



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JUNE 22, 2026

ITEM NUMBER: PH-1

SUBJECT: CONDITIONAL USE PERMIT (PCUP-26-0005) TO ALLOW THE SALE OF ALCOHOL FOR ON-SITE CONSUMPTION UNTIL 12:00 A.M. WITHIN 200 FEET OF A RESIDENTIAL ZONE FOR A RESTAURANT (THREE EYED TIGER) AT 2930 BRISTOL STREET, UNIT B60

FROM: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT / PLANNING DIVISION

PRESENTATION BY: GABRIEL VILLALOBOS, ASSISTANT PLANNER

**FOR FURTHER INFORMATION CONTACT: GABRIEL VILLALOBOS
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RECOMMENDATION

Staff recommends the Planning Commission:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Conditional Use Permit (PCUP-26-0005) based on the findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT

The applicant/authorized agent is Zachary Scherer on behalf of Three Eyed Tiger, representing the property owner, Linda Sadeghi.

PLANNING APPLICATION SUMMARY

Location:	2930 Bristol Street, Unit B60	Application Number:	PCUP-26-0005
Request:	Conditional Use Permit to allow the sale of alcohol for on-site consumption after 11:00 P.M. within 200 feet of a residential zone for a proposed restaurant, Three Eyed Tiger, requesting to operate until 12:00 A.M., Tuesday through Saturday.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	C2 (General Business District)	North:	C1 (Local Business District)
General Plan:	General Commercial (GC)	South:	C2 (General Business District) and CL (Commercial Limited District)
Lot Dimensions:	335.31' x 607.48' x 258.08' x 394.71'	East:	PDR-HD (Planned Development Residential, High Density)
Lot Area:	108,900 SF (2.5 acres)	West (across Bristol Street):	C2 (General Business District)
Existing Development:	An existing multi-tenant shopping center (the LAB Anti-Mall) located on a 2.5-acre commercial property.		
Tenant Space (size):	2,520 SF with 500 SF outdoor dining patio		
Required Parking:	155 ^{1,2}		
Provided Parking:	184		

¹ Noted in PA-17-16

² Subject property is subject to Assembly Bill (AB) 2097, since it is located within one-half mile of a major transit stop. Pursuant to AB 2097, the City is barred from imposing a minimum parking requirement on the project.

