



AGENDA 10/14/10

PLANNING COMMISSION

Regular Meeting

MEETING DATE: Thursday, October 14, 2010

MEETING TIME: 7:00 p.m.

MEETING PLACE: City Council Chambers, City Hall
350 Main Street
El Segundo, California 90245-0989

VIDEO: El Segundo Cable Channel 3 (Live).
Replayed on Friday following Thursday's Meeting
at: 1:00 p.m. and 7:00 p.m., Channel 3.

The Planning Commission, with certain statutory exceptions, can only take action upon properly posted and listed agenda items.

Unless otherwise noted in the Agenda, the public can only comment on City-related business that is within the subject-matter jurisdiction of the Planning Commission and items listed on the Agenda during the **Public Communications** portion of the meeting. Additionally, the public can comment on any public hearing item on the Agenda during the public hearing portion of such item. The time limit for comments is generally limited to five minutes per person.

Members of the public may request that items be placed on the Agenda by submitting a **Written Request** to the Planning and Building Safety Director at least ten days before the Planning Commission Meeting (by 10:00 a.m. the Monday of the prior week). The request must include a brief general description of the business to be transacted or discussed at the meeting. Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the Planning and Building Safety Director a minimum of two working days before the meeting and they do not exceed five minutes in length. Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the City Clerk's office.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact City Clerk, (310) 524-2307. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

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- A. **Call to Order**
- B. **Pledge of Allegiance**
- C. **Roll Call**
- D. **Public Communications (Related to City Business only and for which the Planning Commission is responsible – 5 minutes per person; 30 minutes total).** *Individuals who received value of \$50 or more to communicate to the Planning Commission on another's behalf, and employees speaking on their employer's behalf, must so identify themselves before addressing the Commission. Failure to do so is a misdemeanor. While all comments are welcome, the Brown Act does not allow the Commission to take action on any item not on the agenda. The Commission may respond to comments after public communications is closed.*

E. **Consent Calendar**

All items are to be adopted by one motion without discussion and passed unanimously. If a request for discussion of an item is made, the item(s) should be considered individually under the next Agenda heading.

- 1. Consideration and possible other action regarding approval of the August 26, 2010, Planning Commission Meeting Minutes.

RECOMMENDED ACTION: The recommended action is for the Planning Commission to approve the Minutes.

F. **Call Items from Consent Calendar**

G. **Written Communications (other than what is included in Agenda packets)**

H. **New Business – Public Hearing**

2. **Environmental Assessment No. 886 and Conditional Use Permit No. 10-11**

Applicant: Robert Croxall
Property Owner: David B. Taylor
Address: 140 Main Street

The proposed project is a request for a Conditional Use Permit to allow an approximately 350 square-foot tasting room within an approximately 2,640 square-foot brewery to be located in an existing 4,900 square-foot, multi-tenant warehouse building. In addition to on-site tasting, the applicant proposes to sell beer for off-site consumption. The proposed project is located at 140 Main Street in the Main Street Transitional District of the Downtown Specific Plan (DSP) Zone.

The proposed project is categorically exempt from additional California Environmental Quality Act (CEQA) analysis pursuant to CEQA Guidelines § 15301 which identifies the project as a Class 1 infill minor alteration of an existing private facility. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, the project is proposed to be built on a site of not more than five acres surrounded by urban uses. Further, the site has no value as habitat for endangered, rare, or threatened species. There are adequate utilities and public services to serve the project.

RECOMMENDED ACTION: That the Planning Commission: (1) open the public hearing and take documentary and testimonial evidence; (2) after considering the evidence adopt Resolution No. 2683; and (3) discuss and take any other action related to this item.

I. Continued Business - Public Hearing

None.

J. Report from Planning and Building Safety Director or designee

K. Planning Commissioners' Comments

L. Other Business

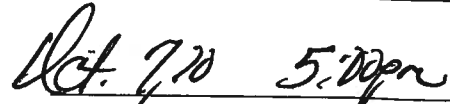
3. Presentation and Discussion Regarding Designation of the Planning Commission as the Building Safety Board of Appeals in the 2010 Edition of the California Building Code.

M. Adjournment – next meeting scheduled for October 28, 2010, 7:00 p.m.

NOTE: The related files are available for public review in the Planning Division, Monday through Thursday and alternating Fridays, between 7:30 a.m. to 5:30 p.m. Agenda packets, including Staff Reports, are also available in the Planning Division beginning at 5:00 p.m. Friday of the week prior to the Planning Commission meeting.

POSTED:


(Signature)


(Date/Time)

**MINUTES OF THE MEETING
OF THE PLANNING COMMISSION
OF THE CITY OF EL SEGUNDO, CALIFORNIA
August 26, 2010**

Chairman Wagner called the El Segundo Planning Commission meeting to order at 7:00 p.m. in the El Segundo City Hall's Council Chambers, 350 Main Street, El Segundo, California.	CALL TO ORDER
Vice Chair Fellhauer led the Pledge of Allegiance to the Flag.	PLEDGE TO FLAG
PRESENT: WAGNER, FELLHAUER, BALDINO, BARBEE and NEWMAN	ROLL CALL
None.	PUBLIC COMMUNICATIONS
Chair Wagner presented the Consent Calendar.	CONSENT CALENDAR
None.	CALL ITEMS FROM CONSENT
Commissioner Newman moved, seconded by Commissioner Barbee, approval of the August 12, 2010 Minutes. Approved (5-0).	MOTION
Planning Manager Kimberly Christensen read into the record the revised approval letter dated August 20, 2010 for Agenda Item H-2.	WRITTEN COMMUNICATIONS
Chair Wagner presented Agenda Item H-2. Environmental Assessment No. EA-883, Conditional Use Permit No. CUP 10-10, and Administrative Use Permit No. 10-07 to allow the construction of a 725 square-foot outdoor dining area and to allow the sale of beer, wine and distilled spirits for on-site consumption (Type 47 Alcoholic Beverage Control License) at an existing 16-screen theater complex. Applicant: Art Rodrigues and Associates. Property Owner: Continental Rosecrans Nash, LLC. Address: 831 South Nash Street (Pacific Theatres) Business Name: Beach Cities ArcLight Theater	NEW BUSINESS – EA-883 and CUP 10-10; AUP 10-07
Contract Planner Trayci Nelson presented the staff report (of record.)	
Contract Planner Trayci Nelson stated that there are a few minor corrections to the revised resolution. She stated that the revision to Stamped Page 017 heading should read as follows: "TO ALLOW A NEW 725 SQUARE-FOOT OUTDOOR DINING AREA FOR A NEW 1,485 SQUARE-FOOT RESTAURANT/CAFÉ LOCATED WITHIN THE EXISTING 16-SCREEN THEATER COMPLEX AT 831 SOUTH NASH STREET IN THE URBAN MIXED USE SOUTH (MU-S) ZONE." instead of "TO ALLOW A 3,137 SQUARE-FOOT OUTDOOR DINING AREA FOR AN EXISTING 10,160 SQUARE-FOOT RESTAURANT/CAFETERIA IN THE CORPORATE OFFICE (CO) ZONE AT 101 CONTINENTAL BOULEVARD." She stated that Stamped Page 022 Conditions of Approval first paragraph should read as follows: "Pacific Theaters Exhibition Corporation" instead of "Northrop Grumman." She stated that Stamped Page 022 Condition Number 9 is to be stricken and replaced with new language to read as follow: "The applicant must provide additional exit doors from the outdoor dining area to	1

the adjacent office building parcel in compliance with CBC exiting requirements to the satisfaction of the Building Official and the Director of Planning and Building Safety.” She also stated that the revised resolution specifies that Stamped Page 023 Condition Number 13 is stricken completely and that on Stamped Page 032 regarding the Administrative Use Permit approval letter Condition Number 21 should begin as follows: “The applicant” instead of “The property owner.”

