

# **SOUTH BRENTWOOD RESIDENTS ASSOCIATION**

## **SPECIAL BOARD MEETING**

Home of Marylin Krell

August 11, 2010

**Call to Order:** Marylin Krell, president, called the meeting to order at 6:00 p.m. and thanked everyone for attending.

**Present:** Marylin Krell, Jackie Raymond, Marie Lewis, Nita Cosat, Laurel Davidson, Lauren Cole, Dennis Hinman and Roz Gamble.

**Absent:** Andrea Epstein, Jerry Lubin, Marjorie Zweizig-Atkinson, Pam Taylor and Ray Keller

Also present were: Don Keegan (resident), Mona Pastor (resident), Bryan Gordon (BCC Land Use Chair), Ryan Kroll (Attorney for Q's), David Houston (Owner of Q's), Theresa Diep (Q's manager), and Sgt Schmitz (WLAPD Vice).

The Chair distributed a set of Proposed Conditions for Q's with comments. She explained that the purpose of the meeting was to address issues regarding Q's Billiards' Conditional Use and Zone Variance Public Hearing scheduled for Thursday, August 19, 2010. In response to this notice, residents had contacted the SBRA with complaints regarding the noise from Q's Billiards at closing time.

### **Q's Billiards Proposed Conditions:**

#### **Discussion re: late night noise:**

Marylin suggested that signage be added behind the premises requesting respect for the peace and quiet of nearby residential neighborhood.

In response, Theresa Diep distributed a photocopy of sandwich board signs that Q's has recently begun placing on sidewalks on Goshen and Wilshire. The sign advises patrons to be quiet.

Don Keegan, a nearby resident, said he had lived near Q's for 25 years and had never seen the sandwich boards. Q's owner David Houston responded that the boards were put out around 9:00 pm and they have only been doing so for the past 3-4 months.

No one is permitted to leave by the back door after 7:00 PM and it has been this way for 21 years. David stated Q's opened in 1989 and neighbors contacted them immediately regarding the noise. David emphasized how sensitive they have been to the neighbors' concerns and they have worked hard to correct any problems. Sgt. Schmitz supported this statement. David continued that no one is allowed to leave by the back door after 7:00 PM including employees disposing of trash, bottles, etc.

Nearby resident Mona Pastor mentioned noise of a motorbike at the rear of the building around closing time. David Houston asked Mona to contact him if she heard it again and they would investigate.

Marylin said it was hard to know if the offenders were Q's patrons. Sgt. Schmitz said that **music** was not from Q's but could be Cabo and that noise from **trash dumping** was unlikely as Q's has security guys monitoring around Q's.

David said last call is at 1:15 am in order to avoid everyone leaving Q's at the same time. There was discussion regarding whose patrons were making the noise. Sgt Schmitz said four months ago there was a complaint and they investigated. Some people were leaving Cabo Cantina and Q's and walking to their cars; he stopped others and they actually lived in the neighborhood and were not driving cars.

Don said the worst evenings are Thursday, Friday and Saturday. David gave Don his contact number and said that he wants residents to call Q's when they have complaints.

Dennis Hinman asked for vice comparisons between Q's, Cabo and Hana Sushi. Sgt. Schmitz said Cabo was the major problem. Hana Sushi had recently installed stripper poles as their business was not doing well. Sgt Schmitz said it would be preferable if all three establishments closed at the same time, as he would know which one was the problem.

Bryan Gordon stated that if the problem is between 1:00 am and 2:00 am, it needs to be addressed. David said that Q's does its best to address problems, unlike Cabo and Hana Sushi.

### **Condition #5: Valet Parking**

Q's has three lots that total 100 cars as required. Valet parking is free; however, that means patrons of Cabo Cantina use Q's valet parking. **To eliminate this problem, Q's is asking to charge \$4.50 for valet parking** (as do Cabo Cantina and Hana Sushi).

The chair queried why Q's was requiring only 1 valet. Due to the bus lane on Wilshire between 4:00 pm – 7:00 pm, they have to drop off in the alley as there is no parking on Wilshire. There will be 2 valets on duty from 7:00 pm to closing.

### **Condition #7: Hours of Operation**

Q's has requested a 9:00 am opening. Roz Gamble asked if this meant alcohol would be served at 9:00 am. David responded that it was unlikely patrons would want hard liquor at that time and it was likely to be Bloody Mary's with breakfast.

Marylin asked for appropriate language and was given "to accommodate major sporting events." Q's attorney Ryan Kroll said he would provide appropriate language following the meeting.

Bryan Gordon added that the ZA may have an issue because this request for an opening time change was not included in the original document and has not been properly noticed.