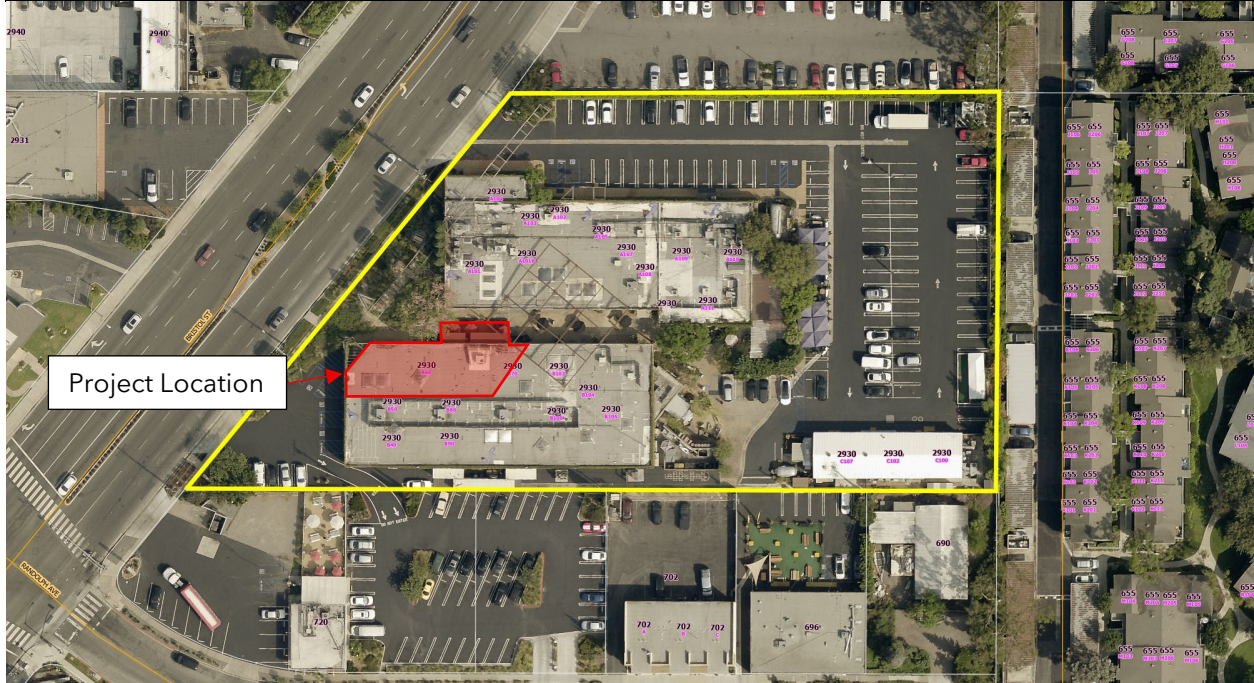
EXECUTIVE SUMMARY

The applicant is requesting approval of a Conditional Use Permit (CUP) (PCUP-26-0005) to allow the sale of alcoholic beverages for on-site consumption until 12:00 A.M. within 200 feet of a residential zone for a proposed restaurant, *Three Eyed Tiger*, located at 2930 Bristol Street, Unit B60. Staff supports the request because the proposed use is consistent with applicable goals, objectives, and policies of the General Plan; complies with applicable provisions of the Zoning Code and required findings; and, as conditioned, would be compatible with surrounding uses. Therefore, staff recommends that the Planning Commission find the project exempt from the CEQA and approve the application based on findings of fact and subject to conditions of approval.

SETTING

The subject property is located on the east side of Bristol Street, between Randolph Avenue and Baker Street (see Figure 1). The subject property is adjacent to other commercially zoned properties to the north, west, and south, with residentially zoned properties to the east. Existing residential uses in the area primarily include multi-family units (South Pointe Apartments). Other land uses in the immediate vicinity include The Camp and other commercial businesses including Pep Boys and Sherwin Williams Paint.

