



CITY COUNCIL AGENDA REPORT

MEETING DATE: FEBRUARY 22, 2005

ITEM NUMBER:

SUBJECT: APPEAL OF CONDITIONAL USE PERMIT PA-04-33
1777 NEWPORT BOULEVARD, 1764 ANAHEIM AVENUE, AND 640 W. 17TH STREET

DATE: FEBRUARY 10, 2005

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: MEL LEE, SENIOR PLANNER

FOR FURTHER INFORMATION CONTACT: MEL LEE, SENIOR PLANNER
(714)754-5611

RECOMMENDATION:

Conduct a public hearing and either uphold, reverse, or modify Planning Commission's decision.

BACKGROUND:

The applicant is requesting a conditional use permit to allow off-site valet parking at 1764 Anaheim Avenue (a vacant paved lot), in an R2-HD zone, and 640 W. 17th Street (Trader Joe's), in a C2 zone, for a proposed restaurant/lounge at 1777 Newport Boulevard, also in a C2 zone, and to serve alcoholic beverages for on-site consumption after 11:00 p.m. (2:00 a.m. seven days a week proposed) within 200 feet of a residential zone.

On January 24, 2005, Planning Commission, on a 3-0 vote, denied the requests. On January 28, 2005, the applicant appealed Planning Commission's denial.

ANALYSIS:

The appellant states as the reason for the appeal is an "unfair assessment of the project". As noted in the Planning Commission Staff Report (a copy of which is attached to this memo), the proposed use is a 4,245 square foot upscale restaurant and martini lounge named "Ami Beaucoup". According to the operator, the restaurant and lounge would cater to patrons 35 years of age and older and would provide entertainment in the form of background acoustical music. Although live entertainment and dancing were originally proposed, the operator stated at the January 24, 2005 Planning Commission meeting that they were no longer part of the request.

The proposed use would occupy the second floor of the existing two-story commercial building, and is within 200 feet of several two-story multiple family residential structures to the rear of the building, across the public alley; the building is approximately 80 feet from

the nearest residential structure. There are no on-site parking spaces provided for the subject property. The applicant proposes off-site valet parking at two locations: a 11,325 square foot parking lot approximately 250 feet to the south of the subject building (across the alley from Café Ruba) addressed as 1764 Anaheim Avenue, and the parking lot for Trader Joe's at 640 W.17th Street (across Anaheim Avenue). The valet station and vehicle queue would be located in the frontage road at the front of Winston Jewelers (1775 Newport Boulevard).

The Planning Commission conducted a public hearing for the project on November 8, 2004, which was continued to January 24, 2005. At both hearings, area residents and business owners expressed concerns that the second story location of the proposed restaurant/lounge and the off-site valet parking locations would create noise, trash, loitering, and security problems, and would not be compatible with surrounding uses. Transportation Services staff noted serious concerns with use of the frontage road, which is public right-of-way, for the valet station and vehicle queue, including the potential of creating a traffic safety hazard due to the insufficient street width (see separate memorandum attached to this report). Additionally, it was noted that if off-site valet parking is approved, it would likely not be utilized by patrons due to the excessive distance from the restaurant/lounge to the off-site parking areas and the resulting "time lag" patrons would experience in obtaining their vehicles would cause patrons to park within the parking areas along the frontage road and adjacent to nearby residential neighborhoods.

The Police Department prepared two separate memorandums (copies of which are also attached) describing the department's experience with dealing with restaurants with lounges and/or bars in proximity to residential neighborhoods, and potential traffic safety concerns with the proposed off-site valet parking. Based on the information provided in the reports, the Police Department concluded that there could be an increase in calls for Police service if the use were to be approved and the off-site parking could cause unsafe traffic conditions. Based upon this and the other issues raised by staff and residents, the project was denied by Planning Commission.

ALTERNATIVES CONSIDERED:

City Council may consider the following alternatives:

- (1) Uphold Planning Commission's decision to deny the project; or
- (2) Reverse Planning Commission's decision and approve the project with conditions of approval to help minimize impacts to surrounding uses. If the City Council wishes to approve the project, modifications to the findings will need to be made.

FISCAL REVIEW:

Fiscal review is not necessary.

LEGAL REVIEW:

Legal review is not necessary.

CONCLUSION:

Planning Commission denied the project because the proposed use and off-site valet parking could create adverse noise and parking impacts on nearby residents and businesses, create a potential traffic safety hazard, and create an increase in calls for Police service.



MEL LEE
Senior Planner



DONALD D. LAMM
Deputy City Mgr./Development Svs. Dir.

DISTRIBUTION: City Manager
City Attorney
City Clerk (2)
Staff (4)
File

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Costa Mesa, CA 92626

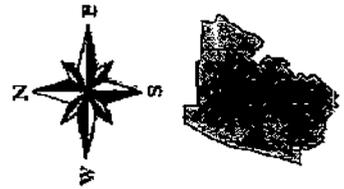
- ATTACHMENTS:
1. Location Map
 2. Plans and Photos
 3. Draft City Council Resolution
 4. Exhibit "A" Draft Findings
 5. Exhibit "B" Conditions of Approval
 6. Appeal
 7. Minutes from Planning Commission Meetings of November 8, 2004 and January 24, 2005
 8. Planning Staff Reports And Attachments
 9. Planning Commission Resolution

