To: Planning Commission
From: Jing Yeo, City Planning Division Manager
Subject: Conditional Use Permit 16ENT-0128 to allow the incidental on-site sale and consumption of alcohol beverages in conjunction with a new full-service restaurant.

Address: 1530 2nd Street
Applicant: Full of Flavor, LLC.

Recommended Action
It is recommended that the Planning Commission take the following actions subject to findings and conditions contained in Attachment B:

1. Approve Conditional Use Permit 16ENT-0128
2. Approve the Statement of Official Action

Executive Summary
The applicant requests approval of a general alcohol license in conjunction with a proposed full-service restaurant. The request is for a Type 47 (On-Sale General, Bona Fide Eating Place) alcohol license for the proposed 3,306 square foot restaurant (indoor and outdoor area) with 102 seats located on the ground floor 2nd Street frontage of the Shore Hotel. The site is located in the Downtown Commercial (C3) District. Pursuant to the City’s Interim Zoning Ordinance No. 2522 (CCS) (“IZO”), the 1988 Zoning Ordinance continues to be applied to development in the Downtown Core until such time as the Downtown Community Plan is adopted.

Pursuant to Santa Monica Municipal Code (SMMC) Section 9.04.10.18.020, a Conditional Use Permit is required for the dispensing and sale of alcoholic beverages.

The following issues should be considered by the Planning Commission in its review of the proposed project and are addressed in this report:

- Whether the restaurant is conditioned to operate independently as a standalone entity, per the conditions of approval for the Shore Hotel

- Whether the proposed conditions of approval mitigate potential alcohol-related adverse impacts in the surrounding area
• Whether the alcohol license in conjunction with the restaurant operations is consistent with the Land Use Element of the General Plan and Zoning District

Background

The following are prior permits that have been issued for the subject property:

DR 05-007, CUP 05-009, GPA 06-001 and VAR 06-018 (approved March 19, 2008)
Development Review Permit, Conditional Use Permit, General Plan Amendment and Variance was approved by the Planning Commission for the new Shore Hotel.

APP08-006; APP08-007 (approved September 23, 2008)
The Planning Commission’s approval of the Development Review Permit, Conditional Use Permit, and Variance for the Shore Hotel was appealed. On September 23, 2008, the City Council denied the appeal and approved the DR, CUP, and Variance for the Shore Hotel with modified conditions. Conditions of approval for the project limited proposed amenities to a 370 square foot exercise room, a 750 square foot meeting room/breakfast room, swimming pool and spa pools and prohibited a restaurant, bar, conferencing facilities, spa, florist, lounge or similar amenities typically found in more upscale or luxury hotels. Finally, the Conditions of Approval prohibited the combination of rooms to create larger rooms, but exempted the commercial spaces along Ocean Avenue and 2nd Street.

11CUP003; 11CUP004; 11CUP005 (approved August 10, 2011)
The owner of the Shore Hotel requested and received three separate Conditional Use Permits for alcohol service within the project site. 11CUP003 was approved in anticipation of a proposed restaurant at 1530 2nd Street (the subject space); 11CUP004 was approved for alcohol sales within the hotel’s guest rooms; and 11CUP005 was approved for the restaurant on Ocean Avenue currently operated by Blue Plate Taco with the following conditions which are reflective of the hotel’s operating conditions listed above:

• No restaurant delivery to the hotel guestrooms shall occur unless delivery is offered as part of the restaurant’s typical operations.

• No service orders to the restaurant shall be processed through the hotel.

• No restaurant charges shall be included on the hotel bill.

• The operation of the restaurant must be separate and distinct from the operation of the hotel.

The Planning Commission approval of 11CUP003 authorized seating arrangements for 74 sit-down patrons plus two (2) waiting area seats and hours of alcohol service Sunday through Wednesday, 10:00 AM to 1:00 AM (interior dining area), 10:00 AM to 12:00 Midnight (outdoor dining area) and Thursday through Saturday 10:00 AM to 2:00 AM (interior dining area) and 10:00 AM to 1:00 AM (outdoor dining area). In addition, The
Conditions of Approval were identical to those of Blue Plate Taco with respect to the separation of hotel and restaurant operations.

However, Conditional Use Permit 11CUP003 expired because operations did not commence.

14PSP008 (approved February 2, 2015)
A Performance Standards Permit granting a small, satellite automobile rental agency was approved within the Shore Hotel. The use continues to operate at two small counters totaling 280 square feet within the hotel.

Project / Site Information
The following table provides a brief summary of the project location. Additional information regarding the project's compliance with applicable municipal regulations and the General Plan is available in Attachment A.

<table>
<thead>
<tr>
<th>Project and Site Information Table</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District:</td>
</tr>
<tr>
<td>Land Use Element Designation:</td>
</tr>
<tr>
<td>Parcel Area (SF):</td>
</tr>
<tr>
<td>Parcel Dimensions:</td>
</tr>
<tr>
<td>Existing On-Site Improvements (Year Built):</td>
</tr>
</tbody>
</table>

The proposed restaurant tenant space is located on the ground floor of the Shore Hotel, developed on two separate parcels consisting of two, four-story buildings and a covered pedestrian bridge that extends over the alley (First Court) at the second, third and fourth floors. The ground floor of each building provides tenant spaces for retail and restaurant uses intended to activate the street frontages on Ocean Avenue (Blue Plate Taco restaurant) and 2nd Street (proposed Avery Restaurant). The general area is characterized by a mix of uses, including commercial, entertainment, restaurant, lodging, retail, and limited residential. Santa Monica Place, a regional shopping center, is located across 2nd Street towards the east. The Bayside Commercial District, including the Third Street Promenade and Transit Corridor, is located approximately two blocks to the northwest.
Environmental Analysis
The Conditional Use Permit for an alcohol license is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301 (Class 1), Existing Facilities, of the State Implementation Guidelines in that the proposed project is a restaurant use with interior improvements including the alcohol licensing sales and service located within an hotel development site.

