



## Legislation Details (With Text)

**File #:** 20-1619 **Version:** 1  
**Type:** Public Hearing **Status:** Agenda Ready  
**File created:** 5/7/2020 **In control:** Planning Commission  
**On agenda:** 5/26/2020 **Final action:**  
**Title:** CONDITIONAL USE PERMIT NO. 19-035 (MAZAIA RESTAURANT ALCOHOL SERVICE)

**REQUEST:**

To permit the on-site sales, service, and consumption of alcohol (ABC Type 47 license) within an approximately 6,564 sq. ft. existing restaurant building and a 2,028 sq. ft. outdoor dining area.

**LOCATION:**

8082 Adams Avenue, 92646 (south side of Adams Ave. near the intersection with Beach Blvd.)

**Attachments:** 1. Att 1 - Suggested Findings and Conditions of Approval, 2. Att 2 - Vicinity Map, 3. Att 3 - Plans, 4. Att 4 - Narrative, 5. Att 5 - Code Requirements

Date	Ver.	Action By	Action	Result
5/26/2020	1	Planning Commission		

### PLANNING COMMISSION STAFF REPORT

**TO:** Planning Commission  
**FROM:** Ursula Luna-Reynosa, Community Development Director  
**BY:** Nicolle Aube, AICP, Associate Planner

**SUBJECT:**  
**CONDITIONAL USE PERMIT NO. 19-035 (MAZAIA RESTAURANT ALCOHOL SERVICE)**

**REQUEST:**

To permit the on-site sales, service, and consumption of alcohol (ABC Type 47 license) within an approximately 6,564 sq. ft. existing restaurant building and a 2,028 sq. ft. outdoor dining area.

**LOCATION:**

8082 Adams Avenue, 92646 (south side of Adams Ave. near the intersection with Beach Blvd.)

**APPLICANT:**

Meiqi Xie, 20042 Beach Blvd., Ste. 200, Huntington Beach, CA 92648

**PROPERTY  
OWNER:**

Crystal Group LLC, 18558 Gale Ave. #338, City of Industry, CA 91748

**BUSINESS  
OWNER:**

Same as applicant.

### **STATEMENT OF ISSUE:**

1. Is the project proposal consistent with the City of Huntington Beach's adopted land use regulations (i.e. General Plan, Zoning Map and Zoning Code including any specific plans and overlay districts where applicable)?
2. Does the project proposal satisfy all the findings required for approving a Conditional Use Permit?
3. Has the appropriate level of environmental analysis been determined?

### **RECOMMENDATION:**

That the Planning Commission take the following actions:

- A) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 - Existing Facilities.
- B) Approve Conditional Use Permit No. 19-035 with suggested findings and conditions of approval (Attachment No. 1).

### **ALTERNATIVE ACTION(S):**

- A) Do not make the suggested findings, which will result in a mandatory denial per Section 241.10 (c) of the Zoning Code.
- B) Continue Conditional Use Permit No. 19-035 and direct staff accordingly.

### **PROJECT PROPOSAL:**

#### **Background:**

Conditional Use Permit No. 19-035 represents a request to permit full alcohol service within an existing 6,564 sq. ft. restaurant and 2,028 sq. ft. outdoor dining area. The establishment of alcohol sales, service, and consumption within the restaurant requires approval of a conditional use permit by the Planning Commission pursuant to Section 2.2.1 of the Beach and Edinger Corridors Specific Plan (BECSP). The project site is a restaurant within an existing commercial development located near the southwest corner of Beach Boulevard and Adams Avenue. The site includes an office building, a vacant restaurant building, a veterinary clinic, a car wash, and a gas station.

According to the applicant's narrative (Attachment No. 4), the proposed hours of operation for both indoor and outdoor areas of the restaurant are:

- Monday - Thursday: 11:00 AM - 10:00 PM
- Friday: 11:00 AM - 12:00 AM
- Saturday: 9:00 AM - 12:00 AM
- Sunday: 9:00 AM - 10:00 PM

### **ISSUES AND ANALYSIS:**

**Subject Property And Surrounding General Plan Designations, Zoning And Land Uses:**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	M-sp (Mixed Use - Specific Plan Overlay)	SP14 (Beach and Edinger Corridors Specific Plan)	Vacant restaurant building
North of Subject Property:	M-sp (Mixed Use - Specific Plan Overlay) and OS-P (Open Space - Park)	SP14 (Beach and Edinger Corridors Specific Plan) and CG (Commercial General)	Commercial shopping center and Bartlett Park
East of Subject Property:	P (Public)	Channel	Flood Control Channel and Residential beyond
South and West of Subject Property:	M-sp (Mixed Use - Specific Plan Overlay)	SP14 (Beach and Edinger Corridors Specific Plan)	Office building, veterinary clinic, and vacant commercial building

**General Plan Conformance:**

The General Plan Land Use Map designation on the subject property is M - sp (Mixed Use - Specific Plan Overlay). The proposed project is consistent with this designation and the goal, policies, and objectives of the City's General Plan as follows:

**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.

The proposed restaurant with alcohol will continue to expand the range of goods and services provided in the area by permitting the ancillary sale of alcohol in conjunction with the established eating and drinking establishment in a safe manner for residents and customers from the surrounding area. Recommended conditions of approval limit the use and manner in which alcohol may be sold and consumed to ensure compatibility with the surrounding neighborhood while providing a service that will meet the needs of the community and continue to increase sales tax revenues.

