PLANNING COMMISSION AGENDA REPORT

MEETING DATE: NOVEMBER 9, 2026 **ITEM NUMBER: PH-2**

SUBJECT: **CONDITIONAL USE PERMIT (PCUP-25-0009) TO ALLOW THE SALE OF ALCOHOL FOR ON-SITE CONSUMPTION AND LIVE ENTERTAINMENT AFTER 11:00 P.M. WITHIN 200 FEET OF A RESIDENTIAL ZONE FOR AN EXISTING RESTAURANT (EZ KEBAB) AND MINOR CONDITIONAL USE PERMIT TO ALLOW ADDITIONAL OUTDOOR PUBLIC AREA AT 1951 HARBOR BOULEVARD**

FROM: **COMMUNITY DEVELOPMENT DEPARTMENT / PLANNING DIVISION**

PRESENTATION BY: **JUSTIN ARIOS, ASSOCIATE PLANNER**

FOR FURTHER INFORMATION CONTACT: **JUSTIN ARIOS**
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RECOMMENDATION

Staff recommends the Planning Commission:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301 (Class 1 – Existing Facilities) and section 15303 (New Construction); and

2. Approve Conditional Use Permit PCUP-25-0009 based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT

The applicant / business owner, Roland Karam (EZ Kebab; dba: Bei Restaurant), and property owner, Harry Daglas.

PLANNING APPLICATION SUMMARY

Location:	1951 Harbor Boulevard	Application Number:	PCUP-25-0009
Request:	Conditional Use Permit (CUP) request to allow the sale of alcohol for on-site consumption and live entertainment after 11:00 P.M. within 200 feet of a residential zone for an existing restaurant, EZ Kebab. The project also requests a Minor Conditional Use Permit (MCUP) to allow the expansion of the outdoor public area that will exceed 50% of the indoor area.		

SUBJECT PROPERTY:		**SURROUNDING PROPERTY:**	
Zone:	C2 (General Business District)	**North (across Bernard St):**	C2 (General Business District)
General Plan:	General Commercial	**South:**	C2 (General Business District)
Lot Dimensions:	54' x 120'	**West: (across public alley):**	R2-HD (Multiple-Family Residential, High Density)
Lot Area:	6,970 SF (0.16 acres)	**East: (across Harbor Blvd):**	C1 (Local Business District)
Existing Development:	Existing commercial / restaurant building (435 SF) with 10 surface parking spaces.		
Existing Building (size):	435 SF		
Required Parking:	Min. 6 spaces		
Provided Parking:	10 spaces		

EXECUTIVE SUMMARY

The applicant is requesting approval of Conditional Use Permit (PCUP-25-0009) to allow the sale of alcohol for on-site consumption and live entertainment after 11:00 P.M. within 200 feet of a residential zone. The project also requests a Minor Conditional Use Permit (MCUP) to allow the expansion of the outdoor public area that will exceed 50% of the indoor area. Staff supports the request because the proposed use is consistent with applicable goals, objectives, and policies of the General Plan; complies with applicable provisions of the Zoning Code and required findings; and, as conditioned, would be compatible with surrounding uses. Therefore, staff recommends that the Planning Commission find the project exempt from CEQA and approve the application based on findings of fact and subject to conditions of approval.

SETTING

The subject property is located at 1951 Harbor Boulevard, located on the southwest corner of Harbor Boulevard and Bernard Street (see Figure 1). The property was developed with two points of vehicular ingress/egress: one along Harbor Boulevard and one along Bernard Street. The site is developed with an approximately 435-square-foot restaurant with no indoor seating area and existing 522-square-foot (approx.) outdoor patio on Bernard Street frontage and 10 parking spaces.

