



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: July 28, 2015
SUBJECT: Conditional Use Permit No. 971-15
PROPERTY OWNER: VCG SouthBay Pavilion, LLC
Attn: Jerry N. Garner
11611 San Vicente Boulevard, 10th Floor
Los Angeles, CA 90049
REQUEST: Consider to sell beer and wine for onsite consumption
within a movie theater at the SouthBay Pavilion
PROPERTY INVOLVED: 20700 S. Avalon Boulevard

COMMISSION ACTION

_____ Concurred with staff
_____ Did not concur with staff
_____ Other

COMMISSIONERS' VOTE

<u>AYE</u>	<u>NO</u>		<u>AYE</u>	<u>NO</u>	
		Chairman Diaz			Mitoma
		Vice-Chair Madrigal			Post
		Andrews			Schaefer
		Faletogo			
		Guidry			

Item No. 11A

I. Introduction

Property Owner

VCG-SouthBay Pavilion, LLC

11611 San Vicente Boulevard, #1000, LA, CA 90049

Applicant

Century Theatres, Inc., Attn: Robert Copple

3900 Dallas Parkway, Ste. 500, Plano, TX 75093

Project Address

20700 S. Avalon Boulevard, Ste. 285, Carson CA 90746

Proposed Project

Conditional Use Permit (CUP) No. 971-15 is for the sale and consumption of beer and wine at a movie theater.

II. Background

Conditional Use Permit No. 971-15

On May 26, 2015, the Planning Commission on a 5-4 vote denied Conditional Use Permit (CUP) No. 971-15 to sell beer and wine for onsite consumption at the movie theater. On May 27, 2015, Mayor Robles appealed the Planning Commission's decision.

On June 16, 2015, the City Council held a public hearing on the appeal request. During the public hearing, two members of the public identified themselves as proponents and three members were opponents of the proposed conditional use permit to allow the sale and consumption of beer and wine within the Cinemark movie theater.

At the conclusion of the public hearing, the City Council voted 3-0 to refer the matter back to the Planning Commission with the following directions:

- Reduce the drink limit from 3 to 2 drinks per person.
- Specify the type of container being proposed (e.g. glass, plastic).
- Establish a controlled environment by designating an area for those that wish to drink beer and wine. Patrons that purchase beer or wine should not be allowed to walk around the theater.
- Propose more effective options to monitor the number of drinks purchased per person. The proposed wristbands are not an effective way to monitor and track the number of purchases as they can easily be removed by the patrons.
- Require staff to conduct a performance evaluation of the operations within 6 to 12 months of the approval of the sale of beer and wine to ensure compliance with the conditions of approval and to ensure safe operations.
- Require the applicant to provide monthly security reports to the Sheriff's Department who in turn should provide quarterly reports to the City Council.

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- Require the Sheriff's Department to advise the City Council of any incidents that may warrant a suspension or revocation of the conditional use permit for the sale of beer and wine.
- Require the applicant to coordinate with the mall security to ensure safety within the movie theater and along the mall corridors.
- Require the applicant to provide a list of its other movie theater locations that sell beer and wine in case the City Council or Planning Commission would like to visit these locations.

III. Analysis

The applicant has requested a 30-day continuance to address the City Council's directives. Staff recommends continuance to September 8, 2015.

IV. Environmental Review

An Initial Study for the movie theater was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines. After reviewing the Initial Study and any applicable mitigating measures for the project, the Planning Division has determined that this project will not have a significant effect on the environment. Accordingly, a Mitigated Negative Declaration was adopted pursuant to California Public Resources Code Section 15070. Mitigation measures were included to address air quality, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, and transportation and traffic impacts.

V. Recommendation


That the Planning Commission:

- **OPEN** the public hearing, **TAKE** public testimony, and **CLOSE** the public hearing; and
- **CONTINUE** Conditional Use Permit No. 971-15 for onsite beer and wine sales and consumption within a movie theater at the SouthBay Pavilion to September 8, 2015.

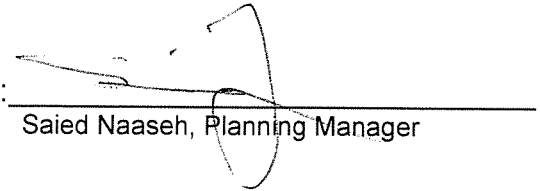
VI. Exhibits

1. None

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Approved by:


Saied Naaseh, Planning Manager