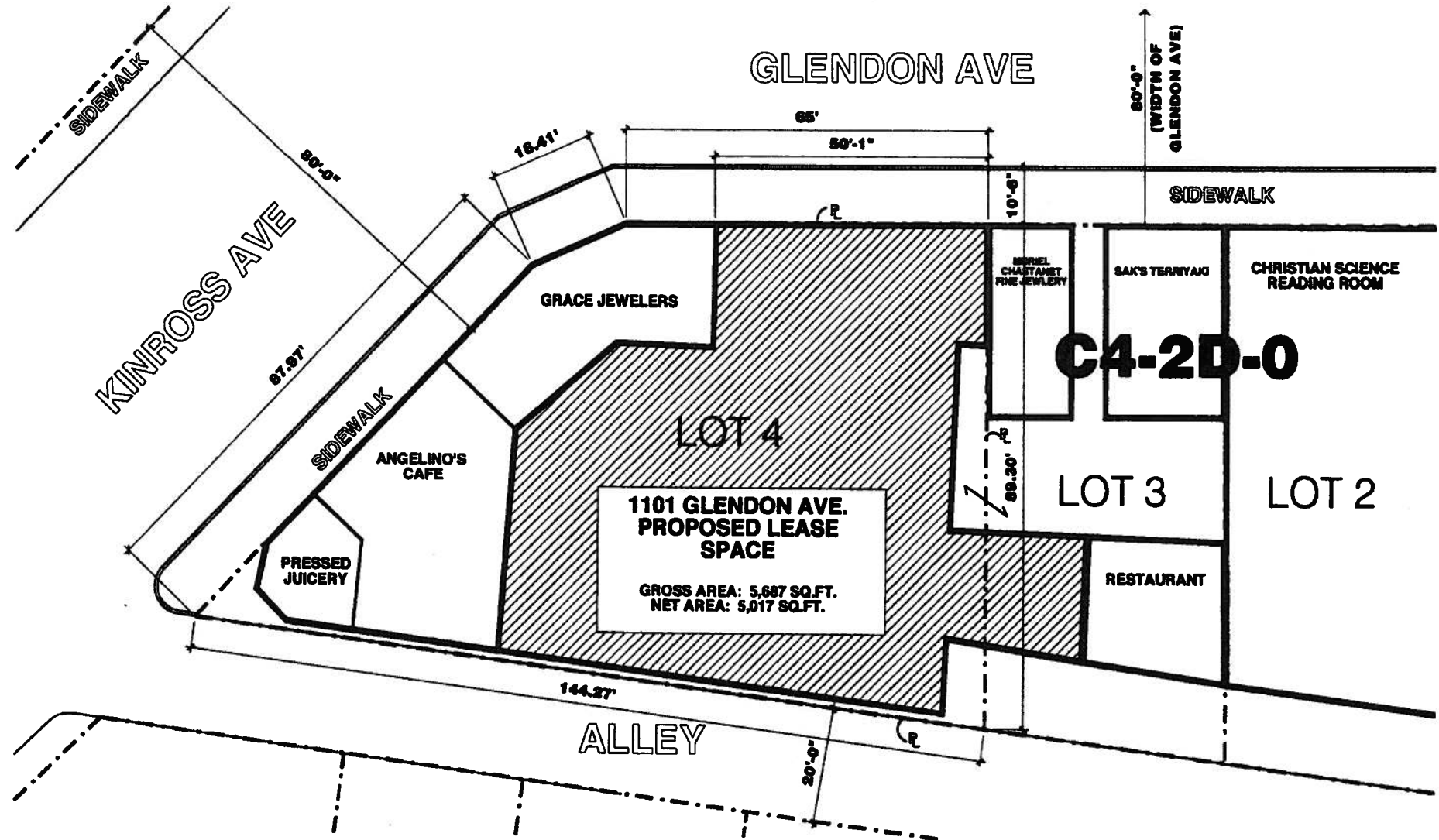


TENDER GREENS
 WESTWOOD
 1101 GLENDON AVE.
 LOS ANGELES, CA 90024

CUP

FLOOR PLAN		
Scale	3/32" = 1'-0"	Date
	8/8/13	Project No. 1186-12-166

valerio
 ARCHITECTS
 2225 WILSHIRE BLVD #200
 LOS ANGELES, CA 90061
 TEL: 323.954.8946
 FAX: 323.954.8946



GLENDON AVE

KINROSS AVE

ALLEY

LOT 4
1101 GLENDON AVE.
PROPOSED LEASE SPACE
 GROSS AREA: 5,687 SQ.FT.
 NET AREA: 5,017 SQ.FT.

C4-2D-0

LOT 3

LOT 2

GRACE JEWELERS

ANGELINO'S CAFE

PRESSED JUICERY

EMIL CHARTANET FINE JEWELRY

SAK'S TERIYAKI

CHRISTIAN SCIENCE READING ROOM

RESTAURANT

TENDER GREENS WESTWOOD
 1101 GLENDON AVE.
 LOS ANGELES, CA 90024

CUP

SITE PLAN



Scale: 1" = 10'-0" Date: 6/8/13 Project No.: 1186-12-156

valerio ARCHITECTS
 270 TOWER

5858 Wilshire Blvd #203 323.951.8906
 Los Angeles, CA 90048 323.561.5665