



CITY COUNCIL

STAFF REPORT

September 21, 2022

ITEM TITLE: MATT MORGAN, IB FORUM (APPLICANT): CP-22-0015, CUP-22-0012, DRC-22-0028, SPR-22-0029, & CEQA EXEMPTION PER CEQA GUIDELINES 15303 FOR A 527 SQUARE FOOT PATIO EXPANSION TO THE EXISTING IB FORUM AT 1079 SEACOAST DRIVE. USE-22-0092. (0600-20)

ORIGINATING DEPARTMENT:

Community Development

EXECUTIVE SUMMARY:

The owner of a property at 1079 Seacoast Drive, which is in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone, has initiated the process to construct a new, attached 527 square foot exterior covered patio addition to the existing IB Forum restaurant. The project was reviewed by the Design Review Board on August 25, 2022 and the project design was approved with a vote of 4-1.

RECOMMENDATION:

That the City Council adopt Resolution 2022-74, approving Regular Coastal Development Permit (CP-22-0015), Conditional Use Permit (CUP-22-0012), Design Review Case (DRC-22-0028), Site Plan Review (SPR-22-0023) and Categorical Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303 Class 3e (New Construction or Conversion of Small Structures) for the proposed attached 527 square foot exterior covered patio addition to the existing IB Forum restaurant at 1079 Seacoast Drive (APN 625-392-23-00) in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone.

OPTIONS:

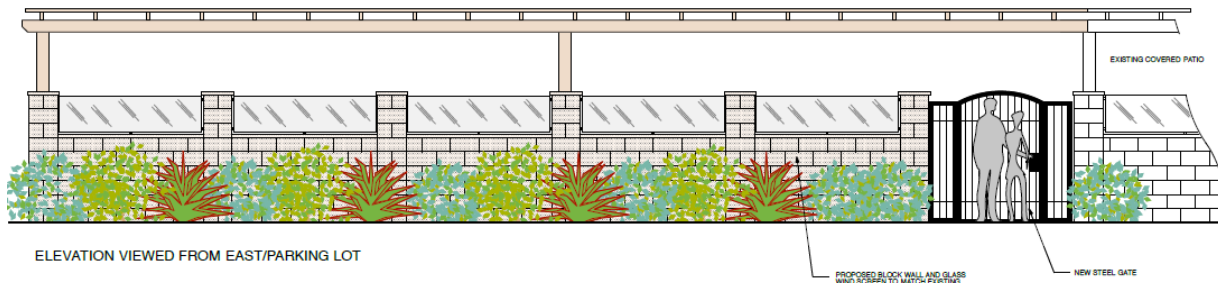
In addition to receiving this report and adopting staff's recommendations, the City Council can:

- Approve the project with modifications requested by the City Council; or
- Disapprove the project and deny the requested permits by making specific findings for denial; or
- Continue the Public Hearing to a specific future meeting to allow staff to provide additional information upon which a decision can be rendered.

BACKGROUND/ANALYSIS:

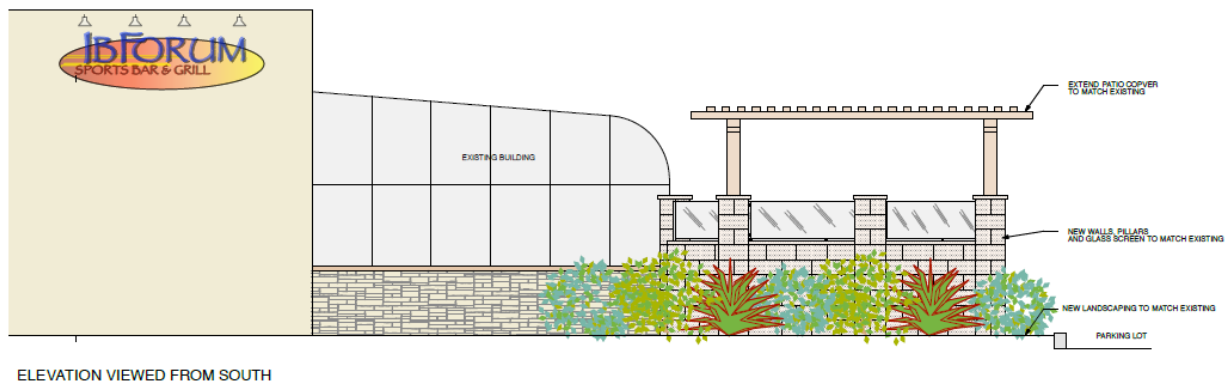
An application (USE-22-0092) was submitted to the City on July 7, 2022 for Regular Coastal Permit (CP-22-0015), Conditional Use Permit (CUP-22-0012), Design Review Case (DRC-22-0028), and Site Plan Review (SPR-22-0029) proposing to construct a new, attached 527 square foot exterior covered patio addition to the existing IB Forum restaurant at 1079 Seacoast Drive (APN 625-392-23-00) in the C/MU-2 (Seacoast Commercial and Mixed Use) Zone.

