

PLANNING COMMISSION AGENDA ITEM NO. F.2
3/19/2024

SUBJECT: Design Review application for an indoor/outdoor restaurant at 200 Oak Street

DEPARTMENT: Community Development

STAFF: Erik Nolthenius, Planning Manager
Andrew M. Smith, Senior Planner

TITLE/RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 24-013, approving the Design Review application (DR 23-013) for a 33 square foot addition, façade modifications, and exterior site improvements associated with converting a former automobile service station into an indoor/outdoor restaurant, located at 200 Oak Street (APN 013-110-024).

This application is categorically exempt from CEQA, pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines.

OWNER/APPLICANT

Starboard Hospitality Group, LLC / Alyssa & Anthony Roost

GENERAL PLAN

Downtown Specific Plan (DSP)

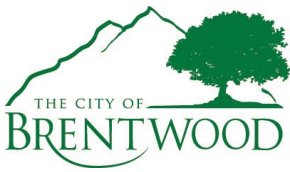
ZONING/SURROUNDING LAND USES

Downtown (DT) – Downtown Core

PREVIOUS ACTION(S)

Previous actions related to this agenda item that were taken by the Planning Commission and City Council are listed below. To view prior actions and materials, and Brentwood Municipal Code references in the staff report, as applicable:

- Visit www.brentwoodca.gov/meetings, and select the meeting date(s) desired to see the reference materials and videos.



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- Visit www.brentwoodca.gov/municipalcode to research references to the Brentwood Municipal Code and search by the code section(s) cited.

On November 16, 2005 the City Council adopted 1) Ordinance No. 817, approving Specific Plan No. 05-01, the Downtown Specific Plan, and 2) Ordinance No. 818, approving Rezone No. 05-18 for the related zoning regulations.

On September 26, 2017 the City Council adopted Resolution No. 2017-132, approving General Plan amendment No. 17-003, temporarily suspending the in-lieu parking fee and parking requirements for non-residential projects.

On June 4, 2019, the Planning Commission adopted 1) Resolution No. 19-011, approving Design Review application No. 18-020 for a 29,126 sq. ft. three-story commercial building, and 2) Resolution No. 19-012, approving Master Sign Permit application No. 19-002 for the building.

On September 14, 2023, the Community Development Department approved Administrative Design Review application No. 23-002 for a new 36-inch tall wood fence located at the back of the sidewalk along the two street frontages.

BACKGROUND

The 12,023 sq. ft. (approximately ¼ acre) site is located at the southwest corner of Oak Street and Second Street, on the corner opposite from Brentwood City Park, City Hall, and the Community Center. The site originally operated as an automobile service station from the 1940s until the early 1970's, when it was converted into a tire and brake service shop (the current building replaced an older service station in the early 1960s). The tire and brake shop then occupied the site until 2001. Thereafter, the property continued with a variety of commercial retail uses and, at times, remained vacant. The most recent previous tenant was a small pop-up market, Spinola Station, which closed in the first half of 2023.

In 2019, the Planning Commission approved a Design Review application for a new three-story commercial building that would have covered almost the entire site. While considerably larger in scale than the surrounding area, the design was consistent with the goals, policies, and development regulations of the Specific Plan, which requires new development to be between two and four stories high, built out

to the sidewalk, and generally more urban in form. The proposed building was never constructed, however, and the previous Design Review approval expired in July 2022. The current owners purchased the site in August 2023.

The former service station building is currently vacant; however, the site occasionally hosted mobile food vendors on the weekends and evenings through the 2023 holiday season. The owners are currently performing a partial interior demolition of the building to prepare it for future reuse, and to determine the location and condition of existing infrastructure (structural members, plumbing, wiring, etc.).

