



City of Huntington Beach Planning and Building Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Ethan Edwards, AICP, Associate Planner *EE*
DATE: May 14, 2013

SUBJECT: **CONDITIONAL USE PERMIT NO. 13-001 (BEACH HUT DELI ON-SITE ALCOHOL SALES AND LIVE ENTERTAINMENT)**

APPLICANT: Ryan Nadon, 2016 California Street, Huntington Beach, CA 92648

PROPERTY

OWNER: Sun Brewer Partners LP, Hirajasu Nakaro, 9888 Carmel Mountain Road, Suite I, San Diego, CA 92129

LOCATION: 19025 Beach Boulevard, 92648 (southwest corner of Beach Boulevard and Garfield Avenue)

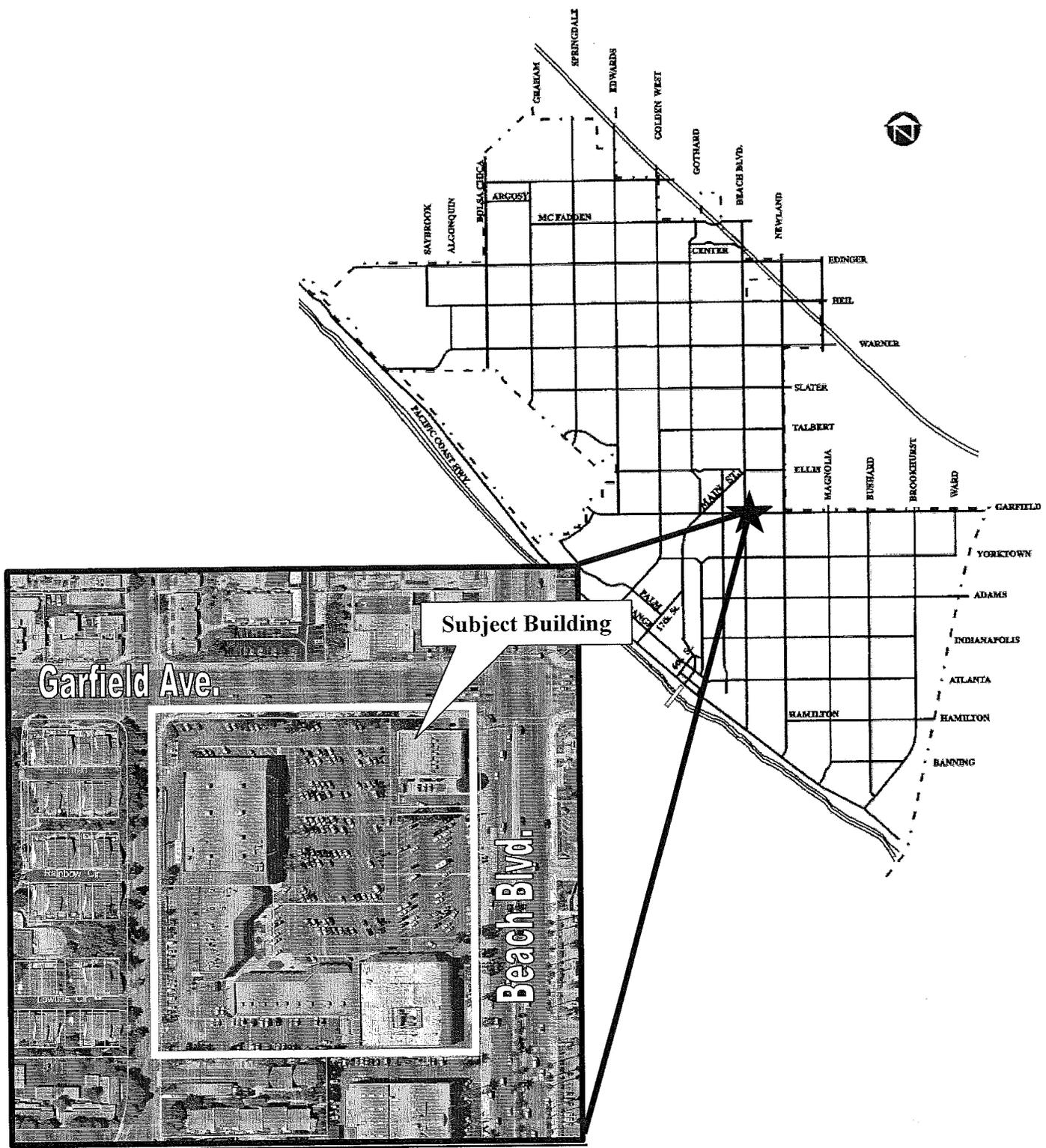
STATEMENT OF ISSUE:

- ◆ Conditional Use Permit No. 13-001 request:
 - To permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within an existing approximately 1,780 sq. ft. indoor and 400 sq. ft. outdoor eating and drinking establishment, and live entertainment consisting of a disc jockey, comedy acts, karaoke, and live bands.
- ◆ Staff's Recommendation: Approve Conditional Use Permit No. 13-001 based upon the following:
 - Compliance with the General Plan designation of Mixed Use.
 - Compliance with all minimum development standards including parking.
 - With conditions, the alcohol sales, service, and consumption at the restaurant along with live entertainment, will not generate negative impacts to adjacent uses.

RECOMMENDATION:

Motion to:

“Approve Conditional Use Permit No. 13-001 with suggested findings and conditions of approval (Attachment No. 1).”



VICINITY MAP
CONDITIONAL USE PERMIT NO. 13-001
(BEACH HUT DELI – 19025 BEACH BOULEVARD)

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Continue Conditional Use Permit No. 13-001 and direct staff accordingly.”
- B. “Deny Conditional Use Permit No. 13-001 with findings for denial.”

PROJECT PROPOSAL:

Conditional Use Permit No. 13-001 represents a request to permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within an existing approximately 1,780 sq. ft. indoor and 400 sq. ft. outdoor eating and drinking establishment, and live entertainment consisting of a disc jockey, comedy acts, karaoke, and live bands pursuant to Section 2.2.1, Use Types, Eating and Drinking Establishments with Alcohol and Live Entertainment, within the Neighborhood Center Segment of the Beach & Edinger Corridors Specific Plan (SP14).