The project site is an existing 9,533.3 square foot (0.219-acre) lot situated on the northeast corner of Seacoast Drive and Imperial Beach Boulevard. The commercial building measures approximately 2,800 square feet with an outdoor patio facing the parking lot on the east elevation and an outdoor dining area encroaching two feet into the public right-of-way on the west elevation and three feet into the public right-of-way on the south elevation. The applicant is proposing to provide additional outdoor dining on the eastern elevation, extending the available outdoor dining further south on the property with the construction of an attached 527 square foot covered patio addition. The outdoor dining would include a patio comprised of block walls with stone veneer, tiled and tempered glass panels, wood trellis, permeable paver floor, ceiling fans, and dining tables. Vehicular ingress and egress to the property would be maintained from the existing curb cut located on Imperial Beach Boulevard and provided from the alley.



The properties situated to the north and west are located in the C/MU-2 Zone, the properties to the south are located in the R-1500 (High Density Residential) Zone, and the properties to the east are located in the R-2000 (Medium Density Residential) Zone. The surrounding land uses are residential in character.

Building Design/Materials: The proposed outdoor covered patio would be designed to be consistent with the existing outdoor patio areas located along the eastern and western elevations. The patio would be comprised of block walls with stone veneer, tiled and tempered glass panels, wood trellis, permeable paver floor, ceiling fans, and dining tables. Additional landscaping consistent with the existing landscaping on the site would be installed to the east and south of the new patio.







Design Review Board: The Design Review Board reviewed the project on August 25, 2022 and recommended approval of the project's design with a vote of 4-1. The Board appreciated the design of the project and the primary concern resulting in one no vote related to parking (See Attachment 2).

Parking: Vehicle ingress and egress for the project is provided off of Imperial Beach Boulevard and the alley. Ingress and egress to the property would not create any undue traffic problems. The applicant completed an assessment of the existing parking and provided findings to address the parking needs for IB Forum with regards to the proposed exterior patio. The findings provided state that the existing net floor area for the building is approximately 1,025 sq. ft., and there would be eight employees on the largest work shift which would require 18 parking spaces at a ratio of one required parking space per seventy-five square feet of net floor area (Imperial Beach Municipal Code 19.48.050(F)), plus one space per two employees at the largest work shift. The applicant has stated that the existing property provides 12 parking spaces, including one (1) ADA accessible space, and loading zone.

