



# **PLANNING COMMISSION**

## **AGENDA REPORT**

MEETING DATE: DECEMBER 9, 2013

ITEM NUMBER: PH-2

**SUBJECT:** PLANNING APPLICATION AMENDMENT PA-94-14 A1 – A REQUEST TO ALLOW A CHANGE OF AN ALCOHOL BEVERAGE LICENSE FROM A BEER & WINE TO A GENERAL LICENSE AT AN EXISTING BAR WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTY AT 1562 NEWPORT BOULEVARD.

**DATE:** NOVEMBER 27, 2013

**FROM:** PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

**PRESENTATION BY:** ANTONIO GARDEA, SENIOR PLANNER

**FOR FURTHER INFORMATION CONTACT:** ANTONIO GARDEA (714) 754-5692  
antonio.gardea@costamesaca.gov

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### **PROJECT DESCRIPTION**

The applicant is requesting to amend Conditional Use Permit PA-94-14 to change an existing State Alcoholic Beverage Control License for an existing bar (Pub 33) located within 200 feet of residentially zoned property. The bar currently operates with a Beer and Wine license which is requested to be changed to a General (Full Liquor) license.

### **APPLICANT**

The applicant is Gary Turner, the property owner.

### **RECOMMENDATION**

Adopt a resolution approving the amendment to the Conditional Use Permit to allow the change of Alcoholic Beverage Control License to a General On-Sale (Type 48) license, subject to conditions of approval.

### **BACKGROUND**

#### ***Project Site***

The property is located on Newport Boulevard and is developed with a single-story commercial building currently being used as an eating and drinking establishment (Pub 33). The bar is approximately 1,892 square feet in area and includes an outdoor smoking patio. The property is zoned C2 (General Business District) and has a general plan land use designation of General Commercial.

The property is located in the midblock of Old Newport Boulevard between East 15<sup>th</sup> Street and East 16<sup>th</sup> Street. The property is bound by commercial buildings to the north and south and abuts an alley that dead ends to the north of the site. Because of the surrounding topography, the residential properties immediately to the east of the alley are higher in elevation and overlook the subject site. The building does not have any openings that face the residentially zoned properties. The building is set back against the rear property line and provides customer parking in front of the building. A total of 21 parking spaces are provided on-site. A single point of ingress and egress is provided from Old Newport Boulevard.

### ***Prior land use approvals***

The location was originally established as a 1,312-square foot sports bar. In 1994, the sports bar expanded into an adjacent 580-square foot tenant space that also included a 40 foot wide by ten foot deep 'smoking' patio. As part of the renovation at the time, the restrooms were enlarged to comply with A.D.A standards and parking lot striping plans were approved to increase the number of on-site parking spaces. The approved hours of operation are 10:00 a.m. to 2:00 a.m. The eating and drinking establishment is within 200 feet of residential zoned properties and subject to a conditional use permit. The business is compliant with the current conditions of approval.

## **ANALYSIS**

### ***Amendment to Conditional Use Permit***

An amendment to the existing conditional use permit is required for the change of the alcohol sales license type. The applicant is eligible to apply for issuance of an On-Sale General (Type 48) license from the State of California Department of Alcoholic Beverage Control (ABC). If the applicant is successful in obtaining ABC approval, the existing Beer & Wine (Type 42) license would be replaced with a Type 48 license, which is a full liquor license. According to representatives from ABC, the applicant would have to demonstrate public demand to obtain the Type 48 license.

Recently, the new owners have undertaken renovations to the existing bar. The renovations have included changes to the exterior of the building, such as replacing signage and painting the building. The applicant also intends to invest further with interior renovations with quality finishes and materials and refurbishing the restrooms. In addition, the applicant makes note that the servers wear more modest uniforms to convey a sophisticated and classy atmosphere.

While the applicant has outlined the recent reinvestment into the property, further upgrades to the exterior of the property are necessary. The surface parking lot does not comply with the current landscape standards. As part of the conditions of approval, staff is recommending that the applicant be required to submit a landscape plan to

renovate the exterior parking lot in conformance with the current standards within 180 days of obtaining the type 48 ABC license.

