

October 5, 2005

Honorable Mayor and Members of the
Hermosa Beach City Council

Regular Meeting of
October 11, 2005

SUBJECT: CONDITIONAL USE PERMIT AMENDMENT 05-8, 73 PIER AVENUE -
MEDITERRANEO RESTAURANT

APPEAL OF THE PLANNING COMMISSION'S DENIAL OF THE REQUEST TO
CHANGE THE CLOSING TIME FROM 12:00 MIDNIGHT TO 2:00 A.M. -- FOR A
RESTAURANT WITH ON-SALE ALCOHOL AND LIVE ENTERTAINMENT.

Planning Commission Recommendation

To deny the request for extended hours.

Background

PROJECT INFORMATION:	
ZONING:	C-2 Restricted Commercial
GENERAL PLAN:	General Commercial
LOT AREA:	2,802 square feet
AREA OF ESTABLISHMENT:	Approx 3,300 square feet (Interior)
(NO CHANGE IN TOTAL)	740 square feet (Outdoors))
PARKING:	No on site parking
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

The restaurant is located on the north side of Pier Plaza, in the prior location of "Brewski's," and has been operating as "Mediterraneo," a sit-down restaurant since early 2004. In December of 2003, the City Council, sustained the Planning Commission's decision to allow on-sale alcohol, but imposed a more restrictive 12:00 midnight closing time. The Council majority determined that a sit-down "upscale" restaurant did not need to be open until 2:00 A.M., but indicated that the business should operate for six months and if it demonstrated it was truly a restaurant with limited bar activity, and not causing any problems, that the Council would consider an application for extended hours.

At the September, 2005 meeting, the Planning Commission voted 3:2 to deny the requested extension of hours. The Commission considered the applicant's request, but the majority felt that while the restaurant was upscale and operating successfully as a dining establishment that:

- The ownership could change, and since the terms of the CUP run with the property, the City could be left with a potential problem business operator that would focus on bar activity in the later hours, that would potentially exacerbate downtown problems;
- The restaurant did not need the late night business for the type of restaurant clientele that patronize the establishment;
- Most sit-down "upscale" restaurants do not need to stay open until 2:00 A.M.;
- The downtown is saturated with late night businesses and does not need another;
- The reason that no problems have been reported for this location is because of the midnight closing time.

The Commission did not dispute that the restaurant was operating within requirements of the CUP, and staff reiterated that recent code enforcement investigations found no violations. Thus the central concern for the Commission was extending operation hours for the CUP in an area with many late night businesses that had operated with CUP violations.

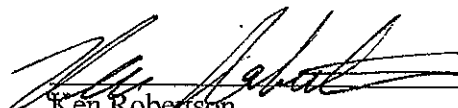
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Analysis

The applicant is requesting that the 12:00 midnight closing time previously imposed by the City Council be changed to 2:00 A.M. This is the only change being requested at this time. The CUP continues to allow non-amplified live entertainment and requires an acoustical study for amplified music.

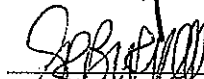
Since the opening of the restaurant, there have been no reported problems with respect to noise or other violations of the CUP. Other restaurants in Pier Plaza have the following limits on operating hours and on live entertainment:

Restaurant	Hours Specified in CUP	Date	CUP type
Hennessey's	7:00 A.M. – 2:00 A.M. 2:00 P.M. – 1:15 A.M. live entertainment	1997	Full Alcohol w/ Live entertainment
The Mermaid	Not specified	1990	Full Alcohol
Cantina Real	8:00 A.M. – 12:00 Midnight	1979	Full Alcohol
Fishmarket Café	Not specified	1983	Beer and Wine
Dragon	7:00 A.M. – 2:00 A.M. 7:00 P.M. – 1:15 A.M. live entertainment	2003	Full Alcohol w/ Live entertainment
The Lighthouse	No general hours specified 2:00 P.M. – 1:30 A.M. live entertainment	1991	Full Alcohol w/ Live entertainment
Zeppy's	7:00 A.M. – 10:00 P.M. beer and wine	2000	Beer and wine
Il Boccaccio	8:00 A.M. – 1:30 A.M.	1993	Full Alcohol
Patrick Malloys	7:00 A.M. – 2:00 A.M. 2:00 P.M. – 1:15 A.M. live entertainment	1998	Full Alcohol w/ Live entertainment
Aloha Sharkeez	Not Specified	1968	Full Alcohol
Fat Face Fenner's	7:00 A.M. – 2:00 A.M. 2:00 P.M. – 1:15 A.M. live entertainment	1999	Full Alcohol w/ Live entertainment
Paradise Sushi	11:00 A.M. – 11:00 P.M.	1985	Beer and Wine
Sangria	7:00 A.M. – 2:00 A.M. 2:00 P.M. – 1:15 A.M. live entertainment	1996	Full Alcohol w/ Live entertainment


Ken Robertson,
Senior Planner

CONCUR:


Sol Blumenfeld, Director
Community Development Department


Stephen R. Burrell,
City Manager

Attachments

1. Resolution to sustain the Commission's decision
2. Planning Commission Minutes (draft)
3. Location Map

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RESOLUTION NO. 05-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH,
CALIFORNIA, SUSTAINING THE PLANNING COMMISSION, ON APPEAL, TO
DENY A CONDITIONAL USE PERMIT AMENDEMENT TO EXTEND OPERATING
HOURS FOR A RESTAURANT WITH ON-SALE GENERAL ALCOHOL, AND LIVE
ENTERTAINMENT AT 73 PIER AVENUE, AND LEGALLY DESCRIBED AS LOT
27, BLOCK 13 HERMOSA BEACH TRACT**

Section 1. An application was filed by "Mediterraneo" restaurant, seeking an amendment to change the closing time from 12:00 midnight to 2:00 A.M. as set forth in the conditions of approval of the existing Conditional Use Permit for on-sale general alcohol and live entertainment.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application to amend the Conditional Use Permit on September 20, 2005, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission, and based on this evidence the Planning Commission denied the requested amendment.

Section 3. The applicant filed an appeal of the Planning Commission's decision.

Section 4. The City Council conducted a duly noticed public hearing to consider the appeal on October 11, 2005, at which testimony and evidence, both written and oral, was presented to and considered by the City Council.

Section 5. Based on evidence received at the public hearing and the record of the decision of the Planning Commission, the City Council makes the following factual findings:

1. The current Conditional Use Permit (CUP) was approved by the City Council in 2003 to allow general alcohol sales, and to convert the space to a full-service sit down restaurant including the removal of the brewing tanks and the manufacturing of beer on the premises, and included a specific condition of approval limiting operating hours to no later than 12:00 midnight.

2. The site is located in the downtown district, which has several similar restaurants with on-sale general alcohol and live entertainment.

3. The site is zoned C-2 allowing the existing on-sale alcohol use with a Conditional Use Permit.

Section 5. Based on the foregoing factual findings, and consistent with the findings of the Planning Commission, the City Council makes the following findings pertaining to the application to amend the Conditional Use Permit:

1. While the current business owner has been operating the restaurant in compliance with the conditions of the C.U.P., and without any complaints or violations, the ownership could change. Since the terms of the CUP run with the property, the City could be left with a potential problem business operator that would focus on bar activity in the later hours, that would potentially exacerbate downtown problems.

2. The original approval was for a sit-down restaurant, which does not need the late night business for the type of restaurant clientele that patronize the establishment.

