

PH-1

From: [Stephen Brahs](#)
To: [PC Public Comments](#)
Subject: Fwd: Outdoor Dining Permanent Approval
Date: Monday, November 13, 2023 11:43:35 AM
Attachments: [image.png](#)
[125 Cabrillo Outdoor Seating Approval. - stevebrahs@gmail.com - Gmail.pdf](#)
[Approved outdoor seating \(1\).pdf](#)
[Temporary Expansion of Restaurant Seating -- 9-20.pdf](#)

Thank you Staff and Planning Commission for your resolution converting temporary seating to Permanent Seating. Outdoor seating will be beneficial to everybody. We fully support all of your efforts.

Please consider adding our restaurant to the list of 22 approved temporary locations. We are getting ready to open soon and we will not be able to have any administrative delays or the delays involved for a Minor Conditional use Permit. Please see the email below regarding our approval for outdoor seating.

Thank you,

Steve Brahs

----- Forwarded message -----

From: **Stephen Brahs** <stevebrahs@gmail.com>
Date: Thu, Nov 9, 2023 at 7:33 PM
Subject: Outdoor Dining Permanent Approval
To: caitlyn.curley@costamesaca.gov <caitlyn.curley@costamesaca.gov>
Cc: INLOES, DANIEL <DANIEL.INLOES@costamesaca.gov>, DRAPKIN, SCOTT <SCOTT.DRAPKIN@costamesaca.gov>, <jennifer.le@costamesaca.gov>

Dear Caitlyn, Thank you for completing the staff report Modifying Outdoor Dining. Allowing outdoor seating has, and will be good for our residents and our Restaurant Owners.

In your report you include 22 locations that have been approved on a temporary basis. My property has also been approved pursuant to Urgency Ordinance 2020-15. We have actively constructed this outdoor seating area according to our approved temporary plan. We are getting ready to open and I would like to ensure that we don't have further administrative delays.

Please see the attached approvals that have been provided and you are welcome to visit our restaurant at any time to confirm that we are compliant.

I anticipate that we will be included as an approved permanent location probably in a modification to the second reading of the Ordinance since the Staff report is already on the agenda for Monday November 13. If my assumption is incorrect, or if I need to do anything to obtain automatic permanent status, please let me know.

Thank you for working so hard on this very beneficial ordinance.

Highest Regards,

Steve Brahs
125 Cabrillo St Costa Mesa, Ca 92627
949-422-3211
stevebrahs@gmail.com



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----- Forwarded message -----

From: BOUWENS-KILLEEN, WILLA <WILLA.BOUWENS-KILLEEN@costamesaca.gov>

Date: Thu, Feb 18, 2021 at 11:58 AM

Subject: 125 Cabrillo Site plan pdf

To: Stephen Brahs <stevebrahs@gmail.com>

Good morning, Stephen,

Thanks for the site plan!! Based on the information, you are approved for temporary outdoor seating. Please be aware that the ter the restaurant at the property have been fined off by the City of Costa Mesa.

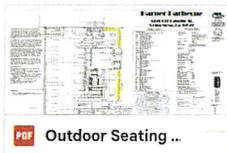
At this point in time, the temporary outdoor dining needs to be removed no later than December 31, 2021 – unless the City Council make it permanent, you will need to contact the Planning Division to see what needs to be done. It may require the filing of another

I've attached both your site plan as well as the City standards for allowing the temporary outdoor seating. Please remember that yo restaurants. Outdoor entertainment is prohibited.

Please let me know if you have any additional questions!!

