



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: SEPTEMBER 12, 2016

ITEM NUMBER: PH-2

SUBJECT: PLANNING APPLICATION PA-16-55 FOR HOLIDAY
(FORMERLY LION'S DEN AND MAISON)
719 WEST 19TH STREET

DATE: SEPTEMBER 1, 2016

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MEL LEE, SENIOR PLANNER

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP (714) 754-5611
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DESCRIPTION

Conditional Use permit to allow live entertainment including, but not limited to, music, dancing, and open microphones, for an entertainment venue (Holiday, formerly Lion's Den and Maison) within 200 feet of residentially-zoned properties, and on-site valet parking. A current public entertainment permit allows disc jockey entertainment (DJ) and dancing. Proposed hours of operation are from 7:00 a.m. to 2:00 a.m., seven days a week; proposed hours for live entertainment are 11:00 a.m. to 2:00 a.m., seven days a week.

APPLICANT/AUTHORIZED AGENT

The applicant/authorized agent is Pacific Planning Group Inc., representing Pange Family Trust, the property owner.

ENVIRONMENTAL DETERMINATION

If the Planning Commission approves the request, it is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 for Existing Facilities.

RECOMMENDATION

Staff recommends that the Planning Commission approve the request by adoption of Planning Commission resolution, subject to conditions.

BACKGROUND

Project Site/Environs

The subject property is located on the south side of West 19th Street, between Wallace Avenue and Pomona Avenue. The site is bounded by a commercial use to the east (Smart and Final Market), a multi-tenant commercial building to the west, and various commercial uses to the north across West 19th Street. The site abuts residential properties to the south. The subject site and surrounding commercial properties are zoned C1 (Local Business District) and has a General Plan Land Use Designation of General Commercial. The residential properties to the rear are zoned R2-HD (Multiple Family Residential-High Density) and has a General Plan Land Use Designation of High Density Residential.

Site History

Retail Center

The subject property contains two multi-tenant commercial buildings on two separate parcels originally constructed in the early 1960's. The parcels are under the same owner and are also tied together via a recorded reciprocal access agreement. Other uses within the retail center includes restaurants, a laundromat, a medical clinic, and retail shops.

The site is currently striped with 80 on-site parking spaces at the front of both buildings; the parking spaces at the rear of the subject building (adjacent to the residential properties) are not striped. Vehicular access is provided from two driveways on West 19th Street and a single driveway on Wallace Avenue. The rear drive aisle and parking area of the subject building (abutting the residential properties) has rolling vehicle gates at both ends of the building; the gate at the easterly end of the building abuts the Smart & Final property and allows trash and delivery vehicles to access the subject property through the Smart and Final parking lot when the gate is open or unlocked. The subject property is separated from the existing residential properties to the south by a 5-foot high block wall with 2 feet of wood fencing on top of the block wall, and mature trees on the residential side of the property (see site photos attached).

Bar/Lounge

According to the City's building permit records, the subject tenant space has been used as a cocktail bar/lounge since 1963, when it was also used as a restaurant. Prior to its current name (Holiday), its previous names were Lion's Den and Maison.

Zoning Code Section 13-47 requires eating and drinking establishments with alcoholic beverage sales, entertainment, and dancing within 200 feet of residentially-zoned property, and open past 11:00 pm, to have a conditional use permit; however, as the business was established in the early 1960's, it predates this requirement and is nonconforming.

Public Entertainment Permit

Although the establishment does not have a conditional use permit, it is required to have a Public Entertainment Permit (PEP) in accordance with Costa Mesa Municipal Code (CMMC) Title 9, Article 11 (Regulatory Permits for Public Entertainment). The PEP for this establishment has been issued annually by the Code Enforcement Division since the 1980's. A copy of the current PEP, which expires on October 29, 2016, is attached to this report for reference.

It should be noted that prior to 2010, the PEP allowed Lion's Den to have live entertainment; however, when the PEP was renewed in November of that year, the operator at the time (Beverly Corrigan) discontinued providing live entertainment, deciding to provide recorded music (DJ) and dancing only. A copy of the November 2010 PEP, with the operator's request to discontinue live entertainment, is also attached to this report for reference.

State Alcoholic Beverage Control (ABC) License

The establishment is permitted to operate with a State Alcoholic Beverage Control (ABC) License Type 48 (On-Sale General, Public Premise). According to the license query system on the State ABC website, a copy of which is attached to this report, the license is currently active and there are no disciplinary actions related to the license on file with ABC. The conditional use permit, whether it is approved or denied, will not affect the existing ABC license.

Building Safety and Fire Prevention Activity

According to City records, the interior layout of the establishment was unchanged under Beverly Corrigan, the operator of Lion's Den. A copy of the original floor plan layout is attached to this report. The operator of Maison, Roland Barrera, acquired the lease and assumed operation of the establishment in October 2014. On March 18, 2015, the Building Safety Division, based on a resident complaint, conducted an inspection and issued a Stop Work Notice for construction that was occurring within the tenant space without building permits. On March 20, 2015, after further inspection by the Building Safety and Fire Prevention inspectors, the building was determined to be unsafe to occupy and issued a "Red Tag". As part of the stop work and red tag notices, the operator was required to do the following:

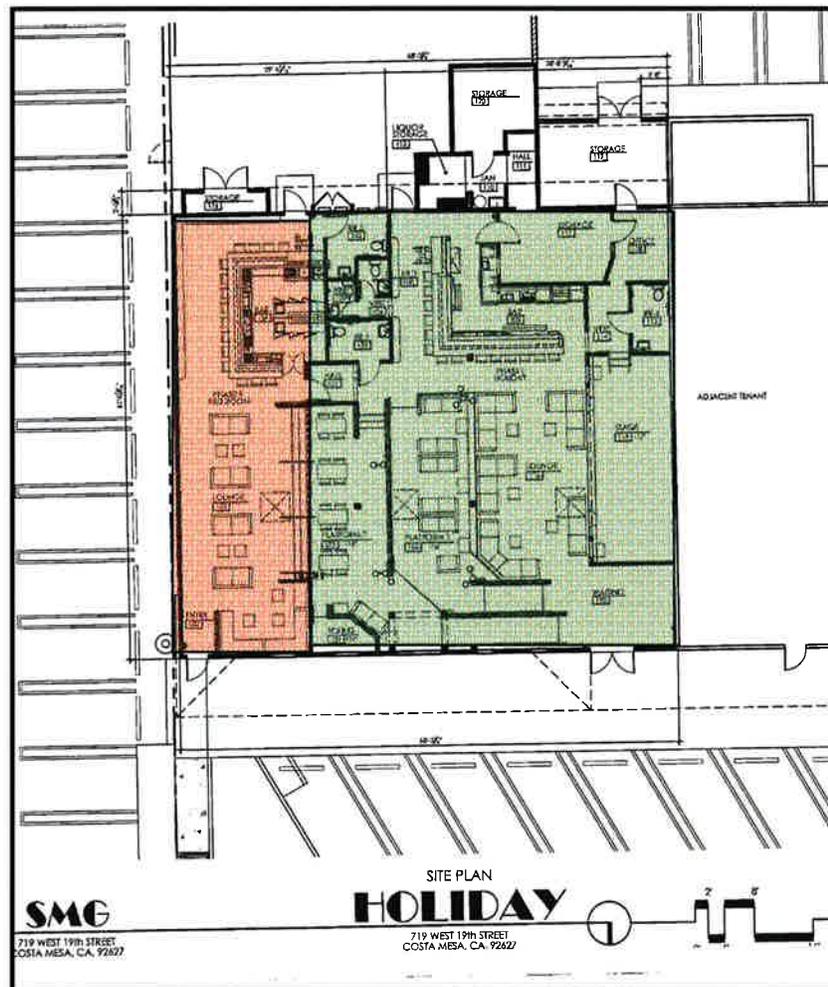
- Submit plans to the Building Safety Division for plan check and obtain the necessary Building Safety and Fire Prevention permits;
- Obtain any required inspections and approvals; and
- Obtain approval of a Conditional Use Permit from the Planning Division for live entertainment.

