

#### City of Rohnert Park Planning Commission Report

DATE:

January 12, 2017

ITEM No:

9.2

SUBJECT:

PLUP16-0001 Microbrewery and Restaurant with Outdoor Seating

LOCATION:

6314 Commerce Boulevard, APN 143-051-029

**REQUEST:** 

Convert existing tenant space into restaurant and microbrewery with outdoor

seating. Obtain a Conditional Use Permit to allow for the microbrewery use.

**APPLICANT:** Bhupinder Singh, Chandi Family, Inc.

#### **Background**

The subject property is a tenant space within the Park Plaza Center at the northeast corner of Commerce Blvd. and Rohnert Park Expressway that is anchored by Safeway. The subject property is the northern most tenant space facing Rohnert Park Expressway and along with Wash & Dry Coin Laundry is located north of Safeway. The property is owned by CalTex Equities Series, LLC. The space was occupied for a number of years by Round Table Pizza, and then briefly and most recently by Terra Vino. The existing space is approximately 5,600 square feet.

Surrounding uses include the Wash & Dry Coin Laundry next door to the immediate south with Safeway to the south next to that. Padre Center, Exchange Bank, Wells Fargo, and Redwood Credit Union sit to the north across Rohnert Park Expressway. Behind the Park Plaza Center is Raley's Town Center, Chase Bank, and Bank of the West. This property is zoned C-R Regional Commercial District.

#### Applicant's Proposal

Mountain Mike's intends to occupy an approximately 5,600 square foot portion of the building for the restaurant and microbrewery with outdoor patio area (Exhibit A). Their proposal includes the following:

- Full service pizza and brewpub open for lunch and dinner seven (7) days a week. Hours are proposed to be Sunday through Thursday 11:00 a.m. to 10:00 p.m., and Friday and Saturday 11:00 a.m. to 11 p.m.
- Indoor table service with 88 seats and 10 additional seats at the bar.
- Addition of an outdoor seating area to accommodate 16 customers at any given time.
- Reconfiguration and expansion of front walkway/sidewalk/and accessible path of travel.
- Production of a limited amount of beer (at least 100 barrels per year) onsite to be used for onsite sales.

#### Restaurant:

Applicant is proposing primarily cosmetic changes to the interior of the restaurant space, including floors, paint and restrooms. The kitchen will be expanded to a currently unused area to accommodate all health and safety requirements for the kitchen. The front sidewalk patio will be defined and enclosed by wooden planters that will create a welcoming area for guests. The front windows of the restaurant will reconfigured and replaced with folding glass doors to allow more access to the patio area (Exhibit B & C).

#### Microbrewery:

Two 7 barrel systems will be used to brew approximately 14-15 times a year. The tanks are 45 inches wide, six feet tall and made of stainless steel. Brewing and fermentation will occur in the same tank. Access to the brewing system from the exterior will be by a designated rear door that can be used for the delivery of the malt extract. Applicant has applied to ABC for a Type 75 Small Brewery License. The City requires a Conditional Use Permit approval from the Planning Commission for a microbrewery in this zoning district.

#### Parking:

The space is allocated exclusive use of 18 parking spaces to the north and west. There are 153 additional spaces in close proximity that are available for use by the restaurant and microbrewery that are also used by Wash & Dry and the Safeway store. The total of 171 spaces available (even though they are shared with the grocery store and laundromat) are more than adequate for the proposed use. This number does not include the additional spaces farther to the south that are used by rest of the Park Plaza Center. The parking requirement for a restaurant is one space for every 2.5 seats including any outside eating areas. For the 116 seats proposed for the restaurant, 47 parking spaces are needed. Total seating for the restaurant building and patio is 116 as follows (Exhibits A & B):

- Indoor Restaurant Seating 88
- Bar Seating 10
- Patio 18

The total number of seats is not expected to differ significantly from the seating that was present when the space was used for Round Table Pizza or Terra Vino, with the exception of the added 18 seats on the patio. It should also be noted that this space is in close proximity to transit, including bus services and the soon to be inaugurated SMART Train.

#### Staff Analysis

This site has operated as a restaurant for a long period of time. The restaurant use has been compatible with the Park Plaza Center and the adjacent restaurants, banks, and retail uses and no significant negative impacts are foreseen. Approval will be required from the ABC (California's Alcohol Beverages Control) and the City's Public Safety Department which should reduce the potential for negative impacts related to on-site alcohol consumption. Converting the restaurant to a pizza restaurant and microbrewery will be an asset to the area and the City. This is an excellent location in regards to visibility, access, and adequacy of parking.

