

**ZONING ADMINISTRATOR STAFF REPORT**

**MEETING**

**DATE:** August 17, 2017

**STAFF:** Michelle Johnson, Planner II  
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**SUBJECT: CENTURY THEATRES BEER & WINE SALES  
CEQA CATEGORICALLY EXEMPT: SECTION 15061(b)(3)  
P2017-031; USE PERMIT  
APN 153-320-03; 44 ROWLAND WAY**

**REQUEST**

Century Theatres is requesting a use permit to sell beer and wine for on-site consumption (California Department of Alcohol Beverage Control Type 41 license) at the existing Century Rowland Plaza Theatre.

**PROJECT DESCRIPTION**

On April 03, 2017, Steve Rawlings of Alcoholic Beverage Consulting submitted an application for a use permit to allow the sale and service of beer and wine as an additional beverage choice for patrons of Century Theatres. Beer and wine sales would be offered seven days a week from 10:00 a.m. to 12:00 p.m. Beer and wine would be available for purchase in the existing food concession area and would be allowed to be consumed in the individual theater rooms. There would not be any associated interior tenant improvements, since there is no bar area proposed. Additional parking would not be required given there is no expansion of space being proposed.

The applicant is also requesting a Type 41 On-Sale Beer and Wine License from the Department of Alcoholic Beverage Control (ABC) which authorizes the sale of beer and wine for consumption on or off the premises where sold. This type of license is specific for bona fide eating establishments that request the sale of beer and wine. The ABC conducts its own permit review process, but takes into consideration the permitting action of local agencies, such as granting a use permit.

**NEED FOR ZONING ADMINISTRATOR ACTION**

According to Sections 19.40.020, Table 4-1, and 19.42.050 of the Novato Municipal Code the Zoning Administrator has the authority to approve a use permit for the sale of alcohol for on- or off-site consumption.

**BACKGROUND**

Applicant: Steve Rawlings, Alcoholic Beverage Consulting

Property Owner: Century Theatres, Inc.

Property Size: 3.42 acres

General Plan Designation: General Commercial (CG)

Existing Zoning: Planned District (PD); Rowland Plaza Master Plan

Existing Use: Movie Theatre

Adjacent Zoning and Uses: North and East- Open Space (OS); County of Marin open space land

South – Planned District (PD); Chevron gas, Taco Bell, and Moylan’s Restaurant

West – Planned District (PD); professional and medical offices

**ENVIRONMENTAL ASSESSMENT**

The project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) since the addition of onsite consumption of beer and wine in conjunction with the sale of concessions is considered a negligible change of the existing theatre operation and will not result in a direct or reasonably foreseeable indirect physical change in the environment.

**STAFF ANALYSIS**

*Use Permit*

To grant a use permit allowing the sale of beer and wine for on-site consumption the Zoning Administrator must make the use permit findings specified in Novato Municipal Code Section 19.42.050E. The following discussion addresses each required use permit finding:

**Use Permit Finding 1: The proposed use is consistent with the General Plan and any applicable specific plan;**

Discussion: Century Theatres is an existing movie theatre at 44 Rowland Way. This building is located on a parcel assigned the General Commercial (CG) land use designation of the 1996 Novato General Plan. The CG land use designation was developed to establish commercial areas with off-street parking and/or clusters of street front stores; regional and local-serving retail establishments; specialty shops, banks, professional offices; business and personal services; visitor serving hotel/motels with ancillary commercial and service establishments, and other similar uses. This designation is typically assigned to larger parcels, located on a major arterial street.

The CG land use designation permits a variety of retail, restaurant, and entertainment uses, including businesses offering the sale of beer and wine for on-site consumption as an accessory

activity. The sale of alcohol for on-site consumption is considered to be an acceptable activity on parcels assigned the CG land use designation as either a standalone activity (e.g. liquor store, bar) or accessory component of an otherwise principally permitted use (e.g. restaurant) provided all associated requirements of the Novato Municipal Code have been met.

Century Theatres intends to offer beer and wine for on-site consumption as an ancillary use, which is considered an acceptable activity on a conditional basis and where conforming to applicable requirements of the Municipal Code. As discussed below, Century Theatres' proposed operation is considered to meet the requirements of the Novato Municipal Code addressing the sale of alcohol for on-site consumption. Based on this observation, the sale and on-site consumption of beer and wine at Century Theatres is considered to be consistent with the CG land use designation as defined in the General Plan.

**Use Permit Finding 2: The proposed use is allowed with a use permit within the applicable zoning district and complies with all applicable provisions of this Zoning Ordinance and any relevant Master Plan and/or Precise Development Plan;**

Discussion: The Rowland Plaza Master Plan identifies theatres as an allowed use. The proposed request to allow on-site beer and wine sales for consumption is considered an ancillary use to the primary permitted theatre use and may be allowed subject to demonstrating compliance with the standards and findings contained in Zoning Ordinance (ZO) Section 19.34.050, *Alcoholic Beverage Establishments*.

Century Theatres has submitted an application requesting a use permit to allow the sale of beer and wine for on-site consumption. ZO Section 19.34.050 establishes specific findings for businesses intending to sell and/or serve alcoholic beverages. These findings are listed below and are accompanied by a discussion detailing whether Century Theatre complies therewith.

**Use Permit Finding 3: The establishment, maintenance or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use;**

**Use Permit Finding 4: The use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City;**

Discussion (Finding 3 & 4):

Century Theatres is located in an area of Novato that hosts a wide variety of land uses, including retail shops, office space, professional services (e.g., medical), and restaurants/cafes. There are a number of these existing businesses offering on and off-site alcohol sales and service, including Chevy's (restaurant), BevMo! (retail), and Moylan's Brewery & Restaurant.

