



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 25, 2016

ITEM NUMBER: PH4

SUBJECT: SECOND AMENDMENT TO PLANNING APPLICATION PA-02-50 TO PROVIDE ADDITIONAL SPECIFIED OFF-SITE VALET PARKING AREAS IN CONJUNCTION WITH AN EXPANSION OF AN EXISTING RESTAURANT (SOCIAL COSTA MESA) AT 512 AND 516 W. 19TH STREET

DATE: JANUARY 15, 2016

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MEL LEE, SENIOR PLANNER

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP (714) 754-5611
mel.lee@costamesaca.gov

DESCRIPTION

Second amendment to Conditional Use Permit PA-02-50 to provide additional valet parking spaces in conjunction with an expansion of an existing restaurant (Social Costa Mesa); the existing square footage of Social (512 W. 19th Street) is 3,200 square feet; the proposed expansion (516 W. 19th Street) is 1,600 square feet (4,800 square feet total). Code requires 52 parking spaces; 52 spaces are proposed with the valet parking program. Hours of operation will continue to be 5:00 pm to 12:00 midnight, Tuesday through Saturday (no change to the hours are proposed).

The **existing valet parking plan** previously approved under the first amendment to PA-02-50 (ZA-14-40) included the following:

- 15 on-site valet spaces at 512 W. 19th Street; and
- 12 off-site valet spaces at 540 W. 19th Street (27 spaces total).

The **proposed valet parking plan** includes the following:

- 17 on-site valet spaces at 512 and 516 W. 19th Street;
- 20 off-site valet spaces at 540 W. 19th Street; and
- 15 off-site valet spaces at 1913 Harbor Boulevard (52 spaces total proposed).

AUTHORIZED AGENT

The authorized agent is Tim Johnson, representing property owners Andrew Lee (512 and 516 W. 19th Street); Joseph Thomas Vallejo (1913 Harbor Boulevard); and Newport Chapter of National Charity League (540 W. 19th Street).

RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution to approve the project, subject to conditions of approval.

BACKGROUND

Project Site/Environs

The subject property is located on the north side of West 19th Street, west of Harbor Boulevard. The property is a part of a commercial center where tenant spaces are individually owned and parking is not shared. The property is zoned C2 (General Business) with a General Plan land use designation of Commercial Center. Properties to the east and west are also zoned C2 and contain commercial uses. The property to the south across West 19th Street is zoned PDC (Planned Development Commercial) and contains a retail center; the property to the north, across a public alley, is zoned R2-HD (Multi-Family Residential, High Density) and contains residential uses. The property is accessed by a public alley to the east and north.

The subject property contains a restaurant use and 17 onsite parking spaces. The parking for the restaurant use at the property is legal nonconforming.

Previous Entitlements

PA-02-50

On November 25, 2002, Planning Commission approved Conditional Use Permit PA-02-50 for extended operating hours of an existing restaurant (Player's Pizza) and to allow live entertainment (background music), while withdrawing the conditional use permit for shared parking and the minor conditional use permits for shared access and to deviate from the shared parking requirements (Applicant had requested to expand the restaurant but could not obtain permission from other owners in the center to formally share parking and access).

PA-05-17

On June 13, 2005, Planning Commission approved Conditional Use Permit PA-05-17 to extend the days of live entertainment, to seven days a week with music to cease at midnight for Player's Pizza. Additionally, the live entertainment was expanded to allow karaoke.

ZA-07-33

On July 19, 2007, the Zoning Administrator approved Minor Conditional Use Permit ZA-07-33 for a deviation from parking requirements for an outdoor patio area for Player's Pizza. According to this approval, the enclosed outdoor patio area is to be used for restaurant patrons who wish to smoke outdoors, but is not to be used for additional dining area.

PA-02-50 A1/ZA-14-40

On June 4, 2015, the Zoning Administrator approved a first amendment to PA-02-50 as ZA-14-40 allowing 15 on-site valet spaces at 512 W. 19th Street and 12 off-site valet spaces at 540 W. 19th Street (27 spaces total) for Social Costa Mesa Wednesday

through Saturday 5:00 p.m. to 12:00 midnight. A copy of the Zoning Administrator approval letter is attached to this report (Attachment 8).

Opposition Received From Public in Response to PA-02-50 A1/ZA-14-40

A number of correspondence from the surrounding property owners and business owners was received by the Zoning Administrator, citing that the parking and traffic impacts of the proposed use and the valet parking plan will be detrimental to the surrounding properties and businesses. Copies of all correspondence received are attached to this report (Attachment 9).

Proposed Amendment (PA-02-50 A2)

The proposed second amendment to PA-02-50 involves the expansion of Social restaurant (3,200 square feet existing; 1,600 square feet proposed; 4,800 square feet total), which requires 52 parking spaces be provided. The applicant is proposing to provide the additional parking via an expansion of the existing on-and off-site valet parking to include the existing commercial property at 1913 Harbor Boulevard, as discussed in the following section.

ANALYSIS

Project Description

The applicant is proposing to expand the existing on-and off-site valet parking as summarized in the table below:

Summary of Parking Spaces for Proposed Social Restaurant Expansion

	512 and 516 W. 19th Street (Social and Dollar Mart)	540 W. 19th Street (Tick Tocker Thrift Store)	1913 Harbor Boulevard (Cosmo Prof)
# Spaces	11 Spaces (Front) 6 Spaces (Rear)	20 Spaces (Rear)	10 Spaces (Rear) 5 Spaces (Front)
Total # Spaces Required	52 Spaces Required		
Total # Spaces Provided	52 Spaces Provided		

Valet Parking Plan

Since the approval of the first amendment to PA-02-50/ZA-14-40, the valet parking has been managed by Superior Valet Services (SVS). According to the applicant there have been no problems associated with the existing valet system and there have been no record of complaints received by Code Enforcement.

