

RESOLUTION NO. PC-11-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING DEVELOPMENT REVIEW AMENDMENT DR-99-22 A2 FOR EXTENDED ANNUAL WINTER HOLIDAY HOURS FOR TARGET COSTA MESA.

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

WHEREAS, an application was filed by John Warren, authorized agent for Target Corporation, requesting approval to amend the condition of approval for Target Costa Mesa's annual operating hours from the day after Thanksgiving to New Year's Day as follows:

- o 12 midnight to 11:00 pm the day after Thanksgiving, and 7:00 am to 12:00 am seven days a week thereafter until New Year's Day.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 14, 2011, with all persons having the opportunity to speak for and against the proposed project.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **APPROVES** DR-99-22 A2 with respect to the property described above for extended winter holiday hours for Target Costa Mesa on an annual basis, which is consistent with the winter holiday hours for other Target stores in the region.

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 DR-99-22 A2 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B" as well as with compliance of all applicable federal, state, and local laws. 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 14th day of November, 2011.

Colin McCarthy, Chair
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS

- A. The proposal complies with Costa Mesa Municipal Code Section 13-29(e) because:
 - 1. Compatible and harmonious relationship between the use and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood. Specifically, the request would be subject to applicable conditions of approval to ensure that no adverse impacts to adjacent uses and properties is created, including requiring the use be operated in a manner that will allow the quiet enjoyment of the surrounding neighborhood, and additional on-site security if requested by the Police Department.
 - 2. Compliance with any performance standards as prescribed elsewhere in this Zoning Code.
 - 3. Consistency with the general plan and any applicable specific plan.
 - 4. The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.
 - 5. The cumulative effect of all the planning applications has been considered.

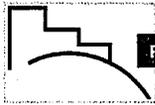
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines; and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15301 for Existing Facilities.

- C. 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 use shall be limited to the type of operation as described in the staff report. Any change in the operational characteristics including, but not limited to, the hours of operation and additional services provided, shall require review by the Planning Division and may require an amendment to the development review, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. 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)].
2. A copy of the conditions of approval shall 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.
3. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The operator shall institute whatever security and operational measures are necessary to comply with this requirement.
4. The operator shall be required to provide additional on-site security if requested by the Police Department.
5. The use shall be limited to the following hours of operation on an annual basis: 12 midnight to 11:00 pm the day after Thanksgiving, and 7:00 am to 12:00 am seven days a week thereafter until New Year's day. Changes to the winter holiday hours of operation that extend the opening and closing times past the above hours shall be submitted to the Planning Commission for review.
6. All other applicable conditions of approval for DR-99-22 and its subsequent amendments shall remain in effect.



PROJECT DESCRIPTION

The proposed project is a minor conditional use permit to revise the operating hours for the Target Store located at 3030 Harbor Boulevard.

The current approved operating hours per DR-99-22A: are as follows:

“The store operating hours shall be from 7 am, to 11 pm, Monday through Friday, and from 8 am to 11 pm, Saturday and Sunday from the day after Thanksgiving through New Year’s. The Garden Center shall maintain it’s current operating hours.”

The proposed new operating hours are as follows:

“The store operating hours shall be from 12:00 AM to 11:00 PM for the day after Thanksgiving and 7:00 AM to 12:00 AM daily from the Saturday after Thanksgiving until New Year’s Day.”

