



# Memorandum Planning

November 4, 2015

To: Planning Commission  
From: Adam Atamian, Associate Planner   
Subject: Six Month Review - Poche Burger and Kitchen Conditional Use Permit  
15-014  
Copies: Jim Pechous, City Planner

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On February 18, 2015, the Planning Commission approved Conditional Use Permit (CUP) 15-014, to allow the Poche Burger and Kitchen Restaurant, located at 2727 Via Cascadita, Suite I, to sell and serve a full range of alcoholic beverages for indoor and outdoor on-site consumption. As part of that approval, the Planning Commission required that staff provide a review of the operations after six months of the commencement of full alcohol service.

Poche Burger and Kitchen received a type 47 license from the California Department of Alcoholic Beverage Control on March 17, 2015, and started alcohol sales and indoor service by March 22, 2015. In order to serve alcohol outdoors, the applicant was required to enclose the existing patio with fencing to contain the area where alcohol would be consumed. For financial reasons, the restaurant has not yet installed the required fencing to allow for the outdoor service of alcohol. The applicant is actively pursuing options to enclose the patio that are more economically viable for the restaurant. However, to date the restaurant has not allowed the service or consumption of alcohol on the patio, in order to comply with the requirements of the Conditional Use Permit.

As of October 2, 2015, no complaints regarding the sale and service of alcohol had been received by the City's Code Compliance division, the Orange County Sheriff's Department, or the Santa Ana branch of the Alcoholic Beverage Control Board. To the best of staff's knowledge, the applicant has maintained compliance with all of the conditions of approval placed on CUP 15-014 to date, and is maintaining the CUP in good standing.