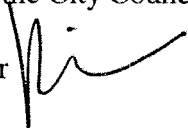




# Staff Report

## City of Manhattan Beach

**TO:** Honorable Mayor Ward and Members of the City Council

**THROUGH:** Richard Thompson, Interim City Manager 

**FROM:** Laurie B. Jester, Acting Director of Community Development   
Eric Haaland, Associate Planner 

**DATE:** July 20, 2010

**SUBJECT:** Determination that the Public Convenience or Necessity Would be Served by the Issuance of an Alcohol Beverage License at 1400 Parkview Avenue (Marriott Hotel)

### RECOMMENDATION:

Staff recommends that the City Council **APPROVE** the request by determining that the public convenience would be served by the issuance of a beer and wine license for the Marriott Hotel gift shop at 1400 Parkview Avenue

### FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

### DISCUSSION:

The City has received a request from a proposed business owner of a gift shop being constructed within existing space adjacent to the Manhattan Beach Marriott Hotel lobby. The applicant has received final approval for tenant improvements to accommodate the new shop and is now seeking Council approval to sell beer and wine for off-site consumption. The hotel operator maintains alcohol licenses for other aspects of the facility such as restaurant, banquet, and room service, but the gift shop is owned and operated separately. Previous gift shop operations have not included alcohol sales. The applicant's intention to sell packaged beer and wine in the new gift shop now requires issuance of a Type 20 license from the State Department of Alcohol Beverage Control (ABC).

When reviewing a new license application, the ABC evaluates the concentration of existing licenses and, for most cases in Manhattan Beach, requires the applicant to demonstrate that a "public convenience" or "public necessity" would be served prior to the ABC's issuance of the license. This determination is typically rendered by the City Council.

The City's Zoning Code requires use permit approval for new alcohol licenses in all Commercial zones, which typically contains the required determination of "public convenience" for the ABC. No such planning procedures are required in this case since the site is located in a Planned Development zone, and the proposal is consistent with the hotel's existing Planned Development

permit (attached).

Public notice for this item was provided at the City Hall bulletin board and posted at the subject location.

Although there are other establishments in the vicinity that sell alcohol for on and off-site consumption, staff does not believe that the proposed use would adversely contribute to, or significantly increase the concentration of alcohol licenses. The gift shop space itself is buffered from residential uses due to its location within a large hotel building that is surrounded by commercial and recreational uses. The Police Department has had an opportunity to review the subject request and has indicated no objection to the applicant's proposal. Based upon staff's review, compliance with applicable codes and state mandated regulations, it is anticipated that the proposal would provide a convenient, visitor serving business that would not promote disruptive activity.

**ALTERNATIVES:**

The alternatives to the staff recommendation include:

1. **REMOVE** this item from the Consent Calendar and make a motion to **APPROVE** the determination that public convenience or necessity would be served by the issuance of the liquor license as modified by the Council.
2. **REMOVE** this item from the Consent Calendar and make a motion to **DENY** the request by determining that public convenience or necessity would not be served by the issuance of the liquor license.

Attachments:

- Resolution No. 4114
- Applicant Request
- Police Comments
- Plans

- C: Travel Traders Investments, LLC, Applicant  
Cindy Block, Representative

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RESOLUTION NO. 4114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, REVERSING THE DECISION OF THE PLANNING COMMISSION MADE IN ITS RESOLUTION NO. 84-9 AND APPROVING THE FINAL PLANS FOR COMMERCIAL PLANNED DEVELOPMENT PERMIT PURSUANT TO THE APPLICATION OF MANHATTAN BEACH HOTEL PROPERTIES FOR PROPERTY LOCATED AT 1400 PARK VIEW AVENUE IN SAID CITY

WHEREAS, the Planning Commission of the City of Manhattan Beach conducted a duly noticed public hearing on February 22, 1984, to review the final plans for a Commercial Planned Development Permit pursuant to the application of Manhattan Beach Hotel Properties for property legally described as Lot 1 of Parcel Map 13910 in said city; and

WHEREAS, the purpose of the application is to allow the development of an approximately 300,000 square foot, 400-room hotel with ancillary uses consisting of food, beverage and banquet facilities, in conjunction with a nine-hole golf course to be developed on an adjoining parcel approximately 21 acres in size; and

WHEREAS, the City of Manhattan Beach is the owner of the subject properties, acquired from Chevron Land and Development Company, and zoned CPD-2 (Commercial Planned Development) and OS-R (Open Space Recreation); and

WHEREAS, the final Commercial Planned Development Permit was filed in conjunction with a Zone Variance Application; and

WHEREAS, on February 22, 1984, the Planning Commission adopted its Resolution No. 84-9, denying the final Commercial Planned Development Permit, and adopted its Resolution No. 84-10, approving the Zone Variance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, FIND, DETERMINE AND ORDER AS FOLLOWS:

1            SECTION 1. That the City Council hereby makes the  
2 following findings:

3            1. That the application for approval of final  
4 development plans has been processed in accordance with the  
5 requirements of law.

