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**GREATER GRIFFITH PARK
NEIGHBORHOOD COUNCIL**

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NEIGHBORHOOD COUNCIL**

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May 17, 2007

Daniel Grunfeld,
President
Board of Recreation and Parks Commissioners
Department of Recreation and Parks
City of Los Angeles
1200 West 7th Street
Room 762
Los Angeles, California 90017

Griffith Observatory

Dear Sir:

The Greater Griffith Park Neighborhood Council, which includes in its area Griffith Park and specifically Griffith Observatory, requests that you convene a special meeting of the Board of Recreation and Parks Commissioners to consider the promulgation of rules for the service of alcoholic beverages at the Griffith Observatory. We further request that you suspend for this meeting the 15 minute per topic rule and allow our stakeholders and the very many other citizens interested in this matter a full opportunity to be heard on this issue of great concern.

In connection with the reopening of the Observatory after its extensive renovation the Department of Recreation and Parks entered into an operating concession agreement with Wolfgang Puck Catering and Events LLC, being agreement number 248, dated September 6, 2006. As part of that agreement Puck is granted the exclusive right to cater private events at the Observatory and to sell a full range of alcoholic beverages. While it might be appropriate to serve alcohol in connection with an event raising funds for the improvement of the Observatory, the concession agreement proposes to convert the Observatory into a destination event locale requiring the concessionaire to market the Observatory to global event customers as a corporate and convention destination. (Paragraph J, pages 22-24.)

Our stakeholders (and we believe the majority of citizens of the City when this becomes known to them) find this antithetical to the mission of the Observatory.

In furtherance of the concession agreement Puck, supported by the Department, has applied for a zone variance. (The Observatory is in an Open Space Zone which does not allow the sale of alcohol.) A hearing was held on the variance request on March 13, 2007. Well over a dozen people, representing the major organizations in the community (both local and national) spoke in opposition. Only the applicant, the Department and persons economically related to the applicant spoke in favor.

While many groups oppose any sale or use of alcohol at the Observatory our neighborhood council is sensitive to the need to have private financial support for the Observatory and its educational programs. We recognize that practically fund raising frequently can involve functions at which alcohol is normally served. Therefore, we have taken the position that provided such events are limited in number and at reasonable times, do not interfere with the public's access to the Observatory and are directly related to the mission of the Observatory they might reasonably be allowed. Our position as expressed in our filing with the zoning administrator is that while we believe as a legal matter no variance can be validly issued, if one were issued and not challenged in the courts, we would have no objection if the variance is strictly conditioned to ensure that such events did not pervert the function of the Observatory and not overburden the community adjacent to the Park. We proposed conditions after substantial discussions with the Department's staff and several public hearings at which the staff and our stakeholders and other interested parties were heard.

At the hearing the Associate Zoning Administrator said he could not impose conditions in light of the approval by the City Council of the concession agreement and the preemption of alcoholic control matters by the state. He said that he would look to the Department for rules restricting the use of alcohol at the Observatory which he could consider as conditions to any variance he might grant. The Department's representative assured him that such rules would be issued well before May 30. That promise no longer appears realistic.

Since the March 13 hearing we have worked in good faith and with diligence with the Department's staff (including the General Manager and the Assistant General Manager) and the Councilmember for District 4 in an attempt to reach agreed rules for submission to the Associate Zoning Administrator by the agreed-to deadline. We have been unsuccessful even though we have had tentative agreements from time to time and we have modified our proposed rules in a sincere effort to meet all legitimate concerns expressed by the Department's staff.

The Department's drafts fail in several fundamental respects:

1. They do not constitute limitations on the Department's granting of rights to use the Observatory, but are simply expressions of intention to limit such use except in unusual circumstances. This is not consistent with the requirements of a zoning variance or the similar conditional use permit. There must be conditions which absolutely limit the use of the premises.
2. They do not guarantee the preservation of the public's right to use the Observatory at all normal opening times, but anticipate precluding the public, for which the Observatory was built, to give preference to private events.
3. They do not protect the integrity of the facility by limiting the types of private events.

We enclose our proposed form of rules. We ask that these rules be considered and adopted by the Board at the special public hearing we have requested.

Please advise us of the date and place of the special meeting in sufficient time so that we may organize a complete but concise presentation for your board.

Thank you for your and your Board's favorable consideration of this request.

Very truly yours,

Charley Mims, President

By Kenneth E. Owen
Chair, Planning, Zoning and Historic Preservation Committee

Cc:
The Hon. Antonio Villaraigosa,
The Hon. Tom LaBonge
Jon Kirk Mukri
Kurt Rademaekers, Secretary