1 3. The downtown is saturated with late night businesses and does not need another restaurant with
late night operating hours.

2 4. The reason that no problems have been reported for this location is because of the midnight
closing time.

3
4 Section 5. Based on the foregoing, the City Council hereby sustains the decision of the Planning
Commission and hereby denies the requested amendments to the Conditional Use Permit, and therefore the
5 restaurant will continue to be subject to the terms of City Council Resolution 03-6317.

6 Section 6. Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the decision
7 of the Planning Commission, after a formal appeal to the City Council, must be made within 90 days after the
final decision by the City Council.

8
9 **PASSED, APPROVED and ADOPTED** this day of , 2005, by the following vote:

10 AYES:

11 NOES:

12 ABSTAIN:

13 ABSENT:

14 _____
15 PRESIDENT of the City Council and MAYOR of the City of Hermosa Beach, California

16 ATTEST: _____ APPROVED AS TO FORM: _____
17 City Clerk City Attorney

18 _____
19 Date

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11. CUP 05-8 -- Conditional Use Permit amendment for a restaurant with on-sale alcohol to change the closing time from 12:00 midnight to 2:00 A.M. daily at 73 Pier Avenue, Mediterraneo.

Staff Recommended Action: To direct staff as deemed appropriate.

Senior Planner Robertson advised that the Mediterraneo restaurant is located on the north side of Pier Plaza, the former location of Brewski's; and noted that it has been operating as Mediterraneo, a sit-down restaurant, since early 2004. When the Planning Commission approved this conditional use permit (CUP) in October 2003, he noted that the hours were limited to 2:00 A.M. and that live entertainment would cease at 1:15 A.M.; however, he advised that in December 2003, City Council sustained the Planning Commission's decision to allow on-sale alcohol, but imposed a more restrictive closing time of midnight. He stated that the applicant is now seeking authorization to close at the 2:00 A.M. hour, as previously recommended by the Planning Commission; and pointed out that this is the only change being requested this evening. Senior Planner Robertson explained that the midnight restriction was based, in part, on Council's feelings that an upscale, sit-down restaurant did not need later hours -- believing it would create more of a bar or nightclub atmosphere. He pointed out that since the opening of the Mediterraneo restaurant, there have been no reported problems with respect to noise or other violations with its CUP. He added that the Commission has been provided a list of the restricted hours for other restaurants on Pier Plaza, many which have bars operating from 7:00 A.M. to 2:00 A.M. He stated that staff is seeking the Commission's direction on this proposal.

Commissioner Kersenboom recalled that the Commission's prior concern was that this establishment not turn into another nuisance party spot.

Director Blumenfeld noted that some of the Commission's prior deliberations pertained to whether this was going to be a sit-down restaurant that offered a full menu; noted staff's opinion that this is a dining establishment; and pointed out that over the period of time it's been in operation, the business has demonstrated it is a full service restaurant and has not had any Conditional Use Permit violations.

Commissioner Kersenboom questioned if the applicant is proposing any change in the seating plan or a dance floor.

Director Blumenfeld advised that a seating plan has been prepared at staff's request and that the area layout is the same and no dance floor is being proposed.

The Commission reviewed the seating plan at this time.

Director Blumenfeld confirmed for Commissioner Perrotti that there have been no citations with this business; and explained that when the City commenced its code enforcement activity in this area at the end of last year and beginning of this year, no violations were observed.

Chairman Pizer opened the public hearing.

Albro Lundy, attorney representing the applicant, stated that two years ago, in 2003, there was an approval for a 2:00 A.M. closing hour, which was an important decision to help this business become financially viable; and stated that Mediterraneo is a European, upscale restaurant with exceptional food and wine. He advised that Tommy Short owned Brewski's for 10 years without any issuance of a single citation; and added that two years ago, Mr. Short turned this facility into this upscale restaurant known as Mediterraneo. He stated that this restaurant needs the extended hours to financially sustain itself; advised that it's been operating since November 2003; that the business has successfully undergone the 6-month review process; and expressed his belief that after two years of operation, this business has proven it is an enhancement to this area and City. Mr. Lundy explained that businesses in this area make their profits after hours when the Plaza area is alive with business; and advised that they are not planning on having a bar or dance floor, but that they intend to improve the quality of Hermosa Beach and the quality of its night life. He mentioned that one of the arguments at the City Council level was to allow this restaurant to compete with the other restaurants in this area; that Council directed the midnight restriction be imposed for six months and then following with a review process; and he stated that this business has proved it can operate under the conditions imposed and he urged the City to allow this business to stay open until 2:00 A.M. daily.

Mr. Lundy noted for Commissioner Kersenboom that the CUP has a provision which states no live entertainment will be permitted, with the exception of special occasions like New Year's Eve. He stated they would probably either have a non-amplified acoustic guitar, a trio, piano, or violin. He reiterated that there is no interest in turning this business into a bar.

Matt Houston, general manager of Mediterraneo and resident of Hermosa Beach, expressed his belief this business has proven it is an upstanding business in this community; stated that they are committed to maintaining a classic environment, with excellent food and drink; and he urged support of this request so they can continue to provide an upscale dining environment for Hermosa Beach.

Commissioner Perrotti questioned if any type of food would be served after the kitchen closes.

Mr. Houston stated that the kitchen currently closes at 11:30 P.M. and that they are interested in being able to serve food a half hour to an hour later, noting that simple cuisine will be served at the later hour, such as desserts and finger foods.

Chairman Pizer questioned if this restaurant is currently profitable.

Mr. Houston noted for Chairman Pizer that the first year was a big challenge, but that this second year, he feels they are becoming more successful, establishing much more of a regular clientele.

Chairman Pizer questioned if the applicant believes he cannot make an acceptable profit based upon the current hours of operation.

Responding to Chairman Pizer's inquiry, Mr. Houston stated that the additional two hours of business, when Hermosa Beach is at its busiest, would create a more acceptable profit margin

than what the restaurant currently enjoys.

Chairman Pizer questioned if the business is open for lunch

Mr. Houston stated that the restaurant is open for lunch 3 days a week: Fridays, Saturdays and Sundays.

In response to Commissioner Kersenboom's inquiry regarding the later hours, Mr. Houston explained that it is their intent to offer food at a later hour, an alternative to fast food or pizza, for instance.

Brad Adams, 5th Street resident, expressed his support of the applicant's request, stating that this is a good, quiet place to sit down and talk with his friends while enjoying something to eat and drink.

Jim Lissner, Hermosa Beach resident, expressed his belief that a lot of restaurants have promised the same success, only to later become problem businesses in the Plaza area; stated that there are successful restaurants which do well with limited hours; and questioned whether this restaurant can improve things on Pier Avenue. He noted his opposition to adding to the concentration of alcohol licenses in this area and noted his opposition to this request.

Amber Coddle, executive chef at Mediterraneo and Hermosa Beach resident, stated that this restaurant serves great food; that the restaurant strives to maintain a quiet and relaxed atmosphere; and echoed the owner's comments that they do not intend for this business to become a bar or club.

Mr. Lundy pointed out that this establishment already has an alcohol license, that they are only seeking the extended hours to serve food and the alcohol to go along with the food late in the evening; and advised that this establishment has continually conformed to all imposed conditions.

