




City of Costa Mesa Inter Office Memorandum

TO: CITY COUNCIL, PLANNING COMMISSION
CC: TOM HATCH, BARRY CURTIS, AND WILLA BOUWENS-KILLEEN
FROM: JENNIFER LE, ACTING ZONING ADMINISTRATOR 
DATE: JUNE 21, 2018
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 jennifer.le@costamesaca.gov if you have any questions or would like further details.

**ZA-08-31 A1
(ZA-18-30)**

801 BAKER STREET, SUITE A

A request for the first amendment to Minor Conditional Use Permit ZA-08-31 to convert a portion of the existing California Shabu Shabu restaurant to a take-out coffee and dessert café with no additional seating. No other operational changes are proposed.

Approved, subject to conditions.

Comments received: None.

ZA-18-32

2183 FAIRVIEW ROAD, SUITE 200

A request for a minor conditional use permit for a deviation from shared parking requirements due to unusual operating characteristics for a wellness center. The proposed use offers nutritional consulting, chiropractic services, and other related services on an appointment-only basis. The maximum number of people in the 2,480-square-foot commercial space at any given time will be 6 people. Proposed hours of operation are Monday through Friday, 9:30 AM to 6:00 PM.

Approved, subject to conditions.

Comments received: None.

**PA-16-49 A1
(ZA-18-36)**

333 EAST 17TH STREET, SUITE 2

A request for the first amendment to Conditional Use Permit PA-16-49 to upgrade an existing restaurant's (Oak & Coal) Alcoholic Beverage Control (ABC) License Type from Type 41 (On-Sale Beer & Wine) to Type 47 (On-Sale General – Eating Place). No other alterations to the business operation are proposed.

Approved, subject to conditions.

Comments received: None.

Courtesy Note:

Due to the location of these facilities within 500 feet of a residential zone, staff is forwarding these requests to Planning Commission for their review and decision. The Planning Commission hearing will be scheduled and noticed at a later date.

ZA-18-19

1155 Baker Street, Baker Street/Fairview Road

A request for a minor conditional use permit to install a small cell network on top of a Southern California Edison streetlight pole with RRUs and antennas inside a shroud that is 65 inches in height (26 inches permitted) and 14 inches in diameter and is located within 500 feet of a residential zone. The facility will require the removal and replacement of the existing pole and installation of an underground utility pull box for fiber and power to the new pole.

ZA-18-21

1046 Valencia Street, Mendoza Drive/Valencia Street

A request for a minor conditional use permit to install a small cell network on top of a Southern California Edison streetlight pole with RRUs and antennas inside a shroud that is 65 inches in height (26 inches permitted) and 14 inches in diameter and is located within 500 feet of a residential zone. The facility will require the removal and replacement of the existing pole and installation of an underground utility pull box for fiber and power to the new pole.

ZA-18-22

3120 Manistee Drive, Manistee Drive/Paularino Avenue

A request for a minor conditional use permit to install a small cell network on top of a Southern California Edison streetlight pole with RRUs and antennas inside a shroud that is 65 inches in height (26 inches permitted) and 14 inches in diameter and is located within 500 feet of a residential zone. The facility will

require the removal and replacement of the existing pole and installation of an underground utility pull box for fiber and power to the new pole.

ZA-18-25

643 Victoria Street, Victoria Street/Pomona Avenue

A request for a minor conditional use permit to install a small cell network on top of a Southern California Edison streetlight pole with RRUs and antennas inside a shroud that is 65 inches in height (26 inches permitted) and 14 inches in diameter and is located within 500 feet of a residential zone. The facility will require the removal and replacement of the existing pole and installation of an underground utility pull box for fiber and power to the new pole.



CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

June 21, 2018

Jae Chung
7725 Gateway #3336
Irvine, CA 92618

Application: **ZONING APPLICATION ZA-08-31 A1 (ZA-18-30)
FIRST AMENDMENT TO MINOR CONDITIONAL USE PERMIT ZA-08-31 TO
CONVERT A PORTION OF AN EXISTING RESTAURANT (CALIFORNIA
SHABU SHABU) TO A TAKE-OUT COFFEE AND DESSERT CAFÉ
801 BAKER STREET, SUITE A, COSTA MESA**

Dear Mr. Chung:

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 June 28, 2018, 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,

JENNIFER LE
Assistant Director of Development Services

cc: RMAF I, LLC
1234-B E. 17th Street
Santa Ana, CA 92701

Engineering
Fire Protection Analyst
Building Safety Division

PROJECT DESCRIPTION

Project Site / Environs

The subject property is located on the southwest corner of Baker Street and Century Place. The subject property is zoned C1 (Local Business), and has a General Plan land use designation of General Commercial. The site currently contains one, single-story multi-tenant building with 14,487 square feet of building area; the site also provides 52 on-site parking spaces and with a shared ingress/egress driveway from Baker Street and two points of ingress/egress on Century Place. The subject suite is 2,982 square feet in size and is currently occupied by a restaurant (California Shabu Shabu).

The properties to the west are zoned C1 (Local Business) and is occupied by Mansion Costa Mesa nightclub. The properties to the north (across Baker Street) are zoned R3 (Multi-Family Residential), with the exception of 800 Baker Street, which is zoned I&R (Institutional & Recreational) and is occupied by the Baker Fire Station. The property to the east across Century Place on the corner of Baker Street and Century Place is zoned C1 (General Business); and the remaining properties along Century Place are zoned MG (General Industrial). The subject property is also located within the South Bristol Entertainment & Cultural Arts (SoBECA) Urban Plan area.

ANALYSIS

Amendment Request

As described in the applicant letter, the requested amendment would allow for the renovation of one of the two waiting areas for the restaurant into a small take-out coffee and dessert café. There will be no seating area for the café and no other operational changes to the main restaurant are proposed. The café will serve a traditional Korean-style shaved ice and Belgian waffles, and will be taking over California Shabu Shabu's dessert items to cater primarily to their customers, as well as take-out customers. The café will also offer craft-brewed coffee and teas. The proposed hours of operation of the café will be the same as the existing restaurant: 6 AM to 11 PM, seven days a week.

Parking

No change in seating area square footage is being proposed for the project, therefore, the parking requirement also remains unchanged. The 52 on-site parking spaces are shared with the adjacent property located at 841 Baker Street (currently occupied by Mansion Costa Mesa nightclub) approved via Conditional Use Permit PA-98-18 and a recorded reciprocal parking agreement. The proposed take-out coffee and dessert café is ancillary to the main restaurant use; no seating area is proposed for the café.

General Plan Consistency

The project site has a General Plan land use designation of General Commercial. The General Commercial General Plan land use designation is intended to permit a wide range of commercial uses that serve both local and regional needs. Appropriate uses include smaller retail stores, theaters, restaurants, hotels and motels, and automobile sales and service establishments. The proposed food use – a take-out coffee and dessert café – is an anticipated use in this General Plan designation; therefore – and as conditioned – the proposed use would not adversely impact 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 building and site development, and uses, and the building and site developments, and uses that exist or have been approved for the general neighborhood. No alterations or additions to the existing building is proposed as part of this project. The proposed take-out coffee and dessert café is ancillary to the main restaurant use and no seating area is proposed for the café.

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 for the proposed take-out coffee and dessert café.

3. The project complies with any performance standards as described elsewhere in the Zoning Code, and is conditioned to operate as described in this staff report.

4. The proposed project is consistent with the General Plan land use designation. The General Commercial General Plan land use designation is intended to permit a wide range of commercial uses that serve both local and regional needs. The proposed take-out coffee and dessert café is an anticipated use in this General Plan designation; therefore – and as conditioned – the proposed use would not adversely impact surrounding uses.

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 use is compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The proposed take-out coffee and dessert café will be compatible with the existing developments in the area. The café will be taking over California

Shabu Shabu's dessert items to cater to their customers, and will operate as a take-out café. Furthermore, the proposed take-out coffee and dessert café will be ancillary to the main restaurant use; no seating area is proposed for the café.

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. As proposed and conditioned, the take-out coffee and dessert café would not generate adverse impacts on surrounding uses.

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 and any applicable specific plan for the property. The proposed take-out coffee and dessert café is an anticipated use in this General Plan designation; therefore – and as conditioned – the proposed uses would not adversely impact surrounding uses.

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 is exempt from Chapter XII, Article 3, Transportation System 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 the staff report and applicant letter, which includes a restaurant with the sale of alcoholic beverages for on-site consumption (Type 41 ABC License), including a take-out coffee and dessert café. Any change in the operational characteristics including, but not limited to, hours of operation, indoor and outdoor dining, or type of services provided, shall be subject to Planning Division review and may require an amendment to the minor 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. The Conditions of Approval and Code Requirements of ZA-08-30 shall remain in effect.
 3. Prior to the issuance of building permit, the conditions of approval shall be required to be incorporated on the approved Architectural plans.
 4. Hours of operation shall be limited to 6 AM to 11 PM, seven days a week.
 5. No seating area shall be permitted for the café, unless approved by an amendment to the minor conditional use permit.

6. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
7. 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.
8. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of (1) City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section.
9. 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.

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. | <ol style="list-style-type: none">1. 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.2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance. |
| Bldg. | <ol style="list-style-type: none">3. Construction or demolition of structures shall 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.

4. All noise-generating construction or demolition activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- Bus. Lic. 5. 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.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- Sani. 1. 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.
- AQMD 2. Prior to demolition contact South Coast Air Quality Management District located at:
21865 Copley Dr.
Diamond Bar, CA 91765-4178
Tel: 909- 396-2000

Visit their web site:

<http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381>

- The Building Div. will not issue a demolition permit until an Identification No. is provided by AQMD.
3. Provide a plan to the County of Orange Health Dept. for review and approval.

Jerome R. To
801 Baker Street, Suite A
Costa Mesa, CA
213-395-8218 jerometo77@gmail.com



April 25, 2018

City of Costa Mesa
Development Services Department
77 Fair Drive
Costa Mesa, CA 92626

Dear City of Costa Mesa,

Hi, my name is Jerome To and I am one of the owners of Wish Café. My partner, Jae Chung, and I are hoping to open up a small take out coffee and dessert cafe in California Shabu Shabu. Our plan is to renovate one of their waiting areas in front of the restaurant. Currently, they have two waiting areas and the particular we are designing is hardly being utilized. Since we will be taking over this space, their seating in this section will be removed, effectively reducing the occupancy. In addition to this, we will be taking over California Shabu Shabu's dessert items and cater mostly to their customers with the remainder of our business focusing on take out customers. We will be serving a traditional Korean style shaved ice and Belgian waffles in a multitude of flavors – all of which will be handmade from scratch in-house. We will also be offering craft brewed coffee and teas. Our concept will be something new to Costa Mesa and will be a great addition to the growing culinary community of the city. We will be operating during the same hours of California Shabu Shabu and will not impact parking outside of those hours. California Shabu Shabu will still have one waiting area that will more than suffice for their customer base.

If you have any questions, please feel free to contact me at 213-395-8218 at any time. Thank you and hope to hear from you soon.

Sincerely,

Jerome R. To



April 26th, 2018

Red Mountain Group
1234 17th St.
Santa Ana, CA 92701
CC: Sheri Freed - PMA

RE: Cal Shabu
801 Baker St.
Suite A
Costa Mesa, CA 92626

To Whom it May Concern:

My name is Leonard Chan and I am a Managing Member of California Shabu Shabu South Coast, LLC located at 801 Baker St., Suite A, Costa Mesa, CA 92626. We approve the subtenant use for a desert cafe operated by Jerome To and Jae Chung. We are in the process of requesting a modification to our CUP for our subtenant.

Please let me know if you need anything else from else and thank you in advance for your time and help!

Sincerely,

A handwritten signature in black ink, appearing to be "Leonard Chan", written in a cursive style.

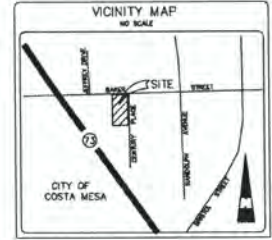
Leonard Chan

MINOR CONDITIONAL USE PERMIT/
ADMINISTRATIVE ADJUSTMENT NO. ZA-08-31 A1
(ZA-18-30)

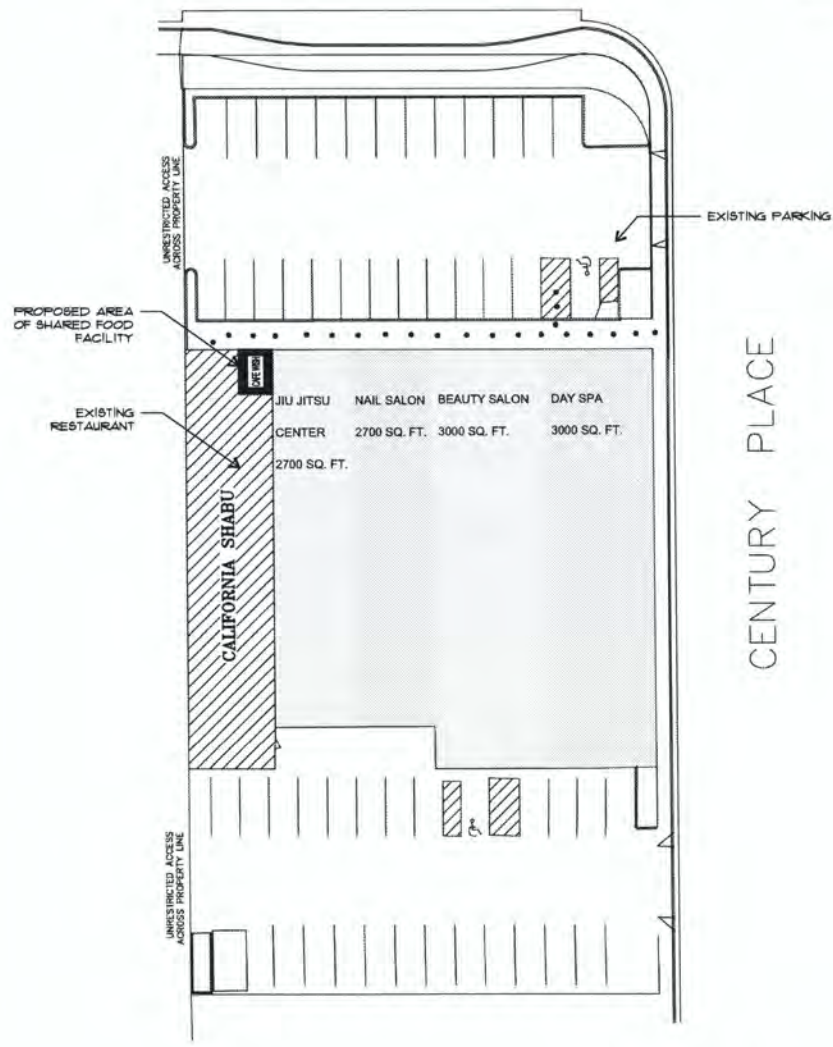
Approval in Concept

SUBJECT TO CONDITIONS
CITY OF COSTA MESA
PLANNING DEPT.

BY ZA/JA DATE 6/21/18



BAKER STREET



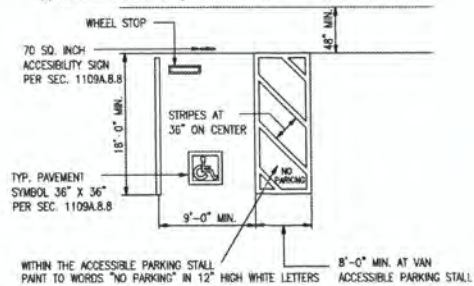
CENTURY PLACE

SITE DISABLED ACCESS NOTE

ALL SITE RELATED ADA ACCESS UPGRADES HAVE BEEN WAIVED BY CITY OF COSTA MESA CDDP PLANS EXAMINER PER LANDLORD (RED MOUNTAIN GROUP) REF: SITE IMPROVEMENT PLAN CHECK #0808-00353.

DISABLED ACCESS NOTES

- (1) Provide a complying path of travel a minimum of 48" wide from the public sidewalk and accessible parking spaces to the entrance of the building.
- (2) Provide the required number of accessible parking spaces per detail.
- (3) Slopes exceeding 5% in the direction of travel shall comply with ramp standards.
- (4) Entrance thresholds shall not exceed 1/2" in height and shall be beveled at 1:2 max. over 1/4" high.
- (5) Provide a kickplate 10" from the bottom of the entrance door.
- (6) Affix an international accessibility symbol on all accessible entrances.
- (7) The maximum effort to open an exterior or interior door shall be 5.0 lbs.



EXISTING SINGLE PARKING STALL VAN ACCESSIBLE
2% MAX. SLOPE IN ANY DIRECTION



EXISTING HANDICAP ACCESS PATH OF TRAVEL
SLOPE NOT TO EXCEED 5% IN DIRECTION OF TRAVEL AND CROSS SLOPE NOT TO EXCEED 2% (SEE DISABLED ACCESS NOTES)



PROJECT INFORMATION

BUILDING DATA
BUILDING TYPE VB, ONE STORY, NON-SPRINKLERED
OCCUPANCY GROUP A-2
SHELL EXISTING 2982 SQ. FT.
PROPOSED SHARED FOOD FACILITY 213 SQ. FT.