Project Analysis

Proposed Project Operation / Hours of Alcohol Service
The applicant, Full of Flavor LLC., is requesting a CUP to allow alcohol service in conjunction with a Type-47 (On-Sale General, Bona Fide Eating Place) alcohol license at a proposed full-service restaurant. This independently owned and operated restaurant would occupy the vacant the 2nd Street fronting ground floor space of approximately 3,000 square feet located within the Shore Hotel. An additional outdoor dining area of 306 square feet is also requested. The proposed dining area totals 102 seats including 92 indoor seats, a private dining area, 12 bar seats (counted with indoor seats), and 10 outdoor seats, as depicted in the floor plan below:

Figure 1: Proposed Floor Plan

The outdoor dining area extends approximately 6’ from the building façade within the subject site, adjacent to a 10’ public sidewalk along 2nd Street.
<table>
<thead>
<tr>
<th>Area</th>
<th>Square Footage</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dining Area/ Private Dining</td>
<td>1,958 sf</td>
<td>80 seats</td>
</tr>
<tr>
<td>Kitchen/Service Area</td>
<td>887sf</td>
<td>N/A</td>
</tr>
<tr>
<td>Bar Area</td>
<td>155 sf</td>
<td>12</td>
</tr>
<tr>
<td>Outdoor Patio</td>
<td>306 sf</td>
<td>10 seats</td>
</tr>
<tr>
<td></td>
<td>as conditioned</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3,306 sf</strong></td>
<td><strong>102 seats</strong></td>
</tr>
</tbody>
</table>

The restaurant would function as a full-service restaurant for sit-down breakfast, lunch and dinner meal service and provide patrons the opportunity to purchase and consume alcoholic beverages during their following operating hours:

Sunday through Saturday: 7 A.M. to 2 A.M.

The applicant’s rational for the extended hours request is their wish to have consistent hours of alcohol and food service.

Staff recommends that alcohol service be authorized from 7 A.M. daily with the cessation of alcohol service at 1:30 A.M. within the restaurant and outdoor dining alcohol service ceasing one hour prior to closing. Conditions # 3 and 4 of the recommended Statement of Official Action address the hours of operation, alcohol service in the outdoor dining area and the last call for alcohol 30 minutes prior to the cessation of alcohol service.

**Alcohol Licenses**
Alcohol service within the Downtown is typically paired with full-service restaurant uses. The following is a list of those establishments serving alcohol within a 500’ radius of the site:

<table>
<thead>
<tr>
<th>Establishment</th>
<th>Address</th>
<th>License Type</th>
<th>Hours of Alcohol License</th>
</tr>
</thead>
<tbody>
<tr>
<td>Makai</td>
<td>101 Broadway</td>
<td>Type 47, On-Sale General Eating Place</td>
<td>7AM – Midnight, Sun-Wed 7AM – 2AM, Th-Sat</td>
</tr>
<tr>
<td>Frank’s Liquor</td>
<td>115 Broadway</td>
<td>Type 21, Off-Sale General Eating Place</td>
<td>Legal Non-Conforming ABC Hours</td>
</tr>
<tr>
<td>The Craftsman Bar and Kitchen</td>
<td>119-121 Broadway</td>
<td>Type 47, On-Sale General Eating Place</td>
<td>11AM – 1AM</td>
</tr>
<tr>
<td>Thai Dishes</td>
<td>123 Broadway</td>
<td>Type 47, On-Sale General Eating Place</td>
<td>10AM – 12:30AM Sun-Th 10AM – 1:30AM Fri-Sat</td>
</tr>
<tr>
<td>Fifth Amendment Ale House</td>
<td>129 Broadway</td>
<td>Type 41, On-Sale Beer &amp; Wine Eating Place</td>
<td>1PM – 2AM Daily</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td>Type</td>
<td>Hours</td>
</tr>
<tr>
<td>-----------------------</td>
<td>--------------------</td>
<td>-----------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>Independence</td>
<td>201 Broadway</td>
<td>Type 47, On-Sale</td>
<td>9AM – 1AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>Copa de Oro</td>
<td>217 Broadway</td>
<td>Type 48, On-Sale</td>
<td>1PM – 2AM Daily</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Public Premises</td>
<td></td>
</tr>
<tr>
<td>Café Crepe</td>
<td>1460 3rd St. Promenade</td>
<td>Type 47, On-Sale</td>
<td>9AM – Midnight 9AM – 1AM, Fri - Sat</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>North Italia</td>
<td>1442 2nd St.</td>
<td>Type 47, On-Sale</td>
<td>Noon – Midnight Daily</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>Chloe</td>
<td>1449 2nd St.</td>
<td>Type 47, On-Sale</td>
<td>5PM – 2AM Daily</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>Meat on Ocean</td>
<td>1501 Ocean Ave.</td>
<td>Type 47, On-Sale</td>
<td>CLOSED</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>Ivy at the Shore</td>
<td>1535 Ocean Ave.</td>
<td>Type 47, On-Sale</td>
<td>11AM – 11PM Daily</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>Del Frisco Grill</td>
<td>1551 Ocean Ave.</td>
<td>Type 47, On-Sale</td>
<td>Development Agreement Site, alcohol not</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td>subject to CUP, ABC allows service until 2 AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Lobster</td>
<td>1602 Ocean Ave.</td>
<td>Type 47, On-Sale</td>
<td>10AM-11AM Mon-Fri 10AM – 1AM, Sat-Sun</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>Holiday Inn</td>
<td>120 Colorado Ave.</td>
<td>Type 47, On-Sale</td>
<td>10AM-11PM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>Cheesecake Factory</td>
<td>395 SM Place</td>
<td>Type 47, On-Sale</td>
<td>10AM – 2AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>Ozumo (closed)</td>
<td>395 SM Place</td>
<td>Type 47, On-Sale</td>
<td>10AM – 2AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>Pizza Antica (closed)</td>
<td>395 SM Place</td>
<td>Type 41, On-Sale Beer &amp; Wine Eating Place</td>
<td>10AM – 2AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Place</td>
<td></td>
</tr>
<tr>
<td>Sonoma Garden Wine</td>
<td>395 SM Place</td>
<td>Type 47, On-Sale</td>
<td>10AM – 2AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>Xino Restaurant (closed)</td>
<td>395 SM Place</td>
<td>Type 47, On-Sale General Eating Place</td>
<td>10AM – 2AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Place</td>
<td></td>
</tr>
<tr>
<td>The Curious Palate</td>
<td>395 SM Place</td>
<td>Type 41, On-Sale Beer &amp; Wine Eating Place</td>
<td>10AM – 2AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Place</td>
<td></td>
</tr>
<tr>
<td>Pinches Tacos</td>
<td>395 SM Place</td>
<td>Type 41, On-Sale Beer &amp; Wine Eating Place</td>
<td>10AM – 2AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Place</td>
<td></td>
</tr>
<tr>
<td>Chick n Ribs</td>
<td>395 SM Place</td>
<td>Type 41, On-Sale Beer &amp; Wine Eating Place</td>
<td>10AM – 2AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Place</td>
<td></td>
</tr>
<tr>
<td>Crepe Maker</td>
<td>395 SM Place</td>
<td>Type 41, On-Sale Beer &amp; Wine Eating Place</td>
<td>10AM – 2AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Place</td>
<td></td>
</tr>
<tr>
<td>True Food Kitchen</td>
<td>395 SM Place</td>
<td>Type 47, On-Sale</td>
<td>10AM – 2AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Eating Place</td>
<td></td>
</tr>
<tr>
<td>Blue Stove</td>
<td>220 Broadway</td>
<td>Type 41, On-Sale Beer &amp; Wine Eating Place</td>
<td>10AM – 8PM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Place</td>
<td></td>
</tr>
</tbody>
</table>

