



City of Huntington Beach Planning Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Ethan Edwards, AICP, Associate Planner *Le*
DATE: November 24, 2009

SUBJECT: **CONDITIONAL USE PERMIT NO. 09-017 / ENTITLEMENT PLAN
AMENDMENT NO. 09-005 (AMENDMENT TO CONDITIONAL USE PERMIT
NO. 93-6 – COACH'S RESTAURANT EXPANSION)**

APPLICANT: Jeff Bergsma, Team Design, 221 Main Street 'S', Huntington Beach, CA 92648

BUSINESS

OWNER: Murat Koc, 200 Main Street, Suite No.105, Huntington Beach, CA 92648

PROPERTY

OWNER: Robert Koury, 200 Main Street, Suite No. 206, Huntington Beach, CA 92648

LOCATION: 200 Main Street, Suite No. 105, 92648 (east side of Main Street, between Olive Avenue and Walnut Avenue – Downtown)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

The proposed project is a request to permit the expansion of an existing restaurant with alcohol sales by occupying the adjacent existing retail suite; to permit live entertainment including belly dancing performances, family/cultural dancing and live music; and to participate in the Downtown Parking In-Lieu Fee Program for seven parking spaces. This proposal also includes an amendment to Condition No. 2 of Conditional Use Permit No. 93-6 which currently permits the hours of operation between 11:00 AM to 10:00 PM, Sunday – Thursday and 11:00 AM to 12:00 (midnight) Friday and Saturday. The applicant proposes hours of operation between 10:00 AM to 2:00 AM everyday.

The subject suite is located within the Main Promenade building, a mixed use development consisting of commercial and parking facilities. The existing restaurant is located within Suite No.105. The project proposes to expand 1,000 sq. ft. by occupying the adjacent Suite No.103. Tenant improvements include: relocation and enlargement of the grill line, dry storage area, full-license bar, restrooms, and additional booth-seating. Live entertainment is proposed within a designated banquet room between 10:00 AM and 2:00 AM daily consisting of amplified and non-amplified music along with belly dancing performances and family/cultural dancing. All dancing will be restricted to a 99 sq. ft. delineated dance floor within the banquet room only. The existing outdoor dining area adjacent to Suite No. 105 will be expanded to include the area adjacent to Suite No. 103 for a new total outdoor dining area of 144 sq. ft.

The 1,000 sq. ft. restaurant expansion with a dance floor requires a total of twelve on-site parking spaces. The previous retail use of the area to be occupied is credited with five parking spaces which may be applied towards the restaurant's on-site parking requirement. The remaining seven required parking spaces cannot be provided on-site therefore, the applicant requests participation in the Downtown Parking In-Lieu Fee

Program. The applicant would be required to show evidence of a City agreement assuring in-lieu fee participation. The fee per space, which is established by City Council Resolution, shall be paid by the property owner or tenant and may be in a lump sum payment or paid on an annual basis for up to fifteen years and secured by a mechanism established in the conditions of approval. The first payment shall be required to be paid prior to issuance of Certificate of Occupancy or Final Building Permit inspection, whichever occurs first. The in-lieu fee amount applicable to this project is \$17,297.86 per parking space. Therefore, \$121,085.02 in-lieu parking fee is required to satisfy the parking requirement for this project (7 x \$17,297.86 = \$121,085.02).

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	MV-F6/25-sp-pd (Mixed Use Vertical – 2.0 Max. Floor Area Ratio/ 25 Dwelling Units per Acre – Specific Plan Overlay – Pedestrian Overlay)	SP-5 (Downtown Specific Plan District 5/Coastal Zone)	Commercial Uses/Parking Facility
North of Subject Property (across Olive Avenue):	MV-F6/25-sp-pd	SP-5	Post Office/Commercial
East of Subject Property (across 3 rd Street):	MV-F6/25-sp-pd	SP-5	Commercial/Residential
South of Subject Property (across Walnut Avenue):	MV-F6/25-sp-pd	SP-5	Commercial
West of Subject Property (across Main Street):	MV-F6/25-sp-pd	SP-5	Commercial

The City approved Conditional Use Permit No. 88-34 and Coastal Development Permit No. 88-27 to permit a 32,073 sq. ft. commercial building integrated with a 5-level parking structure (Main Promenade) on October 18, 1988. In addition, prior City actions for Suite No. 105 include: Conditional Use Permit No. 93-06 to permit beer & wine approved on June 1, 1993; Conditional Use Permit No. 96-14 and Coastal Development Permit No. 96-10 to permit outdoor dining on public property approved on May 10, 1996; and Conditional Use Permit No. 00-21 to permit alcohol within the outdoor dining area approved on June 22, 2000.

The existing restaurant was originally issued an Entertainment Permit by the Police Department in 2001 to allow amplified and non-amplified music, a maximum of two musicians and one belly dancer. The permit has been renewed annually since original issuance. Activities approved by this permit are classified as live entertainment uses which requires approval of a conditional use permit (CUP). During staff’s research, it was determined that a conditional use permit for live entertainment was never applied for nor approved for this location. Consequently, the applicant has requested that live entertainment be included in this application to allow for the necessary review of this use in an effort to remedy this discrepancy.

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:

October 31, 2009

MANDATORY PROCESSING DATE(S):

December 31, 2009

Entitlement Plan Amendment No. 09-005 was filed on June 1, 2009 and deemed complete June 30, 2009. Conditional Use Permit No. 09-017 was filed on July 29, 2009 including a 30-day extension to the mandatory processing time to allow for the inclusion of the live entertainment request. On September 9, 2009 the Planning Commission continued the application to a date uncertain at the applicant's request. On October 1, 2009 the applicant submitted new plans proposing to further expand the restaurant and outdoor dining by fully occupying the adjacent suite allowing for a banquet room with dance floor, greater occupancy, and a larger bar area. Because of this substantial change, the applicant has acknowledged that this project is subject to new processing timelines. The revised application was deemed complete on October 31, 2009 and is tentatively scheduled for a public hearing before the Planning Commission on December 8, 2009.

