

TO:

CITY COUNCIL, PLANNING COMMISSION

CC:

TOM HATCH, BARRY CURTIS, AND PEGGY SCHNEBLE

FROM:

WILLA BOUWENS-KILLEEN, ZONING ADMINISTRATOR

DATE:

JULY 20, 2017

SUBJECT:

ZONING ADMINISTRATOR DECISION(S)

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-17-28

901-A SOUTH COAST DRIVE

A minor conditional use permit for the interior and exterior remodel of Karl Strauss Brewing Company including the following:

1) addition of 159 SF near the restaurant entry for expanded brewing area; 2) replacing a 370 SF landscaped area along South Coast Drive with outdoor patio seating area within the required street setback area (maximum 10-foot encroachment into the required 20 foot setback); 3) addition of 330 SF for a new refrigerated cooler; and 4) material and color modifications to the existing exterior walls, windows and roof elements.

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

July 20, 2017

William Hand Hand Enterprises 3710 S. Bear Street, Unit L Santa Ana, CA 92704

RE:

ZONING APPLICATION ZA-17-28

MINOR CONDITIONAL USE PERMIT FOR EXPANSION / REMODEL

KARL STRAUSS BREWING COMPANY 901-A SOUTH COAST DRIVE, COSTA MESA

Dear Mr. Hand:

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 <u>July 27, 2017</u>, 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, Justin Arios, at (714) 754-5667, or at justin.arios@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP

Zoning Administrator

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Attachments:

Project Description and Analysis

Findings

Conditions of Approval and Code Requirements

Business Description

Approved Conceptual Plans

CC:

Engineering

Fire Protection Analyst

Building Safety Division

Metro Pointe Retail Associates II

949 South Coast Drive, Suite 600

Costa Mesa, CA 92626

BACKGROUND / PROJECT DESCRIPTION

The subject property is located in Metro Pointe Center, along South Coast Drive. The site is zoned PDC (Planned Development Commercial), and has a General Plan land use designation of RCOM (Regional Commercial). Zoning designations abutting Metro Pointe Center include: PDC and R1 (Single Family Residential District) across South Coast Drive to the north; the I-405 Freeway to the south; PDC to the east; and PDR-HD (Planned Development Residential – High Density) across South Coast Drive to the west. The current tenant (Karl Strauss Brewing Company) occupies an approximately 7,200-square-foot single-tenant building with an existing 1,873 sq. ft. outdoor patio, located on one of the restaurant pads.

Metro Pointe Center was originally approved under Preliminary Development Plan PA-94-41 by City Council with the Final Development Plan PA-95-21 approved by Planning Commission in 1995. The development plan identified 310,600 sq. ft. of general retail use, 40,000 sq. ft. (2,500 seats) of movie theater use, and 45,000 sq. ft. of restaurant and food court uses with an additional 5,000 sq. ft. of food court seat/dining plaza area. At the time of submittal of PA-95-21, the applicant did not include final plans for the two restaurant pads and retail pad. However, these future buildings, locations, sizes and uses were included in the overall analysis for the Final Development Plan for Metro Pointe Center.

In 1997, Planning Application PA-96-53 approved Final Development Plan for a 7,950 sq. ft. restaurant (including a 950 sq. ft. outdoor dining patio encroaching into the required street setback area) with proposed sale of alcoholic beverages after 11 PM. However, the outdoor patio was never installed; and in 2001, Conditional Use Permit PA-01-20 approved a microbrewery restaurant (Karl Strauss). The 1,873 sq. ft. outdoor dining patio, encroaching 7 feet into the required landscape setback area, was approved as part of the project.

The proposed project involves a master plan amendment (processed as a minor conditional use permit) for the expansion, as well as an interior and exterior remodel of Karl Strauss Brewing Company including the following: 1) addition of 159 sq. ft. near the restaurant entry for expanded brewing area; 2) replacing a 370 sq. ft. landscaped area along South Coast Drive with outdoor patio seating area within the required street setback area (maximum 10-foot encroachment into the required 20 foot setback); 3) addition of 330 sq. ft. for a new refrigerated cooler; and 4) material and color modifications to the existing exterior walls, windows and roof elements. Hours of operation (approved hours 9 AM to 2 AM, daily) will remain unchanged.

