



CITY OF COSTA MESA

CALIFORNIA 92628-1200

P.O. BOX 1200

FROM THE OFFICE OF THE CITY CLERK

October 10, 1996

Department of Alcoholic Beverage Control
28 Civic Center Plaza, Room 369
Santa Ana, CA 92701

RE: Review of ABC License
154 East 17th Street, Costa Mesa, SANTA MONICA SEAFOOD

Gentlemen:

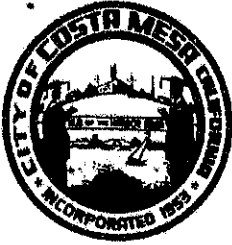
At their regular meeting of October 7, 1996, the City Council made a finding of public convenience or necessity for a person-to-person and premise-to-premise transfer of a Type 20 Alcoholic Beverage License (off-sale beer and wine) for Santa Monica Seafood, 154 East 17th Street, Costa Mesa.

Very truly yours,

MARY T. ELLIOTT
Deputy City Clerk

MTE:cr

cc: Planning Division
Santa Monica Seafood



CITY COUNCIL AGENDA REPORT

ITEM NO.: IX-3
MEETING DATE: 10/07/96
PAGE NO.: 1

SUBJECT: 154 EAST 17TH STREET, SANTA MONICA SEAFOOD
REVIEW OF ABC LICENSE

FROM: DEVELOPMENT SERVICES DEPARTMENT

DATE: SEPTEMBER 18, 1996

RECOMMENDED ACTION

Make a finding of public convenience and necessity to allow the premise-to-premise/person-to-person transfer of a Type 20 license (Off-sale beer and wine) for Santa Monica Seafood.

BACKGROUND

Santa Monica Seafood, a retail seafood store, has received approval to demolish the former Ma Barker's restaurant and replace it with a new 5,876 sq.ft. commercial building. Retail activity only will occur at this site. Although there will be some limited seating for take-out food prepared on the premises, the main thrust of the business is retail sales of raw and prepared seafood to be consumed off-site.

The ABC license is desired to allow customers to purchase bottles of wine to accompany their seafood purchases. The sales of the alcoholic beverages will be ancillary to the main retail use, offered as a convenience for Santa Monica Seafood customers. Because this is an off-sale license, it will not allow on-site consumption in conjunction with "take-out" food.

The license is a premise-to-premise/person-to-person transfer from a Smart and Final store in the City of Orange.


DISCUSSION


The request is subject to the Public Convenience and Necessity finding because it involves a premise-to-premise/person-to-person transfer of an off-sale license. The property is located within an area of over-concentration of off-sale and on-sale licenses but not of high crime. As discussed in the memo on over-concentration for the August 21, 1995, City Council meeting, Staff had recommend that the criteria for making a determination of public convenience and necessity for an off-sale license involve analysis

of the specific use proposed. In this case, the sale of the alcoholic beverages is not the main focus of this business. The alcoholic beverages would be, for the most part, purchased in conjunction with other products offered by the store.

The Police Department has completed its review of the application and has concluded that the proposal should not present police problems. Furthermore, ABC has indicated that the applicant has not been convicted of a felony nor violated any provisions or regulations of the Alcoholic Beverage Control Act.

Based on this information, Staff recommends that City Council make the finding of public convenience and necessity, allowing for the premise-to-premise/person-to-person transfer of the license..


WILL A. BOUWENS-KILLEEN
Senior Planner


DONALD D. LAMM
Deputy City Manager - Dev. Svs.

Attachments: ABC application.

cc: City Manager
Public Services Director
Police Chief
City Clerk (2)
Staff (4)
File (2)



DROPPING PARTNER

YES _____ NO ☒**APPLICATION FOR ALCOHOL BEVERAGE LICENSE(S)****TO:**

Department of Alcoholic Beverage Control
28 Civic Center Plaza, Room 369
Santa Ana, CA 92701
(714) 558-4101

File Number.....323656
Receipt Number.....1104996
Geographical Code.....3004
Copies Mailed Date...9-18-96
Issued Date

DISTRICT SERVING LOCATION:SANTA ANA**Name of Business:**SANTA MONICA SEAFOOD**Location of Business:**

Number and Street

154 E 17TH ST

City, State Zip Code

COSTA MESA CA 92627

County

ORANGE**Is premise inside city limits?****Mailing Address:**(If different from
premise address)1205 COLORADO AVESANTA MONICA CA 90404**If premise licensed:**

Type of license

Transferor's names/license:SMART & FINAL STORES CORPORATION 262085

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
1. 20 OFF-SALE BEER AND	PERSON TO PERSON TRANS	NA	YES	0	SEP 10, 1996	\$50.00 :
2. 20 OFF-SALE BEER AND	ANNUAL FEE	NA	YES	0	SEP 10, 1996	\$34.00 :
3. 20 OFF-SALE BEER AND	PREMISE TO PREMISE TRA	NA	YES	0	SEP 10, 1996	\$100.00 :
TOTAL						\$184.00

Have you ever been
convicted of a felony? **NO**Have you ever violated any provisions of the Alcoholic Beverage Control
Act, or regulations of the Department pertaining to the Act? **NO**

Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in on-sale licensed premise will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of **ORANGE**Date **SEP 10, 1996**

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filled with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Applicant Name(s)**Applicant Signature(s)**SANTA MONICA SEAFOOD COMPANY

For signature see ABC211(SIG)

CIGLIANO, Gerald A-Pres/CFO/Dir
CIGLIANO, Anthony J.-Sec/Dir
CIGLIANO, Gennaro M.-Dir

ABC-231 (Sign Off)

Corrected Recorded Notice to follow