

CONDITIONAL USE PERMIT (CUP) 22-01
RECOMMENDED CONDITIONS OF APPROVAL

PROJECT: **OPERATION OF AN ALCOHOLIC BEVERAGE
MANUFACTURING ESTABLISHMENT (MICROBREWERY)
WITH TASTING ROOM**

LOCATION: **2698 ST. LOUIS AVENUE**

PROPERTY OWNER: **ESSEQUE LLC**

APPLICANT/AGENT: **VINCE QUITUGUA (FOR THREE CHIEFS BREWING)**

1. The property owner and applicant shall indemnify, protect, defend, and hold the City, and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and other such procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Community Redevelopment Law, Code of Civil Procedure Sections 1085 or 1094.5, or any other federal, state, or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action. This requirement to indemnify shall survive the suspension, revocation, expiration or termination of this entitlement.
2. Approval shall be null and void if the operations associated with the subject CUP does not commence within one year from the date of City Council approval, unless a request for extension is submitted by the applicant and granted by the Director of Community Development.
3. The applicant shall conduct a neighborhood meeting, on the subject site, six months after the initial date of operation. The Community Development Director shall provide the Planning Commission with a progress report following the neighborhood meeting for consideration.

4. The Community Development Department shall inspect the subject premises and report to the City Council on an annual basis regarding the applicant's compliance with these conditions. The City Council may modify existing conditions or add additional conditions, if necessary. If any violations of these conditions have occurred, the CUP can be scheduled for revocation pursuant to SHMC 20.64.120 or other appropriate action.
5. The business shall have and maintain a valid City business license at all times. Business licenses are administered by the City's Finance Department.
6. At all times during operation of the conditionally permitted use, the applicant shall maintain and keep in effect valid licensing approval from the State Department of Alcoholic Beverage Control (ABC). Once obtained, the applicant is required to provide the Community Development Department with a copy of the most current ABC license. Should such licensing be denied, expire, or lapse at any time in the future, the approval of the microbrewery operations pursuant to this CUP is subject to modification or revocation.
7. A copy of the most current ABC license shall be kept on the premises of the establishment and be presented to City Staff, law enforcement officers, or any City-authorized representative upon request.
8. The microbrewery with tasting room shall comply with all development standards for alcoholic beverage manufacturing with tasting rooms, pursuant to *Footnote SS* in SHMC Section 20.20.020 entitled "Use classifications."

Multiple Parcels Under One Ownership

9. The approval of this CUP shall only be for property located at 2698 St. Louis Avenue (APN: 7212-015-059). Any expansion, including but not limited to, storage, seating, outdoor tasting area, special events, etc. on the adjacent parcel to the south (APN: 7212-015-058), would require an amendment of the CUP at a duly noticed Planning Commission public hearing.

Hours of Operation

10. Alcoholic beverage manufacturing activities shall only occur during the times below and shall not create any nuisances to surrounding businesses.
 - Monday from 6:00 AM to 11:00 AM;
 - Tuesday from 6:00 AM to 11:00 AM;
 - Wednesday from 6:00 AM to 11:00 AM;
 - Thursday from 6:00 AM to 11:00 AM;
 - Friday from 6:00 AM to 11:00 AM;
 - Saturday – No manufacturing activity;
 - Sunday – No manufacturing activity.

11. Tasting room operations shall only occur during the times below.
 - Monday – CLOSED;
 - Tuesday – CLOSED;
 - Wednesday from 12:00 PM to 9:00 PM;
 - Thursday from 12:00 PM to 9:00 PM;
 - Friday from 12:00 PM to 9:00 PM;
 - Saturday from 12:00 PM to 9:00 PM;
 - Sunday from 12:00 PM to 9:00 PM.
12. Alcoholic beverages shall not be sold to objectively intoxicated persons.
13. The size of the microbrewery tasting room shall be limited to 110 square-feet and both the size and location shall conform to the approved floor plan on file in the Community Development Department. If the tasting room is to be expanded in the future, the site plan must meet all off-street parking requirements as summarized in SHMC Section 20.70.030. If a substantial change to the floor plan is proposed, the Community Development Director shall have the discretion to present the changes to the Planning Commission as a CUP Amendment at a duly noticed public hearing.
14. Per the approved site plan, a total of five off-street parking stalls are proposed along E. 27th Street, which exceeds the required parking for the proposed use and floor plan by one parking space. Any modification to the approved floor plan or occupancy of the Unit B warehouse may require additional parking pursuant to SHMC Section 20.70.030.
15. Parking lot striping shall be clearly visible and must adhere to the approved plans on file. Parking stalls shall be configured in a safe and functional manner to the satisfaction of the City. Project plans shall be submitted to the City for review and approval, including a parking lot reconfiguration plan. Parking lot reconfiguration shall include addressing slope difference between single-parking stall immediately adjacent to the sidewalk on E. 27th Street.
16. Scheduled tours are allowed as an accessory use provided that the five off-street parking stalls can accommodate the guests.
17. Special events and indoor live entertainment (e.g., DJ's, live bands, etc.) are not permitted.
18. Should the City receive noise or other nuisance complaints on a continuous basis as determined by the City, the applicant shall work with staff to mitigate the complaints by all reasonable measures including, but not limited to, modifying the conditions of approval.
19. The maximum occupancy, as determined by provisions of the International Building Code or other applicable codes, shall be posted in public view within the