Figure 1. Project Location – 2930 Bristol Street

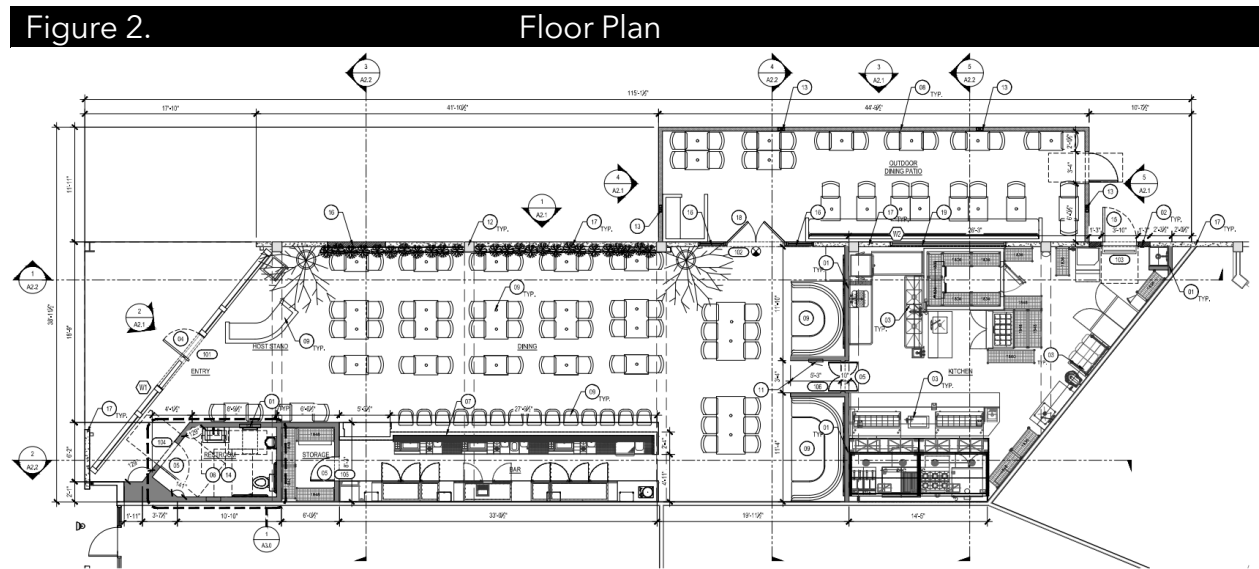


The site is designated General Commercial by the City’s Land Use Element of the General Plan and is zoned C2 (General Business District). The General Commercial designation is intended for a wide range of commercial uses that serve both local and regional needs such as retail stores, theaters, restaurants and service establishments. The C2 zone is intended to meet the local business needs of the community by providing a wide range of goods and services in a variety of locations throughout the city. The permitted and conditional uses as well as development standards are aimed toward reducing impacts on surrounding properties especially in those areas where residential uses are in the vicinity.

BACKGROUND

The subject property is currently developed with three commercial buildings totaling approximately 32,924 square feet of gross floor area. The existing development was approved by the Planning Commission in 1992 through planning application PA-92-78, which allowed for a restaurant with outdoor seating in conjunction with multi-tenant retail sales. Subsequent planning applications were approved through PA-94-55, PA-96-30, PA-98-53, PA-01-35, ZA-03-08, and PA-17-16 to allow uses such as live entertainment, private events, outdoor vending, outdoor special events, and a microbrewery at the subject property. There are currently 11 food establishments operating at the subject property, of which, three are permitted to operate past 11:00 P.M. (Ruin Bar, Habana Restaurant, and Bootlegger’s Brewery).

The applicant is currently in review for permits to convert an existing 2,520 square-foot commercial suite into a restaurant use with a new 500 square-foot outdoor dining patio. The tenant suite is currently vacant and was previously occupied by Urban Outfitters, a retail use. The tenant improvements will consist of a complete redevelopment of the interior of the existing space to include a new indoor dining area, restroom, bar, and kitchen, as shown in Figure 2 below. Additionally, a new outdoor dining patio will be proposed adjacent to the restaurant and will be located within an interior courtyard area of the subject property. The actual location of the business and outdoor dining patio on the site is approximately 320 feet from the shared property line.



Pursuant to Costa Mesa Municipal Code (CMMC) Table 13-47(a), food establishments are permitted by right in the C2 zone and are not subject to the approval of a CUP. Additionally, per CMMC Table 13-47(b), outdoor dining areas located within a "courtyard area" are also permitted by right and are subject to the development standards established in CMMC Section 13-48.

REQUEST

The applicant is requesting approval of a CUP to allow the sale of alcoholic beverages for on-site consumption until 12:00 A.M. within 200 feet of a residential zone for a new restaurant, *Three Eyed Tiger*. The new restaurant will include an outdoor dining patio and operate from 11:00 A.M. to 12:00 A.M., Tuesday through Saturday, and from 11:00 A.M. to 4:00 P.M. on Sundays for brunch. The restaurant will maintain a Type 47 ABC license, which authorizes the sale of beer, wine, and distilled spirits for consumption on the licensed premises. No live entertainment, live entertainment area, or dancing area is proposed as part of this project. As noted above, the proposed restaurant is permitted by right and is not subject to a CUP.

STANDARD OF REVIEW

To approve CUP applications under CMMC Section 13-29(g)(2)(a-c), the proposed use must meet specific criteria. The project must be compatible with surrounding developments and should not be detrimental to nearby properties. Additionally, granting the permit must not harm public health, safety, or welfare, not permit a use, density, or intensity inconsistent with the general plan or specific plans for the property.

Furthermore, all planning applications must adhere to broader "Review Criteria" outlined in the CMMC. These include ensuring neighborhood compatibility, safety and design consistency, compliance with performance standards, and alignment with the general plan and/or applicable specific plans. Each application is project-specific and evaluated on its unique merits to ensure it aligns with the City's development standards.

A comparison and analysis of the project applicable CUP findings, and project compliance with the City's required Review Criteria is provided further below in this report under the Analysis section.

