



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: NOVEMBER 9, 2015

ITEM NUMBER: PH-2

SUBJECT: PLANNING APPLICATION PA-15-46 FOR BOATHOUSE COLLECTIVE LOCATED AT 1640 POMONA AVENUE

DATE: OCTOBER 28, 2015

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MINOO ASHABI, PRINCIPAL PLANNER

**FOR FURTHER INFORMATION CONTACT: MINOO ASHABI, AIA, PRINCIPAL PLANNER (714) 754-5610
Minoo.ashabi@costamesaca.gov**

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit for Boathouse Collective for the following:

- Conditional use permit to allow modified operations as a restaurant and music venue with live entertainment and dancing within a 3,000 square foot buildings with valet parking and no outdoor dining. The following hours of operation is proposed:
 - Weekly daytime - Monday – Friday 7:00 a.m. to 3:00 p.m. for takeout orders and delivery only
 - Weekday evenings – 5:00 p.m. to 1:00 a.m. with valet service (Monday through Friday)
 - Weekend daytime and evenings – 7:00 a.m. to 2:00 a.m. with valet service (Saturday and Sunday)
- The valet parking will be provided as follows:
 - on-site valet parking with 29 parking spaces
 - off-site valet parking at 1603 Superior Avenue with 21 overflow spaces
 - off-site employee parking at 1626 Ohms Way with 15 parking spaces

APPLICANT

The applicant is Clayton Peterson, authorized agent of 126 Properties LLC, the property owner.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions of approval.

BACKGROUND

Project Site/Environs

The property is located on Pomona Avenue south side of W. 17th Street south of the recently approved 177-unit Westside Gateway Project (671 W. 17th Street). The site is developed with a 3,000 square foot single story building that was recently renovated for a restaurant and event venue and a separate tenant space occupied by BB Dakota, an office and wholesale apparel business.

The property is zoned MG (General Industrial) and has a General Plan designation of Light Industrial.

Previous Entitlement

Expired Conditional Use Permit PA-11-11

On December 12, 2011, the Planning Commission approved a restaurant and music venue for Boathouse Collective. The proposal included a restaurant, an outdoor dining area and a section of parking spaces on the "Argotech" property (671 W. 17th Street). At the time, Argotech was still operating as an industrial site. However, the Argotech site was recently approved for development of 177-units. The site is mostly vacant and fenced off as the property will need soil remediation for residential development and the parking and outdoor area is no longer available to Boathouse Collective. The outdoor seating and parking area approved with PA-11-11 is no longer available.

The restaurant/event venue was approved to provide live entertainment and dancing with a Type 47 (on-sale general) Alcoholic Beverage Control license until 1:00 a.m. The parking for the establishment comprised of valet parking on 1640 Pomona Avenue and off-site parking at the adjacent site at 671 W. 17th St. for a total parking supply of 66 spaces. The approval also included an off-site outdoor patio dining area located at 671 W. 17th Street and a Farmers market and outdoor art shows at 671 West 17th Street.

Because the business operations have been significantly modified and the CUP has expired, the proposal represents a new CUP for the Boathouse Collective.

ANALYSIS

Conditional Use Permit for On-site and Off-site Valet Parking

Current and Proposed Operations

Even though PA-11-11 was approved in 2011, it took more than two years to improve the site for the proposed use. The restaurant and event venue has been in operation with on-site valet parking since July 2014. However, with the approved development plans at the adjacent site, the outdoor venue and off-site parking is no longer available. The scale of the operation has been modified to be within the 3,000 square foot building. Due to loss of adjacent parking, the applicant is also proposing a new valet plan for on-site and off-site

parking. Attachment 6 depicts the original site plan with the outdoor container garden / patio area.

Hours of Operation

The restaurant is proposed to be open on daily basis for takeout orders only, except on-site dining is allowed when the adjoining tenant (BB Dakota) is closed. The 3,000 square foot building is located on the north side of the property and includes three parking spaces along the frontage on Pomona Avenue. The adjacent building occupied by BB Dakota located at 1634 Pomona Avenue includes a parking lot that can contain up to 17 parking spaces. However, the parking lot is separated with a fence from Boathouse Collective and is only available after 5:00 p.m. when BB Dakota is closed for business. The applicant has considered the limited parking situation and is proposing the following operational plan for the restaurant and music venue:

- Weekday operation – 7:00 a.m. to 3:00 p.m. The restaurant is open for pickup and delivery only. There will be no on-site dining for breakfast and lunch Monday through Friday.
- Weekday evening operation – 5:00 p.m. to 1:00 a.m. Valet parking will be provided at the three locations noted below (Monday through Thursday).
- Weekend hours of operation – 7:00 a.m. to 2:00 a.m. with valet service (Saturday and Sunday).

The private events will occur when the restaurant is closed and the maximum number of attendees approved with the previous approval is 132 persons.

Parking

On-site and off-site parking will be provided to accommodate patron and employee parking as follows:

- Valet parking at 1634 Pomona Avenue. The parking area in front of BB Dakota will be used for main valet drop-off and pick up area. This parking lot has the capacity to contain 29 parking spaces.
- Off-site valet parking will be provided at 1603 Superior Avenue. This is a corner property and the parking spaces are located along Superior Avenue as well as Pomona Avenue. The submitted valet parking includes stacking for a total of 21 parking spaces. This will be used as an overflow parking. The main drop-off and pickup will occur on the BB Dakota site.
- Employee parking will be provided at 1626 Ohms Way (Aquatech). Seven spaces including a disabled stall is located in the front of the lot outside the fenced area and the remainder of the spaces are separated by a fence. The applicant has submitted an authorization that 15 parking spaces will be available for employee parking during the evening hours. A condition of approval requires that the gate remain open during the hours that the employee parking for the Boathouse Collective is needed (5:00 p.m. to 2:00 a.m.).

The main drop-off and pickup area is proposed close to the main entrance. Multiple access points are provided for the valet operation on Pomona Avenue and the off-site overflow location. A condition is included that requires the applicant to work with the Transportation Division towards minor modifications, as needed, to the valet parking plan to reduce the proposed access points on Pomona Avenue and Superior Avenue.

Use	Maximum Capacity	Required Parking	Provided
Restaurant	3,000 SF 99 seats	30 spaces	53 spaces*
Event Venue	132 persons	30 spaces	53 Spaces*
Pickup and delivery	N/A	N/A	3 spaces

*Includes parking at 1634 Pomona Avenue, 1626 Ohms Way and 1603 Superior Avenue.

The applicant has submitted authorization from the two other properties for the proposed parking use. All property owners have authorized use of the parking lot in the evening hours when the businesses are closed. Although the applicant indicates that many of the customers use other modes of transportation to and from the site (bikes, uber, taxi, etc.), this has not been taken into (or credited) for parking purposes.

Traffic Impacts

With regard to traffic impacts, the restaurant and event venue is not anticipated to generate a significant number of vehicle trips. A review by the Transportation Division indicated that the proposed use is anticipated to generate an average of 90 daily trips. Since this is a change of use from industrial/warehouse to commercial, the project is subject to a traffic impact fee of \$37,300.

Staff Justifications for Approval

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, the Planning Commission shall find that the evidence presented in the administrative record substantially meets specified findings. Staff recommends approval of the proposed project, based on an assessment of facts and findings which are also reflected in the draft resolution as noted below:

- Based on the proposed on-site and off-site valet parking plan, adequate parking should be provided for the evening hours. The restaurant size has been reduced to 3,000 square because of the adjacent development. The restaurant and event venue has been in operation for over a year; the BB Dakota parking lot has been used for valet parking in the past few months since closure of the 671 W. 17th Street parking area. The proposed valet parking plan provides for a total of 50 parking spaces. The restaurant provides 99 seats and is required to provide 30 parking spaces (10 spaces per 1,000 square feet ratio). The additional overflow parking could accommodate the events that may have a high parking demand. In addition, there has been no complaints and issues related to the valet parking operation. The overflow valet parking will replace the parking spaces lost due to the development at 671 W. 17th Street.

- With the implementation of the recommended conditions of approval, the proposed project will be compatible and harmonious with uses that exist within the general neighborhood. The conditions of approval require modification of the valet parking for fewer access points on Pomona Avenue and Superior Avenue. A condition also requires a 6-month review of the restaurant and valet parking operations to ensure that there are no negative impacts to the existing tenants and adjacent residential communities. Furthermore, a condition of approval requires that additional measures be implemented to address any potential parking shortages in the future. These measures may include modification to the operational hours of the restaurant. Valet parking has been allowed for other restaurant uses that are limited in parking and or experience high peak demand periods.
- As proposed, the valet parking service will not negatively impact on- and off-site uses. Employees are required to park at the off-site location at 1626 Ohms Way, which is directly across from the restaurant. Most of the restaurant operation occurs during times that businesses in the area are closed. The applicant would be required to comply with all the conditions of approval and applicable Code requirements to ensure minimal noise and circulation impacts to surrounding uses, in particular the recently approved development at 671 W. 17th Street. The proposed use, as conditioned, will not generate adverse noise, traffic, or parking impacts that are unusual for commercial zoned properties.
- Approval of the CUP is not anticipated to impact on- and off-site parking or vehicle circulation. The valet operation has been on-going at the BB Dakota site for the past few months with no complaints from the neighboring businesses. The applicant is conditioned to work with the Transportation Division to develop the most efficient valet plan with fewer points of access and maximum stacking capacity.
- The proposed use is subject to Traffic Mitigation Fees – the applicant is required to submit the fees within 120 days. Because of the change of use from industrial/warehouse to restaurant, the applicant was subject to a traffic impact fee that has not been submitted with the previous entitlement. The fees are typically required prior to Certificate of Occupancy. Since the restaurant is already in operation, a condition of approval requires that the applicant submit the fees within 90 days of the approval.

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.

GENERAL PLAN CONFORMITY

The proposed use is an established restaurant within the Westside and within walking distance of recently approved live/work and residential communities and, therefore, satisfies the following General Plan objectives and goals:

LU-1A.1 *Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.*

ALTERNATIVES

The Commission has the following alternatives:

1. Approve the project with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow additional analysis. In the event of significant modifications to the proposal, should the Planning Commission choose to do so, staff will return with a revised resolution incorporating new findings and/or conditions.
2. Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, Planning Commission must deny the application and provide facts in support of denial to be included in the attached draft resolution for denial. If the project were denied, the applicant could not submit substantially the same type of application for six months.

CONCLUSION

The restaurant and event venue has been in operation for over a year. With closure of the adjacent parcel, the applicant needed to make adjustments to the operational hours and parking. The proposed hours of operation and valet parking is anticipated to provide sufficient parking for the restaurant. As conditioned, the proposed valet plan with on-site and off-site parking will be compatible with surrounding properties. Therefore, staff recommends approval of the project.



MINOO ASHABI, AIA
Principal Planner



CLAIRE FLYNN, AICP
Asst. Development Services Director

- Attachments:
1. Draft Planning Commission Resolutions
 2. Applicant's Description of the Use
 3. Location Map and Site Photos
 4. Submitted Plans
 5. Submitted authorization for off-site parking
 6. Original site plan (PA-11-11)

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

Clayton Peterson
1640 Pomona Avenue
Costa Mesa, CA 92627

John Morehart
126 Properties LLC
126 E. 16th Street
Costa Mesa, CA 92627

RESOLUTION NO. PC-15-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT PA-15-46 FOR A 3,000 SQUARE FOOT RESTAURANT AND EVENT VENUE WITH ON-SITE AND OFF-SITE VALET PARKING AT 1640 POMONA AVENUE

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

WHEREAS, an application was filed by Clayton Peterson representing 126 Properties LLC, owner of property located at 1640 Pomona Avenue, for a conditional use permit to allow the following:

- Conditional use permit to allow continued operation of “Boathouse Collective” as a restaurant and event venue with live entertainment and dancing within a 3,000 square foot buildings with valet parking and no outdoor dining with the following hours of operation:
 - Weekly daytime - Monday – Friday 7:00 a.m. to 3:00 p.m. for takeout orders and delivery only
 - Weekday evenings – 5:00 p.m. to 1:00 a.m. with valet service
 - Weekend daytime and evenings – 7:00 a.m. to 2:00 a.m. with valet service
- The valet parking will be provided as follows:
 - on-site valet parking with 29 parking spaces
 - off-site valet parking at 1603 Superior Avenue with 21 overflow spaces
 - off-site employee parking at 1626 Ohms Way with 15 parking spaces

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 9, 2015, 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-15-46 with respect to the property described above.

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-15-46 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.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the documents in the record in support of this resolution, are 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.

PASSED AND ADOPTED this 9th day of November, 2015.

Robert L. Dickson, Jr., Chair
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the conditional use permit because:

Required Finding: The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Finding: As conditioned, the location of the valet kiosk, stacking of vehicles and points of access are subject to review and approval by Transportation Division. Employees are required to park in the off-site location for evening hours and on Saturdays and Sundays. The applicant would be required to comply with all the conditions of approval and applicable Code requirements to ensure minimal noise and traffic impacts to surrounding uses. Compliance with the conditions of approval will allow this use to operate without impacting surrounding properties and uses. The proposed use, as conditioned, will not generate adverse noise, traffic, or parking impacts that are unusual for industrial zoned properties. On-site and off-site valet parking has been allowed for other restaurant uses that experience high peak demand periods, including the Camp, Pitfire Pizza site, Plums Café and the Wild Goose Tavern at 430 - 436 E. 17th Street. With the implementation of the conditions of approval, the proposed project will be compatible and harmonious with uses that exist within the general neighborhood.

Required Finding: Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Finding: As conditioned, the operational hours of the restaurant could be accommodated with the off-set hours of the nearby businesses and use of off-site parking for employee and customer parking. The main valet parking will be located within close proximity to the main entrance and the overflow parking is less than 400 feet from the restaurant building minimizing the traffic on nearby streets.

Required Finding: Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

Facts in Support of Finding: The proposed on-site and off-site valet parking conforms to the general plan land use designation which allows commercial uses that are determined complementary to the industrial area and the mixed uses allowed under the same land use designation. Restaurants that are open past 11:00 p.m. are allowed with a condition of approval in the General Industrial (MG) zone. The 3,000 square foot restaurant will be contained within the building and a total of 50 parking

spaces will be available for patrons of the restaurant and event venue. In addition, if the parking demand is not met with the proposed valet plans, the applicant is conditioned to modify the hours of operation and or consider other sites for valet parking overflow.

- 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, as conditioned, is consistent with Article 3, Transportation System Management, of Chapter XII, Title 13, of the Costa Mesa Municipal Code in that the project's traffic impacts will be mitigated at all affected intersections by the payment of traffic impact fees.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. The use shall be limited to the type of operation as described in the applicant's letter of description and 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. Within 6-month operation of the off-site valet parking, Planning staff shall prepare a report to the Planning Commission on status of the business and valet parking operation. The Planning Commission may impose additional conditions if deemed necessary.
 3. 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.
 4. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
 5. The valet parking service shall be provided on evenings from 5:00 p.m. to 1:00 a.m. and on Saturdays and Sundays from 7:00 a.m. to 2:00 a.m.
 6. The applicant shall provide authorization from the property owner that all 15 parking spaces are open and accessible at 1626 Ohms Way during the evening hours from 5:00 p.m. to 2:00 a.m. The gate separating the parking in front from the rear shall remain open or accessible to "Boathouse Collective" employees.
 7. The valet parking service shall be free to ensure that patrons park use the parking provided for this business.
 8. The applicant shall revise the valet parking plan for more efficient vehicle stacking and reducing the number of access points on Pomona Avenue and Superior Avenue subject to review and approval of the Transportation Division. The mid-access point for valet on 1634 Pomona Avenue shall be eliminated. A fully dimensioned parking layout shall be submitted for 1634 Pomona Avenue to ensure standard size stalls for the proposed 21 spaces.
 9. The operator shall provide adequate number of valet personnel to ensure efficient functioning of the valet operation.
 10. Any changes to the valet parking plan shall be subject to review and approval by the Development Services Director including modifying the valet operations, providing valet service on other days as well as time periods.
 11. If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate the problem, including, but not limited to, reducing the dining area and/or modification to the operational hours of the restaurant; expansion of valet parking is subject to the approval of the Transportation Services Manager, and/or acquisition of off-site parking area.