OVERALL SITE PHOTO

PA-04-33

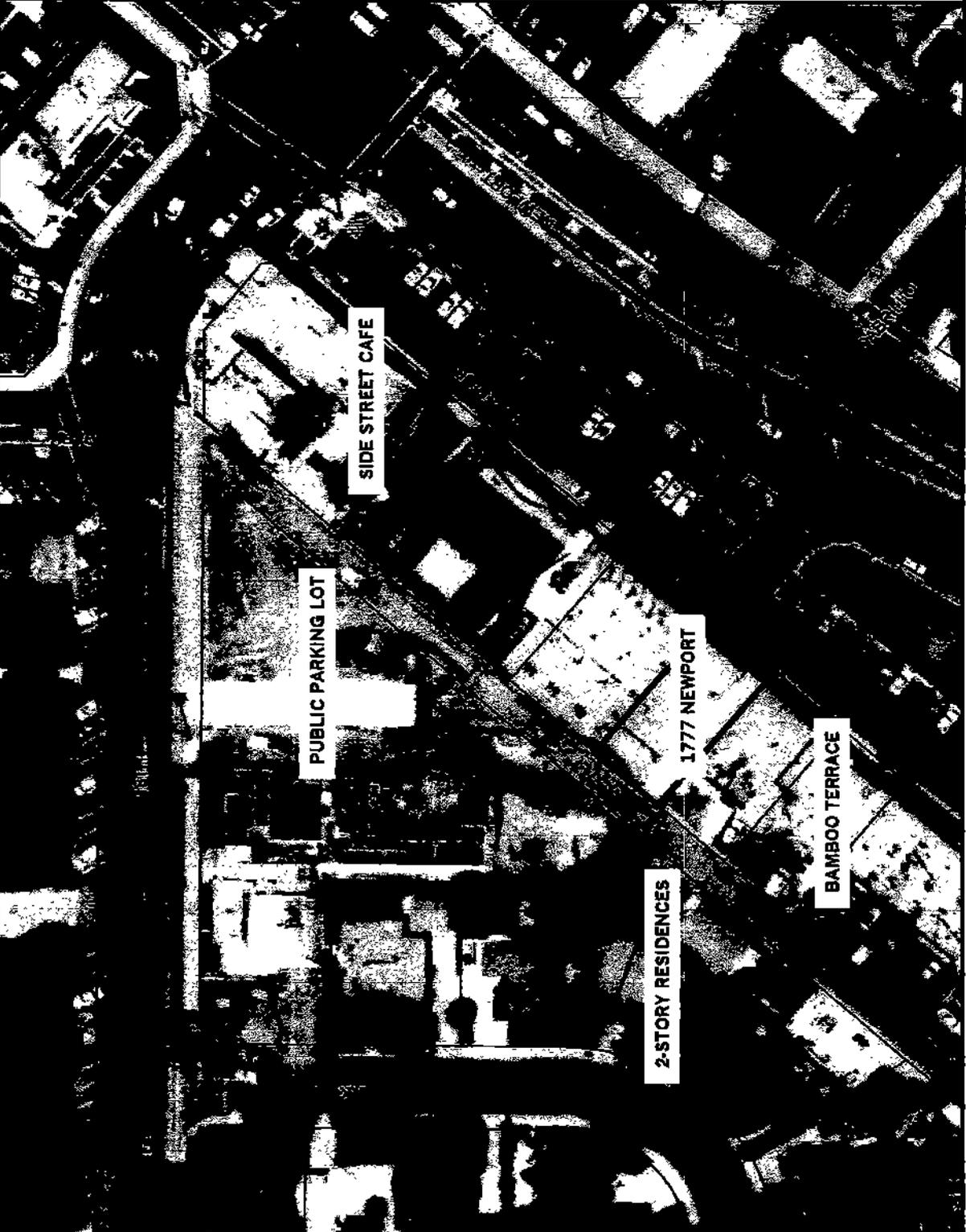
Legend

- Street Names
- Parcel Lines
- Dwelling General
- General Plan Specific Land
- Ortho Photography
- Parcels