ANALYSIS

This application requests approval of a CUP to allow the sale of alcoholic beverages for on-site consumption until 12:00 A.M., for a business located within 200 feet of a residentially zoned property. The proposed business is located on a parcel that shares a property line with a PDR-HD zoned property and as such, is subject to the approval of the CUP for the proposed extended hours of operation.

The proposed hours of operation are 11:00 A.M. to 12:00 A.M., Tuesday through Saturday, and 11:00 A.M. to 4:00 P.M. on Sundays. Similar businesses currently operating within the LAB property include Ruin Bar (open until 12:00 A.M.), Habana Restaurant (open until 12:00 A.M.), and Bootlegger's Brewery (open until 1:00 A.M.).

The proposed business will be located along the frontage of Bristol Street and will propose an outdoor dining patio within a pedestrian walkway area that is not located within a required street setback or parking area.

The proposed hours of operation are not expected to adversely affect the surrounding area, as the restaurant is located on the western portion of the property, away from residences (more than 320 feet away). Additionally, no live entertainment is proposed that would be expected to generate elevated noise levels during late-night hours.

Additionally, the City's Police Department has reviewed the request and indicated that it has no concerns regarding the proposed extended hours of operation and alcohol service.

GENERAL PLAN CONFORMANCE

The Costa Mesa General Plan establishes the long-range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa through 2035. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that serve both local needs and attract regional international spending, and providing cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives, and policies contained in this Plan.

The proposed restaurant use is in conformance with the General Plan land use designation for the property. The following analysis evaluates the proposed project's consistency with specific policies and objectives of the 2015-2035 General Plan.

1. **Policy LU-1.1:** *Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the need of the business and residential segments of the community.*

Consistency: The proposed restaurant use would complement the mix of restaurant and commercial services provided in the immediate area. The LAB contains a mix of commercial goods and services, and the proposed use would support the mix of uses and services available in the commercial shopping center.

2. **Policy LU-6.1:** *Encourage a mix of land uses that maintain and improve the City's long-term fiscal health.*

Consistency: The proposed restaurant use contributes to the City's long-term fiscal health by bolstering an area within the city that has been identified through the General Plan and the SoBECA Urban Plan as a place important to the local economy as a center for commercial uses that expand innovative, eclectic, and unique uses that support homegrown and incubator-type businesses. The proposed restaurant would support the intent of the General Plan and SoBECA Urban Plan by providing an additional dining option and service for the immediate area.

3. **Policy LU-6.7:** *Encourage new and retain existing businesses that provide local shopping and services.*

Consistency: The proposed application would support the establishment of a new restaurant within an existing commercial center that already contains similar restaurant and commercial uses. The proposed restaurant would provide additional dining options and local services for residents, visitors, and employees in the surrounding area, and would contribute to the continued vitality of the LAB as a commercial shopping and dining destination.

FINDINGS

Pursuant to CMMC Section 13-29 (g), Findings, to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required Conditional Use Permit findings:

- a. **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: The proposed hours of operation are substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area as the use is a proposed restaurant to be located within a commercial shopping center. The proposed restaurant will be located within an existing commercial space and proposes an outdoor dining patio that will be located outside all setback and vehicular circulation areas. This application seeks to allow late night hours of operation for a restaurant that serves alcoholic beverages, like other existing restaurants within the same subject property. The use is permitted by right and the extended hours of operation are conditionally permitted, subject to conditions of approval as included in this application.

- b. **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: Granting the conditional use permit to extend the hours of operation 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 as the restaurant will be located within an existing commercial space and proposes an outdoor dining patio that is outside of any setback or vehicular circulation area. Additionally, the proposed use is located closer to Bristol Street than the residences located to the east of the subject property which reduces potential impacts to the sensitive uses in the immediate vicinity. No live entertainment, dancing, or other outdoor events are proposed as part of this project.