Current Status of Building and Fire Safety Permits and Inspections

Tenant improvement plans were submitted to the Building Safety Division for plan check on May 7, 2015. The 4,679 square foot space is divided into two areas described below and indicated in the plans attached to this report:

- Phase 1 (Holiday Room): A 3,063 square foot space with a raised stage floor, 2 raised seating areas, a main lounge with bar, storage rooms, and restrooms.
- Phase 2 (Red Room): A 1,616 square foot space with a smaller lounge area with bar.

Building permits for Phase 1 were issued by the Building Safety Division on July 1, 2015 and finalized by the building inspection staff on September 16, 2015. Building permits for Phase 2 were issued by the Building Safety Division on August 4, 2016. This phase is currently under construction. Holiday has also obtained the required permits and inspections by Fire Prevention, subject to final approval and inspection when the construction for Phase 2 is completed (estimated to be at the end of September).



Green Area: Phase 1 (Holiday Room-Currently Operating)
Red Area: Phase 2 (Red Room-Under Construction)



**8/25/16 Photo of Holiday Room
(Looking Toward Bar Area from Main Entrance)**



**8/25/16 Photo of Red Room Under Construction
(Future Bar Area in Foreground)**

Code Enforcement Activity

A code enforcement case was opened on March 18, 2015 against the prior operator, Roland Barrera, for construction without permits (see Building Safety and Fire Prevention Activity). The case was closed when the current operator obtained the permits required by those departments as described earlier in this report. The

Community Services/Code Enforcement Division received a complaint in late July 2016 regarding noise, but the complainant did not call police and Code Enforcement staff found no evidence to substantiate the complaint. Code Enforcement staff has not received any additional noise complaints since July 2016. Since the July 2016 complaint, Code Enforcement staff has visited the site and has not found any concerns regarding noise emanating from this location.

Police Calls for Service

Between August 1, 2015 and August 23, 2016 there were 215 calls for service at the specific location according to the Police Department Crime Analysis Unit. Of the 215 calls, 166 were self-initiated by police patrols (subject stop, patrol checks, traffic stops, and bike stops). The list of calls for service during the above period is attached to this report, and summarized in the table below.

Top Five Calls for Service Types

Nature of Call	Number of Calls
Patrol Check	92
Subject Stop	54
Out For Investigation	20
Transient	15
Burglary Audible Alarm	5
Municipal Ordinance Violation	5

Municipal Ordinance Violation calls consisted of unregistered bike calls, drinking in public, and possessing a shopping cart.

Source: Costa Mesa Police Department Crime Analysis Unit.

Based on the top five calls for service types at this location, the first three categories are generally self-initiated type calls. That means the patrol officer created the event versus having been dispatched in response to a complaint. Calls to a bar/lounge would typically be disturbance calls, loud music calls, and drugs and alcohol-related calls occurring during the establishment’s business hours or just after closing.

Note: After the list of calls for service was prepared by the Police Department Crime Analysis Unit, a noise complaint from an area resident was received by the Police Department on August 26, 2016, shortly after 1:00 a.m. A patrol officer was dispatched to the location of the complaining party, who advised the complainant that the issue was a civil matter between the complainant and the operators of the establishment. A police report was not filed for this incident.

Conditional Use Permit PA-15-17

On June 8, 2015, the Planning Commission considered Conditional Use Permit PA-15-17 for live entertainment at the establishment. Based on evidence presented at the hearing that the proposed live entertainment would create adverse impacts to the abutting residential properties, the Commission denied the request by a 3-2 vote (Chair Dickson and Vice Chair Mathews voting no).

On June 15, 2015, the decision was called up for review by Council member Monahan, which was eventually withdrawn.

The Planning Commission staff report and exhibits can be found on the City's website at the below link:

<http://www.costamesaca.gov/ftp/planningcommission/agenda/2015/2015-06-08/PH-3.pdf>

ANALYSIS

CUP Request for Live Entertainment Venue (PA-16-55)

Holiday opened to the public on July 15, 2016. As indicated earlier, live entertainment was discontinued at the establishment in late 2010. Because the current operator is proposing live entertainment for an establishment open past 11:00 p.m. and within 200 feet of residentially-zoned properties, approval of a conditional use permit is required.

Live entertainment including, but not limited to, music, dancing, and open microphones is proposed. The proposed hours of operation are 7:00 a.m. to 2:00 a.m., 7 days a week. The applicant indicates that light breakfast and lunch items may be served, however, the main use (bar/lounge with live entertainment) begins operating after 11:00 a.m. until 2:00 a.m. (see operating hours below).

Current Uses/Hours of Operation in Retail Center

Business Name	Square Footage	Hours of Operation
Holiday Lounge	4,679 SF	7:00 am-2:00 am 7 Days
Costa Brava Seafood Restaurant	2,118 SF	11:00 am-9:00 pm Sun-Sat
Gloria's Mexican Food	908 SF	6:00 am-10:00 pm Sun-Sat
Lavanderia Coin Laundry	1,785 SF	7:00 am-10:00 pm Mon-Fri 6:00 am-10:00 pm Sat-Sun
El Toro Bravo Market	2,269 SF	8:00 am-9:00 pm Sun-Sat
El Toro Bravo Tortilleria	1,600 SF	6:00 am-9:00 pm Sun-Sat
Costa Mesa Medical Clinic	1,900 SF	8:00 am-8:00 pm Mon-Fri 9:00 am-7:00 pm Sat-Sun
Eva's Beauty Salon	800 SF	9:00 am-7:00 pm Mon-Fri 9:00 am-7:00 pm Sat-Sun
Jem Check Cashing	800 SF	9:00 am-7:00 pm Mon-Sat 10:00 am-3:00 pm Sun
Simply Prepaid	800 SF	10:00 am-7:00 pm Mon-Sat
Acapulco Restaurant	1,700 SF + 514 SF Patio	6:00 am-9:00 pm Sun-Sat

Based on the City's Shared Parking Analysis, 112 parking spaces are required for the center based on the current mix of uses; 107 parking spaces are proposed. However, because all of the uses are existing and no new floor area is being added, the current number of on-site parking spaces is considered to be legal nonconforming.

The applicant states that patrons park within the parking area on the subject property. Per the correspondence received from owners of the adjacent Smart & Final Market, a copy of which is attached to this report, Holiday patrons are not allowed to park in the Smart and Final parking lot.

The applicant also indicates in their attached description letter that sound proofing materials were installed in the tenant space to reduce noise impacts to surrounding properties.

During the July 15, 2016 opening for Holiday, Code Enforcement staff visited the site and reviewed the measures in place to minimize any noise emanating from the establishment. This included security staff stationed at the rear door, preventing any patrons from exiting the rear door (closest to the residential properties). While standing on the exterior south/east side of the property, the Code Enforcement Officer could not hear the music being played inside. Security staff was observed patrolling the rear of the property to prevent any congregation of individuals closest to the residences.