Commissioner Baldino inquired if customers were allowed to leave the café with alcohol.

Ms. Nelson stated that you will not be able to leave the premises with alcohol.

Omar Lozano, retail, café, and concession manager for ArcLight Cinemas

Mr. Lozano stated that there will be an attendant at the door for the purchase of tickets as well as a separate attendant at the age 21 plus theater.

Vice Chair Fellhauer asked about the process of purchasing tickets on the outside and if the 21 plus cinemas will be monitored.

Mr. Lozano stated that purchasing tickets on the outside of the theater will no longer be available and that you will need to go inside the lobby to purchase tickets to enter into the cinema and bar.

Commissioner Baldino inquired if the public has the option to purchase tickets online.

Mr. Lozano stated that the option to purchase tickets online is available and that there will be an identification check at the theater.

Commissioner Newman asked if there are other locations for these types of cinemas. She stated that it's a novel concept.

Mr. Lozano stated that this will be ArcLight Theater No. 4. He stated that the first location that opened was in Hollywood; the second location in Sherman Oaks; and the third is Pasadena which opened about three months ago. He stated that typically the 21 plus age guest generally doesn't want to sit next to children. The seating for the cinema is much bigger and more comfortable and that you're able to buy alcoholic beverages and afterward check out the retail area as well as enjoy the restaurant.

Ms. Newman inquired how long have ArcLight cinemas been in business.

Mr. Lozano replied that they have operated since 2002.

Ms. Fellhauer inquired if a minor is accompanied by their parents, can the minor enter the 21 plus theater.

Mr. Lozano stated that minors that are accompanied by their parents will not be able to enter the 21 plus theater.

Ms. Fellhauer inquired if the applicant has a relationship with ABC and if they have the employees attend the STAR training program.

Art Rodriguez, representative for applicant

Mr. Rodriguez stated that he has filed a Type 47 license with the Department of Alcoholic Beverage Control that is being handled by the Lakewood office. He has spoken with the investigator, Mary Steel, and that there are no objections to obtain the license. Mr. Rodriguez stated that he has published notices in the El Segundo Herald for three weeks requesting a liquor license from ABC. As of right now ABC is waiting for approval of the Conditional Use Permit.

Ms. Fellhauer asked if any ArcLight location has ever been cited for selling to minors or drunks.

Mr. Rodriguez responded to Ms. Fellhauer's question that not one citation has ever been issued at any of the three locations in operation which are located at: 6360 West Sunset Boulevard in Hollywood since it opened in March 2002; Ventura Boulevard Sherman Oaks since it opened in November 2007, and Old Town in Pasadena since it opened in June 2010, due to the training that the employees received. Mr. Rodriguez inquired about Condition No. 15-A that requires training from the State of California Department of Alcoholic Beverage Control (ABC), LEAD program which is sponsored by the ABC. He stated that at the other three locations he had the option to use the LEAD or STAR program and wishes to use the STAR program at this location.

Mr. Baldino stated that Condition No. 15-B, allows an accepted equivalent to the ABC, Long Beach/Lakewood District Office to ensure proper distribution of beer, wine and distilled spirits to adults of legal age.

Ms. Newman asked Mr. Rodriguez how many employees need to go through this particular program.

Mr. Rodriguez stated that he has 90 employees and that 20 of them will attend the program.

Mr. Baldino commented that he visited the theater recently and noticed an information booth to make the public aware of the change to the theater name to ArcLight and that they will sell alcohol. He inquired as to how long the booth had been set up at the theater.

Mr. Lozano stated that it's been there for a month.

Ms. Fellhauer moved, seconded by Commissioner Newman approval of **MOTION** Resolution No. 2682 with modifications as presented by staff, approving Environmental Assessment No. EA-883 and Conditional Use Permit No. 10-10, and to Receive and File Administrative Use Permit No. 10-07. Approved (5-0).

Chair Wagner presented Agenda Item H-3. Environmental Assessment No. EA- **NEW BUSINESS –** 885 Determination of Consistency of the Proposed Fiscal Year 2010-2011 **EA-885 (General Plan** (FY2010-2011) Capital Improvement Program ("CIP") with the City of El Segundo **Consistency)** General Plan. Applicant: City of El Segundo. Address: Citywide.

Principal Planner Paul Samaras presented the staff report (of record.)

Commissioner Barbee moved, seconded by Chair Fellhauer approval of **MOTION** Resolution No. 2681, approving Environmental Assessment No. EA-885 Determination of Consistency of the Proposed Fiscal Year 2010-2011 (FY2010-2011) Capital Improvement Program ("CIP") with the City of El Segundo General Plan. Approved (5-0).

Chair Wagner presented Agenda Item H-4. Environmental Assessment No. EA-884 and Zoning Text Amendment No.10-05 (Zone Text Amendment to amend Title 15 of the El Segundo Municipal Code and establish a chapter regulating assembly hall uses). Applicant: City of El Segundo. Address: Citywide. Property Owners: Various **PUBLIC HEARING CONTINUED BUSINESS EA-884 and ZTA 10-05; SPTA 10-02**

Principal Planner Paul Samaras presented the staff report (of record.)

Commissioner Barbee moved, seconded by Commissioner Baldino approval of **MOTION** Resolution No. 2679, approving Environmental Assessment No. EA-884 and Zoning Text Amendment No.10-05 (Zone Text Amendment to amend Title 15 of the El Segundo Municipal Code and establish a chapter regulating assembly hall uses). Approved (5-0).

Planning and Building Safety Director Carpenter stated that the next scheduled Planning Commission meeting for September 9th has been cancelled. **REPORT FROM PLANNING AND BUILDING SAFETY DIRECTOR**

None. **PLANNING COMMISSIONERS COMMENTS**

None. **OTHER BUSINESS**

Chairman Wagner adjourned the meeting. Motion carried (5-0). **MOTION**

The meeting adjourned at 7:36 p.m. **ADJOURNMENT**

PASSED AND APPROVED ON THIS 26th DAY OF AUGUST 2010.