Shirley Castle, Hermosa Beach resident, expressed her opposition to this request; commented on the noise, litter and other nuisance problems in this area because of the late hours; and suggested that all bars/clubs in the City be closed two hours earlier.

There being no further input, Chairman Pizer closed the public hearing.

Commissioner Kersenboom expressed his belief that this establishment has proven it can abide by the conditions of approval and that it is not one of the establishments causing problems in this area.

Commissioner Perrotti highlighted his vision of the Pier Plaza becoming a restaurant row instead of what it has evolved into – more of a sports bar row; and stated that there are problems in this area, but pointed out that this establishment is not one that has caused any of the problems. He stated that when he has been on the Plaza, he has noticed there are still people in this restaurant eating later in the evening, that these people are not there only to drink alcohol; and stated that

action should be taken against those establishments that have been cited for violations, not those that abide by the rules imposed by the City. He stated that this establishment should not be punished for the actions of those violating establishments; that this business should be given equal opportunity as those like businesses in this area; and suggested possibly limiting the hour to 1:00 A.M.

Vice-Chairman Hoffman stated that while there has been no problem with this establishment, he is concerned that extending the hours would change their clientele, whether they want it or not, because the people wandering around the Pier Plaza area at 1:00 A.M. or 1:30 A.M. aren't necessarily looking for a fine dining experience, but perhaps are looking to change their drinking venue; and that this may not be something the owner, regardless of his intentions, can necessarily control. He noted his concern that if this establishment should close down, the alcohol permit would run with the property, not the establishment, thereby allowing another establishment to occupy this space with a full liquor license and a 2:00 A.M. closing time. He suggested that the owner consider amending the lunch hour; and he mentioned that financial issues are not supposed to influence the Commission's decision.

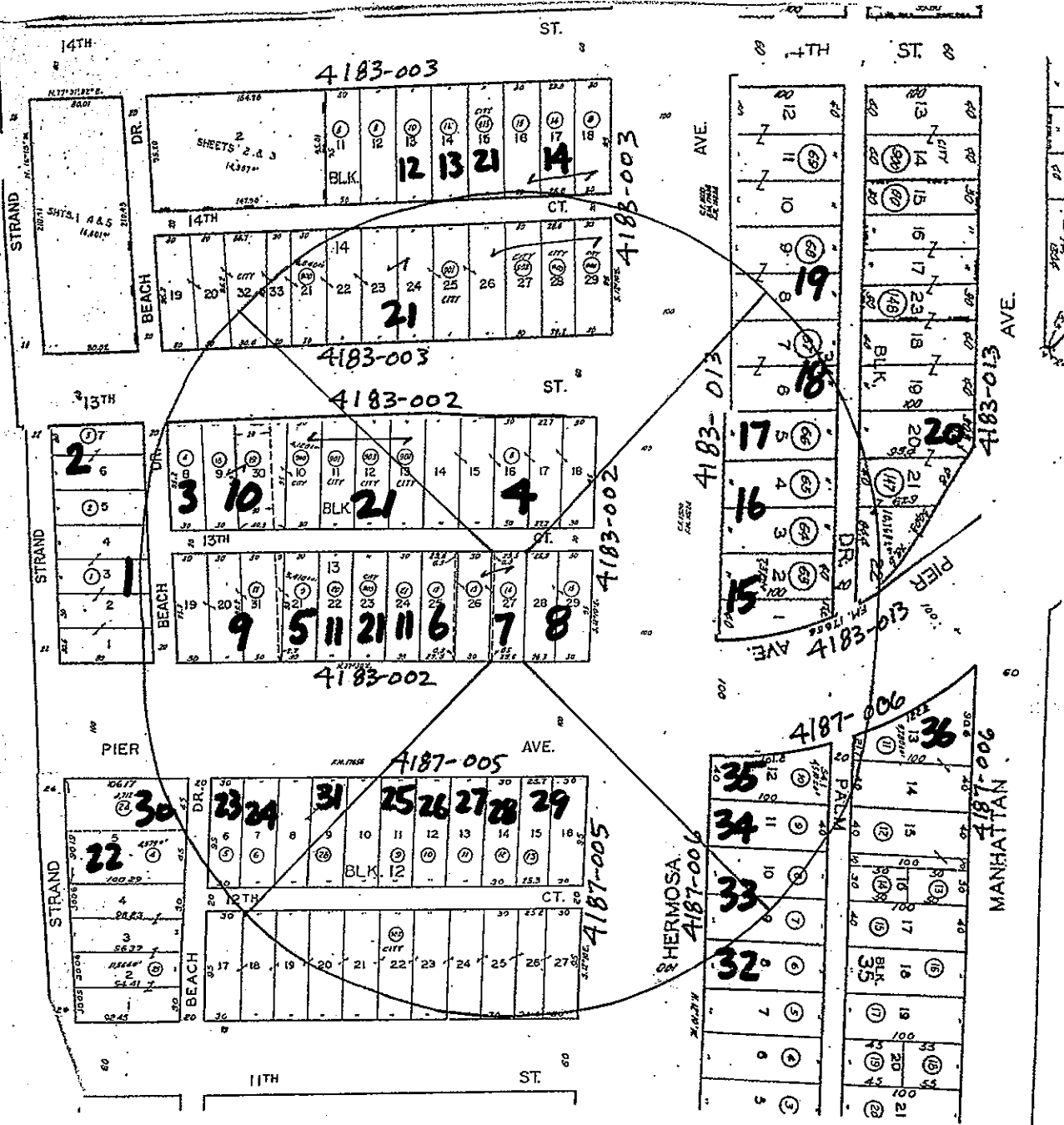
Commissioner Allen recognized that the owner of the Mediterraneo has been an excellent citizen for Hermosa Beach and he thanked him for his past involvement with this City. He echoed Vice-Chairman Hoffman's concerns with the potential for transference of the liquor license and late closure; and stated he would consider going with a 1:00 A.M. hour instead of 2:00 A.M.

Highlighting the concern with the potential for transference of the liquor license and closing hour, Commissioner Kersenboom suggested placing a condition upon the CUP, requiring that the establishment be reviewed every year or two; and stated that if there are violations, this would give the City leverage in pulling the CUP. He suggested that this be done with all liquor license businesses.

Chairman Pizer expressed his belief that this business has escaped problems because it has an earlier closing hour; stated that successful upscale restaurants do not need late hours to be profitable; and echoed the concerns with the potential for transference of a liquor license if this establishment fails. He added that it has been Council's policy to be more restrictive.

MOTION by Vice-Chairman Hoffman, seconded by Commissioner Allen, to **DENY** CUP 05-8 -- Conditional Use Permit amendment for a restaurant with on-sale alcohol to change the closing time from 12:00 midnight to 2:00 A.M. daily at 73 Pier Avenue, Mediterraneo. The motion carried as follows:

AYES: Allen, Hoffman, Pizer
NOES: Kersenboom, Perrotti
ABSTAIN: None
ABSENT: None



ADDRESS: 73 PIER AVE

KENT BURTON
BRAD N. BAKER
ALBRO L. LUNDY, III
ANNE MCWILLIAMS
LAYTON L. PACE



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FACSIMILE: 310 • 376-7483

October 6, 2005

Via Hand Delivery

City Council
City of Hermosa Beach
1315 Valley Drive
Hermosa Beach, CA 90254-3884

Re: **Mediterraneo Restaurant: Appeal of the Hermosa Beach Planning Commission Decision on September 20, 2005 to Deny the Proposed Amendment of Mediterraneo Restaurant's Conditional Use Permit to Increase Hours of Operation From 12:00 midnight to 2:00 a.m.**

Appellate Hearing Date: October 11, 2005

Dear Gentilepersons:

The basis for Mediterraneo Restaurant's appeal of the Planning Commission's decision is fairness. During the year and a half of Mediterraneo's operation, its owner, manager and employees have strived to create a restaurant and bar of which the City of Hermosa Beach can be proud. This restaurant has sought to change the negative image that exists in the minds of Hermosa Beach residents regarding Pier Plaza. The restaurant has become an oasis in the Plaza, where mature patrons can enjoy a fine dining experience in a relaxed atmosphere, where they can enjoy excellent wines and spirits in a safe, non-intimidating environment. Mediterraneo is exactly the type of restaurant that the citizens of Hermosa Beach had hoped for, a restaurant that they could truly enjoy.

