



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: MARCH 8, 2004

ITEM NUMBER:

**SUBJECT:** PLANNING APPLICATION PA-03-34  
1901 NEWPORT BOULEVARD, SUITE 100

**DATE:** FEBRUARY 26, 2004

**FOR FURTHER INFORMATION CONTACT:** WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

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## **PROJECT DESCRIPTION**

The applicant is requesting approval of a conditional use permit to allow a banquet facility (Turnip Rose) to serve alcoholic beverages until 1 a.m., seven days a week, within 200 ft. of residentially zoned properties.

## **APPLICANT**

Kristine Proctor of Rick Blake & Associates is representing the property owner, KWI 1901 Newport Boulevard, LP.

## **RECOMMENDATION**

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

Handwritten signature of Wendy Shih in black ink.

WENDY SHIH  
Associate Planner

Handwritten signature of Perry L. Valentine in black ink.

PERRY L. VALANTINE  
Asst. Development Services Director

## **BACKGROUND**

The property contains a 3-story commercial building and a single-story office building, totaling 127,512 sq.ft. In April 1984, a conditional use permit (ZE-84-73) was approved to allow deviation from shared parking requirements for the establishment of a banquet/catering facility (Turnip Rose). In November 2002, Planning Commission approved a nightclub (Vegas) on the property with deviation from shared parking requirements and to allow valet parking. In November 2003, another deviation from shared parking requirements was approved for La Fondue restaurant. All three uses (Turnip Rose, Vegas nightclub, and La Fondue) have offset hours of operation from other daytime uses.

A conditional use permit is required to allow sale of alcoholic beverages for on-site consumption after 11 p.m. within 200 ft. of a residential zone. Under ZE-84-73, the hours of operation for Turnip Rose are limited to 5:30 p.m. to midnight, Monday through Friday, and 9 a.m. to midnight on weekends and holidays. The applicant is requesting to extend the operating hours to 1 a.m. daily.

## **DISCUSSION**

Turnip Rose is a banquet/catering facility used for conventions, seminars, weddings, etc. There is a limited kitchen area since no food is prepared on the premises. The facility is currently operating during the hours that Vegas nightclub and La Fondue restaurant are allowed to operate. Based on the parking analysis submitted by Austin-Foust Associates, Inc. on November 15, 2002, for the Vegas nightclub application, Planning Commission found that with the valet service there would be adequate parking on the property to serve all three nighttime uses. Staff does not anticipate an additional parking demand with the extended hours of operation since it is an existing nighttime use. The same number of people and vehicles are expected to be on the property. They would just be allowed to stay until 1 a.m. if the conditional use permit is approved.

No noise or other impacts on the residents to the north (on Bernard Street) are anticipated because there is an 8 ft. high sound attenuation and screening wall on the setback line along Bernard Street, where the property aligns with the residences. A wrought iron fence is provided on the rest of the setback line along Bernard Street with gates closing off the driveways between 6 p.m. and 6 a.m. (per condition of approval for Vegas nightclub). The parking area directly south of the residential properties is reserved for valet parking for nighttime uses. Since Turnip Rose does not offer valet parking, their customers will use the self-parking lot on the northwest portion of the property, away from the residential properties on Bernard Street.

## **ALTERNATIVES**

If Conditional Use Permit PA-03-34 is denied, Turnip Rose may not operate past midnight per original approval.

**CONCLUSION**

It is staff's opinion that the extended hours of operation would not have an adverse impact on uses on and off site. There is adequate parking to support all uses that are open during the evenings. Staff believes that approval of an additional hour of operation for Turnip Rose would not create additional parking demand or impacts on residential properties to the north on Bernard Street.

Attachments:       Draft Planning Commission Resolution  
                          Exhibit "A" – Findings  
                          Exhibit "B" – Conditions of Approval  
                          Applicant's Project Description and Justification  
                          Location Map  
                          Plans/Photos

File Name: 030804PA0334

Date: 2/26/04

Time: 7:45 a.m.

c:     Deputy City Mgr. - Dev. Svcs. Director  
       Sr. Deputy City Attorney  
       City Engineer  
       Fire Protection Analyst  
       Staff (4)  
       File (2)

Kris Proctor  
Rick Blake & Associates  
2700 N. Main St., Ste. 1000  
Santa Ana, CA 92705

John Prebba  
KWI 1901 Newport Boulevard, LP  
9601 Wilshire Blvd., Ste. 220  
Beverly Hills, CA 90216

**RESOLUTION NO. PC-04-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING PLANNING  
APPLICATION PA-03-34**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Kristine Proctor of Rick Blake & Associates for KWI 1901 Newport Boulevard, LP, owner of real property located at 1901 Newport Boulevard, requesting approval of a conditional use permit to allow Turnip Rose to serve alcoholic beverages until 1 a.m., seven days a week, within 200 ft. of residentially zoned properties; and,

WHEREAS, a duly noticed public hearing was held by the Planning Commission on March 8, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," and subject to the conditions of approval contained within Exhibit "B," the Planning Commission hereby **APPROVES** Planning Application PA-03-34 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for PA-03-34 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

**PASSED AND ADOPTED this 8th day of March, 2004.**

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Chair, Costa Mesa  
Planning Commission

STATE OF CALIFORNIA )  
 )ss  
COUNTY OF ORANGE )

I, Perry L. Valantine secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on March 8, 2004, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

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Secretary, Costa Mesa  
Planning Commission

**EXHIBIT "A"****FINDINGS**

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the valet service and self-parking will provide adequate parking to serve the nighttime uses for this site. Turnip Rose is already allowed to operate until midnight. An extension of the hours of operation will not create an additional parking demand or impacts on residential properties to the north on Bernard Street. Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
  
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
  - a. The proposed use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
  - b. The project is consistent with the General Plan.
  - c. The planning application is for a project-specific case and does not establish a precedent for future development.
  
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
  
- D. The project is exempt from Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**EXHIBIT "B"****CONDITIONS OF APPROVAL**

- Plng.
1. The hours of operation shall be limited to 5:30 p.m. to 1 a.m., Monday through Friday, and 9 a.m. to 1 a.m. on Saturdays, Sundays and federal holidays.
  2. The use shall be conducted, at all times, in a manner to allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever operational measures are necessary to comply with this requirement, including, but not limited to, having security personnel on-site during the evenings.
  3. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
  4. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.

DESCRIPTION/JUSTIFICATION

Application #: PA-03-34

Environmental Determination:

Address: 1901 Newport Blvd.  
Costa Mesa, CA 92627

1. **Fully describe your request:** Extend current hours of operation and sales service and consumption of alcoholic beverages to 1:00am - seven days a week. Premises is currently licensed with a type "47" license. The premises, dba: Turnip Rose, is a catering/event facility primarily designed for private functions.

2. **Justification**

A. For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

Facility is located in a high density commercial area. Complex housing facility was specifically designed as an entertainment destination. Surrounding properties are entertainment and service oriented. Request is compatible with other properties in the area.

B. For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

N/A

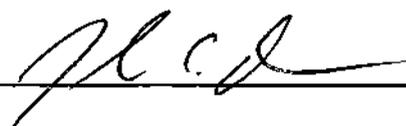
3. **This project is: (check where appropriate)**

In a flood zone.  In the Redevelopment Area.  
 Subject to future street widening.  In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

Is not included in the publication indicated above.

Is included in the publication indicated above.

Signature 

Date 6/11/03

# ZONING/LOCATION MAP

1901 Newport Boulevard