OCCUPANT LOAD

DINING AREA 900 SQ. FT. @ FIXED SEATING	= 41 PERSONS
PROPOSED ORDER/PICK-UP AREA 78 SQ. FT. @ 7 SQ. FT./PERSON	= 11 PERSONS
EXISTING WAITING AREA 127 SQ. FT. @ 15 SQ. FT./PERSON	= 8 PERSONS
ACCESSORY USE AREA, TOILET & CORRIDOR 468 SQ. FT.	
CUSTOMER OCCUPANT LOAD = 60 PERSONS	
PROPOSED SHARED FOOD FACILITY 135 SQ. FT. @ 200 SQ. FT./PERSON	= 1 PERSONS
KITCHEN & SERVICE 1194 SQ. FT. @ 200 SQ. FT./PERSON	= 6 PERSONS
OFFICE AREA 80 SQ. FT. @ 100 SQ. FT./PERSON	= 1 PERSONS
TOTAL OCCUPANT LOAD = 68 PERSONS	

SCOPE OF WORK

INTERIOR REMODEL OF EXISTING WAITING AREA
FURNISH AND INSTALL NEW COMMERCIAL KITCHEN EQUIPMENT
NEW LOW WALL AND SERVICE AREA WITH NEW FINISHES
NEW PLUMBING & ELECTRICAL
NEW DECORATIVE LIGHTING

NOTES

CODES IN EFFECT ARE:
2016 CALIFORNIA BUILDING CODE, 2016 CALIFORNIA PLUMBING CODE,
2016 CALIFORNIA MECHANICAL CODE, 2016 CALIFORNIA ELECTRICAL CODE,
2016 CALIFORNIA FIRE CODE, 2016 CALIFORNIA FOOD CODE,
2016 CALIFORNIA ENERGY CODE, 2016 CAL GREEN ENERGY CODE REQUIREMENTS,
2016 CALIFORNIA BUILDING CODE ADAAG

DRAWING INDEX

ID1.0	SITE PLAN
ID2.0	EQUIPMENT & ACCESSIBILITY FLOOR PLAN
ID3.0	EQUIPMENT SCHEDULE
ID4.0	INTERIOR ELEVATIONS, REFLECTED CEILING PLAN, R/WALL PLUMBING & ELECTRICAL PLAN

SYMBOL LEGEND

	ELEVATION MARKER
	ELEVATION KEYNOTE
	ELEVATION CALL OUT
	ITEM REFERENCE
	PLAN KEYNOTE
	DELTA REVISION NUMBER
	DETAIL REFERENCE



THESE DRAWINGS PREPARED BY STUDIO MCCORMACK FOR THIS PROJECT ARE INSTRUMENTS OF THE DESIGNER'S SERVICE FOR USE SOLELY WITH RESPECT TO THIS PROJECT AND UNLESS OTHERWISE PROVIDED, STUDIO MCCORMACK SHALL BE DEEMED THE AUTHOR OF THESE DOCUMENTS AND SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING THE COPYRIGHT. THESE DRAWINGS, SPECIFICATIONS, OR OTHER DOCUMENTS SHALL NOT BE USED BY THE OWNER OR OTHERS ON OTHER PROJECTS, FOR ADDITIONS TO THIS PROJECT OR FOR COMPLETION OF THIS PROJECT BY OTHERS, EXCEPT BY AGREEMENT IN WRITING BY STUDIO MCCORMACK.

DATE PRINTED

3.9.18

<input checked="" type="checkbox"/>	PLAN CHECK
<input type="checkbox"/>	BID SET
<input type="checkbox"/>	CONSTRUCTION

ISSUE

PROJECT

TENANT IMPROVEMENTS
CAFE WISH
801 BAKER STREET #A
COSTA MESA, CA 92626

DESIGNER: YT
DRAIN BY: YT
CHECKED BY: RF
SCALE: AS NOTED
JOB NUMBER:

SHEET TITLE

SITE PLAN

SHEET NUMBER

ID1.0

INTERIOR FINISH SCHEDULE

LOCATION	FLOORS	BASE	WALLS	CEILINGS
SERVICE AREA	SMOOTH SEALED CONCRETE	CERAMIC TOP SET TILE W/INTEGRAL COVE 3/8" MIN.	SMOOTH BOARD FRP. BEHIND EQUIPMENT, CERAMIC TILE ABOVE COUNTER UP TO CEILING.	SMOOTH GYP. BOARD W/SEMI-GLOSS ENAMEL PAINT
CUSTOMER AREA	SMOOTH SEALED CONCRETE	6" HIGH PORCELAIN TILE	CERAMIC TILE	SMOOTH GYP. BOARD W/SEMI-GLOSS ENAMEL PAINT

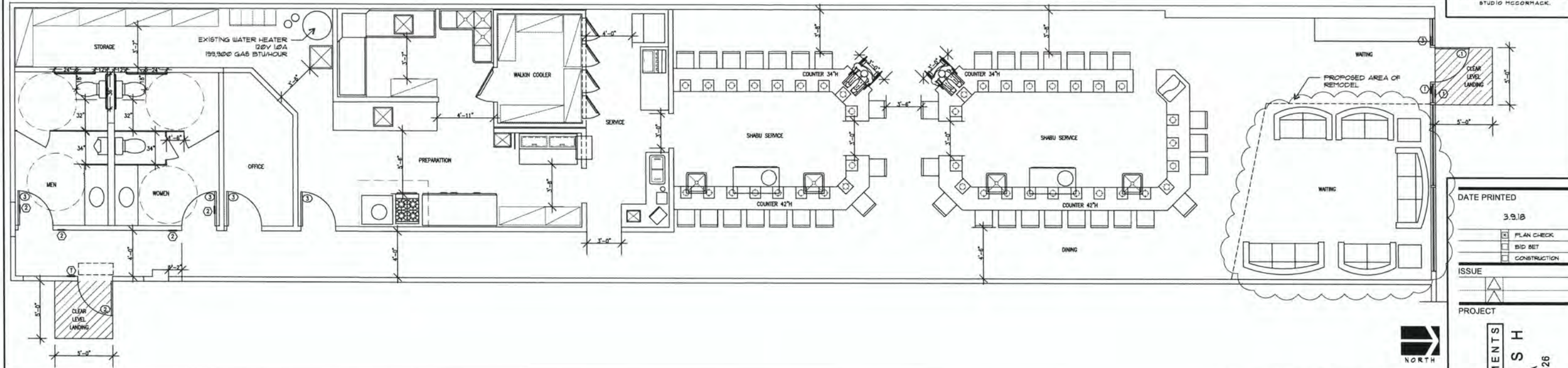
HEALTH DEPARTMENT NOTES

1. ALL EQUIPMENT INCLUDING SHELVING SHALL BE SUPPORTED ON 6-INCH TALL ROUND METAL LEGS OR ON CASTERS OR SHALL BE COMPLETELY SEALED IN POSITION ON A 4-INCH COVERED ISLAND CASE OR CONCRETE CURB TO FACILITATE CLEANING.
2. ALL FLOOR FINISHES TO BE SLIP RESISTANT (UNO.)
3. ALL EQUIPMENT SHALL BE LISTED BY AN ANSI ACCREDITED SANITATION TESTING ORGANIZATION, E.G. NSF INTERNATIONAL OR UL'S SANITATION DEPARTMENT. ALL USED EQUIPMENT IS SUBJECT TO APPROVAL AS DETERMINED AT THE TIME OF FIELD INSPECTION.
4. GENERAL CONTRACTOR TO FURNISH AND INSTALL SMOOTH NON-ABSORBENT AND EASILY CLEANED FLOOR WITH A 3/8" MINIMUM RADIUS COVE AT FLOOR/WALL JUNCTURE AND EXTEND 6" UP WALL. THE FLOOR FINISH WILL HAVE A SMOOTH SURFACE UNDER ALL EQUIPMENT. SEE FINISH SCHEDULE FOR SPECIFICATIONS.
5. PLUMBING LINES MUST BE COVERED OR INSTALLED BEHIND WALLS. (SEE PLUMBING SECTION FOR ALL SIZING & WATER HEATER DETAILS).
6. PROVIDE SOAP & PAPER TOWEL DISPENSERS AT ALL HAND SINKS.
7. ALL INTERIOR FINISHES SHALL COMPLY WITH CBC CHAP. 8, TABLE 803.9, SECTION 803 & 804.
8. GENERAL CONTRACTOR TO FURNISH AND INSTALL SLOPED FLOORS TO FLOOR DRAIN (1/80" MINIMUM SLOPE) OR PER GOVERNMENT AGENCIES HAVING JURISDICTION OVER PROJECT LOCATION.
9. GENERAL CONTRACTOR TO FURNISH AND INSTALL SMOOTH NON-ABSORBENT FINISHED WALLS AND CEILINGS WITH WASHABLE SURFACES FOR EASY CLEANING. THE PAINT USED ON WALLS AND CEILINGS OF ALL KITCHEN, FOOD PREPARATION, WORK, AND STORAGE AREAS WILL BE A GLOSS OR SEMI-GLOSS ENAMEL, LIGHT IN COLOR, WITH A 70% LIGHT REFLECTIVE VALUE.
10. ALL CONDENSATE AND SIMILAR LIQUID WASTE SHALL BE DRAINED BY MEANS OF INDIRECT WASTE PIPES INTO AN OPEN FLOOR SINK OR APPROVED RECEPTACLE.
11. ALL LAVATORIES OR HAND SINKS WILL HAVE A COMBINATION FAUCET OR PREMIXING FAUCET CAPABLE OF SUPPLYING WATER TEMPERED TO 100 DEGREES FAHRENHEIT SELF-CLOSING OR METERED FAUCET TO PROVIDE AT LEAST 15 SECONDS OF WATER WITHOUT REACTIVATION.
12. ALL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE BEST RECOGNIZED PRACTICE IN THE FIELD CONCERNED. MANUFACTURED ITEMS SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURER'S PRINTED DIRECTIONS, SPECIFICATIONS AND RECOMMENDATIONS.
13. CONTRACTOR SHALL REVIEW ALL CONTRACT DOCUMENTS AND SHALL BE FAMILIAR WITH THE SCOPE AND REQUIREMENTS OF THIS PROJECT. ANY DISCREPANCIES OR LACK OF CLARITY IN THE DOCUMENTS SHALL BE IDENTIFIED TO THE INTERIOR DESIGNER PRIOR TO THE SUBMISSION OF PRICING BIDS. WITH A SUBMITTED BID, CONTRACTOR IS ACCEPTING THESE DOCUMENTS AS SUFFICIENT DEFINITION OF WORK, AND ANY ADDITIONAL COSTS BASED ON UNCLARITY OF CONTRACT DOCUMENTS WILL NOT BE CONSIDERED.
14. THE CONTRACTOR IS RESPONSIBLE FOR REVIEWING THE FULL SET OF CONSTRUCTION DOCUMENTS, INCLUDING ARCHITECTURAL, STRUCTURAL, CIVIL, MECHANICAL AND ELECTRICAL DRAWINGS (AS APPLICABLE) TO ENSURE ALL WORK IS COORDINATED WITH PHYSICAL CONDITIONS AND ALL OTHER TRADES.



