



## Agenda Report

19-653

Agenda Date: 6/12/2019

### REPORT TO PLANNING COMMISSION

#### **SUBJECT**

Twelve-month Review of a Use Permit for the on-site sale and consumption of alcohol (ABC License Type 47) in the Yellow Chili restaurant located at 3555 Monroe Street

#### **REPORT IN BRIEF**

Project: Twelve-month review of a Use Permit for the on-site sale and consumption of alcoholic beverages (ABC Type 47 License)

Applicant: Eric Shepard Architects/ Yogesh Gupta, The Yellow Chili

Owner: Carlene Matchniff/ Irvine Company

General Plan: Regional Mixed Use

Zoning: Planned Development (PD)

Site Area: 4,218 square foot of tenant space

Existing Site Conditions: Existing tenant space within the Monticello Village Development

Surrounding Land Uses (adjacent to Monticello Village Development)

North: Multi-Family residential uses

South: Multi-Family residential and commercial uses along Monroe Street

East: Public/ Quasi Public Uses

West: City Boundary, Lawrence Expressway

Staff Recommendation: Note and file the twelve-month review of the Use Permit (PLN2017-12521).

#### **BACKGROUND**

On May 10, 2017, the Planning Commission approved a Use Permit (PLN2017-12521) to allow the on-site sale and consumption of alcohol, Alcohol Beverage Control (ABC) License Type 47, for the Yellow Chili restaurant. As a condition of approval (Permit Condition P11) a twelve-month review of the Use Permit is required once the applicant has obtained an active ABC License. An ABC License Type 47 was issued to the applicant on January 12, 2018. The restaurant opened later in March, 2018.

The Yellow Chili restaurant is located within a multi-tenant mixed use development, commonly referred to as the Monticello Village Development. The development is at the north east corner of French Street and Monroe Street.

#### **DISCUSSION**

This twelve-month review is required by the Use Permit's conditions of approval (attached). The current Use Permit allows the sale of beer, wine, and distilled spirits with food service on Monday to Thursday from 9:00 a.m. to 11:00 p.m. and Friday to Sunday from 9:00 a.m. to 11:30 p.m.

Since the issuance of the ABC license on January 12, 2018 there were no calls for service received by the City's Police Department related to the subject use. There were a few drunk in public calls, but not specifically related to the Yellow Chili restaurant. The calls were related to service requests at Monticello Village which has many retail tenants. There are no disciplinary actions or history on the Alcohol and Beverage Control website for this restaurant. No zoning code violations are pending related to the subject use. All conditions of approval have been satisfied.

### **ENVIRONMENTAL REVIEW**

Use Permit review does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

### **FISCAL IMPACT**

There is no fiscal impact to sending the response other than administrative staff time and expense, typically covered by processing fees paid by the applicant.

### **COORDINATION**

This report has been coordinated with the City Attorney's Office.

### **PUBLIC CONTACT**

On May 31, 2019 the notice for the twelve-month review of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project site. Planning Staff has not received public comments at the time of preparation of this report.

### **RECOMMENDATION**

Note and file the twelve-month review of a Use Permit allowing the on-site sale and consumption of alcohol (ABC License Type 47) in the Yellow Chili restaurant located at 3555 Monroe Street.

Prepared By: Nimisha Agrawal, Assistant Planner I

Reviewed by: Diana Fazely, Deputy City Attorney

Approved by: Reena Brilliot, Planning Manager

### **ATTACHMENTS**

1. Conditions of Approval