### ***Justifications for Approval***

Staff is recommending approval of the request based on the following:

*The existing bar meets and/or exceeds all applicable Zoning Code requirements and the prior site upgrades for the property are conducive for the proposed use.* The existing bar complies with zoning code provisions. The property has recently changed ownership and the bar is undergoing a rebranding from the previous use as a 'bikini' bar. In September 2009, staff sent a letter protesting the transfer of the alcohol license because of code violations related to the use of the outdoor patio and on-going property maintenance issues. The code enforcement case was subsequently closed and staff withdrew the protest. As mentioned previously, the property owner has invested in updating and renovating the property.

*The proposed use, as conditioned, is compatible with the uses in the surrounding area.* Compliance with the conditions of approval will allow this use to operate with minimal impact on surrounding properties and uses. The proposed change of license type enables the bar to provide a variety of beverages in line with the clientele for the English-style pub. Although the property is near residences immediately to east, the proposed use is not anticipated to generate adverse noise, traffic, or parking impacts that are unusual for commercially-zoned property.

*The Police Department does not have any objections to the proposed use.* The Police Department has met with the applicant, reviewed the proposed change of license type, and has no objections to the proposal. Although the Police Department had expressed concerns with this use in the past and sales of alcoholic beverages in general, this change of license type is not anticipated to elevate rates of alcohol-related crime (i.e., disturbing the peace, public intoxication, vandalism, graffiti, etc.).

The proposed use, with the recommended conditions of approval, will be consistent with the other uses in the immediate vicinity. Compliance with the conditions of approval will allow this use to operate with minimal impact on surrounding properties and uses.

### **ENVIRONMENTAL DETERMINATION**

If approved, the project would be exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities. If the use is denied, they would be exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15270(a) for projects which are disapproved.

## ALTERNATIVES

The Commission has the following alternatives:

1. Approve the use with the recommended conditions of approval to ensure any impacts to the adjacent properties and uses is minimized; or
2. Deny the use. If the project is denied, the property may still operate under the same limitations and conditions of approval for PA-94-14.

## CONCLUSION

The proposed use, with the recommended conditions of approval, will be consistent with the City's Zoning Code and General Plan. Staff believes that the proposed project, as conditioned, will not have an adverse impact to surrounding properties.



ANTONIO GARDEA  
Senior Planner



GARY ARMSTRONG, AICP  
Economic & Development Services Director /  
Deputy CEO

- Attachments:
1. Draft Planning Commission Resolutions
  2. Applicant's Description of the Use
  3. Location Map
  4. Floor Plan

cc: Director of Economic & Development / Deputy CEO  
Sr. Deputy City Attorney  
Public Services Director  
City Engineer  
Transportation Services Manager  
Fire Protection Analyst  
Staff (6)  
File (2)

Gary Turner  
2837 N. Roxbury Street  
Orange, CA 92867

## RESOLUTION NO. PC-13-\_\_\_

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING AMENDMENT TO CONDITIONAL USE PERMIT PA-94-14 A1 FOR APPROVAL OF A CHANGE OF ALCOHOL LICENSE TYPE FROM AN EXISTING BEER & WINE LICENSE TO A GENERAL LICENSE.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Gary Turner, the property owner, requesting approval of an amendment to Conditional Use Permit PA-94-14, located at 1562 Newport Boulevard, to change an existing State Alcoholic Beverage Control (ABC) License Type 42 (On-Sale Beer and Wine) to a Type 48 (On-Sale General) license.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on December 9, 2013, with all persons having the opportunity to speak for and against the proposed project.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission hereby **APPROVES** PA-94-14 A1 with respect to the property described above for a change of ABC License from Type 42 (On-Sale Beer & Wine) to Type 48 (On-Sale General).

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this resolution is expressly predicated upon the activity as described in the staff report for PA-94-14 A1 and upon applicant's compliance with each and all of the conditions contained in Exhibit B as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

**PASSED AND ADOPTED this 9th day of December, 2013**

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Jim Fitzpatrick, Chair  
Costa Mesa Planning Commission



**EXHIBIT A****FINDINGS**

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. A compatible and harmonious relationship exists between the proposed use and existing buildings, site development, and uses on surrounding properties.
  2. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation.
  3. The proposed use will comply with the performance standards as prescribed in the Zoning Code.
  4. The proposed use is consistent with the General Plan.
  5. The planning application is for a project-specific case and does not establish a precedent for future development.
  6. The cumulative effect of all the planning applications have been considered.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the conditional use permit amendment in that the proposed use is substantially compatible with developments in the same general area. Granting the proposal will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to properties or improvements within the immediate neighborhood. Specifically, the proposed use complies with the intent of the Zoning Code, the General Plan, and, as conditioned, will ensure compatibility with the surrounding neighborhood.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines; and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15301 for Existing Facilities.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**EXHIBIT B****CONDITIONS OF APPROVAL**