Greg Carpenter, Secretary of the Planning Commission and Director of The Planning and Building Safety Department

David Wagner, Chairman Planning Commission City of El Segundo, California

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CITY OF EL SEGUNDO

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: October 14, 2010

SUBJECT: Environmental Assessment No. 886 and Conditional Use Permit No. 10-11

APPLICANT: Robert Croxall of El Segundo Brewing Co. LLC

PROPERTY OWNER: David B. Taylor

REQUEST: A Conditional Use Permit request to allow an approximately 350 square-foot on-site tasting room within an approximately 2,640 square-foot brewery to be located in an existing 4,900 square-foot, multi-tenant warehouse building and to allow the sale of alcohol for on-site and off-site consumption (Type 23 Alcoholic Beverage Control (ABC) License).

PROPERTY INVOLVED: 140 Main Street

I. Introduction

The proposed project is a request for a Conditional Use Permit to allow an approximately 350 square-foot on-site tasting room within an approximately 2,640 square-foot brewery to be located in an existing 4,900 square-foot, multi-tenant warehouse building. The applicant is applying for a Type 23 ABC license (Small Beer Manufacturer) to allow the on-site and off-site sale of alcohol. Brewery operations will be daily and will consist of brewing, transferring beer between tanks, and kegging. The proposed hours of operation for the tasting room are 4:00 p.m. to 8:00 p.m. on Fridays and 1:00 p.m. to 6:00 p.m. on Saturdays and Sundays. No food service will be provided. In addition to on-site tasting, the applicant proposes to sell beer for off-site consumption. The proposed project is located at 140 Main Street in the Main Street Transitional District of the Downtown Specific Plan. The property is located on the block bounded by Main Street on the west, Standard Street on the east, Franklin Avenue on the north, and El Segundo Boulevard on the south.

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II. Recommendation

Planning staff recommends that the Planning Commission, review the facts and findings contained within this report, and adopt Resolution No. 2683 approving Environmental Assessment No. 886 and CUP No. 10-11.

III. Analysis

The applicant is requesting approval of a Conditional Use Permit to allow an approximately 350 square-foot tasting room within an approximately 2,640 square-foot brewery to be located in an existing 4,900 square-foot, multi-tenant warehouse building for the sale of beer for on-site and off-site consumption (Type 23 ABC license). Brewery operations will occur daily and will consist of brewing, transferring beer between tanks, and keggling. Actual brewing days will be approximately once a week. Production volume will be roughly 90 barrels (2,790 gallons) per month in the first year.

The brewery and tasting room occupies the front portion of the building facing Main Street. The rear section of the building is an existing warehouse that will not be affected by this proposed project. Currently, the proposed space is vacant but was previously used for a freight forwarding operation. The proposed tasting room is an accessory use to the brewery and will be open to the public. The brewery will operate typically Mondays through Fridays between 8 a.m. and 5 p.m. The proposed hours of operation for the tasting room are on Fridays from 4:00 p.m. to 8:00 p.m. and on Saturdays and Sundays from 1:00 p.m. to 6:00 p.m. The brewery will include a 15 barrel brewhouse (mash/lauter tun and kettle), 5 fermentation tanks, and a glycol chilling system. A beer dispensing system will be required for the tasting room and will consist of refrigeration equipment, beer service towers, and a CO2 system. An accessory office for the brewery will be located on the second floor.

The proposed project site is located in the Main Street Transitional District (MTSD) in the Downtown Specific Plan (DSP) Zone. Pursuant to the Downtown Specific Plan, bars require the approval of a conditional use permit. The proposed 350 square-foot tasting room is analogous to a bar since the service of alcohol is for on-site consumption with no food service. The tasting room serves the beer that is brewed on the premises. The tasting room consists of one table and a maximum of 16 seats. The applicant expects to serve a maximum of 26 patrons at any given time. The brewery is allowed by-right as an industrial use (manufacturing) as it replaces another industrial use, specifically, a freight-forwarding company that is a non-conforming use.

The surrounding land uses are as follows:

	<u>Land Uses</u>	<u>Zone</u>
North:	Commercial Office	DSP - MTSD
South:	Restaurant	DSP - MTSD
East:	Commercial	CRS
West:	Restaurant	DSP - MTSD

Off-street Parking

There are four existing off-street parking spaces on the property and two loading spaces. No accessible spaces are currently provided. The applicant will not alter the configuration of the existing parking and loading spaces. The brewery is considered a manufacturing use. The tasting room is an accessory use and requires no additional parking. The parking requirements for the uses on the site are as follows:

Proposed Use	Size	Off-street parking spaces required	Provided
Manufacturing	4,900 square feet	10 One (1) space per 500 square feet for the first 50,000 square feet	4

The Downtown Specific Plan allows existing uses in an existing building to change to any other permitted use without providing additional parking spaces provided that the existing spaces remain available. Additionally, one industrial use is replacing another industrial use, therefore no additional parking spaces are required. The uses comply with the El Segundo Municipal Code (ESMC) by providing four parking spaces. The two loading spaces provided exceed that required by the ESCMC since buildings 15,000 square feet or less require no loading spaces. The two loading spaces provided are approximately 15.5' in width and 40' in length and comply with the minimum dimensions for required small truck loading spaces. The brewery will use a small truck or SUV for deliveries.

Conditional Use Permit

The application includes a request for approval of a Conditional Use Permit for the tasting room to serve alcohol for on-site consumption. Pursuant to the Downtown Specific Plan, tasting rooms (same as a bar) require the approval of a CUP in the Main Street Transitional District.

Findings

ESMC § 15-23-6 requires that the following findings must be made before granting a CUP approval.

1. That the proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located;
2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;
3. That the proposed conditional use will comply with each of the applicable provisions of this Chapter.

Staff believes that the required Conditional Use Permit Findings can be made based upon the facts and analysis provided in the attached Resolution. Based on these findings, staff is recommending approval of the Conditional Use Permit with conditions. The Planning Commission may consider and impose additional conditions through the Conditional Use Permit process, which it deems necessary, in order to meet the required Conditional Use Permit findings. The proposed conditions establish the tasting room and brewery operation that can be carried out under the CUP, the hours of operations for the brewery and tasting room, the process for any expansion and/or modification of the brewery and tasting room operations, and the minimum number of required parking spaces.

V. Inter-Departmental Comments

The project application and plans were circulated to all departments and all comments are attached to the report. Staff has incorporated those comments as conditions of approval where appropriate.

VI. Environmental Review

The proposed project is categorically exempt from additional California Environmental Quality Act (CEQA) analysis pursuant to CEQA Guidelines § 15301 which identifies the project as a Class 1 infill minor alteration of an existing private facility. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, the project is proposed to be built on a site of not more than five acres surrounded by urban uses. Further, the site has no value as habitat for endangered, rare, or threatened species. There are adequate utilities and public services to serve the project.

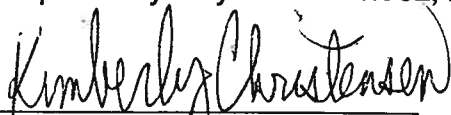
VII. Conclusion

Planning staff recommends approval of Environmental Assessment No. 886 and Conditional Use Permit No. 10-11 since the required findings for support can be made and appropriate conditions of approval are incorporated.