The project site consists of approximately 8.1 acres located on the southwest corner of Beach Boulevard and Garfield Avenue known as the Beach Garfield Shopping Center. The project site was recently remodeled to include new storefronts, landscaping and tenant improvements to create the subject suite. The restaurant is located within a one-story commercial pad building at the northeast corner of the site fronting Garfield Avenue.

The restaurant will employ approximately 12-15 people. The proposed hours of operation are as follows:

DAYS	HOURS OF OPERATION
Sunday through Thursday	10:00 A.M. to 10:00 P.M.
Friday and Saturday	10:00 A.M. to 12:00 A.M. (midnight)

The sales, service, and consumption of alcohol is proposed to occur within the interior of the restaurant and designated outdoor dining area only. The proposed live entertainment would occur within the dining area by removing or reconfiguring some tables and chairs to accommodate for a stage or entertainment area. All entertainment would occur within the interior area only and be free of charge with the intention to augment the overall dining experience. The project includes interior modifications typical for restaurant use improvements.

ISSUES:

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

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Site:	M – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay)	SP14 (Beach and Edinger Corridors Specific Plan – Neighborhood Center)	Commercial Center
North (across Garfield Avenue), South, and East (across Beach Boulevard) of Subject Property:	M – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay)	SP14 (Beach and Edinger Corridors Specific Plan – Neighborhood Parkway)	Commercial

LOCATION	GENERAL PLAN	ZONING	LAND USE
West (across Florida Street) of Subject Property:	RM (Residential Medium Density) – 15 Dwelling Units per Acre)	RM (Residential Medium Density)	Multi-Family Residential Uses

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). The proposed project is consistent with this designation and the policies, objective, and goal of the City’s General Plan as follows:

A. Land Use Element

Policy LU 7.1.1 Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

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 sub-region, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Policy – 10.1.8 Require that entertainment, drinking establishments, and other similar uses provide adequate physical and safety measures to prevent negative impacts on adjacent properties.

The proposed on-site sale, service, and consumption of alcoholic beverages and live entertainment within the Beach and Edinger Corridors Specific Plan is consistent with the Building Use Regulations and is compatible with the surrounding mix of uses. The proposed conditional use permit will provide for the business needs of a successful restaurant establishment by permitting the sale of alcoholic beverages in a safe manner for customers and residents of the surrounding area.

B. Economic Element

Policy – ED 2.4.3 Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market place.

Policy – 7.1.1 Accommodate existing uses and new development in accordance with the Land Use and Density Schedules

The project is located along a major corridor of the City that contains existing restaurants, retail, and entertainment uses. The project serves to expand the range of goods and services provided in the area and facilitate continued viability of the commercial center.

Zoning Compliance:

The proposed project is located within the Neighborhood Center segment of the Beach and Edinger Corridors Specific Plan (BECSP) and the request complies with the requirements of that designation. The project is located within a free-standing building at an existing commercial center and the request will not

increase existing building area. The applicant's tenant improvement plans for the subject restaurant has been approved and construction is underway. The request to add alcohol consumption and live entertainment requires review and approval of a conditional use permit by the Planning Commission.

Urban Design Guidelines Conformance: Not Applicable.

Environmental Status:

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1—*Existing Facilities*, because the project involves the operation and permitting of an existing development involving negligible expansion of an existing use.

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, Public Works and Police have reviewed the application and identified applicable code requirements which have been provided to the applicant and are attached for information purposes only (Attachment No. 4). The Police Department's comments were translated into suggested conditions to mitigate potential impacts related to the proposed use. Additionally, the Police Department has reviewed an application for an Entertainment Permit pursuant to Municipal Code Chapter 5.44 and issued a Conceptual Entertainment Permit (Attachment No. 5). The applicant has reviewed the suggested conditions of approval and proposed entertainment permit conditions and verbally expressed their understanding and willingness to comply with these conditions if approved.

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on May 2, 2013, and notices were sent to property owners and occupants of record within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning and Building Department's Notification Matrix), tenants, applicant, and interested parties. As of May 7, 2013, staff has received no comments in support or opposition to the request.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

April 11, 2013

MANDATORY PROCESSING DATE(S):

June 10, 2013

Conditional Use Permit No. 13-001 was filed on January 14, 2013 and deemed complete on April 11, 2013. The application is scheduled for public hearing before the Planning Commission on May 14, 2013.

ANALYSIS:

The location is suitable for the sale, service and consumption of alcohol due to the mix of uses existing and allowed on and surrounding the site. The operation of the restaurant with proposed alcohol service will occur within the interior of the building and outdoor dining patio area, which is proposed in an area designated and designed for this type of use. The proposed live entertainment would occur within the interior restaurant dining area by removing or reconfiguring some tables and chairs to accommodate a stage or entertainment area. The BECSP and General Plan land use designation anticipated restaurant uses with alcohol service and live entertainment in this area. The request for alcohol and live entertainment is ancillary to the primary restaurant use and will serve to augment the overall dining experience.

Existing multi-family residential uses are approximately 300 feet away to the northwest across Garfield Avenue and 520 feet away to the west behind the center and across Florida Street. Staff has reviewed the request and suggests several conditions of approval to minimize potential impacts related to alcohol sales and consumption and noise (Attachment No. 1). Staff suggests a condition of approval that requires live entertainment to be enclosed within the interior of the building only and prohibited within the outdoor patio area. Two exterior doors (outdoor dining patio door and main entrance door) that provide access to the subject restaurant face north and west. Staff suggests a condition of approval that requires all perimeter doors to be self-closing and not be held open or ajar during live entertainment to minimize potential noise from escaping the building.

The Police Department has reviewed the application pursuant to Municipal Code Chapter 5.44 and issued a Conceptual Entertainment Permit. A condition of approval is suggested that requires submittal of a noise study demonstrating compliance with the City's Noise Ordinance and incorporation of any recommended noise mitigation measures into conditions of an Entertainment Permit prior to commencement of any live entertainment. Moreover, several operating conditions of approval are suggested to ensure the establishment preserves the current restaurant atmosphere, avoids noise disturbances, and complies with City and State law regarding alcohol sales and consumption. The Entertainment Permit includes additional public safety related conditions in order to operate live entertainment including limiting the hours of live entertainment. The Police Chief maintains the authority to suspend or revoke the required entertainment permit should violations of the entertainment permit conditions or detrimental impacts to the public welfare occur.

