



City of Costa Mesa

Inter Office Memorandum

TO: CITY COUNCIL, PLANNING COMMISSION
CC: TOM HATCH, JAY TREVINO, AND PEGGY SCHNEBLE
FROM: WILLA BOUWENS-KILLEEN, ZONING ADMINISTRATOR
DATE: FEBRUARY 9, 2017
SUBJECT: ZONING ADMINISTRATOR DECISION(S)

WKB

This is to advise you of the following decision(s) made by the Zoning Administrator within the last week. Project descriptions have been kept brief for this notice. Please feel free to contact me by e-mail at willa.bouwens-killeen@costamesaca.gov if you have any questions or would like further details.

ZA-16-43 **2957 RANDOLPH AVENUE (BARLEY FORGE)**

Third amendment of Conditional Use Permit PA-13-18, requesting Condition number 1 be amended to allow expanded menu options and to expand the kitchen area and to allow outdoor grilling per requirements of the Orange County Health Department.

Approved, subject to conditions of approval.

Comments received: None.



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628 - 1200

DEVELOPMENT SERVICES DEPARTMENT

February 9, 2017

Marice White
3609 W. MacArthur Boulevard #812
Santa Ana, CA 92704

**RE: ZONING APPLICATION ZA-16-43 (PA-13-18 A3)
THIRD AMENDMENT TO CONDITIONAL USE PERMIT PA-13-18 TO ALLOW
EXPANDED MENU OPTIONS AND OUTDOOR GRILLING FOR AN EXISTING
10,000-SQUARE FOOT MICROBREWERY (BARLEY FORGE).
2957 RANDOLPH AVE, COSTA MESA**

Dear Ms. White:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved, based on the findings and subject to the conditions of approval and code requirements (attached). The decision will become final at 5:00 p.m. on February 16, 2017, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Ryan Loomis, at 714.754.5608, or via email at ryan.loomis@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

- Attachments:
1. Background
 2. Project Description
 3. Analysis
 4. General Plan Conformance
 5. Environmental Determination
 6. Findings
 7. Conditions of Approval, Code Requirements, and Special District Requirements
 8. Plans

cc: Engineering
 Fire Protection Analyst
 Building Safety Division

Alice Willer-Zelden
1000 Pacific Coast Highway, #7
Huntington Beach, CA 92648

BACKGROUND

Project Site/Environs

Barley Forge is an existing microbrewery located approximately midblock on the west side of Randolph Avenue between Baker Street and Bristol Street. The site contains an existing 19,600 square-foot industrial building with surface parking. The microbrewery is located in the rear 10,000-square foot portion of the building. As part of the small beer manufacturer, the floor plan includes an 890-square foot tasting room which is ancillary to the primary microbrewery use. The property shares a common driveway with 2967 Randolph Avenue to the north, which contains a one-story, 8,000 square-foot industrial building occupied by various industrial uses. A total of 45 on-site parking spaces are indicated on the site plan.

The property is zoned MG (General Industrial District) and has a General Plan land use designation of Light Industry. The property is located within the South Bristol Entertainment & Cultural Arts (SoBECA) Urban Plan; however, the requested change to allow an expanded menu option and outdoor grilling does not require master plan approval and does not activate any of the provisions in the urban plan.

Prior Land Use Approvals

Planning Application PA-13-18

On November 12, 2013, the Planning Commission approved PA-13-18, which includes the Conditional Use Permit to allow 10,000 square feet of the existing 19,600-square foot building located at 2957 Randolph Avenue to be used as a microbrewery. Breweries/distilleries are a conditionally permitted use in the General Industrial district. As part of the small beer manufacturer (Brewery), the floor plans include an 890-square foot tasting area. The tasting area is less than ten percent of the total tenant space and is considered ancillary to the primary use. No food service was originally provided and no outdoor activities were proposed. The ABC License (Type 23) for a small beer manufacturer allows sales of alcoholic beverages for both on-site consumption (tasting) and off-premise consumption. A finding of public necessity or convenience is not necessary for a type 23 license.

