

# KILLARNEY'S ROOFTOP DINING

HUNTINGTON BEACH CITY COUNCIL  
OCTOBER 19, 2021

Entitlement Plan Amendment No. 2021-001

## PROJECT SITE



Killarney's Restaurant  
209 Main Street  
District 1, Downtown  
Specific Plan  
Mixed Use area

### SUPPLEMENTAL COMMUNICATION

Meeting Date: 10/19/2021

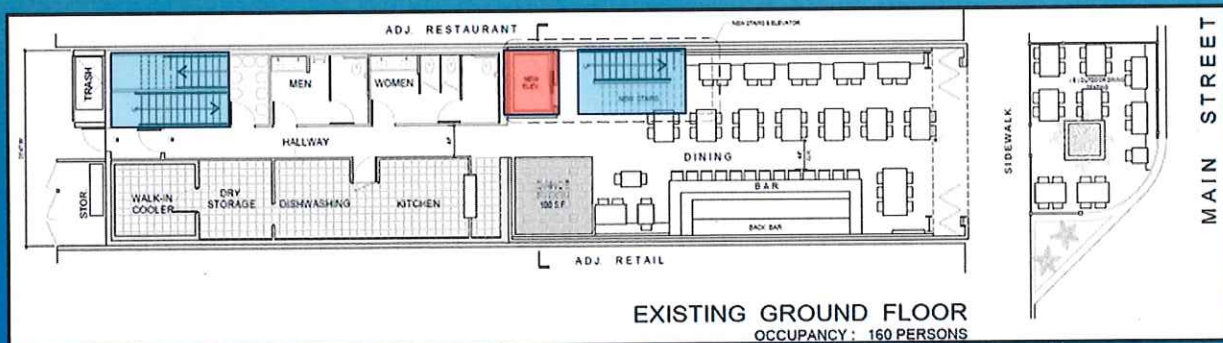
Agenda Item No.: 28(21-723)

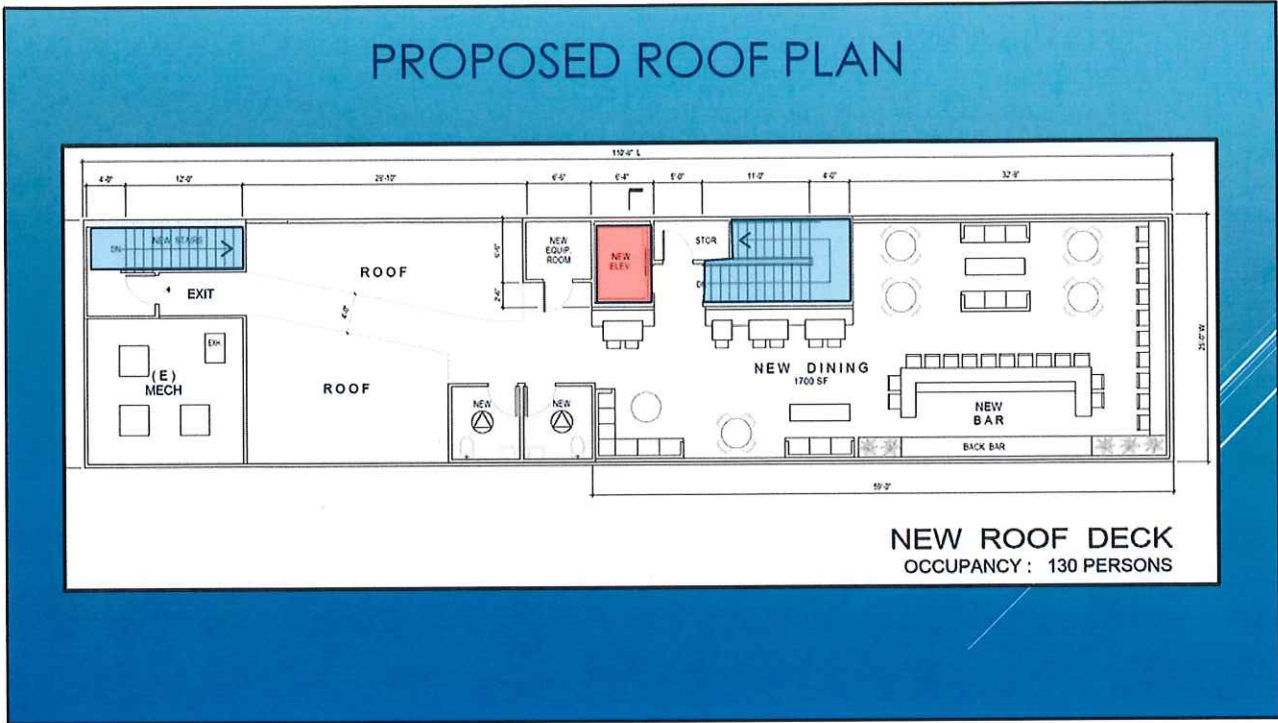
## PROJECT DESCRIPTION

### Entitlement Plan Amendment

- Amend CUP 99-21
  - Convert existing 1,936 sq. ft. rooftop to accessible outdoor dining area with alcohol sales and service (ABC Type 47 license)
  - Participate in Downtown Parking In-Lieu Fee Program
    - 16 parking spaces required for rooftop outdoor dining
  - Deviate from Resolution No. 2017-42
    - Preserve existing hours of operation for interior restaurant
    - Deviation from Standard Conditions

## EXISTING FLOOR PLAN





## DOWNTOWN RESOLUTION

CC Ad Hoc Downtown Image Committee

- Standard conditions for eating and drinking establishments with alcohol and/or live entertainment
- Resolution No. 2010-05
  - Applied to new requests or amendment requests
  - Hours of operation – limited to 12:00 Midnight
- Amendments
  - Resolution 2011-16
  - Resolution 2013-24
  - Resolution 2017-42**

## RESOLUTION 2017-42

- ZA or PC action on proposed deviations from standard conditions (previously only CC can approve deviations)
- Criteria when evaluating proposed deviations:
  - Operational and business characteristics,
  - Distance from residential,
  - Available on-site parking,
  - Presence of on-site security,
  - Established alcohol and noise controls,
  - Floor plan design, etc.