There is adequate parking adjacent to the space. Park Plaza Center has adequate parking for the use and restaurants have occupied the space before. The only substantial change in regards to parking needs for the current proposal is the addition of the outdoor patio.

The microbrewery is appropriate for the space and location and it is not anticipated to conflict with any of the surrounding existing uses.

Very few changes will be made to the exterior of the building other than the front window/door replacements and the modifications for the addition of the outdoor dining area on the front patio. The planters that will define the patio space will make the frontage and the building more attractive. The changes are minimal in nature and therefore Site Plan and Architectural Review is not required.

#### **Environmental Determination**

This proposal is categorically exempt from the requirements of the California Environmental Quality Act CEQA Class 1 Section 15301 Existing Facilities. No further action is required pertaining to environmental review.

#### **Findings**

The recommended findings to approve the Conditional Use Permit are included in the attached resolution.

#### **Public Notification**

This item was duly noticed by publication in the <u>Community Voice</u> on December 30, 2016 for the Conditional Use Permit and posted at the prescribed locations in Rohnert Park. Property owners within 300 feet of the project were mailed notices of the proposed application.

#### **Staff Recommendation**

Based on the analysis and findings of this report and the attached resolution, Staff recommends that the Planning Commission, by motion, adopt Resolution No. 2017-02 approving the Conditional Use Permit to allow the restaurant with microbrewery and outdoor seating, subject to the findings and conditions of approval.

#### Attachments:

Planning Commission Resolution No. 2017-02 Applicant's Operation Narrative (10-19-2016) Exhibit A Site Area Development Plan Exhibit B Elevations and Floor Plan Exhibit C Patio Floor Plan

APPROYALS:

Zach Tusinger Planner I

Jeff Beiswenger, Planning Manager

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Date

#### PLANNING COMMMISSION RESOLUTION NO. 2017-02

# A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROHNERT PARK, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR A MICROBREWERY WITH A RESTAURANT AND OUTDOOR SEATING AT 6314 COMMERCE BOULEVARD (APN 143-051-029)

WHEREAS, the applicant, Bhupinder Singh of Chandi Family, Inc., filed Planning Application No. PLUP16-0001 for a Conditional Use Permit to allow a microbrewery and restaurant with outdoor seating at 6314 Commerce Boulevard (APN 143-051-029), in accordance with the City of Rohnert Park Municipal Code;

WHEREAS, Planning Application No. PLUP16-0001 was processed in the time and manner prescribed by State and local law;

WHEREAS, on January 12, 2017, the Planning Commission reviewed Planning Application No. PLUP16-0001 during a scheduled public meeting at which time interested persons had an opportunity to testify either in support of or opposition to the project; and

WHEREAS, at the January 12, 2017, Planning Commission meeting, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the Commission considered all the facts relating to Planning Application No. PLUP16-0001;

### NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF ROHNERT PARK DOES RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

- **Section 1.** That the above recitations are true and correct.
- **Section 2.** <u>Factors considered.</u> The Planning Commission, in approving Planning Application No. PLUP16-0001 makes the following factors, to wit:
- A. That the proposed location of the conditional use is consistent with the objectives of the zoning ordinance and the purpose of the district in which the site is located.
  - <u>Criteria Satisfied</u>. The addition of a microbrewery and restaurant with outdoor seating will be an attractive addition to the existing building and site and will provide a lively and active use at a prominent location in Rohnert Park. The restaurant and microbrewery will be compatible with other restaurants in the immediate area and is the type of use contemplated for the district. The Regional Commercial District is intended to allow operations that provide goods and services that serve the community and outlying areas, and a restaurant and microbrewery are examples of such uses.
- B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, and that the

operation and maintenance of the conditional use will be compatible with the surrounding uses.

<u>Criteria Satisfied.</u> The use will not be open for excessive or abnormally late hours and public health, safety, and welfare will be preserved by the improvements proposed to the front sidewalk and patio area. There are not anticipated conflicts predicted to arise from the operation of a microbrewery or restaurant with patio space in this location. Public Safety has reviewed the planning application. Alcoholic Beverage Control (ABC) is concurrently reviewing this proposal in order for the applicant to secure and maintain a Type 75 Small Brewery License.

C. The proposed conditional use will comply with each of the applicable provisions of this title.

<u>Criteria Satisfied.</u> The proposal has been reviewed for compliance with all applicable provisions of the Rohnert Park Municipal Code including Section 17.06.060 Regional Commercial District Permitted Uses, Section 17.07.020.S Outdoor and Sidewalk Cafe, Section 17.16.030 Off Street Parking Specific Requirements, and microbreweries.