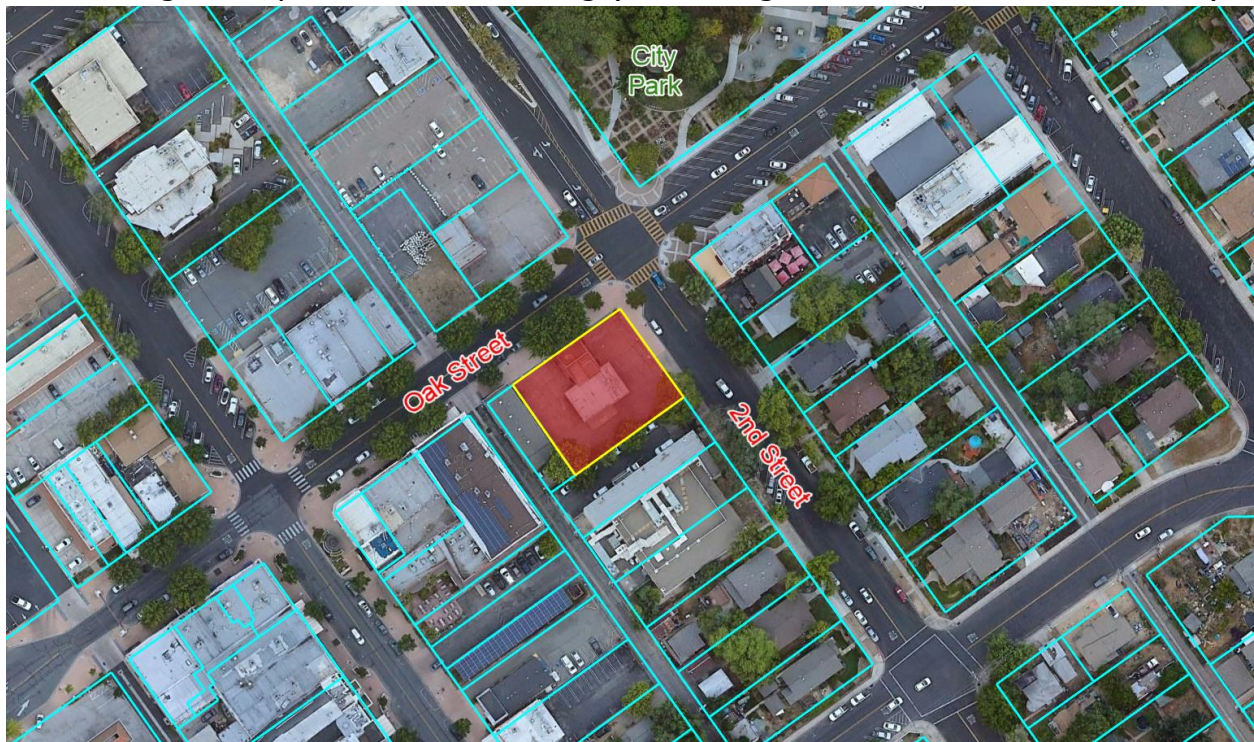
Surrounding Land Uses

North: Single-story commercial building (Horizon Smog: smog inspection station)

East: Two-story commercial building (Cap's Oak Street Bar & Grill: restaurant)

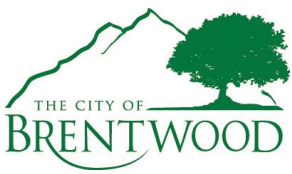
South: Two-story public utility building (AT&T: telephone switching equipment)

West: Single Story commercial building (The Lounge on Oak: bar and restaurant)



PROJECT DESCRIPTION

Starboard Hospitality Group, LLC / Alyssa & Anthony Roost, as applicant and owner, is requesting approval of a Design Review application (DR 23-013) to convert a



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former automobile service station into an indoor/outdoor restaurant. The proposal involves converting the former service bays and office/cashier area into a new kitchen, bar, and dining room; constructing a 33-square-foot addition to the side and rear of the existing building to accommodate larger ADA-compliant restrooms; and converting the former gas pump island/canopy area and adjoining drive aisles into an outdoor dining and family games area. The proposed modifications to the existing building will maintain its architectural styling, while the site improvements will replace the existing asphalt paving on the front half of the property with artificial turf, bench seating, and outdoor games (corn hole, oversized chess/checkers, etc.). The applicant's project narrative is provided in Attachment 2, and the project plans are provided in Attachment 3.

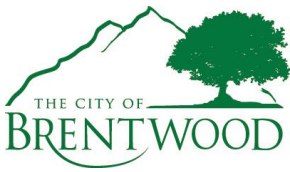
The proposed hours of operation are 11:00 a.m. to 9:00 p.m. daily, though outdoor lighting will only be provided along the building exterior and under the front canopy, thereby limiting most of the outdoor seating area to daylight hours only. Outdoor speakers will be installed along the building's exterior, and their volume will be limited to the 60 dB noise level limit established in Chapter 9.32 of the Brentwood Municipal Code. These operational characteristics are provided for informational purposes only, as the proposed use is permitted by the Downtown Specific Plan, and the project is subject only to Design Review, rather than a Conditional Use Permit or other entitlement that regulates the use itself.

ANALYSIS

GENERAL PLAN, SPECIFIC PLAN, & ZONING ORDINANCE CONSISTENCY

The General Plan designates the site as Downtown Specific Plan (DSP), and the site is zoned Downtown (DT), both of which look to the Downtown Specific Plan in regards to land use and development regulations.

The Specific Plan designates the site as Downtown Core, with a Retail Required Zone overlay applying to the portion of the site within 65 feet of Oak Street (the site is 100 feet deep). Ground floor uses in the Retail Required Zone are generally limited to retail stores and restaurants; with banks, business service uses, personal services, and other similar uses allowed on the portion of the ground floor located outside of the Retail Required Zone. Commercial and residential uses are allowed on upper floors of multi-story buildings, though the existing building is only one story high. Restaurants serving alcoholic beverages no later than 10:00 p.m. are a permitted use, whereas restaurants with later service hours require a Conditional Use Permit.



