Shirlee Fuqua

From: SOHO <southhollywoodnha@gmail.com>
Sent: Monday, November 18, 2019 11:28 PM
To: GWNC Land Use Committee; GWNC Secretary; Philip Farha; Shirlee; Ashlee Gardner
Subject: GWNC LUC 11-19-2019Agenda item 5A, 742 N. Highland Avenue, LA City Case Numbers PAR-2019-2702-CUB, ZA-2004-6850-CUB-2A, ENV-2019-5487-CE.

South Hollywood Neighborhood Association

SouthHollywoodNHA@gmail.com **www.southhollywoodnha.org**

November 18, 2019

RE: GWNC LUC 11-19-2019 Agenda item 5A, LA City Case Numbers PAR-2019-2702-CUB, ZA-2004-6850-CUB-2A, ENV-2019-5487-CE, 742 N. Highland Avenue.

Dear Committee Members:

I apologize for any confusion that our last SoHo position letter may have caused. The original SoHo position regarding the Cat And Fiddle's proposed CUB, supported the CUB extension (as it is) and opposed the request for extending drinking hours. After subsequent discussions and meetings, SoHo would support both the extension of the current CUB and the extension of drinking hours only with the following conditions:

1. The extended CUB shall only apply to the current operator, The Cat & Fiddle, including its current owners. Any future or successor owner or operator of the premises shall be subject to the pre-existing CUB.

2. Noise emanating from the premises shall be in compliance with Los Angeles Municipal Code Chapter XI – Noise Regulation ("Noise Regulations"):

(A) Applicant shall not make or cause to be made any sound or noise amplification in violation of Article 2, Section 112.01 of the Noise Regulations.

3. Applicant shall not host or operate any early morning events in its outdoor patio area before 9 a.m. on Saturday, Sundays, and Holidays. Such events shall be limited to Applicant's indoor space until such time.

4. Applicant shall not hold or operate any special events, including but not limited to live music events that may produce or cause loud noise that may disturb the peace and quiet of the adjacent residential neighborhood after 10 p.m.

5. Valet parking from the alley behind the restaurant shall be permitted during the "No Parking" hours on Highland Avenue, plus one hour before and one and one half hour after the parking restriction; i.e., there is

currently no parking between 3 p.m. and 7 p.m., and therefore, valet parking in the McCadden alley would be allowed between 2 p.m. and 8:30 p.m. At all other times, Valet Parking shall be exclusively from Highland Avenue.

6. Applicant shall not permit any loitering outside its premises or in the adjacent alley. Customers shall be discouraged from activities, such as smoking or congregating in groups or engaging in loud conversation, in the alley adjacent to the premises.

7. The signage that is now posted (reminding patrons to be considerate of the residential neighborhood) shall remain a required condition.

8. Applicant shall conduct the premises at all times with due regard for the peaceful and quiet enjoyment of the surrounding community and adjacent property users and owners. Specifically, Applicant shall not make or cause to be made any loud noise which disturbs the peace or quiet of the adjacent residential neighborhood or which causes discomfort or annoyance to any resident in the neighborhood (*see* Section 116.01 of the Noise Regulations).

9. The telephone number of a responsible party representative of Applicant shall be made available to SoHo and the adjacent property users and owners and shall be available from the cashier on the premises in the event of any disturbances or complaints regarding the operation of the premises.

(A) Upon receiving any noise complaint, Applicant shall use its best efforts to promptly abate the loud noise and sound caused by its operations.

10. The main purpose and use of the premises shall always be for a full service restaurant. The premises shall be maintained at all times as a bona fide restaurant. Food service shall be available to customers at all times when alcoholic beverages are offered for sale.

11. The approved conditions for Applicant's premises and restaurant shall be retained on the premises at all times and produced immediately upon the request of the Police Department or City Planning.

We ask that the GWNC-LUC support the SoHo position. However, if some SoHo clauses are not acceptable to the LUC, and the LUC chooses to support the Cat And Fiddle's request for the extension of drinking hours, we ask that you include those SoHo conditions that are acceptable to the LUC as conditions of the LUC acceptance.

SoHo authorizes Vina Chin to represent SoHo's views at the GWNC-LUC.

Motions passed by unanimous voice vote supporting these positions at the SoHo Board meeting held on November 18, 2019.

Owner Ashlee Gardner did not attend our November 11th meeting, but reviewed the proposed conditions in advance and had issues with conditions 2, 3, and 4. She was forwarded the Los Angeles City Municipal Code regarding noise to better understand those sections that were referenced. We subsequently modified our original Condition 3. Regarding Condition 5; we made a change from 8:00pm to 8:30pm. Based on Ashlee's

prior response, we believe she will now find this condition feasible. All other conditions were agreed to by Ashlee.

Respectfully submitted,
Don Hunt, President
South Hollywood Neighborhood Association

You can find the section of the LA City Municipal Code which regulates noise at:
http://library.amlegal.com/nxt/gateway.dll/California/lamc/municipalcode/chapterxinoiseregulation?f=templates$fn=document-frameset.htm$vid=amlegal:losangeles_ca_mc_m$anc=JD_112.01