

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 25-011

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project will allow for beer and wine service in conjunction with an existing 18,000 sq. ft. commercial recreation and entertainment establishment, and the project does not involve an expansion to an existing structure or an expansion in use.

SUGGESTED FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 25-011:

1. Conditional Use Permit No. 25-011 to allow the on-site sale, service, and consumption of beer and wine (ABC License Type 41) within an existing 18,000 sq. ft. commercial recreation and entertainment business (Chuck E. Cheese) 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 because the use is located within an existing commercial center with other similar uses. The use is primarily a recreation and entertainment business with food sales and the request for alcohol service is ancillary to the recreation and entertainment elements. The project will not modify onsite vehicular circulation and will be provided with efficient vehicular ingress/egress from the adjacent rights-of-way. The project will be adequately parked and will not have any significant impacts onto abutting properties. Based upon the conditions imposed, doors shall remain closed during business hours and all activities must occur within the interior of the building to ensure the proposed use will not be detrimental to the surrounding uses.
2. The granting of Conditional Use Permit No. 25-011 to allow the on-site sale, service, and consumption of beer and wine (ABC License Type 41) within an existing 18,000 sq. ft. commercial recreation and entertainment business will not adversely affect the General Plan because it is consistent with the Land Use Element designation of CG (Commercial General) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Land Use Element

Goal LU-11: Commercial land uses provide goods and services to meet regional and local needs.

Policy LU-11 (A): Encourage a variety of commercial uses that cater to local and regional demand to create an environment that meets resident needs and increases the capture of sales tax revenues.

Policy LU-13 (A): Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area. The requested entitlement amendment will accommodate existing commercial development by allowing the on-site sale, service, and consumption of beer and wine in conjunction with a permitted commercial recreation and entertainment establishment. The proposed use will market its

services to local residents thereby expanding the service-based commercial opportunities in the City.

The request will expand the range of goods and services provided in the area by permitting the ancillary sale of beer and wine in conjunction with an existing commercial recreation and entertainment establishment with food service in a safe manner for residents and customers from the surrounding area. The existing establishment provides expanded goods and services to meet the needs of the area and will add to the capture of sales tax revenue. The proposed use is situated within an existing commercial center near the southwest corner of Goldenwest Street and Bolsa Avenue and provides adequate parking and accessibility.

3. The granting of Conditional Use Permit No. 25-011 to allow the on-site sale, service, and consumption of beer and wine (ABC License Type 41) within an existing 18,000 sq. ft. commercial recreation and entertainment business will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) because beer and wine sales within eating and drinking establishments are permitted subject to a Conditional Use Permit within the Huntington Beach Zoning and Subdivision Ordinance pursuant to Section 211.04. The commercial recreation and entertainment establishment with food sales is located within an existing commercial building, which conforms to applicable site development standards, including parking.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 25-011:

1. The site plan, floor plan, and narrative received and dated March 25, 2025, shall be the conceptually approved design.
2. The use shall comply with the following:
 - a. The hours of operation shall be limited to the following:
 - i. Sunday - Thursday: 11:00 AM – 9:00 PM
 - ii. Friday: 11:00 AM – 10:00 PM
 - iii. Saturday: 10:00 AM – 10:00 PM
 - b. During business hours, all entry and exit doors shall remain closed and unlocked.
 - c. The business shall obtain an Alcoholic Beverage Control (ABC) license authorizing alcohol use in the business. All ABC requirements shall be met prior to sales, service, or consumption of alcoholic beverages. **(PD)**
 - d. No carryout alcohol sales shall be permitted. All alcoholic beverages shall be consumed within the restaurant. **(PD)**
 - e. Food service from the regular menu must be available to patrons up to one hour before the scheduled closing time, including a cook and food servers shall be on duty. **(PD)**
 - f. An employee of the alcohol business must monitor all areas where alcohol is served. **(PD)**

- g. No reduced price or promotions of alcoholic beverages shall be allowed after 7:00PM. **(PD)**
 - h. Games or contests requiring or involving the consumption of alcoholic beverages Are prohibited. **(PD)**
 - i. All employees engaged in the sale or service of alcohol shall complete mandatory Responsible Beverage Service (RBS) training and certification. This shall be required for new employees within 60 days of being hired and for existing employees every 12 months. Training shall be provided by ABC or an ABC approved RBS trainer. Records of the training shall be maintained on-site for review. **(PD)**
 - j. Consumption of alcoholic beverages by on-duty employees and supervisory personnel is forbidden. **(PD)**
 - k. Dancing and/or dance floor and/or live entertainment is prohibited. (Note: a new or amended Conditional Use Permit and an Entertainment Permit issued by the City is required for these additional services.) **(PD)**
 - l. Clearly legible signage shall be affixed inside the restaurant entrances/exits points which shall state "NO OPEN ALCOHOLIC BEVERAGES BEYOND THIS POINT." **(PD)**
 - m. Signage, posters, and advertising with "Do Not Drink and Drive" shall be posted in the business. **(PD)**
 - n. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. **(PD)**
 - o. All areas where the sales, service, and consumption of alcoholic beverages will be permitted must be sufficiently illuminated to permit the identification of patrons. **(PD)**
 - p. There shall be no window coverings or advertisements that reduce the visibility inside of the business. This will assist officers in observing crimes in progress. **(PD)**
 - q. The establishment shall employ a video surveillance security system with a minimum of one-month video library recorded to a DVR or Cloud based system. The camera's minimum recording requirements shall be clear, color, digital and able to record in low light. The business shall ensure all public areas, entrances, exits, parking areas to the front and adjacent to the business are covered by video surveillance. Electronic copies of video must be made available to the Huntington Beach Police Department within 48 hours of request. Digital recordings shall be made available for viewing on-scene upon request by police personnel conducting investigations. You are required to have someone able to operate the system on duty during all business hours. **(PD)**
 - r. 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 and any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise at all times. **(PD)**
3. CUP No. 25-011 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 Community Development Department a minimum 30 days prior to the expiration date.

4. 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 Community Development 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.

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.