

WARRANT INFORMATION (10/17/16)

Payment Ref.	Date	Remittance to:	Remittance ID:	Payment Amount	Explanation of payment
0199909	10/07/16	CPS Electronics & Consulting – Renewal, Sonicwall, Intrusion, Annual	0000016267	\$6,129.00	<i>What is this for? This is the annual firewall maintenance services for City Hall, Police and Fire networks.</i>
0199975	10/07/16	Rock Solid Recovery, Inc. – Business License Refunds	0000024940	\$402.00	<i>What was this for? Per instructions from Fidel Gamboa, Chief of Code Enforcement, we don't issue business licenses to all sober living homes and state licensed facilities since the municipal code doesn't require it. Rock Solid Recovery, Inc. had two City business licenses. Staff closed out their business licenses and refunded the amounts paid.</i>
0199762	09/30/16	City of Newport Beach – Traffic Signal Maint. Jan-June 16	0000003327	\$2,199.78	<i>What was this for? We share four traffic signal locations along Irvine Avenue with the City of Newport Beach. These are maintained by Newport Beach. This cost is our share of maintenance cost for these locations.</i>
0199856	09/30/16	Smith Emery Laboratories – CM School Zone Concrete Testing	0000015809	\$3,775.00	<i>What is this for? City Council awarded the "Citywide School Zone Traffic Calming Project" a few months ago. Payment to Smith Emery is for Quality Analysis testing of concrete foundations of radar feedback signs and school zone flashers at various locations.</i>

**REGULAR MEETING OF THE CITY OF  
COSTA MESA PLANNING COMMISSION**

**September 26, 2016**

*These meeting minutes represent an "action minute" format with a concise summary of the meeting. A video of the meeting may be viewed on the City's website at [www.costamesaca.gov](http://www.costamesaca.gov) or purchased on DVD upon request.*

Commissioner McCarthy led in the Pledge of Allegiance.

**ROLL CALL**

Present: Chair Robert Dickson  
Vice-Chair Jeff Mathews  
Commissioner Colin McCarthy  
Commissioner Tim Sesler  
Commissioner Stephan Andranian

Staff: Gary Armstrong, Economic Development & Development Services Director/  
Deputy CEO  
Yolanda Summerhill, Deputy City Attorney  
Bart Mejia, City Engineer  
Mino Ashabi, Principal Planner  
Mel Lee, Senior Planner  
Dan Inloes, Senior Planner  
Ryan Loomis, Associate Planner  
Justin Arios, Assistant Planner  
Julie Colgan, Recording Secretary

**PUBLIC COMMENTS**

Beth Refakes, Costa Mesa resident, announced items the Costa Mesa Military Affairs Team is collecting for the trunk or treat event at Camp Pendleton. She thanked the community for the all the gowns donated.

A Costa Mesa resident announced an event happening on October 1<sup>st</sup> at Twinkle Park.

A Costa Mesa resident stated concerns with bars opening up at 6am and with a Commissioner's commentary section in the Daily Pilot; and announced a community meeting happening tomorrow night.

The Chair closed the public comments.

**PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS**

Commissioner Andranian spoke about the Battle of the Bay football game.

Commissioner Sesler reminded everyone that the City cannot ban sober living homes but can regulate their operation with Ordinance 14-13 and Ordinance 15-11. He also suggested that the public talk to the firefighters about why they are supporting certain candidates.

Commissioner McCarthy spoke about the reasoning behind the article he wrote for the Daily Pilot and how lucky the City is to have an \$11-million budget surplus.

Chair Dickson stated that City is working hard to address the Sober Living Home issues and suggested that the public do their own research on the initiatives and candidates on the November ballot.

## CONSENT CALENDAR

### 1. Minutes for the meeting of September 12, 2016

Steven Chan, Costa Mesa resident, stated concerns with the minutes.

Yolanda Summerhill, Deputy City Attorney, responded that the minutes are action items but recommended that staff review and make any proposed modification and bring it back to the Planning Commission.

Chair Dickson stated that no motion is required and that the Planning Commission will continue the consent calendar item to a future date to consider Mr. Chan's comments.

## PUBLIC HEARINGS

The Chair announced that there was a request from one of the Commissioner to move Public Hearing Item No. 4.