The use will be required to comply with conditions of approval pertaining to the operation to assure that any potential impacts to the surrounding properties are minimized. Therefore, with the suggested conditions of approval, the subject request will not result in noise, safety, or compatibility issues. The request to permit alcohol service, sales and consumption within the interior of the restaurant and on the outdoor dining patio along with live entertainment is consistent with the scope and intent of development in the BECSP designation and supported by the General Plan. Accordingly, staff recommends approval of the request.

SUMMARY:

Staff recommends approval of the Conditional Use Permit No. 13-001 based upon the following:

- Compliance with the General Plan designation of M-sp-d (Mixed Use-Specific Plan Overlay-Design Overlay).
- Compliance with all minimum development standards including parking.

- Hours of operation and types of live entertainment events will not result in significant impacts to the site and surrounding area.
- No impact to public services, specifically those related to public safety.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval – CUP No. 13-001
2. Site Plans, Floor Plan, and Elevations received and dated April 17, 2013
3. Project Narrative received and dated January 14, 2013
4. Code Requirements Letter dated April 17, 2013
5. Conceptual Entertainment Permit received April 16, 2013 – Beach Hut Deli

SH:JJ:EE:kd

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 13-001

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 Categorical Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1—*Existing Facilities*, because the project involves a minor modification to the operation of the existing development involving negligible expansion of an existing use.

SUGGESTED FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 13-001:

1. Conditional Use Permit No. 13-001 to permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within a vacant approximately 1,780 sq. ft. indoor and 400 sq. ft. outdoor eating and drinking establishment, and live entertainment consisting of a disc jockey, comedy acts, karaoke, and live bands at an existing commercial center site in the Beach and Edinger Corridors Specific Plan zoning designation 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 sales and service of alcoholic beverages is regulated by the provisions of Chapter 9.44 of the Huntington Beach Municipal Code. The proposed live entertainment is regulated by the provisions of Chapter 5.44 of the Huntington Beach Municipal Code and the required Entertainment Permit. As conditioned, the project is required to provide a noise study that shows compliance with the City's Noise Ordinance. The subject request will not result in noise, safety, or compatibility issues. The BECSP and General Plan land use designation anticipated restaurant uses with alcohol service, sale and consumption and live entertainment in this area. The request for alcohol and live entertainment is ancillary to the primary restaurant use and will serve to augment the overall dining experience. Furthermore, the consumption of alcoholic beverages will be wholly contained within the building's interior and designated outdoor dining area and will not generate detrimental impacts onto surrounding properties.
2. The request to permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within a vacant approximately 1,780 sq. ft. indoor and 400 sq. ft. outdoor eating and drinking establishment, and live entertainment consisting of a disc jockey, comedy acts, karaoke, and live bands will be compatible with surrounding uses because the project is located within an existing commercial center. The restaurant is surrounded by commercial, office, and restaurant uses and therefore will be consistent with the existing land use pattern and compatible with its surroundings. The use will be required to comply with conditions of approval pertaining to alcohol service and live entertainment to assure that any potential impacts to the surrounding properties are minimized.
3. The request to permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within a vacant approximately 1,780 sq. ft. indoor and 400 sq. ft. outdoor eating and drinking establishment, and live entertainment consisting of a disc jockey, comedy acts, karaoke, and live bands will comply with the Neighborhood Center segment of the Beach and Edinger Corridors

Specific Plan (BECSP), and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The BECSP allows eating and drinking establishments with alcohol service and live entertainment subject to approval of a conditional use permit. The BECSP and General Plan land use designation anticipated restaurant uses with alcohol service, sale and consumption, and live entertainment in this area. The request for alcohol and live entertainment is ancillary to the primary restaurant use and will serve to augment the overall dining experience. There is no physical expansion that includes additional floor area to the existing building as part of this request and the proposed use will comply with all building occupancy/exiting requirements.

4. The granting of the conditional use permit to permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within a vacant approximately 1,780 sq. ft. indoor and 400 sq. ft. outdoor eating and drinking establishment, and live entertainment consisting of a disc jockey, comedy acts, karaoke, and live bands is consistent with the General Plan. The General Plan Land Use Map designation on the subject property is M – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay). The proposed project is consistent with this designation and the policies, objective, and goal of the City’s General Plan as follows:

A. Land Use Element

Policy LU 7.1.1 Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

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 sub-region, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Policy – 10.1.8 Require that entertainment, drinking establishments, and other similar uses provide adequate physical and safety measures to prevent negative impacts on adjacent properties.

The proposed project will permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within a vacant approximately 1,780 sq. ft. indoor and 400 sq. ft. outdoor eating and drinking establishment, and live entertainment consisting of a disc jockey, comedy acts, karaoke, and live bands within the Beach and Edinger Corridors Special Plan designation that is consistent with the Building Use Regulations and is compatible with the surrounding mix of uses. The proposed conditional use permit will provide for the business needs of a successful restaurant establishment by permitting the sale of alcoholic beverages in a safe manner for customers and residents of the surrounding area.

B. Economic Element

Policy – ED 2.4.3 Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market place.

Policy – 7.1.1 Accommodate existing uses and new development in accordance with the Land Use and Density Schedules

The project is located along a major corridor of the City that contains existing restaurants, retail, and entertainment uses. The project serves to strengthen the existing business and facilitate continued viability of the center.

SUGGESTED CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 13-001:

1. The site plan, floor plan, and elevation plan received and dated April 17, 2013, shall be the conceptually approved design.
2. The restaurant use shall comply with the following:
 - a. Hours of operation for the interior restaurant shall be limited to between 10:00 AM and 10:00 PM Sunday through Thursday, and 10:00 AM and 12:00 AM (midnight) Friday and Saturday.
 - b. Use of the outdoor dining patio area shall be prohibited between 10:00 PM and 7:00 AM every day of the week. **(PD)**
 - c. A sign shall be posted stating that alcoholic beverages are not allowed outside of the restaurant/patio areas. **(PD)**
 - d. 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 one hour prior to the scheduled closing time. **(PD)**
 - e. All areas where the sales, service, and consumption of alcoholic beverages will be permitted shall be sufficiently illuminated to permit the identification of patrons. **(PD)**
 - f. No loitering shall be permitted within the vicinity of any entrance or exit at any time. **(PD)**
 - g. Dancing shall be prohibited. **(PD)**
 - h. 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 and Building Department for the file. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.
 - i. Prior to commencing with live entertainment, an Entertainment Permit must be obtained from the Police Department. All conditions contained in the Entertainment Permit shall be adhered to. **(PD)**
 - j. Prior to commencing with live entertainment, a sound study shall be prepared by a licensed engineer pursuant to HBMC 5.44.070(c); showing that the proposed entertainment will not create undue noise or violate the City's Noise Control Ordinance (HBMC 8.40). The sound study shall be submitted to the Planning Division and be approved by the Police Department prior to approving an Entertainment Permit. Noise mitigation measures recommended by the sound study shall be incorporated as conditions of the Entertainment Permit. **(PD)**
 - k. All perimeter doors (e.g. outdoor dining patio door and main entrance door, etc.) shall be self-closing and not be held open or ajar during live entertainment.
 - l. All live entertainment shall be enclosed within the interior of the building only and shall be prohibited within the outdoor patio area.