STUDIO McCORMACK
3000 W. UNIVERSITY, COSTA MESA, CA 92626
949.552.8847

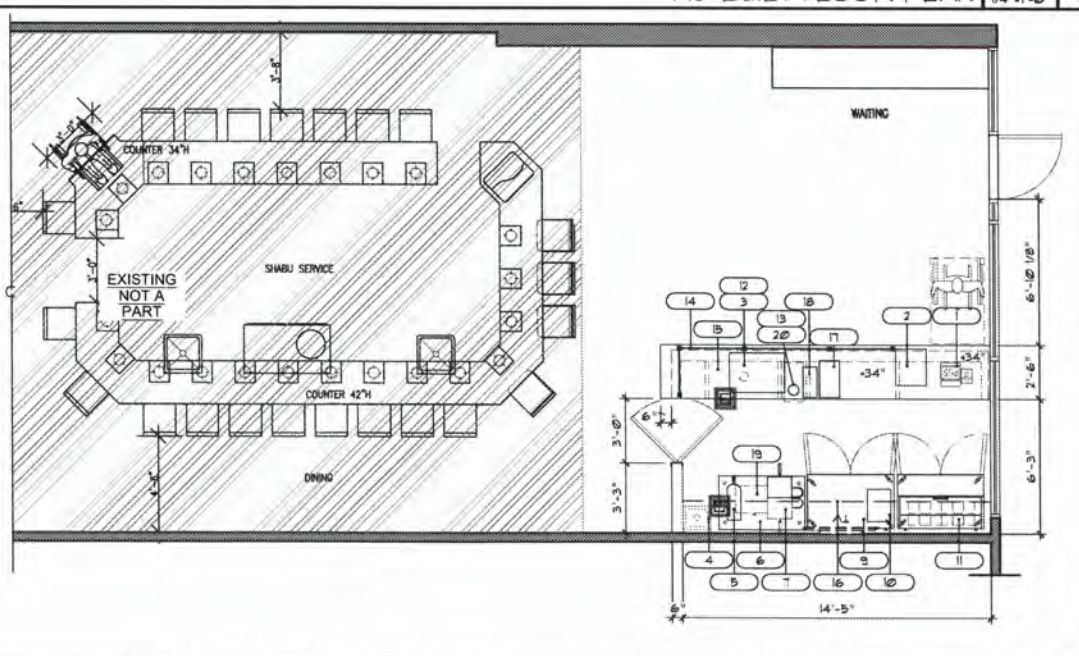
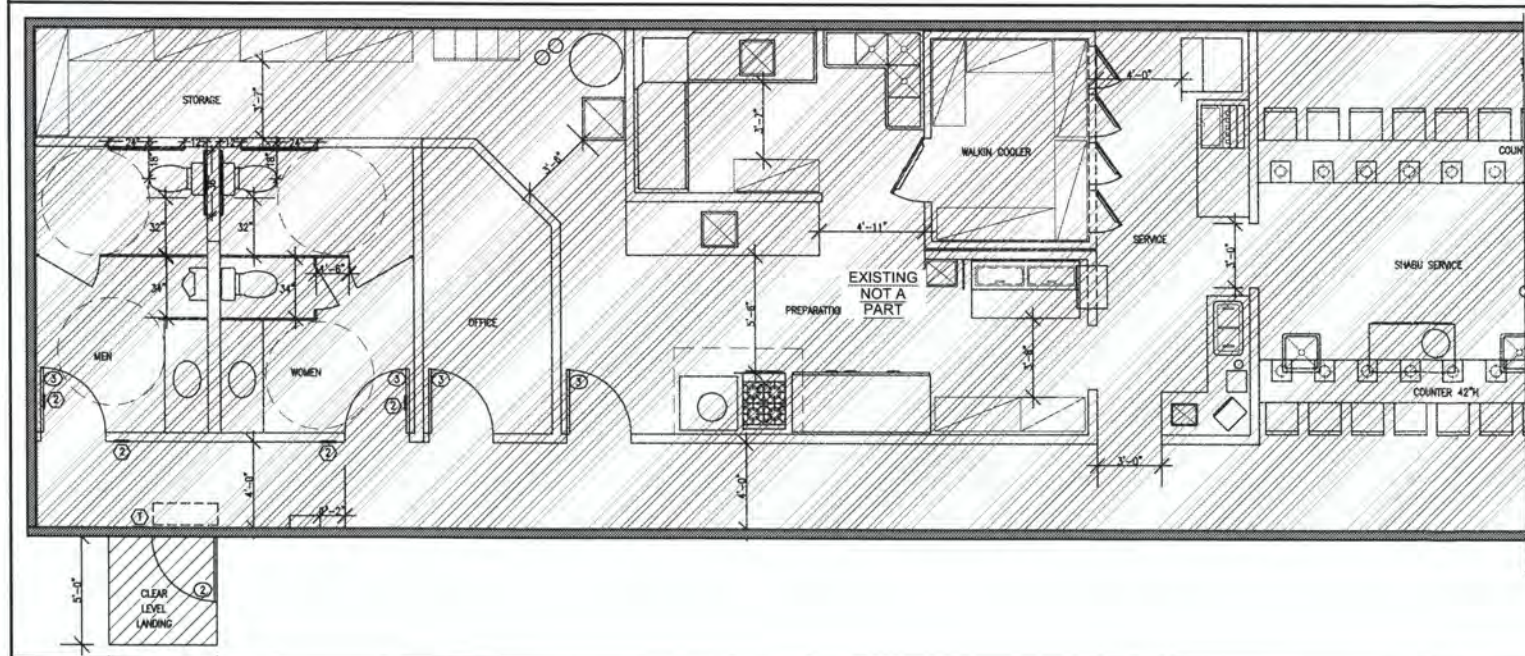
THESE DRAWINGS PREPARED BY STUDIO McCORMACK FOR THIS PROJECT ARE INSTRUMENTS OF THE DESIGNER'S SERVICE FOR USE SOLELY WITH RESPECT TO THIS PROJECT AND UNLESS OTHERWISE PROVIDED, STUDIO McCORMACK SHALL BE DEEMED THE AUTHOR OF THESE DOCUMENTS AND SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING THE COPYRIGHT. THESE DRAWINGS, SPECIFICATIONS OR OTHER DOCUMENTS SHALL NOT BE USED BY THE OWNER OR OTHERS ON OTHER PROJECTS, FOR ADDITIONS TO THIS PROJECT OR FOR COMPLETION OF THIS PROJECT BY OTHERS, EXCEPT BY AGREEMENT IN WRITING BY STUDIO McCORMACK.



DATE PRINTED: 3.9.18

ISSUE: PLAN CHECK, BID SET, CONSTRUCTION

PROJECT: TENANT IMPROVEMENTS



TENANT IMPROVEMENTS
CAFE WISH
 801 BAKER STREET #A
 COSTA MESA, CA 92626

DESIGNER: JT
 DRAIN BY: JT
 CHECKED BY: JT
 SCALE: AS NOTED
 JOB NUMBER: JT
 SHEET TITLE: EQUIPMENT & ACCESSIBILITY

SHEET NUMBER: **ID2.0**



CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

June 21, 2018

Brandon Evans
600 W Santa Ana Blvd, 800
Santa Ana, CA 92701

**RE: ZONING APPLICATION ZA-18-32
MINOR CONDITIONAL USE PERMIT TO DEVIATE FROM SHARED
PARKING REQUIREMENTS FOR A WELLNESS CENTER
2183 FAIRVIEW ROAD, SUITE 200, COSTA MESA**

Dear Mr. Evans:

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 June 28, 2018, 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, Katelyn Walsh, at (714) 754-5276, or at katelyn.walsh@costamesaca.gov.