As the Council well knows, our community desires a new culture in the Plaza. Mediterraneo has been a pioneer in trying to create that culture. It should be lauded for those efforts as opposed to being penalized for the misdeeds of others.

But, Mediterraneo needs to be profitable to survive. The Council is well aware that the survival of restaurants such as Mediterraneo is tenuous at best. Mediterraneo must create a place where people want to come and spend their money. It is crucial to the survival of the restaurant that Mediterraneo is able to provide its patrons with an evening out that does not have to end at 11:45 p.m. That is simply not a reasonable hour to close for the mature clientele attracted to

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ADDITIONAL INFORMATION

City Council
City of Hermosa Beach
Re: Mediterraneo Restaurant
October 6, 2005
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Mediterraneo's new concept in the Plaza.

Mediterraneo's personnel have been told by our patrons on countless occasions that they wished the restaurant could stay open later. These customers enjoy themselves responsibly in our safe, relaxing environment. But they find their enjoyment arbitrarily cut short, despite having made a significant financial investment to go out for an evening to a fine restaurant, ending much too early for sensible adults. When Mediterraneo closes, our patrons are forced to go elsewhere or go home early. Under these circumstances, Mediterraneo cannot compete with fine dining restaurants in other beach cities, most of whom are open until 2:00 a.m.

The Plaza will never attract type of businesses and patrons which will change the culture of the Plaza until the City Council realizes that it must make the financial accommodations to such restaurants as Mediterraneo so that they can survive. These accommodations are certainly in the best interest of the citizens who live in Hermosa Beach, who are the true constituents of this Council.

As set forth in the Conditional Use Permit Amendment Report by Ken Robertson, Senior Planner, and Sol Blumenfeld, Director of Community Development Department, the Community Development Department stated concerning Mediterraneo that "since the opening of the restaurant, there have been no reported problems with respect to noise or other violations of the C.U.P." **A copy of the Conditional Use Permit Analysis by the Hermosa Beach Planning Commission dated September 12, 2005 is attached hereto.** Moreover, in the twelve years that this same owner ran Brewski's, the predecessor to Mediterraneo, there were no problems with Brewski's, as well. This is a testament to the owner, manager, and the employees' commitment to creating a safe, attractive, upscale restaurant and bar, with the particular goal of attracting local, responsible patrons from the Hermosa Beach community as its customers.

Enclosed herewith is also a copy of the Mediterraneo Restaurant menu, indicating the high quality and exacting standards under which the restaurant operates, including the restaurant mission statement, as well as the seating plan for the restaurant. Any members of the Council who have visited Mediterraneo Restaurant know that Mediterraneo has maintained a standard of excellence, safety, and professionalism, completely in compliance with the goals of the City Council and the Planning Commission to create a Pier Plaza of which this City can be proud. Mediterraneo stands as a beacon to encourage other restaurants of similar quality to join our community. Mediterraneo does not want to stand alone and recognizes that for Mediterraneo to ultimately be successful, the Plaza must attract other restaurants like Mediterraneo, with Mediterraneo's same goals.

Mediterraneo's goals are completely consistent with Council's stated goals for the Plaza.

City Council
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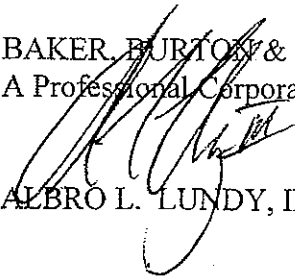
Mediterraneo asks that this Council make a conscious statement to other potential fine restaurants that the City of Hermosa Beach supports the efforts of restaurants like Mediterraneo to change the Plaza, to make it safe, to make it a place where the residents of Hermosa Beach truly want to go and feel secure and comfortable on a Friday or a Saturday night.

The message to other potential fine restaurants considering Hermosa Beach and to the citizens of Hermosa Beach must be that the Council rewards the behavior of businesses that are concerned about the people of Hermosa Beach. Mediterraneo has been a model for such restaurants and it should be rewarded for its conduct and commitment to this community.

Fairness and justice require this Council to grant Mediterraneo's Conditional Use Permit Amendment to increase its hours of operation from 12:00 midnight to 2:00 a.m., seven days per week.

Yours very truly,

BAKER, BURTON & LUNDY,
A Professional Corporation



ALBRO L. LUNDY, III

ALL:jw

September 12, 2005

Honorable Chairman and Members of the
Hermosa Beach Planning Commission

Regular Meeting of
September 20, 2005

SUBJECT: CONDITIONAL USE PERMIT AMENDMENT 05-8
LOCATION: 73 PIER AVENUE
APPLICANT: MEDITERRANEO RESTAURANT
REQUEST: CONDITIONAL USE PERMIT AMENDMENT FOR A RESTAURANT WITH
ON-SALE ALCOHOL TO CHANGE THE CLOSING TIME FROM 12:00
MIDNIGHT TO 2:00 A.M. DAILY

Recommendation

To direct staff as deemed appropriate.

Background

PROJECT INFORMATION:

ZONING:	C-2 Restricted Commercial
GENERAL PLAN:	General Commercial
LOT AREA:	2,802 square feet
AREA OF ESTABLISHMENT: (NO CHANGE IN TOTAL)	Approx 3,300 square feet (Interior) 740 square feet (Outdoors))
PARKING:	No on site parking
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

The restaurant is located on the north side of Pier Plaza, in the prior location of "Brewski's," and has been operating as "Mediterraneo," a sit-down restaurant since early 2004. The Planning Commission approved a Conditional Use Permit (CUP) amendment in October, 2003 to allow on-sale alcohol in connection with the opening of the new restaurant, and to allow interior modifications to the former restaurant which was a brewpub limited to on-sale beer and wine only and live entertainment. The conditions relating to hours of operation included a general closing time of 2:00 A.M. and hours for live entertainment closing at 1:15 A.M. On reconsideration, the City Council, on December 9, 2003 sustained the Commission's decision to allow on-sale alcohol, but imposed a more restrictive 12:00 midnight closing time.

The Planning Commission granted a Conditional Use Permit in 1994 for on-sale beer and wine for Brewskis. In 1997 the Commission approved a CUP amendment for on-sale general alcohol and non-amplified live entertainment. The 1997 CUP for on-sale general alcohol was never implemented.

