



## Community Development

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September 29, 2025

*Sent via Email*

John Pranjic  
Libertine Brewing Company  
1234 Broad Street  
San Luis Obispo, CA 93401

**SUBJECT: MOD-0029-2025 (1234 Broad Street) - Request to modify a previously approved Use Permit (USE-0406-2014 & MOD-0610-2019) that allowed a restaurant with late night alcohol service, bar/tavern, and live entertainment at 1234 Broad Street to extend operating hours and event hours, expand entertainment to a maximum of three days per week, add ticket sales and cover charges for events, allow flexible floor plans for events, and redirect the patron queue. This project is categorically exempt from environmental review under Section 15301 (Existing Facilities) of the State California Environmental Quality Act Guidelines.**

Dear Libertine Brewing Company,

On June 23, 2025, I conducted a public hearing on your request to modify a Minor Use Permit to extend operating hours and event hours, expand entertainment to a maximum of three days per week, add ticket sales and cover charges for events, allow flexible floor plans for events, and redirect the patron queue. After reviewing the information presented, I approved your request, based on the following findings and subject to the following conditions of approval:

### **Findings**

1. As conditioned, the project is consistent with the Zoning Regulations and the 2012 Alcohol Outlet Regulations in place to reduce public safety problems associated with alcoholic beverage sales and provide for properly maintained alcohol outlets so that negative impacts generated by these activities are not harmful to the surrounding environment.
2. As conditioned, the use will not result in adverse effects to the general health, safety, and welfare of people living or working in the vicinity because conditions of the use permit approval have been adopted that will minimize potential disturbances as well as impacts to police resources and the community.
3. As conditioned, the use will not result in jeopardizing or endangering the public health or safety of persons residing or working in the surrounding area because the application is consistent with the existing bar/tavern use that involves a minor expansion of operating hours and live entertainment that is in line with the surrounding Downtown businesses.
4. As conditioned, the use will not result in violations to any applicable provision of any other City, State, or Federal regulation, ordinance or statute because conditions of the use permit

have been established to regulate the operational characteristics to be consistent with existing City, State and Federal regulations.

5. The use is compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood because as conditioned, the use permit will minimize potential impacts such as noise consistent with the limitations established under the City's Noise Ordinance.
6. The proposed project is consistent with the General Plan, which designates the project site as Downtown Commercial (C-D) and General Plan Land Use Element Policy 4.3, Entertainment and Cultural Facilities, which states that "...Entertainment facilities, such as nightclubs and private theaters, should be in the downtown..."
7. The proposed project is consistent with the General Plan policy to locate, at the street level, restaurants, stores, and other uses benefiting from and contributing to pedestrian traffic (LUE 4.20.1).
8. The proposed use is consistent with Land Use Element Society and Economy Goal #27 to serve as the County's hub for entertainment and cultural services.

### **Conditions**

#### *Planning Division*

1. This Minor Use Permit shall be subsequently reviewed at a public Administrative Hearing if the City receives substantiated written complaints from any citizen, Code Enforcement Officer, or Police Department employee, which includes information and/or evidence supporting a conclusion that a violation of this Minor Use Permit, or of City ordinances or regulations or Police Department resources (calls for service) applicable to the property or the operation of the business, has occurred. At the time of the review, to ensure on-going compatibility of the uses on the project site, conditions of approval may be added, deleted, or modified, or the Director's Action Permit may be revoked.
2. The Minor Use Permit shall be reviewed by the Community Development Director for compliance with conditions of approval, or to determine whether a modification of the permit is necessary upon significant change to the businesses as represented in the applicant's submitted project application materials, or in the event of a change in ownership which may result in deviation from the project description or approved plans.
3. The hours of operation shall be restricted to 10:00 AM to 12:00 AM on weekdays (Sunday through Wednesday), and 10:00 AM to 2:00 AM on weekends (Thursday through Saturday) for all commercial activity. The hours of operation for all outdoor food services shall operate no earlier than 10:00 AM and shall not remain open later than 10:00 PM, daily.
4. Full food service shall be available at all times alcohol is served. The restaurant shall have restaurant service available during all hours of operation, consistent with the approved hours of operation for the proposed use.
5. All uses allowed under approval of MOD-0029-2025 shall only utilize the floor plans represented in the applicant's submitted project application materials attached to the staff report dated June 23, 2025 (for MOD-0029-2025) or the staff report dated October 23, 2019