Sincerely,

JENNIFER LE
Assistant Director of Development Services

Attachments: Project Description and Analysis
 Findings
 Conditions of Approval and Code Requirements
 Business Description
 Appointment Schedule
 Approved Conceptual Plans

cc: Engineering Newport Victoria Plaza
 Fire Protection Analyst 600 W Santa Ana Blvd, 800
 Building Safety Division Santa Ana, CA 92701

PROJECT DESCRIPTION

The property is located on the southwest corner of Fairview Road and Avocado Street. The site is zoned General Business District (C2), and has a General Plan land use designation of General Commercial. The property abuts residentially-zoned property at the western corner of the property, but is otherwise surrounded by C2 zoned properties improved with general commercial uses. Physical on-site improvements include an approximately 36,900 square foot, two-story office building with 141 parking spaces and three points of ingress/egress, including frontage/driveway access from Victoria Street. Proposed site improvements include restriping the rear parking lot to bring the site into closer conformance with current standards.

The proposed wellness center will occupy a 2,480-square-foot space in a multi-tenant office building. The floor plan consists of a reception area, practice rooms, offices, and a kitchenette.

Although the proposed use is permitted, inadequate parking exists. Consequently, the applicant requests approval of a minor conditional use permit (MCUP) to allow a deviation from parking requirements due to unique operating characteristics for the wellness center. Proposed hours of operation are Monday through Friday, from 9:30 AM to 6 PM. As proposed, the wellness center will operate with a maximum number of six people within the facility at any given time. Additionally, a 10-minute gap will be included between appointments.

ANALYSIS

Project Description

The proposed wellness center (Natural Healing Center) offers nutritional counseling and other professional services such as chiropractic adjustment, muscle therapy, acupuncture, and psychotherapy. Per the applicant, approximately 85 percent of the business is nutritional consulting (in person, online, and over the phone). One-on-one nutritional consultations are proposed on an hourly basis during normal business hours. Other services are proposed up to three times per week, and vary depending on the type of service/treatment provided, as outlined in the attached schedule (see Attachment 1). All services are scheduled in advance and by appointment only; no walk in services will be provided.

As proposed and conditioned, the wellness center will operate with a maximum number of six individuals in the facility at any given time (including clients and staff).

Parking

The parking ratio for medical offices and/or massage establishments is six spaces per 1,000 square feet of floor area resulting in a requirement of 15 spaces. Although the property is legal, nonconforming in terms of parking, the suite is allocated the office

parking ratio of four parking spaces per 1,000 square feet of tenant area or 10 parking spaces. The applicant is requesting approval of a MCUP to deviate from the required parking due to unique operating characteristics. As noted above, the applicant states that her use is limited to wellness services provided on an off-set employee work schedule and by appointment only; consequently, the maximum occupancy at the facility at any given time will be limited to six occupants. Additionally, as is standard for these types of requests, a condition of approval has been included requiring a 10-minute gap between appointments so that the arriving customer does not overlap with the departing customers. Since there are 10 on-site parking spaces allocated to the wellness center, in conjunction with the specified number of occupants in the facility at one time, parking should be sufficient.

If parking shortages or other parking-related problems develop, the business operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem including, but not limited to, modifying days and/or hours of the business.

General Plan Consistency

The General Plan land use designation for the site is General Commercial which is intended to apply to large districts that contain a variety of businesses by providing a wide range of goods and services. Approval of the use, with compliance with the conditions of approval, allows another diverse use on this property, which will help ensure the long-term productivity and viability of the community's economic base consistent with Objective LU-6A of the City's 2015-2035 General Plan. As conditioned, with the proposed hours of operation in conjunction with the off-set employee work schedule, the proposed use will not generate parking impacts unusual for commercially-zoned properties. Therefore, the proposed use is consistent with the Zoning Code and the City's General Plan because, as proposed and with the included conditions of approval, the proposed wellness center should not adversely impact 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 development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood. Parking impacts will be avoided by limiting the wellness center to operate with a maximum of six occupants within the facility at any given time (10 spaces are allocated to the suite), with a 10-minute gap provided between appointments/classes so that arriving customers do not overlap with departing customers.
 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 use.

3. The proposed use complies with any performance standards as described elsewhere in the Zoning Code, and as conditioned to operate as described in this staff report.

4. The proposed use is consistent with the General Plan land use designation of General Commercial. The proposed use is permitted in the C2 zone (although, in this case subject to approval of a minor conditional use permit to deviate from shared parking) and is consistent with the General Plan and Zoning Code. Specifically, the proposed use is consistent with Land Use Objective LU-6A in that the proposed center will help ensure the long-term productivity and viability of the community's economic base. Additionally, the use as proposed and conditioned should not impact parking; therefore, the use is consistent with the both the City's Zoning Code and General Plan and should not adversely impact the surrounding uses.

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 use is compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. Parking impacts will be avoided by conditioning the wellness center to operate with a maximum of six occupants within the facility at any given time; 10 spaces are allocated to the suite. Additionally, as conditioned, a 10-minute gap shall be included between appointments so that arriving customers do not overlap with departing customers. In addition, all uses will be conducted within the building and, as conditioned, should not generate noise or other detrimental effects on the surrounding uses. Additionally, the site will be brought into closer conformance with current standards by the restriping of the rear parking lot.

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 all business activities will be conducted within the building (underroof), limiting noise impacts.

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 the fitness studio is a use supported by the General Commercial General Plan land use designation.

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 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: A wellness center offering nutritional counseling, chiropractic services, muscle therapy, and psychotherapy services with a maximum of six people within the suite at any given time, and a 10-minute gap provided between appointments. Proposed hours of operation are Monday through Friday, from 9:30 AM to 6 PM. Any change in the operational characteristics including, but not limited to, hours of operation, employee work schedule, or type of services provided, will require approval of an amendment to the minor conditional use permit, subject to Zoning Administrator approval.
 2. All services shall be offered on an appointment only basis; no walk-in services shall be provided.
 3. All uses shall be conducted within the tenant space (underroof).
 4. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or operator shall institute whatever security and operational measures are necessary to comply with this requirement.
 5. Prior to final Planning Inspection, the rear parking lot shall be re-stripped in accordance to the approved site plan.
 6. The parking lot shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot.
 7. 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.
 8. If parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to minimize or eliminate the problem, including, but not limited to, modifying days and/or hours of the business.
 9. 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.
 10. Applicant shall defend, indemnify and hold harmless the City, its officials and employees, against all legal actions filed challenging City's approval of the applicant's project and/or challenging any related City actions supporting the approval. City shall have the right to select the attorney defending it, if it elects to do so.

11. If any section, division, sentence, clause, phrase or portion of this approval is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.
12. 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 wither 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.

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 zoning application is valid for two (2) years from the effective date of this approval (June 28, 2018) and will expire at the end of that period (June 28, 2020) unless applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; 2) a certificate of occupancy has been issued; or 3) the use has been established and a business license has been issued. A time extension can be requested no less than thirty (30) days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
- Bldg. 3. 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.
4. Prior to issuing the Building permit the conditions of approval shall be required to be incorporated on the approved Architectural plans.
- Bus. Lic. 5. 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.
6. Business license shall be obtained prior to the initiation the business.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- AQMD 1. Prior to the Building Division (AQMD) issuing a demolition permit, contact South Coast Air Quality Management District located at:
21865 Copley Dr.
Diamond Bar, CA 91765-4178
Tel: 909-396-2000
OR
Visit their web site:
<http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381>
The Building Division will not issue a demolition permit until an identification number is provided by AQMD.
2. The Building Division will not issue a demolition permit until an Identification number is provided by AQMD.

April 18, 2018

City of Costa Mesa
Development Services Department
77 Fair Drive
P.O. 1200
Costa Mesa CA 92628-1200

To Whom it May Concern:

Natural Healing Center is a wellness center that is looking to upgrade its image and offer private rooms for its clients. 85% of our business is nutrition, seeing approximately 1 person per hour. We have 2 patients that receive muscle therapy (therapeutic massage) every other week by the same practitioner that does nutritional counseling.

We have a chiropractor that works Monday mornings and Wednesday afternoons and sees 1 person per hour.

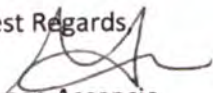
We plan to bring an acupuncturist that will work Tuesdays and Thursdays opposite the chiropractor's 3 days, seeing 1 patient per hour. We also plan to bring one additional practitioner in the future – either a psychotherapist or related professional to work Fridays. These are both noted on the schedule.

The hours of operation are Mon-Fri 9:30am to 6pm. The front office employee opens and closes the office Tues- Fri. The CEO opens the office on Mondays.

There are no more than 6 personnel/patients in the office at any given time.

