

## Communication from Public

**Name:** Chester Bailey

**Date Submitted:** 02/17/2023 09:14 PM

**Council File No:** 20-1074

**Comments for Public Posting:** I am a CD14 resident and homeowner. I wish that City Council reads my attached PDF letter. In summary, I support the inclusion of the following condition requiring CUP/PA/RBP approvals for businesses that serve alcohol in the Permanent AI Fresco Ordinance: Sec.8.A.24.c.iv. Conditions for Continued Operations After Temporary Permit Expiration

February 17, 2023

Re: Letter In Support of Requiring CUP/PA/RBC Approvals for Businesses Serving Alcohol in Proposed Permanent Al Fresco Ordinance (CPC-2022-8179-CA)

Dear LA City Council:

I am a resident and homeowner in the Arts District and write to you regarding the proposed Permanent Al Fresco Ordinance - Outdoor Dining on Private Property. I support the inclusion of the following condition requiring CUP/PA/RBP approvals for businesses that serve alcohol in the Permanent Al Fresco Ordinance:

**Sec.8.A.24.c.iv. Conditions for Continued Operations After Temporary Permit Expiration**

1. Restaurants which serve alcohol may be authorized to continue operations if an application for a new Conditional Use Permit, Plan Approval, Restaurant Beverage Program Administrative Clearance, or any other applicable approval by the Department of City Planning has been submitted and accepted by the Department within six months of the temporary permit expiration or effective date of this ordinance.

The Arts District is a dense, mixed use neighborhood with abutting restaurants, bars, commercial businesses and residential buildings. Once temporary permits for al fresco dining were issued, a number of restaurants and bars moved their business onto sidewalks, private parking lots, and expanded private patios. The vast majority of these restaurants and bars operate as good neighbors, but there are a small number that do not.

For example, there is a neighboring wine bar that routinely plays live entertainment and amplified DJ music on their al fresco patio that can be heard blocks away. Another adjacent barcade has a large outdoor crowd on their expanded private patio that screams and sings to the music until 2 a.m. multiple nights a week. The consumption of alcohol certainly plays a role in both these cases. These expanded outdoor al fresco operations are not adequately addressed by the existing CUP or temporary al fresco permit for either business.

It is difficult to imagine how a bar or nightclub serving alcohol can be allowed to operate outdoors absent a CUP framework. Operating under a temporary al fresco permit has led to the above examples, with limited recourse for neighbors. The CUP is a key layer of regulation to protect neighbors and a crucial mechanism to address problematic bars and nightclubs.

I understand the LA Department of City Planning faces a vigorous restaurant and bar lobby opposed to the ordinance, but I urge you to consider not just their interests but also the interests of the numerous Angelenos who must live alongside these businesses.

In conclusion, I request that you include the above proposed condition requiring CUP/PA/RBP approvals for businesses that serve alcohol in the Permanent AI Fresco Ordinance.

Sincerely,  
Chester Bailey

629 Traction Ave  
Los Angeles CA 90013