12. Employee parking shall occur on-site and not within surrounding streets.
13. The applicant shall maintain free of litter all areas of the premises under which applicant has control.
14. Trash facilities shall be screened from view and designed and located appropriately to minimize potential noise and odor impacts to residential areas.
15. All sales and service staff (within 90 days of hire) shall complete Responsible Beverage Service (RBS) 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.
16. Live entertainment, amplified music and/or dancing may only be permitted subject to City issuance of a "public entertainment permit." Contact Code Enforcement (754-5623) for application information.
17. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time. Occupant loads for the open patio area and the enclosed building area shall be calculated and posted separately.
18. There shall be no sales of alcoholic beverages for off-site consumption.
19. At all times the premises is open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale and service of food.
20. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food and meals during the same time period. The applicant shall at all times maintain records which reflect separately the gross sales of food and gross sales of alcoholic beverages of the business. The records shall be kept no less frequently than on a quarterly basis and shall be made available to the Director of Economic & Development/Deputy CEO or designee on demand.
21. The restaurant shall remain a "bona fide eating place" as defined by section 23038 of the California Business and Professions Code.
22. The parking lot shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot. Music or other entertainment shall not be audible beyond the Control of the licensee.
23. All interior property lines abutting residentially-zoned property shall have a minimum six foot high masonry wall, as measured from the highest grade. A minor modification may be required for walls exceeding six feet in height.
24. 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, or which are in any way related to, the applicant's project, or any approvals granted by City related to the applicant's project. 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. City shall have the right to choose its own legal counsel to

represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.

CODE REQUIREMENTS:

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng. 1. Approval of the planning application is valid for one year from the effective date of this approval 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.
- 2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
- 3. Use shall comply with all requirements of Articles 5 and 9, Chapter V, Title 13 of the Costa Mesa Municipal Code relating to industrial development standards.
- 4. Parking stalls shall be double-striped in accordance with City standards.
- 5. Trash enclosure(s) or other acceptable means of trash disposal shall be provided. Design of trash enclosure(s) shall conform with City standards. Standard drawings are available from the Planning Division.
- 6. All exits shall be clearly marked with "EXIT" signs.
- 7. All conditions of the California Alcoholic Beverage Control Board shall be complied with.
- Transp. 8. Fulfill mitigation of off-site traffic impacts within 90 days of approval by submitting to the Planning Division the required traffic impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for all existing uses. At the current rate per trip end, the traffic impact fee is estimated at \$37,300.00.
- Bus. 9. All contractors and subcontractors must have valid business licenses to do Lic. 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.
- Bldg. 10. 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.

RESOLUTION NO. PC-15__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING CONDITIONAL USE PERMIT PA-15-46 FOR A 3,000 SQUARE FOOT RESTAURANT AND EVENT VENUE WITH ON-SITE AND OFF-SITE VALET PARKING AT 1640 POMONA AVENUE

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

WHEREAS, an application was filed by Clayton Peterson representing 126 Properties LLC, owner of property located at 1640 Pomona Avenue, for a conditional use permit to allow the following:

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 - Weekend daytime and evenings – 7:00 a.m. to 2:00 a.m. with valet service
- The valet parking will be provided as follows:
 - on-site valet parking with 29 parking spaces
 - off-site valet parking at 1603 Superior Avenue with 21 overflow spaces
 - off-site employee parking at 1626 Ohms Way with 15 parking spaces

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 9, 2015, 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-15-46 with respect to the property described above.

PASSED AND ADOPTED this 9th day of November, 2015.

Robert L. Dickson Jr. 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 a compatible and harmonious relationship does not exist between the proposed use and the existing buildings, site development, and uses that exist or have been approved for the general neighborhoods. Safety and compatibility of the design of the parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have not been considered. The use does not comply with performance standards as prescribed elsewhere in the Zoning Code.
- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the conditional use permit 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-15-46. 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.



Boathouse Collective LLC – CUP Amendment

Modified Operations of the Boathouse Collective

- A. The Boathouse Collective (located in the industrial west side of Costa Mesa at 1640 Pomona Ave.) will continue as a community based, Food, Art, Music venue, providing various creative Arts to a large demographic of the community with fine foods and beverage and curated live entertainment.
- B. The Boathouse Collective will modify the daytime food service operations to the following:
- i. Daytime usage will be changed to take out orders and delivery / Monday - Friday 7:00am-3:00pm
 - ii. Weekday/evening hours of operation will start at 5:00pm – 1:00am / with Valet Service.
 - iii. Weekend / hours of operation / ~~Friday~~ - Sunday 7:00am – 2:00am / with Valet Service
*Saturday **
- C. The Boathouse Collective parking requirements can be adjusted due to the loss of the outdoor container garden dining area, downsizing the footprint and overall square footage.
1. The Boathouse Collective is a 3,000 sq. ft. building. Using the parking calculation of 10 spaces per thousand sq. ft. we will be providing the required 30 parking spaces utilizing our current onsite BB Dakota parking lot, including the necessary ADA parking requirements with an additional 21 overflow spaces that will be located at 1603 Superior Ave. at the Normandy Metal refinishers site.
 2. The Boathouse Collective employee parking lot containing 15 spaces will be located on 1626 Ohms Way, Costa Mesa CA 92627 at the Aquatech site (see attached map image). However, current Boathouse Collective Employees are residents of Costa Mesa and many ride bikes, scooters, walk or carpool to work.
 3. The Boathouse Collective will utilize the onsite BB Dakota parking lot during offset hours of operation weekly, starting at 5:00 pm nightly and all day usage during weekend hours of operation. The current CUP includes the BB Dakota parking lot in the parking plan, which has been modified to reflect our updated hours of operation and lowered capacity.
 - a. BB Dakota business hours are:
 - i. Monday-Friday 8:00am-5:00pm
 - ii. Saturday-Sunday: Closed

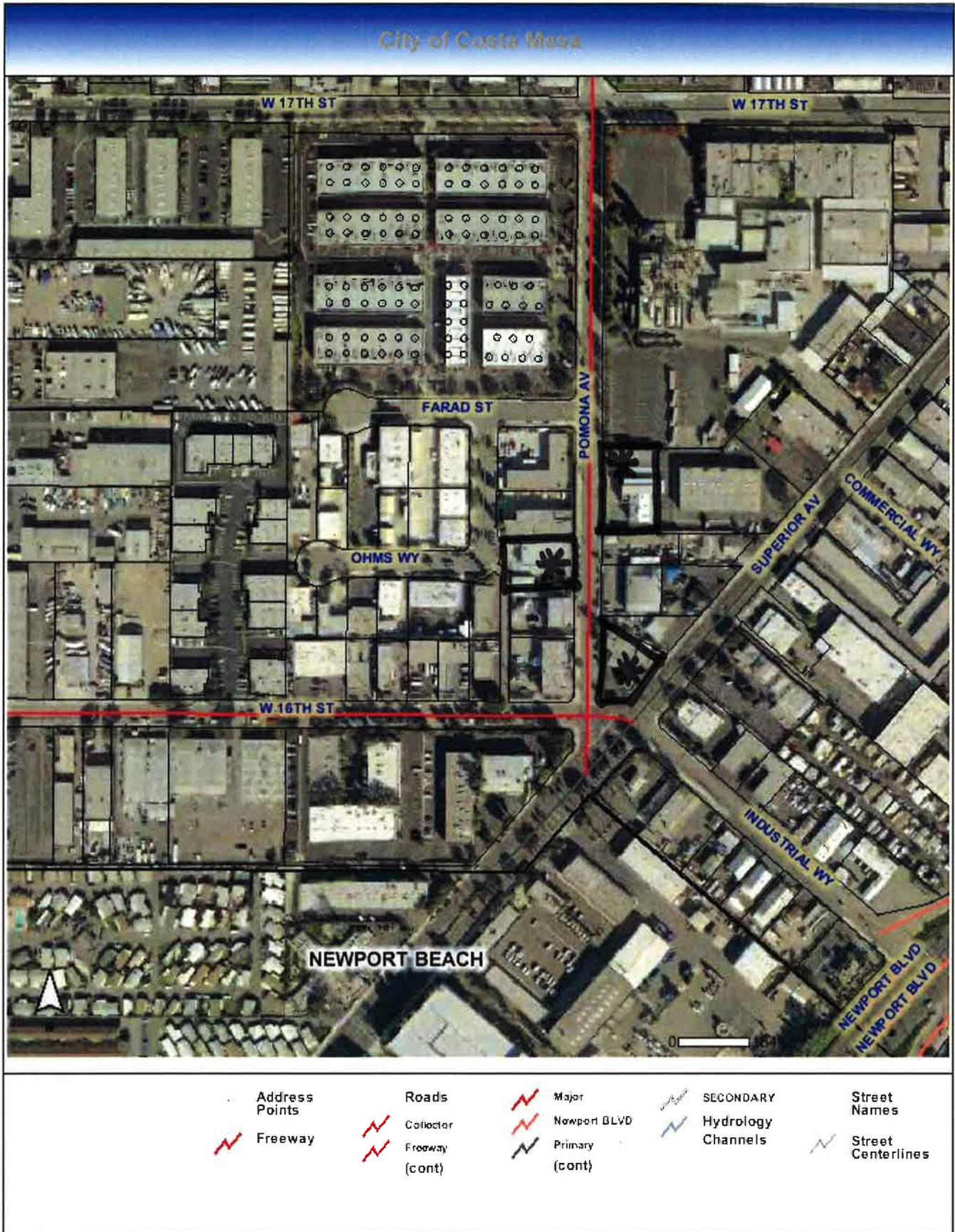


Boathouse Collective LLC – CUP Amendment

4. The Boathouse Collective will utilize the Normandy, parking lot during offset hours of operation weekly, starting at 5:00 pm nightly and all day usage during weekend's hours of operation.
 1. Normandy Metal refinishers business hours are:
 - ii. Monday-Friday 8:00am-4:30pm
 - iii. Saturday-Sunday: Closed

D. Further Consideration: Currently the Boathouse Collective is experiencing a large percentage of our patrons choosing to use Uber, bike and foot traffic to frequent our location. We have compiled a basic study of Uber arrivals and concluded that during peak hours of operation where most impact would be recognized, 40% of Boathouse patrons are arriving by Uber / taxi and other with another 5% of guests arriving by bicycle and foot.

1. The Boathouse Collective has been open to the public for over a year now and we are seeing this trend growing for customers that frequent our location. We have studied our parking needs and the various transportation methods of our demographic and now have a clear understanding of what our parking needs are for our business to operate smoothly with minimal impact to the neighboring business.
2. These new methods of transportation being used to visit our location are a reality of our daily business operation and should be considered as a viable transportation method for the surrounding community who are utilizing this affordable, convenient means of transportation, bypassing the use of their own cars and avoiding a possible drinking & driving infraction or having to secure a designated driver, everyone wins.





1634 & 1640 Pomona Ave.

22



1603 Superior Ave.



1626 Ohms Way

Parking Plan



Narrative

Subject Parking Lots:

BOATHOUSE - 1640 Pomona Ave, Costa Mesa CA 92627
Off-Site Parking - 1603 Superior Ave , Costa Mesa CA 92627

Traffic Flow:

Incoming guest parking traffic will arrive and flow from both North and South ends of Pomona Ave.

Incoming guest traffic onto the subject BOATHOUSE parking lot will be from two optional entrances:

- 1. The middle entrance traveling Northbound (primary entrance)
- 2. The end/South entrance traveling Northbound (secondary overflow / redirect entrance)

* Valet will redirect traffic to use this entrance when needed to prevent from overflow onto Pomona Ave

Arriving valet traffic will be received at the North end of BOATHOUSE parking lot per map indication.

Exiting valet traffic when parking at 1603 Superior Ave will exit the BOATHOUSE lot, and travel Southbound on Pomona Ave

Valet traffic returning from 1603 Superior Ave, to BOATHOUSE will travel along Pomona Ave Northbound, or Superior Blvd South East.

Outgoing guest traffic will travel/exit the North BOATHOUSE parking lot per map indication

Parking: 50 valet spaces and 1 ADH reserved space

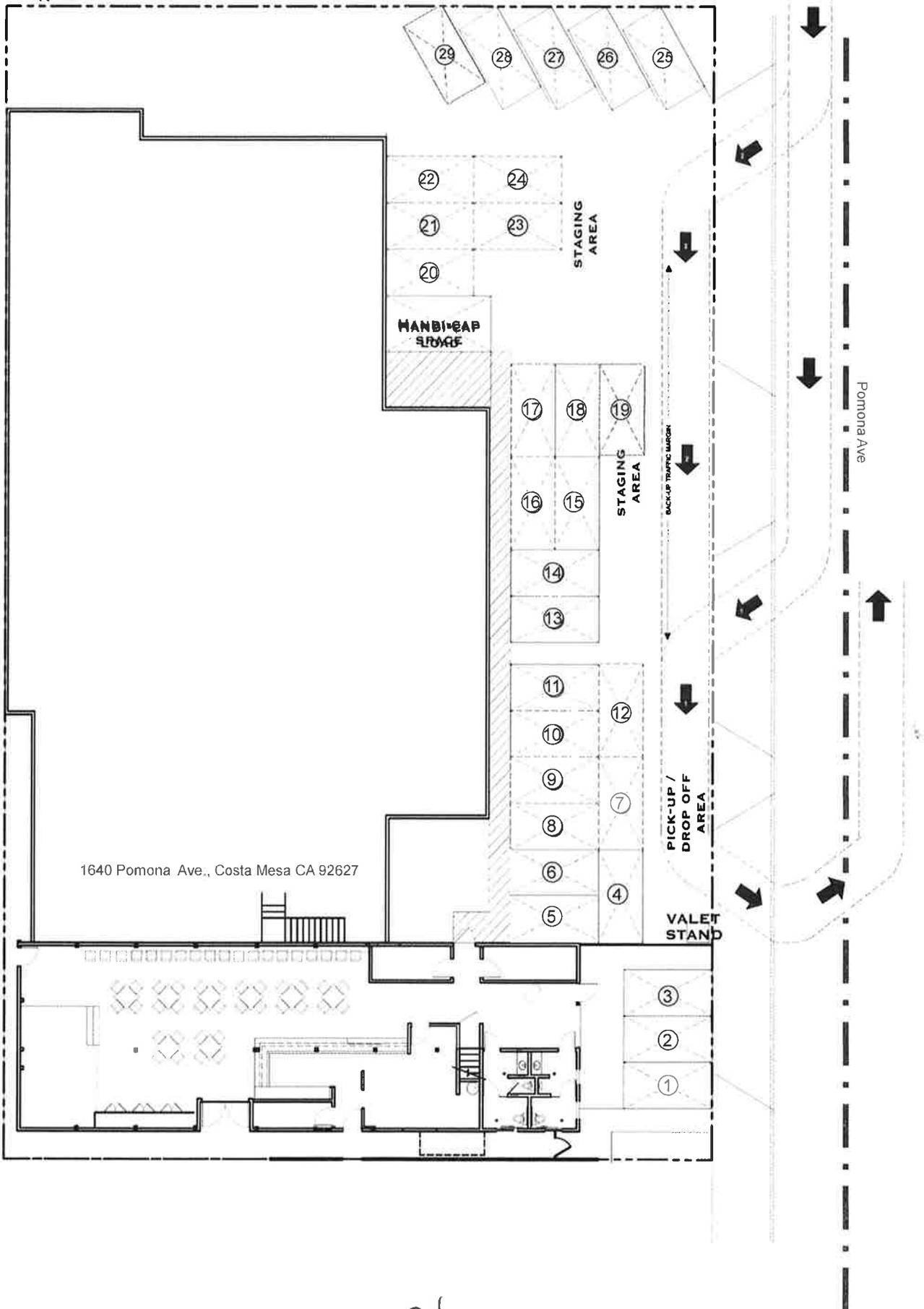
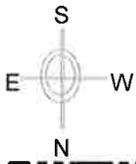
BOATHOUSE - 1640 Pomona Ave, Costa Mesa CA 92627
Will accommodate 29 valet parking spaces, and 1 ADH parking space