- Plng. 1. The use shall be limited to the type of operation as described in the staff report. Any change in the operational characteristics including, but not limited to, the hours of operation and additional services provided, shall require review by the Planning Division and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
2. The project is subject to compliance with all applicable Federal, State, and local laws. A copy of the applicable Costa Mesa Municipal Code requirements has been forwarded to the Applicant and, where applicable, the Authorized Agent, for reference.
  3. The application of the change of Alcoholic Beverage Control license type shall indicate that the applicant is cancelling the existing license. The existing license shall not be transferred (surrendered) or sold to another business owner.
  4. The applicant shall submit a detailed landscape plan that complies with current zoning code standards for the parking lot within 180 days of obtaining approval to change the ABC license type.
  5. All sales and service staff (within 90 days of hire) shall complete Responsible Beverage Service training with a provider approved by the California Department of Alcoholic Beverage Control. A copy of the training certificates shall be kept on premises and presented to any authorized City official upon request.
  6. Music or other entertainment shall not be audible beyond the area under the control of the licensee.
  7. Any form of live entertainment or dancing shall require approval of a Conditional Use Permit and may require a public entertainment permit.
  8. The hours of operation shall be from 10:00 a.m. to 2:00 a.m. daily.
  9. Seating is prohibited in the outside patio area.
  10. Applicant shall post signs outside the premises prohibiting the consumption of alcoholic beverages and loitering in the parking lot. Applicant shall post signs inside and outside the premises in compliance with the City of Costa Mesa Municipal Code notifying the public with regard to the prohibition of open containers of alcohol beverages.
  11. The parking lot shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot.
  12. Applicant shall secure the premises with appropriate security lighting and employee scrutiny of adjacent areas under which applicant has control, to prevent trash, graffiti and littering. Any lighting under the control of applicant shall be directed in such a manner so as not to unreasonably interfere with the quiet enjoyment of nearby residences. Applicant shall further provide adequate lighting

above the entrance to the premises sufficient in intensity to make visible the identity and actions of all persons entering and leaving the premises.

13. The applicant shall maintain free of litter all areas of the premises under which applicant has control.
14. Any graffiti painted or marked upon the premises shall be removed or painted over within 48 hours of being applied.
15. Exterior advertising shall comply with the City's sign regulations, and exterior advertisements which indicate the availability of alcoholic beverages shall be prohibited. Interior displays of alcoholic beverages or signs which are clearly visible from the exterior at the closest public street or sidewalk, shall constitute a violation of this condition.
16. 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.

**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.

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|--------------|---|
| Plng.        | <ol style="list-style-type: none"> <li>1. Approval of the zoning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by obtaining a business license and legally establishes the business. If the applicant is unable to establish the use 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.</li> <li>2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.</li> <li>3. Use shall comply with all requirements of Code Sections 13-43 Article 3, Chapter V, Title 13 of the Costa Mesa Municipal Code relating to commercial development standards.</li> <li>4. All requirements of the California Alcoholic Beverage Control Board shall be complied with.</li> </ol> |
| Bus.<br>Lic. | <ol style="list-style-type: none"> <li>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.</li> <li>6. Business license(s) shall be obtained.</li> </ol>  |
| Bldg.        | <ol style="list-style-type: none"> <li>7. Comply with the requirements of the 2010 California Building Code, 2010 California Electrical Code, 2010 California Mechanical Code , 2010 California Plumbing Code, 2010 California Green Building Standards Code, and 2010 California Energy Code (or the applicable adopted California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.</li> <li>8. Provide a plan to the County of Orange Health Dept. for review and approval .</li> </ol>  |

**SPECIAL DISTRICT REQUIREMENTS**

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

- |       |  |
|-------|--|
| Sani. | 1. It is recommended that the applicant contact the Costa Mesa Sanitary District at 949.645.8400 for current district requirements.  |
| AQMD  | 4. Applicant shall contact the Air Quality Management District 800.288.7664 for potential additional conditions of development or for additional permits required by the district. |

