



PLANNING COMMISSION AGENDA REPORT

VI. 8

MEETING DATE: JANUARY 28, 2008

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-07-54
1749 NEWPORT BOULEVARD**

DATE: JANUARY 17, 2008

**FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER
(714) 754-5611**

PROJECT DESCRIPTION

The applicant is requesting approval of a variance to encroach into the required front setback for an outdoor bar and covered roof structure, a conditional use permit to allow sales of alcoholic beverages past 11:00 p.m., as well as live entertainment, within 200 feet of a residential zone; and minor conditional use permit to allow an expanded outdoor seating area and to deviate from shared parking requirements for a proposed restaurant (Aloha Grill).

APPLICANT

The applicant is Gaston Villaba, authorized agent for Mesa Bros. LLC, the owner of the property.

RECOMMENDATION

Approve as modified by adoption of Planning Commission resolution, subject to conditions.

Handwritten signature of Mel Lee in black ink.

MEL LEE, AICP
Senior Planner

Handwritten signature of Kimberly Brandt in black ink.

KIMBERLY BRANDT, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 1749 Newport Boulevard Application: PA-07-54
 Request: Variance to encroach into the required front setback for an outdoor bar and covered roof structure, a conditional use permit to allow sales of alcoholic beverages and live entertainment past 11:00 p.m. within 200 feet of a residential zone; and minor conditional use permit to allow an expanded outdoor seating area and to deviate from shared parking requirements for a proposed restaurant

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	<u>C2</u>	North:	<u>C2, commercial uses</u>
General Plan:	<u>General Commercial</u>	South:	<u>C2, commercial uses</u>
Lot Dimensions:	<u>Irregular</u>	East:	<u>(Acr. Newport Blvd.) C2, commercial uses</u>
Lot Area:	<u>11,120 SF</u>	West:	<u>(Acr. public alley) R2-MD, residential uses</u>
Existing Development:	<u>Commercial building and parking</u>		

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
Setbacks:		
Front (as measured to edge of outside bar and proposed roof structure)	20 FT (15 FT to edge of roof structure)	6 FT to edge of outside bar 4 FT- 5 FT to edge of roof structure (1)
Side (left/right – for existing building)	15 FT/0 FT	0 FT/0 FT (2)
Rear	0 FT	60 FT
Parking (restaurant only):		
Standard	27	16
Handicapped	2	2 (3)
TOTAL:	29 Spaces	16 Spaces (4)

- (1) Variance requested – see staff report discussion.
- (2) The building is existing nonconforming.
- (3) If the use is approved, two on-site handicap space will be required to be provided.
- (4) MCUP to deviate from shared parking requested – see staff report discussion.

CEQA Status Exempt, Class 1 (Existing Facilities)
 Final Action Planning Commission

BACKGROUND

The site contains a one-story, 2,970 square foot commercial building. The building is divided into two tenant spaces; one for the proposed use, approximately 1,260 square feet in size, and the other for an existing retail store (Black Flys Eyewear) approximately 1,710 square feet in size. On-site parking is provided at the rear of the building, accessed from the existing public alley; an additional public parking area is available at the front of the property along the Old Newport Boulevard frontage road.

The space for the proposed use was formerly occupied by a coffee shop (Café Ruba) which was approved on February 25, 1991, under Conditional Use Permit PA-91-20¹ to have outdoor seating for an eating establishment within 200 feet of a residential zone, with off-site parking. In 1993, the conditional use permit was renewed under PA-91-20A. As part of that renewal, the off-site parking was eliminated and the request amended to reflect a deviation from shared parking requirements. Live entertainment was also allowed, but restricted to non-amplified music outside of the building and only before 10:00 p.m. on any evening.

ANALYSIS

The applicant is proposing to operate a Hawaiian-themed sit-down restaurant (Aloha Grill) in the space previously occupied by Café Ruba. Aloha Grill also operates in the City of Huntington Beach. Additional information about the restaurant has been provided by the applicant and is attached to this report. The request includes the following:

- A variance from front setback for a proposed outdoor bar area and covered roof canopy;
- A conditional use permit for on-site sale of alcoholic beverages past 11:00 p.m. and live entertainment within 200 feet of a residential zone;
- A minor conditional use permit to allow an expanded outdoor seating area; and
- A minor conditional use permit to deviate from shared parking requirements.

Setback Variance

The applicant is requesting a variance from front setback requirements to allow permanent improvements for a sit-down bar (e.g., storage coolers, sinks, counter tops, etc.) setback 6 feet from the front property line (20 feet required) and to construct a new roof structure over the outdoor bar and dining area along the front of the building. Per code, roofs may overhang 5 feet into the required 20 foot setback, resulting in a setback of 15 feet as measured from the property line to the roof edge; a setback ranging from 4 feet to 5 feet is proposed for the roof structure.

Code Section 13-29(g)(1) allows granting a variance where special circumstances applicable to the property exist, such as an unusual lot size, lot shape, topography, or similar features, and where strict application of the zoning ordinance would deprive the property owner of privileges enjoyed by owners of other properties in the vicinity under

¹ Part of the request also included a review by the Redevelopment Agency under RA-91-03.

an identical zoning classification. Other factors (such as existing site improvements) may also be considered.

It is staff's opinion that there is no justification for the encroachment of the proposed bar improvements, which are permanent, within the required setback and outside of the restaurant. As discussed later in this report, staff is recommending the outdoor seating area be limited to dining only and any outside alcoholic beverage service be facilitated by a portable bar. Although the previous restaurant had a fabric canopy, which encroached within the front setback, staff is concerned with the construction of a roof structure more permanent than a fabric canopy. As a result, staff is not in support of the variance request.

Sale of Alcoholic Beverages and Live Entertainment

The applicant is proposing to provide full sit-down bar service in conjunction with the restaurant. If approved, the applicant would be required to comply with the State Alcoholic Beverage Control (ABC) requirements and the City's recommended conditions of approval.

The applicant is proposing the following hours of operation: 9:00 a.m. to 2:00 a.m. Fridays and Saturdays, and 9:00 a.m. to 12:00 midnight, Monday through Sunday.

A summary of the other eating and drinking establishments within the same block and posted hours of operation are summarized in the following table, including the former Café Ruba (proposed Aloha Grill). The table also includes any conditional use permits and restrictions on hours of operation, entertainment, etc.

Restaurant	Hours of Operation	CUP	Restrictions/Limitations
Café Ruba (Proposed Aloha Grill)	6a.m.-2a.m., 7 days a week	PA-91-20/PA-91-20A For live entertainment, outdoor seating, offset hours of operation, and deviation from shared parking.	No amplified outdoor live entertainment. No live entertainment after 10:00 p.m.
Golden Truffle	11a.m.-2:30 p.m., Tues.-Fri. (lunch) 5:30p.m.-10:30p.m.Thurs.-Sat. (dinner)	ZE-84-52 for outdoor seating and interior expansion, with parking deviation.	Limited seating during lunch hours.
Roman Cucina (Formerly Bamboo Terrace)	5:00p.m.-12:00 midnight, 7 days a week	PA-99-31 for live entertainment. PA-03-57 for outdoor seating, dancing (1), and expanded hours of operation.	Live entertainment required to be ancillary to restaurant use, rear door required to remain closed during entertainment.
Wingstop	11:00a.m.-11:00p.m., Mon.-Sun.	No CUP on file.	Permitted use with no special restrictions or limitations. (2)
Side Street Café	7:30 a.m. -3:30 p.m., 7 days a week	PA-91-71 For parking deviation only.	Permitted use with no special restrictions or limitations. (2)

(1) Dancing is not provided by the current restaurant use.

(2) Subject to standard requirements per Code Section 13-47 for eating and drinking establishments within 200 feet of a residential zone.

There is also a proposed frozen yogurt shop at 1799 Newport Boulevard that is not yet open to the public.

Staff supports the sale of alcoholic beverages past 11:00 p.m. provided the bar service within the outdoor seating area occurs from a portable bar as discussed later in this report.

The applicant is also requesting amplified live entertainment within the restaurant only; no live entertainment, amplified or non-amplified, is proposed in the outdoor seating area. Staff does not have a concern with the request, as long as the live entertainment operates under the same restrictions approved for Roman Cucina (formerly Bamboo Terrace), i.e., live entertainment to be ancillary to the restaurant use and cannot operate past 12:00 midnight. Additionally, a condition of approval has been added requiring the rear door to remain closed during any live entertainment, which is consistent with a similar condition of approval for Roman Cucina's conditional use permit.

According to City records, Café Ruba closed in July 2007. The last Code Enforcement complaint regarding noise related to live entertainment was in 1999, so there have been no Code related problems with their live entertainment or patrons in the last 8 years. A noise complaint regarding early morning deliveries was received in 2001.

Outdoor Seating Area

The applicant is proposing to expand the outdoor seating area as originally approved under PA-91-20 and PA-91-20A. The staff report for PA-91-20, a copy of which is attached to this report, describes the total square footage of the restaurant and the outdoor seating area as 2,500 square feet. Based on the plans submitted by the applicant, the restaurant and proposed patio area is 2,938 square feet, an increase of 438 square feet. The increase in area is the result of the proposed outdoor seating area being extended over to the adjacent eyeglasses store to the north (Black Flies).

The outdoor seating area for Café Ruba was not fully enclosed. Because the applicant is proposing to serve alcoholic beverages in the outdoor seating area, a screen wall is required. Staff has included a condition of approval requiring wall materials to be approved by the Planning Division, and the upper portion of wall be clear glass or acrylic.