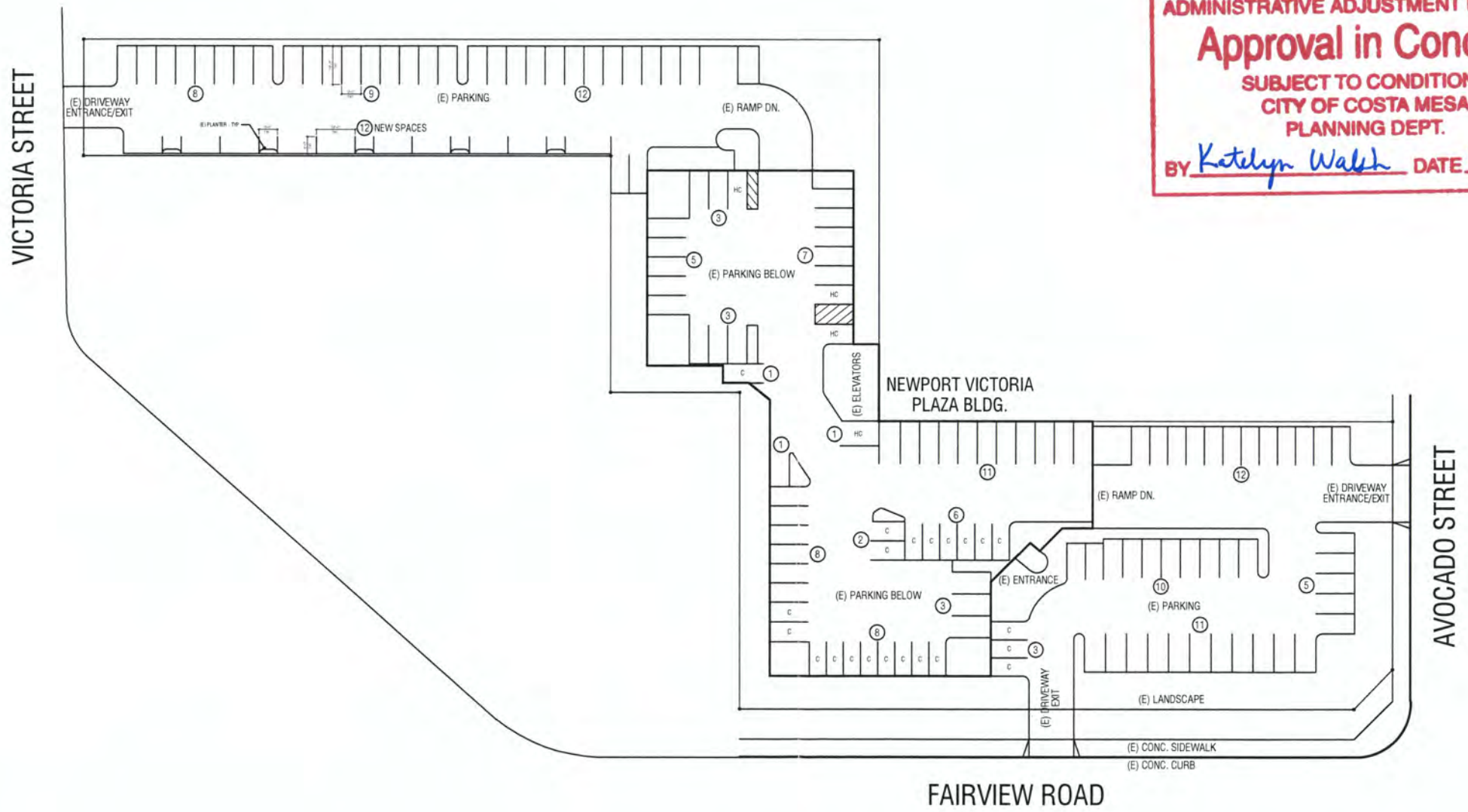
The offices are noted on the plans– the executive office is for the CEO and the Office for Report of Findings is used for meeting with the patients to go over the report of findings from their practitioner. The others are labeled accordingly.

Best Regards,


Renee Ascencio
Natural Healing Center, CEO

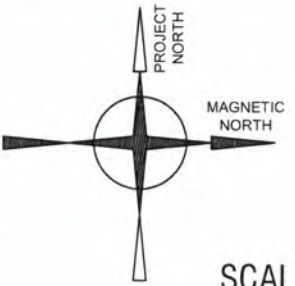
	Employee	CEO	Nutrition Counseling	Chiropractic/ Acupuncture	Therapeutic Massage	Psychotherapist/ Related Practitioner	Mon	Tues	Wed	Thurs	Fri
9:30am	Tues-Fri 1	Mon-Fri 1					1	2	2	2	2
10am	Tues-Fri 1	Mon-Fri 1	Mon-Fri - Nutrition plus 1 patient	Mondays Chiro plus 1 patient Tues and Thurs Acupuncture plus 1 patient		Fridays plus 1 patient	5	6	4	6	6
11am	Tues-Fri 1	Mon-Fri 1	Mon-Fri - Nutrition plus 1 patient	Mondays Chiro plus 1 patient Tues and Thurs Acupuncture plus 1 patient		Fridays plus 1 patient	5	6	4	6	6
12pm	Tues-Fri 1	Mon-Fri 1	Closed	Closed	Closed	Closed	1	2	2	2	2
1pm	Closed	Closed	Closed	Closed	Closed	Closed	0	0	0	0	0
2pm	Tues-Fri 1	Mon-Fri 1	Mon-Fri - Nutrition plus 1 patient (except every other Wed as she does therapeutic massage)	Wed – Chiro plus 1 patient Tues and Thurs Acupuncture plus 1 patient	Same Practitioner as Nutrition does Therapeutic Massage plus 1 patient every 2 weeks on Wed	Fridays plus 1 patient	3	6	6	6	6

3pm	Tues-Fri 1	Mon-Fri 1	Mon-Fri - Nutrition plus 1 patient (except every other Wed as she does therapeutic massage)	Wed – Chiro plus 1 patient Tues and Thurs Acupuncture plus 1 patient	Same Practitioner as Nutrition does Therapeutic Massage plus 1 patient every 2 weeks on Wed	Fridays plus 1 patient	3	6	6	6	6
4pm	Tues-Fri 1	Mon-Fri 1	Mon-Fri - Nutrition plus 1 patient	Wed – Chiro plus 1 patient Tues and Thurs Acupuncture plus 1 patient		Fridays plus 1 patient	3	6	6	6	6
5pm	Tues-Fri 1	Mon-Fri 1	Mon-Fri - Nutrition plus 1 patient	Wed – Chiro plus 1 patient			3	4	5	4	4



MINOR CONDITIONAL USE PERMIT/
 ADMINISTRATIVE ADJUSTMENT NO. 2A-1832
Approval in Concept
 SUBJECT TO CONDITIONS
 CITY OF COSTA MESA
 PLANNING DEPT.
 BY Katelyn Walsh DATE 6/21/18

PARKING SUMMARY	
TYPE	TOTAL
EXISTING PARKING SPACE	125
EXISTING ACCESSIBLE PARKING SPACE	4
NEW PARKING SPACE	12
TOTAL PARKING	141



