

Janette Trotter Ditkowski, Freeway Industrial Park, 18092 Stratford Circle, Villa Park CA 92861

STATEMENT OF ISSUE:

1. Is the project proposal consistent with the City of Huntington Beach land use regulations (i.e., General Plan land use designation, Zoning Map and Zoning Code including any specific plans and overlay districts where applicable)?
2. Does the project proposal satisfy all the findings required for approving a Conditional Use Permit?
3. Has the appropriate level of environmental analysis been determined?

RECOMMENDATION:

That the Planning Commission take the following actions:

- A) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 - Existing Facilities; and
- B) Approve Conditional Use Permit No. 20-005 with findings and conditions of approval (Attachment No. 1)

ALTERNATIVE ACTION(S):

- A) Do not make the suggested findings, which will result in a mandatory denial per Section 241.10 (c) of the Zoning Code.
- B) Continue Conditional Use Permit No. 20-005 and direct staff accordingly.

PROJECT PROPOSAL:

The proposed project is a request to establish a commercial recreation and entertainment use within a 5,500 sq. ft. commercial tenant space that includes on-site food and alcohol sales with a Type 41 (beer and wine) Alcoholic Beverage Control (ABC) alcohol license. The subject conditional use permit contains two separate requests. First, a request to operate a commercial recreation and entertainment use within the Beach Edinger Corridors Specific Plan (SP14); and second, a request to permit alcoholic beverage sales and service (beer and wine only) under a Type 41 ABC license in conjunction with the commercial recreation and entertainment use.

Based upon the subject property's location within the Beach Edinger Corridor Specific Plan (SP14), the proposed use is classified as a Commercial Recreation and Entertainment Use. Recreation and Entertainment Uses are defined by SP14 as "establishments providing resources or activities for exercise, relaxation, or enjoyment", and include uses such as small scale movie theaters, bowling centers, billiard parlors, health & exercise clubs, and amusement arcades. Pursuant to Section 2.2 Building Use Regulations of SP14, uses listed as conditional are defined as those which require special consideration either of their impacts on the neighborhood and land uses in the vicinity and/or of their physical organization and design. Further, a conditional use shall be considered for approval if the proposed use conforms to all requirements specified in the conditional use policy, and if it conforms to the goals and vision of the Plan. Within the Town Center Boulevard Segment, Commercial Recreation and Entertainment uses are subject to approval by the Zoning Administrator.

However, since the proposed project also includes a request for an ABC alcohol license, the conditional use permit request is subject to the review and consideration by the Planning Commission, pursuant to Section 2.0.5 (1) of SP14.

Operation

Hatchets are handled blades of a certain size, shape, and weight that are ideal for individual handling and throwing. Customers of the proposed business would, after a mandatory individual or group safety training session, be enabled to throw a hatchet against a wood surface painted with targets, with the overall objective of hitting multiple successful bulls-eyes, similar to archery.

Each throwing pit is approximately 15 feet deep by 12 feet wide, and contains two throwing lanes. The pits are surrounded on three sides by a 10 ft. high fence that also separates the pits from the common areas and allows visual access by pit supervisors during use. The conceptual site plan and floor plan (Attachment No. 3) provides the proposed layout and details that are designed to provide a safe and efficient customer experience. Upon entering the business, customers would be received by the receptionist at the front desk to be registered for mandatory safety training before entering the pit areas. The applicant has prepared a guest experience flow chart (Attachment No. 4) to describe each procedure and demonstrate that there will be at least three points of contact between staff and customers before they are allowed to throw hatchets while in their assigned pit.

ISSUES AND ANALYSIS:

Subject Property And Surrounding General Plan Designations, Zoning And Land Uses:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	M-sp (Mixed Use - Specific Plan Overlay)	SP14 Beach Edinger Corridors Specific Plan (Town Center Boulevard Segment)	Commercial Shopping Center
North and West of Subject Property:	P (Public)	PS (Public - Semi-public)	Goldenwest College
East of Subject Property:	M-sp	SP14 - Town Center Boulevard Segment	Commercial
South of Subject Property:	M-sp	SP14 - Town Center Boulevard Segment	Luce Apartments

General Plan Conformance:

The General Plan Land Use Map designation on the subject property is M-sp (Mixed Use - Specific Plan Overlay). The proposed project is consistent with this designation and the goals, policies, and objectives of the City’s General Plan as follows:

Land Use Element

Goal LU-11: Commercial land uses provide goods and services to meet regional and local needs.

Policy LU-11 (A): Encourage a variety of commercial uses that cater to local and regional demand to create an environment that meets resident needs and increases the capture of sales tax revenues.

The request will expand the range of goods and services provided in the area by permitting the ancillary sale of alcohol in conjunction with a proposed commercial recreation and entertainment establishment in a safe manner for residents and customers from the surrounding area. This proposed establishment provides expanded goods and services to meet the needs of the area and will add to the capture of sales tax revenue. The proposed use is located in vacant suites within an existing commercial center and is located along an arterial street with adequate accessibility.

Zoning Compliance:

Commercial Recreation and Entertainment

The applicant proposes to establish a commercial recreation and entertainment business that consists of customers throwing hatchets within nine total managed spaces (referred to as pits) within an approximately 5,500 sq. ft. commercial tenant space. Five existing vacant tenant spaces would be consolidated to create the new business layout (Suites A-E).