6            2. That the submitted development plans were reviewed  
7 and found to be in substantial compliance with the approved  
8 preliminary plans and conditions.

9            SECTION 2. That the City Council does hereby  
10 approve the Final Commercial Planned Development Permit for  
11 Manhattan Beach Hotel Properties, subject to the following  
12 conditions:

13            1. No improvements other than landscaping shall be  
14 installed on the parcel 25 feet in width concentric with the  
15 existing southerly line of Park View Avenue, 15 feet in width,  
16 and extending from Park Way to the easterly boundary of the  
17 golf course property, to be preserved for future improvement  
18 of Park View Avenue or other public purpose.

19            2. Public improvements peripheral to the development,  
20 including but not necessarily limited to curb, gutter, sidewalk,  
21 driveways, pavement, lighting, traffic signs, and other such  
22 improvements as may be required by the City shall be installed  
23 by the applicant in conjunction with the development.

24            3. Refuse enclosure areas shall be constructed  
25 subject to approval as to location and design by the Public  
26 Works Department.

27            4. A site landscaping plan shall be submitted in  
28 conjunction with building permit application and shall be  
29 subject to approval of the Public Works Department.

30            5. On-site fire suppression system shall be subject  
31 to approval by the Fire and Public Works Departments, which  
32 may include the installation of fire hydrant(s), connecting  
water mains, and roadways (firelanes) with adequate turning  
radii as deemed appropriate to serve the development.

          6. The installation of safety precautions, such as  
a fence, shall be installed adjacent to the proposed bike path  
to mitigate a safety concern around parts of the golf course.  
The path should be designed in compliance with current safety  
standards.

          7. A survey signed by a licensed surveyor or  
registered Civil Engineer shall be submitted noting the existing  
elevations of the site.

          8. Valet parking service shall be mandatory at times  
when tandem parking is utilized.

          9. All of the mitigation measures as detailed in the  
Initial Study/Environmental Assessment No. 83-2 shall be  
included as conditions, to be implemented in conjunction with  
the development of the hotel complex.

1 10. The project shall be in substantial compliance  
2 with the plans as submitted.

3 11. On-site and off-site access and circulation  
4 shall be subject to approval by the Departments of Public Works  
5 and Community Development in conjunction with the submittal of  
6 the Final Commercial Planned Development Permit. The proposed  
7 circulation plans may require revisions to the proposed oval  
8 entry court, which may include, but not limited to, locating  
9 the point of ingress/egress to the east along the proposed  
10 Park View Avenue extension or to eliminate the easterly barrel  
11 of the entry court, creating a circular entry court connected  
12 to Park View Avenue by a roadway similar to the westerly barrel  
13 directly opposite Park Way.

14 12. Secondary access shall be provided to the  
15 proposed structure subject to the approval of the Departments  
16 of Public Works and Community Development. Said access may  
17 require that Park View Avenue be fully developed to its ultimate  
18 width to the easterly property line of the development with  
19 a cul-de-sac at its terminus.

20 13. Installation of structures within the Southern  
21 California Edison Company shall require approval of said utility.

22 14. Water shall not be allowed to sheet flow from  
23 the property. All nuisance and storm water shall be confined  
24 to underground storm drain pipes, which shall be connected to  
25 the existing storm drain line located around the perimeter of  
26 the development, subject to approval by the Public Works  
27 Department.

28 15. All hotel areas, including the water elements,  
29 shall be constructed no lower than an elevation of 75 feet.

30 16. All levels of parking shall be well lighted  
31 24 hours a day and emergency telephones shall be made available  
32 on each parking level for those patrons who park their cars  
and utilize elevators or stairways to the lobby.

17 17. The specific plans for the golf course shall be  
18 revised to address the concerns of the Departments of Parks  
19 and Recreation and Public Works prior to construction.