Figure 1. Project Location – 1951 Harbor Boulevard



The site is designated General Commercial by the City's Land Use Element of the General Plan and is zoned C2 (General Business District). The General Commercial designation is intended for a wide range of commercial uses that serve both local and regional needs such as retail stores, theaters, restaurants and service establishments. The C2 zone is intended to provide for those uses which offer a wide range of goods and services in a variety of locations throughout the City. The permitted and conditional uses as well as development standards are aimed toward reducing impacts on surrounding properties especially in those areas where residential uses are in the vicinity.

The subject property is adjacent to similar C2 zoned properties across Bernard Street to the north (developed with a custom shop – Wicked Chamber Boutique) and to the south (developed with a food use – El Pollo Loco). Also, across Harbor Boulevard to the east is a C1 (Local Business District) zoned property, developed with an auto dealership (South Coast Toyota). Additionally, a R2-HD (Multiple-Family Residential, High Density) zoned property is located to the west across the public alley and is developed with multi-family development.

BACKGROUND

The existing building was constructed in 1966 as a takeout food stand for Wienerschnitzel with no indoor dining area. After the initial construction Wienerschnitzel added an outdoor patio along Bernard Street. *EZ Kebab (dba: Bei Restaurant)* is an existing full-service restaurant. The existing restaurant has been operating since 2022. The current approved hours of operation are 11:00 A.M. to 11:00 P.M., seven days a week and the restaurant currently operates with a Type 47 (On-Sale General) State Alcoholic Beverage Control (ABC) License. Pursuant to Costa Mesa Municipal Code (CMMC) Table 13-47(a), food establishments with less than 300 sq. ft. of public area are permitted by right in the C2 zone and are not subject to the approval of a CUP.

Code Enforcement History

In spring 2025, the City's Code Enforcement Division received a complaint regarding the reconstruction of the existing outdoor patio and construction of a new outdoor patio associated with the existing restaurant. The patio had been constructed partially within the public right-of-way without the necessary permits or approvals. Code Enforcement Case No. CODE-1586 was opened on April 3, 2025, to address the unpermitted improvements and remains in progress. The current application includes a request to permit the outdoor dining area, existing patio improvements and encroachment.

In addition to the unpermitted patio improvements, City Code Enforcement records identify several complaints associated with the restaurant, primarily concerning loud music and disturbances affecting nearby residential properties along Bernard Street. Between October 2025 and May 2026, the City received seven complaint records related to noise, including reports of amplified music, karaoke, and weekend entertainment activities. One complaint also identified parking concerns associated with restaurant events. Several complaints were closed as duplicates or referred to previously established cases. Some initial complaints were substantiated when loud music was observed in the adjacent residential area; however, subsequent complaints could not be verified. A number of calls for service were received by the Police Department related to the use, which were forwarded to Code Enforcement for follow-up. No other calls for service related to the restaurant use have been received.

The complaint history is particularly relevant to the current request to authorize live entertainment and extend operating hours until 2:00 a.m. Given the proximity of residential uses and the nature of the previous complaints, conditions of approval are recommended to establish operational limitations addressing entertainment hours, amplified sound, noise management, and other activities that could affect surrounding residential properties.

REQUEST

The applicant is requesting approval of a CUP to allow the expanded hours of operation and sale of alcoholic beverages for on-site consumption after 11:00 P.M. within 200 feet of a residential zone, as well as proposed live entertainment after 11:00 P.M. within 200 feet of a residential zone, as indicated in Table 1 below.

Table 1. Proposed Hours of Operation

Day	Requested Hours [1]	Anticipated Restaurant Hours	Anticipated Alcohol Service	Anticipated Live Entertainment	Recommended Live Entertainment
Sunday – Thursday	11:00 A.M. – 2:00 A.M.	11:00 A.M. – 12:30 A.M.	11:00 A.M. – 12:30 A.M.	N/A	Until 12:00 P.M.
Friday – Saturday	11:00 A.M. – 2:00 A.M.	11:00 A.M. – 1:30 A.M.	11:00 A.M. – 1:30 A.M.	11:00 A.M. – 1:30 A.M.	Until 12:00 P.M.