The proposed sale of beer and wine for on-site-consumption at Century Theatres is not anticipated to be detrimental to health, safety, or general welfare of persons visiting or working in the Rowland Plaza area or injurious to property and improvements therein based on the following:

- The sale of beer and wine for on-site consumption includes pours monitored by trained staff in small plastic cups.
- Employees will be required to be properly trained and certified in the responsible service of alcohol by an accredited training program.
- Valid identification is required with a movie ticket
- All usher staff will be trained to monitor customers holding alcoholic beverages that do not appear to be of age must be asked for ID and that the beverage is in the appropriate plastic container.
- Alcohol service will end at midnight.
- Hours of operation of 10 AM to 12 PM will ensure that the sale of beer and wine does not extend late into the night and is consistent with the hours permitted for other businesses on properties designed General Commercial (CG).
- Alcohol sales will be conducted under a license from the California Department of Alcoholic Beverage Control (ABC) in accordance with the California Alcoholic Beverage Control Act. The Alcoholic Beverage Control Act includes standards (e.g., server training, alcohol storage requirements) to minimize problems associated with alcohol consumption, including noise disturbances, disorderly conduct, drinking and driving, and vandalism that can result from excessive alcohol consumption.
- The applicant will comply with operation standards outlined in the Novato Zoning Ordinance Section 19.34.050, described in detail below with the supplemental findings required for alcohol service.

In addition to the items listed above, staff is recommending conditions of approval requiring Century Theatres to implement a wristband identification program to all the purchase/consumption of wine and/or beer and limiting purchases to two beverages per customer with valid movie ticket. These conditions were requested by the Novato Blue Ribbon Coalition for Youth and are discussed in further detail below.

The proposed sale of beer and wine for on-site consumption at Century Theatres is not anticipated to be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood or injurious to property and improvements therein based on the observations above and consistent with use permit findings nos. 3 and 4. Implementation of the recommended conditions of approval specified below will help avoid any potential for alcohol related disturbances/crimes and prevent access to alcohol by minors.

**Use Permit Finding 5: The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.**

Discussion: The proposed sale of beer and wine for on-site consumption is an ancillary use to the existing movie theatre and would be fully contained within the theater facility. Given this circumstance, the service of beer and wine is not anticipated to negatively affect existing or future land uses in the vicinity, which consist of restaurants, offices, and retail outlets. There are no schools, religious facilities, public parks/playgrounds, or residential units in close proximity to Century Theatres.

In addition to the findings above, the Zoning Administrator must also make the following findings, consistent with Section 19.34.050D of the Novato Municipal Code, to allow alcohol sales for on- and off-site consumption:

**A. The proposed use will not adversely affect the welfare of the area residents, or result in an undue concentration of establishments dispensing alcoholic beverages in the area, as determined by the Review Authority.**

Discussion: Please refer to use permit findings No. 3 and 4 discussed above.

An undue concentration of alcohol serving establishments is determined by the California Department of Alcoholic Beverage Control based on the number and type of active licenses within a given census tract area or if the applicant premises are located in a crime reporting district that has a 20 percent or greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency. Where an undue concentration is found, applicants for certain types of alcohol beverage licenses must obtain a letter of public convenience or necessity (PCN) from the local regulatory authority (e.g., city or county).

The proposed project has been thoroughly reviewed by the City of Novato Police Department and found to not have the potential to adversely affect the welfare of the area given the nature of the primary use as a movie theatre. The ABC has not identified an undue concentration of establishments dispensing alcoholic beverages in the area.

The applicant and staff also met with the Novato Blue Ribbon Coalition for Youth on May 31, 2017. After a question and answer session, the Coalition indicated it was not opposed to the service of beer and wine at Century Theatres, but made the following requests:

1. A wristband program (those being served alcohol would have to wear a wristband);
2. Drink limit: limiting individuals to two drinks; and
3. Not allowing alcoholic beverages into family friendly/kid movies (G/PG movies).

The applicant discussed these requests with the Coalition at the May 31 meeting. The applicant indicated the wristband program was a familiar policy and has been implemented within other theatres he has worked with; the drink limit was also attainable, but would require some creativity

in regulating. In regards to not allowing wine and beer into family friendly/kid movies (G/PG), the applicant indicated such a restriction would be difficult to implement since movies often change theatre rooms on a daily basis. This circumstance would increase the complexity of monitoring what theater rooms, based on movie rating, can and cannot receive alcohol service, as well as likely lead to a less efficient theater operation.

After considering the requests of the Blue Ribbon Coalition and the applicant's comments thereon, staff finds requests no. 1 and 2 to be reasonable controls on the service of wine and beer at Century Theatres, recognizing the following:

- The ability to effectively limit beer and wine consumption to legal aged adults in a darkened theater environment will be aided by a wristband identification program allowing theater staff to quickly determine if a person has been age checked and may consume beer or wine in the theater;
- The implementation of a wrist band program is conducted at other theaters and is not considered to be an undue or arbitrary constraint on operation of Century Theatres;
- Limiting beer and wine consumption to two drinks per patron is considered to be reasonable considering an average movie is two-hours long; limiting alcohol consumption to two drinks within an average 2-hour period is viewed as preventing intoxicated patrons in a setting frequented by children;
- Limiting beer and wine consumption to two drinks per person can likely be addressed through the wrist band identification program and is understood to be a condition at other theaters in the Bay Area that serve alcohol; and
- The drink limit is not viewed as requiring an excessive amount of staff time or represent an arbitrary constraint on the operation of Century Theatres.

Staff is not recommending a condition of approval prohibiting alcohol service during family friendly or children's movies. Staff believes that imposing such a prohibition would be unnecessarily burdensome on the efficient operation of Century Theatres. Staff considers the applicant's alcohol service program, the implementation of a drink limit, and wrist band identification program to offer sufficient monitoring and control of the service of beer and wine.

**B. The proposed use is located at an appropriate distance from:**

- a. Residential uses;
- b. Religious facilities, schools, public parks and playgrounds, and other similar uses;
- c. Other establishments dispensing alcoholic beverages.

Discussion: Please see discussion for Use Permit Finding No. 3, 4, and 5 above.

- C. The size and proposed activity level (i.e., music, entertainment activities, food service, arcade games, or other amusement activities, etc.) will be compatible with the uses in and/or character of, the surrounding area.**

Discussion: There is existing food service, arcade games and other amusement activities as a function of the permitted use of the movie theatre in addition to several restaurants in the surrounding area. The addition of beer and wine for on-site consumption would be compatible with the uses in and character of the surrounding area. See also finding No. 5 above regarding existing uses in the Rowland Plaza area.