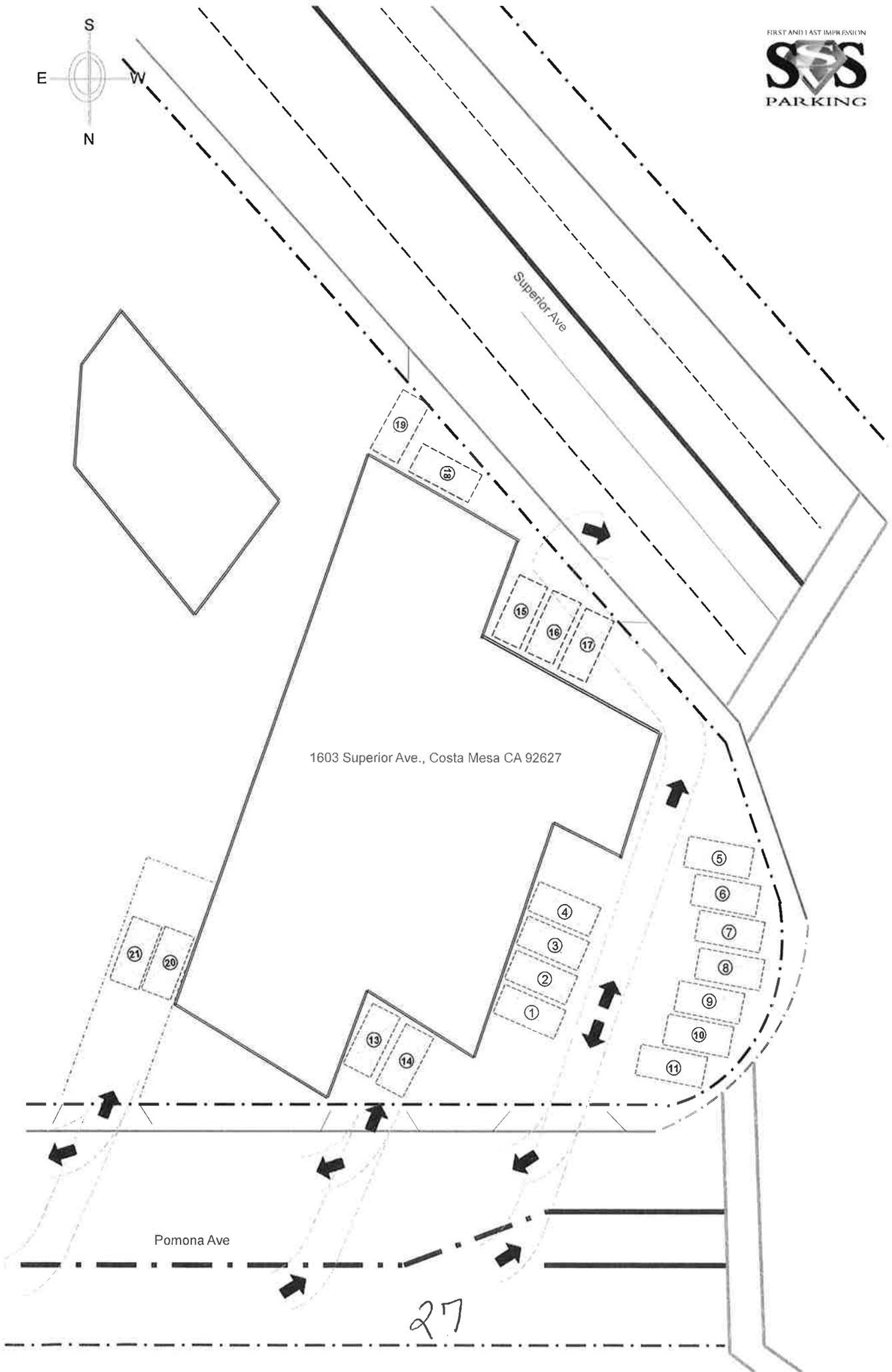
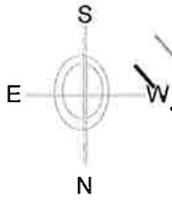
Off-Site Parking - 1603 Superior Ave , Costa Mesa CA 92627
Will accommodate 21 valet parking spaces.

Authorized Parking Agent: _____

Date: 9/1/2015

Jason Liddell
SVS Parking
949.891.7331
714.943.2084





1603 Superior Ave., Costa Mesa CA 92627

Pomona Ave

27



PARKING APPROVAL LETTER
AQUA TECH – Boathouse Collective

I, KIM HARDING acknowledge and approve of the Boathouse Collective utilizing our parking lot during off set hours of operation.

Aqua Tech’s hours of operation are:
Monday – Friday 6:00am to 5:00pm

Boathouse Collective is approved to use Aqua Tech’s lot, providing 15 spaces, during the weekdays from 5:00pm through the evening hours and use anytime during weekend hours.

X *Cheryl Peter*
Boathouse Collective Owner/Manager
Date: 7.15.15

X *Kim D. Hard*
SS METAL FABRICATORS / OWNER
Date: 7.15.15



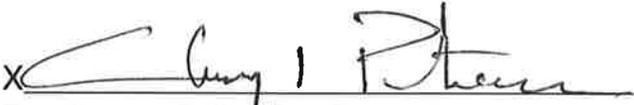
1603 Superior Ave., Costa Mesa, CA 92627
949-631-5555

PARKING APPROVAL LETTER
Normandy Metal Refinishers - Boathouse Collective

I, D. Sarkisian of 1127 W. Foothill Blvd. Arcadia, California, acknowledge and approve of the Boathouse Collective utilizing our parking lot during off set hours of operation.

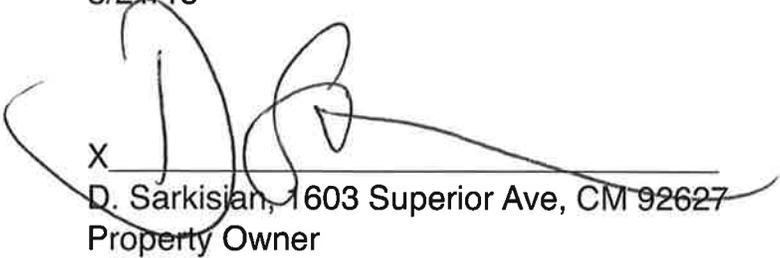
Normandy Metal Refinisher's hours of operation are:
Monday - Friday 8:30am to 4:30am

Boathouse Collective is approved by Normandy Metal Refinisher's property owner Mr. Sarkisian to use the lot providing 15 valet spaces, during the weekdays from 5:00pm through the evening hours and use anytime during weekend hours.

X 

Boathouse Collective Owner/Manager

8/21/15

X 
D. Sarkisian, 1603 Superior Ave, CM 92627
Property Owner

BB DAKOTA

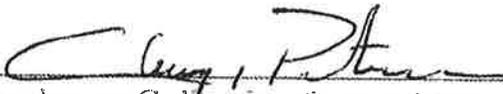
1638 Pomona Ave
Costa Mesa, CA 92627
(949) 515-2200

PARKING APPROVAL LETTER BB Dakota -- Boathouse Collective

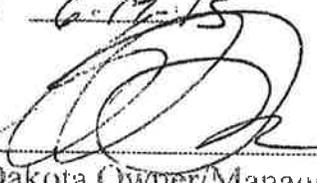
I, Gloria Brandes, acknowledge and approve of the Boathouse Collective utilizing our parking lot during off set hours of operation.

BB Dakota's hours of operation are:
Monday -- Friday 8:00am to 5:00pm

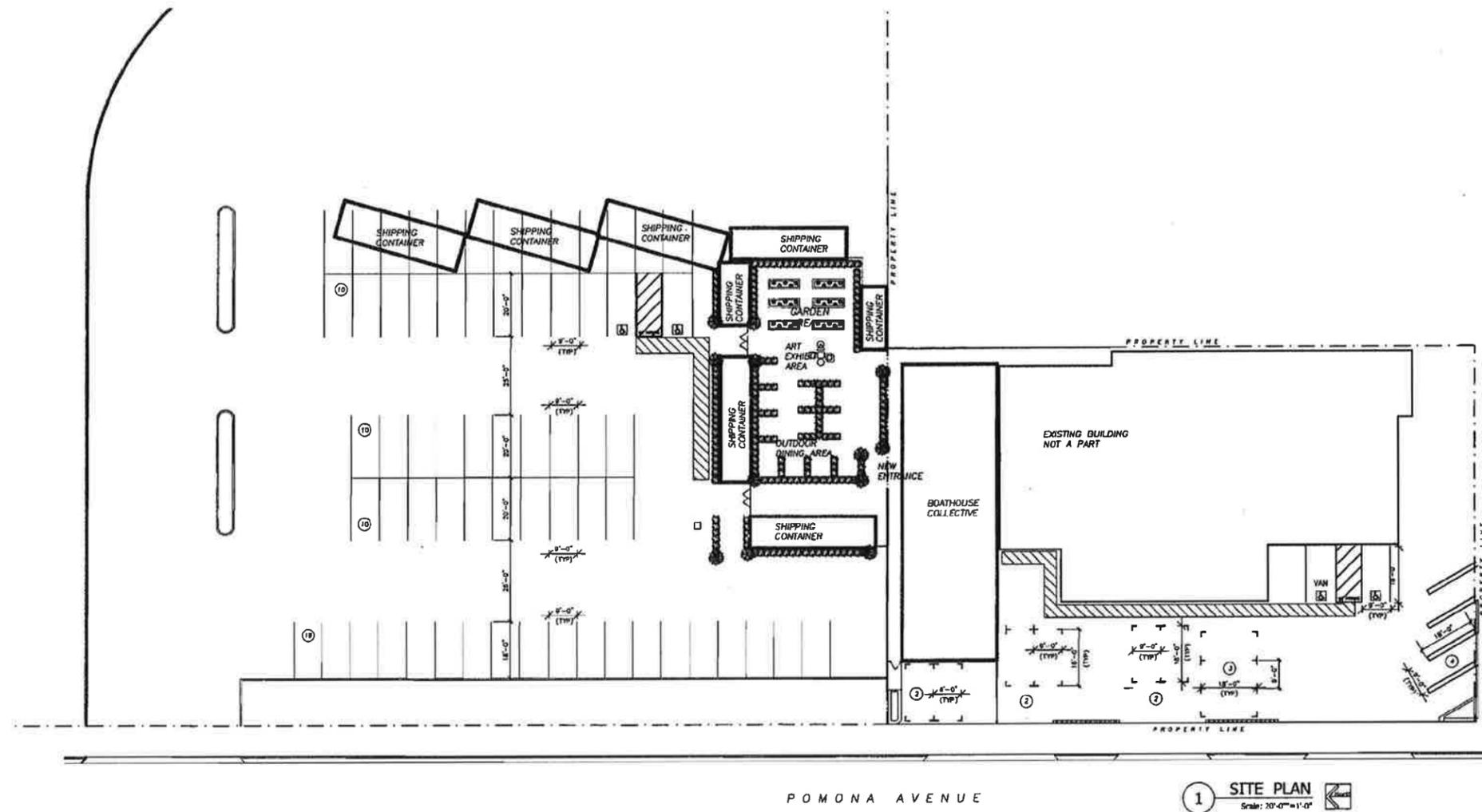
Boathouse Collective is approved to use BB Dakota's parking lot during the weekdays from 5:00pm through the evening hours and use anytime during weekend hours.

X 
Boathouse Collective Owner/Manager

Date: 6-17-15

X 
BB Dakota Owner/Manager

Date: 6-17-15



1 SITE PLAN
Scale: 20'-0"=1'-0"

PARKING PROVIDED
STALLS: ON-SITE
 13 STALLS
 2 HANDICAP STALLS
STALLS: OFF-SITE
 49 STALLS
 2 HANDICAP STALLS
 62 SUB-TOTAL STALLS
 4 HANDICAP STALLS
 66 TOTAL STALLS



2 VICINITY MAP
Scale: 20'-0"=1'-0"

REC'D NOV 22 2011

31



BOATHOUSE /// COLLECTIVE
 1640 Pomona Ave., Costa Mesa, CA

SITE PLAN WITH PARKING COUNT

REVISION	DATE

SHEET
A-1
 OF

THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF ROBERT THORNTON ARCHITECT, INC. AND SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY AGREEMENT WITH ROBERT THORNTON ARCHITECT, INC. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOB SITE. ANY DISCREPANCY SHALL BE BROUGHT TO THE NOTICE OF ROBERT THORNTON ARCHITECT, INC. PRIOR TO THE COMMENCEMENT OF ANY WORK.



PLANNING COMMISSION

SUPPLEMENTAL MEMO

MEETING DATE: NOVEMBER 9, 2015

ITEM NUMBER PH-2

SUBJECT: PLANNING APPLICATION PA-15-46 FOR BOATHOUSE COLLECTIVE LOCATED AT 1640 POMONA AVENUE

DATE: NOVEMBER 3, 2015

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

FOR FURTHER INFORMATION CONTACT: MINOO ASHABI, AIA, PRINCIPAL PLANNER (714) 754-5610
Minoo.ashabi@costamesaca.gov

This memo is intended to provide: a) additional information submitted by the applicant on operation of the restaurant, b:) revised resolution of approval with a new condition addressing employee parking, and c:) one public comment received to date and submitted Police Report.

- 1) The following additional information was provided by the applicant to further clarify several questions related to operations of the restaurant and parking issues:
 - a) Maximum number of people in attendance at the catered special events;
 - The number of participants for the events range would from 45 patrons to maximum of 100 patrons for a catered event or buyout.
 - b) Number of employees for all components of the business (i.e. Number of employees working in restaurant for takeout orders and number of employees working at special events, etc.)
 - During daytime hours of operation there will be 3 to 5 employees on site for day preparation and takeout.
 - For special Events and buyouts during the evening hours of operations, there will be 8 to 12 employees on site.
 - For regular dinner service during, the number ranges from 8 to 14, with the smaller number during the weekdays.
 - c) Booking schedule for the large events:
 - Typically the events and buyouts will take place during the weekend's hours of operation.

- Occasionally, there may be a request for smaller corporate events and gatherings during the weekday nights.
 - Annual operation average - (Normal Boathouse operations: Food/ Art / Music /Venue 80%) (Boathouse Private Events & Buyouts 20%)
- d) Is there a shuttle operating at all hours of the off-site valet parking program for both employees and guests?
- Up to now the shuttle Element has not been necessary due to past experience using a valet service and studying the current parking needs.
 - The parking plan has been in operation for a few months. The parking solution is working for the guests and employees during peak hours of operation; however, if it's found that the shuttle service is needed for future off-site parking, the applicant is prepared to put that plan in place.
- e) How will the litter/trash from Boathouse that have landed on neighboring properties or in the street be addressed?

