REQUEST:

To permit the sale of alcoholic beverages (Type 42 On Sale Beer and Wine-Public Premises) within a +/- 1,800 square foot tenant space that will operate as a craft beer bar and tasting room (The Bruery) that will serve beers manufactured by The Bruery as well as other craft breweries, wine, specialty sodas, artisan cheeses and snacks, located at 128 W. Santa Fe Avenue in the Santa Fe Commercial (SF-C) District.

INTRODUCTION:

Section 23.37.010 of the Placentia Municipal Code describes the Santa Fe Commercial District as being, “the mechanism to enhance and promote the economic revitalization of Placentia’s original business district.” One of the primary goals of the district is to “encourage new uses and services to locate in the area.” The Santa Fe Commercial District is primarily comprised of mixed-use commercial structures with commercial units on the first floor and residential living units on the second floor. Restaurants occupy a majority of commercial/retail space around the vicinity of the proposed Bruery site within the SF-C District and most are licensed to serve alcoholic beverages in conjunction with the service of meals.

The City recognizes that certain uses, although consistent with the purpose of the SF-C zone, have special characteristics which have the potential to adversely affect adjoining business and or property owners. Pursuant to Section 23.37.040(2) of the Placentia Municipal Code, the sale of alcoholic beverages is permitted within the “SF-C” Santa Fe
Commercial District, subject to obtaining a use permit. A use permit is required to evaluate the potential impacts the proposed business may have on adjacent businesses and/or residences; impacts on existing parking, city services and concentrations of similar uses.

BACKGROUND:

The Bruery is currently located at 715 Dunn Way and its brewing facility will remain there. This business obtained a Use Permit on August 12, 2008 to operate a tasting room within their production facility. They have been operating successfully within this production brewery since September of 2008. In November of 2009, the Bruery proposed plans to expand their tasting room at the Dunn Way location. This expansion would require a new use permit, but the use would ultimately alter the purpose and definition of the Manufacturing (M) District. Also, their industrial complex location on Dunn Way is generally not conducive to the tasting room activities which are typically held in the evening.

Based on the Bruery’s request, City and Agency Staff actively solicited the Bruery to locate their tasting room to a downtown Placentia location. The effort to locate the tasting room in the downtown area was initiated because of the increasing popularity and broad appeal of their retail and tasting products. The proposed tasting room in the newly renovated building, located at 128 W. Santa Fe Avenue will potentially attract a more diverse clientele to the downtown area, thus adding positive change to the predominantly Mexican restaurant flavor of the Santa Fe Commercial District. Because The Bruery will not be constructing a kitchen facility for the service of meals, the area restaurants will in turn benefit from the increased patronage. Additionally, because special events sponsored by The Bruery have attracted local and national media attention, this high profile addition to Downtown Placentia, in conjunction with the planning for the future Placentia Metrolink Station, north parking structure, Central Westgate Development and Placentia Westgate Specific Plan will demonstrate that progress is being made and economic development is occurring pursuant to City Council direction.

In January of 2010, The Bruery submitted a Use Permit application to operate a larger tasting room and retail store in the Downtown Placentia area, at 128 W. Santa Fe Avenue. The business plan for this location will be for a high-end, craft beer destination that would showcase The Bruery beers, as well as beers from other craft breweries. According to the applicant’s Statement of Use, “The goal of this location for the business owners will be to educate the public about The Bruery and craft beer in general, while providing a pleasant, friendly and safe atmosphere to enjoy these unique beers.” The proposed craft beer bar and tasting room will provide a unique destination to the general public, as well as beer and wine enthusiasts.

The applicant is working with the Agency in assisting The Bruery to locate into this Downtown Placentia location. In addition, the property owner (Marco Gonzalez) has recently renovated the interior of this commercial building and will be submitting exterior
façade improvement plans and a Façade Improvement Program application to the Redevelopment Agency.

**RECOMMENDATION:**

City Planning Division is recommending approval of Use Permit (UP) 2010-04, subject to the attached recommended Special Conditions of Approval and Standard Development Requirements.