- premises and it shall be the responsibility of the business operator to ensure that the limit is not exceeded.
20. The area surrounding the microbrewery, including the parking lot and landscaping areas, shall be kept free of stored items, weeds, trash, and debris.
 21. Exterior safety lighting on the building shall be maintained in good working order and shall not be installed in a manner that creates nuisances for surrounding neighbors. The operator shall make a good faith effort to remedy the nuisances in a timely and reasonable manner. Operator shall further provide adequate lighting above the entrance to the premises sufficient in intensity to make visible the identity and actions of all persons entering and leaving the premises.
 22. Any graffiti painted or marked upon the premises or on an adjacent area under the control of the licensee shall be removed or painted over within 24 hours, unless any law in effect at that time imposes a shorter time period for eradication. Please refer to SHMC Section 9.56.140.
 23. The operator shall contract with a reputable pest control company to mitigate any pest-related nuisances on and around the site (e.g., rodents, mosquitoes, birds, and other wild animals). The operator shall make a good faith effort to mitigate pest nuisances within a reasonable time frame.
 24. The operator shall contract with a reputable maintenance company to adequately stripe the parking stalls and directional signage in the parking lot area consistent with the approved plans associated with the CUP. Any faint parking stalls or directional signage shall be re-coated in a timely manner. The parking lot cannot be re-striped in a manner that would reduce the number of parking spaces at the center. Parking lot improvements shall be completed prior to initiating business operations.
 25. “Private Property – No Loitering” signs shall be placed on the building, at the front of the store, and around the premises. The operator shall have a policy in place to actively enforce loitering on and around the premises and shall be the responsible party to eradicate any loitering activities.
 26. The operator shall notify the Signal Hill Police Department and Community Development Department of any change in the Business Manager position. The operator shall submit the full name, title, direct telephone number, and direct email address of the Business Manager, who can be contacted in case of an emergency, or if a complaint arises.
 27. Should the City receive nuisance complaints, the applicant shall work with staff to mitigate the complaints by all reasonable measures, including but not limited to, reducing the hours of operation, modifying the services offered, or (if deemed necessary by the Director of Community Development) paying the cost to have an acoustical study prepared to determine whether a violation of the City’s Noise

Ordinance exists, and by implementing all mitigation measures recommended by the study within 30 days if the study shows there are violations.

28. If, in the judgement of the Signal Hill Police Department Chief of Police or the Director of Community Development, criminal or nuisance behaviors become a problem at the project site to the detriment of neighboring business, residents, or land uses, the Chief of Police or the Director of Community Development may require the property owner to provide additional on-site security services or other measures as necessary to remedy the problem.
29. No advertising material or signs shall be painted, installed, erected, or displayed on the building exterior without first obtaining City approval.
30. No signs are permitted on the roof of the building. This includes temporary banner signs mounted on temporary or permanent supports, aerial signs, animated signs, and rotating signs.
31. Temporary banner signs are permitted on the building for a period not to exceed six (6) weeks in any calendar year with a permit from the Community Development Department subject to standards in SHMC Section 20.58.080 Temporary Signs.
32. The applicant shall meet all code requirements of the City of Signal Hill Municipal Code, the Los Angeles County Sanitation District, the Los Angeles County Health Department, and all other applicable agencies.
33. The applicant shall submit plans for review to the Los Angeles County Fire Department Plan Check Division and comply with all Current Los Angeles County Fire Department Code requirements.
34. The applicant shall meet all National Pollution Discharge Elimination System requirements.
35. The applicant shall submit for City review and approval, and obtain all necessary permits for any tenant improvements, including plumbing, mechanical, and electrical repairs.
36. No events of any kind shall be held in the parking lot or any outdoor area on the property, as to render parking space(s) and circulation drive aisles as non-functional.
37. The applicant shall provide public restrooms for business patrons, which should be maintained in a clean and first-class condition.
38. The applicant shall utilize EDCO Disposal for all refuse and recycling collection services. EDCO Disposal is the City's exclusive franchisee for these services. Dumpsters cannot occupy or obstruct access to required off-street parking.

39. The applicant shall be furnished with this list of conditions and shall sign an acknowledgment of the fact that should they default on the above conditions, the default shall constitute a violation of the permit and shall be cause for its revocation.

End of Conditions.