**Zoning Compliance:**

This project complies with the requirements of the Neighborhood Parkway Segment of the Beach and Edinger Corridors Specific Plan (BECSP). The building occupant has been a restaurant use for approximately 30 years. The parking is consistent with the established parking requirements at the time a restaurant was established within the building. The property is also subject to a reciprocal parking access agreement with the adjacent office building, veterinary building, and vacant restaurant building. The agreement was established in 1983 and has been updated several times, most recently in 1999 when the veterinary building was constructed. The addition of alcohol sales and service to the existing eating and drinking establishment would not constitute an increase in required parking spaces.

The subject site is located along major arterial streets and within an existing commercial center comprised of commercial uses. Located in an existing tenant space within the center, 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 BECSP zoning and General Plan land use designation anticipated restaurant uses with alcohol sale, service, and consumption in this area. The request for alcohol service is ancillary to the primary restaurant use and will serve to augment the overall dining experience.

The nearest residential use is at a sufficient distance from the proposed use (approximately 175 feet away to the east) and is buffered by the building, the flood control channel, and a drive aisle. Although the proposed hours of operation are typical for a restaurant, staff does recommend a change to the outdoor dining hours - see Other Department's Concerns and Requirements below. In addition, all restaurant operations will occur within the interior of the building and outdoor dining areas facing Adams Ave. and the commercial parking lot. Therefore, with the suggested conditions of approval, no significant impacts are anticipated.

**Urban Design Guidelines Conformance:**

Not applicable.

**Environmental Status:**

The proposed project 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 alteration to the operation of an existing development involving negligible expansion of an existing use.

**Coastal Status:**

Not applicable.

**Design Review Board:**

Not applicable.

**Subdivision Committee:**

Not applicable.

**Other Departments Concerns and Requirements:**

The Departments of Police, Public Works, Fire, and Community Development have reviewed the project and identified a list of code requirements (Attachment No. 5) applicable to the project. The Police Department has reviewed the request and recommends several conditions of approval to regulate and monitor the general alcohol sale and service (Attachment No. 1).

Although the applicant requests later hours for the outdoor dining areas (until 12:00 AM Friday and Saturday), the Police Department recommends limiting outdoor dining operations to no later than 10:00 PM. A 10:00 PM closing for outdoor dining areas is consistent Citywide and minimizes potential impacts to adjacent uses. As staff has no concerns with breakfast hours during any days of the week, the staff recommended conditions of approval allow morning hours earlier than requested by the applicant to provide future flexibility for weekday operations.

The Police Department's recommendations also ensure the establishment preserves a restaurant

atmosphere, avoids noise disturbances, and complies with City and State law regarding alcohol sale and consumption. Staff recommends provisions such as limiting promotions for happy hour or reduced prices for alcohol and limiting the hours of alcohol sale and consumption inside the restaurant and in the outdoor patio areas.

**Public Notification:**

Legal notice was published in the Huntington Beach Wave on May 14, 2020 and notices were sent to property owners of record and tenants within a 500 ft. radius of the subject property, individuals/organizations request notification (Planning Division's Notification Matrix), applicant, and interested parties. As of May 19, 2020, no communications supporting or opposing the request have been received.

**Application Processing Dates:**

DATE OF COMPLETE APPLICATION:	MANDATORY PROCESSING DATE(S):
January 17, 2020	March 17, 2020 - suspended with Governor's Executive Order

**SUMMARY:**

Staff recommends that the Planning Commission approve the proposed project based on the following:

- Consistent with the M-sp (Mixed Use - Specific Plan Overlay) Land Use Designation of the General Plan and the SP 14 - Beach and Edinger Corridors Specific Plan zoning designation.
- Implements the objectives of the BECSP to improve the vitality of the Beach Boulevard corridor.
- Provides a commercial development that is consistent with the BECSP development code and compatible with the surrounding existing and anticipated land uses.
- Provides expanded services to meet local and regional community needs.

**ATTACHMENTS:**

1. Suggested Findings and Conditions of Approval for Conditional Use Permit No. 19-035
2. Vicinity Map
3. Site Plan and Floor Plan received and dated December 20, 2019
4. Narrative
5. Code Requirements