CEQA ANALYSIS/REVIEW

The proposed project is Categorically Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act, which states that minor alterations to existing or approved structures are exempt from further environmental review.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The Departments of Building & Safety, Fire, Public Works, Economic Development, Community Services, and Planning have reviewed the application and identified applicable code requirements (Attachment No. 4).

The Police Department has expressed minor concerns with expanded alcohol consumption and live entertainment resulting in the following suggested conditions of approval which are consistent with the Downtown Image Committee's recommendations to regulate entertainment uses (Attachment No. 5):

These conditions will ensure the location continues to operate as a bona fide restaurant, and not as a bar or nightclub.

1. All entertainment shall remain within the designated banquet room at all times.
2. Dancing shall only be permitted within a clearly delineated dance floor located within the designated banquet room.
3. The dance floor shall occupy no more than 100 square feet.
4. The banquet room shall always function as a multi-use banquet room with food service and seating for guests during hours of entertainment.
5. Entertainment shall not begin prior to 10:00 AM, shall cease no later than 1:30 AM and no later than 30 minutes prior to the scheduled closing time.
6. No more than three performers, including a maximum of one belly dancer, shall be permitted to perform at any time.
7. For the safety of the belly dancer, the dancer shall not perform for anyone who is obviously intoxicated.
8. All exterior doors and windows shall be closed when entertainment is occurring.

9. Noise from entertainment shall not be audible beyond the area controlled by the occupant at all times.
10. No performer shall have intentional contact with any patrons, employees, or other performers.
11. Tables and chairs shall be provided within the banquet room at all times.
12. There shall not be any cover charge or other considerations for patrons entering the restaurant.
13. The business shall not pay any promoter, or share any profits with any promoter, based upon the restaurants occupancy during times of entertainment.
14. Advertising of dancing activities shall be prohibited.
15. Food from the regular full menu shall be available up to one hour prior to the scheduled closing time.
16. The submitted floor plan shall not be modified without prior approval from the Huntington Beach Police & Planning Departments.
17. Entertainment shall only be permitted when the applicant is in possession of a valid Entertainment Permit issued by the Chief of Police or his/her designee.
18. All areas where the sales, service, and consumption of alcoholic beverages are permitted shall be sufficiently illuminated to permit the identification of patrons.
19. Alcoholic beverages shall be served in a distinctive container different from non-alcoholic beverages.
20. The business shall not be open to the public or host any private events between the hours of 2:00 AM and 7:00 AM the same day.

In addition, the Police department has prepared a Conceptual Entertainment Permit which includes additional conditions that will be used to regulate the entertainment use (Attachment No. 7). Planning staff concurs with the Police Department's suggested conditions of approval and Conceptual Entertainment Permit conditions. The applicant has reviewed these conditions and concurs with staff's recommendations.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

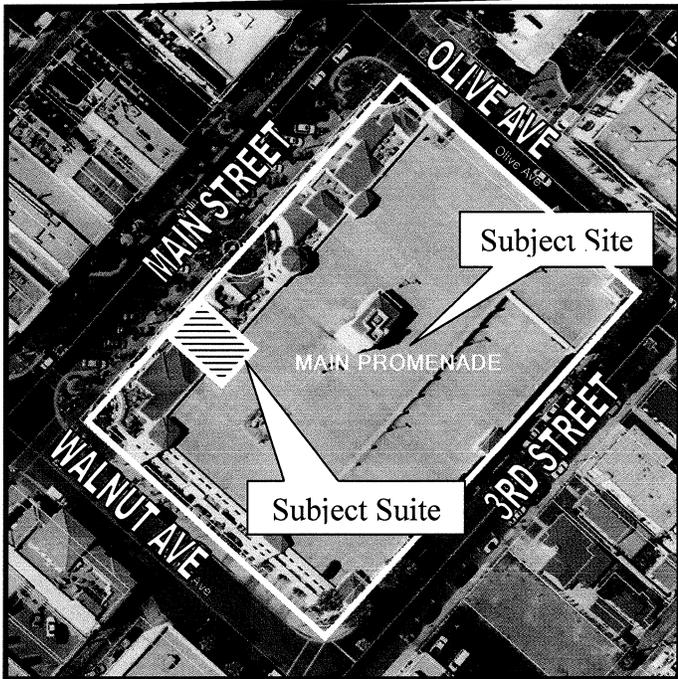
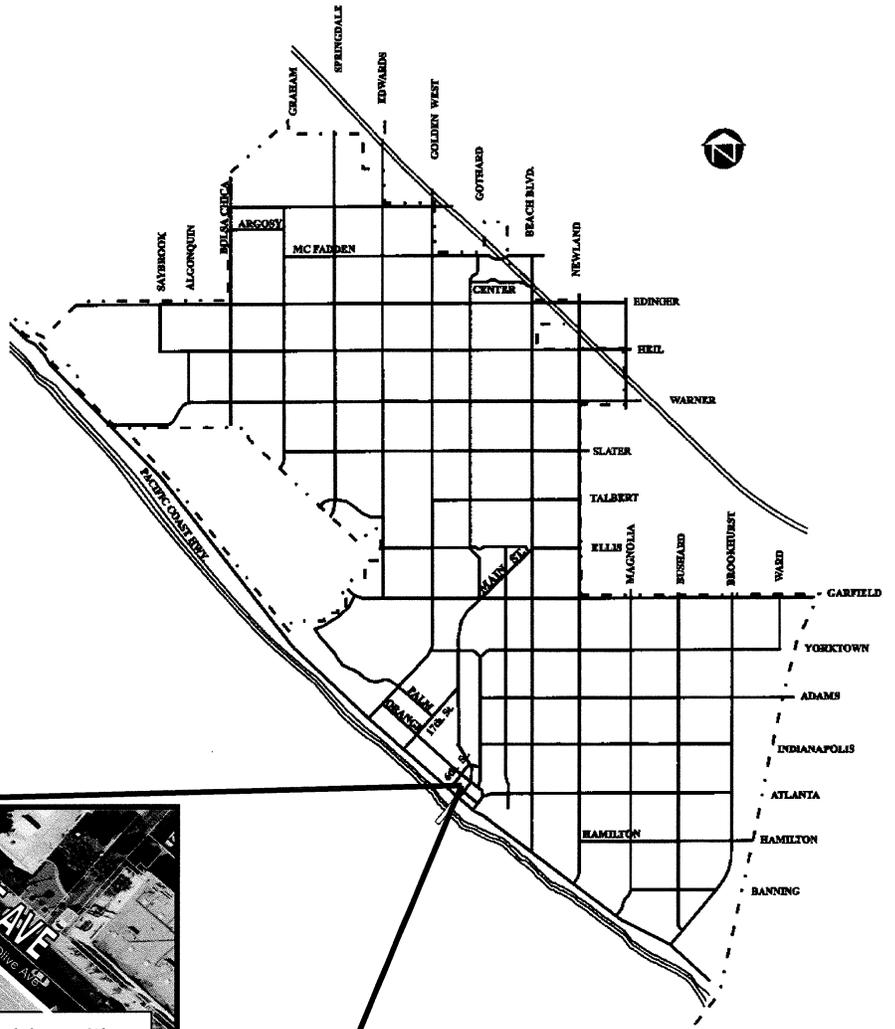
There have been no public meetings regarding this request. To date, there have been no comments from the public regarding this request.