**Hotel Entitlements and Limited Amenity Condition #10**

The City Council’s approval of the Shore Hotel development requires the hotel to operate as a limited amenity facility per Condition #10 of DR 05-007, CUP 05-009 and VAR 06-018. As specified in the project conditions of approval, the hotel operator may provide an exercise room, breakfast/meeting room, swimming and spa pools. Additionally, a hotel restaurant/bar, conference facilities, spa, florist, lounge or similar
amenities typically found in more luxury hotels may be determined by the Director of Planning to constitute hotel amenities resulting in a change in character that would be subject to Planning Commission approval. However, this condition does not apply to the two restaurant spaces that were planned with the hotel's property fronting on 2nd Street and Ocean Avenue if these venues are operated as separate and distinct entities from the hotel and the hotel operations.

As noted earlier, the alcohol CUP for the Ocean Avenue fronting restaurant, Blue Plate Taco, was approved with conditions that reflect that requirement including:

- No restaurant delivery to the hotel guestrooms shall occur, unless delivery service is offered as part of the restaurant’s typical operations.
- No service orders to the restaurant shall be processed through the hotel.
- No restaurant charges shall be included on the hotel bill.
- The operation of the restaurant must be separate and distinct from the operation of the hotel.

Staff has included Conditions # 5-8 for consistency with this condition.

**Entertainment/ Incidental Music and Televisions**
The applicant is proposing entertainment and incidental music within the establishment that is consistent with the definition contained in SMMC Section 9.04.02.030.735 (1988 Zoning Ordinance) which permits entertainment if:

- Sit down meal service is provided at all times that entertainment is taking place;
- There is no dancing or dance floor;
- There is no cover charge or minimum drink purchase requirement; and
- Entertainment is only provided in the dining areas.

Staff has included condition #36 of the STOA to reflect this limitation on entertainment within the restaurant.

In addition, recent alcohol service related CUPs have a condition that limits the number and size of televisions within the proposed establishment as follows:

- No more than three television screens, including video projectors or similar audio/visual devices, shall be on the premises. None of these televisions or projection surfaces shall exceed 60 inches measured diagonally.

This condition was intended to ensure that restaurants located adjacent to or nearby residential districts and uses did not become more like sports bars. These full service restaurants typically provide multiple televisions that show various sporting events simultaneously. These kinds of establishments have resulted in noise and other complaints in the past.
The applicant is not proposing a sports bar concept, but is requesting approval of up to ten video screens. The applicant is proposing wall mounted screens in clusters of four, two and four screens with each individual screen not more than 60 inches in size. The screens may be operated individually or together to project a large single image. In addition to sporting events, the screens can be used for images other than a video or television feeds such as art, graphics and still and video images that may be appropriate for private events within the restaurant (See Attachment D).

Staff can support the cluster video image concept since the restaurant will not be operated as a sports bar and intends to host a variety of private events at the restaurant, including private parties, private events associated with the entertainment industry and the American Film Market conference held annually in the City. In addition, the project’s location is within the Downtown where entertainment activities are centered away from nearby residential uses. Staff is proposing Condition #35 to address the television/video screen issue.

**Neighborhood Compatibility**

Santa Monica’s Downtown functions as the City’s greatest concentration of commerce, retail, dining, transit, and entertainment. The C3 District is within the downtown and is intended to maintain and enhance the downtown area. The neighborhood provides a variety of commercial, residential, cultural, and recreational opportunities and complementary uses that generate activity during both daytime and evening hours. The surrounding developments on 2nd Street include a variety of uses, including Santa Monica Place, a newly renovated Parking Structure #6 with expanded ground floor pedestrian uses, Hotel Carmel, retail, and dining. The proposed ground floor restaurant of the Shore Hotel fronts 2nd Street, and since the hotel’s opening, the space has remained a shell space that has occasionally been used for seminars and events. The proposed restaurant use will enliven 2nd Street by offering a full-service dining option with alcohol service.

**General Plan Consistency**

The proposed use is consistent with Goal and Policies established in the Land Use and Circulation Element (LUCE). The subject site is located within the Downtown Core Land Use District, which serves as the City’s center of transportation, commerce, and entertainment. LUCE Goal D1 envisions the Downtown Core as a premier shopping, dining and entertainment destination for local and regional visitors. Policy D1.1 supports the creation of diverse local and regional serving retail and dining opportunities in the district. The subject CUP, as conditioned, would allow a new dining establishment an opportunity to function in a manner that is consistent with other dining facilities and alcohol outlets in the Downtown. LUCE Goal D7 supports the district’s balanced mix of uses that reinforce the greatest concentration of activity in the City and Policy D7.1 encourages a broad mix of uses that create dynamic activity in both the daytime and evening hours. The full-service restaurant with incidental alcohol service will provide meal service to residents and visitors during day and evening hours.
Santa Monica Police Department
The Santa Monica Police Department was notified of the project and reported to staff on August 30, 2016 that they did not anticipate any issues with the proposal.

Parking / Shore Hotel
The Shore Hotel currently provides 210 standard and compact parking spaces and 70 additional non-required tandem spaces on-site within 4 subterranean parking levels. According to the applicant, all of the parking on-site is valet-operated 24-hours daily.

With the addition of the proposed restaurant, the required parking for all uses on the site is 223 spaces, resulting in a short fall of 13 spaces. However, with the valet operation in place, the tandem spaces may be utilized to support the restaurant’s off-street parking requirement. Staff has added Condition #9 to require valet parking during all hours of restaurant operations.

Additionally, the Shore Hotel’s approval included two conditions related to Transportation Demand Management (TDM’s) that require annual transit passes, bicycle parking, guest bus passes, and other strategies to mitigate parking and associated vehicle/ travel impacts from the Hotel’s development. The hotel’s TDM program is on file with the City.

