



City of Huntington Beach Planning and Building Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Jill Arabe, Assistant Planner 
DATE: June 14, 2011

SUBJECT: CONDITIONAL USE PERMIT NO. 11-011 (BT'S SOUTHERN BBQ RESTAURANT ALCOHOL SALES)

**APPLICANT/
BUSINESS**

OWNER: David Block, 9862 Lapworth Circle, Huntington Beach, CA 92646

PROPERTY

OWNER: Youssef Ibrahim, The Frank M. Doyle Foundation, P.O. Box 3131, Huntington Beach, CA 92605

LOCATION: 7144 Edinger Avenue, 92646 (southeast corner of Edinger Ave. & Goldenwest St.)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

The proposed project is a request to permit the sales and service of alcoholic beverages (beer and wine) for on-site consumption within a 1,200 sq. ft. eating and drinking establishment. The use with 12 or more seats was established by Conditional Use Permit No. 96-7, which is still valid. The new business owner will continue to operate and maintain the use as a family oriented establishment.

The hours of operation for the use are between 11:00 AM and 9:00 PM on the weekdays and between 11:00 AM and 10:00 PM on the weekends. The use is within an existing commercial shopping center, which includes retail, eating and drinking establishments, and offices.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	M-sp-d (Mixed use – specific plan – design overlay)	SP-14-FP2 (Beach & Edinger Corridors Specific Plan – Floodplain 2)	Commercial
North of Subject Property (across Edinger Ave):	P(CG-F1) (Public(Commercial General – 0.35 FAR))	PS (Public-Semipublic)	Goldenwest College
East of Subject Property:	M-sp-d	SP-14-FP2	Commercial
South of Subject Property:	RL-7 (Residential Low Density – 7du/acre)	RL-FP2 (Residential Low Density – Floodplain 2)	Residential
West of Subject Property (across Goldenwest St):	M-sp-d	SP-14	Commercial

The City approved Use Permit No. 76-52 for the construction of approximately 180,000 sq. ft. shopping center with 877 parking spaces. In 1996, an eating & drinking establishment was approved within the 1,200 sq. ft. subject suite in conjunction with a reduced parking ratio for the shopping center.

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:

MANDATORY PROCESSING DATE(S):

May 12, 2011

July 11, 2011

Conditional Use Permit No. 11-011 was filed on April 12, 2011 and deemed complete on May 12, 2011. The application is tentatively scheduled for a public hearing before the Planning Commission on June 24, 2011.

CEQA ANALYSIS/REVIEW

The proposed project is Categorically Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act, which states that minor alterations to existing or approved structures are exempt from further environmental review.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The Departments of Planning and Building, and Police have reviewed the application and identified applicable code requirements (Attachment No. 4).

PUBLIC MEETINGS, COMMENTS AND CONCERNS

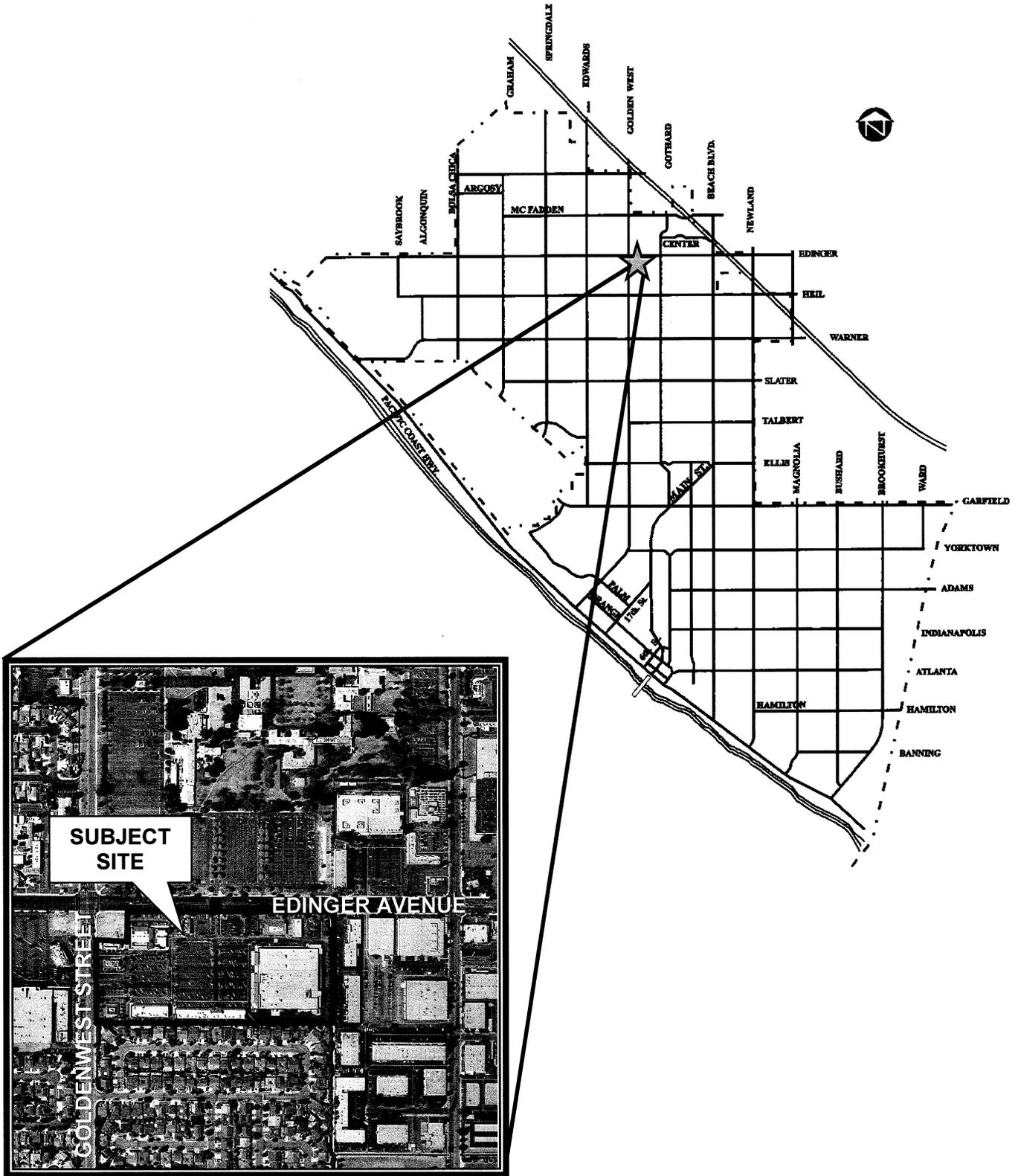
There have been no public meetings regarding this request. To date, there have been no comments from the public regarding this request.