[1] Restaurant, alcohol and live entertainment hours

The restaurant will maintain a Type 47 ABC license, which authorizes the sale of beer, wine, and distilled spirits for consumption on the licensed premises. As noted above, the existing restaurant use is permitted by right and is not subject to a CUP.

The project also requests a Minor Conditional Use Permit (MCUP) to allow an outdoor 300-square-foot pre-manufactured patio with uncovered flex area that will exceed 50% of the indoor area.

Table 2. Indoor and Outdoor Public Areas

Existing Indoor Area	0 SF
Existing Patio (Bernard St)	522 SF
Percentage of indoor public area outdoors	100%
Existing Indoor Area	0 SF
Existing Patio (Bernard St)	522 SF
Proposed Patio (previous driveway area)	300 SF
Percentage of indoor public area outdoors	100%

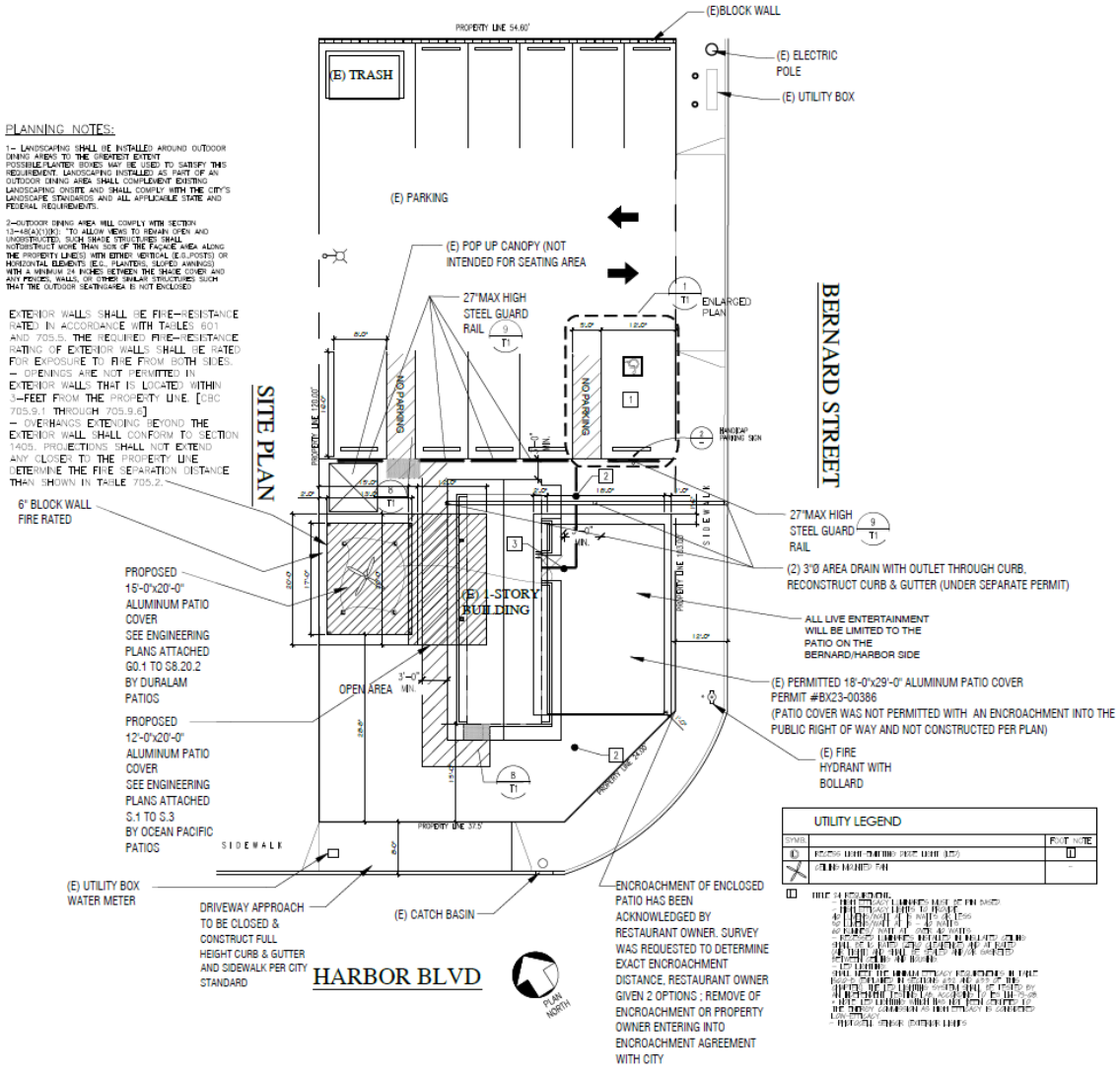
STANDARD OF REVIEW

To approve CUP applications under CMMC section 13-29(g)(2)(a-c), the proposed use must meet specific criteria. The project must be compatible with surrounding developments and should not be detrimental to nearby properties. Additionally, granting the permit must not harm public health, safety, or welfare, not permit a use, density, or intensity inconsistent with the general plan or specific plans for the property.

Furthermore, all planning applications must adhere to broader "Review Criteria" outlined in the CMMC. These include ensuring neighborhood compatibility, safety and design consistency, compliance with performance standards, and alignment with the general plan and/or applicable specific plans. Each application is project-specific and evaluated on its unique merits to ensure it aligns with the City's development standards.

An analysis of the proposed noise measures, applicable CUP findings, and the project's compliance with the City's required review criteria is provided below.

Figure 2. Site Plan



ANALYSIS

