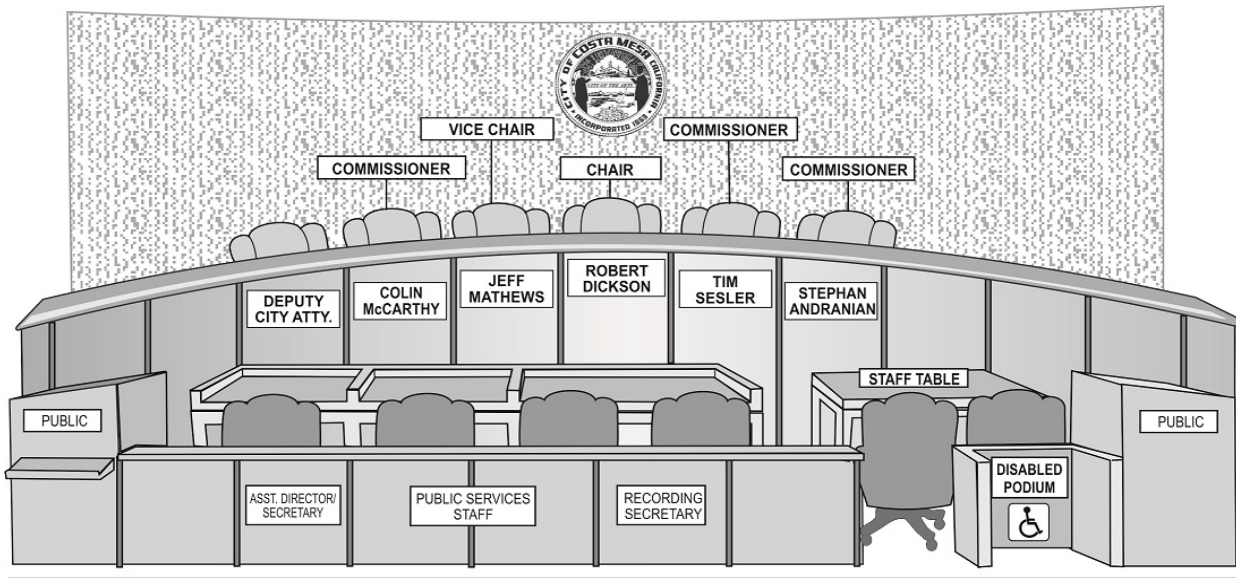


Planning Commission Agenda

December 14, 2015

*Pre-Meeting Agenda Review begins at **5:30 p.m.** in Conference Room 1A

Planning Commission Meeting begins at **6:00 p.m. in the Council Chambers



PLEDGE OF ALLEGIANCE TO THE FLAG.

ROLL CALL: Chair: Robert Dickson
Vice Chair: Jeff Mathews
Commissioners: Colin McCarthy, Tim Sesler, and Stephan Andranian

PUBLIC COMMENTS:

To ensure fair and equal treatment of all who appear before the Planning Commission, and to expedite City business, speakers may be limited to three minutes during Public Comments to speak on any item within the Planning Commission's jurisdiction, which is not listed on the Agenda. This time may be extended for good cause by the Chair or by majority vote of the Planning Commission.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the Planning Commission, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion. Items removed from the Consent Calendar will be discussed and voted upon immediately following Planning Commission action on the remainder of the Consent Calendar.

Members of the public who wish to discuss Consent Calendar items should come forward to the microphone upon invitation by the Chair, state their name, city in which they reside, and item number to be addressed.

CONSENT CALENDAR:

RECOMMENDATION(S):

- 1. [Minutes for the meeting of November 23, 2015](#) Approve.

PUBLIC HEARINGS:

RECOMMENDATION(S):

- 1. [TT-17972: TENTATIVE TRACT MAP FOR THE SUBDIVISION OF A 0.746-ACRE LOT INTO FIVE R1 ZONED LOTS AT 410 WALNUT PLACE](#) Approve by adoption of Planning Commission Resolution, subject to conditions.

Applicant: Bob Smith
Site Address: 410 Walnut Place
Zone: R1
Project Planner: Chelsea Crager

Environmental Determination:

The project is categorically exempt under Section 15332 of the State CEQA (California Environmental Quality Act Guidelines – Class 32 (In-Fill Development Projects)).