PLANNING ISSUES

The primary issue identified with the eating and drinking establishment is related to land use compatibility of the sale of alcoholic beverages. In general, the proposed use is consistent with scope and intent of the development in commercial zones supported by the General Plan. In addition, suggested conditions of approval are recommended.

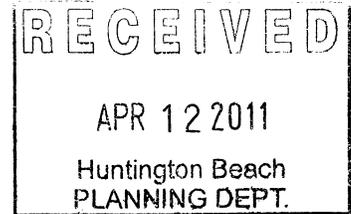
ATTACHMENTS:

1. Vicinity Map
2. Site Plan and Floor Plan received and dated April 12, 2011
3. Project Narrative received and dated April 12, 2011
4. Code Requirements Letter dated June 2, 2011



VICINITY MAP
 CONDITIONAL USE PERMIT NO. 11-011
 (BT'S SOUTHERN BBQ – 7144 EDINGER AVENUE)

City of Huntington Beach
Planning Department
2000 Main Street
Huntington Beach, CA 92646



RE: BT's Southern BBQ, LLC
Conditional Use Permit
Application for Beer and Wine
7144 Edinger Ave
Huntington Beach, CA 92647

To whom it may concern,

On Behalf of BT's Southern BBQ, we are pleased to provide for your review and approval, an application for a Conditional Use Permit to serve Beer and Wine at 7144 Edinger Avenue. This existing space, located within the shopping center at the southeast corner of Edinger and Goldenwest Avenue, was previously a restaurant. This space already has an existing Conditional Use Permit for restaurant use.

Over the last two years we have operated our business as a mobile catering company serving high quality BBQ at local events, fairs and private parties. We have served our famous Bar-B-Que at events such as the Irvine Lake Mud Run benefitting OC Boys and Girls clubs and Gavin's Groupies, OC Brew Ha-Ha benefitting Fallen Firefighters and OC Blues Fest benefitting OC Boys and Girls clubs. Without fail at every event there was one question we were guaranteed to hear; "Where is your restaurant?" We continued to perfect our craft while searching for the right location to fulfill a childhood dream. After a year and a half of searching, we believe we found the perfect location. It just so happens to be located in my home town of Huntington Beach.

The vision of BT's is a small, family BBQ joint. Nothing fancy, just the best BBQ around. This is a place where the family can come in after soccer, little league or a high school football games and sit down to their favorite food having an inviting backyard BBQ feel. An important part of our dining experience is having the ability to serve high quality beer and wine with the BBQ meals.

Operationally, we will have approximately 5-7 employees and will be open at 11 am and will close at 9 pm during the week and 10 pm on weekends.

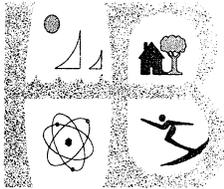
Our intent is to become an important part of the community by sponsoring local leagues and community events as well as our chosen charity Susan G Komen for the Cure in honor of my maternal Grandmother, and also my Aunt Kathy and Aunt Helen. I have lived in Huntington Beach since 1997 and have seen lots of changes over the years. I am very excited about all the renovations that are happening on the Edinger corridor and see this restaurant as an excellent opportunity to be part of that progress.

Thank you for taking the time to review our application for a Conditional Use Permit for
BT's Southern BBQ on Edinger

Sincerely

A handwritten signature in black ink, appearing to be "Dave Block" and "Brad Taylor", written over a horizontal line. The signature is stylized and extends to the right.