PLANNING ISSUES

The primary issues with the proposed restaurant expansion are related to compliance with the minimum on-site parking requirements, compliance with the Downtown Parking Master Plan and participation in the In-Lieu Fee Parking Program. In addition, the issue of land use compatibility and compliance with the Downtown Specific Plan are identified and include live entertainment, dancing, the expansion of the restaurant, and the sale and consumption of alcoholic beverages. With the suggested conditions of approval, the proposed entitlements are consistent with scope and intent of the development in the downtown and supported by the General Plan and the Downtown Specific Plan including the Downtown Parking Master Plan.

ATTACHMENTS:

1. Vicinity Map
2. Project Narrative dated & received November 4, 2009
3. Site, Demolition, & Floor Plan dated & received October 1, 2009
4. Code Requirements Letter dated October 28, 2009 (for informational purposes only)
5. Police Department Suggested Conditions of Approval received October 14, 2009
6. Conditional Use Permit No. 93-6 approved June 1, 1993 (CUP to be amended)
7. Conceptual Entertainment Permit received November 10, 2009



VICINITY MAP

**CONDITIONAL USE PERMIT NO. 09-017; ENTITLEMENT PLAN AMENDMENT NO. 09-005
(200 MAIN STREET, SUITE 105)**

Coach's Mediterranean Grill
200 Main Street
Suite 105
Huntington Beach, CA 92648



November 4, 2009

Narrative for Entitlement Plan Amendment (Expansion and Dancing)

Coach's Mediterranean Grille is an existing 1930 s.f. restaurant (C.U.P. 93-6) with outdoor dining (72 s.f. C.U.P. 00-21) and has full alcohol and entertainment permits.

The scope of proposed work is to convert 1000 s.f. of adjacent retail space into an expansion of the existing restaurant and add 72 s.f. of outdoor dining (144 s.f. total); relocate the grille line, relocate dry storage, relocate and enlarge the restrooms; and add dancing to the existing entertainment permit.

The restaurant is open at 10:00 a.m. every day and closes at 2:00 a.m. on weekdays and weekends. There are 6 to 8 employees working at any given time.

The reason for initiating this E.P.A. application is for change of use from retail to restaurant and modify entertainment permit. We request participation in the In-Lieu Parking Program to satisfy parking requirements.

Coach's has an Entertainment Permit (Issued 5/22/08) which allows for belly dancing and music with conditions. We request that belly dancing be retained with family / cultural / ethnic type dancing within a 99 s.f. dancing area in the Banquet Room. Dancing in the Banquet Room is reserved for parties and special occasions. We request to keep maximum of (2) musicians and/or amplified music with restrictions per Sound Ordinance. The hours of entertainment to be adjusted to the hours of operation listed above. We agree to a condition for yearly review of C.U.P. to verify dancing parameter conformance.

The expansion will require ~~6~~⁷ parking spaces to be provided in-lieu. Applicant and Property Owner have worked with Redevelopment to set terms of payment in the in-lieu fee program.