**MOTION: Move Public Hearing item number 4 to the first Public Hearing item.  
Moved by Commissioner McCarthy, seconded by Vice Chair Mathews.**

The motion carried by the following roll call vote:

Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian

Noes: None

Absent: None

Abstained: None

4. **Application No.:** PA-16-47/PM-2016-174  
**Applicant:** Joel Templeton and Kevin Rager  
**Site Address:** 788 Center Street  
**Zone:** R2-HD  
**Project Planner:** Justin Arios  
**Environmental Determination:**

The project is categorically exempt under Section 15303 of the State CEQA (California Environmental Quality Act) Guidelines – Class 3 (New Construction).

**Description:** The proposed project involves:

1. Design Review for the demolition of an existing single-family residence and construction of 2 new 2-story, 3 bedroom, single family residences, per the Small Lot Subdivision Ordinance; and
2. Tentative Parcel Map for the subdivision of a 0.17-acre lot into two lots (Lot 1: 3,175 sq. ft.; Lot 2: 4,325 sq. ft.), per the Small Lot Subdivision Ordinance.

No ex-parte communications to report.

Justin Arios, Assistant Planner, presented the staff report.

## PUBLIC COMMENTS

Joel Templeton and Kevin Rager, applicants, have read and agreed with the conditions of approval; and explained the reasoning behind the application.

No public comment.

The Chair closed the public hearing.

Commissioner Andranian stated he will be supporting the project based on the application not asking for any code deviations, has a good design overall and it being an owner builder project.

Vice Chair Mathews liked that it is an owner builder project and will be in support of the application.

Commissioner McCarthy stated liking the project's use of the Small Lot Ordinance and will be in support of the application.

Chair Dickson liked the architecture and floor plan and is in support of the application.

**MOTION: Hereby move that the Planning Commission approves Planning Application PA-16-47 and Tentative Parcel Map PM-2016-174 for a two-unit residential Small Lot Subdivision Development at 788 Center Street including a finding that the project is exempt from the provisions of the California Environmental Quality Act, under section 15303, Class 3 New Construction or Conversion, based on the findings set forth in Exhibit A and subject to conditions set forth in Exhibit B.  
Moved by Commissioner McCarthy, second by Commissioner Andranian.**

**RESOLUTION PC-16-50 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-16-47 FOR A TWO-UNIT SMALL LOT SUBDIVISION RESIDENTIAL DEVELOPMENT AND TENTATIVE PARCEL MAP NO. PM 2016-174 FOR PROPERTY AT 788 CENTER STREET IN THE R2-HD ZONE**

The motion carried by the following roll call vote:

Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.

- 1. Application No.:** GP-16-05 and R-16-05  
**Applicant:** Pinnacle Residential  
**Site Address:** 2850 Mesa Verde Drive East  
**Zone:** Existing: C1 Local Business  
District/ Proposed: R1 Single Family Residential District  
**Project Planner:** Mel Lee

**Environmental Determination:**

An Initial Study/Negative Declaration (IS/ND) was prepared in accordance with the Lead Agency's Guidelines implementing the California Environmental Quality Act. The IS/ND found that the environmental effects from the project would be less than significant with the incorporation of standard conditions of approval and compliance with Code requirements when the future project is processed. The IS/ND is available for review and comment from September 6, 2016 to September 26, 2016.

**Description:** The proposed project involves:

1. Adoption of an **Initial Study/Negative Declaration**;
2. **General Plan Amendment GP-16-05.** General Plan Amendment to change the land use designation of a 2.07-acre site from GC (General Commercial) to LDR (Low Density Residential); and

3. **Rezone R-16-05.** Rezone of a 2.07-acre site from C1 (Local Business District) to R-1 (Single Family Residential District - 8 dwelling units per acre maximum density allowed). The General Plan Amendment and Rezone is to accommodate an 11-unit, 2-story, single family residential development which will be submitted to the City for a separate public hearing at a future date.

One ex-parte communications to report: Commissioner McCarthy spoke with the applicant.

Mel Lee, Senior Planner, presented the staff report.

Commissioner McCarthy asked if the application has to go through screening again and what the residential trip generation would be. Mr. Lee responded that the project does not need to since it already went before City Council and the proposed project would generate 105 trips versus the current 268 commercial trips.

### **PUBLIC COMMENTS**

Peter Zehnder, representative for the applicant, stated that the units that will be built if approved at a future hearing would be similar to the adjacent Miraval 1 Project; that there were 17 environmental review categories and it was determined that all had no impact or less than significant impact; the action tonight to rezone does not change the existing business being able to be there,

Commissioners and the applicant discussed the Miraval 1 project, and the current tenants' leases.