The Boathouse Collective has strived for to have a positive effect to the community and upgrade the amenities in the industrial west-side neighborhood. As a company policy, the employees are required to clean up the visible trash in neighboring streets and properties with the closing of the business.

2) Revised Condition of Approval:

Since the business is using off-site parking for employee parking, a revised condition of approval is recommended to require a shuttle service if deemed necessary.

Condition No. 11:

If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate the problem, including, but not limited to:

- Providing transport service (minivan, sports utility vehicle, shuttle, etc.) at no cost to employees and patrons to off-site parking areas;
- Reducing the dining area and/or modification to the operational hours of the restaurant.
- Provide additional or expanded off-site parking areas to meet the parking demand. Expansion of valet parking is subject to the approval of the Transportation Services Manager, and/or acquisition of off-site parking area.
- Expand valet parking services to meet the parking demand.
- Limit the scale of operations (i.e. patrons, employees, etc.) to be consistent with the parking provided.

- 3) One public comment has been received during the public review period (attached); the letter was submitted to Police Department and the attached summary report has prepared. The business has been in operation since October 2015 and there were two incidents reported by Police Department since start of operation.

Attachments: 1 – Revised Resolution of Approval
2 – Submitted Public Comment
3 – Report from Police Department

Distribution: Director of Economic & Development/Deputy CEO
Assistant Development Services Director
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
File (2)

Clayton Peterson
1640 Pomona Avenue
Costa Mesa, CA 92627

John Morehart
126 Properties LLC
126 E. 16th Street
Costa Mesa, CA 92627

RESOLUTION NO. PC-15-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT PA-15-46 FOR A 3,000 SQUARE FOOT RESTAURANT AND EVENT VENUE WITH ON-SITE AND OFF-SITE VALET PARKING AT 1640 POMONA AVENUE

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

WHEREAS, an application was filed by Clayton Peterson representing 126 Properties LLC, owner of property located at 1640 Pomona Avenue, for a conditional use permit to allow the following:

- Conditional use permit to allow continued operation of “Boathouse Collective” as a restaurant and event venue with live entertainment and dancing within a 3,000 square foot buildings with valet parking and no outdoor dining with the following hours of operation:
 - Weekly daytime - Monday – Friday 7:00 a.m. to 3:00 p.m. for takeout orders and delivery only
 - Weekday evenings – 5:00 p.m. to 1:00 a.m. with valet service
 - Weekend daytime and evenings – 7:00 a.m. to 2:00 a.m. with valet service
- The valet parking will be provided as follows:
 - on-site valet parking with 29 parking spaces
 - off-site valet parking at 1603 Superior Avenue with 21 overflow spaces
 - off-site employee parking at 1626 Ohms Way with 15 parking spaces

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 9, 2015, 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-15-46 with respect to the property described above.

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-15-46 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.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the documents in the record in support of this resolution, are 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.

PASSED AND ADOPTED this 9th day of November, 2015.

Robert L. Dickson, Jr., Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Claire Flynn, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on November 9, 2015 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Claire L. Flynn, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the conditional use permit because:

Required Finding: The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Finding: As conditioned, the location of the valet kiosk, stacking of vehicles and points of access are subject to review and approval by Transportation Division. Employees are required to park in the off-site location for evening hours and on Saturdays and Sundays. The applicant would be required to comply with all the conditions of approval and applicable Code requirements to ensure minimal noise and traffic impacts to surrounding uses. Compliance with the conditions of approval will allow this use to operate without impacting surrounding properties and uses. The proposed use, as conditioned, will not generate adverse noise, traffic, or parking impacts that are unusual for industrial zoned properties. On-site and off-site valet parking has been allowed for other restaurant uses that experience high peak demand periods, including the Camp, Pitfire Pizza site, Plums Café and the Wild Goose Tavern at 430 - 436 E. 17th Street. With the implementation of the conditions of approval, the proposed project will be compatible and harmonious with uses that exist within the general neighborhood.

Required Finding: Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Finding: As conditioned, the operational hours of the restaurant could be accommodated with the off-set hours of the nearby businesses and use of off-site parking for employee and customer parking. The main valet parking will be located within close proximity to the main entrance and the overflow parking is less than 400 feet from the restaurant building minimizing the traffic on nearby streets.

Required Finding: Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

Facts in Support of Finding: The proposed on-site and off-site valet parking conforms to the general plan land use designation which allows commercial uses that are determined complementary to the industrial area and the mixed uses allowed under the same land use designation. Restaurants that are open past 11:00 p.m. are

allowed with a condition of approval in the General Industrial (MG) zone. The 3,000 square foot restaurant will be contained within the building and a total of 50 parking spaces will be available for patrons of the restaurant and event venue. In addition, if the parking demand is not met with the proposed valet plans, the applicant is conditioned to modify the hours of operation and or consider other sites for valet parking overflow.

- 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, as conditioned, is consistent with Article 3, Transportation System Management, of Chapter XII, Title 13, of the Costa Mesa Municipal Code in that the project's traffic impacts will be mitigated at all affected intersections by the payment of traffic impact fees.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. The use shall be limited to the type of operation as described in the applicant's letter of description and 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. Within 6-month operation of the off-site valet parking, Planning staff shall prepare a report to the Planning Commission on status of the business and valet parking operation. The Planning Commission may impose additional conditions if deemed necessary.
 3. 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.
 4. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
 5. The valet parking service shall be provided on evenings from 5:00 p.m. to 1:00 a.m. and on Saturdays and Sundays from 7:00 a.m. to 2:00 a.m.
 6. The applicant shall provide authorization from the property owner that all 15 parking spaces are open and accessible at 1626 Ohms Way during the evening hours from 5:00 p.m. to 2:00 a.m. The gate separating the parking in front from the rear shall remain open or accessible to "Boathouse Collective" employees.
 7. The valet parking service shall be free to ensure that patrons park use the parking provided for this business.
 8. The applicant shall revise the valet parking plan for more efficient vehicle stacking and reducing the number of access points on Pomona Avenue and Superior Avenue subject to review and approval of the Transportation Division. The mid-access point for valet on 1634 Pomona Avenue shall be eliminated. A fully dimensioned parking layout shall be submitted for 1634 Pomona Avenue to ensure standard size stalls for the proposed 21 spaces.
 9. The operator shall provide adequate number of valet personnel to ensure efficient functioning of the valet operation.
 10. Any changes to the valet parking plan shall be subject to review and approval by the Development Services Director including modifying the valet operations, providing valet service on other days as well as time periods.

11. If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate the problem, including, but not limited to:
 - Providing transport service (minivan, sports utility vehicle, shuttle, etc.) at no cost to employees and patrons to off-site parking areas;
 - Reducing the dining area and/or modification to the operational hours of the restaurant.
 - Provide additional or expanded off-site parking areas to meet the parking demand. Expansion of valet parking is subject to the approval of the Transportation Services Manager, and/or acquisition of off-site parking area.
 - Expand valet parking services to meet the parking demand.
 - Limit the scale of operations (i.e. patrons, employees, etc.) to be consistent with the parking provided.
12. Employee parking shall occur on-designated site and not within surrounding streets.
13. The applicant shall maintain free of litter all areas of the premises under which applicant has control.
14. Trash facilities shall be screened from view and designed and located appropriately to minimize potential noise and odor impacts to residential areas.
15. All sales and service staff (within 90 days of hire) shall complete Responsible Beverage Service (RBS) 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.
16. Live entertainment, amplified music and/or dancing may only be permitted subject to City issuance of a "public entertainment permit." Contact Code Enforcement (754-5623) for application information.
17. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time. Occupant loads for the open patio area and the enclosed building area shall be calculated and posted separately.
18. There shall be no sales of alcoholic beverages for off-site consumption.
19. At all times the premises is open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale and service of food.
20. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food and meals during the same time period. The applicant shall at all times maintain records which reflect separately the gross sales of food and gross sales of alcoholic beverages of the business. The records shall be kept no less frequently than on a quarterly basis and shall be made available to the Director of Economic & Development/Deputy CEO or designee on demand.
21. The restaurant shall remain a "bona fide eating place" as defined by section 23038 of the California Business and Professions Code.

22. The parking lot shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot. Music or other entertainment shall not be audible beyond the Control of the licensee.
23. All interior property lines abutting residentially-zoned property shall have a minimum six foot high masonry wall, as measured from the highest grade. A minor modification may be required for walls exceeding six feet in height.
24. 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, or which are in any way related to, the applicant's project, or any approvals granted by City related to the applicant's project. 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. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.

CODE REQUIREMENTS:

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng.
1. Approval of the planning application is valid for one year from the effective date of this approval 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.
 2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
 3. Use shall comply with all requirements of Articles 5 and 9, Chapter V, Title 13 of the Costa Mesa Municipal Code relating to industrial development standards.
 4. Parking stalls shall be double-striped in accordance with City standards.
 5. Trash enclosure(s) or other acceptable means of trash disposal shall be provided. Design of trash enclosure(s) shall conform with City standards. Standard drawings are available from the Planning Division.
 6. All exits shall be clearly marked with "EXIT" signs.

7. All conditions of the California Alcoholic Beverage Control Board shall be complied with.
- Transp. 8. Fulfill mitigation of off-site traffic impacts within 90 days of approval by submitting to the Planning Division the required traffic impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for all existing uses. At the current rate per trip end, the traffic impact fee is estimated at \$37,300.00.
- Bus. 9. All contractors and subcontractors must have valid business licenses to do Lic. 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.
- Bldg. 10. 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.

November 5, 2015

City of Costa Mesa
Planning Commissioners

RE: Conditional Use Permit Application PA-15-46 Hearing date November 9, 2015

Dear Commissioners,

I am the property owner at 760 W. 16th Street units J and E. My property fronts on West 16th street and Ohm's way dead ends into the side of my property. The subject property is approximately 100 yards distant from my property.

The applicant is asking the planning commission to approve a request for a restaurant, bar and "MUSIC VENUE". While a restaurant is compatible with the zoning and development plan the "MUSIC VENUE" is not.

The property was previously being used as a "private event venue and recording studio". The bar had only 16 seats. Private events happened from time to time but not every day or even every week.

The Boathouse Collective has been open and operating at this location since October 8, 2015, so we have seen how the business operates. The term "MUSIC VENUE" is really a NIGHT CLUB and on occasion a THEATER or DANCING NIGHT CLUB.

A NIGHT CLUB is not compatible with the zoning or the community plan.

The Boathouse Collective has had several "Music events" since they opened on October 8, as well as a published calendar for future events on their web site. The "music events" are not dinner music, but rather a night club, rock band or theater type of events. An admission fee is being charged to view some of the "music events" The events have been starting at 9PM and their closing hours have been 2 AM. Music, to date has been very loud "alternative" rock bands.

These "musical events" present several problems and create a public nuisance.

First, NOISE. The area is not unoccupied in the evenings. Many of the businesses use the evening hours for office work, business meetings, inventory management and general housekeeping. Even though my property is 100 yards away the music is still loud and a nuisance.

There is new housing being offered for sale at the corner of Industrial Way and Superior about the same distance from the night club as my property. Other residential properties are under construction at 17th street and Superior and more are planned for the area. The commercial businesses in the area are mainly "clean and quite" light industrial or retail. The noise and hours of operation of the Boat House Collective creates a public nuisance. The nuisance will only grow as the residential properties in the area increase.

Two: PARKING. The planned valet parking is not adequate for the size of the crowds that have so far been in attendance at the "music venue". It appears that on inspection the number of "valet" parking spaces may be over estimated. It also calls to question how many valets will be provided to handle

parking. Valets having to run to offsite parking areas will not be available to handle new patrons parking needs. Patrons will seek other places to park their cars.

In addition, patrons who do not wish to pay or tip a valet to park their car, have been parking on private property in the area surrounding the nightclub. We have had Boathouse Collective patrons, park on my property and have had to ask them to find other places to park their cars.

In addition we have found debris and garbage after music events that appear to have come from the Boat house Patrons, which has been thrown out on our property.

The Boat House Collective allows under drinking age patrons as well as teenagers into their NIGHT CLUB.

Web site reviews of the Boathouse Connection comments on the large number of under drinking age patrons. When legal drinking age patrons and underage patrons are mixed together, as in this case, it would seem almost impossible to determine who is drinking what, once the drinks leave the bar. Therefore, alcoholic beverages should not be served in a "music venue" situation such as this.

Some patrons have abandoned their cars after closing hours choosing to ride home with a friend or use a taxi. While not driving when drinking is to be commended, abandoning the car on private property shows the lack of sufficient parking for the proposed property use.

Three: HOURS: The applicant has stated they want to keep late hours, opening at 5 PM and closing at 1AM on weekdays without out a valet for parking, and 7 am to 2 AM on weekends. These hours are not compatible with the community plan. There are existing residences only 100 yards away with more scheduled to open in 2016 at the corner of 17th street and Superior.

We request that the "dancing and music venue" portion of the Conditional Use Permit be denied. We further request that the business hours be terminated at 10 PM.

We have been told that the applicant owns or controls other properties on Farad Street and plans to expand to that property at a later date and open another Night club.

Thank you for your consideration.

Sincerely,

Robert Longpre
Trustee
the Longpre Family Trust
760 West 16th Street Unit J
Costa Mesa, CA
714-890-4661



City of Costa Mesa ATTACHMENT 3

Boathouse Collective

November 05, 2015

Boathouse Collective Calls for Service 01/01/2014-11/04/2015

Between January 1st, 2014 and November 4, 2015 there were 2 calls for service at the Boathouse Collective located at 1640 Pomona Ave.

Call Time	Nature	Street	Service
07/07/2015 14:15:33	TOWED OR STORED VEHICLE	1640 POMONA AVE	LAW
02/03/2015 22:45:52	DISTURBANCE MALE	1640 POMONA AVE	LAW

15

PH-2

COLGAN, JULIE

Subject: The Boathouse Collective

From: James Christian Fletcher [<mailto:jcfletcher@sbcglobal.net>]
Sent: Friday, November 06, 2015 4:01 PM
To: ASHABI, MINOO <MINOO.ASHABI@costamesaca.gov>
Cc: Clay@boathousecollective.com
Subject: The Boathouse Collective

To: The Costa Mesa Planning division:

From: James Fletcher

West Side Costa Mesa Homeowner/Resident (2128 Union Ave.)

I, James Fletcher, would like to express my support for the Boathouse Collective project. I am in full support of this refreshing concept in an area of Costa Mesa that so desperately needs it. We must do all we can to help this unique and positive place continue to benefit our neighborhood. As more and more residential homes get built in the immediate area, I feel that a great restaurant like the Boathouse, that many can walk to, makes it an incredible asset to our city.

I look forward to continuing to visit the Boathouse for great meals and great musical entertainment, as well as utilizing the multi-use space for business, family, cultural and arts-related gatherings for many years to come.

Thank you for continuing to support this exciting element of our community. I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the City of Costa Mesa, the "City of the Arts".

Sincerely,

James Fletcher

COLGAN, JULIE

Subject: In Support of Boathouse Collective**From:** karenstretch@gmail.com [<mailto:karenstretch@gmail.com>]**Sent:** Friday, November 06, 2015 4:24 PM**To:** ASHABI, MINOO <MINOO.ASHABI@costamesaca.gov>**Cc:** clay@boathousecollective.com**Subject:** In Support of Boathouse Collective

Good afternoon,

I would like to express my support for the Boathouse Collective project. I am a big fan of this refreshing concept in an area of Costa Mesa that so desperately needs it. As more and more residential homes get built in the immediate area, I feel that a great restaurant like the Boathouse, that many can walk to, make it an incredible asset to our city.