Description: Tentative Tract Map TT-17972 for the subdivision of a 0.746-acre lot into 5 (five) R1 zoned lots (minimum 6,000 sq. ft.) in accordance with the R1 zone development standards. No code deviations are requested. The proposed lot sizes are as follows:

- Lot 1: 58.58 FT x 102.43 FT (6,000 SF)
- Lot 2: 58.58 FT x 102.43 FT (6,000 SF)
- Lot 3: 58.58 FT x 102.43 FT (6,000 SF)
- Lot 4: 82.57 FT x 87.87 FT (7,255 SF)
- Lot 5: 82.57 FT x 87.87 FT (7,255 SF)

Note: This application involves the subdivision of the property; a residential development is not being proposed at this time.

- 2. [PA-15-39 & PM-2015-170: DESIGN REVIEW FOR CONSTRUCTION OF TWO ATTACHED 2-STORY CONDOMINIUM UNITS AND SUBDIVISION FOR OWNERSHIP PURPOSES AT 217 CABRILLO STREET](#) Approve by adoption of Planning Commission Resolution, subject to conditions.

(Continued from the November 23, 2015 Planning Commission meeting.)

Applicant: Joe Kaneko / Windmill Investment LLC
Site Address: 217 Cabrillo Street
Zone: R2-MD
Project Planner: Dan Inloes

Environmental Determination:

The project is categorically exempt under Section 15303 of the State CEQA (California

PUBLIC HEARINGS:

RECOMMENDATION(S):

(Continued)

Environmental Quality Act) Guidelines – Class 3 (New Construction).

Description: Design review for the demolition of an existing 1300 square-foot single story residence and construction of two new 2-story condominium units in the R2-MD zone. The 4-bedroom units are proposed at 1,108 square feet, and include an attached two-car garage for each unit. In addition, the project includes a tentative parcel map, PM-2015-170, to facilitate the subdivision of the building to allow the units to be sold independent from one another.

- 3. [CO-15-06: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA TO AMEND TITLE 13, CHAPTER I \(DEFINITION AND ENFORCEMENT\), CHAPTER IV \(CITYWIDE LAND USE MATRIX\), AND ADDING ARTICLE 20 TO CHAPTER IX ADOPTING NEW REGULATIONS RELATED TO PROHIBITING MEDICAL MARIJUANA/ MARIJUANA CULTIVATION](#) Recommend that City Council approve and give first reading to the ordinance.

Applicant: City of Costa Mesa
Site Address: Citywide
Project Planner: Mino Ashabi
Environmental Determination: This project is exempt under Section 15061 (b) (3) (general rule) of the CEQA Guidelines

Description: The Costa Mesa Planning Commission will hold a public hearing to consider Code Amendment CO-15-06 to amend Title 13 of the Costa Mesa Municipal Code as follows:

- Chapter 1, adding new definitions related to marijuana and/or medical marijuana cultivation and related enforcement.
- Chapter IV, adding cultivation of marijuana and/or medical marijuana as a prohibited use in all zoning districts
- Chapter IX, adding Article 20 with specific regulations related to medical marijuana and/ or marijuana cultivation.

The new state laws continue to recognize the power of local governments to regulate marijuana cultivation. However, under AB 243,

PUBLIC HEARINGS:

RECOMMENDATION(S):

(Continued)

the State Department of Food and Agriculture will establish a ‘Medical Cannabis Cultivation Program,’ which will be administered by the Department’s secretary unless the City adopts land use regulations or ordinances regulating or prohibiting the cultivation of marijuana by March 1, 2016.

- 4. [ZA-15-30: AN APPEAL OF A MINOR CONDITIONAL USE PERMIT TO EXTEND THE HOURS OF OPERATION FOR A RESTAURANT \(HALAL GUYS\) AT 3033 BRISTOL STREET, STE. D](#)

Uphold or Reverse the Zoning Administrator’s denial by adoption of Planning Commission Resolution.

(Continued from the October 26, 2015 Planning Commission meeting.)

Applicant: Jason Smith/Landshark
Dev. Svcs

Site Address: 3033 Bristol Street, Ste. D

Zone: C1

Project Planner: Ryan Loomis

Environmental Determination:

The project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (Existing Facilities).