Mr. Zehnder asked if anyone from the community has any issues to contact him or the City and would be more than happy to be the best neighbor possible.

Reverend Jim Turrell, tenant at 2850 Mesa Verde East, spoke against the application.

Robin Leffler, Costa Mesa resident, stated concerns with a member from the dais speaking about a City Council candidate and spoke (opposed) against the application.

Janice Carson, Costa Mesa resident, spoke against the application.

Leanne Yator, Costa Mesa resident, spoke against the application.

Mr. Zehnder responded to public comments.

The Chair closed the public hearing.

Commissioner McCarthy asked for clarification on what the Planning Commission is approving tonight. Gary Armstrong, Economic Development & Development Services Director/Deputy CEO, explained that the City Council's intent was to include General Plan Amendment GP-16-05 within the 2015-2035 General Plan but the City's CEQA Attorneys advised not to since the proposal was not studied in the General Plan's EIR and to have the project come separately after the General Plan was approved.

Commissioner McCarthy stated supporting the application.

Commissioner Andranian stated that the Planning Commission is here to approve a CEQA document, General Plan Amendment and Rezone; and will be approving the application with the knowledge that the specific project will come back to future hearings.

Chair Dickson reminded everyone that the job of the Planning Commission is to act in lieu of the City Council and they got clear direction from City Council with the rezone and supports the application.

**MOTION:** Hereby move that the Planning Commission recommend that City Council approve General Plan Amendment GP-16-05 and Rezone R-16-05 for property located at 2850 Mesa Verde Drive East including the adoption of the Initial Study/Negative Declaration, General Plan Amendment GP-16-05 and Rezone R-16-05 based on the findings set forth in Exhibit A and subject to the condition set forth in Exhibit B (handwritten page 25 and 27 of the staff report).

Moved by Commissioner McCarthy, second by Chair Dickson.

**RESOLUTION PC-16-47 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THAT CITY COUNCIL TAKE THE FOLLOWING ACTIONS: (1) ADOPT THE INITIAL STUDY/NEGATIVE DECLARATION; (2) ADOPT GENERAL PLAN AMENDMENT GP-16-05 CHANGING THE LAND USE DESIGNATION OF A 2.07 ACRE SITE FROM GENERAL COMMERCIAL (GC) TO LOW DENSITY RESIDENTIAL (LDR) LOCATED AT 2850 MESA VERDE DRIVE EAST; (3) GIVE FIRST READING TO REZONE R-16-05 TO CHANGE THE ZONING DISTRICT FROM C1 (LOCAL BUSINESS DISTRICT) TO R1 (SINGLE FAMILY RESIDENTIAL DISTRICT) LOCATED AT 2850 MESA VERDE DRIVE EAST**

The motion carried by the following roll call vote:

Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian

Noes: None

Absent: None

Abstained: None

2. **Application No.:** SP-05-06 A2  
**Applicant:** City of Costa Mesa  
**Site Address:** SoBECA Urban Plan Area  
**Zone:** Mixed Use Overlay Zone  
**Project Planner:** Minoos Ashabi  
**Environmental Determination:**  
Exempt per Section 15061(b) (3) General Rule

**Description:** The project involves City-initiated Urban Plan Amendment to amend maximum density and development capacity related to residential development in the SoBECA overlay zone. The SoBECA Urban Plan establishes provisions for mixed-use development in the 39-acre Urban Plan area.

**Amendment Description (SP-05-06 A2)**

The Urban Plan amendment relates to the following consistent with the adopted 2015-2035 General Plan:

1. Amend SoBECA Urban Plan to allow residential use in addition to mixed use development;
2. Allow maximum 40 du/acre density for individual residential developments; and
3. Allow maximum development capacity of 450 dwelling units for the SoBECA Urban Plan overlay area.

Minoos Ashabi, Principal Planner, presented the staff report.

Commissioner McCarthy and Minoos Ashabi discussed the key components of the application and adopting the resolution that goes along with the General Plan determination.

Chair Dickson asked if the letters from Kennedy Commission and Costa Mesa Affordable Housing Coalition were brought up during the 2015-2035 General Plan discussion. Ms.