Existing Bars/Restaurants with Live Entertainment Within 200-Feet of Residential Area

Planning Commission has made past decisions to allow establishments with live entertainment and dancing (most recently, for the relocation of Sutra Lounge at the Triangle), subject to operating conditions of approval to minimize impacts to surrounding properties and uses. In this case, the use involves the re-introduction of live entertainment for an establishment that is within 200 feet of residentially-zoned properties and is open past 11:00 p.m. Following are other restaurants and bars that remain open past 11:00 p.m.:

Restaurant/Bar	Hours of Operation	Location	Within 200' of Residential	Outdoor Patio
La Vida / Tavern & Bowl	11:00 a.m. – 2:00 a.m. (Thurs- Sat.)	The Triangle		X
Saddle Ranch Chop House	9:00 a.m. – 2:00 a.m. (Thurs- Sat.)	The Triangle		X
The Yard House	11:00 a.m. – 1:00 a.m.	The Triangle		
Goat Hill Tavern	8:00 p.m. – 2:00 a.m.	Newport Boulevard		
The Boulevard	3:00 p.m. – 2:00 a.m.	Newport Boulevard		
Social	5:00 p.m. – 1:00 a.m.	W. 19 th Street	X	X
The Harp Inn	4:00 p.m. – 2:00 a.m.	E. 17 th Street		
Wild Goose Tavern	10:00 a.m. – 2:00 a.m.	E. 17 th Street	X	X
Pierce Street Annex	12:00 p.m. – 2:00 a.m.	E. 17 th Street	X	X
Wayfarer/Detroit	5:00 p.m. – 2:00 a.m.	W. 19 th Street	X	X
Turners Pub 33	12:00 p.m. – 2:00 a.m.	Old Newport Boulevard	X	X

Restaurant/Bar	Hours of Operation	Location	Within 200' of Residential	Outdoor Patio
Tiki Bar	10:00 a.m. – 2:00 a.m.	W. 17 th Street		
La Cave	4:30 p.m. – 2:00 a.m.	E. 17 th Street		
Casa Costa Mesa	8:00 p.m. – 2:00 a.m.	W. 19 th Street	X	X
Mansion (Formerly Shark Club)	9:00 p.m. – 2:00 a.m. (Fri- Sat.)	Baker Street	X	

Public Entertainment Permits that Include Live Entertainment

When Public Entertainment Permits were first issued in the 1980's, the purpose was to regulate live entertainment, DJs, and dancing in existing establishments. Code currently requires a CUP for these types of activities in proximity to residential uses. The following list provides some examples of existing businesses with PEPs for live entertainment.

Existing PEPs with Live Entertainment

- Garibaldi De Noche, 810 W. 19th Street.
- Social, 512 W. 19th Street.
- Casa (formerly Avalon Bar), 820 W. 19th Street.
- Tiki Bar, 1700 Placentia Avenue.
- Sutra Lounge, 1870 Harbor Boulevard (The Triangle).

It should also be noted that, if the request for live entertainment were to be denied, the applicant could still operate the establishment with recorded music (via DJ) and dancing under the current City approvals.

Valet Parking

A valet parking plan is proposed in the event it becomes necessary to prevent overflow patron parking onto adjacent properties and streets. The valet parking plan will be subject to the following:

- The valet parking plan shall be reviewed and approved by the Transportation Services Division prior to implementation.
- The valet station(s) shall be located on private property in areas that do not interfere with parking for other properties, drive aisles, public alleys, or public streets.
- Valet parking shall occur on-site only. No valet parking may occur on any other property or in any public alley or public street.
- Valet parking shall specify the hours it will take place.
- To minimize impacts to adjacent residential properties, drop-off and pick-up of customer cars shall not occur within the parking area at the rear of the property.
- Parking spaces not reserved for valet parking shall remain open and unobstructed for customer self-parking.

FINDINGS TO APPROVE THE REQUEST

Pursuant to Title 13, Section 13-29(g)(2), Findings (Conditional Use Permit and Minor Conditional Use Permit), of the Costa Mesa Municipal Code, the Planning Commission is required to find that the evidence presented in the administrative record substantially meets specified findings.

Findings for Approval

- *The proposed use is substantially compatible with the multi-family residential development along Center Street (R2-HD zone) and would not be materially detrimental to other properties within the area.* The proposed use, with the recommended conditions of approval, will be consistent with the other uses in the immediate vicinity. Compliance with the conditions of approval will allow this use to operate with minimal impact on surrounding properties and uses.

If approved, the applicant shall be required to comply with the following conditions of approval, the complete list of which are included in the draft approval resolution:

Music & Live Entertainment

- Any music or live entertainment, including a DJ and/or dancing, may only be permitted subject to City issuance of a "Public Entertainment Permit" on an annual basis. Within 15 days of the approval of the CUP, the applicant shall submit an application for the Public Entertainment Permit to the Community Improvement/Code Enforcement Division. The initial approval of this permit will be temporary for a probationary period of six months and may only become a permanent yearly renewal when the following conditions are met:
 - Within six months of the approval of the CUP, applicant shall remit a noise study by an acoustical engineer which identifies the noise levels at the rear property line abutting the residential properties. Noise monitoring shall occur for a four-hour period from 11:00 a.m. to 2:00 a.m. for a minimum of 4 different types of events (live bands, DJ, open microphone, and dancing). Study shall provide conclusions as to whether or not the operations of the bar/lounge comply with the City's Noise Ordinance with regard to the adjacent residences. Study shall make recommendations that shall be implemented by the applicant to reduce noise levels (as applicable) to ensure compliance with the Noise Ordinance.
- If staff determines that a violation of the noise ordinance has occurred, the Public Entertainment Permit may be placed into suspension and all entertainment approved under this conditional use permit must cease. Staff will work with the applicant to mitigate the violation and may make recommendations. This includes, but is not limited to, the lifting of the suspension, a change of status in the Public Entertainment Permit from a permanent to probationary status, and/or a recommendation for change/revocation to the conditional use permit.

- The operation of the business shall comply with the City's Noise Ordinance with specific regard to acceptable outdoor noise levels in residential areas.
- The rear doors shall remain closed during any performance of live entertainment, pre-recorded music (DJ), and dancing.

Parking Management

- Parking for patrons and employees of the business shall occur on-site. Patron parking shall be restricted to the front parking area only; employee parking shall be restricted to the rear parking area only.
- The parking lot shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot.
- The valet parking provisions as discussed earlier in this report would be required to be complied with.

Crowd Control/On-Site Security

- An adequate number of security personnel, as determined by the Police Department Crime Prevention Bureau and/or the Development Services Director, shall be provided to ensure that all parking lots are monitored during the days and hours the business is in operation.

Lighting

- Operator shall secure the premises with appropriate security lighting and employee scrutiny of adjacent areas under which applicant has control, to prevent trash, graffiti and littering.
- The intensity and location of lights shall be limited to minimize nighttime light and glare to residents and shall be subject to the Development Services Director's approval.
- All site lighting fixtures shall be provided with a flat glass lens. Photometric calculations shall be submitted and shall indicate the effect of the flat glass lens fixture efficiency.
- Lighting design and layout shall limit light spillage to no more than 0.5 foot-candles at the property line of residential properties, consistent with the level of lighting that is determined necessary for safety and security purposes on site. Light standards near residential properties shall be shielded in such a way as to minimize light spillage onto surrounding properties.
- Granting the conditional use permit will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. The use is an existing commercial development consistent with the C1 zoning of the property and residentially-zoned properties in the vicinity. Compliance with the applicable Building and Fire Safety Codes will ensure that the use is not materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

- Granting the conditional use permit will not allow a use, density, or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property. The property is zoned C1 (Local Business District) and has a General Plan Designation of General Commercial. The use, as conditioned, is consistent with the applicable provisions of the General Commercial General Plan Designation. The use, as conditioned, is consistent with the following policy of the 2015-2035 General Plan:
 - **Policy LU-3.1:** *Protect existing stabilized residential neighborhoods, including mobile home parks (and manufactured housing parks), from the encroachment of incompatible or potentially disruptive land uses and/or activities.*
- The property owner is working with the City's Code Enforcement Division to address several property maintenance issues at the site. Because the applicant and the operator of Holiday are not the owners of the property, property maintenance issues (parking lot striping, landscape maintenance, etc.) are being addressed separately by the property owner through Code Enforcement.