The proposed project would authorize extended restaurant operations and alcohol service until 2:00 A.M. daily, live entertainment accessory to the restaurant, and additional outdoor public area. The existing restaurant building is approximately 435 square feet, with no indoor public dining area identified in the application. The existing outdoor patio along Bernard Street contains approximately 522 square feet (Figure 3). The proposal includes an approximately 300-square-foot prefabricated patio in the former Harbor Boulevard driveway area and an adjacent uncovered flexible-use area for outdoor seating and delivery-driver waiting. The applicant also proposes anchored planter boxes around the patio areas. The proposed outdoor public area exceeds 50 percent of the indoor public area and is included in the Minor Conditional Use Permit request. The restaurant building would not be enlarged. To address the existing patio encroachment into the public right-of-way, Condition of Approval No. 2 requires the applicant to either remove the encroachment improvements or enter into a recorded encroachment agreement with the City prior to issuance of building permits for the new patio.

Figure 3. Existing Site



Hours of Operation

The requested operating hours for the restaurant and alcoholic beverage service are 11:00 A.M. to 2:00 A.M., seven days a week. The applicant anticipates generally closing at 12:30 A.M. Sunday through Thursday and 1:30 A.M. Friday and Saturday; however, the proposal and draft Condition of Approval No. 7 establish a 2:00 A.M. maximum closing time. Alcohol service would remain accessory to the full-service restaurant and limited to areas authorized by the Department of Alcoholic Beverage Control, consistent with Conditions of Approval Nos. 7 and 8.

The proposed extension would allow the existing restaurant to provide additional late-night dining opportunities along the Harbor Boulevard commercial corridor without changing the primary restaurant use or expanding the existing building. The site is located within the Harbor Boulevard commercial corridor, with commercial properties to the north, south, and across Harbor Boulevard to the east, and multiple-family residential development across the alley to the west across a public alley.