The applicant proposes hours of operation consistent with similar commercial recreation and entertainment uses and restaurants within the surrounding commercial corridors:

PROPOSED BUSINESS HOURS OF OPERATION

DAY	HOURS
Monday - Wednesday	7:00 am - 10:00 pm
Thursday - Saturday	7:00 am - 12:00 am
Sunday	7:00 am - 8:00 pm

However, a function of the proposed business includes corporate and private parties, which may necessitate earlier opening hours. For this reason, staff is recommending a condition of approval with operational hours starting at 7:00 am, which would cover any potential private events and is consistent with the opening hour conditioned on previously approved businesses. The closing hours as proposed will meet operational needs and have been reviewed by the Police Department, who did not have concerns with the requested hours of operation.

Parking

The subject property is a commercial center with multiple tenant spaces and a large surface parking area with two vehicular access points from Edinger Avenue. The five subject tenant suites were previously occupied by retail and eating and drinking uses. Parking for the center was originally provided by the requirements of the Commercial General (CG) zoning designation, however, the subject property has since been designated as Town Center Boulevard Segment by SP14. As such, parking requirements are subject to the provisions of SP14 are summarized below.

Tenant	Address	Total Sq. Ft.	Parking Ratio	Parking Required
Glowzone	7227 Edinger Suites A-B	46,635	1:300 (Per CUP)	155
Retail (Vacant)	7227 Edinger Suite C	20,490	4/1000 (1:250)	82

Stumpy's Hatchet House	7225 Edinger Suites A-E	5,500	6/1000 (1:167)	33
LA Carpet	7225 Edinger Suite F	3,300	4/1000	13
7 Leaves	7225 Edinger Suites J-K	2,200	12/1000 (1:84)	26
Total Parking Required				309
Total Parking Provided				336 (27)

Based upon the requirements of SP14, a parking surplus of 27 spaces would exist on the property with the implementation of the proposed project. Further, in addition to one other commercial recreation and entertainment use onsite, the proposed commercial recreation and entertainment peak use hours would be nights and weekends, which would reduce the potential for parking conflicts with other uses onsite that have peak use hours during the daytime on weekdays.

Type 41 Alcohol License

The applicant is requesting approval of a Type 41 Alcoholic Beverage Control (ABC) license for the business operation. A Type 41 license authorizes the sale of beer and wine for consumption on or off the premises where sold, and distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). The operator must operate and maintain the licensed premises as a bona fide eating place, maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

The Police Department worked closely with the applicant and has determined that a Type 41 ABC license is appropriate for the business operation as proposed. The Police Department reviewed the characteristics of the business and operation, and suggested several conditions of approval to ensure that the business operates in a manner that is consistent with ABC procedures and provides customers sufficient and substantial food items in conjunction with the consumption of alcoholic beverages. Further, the Police Department recommends several conditions of approval concerning safety, including one such condition of approval that would prevent a customer from accessing a throwing pit if he or she exhibits any signs of intoxication. With the suggested conditions of approval, the Police Department supports the subject requests.

Environmental Status:

The proposed project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 - *Existing Facilities* of the CEQA Guidelines which states that operation and minor alteration to existing structures involving negligible or no expansion are exempt from further environmental review.

Other Departments Concerns and Requirements:

The Departments of Community Development, Police, and Fire reviewed the application and identified applicable code requirements. Further, the Police Department is recommending adoption of conditions of approval to ensure the safe operation of the business with alcohol sales and service. These requirements were submitted to the applicant, and are attached for informational purposes only (Attachment No. 5).

Public Notification:

Legal notice was published in the Huntington Beach Wave on October 29, 2020, and notices were

sent to property owners of record and tenants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Division's Notification Matrix), applicant, and interested parties. As of November 4, 2020, staff has not received any inquiries or comments regarding the project.

Application Processing Dates:

DATE OF COMPLETE APPLICATION: MANDATORY PROCESSING DATE(S):
March 11, 2020 *Suspended

*Although the application was deemed complete in March, the subject request was not ready for a public hearing due to regulatory issues surrounding the original proposal. Further, the Governor issued Executive Order N-52-20 on March 4, 2020 announcing that, in response to the proclamation of a State of Emergency, the time limits set forth in the Permit Streamlining Act were temporarily suspended. During that time, the applicant worked with the Community Development and Police Departments, and the Alcoholic Beverage Control agency to develop the proposed project's suitable operation.

SUMMARY:

Staff recommends that the Planning Commission take the following actions:

- A) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301.
- B) Approve Conditional Use Permit No. 20-005 with suggested findings and conditions of approval (Attachment No.1)

This recommendation is based on the following:

- Use is consistent with the General Plan, Huntington Beach Zoning and Subdivision Ordinance (HBZSO), and Beach Edinger Corridors Specific Plan (SP14);
- Proposed project provides an additional modern and locally owned and operated business that expands recreational opportunities to the surrounding uses;
- No impacts are anticipated to the surrounding properties;
- The project will provide adequate parking; and
- The services associated with the proposed business will bring the property will further the vision and viability of the Town Center Boulevard Segment of SP14.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval
2. Stumpy's Hatchet House Narrative
3. Conceptual Site and Floor Plan Received and Dated October 19, 2020
4. Stumpy's Guest Experience Flowchart
5. Code Requirements Letter dated October 2, 2020 (for informational purposes only)