VIII. Exhibits

- A. Draft Planning Commission Resolution No. 2683
- B. Inter-Departmental Comments
- C. Application
- D. Plans

Prepared by: Bryan Fernandez, Assistant Planner



Kimberly Christensen, AICP, Planning Manager
Planning and Building Safety Department



Greg Carpenter, Director
Planning and Building Safety Department

RESOLUTION NO. 2683

A RESOLUTION APPROVING ENVIRONMENTAL ASSESSMENT NO. 886 AND CONDITIONAL USE PERMIT NO. 10-11 TO ALLOW AN APPROXIMATELY 350 SQUARE-FOOT TASTING ROOM WITHIN AN APPROXIMATELY 2,640 SQUARE-FOOT BREWERY FOR ON-SITE SALE OF ALCOHOL FOR ON-SITE AND OFF-SITE CONSUMPTION (TYPE 23 ABC LICENSE-SMALL BEER MANUFACTURER) TO BE LOCATED AT 140 MAIN STREET

The Planning Commission of the City of El Segundo does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On September 1, 2010 Robert Croxall of El Segundo Brewing Co., LLC filed an application for an Environmental Assessment and a Conditional Use Permit to operate a tasting room as an accessory use to a brewery for on-site sale of alcohol for on-site and off-site consumption at 140 Main Street in the Main Street Transitional District (MSTD) Zone within the Downtown Specific Plan Zone;
- B. The application were reviewed by the City's Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code ("ESMC");
- C. In addition, the City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"), and the City's Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);
- D. The Department of Planning and Building Safety completed its review and scheduled a public hearing regarding the application before this Commission for October 14, 2010;
- E. On October 14, 2010, the Commission held a public hearing to receive public testimony and other evidence regarding the application including, without limitation, information provided to the Commission by Robert Croxall, representing El Segundo Brewing Co., LLC; and
- F. The Commission considered the information provided by City staff, public testimony, and Robert Croxall. This Resolution, and its findings, are made based upon the evidence presented to the Commission at its October 14, 2010 hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

EXHIBIT A

SECTION 2: Factual Findings and Conclusions. The Commission finds that the following facts exist:

- A. The proposed project is a tasting room as an accessory use to a brewery for on-site sale of alcohol for on-site and off-site consumption at 140 Main Street in the Main Street Transitional District (MSTD) within the Downtown Specific Plan (DSP) Zone;
- B. The surrounding land uses are urbanized and include commercial uses in the Main Street Transitional District (MSTD) to the north, south, and west, and an industrial building in the Downtown Commercial (C-RS) Zone to the east;
- C. The subject site consists of one existing 4,900 square-foot multi-tenant building situated on an approximately 6,913 square-foot lot;
- D. The proposed brewery will replace a former non-conforming industrial freight-forwarding use as a non-conforming industrial use permitted by right in the MSTD of the Downtown Specific Plan (DSP) Zone;
- E. The project will meet the parking requirements for the proposed uses with four off-street parking spaces, and two loading spaces provided on site;
- F. The tasting room and brewery will occupy approximately 350 square feet and 2,640 square feet of the building respectively;
- G. The tasting room will consist of a table and 16 seats but no food service. The tasting room is analogous to a bar, which requires a Conditional Use Permit in the Downtown Specific Plan (DSP) Zone; and
- H. The proposed project would involve remodeling the interior of the existing building and would not include any additions to the existing building nor alter the land.

SECTION 3: Environmental Assessment. Because of the facts identified in Section 2 of this Resolution, the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities) as it involves the minor interior alteration of an existing private facility. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, the project is proposed to be built on a site of not more than five acres surrounded by urban uses. Further, the site has no value as habitat for endangered, rare, or threatened species. There are adequate utilities and public services to serve the project.

SECTION 4: General Plan and Zoning. The proposed project conforms with the City's General Plan and the zoning regulations in the ESMC as follows:

- A. The General Plan Land Use Designation of the project site is Downtown Specific Plan. The proposed project is consistent with the goals, objectives, and policies of the General Plan. Specifically, the project is consistent with Goal ED3 and Objective ED3-1 in that the proposed uses are the kinds of uses that create an economically viable and stable Downtown area that uniquely contributes to El Segundo's commercial options.
- B. The project conforms to Downtown Specific Plan (DSP) Economic Development Goal and Objective ED3, in that it creates an economically viable and stable Downtown area that uniquely contributes to El Segundo's commercial options.
- C. The project conforms to the DSP Land Use Goal LU4 by providing a stable tax base for the City through development of new commercial uses, primarily within a mixed-use environment. Specifically, it conforms to Objective LU4-2, Policy LU4-2.1 in which that the proposed use revitalizes and upgrade commercial areas, making them part of a viable, attractive and people-oriented commercial district.
- D. The ESMC zoning classification for the project site is Downtown Specific Plan, which allows for tasting rooms (a bar use) with approval of a Conditional Use Permit in conformance with ESMC Chapter 15-23;
- E. The proposed project complies with the applicable provisions of ESMC Chapter 14-1, since proper notification and a public hearing were provided, proper hearing decision and records will be complied with and the required findings will be considered

SECTION 5: Conditional Use Permit Findings. After considering the above facts regarding proposed Environmental Assessment No. 886 and Conditional Use Permit No. 10-11, the Planning Commission finds as follows:

- A. *That the proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located;*

The Main Street Transitional District (MSTD) in the DSP requires the approval of a CUP for bars which are similar to the proposed tasting room as the alcohol is served for on-site sale and for on-site and off-site consumption. The retail nature of the brewery satisfies the purpose of the MSTD.

The proposed tasting room within the brewery is an incidental use of the premises when limited in area, time, and frequency of activity. Type 23 ABC

licenses are permitted within the MSTD of the DSP Zone subject to approval of a conditional use permit.

- B. *That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;*

The attached conditions of approval establish limits to the operation's hours and activities. There is no new construction proposed. The location is several hundred feet from any residential areas in a mixed commercial and industrial area with existing restaurants, offices and light manufacturing. The proposed operations are inside the building and not visible from major city thoroughfares. Additionally, the site has legal non-conforming number of parking spaces.

The proposed tasting room within the brewery is an incidental use of the premises when limited in area, time, and frequency of activity. Planning Commission approval of a Conditional Use Permit is required for businesses seeking a Type 23 ABC license and located in the MSTD of the DSP Zone. The location, size, design and operating characteristics of the tasting room will not create conditions which may be objectionable, detrimental to the public health, safety and welfare or incompatible with other permitted uses in the vicinity. Furthermore, conditions of approval are incorporated to minimize any impacts from the proposed activity. Therefore, the project will not be materially injurious to property or improvements in the vicinity.

- C. *That the proposed conditional use will comply with each of the applicable provisions of this Chapter.*

The proposed conditional use complies with the applicable provisions of ESMC Chapter 15-27 since proper notice and hearing were provided, and proper hearing decision and records will be complied with, and the required findings will be considered.

SECTION 6: Approval. Subject to the conditions listed in the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Environmental Assessment No. 886 and Conditional Use Permit No. 10-11.

SECTION 7: This Resolution will remain effective unless superseded by a subsequent resolution.