I look forward to continuing to visit the Boathouse for great meals and great musical entertainment, as well as utilizing the multi-use space for business, family, cultural and arts-related gatherings for many years to come.

Thank you for continuing to support this exciting element of our community. I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the City of Costa Mesa, the "City of the Arts".

Best regards,

Karen Stretch

PH-2

COLGAN, JULIE

Subject: Boathouse Collective

-----Original Message-----

From: David Gilbert [mailto:doradodave@icloud.com]
Sent: Friday, November 06, 2015 4:39 PM
To: ASHABI, MINOO <MINOO.ASHABI@costamesaca.gov>
Cc: clay@boathousecollective.com
Subject: Boathouse Collective

Please allow the Boathouse Collective to continue, it is a much needed breath of fresh air on the Westside.

David Gilbert

Sent from my iPad

COLGAN, JULIE

From: Adam Ditt <dittonthebass@gmail.com>
Sent: Sunday, November 08, 2015 10:59 AM
To: PLANNING COMMISSION; ASHABI, MINOO
Cc: Clay@theboathousecollective.com
Subject: Keep Mesa Cool

To: The Costa Mesa Planning division

My name is Adam Ditt and I represent the company: The Boathouse Collective. I am nineteen years old and have been a City of Costa Mesa resident, student, artist, and musician for all 19 of those years and this is what I have to say:

I, Adam Ditt, would like to express my support for the Boathouse Collective project, and state that I am in favor of this refreshing concept that will continue to add a positive element to this unique part of Westside Costa Mesa. As more and more residential homes get built in the area, I feel that the Boathouse collective will become a beloved part of these new communities offering walkability to a great restaurant venue is an incredible asset to our city.

I look forward to continue frequenting the Boathouse for amazing food, arts, and curated entertainment, as well as utilizing the multi-use space for business, family, cultural and arts-related gatherings.

Thank you for continuing to support this exciting element of our community and I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the city of Costa Mesa, "the City of the Arts".

Thank you,
x ADAM DITT

P.s The Boathouse is not just a restaurant with well prepared foods and drinks and excellent performances; it is a place that breeds musicians and talented visual artists to seek forth their goals and inspirations. I have never been employed by any company that supported dreams like the Boathouse Collective has. Please keep this wonderful business going!

COLGAN, JULIE

From: Alex Antonescu <alexantonescu14@gmail.com>
Sent: Sunday, November 08, 2015 10:14 AM
To: PLANNING COMMISSION
Cc: Clay@theboathousecollective.com
Subject: Support

To: The Costa Mesa Planning division:

Name: Alex Antonescu

City of Irvine resident, business, artist, musician, vender, etc...

I, Alex Antonescu would like to express my support for the Boathouse Collective project, and state that I am in favor of this refreshing concept that will continue to add a positive element to this unique part of Westside Costa Mesa. As more and more residential homes get built in the area, I feel that the Boathouse collective will become a beloved part of these new communities offering walkability to a great restaurant venue is an incredible asset to our city.

I look forward to continue frequenting the Boathouse for amazing food, arts, and curated entertainment, as well as utilizing the multi-use space for business, family, cultural and arts-related gatherings.

Thank you for continuing to support this exciting element of our community and I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the city of Costa Mesa, "the City of the Arts".

Thank you,

Alex Antonescu

COLGAN, JULIE

From: Miles Shrewsbury <milesshrewsbury@gmail.com>
Sent: Saturday, November 07, 2015 9:46 AM
To: ASHABI, MINOO; PLANNING COMMISSION
Cc: Clay@theboathousecollective.com
Subject: Boathouse collective support

To: The Costa Mesa Planning division:

Name: Miles Shrewsbury

San Diego resident, musician

I, Miles Shrewsbury, want to express my support of the Boathouse Collective to the Planning Commission of Costa Mesa, CA. As a professional musician, my income depends on venues that support original music both financially and artistically through a community based atmosphere. The Boathouse Collective is just that-- a community that supports artists of all mediums. Through performing and touring around the world I can honestly say that venues like the Boathouse Collective are rare and should be treasured by their respective communities. Actually, this is something that my own city, San Diego, lacks and why my jazz duo, Therianthrope, makes the drive routinely to perform at the Boathouse Collective. It is my hope that the Boathouse Collective continues to thrive and grow indefinitely. Furthermore, I hope the idea and message that Clayton has created at the Boathouse Collective influences others in southern CA so that more art can be supported by a thriving community. I am grateful to be a part of the roster of musicians at the Boathouse Collective and look forward to a continued relationship with them.

Best wishes,

Miles Shrewsbury

COLGAN, JULIE

From: Chloe Wood <chloe.wood@bbdakota.com>
Sent: Saturday, November 07, 2015 8:11 AM
To: PLANNING COMMISSION; ASHABI, MINOO
Cc: Clay@theboathousecollective.com
Subject: [BULK] BOATHOUSE PROJECT

Importance: Low

Hi There!

I work next door to Boathouse at the clothing company, BB Dakota. Our company fully supports Clay and the staff at Boathouse! They represent what the beautiful city of Costa Mesa is all about with their amazing food, signature cocktails, and friendly staff. I am a good friend and regular at the restaurant and want the best for our neighbors! If you need any additional information please feel free to contact me anytime.

Thank you,

Chloe Wood
Sample Coordinator / Office Assistant
T 949.515.2215
1638 Pomona Ave. Costa Mesa, CA 92627

BB DAKOTA JACK
www.bbdakota.com

COLGAN, JULIE

From: Pepe Tena <petena@me.com>
Sent: Saturday, November 07, 2015 8:03 AM
To: PLANNING COMMISSION; ASHABI, MINOO
Cc: clay@theboathousecollective.com
Subject: [BULK] BOAT HOUSE

Importance: Low

Dear Sirs,

The Boat House Collective has been pioneering what it could be a transformation of the poor, old, worn out Restauration that this area is offering.

Please look at Abbot Kinney on the City of Venice. The energetic, young and creative professionals that live and work in the area support restaurants, shops and residential that have increased the value of that area bringing a massive revenue to the City. That area in Venice has a better value or sq ft that the Ocean Front!!! Moreover, this young, exciting community uses almost no private cars as a way of transportation. They use bikes and Uber. It is a new era. You do not need the same parking ratios that are completely obsolete. You have to adapt at this new way of transportation and allow your City to be creative.

Allow the Boat House and more places like this one to grow without the stupidity of old systems. Please help your City to be innovative. The Boat House should be your model, give them full entitlement. They don't need more parking, maybe more bicycle lines...

Joseph Pepe Tena



C.E.O.

FERRADO

20411 SW Birch Street, Ste 360

Newport Beach, CA. 92660

Office 949 474-9884

Fax 949 474-9892

pepetena@ferrado-us.com

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PS: For the environment, please do not print this e-mail unless it is necessary

COLGAN, JULIE

From: desiree corsetti <desiree@boathousecollective.com>
Sent: Saturday, November 07, 2015 1:39 AM
To: PLANNING COMMISSION
Subject: Boathouse Collective

To: The Costa Mesa Planning division:

Name: Desiree Corsetti

D'Vine Pastry Bar

City of Huntington Beach resident & business

I, Desiree Corsetti, would like to express my support for the Boathouse Collective project, and state that I am in favor of this refreshing concept that will continue to add a positive element to this unique part of Westside Costa Mesa. As more and more residential homes get built in the area, I feel that the Boathouse collective will become a beloved part of these new communities offering walkability to a great restaurant venue is an incredible asset to our city.

I look forward to continue frequenting the Boathouse for amazing food, arts, and curated entertainment, as well as utilizing the multi-use space for business, family, cultural and arts-related gatherings.

Thank you for continuing to support this exciting element of our community and I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the city of Costa Mesa, "the City of the Arts".

Regards,

x Desiree Corsetti

Desiree Corsetti
desiree@boathousecollective.com
Office 949.646.3176
Cell 949.689.1141

PH-2

COLGAN, JULIE

From: Heather Scheck <hbscheck@gmail.com>
Sent: Sunday, November 08, 2015 3:22 PM
To: ASHABI, MINOO; PLANNING COMMISSION
Cc: Clay Peterson; <marta@boathousecollective.com>
Subject: Boathouse Collective Permit Support

To the Members of the Costa Mesa Planning Commission:

I am writing in support of the Boathouse Collective project in Westside Costa Mesa. The Boathouse Collective offers a unique venue with delicious food, great live music, and innovative art exhibits. The Boathouse Collective has become a go-to destination for the many people in our community looking for an alternative to a typical restaurant.

I am President of the Mariners Elementary School Foundation. We were fortunate enough to hold our annual Art Walk Fundraiser at the Boathouse Collective last year. Art Walk showcases student-made art. Each class creates art to display and sell. Clay Peterson was extraordinarily generous with our event. He went above and beyond to make the night a success. Mr. Peterson even created a one-of-a-kind piece of art to welcome our parents to the event. Art Walk 2015 was the most successful Art Walk that the Foundation has ever had. Over 200 Mariners parents and staff attended the event. I strongly believe that the reason it was so successful is due to the special venue offered by the Boathouse Collective. We are planning on having Art Walk 2016 at Boathouse Collective.

I appreciate the Planning Commission's continued support of the Boathouse Collective in our community. The Boathouse Collective is a wonderful part of the City of the Arts.

Sincerely,

Heather Scheck

Newport Beach

PH-2

COLGAN, JULIE

From: Kenneth Hill <hill.kenneth84@gmail.com>
Sent: Sunday, November 08, 2015 4:13 PM
To: PLANNING COMMISSION
Subject: Boathouse Collective

Please support the alternative parking option for Boathouse Collective. This is a unique and great restaurant / music destination that my wife and I love!

Thanks

--

Kenny Hill

Smith Optics

www.smithoptics.com

Suncloud Optics

www.suncloudoptics.com

Matix Clothing

<http://www.matixclothing.com>

Arbor Collective - Skateboards

www.arborcollective.com

Modom Surf Accessories

www.modomsurfusa.com

562.587.1500 Cell

562.684.4045 Fax

PH-2

COLGAN, JULIE

From: Parc Crecelius <parc.crecelius@gmail.com>
Sent: Sunday, November 08, 2015 5:42 PM
To: PLANNING COMMISSION; ASHABI, MINOO
Cc: Clay@theboathousecollective.com
Subject: Boathouse Collective

Dear Costa Mesa Planning Commission,

I am a employee for The Boathouse Collective, and I am writing to convey the positive affect that this restaurant is having on the community and myself. I have been working at the restaurant since May, and during that time I have witnessed sincere passion for art, music, food, and gathering the people of this area.

Furthermore, I am thankful to be employed by an establishment that is taking the extra effort to be itself, while still engaging local businesses, artists, musicians, etc. Indeed Clay is a great person to lead this effort, and his family oriented approach is felt daily.

I have every reason to believe that this team will be cooperative with city regulations and will continue make a positive impact Costa Mesa as a whole.

Sincerely.

Parc Crecelius

509-570-6094
204 29th St
Newport Beach, CA 92663

COLGAN, JULIE

From: Denny Pender <dpender@gillettcommercial.com>
Sent: Monday, November 09, 2015 6:32 AM
To: PLANNING COMMISSION
Subject: Boathouse

The Boathouse is the gateway to the Westside Cultural and Culinary Experience. I truly hope my city will continue to thrive with creative and sustainable businesses. Let's help make the Boathouse part of our great community. Denny Pender

949-331-2077

Sent from my iPhone

PH-2

COLGAN, JULIE

Subject: In support of the Boathouse ..

From: Eve and Roger Fletcher [<mailto:eveandroger@sbcglobal.net>]

Sent: Sunday, November 08, 2015 4:21 PM

To: ASHABI, MINOO <MINOO.ASHABI@costamesaca.gov>

Cc: Eve and Roger Fletcher <eveandroger@sbcglobal.net>; Clay@boathousecollective.com

Subject: In support of the Boathouse ..

To: The Costa Mesa Planning division:

Attention: Mino Ashabi

From:

Eve Fletcher

939 Evergreen Place, Costa Mesa, California

I, Evelyn J. Fletcher. would like to express my support for the Boathouse Collective project. I am a big fan of this refreshing concept in an area of Costa Mesa that so desperately needs it. As more and more residential homes get built in the immediate area, I feel that a great restaurant like the Boathouse, that many can walk to, make it an incredible asset to our city.

I look forward to continuing to visit the Boathouse for great meals and great musical entertainment, as well as utilizing the multi-use space for business, family, cultural and arts-related gatherings for many years to come.

Thank you for continuing to support this exciting element of our community. I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the City of Costa Mesa, the "City of the Arts".

Sincerely,

Eve Fletcher

*939 Evergreen Place
Costa Mesa, CA 92627*

PH-2

COLGAN, JULIE

Subject: In support of The Boathouse

From: Eve and Roger Fletcher [mailto:eveandroger@sbcglobal.net]
Sent: Sunday, November 08, 2015 4:19 PM
To: ASHABI, MINOO <MINOO.ASHABI@costamesaca.gov>
Cc: Eve and Roger Fletcher <eveandroger@sbcglobal.net>; Clay@boathousecollective.com
Subject: In support of The Boathouse

To: The Costa Mesa Planning division:

Attention: Mino Ashabi

From:

Roger Fletcher

939 Evergreen Place, Costa Mesa, California

I, Roger I. Fletcher, would like to express my support for the Boathouse Collective project. I am a big fan of this refreshing concept in an area of Costa Mesa that so desperately needs it. As more and more residential homes get built in the immediate area, I feel that a great restaurant like the Boathouse, that many can walk to, make it an incredible asset to our city.

I look forward to continuing to visit the Boathouse for great meals and great musical entertainment, as well as utilizing the multi-use space for business, family, cultural and arts-related gatherings for many years to come.

Thank you for continuing to support this exciting element of our community. I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the City of Costa Mesa, the "City of the Arts".

Sincerely,

Roger Fletcher

PH-2

COLGAN, JULIE

Subject: Boathouse Collective Project

From: Jason Stanson [mailto:js@grnwtr.com]
Sent: Saturday, November 07, 2015 12:55 AM
To: ASHABI, MINOO <MINOO.ASHABI@costamesaca.gov>
Cc: Clay@boathousecollective.com
Subject: Boathouse Collective Project

Dear Costa Mesa Planning Division Representatives:

Please accept this email as my expression of support for the Boathouse Collective project. My wife and I are regular patrons and we're big fans of this refreshing concept in an area of Costa Mesa that so desperately needs it. As more and more residential homes get built in the immediate area, I believe that a great restaurant like the Boathouse, that many can walk to, make it an incredible asset to our city.

We look forward to continuing to visit the Boathouse for great food and musical entertainment, as well as utilizing the multi-use space for business, family, cultural and arts-related gatherings for many years to come.

Thank you for continuing to support this exciting element of our community. I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the City of Costa Mesa, the "City of the Arts".

Best regards,

Jason Stanson
Newport Beach resident and business owner

Jason Stanson | GreenWater Holdings LLC
844 Production Place | Newport Beach CA 92663
Tel 949 646 6111 | Fax 949 646 6112 | Cel 949 554 4412
www.greenwaterholdings.com | www.grnwtr.com

COLGAN, JULIE

Subject: Permit Renewal for The Boathouse Collective...**From:** A.J. Nesselrod [mailto:ajnesselrod@me.com]**Sent:** Friday, November 06, 2015 7:33 PM**To:** ASHABI, MINOO <MINOO.ASHABI@costamesaca.gov>**Cc:** Clay@boathousecollective.com; Misha Nesselrod <mishanesselrod@me.com>**Subject:** Re: Permit Renewal for The Boathouse Collective...*To: The Costa Mesa Planning division:**A.J. & Misha Nesselrod**Holiday Salon**Costa Mesa*

I, A.J. Nesselrod, would like to express my support for the Boathouse Collective project. I am a big fan of this refreshing concept in an area of Costa Mesa that so desperately needs it. As more and more residential homes get built in the immediate area, I feel that a great restaurant like the Boathouse, that many can walk to, make it an incredible asset to our city.