**DISCUSSION:**

The Bruery will be locating within an existing commercial building, located on the south side of Santa Fe Avenue, between Bradford Avenue and Main Street.

**Subject Site and Surrounding Land Uses:**

<table>
<thead>
<tr>
<th></th>
<th>Existing Land Use</th>
<th>Land Use Element General Plan Designation</th>
<th>Zoning Map Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>Commercial Office Building</td>
<td>“Santa Fe Commercial”</td>
<td>“SF-C”</td>
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<tr>
<td>Proposed</td>
<td>Craft Beer Bar and Tasting Room</td>
<td>“Santa Fe Commercial”</td>
<td>“SF-C”</td>
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<td>North</td>
<td>Santa Fe Avenue/ Mixed Use:</td>
<td>“Santa Fe Commercial”</td>
<td>“SF-C”</td>
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<td>Commercial/Residential</td>
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<tr>
<td>South</td>
<td>Alley/Parking/BNSF Railroad</td>
<td>“Santa Fe Commercial”</td>
<td>“SF-C”</td>
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<td>East</td>
<td>Mixed Use:</td>
<td>“Santa Fe Commercial”</td>
<td>“SF-C”</td>
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<td>West</td>
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<td>“Santa Fe Commercial”</td>
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<td>Commercial/Residential</td>
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**Operational Characteristics:**

The Bruery will be a high end craft beer bar and tasting room that will serve beer, wine, specialty sodas, artisan cheeses and snacks. They will have 28 taps, with approximately 12 devoted to Bruery beers and 16 rotating taps with beers from other small craft breweries. The business owners will offer and encourage tasting so that patrons can try a wide variety of craft beer in 2-4 ounce servings. They will offer over 100 different types of bottled beer and a limited wine list. All of the bottles and “growlers” (64 ounce resealable bottles) will be available for off-premise consumption. No distilled spirits will be served and no minors will be allowed on the premises.

The Bruery will operate during the following hours:

Monday through Thursday: 4:00 p.m. to 12:00 a.m.
Friday through Sunday: 12:00 p.m. to 12:00 a.m.

There will be a total of two (2) full-time employees, and five (5) part-time employees. The general operations of the craft beer bar and tasting room will be supervised by the owner, Patrick Rue.
**Existing ABC Licenses Within One-Half (0.50) Mile Radius of the Subject Site:**

The Alcoholic Beverage Control (ABC) license that is being applied for by The Bruery is Type 42 - On-Sale Beer and Wine for Public Premises, for on and off-site consumption. Listed below are other businesses within a one-half mile radius of the subject site that are permitted to sell alcoholic beverages for on and off-site consumption.