1777 NEWPORT BL. AND SURROUNDING PROPERTIES

PA-04-33



Legend

- Street Names
- Parcel Lines
- Ortho Photography
- Parcels

1764 ANAHEIM AVE. AND SURROUNDING PROPERTIES

PA-04-33



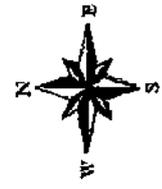
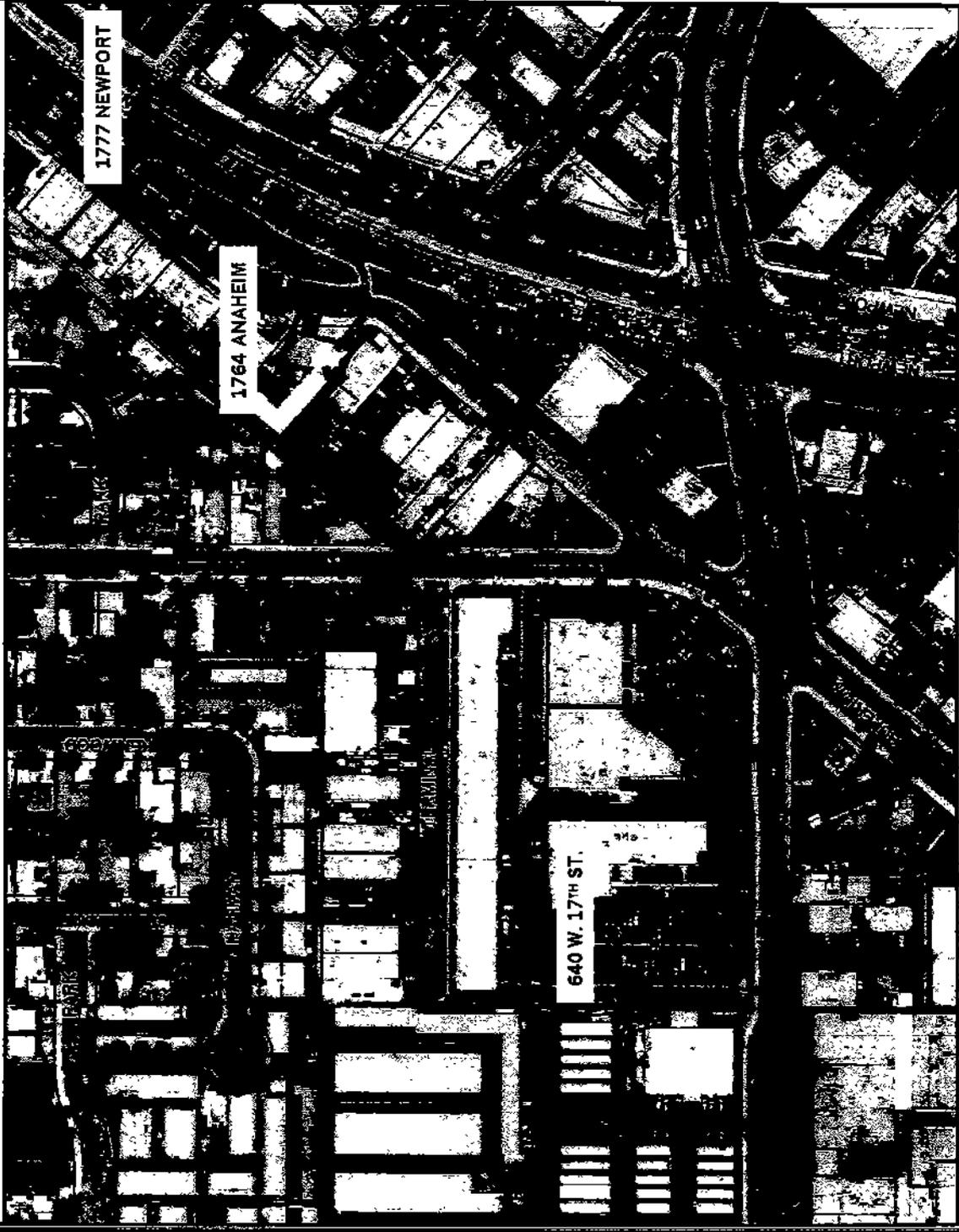
Legend

- Street Names
- Parcel Lines
- Ortho
Photography
- Parcels

640 W. 17TH ST. AND SURROUNDING PROPERTIES

Legend

- Street Names
- Parcel Lines
- Dwelling
- General
- General Plan Specific Land
- Ortho Photography
- Parcels



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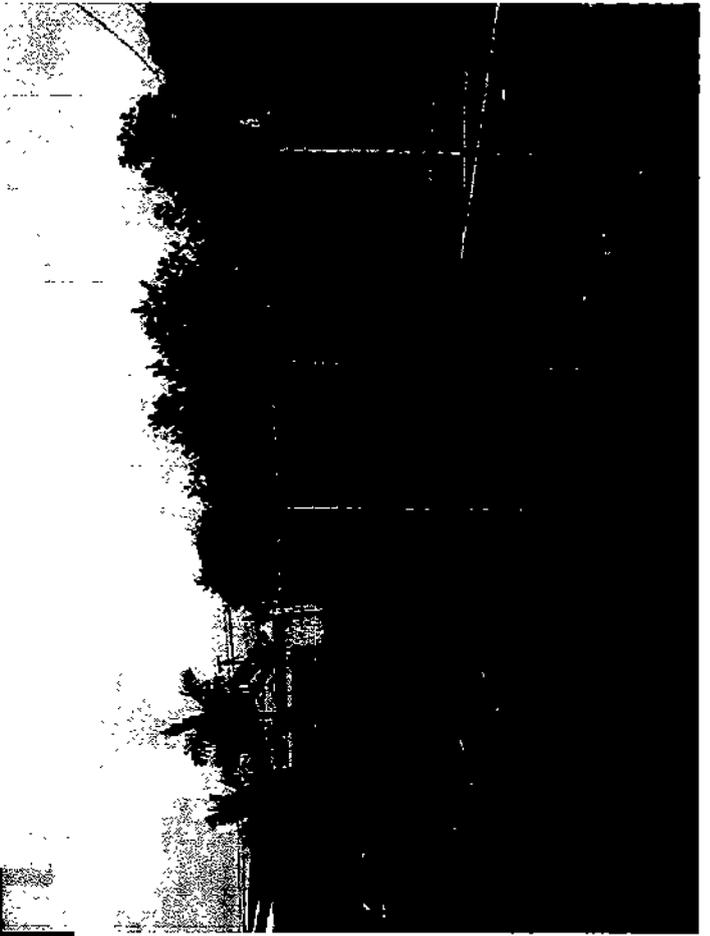
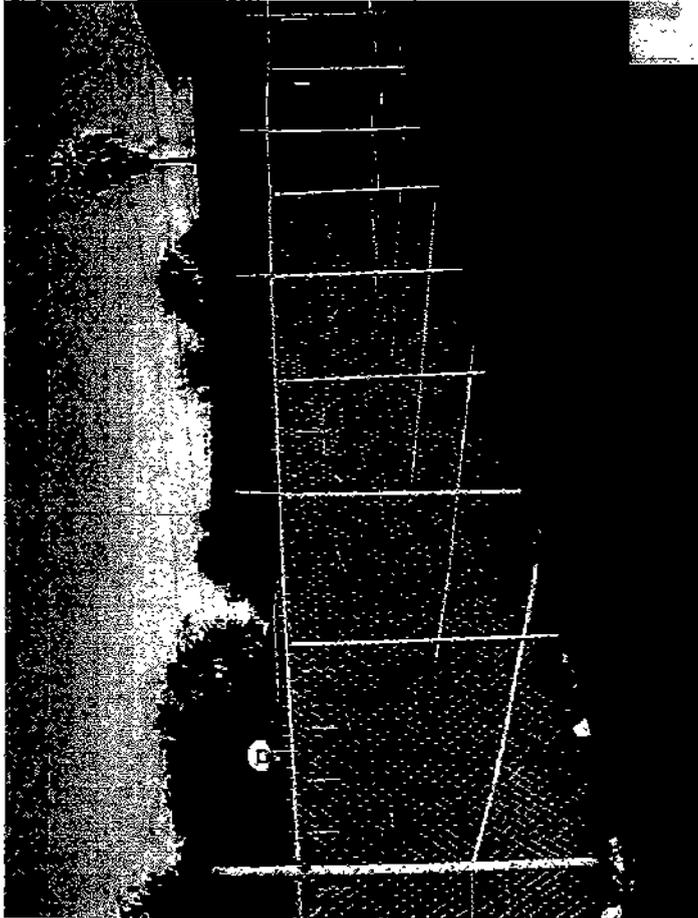