Don stated that if Q's closes at 2:00 am, this is followed by clean up so the employees would actually leave at 3:00 am. Therefore, to open at 9:00 am on a Sunday means employees would need to be there before 8:00 am – this leaves a potential window of noise. Nearby neighbor Mona Pastor mentioned that cleaning crews arrive at 4:00 am. David responded they are not supposed to come before 9:00 am and he would check into it.

**Condition# 8: “The Primary Use of the premises shall be a Restaurant.”** Mona Pastor said it was her understanding that a restaurant makes more from alcohol than it does from food sales. David responded that Q’s revenue from alcohol and food was 50/50 and that they serve food every hour they are open.

**Private Parties:** A private party is different to a corporate event because Q’s closes for private parties but does not close for corporate events. David Houston was requesting 12-20 per year. They are typically “wrap” parties and usually end around 10:30 pm. Sgt Schmitz preferred private parties as did Don Keegan. Mona Pastor commented that the corporate events have not typically been a problem as they end somewhat early at 10:00 pm.

## **Condition #12**

Bryan Gordon commented that the existing CUP does not permit pool tables; however, the variance does allow them. There should be no coin-operated machines. Q’s has also applied for karaoke.

**Condition #14: Trash and Recycling** – David said no trash/recycling items are taken out back after 10:00 pm and bins are locked so trash/recycling collection service cannot access the bins early in the morning as Q’s must unlock them.

## **Condition # 17: Security**

Don Keegan reiterated that it is a residential neighborhood and they need on-street patrolling. David responded that they have a patrol man and a video camera. Mona Pastore said she had not seen anyone patrolling at the rear of Q’s and that the alleyway is a problem. Sgt Schmitz added that with college students living in the area, they were walking from bar-to-bar and from house party-to-house party late at night.

Bryan Gordon read Q’s Condition for Security:

The applicant shall obtain signed approval by the Police Department of a security plan and provide a copy of same to the Zoning Administrator. The security guards shall be responsible for the maintenance of order inside, prevention of any activity that would interfere with the quiet enjoyment of nearby persons and properties, crowd control and keeping the sidewalks clear for pedestrians. Security functions include patrolling all off-site parking lots over which the business operation maintains a lease, and providing a security vehicle roving the area between 11 PM to 30 minutes after closing.

Sgt Schmitz stated that he was impressed that Q’s had worked so well with LAPD. The security guard was on duty every night. There was concern that after the CUP is granted, it might stop. It is imperative that Q’s continue the security plan. David Houston confirmed that difficult patrons are occasionally banned from Q’s. David requested it be listed in the conditions that the presence of security guards should be based on needs of business. Ryan Kroll continued that it is a necessary element to survive in this business and they do not want to lose the favor of the LAPD. They would be returning for additional reviews in 5-7 years and did not want to have to have problems to address. David Houston felt that guards on bikes were more effective than guards in vehicles. It was agreed to change condition #17 to read security *officer* instead of security *vehicle*.

**Condition #18: Advertising** There is agreement on no advertising for alcoholic beverages directed to the exterior. Still under discussion is advertising inside the space. The BCC standard conditions state that the only on-site advertisement may be the posting on a menu. (Although the Applicant agreed to this, his attorney did not). This is still an open point under discussion.

**Condition # 19: 2-for-1 Drink Specials** This leads to more drinking so Q's is not having a 2-for-1 drink special. They will have a Happy Hour where drinks are discounted (\$1 off beer and \$2 off well drinks). Sgt Schmitz added that Cabo's Happy Hour was a problem.

**Condition #21: Five-year Review** The City can review before that if there are significant complaints. A review costs Q's approximately \$50,000 in legal fees so they were requesting a change from 5 years to 7 years. Bryan Gordon said the ZA usually determines the review terms and if there are complaints filed, a hearing can be scheduled.

## **Board discussion**

The guests left so that the SBRA Board could discuss the issues and its position. Don Keegan remained.

After discussion, a motion was made and seconded to support the application as presented with the amendment of the last sentence in Condition #17 to read:

“Security functions include patrolling all offsite parking lots over which the business operator maintains a lease, and providing a **Security Officer** roving the area between 11:00 PM to 30 minutes after closing.”

and the amendment of Condition #7 to read:

“opening hours of operation shall be 11:30 AM daily and 9:00 AM on weekends to accommodate major sporting events.”

The vote was 6 in favor and 1 abstention.

## **Adjournment**

There being no further business to bring before the Board, a motion was made and seconded, and with a unanimous vote, the Chair declared the meeting adjourned at 7:40 p.m.

Respectfully submitted,  
Roz Gamble, Acting Secretary