Ashabi responded that similar letters were submitted on several occasions during the public hearings for the 2015-2035 General Plan update.

## **PUBLIC COMMENTS**

No public comment.

The Chair closed the public hearing.

**MOTION: Hereby move that the Planning Commission recommend City Council adoption of the second amendment to the SoBECA Urban Plan SP-05-06 A2 to allow individual residential development at a maximum density of 40 dwelling units an acre with an overall development capacity of 450 units.  
Moved by Commissioner McCarthy, second by Chair Dickson.**

### **RESOLUTION PC-16-48 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING COUNCIL APPROVAL OF THE SECOND AMENDMENT TO SOBACA URBAN PLAN (SP-05-06 A2) TO ALLOW DEVELOPMENT DENSITY AND CAPACITY CONSISTENT WITH 2015-2035 GENERAL PLAN**

The motion carried by the following roll call vote:

Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian  
Noes: None  
Absent: None  
Abstained: None

3. **Application No.:** PA-16-45  
**Applicant:** Alex Arie, Robinson Hill Architects  
**Site Address:** 330 East 17<sup>th</sup> 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:** Planning Application PA-16-45 for the expansion/renovation/conversion of an existing one-story bar (Pierce Street Annex) to a full menu restaurant (The Country Club) located within 200 feet of a residential zone. The existing hours of operation for Pierce Street Annex are 12PM to 2AM, seven days a week. The proposed hours of operation for The Country Club are 6AM to 2AM, seven days a week. This request includes the following:

1. A minor conditional use permit to deviate from shared parking requirements (56 spaces required; 44 spaces existing + 1 space credit for bicycle parking; 58 spaces proposed with valet);
2. A conditional use permit for on-site valet parking during peak demand times to accommodate the increase in required parking;
3. A variance to allow patio posts to encroach in the required front setback (20-foot front setback required; 9.5 inches proposed);
4. A variance to allow a maximum 6-foot high, decorative wall with partial openings along the front property line (20-foot setback required); and
5. A minor conditional use permit to increase the size of the outdoor dining patio, located within the required front setback area (patio is currently 970 square feet in area; 979 square feet proposed).

Five ex-parte communications to report: All Commissioners spoke with the applicant.

Ryan Loomis, Associate Planner, presented the staff report.

The Commissioners, staff, and Ms. Summerhill discussed the frontage wall that the applicant proposed.

Commissioner McCarthy asked if Public Services had an issue with the project's encroachment into the future right-of-way. Bart Mejia, City Engineer, stated that when they reviewed the project, as well as the path of travel sidewalk, and that it remained unobstructed. Additionally, the structures proposed were not of a permanent nature or would be difficult to remove if they plan to widen the right-of-way. Mr. Mejia said at this time there are no plans to widen East 17<sup>th</sup> Street in near future.

## **PUBLIC COMMENTS**

Mario Marovic, applicant, presented a slideshow that included: applicant's background, applicant's company, security plan, letters of recommendations, proposed business, and community involvement.

Alex Arie, Robinson Hill Architecture (architect), clarified that the patio will not be increased. He stated he is not in agreement with Condition of Approval No. 9.

Chuck Perry, Costa Mesa resident, spoke in support of the application but did have concerns with the 6 a.m. opening time.

Beth Refakes, Costa Mesa resident, asked if an outreach to neighbors off Cabrillo Street had occurred, stated concerns with the hours, if they currently have a live entertainment permit, mentioned another project that was already approved with an encroachment off East 17<sup>th</sup> Street and reminded everyone that that street could be widened in the future. She stated that this will be an improvement to the area.

Richard Russell, Costa Mesa resident, spoke in support of the application.

Mr. Marovic responded to public comments. He stated that he would like to keep the hours of operation that he is currently entitled to. He asked to keep the entertainment permit part in Condition of Approval No. 6 and asked to strike "removal of the outdoor dining patio" in Condition of Approval No. 16.

Costa Mesa resident stated concerns with the application opening up at 6am.

Mr. Mavoric clarified that the business is already entitled to open up at 6 a.m.; they are not requesting for a new bar to be open up at 6 a.m.; and will not open up at 6 a.m. unless there is a demand for it.

Commissioner McCarthy asked if the applicant is opening a restaurant that will be serving alcohol and food. Mr. Mavoric replied yes, they will have an executive kitchen that will be serving food at 6 a.m. if there is a demand for it.