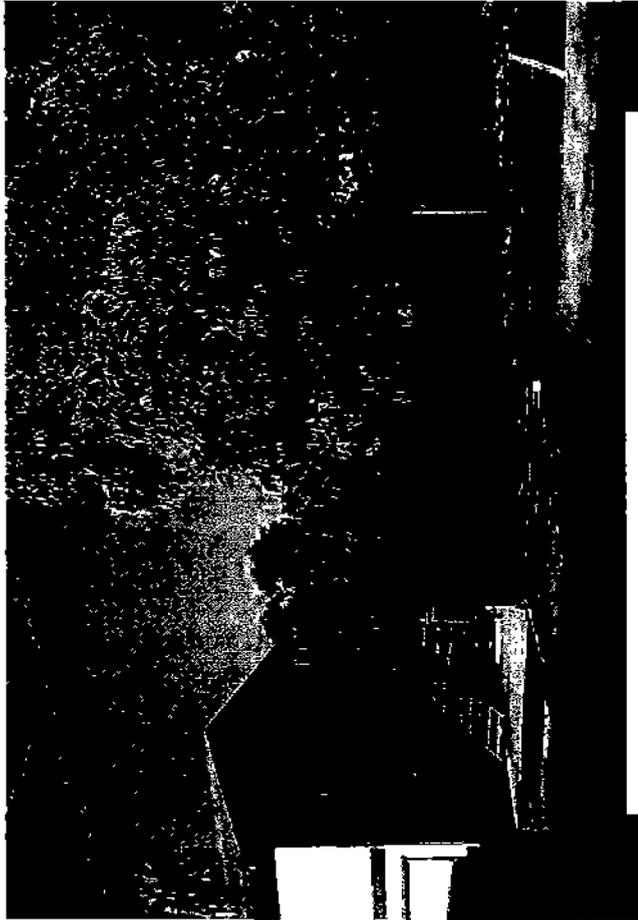
FRONT OF 1777 NEWPORT



REAR OF 1777 NEWPORT

1764 ANAHEIM AVE



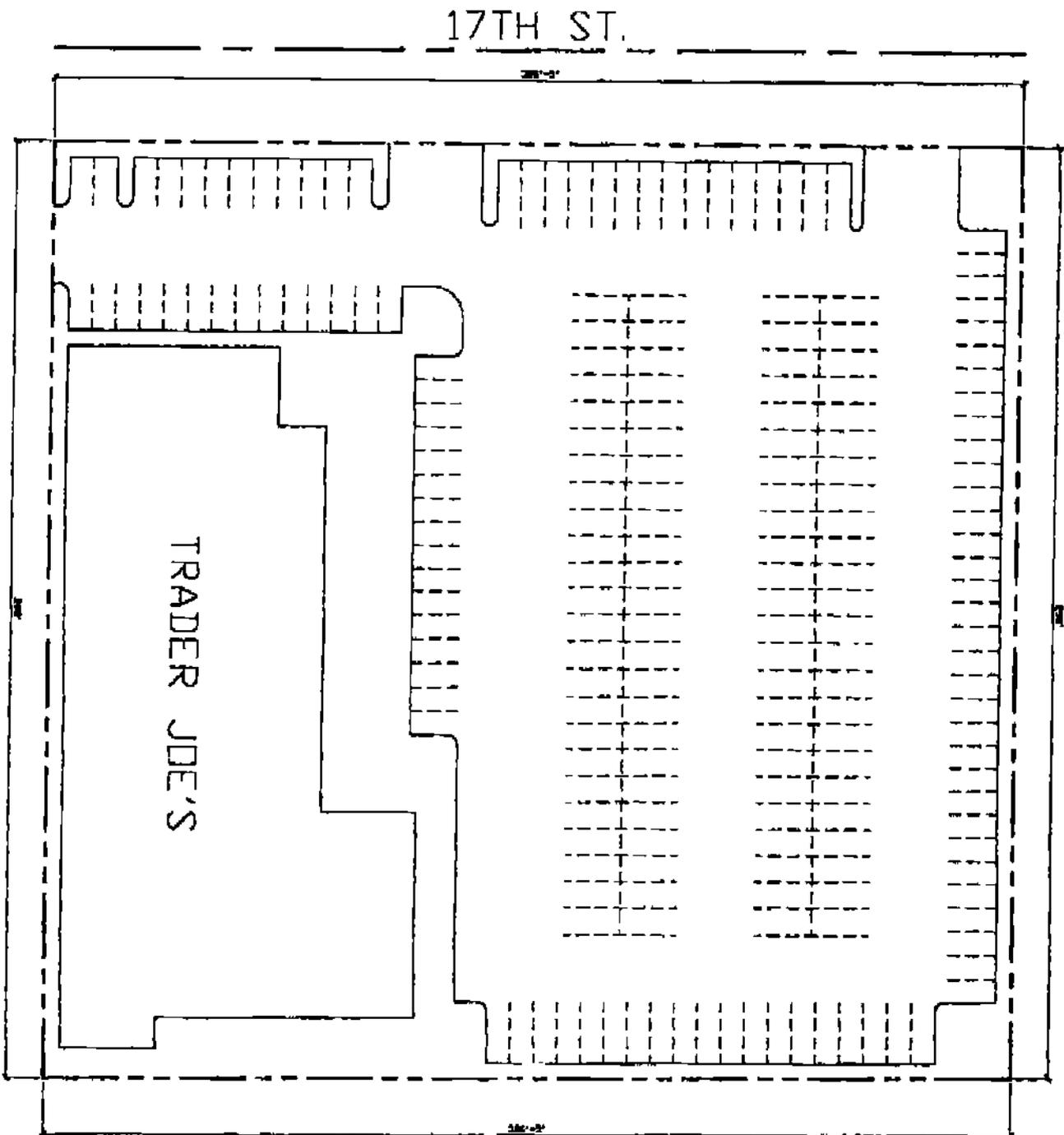


**2-STORY RESIDENCES
AT REAR OF 1777 NEWPORT**



**REAR OF 1777 NEWPORT
AND 2-STORY RESIDENCES**

TOTAL SPACES 204