<table>
<thead>
<tr>
<th>BUSINESS</th>
<th>ADDRESS</th>
<th>LICENSE TYPE</th>
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</thead>
<tbody>
<tr>
<td>Rosa’s Pizza</td>
<td>116 N. Bradford Avenue</td>
<td>Type “41” On-Sale Beer and Wine for Bona Fide Public Eating Place</td>
</tr>
<tr>
<td>Step N Go Market</td>
<td>110 N. Bradford Avenue</td>
<td>Type “20” Off-Sale Beer and Wine</td>
</tr>
<tr>
<td>El Farolito Inc.</td>
<td>201 S. Bradford Avenue</td>
<td>Type “47” On-Sale General for Bona Fide Public Eating Place</td>
</tr>
<tr>
<td>American Legion</td>
<td>230 S. Bradford Avenue</td>
<td>Type “52” Veteran's Club Type “58” Caterer’s Permit</td>
</tr>
<tr>
<td>Fiesta Imperial Market</td>
<td>242 S. Bradford Avenue</td>
<td>Type “20” Off-Sale Beer and Wine</td>
</tr>
<tr>
<td>TJ’s Wine &amp; Spirits</td>
<td>602 W. Chapman Avenue</td>
<td>Type “21” Off-Sale General</td>
</tr>
<tr>
<td>Mariscos Chapala</td>
<td>640 W. Chapman Avenue</td>
<td>Type “41” On-Sale Beer and Wine for Bona Fide Public Eating Place</td>
</tr>
<tr>
<td>Bargain Basket</td>
<td>710 W. Chapman Avenue</td>
<td>Type “21” Off-Sale General</td>
</tr>
<tr>
<td>El Pollo Fino</td>
<td>714-716 W. Chapman Avenue</td>
<td>Type “41” On-Sale General for Bona Fide Public Eating Place</td>
</tr>
<tr>
<td>Tlaquepaque (On-hold Status)</td>
<td>109-115 W. Santa Fe Avenue</td>
<td>Type “47” On-Sale General for Bona Fide Public Eating Place</td>
</tr>
<tr>
<td>El Cantarito Restaurant</td>
<td>120 W. Santa Fe Avenue</td>
<td>Type “41” On-Sale Beer and Wine for Bona Fide Public Eating Place</td>
</tr>
<tr>
<td>Mexico Supermarket</td>
<td>134 W. Santa Fe Avenue</td>
<td>Type “20” Off-Sale Beer and Wine</td>
</tr>
<tr>
<td>El Taco Sabroso</td>
<td>214 W. Santa Fe Avenue</td>
<td>Type “41” On-Sale Beer and Wine for Bona Fide Public Eating Place</td>
</tr>
<tr>
<td>301 Cafe</td>
<td>301 W. Santa Fe Avenue</td>
<td>Type “41” On-Sale Beer and Wine for Bona Fide Public Eating Place</td>
</tr>
<tr>
<td>Mi Casita Restaurante</td>
<td>330 W. Santa Fe Avenue</td>
<td>Type “41” On-Sale Beer and Wine for Bona Fide Public Eating Place</td>
</tr>
</tbody>
</table>

On February 10, 2010, the Placentia Police Department conducted an in-house check of calls for services at The Bruery’s current location at 715 Dunn Way. There were no types of patterns of calls involving intoxicated people or disturbing the peace, such as...
bar fights, loud music or unruly patrons relating to the beer tasting room. In reviewing the proposed site at 128 W. Santa Fe Avenue, the Police Department has indicated that although the area is in a high crime district that is over-concentrated, they believe The Bruery will bring a unique atmosphere to the downtown area that will be useful in the revitalization efforts of downtown Placentia. The business owner, Mr. Rue has also expressed a great willingness to cooperate with the police and continue the positive relationship he currently has with them.

Based on the Police Department’s conditions and recommendations, City Staff concludes that subject to compliance with all Special Conditions of Approval and Standard Development Requirements of Use Permit (UP) 2010-04, the issuance of this Use Permit would not create a law enforcement problem. The Development Services Department and the Placentia Police Department have reviewed the request and are supporting the proposal.

Public Convenience or Necessity

The Bruery will be located within Census Tract 0117.21, which already has an “undue concentration” of on-sale and off-sale ABC licenses pursuant to Section 23958.4(a)(2) of the Business and Professions (B&P) Code. Census Tract 0117.21 is permitted seven (7) ABC licenses. There are currently nine (9) existing licenses in this census tract. As a result, even if the Planning Commission approves Use Permit (UP) 2010-04, ABC will be required to deny issuance of an ABC license unless the applicant shows that public convenience or necessity would be served by issuance of the license. ABC typically relies on the findings of the local agency to support such a showing. Therefore, if the Planning Commission is inclined to approve the requested use permit, City staff recommends that the Planning Commission also consider making a finding that the public convenience or necessity would be served by issuance of an ABC license for the premises.

Floor Plan:

The submittal floor plan indicates that the tenant space is approximately 1,800 square feet and includes a long counter area with stools, located in the middle of the tenant space. There will be approximately 9 bar tables and stools located directly in front of the long counter. A 32 foot long by 6 foot high cold box will be installed behind the bar counter displaying and chilling the various beverages. There will be a retail display counter that houses artisan cheeses and snacks and other specialty foods. Towards the south end (rear) of the tenant space are two (2) restroom facilities that are accessed through a doorway and shared by the adjacent commercial suite. There is an opening to the adjacent suite located on the north end of the west wall. A storage room is located at the northeast corner of the suite and a double door exit into the rear parking area is located along the north wall of the tenant space. The brewery will be incorporating oak barrels into their décor as seen in high-end wine bars to depart from a saloon-like appearance.
Parking:

Per Section 23.78.030 (SF-C) of the Placentia Municipal Code, three (3) spaces per one thousand (1,000) square feet of gross floor area shall be provided on-site, plus one space for each residential unit. When the Planning Commission finds that practical difficulties exist, which preclude the reasonable provision of the required number of parking spaces, then public off-site parking may be counted for some or all of the required parking.” The total square footage of this two-story commercial building is approximately 6,900 square feet. There are no residential units located on the second floor. Twenty-one (21) on-site parking stalls are required for the entire commercial use at this site, although due to the nature of zero lot lines in the Santa Fe Commercial District, there is only room for three (3) stalls at the rear of this lot. The Bruery will occupy approximately 1,800 square feet of this tenant space and are required to have five (5) parking spaces out of the twenty-one (21) necessary for the entire parcel.

The existing property has room to accommodate approximately three (3) parking stalls in the gated parking area at the rear (north) side of the building. In addition, there are twenty (20) public parking spaces available on the south side of Santa Fe Avenue, located parallel to the Burlington Northern Santa Fe Railroad right-out-of way and another public parking lot with ten (10) spaces, located at 234 S. Main Street that can be used by the patrons of this facility. The Bruery is also working with the Redevelopment Agency to ensure adequate parking for this site.

CEQA:

The proposed use is not expected to create a negative impact on the physical environment. It is City Staff’s opinion that the use is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15305 and City Environmental Guidelines.

Projects exempt pursuant to the CEQA Guideline Section 15305 exempts projects consisting of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

ACTION:

Adopt Resolution No. PC-2010-05 approving Use Permit (UP) 2010-04, subject to the Special Conditions of Approval and Standard Development Requirements set forth therein.
Prepared and submitted by:  

Monique B. Schwartz  
Associate Planner, Development Services

Reviewed and approved by:  

Raynald F. Pascua  
Manager, Development Services

Reviewed and approved by:  

Kenneth A. Domer  
Assistant City Administrator

Exhibits:
Exhibit 1: Vicinity Map  
Exhibit 2: Site Plan  
Exhibit 3: Floor Plan  
Exhibit 4: Statement of Use

Attachments:
Attachment A: Resolution No. PC-2010-05  
Attachment B: Special Conditions of Approval and Standard Development Requirements of Use Permit (UP) 2010-04  
Attachment C: Placentia Police Department Standard Development Requirements  
Attachment D: Orange County Fire Authority Special Conditions of Approval
RESOLUTION NO. PC-2010-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
PLACENTIA APPROVING USE PERMIT NO. 2010-04 PERTAINING
TO PROPERTY LOCATED AT 128 W. SANTA FE AVENUE AND
MAKING FINDINGS IN SUPPORT THEREOF.

A. Recitals.

(i) Mr. Patrick Rue, owner of The Bruery and Mr. Marco
Gonzalez, owner of the property located at 128 W. Santa Fe Avenue
(“Applicant” hereinafter) heretofore filed an application for
approval of Use Permit No. 2010-04, as described in the title of
this Resolution. Hereinafter, in this Resolution, the subject Use
Permit request is referred to as the “Application”.

(ii) On March 9, 2010 this Commission conducted a duly
noticed public hearing, as required by law, and concluded said
hearing prior to the adoption of this Resolution.

(iii) All legal prerequisites to the adoption of this
Resolution have occurred.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined and resolved by
the Planning Commission of the City of Placentia as follows:

1. The Commission hereby specifically finds that all of
the facts set forth in the Recitals, Part A, of this Resolution
are true and correct.