- D. The signs and other advertising on the exterior of the premises will be compatible with the character of the area.**

Discussion: There are no exterior signs or window displays to advertise alcohol sales for on-site consumption at Century Theatres. Novato's standard conditions of approval for alcohol use permits prohibit outdoor or interior window signs advertising alcohol sales. Any proposed business signs will be subject to meeting the uniform sign standards of the Novato Municipal Code. A separate sign permit process is used to confirm compliance with applicable sign standards.

- E. The applicant has committed to voluntarily provide a beverage service training program, should one be made available locally on a no-charge basis for employees who sell or dispense alcoholic beverages, and would provide them with the knowledge and skills needed to comply with their responsibilities under State law, including the following topics:**

- a. State laws relating to alcoholic beverages, particularly ABC regulations and penal provisions concerning sales to minors and intoxicated persons, driving under the influence, hours of legal operation, and penalties for violations of these laws;**
- b. The potential legal liabilities of owners and employees of businesses dispensing alcoholic beverages to patrons who may subsequently injure, kill, or harm themselves or innocent victims as a result of the excessive consumption of alcoholic beverages;**
- c. Alcohol as a drug and its effects on the body and behavior, including the operation of motor vehicles;**
- d. Methods of dealing with intoxicated customers and recognizing underage customers;**
- e. Methods to appropriately pace customer drinking to reduce the risk that the customer will leave the premises in an intoxicated manner; and**

**f. Knowledge of mixology, including marketable alternatives to alcoholic beverages.**

Discussion: As discussed earlier, the applicant has applied for a Type 41 license from the California Department of Alcoholic Beverage Control. This license and the City's alcohol use permit itself require applicants to ensure their employees are trained in the proper service of alcohol and understand state laws addressing the sale and service of alcoholic beverages.

The applicant has indicated that all employees will be trained in the responsible sale and service of alcohol. A condition of approval has been added to ensure the requirements identified in the Alcohol Service Policy submitted by the applicant are implemented by the business owner.

**RECOMMENDATION**

Staff recommends the Zoning Administrator make the required findings to approve a use permit allowing Century Theatres to sell beer and wine for on-site consumption, subject to the conditions of approval specified below.

**FINDINGS AND ACTION**

1. Century Theatres request for a use permit for the sale of beer and wine for onsite consumption is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) since the existing movie theatre and the addition of onsite consumption of beer and wine in conjunction with the sale of concessions is considered a negligible change of an existing theatre use and will not result in a direct or reasonably foreseeable indirect physical change in the environment.
2. In accordance with Sections 19.34.050 and 19.42.050E of the Novato Municipal Code, the Zoning Administrator hereby grants a use permit to Century Theatres, to sell beer and wine for on-site consumption, on the basis of the findings discussed in the staff analysis above and subject to the conditions of approval specified below.

**CONDITIONS OF APPROVAL**

The following conditions of approval shall be met to the satisfaction of the Community Development Department:

1. This Use Permit approval shall expire two (2) years from the date of approval unless the activity authorized therein has commenced operation.
2. The approval granted herein shall not become effective until all appropriate fees billed by the City of Novato to the application account are paid in full in accordance with the City's Cost Base Fee System. Failure to pay said fees may result in the City withholding issuance



of related building permits, certificate of occupancy, recordation of final maps or other entitlements.

3. The business owner shall secure an alcohol license from the California Department of Alcoholic Beverage Control (ABC). The applicant shall deliver a copy of the use permit approved by the Zoning Administrator to the ABC when securing the alcohol license.
4. The business owner shall provide a California Coordinating Council approved Responsible Beverage Server (RBS) training program at no charge to employees who sell alcoholic beverages with training to occur within 60 days of employee's start date.
5. The business owner shall adopt and implement the requirements found in the Alcohol Service Policy submitted by the applicant.
6. The business owner is encouraged to have its employees attend periodic alcohol service trainings offered by the Novato Police Department.
7. Customers of legal drinking age shall only be allowed to purchase a maximum of two alcoholic beverages with a valid movie ticket.
8. The business owner shall develop a wristband identification program to identify persons who have been properly age verified and may consume beer and/or wine in the theatre facility. The wristband identification program shall include a component or procedure to track how many drinks the wristband holder has purchased to ensure compliance with condition of approval No. 7 above. The proposed wristband identification program shall be submitted to the Community Development Director for review and approval prior to the commencement of the sale of beer and wine.
9. Alcoholic beverages shall not be sold to patrons who are obviously intoxicated or under the influence.
10. No employee or volunteer shall consume alcohol on the premises during their work shift.
11. No exterior or interior window signage with visibility from the right-of-way, sidewalks, or parking areas shall be used to advertise in any manner the sale of alcohol products.
12. The applicant shall post signage which prohibits: the consumption of alcoholic beverages beyond the confines of the theatre facility; precludes loitering, and prohibits smoking. The signs shall cite the appropriate city codes for enforcement.
13. At any time, the business may be visited, unannounced by City staff, to review the business operation's compliance with the City's regulations (including use permit conditions) concerning alcoholic beverage establishments. Violations of any conditions of this Use Permit or any municipal, state, or federal law, rule or regulation, including without limitation the provisions of the Novato Municipal Code or Alcohol Beverage Control Act regulations, may be grounds for revocation or modification of the Use Permit.

14. Corporate or franchise regulations shall not override the conditions of the Use Permit as issued by the City of Novato.
15. Indemnity and Time Limitations
  - a. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees, to attack set aside, void or annul the City's decision to approve the application and associated environmental determination at issue herein. This indemnification shall include damages or fees awarded against the City, if any, cost of suit, attorney's fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, the City, and/or parties initiating or bringing such action.
  - b. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, employees, and attorneys for all costs incurred in additional investigation (such as the environmental determination at issue herein or any subsequently required Environmental Document), if made necessary by said legal action and if the applicant desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents, in a form and under conditions approved by the City Attorney.
  - c. The applicant indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
  - d. Unless a shorter period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.
  - e. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. The applicant is hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If the applicant fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.gr