The original hours of operation were from 5:00 a.m. to 12:00 a.m., Sunday through Thursday, and 5:00 a.m. to 1:00 a.m., Friday and Saturday. During weekdays, the tasting room originally was scheduled to open at 5:00 p.m., and 11:00 a.m. on weekends. The hours of operation were determined to be compatible with the Commissary Lounge located across the street at 2960 Randolph Avenue which was approved to remain open until 2:00 a.m.

Planning Application PA-13-18 A1 (ZA-15-20)

On September 11, 2015, the Zoning Administrator approved an amendment to the existing conditional use permit (PA-13-18) to allow daily lunchtime hours for the tasting room:

USE	DAY	EXISTING HOURS	PROPOSED HOURS
Microbrewery	Daily	5:00 a.m. – 3:00 p.m.	No Change
Tasting Room	Monday – Thursday	5:00 p.m. – midnight	11:30 a.m. – midnight
	Friday	5:00 p.m. – 1:00 a.m.	11:30 a.m. – 1:00 a.m.
	Saturday	11:00 a.m. – 1:00 a.m.	No Change

Planning Application PA-13-18 A2 (ZA-16-13)

Zoning Application ZA-16-13 (PA-13-18-A2) was a second amendment to the existing conditional use permit to allow live entertainment. The live entertainment consists of live music acts for patrons visiting the tasting room. Typical acts include jazz and blues combos; acoustic and traditional musicians; duos/trios; and singer/songwriters. Many of these musical acts include amplified sound, however all music will occur indoors. The live entertainment is free of charge, and ceases by 11 p.m., daily.

PROJECT DESCRIPTION

Zoning Application ZA-16-13 (PA-13-18-A3) is the third amendment to the existing conditional use permit (CUP), which proposes to amend condition of approval number 1 to allow expanded menu options and outdoor grilling. Currently, condition number 1 allows a limited menu, including sandwiches, salads, charcuterie and cheese plates, and grilled paninis. To facilitate the expanded menu, the project also proposes to expand the kitchen within a space currently used for storage. An outdoor grill and BBQ are also proposed along the west portion of the building for grilling bratwurst, lamb burgers, pulled pork, and chili. All grilled food products are to be finished and plated within the kitchen per Orange County Health Department standards.

ANALYSIS

Parking

City Code requires that eating/drinking establishments be parked at a rate of 10 spaces per 1,000 square feet. Barley Forge is an existing microbrewery with tasting room, and requires 10 parking spaces for the subject tasting room and an additional five parking spaces for the brewing operations based on the number of employees, for a total demand of 15 parking spaces. Based on 18 parking spaces allocated to the subject tenant space, an adequate number of parking spaces has been provided to support the use. The expanded kitchen area is proposed for an area previously used for storage; however, no additional floor area will occur within the public serving area (tasting room). Because the

proposed use is ancillary to the brewery and tasting room, it will not increase the floor area nor the intensity of the use. Additional parking, therefore, is not required.

Noise

Noise impacts as a result of the expanded menu option is not anticipated. Barley Forge is located more than 200 feet from residentially zoned properties (R3) located north of the site (see map below). The property is located within an industrial area with numerous industrial buildings north of the site, which help attenuate any noise impacts occurring from the site.



Odor

Outdoor grilling is proposed along the west side of the building at the rear of the property. Odor and smoke impacts are likely to occur from the grilling of meats. No residentially zoned properties are located adjacent to the property, as the building is located in an industrial area. Barbecue smoke is can be noxious and the constant odor emanating from

the outdoor grill could potentially become a nuisance with neighboring businesses. A condition of approval will require the outdoor grilling to obtain the necessary South Coast Air Quality Management District (AQMD) approvals/permits, and a condition for removal of the outdoor grilling if City staff receives ongoing complaints from the odors. In addition, a condition of approval will require that the outdoor grilling does not affect parking or vehicle circulation.

Staff Justifications for Approval

Minor Conditional Use Permit

Code Section 13-29(g)(2) requires the following findings for conditional and minor conditional use permits:

1. The proposed use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.
2. Granting the minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.
3. Granting the minor conditional use permit will not allow a use, density, or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.