Community Meeting and Public Input
Staff informed the applicant of the interest that the Downtown Santa Monica Inc. organization or the DNA (Downtown Neighborhood Association) may have with this application. The applicant was in the process of contacting these two organizations when this report was drafted.

Alternative Actions:
In addition to the recommended action, the Planning Commission could consider the following with respect to the project if supported by the evidentiary record and consistent with applicable legal requirements:

A1. Continue the project for specific reasons, consistent with applicable deadlines and with agreement from the applicant
A2. Articulate revised findings and/or conditions to Approve OR Deny, with or without prejudice, the subject application

Conclusion
The applicant requests approval of a Conditional Use Permit (CUP) to allow for a Type 47 alcohol license in conjunction with a new 3,306 square-foot, 102 seat restaurant within the Shore Hotel in the Downtown Commercial (C3) District. This type of use is supported by the LUCE as a local-and regional-serving use in the City’s Downtown Core designation.
Prepared by: Gina Szilak, Associate Planner
Paul Foley, Principal Planner

Attachments
A. General Plan and Municipal Code Compliance Worksheet
B. Draft Statement of Official Action
C. Public Notification
D. Video Screen Concept
E. Photographs
F. Project Plans

F:\CityPlanning\Share\PC\STRPT\2016\16ENT-0128 1530 2nd Street Alcohol CUP.doc
**ATTACHMENT A**

**GENERAL PLAN AND MUNICIPAL CODE COMPLIANCE WORKSHEET**

### Project Location and Permit Processing Time Limits

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>LAND USE ELEMENT</th>
<th>MUNICIPAL CODE</th>
<th>PROJECT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Use</td>
<td>NA</td>
<td>A Conditional Use Permit is required for the dispensing and sale of alcoholic beverages. [SMMC Section 9.04.08.12.040]</td>
<td>Applicant requests a Conditional Use Permit to allow alcohol service in conjunction with a new proposed full-service restaurant.</td>
</tr>
</tbody>
</table>
| Parking                    | NA               | 1 space per 75 sq. ft. of service and customer seating area and 1 space per 50 sq. ft. of separate bar area; 1 space per 300 sq. ft kitchen and back of house. | 164 guest rooms = 164  
750 SF mtg. room = 4  
Offices/Laundry = 5  
Car Rental = 1  
Restaurant A = 17  
Restaurant B = 32  
223  
210 spaces provided on-site with 70 additional tandem spaces; valet parking will accommodate the additional parking requirement with utilization of the additional tandem spaces. |

**General Plan and Municipal Code Compliance Worksheet**

**Project Address:** 1530 2nd Street  
**Application Filing Date:** August 16, 2016  
**Application Complete Date:** October 29, 2016  
**CEQA Deadline:** November 29, 2016  
**PSA Deadline:** January 29, 2017  
**Total Process Review Time (Days):** 82 days
PROJECT INFORMATION

CASE NUMBER: Conditional Use Permit 16ENT-0128
LOCATION: 1530 Second Street
APPLICANT: Full of Flavor, LLC
PROPERTY OWNER: Sunshine Enterprises, LP
CASE PLANNER: Gina Szilak, Associate Planner

REQUEST: The applicant requests approval of a Conditional Use Permit (CUP) to allow a Type-47 alcohol license in conjunction with a new full-service, 3,306 square-foot, 102 seat restaurant (Avery) comprised of 92 indoor dining room seats (12 bar seats) and 10 outdoor seats located within a ground floor space of the Shore Hotel.

CEQA STATUS: The request is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Class 1), Existing Facilities, of the State Implementation Guidelines in that the project involves interior improvements to an existing building to establish a new restaurant with on-site sale of beer, wine, and distilled spirits.

PLANNING COMMISSION ACTION

January 18, 2017 Determination Date
Approved based on the following findings and subject to the conditions below.

X

Denied.
Other:

<table>
<thead>
<tr>
<th>EFFECTIVE DATES OF ACTIONS IF NOT APPEALED:</th>
<th>February 2, 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXPIRATION DATE OF ANY PERMITS GRANTED:</td>
<td>August 2, 2018</td>
</tr>
<tr>
<td>LENGTH OF ANY POSSIBLE EXTENSION OF EXPIRATION DATES*:</td>
<td>6 months</td>
</tr>
</tbody>
</table>

* Any request for an extension of the expiration date must be received in the City Planning Division prior to expiration of this permit.

Each and all of the findings and determinations are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information contained herein or in the findings are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

FINDINGS:

CONDITIONAL USE PERMIT FINDINGS

1. The proposed use is one conditionally permitted within the subject district and complies with all of the applicable provisions of the "City of Santa Monica Comprehensive Land Use and Zoning Ordinance", in that alcohol licenses in conjunction with eating and drinking establishments are conditionally permitted in the C3 (Downtown Commercial) district of the Zoning Ordinance. More specifically, requests for new alcohol licenses or substantial changes in the mode or character of the existing licenses require Conditional Use Permit approval consistent with SMMC Section 9.04.10.18.020.

2. The proposed use would not impair the integrity and character of the district in which it is to be established or located, in that the proposed alcohol sales will be incidental to the primary use of the business as a bona fide restaurant. Additionally, the Downtown district encourages this type of use to create an urban neighborhood setting and to provide neighborhood serving uses for the employees, regional visitors, tourists, and residents in the area. Although alcohol-related impacts are not generally associated with this type of use with alcohol service, conditions of approval have been included to mitigate any potential alcohol-related impacts such as restricting the hours of alcohol sales and limiting the hours that alcohol sales shall be permitted in the outdoor seating areas. Furthermore, to ensure that the proposed primary use remains as a restaurant, Condition No. 40 requires that no more than 35% of total gross revenues per year shall be from alcohol sales. As conditioned, it is anticipated
that the proposed alcohol service will not impair the integrity and character of the district.

3. The subject parcel is physically suitable for the type of land use being proposed, in that the parcel was developed as a hotel with a ground floor designed for a pedestrian use such as a restaurant. The proposed restaurant tenancy and alcohol service will operate as a standalone operation separate and distinct from the hotel and will require building permits for standard tenant improvements to ensure the space is appropriate for restaurant use.

4. The proposed use is compatible with any of the land uses presently on the subject parcel if the present land uses are to remain, in that the site serves as a hotel with a standalone restaurant on the ground floor. The issuance of an alcohol license and service area within the restaurant is consistent and compatible with typical restaurant operations existing in the immediate area.