Although there have been no recent complaints regarding the outdoor seating area for this or the other eating establishments, staff is concerned that the expanded area could create parking impacts to the surrounding uses. Therefore, staff is recommending that the footprint of the outdoor seating area not extend beyond the boundary of the restaurant tenant space.

With regard to the proposed outside sit-down bar, staff is concerned that the bar could create additional noise impacts to surrounding properties, particularly to the residents at the rear of the property, which may not be easy to address in the future if a permanent outside sit-down bar was constructed. Therefore, staff is recommending, as a condition of approval, that the permanent outside bar be eliminated, and a portable outside bar that could be moved inside the building be provided. Also, staff is recommending that the

portable outside bar be limited to a “service bar” only (i.e., no serving of alcohol to patrons seated at the bar, only to diners at the tables).

Deviation from Shared Parking

As indicated earlier, 29 on-site parking spaces are required for the use; 16 on-site parking spaces are provided. Off-site parking spaces for the subject property, as well as the other businesses on the 1700 block of Newport Boulevard, are provided in the parking area at the front of the buildings (adjacent to Newport Boulevard). Because these parking spaces are public spaces within the right-of-way, a separate conditional use permit to utilize these spaces is not required. A summary of the available parking for the 1700 block of Newport Boulevard is provided in the following table:

# Parking Spaces Available In Parking Area Fronting Newport Blvd.	67 Spaces
# Spaces Provided In W. 18 th Street Parking Lot (1)	55 Spaces
Total Available	122 Spaces

(1) This parking lot has restrictions for parking during weekdays and after midnight.

As indicated earlier, a previous approval to deviate from shared parking was granted under PA-91-20 and PA-91-20A for this use. Therefore, there should be no additional impacts to the parking within the surrounding area, provided the combined square footage of the restaurant and outdoor patio does not exceed the 2,500 square feet originally analyzed and approved under PA-91-20 and PA-91-20A. This has been included as a condition of approval. The change in the peak hours of the use as a result of the prior use being a coffee shop, which had an early morning peak, versus the proposed restaurant, which will have lunchtime and dinnertime peaks, should be minimal based on the availability of parking spaces within the area and on the subject site. A condition of approval has been included requiring that if parking shortages or other parking-related problems arise, the business operator shall institute whatever operational measures necessary to minimize or eliminate the problem.

GENERAL PLAN CONFORMITY

The existing building does not exceed the maximum allowable .30 floor area ratio (FAR) for the site. The use is permitted in the C2 zone, with a conditional use permit, and is therefore, consistent with the General Plan.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Approve the use as proposed by the applicant, specifically, granting the setback variance for the permanent outside sit-down bar and roof structure, allowing the seating area to expand to the front of the adjacent retail tenant space, as well as the other entitlements supported by staff (i.e., sale of alcoholic beverages and live entertainment within 200 feet of residential past 11:00 p.m., and deviation from shared parking);
2. Approve the use with the modifications proposed by staff, specifically, without the requested variance from front setback requirements for the permanent outside bar

and the roof structure, eliminating the permanent outside bar and providing a portable bar that can be moved inside the building, limiting alcohol sales via the portable outside bar to no sit-down customers, and restricting the outdoor seating area to not extend beyond the boundary of the restaurant tenant space, as well as the other entitlements supported by staff (i.e., sale of alcoholic beverages and live entertainment within 200 feet of residential past 11:00 p.m., and deviation from shared parking); or

3. Deny the use as proposed. If the use is denied, the applicant could not submit substantially the same type of application for six months.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities.

CONCLUSION

It is staff's opinion that, based on the recommended modifications and conditions, the use will not create any adverse impacts on surrounding properties. Therefore, staff supports the request as modified.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Draft Conditions of Approval
 Applicant's Project Description and Exhibits
 Staff Report for PA-91-20 and Resolution for PA-91-20A
 Zoning/Location Map
 Plans

cc: Deputy City Manager - Dev. Svs. Director
 Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Gaston Villalba
221 Main Street, Suite F
Huntington Beach, CA 92648

Dan Flecky
2206 Windward
Newport Beach, CA 92660

Mesa Bros. LLC
420 McKinley Street
Corona, CA 92879

RESOLUTION NO. PC-08-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-07-54 AS MODIFIED**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Gaston Villalba, authorized agent for Mesa Bros. LLC, owner of real property located at 1749 Newport Boulevard, requesting approval of a variance to encroach into the required front setback for an outdoor bar and covered roof structure, a conditional use permit to allow sales of alcoholic beverages and past 11:00 p.m., as well as live entertainment, within 200 feet of a residential zone, a minor conditional use permit to allow an expanded outdoor seating area and to deviate from shared parking requirements for a proposed restaurant; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 28, 2008;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES AS MODIFIED** Planning Application PA-07-54 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-07-54 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B" as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 28th day of January, 2008.

Donn Hall, Chair
Costa Mesa Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed use, as modified and conditioned, is compatible and harmonious with uses on surrounding properties.
 2. Safety and compatibility of the design of the parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 3. The project, as modified and conditioned, is consistent with the General Plan.
 4. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented does not comply with Section 13-29(g)(1) of the Costa Mesa Municipal Code in that special circumstances applicable to the property does not exist to justify the requested variance from front setback requirements. Specifically, there is no justification for the encroachment of the proposed permanent outside bar improvements within the required setback because the proposed bar area is not part of the building structure. Although the previous establishment had a fabric canopy, which also encroached within the front setback, staff is concerned with the construction of a roof structure more permanent than a fabric canopy encroaching into the required setback.
- C. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the use is required to comply with the State Alcoholic Beverage Control (ABC) requirements and the City's recommended conditions of approval for the sale of alcoholic beverages. Amplified live entertainment will be permitted within the restaurant only; no live entertainment, amplified or non-amplified, is proposed in the outdoor patio area. The restrictions for live entertainment for the establishment is similar to restrictions on other establishments with live entertainment in the area. Granting the conditional use permit will not allow a use, density or intensity, which is not in accordance with the general plan designation for the property.
- D. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use is substantially compatible with developments in the same general area. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the outside bar will be limited to a portable "service bar" (i.e., no serving of alcohol to patrons seated at the bar, only to diners at the tables) that can be moved inside of the building, and, as conditioned by staff, the footprint of the outdoor patio will not

extend beyond the boundary of the restaurant tenant space to limit parking impacts to surrounding properties. A previous deviation from shared parking was granted for this use. Therefore, there should be no additional impacts to the parking within the surrounding area, provided the combined square footage of the restaurant and outdoor patio does not exceed the 2,500 square feet originally approved. The change in the peak hours of the use as a result of the prior use being a coffee shop versus the proposed restaurant should be minimal based on the availability of parking spaces within the area and on the subject site. Granting the minor conditional use permit will not allow a use, density or intensity, which is not in accordance with the general plan designation for the property.

- E. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15301 for Existing Facilities.
- F. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng.
1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
 2. The conditional use permit herein approved shall be valid until revoked. However, the conditional use permit shall expire at the end of one (1) year unless a business license is obtained and/or the business legally commences or the applicant applies for and is granted an extension of time. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is operated in violation of applicable laws or ordinances or, if in the opinion of the Development Services Director or his designee, any of the findings upon which the approval was based are no longer applicable. Nothing in this condition shall exempt the applicant from complying with any time limits applied to any construction authorized by this application.
 3. Construction activities shall not occur outside the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. on Saturdays. No construction shall occur on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
 4. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 5. The conditions of approval and ordinance or code provisions of Planning Application PA-07-54 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 6. The restaurant shall be limited to the type of operation described in this staff report, i.e., a sit-down restaurant with an outdoor seating area with a portable bar that can be moved inside the building, limiting the alcohol sales via the portable outside bar to no sit-down customers, limiting live entertainment to inside of the restaurant only, and restricted outdoor seating area that does not extend beyond the boundary of the restaurant tenant space. Any change in the operational characteristics including, but not limited to, hours of operation, sale of alcoholic beverages or provision of entertainment, will require approval of an amendment to the conditional use permit, subject to Planning Commission approval.
 7. The licensee shall not employ or use the services of any full- or part-time active or reserve peace officer currently employed by the City of Costa Mesa or any contiguous agency for security purposes.

8. Hours of operation shall be limited to 9:00 a.m. to 2:00 a.m. Fridays and Saturdays, and 9:00 a.m. to 12:00 midnight Monday through Sunday.
9. Live entertainment shall only be permitted subject to City issuance of a "public entertainment permit." Contact Code Enforcement at (754-5623) for application information.
10. Live entertainment shall be limited to within the restaurant only; no live entertainment shall be provided in the outdoor patio area.
11. There shall be no live entertainment after 12:00 midnight any day of the week.
12. The rear door shall remain closed during any live entertainment.
13. Music or other entertainment shall not be audible beyond the area under the control of the licensee.
14. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time. Occupant loads for the open patio area and the enclosed building area shall be calculated and posted separately.
15. The opaque portion of the outdoor patio screen wall shall not exceed 48 inches in height. Glass or acrylic panels may be installed on top of the screen wall, not to exceed an overall maximum height of 6 feet. Wall materials shall be subject to approval by the Planning Division.
16. There shall be no room or designated area reserved for the exclusive use of designated persons or "private club members."
17. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
18. There shall be no sales of alcoholic beverages for off-site consumption.
19. At all times the premises is open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale and service of food.
20. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food and meals during the same time period. The applicant shall at all times maintain records which reflect separately the gross sales of food and gross sales of alcoholic beverages of the business. The records shall be kept no less frequently than on a quarterly basis and shall be made available to the development services director or his/her designee on demand.
21. The restaurant shall remain a "bona fide eating place" as defined by Section 23038 of the California Business and Professions Code.
22. The parking lot shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot.
23. The permanent outside sit-down bar as shown on the plans shall be eliminated, and a portable outside bar that could be moved inside the building shall be provided. The portable outside bar shall be limited to

a "service bar" only (i.e., no serving of alcohol to patrons seated at the bar, only to diners at the tables).