Willia

2 Attachments - Scanned by Gmail



Harper Barbecue

125&127 Cabrillo St.
Costa Mesa, Ca 92627



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Project Data

Plan check number:	IC18-00837
Building department:	City of Costa Mesa
Building code:	This project to comply with 2016 CBC, 2016 OMC, 2016 CEC, and 2015 CPC 2016 Energy Standards, 2016 CSC 2016 CA Green Building Standards Code
Occupancy classification:	Business Group 322 (Self serve barbecue restaurant)
Construction classification:	Type VB (Type VB)
Stores:	Non sprinklered
Sprinklers:	Non sprinklered
Project Description:	Remodel existing building (conc. block wall) from automobile repair to new barbecue restaurant, and add a 118 s.f. restrooms building.
Project Data:	
Lot Area:	Lot 10 8,254 s.f.
	Lot 11 8,438 s.f.
	Total 13,252 s.f.
Existing Building Square Footage:	
Existing Building Public Area:	710 s.f.
Interior Entry/Counter:	132 s.f.
Total (E) building public area:	842 s.f.
Existing Building Back-of-House Area:	
Kitchen/BBQ ovens:	852 s.f.
Bar:	234 s.f.
Total (E) BHH area:	866 s.f.
Total existing area:	1,728 s.f.
New Construction:	
Total new construction:	118 s.f.
Total floor area:	1,846 s.f.
Landscaping:	
Parking required (10 per 1,000 s.f.):	18 stalls
Required 1,846/1,000 s.f. = 18 stalls	
Accessible stall (9'x18')	1 stall
Standard stall (8'x18')	3 stalls
Standard stall (9'x18')	8 stalls
Standard stall (10'x18')	3 stalls
Bike rack:	1 stall
Total parking provided:	16 stalls
Total Canopy Trees Required:	
One tree per 6 parking stalls:	3 trees
Total canopy trees provided:	12 trees
Installed Landscaping Required:	
25 s.f. per stall (17 stalls x 25 = 425 s.f.)	
Irrigated Landscaping Provided:	
1. Next to 9'x18' trash enclosure area (2'x18'-36 s.f.)	
2. East side of parking lot (7'x18'-72 s.f.)	
3. Accessible parking area (4'-10"-19'-92 s.f.)	
4. Area next to employee rear entrance (7'-3'-18'-130 s.f.)	
5. West side of turn around area (9'-0'-10'-95 s.f.)	
Total irrigated landscape area provided = 425 s.f.	

Vicinity Map



Building Department Notes

1. Must obtain Cal-OSHA permit to any demolition work that involves asbestos/hazardous waste removal/disposal at abatement.
2. Deferred submittal: a) Walk-in cooler calcs and shop drawings including test report of foam panels meeting Section 2603, CBC. b) Patio shade canopy calcs and plans, Keynote 9 on A-3.3. c) Shop drawings for storefront with tempered glass, GN-4. d) Test reports/cut sheets for smoker room equipment and exhaust system. e) Trash enclosure walls and roof cover. f) Racks over 5'-9" in height (calcs and details) g.) Anslul system
3. Mandatory measures on waste disposal: a) Comply with Section 301.3.2 regarding waste diversion required for alteration (T.1.) that requires building permit. b) Comply with Section 5.408 regarding construction waste reduction disposal and recycling.

Legal description

TRACT NO.:	751
LOT NO.:	125 Cabrillo St - 11 127 Cabrillo St - 10
ASSESSORS PARCEL NUMBER:	125 Cabrillo St - 425-441-11 127 Cabrillo St - 425-441-10

Consultants

Date:	Structural Engineer:
Drawn by:	
125&127 Cabrillo St.	
Costa Mesa, Ca 92627	
949-422-1725	
Architect:	Mech. Elect. Plumbing Engineer:
Randy Ranieri Architect	Cres Domini International, Inc.
3141 Linnac Lane	16320 Bona Parkway, Suite 100
Costa Mesa, Ca 92626	Irvine, Ca 92618
714-355-3053	949-338-6536

Project title



Harper Barbecue
125 & 127 Cabrillo St.
Costa Mesa, Ca 92627

Sheet Title

TITLE SHEET/SITE PLAN
PROJECT DATA

Revisions

- 1
- 2
- 3
- 4

Date: 5-24-19

Drawn: RR

Sheet Number

T-1

PUBLIC RIGHTS-OF-WAY AND PARKWAYS - GENERAL CRITERIA

The conservation of parkway trees, in the public rights-of-way, is a joint effort between the City and the adjacent property owner/tenant. Property owners/tenants are requested to properly irrigate their parkway, including trees, and report any damaged or suspected diseased trees to the Public Services Department. The Public Services Department is responsible for tree planting, insect and disease control, periodic tree pruning, and removal, if warranted.