5. The proposed use would be compatible with existing and permissible land uses within the district and the general area in which the proposed use is to be located, in that the alcohol service is conditionally permitted by the Zoning Ordinance and is proposed in a restaurant located in an existing pedestrian designated use of the Shore Hotel that fronts 2nd Street. The restaurant's alcohol conditions of approval will ensure that the use operates in a harmonious manner with the adjacent land uses, provide an environment conducive to dining and will not create any alcohol-related problems in the downtown area in that supports a number of full service restaurants.

6. There are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety, in that the alcohol service is conditionally permitted by the Zoning Ordinance and is proposed within a pedestrian oriented restaurant tenant space located within the Shore Hotel along 2nd Street.

7. Public access to the proposed use will be adequate, in that vehicular access to the Shore Hotel is available from Ocean Avenue. The pedestrian access to the restaurant is provided directly from public sidewalk along Second Street.

8. The physical location or placement of the use on the site is compatible with and relates harmoniously to the surrounding neighborhood, in that the restaurant will occupy a ground floor tenant space along 2nd Street within a site developed as the Shore Hotel. The proposed alcohol licensing will be in conjunction with a full-service, sit-down restaurant with outdoor dining in an area developed with similar lodging, dining and retail establishments. Lastly, the Land Use Element of the General Plan specifically supports the greatest concentration of activity within the Downtown such restaurant services and outdoor dining.

9. The proposed use is consistent with the goals, objectives, and policies of the
General Plan, in that restaurant is proposed in the Downtown designation of the City of Santa Monica’s Land Use and Circulation (LUCE). Goal D1 of the LUCE says to, “Maintain Downtown’s competitive advantage as a premier local and regional shopping, dining, and entertainment destination, and support its evolution in order to respond to changing market conditions.” Furthermore, Land Use Element Goal D7 and Policy D7.1 supports creating a balanced mix of uses in the downtown that reinforces its role as the greatest concentration of activity in the City and encouraging a broad mix of uses that create dynamic activity in both the daytime and evening hours. The proposed alcohol licensing provides the restaurant operator the ability to offer beverages that are similar to other food serving establishments within the downtown.

10. The proposed use would not be detrimental to the public interest, health, safety, convenience, or general welfare, in that the proposed use is consistent with the Zoning Ordinance and the Land Use Element of the General Plan, and conditions to mitigate any potential adverse impacts such as limiting the operator to 35% of total gross revenues on the percentage of alcohol sales per year and ensuring that the primary business operations involve a full-service restaurant with sit-down meal service.

11. The proposed use conforms precisely to the applicable performance standards contained in Subchapter 9.04.12 and special conditions outlined in Subchapter 9.04.14 of the City of Santa Monica Comprehensive Land Use and Zoning Ordinance, in that in no performance standard permit is required.

12. The proposed use will not result in an over concentration of such uses in the immediate vicinity, in that the proposed restaurant alcohol license will be within a pedestrian designed ground floor space of the Shore Hotel serving local residents and visitors. The general vicinity is frequented by large numbers of local residents, shoppers, visitors, and tourists. This type of outlet has not contributed significantly to alcohol related problems in the area, and it is anticipated that the incorporation of various conditions of approval will minimize impacts and intrusions into any adjacent residential neighborhoods and not result in an overconcentration.

ALCOHOL OUTLET FINDINGS

1. The proposed use will not adversely affect the welfare of neighborhood residents in a significant manner in that the use will be located in a commercial area, away from any major residential uses. The conditions of approval contain specific conditions that have been added to mitigate any potential adverse impacts, such as limiting hours, limiting gross percentage of alcohol sales and other alcohol-related operational conditions.

2. The proposed use will not contribute to an undue concentration of alcohol outlets in the area in that a restaurant with no separate bar area or entertainment or
other use is not typically considered to contribute to objectionable problems associated with alcohol outlets, and in that the area is in the downtown portion of Santa Monica which is frequented by large numbers of local residents as well as office workers, shoppers, and visitors from outside the area. Furthermore, this type of outlet has not contributed significantly to alcohol related problems in the area.

3. The proposed use will not detrimentally affect nearby neighborhoods considering the distance of the alcohol outlet to residential buildings, churches, schools, hospitals, playgrounds, parks, and other existing alcohol outlets in that the conditions for approval, such as the requirement that the establishment operate with no separate bar area or entertainment beyond the uses permitted in the restaurant definition, will minimize the potential affect on the residential uses in the vicinity. The Police Department reviewed the project and contacted staff on August 30, 2016 to indicate that they did not anticipate any issues with the proposed project.

4. The proposed use is compatible with existing and potential uses within the general area in that the restaurant is in a commercial district, and a restaurant with an alcohol license is compatible with permitted uses.

5. Traffic and parking congestion will not result from the proposed use in that parking is located in the subterranean parking area which is accessed from Ocean Avenue and exited on to First Court (alley).

6. The public health, safety, and general welfare are protected in that the project is consistent with the provisions of the Zoning Ordinance and the Land Use Element of the General Plan, and alcohol specific conditions have been added to mitigate any potential adverse impacts. A restaurant with limited alcohol sales is compatible with the surrounding regional shopping center and Downtown development.

7. No harm to adjacent properties will result in that the conditions of approval will ensure that the establishment operates as a restaurant with no separate bar area or entertainment that extends beyond the uses permitted in the restaurant definition.

8. The objectives of the General Plan are secured in that the Land Use Element of the General Plan designates the area as City’s Downtown. Goal D1 of the LUCE says to, “Maintain Downtown’s competitive advantage as a premier local and regional shopping, dining, and entertainment destination, and support its evolution in order to respond to changing market conditions. Furthermore, Policy D1.1 says to, “Create a diversity of retail opportunities including local- and regional-serving retail and dining in the Downtown. The proposed restaurant with alcohol service located within the Shore Hotel is consistent with the zoning and LUCE designation.
CONDITIONS OF APPROVAL:

PLANNING AND COMMUNITY DEVELOPMENT

Project Specific Conditions

1. This approval is for a Type 47 (On Sale General Eating Place) alcohol license only. Any request to modify the license type shall require approval from the Planning Commission.

2. Seating arrangements for sit-down patrons shall not exceed 102 seats (92 indoor seats 12 of which may be located along a bar counter and 10 outdoor seats).

3. The permitted hours of alcohol consumption shall be from:
   a. 7:00 AM to 2:00 AM, seven days a week, with complete closure and all employees vacated from the tenant space by 3:00 AM.
   b. No “after hours” operations shall be permitted. Alcohol service to any outdoor seating area adjacent to a public street or sidewalk shall cease one hour in advance of the operating hours otherwise permitted.

