



City of Huntington Beach Planning and Building Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Tess Nguyen, Associate Planner *TN*
DATE: September 13, 2011

SUBJECT: CONDITIONAL USE PERMIT NO. 11-014 (CHILE VERDE RESTAURANT ALCOHOL SALES)

APPLICANT: Monica Torres, P.O. Box 3283, Gardena CA 90247

BUSINESS

OWNER: Jose Bahena, P.O. Box 3283, Gardena CA 90247

PROPERTY

OWNER: Valbeach Garfield LLC, 4770 Campus Drive #220, Newport Beach CA 92260

LOCATION: 18900 Beach Boulevard #112, 92648 (east side of Beach Boulevard, north of Garfield Avenue)

STATEMENT OF ISSUE:

- ◆ Conditional Use Permit No. 11-014 request:
 - Permit the sales and service of alcoholic beverages (beer and wine) for on-site consumption within an existing 1,800 sq. ft. eating and drinking establishment.

- ◆ Staff's Recommendation:

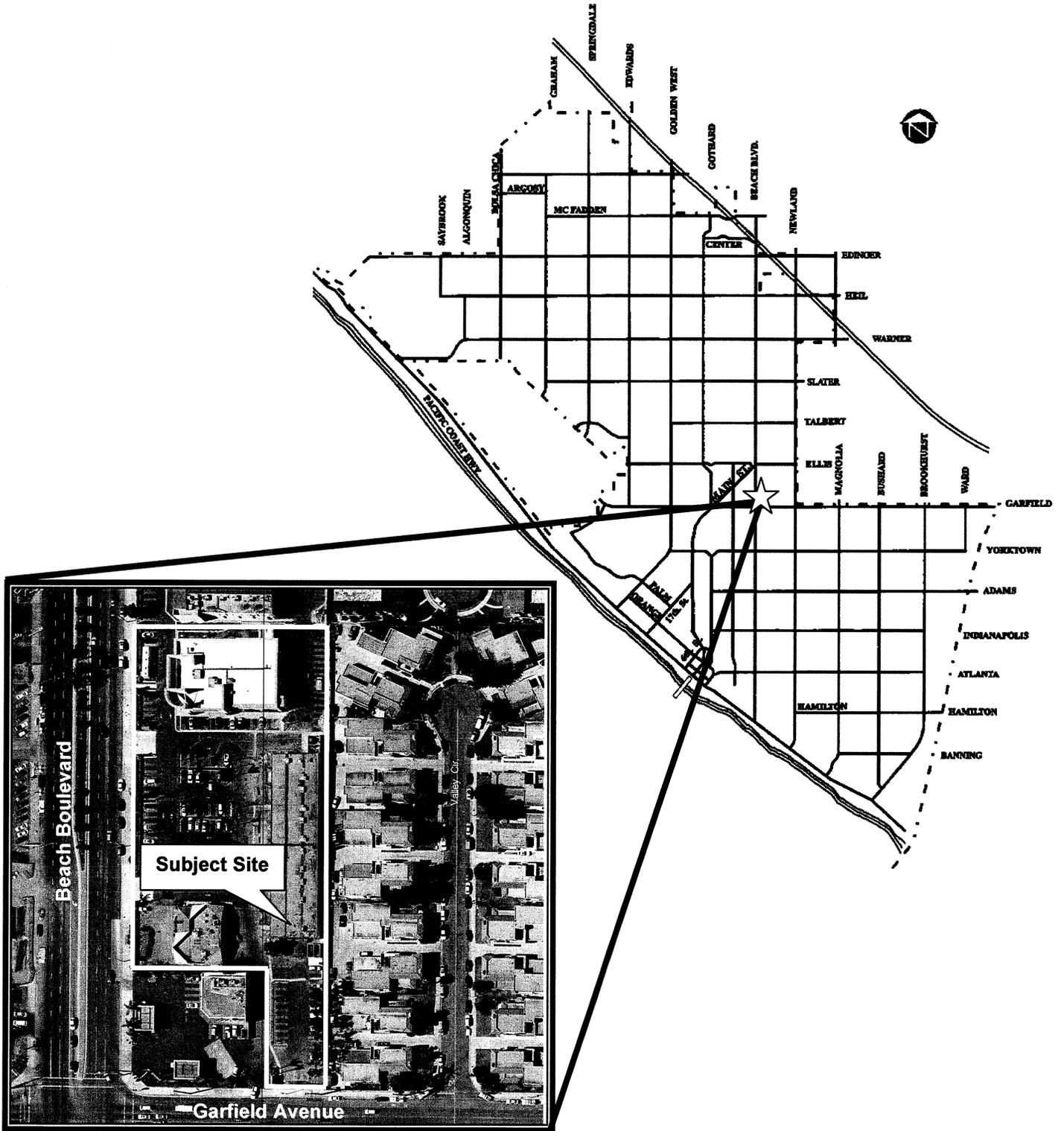
Approve Conditional Use Permit No. 11-014 with staff's suggested conditions of approval based upon the following:

 - The proposed use will comply with General Plan goals, policies, and objectives.
 - The proposed ancillary use of alcohol sales and service as conditioned will not generate negative impacts to adjacent uses.
 - The restaurant was previously approved as an eating and drinking establishment with more than 12 seats and is compatible with existing commercial uses in the shopping center.

RECOMMENDATION:

Motion to:

“Approve Conditional Use Permit No. 11-014 with suggested findings and conditions of approval (Attachment No. 1).”



VICINITY MAP
CONDITIONAL USE PERMIT NO. 11-014
(CHILE VERDE RESTAURANT—18900 BEACH BOULEVARD #112)

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. "Continue Conditional Use Permit No. 11-014 and direct staff accordingly."
- B. "Deny Conditional Use Permit No. 11-014 with findings for denial."

PROJECT PROPOSAL:

Conditional Use Permit No. 11-014 represents a request to allow the sales and service of alcoholic beverages (beer and wine) for on-site consumption within a 1,800 sq. ft. eating and drinking establishment, pursuant to Specific Plan (SP) 14, Book II Section 2.2.1-1d (Beach and Edinger Corridors Specific Plan).

The hours of operation for the restaurant are between 10:00 AM and 9:00 PM seven days a week. The use is within an existing commercial shopping center, which includes retail, eating and drinking establishments, and personal services. The applicant’s reason for the request is to better serve their clients and provide them with a variety of beverages, including beer and wine (Attachment No. 2).

Background:

The City approved Use Permit No. 77-97 for construction of the approximately 26,720 sq. ft. shopping center. In 2008, an eating and drinking establishment with more than 12 seats was approved within the 1,800 sq. ft. subject suite under Administrative Permit No. 08-015.

Study Session:

At the August 23, 2011 study session, the Planning Commission did not raise any major concerns or questions which required further follow up.

ISSUES:

Subject Property And Surrounding Land Use, Zoning And General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	M-sp-d (Mixed use – specific plan overlay – design overlay)	SP-14 (Beach & Edinger Corridors Specific Plan)	Commercial
North, South (across Garfield Avenue), and West (across Beach Boulevard) of Subject Property:	M-sp-d	SP -14	Commercial
East of Subject Property:	RM-15 (Residential Medium Density – Max 15 du/ac)	RM (Residential Medium Density)	Multi-Family Residential

General Plan Conformance:

The General Plan Land Use Map designation on the subject property is M-sp-d (Mixed Use– specific plan overlay – design overlay) and Subarea of 6 (Beach and Edinger Corridors Specific Plan). The proposed project is consistent with this designation and the goals, policies, and objectives of the City’s General Plan as follows:

A. Land Use Element

Goal LU 7 Achieve a diversity of land uses that sustain a City’s economic viability, while maintaining the City’s environmental resources and scale and character.

Objective LU 7.1 Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding subregion, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Objective LU 10.1 Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, and capitalize on Huntington Beach’s recreational resources.