2. Based upon substantial evidence presented to this
Commission during the public hearing conducted with regard to the
Application, including written staff reports, verbal testimony
and development plans, this Commission hereby specifically finds
as follows:

   a. The proposed use will not be: (1) detrimental to
      the health, safety or general welfare of the persons residing or
      working within the neighborhood of the proposed use or within the
      city, or (2) injurious to the property or improvements within the
      neighborhood or within the city. Subject to compliance with the
      attached Special Conditions of Approval and Standard Development
      Requirements (Attachments “B, C and D”), this use complies with
      all applicable code requirements and development standards of the
      “SF-C” Santa Fe Commercial District and (3) It is not anticipated
      that a Type 42 (On Sale Beer and Wine for Public Premises)
      license will generate any negative impacts on the adjacent
      neighborhood. All sales shall be conducted within an enclosed
      building, while maintaining an environment free from
objectionable noise, odor, or other nuisances, subject to compliance with the attached Special Conditions of Approval and Standard Development Requirements.

b. The proposed use is consistent with the City's General Plan. The General Plan Land Use designation for the subject site is “Santa Fe Commercial”, and the proposed use does not involve any change in the land use of the subject site. Establishments that sell alcoholic beverages for on and off site consumption are permitted in the Santa Fe Commercial (SF-C) District, subject to Use Permit approval.

c. The proposed use, activity or improvements, subject to the attached Special Conditions of Approval and Standard Development Requirements (Attachments B, C and D), is consistent with the provisions of the Zoning Ordinance, or regulations applicable to the property. The proposed use is a conditionally permitted use in the “SF-C” Santa Fe Commercial District in the City of Placentia. Approval of the Use Permit for the high end craft beer bar/tasting room would be consistent with the zoning as the site can accommodate the proposed use, and since other similar uses have been conditionally permitted within the “SF-C” Manufacturing District. Practical difficulties exist which preclude the reasonable provision of the required number of parking spaces; therefore, public off-site parking may be counted for some or all of the required parking. Adjacent private and public parking lots and off-street parking along Bradford Avenue and Santa Fe Avenue currently provide adequate parking for the site. The Bruery is working with the Redevelopment Agency to secure adequate parking for this site.

d. Conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions are made part of the Use Permit approval. Attachments “B, C and D” contain Special Conditions of Approval and Standard Development Requirements specific to Use Permit 2010-04 to ensure compliance with the Placentia Municipal Code.

3. Section 15305 of the CEQA Guidelines exempts minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including minor setback variances. The relevant area has an average slope of less than 20% which will not result in any changes in land use or density. The Planning Commission specifically finds that the Application is Categorically Exempt under the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder (14 CCR § 15305) and Placentia Environmental Guidelines.
4. The Planning Commission hereby directs that, upon approval of Use Permit 2010-04, a Notice of Exemption be filed with the Orange County Clerk/Recorder.

5. Based upon the findings and conclusions set forth herein, this Planning Commission hereby approves Use Permit 2010-04 as modified herein, and specifically subject to the conditions set forth in Attachments "B, C and D" attached hereto and by this reference incorporated herein.

6. The Secretary to the Planning Commission shall:
   a. Certify to the adoption of this Resolution; and
   b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED this 9th day of March, 2010.

____________________________________
Chairman

I, Raynald F. Pascua, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Placentia held on the 9th day of March, 2010, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 9th day of March, 2010, by the following vote:

AYES: COMMISSION MEMBERS:
NOES: COMMISSION MEMBERS:
ABSENT: COMMISSION MEMBERS:
ABSTAINED: COMMISSION MEMBERS:

ATTEST:

____________________________________
Secretary to the Planning Commission
SPECIAL CONDITIONS

If the above referenced application is approved, applicant and/or property owner shall comply with the Special Conditions listed below and the Standard Development Requirements attached.

ALL OF THE FOLLOWING SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE FULLY COMPLIED WITH FOR THE USE PERMIT TO CONTINUE IN GOOD STANDING.

CITY PLANNING DIVISION:

1. Use Permit (UP) 2010-04 is valid for a period of twelve (12) months from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall be terminated and shall be null and void, unless an extension is applied for and approved.

2. Use Permit (UP) 2010-04 shall expire and be of no further force or effect if the use is discontinued or abandoned for a period of one (1) year.

3. Failure to abide by and faithfully comply with any and all conditions attached to this action shall constitute grounds for revocation of said action by the City of Placentia Planning Commission.

4. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, proceeding, liability or judgment against the City, its officers, employees, agents and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body or City staff action concerning applicant's project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation-related expenses, and shall reimburse the City for any and all court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein. The City agrees to promptly notify the applicant of any such claim filed against the City and to fully cooperate in the defense of any such action.
5. Prior to any changes in the days and hours of operation of The Bruery, the applicant shall obtain written approval from the Director of Development Services or his/her designee. The following are the specified days and hours of operation:

   Monday – Thursday: 4:00 p.m. to 12:00 a.m.  
   Friday - Sunday: 12:00 p.m. to 12:00 a.m.

6. There shall be no additional modifications to the floor plan without approval from the Director of Development Services or his/her designee. Any additional changes to the approved floor plan, which has the effect of expanding or intensifying the present use, shall require a new Use Permit.

7. Prior to any modification of the floor plan that would affect parking as stipulated in the zoning code, the applicant shall obtain written approval from the Director of Development Services or his/her designee.

8. If at any time in the future, the Director of Development Services determines that a parking/circulation study is necessary to address parking and/or circulation issues relative to the use, the applicant and/or current business owner, shall be responsible for the cost of a parking and/or circulation study prepared by a consultant selected by the City. The applicant and/or current business owner shall also be responsible for the implementation costs of any mitigation measures deemed appropriate by the City based upon the findings of this study.

9. At all times when the establishment is open for business, the sale of alcoholic beverages shall be conducted entirely within the building.

   A sign shall be placed on the door that separates The Bruery and the adjacent commercial space specifying that no unsealed alcoholic beverages shall pass beyond this point.

10. Outdoor storage is not permitted in the fenced parking lot area at any time. Outside displays are not permitted at any time.

11. There shall be no deliveries to or from the premises before 6:00 a.m. or after 10:00 p.m. Monday through Friday, Saturdays from 8:00 a.m. to 10:00 p.m. and no deliveries on Sundays.

12. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.

13. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
14. All trash bins shall be kept inside trash enclosures, and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be done at least three (3) times a week.

15. The applicant shall comply with all provisions of the Placentia Municipal Code, including Chapter 23.76, Noise Control.

16. The applicant shall comply with Chapter 8.34 if the Placentia Municipal Code regarding the posting of alcoholic beverage warning signs.

14. Any temporary signs or permanent signs shall be reviewed and approved by the City prior to fabrication and installation.

Prior to issuance of a building permit, the applicant shall submit a sign plan for the design of all proposed signage on the site for review and approval by the Director of Development Services or his/her designee. The sign plan shall comply with the criteria and requirements set forth in Chapter 23.90, Signs-Advertising Structures, of the Placentia Municipal Code.

All portable signs are prohibited and shall be removed from the site.

15. This establishment shall be operated as a craft beer bar/tasting room at all times. All activities shall be conducted within this enclosed tenant space, while maintaining an environment free from objectionable noise, odor or other nuisances.

16. The applicant/business owner shall be responsible for maintaining the property, including the landscaped areas, walkways, and all paved surfaces, free from graffiti, debris and litter. Graffiti shall be removed by the applicant/business owner within 48 hours of defacement and/or upon notification by the City.

Existing graffiti located on the store front window at the entrance of the tenant space shall be removed immediately.

17. The applicant/business owner shall obtain approval of a Building and Zoning Compliance Application and shall obtain a valid City Business License prior to operating the business.

18. There shall be no special promotional events held on the property, unless a written request for such is received and approved by the City of Placentia Development Services Director and the Police Department’s Administrative Lieutenant at least 14 days in advance.

19. The sale and service of alcoholic beverages shall be in compliance with all local, state and federal laws, and all conditions of the Department of Alcoholic Beverage Control (ABC) for the issuance of a Type “42” (On Sale Beer and Wine for Public Premises) shall be applicable.
20. Operator of the craft beer bar/tasting room shall not sell alcoholic beverages at the premises until after the ABC approves and issues a license. A copy of the approved ABC license shall be transmitted to the City Planning Division upon receipt of it.

21. Property owner shall stripe two additional parking stalls per original building permit numbers B08-0064 and B10-0001, prior to the Bruery occupying this tenant space.