RESOLUTION NO. PC-13\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA DENYING CONDITIONAL USE PERMIT  
AMENDMENT PA-94-14 A1**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Gary Turner, the property owner, requesting approval of an amendment to Conditional Use Permit PA-94-14, located at 1562 Newport Boulevard, to change an existing State Alcoholic Beverage Control (ABC) License Type 42 (On-Sale Beer and Wine) to allow a Type 48 (On-Sale General) license.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on December 9, 2013, with all persons having the opportunity to speak for and against the proposed project.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission hereby **DENIES** PA-94-14 A1 with respect to the property described above.

**PASSED AND ADOPTED this 9<sup>th</sup> day of December, 2013.**

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Jim Fitzpatrick, Chair  
Costa Mesa Planning Commission

## EXHIBIT A

### FINDINGS (DENIAL)

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
  - 1. A compatible and harmonious relationship does not exist between the proposed use and existing buildings, site development, and uses on surrounding properties.
  - 2. The proposed use is not consistent with the General Plan or Redevelopment Plan.
  
- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the conditional use permit amendment in that the proposed use is not compatible with developments in the same general area. Granting the request will be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to properties or improvements within the immediate neighborhood.
  
- C. The Costa Mesa Planning Commission has denied Planning Application PA-94-14 A1. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.
  
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**TURNER'S PUB 33**

1562 Newport Blvd, Suite C &amp; D, Costa Mesa, CA. 92627

Phone : 949.548.6984

Cell : 714.457.1992

Email: Pub33Inc@aol.com

October 21, 2013

City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA. 92626  
Attn: Planning Division  
Chair: Jim Fitzpatrick  
Vice Chair: Robert Dickson  
Commissioners: Colin McCarthy, Jeff Mathews, and Tim Sesler

Dear Sirs,

Submitted for your review and consideration is this request to amend our Conditional Use Permit under the current Type 42 license to the Type 48 Alcohol Beverage Control License for our establishment. Contained within this request are the following documents for your review:

- o Application & Application Letter
- o Fee Payment
- o Public Notification Requirements
- o Plans

We have recently purchased and taken over operation of the establishment formerly known as the "Eye Candy Bikini Bar" and have transformed it from what could easily be described as an eye soar and a disgrace to the community of Costa Mesa placing it on track to become an establishment of pride for our city. Upon our assuming ownership we found the building and property in a run-down, dirty, dilapidated condition with unappealing signage touting the offensive advert on the marquee "Midgets Are Here and Nicole on the Pole." This former establishment as it was run was an embarrassment to say the least. We are changing that purview and with your approval of this request we will be able to achieve our goal; to make an upscale, classy neighborhood English style Pub; no longer an embarrassment to the City of Costa Mesa. We are family owned and operated with either myself or my wife on premises every day. We have been successful business owners in Costa Mesa for 20 years and we now turn our attention and business expertise to creating and maintaining a fine establishment with TURNER'S PUB 33.

We strongly believe and we can demonstrate for you, that your approval of our request will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements to the general area and neighborhood surrounding TURNER'S PUB 33. With the granting of a liquor license in keeping with other similar establishments, we believe that we will make a positive impact on the surrounding businesses and would certainly not be any detriment whatsoever primarily because all of our changes inure to the betterment of the area by attracting a higher, more desirous level of patron. We have already heard from those who had frequented the prior establishment, tremendous support and praise for the transformation we have already made. There are many residents that currently frequent the bar and have offered letters of recommendation to document their support. We have also conducted a survey (copy provided herein) to reflect the interest of our

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current patrons as to alcoholic beverages. A full 100% of those surveyed indicated their preference for beverages other than the current selection of beer and wine. It is evident that granting your approval will satisfy customer preference and give us the ability to continue to distance our establishment from the previous negative stigma associated with the prior establishment and the choices of that proprietor. We have reached out to the residential homeowners located behind us, and have had an overwhelmingly positive response from all. With your approval of our request for liquor license type 48, we will be able to generate the revenue necessary to continue with our plans for making TURNER'S PUB 33 a Costa Mesa business of acclaim.