(for MOD-0610-2019), unless approved by the Community Development Director in advance through a separate permit (e.g. special events permit). These floor plans do not extend into the lease spaces located along Pacific Street.

6. A Building Permit shall be issued for a change in occupancy and associated building and safety updates required for Layouts C, D, and E in the project application materials attached to the staff report dated June 23, 2025. Layouts C, D, and E shall not be implemented or utilized until said Building Permit is marked as “finalized.” Use of these layouts prior to a Building Permit being finalized may result in subsequent review of this Minor Use Permit during which conditions of approval may be added, deleted, or modified, or the permit may be revoked.
7. A Building Permit shall be issued for the use of the temporary stage in either location (Stage Location 1 or Stage Location 2 as shown on the project application materials attached to the staff report dated June 23, 2025). Stage use shall not be implemented or utilized until said Building Permit is marked as “finalized.” Use of the stage prior to a Building Permit being finalized may result in subsequent review of this Minor Use Permit during which conditions of approval may be added, deleted, or modified, or the permit may be revoked.
8. Live entertainment above the level that is compliant with the City’s definition of ambient entertainment, shall be limited to three days per week, and shall conclude on weekdays (Sunday through Wednesday) no later than 10:00 PM and on weekends (Thursday to Saturday) no later than 1:00 AM.
9. Live or amplified entertainment shall not be allowed in any outdoor areas (i.e. Broad Street sidewalk dining). Acoustic or background music, consistent with the City’s definition of ambient entertainment, is allowed in outdoor areas from 8:00 AM to 10:00 PM.
10. The applicant shall make affirmative efforts to minimize the potential for adverse noise and crowd impacts on adjacent establishments and nearby residences, including, but not limited to, ensuring that all windows and doors are closed during all ticketed or promoted entertainment events with amplified noise that would be above ambient noise levels. The applicant shall close all windows and doors no later than 10:00 PM, nightly.
11. Prior to utilization of the new floor plans and expanded entertainment events (as shown and described on the project application materials attached to the staff report dated June 23, 2025), the applicant shall submit a revised site plan/floor plan detailing the locations and duties of security staff and shall note regular maintenance/patrol of any patron lines (i.e. queue), to the satisfaction of the Community Development Department and Police Department. The security Plan shall include:
  - a. A detailed explanation of how the queue will be maintained and managed.
  - b. A detailed explanation to determine compliance with the City Noise Ordinance before, during, and at the conclusion of a musical event.
  - c. A detailed explanation of how maximum occupant load limits will be maintained.
  - d. A detailed explanation of how concert patrons will exit the building at the conclusion of a musical event.
12. When a patron queue is needed, the applicant shall manage/patrol outdoor crowds and queuing as a result of this use. An orderly line of patrons awaiting entry that does not block public

access on, or use of, the sidewalk or street shall be maintained. The patron queue shall start at the Broad Street main entrance and continue south along Broad Street (towards from Pacific Street). In the event the queue wraps around the building along Pacific Street, additional security staff shall be provided to maintain and manage the queue.