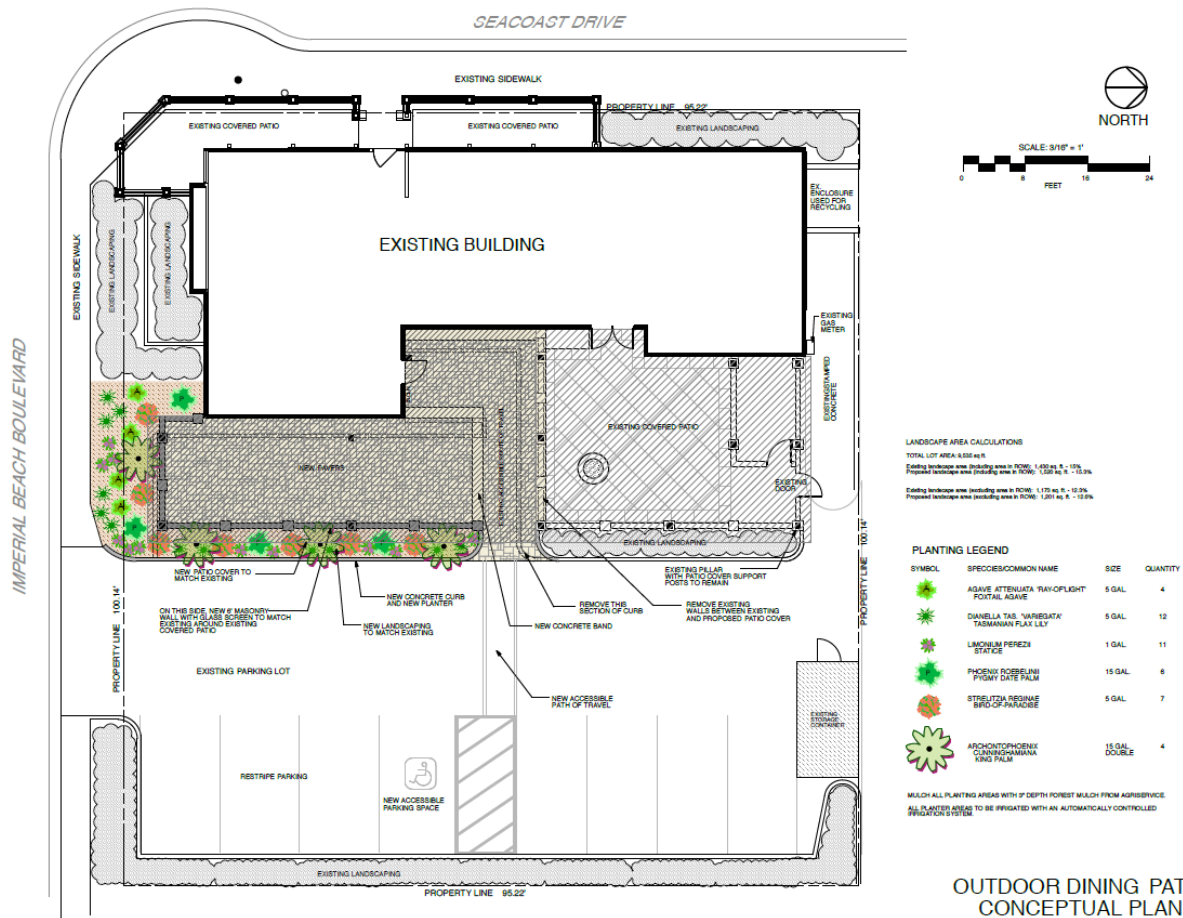
With the proposed patio addition, the parking layout will be revised to provide nine (9) parking spaces that shall meet the minimum size requirements, including an ADA compliant parking space and ADA compliant access to the entry area located off of the parking lot. The applicant is proposing to use off-site parking within one thousand feet of the project site to satisfy the additional off-street parking requirements with the approval of a conditional use permit and implementation of one or more transportation demand management strategies (IBMC Section 19.48.050(J)). The ability to reduce parking requirements was provided within the Municipal Code in an effort to encourage reduction of greenhouse gas emissions and reduce the demand for vehicular uses/parking.

The applicant states that the IB Forum has been a reputable business in Imperial Beach for almost 30 years at 1079 Seacoast Drive, and the new 527 square foot exterior patio would provide the business an additional 35 seats. There is a public parking lot located within one thousand feet of the project site (650-feet to the north). Therefore, reduction of parking may be proposed with implementation of transportation demand management strategies to reduce the demand for vehicle usage. The applicant provides eight bicycle parking spaces with an existing bike rack. Additional proposed transportation demand management strategies include public transportation

passes for employees and providing bus route and bus schedule signage with directions to the public transportation.