FIRST FLOOR PLAN

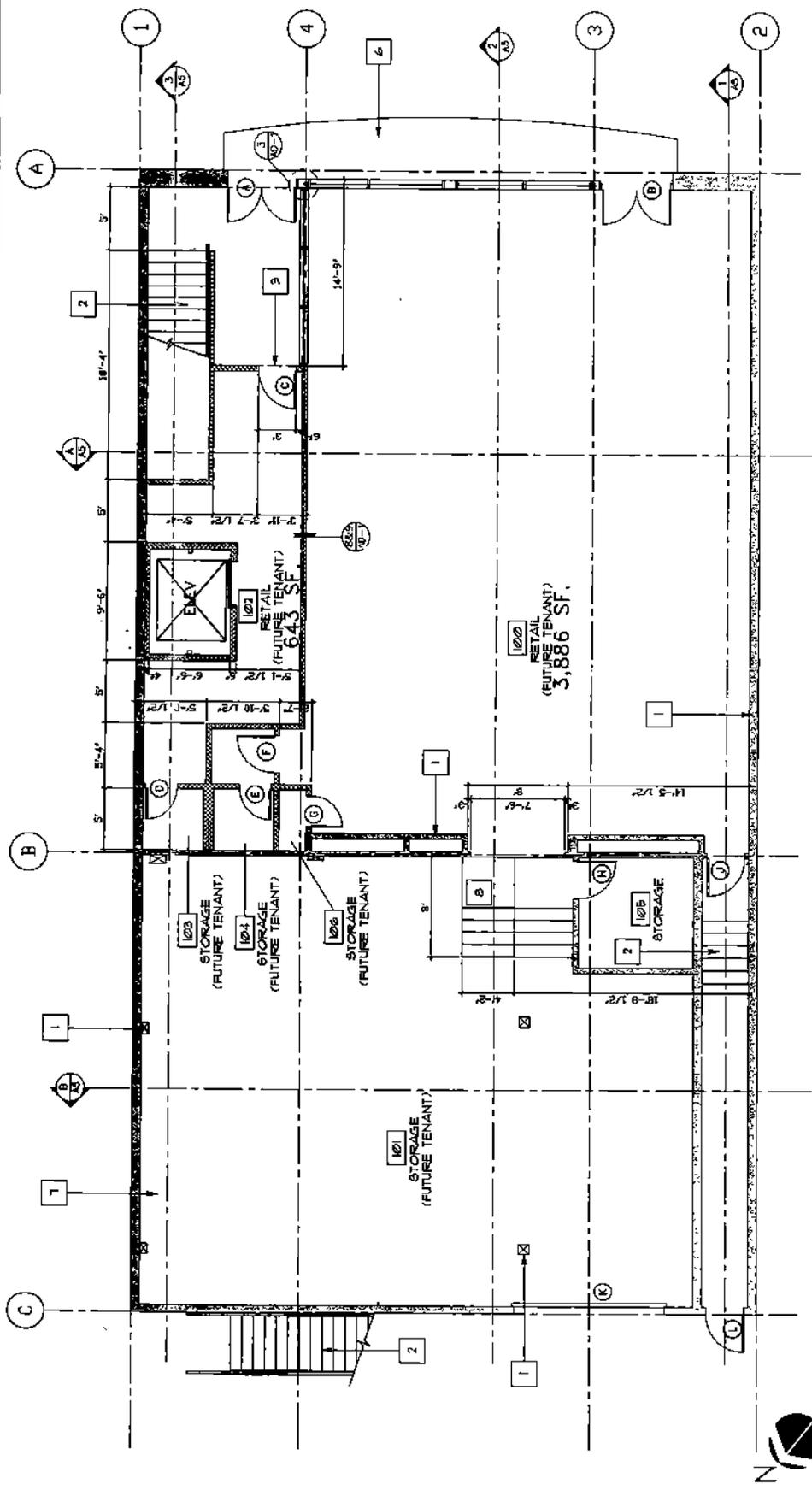
1777 NEWPORT BLVD
COSTA MESA, CALIFORNIA 92627

NO.	DATE	DESCRIPTION
1		
2		
3		
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5		
6		
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8		