Pursuant to Title 13, Section 13-29(g)(2), Findings, of the Costa Mesa Municipal Code, the Planning Commission shall find that the evidence presented in the administrative record substantially meets specified findings. Staff recommends approval of the proposed project based on the following:

The proposed expanded menu options and outdoor grill for Barley Forge is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area. Barley Forge is already an existing brewery with a tasting room that serves limited menu options. The proposed expansion of the kitchen area, expanded menu, and outdoor grilling area does not increase the building square footage so there will be no impact on parking. Impacts on surrounding properties should be negligible because the brewery is located within an industrial area with numerous industrial buildings surrounding the site, and is separated by more than 200 feet from residentially zoned properties – the closest located north of the site (across Baker Street). The property is also located in the SoBECA Urban Plan, which is an area with a growing blend of eclectic uses, including breweries, artisan studios, small-business entrepreneurs, and unique food and beverage experiences; consequently, the existing brewery is encouraged by the SoBECA Area Plan.

Granting the minor conditional use permit to allow expanded menu option and outdoor grilling will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate

neighborhood. As discussed above, Barely Forge is located within an industrial area, and is more than 200 feet from residentially zoned properties. The expanded menu and outdoor grilling is not expected to create noise impacts. Odors and smoke from the outdoor grilling can be noxious, and is expected to emanate within the immediate area; however, these odors would be similar to odors that could emanate from any industrial use. A condition of approval will require the outdoor grilling to receive any applicable South Coast Air Quality Management District (AQMD) permits, and a condition for removal of the outdoor grilling if City staff receives ongoing complaints because of the odors.

Granting the minor conditional use permit to allow expanded menu option and outdoor grilling will not allow a use, density, or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property. The proposed use, as conditioned, is compatible with surrounding uses and uses promoted by the SoBECA Urban Plan. One of the objectives of the SoBECA Area Plan is to develop a full array of land use types and structures, including reuse of existing structures, to create an active city life and enhance business activities. The SoBECA Urban Plan is an area with a growing blend of eclectic uses, including breweries, artisan studios, small-business entrepreneurs, and unique food and beverage experiences; consequently, the existing brewery is encouraged by the SoBECA Area Plan.

The property is located within the LI (Light Industrial) land use and is more than 200 feet away from the closest residentially-zoned property which is across Baker Street to the north. The surrounding properties to the north, south, east (across Randolph Ave) and west are also within the LI land use. Surrounding uses include warehouses, night club, art gallery (DAX), and auto related uses. The existing brewery, as well as the tasting room, are permitted within the LI land use with the proper discretionary permits.

Compliance with the conditions of approval will allow this use to operate with minimal impact on surrounding properties and uses. The expanded uses, as conditioned, will not generate adverse noise, traffic, odor or parking impacts that are unusual for industrially-zoned properties.

The Police Department does not have any objection to the use. The Police Department has reviewed the proposed use and has no objections to the approval of the application. As of the date of this report, the City has not received any comments from the public regarding the proposed use.

No adverse parking impacts are anticipated. Barley Forge is an existing microbrewery. Because the request for expanded menu option does not increase the floor area or intensity of the use, additional parking is not required. In addition, a condition of approval will require that the outdoor grilling be located so it does not affect parking or vehicle circulation.

GENERAL PLAN CONFORMANCE

The proposed expansion of menu options at Barley Forge is permitted in the MG zone subject to the approval of an amendment to the existing conditional use permit. Subject to conditions, the proposed use is in conformance with the 2015-2035 General Plan. Specifically, the project complies with the following General Plan Land Use policies and objectives:

LU-1.1 Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.

Objective LU-6C: Retain and expand the City's diverse employment base, including office, retail/service, restaurants, high-tech, action sports, boutique and prototype manufacturing, and industrial businesses.

Policy LU-6.17: Engage in activities that promote Costa Mesa as a great place to live, work, and develop a business.