Live Entertainment

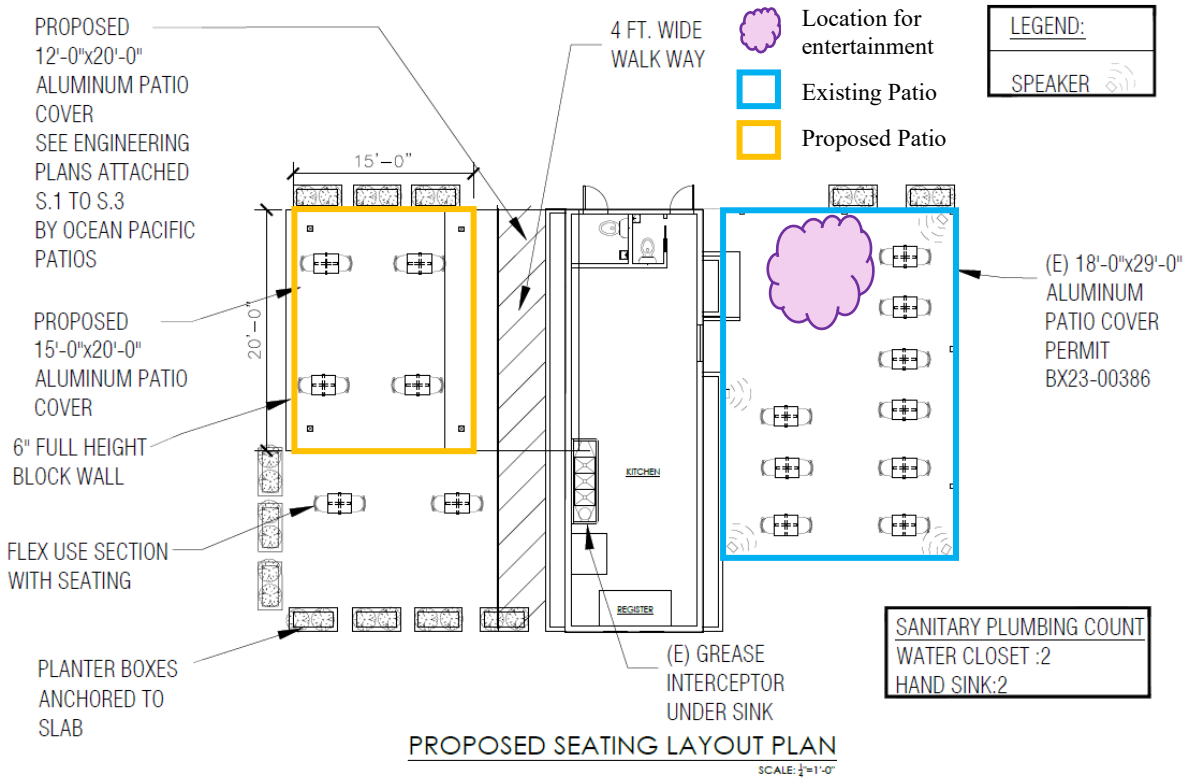
Live entertainment would be limited to the existing outdoor patio at the Harbor Boulevard and Bernard Street corner, as depicted on the project plans, and would consist of acoustic music, vocals, piano/keyboards, ouds, and similar performances accessory to restaurant dining. The applicant anticipates entertainment primarily on Friday and Saturday evenings. The requested authorization extends to the approved restaurant operating hours; the draft conditions establish a separate midnight entertainment cutoff. Draft Condition of Approval No. 10 limits entertainment to the designated patio, allows no more than one external speaker directed toward Harbor Boulevard and away from residential properties, and prohibits subwoofers, amplified bass, disc jockey performances, and outdoor dancing. Entertainment remains subject to applicable public entertainment permit requirements. Conditions of Approval Nos. 5 and 6 require responsible management on site, monitoring of sound levels, and compliance with the City's Noise Ordinance.

The location of the entertainment patio toward Harbor Boulevard, the limitation on external sound equipment, and the prohibition on amplified bass direct entertainment activity away from residential properties. The Code Enforcement history identifies seven noise-related complaint records between October 2025 and May 2026, including reports involving amplified music, karaoke, and weekend activities. To address these concerns, Conditions of Approval Nos. 4 through 6 and 10 establish entertainment limitations, require continuous management oversight and compliance with the City's Noise Ordinance, and authorize the City to require additional mitigation measures, including sound attenuation improvements, modifications to sound equipment, or a professional acoustical analysis at the applicant's expense following

verified complaints or violations. These measures provide enforceable controls on late-night outdoor activity and address compatibility with nearby residences.