Goal LU 11 Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

The proposed use increases the economic viability of the establishment by offering the sales and service of alcoholic beverages. The proposed use will market its services to local residents and residents in the surrounding region thereby expanding the service-based commercial opportunities in the City. The use will be located within an existing shopping center, which includes service related uses.

B. Noise Element

Objective N 1.8 Minimize the generation of excessive noise level impacts from entertainment and restaurant/bar establishments into adjacent residential or “noise sensitive” land uses.

The proposed use of alcohol sales and service is not anticipated to result in negative impacts on adjacent uses. The restaurant and alcohol service will be limited to between the hours of 10:00 AM and 9:00 PM. The dining area is located at the front of the unit and oriented away from residential uses. The building is buffered from adjacent residences by an approximate 10 ft. wide separation and minimum 6 ft. high block wall. With the alcohol service limited to the interior of the unit, proposed hours and other operational restrictions, the proposed use is not anticipated to impact surrounding noise-sensitive land uses.

Zoning Compliance:

This project is located in the SP-14 (Beach & Edinger Corridors Specific Plan) and complies with the requirements of that zone. There is no physical expansion of the approved development proposed as part of this request.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status:

The proposed project is categorically exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act, which states that minor alterations and operation of existing structures involving negligible or no expansion of use beyond that existing are exempt from further environmental review.

Coastal Status: Not applicable.

Redevelopment Status: Not applicable.

Design Review Board: Not applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The Departments of Planning and Building, Fire and Police have reviewed the application and identified suggested conditions of approval (Attachment No. 1) and applicable code requirements (Attachment No. 4).

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on September 1, 2011, and notices were sent to property owners of record and tenants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Division's Notification Matrix), applicant, and interested parties. As of September 6, no public comments have been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

MANDATORY PROCESSING DATE(S):

July 21, 2011

September 21, 2011

Conditional Use Permit No. 11-014 was filed on June 2, 2011 and deemed complete on July 21, 2011. The application was reviewed by the Planning Commission as a study session item on August 23, 2011.

ANALYSIS:

Land use / Compatibility

Staff supports the proposed ancillary use of alcohol sales and service to the previously established restaurant use. The use is compatible because it is located within an existing commercial center. It is not anticipated to generate negative impacts to adjacent uses. The proposed hours of operation are between 10:00 AM and 9:00 PM, which is consistent with surrounding commercial uses. The sales and service of alcohol is limited to the interior of the building and as conditioned food from the regular menu will be served up to 30 minutes before closing. The building is located approximately 10 ft. west of adjacent residences and the dining area is oriented at the front of the unit away from noise-sensitive uses. The project as proposed and modified by suggested conditions of approval will not be a detriment to the area.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval – Conditional Use Permit No. 11-014
2. Project Narrative received and dated June 2, 2011
3. Site and Floor Plan received and dated June 2, 2011
4. Code Requirements Letter dated July 21, 2011 (for informational purposes only)

SH:HF:TN:kd

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 11-014

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301, Class 1, of the CEQA Guidelines, which states that operation and minor alteration to existing structures involving negligible or no expansion are exempt from further environmental review.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 11-014:

1. Conditional Use Permit (CUP) No. 11-014 to permit the sales and service of alcoholic beverages for on-site consumption within an existing 1,800 sq. ft. restaurant will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed use is not anticipated to generate additional noise, traffic, or other impacts to the surrounding properties inconsistent with the subject property's Beach and Edinger Corridors Specific Plan (SP 14) zoning. It is ancillary to the existing restaurant and the dining area is located at the front of the unit, oriented toward the west parking lot and away from residential uses to the east. The restaurant use was previously approved by Administrative Permit (AP) No. 08-015 to operate with more than 12 seats. In addition, the restaurant is buffered from adjacent residences by a minimum 6 ft. high block wall and approximately 10 ft. building separation.
2. The proposed sales and service of alcoholic beverages ancillary to an eating and drinking establishment is compatible with surrounding uses because it is located entirely within the building in an existing commercial center and surrounded by similar and complementary commercial uses. The proposed dining area is located at the front of the unit, oriented toward the west parking lot and away from residential uses to the east. As conditioned, the sales and service of alcohol will be limited to the interior of the building. The proposed hours of operation are also consistent with existing commercial uses and therefore will not generate impacts to adjacent noise-sensitive uses above the existing conditions.
3. The proposed sales and service of alcoholic beverages will comply with the provisions of the Beach and Edinger Corridors Specific Plan, other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance and any specific condition required for the proposed use. The proposed use for alcohol sales and service requires a conditional use permit subject to review and approval by the Planning Commission. Because the restaurant use with more than 12 seats was previously approved by AP No. 08-015, parking requirements applicable to the use is in compliance.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of M-sp-d (Mixed Use – specific plan – design overlay) on the subject property. In addition, it is consistent with the following goals, policies, and objectives of the General Plan:

A. Land Use Element

Goal LU 7 Achieve a diversity of land uses that sustain a City's economic viability, while maintaining the City's environmental resources and scale and character.

Objective LU 7.1 Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding subregion, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Objective LU 10.1 Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, and capitalize on Huntington Beach's recreational resources.

Goal LU 11 Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

The proposed use increases the economic viability of the establishment by offering the sales and service of alcoholic beverages. The proposed use will market its services to local residents and residents in the surrounding region thereby expanding the service-based commercial opportunities in the City. The use will be located within an existing shopping center, which includes service related uses.

B. Noise Element

Objective N 1.8 Minimize the generation of excessive noise level impacts from entertainment and restaurant/bar establishments into adjacent residential or "noise sensitive" land uses.

The proposed use of alcohol sales and service is not anticipated to result in negative impacts on adjacent uses. The restaurant and alcohol service will be limited to between the hours of 10:00 AM and 9:00 PM. The dining area is located at the front of the unit and oriented away from residential uses. The building is buffered from adjacent residences by an approximate 10 ft. wide separation and minimum 6 ft. high block wall. With the alcohol service limited to the interior of the unit, proposed hours and other operational restrictions, the proposed use is not anticipated to impact surrounding noise-sensitive land uses.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 11-014:

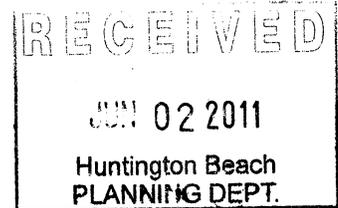
1. The site plan and floor plan received and dated June 2, 2011 shall be the conceptually approved design.
2. The use shall comply with the following:

- a. Food service from the regular menu shall be available during regular business hours up until at least 30 minutes prior to the scheduled closing time. **(PD)**
 - b. Alcohol service and consumption shall be limited to within the interior of the restaurant only. Service of alcoholic beverages for offsite consumption shall be prohibited. **(PD)**
 - c. All exterior doors shall remain closed during business hours. **(PD)**
 - d. All areas to be utilized for the sales, service and consumption of alcoholic beverages shall be sufficiently illuminated to allow for the clear identification of patrons. **(PD)**
 - e. Dancing and entertainment without the approval of a conditional use permit shall be prohibited.
 - f. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control (ABC) license, along with any special conditions imposed by the ABC, shall be submitted to the Planning & Building Department. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.
 - g. The use conditions listed herein shall be clearly posted on the premises at all times.
 - h. The sales and consumption of alcoholic beverages shall not be permitted between the hours of 9:00 PM and 10:00 AM the following day.
3. Conditional Use Permit No. 11-014 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning and Building Department a minimum 30 days prior to the expiration date.
 4. Incorporating sustainable or “green” building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green’s Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating/>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney’s fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

May 16, 2011



To: City of Huntington Beach
Planning Department
2000 Main Street
Huntington Beach, CA 92648

Re: Application for Conditional Use Permit for the following Business Address:
18900 Beach Blvd. Ste 112
Huntington Beach, CA 92648

We are hereby requesting a Conditional Use Permit in order to obtain a Beer & Wine License for our Restaurant Business named Chile Verde which will be serving Mexican Food exclusively at the above location. This is sitting down restaurant with a capacity of 40 consumers to sit down. In order to better service our clients and provide them with a variety of beverages we would like to include Beer & Wine. The restaurant is in an 1800 Square Foot Unit with 2 restrooms. The hours of Operation are Monday through Sunday from 10am to 9pm. There are currently 6 employees working at this location.