ANALYSIS

Expansion of Outdoor Dining Patio & Storage / Cooler Room Addition

The existing 370 sq. ft. landscaped planter, located near the corner of South Coast Drive and the entrance to Metro Pointe Center, is proposed to be converted into an outdoor

dining patio (maximum 10-foot encroachment into the required 20-foot setback). In the Planned Development Commercial – North Costa Mesa District (Article 6, Section 13-61 of the Costa Mesa Zoning Code), the required perimeter open space may include hardscape features (such as paving, patios, planters, and street furniture), in addition to landscaping. The proposed dining patio will provide a usable, visually interesting amenity and will facilitate pedestrian circulation, specifically to the South Coast Drive frontage. In addition, adequate landscaping is retained to shade outdoor use areas and the patio will complement the architecture and the design of building and pedestrian areas.





Existing Landscape Planter

Proposed Patio Expansion

As part of the project, a new 330 sq. ft. building addition is being proposed, along the eastern portion of the building. This addition will be utilized as a beer cooler and storage space for the restaurant (which is shown in the rendering to the left of the outdoor patio).

Entrance Expansion / Remodel & Exterior Building Modifications

The proposed project also involves exterior material and color modifications to modernize the appearance and provide an overall updated branding of the building. The images below show the existing condition of the restaurant and the proposed elevations, which can also be found in the attached plans.



Existing Exterior of Building



Proposed Building Rendering

Parking & Floor Area Ratio (FAR)

At the time of the original development, restaurant uses required parking at a ratio of 10 spaces per 1,000 sq. ft. for the first 3,000 sq. ft. and 20 spaces per 1,000 sq. ft. for area in excess of 3,000 sq. ft. For the existing restaurant with outdoor dining patio, the required parking was 152 spaces. However, parking requirements have changed for restaurant uses since the time of development. Current parking requirements for a restaurant use is 10 spaces per 1,000 sq. ft. for the first 3,000 sq. ft. and 12 spaces per 1,000 sq. ft. for area in excess of 3,000 sq. ft. With the proposed additions, including the new patio area, the new square footage of the restaurant requires a total of 114 parking spaces. Since the required parking at the time of development is larger than the required parking for the new square footage of the restaurant, no parking impacts are anticipated with the proposed project.

With the proposed expansion of the entrance area (lobby and brewery tanks area) and the proposed beer cooler – a total of 498 sq. ft. – the floor area ratio (FAR) for the Metro Pointe Center will not be exceeded because an additional 12,000 sq. ft. of restaurant uses approved as part of Final Development Plan PA-95-21 have not been developed. Therefore, FAR for the site will not be exceeded.

General Plan Consistency

The Regional Commercial General Plan land use designation is intended to apply to large concentrated shopping centers of regional scale and importance. The intended uses within this designation include major department stores, specialty retail outlets, restaurants, offices hotels, and other complimentary uses. The expansion of the outdoor patio will not generate noise or parking impacts, and therefore, ensure the use is compatible with surrounding uses.

The proposed use, as conditioned, is consistent with the Zoning Code and the City's General Plan because, with the included conditions of approval, the proposed expansion and modifications should not adversely impact the surrounding uses.

FINDINGS

- A. The information presented complies with Costa Mesa Municipal Code Section 13-29(e) in that:
 - 1. There is a compatible and harmonious relationship between the proposed building and site developments, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood. The Planned Development Commercial North Costa Mesa District allows the required perimeter open space to include hardscape features (such as paving, patios, planters, and street furniture), in addition to landscaping. The proposed dining patio will provide a usable, visually interesting amenity and will facilitate pedestrian circulation, specifically to the South Coast Drive frontage. In addition, adequate landscaping is retained to shade outdoor use areas and compliments the architecture and the design of buildings and pedestrian areas.

