



City of Huntington Beach Planning Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Rami Talleh, Senior Planner *R*
DATE: February 10, 2009
SUBJECT: **REVOCAION OF CONDITIONAL USE PERMIT NO. 06-020/ ENTITLEMENT PLAN AMENDMENT NO. 06-008 (BLACK BULL CHOP HOUSE)**
APPLICANT: Michael C. Adams, P.O. Box 382, Huntington Beach, CA 92648
BUSINESS OWNER: Cesar Pena, 300 Pacific Coast Highway, Ste. 112, Huntington Beach, CA 92648
PROPERTY OWNER: Joe Diachendt, 300 Pacific Coast Highway, Ste. 119, Huntington Beach, CA 92648
LOCATION: 300 Pacific Coast Highway, # 112 (south side of Walnut Avenue, between Main St. and Third St.)

On November 12, 2008, the Planning Commission heard the six month review for Conditional Use Permit (CUP) No. 06-020/ Entitlement Plan Amendment (EPA) No. 06-008 (Black Bull Chop House) and directed staff to schedule the item for a revocation hearing. In addition to the impending revocation hearing before the Planning Commission, the Police Department revoked the Black Bull Chophouse's entertainment permit late last year.

Subsequent to the Planning Commission's six month review of the CUP/EPA, the business owner, Police Department, and City Attorney's office have agreed to settle the revocation of the restaurant's entertainment permit. All the parties have agreed in concept to the settlement agreement; however the agreement is not final until the documents are signed by the Police Department and business owner. The settlement includes a "last chance" or conditional entertainment permit which sets forth a "four strikes" provision. The provision states that upon a fourth violation of the entertainment permit, the permit will be revoked with no option for appeal. The settlement is consistent with other enforcement action in the downtown area.

The revocation of the Black Bull Chophouse's CUP and EPA is scheduled for the February 24, 2009 Planning Commission meeting.