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As the applicant is proposing to close the restaurant by 9:00 p.m. daily, it is classified as a permitted (i.e., “by-right”) use. Off-street parking is not required for commercial uses in the Downtown Specific Plan area, and parking is instead provided by on-street spaces and the nearby City-owned parking lots and garage.

The development regulations of the Downtown Core District Zone include a minimum building height of two floors and 25 feet, and a maximum setback of zero feet along both street frontages (i.e., built out to the sidewalk for the full width of each frontage). The existing one-story building also has front and street side setbacks ranging from 10 to 42 feet, and a design that does not comply with the Specific Plan’s architectural standards and guidelines. Therefore, the building is a nonconforming structure, to which the Downtown Specific Plan (DSP) greatly limits alterations and additions. Specifically, Section 2.1.1(d)(2) [Page 60] of the Plan allows only the following:

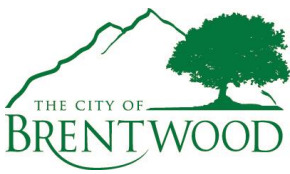
- i. “Building additions greater than 5% of the gross floor area of an existing building shall only be permitted for a conforming use and shall be designed to bring the building into compliance with the policies of the DSP.”
- ii. “Significant exterior alterations or change in exterior façade or architectural design shall be permitted only if the proposed change brings the building into compliance with the intent of the DSP.”
- iii. “One time only building additions less than 5% of the gross floor area of an existing building and minor exterior changes using materials similar to the existing building materials shall be permitted but shall be designed so as to not increase the nonconformity to the intent of the DSP.”

The application proposes a three-percent (33 square foot) addition to accommodate new ADA-compliant bathrooms, and minor exterior alterations to the doors and windows, neither of which change the building’s architectural design or increase the building’s nonconformities. Therefore, the proposed addition and alterations are permitted pursuant to the regulations stated above, subject to Design Review approval.

DESIGN REVIEW

Building Architecture

The Downtown Specific Plan includes extensive design guidelines; however, they are almost exclusively written to a more urban form, with multi-story buildings occupying



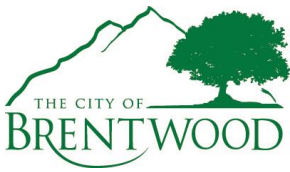
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the full property frontage up to the sidewalk. As such, very few of the Plan's guidelines for building architecture are applicable to the proposed project (though there are guidelines and standards applicable to outdoor dining areas, which are discussed in the next section below). Given this relative lack of applicable guidelines for the building, it is necessary instead to evaluate the proposed design within the broader context of the Plan's overall goals and policies.

One of the Downtown Specific Plan's key policies for the Downtown Core District Zone is to "*direct new commercial investment into the Downtown Core to create a 'critical mass' of retail, restaurant, service and entertainment uses in a compact, walkable, and unique setting that only Downtown can offer*", and to "*create a well-defined retail core with ground-floor activity generating uses throughout*" [Page 48, Section 1.4.2.]. The Plan also states that "*unlike a shopping mall or regional retail center, Downtown has the unique capacity to offer shoppers an authentic outdoor, pedestrian-scaled, fine-grained environment that is simply delightful to be in*" [Page 49, Perspective]. Furthermore, one of the Plan's related strategies is to "*cluster a variety of different restaurants to create a 'restaurant row'*" and to "*promote the continued development of and re-use of buildings to add a strong supply of dining establishments to the Downtown core*" along Oak Street and First Street, and along Second Street adjacent to City Park [Page 49, Strategy a].

The Plan also includes a strategy to "*...maximize opportunities to re-use existing structures within the Downtown to accommodate new uses to help grow the Downtown*" and to "*maximize the utilization of existing buildings and infrastructure to quickly offer entrepreneurs the opportunity to 'get things going' in Downtown*" [Page 49, Strategy c]. Therefore, while not without its challenges given the nature of the existing nonconforming building, and in light of the regulations for nonconforming structures mentioned above, staff supports the adaptive reuse of the building until economic conditions support the full redevelopment of the property with an entirely new structure.

The project proposes to maintain the existing building's clean lines, which are typical of its early midcentury modern architectural style, and builds upon its period-correct architectural detailing. This includes 1) maintaining the large front-facing window wall and adding a new central main entrance consisting of six-foot-wide glass double doors, 2) drawing the viewer's attention to the decorative horizontal corrugations over the former office/cashier space with the restaurant's proposed signage, 3) maintaining the four parallel wood posts at the rear corner facing Second Street, and



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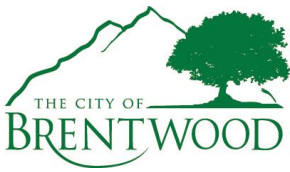
4) maintaining the low-slung roofline by placing the proposed rooftop equipment behind a three-foot, six-inch tall screen wall built of matching T1-11 siding, and located towards the rear of the building to minimize its visibility from Oak Street.

