



# STAFF REPORT

**DATE:** NOVEMBER 15, 2024  
**TO:** JEANNIE NAUGHTON, COMMUNITY DEVELOPMENT DIRECTOR  
**FROM:** WHITNEY BERRY, SENIOR PLANNER  
**SUBJECT:** PLANNING APPLICATION NO. 240304  
**APPLICANT:** JEFFREY RINNA, PALOS VERDES WINE CLUB  
**LOCATION:** 767 DEEP VALLEY DRIVE

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## OVERVIEW

A request for a Conditional Use Permit (CUP-240305) for a restaurant with alcoholic beverage sales and an accessory tasting room.

## BACKGROUND

Application Filed:	7/17/24
Application Deemed Complete:	10/02/24
Public Notices Mailed:	11/15/24

The applicable Rolling Hills Estates Municipal Code Sections are Chapter 17.30 (Commercial General Mixed-Use District) and Chapter 17.68 (Conditional Use Permits).

The Project was reviewed in accordance with the California Environmental Quality Act (Public Resources Code § 21000 and following: “CEQA”) and the State CEQA Guidelines (14 CCR § 15000 and following) and was determined to be Categorically Exempt under Class 15 of the State CEQA Guidelines, Section 15301(e)(1) (Existing Facilities). The project is consistent with the operation and permitting of an existing private structure that involves negligible or no expansion of use.

The subject property is located within the Commercial District and has a General Plan Land Use designation of Commercial General with Mixed-Use Overlay and is zoned Commercial General Mixed-Use (CGMU). The site is located along Deep Valley Drive approximately 100 feet northwest of the Roxcove Drive intersection. The site is developed with a retail center and surface parking lot known as The Brickwalk. The subject property is surrounded by other commercial properties in the CGMU District.

## DISCUSSION

The applicant proposes to operate a restaurant and wine bar called the Palos Verdes Wine Club at the existing 2,292 square feet (SF) restaurant space at 767 Deep Valley Drive. The subject property is a 2.75-acre lot that is home to the Brickwalk center. This unit, formerly home to the Driftwood Bar & Kitchen, features a kitchen, bar area, two dining room areas, club room and outdoor patio areas.

The Palos Verdes Wine Club is a new business that will provide monthly, regional-specific tastings with educational information about the region, wineries and wines. The kitchen will provide a robust menu of ready-to-serve items to compliment those chosen wine regions. The proposed hours of operation are Wednesday through Thursday, 3:00 PM – 10:00 PM, Friday and Saturday 3:00 PM – 11:00 PM and Sundays 2:00 PM – 10:00 PM. The Palos Verdes Wine Club anticipates having three to five staff to start with the potential for up to ten staff members after gauging interest.

The applicant proposes to make minor tenant improvements to the existing restaurant space, including upgrading the water heater and other appliances. The space accommodates a maximum of 85 guests at capacity, but the wine club expects a more intimate number of guests on most days.

The Palos Verdes Wine Club has applied for the appropriate Alcoholic Beverage Control (ABC) Type 41 license for sale of beer and wine. The Type 41 license authorizes the sale of beer and wine for consumption on or off the premises of a bona fide eating place. This license type is subject to Responsible Beverage Service (RBS) requirements and requires alcohol servers and managers of alcohol servers to be RBS certified.

The Brickwalk site is part of a larger development application that is currently under review by staff. The Applicant has leased this space with the understanding that the overall site is proposed to be demolished should this separate application be approved. This separate application is for the Brickwalk Residences Project, which proposes to demolish all existing buildings at the site and construct a 454-unit residential mixed-use project on a 10.42-acre site located on five lots at 615-855 Deep Valley Drive and 924-950 Indian Peak Road.

### *Conditional Use Permit (CUP-240305)*

The applicant proposes to operate a restaurant with an accessory tasting room and on- and off-premises sale of wine. An accessory tasting room requires an administrative Conditional Use Permit (CUP) in the CGMU district (RHEMC §17.30.020(A) – Table 30-A).

To obtain a Conditional Use Permit, proposals shall address the following Findings as found in RHEMC Chapter 17.68:

1. That the granting of the approval will not be materially detrimental to the public welfare or injurious to property and improvements in the Zoning District and neighborhood in which the property is located.