## HISTORY

This location has functioned since 1957 as a beer and wine bar and over the years it suffered from a lack of attention and pride; sinking to the distasteful level of its last incarnation; that of the Eye Candy Bikini Bar. In conversations with regular patrons and with the local Costa Mesa business owners and residents who have come in, we have received high praise for the immediate improvements they have seen us make thus far. All have encouraged us to seek a full liquor license and to offer menu items especially because there is not a convenient place nearby to grab a Panini or a cup of soup for instance while enjoying their alcoholic beverage of choice. Signage that advertised their theme of the Eye Candy Bikini Bar and many times advertised Midget appearances were highly offensive and more indicative of the inner city economically depressed areas seen in areas like Los Angeles. This is not our vision or theme for our new business.

## NEIGHBORHOOD RESPONSE TO FORMER OWNERSHIP

Over 60,000 cars pass TURNER'S PUB 33 daily as they traverse along Newport Boulevard. Under the previous ownership, many local families expressed to us their outrage with the previous owner. The choices made by the former proprietor may have benefited him with a substantial income but he apparently did not invest in the business such that it was nothing more than, according to the neighbors, a run down, dirty dive bar. There apparently was no reinvestment of profits made to the bar and nothing was done to beautify the exterior building, which angered the local residents and business owners. In the most egregious act, as communicated to us by the surrounding business owners, your records will reflect that in 2012, the Bikini Bar owner was shut down by Police and the A.B.C. for allegedly having two female bar employees engaged in the purchase or sale of narcotics. The former owner was penalized with a 60 day suspension which shut down his business however upon reopening nothing had changed as to his policies and practices. This is just one example of the detrimental use of the former establishment under the former owner.

## IMPROVEMENTS: Current & Future

Already in the short time since we have taken over, we have transformed this establishment to an upscale Neighborhood Pub. We have already made many improvements to the exterior and the interior of the establishment and have installed 15 high definition Televisions for Sports Games viewing. We have refurbished the pool tables and replaced the jukebox. The exterior and the interior of the building have been repainted an esthetically pleasing hue, in keeping with our British company logo and color scheme. We have removed all of the highly offensive photos of naked women in the men's restroom and naked men in the women's restroom as well

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as the painted offensive and sexually explicit comments, which were a hallmark of the prior establishment. We have had the premises cleaned and fumigated. The restrooms have been completely refurbished with new sinks, commodes, floor tile and mirrors. Outdoors we have repaired and repainted the patio fencing and have made the area quite comfortable for our patrons who wish to sit outdoors. We have cleaned, repaired, repainted or replaced many items to coincide with our new look, vision and design for TURNER'S PUB 33.

It is our plan and intention to undertake further renovations such as a complete redesign of the interior, building a dark wood and stainless steel traditional English Pub style bar, redesigned in a U shape for more patron interaction. We plan to install new, dark wood floors, and increase our seating capacity for our patrons with traditional leather pub stools. Our plans for renovations to the front of the building include an impressive stonework treatment and stainless steel accents. To the outdoor patio we plan to add a self-contained water feature which will set the mood for relaxation while our patrons enjoy the Coastal sun in the daytime and the starry skies in the evening. We have already replaced the front signage and gone are all of the offensive verbiage as to midgets and the like; replaced with our TURNER'S PUB 33 Logo and an invitation to the public to stop in to meet the new owners.

We have hired new, seasoned and experienced bartenders who are professional and understand the importance of our vision for TURNER'S PUB 33. Our staff now wears more moderate style uniforms, similar to the Tilted Kilt establishment in Orange. We have ensured that our staff is appropriate in their demeanor and conversations with our patrons and we have been able to attract a much more sophisticated and classy level of employee; again in keeping with our image of a neighborhood English Pub. We have instituted strict policies and procedures and provide staff training to ensure that our employees represent us to the highest standards. There is at all times on premises 7 days a week, security staff which are all former law enforcement or military men. Safety and security are of utmost importance to us.

In addition to the esthetic improvements we plan to offer gourmet sandwiches and homemade hot soups with H'orderves, imported cheese and fine meat platters found at upscale sports bars. We have much more to do and in the absence of your approval to upgrade us to a full liquor license, we will be adversely impacted and restrained from completing the full vision of our neighborhood style English Pub concept. It can easily be said that once we complete all plans, we will have transformed entirely the previous image of a rundown unsavory bar to an upscale, classy English Pub; such that the City of Costa Mesa can be proud. Yet without your consent we fear we will be unable to bring our full vision to fruition.