- m. All owners, employees, representatives, and agents shall obey all state, local, and municipal laws, and conditions of the Conditional Use Permit, Alcoholic Beverage Control License and any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise; at all times. **(PD)**
3. The Development Services Departments and divisions (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 and 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.
4. Conditional Use Permit No. 13-001 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.
5. The Planning Commission reserves the right to revoke Conditional Use Permit No. 13-001 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.
6. 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/index.cfm?fuseaction=guidelines>).

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.



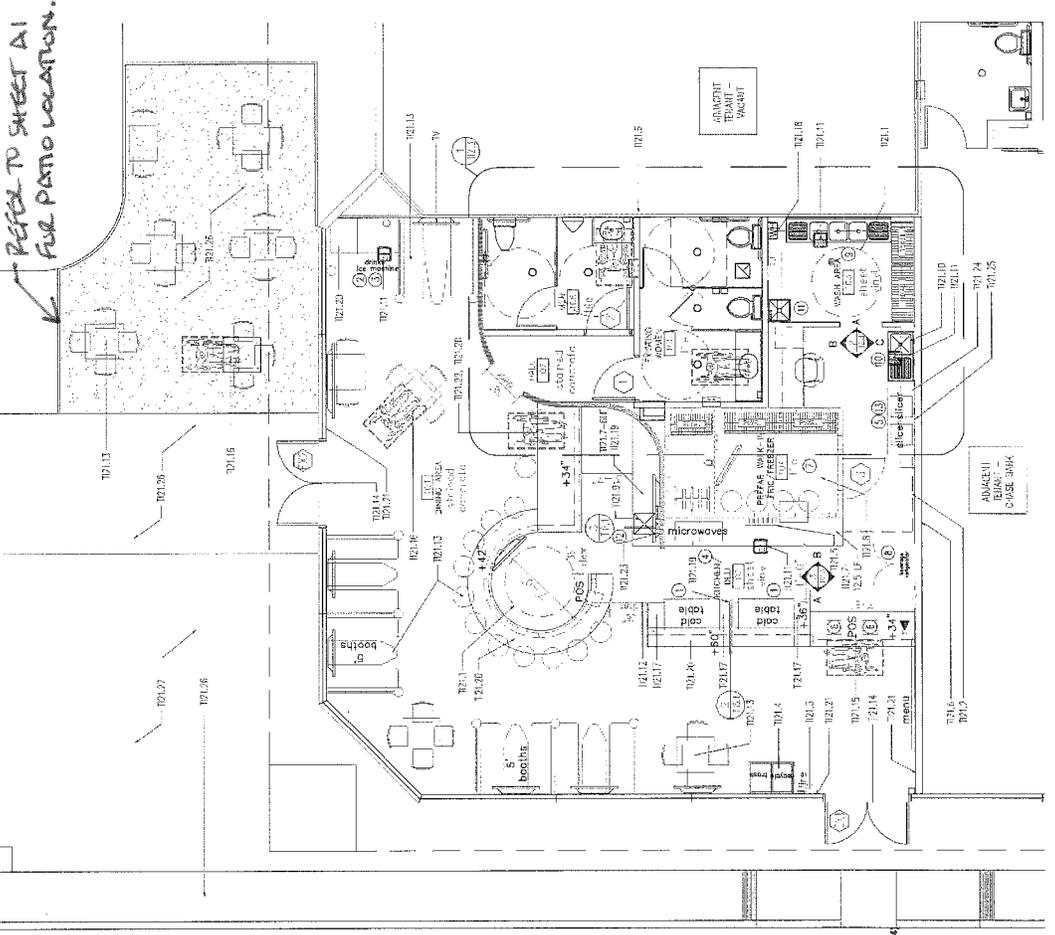
DATE: 11/14/13
DRAWN: J. PAPPALARDO
CHECKED: J. PAPPALARDO
APPROVED: J. PAPPALARDO

#	REV.	DATE	BY	DESCRIPTION
1	1	11/14/13	J.P.	ISSUED FOR PERMIT
2	1	11/14/13	J.P.	ISSUED FOR PERMIT
3	1	11/14/13	J.P.	ISSUED FOR PERMIT
4	1	11/14/13	J.P.	ISSUED FOR PERMIT
5	1	11/14/13	J.P.	ISSUED FOR PERMIT
6	1	11/14/13	J.P.	ISSUED FOR PERMIT
7	1	11/14/13	J.P.	ISSUED FOR PERMIT
8	1	11/14/13	J.P.	ISSUED FOR PERMIT
9	1	11/14/13	J.P.	ISSUED FOR PERMIT
10	1	11/14/13	J.P.	ISSUED FOR PERMIT
11	1	11/14/13	J.P.	ISSUED FOR PERMIT
12	1	11/14/13	J.P.	ISSUED FOR PERMIT
13	1	11/14/13	J.P.	ISSUED FOR PERMIT