Description: An appeal of a minor conditional use permit for a 1,440 square-foot restaurant tenant space (Halal Guys) to extend the hours of operation from 11 a.m.-11 p.m. to 11 a.m.-12 a.m., Sunday through Wednesday, and from 11 a.m.-11 p.m. to 11 a.m.-1 a.m., Thursday through Saturday, within 200 feet of residential zoned property, in the C1 zone. No live entertainment, dancing or sales/service of alcoholic beverages is proposed. The Zoning Administrator denied ZA-15-30 on September 11, 2015, which originally requested allowance to remain open until 3 a.m., Sunday through Saturday. This appeal was heard by the Planning Commission on October 26, 2015, and was continued to December 14th hearing in order for staff to receive information from the appellant related to improved security measures and compatibility with surrounding residential areas.

PUBLIC HEARINGS:

RECOMMENDATION(S):

- 5. [PA-15-43: CONDITIONAL USE PERMIT FOR ON-SITE VALET PARKING FOR THE COMMERCIAL RETAIL CENTER AT 3033 BRISTOL STREET](#)

Approve by adoption of Planning Commission Resolution, subject to conditions.

Applicant: Jason Ball
Site Address: 3033 Bristol Street
Zone: C1
Project Planner: Ryan Loomis

Environmental Determination:

The project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (Existing Facilities).

Description: A conditional use permit for on-site valet parking for the commercial retail center located at 3033 Bristol Street. The valet parking service will be provided seven days a week as follows:

- Weekly daytime during peak lunch periods - 11:00 a.m. to 2:00 p.m.
- Weekly evenings - 4:30 p.m. to 11:00 p.m., as needed.

The proposed increase to parking supply will be a minimum of 17 parking spaces.

DEPARTMENTAL REPORT(S):

RECOMMENDATION(S):

- 1. **Public Services Report**
- 2. **Development Services Report**

Receive and file.
Receive and file.

CITY ATTORNEY’S OFFICE REPORT(S):

RECOMMENDATION(S):

- 1. **City Attorney**

Receive and file.

ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M., OR SHORTLY THEREAFTER, ON MONDAY, JANUARY 11, 2016.

ADDITIONAL INFORMATION

Planning Commission Meetings

Costa Mesa Planning Commission meets the second and fourth Monday of each month at 6:00 p.m. in the Council Chambers at City Hall, 77 Fair Drive. All Planning Commission meetings are open to the public.

The Planning Commission and staff hold an Agenda Review Study Session at 5:30 p.m., prior to the regular meeting, in Conference Room 1A. This session is open to the public. Each member of the public will be given the opportunity to speak for one (1) minute on study session items.

Submitting Written Communication to the Planning Commission:

- Any written communication, photos or other materials for distribution to the Planning Commission must be received by the **Planning staff (2nd floor) prior to 3:00 pm on the day of the hearing** (see date above).
- If the public wishes **to submit written comments** to the Planning Commission **at the hearing 10-copies will be needed for distribution** to the Commissioners, City Attorney and Staff.
- Please note that **no copies** of written communication **will be made after 3:00 PM**.
- Any materials to be displayed on the overhead projector at the Planning Commission meeting must be submitted to Planning staff **no later than 15 minutes prior to the start of the meeting (no copies, for the Commission, will be made unless the materials are submitted prior to 3:00 PM)**.
- If you challenge this action in court, you may be limited to raising only those issues you, or someone else raised, at or prior to the hearing.
- While staff may not be making additional copies for distribution after 3:00 pm on the day of the hearing, public may provide 10 copies for distribution until 5:00 pm on the day of the meeting.

Agenda Reports

Reports may be obtained in the office of the Development Services Department, Planning Division, on the second floor of City Hall, 77 Fair Drive, Costa Mesa or on the City's web site at www.costamesaca.gov. Agenda Packets are available for public review in three-ring binders located at the Planning Division Counter at City Hall located on the second floor during normal business hours and at the Council Chambers entrance during the meeting. In addition, such writings and documents may be posted, whenever possible, as part of the agenda, on the City's website at www.costamesaca.gov.

Public Comments

Those wishing to speak on an item are asked to come forward to the podiums on either side of the Chambers and state their name and address for the record. To ensure accuracy of the record, speakers are also asked to complete a Registration Card and to give this card to the Recording Secretary.

Appeal Procedure

Unless otherwise indicated, the decision of the Planning Commission is final at 5:00 p.m., seven (7) days following the action, unless an aggrieved party files: (1) an application for rehearing by the Planning Commission, or (2) an appeal to the City Council, or (3) a member of City Council requests a review of the action. Applications for appeals or rehearings are available in the Planning Division and in the City Clerk's office.

Contact Us

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