SECTION 8: The Commission Secretary is directed to mail a copy of this Resolution to SRES Inc. and to any other person requesting a copy.

SECTION 9: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time

period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 10: Except as provided in Section 9, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

PASSED AND ADOPTED this 14th day of October, 2010.

David Wagner, Chair
City of El Segundo Planning Commission

ATTEST:

Greg Carpenter, Secretary

Wagner -
Barbee -
Baldino -
Fellhauer -
Newman -

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: _____
Karl H. Berger, Assistant City Attorney

PLANNING COMMISSION RESOLUTION NO. 2683

Exhibit A

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), SPCS California, LLC agrees that it will comply with the following provisions as conditions for the City of El Segundo's approval of Environmental Assessment No. 886 and Conditional Use Permit No. 10-11 ("Project Conditions").

Planning Division

1. Before building permits are issued, the applicant must develop plans, showing that the facility substantially conforms with plans approved and on file with the Planning and Building Safety Department. Any subsequent modification to the project as approved, including the site plan, floor plan, elevations, landscaping and materials, must be referred to the Director of the Planning and Building Safety Department for a determination regarding the need for Planning Commission review of the proposed modification.
2. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City of El Segundo.
3. The Conditional Use Permit allows for the operation of a tasting room which is an accessory use to the brewery. Operation of the tasting room requires the continuous operation of the brewery as the main use.
4. Hours of operations for the tasting room must be limited to Fridays from 4 p.m. to 8 p.m., and Saturdays and Sundays from 1 p.m. to 6 p.m. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety.
5. A trash and recycling enclosure must be provided and shown on the site plan that is sufficiently large enough to store the necessary bins required for the regular collection of commercial solid waste and recyclable materials. The site plan with the location and dimensions of the trash and recycling enclosure and an elevation view of the enclosure must be provided to the Planning and Building Safety Department for review and approval before the City issues building permits.
6. Modifications to the floor plan and site plan require the approval of the Planning and Building Safety Director. Significant changes to the size of the areas designated for each use as determined by the Director of Planning and Building Safety require review by the Planning Commission.

7. A minimum of 4 parking spaces and 2 loading spaces must be maintained on-site.
8. Taxicab phone numbers must be posted in a conspicuous location at all times in the area(s) where alcohol is served to customers.
9. The premises must be maintained in a litter and graffiti-free manner. Any graffiti that should appear on the premises must be removed within 48 hours.
10. The applicant must obtain and maintain all licenses required by the Alcoholic Beverage Control Act (Business & Professions Code §§ 23300 *et seq.*). The applicant must obtain and maintain a Type 41 license.
11. The brewery and tasting room operations must comply with ESMC §§ 7-2-1, *et seq.* regulating noise and vibration.
12. The Planning and Building Safety Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may be cause to schedule a hearing before the Planning Commission regarding the status of the conditional use permit.
13. The applicant must comply with all regulations of the Alcoholic Beverage Control Act and the regulations promulgated by the Alcoholic Beverage Control Board including, without limitation, the regulations set forth in 4 Cal. Code of Regs. §§ 55, *et seq.*
14. The applicant must post a sign in a clear and conspicuous location listing a phone number at which a responsible party may be contacted during all open hours of the establishment to address any concerns of the community regarding noise in the brewery, tasting room and parking lot. Said contact's name and phone number must also be available through the restaurant staff at all times.
15. The applicant must, at all times, display a *Designated Driver* sign of at least ten inches by ten inches (10" X 10") in the tasting room at eye level. The sign must be worded in a way that reminds patrons who are consuming alcohol to designate a *non*-drinking driver.
16. There must be no exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages which are clearly visible to the exterior constitute a violation of this condition.
17. All employees serving alcoholic beverages to patrons must enroll in and complete a certified training program approved by the State Department of Alcoholic Beverages Control (ABC) for the responsible sales of alcohol. The training must be offered to new employees on not less than a quarterly basis.

18. Any and all employees hired to sell alcoholic beverages must provide evidence that they have either:

- a. Completed training from the State of California Department of Alcoholic Beverage Control (ABC), Long Beach/Lakewood District Office administered *Leadership and Education in Alcohol and Drugs (LEAD)* Program in the form of an ABC-issued certificate; or,
- b. Completed an accepted equivalent by the ABC, Long Beach/Lakewood District Office to ensure proper distribution of beer, wine and distilled spirits to adults of legal age. If any prospective employee designated to sell alcoholic beverages does not currently have such training, then;
- c. The ABC-licensed proprietors must have confirmed with the Planning and Building Safety Department within fifteen (15) days of the Director's decision, or by final project approval, that a date certain has been scheduled within the local ABC Office to complete the LEAD course.
- d. Within thirty (30) days of taking said course, the employees, or responsible employer must deliver each required certificate showing completion to the Police Department.

19. The applicant must have readily identifiable personnel to monitor and control the behavior of customers inside the building premises. Staff must monitor activity outside in the parking lot and any adjacent property under the establishment's control to ensure the areas are generally free of people and are cleared of patrons and their vehicles one-half hour after closing.

20. If complaints are received regarding excessive noise, parking availability, lighting, building access, and the like associated with the tasting room, the city may, in its discretion, take action to review the Conditional Use Permit, including without limitation, adding conditions or revoking the permit.

Building Department

21. The project must comply with the 2007 California Building Code (2007 CBC) for any changes to the building if submitted for plan check before January 1, 2011. Any plans submitted to the City on or after January 1, 2011 must comply with the 2010 California Building Code (2010 CBC).

Miscellaneous Conditions

22. Robert Croxall and David B. Taylor agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of

Environmental Assessment No. 886 and Conditional Use Permit No. 10-11. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. 886 and Conditional Use Permit No. 10-11, Robert Croxall and David B. Taylor agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.

Robert Croxall, El Segundo Brewing Co., LLC and David B. Taylor must acknowledge receipt and acceptance of the Project Conditions by executing the acknowledgement below. By signing this document, Robert Croxall, El Segundo Brewing Co., LLC and David B. Taylor certifies that it has read, understood, and agrees to the Project Conditions listed in this document.

Robert Croxall, President
El Segundo Brewing Co., LLC

David B. Taylor, Property Owner

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}

City of El Segundo
INTER-DEPARTMENTAL CORRESPONDENCE

Circulation Date: September 28, 2010

TO: Jack Wayt, City Manager
Robert Cummings, Recreation and Parks Director
Mitch Tavera, Police Chief
Kevin Smith, Fire Chief
Stephanie Katsouleas, Public Works Director
Sam Lee, Building Official
Karl Berger, Assistant City Attorney

FROM: Kimberly Christensen, AICP, Planning Manager *KC*

**STAFF-
PLANNER:** Bryan Fernandez, Assistant Planner

SUBJECT: Environmental Assessment No. EA-866 and Conditional Use Permit No. CUP 10-11
Address: 140 Main Street
Applicant(s): Robert Croxall, El Segundo Brewing LLC
Property Owner(s): David B. Taylor

The proposed project is a request for a Conditional Use Permit to allow an approximately 350 square-foot tasting room within an approximately 2,640 square-foot brewery to be located in an existing 4,900 square-foot, multi-tenant warehouse building. Brewery operations will be daily and will consist of brewing, transferring beer between tanks, and kegging. The proposed hours of operation for the tasting room are 4:00 p.m. to 8:00 p.m. on Fridays and 1:00 p.m. to 6:00 p.m. on Saturdays and Sundays. No food service will be provided. The proposed project is located at 140 Main Street in the Main Street Transitional District of the Downtown Specific Plan. The property is located on the block bounded by Main Street on the west, Standard Street on the east, Franklin Avenue on the north, and El Segundo Boulevard on the south.