### **FURTHER ACTION**

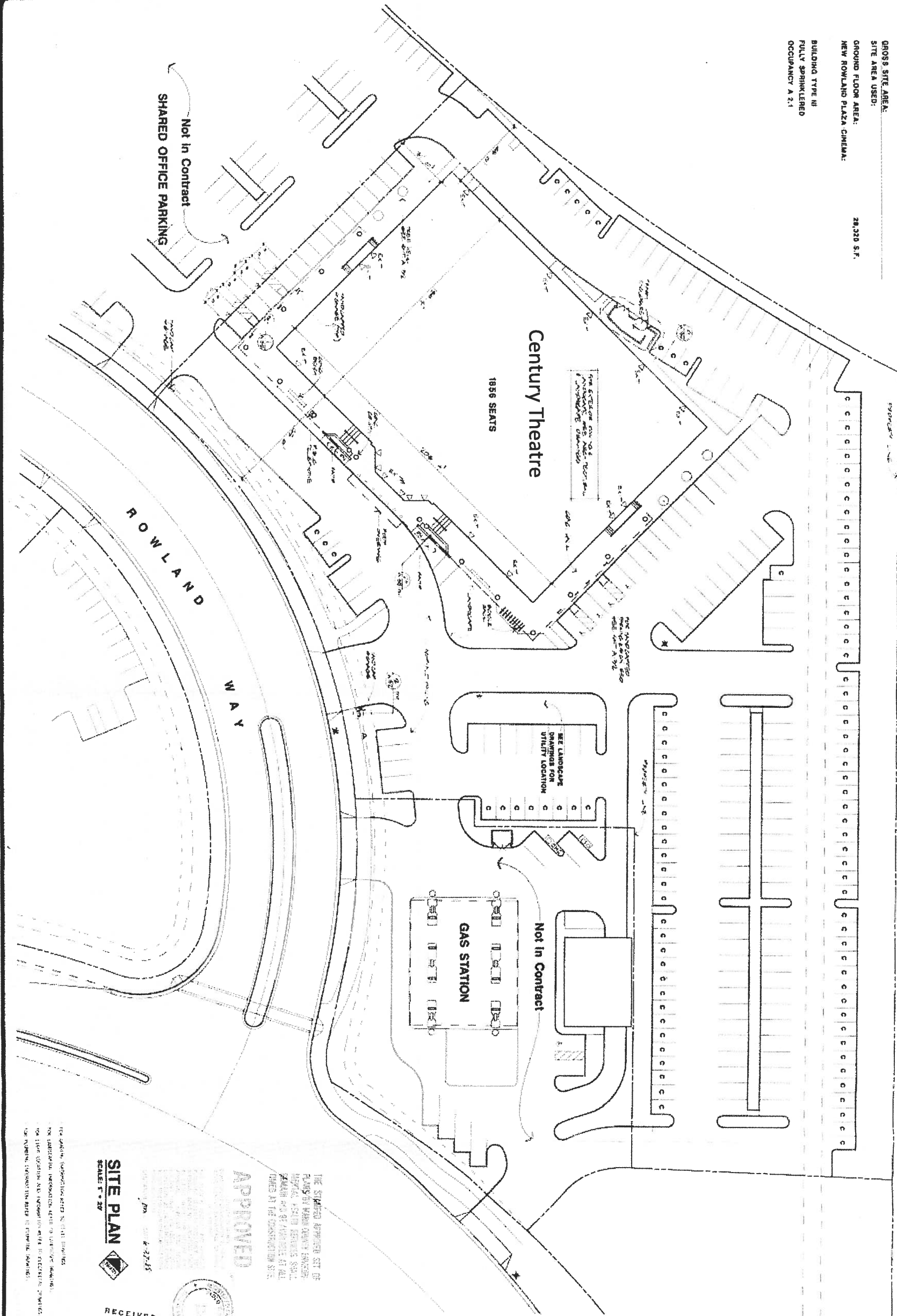
No further action on the application will be taken unless an appeal is filed in writing within ten calendar days along with the required filing fee.

## **ATTACHMENTS**

1. Project Plans
2. Alcohol Service Policy
3. Email from Novato Blue Ribbon Coalition for Youth

**PARKING ANALYSIS:**  
 THEATRE PARKING REQUIRED: 232 CARS REQ.  
 1856 SEATS  
 TOTAL STANDARD PARKING (8X19): 124 STANDARD  
 TOTAL COMPACT PARKING (4X18): 100 COMPACT  
 TOTAL H.C. PARKING (8-23X19): 8 HANDICAP  
 TOTAL PARKING PROVIDED: 232 CARS

**GROSS SITE AREA:** 20,320 S.F.  
**SITE AREA USED:** 20,320 S.F.  
**GROUND FLOOR AREA:** 20,320 S.F.  
**NEW ROWLAND PLAZA CINEMA:**  
**BUILDING TYPE IN FULLY SPRINKLERED OCCUPANCY A-2.1**



THE SHOWN APPROVED SET OF PLANS BY HANKS ARCHITECTS, INC. HAS BEEN REVIEWED AND APPROVED FOR CONSTRUCTION BY THE CITY OF NOVATO, CALIFORNIA. ALL CONDITIONS AND NOTES ON THESE PLANS MUST BE STRICTLY OBSERVED AT ALL TIMES AT THE CONSTRUCTION SITE.

**APPROVED**

**SITE PLAN**  
 SCALE: 1" = 20'



RECEIVED  
 NOV 15 1988

FOR ALL INFORMATION, CONTACT THE ARCHITECTS AT THE ADDRESS LISTED BELOW.  
 THE ARCHITECTS ASSUME NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THESE PLANS.  
 FOR NOBLE, CONTACT THE ARCHITECTS AT THE ADDRESS LISTED BELOW.