The restaurant is located in a shopping center which also has a CVS Pharmacy North and an Arco Gas Station South of it and various businesses located east and west adjacent to the location. The City of Huntington Beach has a population according to the Census 2010 of 202,566 of which approximately 79% are White, 14% Hispanic, 9% Asian.

We are also located in other cities such as Carson with 2 locations, Torrance also with 2 locations, Hawthorne, El Segundo, Santa Ana, Inglewood and Long Beach.

If you have any questions please do not hesitate to contact my agent Monica Torres at 310-701-1684.

Thank you,

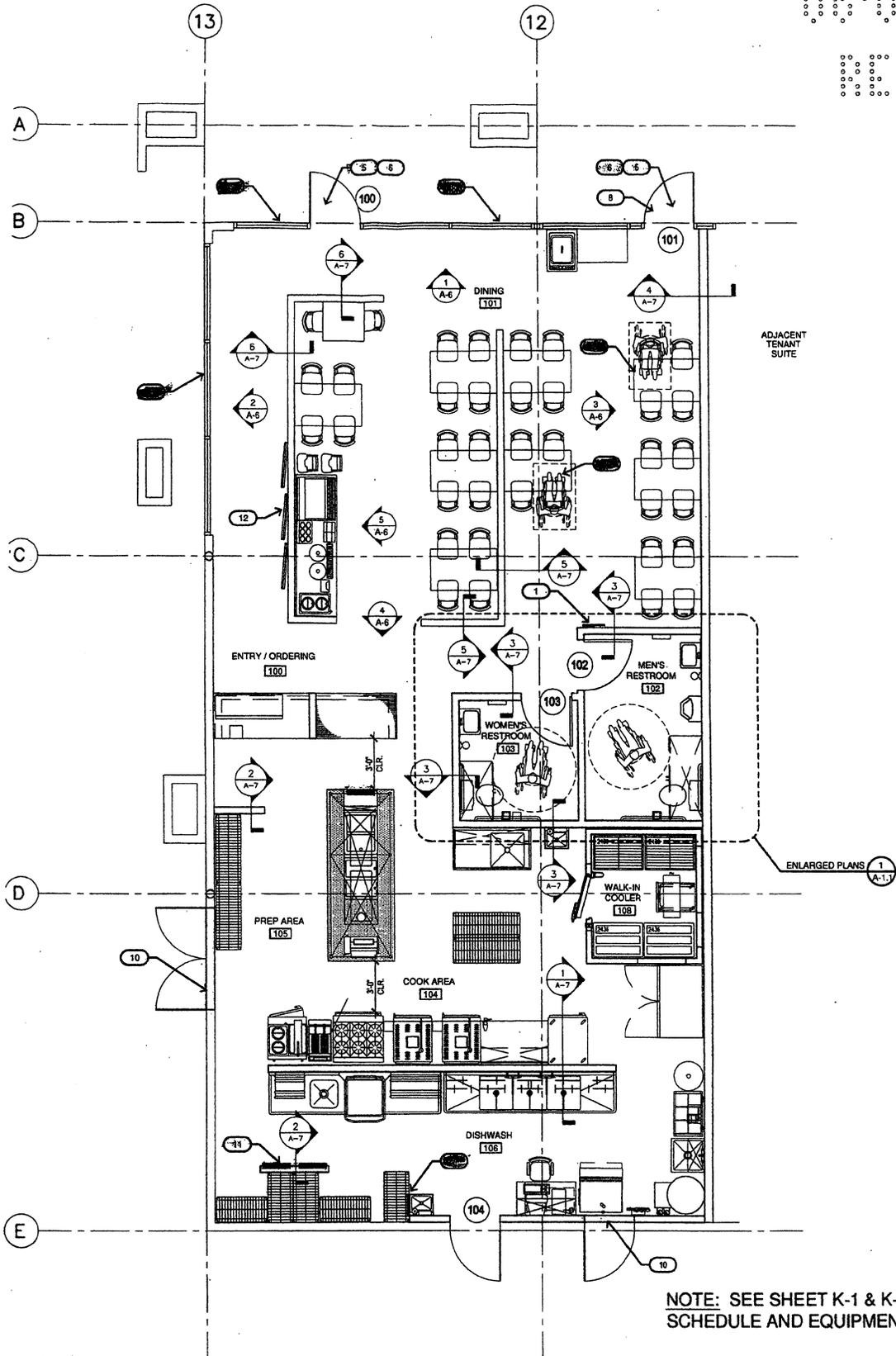
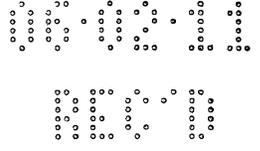