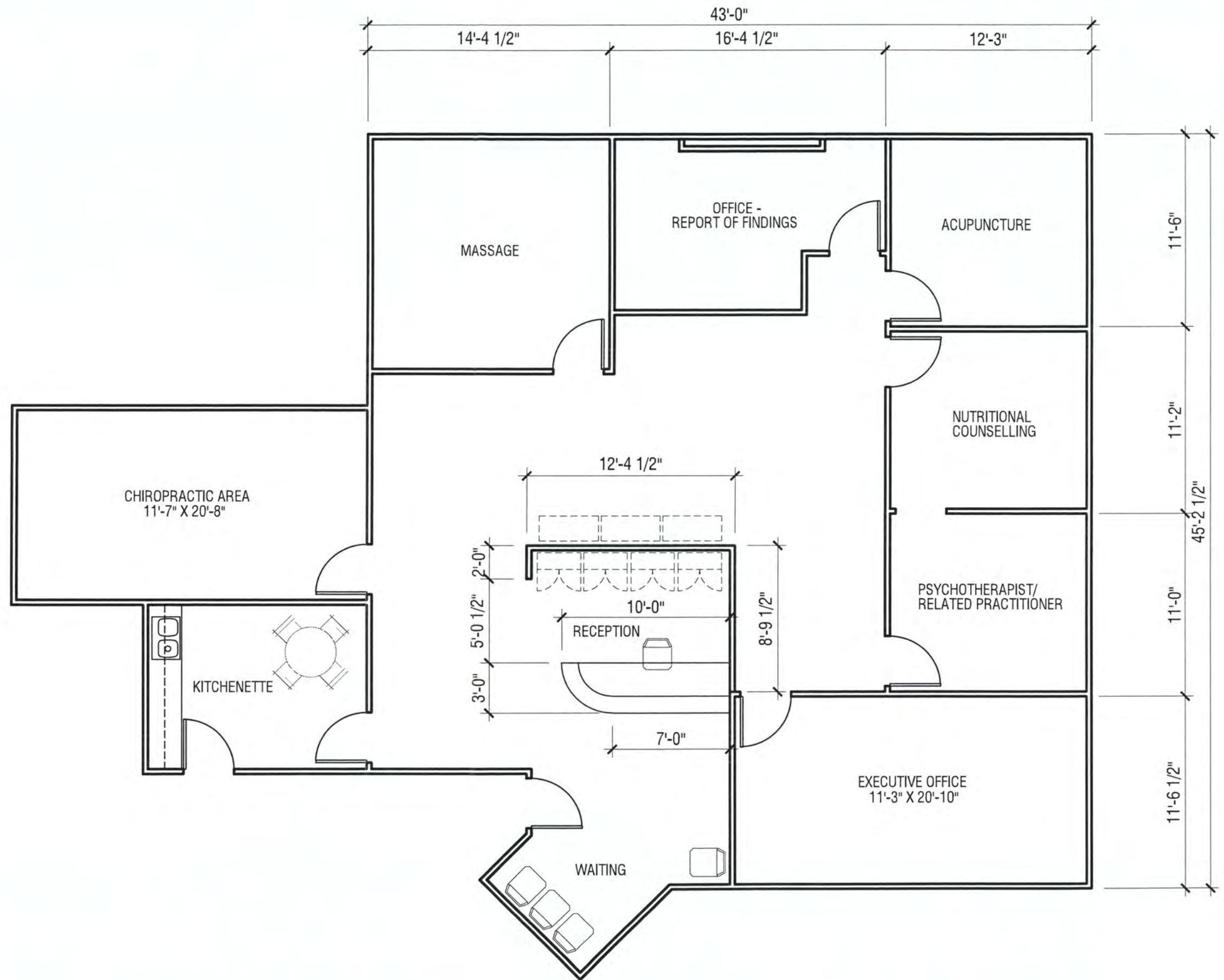
SCALE: 1" = 30'-0"

NEWPORT VICTORIA PLAZA
 2183 FAIRVIEW ROAD
 COSTA MESA, CA 92627
 TENANT IMPROVEMENT - SUITE 200

ARCHITECTURAL SITE PLAN

NO.	DATE	DESCRIPTION

PROJECT MANAGER:	
DESIGNER:	
DRAWN BY:	
REVIEWED BY:	
1ST BLDG. DEPT. SUBMITTAL:	
ISSUED FOR CONSTRUCTION:	
JOB NUMBER:	
CAD FILE NAME:	NHC_ASP1.DWG
DATE:	05/30/18
SHEET:	ASP.1



NHC - NEWPORT VICTORIA PLAZA - Suite 200

04-18-18

SCALE: 1/8" = 1'-0"



CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

June 21, 2018

L&M Property Management
333 E 17th Street, Suite 7
Costa Mesa, CA 92627

**RE: ZONING APPLICATION ZA-16-49 (ZA-18-36)
FIRST AMENDMENT TO CONDITIONAL USE PERMIT PA-16-49 TO UPGRADE
AN EXISTING RESTAURANT'S ABC LICENSE FOR A TYPE 41 TO A TYPE 47
333 EAST 17TH STREET, SUITE 2, COSTA MESA**

Dear Sir/Madam:

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 June 28, 2018, 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,

JENNIFER LE
Assistant Director of Development Services

cc: Kevin Uyesugi
18741 Portofino Drive
Irvine, CA 92603

Engineering
Fire Protection Analyst
Building Safety Division

PROJECT DESCRIPTION

Project Site / Environs

The subject business is located in one of the suites in the commercial center along East 17th Street, near the intersection of East 17th Street and Raymond Avenue. The subject property is zoned C1 (Local Business), and has a General Plan land use designation of General Commercial. The properties to the east, west and north (across East 17th Street) are also zoned C1 (Local Business). The properties to the south (across a public alley) are zoned R2-MD (Multi-Family Residential, Medium Density).

The site is approximately 113,000 square feet in size (2.6 acres) and currently contains one multi-tenant building and one single-tenant building for a total of 34,223 square feet of leasable space; the site also includes 120 existing parking spaces, and four points of ingress/egress on East 17th Street.

The existing use (Oak & Coal) was approved under Conditional Use Permit PA-16-49, which permitted the sale of alcoholic beverages for on-site consumption after 11 PM, located within 200 feet of a residential zone, with hours of operation from 6 PM to 11 PM Sunday through Thursday, and 6 PM to 12 AM (midnight) on Friday and Saturday. The staff report for the approved conditional use permit can be found in the link below:

<http://www.costamesaca.gov/ftp/planningcommission/agenda/2016/2016-08-22/PH-3.pdf>

ANALYSIS

Amendment Request

As described in the applicant letter, the requested amendment is to upgrade the existing restaurant's Alcoholic Beverage Control (ABC) License Type from Type 41 (On-Sale Beer & Wine for Bona Fide Public Eating Place) to Type 47 (On-Sale General for Bona Fide Public Eating Place). No other alterations to the business operation are proposed. The change in ABC License Type will allow the restaurant to sell spirits in addition to the beer and wine allowed to be sold under the Type 41 License. The new ABC License Type will allow the restaurant to add spirits to their menu for customers to have with their meal. No other change to the business is proposed other than the ABC license upgrade.

Police

The Police Department has reviewed the proposed change for the use and has no objections to the approval of the application. As of the date of this report, the City has not received any complaints from the public regarding the existing restaurant use.

General Plan Consistency

The project site has a General Plan land use designation of General Commercial. The General Commercial General Plan land use designation is intended to permit a wide range of commercial uses that serve both local and regional needs. Appropriate uses include smaller retail stores, theaters, restaurants, hotels and motels, and automobile sales and service establishments. The existing restaurant, with service of alcoholic beverages, is an anticipated use in this General Plan designation; furthermore, the use has been in operation and has not adversely impacted 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 building and site development, and uses, and the building and site developments, and uses that exist or have been approved for the general neighborhood. No alterations or additions to the existing development is proposed as part of this project. The residents to the south are buffered from the existing Oak and Coal restaurant and associated parking lot by existing buildings of the retail center. Furthermore, conditions of approval ensure there are no noise impacts to the surrounding neighborhood and uses. With the exception of the proposed upgrade in the ABC license, no other changes are proposed.
 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 for the existing restaurant with sale of alcoholic beverages.
 3. The project complies with any performance standards as described elsewhere in the Zoning Code, and is conditioned to operate as described in this staff report.
 4. The proposed project is consistent with the General Plan land use designation. The General Commercial General Plan land use designation is intended to permit a wide range of commercial uses that serve both local and regional needs. The existing restaurant, with service of alcoholic beverages, is an anticipated use in this General Plan designation; furthermore, the use has been in operation with the sale of alcoholic beverages and has not adversely impacted surrounding uses.
 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 use is compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. With the exception of the ABC license upgrade, no other changes are proposed. Noise effects to surrounding properties will be avoided, as the existing commercial buildings within the existing retail center provide a buffer between the restaurant/associated parking and residential uses. Furthermore, the restaurant has been operating with the sale of alcoholic beverages with no complaints regarding the operation.
 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.
 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 and any applicable specific plan for the property. The existing restaurant, with service of alcoholic beverages, is an anticipated use in this General Plan designation; furthermore, the use has been in operation and has not adversely impacted the surrounding uses.
- 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 is exempt from Chapter XII, Article 3, Transportation System 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 the staff report and applicant letter, which includes a restaurant with the sale of alcoholic beverages for on-site consumption (Type 47 ABC License) located within 200 feet of a residential zone. Any change in the operational characteristics including, but not limited to, hours of operation, indoor and outdoor dining, or type of services provided, shall be subject to Planning Division review and may require an amendment to the minor 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. The Conditions of Approval and Code Requirements of PA-16-49 shall remain in effect.
 3. Hours of operation shall be limited to 6 PM to 11 PM, Monday through Thursday, and 6 PM to 12 AM (midnight), Friday and Saturday.
 4. 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.
 5. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of (1) City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section.

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.

- PIng. 1. Should any construction occur, 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.
- 2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
- Bldg. 3. Should any construction be proposed, all construction or demolition of structures shall 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.

City of Costa Mesa
Development Services Dept
77 Fair Dr PO 1200
Costa Mesa, CA 92648-1000

Re: Minor CUP for 333 E 17th St #2, Costa Mesa, CA 92627

To Planning Commission,

We are a full service Japanese restaurant serving freshly grilled cuts of beef, chicken, wild fish, and vegetables. We have been open since May 2017 with a beer & wine license. We currently hold a conditional use permit allowing service of alcoholic beverages until 12 on Fridays and Saturdays. We are humbly requesting permission to alter our existing CUP to allow us to hold a type 47 spirits license so that we may add to our menu one or two spirit options for our customers. Our intention is NOT to have a full bar as we are only 1300 sq feet and do not have the room to do so. We only want to offer a artisanal craft cocktail that may pair with our food. We have had ZERO calls for service to our location, and have no ABC issues, noise complaints, or anything of the sort. We strictly adhere to the conditions of our current CUP. An alteration would allow us to better serve the local community responsibly, and would create no negative impact on city resources or surrounding community. ABC has approved us for the 47 on the condition the city CUP is changed to reflect this.