Dave Block
Brad Taylor
BT's Southern BBQ, LLC



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division

714.536.5271

Building Division

714.536.5241

June 2, 2011

David Block
9862 Lapworth Circle
Huntington Beach, CA 92646

**SUBJECT: CONDITIONAL USE PERMIT NO. 2011-011 (BT'S SOUTHERN BBQ ALCOHOL SALES) – 7144 EDINGER AVENUE
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

Dear Applicant,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission. Please note that if the design of your project or site conditions change, the list may also change.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at jarabe@surfcity-hb.org or (714) 374-5357 and/or the respective source department (contact person below).

Sincerely,

JILL ARABE
Assistant Planner

Enclosure

cc: Kevin Kesler, Police Dept.—(714) 536-5994
Herb Fauland, Planning Manager
The Frank M. Doyle Foundation, Property Owner
Project File



CITY OF HUNTINGTON BEACH

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JUNE 2, 2011

PROJECT NAME: BT'S SOUTHERN BBQ RESTAURANT

ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 11-011

PROJECT LOCATION: 7144 EDINGER AVE., 92647 (SOUTHEAST CORNER OF EDINGER AVE. AND GOLDENWEST ST.)

PROJECT PLANNER: JILL ARABE, ASSISTANT PLANNER

PLAN REVIEWER: KEVIN KESLER, DETECTIVE-VICE UNIT

PROJECT DESCRIPTION: TO PERMIT THE ESTABLISHMENT OF A 1,200 SQ. FT. RESTAURANT WITH ALCOHOL SALES AND SERVICE.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated April 12, 2011. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

The proposed modification alters the business design and function from a retail space to a full service restaurant with alcohol sales. The Police Department does not believe the modification will significantly affect the business activity or increase the potential for public nuisances, as the locations primary emphasis will be operating as a full service restaurant.

In order to prevent the location from operating as a night club or public premise, and to reduce the potential for noise concerns to the surrounding community, the Police Department recommends the following conditions be added to the new Conditional Use Permit.

1. To ensure the location maintains a restaurant atmosphere, food service from the regular menu shall be available from the time the business opens to the public, until at least 60 minutes prior to the scheduled closing time.
2. All alcoholic beverages shall remain within the interior of the restaurant and bar. Service of alcoholic beverages for consumption off-site will not be permitted.
3. In order to reduce noise disturbances to the residential community located less than 100 feet from the south end of the building, all exterior doors will remain closed during business hours. The said door shall not consist solely of a ventilated or security screen door.

ATTACHMENT NO. 4.2

4. All areas where the sales, service, and consumption of alcoholic beverages will be permitted must be sufficiently illuminated to permit the identification of patrons.
5. Dancing and entertainment shall be prohibited.



HUNTINGTON BEACH PLANNING DIVISION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: MAY 20, 2011
PROJECT NAME: BT'S SOUTHERN BBQ RESTAURANT ALCOHOL SALES
PLANNING APPLICATION NO. 2011-0056
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 11-011
DATE OF PLANS: APRIL 12, 2011
PROJECT LOCATION: 7144 EDINGER AVE., 92647 (SOUTHEAST CORNER OF EDINGER AVE. AND GOLDENWEST ST.)
PLAN REVIEWER: JILL ARABE, ASSISTANT PLANNER
TELEPHONE/E-MAIL: (714) 374-5357 / JARABE@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO PERMIT THE SALES AND SERVICE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION WITHIN A 1,200 SQ. FT. EATING & DRINKING ESTABLISHMENT.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided should final project approval be received. If you have any questions regarding these requirements, please contact the Plan Reviewer.

CONDITIONAL USE PERMIT NO. 11-011:

1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design.
2. Prior to issuance of building permits, the Beach and Edinger Corridors Specific Plan fee shall be paid for remodels in the Beach and Edinger Corridors Specific Plan (SP-14) area. (**Resolution No. 2010-80**)
3. The structure(s) cannot be occupied until a Certificate of Occupancy is approved and issued by the Planning & Building Department. (**HBMC 17.04.036**)
4. The use shall comply with the following:

- a. Outdoor storage and display of merchandise, materials, or equipment, including display of merchandise, materials, and equipment for customer pick-up, shall be subject to approval of Conditional Use Permit. **(HBZSO Section 230.74)**
5. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning & Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18. **(HBZSO Section 241.18)**
6. Conditional Use Permit No. 11-011 shall not become effective until the appeal period following the approval of the entitlement has elapsed. **(HBZSO Section 241.14)**
7. The Planning Commission reserves the right to revoke Conditional Use Permit No. 11-011 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs. **(HBZSO Section 241.16.D)**
8. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein. **(City Charter, Article V)**
9. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
10. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption/Determination at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's approval of entitlements. **(California Code Section 15094)**
11. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning & Building Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs. **(HBZSO Chapter 233)**
12. Live entertainment and/or outdoor dining in excess of 400 sq. ft. shall not be permitted unless a conditional use permit for this specific use is reviewed and approved. Outdoor dining occupying less than 400 sq. ft. is subject to Neighborhood Notification and approval by the Director of Planning. **(HBZSO Section 211.04)**