Jose G Bahena



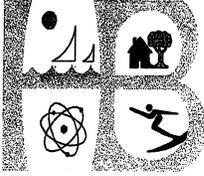
Monica Torres

ATTACHMENT NO. 2.1



1 FLOOR PLAN
SCALE: 1/4" = 1'-0"





City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division
714.536.5271

Building Division
714.536.5241

July 21, 2011

Monica Torres
P.O. Box 3283
Gardena CA 90247

**SUBJECT: CONDITIONAL USE PERMIT NO. 2011-014 (CHILE VERDE ALCOHOL SALES) – 18900 BEACH BOULEVARD #112
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

Dear Ms. Torres:

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission. Please note that if the design of your project or site conditions change, the list may also change.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at 714-374-1744 (tnguyen@surfcity-hb.org) and/or the respective source department (contact person below).

Sincerely,

Tess Nguyen

TESS NGUYEN
Associate Planner

Enclosures

cc: Mark Camahan, Building & Safety Department – 714-374-1792
 Kevin Kessler, Police – 714-536-5994
 Herb Fauland, Planning Manager
 Project File

Darin Maresh, Fire Department – 714-536-5531
Jason Kelly, Planning Department
Valbeach Garfield LLC, Property Owner

ATTACHMENT NO. 4.1



**CITY OF HUNTINGTON BEACH
PLANNING DIVISION**

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JUNE 30, 2011
PROJECT NAME: CHILE VERDE RESTAURANT ALCOHOL SALES
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 11-0081
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 11-014
DATE OF PLANS: JUNE 2, 2011
PROJECT LOCATION: 18900 BEACH BOULEVARD #112, HUNTINGTON BEACH
PLAN REVIEWER: TESS NGUYEN, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: (714) 374-1744 / TNGUYEN@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO PERMIT THE SALES AND SERVICE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION WITHIN A 1,800 SQ. FT. EATING & DRINKING ESTABLISHMENT.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided should final project approval be received. If you have any questions regarding these requirements, please contact the Plan Reviewer.

CONDITIONAL USE PERMIT NO. 11-014:

1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design.
2. Prior to issuance of building permits, the Beach and Edinger Corridors Specific Plan fee shall be paid for remodels in the Beach and Edinger Corridors Specific Plan (SP-14) area). (**Resolution No. 2010-80**)
3. The structure(s) cannot be occupied until a Certificate of Occupancy is approved and issued by the Planning & Building Department. (**HBMC 17.04.036**)
4. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning & Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services

Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18. **(HBZSO Section 241.18)**