**A-1**

**Cinerama Theatres of California, Inc.**  
**ROWLAND PLAZA CINEMAS**  
 NOVATO, CALIFORNIA

**SITE PLAN**

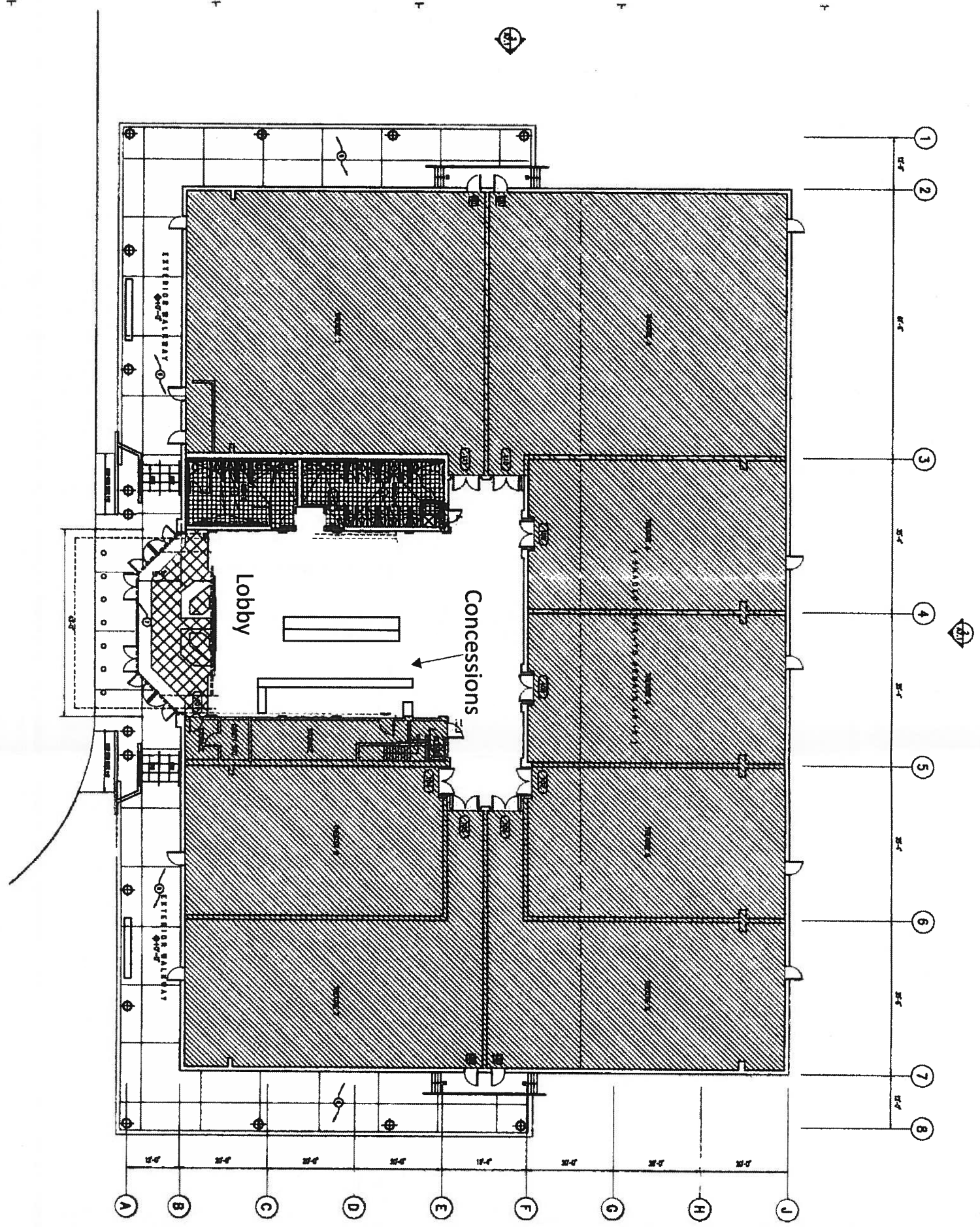
**CRIPPIN & HANKS ARCHITECTS, INC.**  
 10188 BEACH BLVD., SUITE 202 NORTH  
 HUNTINGTON BEACH, CA 92647



FOR A BATTER  
 CODE  
 CHAPTER 4.0000  
 101

ALL SEAT PATENTS & SPECIFICATIONS ARE THE PROPERTY OF SEATING & SHALL REMAIN THE PROPERTY OF SEATING & SHALL NOT BE USED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF SEATING & SHALL BE DESTROYED IMMEDIATELY UPON THE COMPLETION OF THE PROJECT. THE ARCHITECTS ASSUME NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THESE PLANS. FOR NOBLE, CONTACT THE ARCHITECTS AT THE ADDRESS LISTED BELOW.

OVERALL FIRST FLOOR PLAN



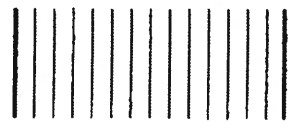
NOTES  
OVERVIEW

1. MEN'S ROOM, CONCESSIONS, TOILET PARTITIONING, SIGN BRACKETING, REVISIONS, PARTITIONING AND MILLWORK, FLOORING, STAIR CASES, CEILING, LIGHTING AND WALKER CASES TO REMAIN.
2. WOMEN'S ROOM, CONCESSIONS, TOILET PARTITIONING, SIGN BRACKETING, REVISIONS, PARTITIONING AND MILLWORK, FLOORING, STAIR CASES, CEILING, LIGHTING AND WALKER CASES TO REMAIN.
3. LOBBY AREA AND CONCESSIONS: EXIST. ENTRANCE DOOR TO SERVICE AREA TO BE REMOVED AND STAIRS FLOOR CARPET/FLOOR TILES, CEILING AND LIGHTING/FURNITURE.
4. LOBBY AREA AND CONCESSIONS: REMOVE EXIST. DOWNER, TOP, WATER TUBING, WATER CASES, FLOOR FINISH/FURNITURE AND FALSE FLOOR/FURNITURE.
5. CONCESSION AREA: EXIST. ENTRANCE DOOR TO REMAIN, EXIST. FLOOR CARPET TO REMOVE, REMOVE/REPLACE DOWNER TO REMAIN, REMOVE/REPLACE DOWNER.
6. EXTERIOR WALKWAY AREA: EXIST. FLOOR FINISH TO REMAIN, EXIST. EXTERIOR LIGHTING TO BE REMOVED, EXIST. LIGHTS TO BE REWIND AND REPLACE DOWNER TO REMAIN.
7. ALUMINUM STAIRWELL DOOR AND WINDOW SYSTEMS TO REMAIN, EXTERIOR TO REMAIN, GLASS IN DOORS TO BE REPLACED.

ARCHITECTURE  
PLANNERS



2010 State Avenue  
Suite 100  
San Diego, CA 92108  
Tel: 619-594-8888  
Fax: 619-594-8889



**ROWLAND PLAZA**  
**TENANT IMPROVEMENT**  
Novato California

**CENTURY**  
THEATRES

PROJECT NO. 011120  
DATE: 01/11/20  
DRAWING TITLE:  
DETAILED  
OVERALL  
PLAN

## **Alcohol Service Policy - Century Rowland Plaza, Novato, CA (3-10-17)**

Our attempt to maximize the movie-going experience includes the integration of alcoholic beverage service and consumption. While the overall sales process is similar to any concessions purchase, we are adopting additional sales requirements commonly required at other alcohol service establishments. Diligent adherence to the company policy and proper staff training is vital to maintaining a safe environment for all of our Customers.