The project has met the criteria because the proposed use is a restaurant with a full menu and an accessory tasting room which is conditionally permitted in the CGMU District. The proposed Palos Verdes Wine Club is substantially similar to the previous restaurant and bar use at the same location. The restaurant will maintain a Type 41 license through Alcoholic Beverage Control (ABC), have three to five employees, and operate Wednesday through Sunday with hours that conform to similar uses in the Commercial District. The restaurant space has more than twelve (12) on-site parking spaces available for its use and therefore meets the City's requirement of one parking space per 200 SF of leased area. The project otherwise complies with all applicable development standards.

2. That the granting of the approval will not be contrary to the objectives of the General Plan.

The project has met the criteria because the proposal maintains compatibility with the development in the existing General Plan Land Use Designation of Commercial General/Mixed-Use Overlay district, and the provisions of the CGMU district. The proposal is consistent with Policy 2.1.2 of the General Plan, which requires the City to ensure that future development and major renovations are compatible with and comply with adopted land use plans and standards. This project does not include any renovations or exterior improvements. The proposal has demonstrated compliance with the Zoning Code, and therefore, is not contrary to the objectives of the General Plan.

3. That the granting of the permit will not authorize a use which is prohibited in the subject zoning district.

The project has met the criteria because accessory tasting rooms and on- and off-premises sale of alcohol are conditionally permitted uses in the CGMU District.

## **RECOMMENDATION**

Staff has worked with the applicant to address the requirements of the Municipal Code, including CUP requirements and CGMU district standards. As summarized in the report, staff is able to support the project as presented and has determined that the proposal meets the above objectives. Staff recommends that the Community Development Director approve PA-240304 (CUP-240305) with the following conditions:

1. All improvements hereafter constructed or installed on land which is the subject of this approval must be located substantially as shown on Exhibit A and/or as required under the Municipal Code and/or as required in these conditions.
2. In the event of one or more violations of these conditions, the City has the enforcement capability to remedy such violations including the authority to revoke the approval subject to the applicable procedures of the City's Municipal Code.

3. Per RHEMC Section 8.20.120, the City of Rolling Hills Estates maintains an exclusive franchise agreement with Waste Management, for the collection of solid waste, recycling, and green waste services for residential and non-residential properties, as well as for the collection of construction-related generated waste for residential and non-residential projects. All bins maintained on private property and/or any bins placed in the Public Right of Way, with benefit of an encroachment permit during construction activities, must be contracted through Waste Management. Service may be coordinated by contacting Waste Management at (800) 774-0222.
4. All site signage must be reviewed and approved by the Community Development Director prior to issuance of a building permit. All signage shall conform to the requirements in RHEMC Chapter 17.60 (Signs).
5. Any interior tenant improvements or change of occupancy will require the appropriate permits through Building & Safety and/or the Los Angeles County Fire Department.
6. This approval authorizes the operation of a restaurant and tasting room at 676 Deep Valley Drive. The Palos Verdes Wine Club shall be permitted to operate the following hours:
  - a. Wednesday through Thursday, 3:00 PM to 10:00 PM.
  - b. Friday and Saturday, 3:00 PM to 11:00 PM.
  - c. Sunday, 2:00 PM to 10:00 PM.
7. The applicant must comply with the City's Noise Ordinance during the operation of the restaurant and tasting room. Amplified sound via speakers (e.g., Bluetooth speakers) is permitted inside the unit only and the Applicant, Business Owner or their designee shall maintain the volume at an acceptable level during events. Live music is prohibited past 8:00 PM. If a City Official determines that there is a noise violation as prescribed by Section 8.32.05 et seq., the applicant shall:
  - a. Submit a report from an acoustical engineer indicating the ambient noise levels as prescribed by Chapter 8.32; and
  - b. If the ambient noise levels exceed the limits indicated in Chapter 8.32 of the Municipal Code, acceptable measures for mitigating noise levels over the day and evening ambient noise levels shall be developed.

## *Attachments*

- A. Plans*
- B. Business Description*