20 18. The applicant shall secure approval by the City  
21 of a covenant agreement whereby the required twenty (20) feet  
22 wide Fire Department access, extending along and adjoining  
23 the east building line and encroaching onto adjacent City  
24 property, shall be maintained open, free and clear of obstruc-  
25 tions and as otherwise may be required by the Fire Department  
26 for the life of the building. The applicant shall obtain  
27 insurance as may be required by the City and complete all  
28 applicable installation requirements and execute any maintenance  
29 agreements as may be deemed appropriate for said access.

30 19. If there is a change of project architect,  
31 currently Maxwell Starkman and Associates, the developer shall  
32 immediately notify the City of Manhattan Beach in writing.

1 20. The applicant shall work with the Department  
2 of Community Development to mitigate the design concerns  
3 addressed in the February 8, 1984 Staff Report and by the  
4 Planning Commissioners at the public hearing including, but  
5 not limited to, the double row planter treatment on the

1 south roof deck as a substitute for the terracing concept,  
2 the integration of the parking structure with the remainder  
3 of the hotel structure, the front entrance and porte cochere,  
4 the architectural relief treatment on the south elevation, and  
5 the treatment of the west and east elevations.

6 21. Park View Avenue shall be extended further east  
7 to the property line as previously agreed to by the developer,  
8 not as indicated on the latest site plan.

9 SECTION 3. This resolution shall become effective  
10 immediately.

11 SECTION 4. The City Clerk shall certify to the  
12 passage and adoption of this resolution; shall cause the same  
13 to be entered in the book of original resolutions of said City.  
14 shall make a minute of the passage and adoption thereof in the  
15 records of the proceedings of the City Council of said City in  
16 the minutes of the meeting at which the same is passed and  
17 adopted and shall forward a certified copy of this resolution  
18 to the Director of Community Development and the applicant  
19 for their information and files.

20 PASSED, APPROVED and ADOPTED this 27th day of  
21 February, 1984.

22 Ayes: Lesser, Sweeney, Switzer, Walker, and Mayor Holmes  
23 Nocs: None  
24 Absent: None  
25 Abstain: None

26 /s/ C. R. Holmes

27 \_\_\_\_\_  
28 Mayor, City of Manhattan Beach,  
29 California

30 ATTEST:

31 /s/ John Allan Lacey

32 \_\_\_\_\_  
City Clerk

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## **Public Convenience and Necessity Application**

### **Project Description**

Travel Traders, LLC

1400 Park View Avenue, Manhattan Beach

The Applicant is the operator of a gift shop located within an existing 400 room, 300,000 s.f. Marriot hotel located on City land and developed pursuant to City Council Resolution No. 4114, dated February 27, 1984. The gift shop itself is approximately 670 s.f. in size, and is located in the hotel's main floor lobby adjacent to the registration counter. The Applicant proposes to sell a selection of beer and wine along with a variety of gifts, snacks, and sundry-type items at the gift shop for the convenience of hotel guests, and is requesting that the City Council make a finding of Public Convenience and Necessity to enable the gift shop to sell these products.

## Eric Haaland

---

**From:** Bryan Klatt  
**Sent:** Tuesday, June 29, 2010 2:39 PM  
**To:** Eric Haaland  
**Subject:** FW: Manhattan Beach PCN

Eric,

After a review of the attached letter from Cindy Block of Travel Traders regarding the establishment of a separate liquor license to operate an independent gift shop that sells alcoholic beverages to operate inside the Marriot Hotel, I have no objection to allowing them to move forward with applying to the ABC for a separate license.

Bryan

**Bryan Klatt**  
**Watch Commander Lieutenant**

P: (310) 802-5170  
E: bklatt@citymb.info



Please consider the environment before printing this email.

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**From:** cindy block [mailto:cindy@liquorlicense.com]  
**Sent:** Tuesday, June 29, 2010 2:22 PM  
**To:** Bryan Klatt  
**Subject:** FW: Manhattan Beach PCN

Here you go

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**From:** cindy block [mailto:cindy@liquorlicense.com]  
**Sent:** Monday, June 21, 2010 9:09 AM  
**To:** 'ehaaland@citymb.info'  
**Subject:** Manhattan Beach PCN

Hi Eric,

Thank you for your assistance ,it is much appreciated. Let's try this again ..... Attached please find the revised letter of explanation for the pending PCN on the project at the Marriott located at 1400 Park View.

Should you or Sergeant Vargas have any questions please let me know.