Landscaping:

The site measures 9,533.3 square feet, 15% of which must be landscaped (i.e. 1,430 square feet). The existing site includes 1,173 square feet (12.3%) of landscaped area and the project proposes to add 28 square feet of planted landscaping on site for 1,201 square feet of planted, landscaped area (12.6%). The applicant has planted 257 square feet of planted landscaping in the public right-of-way and proposes to increase the planted areas in the public right-of-way 62 square feet to 319 square feet. The total planted landscaped area by the applicant including the planted areas in the right-of-way would be 1,520 square feet. The planted landscaping would include agave plants, palm trees, and flowers. The ground cover for the planted areas would be mulch.



General Plan Consistency: The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-

2 Zone. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). The proposed patio expansion project meets the purpose and intent of the land use designation.

Zoning Chart:

C/MU-2 STANDARDS	PROVIDED/PROPOSED
<p>Maximum density of one dwelling unit for every one thousand five hundred gross square feet of lot area (Section 19.27.020).</p>	<p>The project is not proposing any residential units.</p>
<p>Yard requirements for the C/MU-2 zone are as follows:</p> <ul style="list-style-type: none"> A. On property fronting on Seacoast Drive, the front of each building shall be set on the front property line. For purposes of this requirement an arcade is considered a part of the building. For lots not fronting on Seacoast Drive there are no front, side, or rear yard setbacks in the C/MU-2 zone except as follows: B. For lots not fronting on Seacoast Drive there are no front, side, or rear yard setbacks in the C/MU-2 zone. C. A five-foot rear and/or side yard setback is required for properties abutting any property zoned R-2000; D. The open space and landscaping requirements as stated in Chapter 19.50 of this code shall be met. 	<ul style="list-style-type: none"> A. The existing building fronts Seacoast Drive and is set on the front property line. B. The existing building fronts Seacoast Drive. C. The rear yard of the project abuts the R-2000 zone and the building is setback 44’. D. 15% of the site must be landscaped, and 12.6% of planted landscape is provided throughout the project site. The applicant is increasing the landscaping from 12.3% to 12.6%.
<p>“Active Commercial Uses” as defined in Chapter 19.05 are required for all buildings with frontage along Seacoast Drive at a minimum of 60% of each building’s ground floor lineal footage, have direct pedestrian access from the Seacoast Drive sidewalk or a plaza, and have a minimum building depth of twenty-five feet. The remaining forty percent must either be primarily related to the commercial use, such as parking, access, or other non-active commercial purpose or, if related to non-commercial use, must be designed either to encourage and promote pedestrian activity or to visually screen required on-site parking (Section 19.27.020.A.1).</p>	<p>The project is an addition to an existing restaurant. The existing building fronts Seacoast Drive and provides direct pedestrian access to the restaurant from Seacoast Drive.</p> <p>The building provides a building depth of 50’.</p>

<p>A. On property with a side or rear yard abutting a residential zone, the second-floor stepback shall be a minimum of five feet from the abutting residential property line and the third-floor stepback shall be a minimum of ten feet from the abutting residential property line.</p> <p>B. On properties fronting Seacoast Drive, an upper-story setback of five to ten feet is required for a minimum of fifty percent of street-facing façades along Seacoast Drive. (Section 19.27.041)</p>	<p>A. The project is an existing single - story building, and as such, does not require stepbacks.</p> <p>B. The project is an existing single - story building, and as such, does not require stepbacks.</p>
<p>Minimum lot size of 3,000 square-feet (Section 19.27.050).</p>	<p>The lot size would measure 9,533.3 square feet.</p>
<p>Minimum street frontage of 30 feet (Section 19.27.060).</p>	<p>The Seacoast Drive frontage is approximately 95.21 feet, and the Imperial Beach Boulevard frontage is 100.13 feet.</p>
<p>Maximum building height of three stories or 30 feet (Section 19.27.070).</p> <p>1. Properties within the Seacoast Residential Overlay Zone are subject to a reduced single-family residential building height of two stories or twenty-six feet, whichever is less, per Section 19.27.140(C);</p> <p>2. Properties east of Seacoast Drive shall have a height limit not to exceed three stories and thirty-five feet with approval of a conditional use permit that demonstrates compliance with the following:</p> <p style="padding-left: 40px;">a. Side yard setbacks and/or stepbacks have been incorporated into the project to protect street-end public views towards the ocean;</p> <p style="padding-left: 40px;">b. Two or more of the development incentives listed in Section 19.27.020(A)(5); and</p> <p>3. Hotel, as defined in Section 19.04.410 as an H-1 type hotel, shall have a height limit not to exceed forty feet as part of an approved Specific Plan pursuant to Section 19.27.150.</p>	<p>The project is an existing single-story commercial building that is 14' 9" in height.</p> <p>1. The project is not within the Seacoast Residential Overlay Zone. As such, this section does not apply.</p> <p>2. The project site is not seeking a conditional use permit for the purpose of the increased height. As such, this section does not apply.</p> <p style="padding-left: 40px;">a. The project site is not seeking a conditional use permit for the purpose of the increased height. As such, this section does not apply.</p> <p style="padding-left: 40px;">b. The project site is not seeking a conditional use permit for the purpose of the increased height. As such, this section does not apply.</p> <p>3. The project does not propose a hotel use. As such, this section does not apply.</p> <p>The applicant will be required to show conformance with the height requirement as required by IBMC 19.04.400.</p>