- 2. Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation have been considered and are not impacted by the proposed project.
- 3. The proposed project complies with any performance standards as described elsewhere in the Zoning Code, and is conditioned to be used as described in this staff report.
- 4. The proposed additions and modifications, as conditioned, is consistent with the City's General Plan land use designation of Regional Commercial. The resulting FAR with the proposed expansion of the entrance area (lobby and brewery tanks area) and the proposed beer cooler will not be exceeded because 12,000 sq. ft. of restaurant uses approved as part of Final Development Plan PA-95-21 have not been developed.
- 5. The zoning application is for a project-specific case and is not to be construed to be setting a precedent for future development.
- B. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:
 - 1. The proposed project is compatible with developments in the same general area and will not be materially detrimental to other properties within the area because the sufficient parking is provided to support the additional building and patio areas.
 - 2. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood because the proposed additions will be required to comply with all applicable Building Code requirements.
 - 3. Granting the minor conditional use permit will not allow a use, density or intensity that is not in accordance with the General Plan designation because a restaurant use is a use allowed in the Regional Commercial land use designation. Furthermore, the resulting FAR with the proposed addition will not be exceeded since 12,000 sq. ft. of restaurant use has not been developed and, therefore, is consistent with the City's General Plan.
- C. 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.
- D. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

CONDITIONS OF APPROVAL

Plng.

- 1. The use shall be limited to the type of operation described in this staff report: 1) addition of 159 SF near the restaurant entry for expanded brewing area; 2) replacing a 370 SF landscaped area along South Coast Drive with outdoor patio seating area; 3) addition of 330 SF for a new refrigerated cooler; and 4) material and color modifications to the existing exterior walls, windows and roof elements.
 - Any change in the operational characteristics including, but not limited to, expansion of the outdoor patio, will require approval of an amendment to the minor conditional use permit, subject to Zoning Administrator approval.
- 2. A copy of the conditions of approval for the minor conditional use permit shall 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.
- 3. Conditions of approval from Final Development Plan PA-95-21, Conditional Use Permit PA-96-53, and Conditional Use Permit PA-01-20 shall remain effective, unless changed by any conditions listed below.
- 4. Existing trees shall be relocated in the same general area from where they are removed.
- 5. The applicant shall contact the Planning Division to arrange a Planning inspection of the site. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
- 6. Prior to issuance of Certificate of Occupancy (C of O) the applicant shall provide a scaled and dimensioned digital site plan(s) for the project site, on either a CD or thumb drive, to the Planning Division. All site plans shall include an accurate and precise drawing of all building footprints and property line locations for the entire project site. All buildings shall be annotated with its corresponding address and suites if applicable.
- 7. Any modifications to operating hours will require a modification before either the Zoning Administrator or the Planning Commission.

CODE 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.

Plng.

1. Approval of the planning application is valid for one year from the effective date of this approval (July 27, 2017) and will expire at the end of that period (July 27, 2018) unless applicant establishes the use by obtaining a building permit for the proposed remodel and addition. If the applicant is unable to obtain the business license within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the planning application.

Bldg.

2. Comply with the requirements of the following adopted codes: 2016 California Residential Code, 2016 California Building Code, 2016 California Electrical Code, 2016 California Mechanical Code, 2016 California Plumbing Code, 2016 California Green Building Standards Code and 2016 California Energy Code (or the applicable adopted, California Residential Code, 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 2016 California Building Code.

Bus. Lic. 3. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.

Trans.

- The applicant shall submit a \$11,222 Traffic Impact Fee to the Transportation Division prior to the effective date of the minor conditional use permit. The traffic impact fee is based upon the average daily trip generation rate of 62 net trip ends for the proposed use. The fee is required to fulfill mitigation of off-site traffic impacts pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated and includes credits for existing uses. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of the minor conditional use permit based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.
- 5. The applicant shall submit a \$2,635.71 San Joaquin Hills Transportation Corridor Fee at the time of issuance of building permits. NOTE: The fee is subject to annual review and adjustment every July 1. The fee cannot be prepaid and will be recalculated based upon the rate schedule in effect at the time building permits are issued.



William Hand HAND ENTERPRISES

Monday, May 22, 2017

REF:

Minor Conditional Use Permit

Karl Strauss Brewery

901-A Suite 100 South Coast Drive 92626

Costa Mesa, CA 92626 Metro Point Center

City of Costa Mesa Planning Department

On behalf of Karl Strauss Brewing Company I respectable submit the application for "MINOR CONDITIONAL USE PERMIT" The following is the requested Project Description, Justification for Approval and Detailed Project Description.

