



# City of Orange

## Legislation Details (With Text)

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**Title:** Public Hearing: Conditional Use Permit No. 3156-22, Sauced BBQ and Spirits Axe Throwing, 1535 West Katella Avenue.

NOTE: Applicant has requested Item 5.1 be continued to the November 7, 2022, Planning Commission Meeting.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Attachment 1 Planning Commission Resolution No. 25-22, 3. Attachment 2 Vicinity Map, 4. Attachment 3 Axe Coach Guide, 5. Attachment 4 Letter of Explanation, 6. Attachment 5 Plans, 7. Attachment 6 Letter of Surrender for CUP No. 2959-14

Date	Ver.	Action By	Action	Result
10/3/2022	1	Planning Commission	Continued	Pass

**TO:** Chair and Members of the Planning Commission

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Tiffany Chhan, Assistant Planner

### 1. SUBJECT

**Public Hearing:** Conditional Use Permit No. 3156-22, Sauced BBQ and Spirits Axe Throwing, 1535 West Katella Avenue.

NOTE: Applicant has requested Item 5.1 be continued to the November 7, 2022, Planning Commission Meeting.

### 2. SUMMARY

The applicant proposes to allow a commercial recreational facility use for axe throwing within an existing full-service restaurant.

### 3. RECOMMENDED ACTION

Adopt Planning Commission Resolution No. 25-22 entitled:

A Resolution of the Planning Commission of the City of Orange approving Conditional Use Permit No. 3156-22 for an accessory 596 square foot commercial recreational facility use, axe throwing, in association with the operation of a 7,681 square foot full-service restaurant located at 1535 West

Katella Avenue.

#### 4. AUTHORIZING GUIDELINES

Orange Municipal Code (OMC) Section 17.10.030.C and 17.13.030.C authorizes the Planning Commission to review and take action on Conditional Use Permits for commercial recreational facilities.

#### 5. PROJECT BACKGROUND

<i>Applicant:</i>	Sauced BBQ and Spirits Orange LP
<i>Property Owner</i>	Stadium Promenade LLC
<i>Property Location</i>	1535 West Katella Avenue
<i>Existing General Plan Land Use Element Designation</i>	Urban Mixed Use (UMIX)
<i>Existing Zoning Classification</i>	Urban Mixed Use (UMU)
<i>Old Towne</i>	N/A
<i>Specific Plan/PC</i>	N/A
<i>Site Size</i>	25.5 acre site
<i>Circulation</i>	The building is a standalone outbuilding located in the Stadium Promenade center and is accessed via Katella Avenue, which is considered a Smart Street and Main Street, which is a Primary Arterial.
<i>Existing Conditions</i>	The existing restaurant is part of the larger Stadium Promenade center. The restaurant occupies 7,681 square feet of tenant space with a 1,932 square foot patio, and uses existing on-site parking facilities, which are shared by all the tenants at the center.
<i>Surrounding Land Uses and Zoning</i>	Development surrounding the Stadium Promenade center is comprised of a mix of commercial and industrial uses with UMU zoning district designations.
<i>Previous Applications/Entitlements</i>	On April 13, 1989, the Zoning Administrator approved CUP No. 1753-89 to allow an Alcoholic Beverage Control (ABC) License Type 41 on-sale license of beer and wine. On July 19, 1999, the Planning Commission approved CUP No. 2295-99 to allow an ABC License Type 47 (On-sale General for Bona Fide Public Eating Place). On March 16, 2015, the Planning Commission approved CUP No. 2959-14 to allow live entertainment in association with an existing restaurant with accessory alcohol sales.

#### 6. PROJECT DESCRIPTION

The applicant, Sauced BBQ and Spirits, has been operating at this location since 2020 serving alcohol for on-site consumption in conjunction with a bona fide restaurant. The applicant is requesting to have the opportunity to incorporate an accessory commercial recreational facility into their floor plan and to offer a unique environment to customers. The commercial recreational facility would allow for customers to participate in recreational axe throwing in conjunction with a meal and consumption of alcoholic beverages. The axe throwing cages are located within the confines of the existing restaurant and take up approximately 596 square feet of the existing 7,681 square foot building. The applicant offers similar commercial recreation services at their other restaurant locations in the state. Axe throwing offers this restaurant a way to stand out among other restaurants at the Stadium Promenade and creates a distinct atmosphere for customers.

## **7. ANALYSIS AND STATEMENT OF THE ISSUES**

### Issue 1: Compatibility with Surrounding Development

The existing restaurant is located within the Stadium Promenade, a large retail center located within the Katella Avenue Corridor Land Use Focus Area, as identified within the City's General Plan. The Stadium Promenade consists of multiple restaurants and a large movie theater. This focus area functions as a solid commercial district for the City and can support high density mixed use developments. Due to its proximity to surrounding regional attractions, the area provides a large variety of retail and recreational uses. The applicant's request to incorporate an accessory commercial recreation facility supports the UMU zoning district and the Katella Avenue Corridor Focus Area by encouraging expanded entertainment uses.

### Issue 2: Operation and Safety

Generally, customers who partake in the axe throwing activity do so in a group setting. Groups are between four and 12 participants and an axe throwing session can typically last between one and two hours. The group is seated at a table adjacent to the axe throwing cages and an axe throwing lane coach is assigned to participants. The coach will review how to throw an axe and go through safety protocols. Axe throwing lane coaches are trained by the restaurant and a guide for coaches is provided as Attachment 3 to this report. The axe throwing area is divided into five separate lanes which will contain at maximum one participant per lane. While the axe throwing lanes are in use, the rest of the party will wait for their turn at their table where customers are able to eat and drink. Participants who do not follow safety protocols are asked by management to leave. The applicant states that the operator has never had any incidents or any calls for service in relation to their axe throwing facilities at any of their three restaurant locations.

### Issue 3: Issued Conditional Use Permits

Over the years, this location has been the home of various restaurants with different focuses and themes. As part of the changes in ownership, the site has amassed three CUPs (CUP No. 1753-89, CUP No. 2295-99, and CUP No. 2959-14.) Since all the CUPs are active, staff has suggested the applicant review the previous CUPs and allow staff to consolidate Conditions of Approval from the previous CUPs into the current CUP request. This is in an effort to ensure clarity for future operations. As part of this consolidation, the applicant has requested to surrender CUP No. 2959-14, which allowed for live entertainment. Surrendering CUP No. 2959-14 would allow them to fully operate their commercial recreation facility since the location of the live entertainment use would take

place where the axe throwing cages are to be located. A letter requesting the CUP surrender from the applicant and ownership is attached to this report (Attachment 6).

## 8. PUBLIC NOTICE

On September 23, 2022, the City sent a Public Hearing Notice to a total of 68 property owners/tenants within a 400-foot radius of the project site and persons specifically requesting notice. The project site has been posted in three locations with the notification on that same date.

## 9. ENVIRONMENTAL REVIEW

**Categorical Exemption:** The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1 - Existing Facilities) because the proposal consists of the operation and permitting of commercial recreational activity within an existing restaurant building and includes no expansion of the existing use. No public review is required.

No public comments have been received.

## 10. ADVISORY BOARD ACTION

### **Staff Review Committee:**

The Staff Review Committee reviewed the project on February 23, 2022 and recommended approval to the Planning Commission.

## 11. ATTACHMENTS

- Attachment 1 Planning Commission Resolution No. 25-22
- Attachment 2 Vicinity Map
- Attachment 3 Axe Coach Guide
- Attachment 4 Letter of Explanation
- Attachment 5 Plans
- Attachment 6 Letter of Surrender for CUP No. 2959-14