## COMMUNITY INVOLVEMENT & MARKETING CAMPAIGN

Our theme of a traditional English Pub will include all of the elements of an upscale sports bar. We plan to be involved with community events, charity events, local sports teams and support and advance the events of Costa Mesa. Our plan is to launch a major marketing campaign to announce TURNER'S PUB 33, to attract new patrons as well as to keep the former regular patrons satisfied; albeit gone are the sexual innuendos and other sexist and inappropriateness of the former proprietor in his establishment. We have introduced our concept and vision for our neighborhood pub to the local Newport Heights and Costa Mesa residents. We have held several Free Tri Tip Dinner Barbeques, which have been a huge hit! We have been so thrilled

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with the responses from the neighbors and local business owners and employees as they have come by to enjoy a refreshing beverage and a game of pool.

## SUPPORT FOR REQUEST FOR FULL LIQUOR LICENSE TYPE 48

In order for us to generate increased revenue and attract a more desirable, upper class demographic we need to be granted a full liquor license. Some of the benefits of featuring mixed drinks are that they are more appealing to the upper end patron but as well to the female patron. Ladies are more inclined for instance, to order a Cosmo, an established leader among top-ranking alcoholic cocktails or a Martini, Strawberry Daiquiri or a Margarita, as opposed to a beer. Especially in this time of greater attention to mixology, patrons with a more discerning palette will be more inclined to visit and return to TURNER'S PUB 33, which while it generates more revenue for us, it also positively impacts the City of Costa Mesa. In our surveying the area bars with full liquor licenses such as The Wild Goose, Black Knight, and Goat Hill, it is evident that we lose business to them every day as there is a higher percentage of patrons who frequent establishments with a full bar complement.

## ARCHITECTURAL PLANS

Attached are copies of our floor plan. Upon your request we can present architect's drawings, which will provide you with our concept for the exterior building redesign and renovations. If we are financially able to move forward with these plans, based upon the additional revenue a Type 48 Alcohol Beverage Control License will generate, surely you would agree that all who live and work in our Costa Mesa neighborhood will be pleased.

## IN CONCLUSION

In order for us to be in a position to finance the planned improvements and renovation for TURNER'S PUB 33, we must be able to generate an increase in revenue. With only a beer and wine menu, this limits us to a certain demographic and a lower percentage profit, as beer and wine do not have the higher profit margin of alcoholic beverages. With the addition of a full bar we will attract more patrons who prefer liquor. The profit margin on alcoholic beverages is far greater than on beer and wine. We lose business everyday because people come in asking if we offer alcoholic beverages and when they hear we do not, they frequent area bars such as Goat Hill, Tiki Bar, Pierce St Annex, Black Knight, and Wild Goose.

We are certain you agree that the prior establishment drew business based in large part due to the unsavory sexually charged draw and the perversity of exploitation of midgets. Now that this element of life's underbelly is gone from this location in City of Costa Mesa, please allow us to continue with our plans to grow our business based upon all of the improvements; even those we have already demonstrated. The potential is clearly there in our location with its high visibility on Newport Boulevard and the convenience of ample parking, and support us in our desire to present our Costa Mesa community with a classy, upscale neighborhood pub. Whatever success we achieve will certainly provide us the opportunity to hire more employees and generate municipal revenues; this type of positive effect on the local economy cannot be underestimated.

# TURNER'S PUB 33

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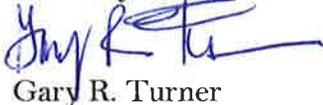
Cell : 714.457.1992

Email: Pub33Inc@aol.com

It is our sincere hope that we have provided for your contemplation and consideration the many benefits of approving our request. Our 30 years of experience in the food and beverage business gives us the advantage as proprietors who understand the importance of a solid business plan. We take our responsibility seriously to present an establishment that will make the City of Costa Mesa officials and local residents proud. Please help us achieve our goals with your approval of our conditional use permit Type 48 ABC License for TURNER'S PUB 33.

Thank You.

Sincerely,



Gary R. Turner

Owner

**PUB 33 Customer Questionnaire**

**Thank you for sharing your thoughts about our New Ownership  
We Value Your Opinion**

Date: 10-11-13

1) WOULD YOU BE VISITING PUB 33 MORE OFTEN THAN YOU ALREADY DO IF WE HAD A FULL BAR TYPE 48 Liquor License?