I look forward to continuing to visit the Boathouse for great meals and great musical entertainment, as well as utilizing the multi-use space for business, family, cultural and arts-related gatherings for many years to come.

Thank you for continuing to support this exciting element of our community. I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the City of Costa Mesa, the "City of the Arts".

*Sincerely,**A.J. Nesselrod***A.J. Nesselrod****www.ajnesselrod.com**

November 9, 2015

To: The Costa Mesa Planning Division:

Shelly Leonard

Costa Mesa resident and past business owner on the Westside.

I, Shelly, would like to express my support for the Boathouse Collective project, and state that I am in favor of this refreshing concept that will continue to add a positive element to this unique part of Westside Costa Mesa. As more and more residential homes get built in the area, I feel that the Boathouse collective will become a beloved part of these new communities offering walkability to a great restaurant venue. This is an incredible asset to our city.

I look forward to continue frequenting the Boathouse for amazing food, arts and curated entertainment, as well as utilizing the multi-use space for business, family, cultural and art-related gatherings.

Thank you for continuing to support this exciting element of our community and I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the city of Costa Mesa, "the City of the Arts".

Thank you,
Shelly Leonard

PH-2

COLGAN, JULIE

From: Jim @ Wilson Coffee <wilsonroasting@gmail.com>
Sent: Monday, November 09, 2015 10:12 AM
To: PLANNING COMMISSION; ASHABI, MINOO
Cc: Clay@theboathousecollective.com
Subject: The Boathouse Collective permitting

To whom it may concern,

I am sending this email to let you know how important it is to my family, my business, and I that The Boathouse Collective receive its permits for parking and maintain supplying our wonderful city with music, art, and cuisine.

As a father it is important that my son grow up in a city full of vitality and soul. The Boathouse Collective supplies this in spades.

As a business owner on the Westside it is important that commerce not only remains and flourishes but also has a heartbeat. The Boathouse Collective is that heartbeat.

And as an individual raised in the Westside it is important that my neighborhood for the lack of better words "stays cool." It is important that I have a place to make me proud of where I live. A place where I can express myself artistically and enjoy the music and art of others.

The foundation that a business such as The Boathouse Collective lays is one that affects the future of our city. I urge you to do whatever it takes to keep The Boathouse Collective the thriving hub and heartbeat of our city that it is today.

Many regards,

James Schwartz
Wilson Coffee Roasting, Inc.
Costa Mesa

COLGAN, JULIE

From: Troy Davis <troy@troydavis.com>
Sent: Monday, November 09, 2015 10:16 AM
To: PLANNING COMMISSION
Cc: ASHABI, MINOO; clay@boathousecollective.com
Subject: Boathouse Collective

Costa Mesa Planning division:

I, Troy Davis, would like to express my support for the Boathouse Collective project, and state that I am in favor of this pioneering concept that will continue to add a positive element to this unique part of West-side Costa Mesa. As more and more residential homes get built in the area, I feel that the Boathouse collective will also become a beloved part of these new communities, offering walk-ability to a one of a kind food, art, music venue, and providing an incredible creative asset to our city.

Thank you for continuing to support this exciting element of our community and I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the city of Costa Mesa, "the City of the Arts".

I look forward to frequenting the Boathouse for many years to come.

Thank you,

Troy Davis

President, KOCI Advisory Board

On-air host Date Night, Friday's 10:00 to midnight

tdavis@theagencyrealty.com

www.kociradio.com

www.TheAgencyRealty.com

714.264.1334 cell



COLGAN, JULIE

From: Derek Sabori <dsabori@Volcom.com>
Sent: Monday, November 09, 2015 10:33 AM
To: PLANNING COMMISSION; ASHABI, MINOO
Cc: Clay@boathousecollective.com
Subject: In Support of the Boathouse Collective

To The Costa Mesa Planning Commission and Principal Planner Ashabi,

As a long-time Westside CM homeowner, employee of a Costa Mesa based company and Board Member of the Costa Mesa Foundation, I would like to express my continued support for the Boathouse Collective project, and state that I am in complete **favor** of this pioneering concept that will continue to add a positive element to this unique part of West-side Costa Mesa. As more and more residential homes get built in the area, I feel that the Boathouse collective will become an even more beloved part of these new communities, offering walk-ability to a one of a kind food, art, music venue, and providing an incredible creative asset to our city.

Thank you for continuing to support this exciting element of our community and I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the city of Costa Mesa, "the City of the Arts".

I look forward to frequenting the Boathouse for many years to come and of course, thank you for your time and consideration.

Sincerely,

Derek Sabori
Vice President, Sustainability

VOLCOM
1740 Monrovia Ave., Costa Mesa, CA 92627
o: (949) 999-6228 // c: (949) 433-4144
@derekasabori // @volcom // #TrueToThis
<http://www.volcom.com> <http://www.volcom.com/newfuture>
Watch - <http://vol.cm/ch01ttt>



COLGAN, JULIE

Subject: Letter of Support for the Boathouse Collective CUP

From: Mary Fewel [<mailto:mary@maryfewel.com>]
Sent: Monday, November 09, 2015 10:43 AM
To: ASHABI, MINOO <MINOO.ASHABI@costamesaca.gov>
Subject: Letter of Support for the Boathouse Collective CUP

Please forward to the Costa Mesa Planning Commission.

Dear Costa Mesa Planning Commissioners,

I am fully in support of the Boathouse Collective's CUP application for modified hours of operation, and valet parking service.

The Boathouse Collective is a very positive addition to the continuing improvement of West Costa Mesa. When the Boathouse Collective first opened, the Costa Mesa Foundation held their award dinner there to distribute proceeds raised at that year's Concerts in the Park to the Foundation's non-profit partners who assisted in putting on the concerts. Everyone raved about how wonderful Boathouse Collective was for the event. Great food and drink, compelling music, and a unique venue all make Boathouse Collective a win-win for Costa Mesa.

Thank you for your consideration.

Sincerely,

Mary Fewel
Longtime West Costa Mesa resident, business owner, and eight-year member of the Costa Mesa Foundation board of directors

--

Mary Fewel
(949) 285-2161 Cell
Mary@MaryFewel.com
www.MaryFewel.com
Village Green Real Estate
2121 Placentia Ave. #B
Costa Mesa, CA 92627
BRE License 01240620

PH-2

COLGAN, JULIE

From: Marie Case <casecom@aol.com>
Sent: Monday, November 09, 2015 10:45 AM
To: PLANNING COMMISSION
Cc: clay@boathousecollective.com
Subject: The Boathouse Collective Project

I would like to express my support for the Boathouse Collective project and state that I am in favor of this pioneering concept that will continue to add a positive element to this unique part of West-side Costa Mesa.

As more residential homes are built in the area, I feel that the Boathouse Collective will also become a beloved part of these new communities, offering walk ability to a one-of-a-kind food, art, music venue and provide an incredible creative asset to the City of Costa Mesa.

Thank you for continuing to support this exciting element of our community and I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the city of Costa Mesa, "the City of the Arts".

I look forward to frequenting the Boathouse for many years to come.

Thank you.

Marie Case
Case Communications
949.721.8422
cell: 714.745.8177

PH-2

COLGAN, JULIE

From: John Morehart <johnmmorehart@sbcglobal.net>
Sent: Monday, November 09, 2015 10:54 AM
To: PLANNING COMMISSION; ASHABI, MINOO
Cc: Clay
Subject: Boat house

Please support clays petition to remain in business at the boathouse We didnt ask to put hundreds of new homes in our area But were required to carry the weight of the added burdena these changes will inpose

It only makes sense our city like newport and laguna provide parking waivers to business located in these deep infill areas where people will now walk to community serviced based businesses Thank you John morehart

Sent from my iPhone

PH-2

COLGAN, JULIE

From: Gabriela Tena <gabtenaza@yahoo.com>
Sent: Monday, November 09, 2015 12:50 PM
To: PLANNING COMMISSION; ASHABI, MINOO
Cc: Clay@theboathousecollective.com
Subject: Costa Mesa Planning Division (Support of BoatHouse)

To: The Costa Mesa Planning division:
Name: Gabriela Tena

City of (your city) resident: Los Angeles

I, Gabriela Tena, would like to express my support for the Boathouse Collective project, and state that I am in favor of this refreshing concept that will continue to add a positive element to this unique part of Westside Costa Mesa. As more and more residential homes get built in the area, I feel that the Boathouse collective will become a beloved part of these new communities offering walkability to a great restaurant venue is an incredible asset to our city.

I look forward to continue frequenting the Boathouse for amazing food, arts, and curated entertainment, as well as utilizing the multi-use space for business, family, cultural and arts-related gatherings.

Thank you for continuing to support this exciting element of our community and I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the city of Costa Mesa, "the City of the Arts".

Thank you,

x _____ Gabriela Tena _____

PH-2

COLGAN, JULIE

From: Krista Schweers <kschweers@ggusd.us>
Sent: Monday, November 09, 2015 12:32 PM
To: PLANNING COMMISSION
Subject: Boathouse Collective

To: The Costa Mesa Planning division:

I, Krista Schweers, would like to express my support for the Boathouse Collective project, and state that I am in favor of this refreshing concept that will continue to add a positive element to this unique part of Westside Costa Mesa. As more and more residential homes get built in the area, I feel that the Boathouse collective will become a beloved part of these new communities offering walkability to a great restaurant venue is an incredible asset to our city.

I look forward to continue frequenting the Boathouse for amazing food, arts, and curated entertainment, as well as utilizing the multi-use space for business, family, cultural and arts-related gatherings.

Thank you for continuing to support this exciting element of our community and I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the city of Costa Mesa, "the City of the Arts".

Thank you,

Krista J. Schweers, MS, Certified Athletic Trainer CTEp & Coastline ROP UC Sports Medicine Instructor Personal Training Certification Instructor AHA Certified BLS CPR/AED Instructor

A teacher is one who progressively makes themselves unnecessary.
Thomas Currathers

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PH-2

COLGAN, JULIE

From: Greg Graber <greg@johnwayne.org>
Sent: Monday, November 09, 2015 1:37 PM
To: PLANNING COMMISSION; ASHABI, MINOO
Cc: Clay@boathousecollective.com
Subject: Boathouse - Greg G.

To: Costa Mesa Planning division

I am a long time friend of the owner and employees of the Boathouse Collective and I support the Boathouse Collective's plan to continue to provide their food-art-music venue in the community for years to come.

I look forward to frequenting the Boathouse for many years to come.

Thank you,

Greg Graber
2233 Santa Ana Ave.
Costa Mesa, CA 92627

PH-2

COLGAN, JULIE

From: Mike Marriner <mwm@roadtripnation.com>
Sent: Monday, November 09, 2015 2:45 PM
To: PLANNING COMMISSION
Cc: clay@boathousecollective.com; ASHABI, MINOO
Subject: Support for Boathouse Collective

To The Costa Mesa Planning division:

As a business owner in Costa Mesa, I would like to express my support for the Boathouse Collective project, and state that I am in favor of this pioneering concept that will continue to add a positive element to this unique part of West-side Costa Mesa. As more and more residential homes get built in the area, I feel that the Boathouse collective will also become a beloved part of these new communities, offering walk-ability to a one of a kind food, art, music venue, and providing an incredible creative asset to our city.

Thank you for continuing to support this exciting element of our community and I am confident that securing the Boathouse's future operations will continue to add cultural and communal value to the city of Costa Mesa, "the City of the Arts".

I look forward to frequenting the Boathouse for many years to come.

Thank you,

Mike

Mike Marriner | Cofounder | Roadtrip Nation | M. 949.291.0988

Order Roadmap Book by Roadtrip Nation at: theonlybookyouneed.com





PH-2

November 5, 2015

To the Costa Mesa Planning Commission
Re: The Boat House
1640 Pomona Ave, 1626 Ohms Way and 1603 Superior Ave.
Applicant: Clay Peterson

The Board of Directors and Owners of The Mesa Business Center wish to voice our concerns about the parking that the Boat House States it has, 66 spaces. When you go to these addresses listed on the CUP, we find it impossible to find those 66 spaces.

We want to be good neighbors but when some out side business impedes on ours, we have a problem. We already have a major problem with BB Dakota Collective that is adjacent to the Boat House and they have ZERO parking. When they have their semi annual sales, their customers come into our business park and use OUR parking that is for OUR customers and OUR owners. Please take the parking issue seriously. We wish the Boat House no ill will but parking is a REAL issue.

Cordially:

Board of Directors of The Mesa Business Center

Fred Kiltett - Vice President
Chris Myers - Treasurer
Audrey Anderson - SECRETARY

Received
City of Costa Mesa
Development Services Department

NOV 09 2015

Keller & Sons

CONSTRUCTION INC.

723 OHMS WAY, COSTA MESA, CALIFORNIA 92627 - Telephone 949/631-5298

STATE LIC. NO. 390785

11/4/2015

TO City of COSTA MESA.

I MARK KELLER OWN THE PROPERTIES AT
1635 1625 1621 723, 734, 741 OHMS WAY. I WILL BE
IN NEW YORK ON NOV. 9+4 I CANNOT ATTEND HEARING
MY CONCERNS ARE THE SAME AS MY NEIGHBORS. WHICH
IS PARKING. AND THE PACKAGE THEY PROVIDE.

I WILL RETURN ON THE 10/12/2015 I CAN BE
REACHED AT 714 747-8784



The Goehring Family owns
722 Ohms Way & 735 Farad.
We are very concerned about
Reappraisal of 1640 Pomona's
CUP because of parking and
other issues, and we agree with
The contents of this package.



Richard Goehring
For the Goehring Family

To The Planning Commission:

We have enclosed some photos to show the parking problem that is one of our neighborhood's major concerns with the proposed re-approval of the CUP for 1640 Pomona.

We were not able, due to time constraints, to get photos of all of our concerns, but they are self evident, if you look at the site plan.

We feel that at the last meeting, our concerns were not taken into consideration before allowing the Boathouse project to go forward. Because of this, Mr. Peterson spent a great deal of money and effort to create a successful operation. Unfortunately, as was our concern, his parking has been terminated and he is scrambling to create a parking plan that, in our opinion, is doomed to fail the same as the original plan.

1640 does not have 30 spaces even when using the adjacent property (1634). 1640 has no parking spots, as the spots in front of the building are being used as a greeting center and for the valet stand. BB Dakota, 1634 has only 15 parking spaces, as per your original staff report when valet parked and BB Dakota is *CLOSED*. The amount of parking at 1603 Pomona that can be used when Normandy Plating and New York Hardware are closed, has been exaggerated also. There are 12 parking spots, not 21, and as per your original staff report, does not change because of valet parking. There are 7 available parking spaces at 1626 Ohms Way, not 15, when SS Metal Crafters is closed, due to a gate that is closed and locked when Aqua Tech, in the back is not in operation, and at many times, they work through the night and use the parking themselves. Also, they do not close their operation until 5:00pm, at best, and the Boathouse employees need to be at 1640 Pomona before that.

The valet parking is a concern also, as they are charging \$5 per car. Most people are not using the valet until there is no parking close to the venue. Also, they are stopping the cars on Pomona, not off the street, when stopping for valet service.