Analysis

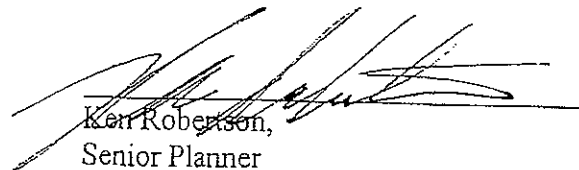
The applicant is requesting the closing time as previously imposed by the City Council be changed to 2:00 A.M. pursuant to the original action of the Planning Commission. This time change is the

only change being requested at this time. The City Council imposed the 12:00 midnight restriction based on the applicant's description of the new restaurant as an upscale sit-down restaurant, and therefore did not see the need for later hours, which would most likely create a bar or night club atmosphere.

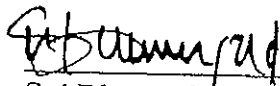
Since the opening of the restaurant, there have been no reported problems with respect to noise or other violations of the CUP. Other restaurants in the Pier Plaza have the following limits on operating hours and on live entertainment:

Restaurant	Hours Specified in CUP	Date	CUP type
Hennessey's	7:00 A.M. - 2:00 A.M. 2:00 P.M. - 1:15 A.M. live entertainment	1997	Full Alcohol w/ Live entertainment
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Sangria	7:00 A.M. - 2:00 A.M. 2:00 P.M. - 1:15 A.M. live entertainment	1996	Full Alcohol w/ Live entertainment

Since the restaurant, as modified, continues to involve live entertainment, the attached resolution includes a condition for live entertainment in the same manner of the 1997 CUP to limit the entertainment to non-amplified music. The conditions also include a requirement that the applicant prepare an acoustic study pursuant to current noise ordinance requirements, only if they change the live entertainment from non-amplified to amplified music.


Ken Robertson,
Senior Planner

CONCUR:


Sol Blumenfeld, Director
Community Development Department

Attachments

1. Proposed Resolution
2. Location Map

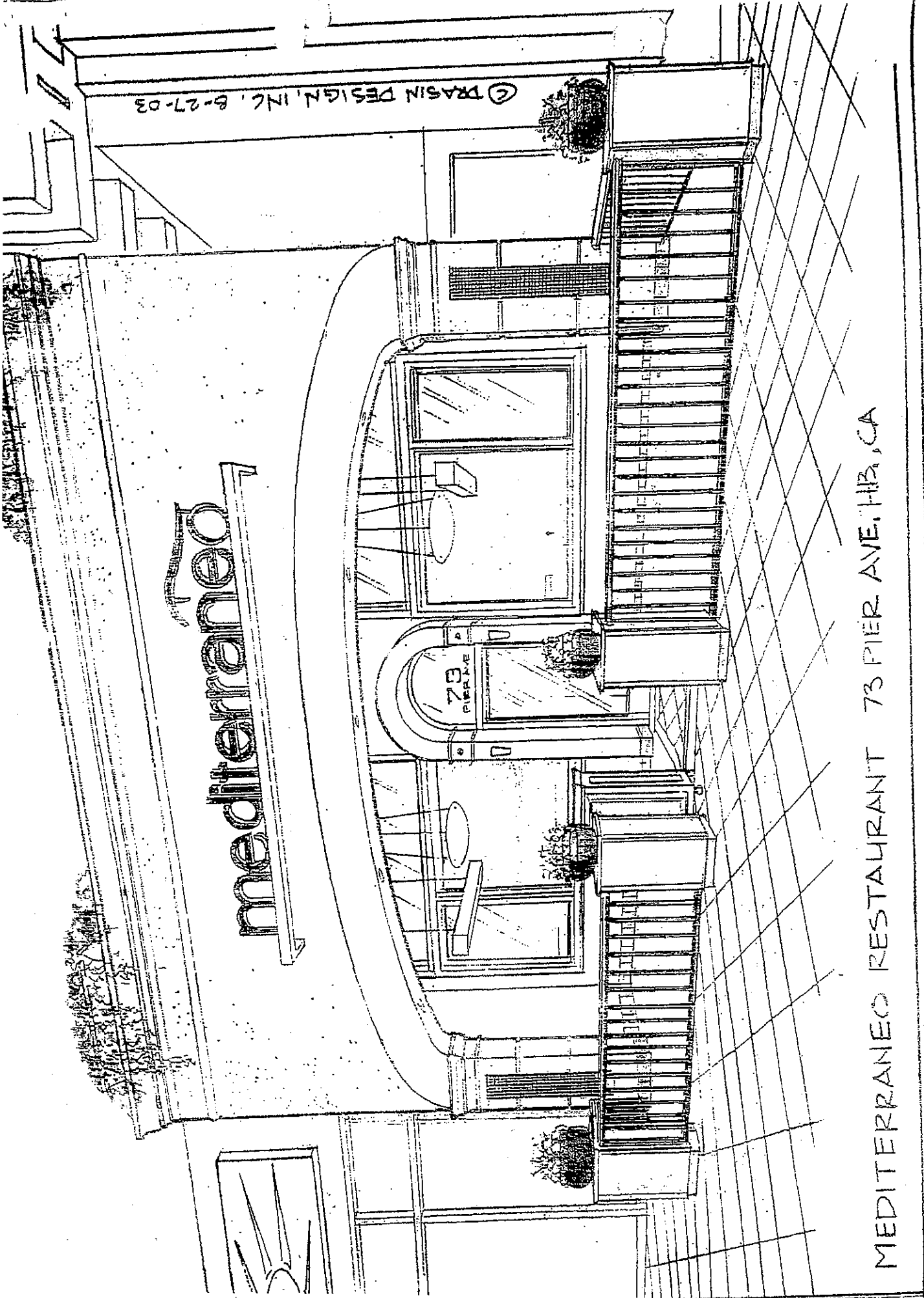
mediterraneo

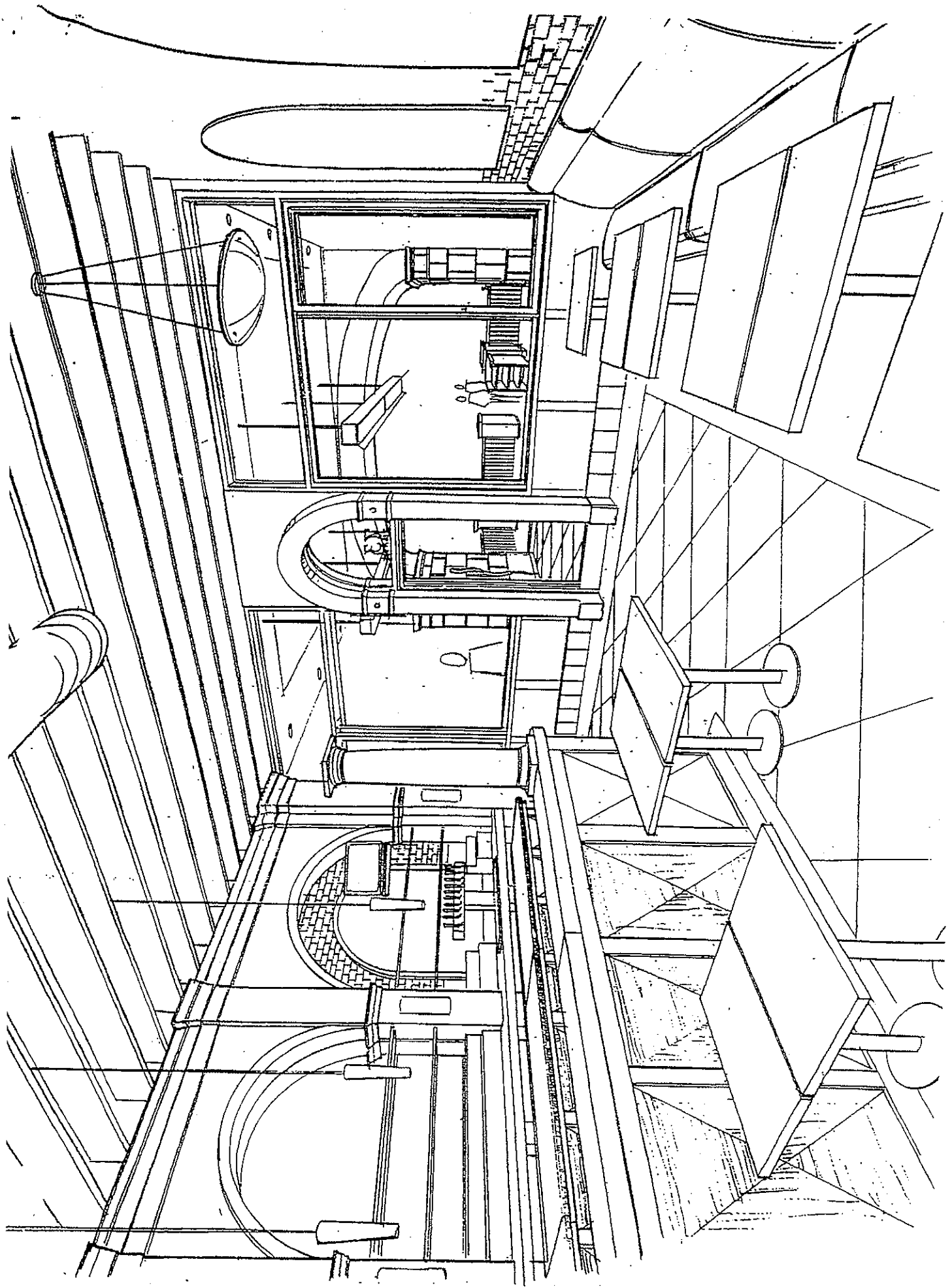
73 Pier Avenue
Hermosa Beach, CA

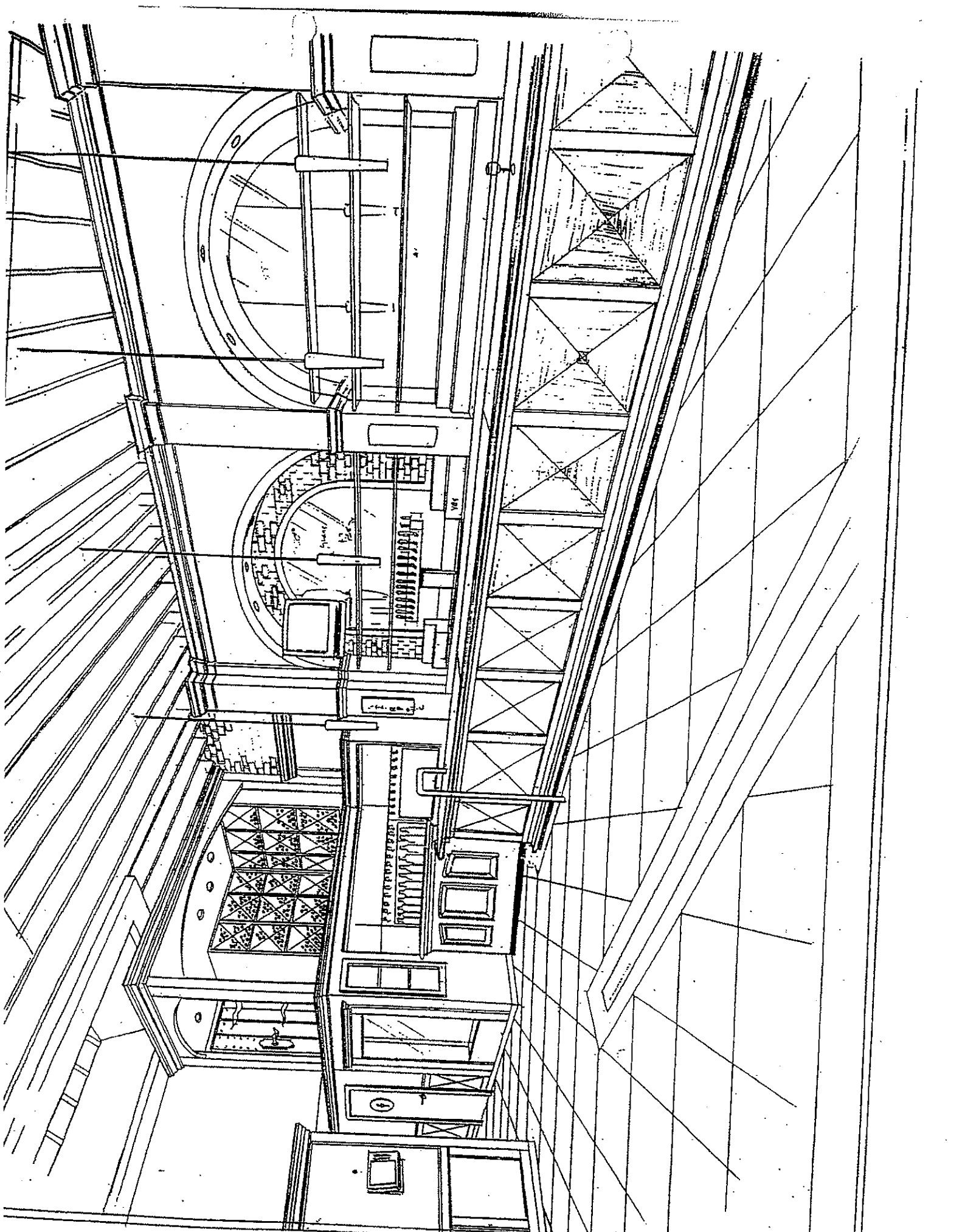
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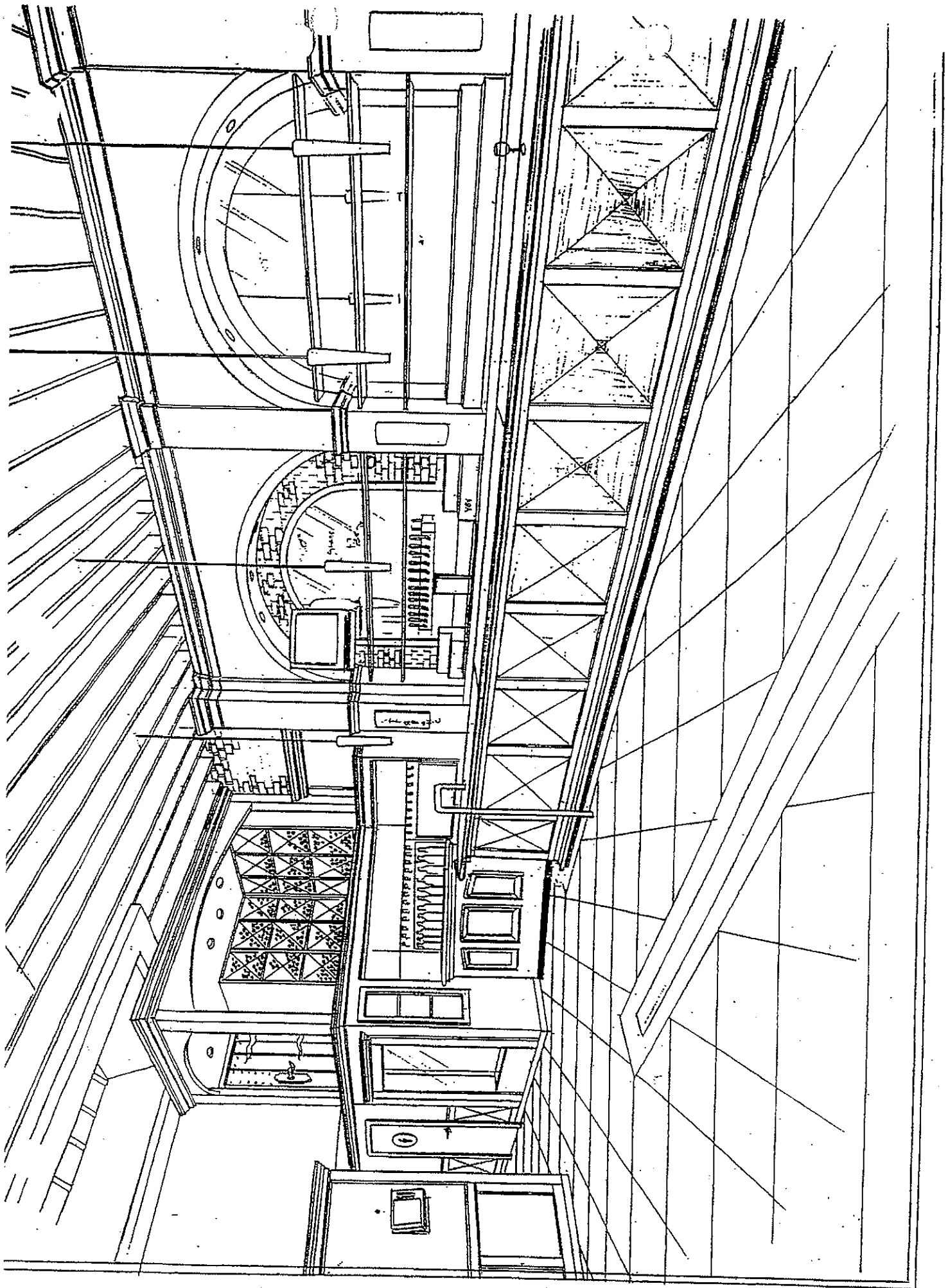
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MEDITERRANEO RESTAURANT 73 PIER AVE. HIB, CA