While remaining true to the design of the existing building, the project also proposes new elements that harken back to Brentwood's rural and agricultural heritage. This includes 1) new exterior lighting consisting of "barn style" shielded lighting (see specification sheets, Attachment 4), 2) new fencing that will enclose the outdoor dining area, and which will match the existing three-foot-tall horizontal redwood board fencing located along the two street frontages, and 3) outdoor furnishings which are described below. The building's existing paint colors (white base with black trim) will remain unchanged. Staff supports the proposed addition and alterations to the existing building, though with the recognition that no further additions will be permitted (pursuant to the previously discussed regulations for nonconforming structures), and that any future redevelopment of the site will be best achieved through the construction of a new building that conforms to the Downtown Specific Plan.

Outdoor Dining Area

The Downtown Specific Plan includes a small set of design standards and guidelines relating to "Outside Dining, Site Furnishings and Display" (Section 2.3). Though primarily aimed at sidewalk seating areas and internal courtyards, they are nonetheless relevant to the proposed large outdoor dining and games area. In summary, these guidelines encourage a pedestrian-scaled design that includes outdoor seating, pergolas, trellises, and decorative bollards; human-scaled landscape structures and sculptural objects that help preserve the City's small-town character; and components that are made of durable high quality materials.

The proposed outdoor seating will consist of picnic tables and custom benches constructed from heavy 2x6 redwood boards, with heavyweight cantilevered umbrellas constructed of power-coated aluminum and high-density fabric with an anti-UV coating. Though artificial, the proposed turf that will cover most of the paved area at the front and sides of the building will help to bring a family picnic-like feel to the outdoor dining area that is reminiscent of Brentwood's small-town character, particularly with the addition of outdoor games that are proposed for the space.



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The outdoor dining area will be enclosed by a 37-inch tall horizontal redwood board fence, which will include and expand upon the existing perimeter fencing adjacent to the sidewalk. This fencing will also be reviewed by the California Department of Alcoholic Beverage Control for compliance with their standards for outdoor dining areas.

Staff supports the overall design for the outdoor dining area as it will complement the surrounding area while helping to activate the connection between the Downtown Core retail area and City Park.

Landscaping

The Downtown Specific Plan does not include landscaping standards or guidelines as the Plan generally calls for zero-lot-line development built out to the sidewalk, and new landscaping is not required by the Zoning Ordinance due to the small size of the proposed project.

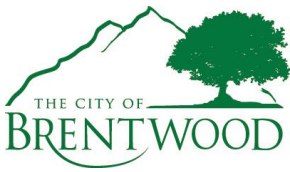
The project site includes three existing small planting areas generally located along the Second Street frontage, which were recently planted with yellow bush daisy, kangaroo paw, ornamental grass, and two varieties of lavender. The project proposes to maintain these plants and add black mulch groundcover.

Signage

The proposed plans include a new business sign located above the front window of the former office area, just to the left of the front canopy. The size and location of the proposed sign is consistent with the Signage Standards & Guidelines contained in the Downtown Specific Plan, however, the sign is included on the plans for informational purposes only. All proposed signage will be reviewed separately as part of an administrative sign permit issued by the Community Development Department, pursuant to Section 17.640.008(A) of the Brentwood Municipal Code.

Vehicular Access

The project site is currently served by a single curb cut on each of the two street frontages, located at the two furthest ends from the intersection of Oak Street and Second Street. The curb cut along Oak Street is blocked by the existing fence, as previously approved through an Administrative Design Review application. The curb cut along Second Street is secured by a chain hung from the same existing fence,



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and will continue to be used to access the existing loading area and proposed solid waste enclosure located at the rear of the property.

Solid Waste

The proposed project also includes a new solid waste enclosure at the rear (southwest) corner of the site, measuring 18 feet wide, 10 feet deep, and six feet tall. The enclosure will be constructed of earth tone colored split-face CMU, with solid matching colored metal gates. Staff recommended the proposed color and materials to allow the enclosure to better blend in with the background, rather than becoming a visual focal point.

DATE OF NOTICE

No notice is required for design review applications.

ENVIRONMENTAL DETERMINATION

This application is categorically exempt from CEQA, pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines.

ATTACHMENT(S)

1. Resolution No. 24-013
2. Project narrative
3. Project plans
4. Specification sheets for exterior lighting, umbrellas, and artificial turf
5. Public comments received prior to 5:00 p.m. on March 13, 2024