Another big concern is there is no delivery parking during the day and large delivery trucks are parking in the driving lanes on Pomona just the other side of Farad, making it hard to see cars coming and also making cars drive on the wrong side of the road. This is a dangerous situation for anyone driving past 1640 Pomona during a delivery.

As per your staff report, the code required parking is 58 spaces. They are not getting there, even with all the creative ways they have tried.

Another question is ADA Parking. There are no ADA parking spots at 1640 Pomona. In fact, we would be surprised if one could be created due to the way the property is sloped. There is one ADA spot at the other side of BB Dakota's lot. If cars were parked in the lot, a handicapped person would have to walk down a slope or run a wheelchair down to the street as there is no sidewalk, then go back up a slope that is easily over 5 degrees. The lack of ADA required parking would kill any other project before it was started, as well as the lack of ramps to allow access up from the street.

The Boathouse has not been in operation except for after 5pm, since the parking was lost next door, but the operation still creates serious dangers to the public because of the delivery problem. It is unfortunate that the city was in our opinion, remiss about the way this entire complex, including the Boathouse Collective and BB Dakota was constructed. It was not totally built in 1950, a large part of it was built with only a roofing permit in approximately 2010. They removed an old boat barn located in the middle of the buildings built a completely new building and connected the buildings together. They doubled the square footage by putting a second story in the building. Also, they zeroed out the buildings on the rear property line. All of this creating a load that was far greater than the parking was capable of sustaining.

We believe that none of this went through planning. Also, we know because of a conversation with a Building Inspector at the time, that they only had a roofing permit when the building was being built with his knowledge. They later pulled an Electrical Permit for the new panels, so that Edison would be able to heat them up. We are not sure, but believe that because of this, no planning fees were paid, minimal building permit fees were paid and there was no reassessment done by the county for Property Taxes.

We may be wrong, but we don't think so and believe the Planning Commissioners should look into this before going forward with any CUPs or any other variances. We believe this entire problem was created because of the lack of planning before the Boathouse came into business and feel the neighboring businesses and the new proposed live/work units adjacent to this property should not have to suffer with parking problems created by an ill-conceived and non-compliant property.

We would appreciate the due diligence of this Commission and the Building Department before allowing any CUP or other use of these properties.

Pages from
Previous Staff
Report

BOATHOUSE ///COLLECTIVE///

Boathouse Collective Application Letter

Intended Space Usage

The mission of the Boathouse Collective is to provide an inspiring and unique gathering space set within the West side of industrial Costa Mesa that will appeal to a wide variety of the community. The distinctive location is set on the far end of W. Pomona avenue amongst a row of mid century post and beam style buildings that still embody remnants of the early nautical trades taking place in the beginning stages of industrial Costa Mesa in. The unique boathouse space and location would present a multifaceted approach to achieve a larger customer base and increase hours of operation by obtaining a proper CUP and offering a legitimate gathering space to support the local creative, educational, philanthropic and positive movements, in the area.

The creative space and Multi purposed evening Venue will be paired with a health conscious food element within the boathouse called the "Boathouse Garden café". The cafe will provide a simple, healthy breakfast/lunch menu combined with good Coffee/ pastries/ juices etc., supporting fresh locally sourced organic ingredients and providing a clean, healthy dining experience within the industrial west side of Costa Mesa that will appeal to the active, working professional customer base in the area.

no break fast
ever served
lunch closed
down

The boathouse cafe will also obtain a proper Liquor License that will support a full, in house bar service to be used for the café at breakfast and lunch as well as during evening use, private parties, charity events, public functions etc., that will be held sporadically during each week.

To provide more community outreach, the Boathouse also plans to offer a monthly Farmers Market in the adjacent lot that will include a container garden area where the local community can gather using the Boathouse as the central hub for Food, beverage and commerce.

SITE

The Café located in a 3500 square foot space with 1,500sq. ft. of public serving area will provide a full-service dine-in and carry-out element with indoor seating for 50 and an additional outdoor seating area for 40 patrons. We are basing our numbers on 50 patrons during Café hours. The Boathouse will use the liquor license for use during the day to serve beer and wine during lunch hours. Parking will be facilitated in the adjacent lot where we have secured a lease for our use and approval to create our main ADA Entrance through the lot and into the boathouse.

← gone

The Boathouse Cafe will also offer a private entertainment and gathering element in the space that will be booked sporadically during each month. The Boathouse venue will offer various interior gathering arrangements based on a maximum of 132 patrons, including an outdoor patio area for additional use.

BACKGROUND***Project Site***

The "project site" includes an *on-site* location where the Boathouse Collective restaurant will be located (1640 Pomona) and an abutting *off-site* location within the ArgoTech parking lot (671 West 17th Street). Both properties are zoned MG (General Industrial) with a General Plan land use designation of Light Industry. The public notice for the proposed project featured a 500-foot notification radius around both properties.

1640 Pomona – Boathouse Restaurant Building

This half-acre lot contains a garment distribution/wholesaler (BB Dakota at 1634 Pomona Avenue) and an artist collaborative studio (Boathouse Collective at 1640 Pomona Avenue). This property was developed in 1950 and has nonconforming parking (46 spaces required based on current building square footage; maximum 15 standard parking spaces fit on the lot). The 3,400 square-foot Boathouse Collective building is a two-story metal building with a shed roof. The building was constructed in 1951 for a boat shop, which has exposed beams, high ceilings, and a small 663 square-foot area on the second floor for storage and utility space.

short 31 spaces
Just for normal load

671 West 17th Street

The 9-acre lot located at the southeast corner of West 17th Street and Pomona Avenue (671 West 17th Street) is owned by ArgoTech, an aeronautical parts manufacturer. The property is primarily vacant with limited operations occurring on-site.

Both properties are located within the Westside Urban Plan areas. However, the applicant is not requesting to activate the provisions of the urban plan.

Project Description

The applicant proposes to adaptively reuse the existing 3,400 square-foot Boathouse building by converting it from a 1950's industrial building to a food and beverage establishment.

The proposed project involves four different use components to be operated as short-term uses (about 2.5 years), as summarized below:

Table A
Parking Summary

Proposed Use	Parking Ratio	Code Required Parking	Proposed Parking ¹
Garden Café (3,400 SF restaurant + 1,000 SF outdoor patio)	10 spaces/1,000 SF ²	44 spaces	51 spaces
Private Parties/Venue (4,400 SF)	10 spaces/1,000 SF for 1 st 3,000 SF 20 spaces/1,000 SF thereafter	58 spaces	Up to 66 spaces
Farmer's Market (1,000 sfSF outdoor patio)	10 spaces/1,000 SF	10 spaces	—
Outdoor Art Exhibits (1,000 SF outdoor patio)	10 spaces/1,000 SF	10 spaces	—
Total 4,400 SF	NA	Maximum 58 spaces total	66 spaces

- Proposed parking supply includes potentially up to 15 on-site valet parking spaces when BB Dakota is closed and exactly 51 off-site parking spaces on the ArgoTech property. Additional valet parking may be provided on the ArgoTech site as needed.
- Code requires 10 spaces/1,000 SF for the 1st 3,000 SF and 20 spaces/1,000 SF thereafter. However, staff believes that it is appropriate to apply 10 spaces/1,000 SF for the whole café based on actual parking demand (see discussion below).

Garden Café

The lunchtime garden café will coincide with BB Dakota's hours of operation. There are only eight on-site parking spaces at 1640 Pomona. However, staff does not anticipate a parking conflict as long as the 51 off-site parking spaces remain available for use by Boathouse Collective (currently until July 2014) because the actual parking demand for the garden café is 44 spaces.

Staff believes it is appropriate to apply the 10 spaces/1,000 square-foot parking ratio for a maximum parking requirement of 44 spaces. The garden café is surrounded by industrial uses; it will primarily provide a lunch option for businesses in the area. Additionally, based on the City's adopted shared parking demand analysis (Attachment 3), which analyzes parking demand by the hour, the maximum 58-space peak parking demand would not occur until after 7 p.m. when BB Dakota is closed and all on-site parking would be available for use by the restaurant.

Based on the shared parking analysis, the maximum parking demand during the lunch hours is 40 spaces at 1 p.m. Since 51 off-site parking spaces are available to the

EXHIBIT "A"

FINDINGS

A. The proposal complies with Costa Mesa Municipal Code Section 13-29(e) because:

1. The proposed uses are compatible and harmonious with uses in the general area.
2. The Light Industry land use designation allows a variety of light and general industrial uses as well as commercial uses that complement the industrial area. Therefore, approval of the CUP to allow valet parking, off-site parking, outdoor seating/activities, alcohol service, live entertainment and dancing to support the restaurant and event venue would allow a use and intensity that is consistent with the General Plan.
3. The planning application is for a project-specific case and does not establish a precedent for future development.
4. The cumulative effect of all the planning applications has been considered.

B. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) because:

1. The proposed uses, as conditioned, are substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area. The site is located in an industrial area characterized by a variety of light and general industrial uses. Residential uses are located approximately a quarter mile away from the Boathouse building. Restaurants are permitted in the MG zone provided that adequate parking exists to support the use and there are no land use compatibility issues. The property is also located in the Westside mixed-use overlay zone where adaptive reuse of old industrial buildings is strongly encouraged. The proposal is compatible with uses in the area without negative impacts on surrounding properties. The restaurant/café will provide a lunch option for surrounding businesses and a venue for private parties/events when other businesses are closed. The anticipated land uses in the area are industrial and complementary commercial in nature pursuant to the zone and General Plan land use designation.
2. Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. Specifically, adequate parking will be provided to accommodate the restaurant/event venue and the farmers market based on off-set hours of operation and availability of off-site parking until July 2014. The maximum required parking for the restaurant/event venue is 58 spaces; 66 spaces on- and off-site parking spaces are provided. Off-site and valet parking will not impact on- or off-site uses or vehicle circulation; the proposed valet service is an option for convenience of the patrons and will not reduce required number of parking spaces or drive aisles. The proposed use of shipping containers with planter boxes to enclose the

Sixty six spaces no longer exist.

EXHIBIT "B"

*is still operating
even now*

CONDITIONS OF APPROVAL

- Plng.
1. Approval of the planning application is valid until July 1, 2014, to coincide with the termination date of the lease for off-site use at 671 West 17th Street, unless the applicant requests and receives approval of an extension of time by the Planning Commission. The Planning Division must receive a written request for the time extension prior to the expiration of the planning application. Due to insufficient on-site parking, the restaurant/event venue shall discontinue and all outdoor items for the restaurant/event venue shall be removed and site restored when the lease for 671 West 17th Street is terminated or when off-site parking is not available to support the use.
 2. The use shall be limited to the type of operation described in the staff report, subject to conditions. Any change in the operational characteristics including, but not limited to, type of service provided, hours of operation, number of patrons, size of the restaurant/event venue, and lease terms for off-site parking, shall be subject to Planning Division review 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)].
 3. The applicant shall record a land use restriction on both 1634/1640 Pomona Avenue and 671 West 17th Street, executed by and between the property owners and the City of Costa Mesa, to inform future property owners of the use and parking restrictions on both lots. Upon approval of the CUP, the applicant shall submit to the Planning Division a copy of the legal description for the properties and either a lot book report or current title report identifying the current legal property owners so that the document may be prepared. The land use restriction shall be recorded within 60 days of the CUP approval. The form and substance of the LUR shall be approved by the Development Services Director and the City Attorney's office.
 4. If parking shortage or other parking-related problems arise on- or off-site, the applicant or operator shall institute whatever operational measures are necessary to minimize or eliminate the problem, including, but not limited to, additional valet parking, revision of operating hours and reduction or elimination of outdoor seating/farmers market area, under the direction of the Planning Division.
 5. The valet station shall be located in an area that does not interfere with required parking or drive aisles.

evenings. The property is also located more than 200 feet away from any residential properties (approximately 1,400 feet from the nearest residential area).

GENERAL PLAN CONFORMITY

The Light Industry land use designation allows a variety of light and general industrial uses as well as commercial uses that complement the industrial area. Therefore, approval of the CUP for the valet parking, off-site parking, outdoor seating/activities, alcohol service, live entertainment and dancing to support the restaurant and event venue would allow a use and intensity that is consistent with the General Plan.

ALTERNATIVES

The Planning Commission may consider the following alternatives:

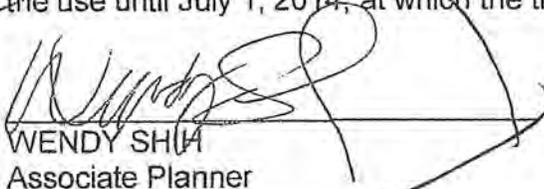
1. Approve the application. This would allow the on- and off-site uses for Boathouse Collective, as described in the staff report, subject to conditions and Code requirements.
2. Deny the application. If Commission denies the application, the proposed uses may not be established on the properties. A similar request may not be submitted for six months.

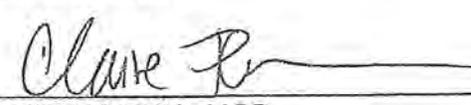
ENVIRONMENTAL DETERMINATION

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 from CEQA under Section 15301 for Existing Facilities. If the project is denied, it is exempt from the provisions of CEQA Section 15270(a) for Projects Which Are Disapproved.

CONCLUSION

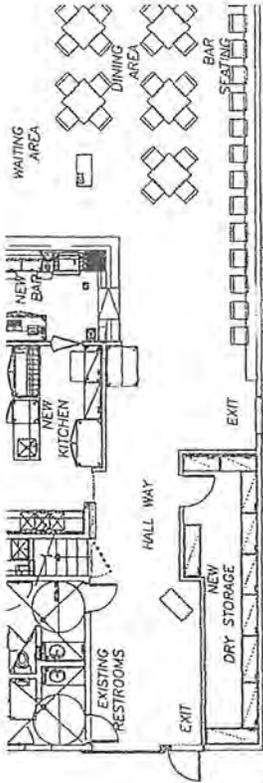
Staff supports approval of the CUP for the restaurant/event venue, farmers market, off-site and valet parking, given that the business will be subject to conditions of approval to minimize impacts to surrounding uses. Based on the project description, the proposed use will not negatively impact uses in the area. Adequate parking will also be provided to accommodate the use until July 1, 2014, at which the time CUP will also expire.