T12.1
FLOOR PLAN NOTES

- SHEET NOTES**
- T12.1 5" DIAMETER H.C. TURNING RADIUS PER CBC 11169.3.1.1
 - T12.1 5" SQ. DOOR CLEARANCE PER CBC SECTION 1120A.5
 - T12.13 FIRE EXTINGUISHER ON A BRACKET REFER TO FIRE EXTINGUISHERS' NOTES ON T10.2
 - T12.14 CUSTOM CABINET WITH HOLE FOR TRASH/RECYCLE AND SHELF FOR BASKETS
 - T12.15 BEER TAPS
 - T12.15 EXISTING DIMENSION WALL
 - T12.16 PLASTIC LAMINATE CABINET DRY STORAGE SHELVING 8'-12.5" x 18.5" LF x 3 SHELVES - 55.5" LF x 2" DEEP - 11" HGT.
 - T12.16 WALK-IN SHALL BE PREMANUFACTURED, SELF-CONTAINED AND SHALL MEET UL & NSF STANDARDS. FLOOR SHALL BE SHEET VINYL, WALLS, CEILING AND COVERED BASE SHALL BE STAINLESS STEEL PER TANS 300 x 30" HALL WALLS, CEILING AND DOORS SHALL BE R-25 MIN. REFER TO FINISH SCHEDULE ON T5.1
 - T12.19 HAND WASHING SINK PER ENVIRONMENTAL HEALTH DEPARTMENT STANDARDS. REFER TO PLUMBING DOCUMENT'S PROVIDE A BUILT-IN SPLASH GUARD ON THE LEFT SIDE
 - T12.19 FOOD PREP SINK WITH METAL SPLASH GUARD PER HEALTH DEPARTMENT STANDARDS. SINK SHALL HAVE BE 18" X 18" MIN. WITH A 12" MIN. DEPTH WITH AN INTEGRAL DRAINBOARD AT LEAST 18" X 18" MIN. REFER TO PLUMBING DOCUMENTS
 - T12.11 FLOOR SINK - PROVIDED WITH AUTOMATIC TRAP PRIMERS - FLOOR SINKS SHALL BE INSTALLED FLUSH WITH THE FLOORING AND MADE RESPONSIBLE FOR CLEANING (NOT UNDER CABINET) REFER TO PLUMBING DRAWING
 - T12.12 LINE OF SHEET VINYL 9" COVERED BASE PER HEALTH DEPARTMENT STANDARDS - PROVIDE TRANSITION STRIP PER CBC 1124.2
 - T12.13 BOOTHS & TABLES PER OWNER
 - T12.14 EXISTING DOOR CONTRACTOR SHALL VERIFY THRESHOLD, SWING AND HARDWARE ARE PER CBC SECTIONS 106B AND 1123A. VERIFY EXISTING LANDING HAS A MAX. SLOPE OF 2% AND MIN. 8" O.P. AT DOOR SWING. VERIFY EXISTING DOOR IS 48" MIN. CLEARANCE AND COUNTER LOCK ONLY - NO LATCH PER CBC SECTION 1138.2.4.2
 - T12.15 SEE APPROXIMATE LOCATION OF POS COUNTER. VERIFY CLEARANCE OF 36" MIN. TOP SURFACE SHALL BE BETWEEN 28" - 36" A.F.F. THE WIDTH COUNTER SHALL BE 36" MIN. PER CBC 1128.4.4 & 11106.1.3. THE A.M. CARD READING DEVICES SHALL BE ACCESSIBLE AND COMPLY WITH CBC 11187.7. VERIFY EXISTING POS COUNTER IS 36" MIN. CLEARANCE. VERIFY ACCESSIBILITY WHITE ON BLUE BACKGROUND AND THAT STATES "THIS CHECK STAND SHALL BE OPEN AT ALL TIMES FOR CUSTOMERS WITH DISABILITIES" PER CBC 11103.1.3. COUNTER TOP SHALL BE BIRCH WITH STORAGE 18.5" H.P. x 2.0" DEEP x 2 SHELVES - 10.5" HGT.
 - T12.16 PROVIDE ACCESS FOR ADA - HANDON SEATING AREA WITH NO FIXED PARTS. SEATING SHALL BE 18" MIN. CLEARANCE. THE DEPTH OF THIS KNEE CLEARANCE SHALL BE AT LEAST 19" FROM EDGE OF TABLE TO NEAREST OBSTRUCTION. THE WIDTH OF KNEE CLEARANCE SHALL BE 30" CLEAR. CBC 1106B.3, 1128B.1, 1128B.2
 - T12.17 PLASTIC LAMINATE OPEN CABINET DRY STORAGE SHELVING 11" X 11" X 3 LF x 3 SHELVES - 9" LF x 2" DEEP - 18" HGT.
 - T12.18 WATER HEATER - REFER TO NOTE E100 ON T10.2. WATER HEATER SHALL BE ABLE TO ADEQUATELY SUPPLY HOT WATER AT LEAST 120 DEG F TO ALL SINKS
 - T12.19 WORK SURFACE / COUNTER SHALL BE PLASTIC LAMINATE
 - T12.20 UPPER COUNTER, REGISTER COUNTER, AND DRINK SUPPLY COUNTERS SHALL BE 3/4" BIRCH PLYWOOD WITH A MTERED EDGE. COATED WITH 12 PART EPOXY POLYMER RESIN
 - T12.21 PROVIDE TABLE WITH THE WORD "EXIT" AT THE GRADE LEVEL EXIT DOOR PER CBC SECTION 1011.3. REFER TO TEXT SIGN NOTES ON T10.2
 - T12.22 PROVIDE ACCESS FOR ADA - HANDON SEATING AT WITH NO FIXED PARTS. SEATING SHALL BE 18" MIN. CLEARANCE. THE DEPTH OF THIS KNEE CLEARANCE SHALL BE AT LEAST 19" FROM EDGE OF COUNTER TO NEAREST OBSTRUCTION. THE WIDTH OF KNEE CLEARANCE SHALL BE 30" CLEAR. CBC 1106B.3 & 1128B.1. A PORTION OF THE HAND COUNTER SHALL BE 36" MIN. WIDTH.
 - T12.23 SOAP DISPENSER. REFER TO INTERIOR ELEVATIONS T5.1
 - T12.24 STAINLESS STEEL WORK TABLES WITH 2 SHELVES BELOW. DRY STORAGE 2' deep x 5' wide x 2' shelves 11" HGT.
 - T12.25 PLASTIC LAMINATE BREAD STORAGE COBBLES 6" wide x 1' deep x 4.5' high x 2' wide - 10' HGT.
 - T12.26 EXISTING CONCRETE FLOORWORK
 - T12.27 EXISTING LANDSCAPE