Barley Forge is an existing business within the SoBECA Urban Plan. One of the objectives of the SoBECA Area Plan is to develop a full array of land use types and structures, including reuse of existing structures, to create an active city life and enhance business activities. The SoBECA Urban Plan is an area with a growing blend of eclectic uses, including breweries, artisan studios, small-business entrepreneurs, and unique food and beverage experiences. The existing brewery is encouraged by the SoBECA Area Plan, and the ability to expand menu options will enhance the business and provide a unique food and beverage experience.

ENVIRONMENTAL DETERMINATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15301, Existing Facilities of the CEQA Guidelines.

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:

Finding: The proposed use is compatible and harmonious with uses on surrounding properties.

Facts in Support of Findings: As proposed and conditioned, the allowance for expanded menu options will not increase noise to the surrounding neighborhood and uses. Odors from grilling may occur; however is

conditioned to be removed if ongoing complaints occur from surrounding businesses.

Finding: Safety and compatibility of the design of the parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.

Facts in Support of Findings: The proposed use will not have any effect on the safety and compatibility of design at the subject site. The expanded menu option and kitchen will take place indoors and will be ancillary to the existing brewery and tasting room, so no increase in the intensity of the use is anticipated. The outdoor grilling is conditioned to remain outside parking and circulation areas.

Finding: The project, as conditioned, is consistent with the General Plan.

Facts in Support of Findings: The proposed use is permitted in the MG zone, subject to approval of a minor conditional use permit and is therefore consistent with the General Plan and Zoning Code. Specifically, the proposed use is consistent with Land Use objective and policies of the 2015-2035 General Plan, in that it will enhance and promote the operation of an existing established business, as well as promote the objectives of the SoBECA Urban Plan as a destination of eclectic uses, including breweries, artisan studios, small-business entrepreneurs, and unique food and beverage experiences.

Finding: The planning application is for a project-specific case and does not establish a precedent for future development.

Facts in Support of Findings: Approval will apply to this project-specific location. Conditions have been included that are specific to the proposed project.

- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:

Finding: The proposed use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Findings: The use, as conditioned, is not anticipated to have any negative effects on the surrounding properties. Specifically, noise impacts are not expected as a result of expanded menu options and grilling. Although outdoor grilling may increase smoke in the area, the property is more than 200 feet away from the residentially-zoned property across Baker Street, and abuts industrially developed properties to the north, south, east (across Randolph Ave) and west. Surrounding uses include warehouses, night club,

art gallery (DAX), and auto related uses. A condition of approval will require the outdoor grilling to obtain the necessary South Coast Air Quality Management District (AQMD) approvals/permits, and a condition for removal of the outdoor grilling if City staff receives ongoing complaints from the odors.

Finding: Granting the minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Findings: Potential odor impacts have been considered, and conditions of approval will ensure the project does not have any negative impact on the surrounding businesses.

The property is located within an industrial area with numerous industrial buildings north of the site, which will help attenuate any noise impacts occurring from the site to the closest residents who are north of Baker Street.

Finding: Granting the minor conditional use permit will not allow a use, density, or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.

Facts in Support of Findings: The Light Industrial land use designation is intended to permit a wide range of industrial uses, including breweries. The majority of the businesses within the area are general industrial uses such as manufacturing, warehousing, fitness studio, nightclub, brewery, and auto-related uses. The existing brewery is buffered from sensitive land uses, in that it is surrounded on all four sides by industrial zoned properties. The expanded menu options and outdoor grilling will be ancillary to the existing brewery and tasting room, so no increase in the intensity of the use is anticipated. Also, the property is also located within the South Bristol Entertainment & Cultural Arts (SoBECA) Urban Plan. Although the proposed project does not require master plan approval and does not activate any of the provisions in the urban plan since the request does not involve a new development project, the use is in keeping with desired uses for the area.

- C. The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities.
- D. The project is exempt from Chapter IX, Article 12, Transportation Demand Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

- Plng. 1. The use shall be limited to the type of operation described in this staff report, which includes the allowance for more substantial menu options and outdoor grilling. All grilled food products are to be finished and plated within the kitchen.