24. The combined square footage of the restaurant and the outdoor patio shall not exceed 2,500 square feet. The footprint of the outdoor patio shall not extend beyond the boundary of the restaurant tenant space.
25. If parking shortages or other parking-related problems arise, the business operator shall institute whatever operational measures necessary to minimize or eliminate the problem.

Aloha Grill
221 Main Street Suite F
Huntington Beach CA 92648
714-374-4427 tel
714-536-8849 fax

12/06/07

Planning Commission

Aloha Grill has proven to be extremely desirable to the public, providing area residents, visitors and workers with a full service restaurant, providing pacific rim cuisine (example Billys on the Beach; Aloha Grill Huntington Beach) The Aloha Grill will be located in the midst of numerous retail, restaurants, and businesses. Providing a place for daytime work force and business people in the area to have lunch and dinner. Aloha Grill features along with fresh fish, exotic frozen drink for onsite consumption. The restaurant and associated alcohol service is consistent and compatible with the community, and only seeks to ensure the level of amenities. We do not believe it will hinder the achievement of community development but will compliment the area. Aloha Grill has a good history with the community and neighbors. We have consistently maintained a good relationship with nearby neighbors. We will maintain our upper level of service to assure the quiet enjoyment of the neighborhood. Aloha Grill is the only building with onsite parking, 17 spaces along with street and public parking that the rest of the retail businesses use. We started the project in August and were assured the use was consistent with the area, and were told that if we used the same area as the previous tenant and complied with the city ordinances, we would not have to apply for a C.U.P. and could continue with the project.

I have been on the property, many different times of the day, and there always seems to be numerous open parking spaces in front of the property. Your continued assistance and cooperation is greatly appreciated. Please feel free to visit our location of 15 years at 221 Main Street, Huntington Beach. You will enjoy the beautiful exotic island interior and cuisine.

We would also like to expand our operation time to 2am on Friday and Saturday, and midnight on weekdays, consistent with other restaurants. The outdoor bar area faces Newport Blvd., so we believe there will be no negative noise impact. I was informed that the previous coffee house was using the entire patio had pool tables, coffee bar, and numerous tables. It was busy with foot and bicycle traffic and had no problems.

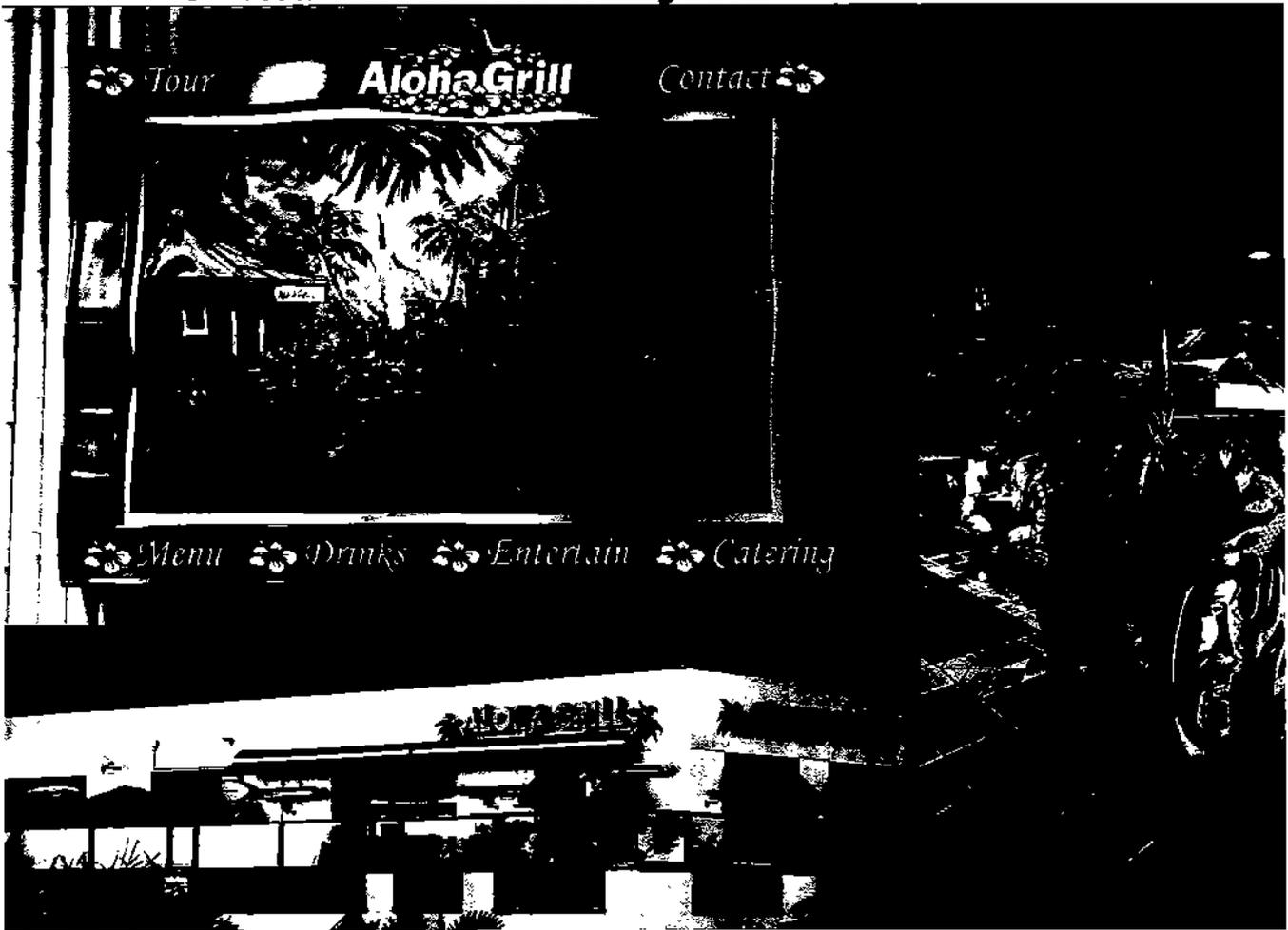
Sincerely,



Gaston Villalba

Aloha Grill, owner

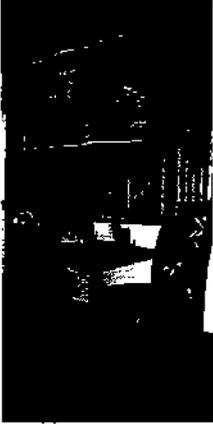
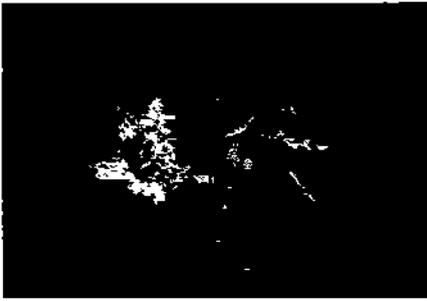
*****New Costa Mesa Location Coming Soon!*****



Aloha Grill - 221 Main Street - Huntington Beach, California 92648 * ph:(714)374-4427 * fx:(714)536-6702 *
AlohaGrill@yahoo.com
Site Designed and maintained by McCart Designs

Aloha Grill - Home of the World Famous Rainbows
221 Main St. Huntington Beach, California 92648
2007
(714) 374-4427
AlohaGrill@yahoo.com





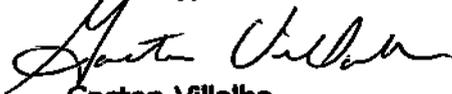
Aloha Grill
221 Main Street Suite F
Huntington Beach CA 92648
714-374-4427 tel
714-536-8849 fax

1/16/08

To: Melvin Lee

Here are the menus for your staff to review, also enclosed are pictures of the restaurants adjacent to the property on the street showing they have no setbacks from the sidewalk, where we do. Also I have some ideas on the parking lot in the rear. We could install a gate in the back, and no parking would be allowed after a designated time. It could be programmed for exit only, or escorted by an employee for exit only after a said time. That way we could monitor any noise. By that time there will be ample parking in front as most businesses have closed.

Sincerely,



Gaston Villalba
Aloha Grill, owner

Aloha Grill®

World Famous Rainbows

Huli Huli

Live Entertainment

Catering Available

Happy Hour

Hosted Patio Dining

Blackboard Specials

www.AlohaGrill.com

(414) 374-4427

221 Main Street

Huntington Beach, Ca. 92648

Aloha Grill®

Huntington Beach, California

www.AlohaGrill.com

(414) 374-4427

221 Main Street

Huntington Beach, Ca. 92648

Pupu's

All appetizers served with wonton chips & mango salsa, except for the Drums & Albacore Platter.

Oahu Quesadilla \$7.95
Two fresh corn tortillas, filled with kahlua pork, melted swiss and cheddar cheese.

Smoked Albacore Quesadilla \$7.95
Two fresh corn tortillas with melted cheddar and swiss cheese, avocado & smoked pacific albacore.

Maui Wowie Egg Rolls \$6.25
2 Cajun seared ahi with roasted macadamia nuts, sweet Maui onions, green onions, cabbage and carrots wrapped in an egg roll and served with plum sauce for dipping.

Calamari No Ka Oi \$6.95
Panko breaded calamari steak, flash-fried in peanut oil, squiggled with plum sauce and served with peanut sauce for dipping.

Hawaiian Drums \$6.95
Marinated chicken drummettes, slow roasted then tossed in spicy cherry char-siu with pineapple and green onions.