4. Alcoholic beverages orders shall cease 30 minutes prior to restaurant closure, or no later than the closing of the associated food service of the establishment, whichever is first. Alcoholic beverage orders within the outdoor dining area shall cease one hour prior to restaurant closure.

5. No restaurant delivery to the hotel guestrooms shall occur unless delivery is offered as part of the restaurant’s typical operations.

6. No service orders to the restaurant shall be processed through the hotel.

7. No restaurant charges shall be included on the hotel bill.

8. The operation of the restaurant must be separate and distinct from the operation of the hotel.

9. Valet parking shall be provided to restaurant patrons during all hours of restaurant operations.

Administrative

10. The Planning Commission’s approval, conditions of approval, or denial of this application may be appealed to the City Council if the appeal is filed with the Zoning Administrator within fourteen consecutive days following the date of the Planning Commission’s determination in the manner provided in Part 9.04.20.24,
Sections 9.04.20.24.010 through 9.04.20.24.040. Any appeal must be made in the form required by the Zoning Administrator. The approval of this permit shall expire if the rights granted are not exercised 18 months (for projects in the Coastal Zone) from the permit’s effective date. Exercise of rights shall mean issuance of a building permit to commence construction or actual commencement of the use granted by this Conditional Use Permit if a building permit is not required.

11. Within ten days of City Planning Division transmittal of the Statement of Official Action, project applicant shall sign and return a copy of the Statement of Official Action prepared by the City Planning Division, agreeing to the conditions of approval and acknowledging that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval. By signing same, applicant shall not thereby waive any legal rights applicant may possess regarding said conditions. The signed Statement shall be returned to the City Planning Division. Failure to comply with this condition shall constitute grounds for potential permit revocation.

12. Prior to issuance of alcohol service, the applicant shall post a notice at the building entry stating that the site is regulated by a Conditional Use Permit and the Statement of Official Action, which includes the establishment’s conditions of approval, is available upon request. This notice shall remain posted at all times the establishment is in operation.

13. Within thirty (30) days from date of the approval of the Statement of Official Action, the applicant shall provide a copy of the approved Statement of Official Action for this project to the local office of the State Alcoholic Beverage Control department.

14. Within thirty (30) days after final approval of the project, a sign shall be posted on site stating the date and nature of the approval. The sign shall be posted in accordance with the Zoning Administrator guidelines and shall remain in place until a building permit is issued for the project. The sign shall be removed promptly when a building permit is issued for the project or upon expiration of the Conditional Use Permit.

15. The rights associated with this approval shall expire if the establishment ceases alcohol service for more than one year.

16. Prior to commencement of alcohol service, the applicant shall post a notice at the building entry stating that the site is regulated by a Conditional Use Permit and the Statement of Official Action, which includes the establishment’s conditions of approval, is available upon request. This notice shall remain posted at all times the establishment is in operation.
17. Prior to commencement of alcohol service, the operator shall submit a plan for approval by the Director of Planning regarding employee alcohol awareness training programs and policies. The plan shall outline a mandatory alcohol awareness training program for all employees having contact with the public and shall state management’s policies addressing alcohol consumption and inebriation. The program shall require all employees having contact with the public to complete a California Department of Alcoholic Beverage Control (ABC) sponsored alcohol awareness training program within 90 days of the effective date of this approval. In the case of new employees, the employee shall attend the alcohol awareness training within 90 days of hiring. In the event the ABC no longer sponsors an alcohol awareness training program, all employees having contact with the public shall complete an alternative program approved by the Director of Planning and Community Development. The operator shall provide the City with an annual report regarding compliance with this condition. This project shall be subject to any future City-wide alcohol awareness training program condition affecting similar establishments.

18. Prior to commencement of alcohol service, the operator shall also submit a plan describing the establishment's designated driver program, which shall be offered by the operator to the establishment's patrons. The plan shall specify how the operator will inform patrons of the program, such as offering a free non-alcoholic drink for every party of two or more ordering alcoholic beverages.

19. In the event permittee violates or fails to comply with any conditions of approval of this permit, no further permits, licenses, approvals or certificates of occupancy shall be issued until such violation has been fully remedied.

20. Applicant is advised that projects in the California Coastal Zone may need approval of the California Coastal Commission prior to issuance of any building permits by the City of Santa Monica. Applicant is responsible for obtaining any such permits.

21. Applicant shall defend, indemnify, and hold harmless the City and its boards, commissions, agents, officers, and employees (collectively, "City") from any claims, actions, or proceedings (individually referenced as "Claim" and collectively referenced as "Claims") against the City to attack, set aside, void, or annul, the approval of 16ENT-0128 or any Claims brought against the City due to the acts or omissions in any way connected to the Applicant's project. City shall promptly notify the applicant of any Claim and shall cooperate fully in the defense. Nothing contained in this paragraph prohibits the City from participating in the defense of any Claims, if both of the following occur:

   i. The City bears its own attorney's fees and costs.
   ii. The City defends the action in good faith.
iii. Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

iv. In the event any such action is commenced to attack, set aside, void or annul all, or any, provisions of any approvals granted for the Project, or is commenced for any other reason against the City for the act or omissions relating to the Applicant's project, within fourteen (14) days following notice of such action from the City, the Applicant shall file with the City a performance bond or irrevocable letter of credit, or other form of security satisfactory to the City ("the Security") in a form satisfactory to the City, and in the amount of $100,000 to ensure applicant's performance of its defense, indemnity and hold harmless obligations to City. The Security amount shall not limit the Applicant's obligations to the City hereunder. The failure of the Applicant to provide the Security shall be deemed an express acknowledgment and agreement by the Applicant that the City shall have the authority and right, without consent of the Applicant, to revoke the approvals granted hereunder.

Conformance with Approved Plans

22. This approval is for those plans dated September 29, 2016, a copy of which shall be maintained in the files of the City Planning Division. Project development shall be consistent with such plans, except as otherwise specified in these conditions of approval.

23. Minor amendments to the plans shall be subject to approval by the Director of Planning. An increase of more than 5% of the square footage, and increase of seating, or a significant change in the approved concept shall be subject to Planning Commission Review. Construction shall be in substantial conformance with the plans submitted or as modified by the Planning Commission, Architectural Review Board, or Director of Planning. No expansion in number of seats, intensity of operation, or outdoor areas shall occur without prior approval from the City of Santa Monica and State ABC.

24. Project plans shall be subject to complete Code Compliance review when the building plans are submitted for plan check and shall comply with all applicable provisions of Article IX of the Municipal Code and all other pertinent ordinances and General Plan policies of the City of Santa Monica prior to building permit issuance.