<p>All commercial spaces on the ground floor shall have a minimum fifteen-foot floor-to-ceiling height; and single-story commercial buildings shall have a minimum building height of twenty feet. (Section 19.27.070).</p>	<p>The project is an existing restaurant and proposes no changes to the existing building.</p>
<p>No buildings shall be located less than five feet from any other building on the same lot. (Section 19.26.080)</p>	<p>No buildings shall be located less than five feet from any other building on the same lot.</p>
<p>Landscaping requirements are as follows (Section 19.50.030, Commercial Landscaping):</p> <ul style="list-style-type: none"> A. Not less than fifteen percent of the total site shall be landscaped and permanently maintained. B. There shall be a five-foot-wide landscape area between any parking area and any public street right-of-way. C. A portion of a property not used for buildings, parking, walkways, loading or storage areas shall be landscaped. D. There shall be a minimum three-foot by fifteen-foot, or forty-five square foot, landscaped area within the parking area (not including perimeter area landscaping) for every three parking spaces or the equivalent. A minimum width of three feet is required. A four-foot by fifteen-foot 	<ul style="list-style-type: none"> A. The existing lot is 9,533.3 square feet, 15% of which must be landscaped (i.e. 1,430 square feet). The existing site includes 1,173 square feet (12.3%) of landscaped area and the project proposes to add 28 square feet of planted landscaping on site for 1,201 square feet of planted, landscaped area (12.6%). The applicant has planted 257 square feet of planted landscaping in the public right-of-way and proposes to increase the planted areas in the public right-of-way 62 square feet to 319 square feet. The total planted landscaped area by the applicant including the planted areas in the right-of-way would be 1,520 square feet. The planted landscaping would include agave plants, palm trees, and flowers. The ground cover for the planted areas would be mulch. B. There is a 6'7" wide landscape area between the parking area and the public right-of-way. C. Portions of a property not used for buildings, parking, walkways, loading or storage are landscaped. D. The existing parking areas include landscaped areas adjacent to the parking spaces that meet this requirement.