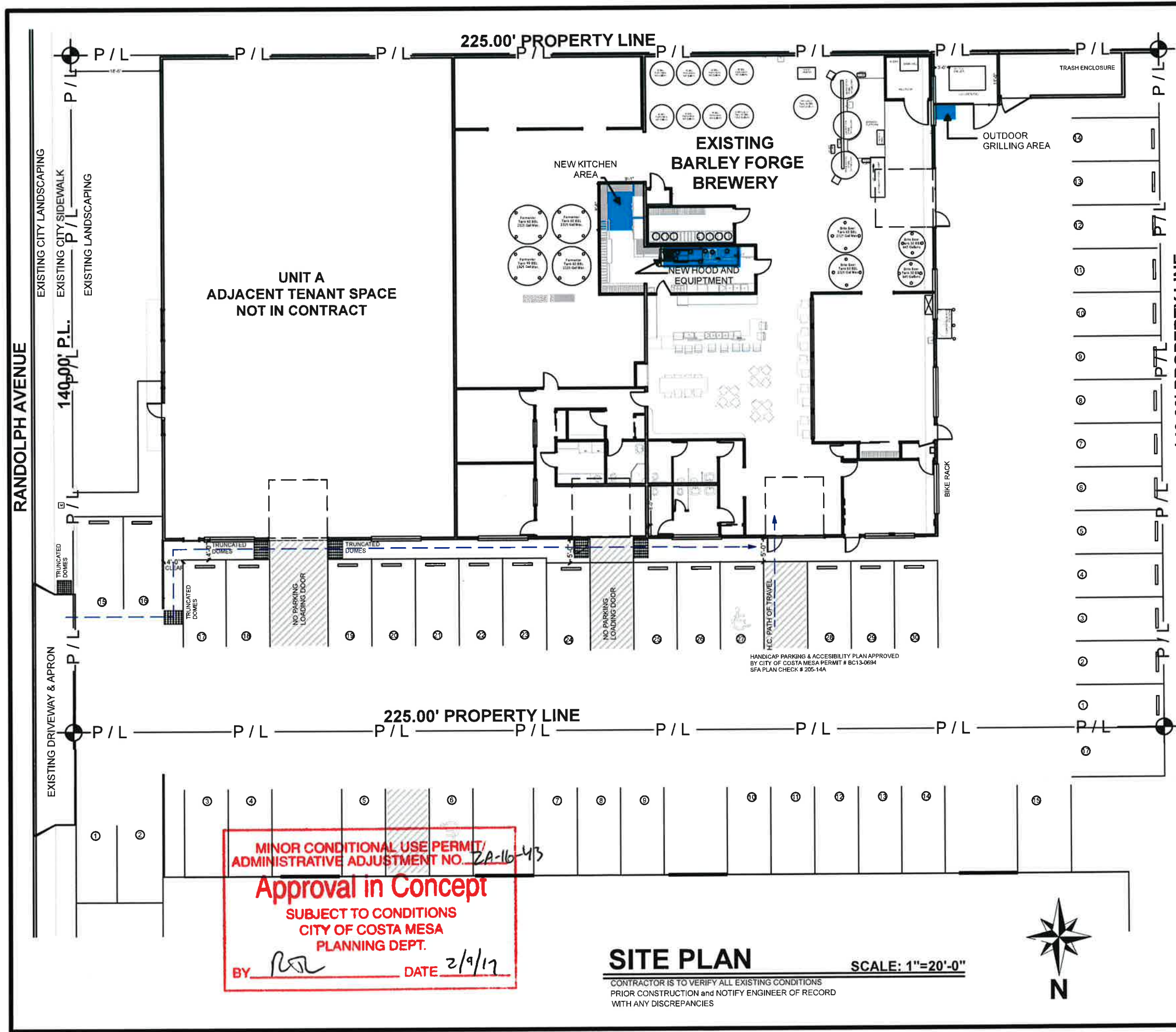
Any change in the operational characteristics including, but not limited to, the hours of operation and additional services provided, shall require review by the Planning Division and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].