1. Age Identification: All Guests who appear under the age of 40 must present proper government issued age identification with photographic image, at the point of sale prior to purchasing or being served any alcoholic beverage. Proper identification consists of:

- A valid state driver's license, with driver's photograph, state seal, and expiration date;
- A valid state ID card;
- Military ID;
- Passport;
- No school ID's, birth certificates or temporary or expired driver's licenses qualify.

2. Movie Ticket and Valid ID: Guests must have a valid ticket to a movie showing to purchase alcoholic beverage drinks for in-auditorium consumption. Only after both movie ticket and ID have been checked may a Customer purchase and possess an alcoholic beverage.

3. Monitoring Guest Alcohol Consumption:

- Only two alcoholic beverages may be purchase by any one Customer per transaction and only one alcoholic beverage may be purchased for each ID presented at the time of purchase.
- Each person presenting ID must be physically present at the point of sale.
- Drinks will be served in distinguishable plastic containers. **NO GLASS BOTTLES/GLASSWARE MAY BE TAKEN INTO AUDITORIUMS!**

4. All usher Staff working the ticket podium must be trained to monitor the following in regards to all Guests with alcoholic beverages:

- Customers holding alcoholic beverages that do not appear to be of age must be asked for ID verification immediately.
- The beverage is in the appropriate plastic container.
- **REPORT ANY ISSUES TO MANAGEMENT IMMEDIATELY**

5. Maximum Alcohol Beverage Purchases: It is still at the discretion of Staff and Management to deny service to an impaired Customer at any time. For Guests returning from the auditorium to purchase another drink:

- Closely monitor all Guests returning to purchase additional drinks.
- Notify a Manager immediately if a guest attempts to purchase an alcoholic beverage without proper identification or evidence of a movie ticket or pass.

- If you notice that a Guest is returning to purchase a drink frequently notify a Manager immediately.
6. Alcohol Service Hours: Alcohol may only be sold and served during hours the theater is open for the display of feature films in the usual course of business or a private event. Alcohol sales will end at midnight.
  7. Surveillance Cameras: Prior to commencing the sale of alcoholic beverages at the theater, a camera surveillance system shall be installed and maintained inside the theater premises for monitoring of all points of alcohol sales and the immediate surrounding lobby area. The surveillance monitors shall be located in a secure area within the theater premises that can be accessible to law enforcement personnel upon formal legal request. Surveillance video tapes shall be maintained for no less than 45 days and shall be made available to law enforcement officials upon formal legal request.



## CA Beer and Wine Menu

<b>Beer</b>
Blue Moon
Bud Light
Budweiser
Coors Light
Corona
Dos Equis Lager
Fat Tire
Lagunitas IPA
Lagunitas Little Sumpin Sumpin
Magic Hat #9
Michelob Ultra
Miller Lite
Sam Adams Boston Lager
Shiner Bock
Stella Artois
<b>White Wine</b>
Trinity Oaks Chardonnay
Montevina Pinot Grigio
SeaGlass Riesling
<b>Red Wine</b>
Jargon Pinot Noir
Dona Paula Malbec
Main St. Cabernet Sauvignon
<b>Other</b>
Angry Orchard Crisp Cider
Twisted Tea
Mike's Hard Lemonade
Smirnoff Ice
Frozen Margarita
Frozen Strawberry Daiquiri



**California Department of Alcoholic Beverage Control**  
**Theatre Standard Conditions**  
**Revised 2013**

**WHEREAS**, the proposed premises operates as a (multi-theater movie complex) or (single-theater) which contains general spectator seating; and,

**WHEREAS**, the privilege conveyed with the applied-for license requires that the petitioner(s) operate(s) the premises, in good faith, as a Bona Fide Public Eating Place; and,

**WHEREAS**, the issuance of an unrestricted license would be contrary to public welfare or morals;

**NOW THEREFORE**, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

01. At all times when the premises is exercising the privileges of their license, the sale of food, in compliance with Section 23038 of the Business and Professions Code, shall be offered and available for purchase.
02. All sales and service of alcoholic beverages for consumption in the general spectator seating areas shall be made only from concession stands, portable stands or bars, or fixed bars, and shall not be sold, served, or delivered to customers by individual ambulatory vendors, commonly known as "hawkers".
03. Points of sale of alcoholic beverages shall not be maintained within the theater auditoriums.
04. Notwithstanding conditions #2 & #3, above, alcoholic beverages may be sold or served by waiters or waitresses in the general spectator seating areas under the following conditions:
  - a. Only persons occupying seats in the designated theaters shall be permitted to order and be served alcoholic beverages.
  - b. Orders from patrons seated in these theaters must be made to the waiter or waitress serving that area, and the alcoholic beverages must be personally delivered to the patron by the waiter or waitress who took the order.
  - c. The waiter or waitress serving in the theaters shall not carry a supply of unordered alcoholic beverages.
05. No more than two (2) alcoholic beverages shall be sold or served to any one (1) person during any transaction.
06. Alcoholic beverages shall be served in containers which significantly differ in appearance from those containers utilized for non-alcoholic beverages. Containers for beer shall not

exceed 16 ounces. This condition does not preclude the service of alcoholic beverages in their original containers.

07. At all times when the premises is exercising the privileges of their license, an employee of the premises shall enter and monitor the activity within the theaters on a regular basis, but no less than once every 30 minutes.