Surf City Roll \$6.95
Surf City Crab with avocados, cucumbers and Chinese mustard-mayonnaise surrounded in sticky Japanese rice wrapped in seaweed.

Kona Satay Sticks \$8.95
Five marinated teriyaki steak skewers with peanut sauce for dipping.

House Salad \$3.95
Lettuce, tomato, onion, cucumber.
Your choice of Ranch, Italian or Ginger.

Classic Caesar \$5.95
Add: *Teriyaki Chicken \$2.95
*Seared Ahi Sashimi \$3.95
*Blackened Mahi Mahi \$3.95
*Swordfish \$3.95
*Steak \$4.95

Dakine Burger \$7.95
One-half pound of lean ground beef with cheddar or swiss cheese, Maui onions, beef steak tomato and fresh leaf lettuce on an onion roll.

Hula Burger \$7.95
Brushed with teriyaki glaze and topped with crushed pineapple. Add cheese .50 cents.

Garden Burger \$6.95
Soy protein veggie patty (with or without cheese) served with onions, beef steak tomato and fresh leaf lettuce on an onion roll.

Teriyaki Fish Sandwich \$8.95
Fresh teriyaki glazed Mahi Mahi with lettuce, tomato, onions and mayo on Squaw bread.

Teriyaki Chicken on Squaw \$8.95
Marinated charbroiled chicken breast with sprouts, tomato, Maui onions and mayo.

Calamari Sandwich \$8.95
Served on thick Squaw bread with cabbage, tomato, Maui onions and habanero aioli.

Hula Satay Sticks \$6.95
Five teriyaki marinated chicken skewers with peanut sauce for dipping.

Seared Ahi Sashimi \$8.95
Sashimi grade ahi tossed in Cajun spice, lightly seared and served rare with soy sauce, wasabi, and pickled ginger.

Hawaiian Ahi Poke \$8.95
Fresh sashimi grade ahi marinated in soy ginger, green peppers & onions, sesame oil and scallions served raw in a small rice bowl.

Pupu Platter \$13.95
Half order of calamari, half surf city roll, two Maui Wowie rolls, four Hawaiian drums, Chicken satay sticks served with peanut sauce and plum sauce for dipping.

Smoked Albacore Platter \$9.95
Served with cheddar cheese, onions, tomatoes, capers and habanero cilantro aioli & crackers.

Asian Potstickers \$6.95
Chicken and ginger filled potstickers sautéed and served with shoyu, wasabi vinaigrette dipping sauce.

Late Night Appetizer Menu
All Appetizers served till 1:00 am
Friday & Saturday.

Oriental Chicken Salad \$6.95
With charbroiled chicken, mandarin oranges, crispy wontons and sesame ginger dressing.

Smoked Albacore Caesar \$8.95
Caesar salad with smoked albacore on top.

Soup of the day: Please ask your server.

House Specials

Big Island Plate \$9.95
Teriyaki steak, onions, bell peppers, served with a scoop of sticky rice and potato macaroni salad.

Hilo Hawaiian Plate \$8.95
Teriyaki chicken, onion and bell pepper, served with a scoop of sticky rice and macaroni-potato salad.

Kahlua Pork Hawaiian Plate \$8.95
Slow roasted Hawaiian style pulled pork, served with a scoop of sticky rice and macaroni-potato salad.

Loco Moco \$8.95
Two grilled beef patties served over sticky rice and brown gravy. Fried egg add \$1.00

Daily Fresh Fish

Mauna Kea Blackened Swordfish \$13.95
Served with sticky rice and wok fried veggies.

Pacific Rim Fijian Mahi Mahi \$11.95
Mahi Mahi filet glazed with lemon-cilantro ginger pepper sauce or blackened. Served with sticky rice and vegetables.

Panko Parmesan Encrusted Mahi Mahi \$12.95
Capers and mango tarter sauce served with sticky rice and wok fried vegetables.

North Shore Hawaiian Ono \$12.95
Grilled fresh ono (wahoo) filet served with lemon garlic butter, sticky rice and wok fried vegetables.

Ruby Rare Ahi \$13.95
8 oz sashimi grade ahi Cajun spiced and served rare with sticky rice, vegetables and wasabi.

Honolulu Peanut Chicken \$9.95
Marinated charbroiled 8 oz chicken breast with peanut sauce & squiggled with plum sauce. Served with sticky rice and vegetables.

Molokai Teriyaki Chicken \$9.95
Marinated charbroiled 8 oz chicken breast glazed with teriyaki and served with sticky rice and vegetables.

Panolo Steak \$12.95
9 oz Top Sirloin glazed with teriyaki and cooked to order with grilled Maui onions. Served with sticky rice and vegetables.

Aloha Ribs \$11.95
Baby back ribs marinated in Polynesian recipe served with Island fries and Island slaw.

Hula Fried Rice \$6.95
3 scoops of jasmine rice stir-fried with egg, rainbow vegetables, and fire pot sauce. Garnished Thai style with fresh cucumber and tomato. Served regular or spicy. Add chicken \$2.95
Add mahi \$3.95

Teriyaki Vegetable Stir Fry \$6.95
Rainbow vegetables stir-fried with our killer teriyaki glaze served on a mound of sticky rice, garnished with bean sprouts and slivered almonds. Add chicken \$2.95

Kahlua Pork Tacos \$7.95
3 Kahlua pork tacos wrapped in fresh corn tortillas, lettuce and pico de gallo. Served with one scoop sticky rice.

No Ka Oi Calamari Tacos \$9.95
3 panko breaded calamari tacos wrapped in fresh corn tortillas, garnished with lettuce and pico de gallo, served with one scoop sticky rice.

Pipeline Fish Tacos \$8.95
Meet Main Street's best fish tacos! 3 charbroiled mahi mahi tacos wrapped in fresh corn tortillas, garnished with cabbage, pico de gallo, and spicy habanero-cilantro mayo. Served with one scoop of sticky rice.

Hula Fish & Chips \$7.95
Coconut panko breaded Alaskan cod, fries and Island slaw served with tarter sauce.

Salads

Cheddar Cheese Quesadilla \$3.95

Grommie Burger \$4.95
Chicken Sticks \$4.95
3 teriyaki marinated skewers

Cheddar Cheese Quesadilla \$3.95

Live Entertainment
Friday 9:00p.m. - 12:00a.m.
Saturday 9:00p.m. - 12:00a.m.
Sunday 5:00p.m. - 8:00p.m.
*18% gratuity added to all parties of 6 or more.

Ask about our Blackboard Specials!
Monday thru Friday
Drink Specials

Hawaiian Drums \$4.95
Marinated drummettes with cherry chial-sui sauce

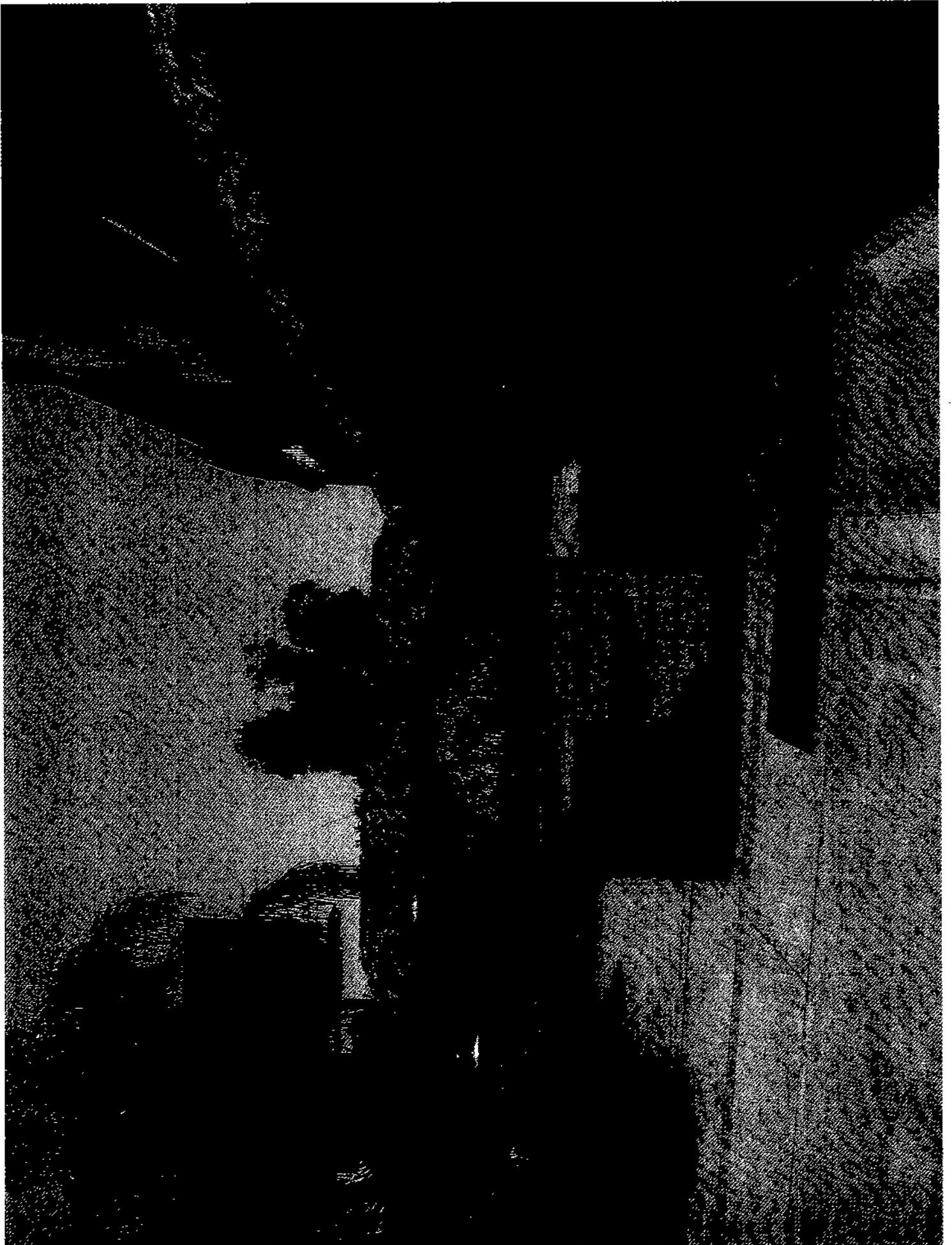
Keiki Sandwich \$3.95
Grilled cheese sandwich on squaw