RECEIVED
APR 17 2013
Dept. of Planning
& Building



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

1 FLOOR PLAN

GENERAL NOTES

- A. ANY ITEMS TO BE HUNG FROM THE EXISTING CEILING SHALL BE SECURED TO THE STRUCTURE BY THE SUB CONTRACTOR. PROVIDE DRAWING APPROVAL IN WRITING. INFORMATION NEEDS TO BE SPECIFIC: SIZE, WEIGHT, POINTS, METHOD OF CONNECTION, ETC.
- B. GENERAL CONTRACTOR TO COORDINATE WITH EQUIPMENT SUPPLIER FOR PROPER BACKING, OTHERWISE NOTED.
- C. ALL INTERIOR WALLS SHALL BE WOOD STUDS UNLESS OTHERWISE NOTED.
- D. DIMENSIONS AND CON. INCHES:
 - ALL DIMENSIONS SHALL HAVE PREFERENCE OVER SCALE.
 - ALL DIMENSIONS ARE TO FACE OF STUD UNLESS OTHERWISE NOTED.
 - CEILING HEIGHT DIMENSIONS ARE FROM FINISH FLOOR SLAB TO FINISH FACE OF CEILING SURFACE. CLEAR DIMENSIONS ARE MEASURED TO FACE OF FINISH.
- E. DETAILS MARKED "TYPICAL" SHALL APPLY IN ALL AREAS UNLESS SPECIFICALLY INDICATED OTHERWISE.
- F. ALL CASEWORK ARE SHOWN ON THIS DRAWING FOR THE WORK SHALL BE DESIGNED AND DETAILED BY OTHERS.
- G. ALL DELI EQUIPMENT, CABINETS, AND SHELVING IS FOR REFERENCE ONLY.
- H. MOUNTING OF CABINETS OF O.I. PER DETAILS
- I. ALL CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE FEDERAL AMERICANS WITH DISABILITIES ACT (ADA).
- J. PLUMBING FIXTURE CONTROLS SHALL BE OPERABLE BY ONE HAND AND SHALL NOT REQUIRE TIGHT ON THE WIDE SIDE OF THE TOILET AREA. LESS THAN 1/2" CLEARANCE SHALL BE MAINTAINED. CONTROLS FOR FLUSH VALVES SHALL BE MOUNTED 4" AFF. THE FORCE TO OPERATE CONTROLS SHALL BE LESS THAN 8 POUNDS.
- K. INSULATE HOT WATER AND DRAIN PIPES UNDER LAVATORY TO PROTECT AGAINST CONTACT. ACCESSIBLE AREAS UNDER LAVATORIES SHALL BE FREE OF SHARP AND/OR AGGRESSIVE SURFACES.
- L. WATER HEATER CAPABLE OF MIN. 8.5 GPM @ 80 DEG RISE SHALL BE PROVIDED. SEE PLUMBING DRAWING.
- M. REFER TO DRAWING SHEET T13.1 FOR FINISHES
- N. 1. INSTALL FLOOR FINISH 1/4" BIRCH DEPTH BATT INSULATION TO 2x8 WOOD STUD WALLS WITHIN TOILET ROOM WALLS.
- 2. INSTALL FLOOR FINISH 1/4" BIRCH DEPTH BATT INSULATION AT ALL EXISTING EXTERIOR WALLS TO UNDERSIDE OF ROOF FRAMING.
- P. ALL PRESSURIZED CYLINDERS (SUCH AS CO2 CONTAINERS) SHALL BE SECURELY FASTENED TO A RIGID STRUCTURE.

EQUIPMENT SCHEDULE

ITEM	DESCRIPTION	MANUFACTURE/MODEL
1	BANDSAW	BANDSAW (1) (SHELF 2) (2)
2	BANDSAW PREP UNIT	Band Saw (1) (SHELF 2) (2)
3	ICE & BEVERAGE SYSTEM	Coca-Cola LANCER IBD 4500 30"
4	ICE MACHINE	ICE ON MATIC ICE M40A
5	SLIDER	PER FRANCHISE SPECS (4)
6	CASH REGISTER	PER FRANCHISE SPECS (3)
7	WALK-IN REFRIGERATOR	FERMULITE / TRONAR
8	BEVERAGE REFRIGERATOR	ASBRO / JACOBER

SINK/TABLE SCHEDULE

ITEM	DESCRIPTION	MANUFACTURE/MODEL
9	3 COMPARTMENT SINK	JMEX CORP / 655-16
10	2 COMPARTMENT SINK	JMEX CORP / 655-16
11	1 COMPARTMENT SINK	JMEX CORP / 655-16
12	HAND SINK	JMEX CORP / 655-16
13	55 WORKTABLE 60"x2	JMEX CORP / JMT55-2480

Beach Hut Deli
19025 Beach Blvd.

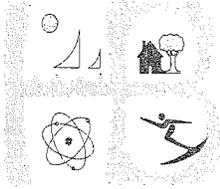
The Beach Hut Deli Huntington Beach is a franchise of The Beach Hut Deli. For over 30 years, customers have come to know the Beach Hut family for its reputation as the best eatery to enjoy top-quality gourmet sandwiches and the finest local microbrew beer available all while relaxing in a light-hearted beach atmosphere.

The Beach Hut Deli is unique in the food-service industry, catering to families that want to enjoy restaurant quality food without the typical restaurant hassle or expense. Our customers know they can bring their family and friends to any of our locations for a consistent experience with every visit. Our ingredients are prepared fresh, moments before they are combined to create each sandwich. Our sandwiches are built to be the largest portioned in the industry. Our selection of world-class microbrew beer is unique in the sandwich industry.

The Beach Hut Deli offers its customers a variety of basic entertainment. We have background music for daily listening, as well as large screen HD TV's which allow customers to enjoy local sporting events, both broadcast AND brought in by local coaches and families for their teams. Additionally, The Beach Hut Deli also offers free Wi-Fi.

The Beach Hut Deli, Huntington Beach will be an 1780 square foot deli with an outdoor patio area. The Beach Hut Deli maintains regular business hours of: Sunday through Thursday: 10:00am to 10:00pm, Friday and Saturday: 10:00am to midnight. Our menu includes deli sandwiches, nachos, hot-dogs, various vegetarian selections, salads, specialty sodas, bottled water and more. We also offer branded t-shirts, sweatshirts, hats, sports-bottles and other beach-themed merchandise. The average number of employees is 12-15.