William E. Hand

HAND ENTERPRISES

3710 S. Bear Street Unit L Santa Ana, CA 92704-7200

Phone: 714-927-9227 Cell: 909-714-791-4464

Project description:

Interior and exterior remodeling of an existing one story brewery restaurant with additional floor area, patio floor area and storage floor area proposed along with material, color and signage modifications to the building.

HAND ENTERPRISES

3710 S. Bear Street Unit L Santa Ana, CA 92704-7200

Phone: 714-927-9227 Cell: 909-714-791-4464

JUSTIFICATION FOR APPROVAL

The landscape easement has been reduced over time from 25' to 20' - existing restaurant seating was permitted in the landscape easement upon original approval – the proposed patio expansion would also require restaurant seating in the now lessened landscape easement.

Landscaping minimums are met for the project (and are in excess) as a whole as a result of a proposed fast food restaurant not being built resulting in additional landscaping – the reduction of the existing planter would not lower the required landscaping for the project as a whole below the minimum level.

Existing parking on-site is in excess or minimum requirements – the additional of patio area/seating, brewery area and beer cooler will not lower the required parking for the project as a whole below the minimum level.

The project has received landlord and preliminary planning department support.

HAND ENTERPRISES

3710 S. Bear Street Unit L Santa Ana, CA 92704-7200

Phone: 714-927-9227 Cell: 909-714-791-4464

DETAILED PROJECT DESCRIPTION:

The project design will replace and existing recessed entry with 168 S.F. additional floor area containing 138 S.F. of expanded brewery and 21 S.F. of expanded entry under the existing roofline of the building. The project will replace 370 S.F. of raised planter area with 370 S.F. additional patio floor area containing fire features and restaurant seating on the same footprint utilizing the same existing planter wall construction with a supplemental glass railing to not alter visible wall height. The project will add 330 S.F. storage floor area in a new refrigerated cooler added to the side of the existing building outside of required setbacks. The project will also contain material and color modifications to existing exterior wall, window and roof elements to modernize their appearance and provide an overall updated branding of the building and the branding.

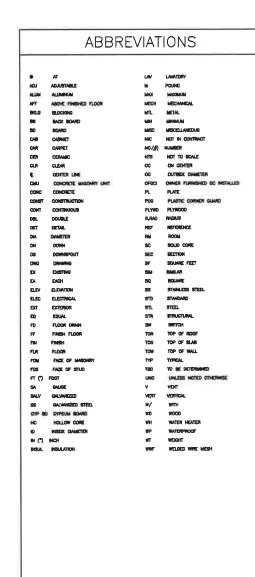
HAND ENTERPRISES

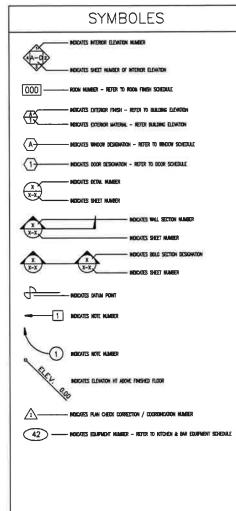
3710 S. Bear Street Unit L Santa Ana, CA 92704-7200

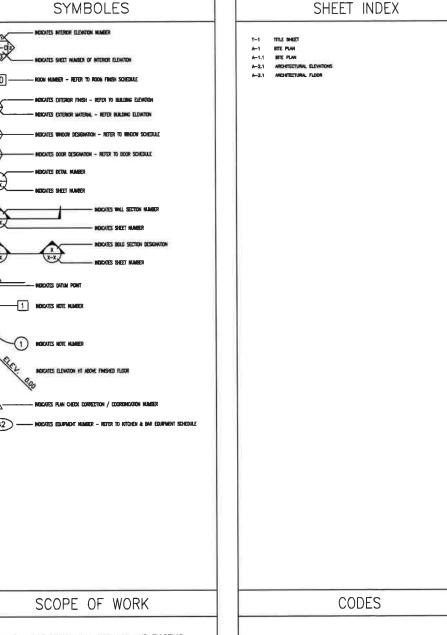
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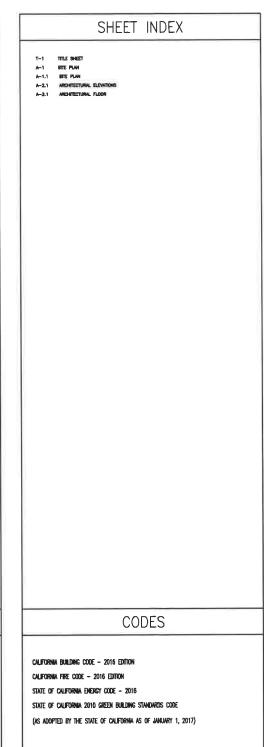
MINOR CONDITIONAL USE PERMIT KARL STRAUSS BREWING COMPANY 901-A SOUTH COAST DRIVE SUITE 100 COSTA MESA CALIFORNIA 92626