Cindy Block

06/29/2010



Liquor License Specialists  
17383 Sunset Blvd., Suite A 310  
Pacific Palisades, CA. 90272  
800-222-5777  
**310.526.0788 direct dial**  
310.459-3688 fax  
cindy@liquorlicense.com  
www.liquorlicense.com



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6205 Blue Lagoon Drive  
Suite 550  
Miami, FL 33126  
786-388-2500 Office  
786-388-2560 Fax

## **Public Convenience and Necessity Application**

### **Project Description**

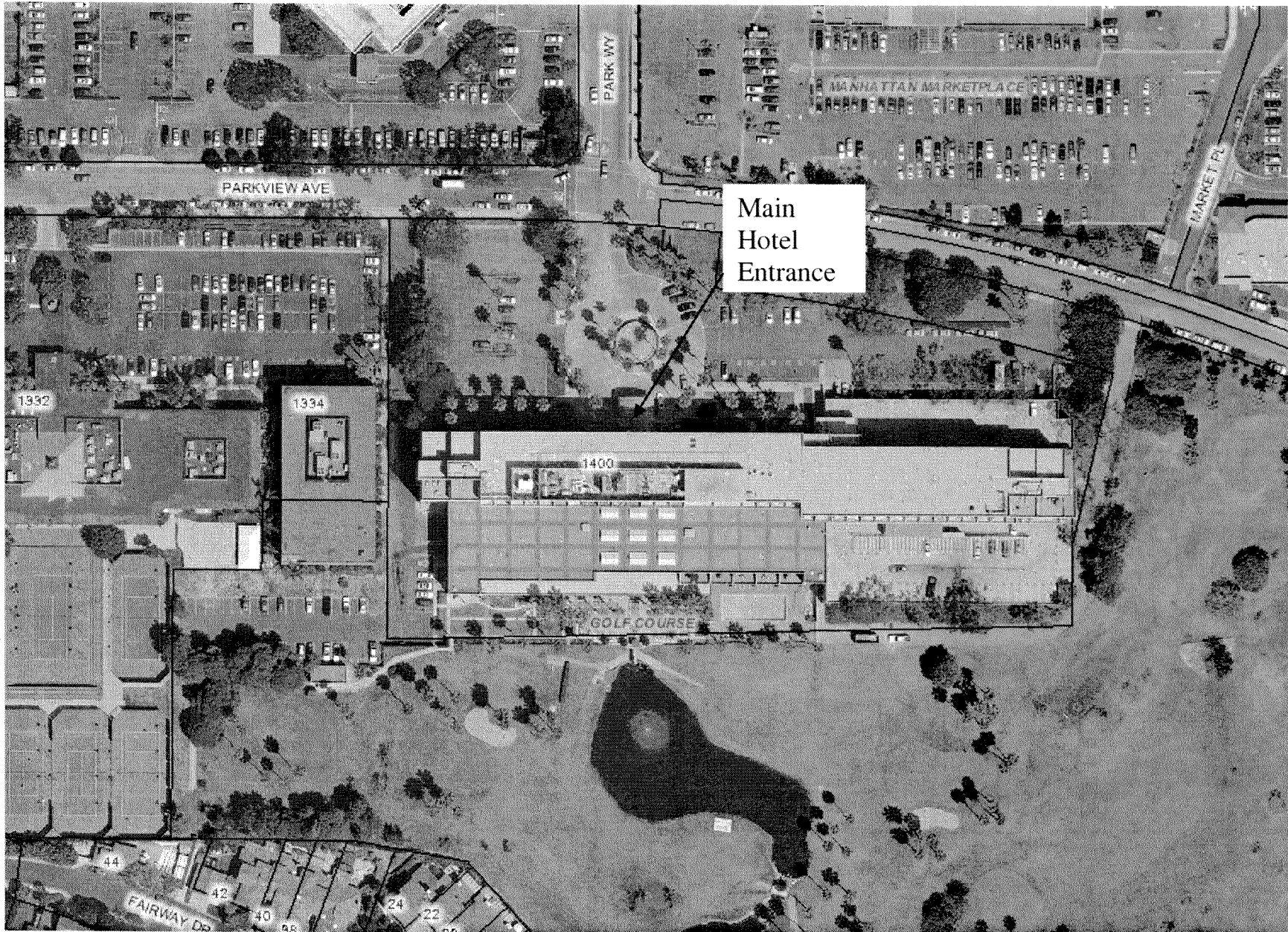
Travel Traders, LLC

1400 Park View Avenue, Manhattan Beach

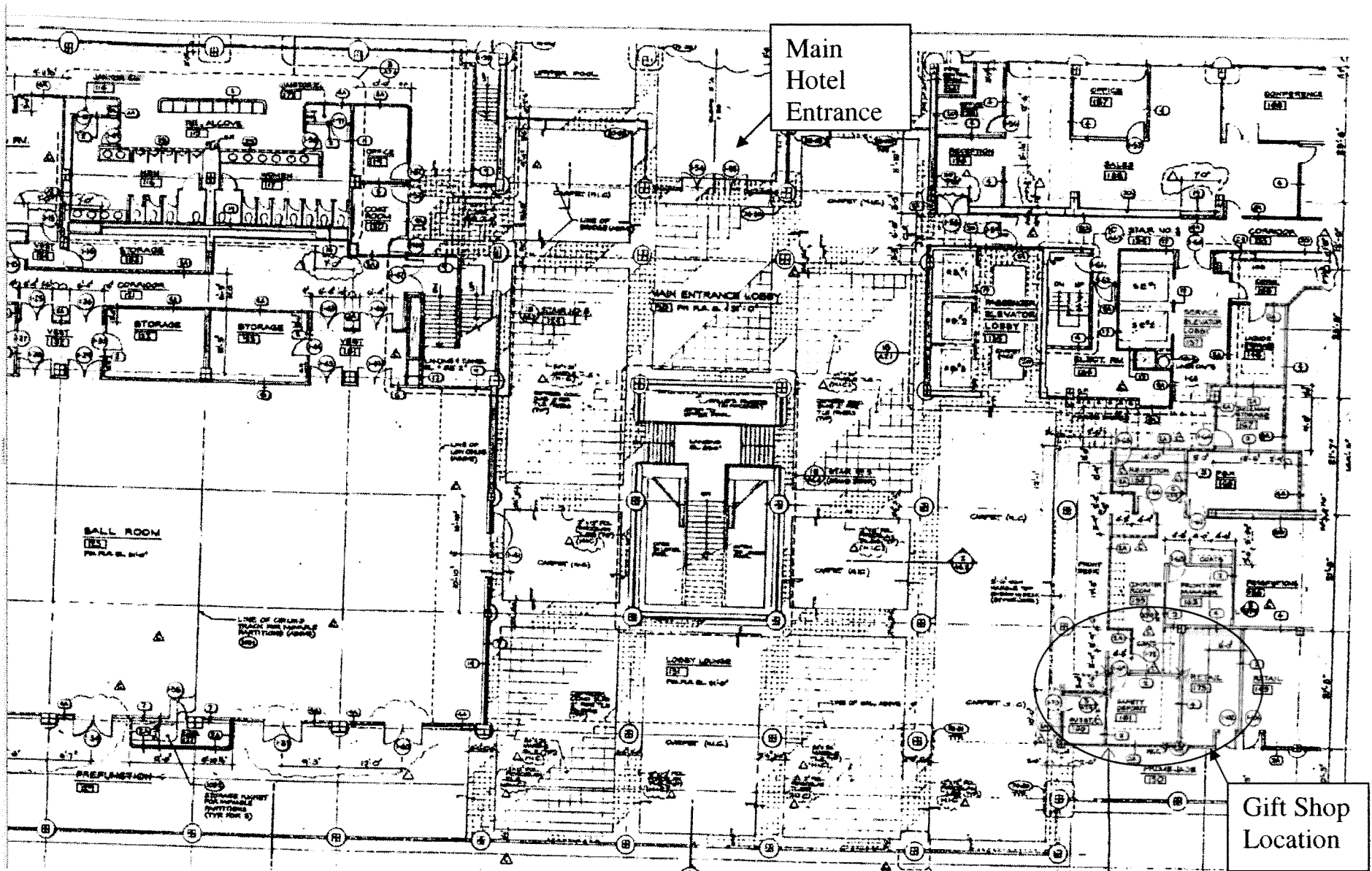
The Applicant, Travel Traders LLC, an independent, operator of the gift shop located within an existing Marriott hotel located on City land and developed pursuant to City Council Resolution No. 4114, dated February 27, 1984. The hotel comprises of 400 rooms and 300,000 s.f.

Travel Traders, LLC (applicant) the gift shop operator, is a completely separate entity from The Marriott itself. Travel Traders, LLC (applicant) has permission from the hotel to obtain its own liquor license and to sell beer and wine along with a variety of gifts, snacks, and sundry-type items at the gift shop for the convenience of hotel guests. The gift shop itself is approximately 670 s.f. in size, and is located in the hotel's main floor lobby adjacent to the registration counter.