Happy Hour
4:00p.m.-7:00p.m.
Monday thru Friday
Drink Specials

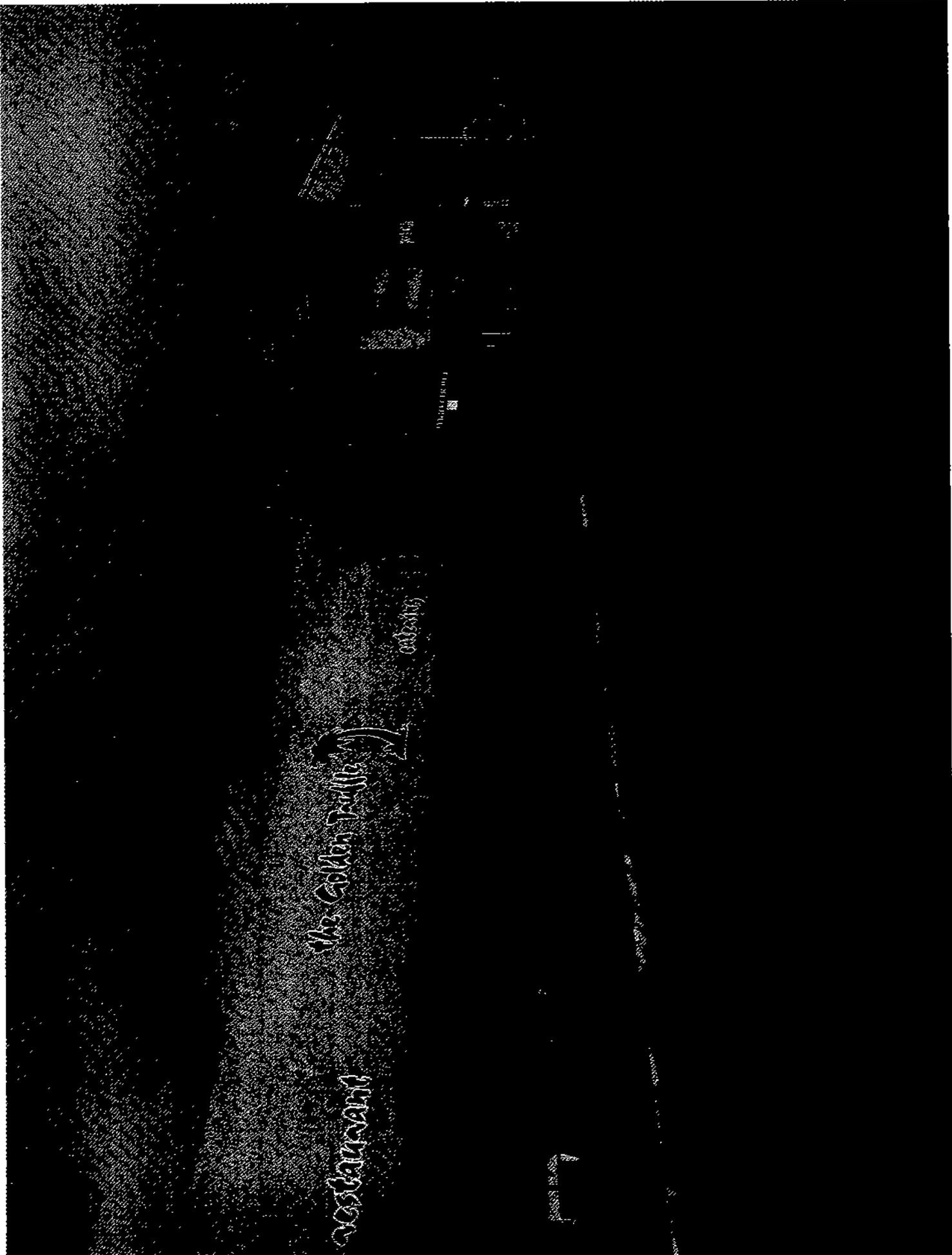
Hawaiian Pineapple Upside Down Cake \$3.95
Served with whipped cream sprinkled with coconut shavings.

Demet (Kids)

Keiki (Kids)
All Keiki meals served with fries







PLANNING DIVISION
STAFF REPORT

AGENDA NO. 6k

SITE LOCATION 1749 & 1751 Newport Blvd APPLICATION NO. PA-91-20/RA-91-03

AP # 424-271-09

MANDATORY ACTION DATE August 20, 1991

APPLICANT James Alexander (Trustee)
(Owner of Record)

AUTHORIZED AGENT Harley A. Hall

ADDRESS 1573 N. Euclayptus Avenue
Rialto, CA 92376

ADDRESS 8219 Calendula Drive
Buena Park, CA 90620

Applicant is reminded that all ordinances and regulations governing the use of the land or building(s) to which this application pertains must be complied with whether specified herein or not.

PREPARED BY Gabriel Elliott
Associate Planner
SUBMITTED BY Gabriel Elliott
Associate Planner

REQUEST:

For Conditional Use Permits to allow a coffee house (serving non-alcoholic beverages and pastries) with outdoor seating on a site within 200' of residentially zoned property and for off-set hours of operation, with a Variance from parking requirements (25 spaces required; 8 spaces provided), with Redevelopment Agency review.

STAFF RECOMMENDATION:

1. Approve Planning Action
2. Recommend approval of the Redevelopment Action to the Redevelopment Agency, subject to conditions.

FINAL COMMISSION ACTION: February 25, 1991

MOTION I: Approved PA-91-20, based on analysis and findings contained in Planning Division Staff Report, subject to conditions with the following modification to Condition #1 and addition of Condition #9:

Modification to Condition
1. A public entertainment permit approval must be obtained if required by Costa Mesa Municipal Code Section 9-193.

Additional Condition:
9. The operating hours shall be limited to Sunday through Thursday - 6:30 a.m. to 12:00 midnight, Friday and Saturday - 6:30 a.m. until 1:00 a.m. (5-0)

MOTION II: Recommended approval of RA-91-03 to Redevelopment Agency based on analysis and findings contained in Planning Division Staff Report, subject to conditions with modification and addition as listed above. (5-0)

APPLICANT NOTIFIED ns DATE March 1, 1991

CITY OF COSTA MESA, 77 FAIR DRIVE, COSTA MESA, CA 92628-1200 (714) 754-5245



I. DESCRIPTION

A. Subject Property

1. Location - 1749-1751 Newport Boulevard
2. General Plan Designation - Commercial Center
3. Zone - C2
4. Present Development - 1,500 sq. ft. commercial building
5. Lot Area - Irregular shape
6. CEQA - Exempt

B. Surrounding Property

1. North - C2, Jewelry store
2. South - C2, Aanco transmission
3. East - C2, (across Newport Boulevard) Aaron Brothers center
4. West - R2, (across alley), apartments.

C. Request

The request is for Redevelopment Agency Review and Conditional Use Permits. The Conditional Use Permits are to allow a coffee house with indoor and outdoor seating on a site within 200 feet of residentially-zoned properties, and for off-site parking. The issue of offset hours of operation will also be considered since the proposed coffee house intends to benefit from parking availability due to offset hours of operation. Redevelopment Agency Review is also required for the use.

D. Background

Upon Planning Commission's recommendation, for approval Redevelopment Agency, on September 12, 1990 approved RA-90-03. This request which was in conjunction with PA-90-87, a Conditional Use Permit for limited daytime outdoor display of patio furniture. PA-90-87 was approved by the Planning Commission on August 13, 1990.

II. PROJECT DESCRIPTION

The subject request is to allow the conversion of an existing patio furniture store into an European style coffee

house serving espresso, cappuccino, caffe latte, as well as retail sales of a variety of coffee beans for home brewing. In addition, natural soda, mineral water, bottled water and pastries will be a part of the menu. Section 13-209 (10) of the Costa Mesa Municipal Code states that establishments where food or beverages are served within 200' of a residential zone may be allowed only by the issuance of a Conditional Use Permit.

Due to the change in use and the number of seats provided in the coffee shop, the parking demand for the proposed use differs substantially from the four spaces per 1,000 sq. ft. of floor area parking requirement for a retail establishment or a restaurant seating 12 persons or fewer. Because the proposed coffee shop is designed to seat more than 12 persons, parking requirements are being calculated at the rate of 10 spaces per 1,000 sq. ft of floor area.

Since the existing parking behind the business cannot meet the new parking demand, an off-site parking lot has been obtained by the applicant to meet required parking; thus, a Conditional Use Permit for off-site parking is proposed. In addition, the business will benefit from parking availability due to the offset hours of operation of adjacent businesses.

Lastly, Redevelopment Agency Review is required for the use, including the outdoor seating. This particular project is located in the Downtown Redevelopment Project Area and Agency Review is required to determine the use's compliance with the goals and objectives of the Agency.