Attached for your review and comment is a copy of the application, and plans. **Please return the plans along with any comments by Monday, October 4, 2010.** Should you have any questions about the project, please contact Bryan Fernandez, Assistant Planner at extension 2343.

COMMENTS:

See attached



EL SEGUNDO POLICE DEPARTMENT

Plan Check Corrections

Plan Checker: Laurie Risk, Crime Prevention Analyst
(310) 524-2274



Review Date: September 30, 2010

Plan Check #: EA-866 and CUP 10-11
El Segundo Brewing LLC

Owner Name: David B. Taylor

Applicant Name: Robert Croxall

Architect Name: N/A

Facility Address: 140 Main Street

Phone: (310) 322-2908

Phone: (310) 529-3882

Phone:

INSTRUCTIONS:

Prior to approval, the plans must indicate the information, revisions, and/or corrections indicated below. To the left of the corrections, please indicate the sheet number of the plans on which the correction has been made. **Cloud all corrections on plans. Notes are not acceptable.**

SAFE:

1. A safe shall be installed in a secured location (ex. Manager's Office).
 - a. Show location and note in plans, "The safe shall be anchored to the concrete or cabinetry."

MANAGER'S OFFICE:

1. If there is a Manager's Office or Accounting Room, the door shall be of solid core construction, equipped with a deadbolt lock and a wide-angle (190-200 degrees) door viewer, not to be mounted more than fifty eight (58) inches from the bottom of the door.

QUESTION ABOUT THE PROJECT:

1. Will security cameras be installed? If so, please show locations.

RETURN THIS SHEET WITH REVISED PLANS AND SPECIFICATION WHEN CORRECTIONS HAVE BEEN MADE.

Reviewed and approved by:



Mitch Tavera, Chief of Police

10-5-10

Date

023

City of El Segundo
INTER-DEPARTMENTAL CORRESPONDENCE

Circulation Date: September 28, 2010

TO: Jack Wayt, City Manager
Robert Cummings, Recreation and Parks Director
Mitch Tavera, Police Chief
Kevin Smith, Fire Chief
Stephanie Katsouleas, Public Works Director
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Karl Berger, Assistant City Attorney

FROM: Kimberly Christensen, AICP, Planning Manager *KC*

**STAFF-
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SUBJECT: Environmental Assessment No. EA-866 and Conditional Use Permit No. CUP 10-11

Address: 140 Main Street

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The property is located on the block bounded by Main Street on the west, Standard Street on the east, Franklin Avenue on the north, and El Segundo Boulevard on the south.

Attached for your review and comment is a copy of the application, and plans. **Please return the plans along with any comments by Monday, October 4, 2010.** Should you have any questions about the project, please contact Bryan Fernandez, Assistant Planner at extension 2343.

COMMENTS:

The Environmental Assessment Number is EA-866

The address is 140 Main Street

The use is a brewery with a tasting room

The occupancy is F-2

The type of construction is V-B

The Building Code used is the 2007 CBC

Comments:

The project is to comply with the corrections under plan check B0900-10 submitted on 8/31/2010. Changes in the plans will need to be resubmitted for plan check.

*no comments
from
Public Works*

**City of El Segundo
INTER-DEPARTMENTAL CORRESPONDENCE**



Circulation Date: September 28, 2010

TO: Jack Wayt, City Manager
Robert Cummings, Recreation and Parks Director
Mitch Tavera, Police Chief
Kevin Smith, Fire Chief
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FROM: Kimberly Christensen, AICP, Planning Manager *KC*

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Address: 140 Main Street
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COMMENTS:

City of El Segundo
INTER-DEPARTMENTAL CORRESPONDENCE

Circulation Date: September 28, 2010

TO: Jack Wayt, City Manager
Robert Cummings, Recreation and Parks Director
Mitch Tavera, Police Chief
Kevin Smith, Fire Chief
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Karl Berger, Assistant City Attorney

FROM: Kimberly Christensen, AICP, Planning Manager *KC*

**STAFF-
PLANNER:** Bryan Fernandez, Assistant Planner

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Attached for your review and comment is a copy of the application, and plans. **Please return the plans along with any comments by Monday, October 4, 2010.** Should you have any questions about the project, please contact Bryan Fernandez, Assistant Planner at extension 2343.

COMMENTS:

Fire Department Comments

Environmental Assessment #: EA-866

Address: 140 Main Street

Applicant: Robert Croxall, El Segundo Brewing LLC

Property Owner(s): David B. Taylor

COMMENTS: The Fire Department has the following requirements regarding the proposed Environmental Assessment.

1. The applicant must comply with requirements of the California Building Code and California Fire Code, as adopted by the City of El Segundo and El Segundo Fire Department Regulations that are applicable to the project and occupancy.

Reviewed By: James Carver, Fire Marshal

Date: October 4, 2010



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SEP 01 2010

Planning and Building Safety Dept.

City of El Segundo

Planning and Building Safety Dept.
350 Main Street
El Segundo, CA 90245
(310)524-2344; FAX (310)322-4167
www.elsegundo.org

APPLICATION FOR A CONDITIONAL USE PERMIT

Environmental Assessment No: 386 Conditional Use Permit No: 10-11

Date: 10-1-10

Applicant:

ROBERT CROYALL FOR EL SEGUNDO BREWING CO LLC
Name (print or type)
140 MAIN ST.
Address
EL SEGUNDO, CA 90245
City/St/Zip

310-529-3882 Phone
ROB@BLUEHOUSEALES.COM Fax
Robert Croyall Email
Robert Croyall Signature

Check One: Owner Lessee Agent

Property Owner:

David B. Taylor
Name (print or type)
106 Lomita St.
Address
El Segundo CA 90245
City/St/Zip

310-322-2908 Phone
dave.taylor.903@gmail.com Fax
David B. Taylor Email
David B. Taylor Signature

Representative of applicant: (i.e., attorney, expeditor, etc.)

Name (print or type)

Address

City/St/Zip

Phone

Fax

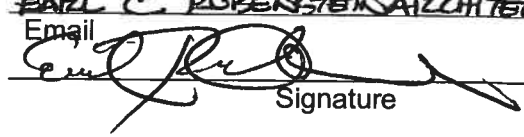
Email

Signature

023

Architect/Engineer:

EARL RUBENSTEIN
Name (print or type)
610 LAIRPORT ST.
Address
EL SEGUNDO, CA 90245
City/St/Zip

310-446-0182 Phone 310-364-1302 Fax
EARL.C.RUBENSTEIN@ARCHITECTS.COM Email
 Signature

Property Situated at:

140 MAIN ST, LOT: 2 AND 3, BLOCK: 10, TRACT: ES,
CITY: EL SEGUNDO, COUNTY: LOS ANGELES
(Exact legal description. Provide attachment, if necessary).

