



Legislation Text

File #: 20-0150, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Carrie Tai, AICP, Community Development Director

SUBJECT:

Recent Planning Commission Quasi-Judicial Decisions:
Proposed Use Permit Amendment for an Existing Restaurant with Full Alcohol Service (Manhattan Beach Post) to Allow: An Expansion of the Use into an Adjacent Vacant Restaurant Space (Formerly Subway); and an Extension of Operating Hours at 1142 and 1144 Manhattan Avenue (Simms Restaurants/Simms)
(Community Development Director Tai).

INFORMATION ITEM ONLY

RECOMMENDATION:

On March 11, 2020 (after the posting of the March 17, 2020, City Council agenda), the Planning Commission considered the item described below. **In the event the Commission takes action on the item, staff will inform the City Council of the decision no later than Friday, March 13, 2020.**

1. Proposed Use Permit Amendment for an Existing Restaurant with Full Alcohol Service (Manhattan Beach Post) to Allow: An Expansion of the Use into an Adjacent Vacant Restaurant Space (Formerly Subway); and an Extension of Operating Hours at 1142 and 1144 Manhattan Avenue (Simms Restaurants/Simms).

On October 28, 2019, the Community Development Department received an application requesting an amendment to an existing Use Permit Amendment to allow for the expansion of an existing restaurant with full alcohol service (Manhattan Beach Post- 1142 Manhattan Avenue) into the adjacent vacant restaurant space (formerly Subway- 1144 Manhattan Avenue). The applicant is also requesting to expand the hours of operation.

The approved operating hours under their existing entitlement are 11:00 a.m. - 11:00 p.m. Monday through Wednesday, 11:00 a.m. - 12:00 a.m. Thursday through Friday, 7:00 a.m. - 12:00 a.m. on Saturdays, and 7:00 a.m. - 11:00 p.m. on Sundays. The proposed hours of operation are 6:00 a.m. - 11:00 p.m. Sunday through Wednesday, and 6:00 a.m. - 1:00 a.m. Thursday through Saturday.

One public comment from a neighbor opposed to the expansion of hours, with concerns that the restaurant will “become more of a late night bar than a restaurant.”

The Police Department has reviewed the applicant's request and has no concerns or objections. Since Manhattan Beach Post's opening in 2011, the Police Department has received one call regarding Manhattan Beach Post's operations. The call was from July 2017 for a "loud compressor" being used by the restaurant.

Link to the Planning Commission Staff Report:

http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2020/20200311/20200311-2.pdf

In the event the Commission takes action, staff will inform the City Council of the decision no later than Friday, March 13, 2020.

Planning Commission quasi-judicial decisions can be called up for review by a Councilmember or appealed by any member of the public within 15 days of the decision. If the Planning Commission takes action, the appeal period for this item ends on Thursday, March 26, 2020. For all requests for review, it shall be presumed that the reason for the request is that the decision may have significant and material effects on the quality of life within the City, or that the subject matter of the decision may have Citywide importance warranting review and determination by City's elected officials. Bias shall not be presumed or inferred due to a request for review.