Proposed Outdoor Area

Figure 3. Floor Plan / Proposed Outdoor Dining Areas



The new patio occupies an area previously used for vehicular access from Harbor Boulevard. The Harbor Boulevard driveway approach would be closed and replaced with full-height curb, gutter, and sidewalk improvements in accordance with City standards, while vehicular access would continue from Bernard Street. The application identifies 10 existing on-site parking spaces and indicates that no parking spaces would be removed. The patio and driveway improvements are subject to the required City approvals, including resolution of the existing public right-of-way encroachment through removal or a City-approved encroachment agreement under Condition of Approval No. 2. Condition of Approval No. 3 requires closure of the Harbor Boulevard driveway approach. The proposed outdoor areas must maintain required pedestrian and emergency access under Condition of Approval No. 11.

The restaurant's expanded hours, alcoholic beverage service, live entertainment, and outdoor dining would function together as components of the existing restaurant use. The conditions address their combined operational effects by limiting the approved dining and entertainment areas, controlling sound equipment and amplified music,

requiring management to respond to neighborhood complaints, restricting late-night trash and glass handling, and requiring shielded exterior lighting (Conditions of Approval Nos. 4 through 14). The operator is also required to maintain the property and comply with the approved plans. These operational limitations address the noise, patron activity, lighting, trash, and circulation concerns associated with the increased intensity of evening and late-night use. Furthermore, Condition of Approval No. 19 provides for modification or revocation of the permit if the conditions of approval are not complied with.

Additionally, the City's Police Department and Code Enforcement Division have reviewed the request and indicated that they have no concerns regarding the proposed extended hours of operation, alcohol service, and live entertainment, subject to the recommended conditions of approval.

The proposed project is consistent with the existing commercial development pattern along Harbor Boulevard and would maintain the established restaurant use on the property. The proposed extended hours, live entertainment and outdoor dining improvements, as conditioned, would be compatible with surrounding commercial and residential uses and would not be materially detrimental to other properties in the area.

GENERAL PLAN CONFORMANCE

The Costa Mesa General Plan establishes the long-range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa through 2035. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that serve both local needs and attract regional international spending, and providing cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives, and policies contained in this Plan.

The proposed restaurant use is in conformance with the General Plan land use designation for the property. The following analysis evaluates the proposed project's consistency with specific policies and objectives of the 2015-2035 General Plan.

1. **Policy LU-1.1:** *Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the need of the business and residential segments of the community.*

   Consistency: The proposed restaurant use contributes to the mix of restaurant and commercial services available in the immediate area. The existing restaurant

provides dining opportunities for residents, visitors, and employees along the Harbor Boulevard commercial corridor. The proposed extended hours, live entertainment, and outdoor dining improvements would expand the range of services associated with the existing restaurant while remaining accessory to the restaurant us

2. **Policy LU-6.1:** Encourage a mix of land uses that maintain and improve the City's long-term fiscal health.

   Consistency: The project would support continued operation and reinvestment in an existing restaurant business by allowing additional operating flexibility, outdoor dining improvements and accessory entertainment. The extended hours would help retain an existing local business and provide additional dining options for residents, visitors, and employees in the surrounding area.

3. **Policy LU-6.7:** *Encourage new and retain existing businesses that provide local shopping and services.*

   Consistency: The proposed application will result in retaining an existing restaurant that provides dining opportunities for local businesses, visitors, and residents.