5. Conditional Use Permit No. 11-011 shall not become effective until the appeal period following the approval of the entitlement has elapsed. **(HBZSO Section 241.14)**
6. Conditional Use Permit No. 11-001 shall become null and void unless exercised within one year of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date. **(HBZSO Section 241.16.A)**
7. The Planning Commission reserves the right to revoke Conditional Use Permit No. 11-011 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs. **(HBZSO Section 241.16.D)**
8. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein. **(City Charter, Article V)**
9. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
10. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption/Determination at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's approval of entitlements. **(California Code Section 15094)**
11. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning & Building Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs. **(HBZSO Chapter 233)**
12. Live entertainment and/or outdoor dining in excess of 400 sq. ft. shall not be permitted unless a conditional use permit for this specific use is reviewed and approved. Outdoor dining occupying less than 400 sq. ft. is subject to Neighborhood Notification and approval by the Director of Planning. **(HBZSO Section 211.04)**



CITY OF HUNTINGTON BEACH
PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JUNE 6, 2011
PROJECT NAME: CHILE VERDE ALCOHOL SALES
PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 11-0081
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 11-014
DATE OF PLANS: JUNE 2, 2011
PROJECT LOCATION: 18900 BEACH #112, HUNTINGTON BEACH
PROJECT PLANNER: TESS NGUYEN, ASSOCIATE PLANNER
PLAN REVIEWER: MARK CARNAHAN/ INSPECTION MANAGER
TELEPHONE/E-MAIL: (714) 374-1792/ mcamahan@surfcity-hb.org
PROJECT DESCRIPTION: TO PERMIT THE ONSITE SALES AND CONSUMPTION OF BEER AND WINE WITHIN AN EXISTING 1,800 SQ. FT. RESTAURANT.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

1. Any modifications necessary to refrigerate or dispense alcoholic beverages are subject to a permit.

ATTACHMENT NO. 4.4



CITY OF HUNTINGTON BEACH
PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JUNE 6, 2011
PROJECT NAME: CHILE VERDE ALCOHOL SALES
PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 11-0081
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 11-014
DATE OF PLANS: JUNE 2, 2011
PROJECT LOCATION: 18900 BEACH #112, HUNTINGTON BEACH
PROJECT PLANNER: TESS NGUYEN, ASSOCIATE PLANNER
PLAN REVIEWER: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST
TELEPHONE/E-MAIL: (714) 536-5531/ DAMARESH@surfcity-hb.org
PROJECT DESCRIPTION: TO PERMIT THE ONSITE SALES AND CONSUMPTION OF BEER AND WINE WITHIN AN EXISTING 1,800 SQ. FT. RESTAURANT.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

FIRE HAS NO COMMENTS

ATTACHMENT NO. 4.5



HUNTINGTON BEACH POLICE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JUNE 23, 2011
PROJECT NAME: CHILI VERDE
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 11-0081
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 11-014
DATE OF PLANS: JUNE 2, 2011
PROJECT LOCATION: 18900 BEACH #112, HUNTINGTON BEACH
PLAN REVIEWER: DETECTIVE KESLER #1191
TELEPHONE/E-MAIL: (714) 536-5994 / KESLER@HBPD.ORG
PROJECT DESCRIPTION: TO PERMIT THE ONSITE SALES AND CONSUMPTION OF BEER AND WINE WITHIN AN EXISTING 1,800 SQ. FT. RESTAURANT

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

The Police Department does not believe the modification will significantly affect the business activity or increase the potential to create public nuisances, as the location's primary business emphasis will remain unchanged as a full service restaurant but will add the addition of on-site alcohol sales.

In order to prevent the location from operating as a night club or public premise, we recommend the following conditions be added to a new Conditional Use Permit:

1. To ensure the location maintains a restaurant atmosphere, food service from the regular menu shall be available from the time the business opens to the public, until at least 30 minutes prior to the scheduled closing time.
2. All alcoholic beverages shall remain within the interior of the restaurant and bar. Service of alcoholic beverages for consumption off-site will not be permitted.

ATTACHMENT NO. 4.6

3. In order to reduce noise disturbances to the residential community located less than 100 feet from the east end of the building, all exterior doors will remain closed during business hours.
4. All areas where the sales, service, and consumption of alcoholic beverages will be permitted must be sufficiently illuminated to permit the identification of patrons.
5. Dancing and entertainment shall be prohibited.