Mission Statement

To create a restaurant with a relaxed atmosphere that focuses on the quality aspects of cuisine, wine, and spirits. Fashioning a feeling of Mediterranean living through simplicity, dining, and passion for the tastes of the kitchen and the bar.

Key To Our Success

Chef Antonio Race has a long-standing philosophy of creating an atmosphere of learning and growth. All employees will be provided with continuous education throughout their employment. Consistently writing papers and attending classes on food, wine, and spirits. Not only will they know what we carry but how it is made, where it comes from, and the history behind it. Chef Race believes that sharing this passion and knowledge will create something unique that will be seen and felt by everyone that visits.

Mediterraneo is not just another job or restaurant; it will be a place of passion and knowledge for food, wine, and spirits.

The Menu of Mediterraneo

The concept of the menu is very simple, in execution and interpretation. Chef Race has a southern Italian mind when it comes to cooking, using a philosophy of healthy simple foods for a reasonable price. World class cuisine has always been his standard, high prices are not. The menu will offer a wide variety of world class cuisine from Italy, Greece, France, and Spain. The kitchen will serve a full menu from 11:30 am to 10:00 pm and the tapas menu will be available from open to close, providing an option for a late evening dining. Mediterraneo's goal is to show our passion for food by creating world class healthy cuisine.

Antipasti

Baby shrimp stuffed Avocado \$7
Fresh avocado stuffed with juicy shrimp, fresh tomatoes finished with parsley and lemon

Gamberi Diavola \$7
Sautéed shrimp served in a fresh homemade spicy tomato sauce, garlic, and fresh herbs

Prosciutto-wrapped Asparagus \$7
Thin slices of Prosciutto wrapped around spears of asparagus and topped with Parmigiano Reggiano

Antipasto All'Antonio \$8
Sautéed scallops and shrimp in a spicy basil cream sauce, 'A house classic'

Calamari \$8
Grilled calamari marinated in extra virgin olive oil with hot pepper rings and fresh squeezed lemon finished with parsley

Mediterraneo \$8
Combination of our delightful vegetables prepared Mediterranean style—broccoli, mushrooms, roasted peppers, spinach, carrots, zucchini, eggplant, and onions

Carpaccio \$9
Thinly sliced raw beef laid on a bed of baby greens, drizzled with extra virgin olive oil, and served with Parmigiano Reggiano

Di Mare \$9
Seafood medley: Shrimp, scallops, and calamari in a light lemon sauce

Tapas...Vegetables

\$3

Mushrooms

Sautéed with Balsamic vinegar

Red Bell Peppers

Roasted and marinated in olive oil

Spinach

Sautéed with extra virgin olive oil

Asparagus Ladolemono

Fresh asparagus with lemon oil dressing

Beans

White beans tossed with fresh tomatoes and basil

Zucchini

Grilled and marinated with extra virgin olive oil and fresh mint sauce

Melitanosalata

Puree of eggplant

Mediterranean Olives

Combination of Italian, Greek, Spanish, and French olives

Dolmades Yialandzi

Stuffed grape vine leaves with rice

Bruschetta

Roasted bread topped with Roma tomatoes, garlic, olive oil, and fresh olives

Eggplant

Grilled and rolled with fresh mozzarella and basil and then baked

Pate

Ask your server about our French pate selection

Tapas...Fish, Meats, and Cheese

\$4

Salmon Capaccio

House cured Salmon with capers and red onions

Gambas

Chilled shrimp

Kalamarakaia

Spicy squid braised in white wine, Cyprus style

Scallops

Grilled and tossed in a light lemon dressing

Mussels

Sautéed in a white wine sauce

Anchovies

Imported Mediterranean anchovies filets

Seafood Bruschetta

Roasted bread topped with seafood in tomato sauce

Soppressata

An Italian cured style of salami

Saucisson

Cured salami imported from France

Salchichon

Cured sausage imported from Spain

Parmigiano Reggiano

Semi-hard cheese from free-range cows, imported from Italy

Brie

Soft cheese imported from France

Salads

House Salad \$4

Romaine, fresh squeezed lemon juice, extra-virgin olive oil and sea salt

Insalata Italiana \$6

Baby greens, fresh tomato, and carrots with red wine vinaigrette topped with Parmigiano Reggiano

Horiatiki Salata \$6

Tomatoes, onions, cucumbers, Kalamata olives, feta cheese, and bell peppers tossed with romaine lettuce

Salade Nicoise \$7

Lettuce, tomatoes, red pepper, onions, cucumbers, black olives, and tuna tossed with boiled potatoes, green beans, and eggs. Anchovies added as an option.