ENVIRONMENTAL DETERMINATION

If the Planning Commission approves the request, it is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 for Existing Facilities. The project site contains an existing building with no increase in total floor area for the use proposed. If the Planning Commission denies the project, the denial is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15270(a) for projects which are disapproved.

LEGAL REVIEW

The draft resolutions have been reviewed and approved as to form by the City Attorney's Office.

PUBLIC NOTICE

Pursuant to Title 13, Section 13-29(d), of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. Mailed notice. A public notice was mailed to all property owners within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property. (See attached Notification Radius Map.)
2. On-site posting. A public notice was posted on each street frontage of the project site.
3. Newspaper publication. A public notice was published once in the Daily Pilot newspaper.

ALTERNATIVES

- Approve the request with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, should the Planning Commission choose to do so, staff will return with a revised resolution incorporating new findings and/or conditions.
- Deny the request. If the Planning Commission believes that there are insufficient facts to support the findings for approval, Planning Commission must deny the application and provide facts in support of denial to be included in the attached draft resolution for denial. If the project were denied, the applicant could not submit substantially the same type of application for six months.

NOTE: If the application were to be denied, the applicant could still continue to operate the establishment with recorded music and dancing under the current Public Entertainment Permit.

CONCLUSION

Consideration of this request for live entertainment and valet parking would largely be based on code compliance and compatibility with the abutting residential area. The recommended conditions of approval in the CUP would adequately address impacts to residential uses.



MEL LEE, AICP
Senior Planner



GARY ARMSTRONG, AICP
Economic Development & Development
Services Director/Deputy CEO

Attachments: ~~1. Location and Radius Maps~~
~~2. Site Photos Dated 8/25/10~~
3. Applicant's Project Description and Valet Parking Plan
~~4. Draft Planning Commission Resolutions~~
~~5. Calls for Police Service~~
6. Public Entertainment Permits (2009-2010, and 2015-2016)
7. State Alcoholic Beverage Control (ABC) License Query Results
8. Correspondence from Smart and Final Market Regarding Parking
~~9. Project Plans, Including Original and Proposed Floor Plan Layouts~~

Distribution: Director of Economic & Development Services/Deputy CEO
Interim Assistant Development Services Director
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RE: Conditional Use Permit Application – APN 424-202-02 / 719 West 19th St
Request to renew expired permit (PEP09-010, expired December 2 2010)
Add Valet Parking

Thank you for the opportunity to receive permission to once again have live entertainment at the 719 W 19th street location. A brief description of the proposal along with findings and justification of approvals are outlined below for your review.

History of Live Entertainment at this Location

719 West 19th Street has had a long history of being a live entertainment venue in Costa Mesa. The space has been a cocktail lounge since 1963, first established as the Colorado Mining Company, providing live music and dining. Then, the site became the rock and roll venue Ronstadt's, owned by celebrity musician Linda Ronstadt. From 1980 through late 2014, 719 West 19th Street operated as the Lion's Den and offered live entertainment and dancing under owner Beverly Corrigan. The Applicant wishes to continue a long tradition of live entertainment, and is expecting to appeal to a broad audience through inspiring productions. The revitalization of high quality live entertainment is expected to enhance and revitalize the west side through responsible management and maintenance of the space and the shopping center.

Existing Conditions & Policy information

Holiday is a lounge within a multi-tenant retail center. The entire site is zoned C1 (Local Business District) and has a General Plan Use Designation of General Commercial. The location also falls within the Westside Urban Specific Plan area, specifically the 19 West Urban Plan area.

The site is bound by commercial uses to the east (Smart and Final Market), the west (multi-tenant commercial building), and the north (various commercial uses). Moreover, the site abuts residential use to the south. The residential properties are zoned R2-HD (Multiple Family Residential-High Density) and has a General Plan Use Designation of High Density Residential.

Existing Conditions table

	North	South	West	East
Adjacent Zoning	C1 (Local Business District)	R2-HD (Multiple Family Residential-High Density)	C1 (Local Business District)	C1 (Local Business District)
Adjacent General Plan Land Use Designation	General Commercial	High Density Residential	General Commercial	General Commercial
Adjacent Westside Urban Specific Plan Area	19 West Urban Plan	Mesa West Residential Urban Plan	19 West Urban Plan	19 West Urban Plan
Adjacent Uses	Various commercial uses (Sunshine Liquor, Lim's Dental Office/Lim Douglas W DDS, Fita's Hair Fashions, AutoZone)	Residential detached houses	Multi-Tenant Commercial Building (Acapulo Restaurant , Simply Prepaid, JEM Check Cashing, Eva's Beauty Salon, Costa Mesa Medical Clinic, El Toro Bravo Tortilleria)	Smart & Final Market

Physical Site Information

Holiday occupies a 4,476 sq ft space within a retail center and has two areas, that can be divided by a folding wall:

- Holiday - a 3,063 sq ft space with a raised stage floor, 2 raised seating areas, main lounge, and kitchen
- Red Room - a 1,616 sq ft space with a smaller lounge area separate from the main lounge for quieter activities.

The retail center provides 107 shared parking spaces. Based on the City's Shared Parking Analysis, see attached, 112 parking spaces are required for the center based on the current mix of uses. The current number of on-site parking spaces are considered to be legal non-conforming because all the uses are existing and no new floor area is being added.

Operational Information

Holiday currently operates as a lounge with a public entertainment permit allowing for a DJ and dancing. The hours of operation are 7:00 am to 2:00 am, 7 days a week with live entertainment hours from 11:00

am to 2:00 am. Light breakfast and lunch items are expected to be available as well as snacks throughout the day.

Valet parking is proposed for those times that it is deemed necessary. The proposed plan is attached.

Security and Lighting

Holiday provides site security both within the tenant space and parking areas. Management is working closely with City Police Crime Prevention to ensure a safe and peaceful environment. Additional lighting has been installed. The security team has no tolerance for loitering and fully enforces the City's noise ordinance. All servers have received responsible beverage serving training.

Noise

In July of 2015, Holiday management contracted with acoustical engineers Landrum & Brown. Landrum & Brown are the same engineers that assisted the Pacific Amphitheater with noise mitigation measures. Mike Holritz has provided a preliminary inspection of the site and measured the noise levels at various locations, including measurements from the nearest residents. He made several suggestions for noise mitigation including:

Boxing in the Exhaust fans - Holiday has worked with an architect and contractor and has received permits and installed enclosures for the fans.

Improve doors and seals - Door and seals have been upgrading and instated a policy that the door is to remain closed during music or other noise generating events.

Upgrade South Wall - Holiday has installed insulation and upgraded the south wall. Final inspections are pending.

Install Parapet Wall at South edge of building - The parapet structure has been installed, final inspections are underway,

Installation of sound level warning devise - This has not yet been done but will be reviewed as needed.