Section 4. Environmental Clearance. This proposal is categorically exempt from the requirements of the California Environmental Quality Act CEQA Class 1 Section 15301 reuse of an existing building.

**NOW THEREFORE BE IT RESOLVED,** that the Planning Commission does hereby approve Planning Application No. PLUP16-0001 subject to the following conditions:

#### Planning

- 1. The Conditional Use approval shall expire one year from the Planning Commission approval date, unless prior to the expiration a building permit is issued and construction is commenced and diligently pursued toward completion.
- 2. The Project is approved as shown in Exhibits A through C except as conditioned or modified below.
- 3. This facility shall comply with any and all applicable provisions of the Rohnert Park Municipal Code and any state or federal agency including but not limited to Alcoholic Beverage Control (ABC) requirements.
- 4. The applicant shall obtain all necessary permits and clearances from the Rohnert Park Building Department for any modifications to the interior or exterior of the building.
- 5. The building and all outdoor areas available to the public shall be accessible.

#### **Public Safety**

- 6. A use permit must be obtained from the Department of Public Safety per Section 8.34.040.
- 7. Provide panic, single action hardware on any gates, and adequate patio lighting.
- 8. Paint all curbs red to indicate fire lane/no parking.
- 9. Additional items such as hood and duct extinguishing system shall require additional permits.

**BE IT FURTHER RESOLVED** that said action shall not be deemed final until the appeal period has expired and that the appeal period shall be ten (10) working days from the date of said action. No building permits shall be issued until the appeal period has expired, providing there are no appeals.

**DULY AND REGULARLY ADOPTED** on this 12th day of January, 2017 by the City of Rohnert Park Planning Commission by the following vote:

	AYES:	NOES:	ABSENT:	ABSTAI	N:
ADAMS	BLAN	QUIE	BORBA	_ GIUDICE	HAYDON
Chairperson, Rohnert Park Planning Commission					n
Attest:					
Susan Azeved	lo, Recording	Secretary			

## Mountain Mike's Pizza Brewery Operations Narrative 6314 Commerce Blvd, Rohnert Park, CA 94928

#### **Brewery Applicant**

Chandi Family Inc. Mountain Mike's Pizza 6314 Commerce Blvd Rohnert Park, CA 94928

RECEIVED

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CITY OF ROHNERT PARK

Owner and Applicant to TTB for the Brewery permit.

Chandi Family Inc.
Mountain Mike's Pizza
Sonu Chandi, Managing partner
630 3<sup>rd</sup> Street, Suite 200
Santa Rosa CA 95404

Legal tax parcel: Assesor's parcel: AP. 143-051-029, Sonoma County

**Property Owner** 

CalTex Equities Series LLC, a co-partnership

Premises: 6314 Commerce Blvd, Rohnert Park, CA 94928

Total existing space is 5,656 Sq. feet

**Zoning: Commercial** 

State of California ABC application applied for Small Brewery permit Type 75

#### Description of Brewery Site Premises:

Site plan and building plan is attached

The brewery area is primarily within kitchen see plan

#### The "Brewery Production area"

- We will brew, ferment and serve from same tank
- Only 18sq. ft space is needed
- A floor drains to dispose of about 25 gallons of water wash, rinse and sanitize the tank.
- No sediment to be flush into the sewer system and very little sediment of about ½ gallon will clean the sewer system since yeast is a very effective pipe cleaner
- Floor will be able to sustain 2100 lbs. tank on four legs
- It will be located in the kitchen close to a door which will stay locked at all times and will unlocked to receive malt extract
- Lab area is not required for this system
- No milling or storage of grain

#### **Brew System**

Mostly consist of two 7 barrel tank which will be used to do fermentation and it is 45 inches wide and 6' tall made of 304 stainless steel. System is ecofriendly since it does very little waste. We will brew 14 to 15 times a year to meet requirement of 100 barrels a year.

#### Production scale capacity Proforma:

- Two 7 barrel systems to brew 14- 15 times a year or every 24 days
- 3150 gallons of water per year

#### Premises Description of service and Retail Area

- 680 sq. ft. kitchen area and system will use less than 20 sq. ft. of it.
- 83 customer seating, 10 at the bar and rest dining
- 65 sq. ft. and 60 sq. ft. two restrooms for customers
- Brew system will have a designated door that can be used for delivery to malt extract to the tank and its only 20 ft away from parking lot so very easy accessibility for deliverer Brew system is located in designated kitchen area and customers will not be allowed.