**APPETIZERS**

**Pretzel Bites & Rico's Nacho Cheese  
Sauce**

**Super Nachos**

**Jumbo Pickles**

**ENTRÉE FEATURES**

**Eisenberg Hot Dog**

*Gourmet beef frank in bread roll*

**Eisenberg 1/4 LB Black Angus Hot Dog**

*Premium Black Angus Frank in bread roll*

**PIZZAS**

**Fire-Baked Pepperoni Pizza**

*Premium crust pizza with melted cheese and  
pepperoni topping*

**Fire-Baked Cheese Pizza**

*Classic crust pizza with melted cheese and  
marinara sauce*

**DESSERT**

**Nestlé Frozen Ice Cream**

**Dreyer's Hand Scooped Ice Cream, Shakes, & Floats**



**CONCESSION SNACKS**

**Orville Redenbacher's Popcorn  
Orville Redenbacher's Kettle Korn**

**Bulk Dispensed Candy  
Packaged Candy**

**Rico's Bagged Nacho Chips with Rico's Pre-Packaged Nacho Cheese Sauce**

**BEVERAGES**

**Coca-Cola Fountain Beverages  
ICEE Frozen Beverages  
Gold Peak Iced Tea**

**Bottled Coca-Cola Beverages  
Dasani Bottled Water**

**#472 - NOVATO, CA**



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1) CENTURY THEATRES INC		537923	47-(WTHDRN)
2) CENTURY THEATRES, INC.	ORANGE	548351	41-(ACTIVE)
CENTURY THEATRES, INC.	UNION CITY	549659	41-(ACTIVE)
CENTURY THEATRES, INC.	RANCHO MIRAGE	545896	41-(ACTIVE)
CENTURY THEATRES, INC.	SACRAMENTO	571530	41-(ACTIVE)
CENTURY THEATRES, INC.	HUNTINGTON BEACH	545353	41-(ACTIVE)
CENTURY THEATRES, INC.	SAN FRANCISCO	544573	41-(ACTIVE)
CENTURY THEATRES, INC.	DOWNEY	560679	41-(ACTIVE)
CENTURY THEATRES, INC.	MILPITAS	575100	41-(ACTIVE)
CENTURY THEATRES, INC.	NAPA	522890	41-(ACTIVE)
CENTURY THEATRES, INC.	LOS ANGELES	548311	47-(ACTIVE)
CENTURY THEATRES, INC.	MOUNTAIN VIEW	551024	41-(ACTIVE)
CENTURY THEATRES, INC.	WALNUT CREEK	545529	41-(WTHDRN)
CENTURY THEATRES, INC.	SACRAMENTO	569715	41-(PEND)
CENTURY THEATRES, INC.	SALINAS	575155	41-(PEND)
CENTURY THEATRES, INC.	ELK GROVE	578482	41-(PEND)
CENTURY THEATRES, INC.	HAYWARD	569704	41-(PEND)
CENTURY THEATRES, INC.	CARSON	554087	41-(WTHDRN)
CENTURY THEATRES, INC.	OXNARD	575483	41-(PEND)
CENTURY THEATRES, INC.	VENTURA	569456	41-(PEND)

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1) AMERICAN MULTI CINEMA INC	SAN FRANCISCO	203024	47-(WTHDRN)
AMERICAN MULTI CINEMA INC		561933	47-(WTHDRN)
AMERICAN MULTI CINEMA INC		561940	47-(WTHDRN)
2) AMERICAN MULTI-CINEMA INC	SANTA MONICA	566997	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	FULLERTON	537032	47-(SUREND)
AMERICAN MULTI-CINEMA INC	SANTA CLARA	558958	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	BURBANK	572131	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	LA JOLLA	514649	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	FULLERTON	538230	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	BURBANK	570151	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	LONG BEACH	571736	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	EMERYVILLE	537277	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	BURBANK	545502	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	NEWARK	559888	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	MONTEBELLO	569765	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	TUSTIN	536915	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	CITY OF INDUSTRY	541940	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	RANCHO CUCAMONGA	541225	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	REDONDO BEACH	565818	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	BRENTWOOD	561621	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	CHULA VISTA	545300	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	RIVERSIDE	537628	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	CHULA VISTA	551741	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	ONTARIO	537516	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	SAN FRANCISCO	560680	47-(SUREND)
AMERICAN MULTI-CINEMA INC	MARINA DEL REY	503931	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	NORWALK	541546	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	ARCADIA	564546	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC	MANTECA	561559	47-(ACTIVE)
AMERICAN MULTI-CINEMA INC		504794	
AMERICAN MULTI-CINEMA INC		537306	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	ANAHEIM	537369	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	BAKERSFIELD	573237	47-(PEND)
AMERICAN MULTI-CINEMA INC		573338	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	TORRANCE	541523	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	SAN DIEGO	572808	47-(PEND)
AMERICAN MULTI-CINEMA INC		573310	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC		573529	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	ORANGE	504668	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC		561569	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	LA JOLLA	504797	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC		537352	
AMERICAN MULTI-CINEMA INC	ORANGE	537384	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	NATIONAL CITY	546516	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC		573164	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC		537302	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	SAN JOSE	573172	47-(PEND)
AMERICAN MULTI-CINEMA INC	WEST HILLS	573512	47-(PEND)
AMERICAN MULTI-CINEMA INC		550117	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC		550179	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	SAN DIEGO	572598	47-(PEND)
AMERICAN MULTI-CINEMA INC	SAN JOSE	578108	47-(PEND)
AMERICAN MULTI-CINEMA INC		550176	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	ARCADIA	564542	
AMERICAN MULTI-CINEMA INC	SANTA MONICA	575585	47-(PEND)
AMERICAN MULTI-CINEMA INC		514648	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	LOS ANGELES	541235	47-(WTHDRN)
AMERICAN MULTI-CINEMA INC	CITY OF INDUSTRY	541938	
AMERICAN MULTI-CINEMA INC		550116	47-(WTHDRN)