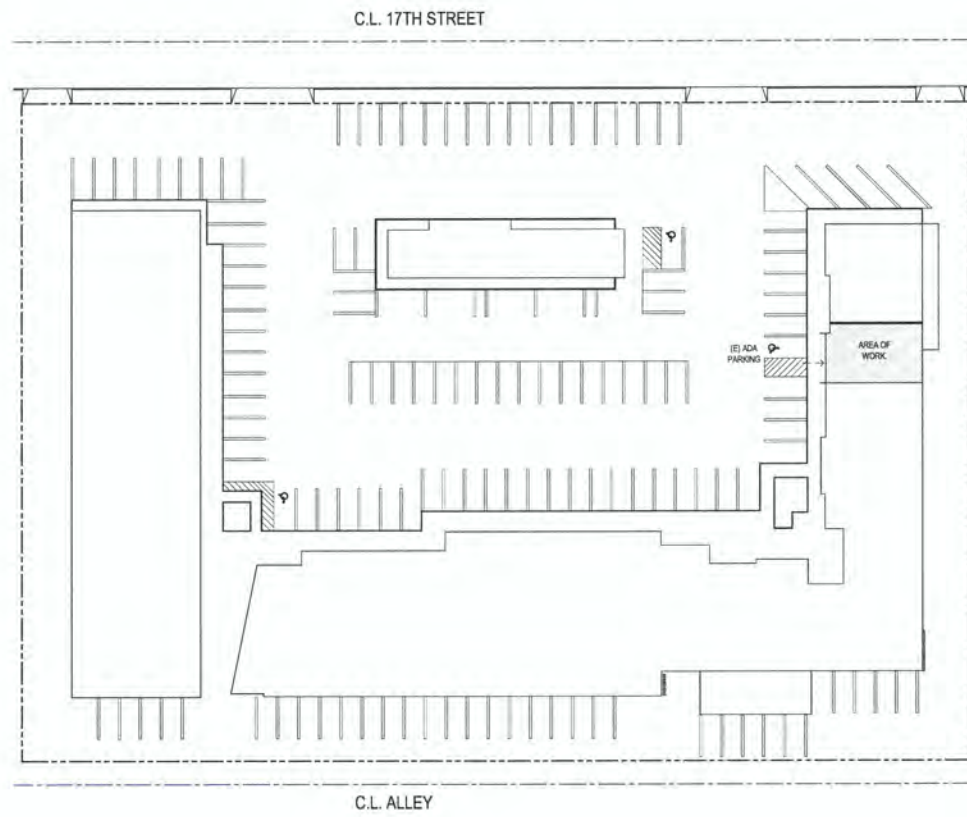
Thank you for your careful consideration.

Best,

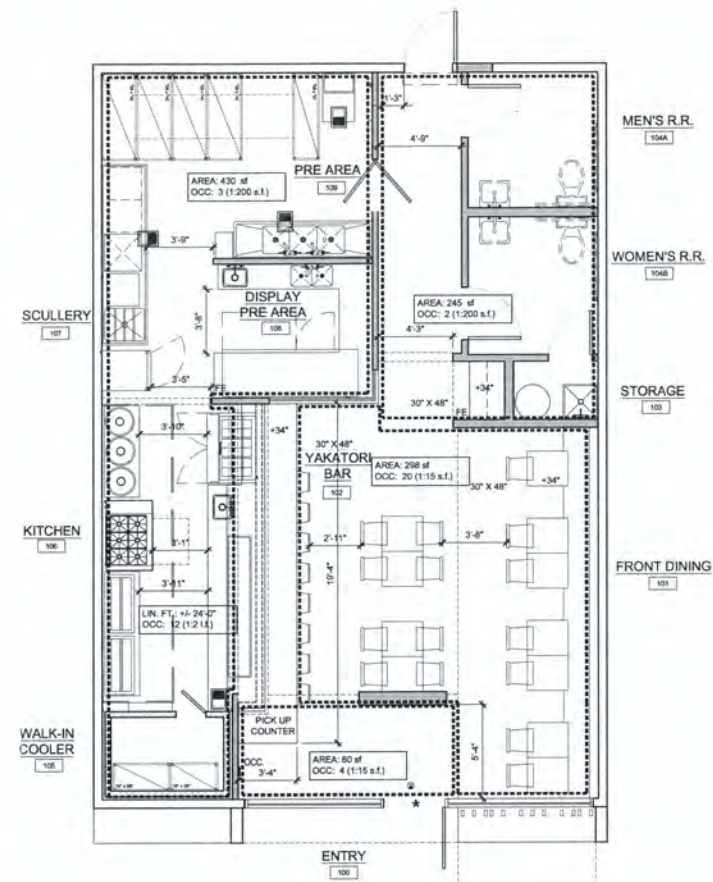
A handwritten signature in black ink, appearing to read "Jeff Chon", with a long, sweeping flourish extending to the right.

Jeff Chon

Owner & Managing Partner



SITE PLAN SCALE: 1" = 30'-0" 2



MINOR CONDITIONAL USE PERMIT/ ADMINISTRATIVE ADJUSTMENT NO. PA-16-49 A1 (2A-18-36)

Approval in Concept

SUBJECT TO CONDITIONS CITY OF COSTA MESA PLANNING DEPT.

BY ZA/JA DATE 6/21/18

EGRESS PLAN SCALE: 1/4" = 1'-0" 1

EGRESS NOTES

1. ALL EXIT DOORS ARE EXISTING. CONTRACTOR SHALL VERIFY AND UPGRADE ALL DOORS AS REQUIRED FOR CONFORMANCE WITH CBC 2013 CHAPTER 10.
2. REFER TO SHEET A1.1A FOR EGRESS LIGHTING.
3. INSTALL SELF-ILLUMINATING EXIT SIGNS IN CONFORMANCE WITH CBC 2013 SECTION 1011. REFER TO SHEET A1.1A FOR LOCATION.
4. EGRESS DOORS SHALL NOT BE EQUIPPED WITH ANY LOCK OR LATCH OTHER THAN PANIC HARDWARE IN CONFORMANCE WITH CBC 2013 SECTION 1008.1.8.
5. PANIC HARDWARE SHALL BE PROVIDED ON ALL DOORS IN THE PATH OF EGRESS TRAVEL IN CONFORMANCE WITH CBC 2013 SECTION 1008.1.8.

SYMBOL LEGEND

- LIMITS OF AREA CALCULATION FOR OCCUPANCY
- ACCESSIBLE PATH OF TRAVEL IN COMPLIANCE WITH CBC 2013 SECTION 1134B
- PATH OF TRAVEL (IN FEET) MAXIMUM DISTANCE FROM DOOR INTO AN EXIT ENCLOSURE, 250 FT.
- PH PANIC HARDWARE IN COMPLIANCE WITH CBC 2013 SECTION 1008.1.9
- * DOOR TO BE LABELED AT HEAD WITH "THESE DOORS TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED" IN CONFORMANCE WITH CBC 2013 SECTION 1008.1.8.3
- ⊙ EXIT SIGNS IN COMPLIANCE WITH CBC 2013 SECTION 1011.1
- OCCUPANT LOAD SIGNS IN CONFORMANCE WITH CBC 2013 SECTION 1004.3
- SELF-ILLUMINATING LOW EXIT SIGN IN COMPLIANCE WITH CBC 2013 SECTION 1004.3
- FE FIRE EXTINGUISHER

AREA SUMMARY

ROOM	LOCATION	FLOOR AREA	OCC. / S.F.	TOTAL OCC.
100	ENTRY	80 S.F.	1 / 15 S.F.	4
101	FRONT DINING	298 S.F.	1 / 15 S.F.	20
102	YAKTOR BAR	24 L.F. BAR	1 / 2 L.F.	12
103	STORAGE	245 S.F.	1 / 200 S.F.	2
104A	MEN'S R.R.			
104B	WOMEN'S R.R.			
105	WALK-IN COOLER	430 S.F.	1 / 200 S.F.	3
106	KITCHEN			
107	SCULLERY			
108	DISPLAY - PREP AREA			
109	PREP AREA			
TOTAL OCC.				41

WALL LEGEND

- WALLS TO BE DEMOLISHED
- (E) 1 HR DEMISING WALLS TO REMAIN
- EXISTING WOOD WALLS W/ R-13 INSULATION TO REMAIN
- NEW 2X METAL STUD WALLS. REFER TO STRUCTURAL



RETAIL TENANT IMPROVEMENT
OAK and COAL
Costa Mesa - Store
333 East 17th Street - Suite 120
Costa Mesa California 92626

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DATE

8/15/2016	HD Check
8/22/2016	Plan Check
	Plan Check
	Big Set
	Print
2015-017	Project Number

EGRESS PLAN

SHEET

A0.1