CITY BUILDING DIVISION:

22. The maximum occupant load shall (be forty-nine (49) or less) or set forth by the Orange County Fire Authority and adhered to by business owner/applicant.

22. Applicant/business owner shall obtain approvals from Orange County Health Department.

23. Applicant/business owner shall obtain Orange County Fire Authority approval for Use Permit (UP) 2010-04.

24. The applicant shall obtain all necessary approvals from the City prior to constructing any tenant improvements. The plans for the tenant improvement shall be prepared by a California-licensed architect or engineer.

25. All contractors and sub-contractors shall obtain a city business license. Applicant and/or contractor shall request a standard sub-contractor form from the City Building Division prior to issuance of a building permit. This standard form shall be completed and submitted to the City Business License Division prior to the issuance of any building permits.

CITY ENGINEERING DIVISION:

26. A parking and trip generation study may be required for review and approval by the Traffic Engineer after one year from date of approval based on traffic related complaints or determination by the City that trip generation is over and above levels allowed for the proposed use as measured by negative impacts to the immediate area.

CITY POLICE DEPARTMENT:

27. The establishment shall remain in compliance with Placentia Police Department Standard Development Requirements for security (See Attachment C).

28. Applicant/business owner of The Bruery shall be in compliance with all Alcoholic Beverage Control requirements.
29. This Use Permit shall be reviewed one year from the date of approval and each year thereafter as necessary. The review shall be conducted jointly by the Development Services Director and Police Chief or designee. The purpose of this review shall be to identify uniquely adverse issues such as loitering, vandalism, criminal activity, noise, or nuisance resulting from the Use Permit. If such issues are identified, the Use Permit shall be presented to the Planning Commission for their consideration of conditions, modifications, or revocation.

30. The activity level of the business shall be monitored by the Special Enforcement Detail to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive or unnecessary activity resulting in high use of police services, or that the applicant has failed to comply with enforcement or application of measures related to curfew and truancy, then this use permit shall be reviewed for consideration of further conditions, modifications, or revocation.

31. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 4:00 p.m. through 12:00 a.m. Monday through Thursday, and 12:00 p.m. through 12:00 a.m. Friday through Sunday.

32. There shall be only the bar or lounge area upon the licensed premises maintained for the purpose of sale, service, or consumption of alcoholic beverages directly to patrons for consumption.

33. The subject alcoholic beverage license shall not be exchanged for another public type premises type license.

34. Alcoholic beverages shall be sold and served in containers, which are distinguishable from other non-alcoholic beverages sold at the premises.

35. The sale of beer and wine for consumption off the premises is allowed.

36. No distilled spirits may be on the premises at any time.

37. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the license.

38. No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or other containers.

39. There shall be no pool tables or coin-operated games maintained upon the premises at any time.

40. There shall be no live entertainment (including karaoke), amplified music, or dancing permitted on the premises at any time.
41. The use of any amplifying system, outdoor sound system, loudspeakers, paging system, or any other such device is prohibited on the licensed premises.

42. At no time shall there be a fee for entrance/admittance into the premises. Ticket pre-sales will be permitted for special events only (special tastings, etc.), no cover charges permitted.

43. There shall be no "Happy Hours" when alcoholic beverages are offered at a reduced rate. Reduced rates for slow moving or discontinued items are permitted if done so during all hours of operation for those specific items.

44. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he/she has control.

45. Graffiti shall be removed from the exterior walls and windows of the premises within 48 hours of discovery.

46. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot.

47. All employees of the petitioner who sell or serve alcoholic beverage products shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques, and the handling of violence. The applicant must provide the City of Placentia Police Department, Administrative Services Lieutenant a copy of completed Alcohol Management Program (AMP), and a certificate of completion from an ABC LEAD program within six months of the premises being licensed to sell alcohol.

**ORANGE COUNTY FIRE AUTHORITY:**

25. Applicant shall comply with all site development requirements specified by the Orange County Fire Authority (OCFA) (See Attachment D).
Attachment “C”
Placentia Police Department Standard Development Requirements
Attachment “D”
Orange County Fire Authority (OCFA) Special Conditions of Approval