

CITY OF MANHATTAN BEACH DEPARTMENT OF COMMUNITY DEVELOPMENT MEMORANDUM

DATE: September 9, 2020

TO: Planning Commission

FROM: Carrie Tai, AICP, Director of Community Development

BY: Ted Faturos, Assistant Planner

SUBJECT: Proposed Master Use Permit Amendment to Allow Full Liquor Service in

Conjunction with Food Service at an Existing Restaurant with Beer and Wine at 1131 Manhattan Avenue, Part of a Multi-Tenant Building at 1125-1131 Manhattan Avenue and 133 Manhattan Beach Boulevard and Make an Environmental Determination in Accordance with the California Environmental Quality Act

(Nando Milano LA, LLC/Vullo)

RECOMMENDATION

Staff recommends that the Planning Commission CONDUCT the Public Hearing and ADOPT the attached resolution approving the Master Use Permit Amendment subject to certain conditions.

APPLICANT

Nando Milano LA, LLC/Dario Vullo 116 Seaview Street Manhattan Beach, CA 90266

BACKGROUND

On May 15, 2020, the Community Development Department received an application requesting an amendment to an existing Master Use Permit Amendment to allow for full alcohol service in conjunction with food service at an existing restaurant space located at 1131 Manhattan Avenue. The new tenant taking over the former Little Sister space, Nando Milano LA, LLC, is the applicant requesting the change. Nando Milano LA, LLC's Doing Business As (DBA) name is Nando Trattoria. The subject restaurant space is located in the "CD" (Downtown Commercial) zoning district in Area District III.

The applicant's tenant space is part of a multi-tenant property located at 1125-1131 Manhattan Avenue and 133 Manhattan Beach Boulevard, with the building occupying the northwest corner of Manhattan Beach Boulevard and Manhattan Avenue. The entire 6,750 square-foot site consists of three restaurant spaces facing Manhattan Avenue (Dash Dashi Sushi, Tacolicous, and Nando Trattoria), a retail use occupying the corner space of Manhattan Beach Boulevard and Manhattan Avenue (Founded 1912), and Manhattan Pizzeria facing Manhattan Beach Boulevard.

In June 1995, the City Council adopted City Council Resolution No. 5175, approving a Master Use Permit, Coastal Development Permit, and modification to an existing Sign Appeal for the multi-tenant building located at 1125-1131 Manhattan Avenue and 133 Manhattan Beach Boulevard. Master Use Permits regulate multi-tenant buildings and sites that meet certain thresholds. City Council Resolution No. 5175 allowed for the conversion of one retail tenant space into a restaurant use, with the restaurant serving beer and wine, as well as allowing the building's signage to exceed the maximum permitted sign area.

In February 1997, the City Council adopted City Council Resolution No. 5312, amending City Council Resolution No. 5175. City Council Resolution No. 5312 granted the tenant space located at 1129 Manhattan Avenue (Maui Wrap) the ability to serve beer and wine as part of their restaurant operations.

In June 2019, the Planning Commission approved Resolution No. PC 19-10 (Attachment B), which acts as the Master Use Permit Amendment governing the site. Resolution No. PC 19-10 allows beer and wine service in conjunction with food service for three restaurant tenants located on the property: Manhattan Pizzeria (133 Manhattan Beach Boulevard), Dash Dashi Sushi (formerly Mama D's- 1127 Manhattan Avenue), and Nando Trattoria (formerly Little Sister- 1131 Manhattan Avenue). Resolution No. PC 19-10 also allows full liquor service in conjunction with food service for Tacolicious (1129 Manhattan Avenue). Resolution No. PC 19-10 allows for different operating hour restrictions for each restaurant, with the applicant's allowed operating hours being 6am to 11pm, Sunday through Thursday, and 6am to 12am, Friday and Saturday.

PROJECT OVERVIEW

Location: 1131 Manhattan Avenue (Applicant's address)

1125-1131 Manhattan Avenue and 133 Manhattan Beach

Boulevard (Building's addresses) (see Vicinity Map- Attachment D)

Legal Description: Lots 10, 11, and 12, Block 13, Manhattan Beach

Division No. 2

LAND USE

General Plan: Downtown Commercial

Zoning: CD, Downtown Commercial, Appealable Area of Coastal Zone

Area District:

Land Use: <u>Existing</u> <u>Proposed</u>

Applicant's Tenant Space: 1,500 sq. ft. 1,500 sq. ft. (no change)

Restaurant (no change)

Other Tenants:

Tacolicious 1,850 sq. ft. 1,850 sq. ft. (no change)

Restaurant (no change)

Dash Dashi 1,500 sq. ft. 1,500 sq. ft. (no change)

Restaurant (no change)

Founded 1912 1,475 sq. ft. 1,475 sq. ft. (no change)

Retail (no change)

Manhattan Pizzeria 1,350 sq. ft. 1,350 sq. ft. (no change)

Restaurant (no change) Reguired

Parking: Two (no change)

Neighboring Zoning and

Land Uses:

North (across Center PI) CD: Restaurant/Personal Service

South (across MBB) CD: Retail (Skechers)
East (across Manhattan Ave) CD: Bank (Chase)

West CD: Restaurant/Retail/Public ParkingPROJECT DETAILS

<u>Existing</u> <u>Proposed</u>

Alcohol Service for 1131

Manhattan Avenue Tenant Space On-Site Beer & Wine On-Site Full Alcohol

Live Entertainment: None None

Hours of Operation:

1125 A Manhattan Ave 6a.m. – 11p.m., Sun – Thu Same (no change)

6a.m. - 1a.m., Fri - Sat

1129 Manhattan Ave 6a.m. – 11p.m., Sun – Thu Same (no change)

6a.m. - 12a.m., Fri - Sat

1131 Manhattan Avenue 6a.m. – 11 p.m., Sun – Thu Same (no change)

6a.m. - 12a.m., Fri - Sat

DISCUSSION

The applicant is requesting an amendment to the existing Master Use Permit Amendment to allow full alcohol service in conjunction with food service for their designated tenant space. The applicant does not propose any interior improvements to the tenant space beyond cosmetic changes that do not require permits. The applicant does not propose any changes in operating hours, and is also not requesting any change to the operating hours or alcohol entitlements of any other restaurant tenants governed by Planning Commission Resolution No. PC 19-10.

Attachment C provides a list of all the Downtown restaurants that serve alcohol with information on their permitted operational characteristics for comparison with the applicant's proposal. The applicant's request is consistent with many restaurants in the Downtown that also have full alcohol service.

The Draft Resolution (Attachment A) implements the latest conditions the City places on eating and drinking establishments. The Draft Resolution would replace Planning Commission Resolution No. PC 19-10.

OTHER DEPARTMENT COMMENTS

The Police Department has reviewed the applicant's request and has raised no concerns or objections. The Police Department has not suggested any additional conditions of approval.

A critical component of all entitlements is ensuring that a site has adequate trash capacity. Past entitlements for the building, including City Council Resolution No. 5175 from 1995, City Council Resolution No. 5312 from 1997, and Resolution No. PC 19-10 from 2019 all require "a trash enclosure(s), with adequate total capacity for all site tenants..." be provided on site. This same condition requiring adequate on-site trash enclosure(s) has also been incorporated into the Draft Resolution. The City has determined that the building's waste and recycling needs have been inadequately served for decades by the building's existing single trash enclosure, a fact supported by a documented history of waste issues at the site. The building's only trash enclosure houses a 3-yard trash bin, accessible from Center Place on the northern part of the building. The building's recycling bins have been placed on public property along Center Place in violation of the Municipal Code.

The Public Works Department has worked with Waste Management, the City's refuse service provider, to determine the proper size, number of refuse containers, and frequency of waste pick-up needed for the future operations of the entire building. The property owner has agreed to create a new, additional enclosure on the north side of the building, along Center Place, where the building's recycling bins, food waste bins, and additional trash cans can be stored. The property owner will carve out an enclosed area underneath the applicant's tenant space that will accommodate a two-yard recycling bin, two 96-gallon food waste carts that will be used by the four restaurants, and space for two additional 96-gallon bins that could be used for either trash or recycling. This newly constructed trash enclosure will be accessible from Center Place, and will complement the building's separate and existing trash enclosure that will continue to house a 3-yard trash bin. This is an ongoing activity to comply with previous conditions of approval for waste disposal and storage and will

provide the applicant, along with the other tenants, the ability to satisfy those conditions. Plans showing the proposed trash enclosure are included in Attachment F for reference only.

REQUIRED FINDINGS

Section 10.84.010 of the Manhattan Beach Municipal Code and Section A.84.010 of the City's Local Coastal Program states that "Use Permits are required for use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area."

Master Use Permits have the same required findings as Use Permits. The following findings must be met in order to grant the Master Use Permit Amendment. Staff suggests the following findings in support of the Master Use Permit Amendment for the project.

1. The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located.

Nando Trattoria is a restaurant use located in the CD Downtown Commercial zone. The Municipal Code's stated purpose for the CD Downtown Commercial zone is that the "district is intended to accommodate a broad range of community businesses and to serve beach visitors." Restaurants are quintessential community business that help define a neighborhood. Restaurant uses provide food, beverages, and a sense of comradery to restaurant patrons, which include both residents and visitors. The service of alcoholic beverages alongside food is a common component of dining in a restaurant.

2. The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.

Nando Trattoria's restaurant use is a commercial use consistent with the General Plan's Downtown Commercial land use designation of the subject and neighboring properties. The proposed use is compatible with neighboring uses, as the neighboring lots are developed with commercial uses, many of which are eating and drinking establishments that serve food and alcohol. Any potential impacts associated with Nando Trattoria's use are minimized by the physical distance between the use's location and most residents in nearby blocks, with Manhattan Avenue, Center Place, Manhattan Beach Boulevard, and other commercial structures providing physical separation between Nando Milano and many neighboring structures. The General Plan encourages a "vibrant downtown" that offers "services and activities for residents and visitors", and Nando Trattoria is part of the downtown commercial mix of businesses that help create a dynamic and interesting Downtown. Nando Trattoria's full alcohol service in conjunction with food service will is consistent with services provided to residents and visitors.

3. The proposed use will comply with the provisions of the City's Planning and Zoning Title, including any specific condition required for the proposed use in the district in which it would be located.

Nando Trattoria is an eating and drinking establishment use that complies with all provisions of Municipal Code Title 10 Planning and Zoning and specific conditions imposed previously. Likewise, Nando Trattoria's full alcohol service in conjunction with food service will fully comply with Municipal Code's Title 10 Planning and Zoning and specific conditions imposed.