Current Uses and Hours of Operation in Retail Center

Business Name	Square Footage	Hours of Operation
Holiday Lounge	4,476 sq ft	7:00 am - 2:00 am; 7 days
Costa Brava Seafood Restaurant	2,118 sq ft	11:00 am - 9:00 pm; 7 days
Gloria's Mexican Food	908 sq ft	6:00 am - 10:00 pm; 7 days
Lavanderia Coin Laundry	1,785 sq ft	7:00 am - 10:00 pm; Mon-Fri 6:00 am - 10:00 pm; Sat-Sun
El Toro Bravo Market	2,269 sq ft	8:00 am - 9:00 pm; 7 days
El Toro Bravo Tortilleria	1,600 sq ft	6:00 am - 10:00 pm; 7 days
Costa Mesa Medical Clinic	1,900 sq ft	8:00 am - 8:00 pm; Mon-Fri 9:00 am - 7:00 pm; Sat-Sun
Eva's Beauty Salon	800 sq ft	9:00 am - 7:00 pm; Mon-Fri 9:00 am - 7:00 pm; Sat-Sun
JEM Check Cashing	800 sq ft	9:00 am - 7:00 pm; Mon-Sat 10:00 am - 3:00 pm; Sun
Simply Prepaid	800 sq ft	10:00 am - 7:00 pm; Mon-Sat
Acapulco Restaurant	1,700 sq ft + 514 sq ft Patio	6:00 am - 9:00 pm; Sun-Sat

Justifications for Approval

1. **The proposed use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.**
 - a. The site, 719 West 19th Street, is compatible with developments in the same general area as it has been operating under the use of live music and entertainment for nearly four decades. The location's history began in the 1970s as Colorado Mining Company, providing live music and dining. Then, the site became the rock and roll venue Ronstadt's, owned by celebrity musician Linda Ronstadt. From 1980 to late 2014, 719 West 19th Street operated as the Lion's Den and offered live entertainment and dancing under owner Beverly Corrigan. The Applicant is dedicated to providing the live entertainment the site has been historically known for, as well as working with the property owner to revitalize the premises to enhance the surrounding area.
 - b. The site is compatible with developments in the same general area as it adjacent to two venues, the Wayfarer and Casa Costa Mesa, that also provide live entertainment. The Holiday Lounge will add to Costa Mesa's burgeoning arts scene and bringing increased interest to the west side.

- c. The proposed use will not be materially determinately to other properties in the immediate vicinity by mitigating noise, security, parking and lighting issues as detailed in Item 2.

2. Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

- a. The use is an existing commercial project consistent with the C1 zoning of the property. The use has complied with all applicable Building and Fire Safety Codes to and will continue to maintain the property accordingly on a yearly basis. The applicant has also obtained proper permits through numerous inspections from building and safety, fire, and police. The applicant has completed the required RBS training by the ABC license district and will apply for a public entertainment permit. The Applicant has mitigated all possible concerns including safety, noise and lighting:

- i. *Noise.* The Applicant will maintain the following noise mitigation measures:
 - 1. The operation of the business shall comply with the City's Noise Ordinance with specific regard to acceptable outdoor noise levels in residential areas.
 - 2. All live entertainment performances shall take place solely inside.
 - 3. The rear doors shall remain closed during any performance of live entertainment, pre-recorded music (DJ), and dancing.
 - 4. New sound proof walls have been installed on walls to reduce noise.
 - 5. Compliance with noise mitigation conditions as determined by the City of Costa Mesa Planning Commission and Staff.
- ii. *Safety and Security.* The Applicant will maintain the following safety and security mitigation measures:
 - 1. Provision of adequate number of security personnel, as determined by the Police Department Crime-Prevention Bureau and/or Development Services Director to ensure all parking lots are monitored during the days and hours the business is in operation.
 - 2. The current lounge use resulted in reduction of half of the historic maximum occupancy levels
 - 3. Compliance with safety and security mitigation conditions as determined by the City of Costa Mesa Planning Commission and Staff.
- iii. *Lighting.* The Applicant will maintain the following safety and security mitigation measures:
 - 1. The intensity and location of lights shall be limited to minimize nighttime light and glare to residents and shall be subject to the Development Services Director's approval.

2. All site lighting fixtures shall be provided with a flat glass lens.
 3. Lighting design and layout shall limit light spillage to no more than 0.5 foot-candles at the property line of residential properties, consistent with the level of light that is determined necessary for safety and security purposes on site.
 4. Compliance with lighting mitigation conditions as determined by the City of Costa Mesa Planning Commission and Staff.
3. **Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.**
- a. The project location is zoned C1 (Local Business District) and the proposed use is permitted in the C1 district with a conditional use permit. The zoning district of the project is intended to meet the local business needs of the community by providing a wide range of goods and services in a variety of locations throughout the city. The applicant will be providing inspiration, fun with live entertainment in a clean, professionally managed environment.
 - b. Additionally, the proposed use will not affect the adjacent residential general plan use designation as the Applicant has taken all measures per item 2 to protect nearby residential neighborhoods. The Applicant has shown to be in conformance with the General Plan Designation of General Commercial Objective LU-1F.1: Protect existing stabilized residential neighborhoods from the encroachment of incompatible or potentially disruptive land uses and/or activities.

Conclusion

The Applicant's proposal to add live entertainment to the existing cocktail lounge/club at 719 West 19th Street has provided for the following justifications:

1. The proposed use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area:
2. Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.
3. Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

In providing these justifications, the Applicant has demonstrated action and consideration regarding the compatibility and impacts towards the abutting residential area and requests the approval of the conditional use permit to re-instate the live entertainment.

HOLIDAY

Valet Parking Request for additional use

CUP / Parking Plan

Restaurant Valet Impact and Operations Report

Report Date: September 1st, 2016

Location: 719 W 19th St Costa Mesa Ca

Attention: City of Costa Mesa / Planning / Public Works / Traffic

Holiday is requesting the approval of valet parking operations as part of the conditional use permit application. Holiday operators have noticed increased use by its customers of ride sharing services such as Uber and Lift and expect see continued use of these services. Even so, some patrons still use personal automobile, to ensure the best possible experience for all patrons Holiday is requesting approval to offer valet services.

Attached is valet parking map which illustrates traffic direction, placement, and point of drop off and pick up. The valet stand is located in the far east side of the establishment. Patrons utilizing this service will hand over their keys to a trained attendant who will bring their auto to the back of the center, where the cars will be stacked. The front of the center contains 77 total striped parking spaces and this will remain open for all center patrons.

The presence of valet will significantly assist in improving the safety along both city easements, and private venue properties during the hours of operation. Cleanliness of private property, sweeping and maintenance of city alleyways, and parking personnel standing as security and surveillance for activity occurring on and around the subject property will directly assist in providing tenants and residential neighbors with an improved and safer atmosphere.

Tenant / Business / Resident Contact:

At any time if any parties are concerned of the on-site parking operations, and or placement of such vehicles, direct contact can be made to either of the following principals:

- Mike Kinsella (GM of Holiday) 949.278.8728
- Chris Nelson (AGM of Holiday) 619.322.0677

Operations:

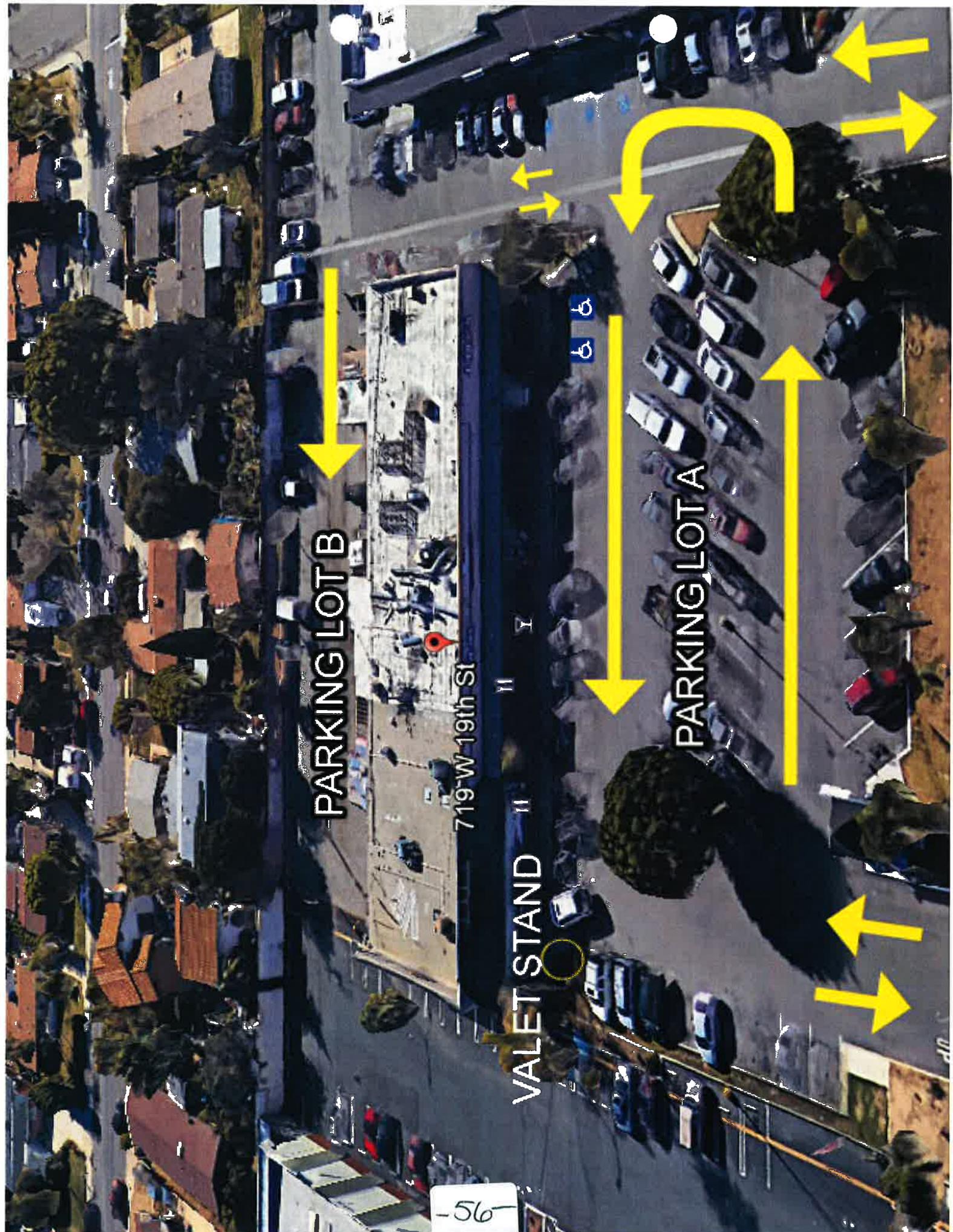
- Temporary signage and valet attendants will direct HOLIDAY guests into the "valet" lanes and out of the common line of traffic.
- Arriving guests will be directed, received, and greeted were at indicated valet

stand

- Valet attendants will remain present to assure all guests are clearly directed to drop-off and pick-up area.
- Valet attendants will monitor all parking locations for security, safety and operations purposes.
- Parking operations will include radio communication between valet and inside management/hostess.

Permitted Areas for Parking:

- No valet parking or self parking will be permitted in the neighboring Smart and Final lot located 707 W 19th St Costa Mesa, Ca 92627
- No valet or self parking will be permitted in any neighboring lot without written consent from business or lot owner.
- Valet operations will be conducted on the following peak days and hours of operations:
 - Tuesdays 5:00pm until 2:00am or until valet is no longer needed based upon traffic influx
 - Wednesdays 5:00pm until 2:00am or until valet is no longer needed based upon traffic influx
 - Thursdays 5:00pm until 2:00am or until valet is no longer needed based upon traffic influx
 - Fridays 5:00pm until 2:00am or until valet is no longer needed based upon traffic influx
 - Saturdays 5:00pm until 2:00am or until valet is no longer needed based upon traffic influx
 - Sundays 11:00am until 2:00am or until valet is no longer needed based upon traffic influx
- Parking operations will start October 16th 2016 and continue for the duration of the business
- Although the schedule above depicts the days and times we would like to have valet available, we will only be using valet for select events.
- Events that will require valet: Events where there is a heavy customer flow at a specific time. Events that coincide with a heavy traffic influx from surrounding businesses. Private events where client requests all guest vehicles to be valeted by Holiday.
- If there is a heavy influx of traffic on a regular basis of any given night, Holiday will implement the valet to control the traffic and parking flow.



PARKING LOT B

719-W 19th St

VALET STAND

PARKING LOT A

-56-



CITY OF COSTA MESA
PUBLIC ENTERTAINMENT PERMIT
DEVELOPMENT SERVICES DEPARTMENT
P. O BOX 1200
COSTA MESA, CA 92628-1200

COPY

Beverly Corrigan
Lion's Den
719 West 19th St.
Costa Mesa, CA 92627

Date this permit approved: December 2, 2009

PERMIT PERIOD: December 2, 2009 to December 2, 2010

PERMIT # PEP09-0010

THIS PERMIT EXPIRES DECEMBER 2, 2010

RE: PERMIT FOR LIVE BAND AND DJ RECORDED MUSIC

Your application for a Public Entertainment Permit has been:

- Returned as an incomplete application. The items listed below were found to be inadequately described or were missing from the application.
- Approved with conditions listed below that are subject to provisions of Costa Mesa Municipal Code, Article 11, Chapter IV, Title 9.**
- Denied, based on the items below:
- Zoning Uniform Fire Code Uniform Building Code Security Plan for Prevention of Unlawful Conduct
 - Liability Insurance Security Plan for Control of Pedestrian/Vehicles Parking Plan Seating Plan
 - Noise Control Plan Other
 - Conditional Use Permit Required

CONDITIONS OF APPROVAL: SEE ATTACHED

A COPY OF THIS PERMIT MUST BE KEPT ON THE PREMISES AND PRESENTED TO ANY AUTHORIZED CITY OFFICIAL UPON REQUEST.

The last date on which an appeal may be filed is 5 P.M., DECEMBER 9, 2009.

If you have any questions about this permit, please contact WILLA BOUWENS-KILLEEN AT 714.754.4952.

Person taking action on this permit:

W Bouwens-Killeen

WILLA BOUWENS-KILLEEN

NOTICE TO APPLICANT

Notice should be sent to you by mail, within forty-five (45) working days of your filing a completed application, that your application has been granted or denied. If you receive notice that your application has been denied or has been granted subject to conditions, you may appeal to the City Council from the denial or from any of the conditions by filing a written appeal with the City Clerk within seven (7) days from the time the notice was deposited in the mail or was personally delivered to you.

ENTERTAINMENT PERMIT CONDITIONS

1. DOORS MUST REMAIN CLOSED AT ALL TIMES DURING ENTERTAINMENT HOURS.
2. HOURS OF ENTERTAINMENT ARE MONDAY THROUGH SUNDAY 11:00 AM TO 2:00 AM.
3. MUSIC SHALL NOT EXCEED CITY NOISE STANDARDS.
4. A COPY OF THIS PERMIT MUST BE KEPT ON THE PREMISES AND PRESENTED TO ANY AUTHORIZED CITY OFFICIAL UPON REQUEST.
5. IT IS THE APPLICANT'S RESPONSIBILITY TO RENEW THIS PERMIT AT LEAST 30 DAYS PRIOR TO THE EXPIRATION DATE.
6. PATRONS ARE PROHIBITED FROM LOITERING IN THE REAR PARKING LOT. THE BUSINESS OPERATOR SHALL USE ALL MEANS POSSIBLE TO PREVENT PATRONS FROM LOITERING IN THE REAR PARKING LOT.



RECEIVED

NOV 30 2010

City of Costa Mesa
Development Services Department
P.O. Box 1200, Costa Mesa, CA 92628-1200
(714) 754-5625

No changes

CODE ENFORCEMENT

Check One: [] New Yearly permit [] New One day permit [X] Yearly Renewal permit - Processing Fee: \$675.00

(Applications shall be filed and must be complete a minimum of forty five (45) calender days prior to the date requested for issuance of the permit.)