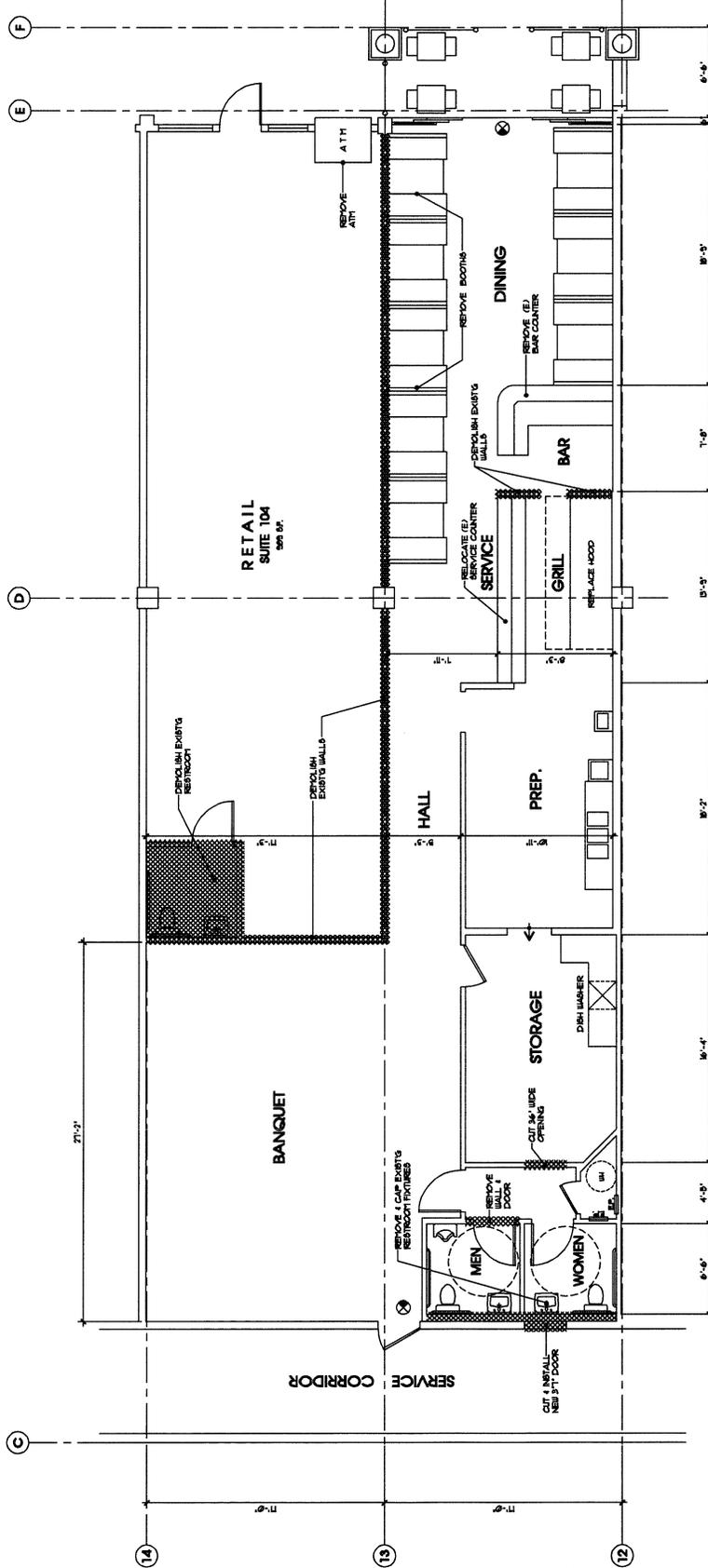
The surrounding uses are retail stores and food service.

The population serviced by the proposed project is both visitor serving and neighborhood serving.

RECEIVED

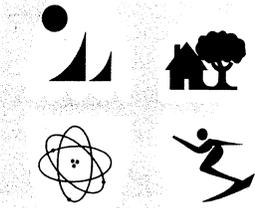
OCT 01 2009

Huntington Beach
PLANNING DEPT.



EXISTING AND
DEMOLITION PLAN

DATE: 09/28/09	DATE: 10/11/09	COACH'S MEDICINE/T.I.I.	A1
SCALE: 1/4"=1'-0"	DATE: 10/11/09	THE ARCHITECT	
DESIGNER: H&M&S-A		THE ARCHITECT	
		TEAM	
		1111 1/2 ST. SUITE 100	
		HUNTINGTON BEACH, CA 92648	
		TEL: 714.344.1111	
		FAX: 714.344.1111	



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

October 28, 2009

Jeff Bergsma
Team Design
221 Main Street 'S'
Huntington Beach, CA 92648

SUBJECT: CONDITIONAL USE PERMIT NO. 2009-017 / ENTITLEMENT PLAN AMENDMENT NO. 2009-005 (200 MAIN STREET, SUITE 105) - PROJECT IMPLEMENTATION CODE REQUIREMENTS & CONDITIONS OF APPROVAL

Dear Applicant,

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 ethan.edwards@surfcity-hb.org or 714-536-5561 and/or the respective source department (contact person below).

Sincerely,

Ethan Edwards, AICP
Associate Planner

Enclosure(s)

xc:

Jason Kwak, Building and Safety Department – 714-536-5278
Brian Smith, Police Department – 714-536-5994
Darin Maresh, Fire Department – 714-536-5564
Simone Slifman, Econ. Dev. Department – 714-536-5186
Josh McDonald, Public Works – 714-536-5561
David Dominguez, Community Services – 714-536-5309
Herb Fauland, Planning Manager
Jason Kelley, Planning Department
Property Owner
Project File

ATTACHMENT NO. 4.1



HUNTINGTON BEACH POLICE DEPARTMENT

PROJECT IMPLEMENTATION CONDITIONS OF APPROVAL

DATE: OCTOBER 14, 2009
PROJECT NAME: COACH'S RESTAURANT EXPANSION
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 2009-154
ENTITLEMENTS: ENTITLEMENT PERMIT AMENDMENT NO. 2009-005
DATE OF PLANS: SEPTEMBER 17, 2009
PROJECT LOCATION: 200 MAIN STREET, SUITE 105, HUNTINGTON BEACH (APN: 937-192-33)
PLAN REVIEWER: DETECTIVE BRIAN J. SMITH #1168
TELEPHONE/E-MAIL: (714) 536-5994 / BJSmith@HBPD.Org

PROJECT DESCRIPTION: EPA: To permit approximately 1000 sq. ft. expansion of an existing restaurant by occupying the adjacent existing retail suite. The retail to restaurant expansion will require participation in the Parking In-Lieu Fee Program resulting in payment for 7 parking spaces (10 spaces required for new restaurant area, 5 space credit for existing retail area; and 2 parking spaces for the dance floor). The proposal also includes modifying the operation to permit an interior remodel to accommodate additional occupancy, additional outdoor dining area, and a larger bar.