4. The proposed use will not adversely impact or be adversely impacted by nearby properties.

The use is located on the commercial portion of Manhattan Avenue in Downtown Manhattan Beach, with some of the surrounding businesses having similar operating characteristics. Any potential impacts associated with Nando Trattoria's use are minimized by the physical distance between the use's location and most residents in nearby blocks, with Manhattan Avenue, Center Place, Manhattan Beach Boulevard, and other commercial structures providing physical separation between Nando Milano and many neighboring structures. Full alcohol service in conjunction with food service will not create demands exceeding the capacity of public services and facilities.

General

The General Plan encourages Downtown businesses that offer "services and activities to our residents and visitors". The project is specifically consistent with General Plan Policies as follows:

LU-6: Maintain the viability of the commercial areas of Manhattan Beach.

LU-7: Continue to support and encourage the viability of the Downtown area of Manhattan Beach.

PUBLIC COMMENT

A public notice for this hearing was published in The Beach Reporter on August 27, 2020 and mailed to all property owners within a 500-foot radius. As of the writing of this report, staff has received public comment from three neighbors opposed to the applicant's request. (Attachment E).

COASTAL DEVELOPMENT PERMIT DETERMINATION

The Project is not required to obtain a Coastal Development Permit (CDP), as the Project does not meet the City's Local Coastal Program's (LCP) definition of a "development" (A.96.030). The Project is not an intensification of use, as the applicant's use and the previous tenant's use are both "Eating and Drinking Establishments" as defined in A.08.050 of the City's LCP. An Eating and Drinking Establishment is a business that serves "prepared food or beverages for consumption". The "Eating and Drinking Establishment" land use classification does not distinguish between the types of beverages served. Beer, wine, and distilled spirts are all beverages, and the fact the applicant's new

restaurant will still serve beverages doesn't change the intensity of use because the former restaurant also served beverages.

ENVIRONMENTAL DETERMINATION

The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) based on staff's determination that there is no expansion of use associated with the Project, as the existing restaurant is shifting from beer and wine service to full alcohol service in conjunction with food, and the proposed hours are consistent with several other commercial establishments in the CD Downtown Commercial zone. Pursuant to State CEQA Guidelines Section 15300.2 (Exceptions), there is no reasonable possibility that the activity will have a significant impact on the environment because there are no unusual circumstances in this situation, where an existing restaurant is shifting from beer and wine service to full alcohol service in conjunction with food. The Project will neither individually nor cumulatively have an adverse effect on wildlife resources, as defined in Fish and Game Code Section 711.2.

CONCLUSION

Staff recommends that the Planning Commission conduct the public hearing, discuss the applicant's request, and approve the attached resolution approving the Master Use Permit Amendment subject to certain conditions.

Attachments:

- A. Draft Resolution No. PC 20-
- B. Planning Commission Resolution No. PC 19-10
- C. Downtown Alcohol and Hours of Operation List
- D. Vicinity Map
- E. Public Comment
- F. Applicant's Written Materials
- G. Plans-1131 Manhattan Avenue

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Attachment A

RESOLUTION NO. PC 20-

RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION APPROVING A MASTER USE PERMIT AMENDMENT FOR AN EXISTING COMMERCIAL BUILDING LOCATED AT 1125 – 1131 MANHATTAN AVENUE AND 133 MANHATTAN BEACH BOULEVARD TO ALLOW FULL LIQUOR SERVICE IN CONJUNCTION WITH FOOD SERVICE AT AN EXISTING RESTAURANT SPACE WITH BEER AND WINE AT 1131 MANHATTAN AVENUE (NANDO MILANO LA, LLC/VULLO)

THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. On June 20, 1995, the Manhattan Beach City Council adopted City Council Resolution No. 5175, granting a Master Use Permit, Coastal Development Permit, and modification to an existing Sign Appeal for a multi-tenant building at the property located at 1125 -1131 Manhattan Avenue and 133 Manhattan Beach Boulevard, subject to a number of conditions. On February 18, 1997, the City Council adopted City Council Resolution No. 5312, modifying Resolution No. 5175. Under the entitlements conferred by City Council Resolution No. 5312, the tenant space located at 1129 Manhattan Avenue (Maui Wrap) was granted the ability to serve beer and wine as part of their restaurant operations, subject to certain conditions. On June 12, 2019, the Planning Commission adopted Resolution No. PC 20-19, modifying a Master Use Permit Amendment to allow full alcohol service in conjunction with food at an existing restaurant (Tacolicious) located at 1129 Manhattan Avenue.

<u>SECTION 2</u>. Nando Milano LA, LLC ("Restaurant Operator") has applied for a Master Use Permit Amendment to allow full alcohol service in conjunction with food at an existing restaurant (Nando Trattoria) (the "Project") located at 1131 Manhattan Avenue. The restaurant is part of a multi-tenant building located at 1125-1131 Manhattan Avenue and 133 Manhattan Beach Boulevard (collectively the "site"). The Restaurant Operator's Doing Business As (DBA) name is Nando Trattoria. The property is owned by Crazy Horse Investments, LLC ("the "Property Owner").

<u>SECTION 3</u>. On September 9, 2020, the Planning Commission conducted a duly noticed public hearing to consider the application. The Commission provided an opportunity for the public to provide evidence and testimony at the public hearing.

<u>SECTION 4</u>. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) based on staff's determination that there is no expansion of use associated with the Project, as the existing restaurant is shifting from beer and wine service to full alcohol service in conjunction with food, and the proposed hours are consistent with several other commercial establishments in the CD Downtown Commercial zone. Pursuant to State CEQA Guidelines Section 15300.2 (Exceptions), there is no reasonable possibility that the activity will have a significant impact on the environment because there are no unusual circumstances in this situation, where an existing restaurant is shifting from beer and wine service to full alcohol service in conjunction with food. The Project will neither individually nor cumulatively have an adverse effect on wildlife resources, as defined in Fish and Game Code Section 711.2.

<u>SECTION 5</u>. The Project is not required to obtain a Coastal Development Permit (CDP), as the Project does not meet the City's Local Coastal Program's (LCP) definition of a "development" (A.96.030). The Project is not an intensification of use, as the applicant's use and the previous tenant's use are both "Eating and Drinking Establishments" as defined in A.08.050 of the City's LCP. An Eating and Drinking Establishment is a business that serves "prepared food or beverages for consumption". The "Eating and Drinking Establishment" land use classification does not distinguish between the types of beverages served. Beer, wine, and distilled spirts are all beverages, and the fact the applicant's new restaurant taking over the existing restaurant space will still serve beverages doesn't change the intensity of use because the former restaurant also served beverages.

SECTION 6. The record of the public hearing indicates:

- A. The legal description of the site is Lots 10, 11, & 12, Block 13, Manhattan Beach Division No. 2 in the City of Manhattan Beach, County of Los Angeles. The site is located in Area District III and is zoned CD, Downtown Commercial in the Appealable Area of the Coastal Zone. The surrounding properties are zoned CD to the North (across Center Place), CD to the South (across Manhattan Beach Boulevard), CD to the East (across Manhattan Avenue), and CD to the West.
- B. The use is permitted in the CD zone subject to a Use Permit and is in compliance with the City's General Plan designation of Downtown Commercial. The General Plan designation for the property is Downtown Commercial. The General Plan encourages Downtown

businesses that offer "services and activities to our residents and visitors."

- C. An eating and drinking establishment has been operating at 1131 Manhattan Avenue since 1995 under a Master Use Permit approved by the City Council in 1995. The use is located on the commercial portion of Manhattan Avenue in Downtown Manhattan Beach, with some of the surrounding businesses having similar operating characteristics. Any potential impacts associated with Nando Trattoria's use are minimized by the physical distance between the use's location and most residents in nearby blocks, with Manhattan Avenue, Center Place, Manhattan Beach Boulevard, and other commercial structures providing physical separation between Nando Milano and many neighboring structures.
- D. The applicant is requesting to allow full alcohol service (beer, wine, and distilled spirits) in conjunction with food for a new restaurant taking over an existing restaurant space.
- E. The Police Department has reviewed the request and has raised no concerns or objections.
- F. The project is specifically consistent with General Plan Policies as follows:
 - LU-6: Maintain the viability of the commercial areas of Manhattan Beach.
 - LU-7: Continue to support and encourage the viability of the Downtown area of Manhattan Beach.

<u>SECTION 7</u>. Based upon substantial evidence in the record, and pursuant to Manhattan Beach Municipal Code Section 10.84.060 and Local Coastal Program Section A.84.060, the Planning Commission hereby finds:

1. The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located.

Nando Trattoria is a restaurant use located in the CD Downtown Commercial zone. The Municipal Code's stated purpose for the CD Downtown Commercial zone is that the "district is intended to accommodate a broad range of community businesses and to serve beach visitors." Restaurants are quintessential community business that help define a neighborhood. Restaurant uses provide food, beverages, and a sense of comradery to restaurant patrons, which include both residents and visitors. The service of alcoholic beverages alongside food is a common component of dining in a restaurant.

2. The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.

Nando Trattoria's restaurant use is a commercial use consistent with the General Plan's Downtown Commercial land use designation of the subject and neighboring properties. The proposed use is compatible with neighboring uses, as the neighboring lots are developed with commercial uses, many of which are eating and drinking establishments that serve food and alcohol. Any potential impacts associated with Nando Trattoria's use are minimized by the physical distance between the use's location and most residents in nearby blocks, with Manhattan Avenue, Center Place, Manhattan Beach Boulevard, and other commercial structures providing physical separation between Nando Milano and many neighboring structures. The General Plan encourages a "vibrant downtown" that offers "services and activities for residents and visitors", and Nando Trattoria is part of the downtown commercial mix of businesses that help create a dynamic and interesting Downtown. Nando Trattoria's full alcohol service in conjunction with food service will is consistent with services provided to residents and visitors.

3. The proposed use will comply with the provisions of the City's Planning and Zoning Title, including any specific condition required for the proposed use in the district in which it would be located.

Nando Trattoria is an eating and drinking establishment use that complies with all provisions of Municipal Code Title 10 Planning and Zoning and specific conditions imposed previously.

Likewise, Nando Trattoria's full alcohol service in conjunction with food service will fully comply with Municipal Code's Title 10 Planning and Zoning and specific conditions imposed.

4. The proposed use will not adversely impact or be adversely impacted by nearby properties.

The use is located on the commercial portion of Manhattan Avenue in Downtown Manhattan Beach, with some of the surrounding businesses having similar operating characteristics. Any potential impacts associated with Nando Trattoria's use are minimized by the physical distance between the use's location and most residents in nearby blocks, with Manhattan Avenue, Center Place, Manhattan Beach Boulevard, and other commercial structures providing physical separation between Nando Milano and many neighboring structures. Full alcohol service in conjunction with food service will not create demands exceeding the capacity of public services and facilities.