#### **Utilities**

- 4 110v outlets on 30 amp dedicated circuit
- Gas is not required
- Only 25 gallon water will be needed to wash rinse and sanitize the system
- Tap will be provided for hot and cold water for 210 gallons of water each brewing process
- Heating, Colling and ventilation is not required for this system
- Trash enclosure will be shared with Stout Brothers Irish pub & restaurant and pick up frequency will be increased to 5 times a week from 3 times a week at this time to accommodate Mountain Mike's Pizza volume.

#### Burglar alarm

Security cameras and alarm will be installed to be monitored at all times

#### On Site Construction and Improvements

There are no changes to the exterior and we are expanding kitchen to an unused area to accommodate all health department requirements for Kitchen equipment. We are updating floors, bar, paint, updating restrooms ADA accessible, updating hood, updating water heater to meet current requirements and there are no structural changes to interior. Permits will be obtained from the city of Rohnert Park for construction.

#### Patio Plan

We will be providing outdoor seating space which would include table, chairs that can withstand outdoor elements and accommodate 16 patrons. There will be ADA access ramp along with tables provided for those with disabilities. There are barriers provided as wrought iron around patio to allow for the consumption of alcoholic beverages. There will be no use of umbrellas or patio heaters. This should satisfy the barriers and development standards that are required.

#### **Business Hours**

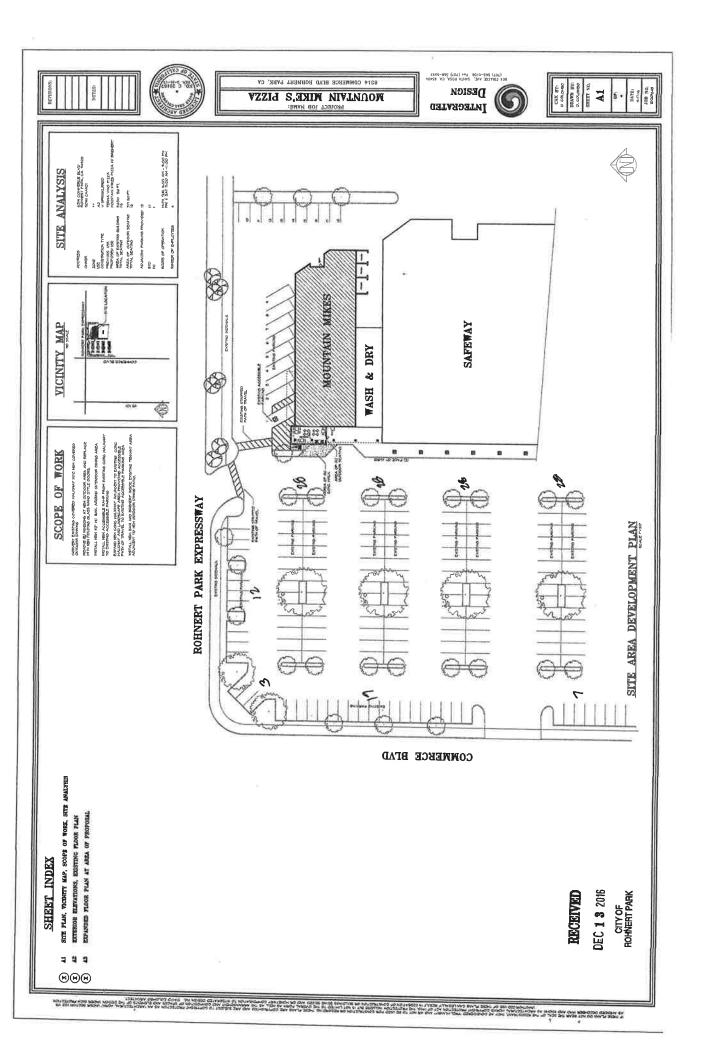
 Business hours will be Sunday to Thursday 11:00 am to 10pm and Friday and Saturday 11:00am to 11pm.