1. Business name: Lion's Den

2. Address: 719 West 19th St Calif

3. Contact person: Beverly Corrigan Phone: 714-839-5457

4. Legal entity submitting application: Sterling Liquor Inc.

5. Names of Partner(s), officer(s), director(s), or shareholder(s): Beverly Corrigan - Pres.

Address: 10196 Sunn Ave Calif Phone: 714-839-5457

6. Describe the exact nature of the type entertainment you will be providing: DJ - Dancing - Cocktail Lounge

7. Days entertainment scheduled: [M T W TH F S SU] Date: Hours: (Begin) (End)

7a. Other days scheduled: [M T W TH F S SU] Date: Hours: (Begin) (End)

7b. Other days scheduled: [M T W TH F S SU] Date: Hours: (Begin) (End)

8. Does your establishment serve alcohol? yes Maximum legal occupancy of the premises: 425

9. Does your establishment have a Conditional or Minor Conditional use permit regarding entertainment? If yes, please provide a copy of the Conditional or Minor Conditional use permit when submitting this form.

- 10. Required documents:
A. Fully dimensioned floor plan showing interior or exterior of your establishment showing the area where proposed entertainment will be situated.
B. Noise control plan with special attention to prevention of noise nuisance to nearby premises and/or residences, if any.
C. A security plan which should included:
1) crowd control, pedestrian foot traffic and vehicle traffic if applicable.
2) prevention of unlawful conduct by patrons and employees, including but not limited to assaults, disturbances, vandalism, littering, theft, sale or use of controlled substances, and the consumption of alcohol by persons under twenty-one (21) years of age, within the building(s) and outside in the areas affected by the public attending the event.

11. I hereby declare under penalty of perjury that the above information and submitted documents are true and correct.

Date: 11-27-2010 Signature: Beverly Corrigan Applicant

NOTICE TO APPLICANT

Notice should be sent to you by mail, within thirty (30) working days of filing a complete application, that your application has been granted or denied. If you receive notice that your application has been denied or has been granted subject to conditions, you may appeal the denial or any of the conditions by filing a written appeal with the city clerk, within seven (7) days from the time the notice was deposited in the mail or personally delivered to you.

Attention
Willis,

I have no live
entertainment.

Beverly
Corrigan



CITY OF COSTA MESA
 PUBLIC ENTERTAINMENT PERMIT
 DEVELOPMENT SERVICES DEPARTMENT
 P. O BOX 1200
 COSTA MESA, CA 92628-1200

COPY

Beverly Corrigan
 Lion's Den
 719 West 19th St.
 Costa Mesa, CA 92627

Date this permit approved: December 22, 2009

PERMIT PERIOD: December 2, 2010 to December 2, 2011

PERMIT # PEP10-0015

THIS PERMIT EXPIRES DECEMBER 2, 2011

RE: PERMIT FOR DJ MUSIC AND DANCING

Your application for a Public Entertainment Permit has been:

- Returned as an incomplete application. The items listed below were found to be inadequately described or were missing from the application.
- Approved with conditions listed below that are subject to provisions of Costa Mesa Municipal Code, Article 11, Chapter IV, Title 9.**
- Denied, based on the items below:
 - Zoning Uniform Fire Code Uniform Building Code Security Plan for Prevention of Unlawful Conduct
 - Liability Insurance Security Plan for Control of Pedestrian/Vehicles Parking Plan Seating Plan
 - Noise Control Plan Other
 - Conditional Use Permit Required

CONDITIONS OF APPROVAL: SEE ATTACHED

A COPY OF THIS PERMIT MUST BE KEPT ON THE PREMISES AND PRESENTED TO ANY AUTHORIZED CITY OFFICIAL UPON REQUEST.

The last date on which an appeal may be filed is 5 P.M., 3 JANUARY 2011.

If you have any questions about this permit, please contact WILLA BOUWENS-KILLEEN AT 714.754.4952.

Person taking action on this permit:

Willa Bouwens-Killeen

 WILLA BOUWENS-KILLEEN

NOTICE TO APPLICANT

Notice should be sent to you by mail, within forty-five (45) working days of your filing a completed application, that your application has been granted or denied. If you receive notice that your application has been denied or has been granted subject to conditions, you may appeal to the City Council from the denial or from any of the conditions by filing a written appeal with the City Clerk within seven (7) days from the time the notice was deposited in the mail or was personally delivered to you.

ENTERTAINMENT PERMIT CONDITIONS

COPY

1. DOORS MUST REMAIN CLOSED AT ALL TIMES DURING ENTERTAINMENT HOURS.
2. HOURS OF ENTERTAINMENT ARE MONDAY THROUGH SUNDAY 11:00 AM TO 2:00 AM.
3. MUSIC SHALL NOT EXCEED CITY NOISE STANDARDS.
4. A COPY OF THIS PERMIT MUST BE KEPT ON THE PREMISES AND PRESENTED TO ANY AUTHORIZED CITY OFFICIAL UPON REQUEST.
5. IT IS THE APPLICANT'S RESPONSIBILITY TO RENEW THIS PERMIT AT LEAST 30 DAYS PRIOR TO THE EXPIRATION DATE.
6. PATRONS ARE PROHIBITED FROM LOITERING IN THE REAR PARKING LOT. THE BUSINESS OPERATOR SHALL USE ALL MEANS POSSIBLE TO PREVENT PATRONS FROM LOITERING IN THE REAR PARKING LOT.



CITY OF COSTA MESA
PUBLIC ENTERTAINMENT PERMIT
DEVELOPMENT SERVICES DEPARTMENT
P. O BOX 1200
COSTA MESA, CA 92628-1200

FILE COPY

Beverly Corrigan
Lion's Den
719 West 19th St.
Costa Mesa, CA 92627

Date this permit approved: April 21, 2014

Permit Period: ONE YEAR

PERMIT # PEP14-0003

THIS PERMIT EXPIRES APRIL 21, 2015

RE: PERMIT FOR DJ MUSIC AND DANCING

Your application for a Public Entertainment Permit has been:

- Returned as an incomplete application. The items listed below were found to be inadequately described or were missing from the application.
- Approved with conditions listed below that are subject to provisions of Costa Mesa Municipal Code, Article 11, Chapter IV, Title 9.**
- Denied, based on the items below:
 - Zoning California Fire Code California Building Code Security Plan for Prevention of Unlawful Conduct
 - Liability Insurance Security Plan for Control of Pedestrian/Vehicles Parking Plan Seating Plan
 - Noise Control Plan Other
 - Conditional Use Permit Required

CONDITIONS OF APPROVAL ATTACHED

A COPY OF THIS PERMIT MUST BE KEPT ON THE PREMISES AND PRESENTED TO ANY AUTHORIZED CITY OFFICIAL UPON REQUEST.

The last date on which an appeal may be filed is 5 pm, Monday, April, 28, 2014.

If you have any questions about this permit, please contact me at either Willa.Bouwens-Killeen@costamesaca.gov or 714.754.5153.

Person taking action on this permit:

WILLA BOUWENS-KILLEEN
Chief of Code Enforcement

NOTICE TO APPLICANT

Notice should be sent to you by mail, within forty-five (45) working days of your filing a completed application, that your application has been granted or denied. If you receive notice that your application has been denied or has been granted subject to conditions, you may appeal to the City Council from the denial or from any of the conditions by filing a written appeal with the City Clerk within seven (7) days from the time the notice was deposited in the mail or was personally delivered to you.