Ensalada Mixta \$7

Lettuce, cucumbers, fresh tomatoes, mushrooms, olives, corn, asparagus, proscuitto, grilled chicken, and Manchego cheese

Caprese Salad \$7

'A classic from southern Italy'
Fresh Mozzarella, tomatoes, and basil

Caesar Salad \$8

Romaine lettuce with a creamy dressing of Parmigiano Reggiano, finished with croutons and topped with a choice of grilled chicken or shrimp

Mediterraneo Seafood Salad \$9

Baby greens and fresh tomatoes tossed with chilled calamari, shrimp, mussels, and salmon drizzled with extra-virgin olive oil and lemon dressing

Panini

Rigoletto \$7

Sautéed spinach and fresh mozzarella makes this panino very juicy

St. Tropez \$7

Grilled eggplant, zucchini, roasted peppers, and Brie

Vivaldi \$7

Grilled chicken breast, roasted pepper sauce, provolone, and romaine lettuce

Athens \$8

Grilled lamb wrapped in a fresh pita with shaved cucumbers, tomatoes, lettuce, and Tzatziki

Napoli \$8

Imported Parma Prosciutto with fresh mozzarella, tomato and basil
'A classic from Naples Italy'

Barcelona \$8

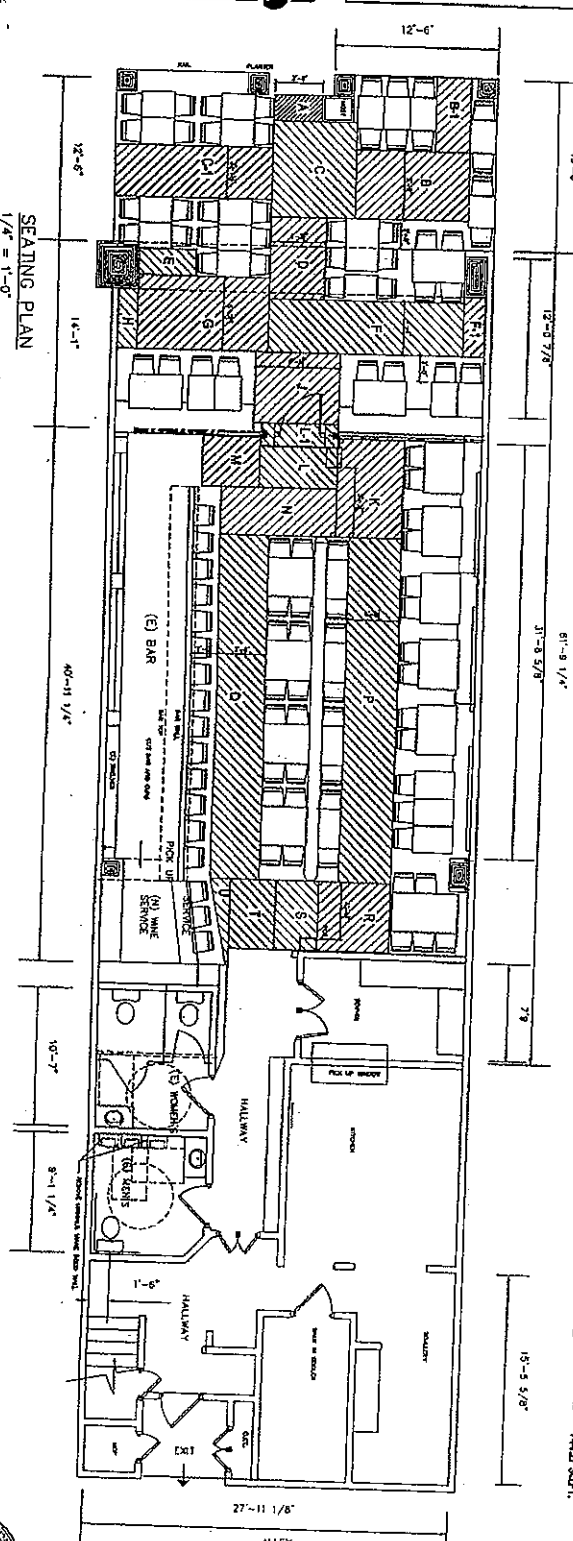
An outstanding roast beef with romaine lettuce, tomatoes, carrots, asparagus, and Manchego cheese

*All panini are served with a side of potato salad and/or house salad.

Dinner Main Course

Gnocchi alla Sorrentina	\$11
House-made gnocchi in a fresh roma tomato sauce dressed with mozzarella and basil	
Tortellini alla Panna	\$13
Meat tortellini sautéed with mushrooms, peas, and ham in a creamy wine sauce with shaved Parmigiano Reggiano cheese	
Penne all'Antonio	\$15
Pasta tubes sautéed in a light pink cognac sauce with scallops, shrimp, and dash of crushed red pepper	
Pollo Mediterraneo	\$15
Chicken breasts sautéed in a pink sauce made from sun-dried tomatoes topped with shrimp, served with a side of pasta	
Pollo Sette Colli	\$15
Chicken breast topped with roasted peppers and mozzarella in a light white wine sauce served with a side of pasta	
Pescatore	\$16
Small rigatoni pasta with shellfish in a rich, fresh Roma tomato sauce, garlic, and fresh parsley	
Salmone all'Antonio	\$17
One of Antonio's best creations! Fresh salmon filet sautéed in lemon sauce and served with grilled seasonal vegetables	
Mixed Grill Mediterraneo	\$19
Combination of shellfish and fish grilled to perfection, Mediterranean style, complemented with grilled, seasonal vegetables	
Grilled Swordfish	\$19
Fresh swordfish grilled and laid on a bed of roasted pepper sauce served with a side of grilled vegetables	
Steak Porcini	\$21
An outstanding tender cut of grilled New York steak atop a creamy cognac porcini mushroom sauce served with potato dumplings	

SEATING PLAN
1/4" = 1'-0"
NOT TO SCALE



OCCUPANCY:
NOTE: PATRONS ONLY
STAFF IS NOT INCLUDED

BAR SEATS - 17
DINING SEATS - 112
TOTAL / 15 x 15 FT - 48

TOTAL - 178

SCHEDULE OF AREA CALCULATION:

A	20' x 20'	=	400 sq ft
B	5'0" x 8'0"	=	40 sq ft
C	7'0" x 7'0"	=	49 sq ft
C-1	3'11" x 8'4 1/2"	=	46 sq ft
D	8'1 1/2" x 11'0 1/2"	=	100 sq ft
E	20'0" x 6'0"	=	120 sq ft
F	6'0" x 10'0"	=	60 sq ft
F-1	4'0" x 10'0"	=	40 sq ft
G	5'7 1/2" x 9'0 1/2"	=	52 sq ft
H	4'0" x 11'0"	=	44 sq ft
J	5'4" x 8'5"	=	46 sq ft
K	7'0" x 5'1"	=	36 sq ft
L	5'10" x 3'1"	=	16 sq ft
M	14'0" x 5'0"	=	70 sq ft
N	14'0" x 5'0"	=	70 sq ft
O	14'0" x 5'0"	=	70 sq ft
P	14'0" x 5'0"	=	70 sq ft
Q	14'0" x 5'0"	=	70 sq ft
R	14'0" x 5'0"	=	70 sq ft
S	14'0" x 5'0"	=	70 sq ft
T	14'0" x 5'0"	=	70 sq ft
U	14'0" x 5'0"	=	70 sq ft
TOTAL			7427 SQ. FT.