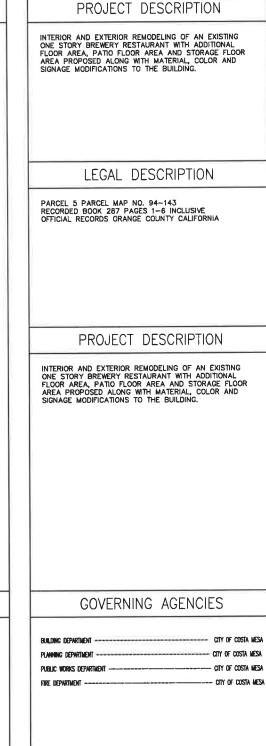




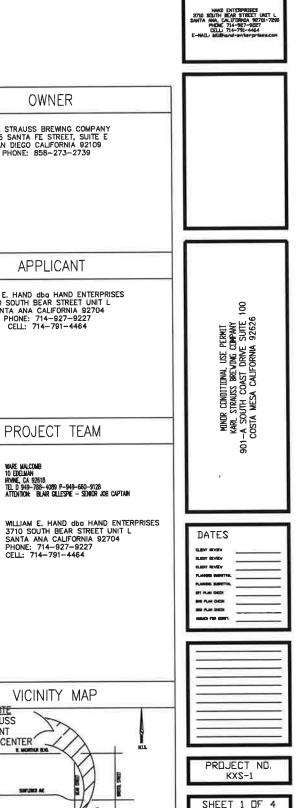












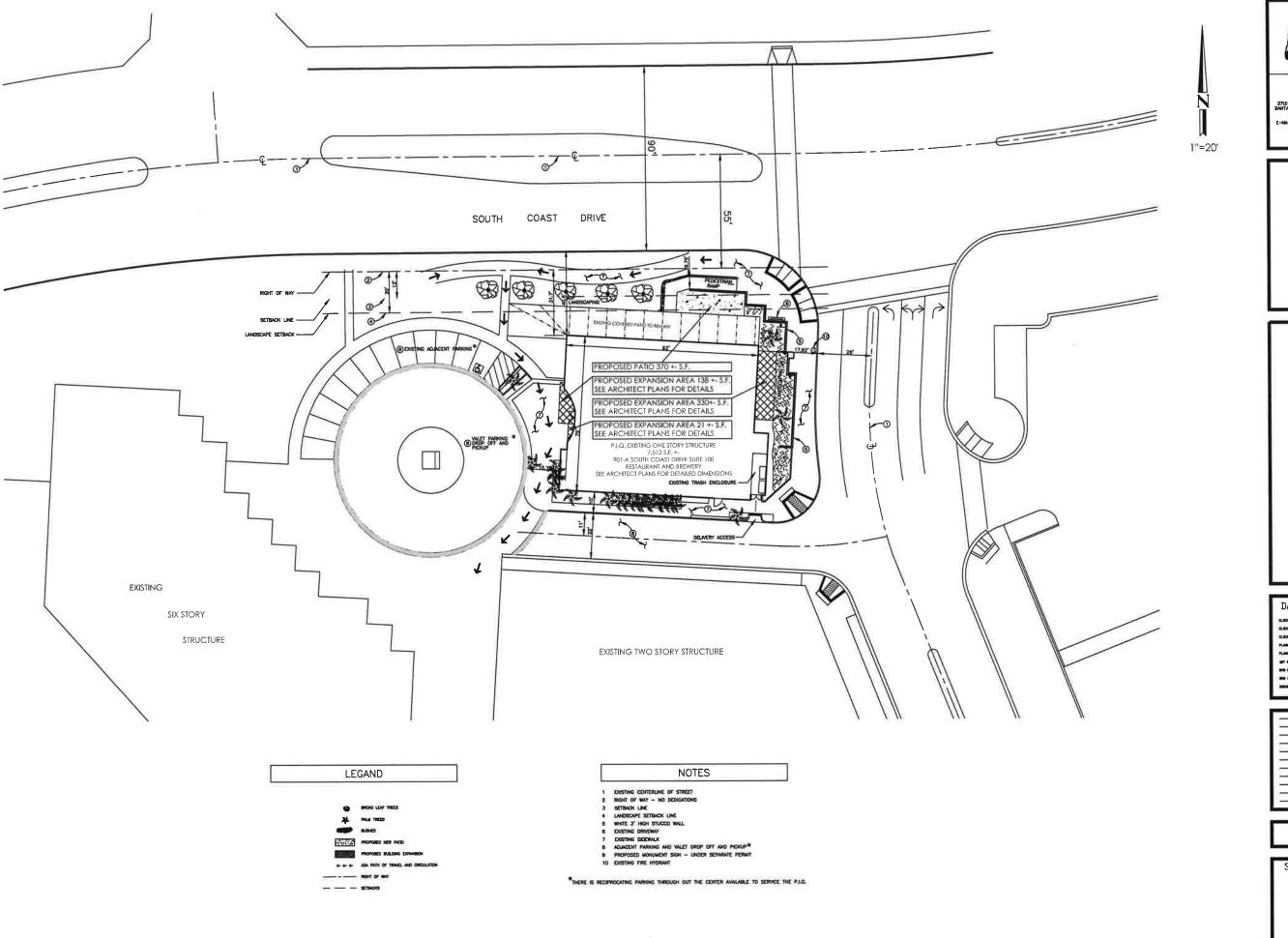
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LEGAND

THE PROJECT DESIGN WILL REPLACE AND EXISTING RECESSED ENTRY WITH 16BSF ADDITIONAL FLOOR AREA CONTAINING 140SF OF EXPANDED BREWERY AND 28SF OF EXPANDED ENTRY UNDER THE EXISTING ROOFLINE OF THE BUILDING. THE PROJECT WILL REPLACE 36BSF OF RAISED PLANTER AREA WITH 36BSF ADDITIONAL PATIO FLOOR AREA CONTAINING FIRE FEATURES AND RESTAURANT SEATING ON THE SAME FOOTPRINT UTILIZING THE SAME EXISTING PLANTER WALL CONSTRUCTION WITH A SUPPLEMENTAL GLASS RAILING TO NOT ALTER VISIBLE WALL HEIGHT. THE PROJECT WILL ADD 330SF STORAGE FLOOR AREA IN A NEW REFRIGERATED COOLER ADDED TO THE SIDE OF THE EXISTING BUILDING OUTSIDE OF REQUIRED SCTBACKS. THE PROJECT WILL ALSO CONTAIN MATERIAL AND COLOR MODIFICATIONS TO EXISTING EXTERIOR WALL WINDOW AND ROOF ELEMENTS TO MODERNIZE THEIR APPEARANCE AND PROVIDE AN OVERALL UPDATED APPEARANCE AND PROVIDE AN OVERALL UPDATED BRANDING OF THE BUILDING AND THE BRANDING.

THIS PROJECT SHALL COMPLY WITH THE ABOVE NOTED CODES AND LOCAL ORDINANCES



HAND ENTERPRIES

3710 SEUTH BEAR STREET UNIT L
SANTA MAN, CALIFORMIA 9270-7200
PHINE 714-927-9227

CELL 714-791-4464

E-MAIL: MUSharai-enterprisescon

HINDR CONDITIONAL USE PERMIT KARL STRAUSS BREVING COMPANY 901—A SOUTH COAST DRIVE SUITE 100 COSTA MESA CALIFORNIA 92626

DATES
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PROJECT NO. KXS-1

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