General Location:

140 MAIN ST. Address between EL SEGUNDO BLVD. Street/Avenue and FRANKLIN AVE Street/Avenue

El Segundo Municipal Code Section(s) Relating to Request: CHAPTER VI SECTION B SUB-SECTION 5

ESMC SECTION CHAPTER 15-23

Request: Under the provisions of Title 15, Chapter 23-4 of the Municipal Code, application for consideration of a Conditional Use Permit for the above described property.

1. Describe in detail the entire proposed project. Uses involved (i.e. bank, general office, industrial, restaurant, etc.), number of buildings and size, (including square footage and number of stories); design of buildings (style, materials, colors), and related equipment necessary to the project (mechanical, telephone and electrical equipment, transformers, generators, trash enclosures, loading docks, etc.). Add additional sheets to answer questions as needed.

SEE ATTACHED

2. Describe the existing development on the site. Include square footages, and uses of each building.

SEE ATTACHED

3. Explain in detail why this particular site is especially suited for the proposed development on the site and how it is compatible with the purpose of the zone.

SEE ATTACHED

4. Describe how the proposed project related to the development of adjacent properties and the immediate surrounding area and will not have detrimental effects to the adjacent properties or neighborhood.

SEE ATTACHED

5. Describe hours of operation for the proposed use/uses.

SEE ATTACHED

NOTE: Separate Affidavits must be submitted if there are multiple owners.

OWNER'S AFFIDAVIT

I, We David B. Taylor being duly sworn depose and say that I/we am the **OWNER** of the property involved in this application and that I/we have familiarized myself (ourselves) with the rules and regulation of the City of El Segundo with respect to preparing and filing this application and that the foregoing statements herein contained and the information documents and all plans attached hereto are in all respects true and correct to the best of my/our knowledge and belief.

David B. Taylor
Signature

8-20 20 10
Date

STATE OF CALIFORNIA,)
County of Los Angeles)ss.

On _____ day of _____ 20____, before me, the undersigned Notary

this _____
Public in and for said County and State, personally appeared _____
known to me to be the person whose _____ subscribe to the
name _____
within instrument, and acknowledged to me that he/she executed the same.

WITNESS my hand and official seal.

Please see attached
Notary Public in and for said County and State

AGENT AUTHORIZATION

I hereby authorize Robert Crown to act for me/us in all matters relevant to this application. I understand that this person will be the exclusive contact on the project and will be sent all information and correspondence.

[Signature]
Owner's Signature

8-20 20 10

AGENT AFFIDAVIT

I, We Robert Crown being duly sworn depose and say that I/we am the **AGENT** of the property involved in this application and that I/we have familiarized myself (ourselves) with the rules and regulation of the City of El Segundo with respect to preparing and filing this application and that the foregoing statements herein contained and the information documents and all plans attached hereto are in all respects true and correct to the best of my/our knowledge and belief.

[Signature]
Signature

8-20-10 20 10
Date

STATE OF CALIFORNIA,)
County of Los Angeles)ss.

On this _____ day of _____ 20 _____, before me, the undersigned Notary Public in and for said County and State, personally appeared _____ known to me to be the person whose name _____ subscribe to the within instrument, and acknowledged to me that he/she executed the same.

WITNESS my hand and official seal.

[Signature]
Notary Public in and for said County and State

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On Aug-20-2010 before me, Michelle M. Salmeron, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared David B. Taylor and Robert W. Crotall
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he/she/it~~ they executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Michelle M. Salmeron
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: _____

El Segundo Brewing Company, LLC
Responses to City of El Segundo Application for a Conditional Use Permit

Rob Croxall
President, El Segundo Brewing Company, LLC
310-529-3882
rob@bluehouseales.com

1. Proposed Project

Project is a production craft brewery with attached tasting room located at 140 Main Street in El Segundo. Production volume will be roughly 90 barrels (2790 gallons) per month in the first year. Brewery operations will be daily and will consist of brewing, transferring beer between tanks, and kegging. Actual brewing days will be approximately once a week. The tasting room is a small accessory to the brewery and will offer patrons the opportunity to taste beers brewed on premises. The tasting room will be open to the public during limited hours, likely 4:00PM – 8:00 PM Friday, 1:00PM – 6:00PM on Sat. and Sun. No food service will be offered. A Conditional Use Permit is requested for the operation of the tasting room/bar pursuant to Chapter VI (Development Standards), Section B (Main Street Transitional District), Sub-section 5 (Uses Subject to a Conditional use Permit) of the Downtown Specific Plan..

The location is one split level building. The brewery / tasting room will use 1807 square feet on the bottom floor of the building. The upstairs portion will continue to be used as offices and the rear for storage. The exterior of the building is currently white cinderblock with green awnings and in need of paint. Aside from painting and cleaning up of the exterior, no modifications are planned.

Related equipment will include a 15 barrel brewhouse (mash/lauter tun and kettle), 5 fermentation tanks, a glycol chilling system, an office phone, and other office equipment. A beer dispensing system will be required for the tasting room and will consist of refrigeration equipment, beer service towers, and a CO2 system.

2. Existing development

The 140 Main Street building is 4901 square feet. The current usage is as warehouse space in the rear of the building. It is fitted with unused office space on the top level and vacant open space on the bottom (opposite the warehouse). Previously the area held a freight forwarding company.

3. Compatible with Use of Zone:

The brewery/tasting room use is consistent with the downtown specific plan. The plan specifically state the intent to “allow flexibility and mixture of uses” in the 100, 200, and 500

blocks of Main St. Additionally it states that "Non-conforming industrial or similar uses may be replaced with similar non-conforming uses." The prior use of the building was industrial (freight forwarding) as is the proposed use. In addition to the industrial nature of the brewery operation, the tasting room offers "pedestrian-oriented amenities" and will certainly service residents, local employees and visitors. Specifically, in Chapter VI, a brewery and tasting room is not prohibited in any way. The retail nature of the tasting room clearly fits the intent of the district (once a conditional use permit is secured).

4. Effects to adjacent areas

The brewery/tasting room will have no detrimental effect to adjacent properties or neighborhoods. Operations will be nearly transparent to the surrounding neighborhood. No noise will be generated by the operations. Additional traffic will only consist of an occasionally delivery of raw ingredients and a single daily pick up of product in a small van or SUV for delivery. The primary by product of the brewing operation is steam which will have no impact to the surrounding neighborhood.

Residents and local employees will benefit by having a different, unique establishment at which to socialize, take tours, and be educated on high end beers. The product and establishment would be a point of pride to residents and local beer aficionados. The establishment clearly serves visitors to the city - the nearest brewery with tasting room that I am aware of is in Fullerton. This establishment would be a destination and would clearly attract visitors to El Segundo, which in turn would benefit other establishments on Main Street.