WENDY SHIH
Associate Planner

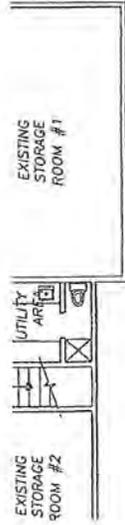

CLAIRE FLYNN, AICP
Acting Assistant Development Services Director

- Attachments:
1. Draft Planning Commission Resolutions
 2. Applicant's Project Description and Justification
 3. City's Shared Parking Demand Analysis
 4. Location Map
 5. Plans

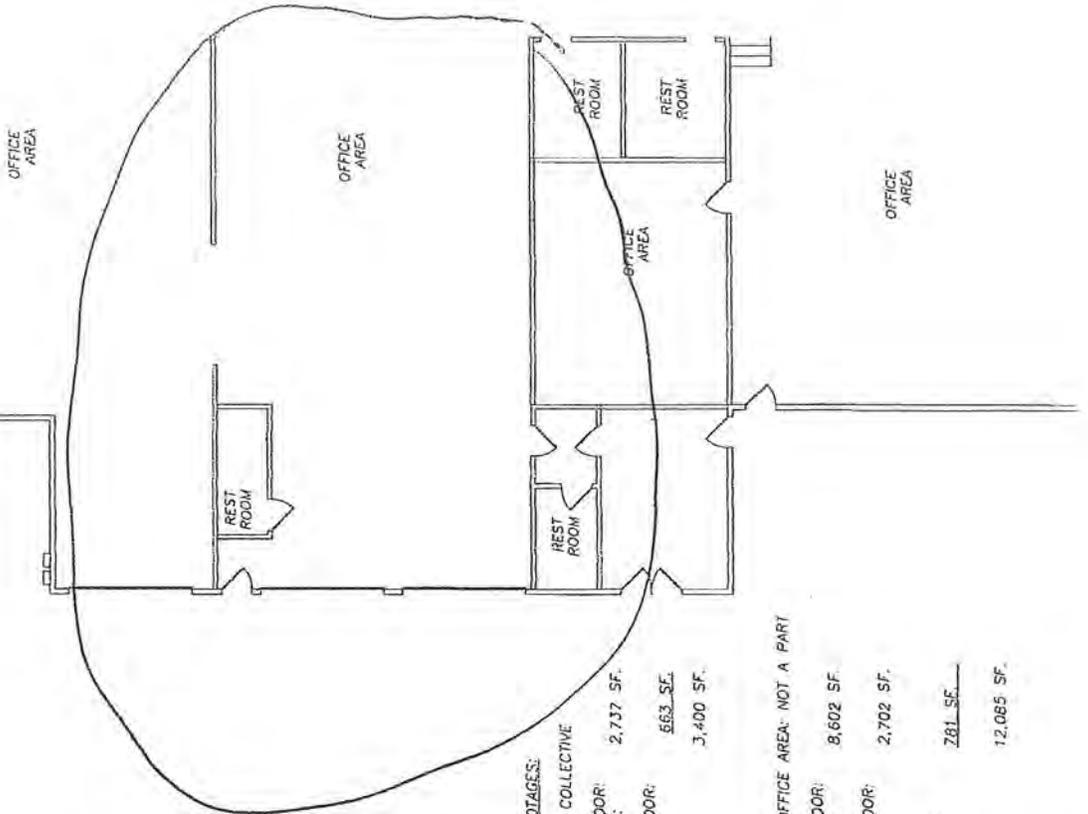
It was brought up at the last public hearing with one of the Commissioners and Wendy admitted there was only a roofing permit in the building folder for the complex at the time, and a letter from the MDGA



BOATHOUSE COLLECTIVE

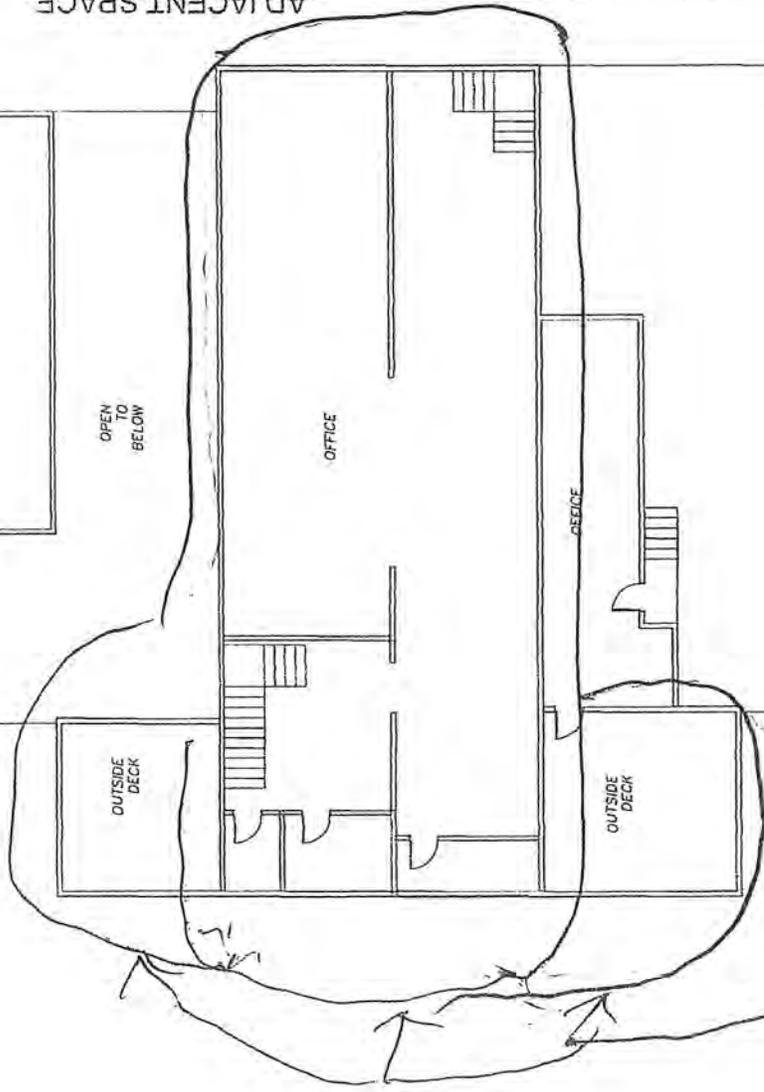


ADJACENT SPACE NOT A PART



SQUARE FOOTAGES:
 BOATHOUSE COLLECTIVE
 GROUND FLOOR: 2,737 SF.
 SECOND FLOOR: 663 SF.
 STORAGE: 3,400 SF.
 TOTAL:

ADJACENT OFFICE AREA- NOT A PART
 GROUND FLOOR: 8,602 SF.
 SECOND FLOOR: 2,702 SF.
 MEZZANINE: 781 SF.
 TOTAL: 12,085 SF.



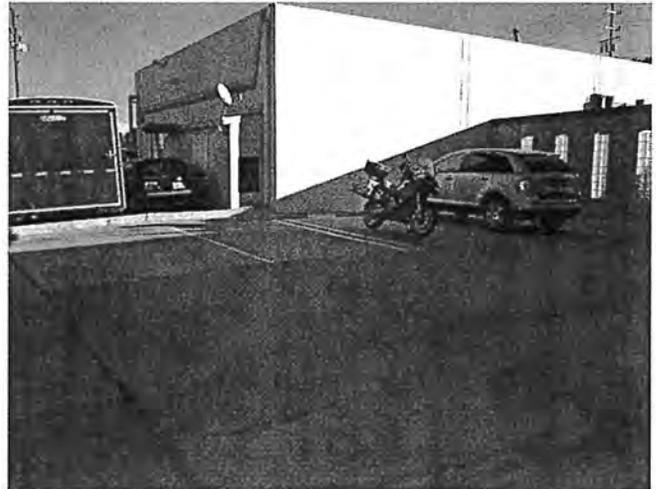
Circled area
 old BARN
 area built out
 2 stories
 Approx 2010



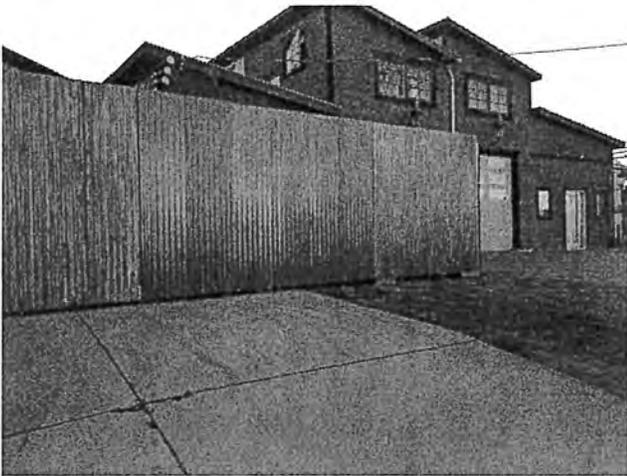
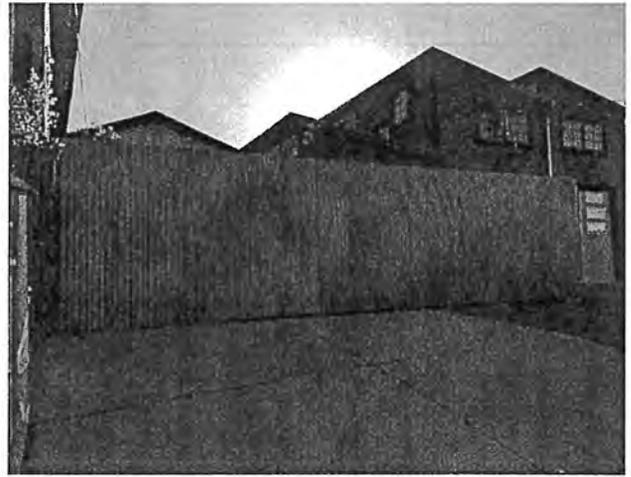
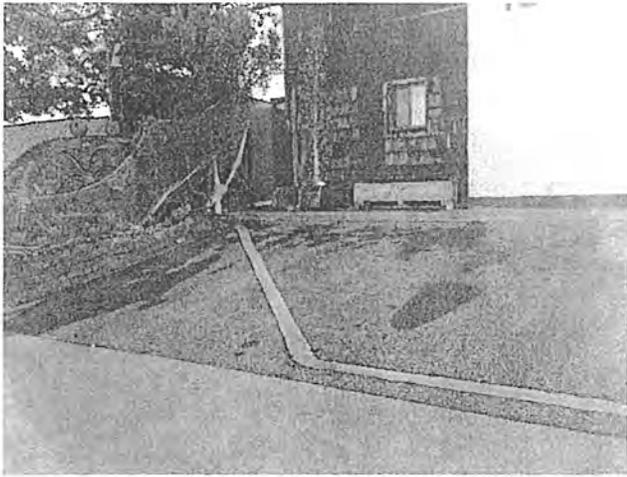
Parking on property is insufficient.



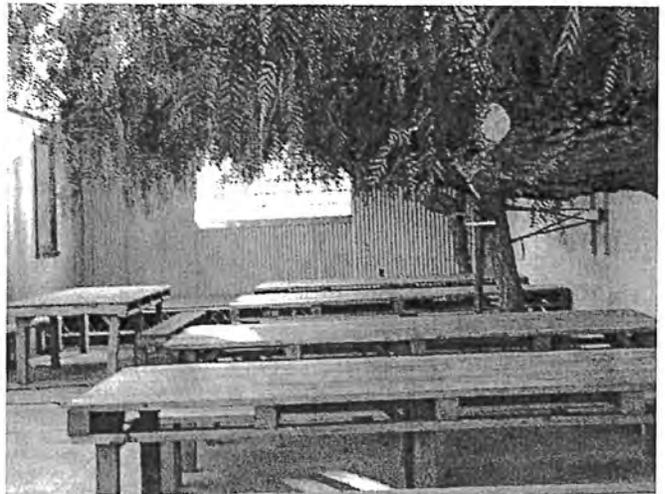
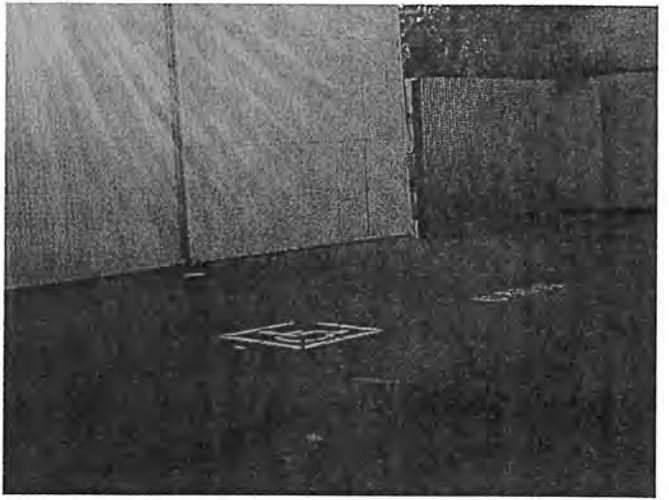
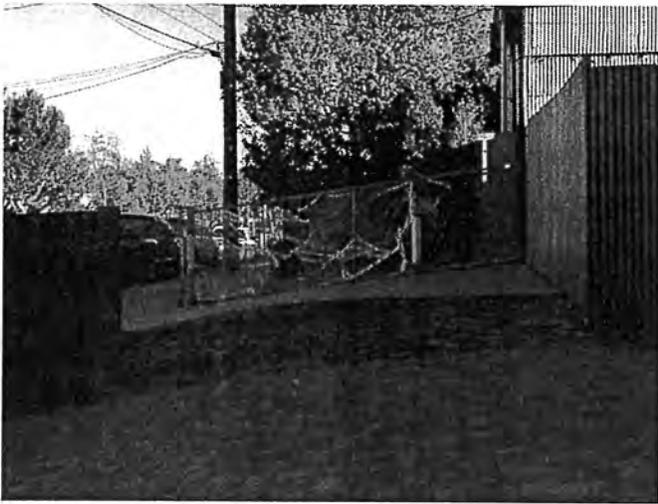
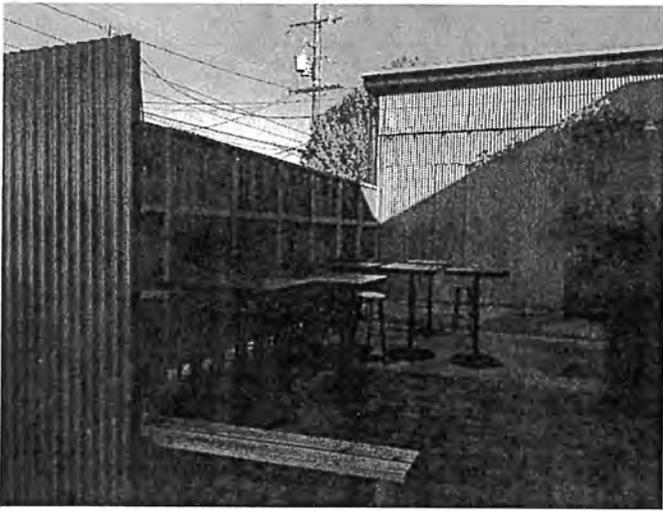
Parking on property and surrounding neighborhood is insufficient and impacted.



Bottom 2 pictures show only 7 parking spaces at SS Metal Crafters, not 15.



Note the walls that are put up on weekends where tables and chairs are put, in normal parking spaces.



Area used at end of BB Dakota for tables and seating.

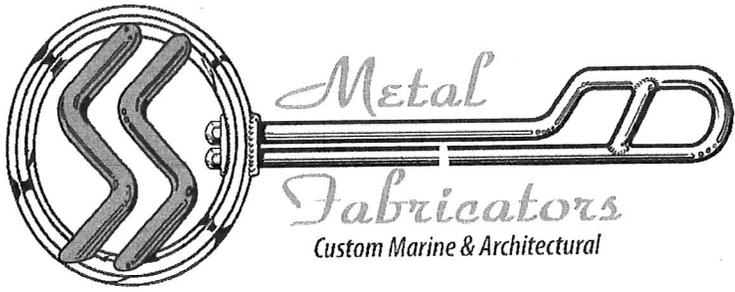


12 Parking spots in front of Normandy and New York Hardware, not 21.



Parking on Pomona Ave on Saturday mornings.

PH-2



To 1626 Ohms Way Costa Mesa, CA 92627
Voice: (949) 631-4272 Fax: (949) 631-6180
Kim Harding info@ssmetalfab.com

11-9-2015

To: The Costa Mesa Planning Commission
Re: PA-15-46

Due to liability concerns, as of today's date, November 9, 2015, I am withdrawing the use for Boathouse Collective employee parking on my property at 1626 Ohms Way, Costa Mesa, CA 92627.

Regards,

Kim D. Harding

Received
City of Costa Mesa
Development Services Department

NOV 09 2015