5/2/03

A2

PA-04-33

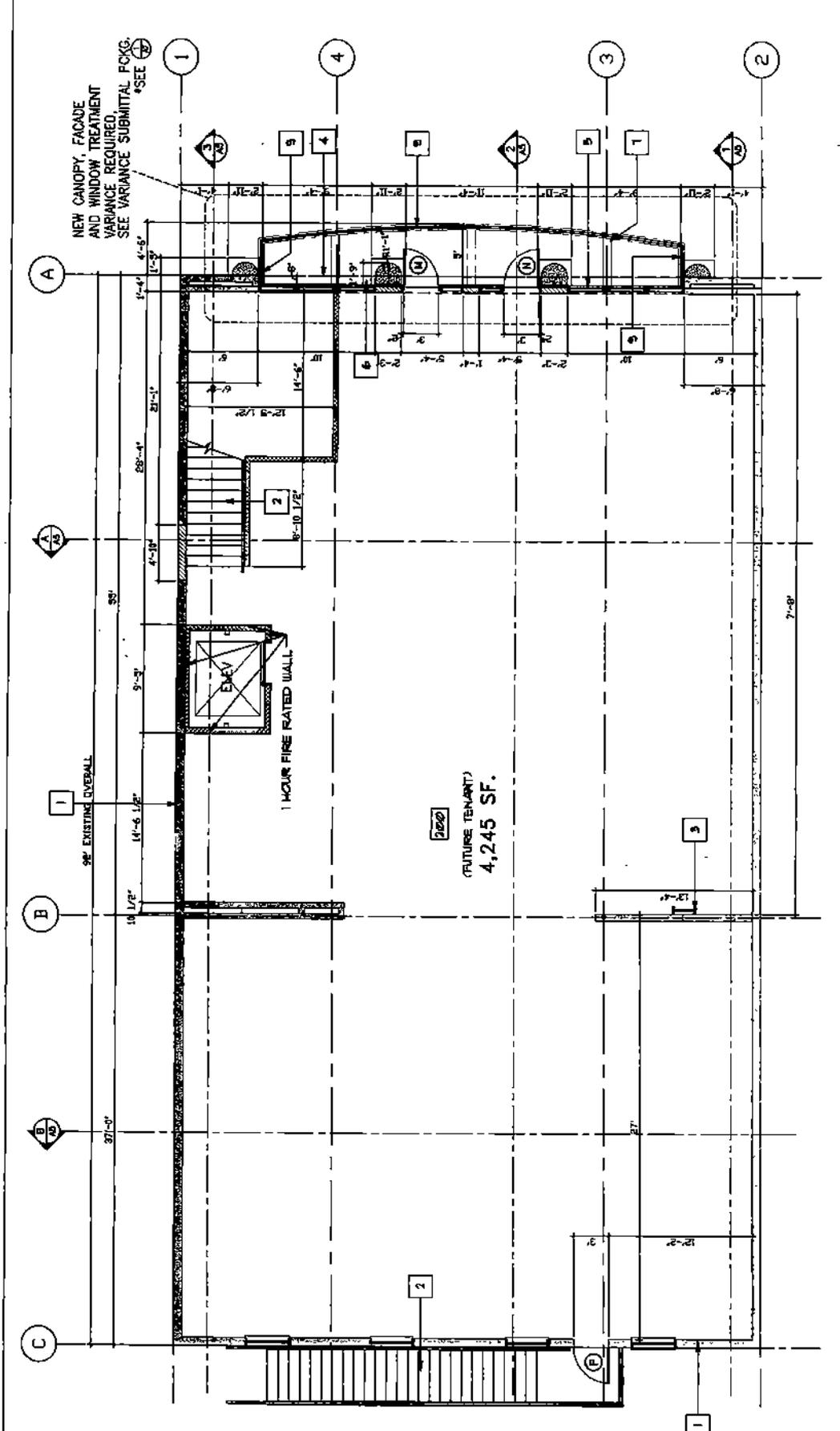


- GENERAL NOTES**
- HABITABLE AREA SHALL BE PROVIDED WITH MECHANICAL VENTILATION EQUAL TO 15 CFM OF OUTSIDE AIR.
 - RESTROOM FLOORS SHALL HAVE A SMOOTH, HARD NON-ABSORBENT SURFACE WHICH EXTENDS UPWARD ONTO THE WALLS AT LEAST 6".
 - RESTROOM WALLS SHALL HAVE A SMOOTH, HARD NON-ABSORBENT SURFACE FOR WALLS WITHIN 7'-0" OF THE FRONT AND SIDES OF URINALS AND WATER CLOSETS UP TO 4'-0" HIGH.
 - TOILETS ROOFS SHALL BE PROVIDED WITH AN EXHAUST SYSTEM CAPABLE OF PROVIDING A MIN. OF 4 AIR CHANGES PER HOUR.