The Chair closed the public hearing.

Commissioner McCarthy, Mr. Loomis and Ms. Summerhill discussed the live entertainment permit in Condition of Approval No. 6.

Mr. Armstrong stated that the applicant did have a Public Entertainment Permit from Code Enforcement.

The Commissioners discussed striking verbiage of the outdoor dining patio in Condition of Approval No. 16.

Commissioner McCarthy stated being in support of the application.

Chair Dickson re-opened the public hearing and asked if the applicant if he had read the supplemental memo and is in agreement with the condition about adding fire sprinklers. Mr. Mavoric responded he is in agreement with it.

Commissioners and Deputy City Attorney discussed Condition on Approval No. 9.

Chair re-opened the public hearing to find out if an alternative wall design was submitted by the applicant. Mr. Arie responded yes, an alternate wall with additional glass.

The Chair re-closed the public hearing.

Chair Dickson asked if staff would recommend the alternative wall plan with additional glass and Mr. Loomis and Mr. Armstrong agreed to the alternative wall plan.

Vice Chair Mathew stated liking the style of the applicant's presentation and suggested that future applicants with the same type of projects to use this template.

**MOTION: Hereby move that the Planning Commission approve Planning Application PA-16-45 for the expansion, renovation, and conversion of an existing bar (Pierce Street Annex) to a restaurant (The Country Club) located at 330 East 17<sup>th</sup> Street based on the findings set forth in Exhibit A and subject to the conditions set forth in Exhibit B and find that the project is exempt from the California Environmental Quality Act under Section 15301 for existing facilities and to include the Supplemental Staff Memorandum dated September 26, 2016 with the following modifications:**

**Condition of Approval No. 1 to read: "The use shall be limited to the type of operation described in this staff report, which includes a restaurant/lounge with a maximum of 4,038 square feet of interior and exterior area that contributes to occupancy (public serving area), and with operating hours of 6AM to 2AM, seven days a week. Any change in the operational characteristics shall require approval of an amendment to the conditional use permit, subject to Planning Commission approval. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)]".**

**Condition of Approval No. 6 to read: "Live entertainment may only continue to be provided pursuant to issuance of a "Public Entertainment Permit". Contact Planning and Code Enforcement for application information".**

**Condition of Approval No. 9 to read: "The outdoor patio shall be enclosed by a 6-foot wall, incorporating the elements from the "south elevation patio view –alternate" as presented by the applicant at Planning Commission meeting, so as not to increase the non-conformity and, also, to activate the public space along East 17th Street".**

**Condition of Approval No. 16 to read: "If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate a parking problem, including, but not limited to, expansion of valet parking area per approval of Transportation Services Manager, and/or acquisition of off-site parking".**

**Moved by Commissioner McCarthy, second by Chair Dickson.**

**RESOLUTION PC-16-49 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-16-45 FOR THE EXPANSION, RENOVATION, AND CONVERSION OF A RESTAURANT LOCATED AT 330 EAST 17<sup>TH</sup> STREET**

The motion carried by the following roll call vote:

Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.

5. **Application No.:** PA-16-53  
**Applicant:** Joshua Lichtman  
**Site Address:** 196 East 17<sup>th</sup> Street  
**Zone:** C2  
**Project Planner:** Dan Inloes

**Environmental Determination:**

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

**Description:** Planning Application PA-16-53 to allow the establishment of a restaurant (Crack Shack) in a former bank building. This request includes the following:

1. A conditional use permit to allow on-site consumption of alcoholic beverages after 11 pm within 200 feet of a residential zone. Proposed hours of operation are 8 am to midnight, Sunday through Thursday and 8 am to 12:30 am, Friday and Saturday;
2. A conditional use permit for free on-site valet parking during peak demand times to accommodate the increase in required parking;
3. A minor conditional use permit to deviate from shared parking (75 spaces required; 51 spaces provided; 60 spaces proposed with valet); and
4. A minor conditional use permit to approve shared access between 196 East 17<sup>th</sup> Street and 178 Wells Place.

Three ex-parte communications to report: Chair Dickson and Vice Chair Mathews spoke with the applicant by phone; Commissioner McCarthy exchanged emails with the applicant.

Dan Inloes, Senior Planner, presented the staff report.

Commissioner McCarthy asked for clarification on why the parking study requires less than what the City Zoning Code requires. Mr. Inloes responded that, based on the applicant's proposed use of the space, a different approach than the typical square footage approach was warranted.

