

ZONING ADMINISTRATOR MEETING MINUTES

Garden Grove City Hall  
11222 Acacia Parkway  
Third Floor City Council Conference Room

August 25, 2011, 9:00 a.m.

Those present: Susan Emery, Zoning Administrator  
Lee Marino, Senior Planner  
Maria Parra, Urban Planner  
Ed Leiva, Police Department  
Judy Moore, Recording Secretary

Susan Emery, Zoning Administrator, called the meeting to order at 9:00 a.m.

CONDITIONAL USE PERMIT NO. CUP-329-11

APPLICANT: Uther Lai

LOCATION: 13018 Harbor Boulevard

DATE: August 25, 2011

REQUEST: To expand an existing 4,800 square foot restaurant, King Harbor Seafood Restaurant, that currently operates with an Alcoholic Beverage Control (ABC) Type "41" (On-Sale, Beer and Wine, Public Eating Place) License, into an adjacent 1,200 square foot tenant space, for a total square footage of 6,000 square feet. Also, a request to operate the restaurant as a banquet facility with live entertainment in the form of Karaoke. The site is in the HCSP-DC (Harbor Corridor Specific Plan-District Commercial) zone.

Staff report was read and recommended approval. The Zoning Administrator opened the public hearing and expressed her concern that future problems may include tenant complaints regarding parking, dancing, and Saturday and Sunday banquet hours, and asked that the applicant be sensitive to available parking.

Staff responded that parking should not be a problem as the facility was small; that there was additional parking behind the building; and that banquets may occur only once a month.

Mr. Uther Lai, the applicant, agreed that there was ample parking.

Staff noted that the interior door obscure glass sidelites, that limited visibility into the rooms, would be changed to clear glass per the condition and that a site-check would occur prior to installation and before any money was spent.

Staff reviewed and emphasized the following Conditions of Approval: Condition No. 12 regarding the hours of operation from 10:00 a.m. to 10:00 p.m. noting that the City's Chief of Police had the right to reduce the hours if problems occur; Condition No. 18 regarding Administrative Citations of up to \$1,000 for code violations; Condition No. 19 regarding stopping alcohol 30 minutes prior to closing in order for customers to leave by 10:00 p.m.; Condition No. 34 regarding no live entertainment including live bands and DJ's; and Condition No. 35 regarding no flyer or promotional parties as the business was a restaurant/banquet facility.

The Zoning Administrator asked the applicant to clarify the use of space for events, especially the 48-occupancy room. Mr. Lai responded that even though an event was taking place, such as a wedding reception, the restaurant portion would always be open for service.

## Zoning Administrator Minutes

The Zoning Administrator asked Mr. Lai if he had read and agreed with the Conditions of Approval. Mr. Lai replied yes, and asked for clarification of 'live band'.

Staff explained that a single, amplified electric organ, or a single flute would be acceptable, along with a solo performer, however, a multiple-member group with different instruments would qualify as a live band.

Staff further added that with regard to dancing, a couple's first wedding dance would be acceptable, however, chairs and tables could not be moved to create a dance floor, and that the uses needed to be monitored to avoid the facility becoming a nightclub with portioned-off areas becoming revenue generators.

Mr. Lai emphasized that the business would be a family type restaurant.

The Zoning Administrator added that problems typically connected with nightclub activity included tenants complaining about noise, fights, and drunkenness.

Staff added that if 40 people were on a dance floor, the business would be cited; that the Alcoholic Beverage Control (ABC) License was for a Type "41" restaurant only; that the ABC does periodic checks; and that the applicant would be responsible for complying with code.

With no further comments or questions, the Zoning Administrator closed the public hearing and approved Conditional Use Permit No. CUP-329-11, subject to the recommended conditions, and pursuant to the facts and reasons contained in Decision No. 1637-11.

### COMMENTS BY THE PUBLIC

None.

The meeting was adjourned at 9:25 a.m.

Judy Moore  
Recording Secretary