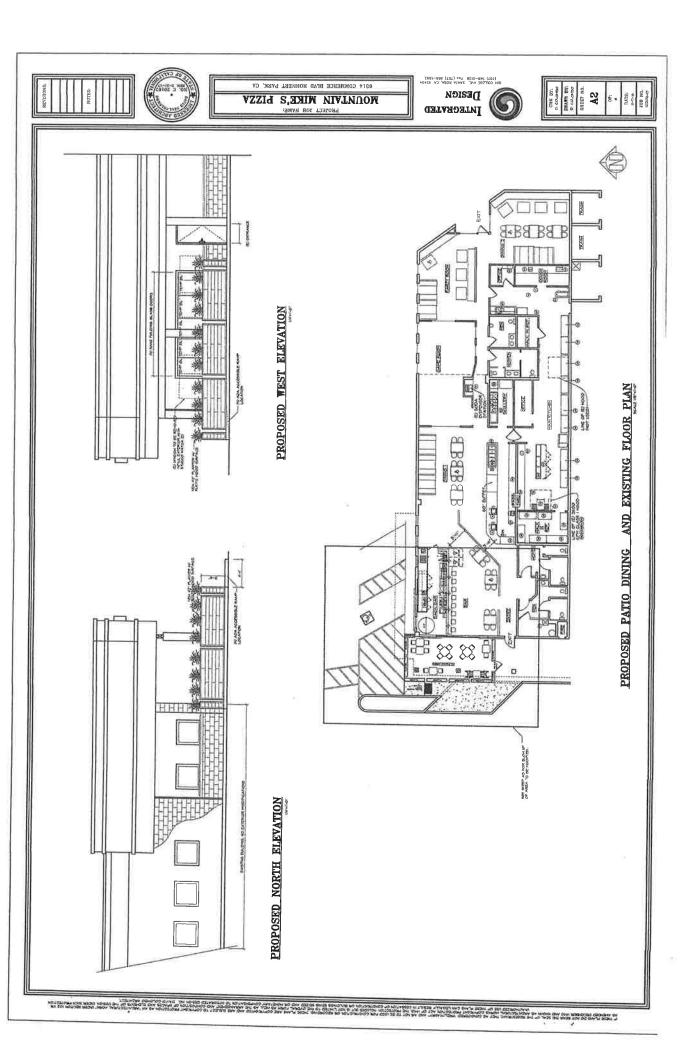
Due to limitation of space malt extract system is the only option on this site and it allows Mountain Mike's pizza to have spirits with ABC license 75 which requires to brew 100 barrels a year but it doesn't matter what kind brewing system you use.

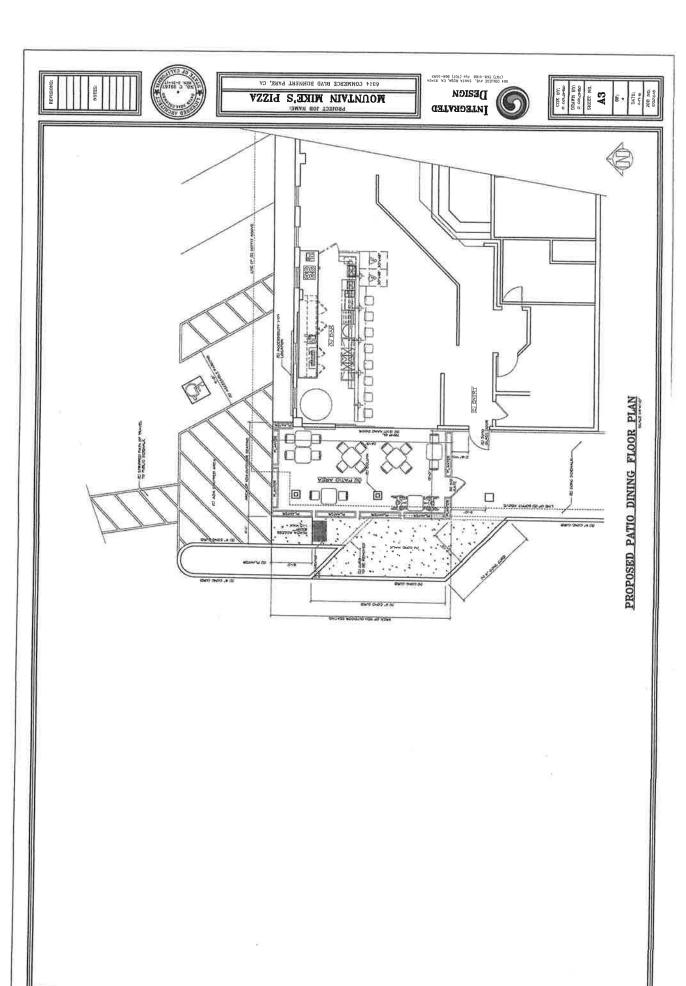
We hope we have addressed all needed items for department to make their decision, please let us know if there are any questions or concerns. Cell- 925-890-7977 or sonuchandi@gmail.com

Sincerely,

Sonu Chandi aka Bhupinder Singh Mountain Mike's Pizza 6314 Commerce Blvd Rohnert Park, CA 94928







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