Chair Dickson asked why the late hours of operation and the consumption of alcohol. Mr. Inloes responded the applicant wants to maximize the potential of the site and staff did not have an issue with the hours since it is a restaurant.

Mr. Armstrong stated that the applicant considered car lifts to double the parking capacity and they conducted an outreach to the community. The residents have concerns with lifts so the applicant decided to have less parking rather than car lifts.

## **PUBLIC COMMENTS**

Mike Rosen, applicant, has read the conditions of approval and agreed with them. He thanked staff for their help through the application process, gave a presentation on the proposed restaurant, explained the outreach to the community that occurred, and that they listened to the communities concerns with the parking car lifts.

Commissioner McCarthy asked Robert Davis of Michael Baker International, to explain how his parking study derived the parking spaces needed for the application. Mr. Davis described how his study looked at the floor area rate versus seating area square footage and based on the seating ratio approach the application would need one space per 3.0 seats which resulted to 60 spaces.

Chair Dickson asked if the applicant would be getting a space credit for a bike rack. Mr. Inloes responded no, because they are not using the City's development standards to code.

Beth Refakes, Costa Mesa resident, asked how the application would be in compliance with the American with Disability Act to get to the second floor; stated concerns with the employee parking location; suggested having a traffic plan for grand opening day; stated concerns with the exit at the rear of the restaurant off Orange Avenue; stated that a drop off lane for Uber/Lyft Driver similar to the one on Harbor Street at The Triangle could not occur; and had concerns with traffic because it is a heavily traveled area.

Chuck Perry, Costa Mesa resident, stated concern with the parking and how cars would get in and out of the location.

Richard Russell, Costa Mesa resident, suggested that the applicant reach out to the property next door to do a shared parking agreement with them.

Mr. Rosen responded to public comments.

Mr. Inloes clarified that there is a condition of approval that all employee parking would occur on-site and the employee parking was calculated in the parking study ratio which would be approximately 10 spaces.

Chair Dickson asked for the reasoning for the late hours of operation. Mr. Rosen responded they would like to stay open past 11 p.m. if there is a demand but noted that they choose not to at their San Diego location.

Commissioner Sesler asked how many spaces would be available if they did shared parking and if they have had any experience with Uber and Lyft affecting their traffic pattern. Mr. Rosen responded there is 30 spaces at the adjoining property and at another restaurant he owns parking demand has gone down 10 to 15 percent because of Uber and Lyft.

The Chair closed the public hearing.

Mr. Inloes clarified that there is a condition addressing a management plan for the initial opening of the restaurant and a review process at 6 month intervals and will be required to supply any complaints or concerns filed in the first 121 days of their operation in Costa Mesa.

Chair Dickson stated supporting the parking analysis, agreed with the hours of operation and that Condition of Approval No. 5 will address any concerns; and that it will be a great addition to the area and will be supporting it.

Commissioner McCarthy stated concerns with under parking on East 17<sup>th</sup> Street; liked the presentation but stated concerns with using a parking analysis and not the City's parking requirements; and would like the applicant to acquire additional parking spaces.

The Chair re-opened the public hearing.

Mr. Rosen stated that the valet gets the application to the 75 parking spaces required by code with 100 percent valet parking.

Mr. Davis clarified that it is not 100 percent valet parking to get to the required 75 parking spaces; 7 are self-parked.

The Commissioners, Ms. Summerhill, and staff discussed the parking concerns and whether to condition a requirement to include a shared parking agreement.

The Chair re-opened the public hearing so the applicant could address the added condition to require shared parking.

Mr. Rosen stated that he preferred the existing condition and not to require shared parking.

**MOTION: Hereby move that the Planning Commission approve Planning Application PA-16-53 consisting of conditional use permits for sale and off-site consumption of alcohol beverages after 11 p.m. within 200 feet of residential zone; and on-site valet parking; minor conditional use permits for deviation from parking requirements and shared access with 178 Wells Place (188 East 17<sup>th</sup> Street), for a proposed restaurant at 196 East 17<sup>th</sup> Street including the environmental determination that the project would be exempt from the provisions of the California Environmental Quality Act under Section 15301 for existing facilities, based on the findings set forth in Exhibit A and subject to the conditions set forth in Exhibit B with the following modifications:**