III. PLANNING STAFF ANALYSIS

Conditional Use Permit - Food establishment within 200' of residential zone

Traditionally, Conditional Use Permits have been required for eating establishments locating within 200 feet of a residential zone. This requirement is designed to allow a study of the impact of the use on residential properties. Concerns have ranged from noise emanating from or generated by these uses, to parking availability or the other perceived "detrimental" effects on, especially, residential properties.

Historically, eating establishments have been known to either dispense alcoholic beverages or provide public entertainment i.e. dancing. This particular coffee shop, however, according to the applicant, will serve non-alcoholic beverages and pastries. Live music, if and when proposed, will be in the form of acoustical entertainment. A public entertainment permit is not included as part of this review. The applicant has been notified that he should contact the Code Enforcement Division to confirm whether the public entertainment permit is required.



Submitted plans indicate that the total floor area for the coffee house is 2,500 sq. ft., including the outdoor seating. Twenty-five parking spaces are required by Code. Based on the business format presented in the project's description and justification form, it is Staff's opinion that the proposed use should not negatively impact surrounding properties.

Conditional Use Permit for off-site parking

A field investigation confirmed that there are a total of 14 parking spaces behind the proposed business, Winston Jewelers and Fanfare Lamps. Submitted plans had erroneously claimed the existence of more parking spaces

To mitigate the parking deficiency of 11 spaces, the applicant has relied on off-site parking on an abandoned triangular-shaped lot across the alley in the rear of the restaurant. The lot is entirely black-topped but needs to be striped for parking based on Commercial Development standards. Although the lot is currently fenced off, availability of the lot has been guaranteed by its owner. The site is capable of accommodating at least 17 standard parking spaces.

In addition, a survey was taken of all the businesses along Newport Boulevard (on the same block as the proposed project), starting from the proposed coffee shop to 18th Street. With the exception of the Golden Truffle (1767 Newport Boulevard), Bamboo Terrace (1773 Newport Boulevard), Mainly Seconds Pottery Plants and Things (1785 Newport Boulevard), and Better Rest (1777 Newport Boulevard), the other businesses operate between 8:00 a.m. and 6:30 p.m. daily. The coffee shop's peak hours of operation are from early to mid-morning, (6:00 a.m. to 9:00 a.m.) and from late evening to early hours of the morning (7:00 p.m. to 12:00

midnight and beyond). In fact, Staff has been informed that the coffee house intends to target the night club crowd who may need a place to relax after a night of dancing.

It should also be noted that there is an existing parking district along Newport Boulevard that most of the businesses on that block rely on. With the offset hours of operation identified above, there is parking availability either in the parking district (which cannot be counted towards required parking), the business's own parking lot in the back of the establishment, or at the off-site parking location.

Redevelopment Agency Review

The Agency's main concern is with outdoor seating. Outdoor seating for restaurants such as the Golden Truffle and Mini's Cafe have been approved in the Redevelopment Project Area, in the past. As recently as 1990, the Agency approved outdoor display for patio furniture at the subject location.

Staff is of the opinion that the outdoor seating will not inhibit pedestrian circulation between stores and that the outdoor seating is consistent with other restaurants in the vicinity and contributes to the liveliness of the commercial area. In addition, Staff feels that the outdoor seating will provide customers with a relaxing atmosphere while having a quick snack.

IV. PLANNING STAFF FINDINGS

- A. The information presented substantially complies with Section 13-347 of the Costa Mesa Municipal Code in that:
 1. The proposed development is compatible with developments in the same general area and would not be materially detrimental to other properties within the area, nor to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.
 2. Granting of the Conditional Use Permit will not allow a use, density or intensity which is not in compliance with the General Plan designation for the property or Redevelopment Agency goals and objectives.

B. The project is consistent with Article 22-1/2, Transportation Systems Management, of the Costa Mesa Municipal Code in that no intersection to which the project contributes measurable traffic shall operate at less than the Standard Level of Service as a result of project implementation.

V. PLANNING STAFF RECOMMENDATION

Approve Planning Action, and recommend approval of the Redevelopment Action to the Redevelopment Agency, subject to conditions.

VI. CONDITIONS, IF APPROVED

Shall meet all requirements of the various City Departments, copy attached hereto.

MODIFICATION TO CONDITION

1. A public entertainment permit approval must be obtained if required by Costa Mesa Municipal Code Section 9-193.

ADDITIONAL CONDITION:

9. The operating hours shall be limited to Sunday through Thursday - 6:30 a.m. to 12:00 midnight, Friday and Saturday - 6:30 a.m. until 1:00 a.m..

(5-0)
2/25/91

CONDITIONS OF APPROVAL

- Plng: 1. A public entertainment permit approval must be obtained through the Code Enforcement Division prior to the provision of live acoustical music.
2. The proposed off-site parking lot shall be striped according to Code requirements. Lighting may be required depending on the existing illumination of the alley. Lighting, if required to be installed, shall be directed away from residences. Upon discontinuance of the use of the off-site parking lot, Planning Action shall become null and void unless a equitable parking arrangement is approved.
3. Planning Commission action on PA-91-20 shall not become final until seven (7) days following final action on RA-91-03.
- Trans. 4. Revise development plan to eliminate the side of a parked vehicle from being exposed to another backing vehicle.
5. Revise development plan to provide standard stall and aisle dimensions for all parking spaces.
6. Submit a parking lot plan and obtain approval prior to issuance of building permit.
7. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
8. Approval shall be for a period of one year. Prior to expiration, applicant may request renewal, subject to reevaluation at that time. The Development Services Director may extend the Planning Action for a period not to exceed two (2) years if all conditions of approval have been satisfied, no complaints have been received, and the site inspection reveals compliance with applicable Ordinance requirements. Thereafter, the Development Services Director may extend the permit for successive two (2) year periods under the same terms.

ORDINANCE AND/OR CODE PROVISIONS

The following list of Federal, State, and local laws applicable to the project has been compiled by Staff for the applicant's reference.

- Plng. 1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final occupancy and utility releases will not be granted, and final inspections will not be granted until all such licenses have been obtained.
2. Development shall comply with all requirements of Article 16, Chapter II., Title 13 of the Costa Mesa Municipal Code.
3. Permits shall be obtained for all signs, including banners and other special event signing, according to the provisions of the Costa Mesa Sign Ordinance.
- Bldg. 4. Comply with the requirements of the Uniform Building Code as to design and construction.
5. On-site parking must be kept open and unlocked during hours of operation.
6. As required by Article 22-1/2, Transportation Systems Management, of the Costa Mesa Municipal Code, pay applicable traffic impact fees identified for the Traffic Analysis Zone in which the project is located prior to the issuance of building permits.
- Fire 7. Provide fire extinguisher with a minimum rating of 2A to be located within 75 feet of travel distance from the front door of each unit. Extinguisher may be of a type rated 2A,10BC as these extinguisher are suitable for all types of fires and are less expensive.
8. Provide address numerals which conform to Fire Department standards with respect to size 12" and location.

RESOLUTION NO. PC-93- 56

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF COSTA MESA APPROVING PLANNING ACTION PA-91-20A.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES
AS FOLLOWS:

WHEREAS, an application was filed by Harley A. Hall, authorized agent for James Alexander, with respect to real property located at 1749-1751 Newport Boulevard, requesting a deviation from shared parking study in conjunction with the renewal of a Conditional Use Permit for a coffee house (Rock 'N' Java), in the C2 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on Monday August 9, 1993.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby APPROVES Planning Action PA-91-20A with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon operation of the business or activity in the manner described in the Staff report for Planning Action PA-91-20A/RA-91-03A, and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the Conditions of Approval, then this Resolution, and any approvals herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 9th day of August, 1993.

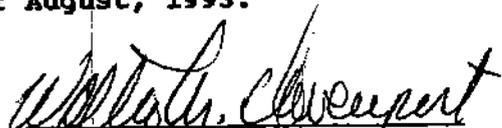

Chairman, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

Deviation from shared parking study/Conditional Use Permit

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-347 in that the coffee house is substantially compatible with developments in the same general area and the peak hours of the coffee house are such that would not severely impact other businesses; granting the Conditional Use Permit and deviation from shared parking study will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity; granting the Conditional Use Permit will not allow a use, density or intensity which is not in accordance with the General Plan designation for the property.
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City environmental procedures, and had been found to be exempt from CEQA because the project had no possibility of causing a significant effect on the environment.
- C. The project is consistent with Article 22-1/2, Transportation Systems Management, of the Costa Mesa Municipal Code in that no intersection to which the project contributes measurable traffic shall operate at less than the standard level of service as a result of project implementation.