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 proposed modification does not appear to significantly alter the businesses design and function as a full service restaurant operating with a Type-47 (On Sale Eating Place) Department of Alcoholic Beverage Control license.

After reviewing the narrative for the proposed modification to Coach's Mediterranean Grill, the Police Department proposes the following conditions to permit the specific entertainment proposed by the applicant. These conditions will assist in maintaining an environment which prevents increased noise and alcohol related disturbances within the downtown business district and adjoining residential neighborhoods.

These conditions will also ensure the location continues to operate as a bona fide restaurant, and not as a bar or nightclub.

1. All entertainment shall remain within the designated banquet room at all times.

ATTACHMENT NO. 4.2

2. Dancing shall only be permitted within a clearly delineated dance floor located within the designated banquet room.
3. The dance floor shall occupy no more than 100 square feet.
4. The banquet room shall always function as a multi-use banquet room with food service and seating for guests during hours of entertainment.
5. Entertainment shall not begin prior to 10:00 AM, shall cease no later than 1:30 AM and no later than 30 minutes prior to the scheduled closing time.
6. No more than three performers, including a maximum of one belly dancer, shall be permitted to perform at any time.
7. For the safety of the belly dancer, the dancer shall not perform for anyone who is obviously intoxicated.
8. All exterior doors and windows shall be closed when entertainment is occurring.
9. Noise from entertainment shall not be audible beyond the area controlled by the occupant at all times.
10. No performer shall have intentional contact with any patrons, employees, or other performers.
11. Tables and chairs shall be provided within the banquet room at all times.
12. There shall not be any cover charge or other considerations for patrons entering the restaurant.
13. The business shall not pay any promoter, or share any profits with any promoter, based upon the restaurant's occupancy during times of entertainment.
14. Advertising of dancing activities shall be prohibited.
15. Food from the regular full menu shall be available up to one hour prior to the scheduled closing time.
16. The submitted floor plan shall not be modified without prior approval from the Huntington Beach Police & Planning Departments.
17. Entertainment shall only be permitted when the applicant is in possession of a valid Entertainment Permit issued by the Chief of Police or his/her designee.
18. All areas where the sales, service, and consumption of alcoholic beverages are permitted shall be sufficiently illuminated to permit the identification of patrons.
19. Alcoholic beverages shall be served in a distinctive container different from non-alcoholic beverages.
20. The business shall not be open to the public or host any private events between the hours of 2:00 AM and 7:00 AM the same day.



CITY OF HUNTINGTON BEACH
PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: OCTOBER 14, 2009
PROJECT NAME: COACH'S MEDITERRANEAN GRILL EXPANSION
PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 2009-154
ENTITLEMENTS: ENTITLEMENT PLAN AMENDMENT 09-005
DATE OF PLANS: SEPTEMBER 17, 2009
PROJECT LOCATION: 200 MAIN STREET, #105, HUNTINGTON BEACH
PROJECT PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER
PLAN REVIEWER: SIMONE SLIFMAN
TELEPHONE/E-MAIL: (714) 536-5186 / simone.slifman@surfcity-hb.org
PROJECT DESCRIPTION: TO PERMIT APPROX. 1000 SQ. FT EXPANSION OF THE EXISTING RESTAURANT BY OCCUPYING A PORTION OF THE EXISTING RETAIL SUITE.

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 Economic Development Department has reviewed the proposed project and has the following comments/concerns:

The project will require seven (7) additional parking in-lieu spaces, for which an agreement is currently being negotiated with the property owner. The Department has no further comments at this time.



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: OCTOBER 12, 2009

PROJECT NAME: COACH'S MEDITERRANEAN GRILL

ENTITLEMENTS: EPA 09-05

PLNG APPLICATION NO: 2009-0154

DATE OF PLANS: OCTOBER 1, 2009

PROJECT LOCATION: 200 MAIN STREET, SUITES 105

PROJECT PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 536-5561 / ETHAN.EDWARDS@SURFCITY-HB.ORG

PLAN REVIEWER: JOSH MCDONALD, CIVIL ENGINEERING ASSISTANT

TELEPHONE/E-MAIL: 714-536-5509 / JOSHUA.MCDONALD@SURFCITY-HB.ORG

PROJECT DESCRIPTION: TO PERMIT APPROXIMATELY 1000 SQ. FT. EXPANSION OF AN EXISTING RESTAURANT BY OCCUPYING THE ADJACENT EXISTING RETAIL SUITE. THE RETAIL TO RESTAURANT EXPANSION WILL REQUIRE PARTICIPATION IN THE PARKING IN-LIEU FEE PROGRAM RESULTING IN PAYMENT FOR 7 PARKING SPACES (10 SPACES REQUIRED FOR NEW RESTAURANT AREA, 5 SPACE CREDIT FOR EXISTING RETAIL AREA; AND 2 PARKING SPACES FOR THE DANCE FLOOR). THE PROPOSAL ALSO INCLUDES MODIFYING THE OPERATION TO PERMIT: AN INTERIOR REMODEL TO ACCOMMODATE ADDITIONAL OCCUPANCY, ADDITIONAL OUTDOOR DINING AREA; AND, A LARGER BAR.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF A BUILDING PERMIT:**

1. The existing domestic water service currently serving the existing development may potentially be utilized if it is of adequate size, conforms to current standards, and are in working condition as determined by the Water Inspector. If the property owner elects to utilize the existing water service, any non-conforming water service, meter, and backflow protection device shall be upgraded to conform to the current Water Division Standards. Alternatively, a new separate domestic water service(s), meter(s) and backflow protection device(s) may be installed per Water Division Standards and shall be sized to meet the minimum requirements set by the California Plumbing Code (CPC). The new domestic water service shall be a minimum of 2-inches in size. (ZSO 230.84)
2. When fire sprinklers are required by the Fire Department for the proposed development, a separate dedicated fire service line shall be installed with a backflow protection device that conforms to the current Water Division Standards. (ZSO 230.84)
3. Traffic impact fees for commercial development shall be paid at the rate applicable at the time of Building Permit issuance. The current rate of \$163 per net new added daily trip is adjusted annually. This project is forecast to generate 41 new daily trips for a total traffic impact fee of \$6,683.00. The rate is subject to an annual adjustment on December 1st. (MC 17.65)