The Marriott hotel has its own liquor license that serves the hospitality areas, including the ballroom, conference area, and a small bar area. The hotel's license is for on-site consumption. The gift shop's license will be for off-site consumption. Travel Traders, LLC (applicant) is requesting that the City Council make a finding of Public Convenience and Necessity to enable the gift shop to sell these products.

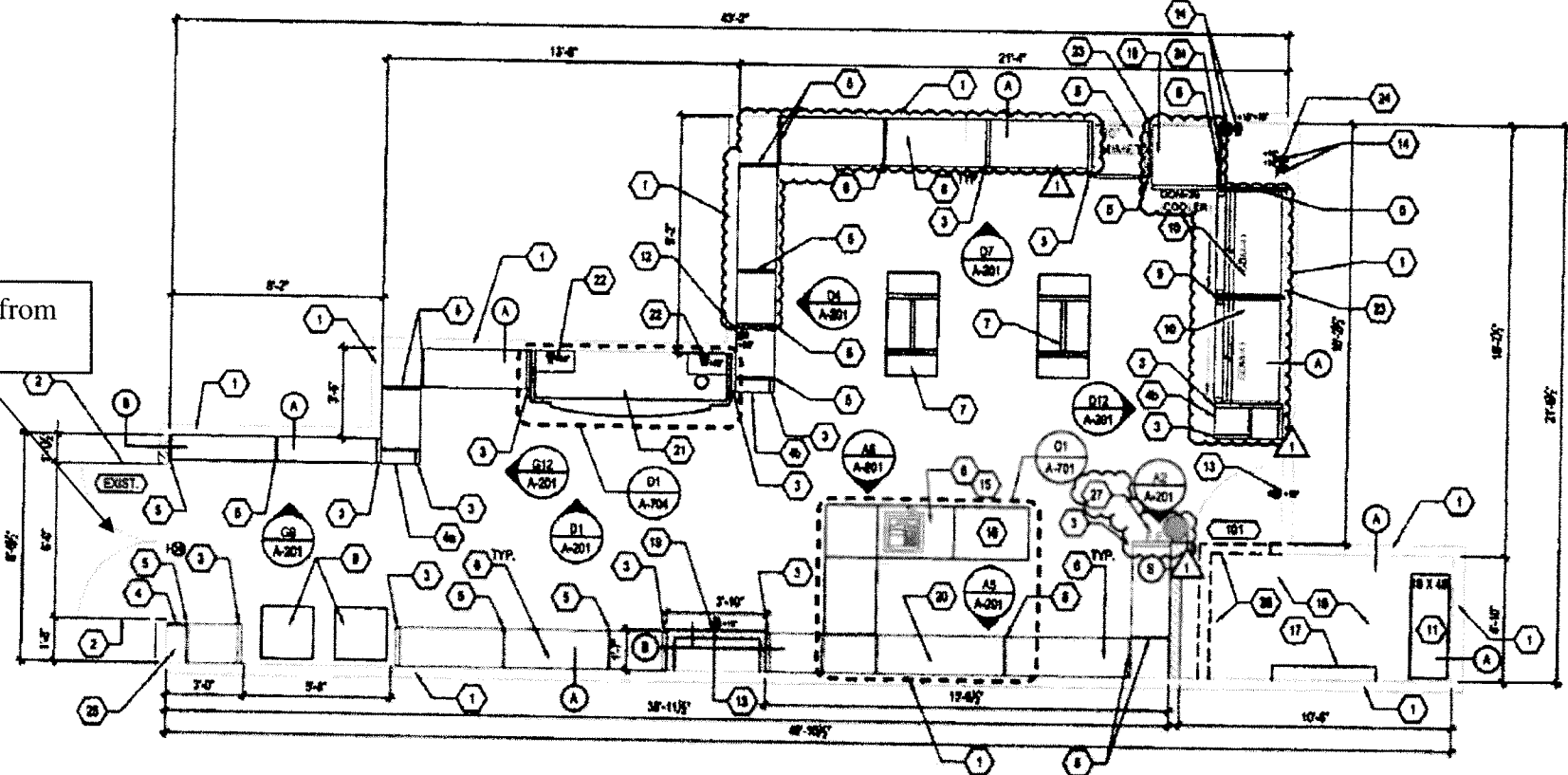


Marriott Hotel Vicinity



Marriott Lobby Area Floor Plan

Entrance from  
Lobby



### Gift Shop Floor Plan