EXHIBIT "B"

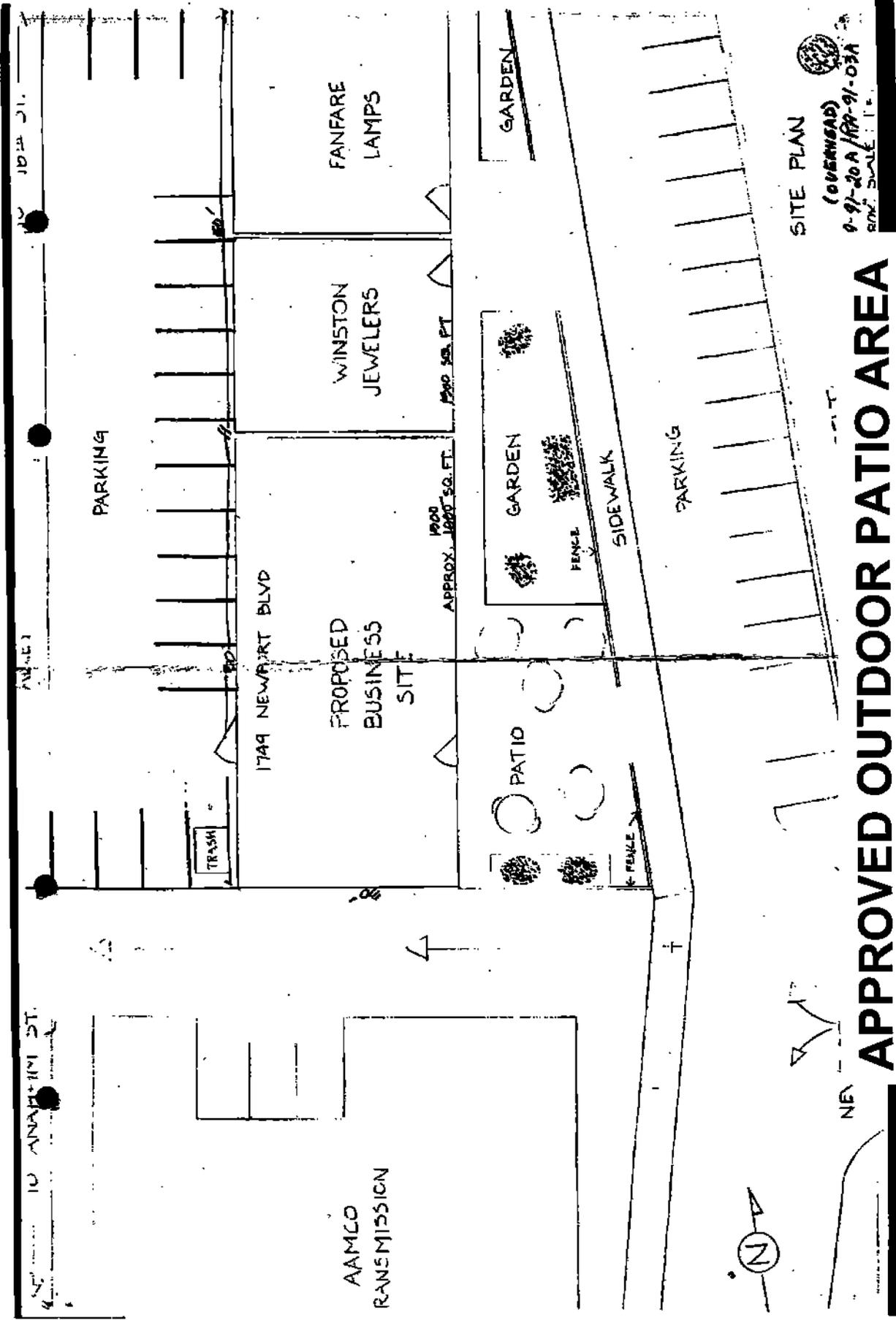
CONDITIONS OF APPROVAL

- Plng.
1. There shall be no amplified live music performances outdoors.
 2. Hours of operation shall be from 6:00 a.m. to 2:00 a.m., daily.
 3. There shall be no live entertainment after 10:00 p.m., nightly.
 4. The Conditional Use Permit herein approve shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The Conditional Use Permit may be referred to the Planning Commission at any time if the Conditions of Approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the Development Services Director or his designee, any of the findings upon which the approval was based are no longer applicable.
 5. Planning Commission action on PA-91-20A shall not become final until seven days following final action on RA-91-03A.
 6. A copy of the Conditions of Approval for the Conditional Use Permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of Conditions of Approval upon transfer of business or ownership of land.
 7. Except as contradicted or replaced by conditions in this action, where applicable, all Conditions of Approval for PA-91-20/RA-91-03 are still in effect.

ORDINANCE AND/OR CODE PROVISIONS

The following list of Federal, State, and local laws applicable to the project has been compiled by Staff for the applicant's reference.

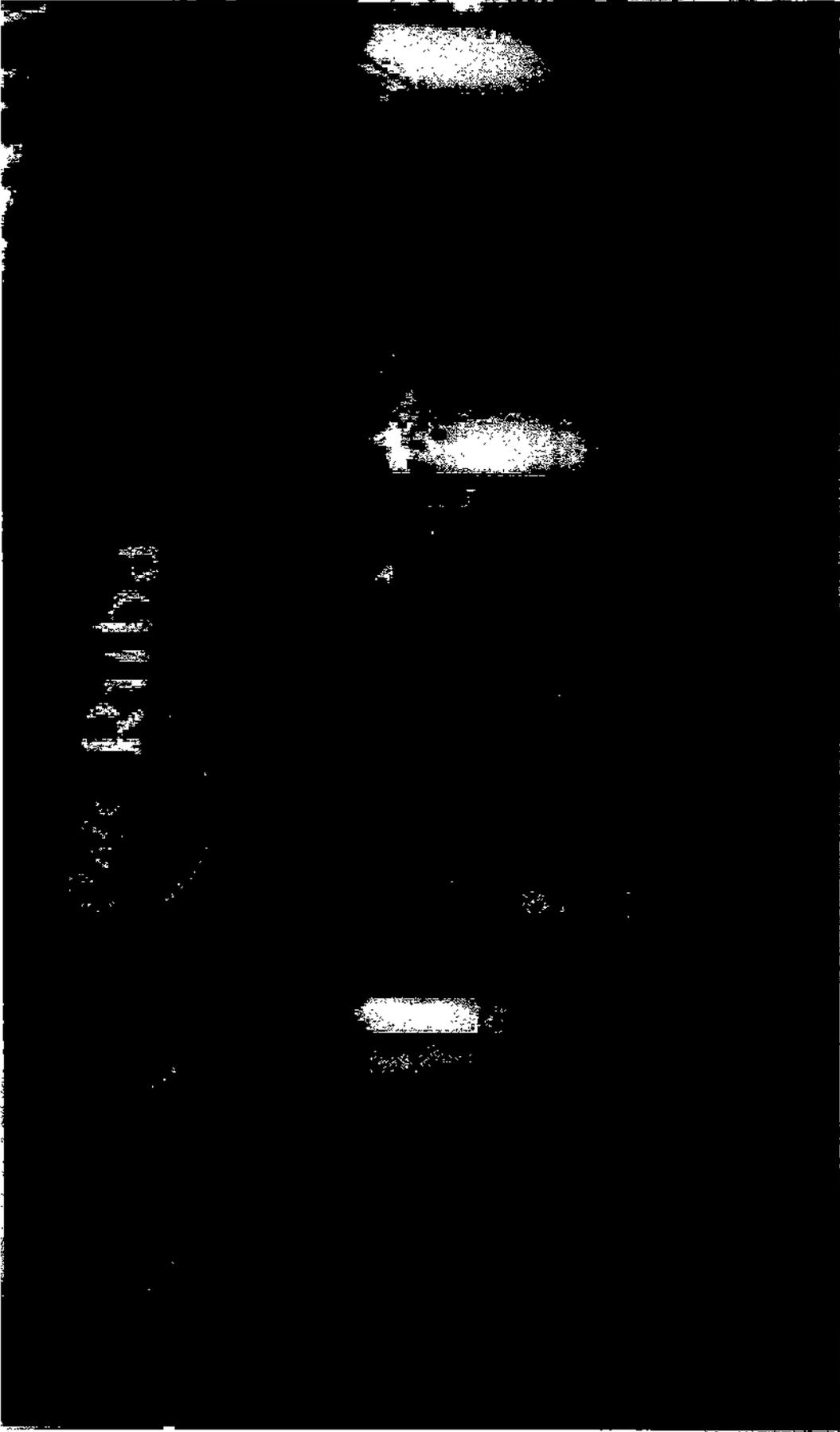
- Bldg.
1. Comply with the requirements of the Uniform Building Code as to design and construction.