HUNTINGTON BEACH PLANNING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: July 29, 2009

PROJECT NAME: COACH'S RESTAURANT EXPANSION

PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 2009-154

ENTITLEMENTS: ENTITLEMENT PERMIT AMENDMENT NO. 2009-005

DATE OF PLANS: JUNE 1, 2009

PROJECT LOCATION: 200 MAIN STREET, SUITE 105, HUNTINGTON BEACH (APN: 937-192-33)

PLAN REVIEWER: ETHAN EDWARDS

TELEPHONE/E-MAIL: 714.536.5561 / ETHAN.EDWARDS@SURFCITY-HB.ORG

PROJECT DESCRIPTION: EPA: To permit approximately 400 sq. ft. expansion of an existing restaurant by occupying a portion of the adjacent existing retail suite. The retail to restaurant expansion will require participation in the Parking In-Lieu Fee Program resulting in payment for two parking spaces (4 spaces required for new restaurant area, 2 space credit for existing retail area). The proposal also includes modifying the operation to permit: an interior remodel to accommodate additional occupancy; and, a new bar.

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.

ENTITLEMENT PLAN AMENDEMNT NO. 2009-005:

1. The floor plans approved by the Planning Commission shall be the conceptually approved design.
2. Prior to submittal for building permits, the following shall be completed:
 - a. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Building & Safety, Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.

ATTACHMENT NO. 4.7

- b. The property owner shall submit an In-Lieu Parking Fee Participation Agreement to the Planning Department. The agreement shall be reviewed and approved by the City Attorney as to form and content and, when approved, shall be recorded in the Office of the Orange County Recorder. The recorded agreement shall remain in effect for the term specified, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach. **(City Council Resolution Nos. 6720 and 6721)**
3. Prior to issuance of building permits, the following shall be completed:
 - a. An "Acceptance of Conditions" form shall be properly executed by the applicant and an authorized representative of the owner of the property, and returned to the Planning Department for inclusion in the entitlement file. Conditions of approval shall remain in effect in the recorded form in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach.
 4. During construction, the following shall be adhered to:
 - a. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays.
 5. The final building permit(s) cannot be approved, until the following has been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
 - d. A copy of the recorded In-Lieu Parking Fee Participation Agreement and proof of full payment or first installment payment to the City Treasurer shall be submitted to the Planning Department.
 - e. A Certificate of Occupancy must be approved by the Planning Department and issued by the Building and Safety Department.
 6. The use shall comply with the following:
 - a. All work shall be conducted wholly within the building except as otherwise approved.
 - b. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by the ABC, shall be submitted to the Planning Department. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.
 - c. Prior to commencing live entertainment activities, a copy of an approved Entertainment Permit, approved by the Police Department and issued by the Business License Department, shall be submitted to the Planning Department. All conditions of the Entertainment Permit shall be observed.
 - d. Only the uses described in the narrative shall be permitted (See attached Narrative).

7. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
8. This approval shall not become effective until the ten calendar day appeal period following the approval of the entitlements has elapsed.
9. This approval 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.
10. The Planning Commission reserves the right to revoke EPA 2009-005 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.
11. 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.
12. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption 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.
13. 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 Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs.
14. 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.



**CITY OF HUNTINGTON BEACH
DEPARTMENT OF BUILDING & SAFETY
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

DATE: JULY 9, 2009

PROJECT NAME: COACH'S RESTAURANT EXPANSION

PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 2009-154

ENTITLEMENTS: ENTITLEMENT PERMIT AMENDMENT NO. 2009-005

DATE OF PLANS: JUNE 1, 2009

PROJECT LOCATION: 200 MAIN STREET, SUITE 105, HUNTINGTON BEACH (APN: 937-192-33)

PLAN REVIEWER: JASON KWAK, PLAN CHECK ENGINEER

TELEPHONE/E-MAIL: (714) 536-5278 / jkwak@surfcity-hb.org

PROJECT DESCRIPTION: **EPA:** To permit approximately 400 sq. ft. expansion of an existing restaurant by occupying a portion of the adjacent existing retail suite. The retail to restaurant expansion will require participation in the Parking In-Lieu Fee Program resulting in payment for two parking spaces (4 spaces required for new restaurant area, 2 space credit for existing retail area). The proposal also includes modifying the operation to permit: an interior remodel to accommodate additional occupancy; and, a new bar.

The following is a list of code requirements deemed applicable to the proposed project based on plans received as 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. This list is not intended to be a full and complete list and serves only to highlight possible building code issues on the proposed preliminary plans. Electrical, plumbing, and mechanical items are not included in this review. If you have any questions regarding these comments, please contact the plan reviewer.

I. SPECIAL CONDITIONS:

1. None

II. CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:

1. Project shall comply with the current state building codes adopted by the City at the time of permit application submittal. Currently they are 2007 California Building Code (CBC), 2007 California Mechanical Code, 2007 California Plumbing Code, 2007 California Electrical Code, 2007 California Energy Code and the Huntington Beach Municipal Code (HBMC). Compliance to all applicable state and local codes is required prior to issuance of building permit.
2. Due to the change of occupancy group from M (retail) to A (assembly) in the addition area, provide building analysis to verify the existing building's floor area is within the CBC allowable area limitations for mixed use buildings.

ATTACHMENT NO. 4.10

3. Please note that a fire rated occupancy separation is required between the proposed area to be converted to an A occupancy area and the existing adjacent retail area (M occupancy) per Table 508.3.3.