5. Hours of Operation

Brewery operations will be daily during the normal work week and will consist of brewing, transferring beer between tanks, and kegging. A normal day will be 8:00 – 5:00 although some after hours or weekend work may be required. Actual brewing days will be approximately once a week. The tasting room is a small accessory to the brewery and will offer patrons the opportunity to taste beers brewed on premises. The tasting room will be open to the public during limited hours, likely 4:00PM – 8:00 PM Friday, 1:00PM – 6:00PM on Sat. and Sun.

El Segundo Brewing Company, LLC
Responses to City of El Segundo Application for a Conditional Use Permit

Rob Croxall
President, El Segundo Brewing Company, LLC
310-529-3882
rob@bluehouseales.com

Addendum to address additional questions

of Patrons

The occupant load of the tasting room calculates out to 26. 26 is the highest number of patrons that will be allowed in the tasting room at any one time. Current plans show seating for sixteen plus one handicap seat. The intent is to have a flexible arrangement to allow for different events such as tastings, discussions, presentations, and normal operations.

Noise Impacts of Brewing Process

There will be no noticeable noise impacts related to the brewing process.

Waste and Other Byproducts

Solid waste will consist of spent grain (barley, wheat), spent hops, and spent yeast. All of these will be collected and disposed of through local dairymen and/or composters. Liquid waste to be disposed of through the sewer consists of clean cooling/sanitization water used during the brewing process and soapy water from cleaning. The intent of El Segundo Brewing Company, LLC is to be as "green" as is feasible and recycle/reuse as much as possible.

Rooftop equipment

Equipment will consist of Greenheck air handler model SPB110. This is a 110 CFM air handler weighing ten pounds. It will not be audible or visible from street level.

RECEIVED
OCT 06 2010
PLANNING DIVISION

037

5. Representative of applicant (i.e., attorney, expeditor, etc.)

Name (print or type)

Phone

Fax

Address

Email

City/St/Zip

6. Architect/Engineer:

Signature

Name (print or type)

Phone

Fax

Address

Email

City/St/Zip

Signature

Property situated at:

140 MAIN ST, LOT: 2 AND 3, BLOCK: 10, TRAC: ES, CITY: EL SEGUNDO, COUNTY: LOS ANGELES
(Exact legal description including Assessor Parcel Information. Provide attachment, if necessary).

General location:

140 MAIN ST. between EL SEGUNDO BLVD + FRANKLIN
Address (Street/Avenue) (Street/Avenue)

Existing Zoning:

DOWN TOWN SPECIFIC PLAN
MAIN ST. DISTRICT

General Plan Land Use Designation:

DOWN TOWN SPECIFIC PLAN

II. PROJECT INFORMATION

1. Site Area: 6913 Bldg Area: 4901 Bldg. Height: 199 No. Floors: 2

Floor Area Ratio (FAR): _____ Percent of lot coverage by structures: 70.8%

2. Total no. employees: 2 Max. per shift: 2 Days/Hours of operation: ~~MON-FRI 8:00-5:00 PM~~
FRI 4:00-8:00 PM SAT+SUN 1:00-6:00 PM

3. Number of on-site parking spaces provided: 4

4. Proposed construction scheduling: NOV. 2010 - JAN. 2011

5. Will any permits (including a Hazardous Materials Business Plan) be required from agencies other than the City? (please explain) ABC LICENSE

6. Will the project use, store, or dispose of potentially hazardous chemicals, materials, toxic substances, flammables or explosives? (please explain) N/A

If yes to either 5 or 6 please describe in detail on a separate sheet.



is not final for ten (10) days during which time an appeal of the decision may be filed.

15. There is an additional filing fee for filing an appeal.

<u>Planning Staff to complete</u>	
Date Received: _____	EA No.: _____
Planner: (print name) _____	CUP No.: _____
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CITY OF EL SEGUNDO

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: October 14, 2010

SUBJECT: Amendment to Section 113 Board of Appeals to the California Building Code as Amended by the City of El Segundo; Planning Commission is Designated as the Board of Appeals

APPLICANT: City of El Segundo

REQUEST: Planning Commission to recommend to the City Council adoption of the proposed amendment to the El Segundo Municipal Code regarding the designation of the Planning Commission as the Building and Safety Board of Appeals for Building Code determinations

PROPERTY INVOLVED: Citywide

I. Introduction

The proposed amendment to the Building Standards Code as adopted by the City of El Segundo would designate the Planning Commission as the Board of Appeals to consider appeals of building official's decisions. The Board of Appeals has the authority to determine appeals of the building official's application and interpretation of the State Building Code standards.

II. Background

Boards of appeals are established by cities to hear and decide appeals of orders, decisions, or determinations made by the building official regarding the application and interpretation of the Building Standards Code. The Building Standards Code is part of the State's Health and Safety Code which contains minimum construction standards. Among the codes included are the state Building, Residential, Mechanical, Electrical, Plumbing, and Green Building Codes.

When considering appeals, the Board may provide different interpretations or applications of the Code, but the Board has no authority to relax or waive fire life safety requirements. The appeal process would entail the board hearing an applicant's

request for deviations from the state minimum code standards and their justification for equivalency. Along with the applicant's request, the building official's decision and recommendation to the board will be included in a staff report.

Currently, the City Council was designated as the Board of Appeals in our city and historically appeals have been filed infrequently. The proposed change to the El Segundo Municipal Code, if adopted, would appoint the Planning Commission as the new Board of Appeals. Appointment of the Planning Commission as the Board of Appeals for determinations regarding building code deviations will help ensure that appeals are resolved expeditiously. Decisions made by the Planning Commission can still be appealed to the City Council. The fee requirement for appeals will remain unchanged.

Some examples of typical appeal requests that have been submitted to the Board of Appeals in other cities are as follows:

- To allow openings on the property line, in lieu of not allowing any openings in exterior fire walls.
- To allow one exit from a second floor in lieu of the two required exits.
- To allow plan check time to be extended beyond what's permitted in the code.

Below is the proposed section 113.4 Board of Appeals that will be added to the El Segundo building code:

Section 113.4 Board of Appeals.

The board of appeals consists of the five (5) members of the Planning Commission. The term of a board of appeals member coincides with the term of service as a Planning Commissioner and terminates should the member cease serving as a Planning Commissioner. The building official is the secretary to the board. The board may adopt reasonable rules and regulations for conducting its investigations and will render all its decisions and findings on contested matters, in writing to the building official, with a duplicate copy for any appellant or contestant affected by such decision or finding.

Three members of the board constitute a quorum. The Planning Commission Chairperson is the board's chairperson and in the chairperson's absence the Vice-Chair acts as the board's chairperson.

Appellants filing an appeal of any order, decision, or determination made by the building official relative to the application and interpretation of this code must pay the city a fee established by City Council resolution. The appeal must be taken by filing a written notice of appeal, in letterform, to the board of appeals. The appeal must state where it is believed that the Department has erred or abused its discretion in the matter of the appeal.

III. Recommendation

Staff recommends that the Planning Commission recommend to the City Council approval of the proposed amendment to the El Segundo Municipal Code.

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