<u>SECTION 8.</u> Based upon the foregoing, the Planning Commission hereby **APPROVES** the Master Use Permit Amendment to allow service of full alcohol service in conjunction with food service at an existing restaurant space at 1131 Manhattan Avenue subject to the following conditions:

- 1. The project shall be in substantial conformance with the project description submitted to, and approved by the Planning Commission on September 9, 2020 as amended and conditioned. Any substantial deviation from the approved project description, as conditioned, shall require review by the Community Development Director to determine if approval from the Planning Commission is required.
- 2. Any questions of intent or interpretation of any condition will be reviewed by the Community Development Director to determine if Planning Commission review and action is required.
- 3. A Construction Management and Parking Plan (CMPP) shall be submitted by the applicant with the submittal of plans building plans to the Building Division. The CMPP shall be reviewed and approved by the City, including but not limited to, the City Traffic Engineer, Planning, Fire, Police and Public Works, prior to permit issuance. The Plan shall include, but not be limited to, provisions for the management of all construction related traffic, parking, staging, materials delivery, materials storage, and buffering of noise and other disruptions. The Plan shall minimize construction-related impacts to the surrounding neighborhood, and shall be implemented in accordance with the requirements of the Plan.
- 4. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department

Operation

- 5. The restaurant uses of the site shall be limited to the four specified tenant spaces, any of which may also be occupied during any interim periods by retail/personal service tenants.
- 6. The tenants shall provide a minimum of two off-site vehicle parking spaces which may include combinations of the following:
 - A. Payment of in-lieu fees to the Downtown Parking District Program.
 - B. Proof of access and use of off-site parking spaces located within a walking distance of up to 1,000 feet from the subject use. City parking permits in Downtown parking lots may be used for this purpose subject to any restrictions or limitations imposed by the City's Local Coastal Program Plan and City Council's policy on Downtown Parking.
- 7. Should any of the parking spaces provided for compliance with this condition become inaccessible or unusable during the life of the use, the Community Development Department shall be notified in writing immediately and this Master Use Permit Amendment shall become subject to revocation/modification action within 30 days if replacement parking is not obtained. Restaurant hours of operation shall be limited as follows:

1127 Manhattan Avenue 6:00am – 11:00pm, Sunday – Thursday 6:00am – 1:00am, Friday – Saturday

1129 Manhattan Avenue 6:00am – 11:00pm, Sunday – Thursday

6:00am - 12:00am, Friday - Saturday

1131 Manhattan Avenue 6:00am – 11:00pm, Sunday – Thursday

6:00am - 12:00am, Friday - Saturday

133 Manhattan Beach Blvd 6:00am – 2:00am, Monday – Sunday

8. No live entertainment, live music, or dancing shall be permitted in any of the restaurants on site.

- 9. All interior amplified music shall be limited to background music only. The restaurant management shall control the volume of the music. Exterior music or amplified sound is prohibited.
- 10. The establishments at 1127 Manhattan Avenue and 133 Manhattan Beach Boulevard are permitted to maintain an "eating place with beer and wine" type of alcohol license. 1129 and 1131 Manhattan Avenue are permitted to maintain an "eating place with full alcohol" type of alcohol license. Alcohol service must be in conjunction with food service at all hours of operation for all restaurants, and no specific bar area serving exclusively alcohol shall be permitted in any of the restaurants.
- 11. The restaurants on the site shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.
- 12. The restaurants on the site shall maintain in compliance with all Fire and Building occupancy requirements at all times.
- 13. The management of the property shall police the property and all areas adjacent to the business during the hours of operation to keep it free of litter and food debris.
- 14. The operators of the business shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject business.
- 15. All rooftop mechanical equipment shall be screened from the public right-of-way.
- 16. All mats shall be cleaned on the premises with no outside cleaning of mats permitted. If any floor mats cannot be cleaned within the premises, a service company must be contracted.
- 17. Sale of alcoholic beverages for consumption off-premise is prohibited.
- 18. The restaurant operator shall be in substantial compliance with all restrictions imposed by the California Department of Alcoholic Beverage Control (ABC) prior to service of liquor.
- 19. At all times the business shall identify itself as a "restaurant" and will not identify itself as a "bar" in public advertisements.
- 20. Noise emanating from the property shall be within the limitations prescribed by the City Noise Ordinance and shall not create a nuisance to nearby property owners.
- 21. At any time in the future, the Planning Commission or City Council may review the Master Use Permit Amendment for the purpose of revocation or modification in accordance with the requirements of the MBMC Chapter 10.104. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.

Refuse

- 22. A trash enclosure(s), with adequate total capacity for all site tenants, shall be provided on the site which is accessible from the exterior of the building for each tenant's trash disposal and City pick-up, subject to the specifications of the Public Works Department, Community Development Department, and City's waste contractor.
- 23. The management shall arrange for special on-site pickup as often as necessary to ensure that the refuse area has adequate space to accommodate the needs of the subject business.
- 24. No refuse generated at the subject site shall be located in the non-alley Public Right-of-Way for storage or pickup, including the disposal of refuse in any refuse container established for public use.

Signage

- 25. All new signs and alterations to existing signs shall require sign permits. All signs shall be in compliance with the City's Sign Code except as provided below:
 - A. The permitted total sign area, upon replacement of all nonconforming signs, on the site may be a maximum of 165 square feet.
 - B. Each tenant space shall be permitted one square foot of wall sign area per lineal foot of tenant street frontage except for 1125 Manhattan Avenue.
 - C. The tenant space at 1125 Manhattan Avenue shall be permitted 80 square feet of wall sign area upon removal or 50% replacement of any of the existing nonconforming signs.
 - D. Freestanding or pole signs shall be prohibited on the subject property.
- 26. A-frame or other sidewalk signs in the public right-of-way shall be prohibited.
- 27. No temporary banner or other signs shall be placed on the site without City permit and approval.

Procedural

- 28. The property owner shall be required to obtain a City of Manhattan Beach right-of-way encroachment permit for any projections into the public right-of-way.
- 29. Terms and Conditions are Perpetual; Recordation of Covenant. The provisions, terms and conditions set forth herein are perpetual, and are binding on the property owner, its successors-in-interest, and, where applicable, all tenants and lessees of the site. Further, the property owner shall submit the covenant, prepared and approved by the City, indicating its consent to the conditions of approval of this Resolution, and the City shall record the covenant with the Office of the County Clerk/Recorder of Los Angeles. Property owner shall deliver the executed covenant, and all required recording and related fees, to the Department of Community Development within 30 days of the adoption of this Resolution. Notwithstanding the foregoing, the Director may, upon a request by property owner, grant an extension to the 30-day time limit. The project approval shall not become effective until recordation of the covenant.
 - 30. Indemnity, Duty to Defend and Obligation to Pay Judgments and Defense Costs, Including Attorneys' Fees, Incurred by the City. The restaurant operator shall defend, indemnify, and hold harmless the City, its elected officials, officers, employees, volunteers, agents, and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees") from and against any claims, damages, actions, causes of actions, lawsuits, suits, proceedings, losses, judgments, costs, and expenses (including, without limitation, attorneys' fees or court costs) in any manner arising out of or incident to this approval, related entitlements, or the City's environmental review thereof. The restaurant operator shall pay and satisfy any judgment, award or decree that may be rendered against City or the other Indemnitees in any such suit, action, or other legal proceeding. The City shall promptly notify the restaurant operator of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. If the City fails to promptly notify the restaurant operator of any claim, action, or proceeding, or if the City fails to reasonably cooperate in the defense, the restaurant operator shall not thereafter be responsible to defend, indemnify, or hold harmless the City or the Indemnitees. The City shall have the right to select counsel of its choice. The restaurant operator shall reimburse the City, and the other Indemnitees, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Nothing in this Section shall be construed to require the restaurant operator to indemnify Indemnitees for any Claim arising from the sole negligence or willful misconduct of the Indemnitees. In the event such a legal action is filed challenging the City's determinations herein or the issuance of the approval, the City shall estimate its expenses for the litigation. The restaurant operator shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 9. The Planning Commission's decision is based upon each of the totally independent and separate grounds stated herein, each of which stands alone as a sufficient basis for its decision.

SECTION 10. This Resolution shall become effective when all time limits for appeal as set forth in MBMC Chapter 10.100 have expired.

SECTION 11. The Secretary of the Planning Commission shall certify to the adoption of this Resolution and shall forward a copy of this Resolution to the property owner. The Secretary shall make this resolution readily available for public inspection.

SECTION 12. This Master Use Permit Amendment shall lapse two years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code and A.84.090 of the Local Coastal Program.

September 9, 2020	
Planning Commission Chair	<u>_</u>
	I hereby certify that the following is a full, true, and correct copy of the Resolution as ADOPTED by the Planning Commission at its regular meeting on September 9, 2020 and that said Resolution was adopted by the following
	vote: AYES:
	NOES:
	ABSTAIN:
	ABSENT:
	Carrie Tai, AICP, Secretary to the Planning Commission
	Rosemary Lackow, Recording Secretary

Attachment B

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RESOLUTION NO. PC 19-10

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A MASTER USE PERMIT AMENDMENT FOR AN EXISTING COMMERCIAL BUILDING LOCATED AT 1125 – 1131 MANHATTAN AVENUE, AND 133 MANHATTAN BEACH BOULEVARD; TO ALLOW FULL LIQUOR SERVICE IN CONJUNCTION WITH FOOD SERVICE AT AN EXISTING RESTAURANT WITH BEER AND WINE AT 1129 MANHATTAN AVENUE (TACOLICIOUS/T-LISH VI LLC)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. On February 18, 1997, the City Council of the City of Manhattan Beach adopted City Council Resolution No. 5312, modifying a discretionary Master Use Permit for a multi-tenant building at the property located at 1129 Manhattan Avenue, subject to a number of conditions.
- B. Under the entitlements conferred by City Council Resolution No. 5312, the tenant space located at 1129 Manhattan Avenue (Maui Wrap) was granted the ability to serve beer and wine as part of their restaurant operations.
- C. The Planning Commission of the City of Manhattan Beach conducted a public hearing on June 12, 2019, received testimony, and considered an application for a Master Use Permit Amendment to allow full alcohol service in conjunction with food at an existing restaurant (Tacolicious) located at 1129 Manhattan Avenue. Said public hearing was advertised pursuant to applicable law, testimony was invited and received.
- D. The subject property is legally described as Lots 10, 11, & 12, Block 13, Manhattan Beach Division No. 2 in the City of Manhattan Beach, County of Los Angeles.
- E. The applicant for the subject project is Tacolicious/T-Lish VI LLC, the owner of the business (hereafter referred to as "the owner").
- F. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Existing Facilities Section 15301 based on Staff's determination that there is no expansion of use associated with the Project.
- G. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- H. The subject property is located in Area District III and is zoned CD, Downtown Commercial. The surrounding properties are zoned CD to the North (across Center Place), South (across Manhattan Beach Boulevard), East (across Manhattan Avenue), and West.
- The use is permitted in the CD zone subject to a Master Use Permit and is in compliance with the City's General Plan designation of Downtown Commercial.
- J. The General Plan designation for the property is Downtown Commercial. The General Plan encourages Downtown businesses that offer "services and activities to our residents and visitors". The project is specifically consistent with General Plan Policies as follows:
 - LU-6: Maintain the viability of the commercial areas of Manhattan Beach.
 - LU-7: Continue to support and encourage the viability of the Downtown area of Manhattan Beach.
- K. The Planning Commission makes the following findings required to approve the Master Use Permit Amendment pursuant to MBMC Section 10.84.060:

Page 1 of 6

 The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located.