<p>area may be permitted for every four spaces, five-foot-wide for five spaces, etc.</p> <p>E. Prior to issuance of any building permits, a complete landscaping plan shall be submitted to the Community Development Department for approval. Such approval shall be subject to appeal in the manner set forth in Sections 19.84.070 through 19.84.090.</p> <p>F. Landscaping and required watering system shall be installed prior to the use of the premises. All landscaping material in required landscaping areas shall be permanently maintained in a growing and healthy condition, including trimming, as appropriate to the landscaping material.</p> <p>G. A permanent irrigation system shall be installed to serve all landscaped areas.</p>	<p>E. A complete landscape plan would be required prior to issuance of building permits.</p> <p>F. Landscaping and required watering system shall be installed prior to the use of the premises subject to state requirements.</p> <p>G. A permanent irrigation system shall be installed to serve all landscaped areas subject to state requirements.</p>
<p>Required parking spaces for establishments for the sale and consumption on the premises of food and beverages project require one space for each seventy-five square feet of net floor area, plus one per two employees at largest work shift. (Section 19.48.050(F)(1)).</p> <p>In the C/MU-1, C/MU-2, and C/MU-3 zones, shared parking or off-site parking within one thousand feet of the project site may be used to satisfy this requirement with the approval of a conditional use permit. Projects in these zones shall be reviewed to determine the suitability and feasibility of implementing one or more</p>	<p>The existing net floor area for the building is approximately 1,025 sq. ft., and there would be eight employees on the largest work shift which would require 18 parking spaces at a ratio of one required parking space per seventy-five square feet of net floor area (Imperial Beach Municipal Code 19.48.050.F), plus one space per two employees at the largest work shift. The applicant has stated that the existing property provides 12 parking spaces, including one (1) ADA accessible space and loading zone. With the proposed patio addition, the parking layout will be revised to provide nine (9) parking spaces that shall meet the minimum size requirements, including an ADA compliant parking space and ADA compliant access to the entry area located off of the parking lot.</p> <p>The applicant is proposing to use off-site parking within one thousand feet of the project site to satisfy the additional off-street parking requirements with the approval of a conditional use permit and</p>

<p>transportation demand management strategies that may be approved through a development agreement. (Section 19.48.050.J)</p>	<p>implementation of one or more transportation demand management strategies (IBMC Section 19.48.050.J). The ability to reduce parking requirements was provided within the Municipal Code in an effort to encourage reduction of greenhouse gas emissions and reduce the demand for vehicular uses/parking.</p> <p>The applicant states that the IB Forum has been a reputable business in Imperial Beach for almost 30 years at 1079 Seacoast Drive, and the new 527 square foot exterior patio would provide the business an additional 35 seats. There is a public parking lot located within one thousand feet of the project site (650-feet to the north). Therefore, reduction of parking may be proposed with implementation of transportation demand management strategies to reduce the demand for vehicle usage. The applicant provides eight bicycle parking spaces with an existing bike rack. Additional proposed transportation demand management strategies include public transportation passes for employees and providing bus route and schedule signage with directions to the public transportation.</p>
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Surrounding Land Use and Zoning:

Surrounding Areas	Surrounding Zoning	Surrounding Land Use
North	C/MU-2 (Seacoast Commercial & Mixed-Use)	Residential
South	R-1500 (High Density Residential)	Residential
East	R-2000 (Medium Density Residential)	Residential
West	C/MU-2 (Seacoast Commercial & Mixed-Use)	Residential

ENVIRONMENTAL DETERMINATION:

This project may be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303 Class 3e (New Construction or Conversion of Small Structures).

COASTAL JURISDICTION:

This project is located in the coastal zone as defined by the California Coastal Act of 1976. The City Council public hearing will serve as the required coastal permit hearing and the City Council will consider the findings under the California Coastal Act. Pursuant to the City of Imperial Beach Zoning Ordinance Section 19.87.050, review of the proposal will consider whether the proposed development satisfies the required findings prior to the approval and issuance of a Coastal Development Permit. The project is located in the Appeal Jurisdiction of the California Coastal Commission as indicated on the Local Coastal Program Post Certification and Appeal Jurisdiction Map and, as such, would be appealable to the California Coastal Commission under Section 30603(a) of the California Public Resources Code.

FISCAL IMPACT:

FISCAL YEAR:	22/23
BUDGETED:	N/A
BUDGET AMENDMENT	N/A
ACCOUNT NO(S):	101-0000-221-01-02
PROJECT NO(S):	22-0092-DEP
FISCAL ANALYSIS:	The applicant has deposited \$4,000 to fund the processing of this application.
CURRENT BUDGET:	\$4,000
ANTICIPATED EXPENDITURE:	\$4,000

ATTACHMENTS:

1. Resolution 2022-74
2. Draft August 25, 2022 DRB Meeting Minutes
3. Project Plans
4. Daytime and Nighttime Existing Site Photos
5. Colored Site Plan and Elevations
6. Landscape Plan