2. Outdoor grilling may not obstruct required parking, backup, or vehicular circulation areas, and shall be screened from view from the public right-of-way.
3. Outdoor grilling shall be modified or discontinued if complaints regarding odors from outdoor grilling are received.
4. Applicant shall obtain any necessary OC Health Care Agency's Environmental Health and South Coast Air Quality Management District (AQMD) approvals/permits for outdoor grilling.
5. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
6. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time.
7. The parking lot shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot.
8. Customer and employee parking shall occur on-site and not within surrounding streets. If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate the problem, including, but not limited to, providing free on-site valet service.
9. All sales and service staff (within 90 days of hire) shall complete Responsible Beverage Service (RBS) training with a California Department of Alcoholic Beverage Control approved provider. A copy of the training certificates shall be kept on premises and presented to any authorized City official upon request.
10. The applicant shall maintain free of litter all areas of the premises under which applicant has control.
11. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
12. The conditions of approval and ordinance or code provisions of planning application PA-13-18 A3 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
13. The applicant is reminded that all conditions of approval of PA-13-18, PA-13-18 A1, and PA-13-18 A2 still apply.

CODE REQUIREMENTS AND SPECIAL DISTRICT REQUIREMENTS

The following list of federal, state, and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- | | | |
|-----------|----|---|
| Bldg. | 1. | Comply with the requirements of the following adopted codes: 2013 California Building Code, 2013 California Electrical code, 2013 California Mechanical code, 2013 California Plumbing code, 2013 California Green Building Standards Code and 2013 California Energy Code (or the applicable adopted, California Building code, California Electrical code, California Mechanical code, California Plumbing Code, California Green Building Standards, and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites, facilities, buildings, and elements by individuals with disability shall comply with chapter 11B of the 2013 California Building Code. |
| AQMD | 2. | Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD. |
| OC Health | 3. | Applicant shall contact the OC Health Care Agency's Environmental Health division at 855-886-5400 for any permits required for food preparation. |
| | 3. | Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information. |



VICINITY MAP
2957 RANDOLPH AVE. Unit A-2 & B, COSTA MESA, CA 92626

1	A-1	COVER SHEET & SITE PLAN
2	A-2	PROPOSED FLOOR PLAN
3	A-3	PARTIAL PROPOSED FLOOR PLAN

SHEET INDEX

NEW TYPE 1 EXHAUST HOOD,
NEW COOK LINE,
NEW 85.5 SQ. FT. STORE ROOM EXPANSION.

PROJECT INFORMATION

PROJECT COORDINATOR:
GREG HOWELL
SKYVIEW DESIGNS
20561 SUBURBIA LN.
HUNTINGTON BEACH, CA 92646
714.963.4600

BUSINESS OWNER:
GREGORY NYLEN
2957 RANDOLPH AVE.
COSTA MESA, CA 92626
760.274.7596

PROPERTY OWNER:
ZELDEN ALICE WILLER
1000 PACIFIC COAST HWY#7
HUNTINGTON BEACH, CA 92648

ENGINEER OF RECORD:
GLM ENGINEERING
GREGORY MC CORMICK C-65217
18015 BRIAN ST.
FOUNTAIN VALLEY, CA 92708
951.315.1081

CONTACT INFORMATION

APN: 418-161-06
LEGAL: TR 3631 LOTS 19&20
CENSUS TRACT: 0639.08
MAP COORD: 227-F4; 859-D5
COUNTY: ORANGE
SITE ADDRESS
2957 RANDOLPH AVE.
COSTA MESA, CA 92626

LEGAL

REVISIONS:

SKY VIEW DESIGNS
PHONE: (714)963-4600
ADDRESS: 20561 SUBURBIA LANE
HUNTINGTON BEACH, CA 92646

PROPOSED TENANT IMPROVEMENT FOR: BARLEY FORGE
2957 RANDOLPH AVE. UNIT A-2 & B
COSTA MESA, CA 92626

DATE:	
JOB NAME:	1/12/2017
TITLE:	BARLEY FORGE
PAGE NUMBER:	A - 1