## IN LIEU FEE PROGRAM

- No physical space to add on-site parking
- Current fee for 16 parking spaces \$229,368
- Participation supports shared parking concept in Downtown area

## HOURS OF OPERATION

- Request to deviate from Resolution 2017-42 by preserving existing hours of operation:
  - Interior Restaurant: 8 AM to 2 AM Daily
  - Live Entertainment/Dancing: 11 AM to 1:30 AM Daily
  - Main Street Outdoor Dining: 11 AM to 10 PM Daily
- Establish Rooftop Outdoor Dining Hours
  - 9 AM to 12 Midnight Daily
- Staff supports preservation of existing hours
- Staff recommends approval of 12 Midnight for rooftop dining area
- All other Standard Conditions in suggested conditions of approval

## APPEAL

- September 14, 2021: Planning Commission approved request
- Establish Rooftop Outdoor Dining Hours
  - 9 AM to 12 Midnight Daily 10 PM Daily
- September 23, 2021: Councilmember Posey appealed PC decision
  - Condition No. 2 (a): 10 PM Close
- Staff recommends approval of 12 Midnight for rooftop dining area

## ANALYSIS

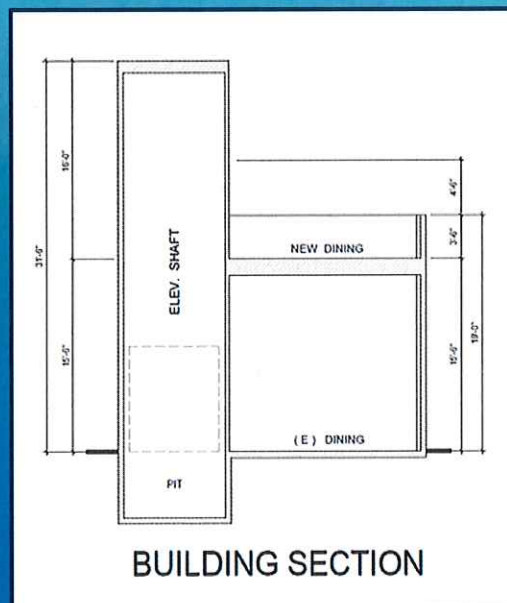
- Unique design as adaptive reuse
- Provide new ocean-view outdoor dining
- Enhance attraction of residents and visitors to Main Street
- Payment of In-Lieu Parking fees consistent with similar Downtown business projects
  - Fund current and future programs
- Deviation to preserve existing business operating hours encourages reinvestment and fosters economic activity
- Rooftop dining hours of operation consistent with Resolution

## RECOMMENDATION

- Approve EPA 21-001 with Suggested Findings and Conditions of Approval

- **2<sup>nd</sup> Floor** – 126 Main Street
  - No current hours restriction
- **Aloha Grill** – 221 Main Street Suite F
  - No current hours restriction
- **HB Beer Company** – 201 Main Street Suite E
  - Patio dining and alcohol until 9 PM Daily per CUP
- **Fred's** – 300 PCH Suite 201
  - Patio dining and alcohol until 1 AM Daily per ABC license
- **Hurricanes** – 200 Main Street Suite 201
  - No current hours restriction
- **Gallagher's** – 300 PCH Suite 113 (Ground floor patio)
  - Patio has same hours as restaurant per CUP (2 AM)
- **Coach's Grill** – 200 Main Street Suite 105 (Ground floor patio)
  - Patio dining and alcohol until 12 AM Daily per CUP

## SECTION DRAWING



## 209 MAIN STREET ENTITLEMENT HISTORY

- CUP 99-21 and CDP 99-12 *(Subject EPA would modify)*
  - Façade improvements
  - 550 sq. ft. addition
  - Establish outdoor dining with alcohol sales in public ROW
  - In Lieu Parking for 4 spaces
- EPA 00-11 *(To modify CUP 99-21/CDP 99-12)*
  - Establish live entertainment
  - Occupy 2,530 sq. ft. roof deck for dining and alcohol sales
  - In Lieu Parking for 17 spaces
  - PC Approval appealed to City Council
  - CC approved with modified conditions

*\*Entitlement and permits expired 2004; not implemented*
- CUP 03-09
  - Approved 100 sq. ft. dance floor
  - Approved request for live entertainment and hours as exists today
    - Entertainment Permit annual renewal

## IN-LIEU PARKING PROGRAM

- 1993: PC approves Downtown Parking Master Plan
  - In-Lieu parking program established
  - Shared parking concept, 1:1 ratio applied
  - Property owners unable to meet on-site parking
- 1995: Program expanded
  - Fee adjusted annually based on Consumer Price Index
  - Option to pay over 15-year term
- 2009: Downtown Specific Plan Update process
- 2010: Fee increased, interest established
  - Allowed use of fees expanded from physical spaces
    - Include design cost and utilizations strategies



## IN-LIEU PARKING PROGRAM

- Generally: Fees in separate account, not General Fund
  - Use is specified by Resolution
- Past/Current/Future Uses:
  - Downtown Shuttle Program
  - Downtown Bike Valet Program
  - 1<sup>st</sup> Street at Atlanta Parking Lot
  - Downtown Restriping Program
  - Private/Public Partnerships
  - Parking Wayfinding Signage
  - Parking Information and Guidance System