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Licensee Name	City	License Number	License Type Codes and Statuses
2) EDWARDS THEATRES, INC	IRVINE	553562	41-(ACTIVE)
EDWARDS THEATRES, INC	SANTA CLARITA	552107	41-(ACTIVE)
EDWARDS THEATRES, INC	ALISO VIEJO	548415	41-(ACTIVE)
EDWARDS THEATRES, INC	CALABASAS	560860	47-(ACTIVE)
EDWARDS THEATRES, INC	CERRITOS	572109	41-(ACTIVE)
EDWARDS THEATRES, INC	IRVINE	553588	41-(ACTIVE)
EDWARDS THEATRES, INC	BREA	548313	41-(ACTIVE)
EDWARDS THEATRES, INC	IRVINE	547995	41-(CANCEL), 47-(ACTIVE)
EDWARDS THEATRES, INC	LA VERNE	548271	41-(ACTIVE)
EDWARDS THEATRES, INC	IRVINE	553555	41-(ACTIVE)
EDWARDS THEATRES, INC	ANAHEIM	566915	41-(ACTIVE)
EDWARDS THEATRES, INC	BREA	548316	41-(ACTIVE)
EDWARDS THEATRES, INC	TEMECULA	571648	41-(ACTIVE)
EDWARDS THEATRES, INC	FAIRFIELD	577997	47-(PEND)
EDWARDS THEATRES, INC	SAN DIEGO	576699	41-(PEND)
EDWARDS THEATRES, INC	EL CAJON	577755	41-(PEND)
EDWARDS THEATRES, INC	FRESNO	572713	47-(PEND)
EDWARDS THEATRES, INC	LONG BEACH	572994	41-(PEND)
EDWARDS THEATRES, INC	ONTARIO	575112	47-(PEND)
EDWARDS THEATRES, INC	SAN MARCOS	575686	41-(PEND)
EDWARDS THEATRES, INC	ALHAMBRA	560050	41-(WTHDRN)
EDWARDS THEATRES, INC	WEST COVINA	571666	41-(PEND)
EDWARDS THEATRES, INC	NEWPORT BEACH	573441	47-(PEND)

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2) REGAL CINEMAS INC	MODESTO	550357	41-(ACTIVE)
REGAL CINEMAS INC	DUBLIN	572908	47-(ACTIVE)
REGAL CINEMAS INC	CARLSBAD	551245	41-(ACTIVE)
REGAL CINEMAS INC	THOUSAND OAKS	568762	47-(ACTIVE)
REGAL CINEMAS INC	LOS ANGELES	563242	41-(ACTIVE)
REGAL CINEMAS INC	CORONA	567752	47-(ACTIVE)
REGAL CINEMAS INC	SIMI VALLEY	572101	47-(ACTIVE)
REGAL CINEMAS INC	NEWPORT BEACH	515018	41-(SUREND), 47-(ACTIVE)
REGAL CINEMAS INC	LA CANADA FLINTRIDGE	547625	41-(ACTIVE)
REGAL CINEMAS INC	STOCKTON	559841	41-(ACTIVE)
REGAL CINEMAS INC	PALM SPRINGS	547826	41-(ACTIVE)
REGAL CINEMAS INC	GARDEN GROVE	564252	47-(ACTIVE)
REGAL CINEMAS INC	LAKE FOREST	571848	41-(ACTIVE)
REGAL CINEMAS INC	RANCHO MIRAGE	559616	41-(ACTIVE)
REGAL CINEMAS INC	SACRAMENTO	571656	41-(ACTIVE)
REGAL CINEMAS INC	SACRAMENTO	577054	47-(PEND)
REGAL CINEMAS INC	LA HABRA	571827	41-(PEND)
REGAL CINEMAS INC	SAN BERNARDINO	575662	47-(PEND)
REGAL CINEMAS INC	EL CAJON	572256	41-(PEND)
REGAL CINEMAS INC	FRESNO	571026	47-(PEND)
REGAL CINEMAS INC	CHULA VISTA	572275	41-(PEND)
REGAL CINEMAS INC		572906	

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Licensee Name	City	License Number	License Type Codes and Statuses
4) CINEMARK USA, INC.	TRACY	560734	41-(ACTIVE)
CINEMARK USA, INC.	FREMONT	550520	41-(ACTIVE)
CINEMARK USA, INC.	LA QUINTA	560424	41-(ACTIVE)
CINEMARK USA, INC.	DANVILLE	550507	41-(ACTIVE)
CINEMARK USA, INC.	LOS ANGELES	532663	47-(ACTIVE)
CINEMARK USA, INC.	APPLE VALLEY	573560	41-(PEND)

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Licensee Name	City	License Number	License Type Codes and Statuses
1) READING BEVERAGES (CALIFORNIA) LLC	SAN DIEGO	558290	47-(ACTIVE), 68-(ACTIVE)
READING BEVERAGES (CALIFORNIA) LLC	LA MESA	566050	47-(ACTIVE)
11) READING MURRIETA THEATER LLC	MURRIETA	561774	47-(PEND)
13) READING THEATERS, INC.	SACRAMENTO	562100	47-(ACTIVE)
READING THEATERS, INC.		561753	

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## Michelle Johnson

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**From:** Allison Hight  
**Sent:** Tuesday, June 06, 2017 3:59 PM  
**To:** Michelle Johnson  
**Cc:** Steve Rawlings  
**Subject:** RE: Follow up: May 31st Meeting with Century Theatre

Hi Michelle,

Thank you so much for the follow up email and thank you to both you and Steve for taking time out of your day to come and meet with the Novato Blue Ribbon Coalition for Youth.

After some discussion here are the things the Coalition would like to put forth as suggestions for conditions:

- 1) A wristband program (those being served alcohol would have to wear a wristband)
- 2) Drink limit: limiting individuals to two drinks
- 3) Not allowing alcoholic beverages into family friendly/kid movies (G/PG movies)

Again, thank you for your time.

My best,

Ally Hight  
NBRC4Y Coordinator  
City of Novato  
415-798-5329  
ahight@novato.org

---

**From:** Michelle Johnson  
**Sent:** Thursday, June 01, 2017 9:58 AM  
**To:** Allison Hight <ahight@novato.org>  
**Cc:** Steve Rawlings <ser@rawlingspm.com>  
**Subject:** Follow up: May 31st Meeting with Century Theatre  
**Importance:** High

Good morning,

This is a follow-up to yesterday's meeting with the applicant from Century Theatres and Blue Ribbon Coalition regarding 44 Rowland Boulevard. Thank you to everyone whom attended; it was very informative and the questions showed you had taken time to review the project. My hope is to have the project on the agenda to be reviewed by the Zoning Administrator by the end of June; in order to meet this timeline it would be very helpful to receive the comments pertaining to yesterday's discussion by Wednesday June 7<sup>th</sup>.

Please let me know if you have any questions.

-Michelle

**Michelle Johnson**

*Planner II*

City of Novato

922 Machin Avenue

Novato, Ca 94945

415-899-8941

[mjohnson@cityofnovato.org](mailto:mjohnson@cityofnovato.org)