

**CITY OF MANHATTAN BEACH
[DRAFT] PLANNING COMMISSION
MINUTES OF REGULAR MEETING
JANUARY 14, 2009**

The Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 14th day of January 2009 at the hour of 6:35 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

A. ROLL CALL

Present: Fasola, Paralusz, Powell, Seville-Jones and Chairman Lesser
Absent: None
Staff Present: Richard Thompson, Community Development Director
Michael Rocque, Assistant Planner
Recording Secretary: Sarah Boeschen

B. APPROVAL OF MINUTES December 10, 2008

Commissioner Seville-Jones requested that the last line on page 11 of the December 10, 2008, minutes be revised to reflect that Chairman Lesser rather than Commissioner Powell first thanked staff, the City Council, and fellow Commissioners for their hard work and efforts. She indicated that Commissioner Powell then added to Chairman Lesser's comments.

Commissioner Powell requested that line 8 of the second paragraph on page 7 of the minutes be revised to read: "Conditions 14 and 19 address enforcement in the event the ride share program is not continued . . ."

Commissioner Powell requested that the second paragraph on page 10 of the minutes be revised to read: "Commissioner Powell pointed out that the applicant does not feel providing as many as 25 parking spaces is economically viable."

A motion was MADE and SECONDED (Paralusz/Powell) to **ADOPT** the minutes of December 10, 2008, as amended.

AYES: Fasola, Paralusz, Powell, Seville-Jones and Chairman Lesser
NOES: None.
ABSENT: None.
ABSTAIN: None.

C. AUDIENCE PARTICIPATION

None.

D. PUBLIC HEARINGS, CONTINUED

01/14/091 Consideration of a Use Permit Amendment to Change an Alcoholic Beverage License from a Brewpub with a Restaurant (Type 75) to a Restaurant Only (Type 47) at Manhattan Beach Brewery at 124 Manhattan Beach Boulevard (Zislis)

Director Thompson stated that the proposal is to change an existing alcohol license from a brew pub to a restaurant type of alcohol license. He indicated that the subject establishment has been

in existence for many years and has been a good neighbor to the downtown area. He pointed out that conditions are included in the draft Resolution that alcohol service shall be conducted only in conjunction with food service; that the business shall identify itself at all times as a restaurant rather than a bar; that live entertainment and dancing shall not be permitted; and that the hours of operation be limited to typical hours that have been imposed for other restaurants in the downtown area. He said that staff is recommending approval.

In response to a question from Commissioner Fasola, Assistant Planner Rocque indicated that the conditions included in the draft Resolution are the same as in the existing Conditional Use Permit. He stated that the only change from the previous Conditional Use Permit pertains to the existing equipment which will be removed.

In response to a question from Commissioner Powell, Director Thompson said that the assumption is that alcohol is permitted to be served during the designated hours of operation for the restaurants listed in Exhibit C attached to the staff report.

Michael Zislis, the applicant, pointed out that Manhattan Beach Brewery has been in operation for 18 years, and the brewing equipment is in need of replacing. He said that their choice is either to invest in new brewing equipment or to eliminate the equipment and change to a restaurant use that serves beers on tap. He indicated that they currently have a type 75 alcohol license which allows for a brewery that sells alcohol. He said that without the brewery, they are required to change to a type 47 liquor license. He stated that they have now received the Type 47 alcohol license at a very good price and have entered into a 10 year extension on their lease. He commented that only change to the establishment would be that they would operate under the different type of alcohol license. He commented that they are also planning to change their name from “Manhattan Beach Brewing Company” to “Manhattan Beach Beer Company.”

In response to a question from Commissioner Powell, **Mr. Zislis** indicated that there would be no change in the maximum occupancy of the restaurant as a result of the proposal.

Chairman Lesser opened the public hearing.

There being no one wishing to speak on the issue, Chairman Lesser closed the public hearing.

Discussion

Commissioner Seville-Jones said that the application is straightforward, and she is in favor of the proposal.

Commissioner Fasola indicated that he supports the proposal.

Commissioner Paralusz stated that she also is in support of the proposal.

Commissioner Powell commented that the project meets the necessary legal findings for approval as well as the finding for public convenience and necessity which is required for the alcohol license. He stated that he supports the proposal.

Chairman Lesser said that the applicant is a good member of the community and he has no objections to the project.

Action

A motion was MADE and SECONDED (Seville-Jones/Paralusz) to **APPROVE** a Use Permit Amendment to change an alcoholic beverage license from a brewpub with a restaurant (Type 75) to a restaurant only (Type 47) at Manhattan Beach Brewery at 124 Manhattan Beach Boulevard

AYES: Fasola, Paralusz, Powell, Seville-Jones and Chairman Lesser
NOES: None.
ABSENT: None.
ABSTAIN: None.

Director Thompson explained the 15-day appeal period and indicated that the item will be placed on the City Council's Consent Calendar for their meeting of February 3, 2009.

E. BUSINESS ITEMS

None.

F. DIRECTORS ITEMS

Director Thompson indicated that there will be a tree pruning demonstration at the Polliwog Park Botanical Gardens on January 24, 2009, from 9:00 a.m. to 11:00 a.m.

Director Thompson stated that a housing element workshop is scheduled to take place at the Police Fire Facility on January 29, 2009 at 6:30 p.m.

G. PLANNING COMMISSION ITEMS

None.

H. TENTATIVE AGENDA

1. Revisions to the City Tree Preservation Ordinance

I. ADJOURNMENT

The meeting was adjourned at 6:50 p.m. to Wednesday, January 28, 2009, in the City Council Chambers, City Hall, 1400 Highland Avenue

SARAH BOESCHEN
Recording Secretary

ATTEST:

RICHARD THOMPSON
Community Development Director