**Condition of Approval No. 6 to read: “The valet parking service shall be free to customers on weekdays from 11:30 a.m. to 1:30 p.m. during peak lunch hours, 6:00 p.m. to 10:00 p.m. during peak evening hours, and weekends from 11:00 a.m. to 3:00 p.m. during peak lunch hours and 5:00 p.m. to 9:00 p.m. during peak evening hours. The Development Services Director shall modify the hours of the weekly evening valet operations based on evidence of peak demand, provided that valet operations are provided between 6PM to 9PM every day at minimum”.**

**Condition of Approval No. 23 to read: “Proof of recordation of a shared parking agreement with the adjoining property owner of 178 Wells Place (188 East 17<sup>th</sup> Street) or another adjacent owner for additional parking spaces to ensure parking is consistent with Costa Mesa Municipal Code Section 13-88, except that 9 parking spaces may be provided by valet. Proof or recordation shall be provided prior to issuance of building permits. These additional spaces shall be used by customers not valet”.**

The Chair re-opened the public hearing so the applicant could address the added condition to require shared parking.

Mr. Rosen stated that he preferred the condition not require a shared parking agreement because it makes his project dependent on a future use of another property.

**Moved by Commissioner McCarthy, second by Commissioner Andranian.**

**RESOLUTION PC-16-51 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT PA-16-53 FOR A RESTAURANT USE LOCATED AT 196 EAST 17TH STREET.**

The motion carried by the following roll call vote:

Ayes: Mathews, McCarthy, Andranian

Noes: Dickson and Sesler

Absent: None

Abstained: None

The Chair explained the appeal process.

6. **Application No.:** PA-16-56  
**Applicant:** Kevin Hufford  
**Site Address:** 901 South Coast Drive, Unit C120  
**Zone:** PDC  
**Project Planner:** Justin Arios

**Environmental Determination:**

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

**Description:** Conditional Use Permit for "The Pizza Press" to operate past 11PM with sale of alcoholic beverages for on-site consumption (proposed hours of operation: 11AM – 1AM, 7 days a week) within 200 feet of a residential zone.

No ex-parte communications to report.

Justin Arios, Assistant Planner, presented the staff report.

Mr. Armstrong noted that on hand written page two of the staff report, the main intersection for the application is South Coast Drive and Bear Street not Harbor Boulevard and Wilson Street.

Chair Dickson asked for clarification of the characteristics of the property boundaries and if the proximity to the residential zone is why the project is before the Planning Commission. Mr. Arios responded yes, because the site uses shared parking and parking is within 200 feet of residential zone.

Commissioner Sesler asked for clarification that only the western side of the site is close to residential. Mr. Arios responded yes; from his measurement it is 160 feet to the nearest residential zone.

**PUBLIC COMMENTS**

Kevin Hufford, applicant, has read and is in agreement with the conditions of approval.

No public comment.

The Chair closed the public hearing.

**MOTION:** Hereby move that the Planning Commission approve Planning Application PA-16-56 for a conditional use permit to allow extended hours of operation for customer service and sale of alcoholic beverages for on-site consumption after 11 p.m. for an existing restaurant "The Pizza Press" located at 901 South Coast Drive, Unit C-120 including the environmental determination that the project is exempt from the provisions of the California Environmental Quality Act under Section 15301, for existing facilities, based on the findings set forth in Exhibit A and subject to the conditions set forth in Exhibit B.

Moved by Commissioner McCarthy, second by Vice Chair Mathews.

**RESOLUTION PC-16-52 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT PA-16-56 TO ALLOW EXTENDED HOURS OF OPERATION FOR CUSTOMER SERVICE AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION AFTER 11 PM LOCATED AT 901 SOUTH COAST DRIVE, UNIT C-120**

The motion carried by the following roll call vote:

Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.

**DEPARTMENTAL REPORT(S)**

2. Development Services Report – none.

1. Public Services Report – none.

**CITY ATTORNEY'S OFFICE REPORT(S)**

1. City Attorney – none.

**ADJOURNMENT: TO A PLANNING COMMISSION MEETING AT 6:00 P.M., OR SHORTLY THEREAFTER, ON MONDAY, OCTOBER 10, 2016.**

Submitted by:



~~GARY ARMSTRONG, ACTING SECRETARY~~  
JAY TREVINO, ACTING SECRETARY  
COSTA MESA PLANNING COMMISSION