YES       NO

2) IF YOU HAD THE CHOICE TO ORDER SOMETHING OTHER THAN BEER, WHAT ALCOHOLIC DRINK WOULD YOU CHOOSE?

MAKER'S MARK OR Good Scotch

3) PLEASE INDICATE WHAT YOU LIKE BEST ABOUT THE CHANGES MADE UNDER THE NEW OWNERSHIP OF PUB 33?

APPEARANCE OF EXTERIOR BUILDING

APPEARANCE OF INTERIOR

CLEANLINESS

QUALITY EMPLOYEES

ALL OF THE ABOVE

4) WHAT OTHER COSTA MESA BARS DO YOU FREQUENT THAT HAVE A FULL LIQUOR LICENSE?

TIKKI BAR

GOAT HILL

WILD GOOSE

SKOSH MONAHAN'S

LONDON PUB

BLACK KNIGHT

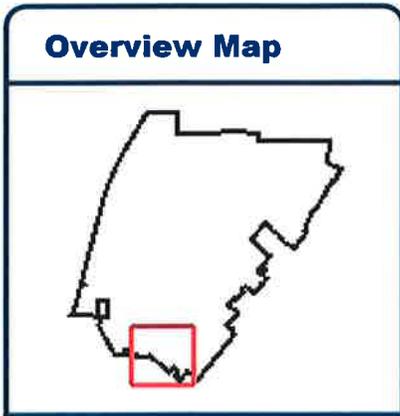
PIERCE ST ANNEX

DETROIT

AVALON

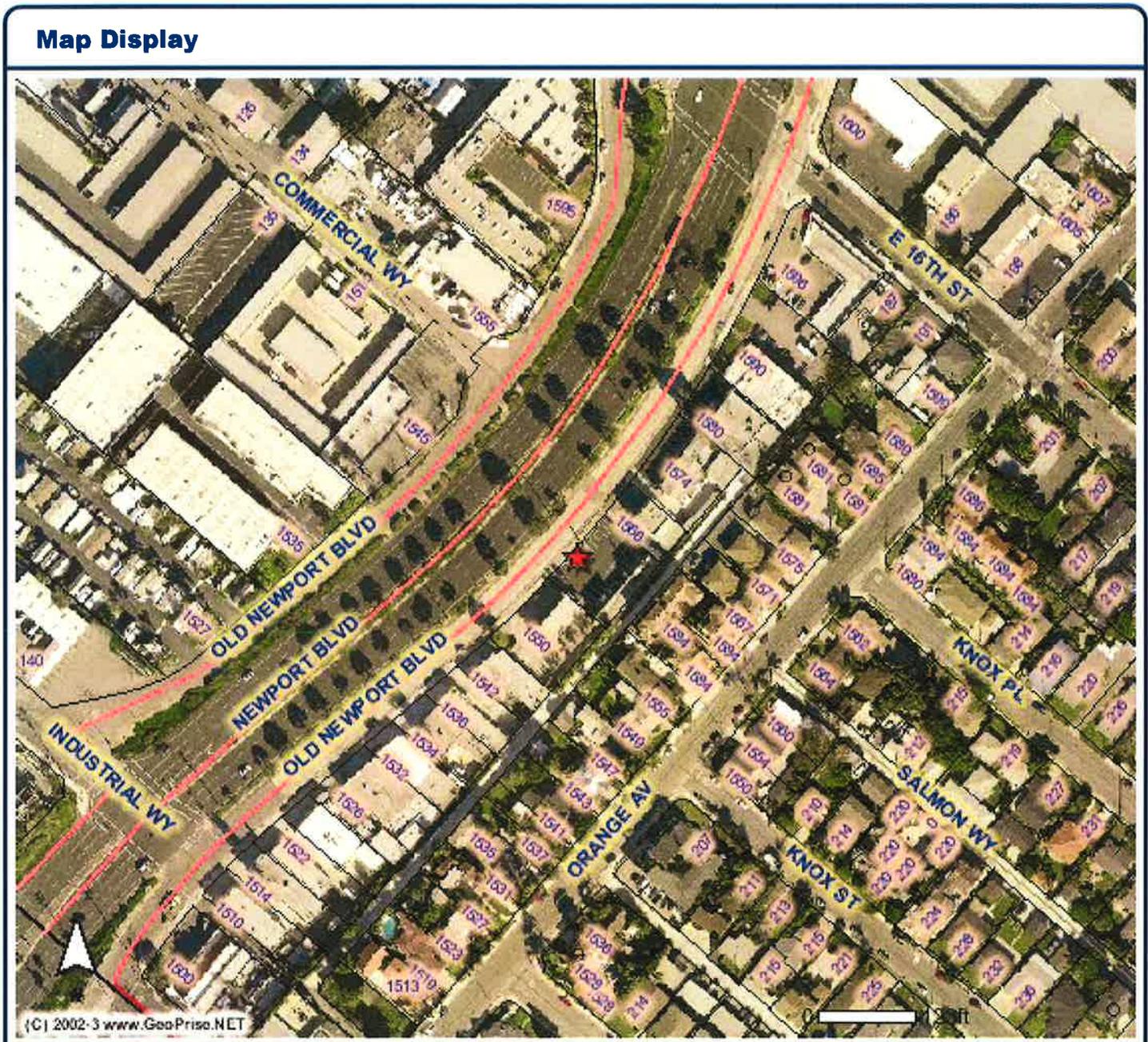
5) (A) When you visit a bar do you plan for a designated driver or (B) call a taxi for transportation needs?