- FLOOR PLAN NOTES**
- EXISTING EXTERIOR WALL - ALL COLUMNS TO REMAIN
 - NEW STAIR & HANDRAIL - SEE STRUCTURAL SHEET FOR MORE DETAILS
 - LINE OF FLOOR ABOVE
 - OMITTED
 - OMITTED
 - NEW CANOPY / BALCONY ABOVE.
 - OMITTED
 - NEW CONCRETE STAIR TO MATCH EXISTING

- WALL LEGEND**
- NEW INTERIOR WALLS: 2x4 METAL STUD WALL W/ 5/8" GYPSUM BD. BOTH SIDES TO UNDERSIDE OF FLOOR/CEILING ASSEMBLY.
 - NEW EXTERIOR WALLS TO MATCH EXISTING
 - EXISTING WALL TO REMAIN UNLESS OTHERWISE NOTED

SCALE: 1/4" = 1'-0"

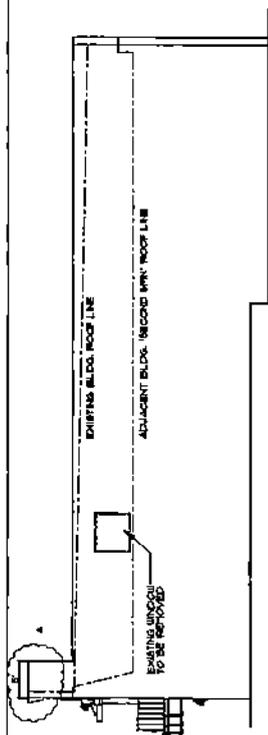


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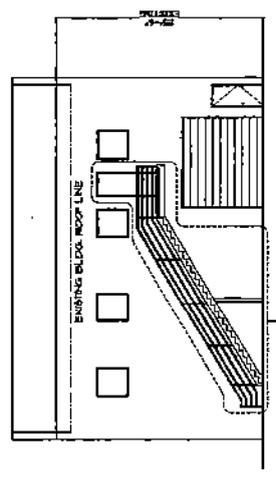
SCALE: 1/4" = 1'-0"

WALL LEGEND		FLOOR PLAN NOTES	
	NEW INTERIOR WALLS: 2x4 METAL STUD W/ 5/8" GYPSUM BD. BOTH SIDES TOP @ 11'-0" A.F.F.		EXISTING EXTERIOR WALL & ALL COLLUMS TO REMAIN
	NEW EXTERIOR WALLS TO MATCH EXISTING		NEW EXTERIOR SOFFIT ABOVE SEE ROOF PLAN FOR DIMENSIONS
	EXISTING WALL TO REMAIN UNLESS OTHERWISE NOTED		NEW STAIR, SEE STRUCTURAL SHEETS FOR DETAILS
			NEW CANOPY, FACADE AND WINDOW TREATMENT VARIANCE REQUIRED. SEE VARIANCE SUBMITTAL PKG. #SEE 10
			NEW WINDOW SYSTEM AT FACADE
			NEW WINDOW SYSTEM HEADER @ 8'-10" WALL SKIRT ABOVE
			3'-2" HIGH GUARD RAIL

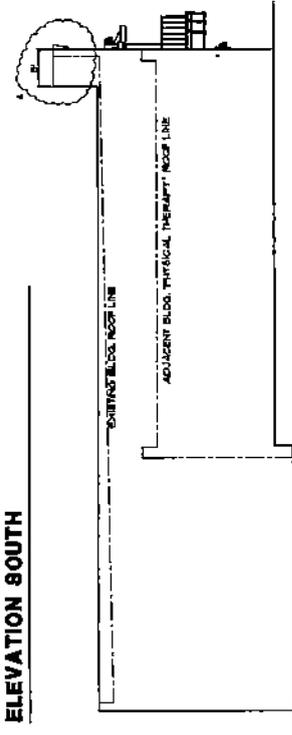
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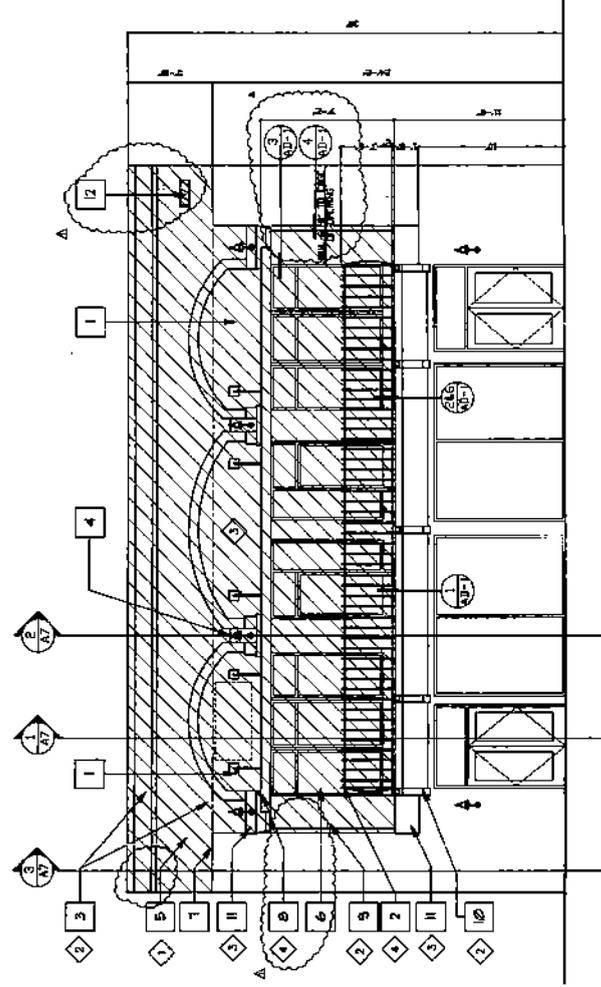
ELEVATION WEST



ELEVATION SOUTH



ELEVATION EAST



ELEVATION NORTH (ENLARGED 1/4"=1')

