

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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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 terraces at the restaurant at the property have been finished off by the City of Costa Mesa.

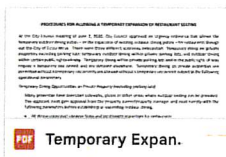
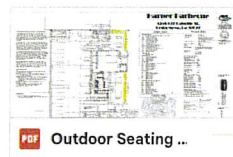
At this point in time, the temporary outdoor dining needs to be removed no later than December 31, 2021 – unless the City Council make it permanent, you will need to contact the Planning Division to see what needs to be done. It may require the filing of another

I've attached both your site plan as well as the City standards for allowing the temporary outdoor seating. Please remember that no restaurants. Outdoor entertainment is prohibited.

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

Willia

2 Attachments • Scanned by Gmail



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