A     B check one please

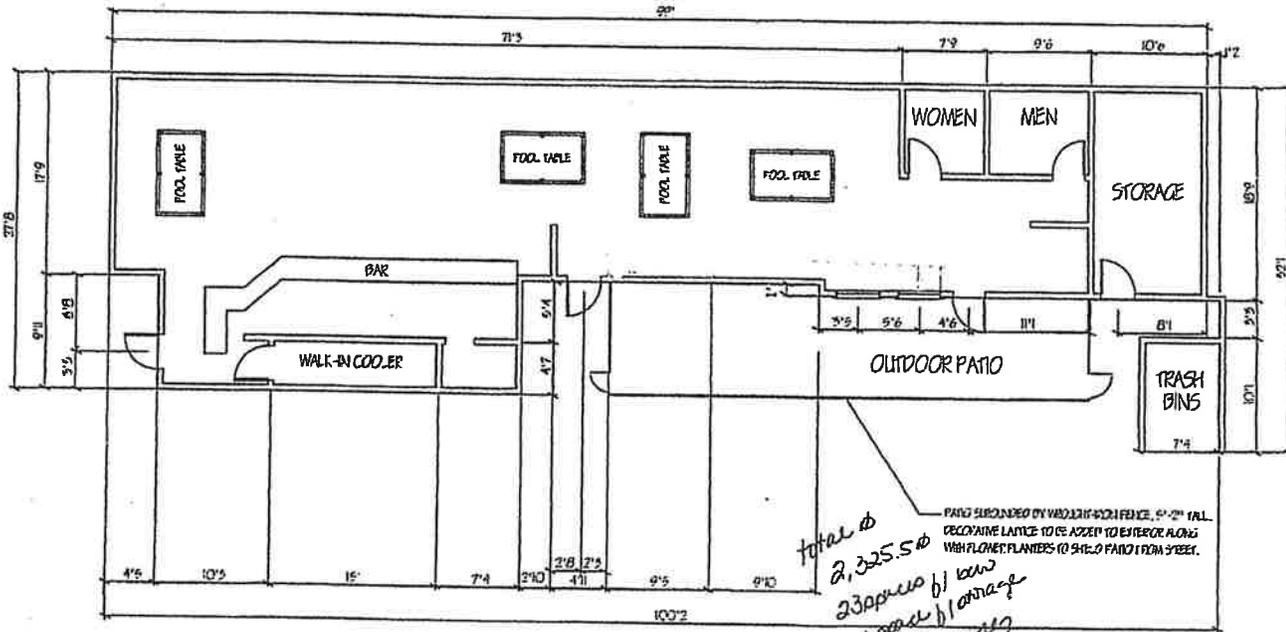


### Legend

Address Small		Freeway		Freeway Major		Primary	
Address Points		Roads		Newport BLVD (cont)		SECONDARY	
		Collector (cont)				Hydrology	
						Channels	



# ATTACHMENT 4



FLORIDA

1567 Newhart Blvd

DRAWN BY: DDB  
DATE: 10/02