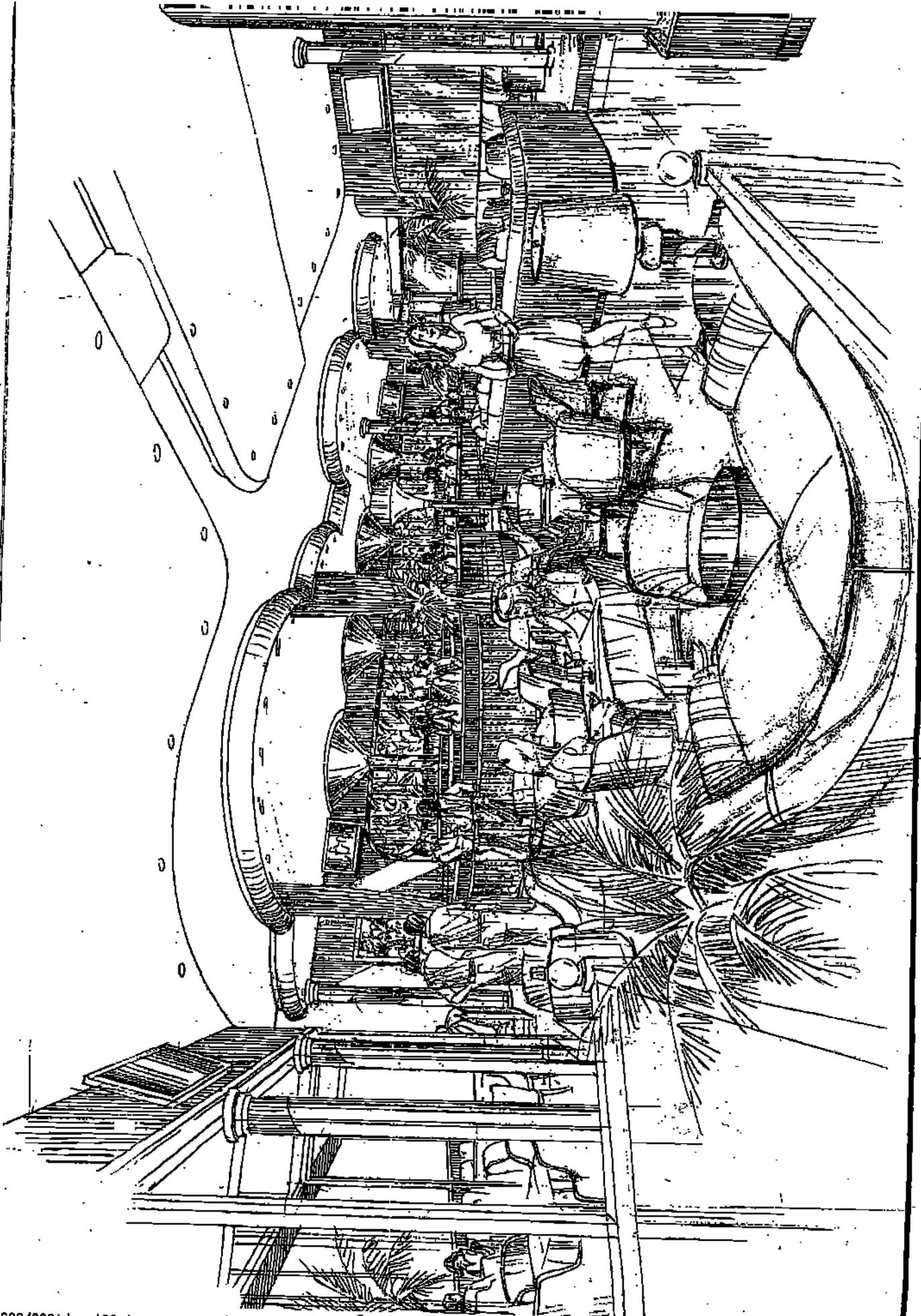
ELEVATION KEY NOTES

- | | | | | | |
|---|---|---|---|---|-------------------------------|
| 1 | PREPARED SIGN AREA 33 SQ. FT. | 1 | ADORNED LIGHT FIXTURES | 1 | BRONZE ROOF LINE |
| 2 | NEW 1/2" ROUND (NEW SPANISH-STYLE) GULFED RAIL @ 40" TALL | 2 | LIGHT SAND STUCCO FINISH OVER EX. ROOF CONSTRUCTION | 2 | NEW STONE/MENT UNIFORM SYSTEM |
| 3 | CORNERE (ULTRALIGHT SAND STUCCO FINISH) | 3 | NEW STONE/MENT UNIFORM SYSTEM | 3 | NEW STUCCO FINISH |
| 4 | MAIN BUILDING COLOR - "MISSION WHITE" - VISTA #A1 | 4 | NEW STUCCO FINISH | 4 | NEW STUCCO FINISH |
| 5 | TWIN & ACCENT COLOR "SAND BEIGE" - #27 | 5 | NEW STUCCO FINISH | 5 | NEW STUCCO FINISH |
| 6 | ACCENT COLOR "BURNT SUGAR" - #33B-40 | 6 | NEW STUCCO FINISH | 6 | NEW STUCCO FINISH |
| 7 | PAINTING & EMERISER COLOR "SILVER VELVET" - #20C-1P | 7 | NEW STUCCO FINISH | 7 | NEW STUCCO FINISH |

COLOR SCHEDULE

- 1 METAL LOUVERED AWNINGS
- 2 DECORATIVE COLUMNS BY LIGHT SAND STUCCO FINISH
- 3 NEW BALCONY LIGHT SAND STUCCO FINISH
- 4 ROOF AND STUCCO DECORATION
- 5 NEW STUCCO FINISH
- 6 CONTRASTING COLOR TO (1) - NEW STUCCO FINISH
- 7 AREA OF NEW CONSTRUCTION EXISTING TO DEMO

scale: 1/8" = 1'-0"





CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

**FOR ATTACHMENTS NOT INCLUDED IN THIS
REPORT, PLEASE CONTACT THE CITY CLERK'S
OFFICE AT (714) 754-5121**