PLANNING DEPARTMENT DEVELOPMENT REVIEW REQUEST

TO: Steve Bogart, Public Works
Eric Haghani, Building
Chief Ken Small, Police

Darrin Maresh, Fire
Kellee Fritzall, Economic Development
David Dominguez, Community Services

FROM: Ethan Edwards Ext: 5561

DATE: JUNE 22, 2009

PC ZA DRB STAFF

PETITION(S): Planning Application No. 09-154: Entitlement Plan Amendment No. 09-005,

REQUEST(S): **EPA:** To permit approximately 400 sq. ft. expansion of an existing restaurant by occupying a portion of the adjacent existing retail suite. The retail to restaurant expansion will require participation in the Parking In-Lieu Fee Program resulting in payment for two parking spaces (4 spaces required for new restaurant area, 2 space credit for existing retail area). The proposal also includes modifying the operation to permit: an interior remodel to accommodate additional occupancy; and, a new bar.

LOCATION: 200 Main Street, Suites 105, Huntington Beach (APN: 937-192-33)

ZONE: Downtown Specific Plan (SP5 (district 3)-CZ)

GENERAL PLAN: Mixed Use Vertical (MV-F6/25-sp-pd)

EXISTING USE: Commercial (existing restaurant & retail store)

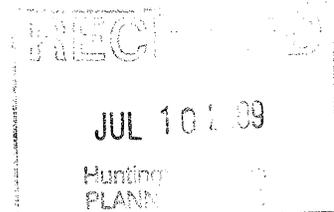
Please submit your concerns and recommended changes or conditions in writing on or before **July 10, 2009.**

COMMENTS: (Use attachments or back side of sheet if necessary)

COMMUNITY SERVICES HAS NO CONCERNS WITH THE PROPOSED PROJECT OTHER THAN APPROXIMATE PARK FEES BE APPLIED PER 230.20 OF THE ZONING CODE

RESPONSE BY: DAVID DOMINGUEZ Extension 5309

Attachments: 1. Plans 2. Narrative



ATTACHMENT NO. 4.12



HUNTINGTON BEACH POLICE DEPARTMENT

PROJECT IMPLEMENTATION CONDITIONS OF APPROVAL

DATE: OCTOBER 14, 2009
PROJECT NAME: COACH'S RESTAURANT EXPANSION
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 2009-154
ENTITLEMENTS: ENTITLEMENT PERMIT AMENDMENT NO. 2009-005
DATE OF PLANS: SEPTEMBER 17, 2009
PROJECT LOCATION: 200 MAIN STREET, SUITE 105, HUNTINGTON BEACH (APN: 937-192-33)
PLAN REVIEWER: DETECTIVE BRIAN J. SMITH #1168
TELEPHONE/E-MAIL: (714) 536-5994 / BJSmith@HBPD.Org

PROJECT DESCRIPTION: EPA: To permit approximately 1000 sq. ft. expansion of an existing restaurant by occupying the adjacent existing retail suite. The retail to restaurant expansion will require participation in the Parking In-Lieu Fee Program resulting in payment for 7 parking spaces (10 spaces required for new restaurant area, 5 space credit for existing retail area; and 2 parking spaces for the dance floor). The proposal also includes modifying the operation to permit an interior remodel to accommodate additional occupancy, additional outdoor dining area, and a larger bar.

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 proposed modification does not appear to significantly alter the businesses design and function as a full service restaurant operating with a Type-47 (On Sale Eating Place) Department of Alcoholic Beverage Control license.

After reviewing the narrative for the proposed modification to Coach's Mediterranean Grill, the Police Department proposes the following conditions to permit the specific entertainment proposed by the applicant. These conditions will assist in maintaining an environment which prevents increased noise and alcohol related disturbances within the downtown business district and adjoining residential neighborhoods.

These conditions will also ensure the location continues to operate as a bona fide restaurant, and not as a bar or nightclub.

1. All entertainment shall remain within the designated banquet room at all times.

ATTACHMENT NO. 6.1

2. Dancing shall only be permitted within a clearly delineated dance floor located within the designated banquet room.
3. The dance floor shall occupy no more than 100 square feet.
4. The banquet room shall always function as a multi-use banquet room with food service and seating for guests during hours of entertainment.
5. Entertainment shall not begin prior to 10:00 AM, shall cease no later than 1:30 AM and no later than 30 minutes prior to the scheduled closing time.
6. No more than three performers, including a maximum of one belly dancer, shall be permitted to perform at any time.
7. For the safety of the belly dancer, the dancer shall not perform for anyone who is obviously intoxicated.
8. All exterior doors and windows shall be closed when entertainment is occurring.
9. Noise from entertainment shall not be audible beyond the area controlled by the occupant at all times.
10. No performer shall have intentional contact with any patrons, employees, or other performers.
11. Tables and chairs shall be provided within the banquet room at all times.
12. There shall not be any cover charge or other considerations for patrons entering the restaurant.
13. The business shall not pay any promoter, or share any profits with any promoter, based upon the restaurants occupancy during times of entertainment.
14. Advertising of dancing activities shall be prohibited.
15. Food from the regular full menu shall be available up to one hour prior to the scheduled closing time.
16. The submitted floor plan shall not be modified without prior approval from the Huntington Beach Police & Planning Departments.
17. Entertainment shall only be permitted when the applicant is in possession of a valid Entertainment Permit issued by the Chief of Police or his/her designee.
18. All areas where the sales, service, and consumption of alcoholic beverages are permitted shall be sufficiently illuminated to permit the identification of patrons.
19. Alcoholic beverages shall be served in a distinctive container different from non-alcoholic beverages.
20. The business shall not be open to the public or host any private events between the hours of 2:00 AM and 7:00 AM the same day.