In residential areas, a parkway suitable for landscaping typically exists between the street curb and sidewalk. This area is normally part of the public rights-of-way, and requires a permit from the City to install any improvements other than ground cover, turf, or low shrubs. In order to soften the appearance of the public rights-of-way, which consists mostly of pavement and concrete, the City requires that this area be landscaped and continuously maintained and irrigated by the adjacent homeowner.

The preferred landscape materials for the parkway area include turf, ground cover, and shrubbery with a maximum mature height of 18 inches. Notwithstanding the foregoing, landscape shrubbery may exceed 18 inches in height within the medians and parkways where there is no line of sight vehicle safety issue. If contacted by the adjacent property owner, the City will plant a tree in the parkway at no cost to the property owner. As noted in the adjacent paragraph, parkway trees are to be properly irrigated by the property owner.

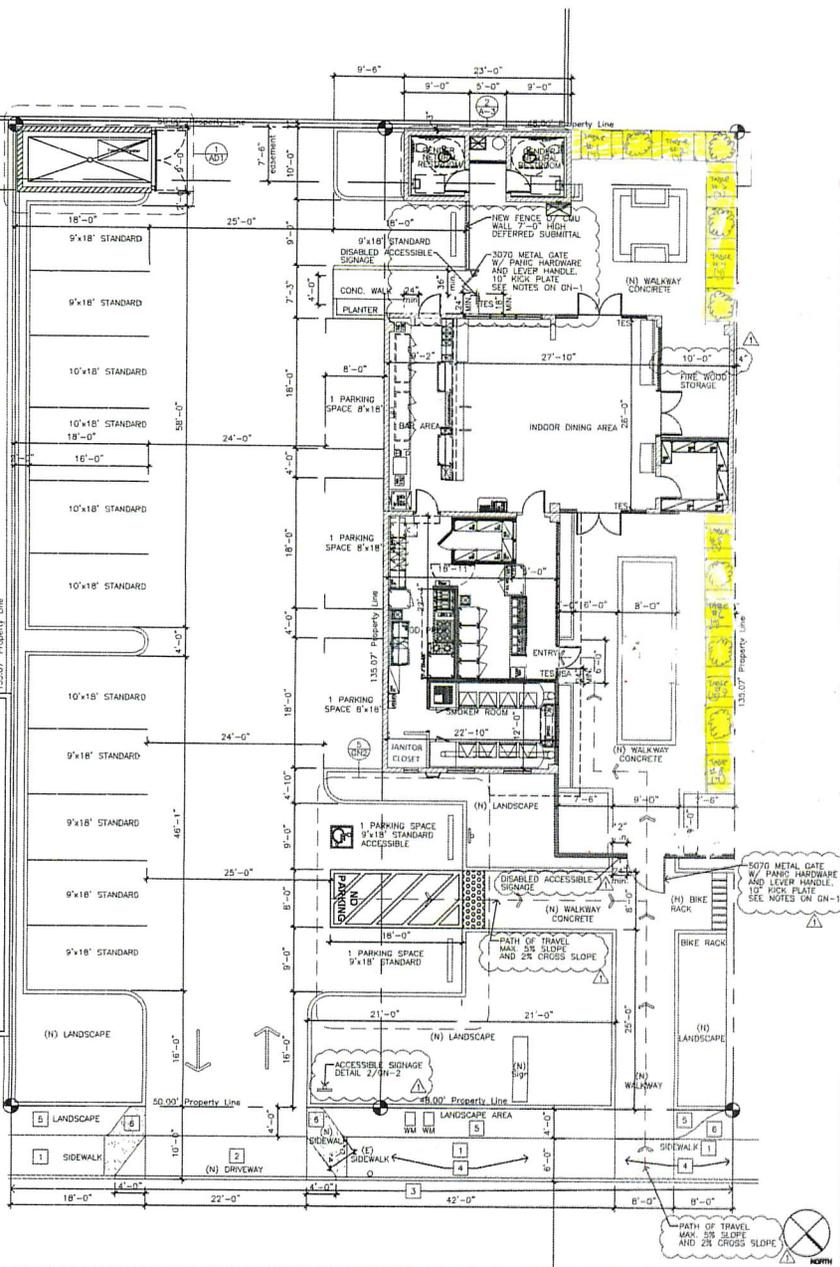
Unacceptable materials in the parkway area include asphalt, concrete (other than a four foot wide walkway from the curb to the sidewalk), brick, pavers, raised planters, fencing, structures (other than mailboxes), hazardous plant material (such as cactus, roses, and other thorn-bearing or highly poisonous plants), and trees other than as designated in these Standards.