JAN 14 2013



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division

714.536.5271
April 17, 2013

Building Division

714.536.5241

Ryan Nadon
2016 California Street
Huntington Beach, CA 92648

SUBJECT: Conditional Use Permit No. 13-001 (Beach Hut Deli)

Dear Mr. Nadon,

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 should the Planning Commission approve your project.

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

The Director of Planning and Building has interpreted the relevant Sections of the Zoning and Subdivision Ordinance to require that your project satisfy the following development standards. 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 714-536-5561 or at ethan.edwards@surfcity-hb.org and/or the respective source department (contact person below).

Sincerely,

Ethan Edwards, AICP
Associate Planner

Enclosure

xc: Steve Fong, Police Department – 714-536-5960
Jane James, Interim Planning Manager
Jason Kelley, Planning Department
Sun Brewer Partners LP, Hirajasu Nakaro, 9888 Carmel Mountain Road, Suite I, San Diego, CA 92129
Project File



HUNTINGTON BEACH POLICE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: APRIL 10, 2013

PROJECT NAME: BEACH HUT DELI

PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 13-006

ENTITLEMENTS: CUP NO. 13-001

DATE OF PLANS: OCTOBER 19, 2012

PROJECT LOCATION: 19025 Beach Boulevard, 92648 (southeast corner of Beach Boulevard and Garfield Avenue)

PLAN REVIEWER: STEVEN FONG – DETECTIVE/PD VICE UNIT

TELEPHONE/E-MAIL: (714) 536-5960, SFONG@HBPD.ORG

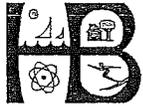
PROJECT DESCRIPTION: To permit an approximately 1,780 sq. ft. interior and 400 sq. ft. patio area eating and drinking establishment with alcohol and live entertainment.

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.

CODE REQUIREMENTS:

1. Use of the outdoor dining patio area shall be prohibited between 10:00 PM and 7:00 AM every day of the week.
2. A sign shall be posted stating that alcoholic beverages are not allowed outside of the restaurant/patio areas.
3. 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 one hour prior to the scheduled closing time.
4. All areas where the sales, service, and consumption of alcoholic beverages will be permitted shall be sufficiently illuminated to permit the identification of patrons.

5. No loitering shall be permitted within the vicinity of any entrance or exit at any time.
6. Dancing shall be prohibited.
7. Prior to commencing with live entertainment, an Entertainment Permit must be obtained from the Police Department. All conditions contained in the Entertainment Permit shall be adhered to.
8. Prior to commencing with live entertainment, a sound study shall be prepared by a licensed engineer pursuant to HBMC 5.44.070(c); showing that the proposed entertainment will not create undue noise or violate the City's Noise Control Ordinance (HBMC 8.40). The sound study shall be submitted to the Planning Division and be approved by the Police Department prior to approving an Entertainment Permit. Noise mitigation measures recommended by the sound study shall be incorporated as conditions of the Entertainment Permit.
9. All owners, employees, representatives, and agents shall obey all state, local, and municipal laws, and conditions of the Conditional Use Permit, Alcoholic Beverage Control License and any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise; at all times.



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: 3/28/13
PROJECT NAME: BEACH HUT DELI
ENTITLEMENTS: CUP 13-01
PLNG APPLICATION NO: 2013-0006
DATE OF PLANS: 1/14/13
PROJECT LOCATION: 19025 BEACH BLVD.
PROJECT PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: 714-536-5661 / 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 AN APPROXIMATELY 1,780 SQ. FT. INTERIOR AND 400 SQ. FT. PATIO AREA EATING AND DRINKING ESTABLISHMENT WITH ALCOHOL AND LIVE ENTERTAINMENT.

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 AN ENCROACHMENT 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 is 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, meter and backflow protection device may be installed per Water Division Standards and shall be sized to meet the minimum requirements set by the California Plumbing Code (CPC) (ZSO 254.04)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO FINAL INSPECTION OR OCCUPANCY:

2. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council and available on the city web site at http://www.surfcity-hb.org/files/users/public_works/fee_schedule.pdf. (ZSO 240.06/ZSO 250.16)

PLANNING DEPARTMENT DEVELOPMENT REVIEW REQUEST

TO: Josh McDonald, Public Works
Mark Carnahan, Building

Joe Morelli, Fire
Kenneth Small, Police

FROM: Ethan Edwards Ext: 5561

DATE: MARCH 11, 2013

PC ZA DRB STAFF

PETITION(S): Planning Application No. 13-006: Conditional Use Permit No. 13-001

REQUEST(S): To permit an approximately 1,780 sq. ft. interior and 400 sq. ft. patio area eating and drinking establishment with alcohol and live entertainment.

LOCATION: 19025 Beach Boulevard, 92648 (southeast corner of Beach Boulevard and Garfield Avenue)

ZONE: Beach & Edinger Corridor Specific Plan (SP14)

GENERAL PLAN: Mixed Use – Specific Plan – Design Overlay (M-sp-d)

EXISTING USE: Vacant commercial suite

Please submit your concerns and recommended changes or conditions in writing on or before **March 29, 2013**.

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

Fire Dept. requirements identified on page T1 of the provided plan. Compliance to the 2011 Huntington Beach Fire Code is required.

RESPONSE BY: Joe Morelli / FPA Extension 45531

Attachments: 1. Plan



HUNTINGTON BEACH BUILDING DIVISION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: March 11, 2013

PROJECT NAME: BEACH HUT DELI

PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 13-006

ENTITLEMENTS: CONDITIONAL USE CUP 2013-001

DATE OF PLANS: JANUARY 14, 2013

PROJECT LOCATION: 19025 Beach Boulevard, 92648 (southeast corner of Beach Boulevard and Garfield Avenue)

PLAN REVIEWER: KHOA DUONG, P.E.

TELEPHONE/E-MAIL: (714) 872-6123/ KHOA@CSGENGR.COM

PROJECT DESCRIPTION: To permit an approximately 1,780 sq. ft. interior and 400 sq. ft. patio area eating and drinking establishment with alcohol and live entertainment.

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.

➤ **SPECIAL CONDITIONS:**

None

➤ **CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:**

- Project shall comply with the current state building codes adopted by the city at the time of permit application submittal. Currently they are 2010 California Building Code (CBC), 2010 California Residential Code (CRC), 2010 California Mechanical Code, 2010 California Plumbing Code, 2010 California Electrical Code, 2010 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.
- To verify the occupancy group shown "Project Data", please provide occupant load calculations. 2010 CBC.
 - Occupancy group A-2 shall be used if the occupant loads exceed 50.
 - For mixed use and occupancy, please comply with Section 508 of 2010 CBC.
- Location of Men's Room must be shown on sheet A1 and M1.