Tacolicious will be an Eating and Drinking Establishment use located in the CD Downtown Commercial zone. The CD Commercial zone's purpose is to "provide a broad range of community businesses", and the Eating and Drinking Establishment use can be classified as a community business.

2. The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.

Tacolicious will be a commercial use consistent with the General Plan's Downtown Commercial land use designation on the project site and the neighboring lots. The proposed use is consistent and complimentary with neighboring uses, as the neighboring lots have also been developed with commercial uses, many of which are eating and drinking establishments that serve food and alcohol. The General Plan encourages a "vibrant downtown" that offers "services and activities for residents and visitors", and Tacolicious can be part of the Downtown commercial mix of businesses that helps create a dynamic and interesting Downtown.

The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located.

Tacolicious will be an Eating and Drinking Establishment use that complies with all provisions of the Municipal Code's Title 10 Planning and Zoning.

4. The proposed use will not adversely impact or be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.

The proposed tenant, Tacolicious, will be an eating and drinking establishment located just off the busy Manhattan Beach Boulevard commercial corridor in the heart of Downtown Manhattan Beach, with some of the surrounded businesses having similar operating characteristics. Significant buffers between Tacolicious and residences exist, with Manhattan Beach Boulevard, Manhattan Avenue, Center Place, and other businesses providing sound barriers that help minimize any impacts associated with the use.

- L. The project shall comply with all applicable provisions of the Manhattan Beach Municipal Code.
- M. This Resolution, upon its effectiveness, constitutes the Master Use Permit Amendment for the subject project, and the Master Use Permit for the entire site, replacing City Council Resolution No. 5312.

<u>SECTION 2.</u> The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the Master Use Permit Amendment subject to the following conditions:

- The project shall be in substantial conformance with the project description submitted to, and approved by the Planning Commission on June 12, 2019 as amended and conditioned. Any substantial deviation from the approved project description, as conditioned, shall require review by the Community Development Director to determine if approval from the Planning Commission is required.
- Any questions of intent or interpretation of any condition will be reviewed by the Community Development Director to determine if Planning Commission review and action is required.

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- 3. A Construction Management and Parking Plan (CMPP) shall be submitted by the applicant with the submittal of plans to plan check. The CMPP shall be reviewed and approved by the City, including but not limited to, the City Traffic Engineer, Planning, Fire, Police and Public Works, prior to permit issuance. The Plan shall include, but not be limited to, provisions for the management of all construction related traffic, parking, staging, materials delivery, materials storage, and buffering of noise and other disruptions. The Plan shall minimize construction related impacts to the surrounding neighborhood, and shall be implemented in accordance with the requirements of the Plan.
- 4. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department.

Operation

- 5. The restaurant uses of the site shall be limited to the four specified tenant spaces, any of which may also be occupied during any interim periods by retail/personal service tenants.
- 6. A trash enclosure(s), with adequate total capacity for all site tenants, shall be provided on the site which is accessible from the exterior of the building for each tenant's trash disposal and City pickup, subject to the specifications of the Public Works Department, Community Development Department, and City's waste contractor.
- The tenants shall provide a minimum of two off-site vehicle parking spaces which may include combinations of the following:
 - A. Payment of in-lieu fees to the Downtown Parking District Program.
 - B. Proof of access and use of off-site parking spaces located within a walking distance of up to 1,000 feet from the subject use. City parking permits in Downtown parking lots may be used for this purpose subject to any restrictions or limitations imposed by the City's Local Coastal Program Plan and City Council's policy on Downtown Parking.

Should any of the parking spaces provided for compliance with this condition become inaccessible or unusable during the life of the use, the Community Development Department shall be notified in writing immediately and this Use Permit shall become subject to revocation/modification action within 30 days if replacement parking is not obtained.

- 8. All new signs and alterations to existing signs shall receive permits. All signs shall be in compliance with the City's Sign Code except as provided below:
 - A. The permitted total sign area, upon replacement of all nonconforming signs, on the site may be a maximum of 165 square feet.
 - B. Each tenant space shall be permitted one square foot of wall sign area per lineal foot of tenant street frontage except for 1125 Manhattan Avenue.
 - C. The tenant space at 1125 Manhattan Avenue shall be permitted 80 square feet of wall sign area upon removal or 50% replacement of any of the existing nonconforming signs.
 - D. Freestanding or pole signs shall be prohibited on the subject property.
- 9. Restaurant hours of operation shall be limited as follows:

1125 A Manhattan Avenue

6:00am - 11:00pm, Sunday - Thursday

6:00am - 1:00am, Friday - Saturday

. 1129 Manhattan Avenue

6:00am - 11:00pm, Sunday - Thursday

6:00am - 12:00am, Friday - Saturday

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1131 Manhattan Avenue

6:00am - 11:00pm, Sunday - Thursday

6:00am - 12:00am, Friday - Saturday

133 Manhattan Beach Blvd

6:00am - 2:00am, Monday - Sunday

- 10. No live entertainment, live music, or dancing shall be permitted in any of the restaurants on site.
- All interior amplified music shall be limited to background music only. The restaurant management shall control the volume of the music. Exterior music or amplified sound is prohibited.
- 12. The establishments at 1125A, 1131 Manhattan Avenue, and 133 Manhattan Beach Boulevard are permitted to maintain an "eating place with beer and wine" type of alcohol license. 1129 Manhattan Avenue is permitted to maintain an "eating place with full alcohol" type of alcohol license. Alcohol service must be in conjunction with food service at all hours of operation for all restaurants, and no specific bar area serving exclusively alcohol shall be permitted in any of the restaurants.
- 13. The restaurants on the site shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.
- The restaurants on the site shall maintain in compliance with all Fire and Building occupancy requirements at all times.
- 15. The management of the property shall police the property and all areas adjacent to the business during the hours of operation to keep it free of litter and food debris.
- 16. The operators of the business shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject business.
- 17. All rooftop mechanical equipment shall be screened from the public right-of-way.
- 18. All mats shall be cleaned on the premises with no outside cleaning of mats permitted. If any floor mats cannot be cleaned within the premises, a service company must be contracted.
- 19. Sale of alcoholic beverages for consumption off-premise is prohibited.
- 20. The owner shall be in substantial compliance with all restrictions imposed by the Alcohol Beverage Control Board (ABC) prior to service of liquor.
- 21. At all times the business shall identify itself as a "restaurant" and will not identify itself as a "bar" in public advertisements.
- 22. Noise emanating from the property shall be within the limitations prescribed by the City Noise Ordinance and shall not create a nuisance to nearby property owners.
- 23. At any time in the future, the Planning Commission or City Council may review the Master Use Permit for the purpose of revocation or modification in accordance with the requirements of the MBMC Chapter 10.104. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.

Refuse

- 24. The management shall arrange for special on-site pickup as often as necessary to ensure that the refuse area has adequate space to accommodate the needs of the subject business.
- 25. No refuse generated at the subject site shall be located in the non-alley Public Right-of-Way for storage or pickup, including the disposal of refuse in any refuse container established for public use.

Signage

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- 26. A-frame or other sidewalk signs in the public right-of-way shall be prohibited.
- 27. No temporary banner or other signs shall be placed on the site without City permit and approval.
- 28. The sanitary sewer laterals shall be video recorded to check their structural integrity. The video shall be made available to the Public Works Department for review. A determination will be made at the time whether the lateral needs replacing, repair, or used as it.
- 29. If the sanitary sewer laterals are repaired or replaced a property line cleanout shall be installed.

Procedural

- 30. The owner shall be required to obtain a City of Manhattan Beach right-of-way encroachment permit for any projections into the public right-of-way.
- 31. This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030 have expired
- 32. This Master Use Permit shall lapse two years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code.
- 33. This Resolution shall serve as the amended and restated Master Use Permit for the subject property. City Council Resolution No. 5312 is rescinded and no longer in effect.
- 34. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.
- 35. The Planning Commission's decision is based upon each of the totally independent and separate grounds stated herein, each of which stands alone as a sufficient basis for its decision.
- 36. The Secretary of the Planning Commission shall certify to the adoption of this Resolution and shall forward a copy of this Resolution to the owner. The Secretary shall make this resolution readily available for public inspection.
- 37. Terms and Conditions are Perpetual; Recordation of Covenant. The provisions, terms and conditions set forth herein are perpetual, and are binding on the owner, its successors-in-interest, and, where applicable, all tenants and lessees of the site. Further, the owner shall submit the covenant, prepared and approved by the City, indicating its consent to the conditions of approval of this Resolution, and the City shall record the covenant with the Office of the County Clerk/Recorder of Los Angeles. Owner shall deliver the executed covenant, and all required recording and related fees, to the Department of Community Development within 30 days of the adoption of this Resolution. Notwithstanding the foregoing, the Director may, upon a request by owner, grant an extension to the 30-day time limit. The project approval shall not become effective until recordation of the covenant.
- 38. Indemnity, Duty to Defend and Obligation to Pay Judgments and Defense Costs, Including Attorneys' Fees. Incurred by the City. The owner shall defend, indemnify, and hold harmless the City, its elected officials, officers, employees, volunteers, agents, and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees") from and against any claims, damages, actions, causes of actions, lawsuits, suits, proceedings, losses, judgments, costs, and expenses (including, without limitation, attorneys' fees or court costs) in any manner arising out of or incident to this approval, related entitlements, or the City's environmental review thereof. The owner shall pay and satisfy any judgment, award or decree that may be rendered against City or the other Indemnitees in any such suit, action, or other legal proceeding. The City shall promptly notify the owner of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. If the City fails to promptly notify the owner of any claim, action, or proceeding, or if the City fails to reasonably cooperate in the defense, the owner shall not thereafter be responsible to defend, indemnify, or hold harmless the City or the Indemnitees. The City shall have the right to select counsel of its choice. The owner shall reimburse the City, and the other Indemnitees, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity

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herein provided. Nothing in this Section shall be construed to require the owner to indemnify Indemnitees for any Claim arising from the sole negligence or willful misconduct of the Indemnitees. In the event such a legal action is filed challenging the City's determinations herein or the issuance of the approval, the City shall estimate its expenses for the litigation. The owner shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

I hereby certify that the following is a full, true, and correct copy of the Resolution as **ADOPTED** by the Planning Commission at its regular meeting on **June 12, 2019** and that said Resolution was adopted by the following vote:

AYES:

Fournier, Morton, Ungoco, Thompson,

Chair Burkhalter

NOES:

None

ABSTAIN: None

ABSENT: None

Anne McIntosh

Secretary to the Planning Commission

Angela Soo Seilhamer Recording Secretary

Attachment C

LIST OF DOWNTOWN RESTAURANTS & BARS WITH ALCOHOL SERVICE

	LIST OF DOWNTOWN RESTAURANTS & DARS WI					<u> </u>	
	Establishment Address		Approved Hours of	Approved	Alcohol	Resolution	Entertainment
	LStabilistilletit	Address	Operation	Alcohol Hours	License	Nos. & Dates	Littertailinent
1	900 Manhattan Club/Downstairs Bar	900 Manhattan Ave.	9am-12am, Sunday 11am-12am, Mon-Wed 11am-12am, Thu (downstairs) 11am-1am, Thu (upstairs) 11am-1am, Fri 9am-1am, Sat	9am-12am, Sunday 11am-12am, Mon-Wed 11am-12am, Thu (downstairs) 11am-1am, Thu (upstairs) 11am-1am, Fri 9am-1am, Sat	Full Liquor	CC Reso. 20- 0119 02/18/20	Live allowed on 2nd floor Dancing allowed on Fri/Sat nights
2	Sugarfish	304 12th Street	10am-12am, Sun-Thu 10am-1am, Fri-Sat	10am-12am, Sun-Thu 10am-1am, Fri-Sat	Full Liquor	CC Reso. 4471 02/16/88 BZA 87-36 12/08/87	Live Entertainment & Dancing
3	Arthur J's	903 Manhattan Ave.	11am-12am, Sun-Thu 11am-2am, Fri-Sat	11am-12am, Sun-Thu 11am-2am, Fri-Sat	Full Liquor	CC Reso. 4108 01/03/84	No Limit
4	SLAY Steak + Fish House	1141 Manhattan Ave.	11am-11pm, Sun-Thu 6am-12am, Fri-Sat	11am-11pm, Sun-Thu 6am-12am, Fri-Sat	Full Liquor	02-28 08/28/02	None
5	El Sombrero	1005 Manhattan Ave.	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	Beer & Wine	07-09 06/25/07	None
6	Ercoles	1101 Manhattan Ave.	11am-2am, Daily	11am-2am, Daily	Full Liquor	85-32 11/12/85	None
7	Homie	1140 Highland Ave.	6am-10pm, Sun-Thu 6am-11pm, Fri-Sat	6am-10pm, Sun-Thu 6am-11pm, Fri-Sat	Beer & Wine	02-14 05/08/02	None
8	Fishing with Dynamite	1148 Manhattan Ave.	7am-11pm, Sun-Wed 7am-12am, Thu-Sat	7am-11pm, Sun-Wed 7am-12am, Thu-Sat	Full Liquor	01-24 11/28/01	None
9	Coasta Manhattan Beach	1017 Manhattan Ave.	9am-9pm, Sun 5:30am-10pm, Mon-Thu 5:30am-11pm, Fri-Sat	9am-9pm, Sun 5:30am-10pm, Mon-Thu 5:30am-11pm, Fri-Sat	Full Liquor	01-04 02/14/01	None
10	Fusion Sushi	1150 Morningside Dr.	9am-11pm Sun-Wed 7am-12am Thu-Sat	9am-11pm Sun-Wed 7am-12am Thu-Sat	Beer & Wine	05-05 03/23/05	Entertainment/Dancing for Private Parties In Banquet Room Only Thu-Sat
11	Hennesseys	313 Manhattan Beach Blvd.	11am-2am, Daily No Outdoor Dining After 10pm When Entertainment Performs	11am-2am, Daily	Full Liquor	83-18 04/26/83	Live entertainment til 1:30am, Mon-Sun
12	Izaka-Ya	1133 Highland Ave.	11:00am-11:00pm Sun-Wed 11:00am-12am Thu-Sat	11:00am-11:00pm Sun-Wed 11:00am-12am Thu-Sat	Beer & Wine	10-04 07/14/10	None
13	Kettle	1138 Highland Ave.	24 Hours Daily	11am-1am	Beer & Wine	83-06 01/11/83	None

14	Le Pain Quotidien	451 Manhattan Beach Blvd.	7am-7:30pm, Daily	10am-7:30pm, Daily	Limited Selection of Beer & Wine	CC 5770 07/16/02 08-08 05/14/08	2 Unamplified Entertainers Background Music Class I Entertainment Permit Required for More
15	Little Sister	1131 Manhattan Ave.	6am-11pm, Sun-Thu 6am-12am, Fri-Sat	6am-11pm, Sun-Thu 6am-12am, Fri-Sat	Beer & Wine	PC 19-10 6/12/19	None
16	Love and Salt	317 Manhattan Beach Blvd.	9am-1am, Daily	9am-1am, Daily	Full Liquor & Caterer's	94-20 07/13/94	2 entertainers til 1am Fri, Sat & 12am Sun
17	Dash Dashi (under construction)	1127 Manhattan Ave.	6am-11pm, Sun- Thu 6am-1am, Fri-Sat	6am-11pm, Sun- Thu 6am-1am, Fri-Sat	Beer & Wine	PC 19-10 6/12/19	None
18	Mangiamo	128 Manhattan Beach Blvd.	11am-12am, Mon-Sat 8am-12am, Sun	11am-12am, Mon-Sat 8am-12am, Sun	Full Liquor	83-28 06/14/83	Maximum 3 musicians, nonamplified
19	Manhattan Pizzeria	133 Manhattan Beach Blvd.	6am-2am, Daily	6am-2am, Daily	Beer & Wine	PC 19-10 6/12/19	None
20	MB Brewing Co	124 Manhattan Beach Blvd.	7am-12am, Sun-Thu 7am-1am, Fri-Sat	7am-12am, Sun-Thu 7am-1am, Fri-Sat	Full Liquor	09-01 01/14/09	None
21	Nick's Manhattan Beach	451 Manhattan Beach Blvd Suite D-126 1200 Morningside	6am-11pm, Sun-Thu 6am-12am, Fri-Sat	6am-10:30pm, Sun-Thu 6am-11:30pm, Fri-Sat	Full Liquor	CC 18-0074 06/05/2018 CC 5770 07/16/02	2 Unamplified Entertainers Background Music Class I Entertainment Permit Required for More
22	Slay Italian Kitchen	1001 Manhattan Ave.	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	Beer & Wine	07-09 06/25/07	None
23	Petro's	451 Manhattan Beach Blvd Suite B-110	6am-12 am, Sun-Thu 6am-1am, Fri-Sat	6am-11:30pm, Sun-Thu 6am-12:30am, Fri-Sat	Full Liquor	06-20 12/13/06 CC 5770 07/16/02	2 Unamplified Entertainers Background Music Class I Entertainment Permit Required for More
24	Pitfire Pizza	401 Manhattan Beach Blvd.	7am-11pm, Daily	7am-11pm, Daily	Beer & Wine	05-05 03/23/05	None
25	MB Post	1142 Manhattan Ave.	6am-11pm, Sun-Wed 6am-1am, Thu-Sat	6am-11pm, Sun-Wed 6am-12am, Thu-Sat	Full Liquor	CC Reso No. 20-0049 5/14/20	None
26	Rice	820 Manhattan Ave.	7am-10:30pm, Sun-Thu 7am-11:30pm, Fri-Sat	7am-10:30pm, Sun-Thu 7am-11:30pm, Fri-Sat	Beer & Wine	89-23 06/27/89	Nonamplified live music
27	Rock N Fish	120 Manhattan Beach Blvd.	7am-12am, Sun-Thu 7am-1am, Fri-Sat	7am-12am, Sun-Thu 7am-1am, Fri-Sat	Full Liquor	99-04 02/10/99	None
28	Rockefeller	1209 Highland Ave.	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	Beer & Wine	07-04 05/09/07	None

29	Shade Hotel	1221 Valley Drive	Zinc Lobby Bar & Zinc Terrace: 11pm Daily Interior Courtyard (for Special Events Only) 11pm, Sun-Thurs 12am, Fri-Sat Rooftop Deck, 10pm Daily	Zinc Lobby Bar & Zinc Terrace: 11pm Daily Interior Courtyard (for Special Events Only) 10:30pm, Sun-Thurs 11:30pm, Fri-Sat Rooftop Deck, 9pm Daily	Full Liquor	05-08 05/25/05 CC 5770 07/16/02 (CC 6275 07/09/10 Hours Not Shown As Reso. Not Yet Implemented)	2 Unamplified Entertainers Background Music Class I Entertainment Permit Required for More
30	Esperanza	309 Manhattan Beach Blvd.	7am-2am, Daily	7am-2am, Daily	Full Liquor	19-03 03/27/19	1:30am, 7 days a week 5 Muscians/vocalists
31	Shellback	116 Manhattan Beach Blvd.	No Resolution	No Resolution	Full Liquor	No	Resolution
32	Simmzy's	229 Manhattan Beach Blvd.	6am - 11pm, Mon-Thu 6am-12am, Fri-Sat	6am - 11pm, Mon-Thu 6am-12am, Fri-Sat	Full Liquor	18-15 09/26/18	None
33	The Strand House	117 Manhattan Beach Blvd.	10am-12am, Mon-Thu 10am-1am, Fri 8am-1am, Sat 8am-12am, Sun	10am-12am, Mon-Thu 10am-1am, Fri 8am-1am, Sat 8am-12am, Sun	Full Liquor	CC Reso. 6304 04/19/11 PC 11-02 02/23/11	Live Entertainment & Dancing Fri-Sat, till 1am Thu & Sun, till 11:30pm
1.54	Culture Brewing Company	327 Manhatta Beach Blvd.	8am - 10pm	8am - 10pm	Beer	PC 19-05 05/22/19	None
35	Tacolicious	1129 Manhattan Ave.	6am-11pm, Sun-Thu 6am-12am, Fri-Sat	6am-11pm, Sun-Thu 6am-12am, Fri-Sat	Full Alcohol	PC 19-10 6/12/19	None