**CONDITIONS OF APPROVAL
LION'S DEN – 719 WEST 19TH STREET**

1. DOORS MUST REMAIN CLOSED AT ALL TIMES DURING ENTERTAINMENT HOURS.
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5. IT IS THE APPLICANT'S RESPONSIBILITY TO RENEW THIS PERMIT AT LEAST **30 DAYS** PRIOR TO THE EXPIRATION DATE.
6. PATRONS ARE PROHIBITED FROM LOITERING IN THE REAR PARKING LOT. THE BUSINESS OPERATOR SHALL USE ALL MEANS POSSIBLE TO PREVENT PATRONS FROM LOITERING IN THE REAR PARKING LOT.



CITY OF COSTA MESA
 PUBLIC ENTERTAINMENT PERMIT
 DEVELOPMENT SERVICES DEPARTMENT
 P. O BOX 1200
 COSTA MESA, CA 92628-1200

Name change

Date this permit approved: **October 29, 2015**

HOLIDAY
 719 West 19th St.
 Costa Mesa, CA 92627

Permit Period: **ONE YEAR**

PERMIT # PEP15-0004

THIS PERMIT EXPIRES OCTOBER 29, 2016

RE: PERMIT FOR DJ MUSIC AND DANCING

Your application for a Public Entertainment Permit has been:

- Returned as an incomplete application. The items listed below were found to be inadequately described or were missing from the application.
- Approved with conditions listed below that are subject to provisions of Costa Mesa Municipal Code, Article 11, Chapter IV, Title 9.**
- Denied, based on the items below:
 - Zoning California Fire Code California Building Code Security Plan for Prevention of Unlawful Conduct
 - Liability Insurance Security Plan for Control of Pedestrian/Vehicles Parking Plan Seating Plan
 - Noise Control Plan Other
 - Conditional Use Permit Required

CONDITIONS OF APPROVAL ATTACHED

A COPY OF THIS PERMIT MUST BE KEPT ON THE PREMISES AND PRESENTED TO ANY AUTHORIZED CITY OFFICIAL UPON REQUEST.

The last date on which an appeal may be filed is *5 pm, Monday, November 9, 2015.*

If you have any questions about this permit, please contact me at either Fidel.Gamboa@costamesaca.gov or 714.754.5625.

Person taking action on this permit:

Fidel Gamboa
 FIDEL GAMBOA
 Chief of Code Enforcement

NOTICE TO APPLICANT

Notice should be sent to you by mail, within forty-five (45) working days of your filing a completed application, that your application has been granted or denied. If you receive notice that your application has been denied or has been granted subject to conditions, you may appeal to the City Council from the denial or from any of the conditions by filing a written appeal with the City Clerk within seven (7) days from the time the notice was deposited in the mail or was personally delivered to you.

CONDITIONS OF APPROVAL - PEP15-0004

HOLIDAY - 719 WEST 19TH STREET

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6. PATRONS ARE PROHIBITED FROM LOITERING IN THE REAR PARKING LOT. THE BUSINESS OPERATOR SHALL USE ALL MEANS POSSIBLE TO PREVENT PATRONS FROM LOITERING IN THE REAR PARKING LOT.
7. PATRONS SHALL NOT UTILIZE THE NEIGHBORING BUSINESSES' PARKING AREAS.
8. PATRONS ARE NOT ALLOWED TO PARK ON THE ADJACENT SMART AND FINAL PROPERTY.
9. PARKING LOT SHALL HAVE SUFFICIENT LIGHTING TO MAKE VISIBLE THE IDENTITY OF ALL PERSONS IN THE PARKING LOT AND SHALL NOT SHINE ONTO ADJACENT RESIDENTIAL PROPERTIES.
10. PROVIDE A LICENSED, UNIFORMED SECURITY GUARD/GUARDS IF REQUESTED BY THE CITY.

Additional measures as submitted by the applicant:

- Security Plan – We will be hiring a professional Security Company which will provide an adequate number of security officers to provide security for the interior and exterior of the premises. The officers will monitor the property while we are open to ensure that we have a safe and comfortable environment for our customers and employees. They will also make sure that customers and employees are kept away from the residential area immediately behind the premises so that we can eliminate any noise which might disturb our neighbors. We will also make arrangements with our Security Staff to escort all employees to their cars after we close at night. I will be scheduling a meeting with the Costa Mesa Police Department and our Security Team to ensure that a coordinated plan will be implemented.
- Parking – Our Security Team will also monitor the parking areas around the premises to make sure that our patrons and employees are parking in designated areas. Our goal is to have all customer parking contained within the shopping center. The Security Team will also make sure the customers do not park in the Smart & Final parking lot which is located to the east of the property. We have noticed that more than fifty percent (50%) of our customers at CASA are now using Uber and taxis to visit our nightclub. We anticipate the same percentage will be using Uber and taxis to visit Maison/Harper's so an overflow parking situation is very unlikely.
- Lighting – We recently installed new flood lights on the front of the premises which has increased the light levels. It is our understanding that low light levels were a concern of the Building Department and we have addressed it.

ATTACHMENT 7



California Department of Alcoholic Beverage Control
License Query System Summary
 as of 8/22/2016

License Information
License Number: 547675
Primary Owner: MAISON WEST 19TH STREET, LLC
ABC Office of Application: 11 - SANTA ANA
Business Name
Doing Business As: LIONS DEN
Business Address
Address: 719-21-23 W 19TH ST Census Tract: 0636.05
City: COSTA MESA County: ORANGE
State: CA Zip Code: 92627
Licensee Information
Licensee: MAISON WEST 19TH STREET, LLC
Company Information
OFFICER: KISH, MARTIN ANTHONY (MANAGER)
STOCKHOLDER: 141 HEIGHTS, LLC
STOCKHOLDER: BARRERA, ROLAND MICHAEL
STOCKHOLDER: OBBAGE, DAVID WILLIAM
License Types
1) License Type: 48 - ON-SALE GENERAL PUBLIC PREMISES
License Type Status: ACTIVE
Status Date: 18-FEB-2016 Term: 12 Month(s)
Original Issue Date: 07-NOV-2014 Expiration Date: 31-OCT-2016
Master: Y Duplicate: 0 Fee Code: P40
Condition: OPERATING RESTRICTIONS
License Type was Transferred On: 07-NOV-2014 FROM: 48-196209
Current Disciplinary Action
... No Active Disciplinary Action found ...
Disciplinary History
... No Disciplinary History found ...
Hold Information
Hold Date: 08-DEC-2015 Type: FRANCHISE TAX HOLD
Escrow
... No Escrow found ...

- - - End of Report - - -

For a definition of codes, view our [glossary](#).

-67-

Smart & Final.

Food • Supplies • Business • Home

Donald G. Alvarado
Senior Vice President
General Counsel
(323) 869-7697

600 Citadel Drive
Commerce, California 90040
Telefax (323) 869-7862
don.alvarado@smartandfinal.com

June 8, 2015

Transmitted via email: mel.lee@costamesaca.gov

Mel Lee, AICP
Senior Planner
City of Costa Mesa
77 Fair Drive
Costa Mesa, 92628

Re: PLANNING APPLICATION PA-15-17 FOR MAISON (FORMERLY LION'S DEN)
719 WEST 19TH STREET, COSTA MESA, CA
<http://www.costamesaca.gov/ftp/planningcommission/agenda/2015/2015-06-08/PH-3.pdf>
Smart & Final #389, 707 W. 19th St., Costa Mesa, CA 92627

Dear Mr. Lee:

Pursuant to our telephone conversation this morning, Smart & Final has no record of an "unwritten" or written Agreement between Maison Bar (Formely Lion's Den) to allow the usage of Smart & Final's parking lot located at; 707 W. 19th St., Costa Mesa, CA 92627 as overflow for any businesses or patrons of other businesses at any time.

Please be advised that unless or until a written agreement has been fully executed between the parties, we will not allow patrons from other businesses to park in our lot.

If you have any questions, please feel free to contact my office.

Very truly yours,



Donald G. Alvarado