13. The site shall be maintained in a neat and orderly manner at all times. The applicant shall also be responsible for daily cleanup/maintenance of the adjacent public right-of-way.
14. This use permit is approved for ABC alcohol license designation "Eating Place" consistent with a restaurant use, and may not be exchanged for the "Public Premises" license type (Bar/Tavern).
15. Lease spaces fronting Pacific Street that include alcohol services such as wine tasting, or other alcohol uses, shall be subject to the provisions under the Zoning Regulations which requires separate use permits for tasting room type uses (Bar/Tavern), and shall be evaluated independently regarding operational characteristics and parking requirements.
  - a. Any expansion of the restaurant/brewery use within the separate lease spaces along Pacific Street shall be evaluated for parking requirements and may be subject to additional Parking In-lieu Fees.
16. The applicant shall not permit its patrons to leave the licensed premises with any alcoholic beverage or to consume alcoholic beverages on any property adjacent to the licensed premises under the control of the licensee(s).
17. To address complaints and minimize the need for police response to minor issues, an owner or manager shall be on premises at all times, and shall be available to be contacted by a City representative and/or adjacent property owner or tenant. The applicant shall provide a security plan and regularly update contact information to the City's Police, Fire, and Community Development Departments and adjacent property owners and tenants, or any interested members of the public.
18. The applicant is responsible at all times for verifying the legal age of patrons, for monitoring patrons' on-site alcohol consumption, and for declining to serve alcohol to patrons who demonstrate signs of intoxication or impairment associated with alcohol consumption, based on training provided to all staff.
19. All employees that will be handling and/or serving alcoholic beverages to customers shall attend and complete the California Alcohol Beverage Control's (ABC) "Licensee Education on Alcohol and Drugs" (L.E.A.D) and receive Certification prior to serving customers. L.E.A.D. Certifications shall be maintained on-site by the business owner and be made available upon request by the Police Chief. Other equivalent training be approved by the Police Chief.
20. The applicant shall be responsible for on-going security/safety training to accommodate changes in personnel.
21. The applicant shall maintain and operate a video recording system that records activity at all entrances and exits during all business hours. The video shall be of a quality suitable for later identification of customers and staff. It will be recorded in a manner that may be retrieved and provided to police immediately upon demand. Video data shall be retained for a minimum of 72 hours or as otherwise required by law.

22. Business shall be conducted in a manner that will not violate any provisions of the California Alcoholic Beverage Control Act, prohibiting the sale of alcohol to minors (§25658), maintaining the public health, morals, convenience, and safety (§25601); and taking reasonable steps to correct any objectionable conditions on the premises and immediately adjacent to the premises (§24200).
23. The maximum posted occupant load for each space shall not be exceeded at any time. This permit is strictly limited to allow only the occupant load for the premises as approved by the City of San Luis Obispo Fire Department. Occupant loads approved by the City of San Luis Obispo Fire Department shall be posted at all times.

*Code Requirements*

24. The proposed project shall comply with all applicable requirements of the San Luis Obispo Municipal Code Chapter 9.12 (Noise Control) also known as the City's Noise Ordinance.

*Notice to Protest*

25. The applicant acknowledges and agrees that the project conditions of approval stated herein provide adequate and proper notice pursuant to Government Code 66020 of Applicant's right to protest any requirement for fees, dedications, reservations, or other exactions, and that any protest in compliance with Section 66020 must be made within ninety (90) days of the date that notice was given.

*Indemnification*

26. The applicant shall defend, indemnify, and hold harmless the City and/or its agents, officers and employees from any claim, action or proceeding against the City and/or its agents, officers, or employees to attack, set aside, void or annul, the approval by the City of this project, and all actions relating thereto, including but not limited to environmental review ("Indemnified Claims"). The City shall promptly notify the applicant of any Indemnified Claim upon being presented with the Indemnified Claim and the City shall fully cooperate in the defense against an Indemnified Claim.

My action is final unless appealed within ten calendar days of the date of the decision. Anyone may appeal the action by submitting a letter to the Community Development Department within the time specified. The appropriate fee must accompany the appeal documentation. Appeals will be scheduled for the first available Planning Commission meeting date. If an appeal is filed, you will be notified of the date and time of the hearing.

If you have any questions, or if you need additional information, contact Mallory Patino, Assistant Planner, by phone at (805) 783-7704 or by email at [mpatino@slocity.org](mailto:mpatino@slocity.org).

Sincerely,



Brian Levielle  
Principal Planner  
Community Development