FINDINGS

Pursuant to CMMC, Section 13-29(g), Findings, to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required Conditional Use Permit and Minor Conditional Use Permit findings:

a. **Finding:** The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

   Facts in Support of Finding. The proposed project is to allow an existing restaurant to expand its hours of operation and sale of alcoholic beverages after 11:00 P.M. within 200 feet of a residential zone, as well as allow live entertainment in the existing patio and an additional outdoor patio. The restaurant is located within an established commercial corridor along Harbor Boulevard, with commercial uses to the north, south, and east across Harbor Boulevard, and multiple-family residential uses located to the west across a public alley. The proposed live entertainment would be limited to the existing outdoor patio near the intersection of Harbor Boulevard and Bernard Street, away from the adjacent residential properties. The City's Code Enforcement history identifies seven noise-related complaints between October 2025 and May 2026, primarily associated with amplified music, karaoke,

and weekend entertainment activities. To address these concerns and maintain compatibility with surrounding residential uses, Conditions of Approval have been included to limit the location and type of live entertainment, restrict amplified sound equipment, require speakers to be oriented toward Harbor Boulevard and away from residential properties, and prohibit subwoofers, amplified bass, disc jockey performances, and outdoor dancing. Additional conditions require management to remain on-site during operating hours, monitor sound levels, and comply with the City's Noise Ordinance. Furthermore, the conditions provide the City with authority to require additional noise mitigation measures, including sound attenuation improvements, modifications to sound equipment, or an acoustical analysis, if noise complaints or violations are verified. These operational restrictions and enforcement provisions would minimize potential late-night noise disturbances and maintain compatibility with surrounding commercial and residential uses. Therefore, the proposed use, as conditioned, would not be materially detrimental to other properties within the area.

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

   Facts in Support of Finding. The proposed use, as conditioned, would not generate adverse noise, traffic, or parking impacts that are unusual for commercially zoned properties. Conditions of Approval are recommended to ensure late-night operations, live entertainment, sound levels, and outdoor activity are conducted in a manner that would allow for the quiet enjoyment of the surrounding neighborhood. The City's Police Department and Code Enforcement have reviewed the request and, with the recommended Conditions of Approval, indicated that it has no concerns regarding the proposed extended hours of operation, alcohol service and proposed live entertainment.

c. **Finding:** Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.

   Facts in Support of Finding. The restaurant is permitted by right in the C2 (General Business) zone and the extended hours of operation and proposed live entertainment are conditionally permitted, subject to conditions of approval as included in this application. The new outdoor patio area is conditionally permitted with approval of an MCUP. The General Plan land use designation of the property is General Commercial. The existing restaurant use is an appropriate commercial use for the General Commercial land use designation. The proposed project would allow an existing restaurant to expand its hours of operation and sale of alcoholic beverages after 11:00 P.M. within 200 feet of a residential zone, as well as allow live entertainment in the existing patio and an expansion of seating area associated with

the new proposed outdoor patio. Furthermore, the proposed project is consistent with General Land Use Policy LU-1.1, LU-6.1 and LU-6.7 in that the proposed project would contribute to a mix and balance of commercial goods, services, and employment opportunities and would also retain the existing commercial business and continue to provide dining opportunities for local businesses, visitors, and residents.

Review Criteria

Pursuant to CMMC Section 13-29(e), all planning applications shall be reviewed for consistency with the following review criteria. Below is a summary of the project's conformity with each criterion:

(1) Compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.

The proposed modification to operations would be compatible and harmonious with the existing neighboring commercial properties and surrounding neighborhood. The restaurant is permitted by right in the C2 (General Business) zone and the extended hours of operation and proposed live entertainment are conditionally permitted, subject to conditions of approval as included in this application. As conditioned, the use would not result in adverse noise, traffic, parking, trash, lighting, or other operational impacts and would not be materially detrimental to nearby residential properties. The City's Police Department and Code Enforcement Division have reviewed the request and indicated that they have no concerns regarding the proposed extended hours of operation, alcohol service, and live entertainment, subject to the recommended conditions of approval. Condition of Approval No. 3 requires the Harbor Boulevard driveway closure and associated curb, gutter, and sidewalk improvements; Condition of Approval No. 2 addresses the existing right-of-way encroachment. The approved outdoor dining areas must maintain pedestrian, emergency, and circulation clearances under Condition of Approval No. 11. Building, Fire, and Engineering requirements remain applicable to the improvements.