PUBLIC WORKS NOTES:

1. All existing drive approaches to be closed with full height curb & gutter per STD 312
2. Construct new drive approach per STD 513, W=22", X=4' over 6" crushed miscellaneous base (C.M.B.) and modified to comply with ADA regulations.
3. Remove existing and construct Type C-6 curb & gutter per City of Costa Mesa STD 312 over 6" C.M.B. contractor shall reconstruct a minimum of 3 ft. of AC, adjacent to new gutter extend curb & gutter removed to new joint if less than 8 ft. away.
4. Construct sidewalk per City of Costa Mesa STD 411 & 413 over 4" C.M.B.
5. Comply with Section 3.0 of streetcure and median Development Standards of City of Costa Mesa
6. Sidewalk transition area, 4'-0" wide min.

GENERAL NOTES:

1. Obtain an encroachment permit prior approval.
2. For curb & gutter contractor to have A, C*, C12, D06 license use STD 418 for parking drain.



Site Plan

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

PROCEDURES FOR ALLOWING A TEMPORARY EXPANSION OF RESTAURANT SEATING

At the City Council meeting of June 2, 2020, City Council approved an urgency ordinance that allows the temporary outdoor dining patios – or the expansion of existing outdoor dining patios – for restaurants throughout the City of Costa Mesa. There were three different scenarios anticipated: Temporary dining on private properties excluding parking lots; temporary outdoor dining within private parking lots; and outdoor dining within certain public rights-of-way. Temporary dining within private parking lots and in the public right-of-way require a temporary use permit and are detailed elsewhere. Temporary dining on private properties are permitted without a temporary use permit subject to the following operational parameters:

Temporary Dining Opportunities on Private Property (excluding parking lots)

Many properties have oversized sidewalks, plazas or other areas where outdoor seating can be provided. The applicant must gain approval from the property owner/property manager and must comply with the following parameters before establishing or expanding outdoor dining.

- All dining areas shall observe State and local health guidelines for restaurants
- Temporary outdoor seating is restricted to serving existing, on-site restaurants
- Temporary outdoor seating may not be placed in required setbacks or landscaping areas
- Temporary outdoor seating is located within a reasonable proximity to the restaurant
- A minimum 4-foot-wide pedestrian access is provided to accommodate wheelchairs
- Pedestrian ingress/egress to the subject or other businesses may not be obstructed
- Any service of alcoholic beverages in these temporary areas will be subject to approval by the ABC
- Any canopies or tents will require Fire and Building Department approval prior to installation
- Temporary outdoor dining on a property within 200 feet of a residential zone will be required to be closed between 11 PM and 6 AM
- Patio will be posted with a contact phone number so any noise concerns can be reported to the business owner or her/his representative.
- Businesses which are permitted to have indoor entertainment shall maintain all such entertainment inside the premises, with no amplification or speakers to broadcast or pipe the entertainment to the outdoor areas.
- Approval for temporary use shall be for a period of no longer than 180 days (from the date the urgency ordinance was adopted by City Council on June 2, 2020) unless the temporary approvals are extended, subject to a similar reconsideration and potential extension at that time. **All temporary improvements – such as barriers, tents, canopies, etc. -- will be required to be removed by December 2, 2020 unless Urgency Ordinance No. 2020-15 is extended by the City Council**
- The combined occupancy of the existing and temporary indoor and/or outdoor spaces shall not exceed the approved occupant load listed on the certificate of occupancy under non-COVID pandemic conditions