Fees

25. As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval
of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of the approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or adopted city fee schedule.

Project Operations

26. No exterior activity such as trash disposal, disposal of bottles or noise generating trash, deliveries, or other maintenance activity generating noise audible from the exterior of the building shall occur during the hours of 11:00 pm to 7:00 am daily. In addition, there shall be no outdoor cleaning of the property with pressurized or mechanical equipment during the hours of 9:00 pm to 7:00 am, daily. Trash containers shall be secured with locks.

27. The primary use of the premises shall be for sit-down meal service to patrons.

28. If a counter service area is provided, food service shall be available at all hours the counter is open for patrons, and the counter area shall not function as a separate bar area.

29. Window or other signage visible from the public right-of-way that advertises beer or alcohol shall not be permitted.

30. Customers shall be permitted to order meals at all times and at all locations where alcohol is being served. The establishment shall serve food to patrons during all hours the establishment is open for customers.

31. The establishment shall maintain a kitchen or food-serving area in which a variety of food is prepared or cooked on the premises.

32. Take out service shall be only incidental to the primary sit-down use.

33. No alcoholic beverage shall be sold for consumption beyond the premises.

34. Except for special events, alcohol shall not be served in any disposable container such as disposable plastic or paper cups.

35. No more than three television screen areas, including video projectors or similar audio/visual devices, shall be on the premises. The screen areas may be comprised of a cluster of television screens that do not exceed 10 total screens and the individual maximum screen size for each television image/screen shall not exceed 60 inches.

36. No dancing or live entertainment beyond that allowed in restaurant definition contained in Section 9.04.02.030.730. Specifically, “a restaurant may provide
music or other entertainment if: 1) there is sit down meal service provided at all times while the entertainment is taking place; 2) there is no dancing or dance floor; 3) there is no cover charge or minimum drink purchase requirement; and 4) the entertainment is provided only in the dining areas."

37. No video or other amusement games shall be permitted on the premises.

38. The primary use of any outdoor dining area shall be for seated meal service. Patrons who are standing in the outdoor seating area shall not be served.

39. The operation shall at all times be conducted in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking or other actions. The owner shall prohibit loitering in the parking area and shall control noisy patrons leaving the establishment.

40. No more than 35% of total gross revenues per year shall be from alcohol sales. The operator shall maintain records of gross revenue sources which shall be submitted annually to the City of Santa Monica City Planning Division at the beginning of the calendar year and also available to the City of Santa Monica and the State ABC upon request.

41. Liquor bottle service shall be prohibited. Wine and beer bottle service shall not be available to patrons unless full meal service is provided concurrent with the Bottle service. Bottle service shall mean the service of any full bottle of liquor, wine, or beer of more than 375 ml, along with glass ware, mixers, garnishes, etc., in which patrons are able to then make their own drinks or pour their own wine or beer. All food items shall be available from the full service menu.

42. No organized queuing of patrons at the entry or checking of identification to control entry into and within the establishment shall be permitted. There shall not be any age limitation imposed restricting access to any portion of the restaurant.

43. There shall be no cover charge or minimum drink purchase requirement.

44. Any minimum purchase requirement may be satisfied by the purchase of beverages or food.

45. The restaurant shall not organize or participate in organized “pub-crawl” events where participants or customers pre-purchase tickets or tokens to be exchanged for alcoholic beverages at the establishment.

46. Notices shall be prominently displayed urging patrons to leave the premises and neighborhood in a quiet, peaceful, and orderly fashion and to please not litter or block driveways in the neighborhood.
47. Employees of the establishment shall walk a 100-foot radius from the facility at some point prior to 30 minutes after closing and shall pick up and dispose of any discarded beverage containers and other trash left by patrons.

48. Applicant is on notice that all signage, both permanent and temporary, is subject to the restrictions of the City sign ordinance.

49. The project shall at all times comply with the provisions of the Noise Ordinance (SMMC Chapter 4.12).

50. Pursuant to SMMC Section 4.12 (Noise), establishments with amplified music may be required to provide entrances and exits, except exits which are solely emergency exits, designed as two-door vestibules, so that only one set of doors is open at a time. Doors shall be of solid core design. Windows shall be constructed with double-paned glass.

**Construction Plan Requirements**

51. Any new restaurant at the site with fewer than 50 seats capacity shall install a grease interceptor with minimum 750 gallons static holding capacity in order to pretreat sewered grease. Facilities with greater than 50 seats are required to install an interceptor with 1000 gallons minimum holding capacity. The Public Works Department may modify the above requirements only for good cause. Specifically, the facility must demonstrate to the satisfaction of the Industrial Waste Section and Building and Safety Division that interceptor installation is not feasible at the site in question. In such cases where modifications are granted, grease traps will be required in the place of an interceptor. Building permit plans shall show the required installation.

**Standard Conditions**

52. The property owner shall insure any graffiti on the site is promptly removed through compliance with the City’s graffiti removal program.

**Police**

53. Prior to the commencement of alcohol service, a security plan shall be submitted to the Chief of Police for review and approval. The plan shall address both physical and operational security issues.

54. Prior to the commencement of alcohol service, the applicant shall participate in the Santa Monica Alcohol Awareness for Retailers Training (S.M.A.A.R.T) program conducted by the Santa Monica Police Department
Compliance

55. The applicant authorizes reasonable City inspection of the property to ensure compliance with the conditions of approval imposed by the City in approving this project and will bear the reasonable cost of these inspections as established by Santa Monica Municipal Code Section 2.72.010 and Resolution No. 9905 (CCS) or any successor legislation thereto. These inspections shall be no more intrusive than necessary to ensure compliance with conditions of approval.

VOTE

Ayes:
Nays:
Abstain:
Absent:

NOTICE

If this is a final decision not subject to further appeal under the City of Santa Monica Comprehensive Land Use and Zoning Ordinance, the time within which judicial review of this decision must be sought is governed by Code of Civil Procedure Section 1094.6, which provision has been adopted by the City pursuant to Municipal Code Section 1.16.010.

I hereby certify that this Statement of Official Action accurately reflects the final determination of the Planning Commission of the City of Santa Monica.

____________________________  _______________________________
Amy Anderson, Chairperson     Date

Acknowledgement by Permit Holder

I hereby agree to the above conditions of approval and acknowledge that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval.