(2) Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.

Safety and compatibility are maintained through the proposed project design as there will be no increase to the gross floor area of the existing building, as no tenant improvements will be made to the interior of the existing tenant space. All other improvements, such as the proposed patio will comply with applicable Building Code requirements. No parking spaces will be impacted through this project, however, with the proposed patio area to be located within previous driveway area,

the drive approach along Harbor Boulevard will be closed. Existing pedestrian circulation will still be maintained. Conditions of Approval Nos. 4 through 14 establish limits on entertainment location and sound equipment, require management oversight, regulate outdoor dining and maintenance, and control exterior lighting.

(3) Compliance with any performance standards as prescribed in the Zoning Code.

All performance standards have been deemed to be met as described in the analysis section of this report.

(4) Consistency with the General Plan and any applicable specific plan.

The restaurant is permitted by right in the C2 (General Business) zone and the extended hours of operation and proposed live entertainment are conditionally permitted, subject to conditions of approval as included in this application. The new outdoor patio area is conditionally permitted with approval of an MCUP. The General Plan land use designation of the property is General Commercial. The existing restaurant use is an appropriate commercial use for the General Commercial land use designation. Furthermore, the proposed project is consistent with General Land Use Policy LU-1.1, LU-6.1 and LU-6.7 in that the proposed project would provide a mix of commercial goods and services, and employment opportunities and would also retain the existing commercial business and continue to provide dining opportunities for local businesses, visitors, and residents.

(5) The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

The zoning application is for a unique project-specific case at a unique site with special circumstances and will not be precedent setting for future development.

(6) When more than one planning application is proposed for a single development, the cumulative effect of all the planning applications shall be considered.

The proposed project includes two application type requests, of which the cumulative effect has been considered through this report.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the CEQA pursuant to CEQA Guidelines Section 15301 (Class 1 – Existing Facilities) and 15303 (Class 3 – New Construction). The project involves expanded operating hours and live entertainment associated with an existing restaurant, as well as the installation of an accessory

outdoor patio cover and related site improvements. As conditioned and proposed, the project will have little or no impact on the surrounding area. There will be no resulting increase in the existing floor area of the tenant space. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply. The Project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location and would not impact any historic resources.

ALTERNATIVES

As an alternative to the recommended action, the Planning Commission may:

1. Approve the project with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.

2. Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months.

PUBLIC NOTICE

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

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site October 28, 2026. The required notice radius is measured from the external boundaries of the property.

2. **On-site posting.** A public notice was posted on each street frontage of the project site on October 29, 2026.

3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on October 30, 2026.

As of the completion date of this report (November 4), no public comments have been provided. Any additional public comments received prior to November 9, 2026, Planning Commission meeting will be provided separately.

CONCLUSION

Approval of the project would allow the existing restaurant to extend its hours of operation, including the sale of alcoholic beverages for on-site consumption and live entertainment after 11:00 P.M. within 200 feet of a residential zone. Approval would also allow for the expansion of outdoor dining areas through the addition of an approximately 300-square-foot prefabricated patio and adjacent uncovered flexible-use area within the former driveway area. The proposed project is consistent with the General Plan, Zoning Code, and Planning Application Review Criteria, and the required CUP and MCUP findings can be made. As conditioned, the proposed use would be compatible with surrounding residential and commercial uses and would not be materially detrimental to other properties in the area. Therefore, staff recommends approval of the project, subject to the conditions of approval contained in the attached resolution.

ATTACHMENTS

1. Draft Planning Commission Resolution
2. Vicinity Map
3. Zoning Map
4. Applicant Letter
5. Project Plans