- Provide compliance to disabled accessibility requirements of Chapter 11B of the 2010 CBC.
 - Restrooms must be accessible to disabled persons per Section 1115B of 20120 CBC. At door leading to Women's Restroom, in direction of door swing, provide 18" clear space past the strike edge.
 - At least one wheel chair seating space shall be provided at Booths.
- Review and provide compliance with Title 17 of the City of Huntington Beach Municipal Code, Building and Construction. This document can be found online on the city's website.
- Recommendation: Please contact me or our office for a preliminary review of code analysis to examine any possible building code issues that may arise.
- In addition to all of the code requirements of the 2010 California Green Building Standards Code, specifically provide a Construction Waste Management Plan per Sections 4.408, 5.408, and Building Maintenance and Operation, Section 5.410. Prior to the issuance of a building permit, a construction waste management plan will be required.

- **COMMENTS:**
 - Planning and Building Department encourage the use of pre submittal zoning applications and building plan check meetings.
 - Separate Building, Mechanical, Electrical and Plumbing Permits will be required for all exterior accessory elements of the project, including but not limited to: fireplaces, fountains, sculptures, light poles, walls and fences over 42" high, retaining walls over 2' high, detached trellises/patio covers, gas piping, water service, backflow anti-siphon, electrical, meter pedestals/electrical panels, swimming pools, storage racks for industrial/commercial projects. It will be the design professional in charge, responsibility to coordinate and submit the documents for the work described above.



HUNTINGTON BEACH PLANNING DIVISION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: March 11, 2013
PROJECT NAME: BEACH HUT DELI
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 13-006
ENTITLEMENTS: CUP 13-001
DATE OF PLANS: JANUARY 14, 2013
PROJECT LOCATION: 19025 Beach Boulevard, 92648 (southeast corner of Beach Boulevard and Garfield Avenue)
PLAN REVIEWER: ETHAN EDWARDS
TELEPHONE/E-MAIL: (714) 536-5561, ETHAN.EDWARDS@SURFCITY-HB.ORG
PROJECT DESCRIPTION: To permit an approximately 1,780 sq. ft. interior and 400 sq. ft. patio area eating and drinking establishment with alcohol and live entertainment.

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. 13-001:

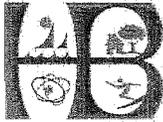
1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design.
2. The structure(s) cannot be occupied until a Certificate of Occupancy is approved and issued by the Planning & Building Department. **(HBMC 17.04.036)**
3. The use shall comply with the following:
 - a. Outdoor storage and display of merchandise, materials, or equipment, including display of merchandise, materials, and equipment for customer pick-up, shall be subject to approval of Conditional Use Permit. **(HBZSO Section 230.74)**

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. 13-001 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 and Building Department a minimum 30 days prior to the expiration date. **(HBZSO Section 241.16.A)**
6. Conditional Use Permit No. 12-020 shall not become effective until the appeal period following the approval of the entitlement has elapsed. **(HBZSO Section 241.14)**
7. The Planning Commission reserves the right to revoke Conditional Use Permit No. 13-001 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)**

RECEIVED

APR 16 2013

Dept. of Planning
& Building



CITY OF HUNTINGTON BEACH

2000 MAIN STREET
P.O. BOX 70

POLICE DEPARTMENT

CALIFORNIA 92648

Tel: (714) 960-8811

KENNETH W. SMALL
Chief of Police

CONCEPTUAL ENTERTAINMENT PERMIT

ADDITIONAL ACTIONS ARE REQUIRED BY APPLICANT

This document DOES NOT permit entertainment at the listed establishment. This document only provides the proposed conditions for your future Entertainment Permit pursuant to the approval of a conditional use permit. Prior to entertainment being allowed at the establishment, the applicant must agree to and complete (where necessary) the noted conditions. The establishment must then apply for and obtain a dated, annual Entertainment Permit from the Police Department.

Issued to: **Beach Hut Deli**
19025 Beach Blvd
Huntington Beach, CA 92628

CONDITIONS (18 total):

1. Hours of Entertainment: Sunday through Thursday: 10:00 AM to 10:00 PM
Friday and Saturday: 10:00 AM to Midnight
2. Prior to commencing with live entertainment, a sound study shall be prepared by a licensed engineer pursuant to HBMC 5.44.070(c); showing that the proposed entertainment will not create undue noise or violate the City's Noise Control Ordinance (HBMC 8.40). The sound study shall be submitted to the Planning Division and be approved by the Police Department prior to approving an Entertainment Permit. Noise mitigation measures recommended by the sound study shall be incorporated as conditions of the Entertainment Permit.
3. Types of Entertainment: Limited to a DJ, comedians, karaoke, live bands (up to 3 performers).
4. Dancing is not permitted by anyone.
5. The tables and chairs in the Dining Area may only be reconfigured or removed to allow for the stage or area for Entertainers designated as "Live Entertainment" on Attachment #1. Tables and chairs in the Dining Area shall not be reconfigured or removed to create an open "standing-room only" or dance floor area for customers.
6. All live entertainment must remain inside the establishment at all times. Entertainment is prohibited in the outside patio area.
7. Food service from the regular menu must be available to patrons up to sixty (60) minutes before the scheduled closing time.
8. No games or contest requiring or involving the consumption of alcoholic beverages shall be permitted.
9. 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.
10. No cover charge or admission fee will be allowed.
11. All exterior doors and windows shall be closed during times of entertainment.
12. There shall be no requirement for patrons to purchase a minimum number of alcoholic drinks.

13. No "happy hour" type of reduced price alcoholic beverage promotion shall be allowed after 7:00 p.m. each day of the week.
14. All exterior doors and windows shall be closed during times of entertainment.
15. Security Guards: At least one when entertainment is present.
16. All security guards must be clearly identifiable as security guards and possess a valid California Guard Card.
17. The licensee or any representatives of the licensee may not pay a promoter for services based upon occupancy or attendance to an event.
18. 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.

Issued: CONCEPTUAL PERMIT



Kenneth W. Small
Chief of Police