____________________________  _______________________________
Print Name and Title     Date

____________________________
Applicant’s Signature
Pursuant to Municipal Code Section 9.04.20.20.080 and in accordance with the posting requirements set forth by the Zoning Administrator, prior to application filing the applicant posted a sign on the property regarding the subject application. At least 8 weeks prior to the public hearing date, the applicant submitted a photograph to verify the site posting and to demonstrate that the sign provides the following information: Project case number, brief project description, name and telephone number of applicant, site address, date, time and location of public hearing, and the City Planning Division phone number. It is the applicant's responsibility to update the hearing date if it is changed after posting.

In addition, pursuant to Municipal Code Section 9.04.20.22.050, notice of the public hearing was mailed to all owners and residential and commercial tenants of property located within a (750 foot) radius of the project and published in the Santa Monica Daily Press at least ten consecutive calendar days prior to the hearing.

On December 22, 2016, the applicant/appellant was notified by phone and in writing of the subject hearing date. The applicant was advised to contact the Downtown Neighborhood Association (DNA) and Downtown Santa Monica, Inc. (DTSM) prior to the public hearing.

NOTE: The Commission has stated that no project would be considered on the Consent calendar if the applicant has not contacted the appropriate neighborhood group(s).
NOTICE OF A PUBLIC HEARING
BEFORE THE SANTA MONICA PLANNING COMMISSION

SUBJECT: 16ENT-0128 (Conditional Use Permit)
1530 2nd Street
APPLICANT: Full of Flavor, LLC.
PROPERTY OWNER: Sunshine Enterprises, LP

The applicant requests a Conditional Use Permit (16ENT-0128) to allow alcohol service (ABC Type 47 - On Sale General Eating Place alcohol license) in conjunction with a proposed 3,306 square foot, 102 seat restaurant (Avery Restaurant).

DATE/TIME: WEDNESDAY, JANUARY 18, 2017, AT 7:00 p.m.
LOCATION: City Council Chambers, Second Floor
Santa Monica City Hall
1685 Main Street, Santa Monica, California

HOW TO COMMENT
The City of Santa Monica encourages public comment. You may comment at the Planning Commission public hearing, or by writing a letter. Written information will be given to the Planning Commission at the meeting.

Address your letters to: Gina Szilak, Associate Planner
Re: 16ENT-0128 (Alcohol CUP)
City Planning Division
1685 Main Street, Room 212
Santa Monica, CA 90401

MORE INFORMATION
If you want more information about this project or wish to review the project file and plans, please contact Gina Szilak at (310) 458-8341, or by e-mail at regina.szilak@smgov.net. The Zoning Ordinance is available at the Planning Counter during business hours and on the City’s web site at www.smgov.net.

The meeting facility is wheelchair accessible. For disability-related accommodations, please contact (310) 458-8341 or (310) 458-8696 TTY at least 72 hours in advance. Every attempt will be made to provide the requested accommodation. All written materials are available in alternate format upon request. Santa Monica “Big Blue” Bus Lines #1, #2, #3, Rapid 3, #7, #8, #9, Rapid 10, and #18 service City Hall and the Civic Center area. The Expo Line terminus is located at Colorado Avenue and Fourth Street and is a short walk to City Hall. Public parking is available in front of City Hall, on Olympic Drive, and in the Civic Center Parking Structure (validation free).

Pursuant to California Government Code Section 65009(b), if this matter is subsequently challenged in Court, the challenge may be limited to only those issues.
raised at the public hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the public hearing.

**ESPÁÑOL**
Este es una noticia de una audiencia pública para revisar aplicaciones proponiendo desarrollo en Santa Monica. Si deseas más información, favor de llamar a Carmen Gutierrez en la División de Planificación al número (310) 458-8341.

APPROVED AS TO FORM:

___________________________
Jing Yeo
Planning Manager
ATTACHMENT D

Video Screen Concept

1530 2nd Street
WALL PERSPECTIVE RENDERING SHOWING 10 TELEVISIONS IN USE. 4 TVS ON LEFT, 2 IN THE MIDDLE, 4 ON THE RIGHT. (POV IS FRONT ENTRANCE) (EACH TV TO BE NO MORE THAN 60 INCHES IN SIZE)
LCD Video Walls

Designed by Video Wall Experts

Planar's complete portfolio of high-quality LCD video walls encompass a wide range of different sizes, resolutions and technologies. Our large scale display systems are designed by video wall experts with decades of experience in video wall display technology. Featuring the narrowest bezels, most flexible mounting systems and slimmest installation depths, Planar's LED LCD video walls are best-in-class.

LCD Video Wall Product Offerings

Planar's innovative LED LCD video wall solutions are specifically designed to deliver precise and brilliant visual messages in the world's most demanding environments—from control rooms to digital signage and architectural applications.

Clarity Matrix (/products/lcd-video-walls/Clarity-Matrix-LCD/)

http://www.planar.com/products/lcd-video-walls/
The Clarity® Matrix® LCD Video Wall System delivers a new level of visual performance for Planar's award-winning Clarity Matrix family of LCD video wall solutions. This immersive, flexible video wall combines the...Read more (/products/lcd-video-walls/clarity-matrix-lcd/)

(/products/lcd-video-walls/mosaic/)

Planar Mosaic (/products/lcd-video-walls/mosaic/)

Planar® Mosaic® Architectural Video Walls redefine interior spaces by providing endless possibilities for creative expression and offering a dynamic new way to deliver art and information. Planar Mosaic video walls can...Read more (/products/lcd-video-walls/mosaic/)

(/products/lcd-video-walls/ra/)

Planar RA Series (/products/lcd-video-walls/ra/)

The Planar® RA Series of nanow beze LCD displays deliver a value-based video wall solution that supports the demanding requirements of 24x7 mission critical applications and high ambient light environments. The 55" LCD...Read more (/products/lcd-video-walls/ra/)
ATTACHMENT E

Photographs

1530 2nd Street
FULL OF FLAVOR, LLC

1530 2nd Street/RESTAURANT

View of Property Across 2nd Street

Property to the East across 2nd Street
FULL OF FLAVOR, LLC

Interior of 1530 2nd Street to the North

Interior of 1530 2nd Street to the South
ATTACHMENT F

Project Plans

1530 2nd Street
Floor Plan (1530 2nd Street)

Tenant Outdoor Patio Usable Space
306 sq. ft.

Private Dining
454 sq. ft.

Dining Area
1504 sq. ft.

Restroom
64 sq. ft.

Restroom
65 sq. ft.

Bar
155 sq. ft.

Kitchen
612 sq. ft.

Bussing/Hallway
146 sq. ft.

Entertainment Area

Dining Area - 102 seats total including 12 bar seats, 10 private dining seats, and 10 outdoor seats