Huntington Beach Planning Commission

P.O. BOX 190

CALIFORNIA 92648

June 4, 1993

Tom Lustbaum
TNT Surf Taco
200 Main Street, #105
Huntington Beach, CA 92648

SUBJECT: CONDITIONAL USE PERMIT NO. 93-6

REQUEST: To permit the on-site sale of beer and wine at TNT Surf Taco Restaurant.

LOCATION: 200 Main Street, #105 (Main Promenade)

DATE OF APPROVAL: June 1, 1993

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 93-6:

1. The proposed on-site sale of beer and wine at TNT Surf Taco is in conformance with the City of Huntington Beach General Land Use designation of Mixed Use-Commercial/Office/Residential which permits the sale of alcoholic beverages in conjunction with a standard commercial use (restaurant).
2. The location, site layout, and design of the proposed use adapts the existing structures to streets, driveways, and other adjacent structures and uses in a harmonious manner. The project is located in a primarily commercial area and the proposed use will not adversely impact other surrounding properties.
3. The combination and relationship of one proposed use to another on a site are properly integrated. The other businesses in the same building and in the vicinity are general retail commercial and restaurant uses which are compatible with the proposed use.
4. The access to and parking for the restaurant with the on-site sale of beer and wine does not create an undue traffic problem. No additional parking is required with the addition of alcohol sales as a compliment to the existing menu and use.

ATTACHMENT NO. 61

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 93-6:

1. The site plan, floor plans, and elevations received and dated March 11, 1993 shall be the conceptually approved layout.
2. The use shall conform to the following:
 - a. The hours of operation shall be limited to the following hours:

Sunday - Thursday	11:00 AM - 10:00 PM
Friday - Saturday	11:00 AM - 12:00 Midnight
 - b. The restrooms shall be available for patron's use during business hours.
 - c. The maximum number of seats shall be 12 unless permitted through subsequent entitlement.
3. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control (ABC) Board license, along with any special conditions imposed by ABC, shall be submitted to the Department of Community Development. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.
4. The Planning Commission reserves the right to revoke Conditional Use Permit No. 93-6 if any violation of these conditions or the Huntington Beach Ordinance Code occurs.
5. Conditional Use Permit No. 93-6 shall not become effective for any purpose until an "Acceptance of Conditions" form has been signed and notarized by the applicant, and returned to the Planning Division.
6. Conditional Use Permit No. 93-6 shall become null and void unless exercised within one (1) year of the date of final approval, or such extension of time as may be granted by the Planning Commission pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date.

I hereby certify that Conditional Use Permit No. 93-6 was approved by the Planning Commission of the City of Huntington Beach on June 1, 1993 upon the foregoing findings and conditions. This approval represents conceptual approval only; detailed plans must be submitted for review and the aforementioned conditions completed prior to final approval.

Sincerely,

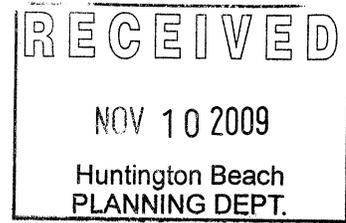
Nike Adams, Secretary
Planning Commission

by:



Scott Ross
Senior Planner

(6905d-1,3)



**CONCEPTUAL ENTERTAINMENT PERMIT
NOT A VALID PERMIT**

This document DOES NOT allow entertainment at the listed establishment. Listed are the proposed conditions for your entertainment permit pursuant to the approval of a conditional use permit allowing entertainment at your establishment.

**Issued to: Coach’s Mediterranean Grill
200 Main Street
Huntington Beach, CA 92648**

Effective Dates: CONCEPTUAL ONLY – FOR PLANNING PURPOSES

CONDITIONS:

1. Hours of Entertainment: Sunday through Thursday: 10:00 AM to 12:00 AM
Friday and Saturday: 10:00 AM to 1:30 AM
2. All entertainment must cease no less than 30 minutes prior to the posted or scheduled closing time, and no later than the time authorized by this permit.
3. Types of Entertainment: Amplified and non-amplified music, recorded music, karaoke, dancing, and a maximum of three performers, which includes a maximum of two musicians, and one belly dancer,
4. Dancing is permitted by patrons and a single belly dancer.
5. The belly dancer may not have intentional contact with any patron, nor may the dancer perform for individuals whom are obviously intoxicated.
6. Patron and performer dancing will only be permitted within the delineated dance floor located in the banquet room.
7. No games or contest requiring or involving the consumption of alcoholic beverages shall be permitted.
8. The configuration of tables and chairs shall not be modified from the provided site and floor plans without approval from the Police Department.
9. Alcoholic drinks shall not be included in the price of admission. There shall be no requirement for patrons to purchase a minimum number of alcoholic drinks.
10. There shall be no cover charge to enter the location.
11. All exterior doors and windows shall be closed during times of entertainment.
12. All live entertainment must remain inside the establishment at all times.
13. Noise from entertainment will not be audible beyond the outer walls of the premise.
14. Any security guards utilized must be clearly identifiable as security guards and possess a valid California Guard Card.
15. All owners, employees, representatives, and agents must obey all state, local, and municipal laws, and conditions of the Conditional Use Permit, Alcoholic Beverage Control License, or any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise; at all times. Violations of any law or conditions of the Conditional Use Permit will be considered a violation of this permit under § 5.44.015(c) of the Huntington Beach Municipal Code.

You have the right to appeal the conditions on this permit to the City Council in the manner provided by Section 248.02A of the Huntington Beach Zoning and Subdivision Ordinance; except that the written appeal must be filed with the City Clerk within five (5) days of service of this written notice.

Per section 5.44.090 HBMC, the Chief of Police may suspend or revoke your permit if your business permits activities detrimental to public welfare, creates unreasonable noise, causes a public nuisance, or if your business has had three or more violations of the same provision listed in section 5.44 HBMC or any six violations of section 5.44 HBMC within a 12 month period.

Issued: CONCEPTUAL ONLY

ATTACHMENT NO. 7