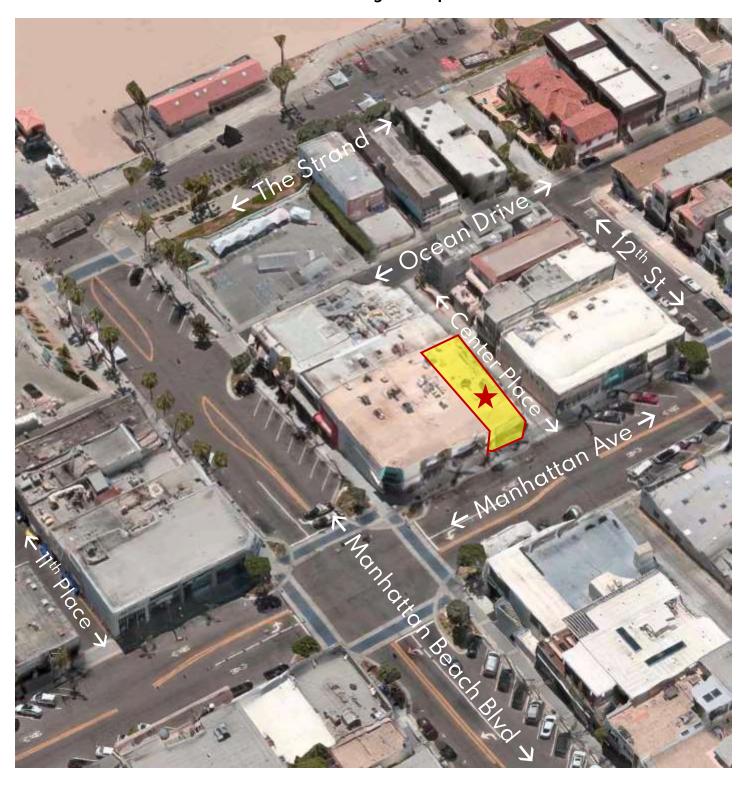
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Attachment D

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Attachment E

Public Comment

From: Peter Hartshorn <peterwhartshorn@gmail.com>

Sent: Monday, August 31, 2020 12:35 PM

To: List - Planning Commission < Planning Commission@citymb.info>

Cc: Carrie Tai, AICP <ctai@citymb.info>; Ted Faturos <tfaturos@citymb.info> Subject: [EXTERNAL] Nando Restaurant Full Alcohol service at Sept 8th meeting

Dear Manhattan Beach Planning Commission,

RE: Request of Nando Restaurant for full alchohol service.

I am writing to you about our concerns with the increased alcohol and bar activity being approved by the Planning commission in our Manhattan Ave neighborhood, just north of Manhattan Beach Blvd. Within our neighborhood, four restaurants are undergoing enlargement or change of ownership within one block. Two of these have already come before the Planning commission and received approvals to changes. Tacolicious received approval for a full alcohol license while the Manhattan Beach Post received approval for increased hours, the elimination of restrictions on bar space, and deleting the restaurants requirement to have full menu service when alcohol is served. Tacolicious and the enlarged Manhattan Beach Post have not yet opened and we do not know how large the negative effect on our neighborhood will be, but there will be an effect.

The most recent applicant is the Nando Restaurant requesting full alcohol service, coming before the Planning Commission at your Sept 8th meeting. We do not yet know what the requests from the forth restaurant replacing Mama D's will be.

We have had local restaurants that have been quiet and close at 10:30 pm. Regardless of this we still have impact from these restaurants. This impact is currently felt through late night movement through our neighborhood for those leaving late night establishments as they return to their parked cars, as there is public parking within and adjacent to our neighborhood. We are seeing a very large transformation, the effects of which will not be positive for our neighborhood.

We are requesting that the Planning Commission look at all of the permit changes that have recently been made

and not approve any additional full service alcohol in our neighborhood.

Thank you

Peter Hartshorn 1300 Manhattan Ave B

Public Comment

From: jim quilliam <jimquilliam@hotmail.com> Sent: Monday, August 31, 2020 2:26 PM

To: List - Planning Commission < Planning Commission@citymb.info>

Cc: Carrie Tai, AICP <ctai@citymb.info>; Ted Faturos <tfaturos@citymb.info>; 'Peter Hartshorn'

<peterwhartshorn@gmail.com>

Subject: [EXTERNAL] FW: Nando Restaurant Full Alcohol service at Sept 8th meeting

Planning Commission Manhattan Beach,

I fully support the concerns documented by downtown resident Mr. Peter Hartshorn.

Our family resides within 75 feet from Nando Restaurant and request that you not approve any additional full service alcohol in our neighborhood.

James Quilliam 124 12th Street

Dear Manhattan Beach Planning Commission,

RE: Request of Nando Restaurant for full alchohol service.

I am writing to you about our concerns with the increased alcohol and bar activity being approved by the Planning commission in our Manhattan Ave neighborhood, just north of Manhattan Beach Blvd. Within our neighborhood, four restaurants are undergoing enlargement or change of ownership within one block. Two of these have already come before the Planning commission and received approvals to changes. Tacolicious received approval for a full alcohol license while the Manhattan Beach Post received approval for increased hours, the elimination of restrictions on bar space, and deleting the restaurants requirement to have full menu service when alcohol is served. Tacolicious and the enlarged Manhattan Beach Post have not yet opened and we do not know how large the negative effect on our neighborhood will be, but there will be an effect.

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We are requesting that the Planning Commission look at all of the permit changes that have recently been made and not approve any additional full service alcohol in our neighborhood.

Public Comment

Thank you

Peter Hartshorn 1300 Manhattan Ave B

Public Comment

From: Martha Andreani <mandreani09@gmail.com>

Sent: Tuesday, September 1, 2020 11:21 AM

To: List - Planning Commission < Planning Commission@citymb.info>

Cc: Ted Faturos <tfaturos@citymb.info>; ctani@citymb.info; List - City Council

<CityCouncil@citymb.info>

Subject: [EXTERNAL] Full Alcohol Service/Nando Trattoria

With all due respect to the Planning process, I feel we are now where we once didn't want to be: All dining/drinking establishments in the "Downtown" are categorically being upgraded from beer and wine licenses to full alcohol licenses. It is simply a paperwork formality to continue down the path of the Downtown becoming what some have called "a bar town", albeit "upscale".

I'm not advocating or supporting a "dry town", but continue in support of the residential community in and near the Downtown. Please tend to tight control of hours of operation, adherence to the noise ordinance, and monitoring of loitering.

In support of residents not within walking distance of the Downtown and North End, as well as visitors, I look forward to the days when we will again have parking spaces and pedestrian walkways (sidewalks).

Thank you for your continuing service during these unusual, difficult times.

Sincerely, Martha Andreani Resident/Downtown

Attachment F

MASTER USE PERMIT AMENDMENT LETTER OF INTENT 1131 MANHATTAN AVENUE

REQUEST

An amendment to an existing Master Use Permit (City Council Resolution No. 5312) to allow he sale and dispensing of a full line of alcoholic beverages in conjunction with a change in restaurant ownership at a location that previously served beer and wine.

BACKGROUND

The subject request is to upgrade the alcohol license at an existing restaurant space located at 1131 Manhattan Avenue in downtown Manhattan Beach. The property was previously occupied by Little Sister's restaurant. The change in business ownership is to Nando Milano Trattoria, an authentic Northern Italian Restaurant with Costal Italian flair which has developed state of the art know-how in food preparation, efficient operations, excellent on point service and marketing strategies.

Nando Milano Trattoria's mission is to provide their customers a unique Italian experience, where tradition and innovations are fuse together in preparing authentic Italian and iconic dishes. Their work ethic, Old school based on handcrafted goods allows for the creation of fresh and organic produces, prime meets, steaks and seafood, with a seasonal, well balanced menu. A well balance menu, and world class service and an unbeatable atmosphere with Italian heritage worked into every detail will make a competitive vantage to deliver a potent brand identity to win over the competitions.

The proposed upgrade in license types is necessary to keep the restaurant competitive with other restaurants in the downtown area that serve a full range of alcohol. The upgrade will also help the restaurant to evolve through the implementation of a cocktail program based on seasonal craft cocktail. A mixologist bartender will be employed to entertain customers with their creations of fine unique liquor, and a after dinner drink to complement their nights. In addition to the craft cocktails, Italian traditional bar products such as espresso and cappuccino will be provided as well and many other non-alcoholic beverages, both domestically and from around the world.

The property already has a Use Permit to allow beer and wine at the restaurant under Council Resolution number 5312 that dates back to 1998. Since there is an existing Use Permit on the property, the subject application is for an amendment to the existing permit. Other than the request to upgrade the alcohol license from beer and wine (Type 41) to a full line of alcohol (Type 47) and minor cosmetic changes that do not requires permits, there are no changes proposed to the existing conditions or hours of operation. Also, the floor plan will remain the same and will not be altered as part of this amendment

MBMC 10.84.060 USE PERMIT FINDINGS

1. The proposed location of the use is in accordance with the objectives of this title and the purposes of the district in which the site is located.

Nando Milano Trattoria will be an Eating and Drinking Establishment use located in the CD Downtown Commercial zone. The CD Commercial zone's purpose is to "provide a broad range of community businesses", and the Eating and Drinking Establishment use can be classified as a community business. The proposed upgrade from beer and wine sales for on-site consumption to a full range of alcohol is consistent with the Downtown Specific Plan,

2. The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.

Nando Milano Trattoria will be a commercial use consistent with the General Plan's Downtown Commercial land use designation on the project site and the neighboring lots. The proposed use is consistent and complimentary with neighboring uses, as the neighboring lots have also been developed with commercial uses, many of which are eating and drinking establishments that serve food and alcohol. The General Plan encourages a "vibrant downtown" that offers "services and activities for residents and visitors", and Nando Milano Trattoria can be part of the Downtown commercial mix of businesses that helps create a dynamic and interesting Downtown.