- c. **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 General Plan land use designation of the subject property is General Commercial, which is intended to permit a wide range of commercial uses that serve both local and regional needs. Pursuant to the Land Use Element of the city's General Plan, appropriate uses include those found in the Neighborhood Commercial designation, plus smaller retail stores, theaters, restaurants, hotels and motels, and automobile sales and service establishments. The subject property is also located within the SoBECA Urban Plan area, which allows for a mix of housing and retail/service commercial businesses, light industrial uses, creative studios, retail campuses, and entertainment and restaurant uses. The use is consistent with both the General Plan and the SoBECA Urban Plan for the area and would not propose a density or intensity not in accordance with the land use designation as the location is not proposing an increase in the gross floor area of the site since the new outdoor dining patio does not meet the definition for gross floor area as established in CMMC Section 13-6.

Review Criteria

Pursuant to CMMC Section 13-29(e), all planning applications shall be reviewed for consistency with the following review criteria. Below is a summary of the project's conformity with each criterion:

(1) *Compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.*

The proposed project is compatible and harmonious with the development and uses of the surrounding properties as the proposed restaurant use is permitted in the C2 zone and would provide a service that is consistent with the underlying zone and land use policies of the SoBECA Urban Plan. The subject property currently includes similar restaurant uses, and the proposed project would add to the mix of restaurant businesses available at the LAB.

(2) *Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.*

Safety and compatibility are maintained through the proposed project design as the proposed outdoor dining patio shall be located within a courtyard area on the interior of the subject property. There will be no increase to the gross floor area of the existing building, as the proposed tenant improvements will be made to the interior of the existing tenant space and the proposed outdoor

dining patio will not be fully enclosed. No parking spaces will be impacted through this project, and as such, automobile circulation will not be impacted. Pedestrian circulation will still be maintained as the outdoor dining patio will be separated and enclosed with a low wall and shade structure.

(3) Compliance with any performance standards as prescribed in the Zoning Code.

All performance standards have been deemed to be met as described in the analysis section of this report.

(4) Consistency with the General Plan and any applicable specific plan.

The property has a General Plan designation of General Commercial and is also located within the SoBECA Urban Plan area. Under the General Plan designation, the proposed use is permissible. The proposed project conforms to the City's General Plan including Policy LU-1.1 and Policy LU-6.1 as described later in this report.

(5) The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

The zoning application is for a unique project-specific case at a unique site with special circumstances and will not be precedent setting for future development.

(6) When more than one planning application is proposed for a single development, the cumulative effect of all the planning applications shall be considered.

The proposed project includes only one application, of which the cumulative effect has been considered through this report.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the CEQA pursuant to CEQA Guidelines Section 15301 (Class 1 - Existing Facilities) for the permitting and/or minor alteration of existing facilities. The project involves no exterior alterations or additions to an existing commercial tenant space. As conditioned and proposed, the project will have little or no impact on the surrounding area. There will be no resulting increase in the existing floor area of the tenant space. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply. The Project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location and would not impact any historic resources.

ALTERNATIVES

As an alternative to the recommended action, the Planning Commission may:

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 a redesign or additional analysis. In the event of significant modifications to the proposal, 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, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months.

PUBLIC NOTICE

Pursuant to CMMC Section 13-29(d), three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site June 10, 2026. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on each street frontage of the project site on June 11, 2026.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on June 12, 2026.

As of the completion date of this report, one written public comments have been received. Any public comments received prior to the June 22, 2026, Planning Commission meeting will be provided separately.

CONCLUSION

Approval of the project would allow a new restaurant to serve alcohol in the restaurant and outdoor dining patio until 12:00 A.M., Tuesday through Saturday, and until 4:00 P.M. on Sundays. No live entertainment or dancing is proposed as part of the request. The proposed use is in conformance with the General Plan, Zoning Code, Planning Application Review Criteria, and the required CUP findings can be made. The

proposed use, as conditioned, would be compatible with the surrounding commercial uses and would not be materially detrimental to other properties in the area. Therefore, staff recommends approval of the proposed project, subject to the conditions of approval contained in the attached resolution.

ATTACHMENTS

1. Draft Planning Commission Resolution
2. Applicant Letter
3. Vicinity Map
4. Zoning Map
5. Site Photos
6. Project Plans
7. Public Comments