**APPROVED OUTDOOR PATIO AREA
FOR PA-91-20 AND PA-91-20A**

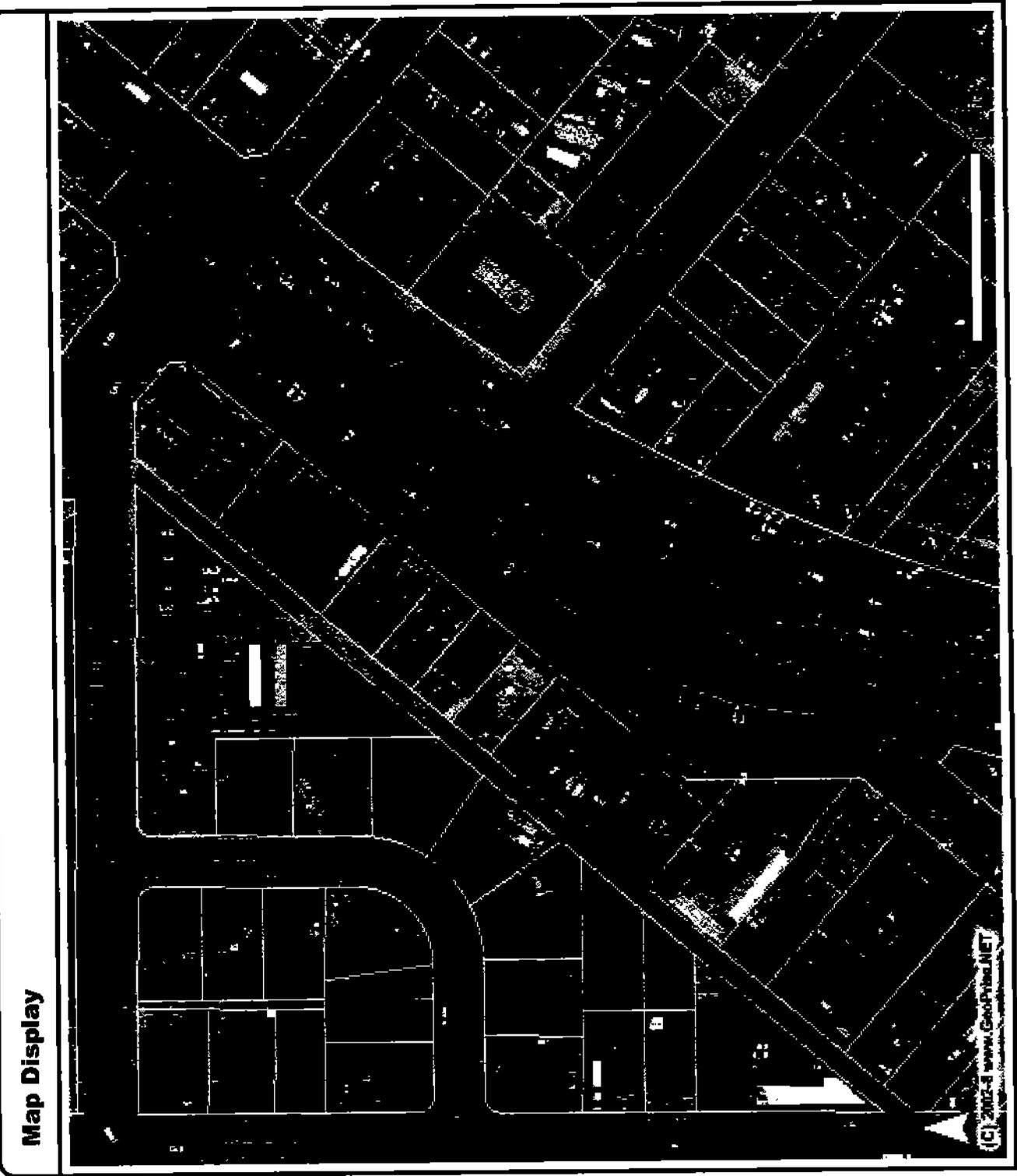
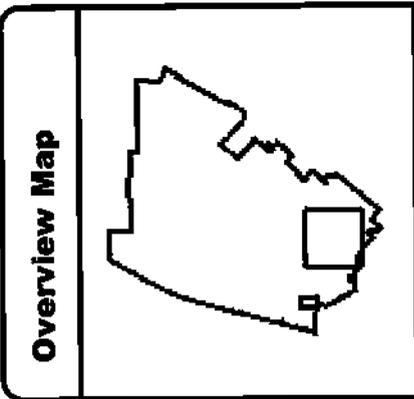


**PHOTO OF CAFÉ RUBA PATIO
CIRCA JUNE 2000**



3

**PHOTO OF CAFÉ RUBA PATIO
CIRCA JUNE 2000**



Legend

Street Names
Parcel Lines
Level 2 Ortho Photo
Parcels
ROW Polygons

Overview Map



Map Display



Legend

- Street Names
- Parcel Lines
- Level 1
- Ortho Photo
- Ortho Photography
- Parcels
- ROW
- Polygon
- #

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PLANNING / DESIGN CONSULTANT

410 32ND STREET, SUITE 202

NEWPORT BEACH, CALIFORNIA

(949) 723-4393 FAX: (949) 723-0719

R.A. JEHBER

EXISTING / PROPOSED

FRONT ELEVATION

STREET ELEVATION

SCALE: 1/8" = 1'-0"

DATE: 10/11/11

BY: R.A. JEHBER

PROJECT ADDRESS

1749 NEWPORT BOULEVARD

COSTA MESA, CALIFORNIA

1. PLANET IMPROVEMENT PLANS FOR

ALOHA GRILL & TIKI BAR

EXISTING / PROPOSED

FRONT ELEVATION

STREET ELEVATION

SCALE: 1/8" = 1'-0"

DATE: 10/11/11

BY: R.A. JEHBER

PROJECT ADDRESS

1749 NEWPORT BOULEVARD

COSTA MESA, CALIFORNIA

1. PLANET IMPROVEMENT PLANS FOR

ALOHA GRILL & TIKI BAR

EXISTING / PROPOSED

FRONT ELEVATION

STREET ELEVATION

SCALE: 1/8" = 1'-0"

DATE: 10/11/11

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PROJECT ADDRESS

1749 NEWPORT BOULEVARD

COSTA MESA, CALIFORNIA

1. PLANET IMPROVEMENT PLANS FOR

ALOHA GRILL & TIKI BAR

EXISTING / PROPOSED

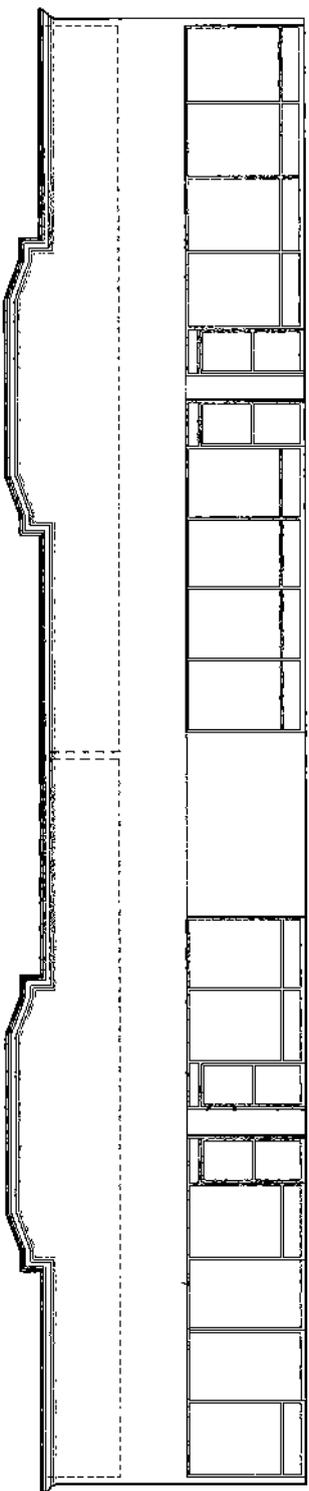
FRONT ELEVATION

STREET ELEVATION

SCALE: 1/8" = 1'-0"

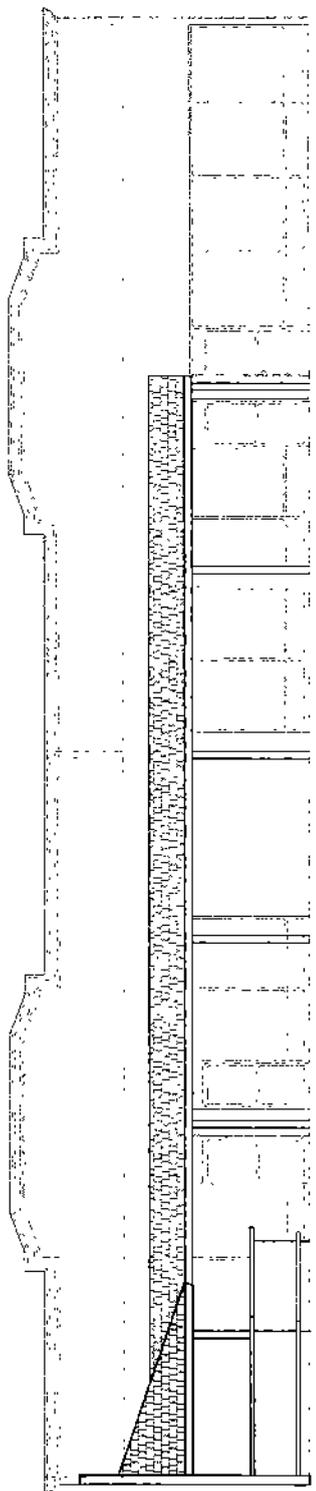
DATE: 10/11/11

BY: R.A. JEHBER



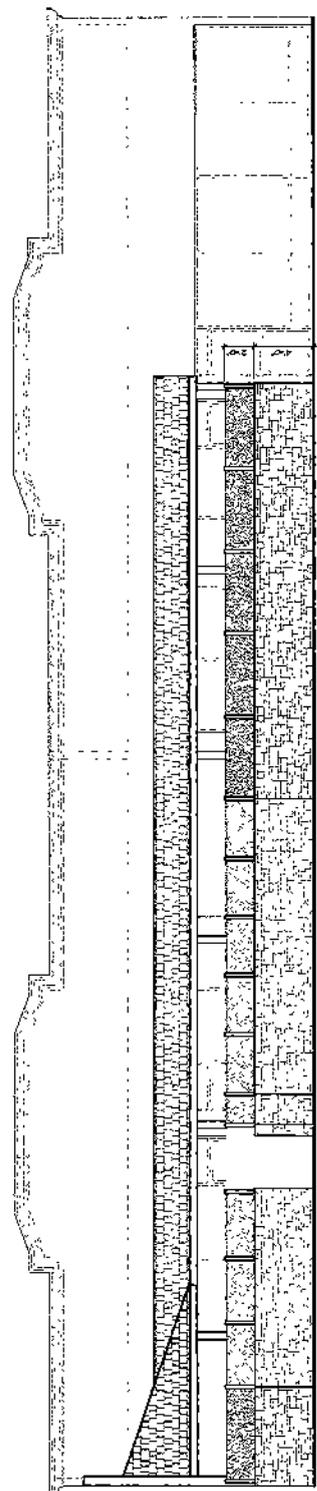
EXISTING FRONT ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED FRONT ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED PATIO WALL ELEVATION

SCALE: 1/8" = 1'-0"