3. The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be I o c a t e d.

Nando Milano Trattoria will be an Eating and Drinking Establishment use that complies with all provisions of the Municipal Code's Title 10 Planning and Zoning. The proposed upgrade of the alcohol license will allow for the on-site consumption of a full range of alcohol in compliance with the following goals and policies of the Downtown Specific Plan:

- Policy LU-6.4: Recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.
 - The commercial building is located in the downtown commercial area, and adjacent to a high-density residential area. The design of the restaurant with enclosed walls allows the restaurant to balance the needs of both residential and commercial uses through the buffering of noise and the activation of the street frontage.
- Policy LU-7.1: Encourage the upgrading and growth of businesses in the Downtown area to serve as a center for the community and to meet the needs of residents and visitors.
 - Encouraging the upgrade in license types will allow the business to continue operating at the current location and meet the needs of local residents and visitors.
- Policy N-2.2: Ensure acceptable noise levels near residences, schools, medical facilities, and other noisesensitive areas.

The proposed upgrade in license types will not further increase noise levels, given the existing layout of the building, which is designed to reduce noise emanating from the restaurant.

4. The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.

The existing tenant, Nando Milano Trattoria, will be an eating and drinking establishment located just off the busy Manhattan Beach Boulevard commercial corridor in the heart of Downtown Manhattan Beach, with many of the surrounded businesses having similar operating characteristics. The property and building comprise of five restaurants and two retails businesses. All uses are currently in operation and approved.

No impacts to parking or traffic are anticipated given that the use and building are in compliance with the Downtown Parking Management Plans by means of a Master Use Permit, which limits hours of operation to all businesses on the property. As one of the primary purposes of the Specific Plan is to facilitate and encourage the use of alternative modes of transportation to, from, and within the plan area in order to reduce traffic congestion and parking demand, no impacts are anticipated.

In terms of Noise, the existing restaurant does not offer outdoor dining area and no changes to the operation are proposed as part of this application. There will be no impacts from noise. Furthermore, significant buffers between Nando Milano Trattoria and residences exist, with Manhattan Beach Boulevard, Manhattan Avenue, Center Place, and other businesses providing sound barriers that help minimize any impacts associated with the use.

The proposed amendment to the Use Permit to allow for the on-site consumption of a full range of alcohol will not impact residential security or personal safety at the restaurant with the limitation on the hours of operation and condition that restricts the sale of alcohol unless sold with food.

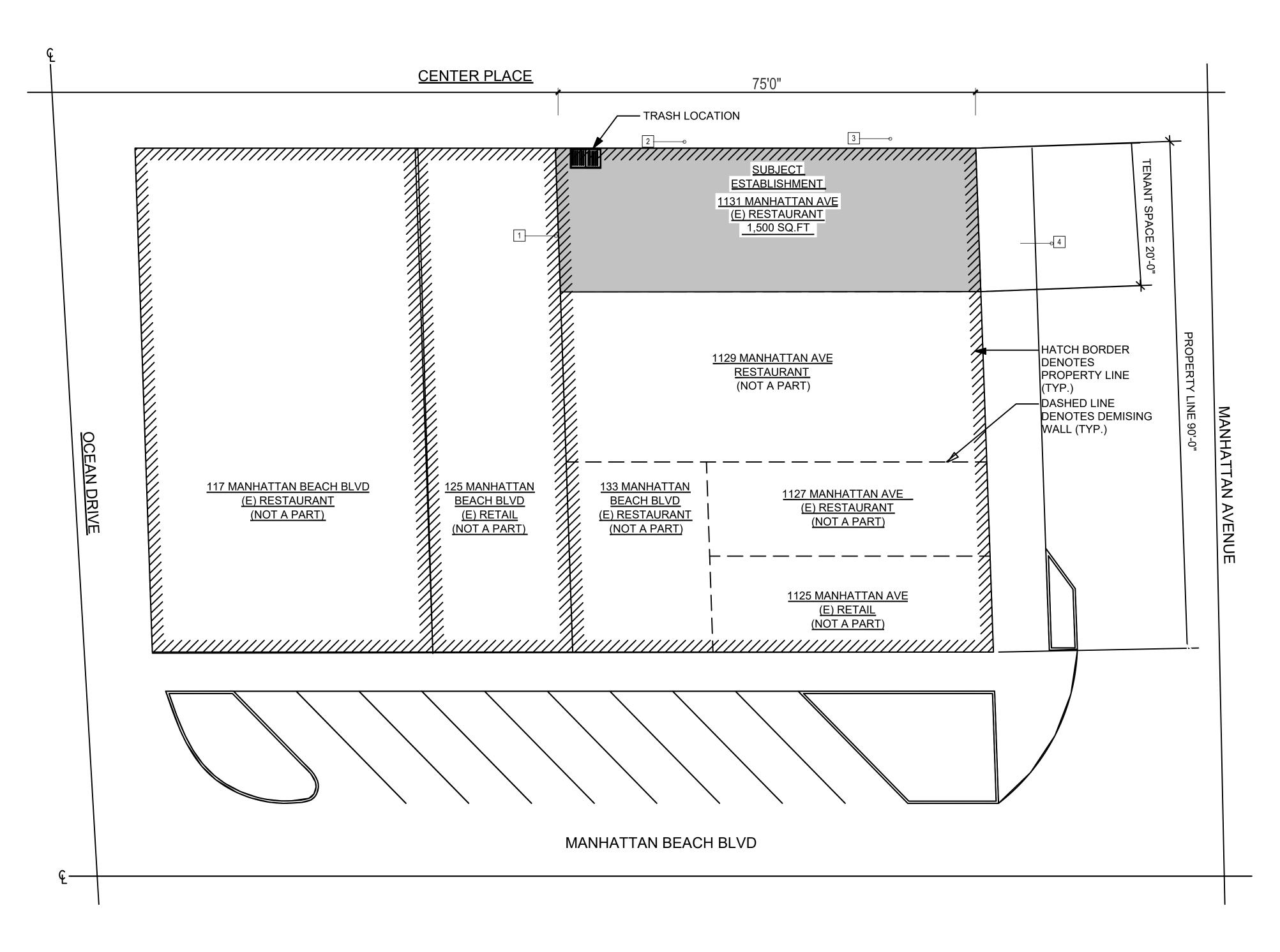
Although no changes to the structure are proposed with this application, there will be no impacts to the restaurant aesthetics because the restaurant is well designed and is consistent with the Downtown Specific Plan Design Guidelines. Proposed cosmetic work, which includes painting and new signage, will ensure that the use remains in keeping with the design guidelines.

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Attachment G



EXISTING/PROPOSED SITE PLAN

SHEET INDEX

A-1 SITE PLAN A-2 EXISTING/ PROPOSED FLOOR PLAN

A-3 EXTERIOR ELEVATION

PROJECT DESCRIPTION

UPGRADE ALCOHOL LICENSE FROM TYPE 41 ON SALE BEER AND WINE TO TYPE 47 ON SALE GENERAL. NO EXTERIOR/INTERIOR CHANGES PROPOSED.

PROJECT DATA

PROJECT ADDRESS	
PARCEL NUMBER ————————————————————————————————————	4179-022-006
GPA —————	DOWNTOWN COMMERCIAL
ZONE —	CD
BLDG AREA ——————————————————————————————————	6,650 SQ.FT.
BLOCK —	13
LOT	10, 11 AND 12
SITE AREA —————————————————————————————————	6,732 SQ. FT.
EXISTING RESTAURANT AREA	1,500 SQ. FT.

KEY NOTES

1 -	■ BUILDING PERIME
2	(E) GAS METER
3	——— (E) ELECT PANEL
4	(E) WALKWAY

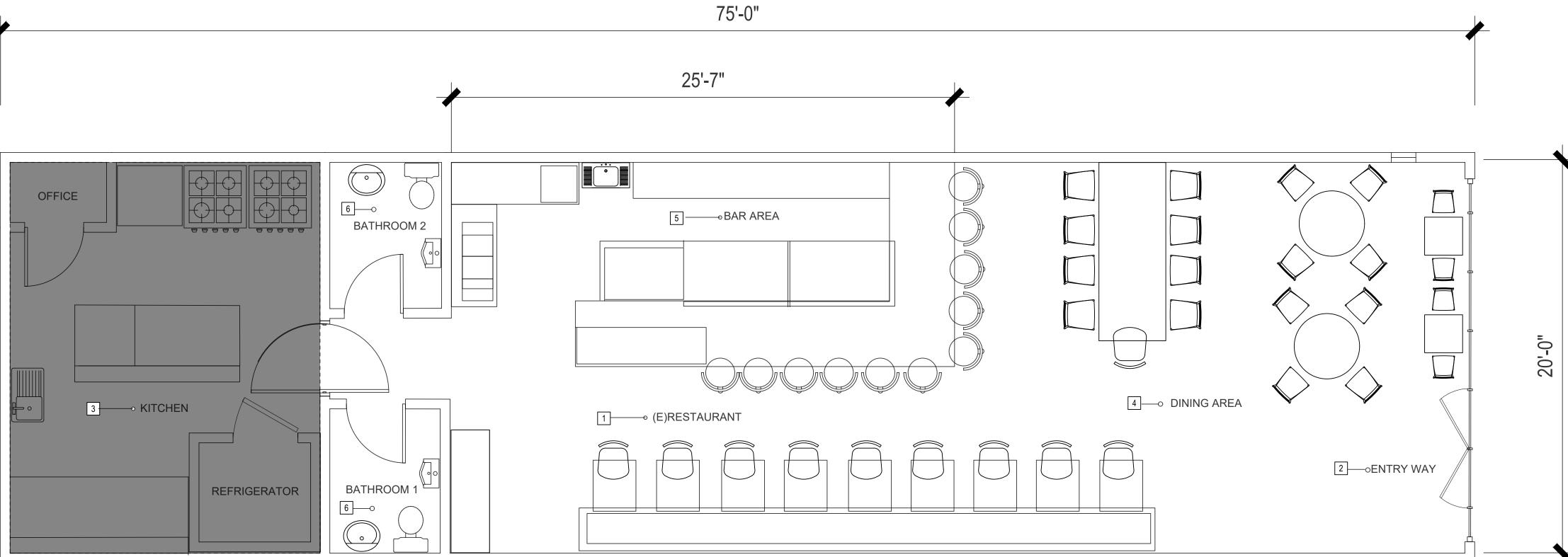


DESIGNER

A-1

VICINITY MAP

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1 EXISTING\PROPOSED FLOOR PLAN (NO CHANGE)
SCALE: N.T.S NO CHANGES



ELECTRICAL LEGEND / NOTES

LEGEND

CARBON MONOXIDE DETECTOR HARDWIRED WITH BATTERY BACKUP AND INTERCONNECTED TO
SOUND UL 217 LISTED AND UL 2034/ 2075

SMOKE DETECTOR INTERCONNECTED
RECESSED LIGHT FIXTURE WITH FAN Nu ToNE
RECESSED LIGHT FIXTURE

FLUORESCENT RECESSED LIGHT FIXTURE

LIGHT TO BE HIGH EFFICACY OR CONTROLLED BY PHOTO CONTROL / MOTION SENSOR

ARC FAULT CIRCUIT

GROUND FAULT CIRCUIT

SPEAKER
DECORA SWITCH
DECORA 3 WAY SWITCH

INTERIOR PHOTOS



DESIGNER

BID DATE:

PLOT DATE:

SHEET TITLE:

A-2

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SHEET TITLE:

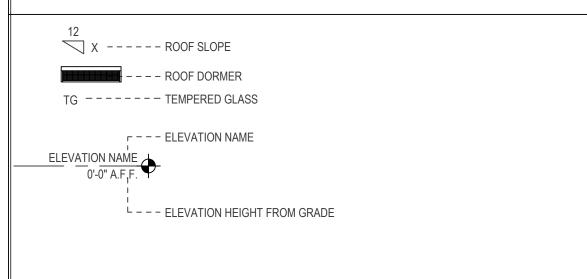
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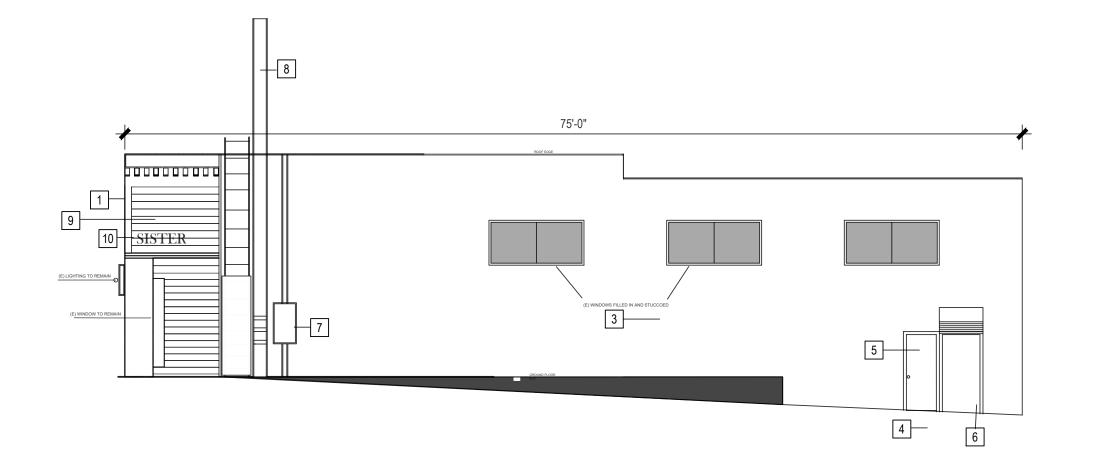


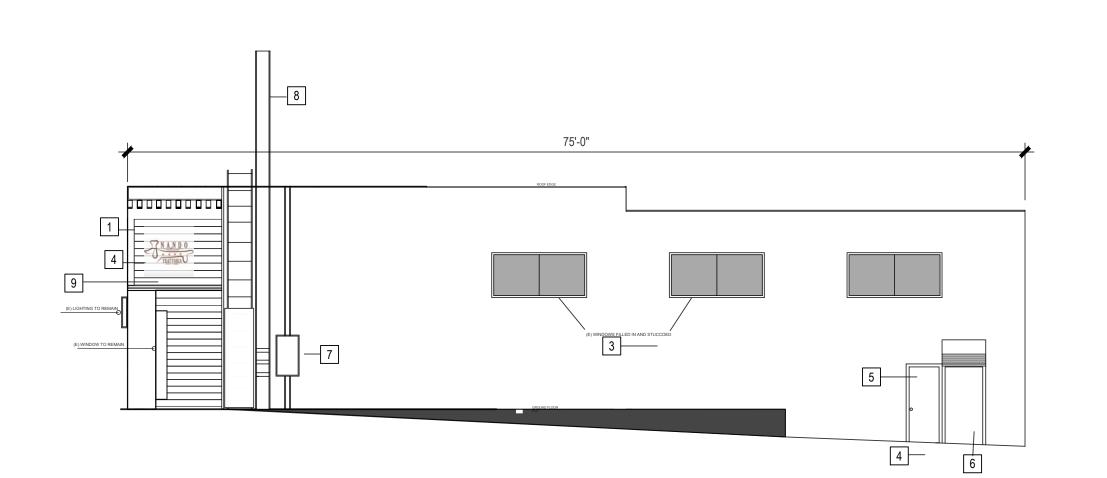
ELEVATION LEGEND

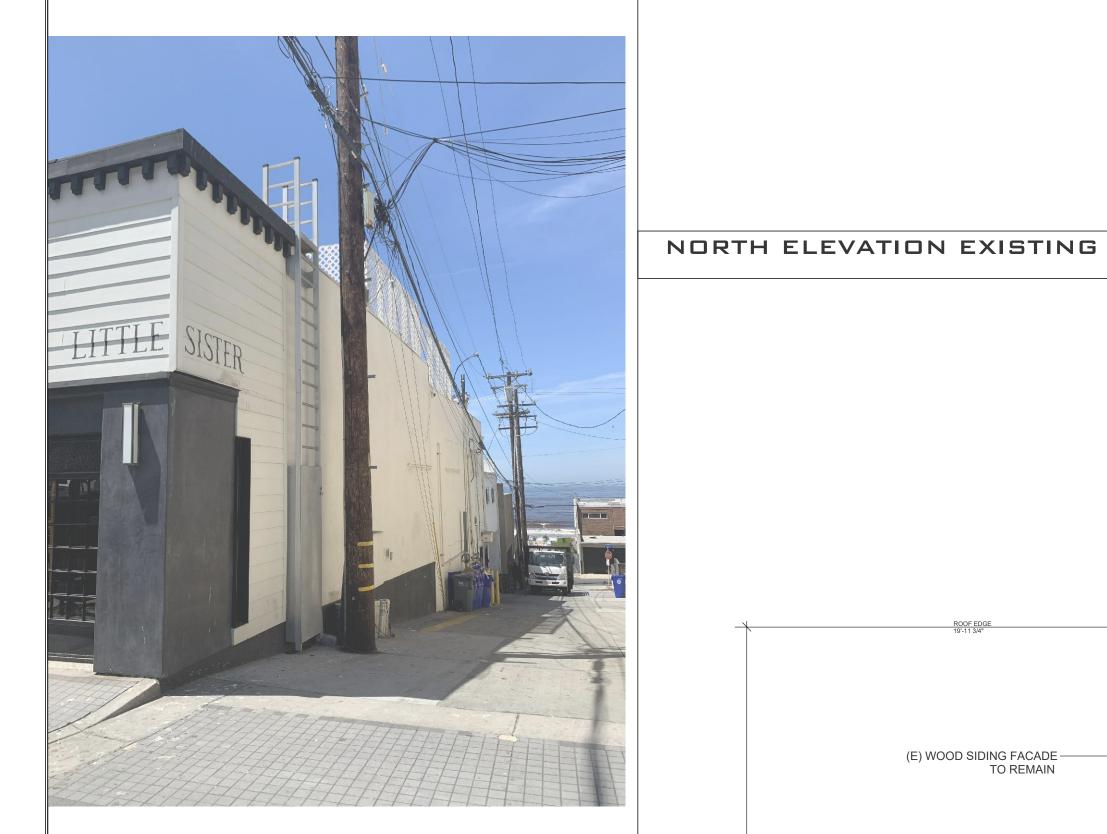
(E) POWER POLE - EDISON

(E) WOOD SIDING

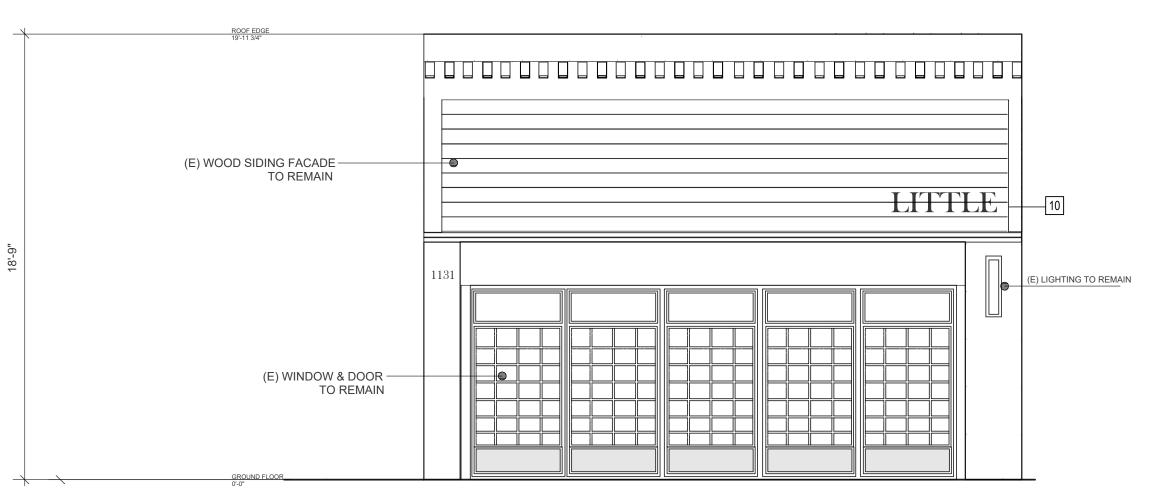


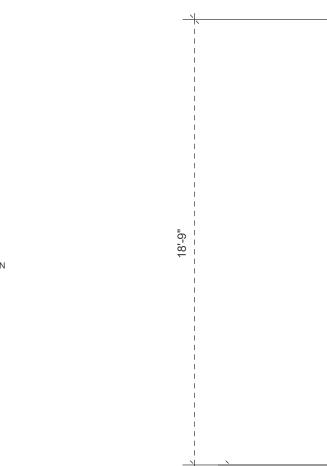












PICTURES N.T.S

WEST ELEVATION EXISTING

2 N.T.S

NORTH ELEVATION PROPOSED

(E) WOOD SIDING FACADE — TO REMAIN

(E) WINDOW & DOOR — TO REMAIN

WEST ELEVATION PROPOSED

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