The valet parking will occur in the areas identified in the table above and in the parking exhibit attached to this report (Attachment 7). Transportation Services Division staff have reviewed and approved the updated valet plan. Per the conditions of approval for PA-02-50 A1/ZA-14-40, the valet service is required to remain free at all times. Valet stands are conditioned to be on the subject property only, with no loading or unloading of passengers either offsite, in the alley, or on the street. Additionally, they are to be

placed in areas that do not interfere with required parking for other properties or drive aisles.

Also attached to this report is a valet impact and operations report, submitted by the applicant and prepared by SVS (Attachment 7). The report compiles data based on the days and time the valet operation was available to restaurant customers in the last 12 months. Based on the number of available spaces (15 onsite and 12 offsite, 27 total spaces available), the report identifies a peak parking demand based on number of vehicles received of 10 vehicles on Thursdays, Friday, and Saturdays between 7:00 pm and 10:00 pm. The report identifies a parking surplus with the current valet parking plan (see table below):

Existing Traffic Analysis
(No. of Vehicles Received Within the Hour)

Hours	5:00pm	6:00pm	7:00pm	8:00pm	9:00pm	10:00pm	11:00pm	12:am	1:00am	Total cars
Tuesday	0	2	4	5	0	0	0	0	0	11
Wednesday	0	2	5	5	5	0	0	0	0	17
Thursday	0	4	5	10	5	2	0	0	0	26
Friday	3	6	6	10	8	5	5	0	0	43
Saturday	0	8	10	10	5	10	2	0	0	45
BRUNCH	11:00am	12:00pm	1:00pm	2:00pm	3:00pm	X	X	X	X	
Sunday	1	3	2	0	0					6

Source: Valet Impact and Operations Report by Superior Valet Services dated 1/16/2016

The report also compiled the total number of vehicles parking on and offsite. Based on the number of available spaces (15 onsite and 12 offsite, 27 total spaces available), the report identifies a peak parking demand based on number of vehicles onsite vehicles on Saturdays at 8:00 pm as 25 spaces, a 2 parking space surplus (see table below):

Existing Consumption Analysis
(No. of Vehicles Onsite Within the Hour)

Hours	5:00pm	6:00pm	7:00pm	8:00pm	9:00pm	10:00pm	11:00pm	12:am	1:00am	Average
Tuesday	0	2	6	9	9	4	0	0	0	6
Wednesday	0	2	6	9	9	2	0	0	0	5.6
Thursday	0	4	9	14	12	14	5	0	0	9.6
Friday	3	9	15	22	20	17	10	1	0	11.75
Saturday	0	8	18	25	20	22	12	2	0	15.28
BRUNCH	11:00am	12:00pm	1:00pm	2:00pm	3:00pm	X	X	X	X	
Sunday	1	4	6	2	1					2.8

Source: Valet Impact and Operations Report by Superior Valet Services dated 1/16/2016

Noise

The subject property abuts residential properties to the north, closest to the rear of the restaurant. To prevent noise impacts of restaurant patrons picking up valet-parked cars to these neighbors, all valet pickup is to continue to occur at the front of the restaurant.

Impacts to Neighbors

To prevent impacts of this use on neighboring properties, the applicant is required to continue to clean up any litter from restaurant patrons on adjacent properties. A condition of approval has also been included requiring any graffiti painted or marked upon the premises to be removed or painted over within 48 hours of being applied.

GENERAL PLAN AND ZONING CODE CONFORMANCE

The proposed project involves an expansion of a restaurant with off-site valet parking. The proposed project would be in conformance with the following planning documents:

- General Plan
- Zoning Code

Conformance with the City of Costa Mesa General Plan

The following analysis evaluates the proposed project's consistency with specific goals, and objectives of the General Plan, Land Use Element.

- **Goal LU-1: Land Use:** *It is the goal of the City of Costa Mesa to provide its citizens with a balanced community of residential, commercial, industrial, recreational, and institutional uses to satisfy the needs of the social and economic segments of the population and to retain the residential character of the City; to meet the competing demands for alternative developments within each land use classification within reasonable land use intensity limits; and to ensure the long term viability and productivity of the community's natural and man-made environments.*

Consistency: The recommended conditions of approval protects the balance of land uses satisfying the needs of the community as it pertains to commercial retail uses without adversely impacting the adjoining residential neighborhood. Therefore, the project is consistent with this General Plan goal.

Conformance with the Zoning Code

It is staff's opinion that the proposed project meets or exceeds the intent of the City's Zoning Code with regard to the development standards for the C2 zone.

Justifications for Approval

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, the Planning Commission shall find that the evidence presented in the administrative record

substantially meets specified findings. Staff recommends approval of the proposed project, based on an assessment of facts and findings which are also reflected in the draft resolution.

- The proposed use, as conditioned, is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area. The proposed use, with the recommended conditions of approval, will be consistent with the other uses in the immediate vicinity. Compliance with the conditions of approval will allow this use to operate with minimal impact on surrounding properties and uses.

Since the Zoning Administrator's decision on the valet parking program, the current valet operations have not resulted in complaints received by Code Enforcement or Planning staff. According to SVS, the current valet operation has not created adverse traffic or parking impacts on properties or businesses in the surrounding area. According to SVS, there is a parking surplus in that the valet program has not been fully utilized based on customer demand.

Staff has reviewed the SVS valet parking statistics and code-enforcement related complaints, and it appears that the existing operations have met the parking demand for Social Restaurant. In order to ensure adequate parking and account for the success of the restaurant at peak times, staff has imposed the Code-required parking of 52 spaces for restaurants although the valet parking study indicates that there are existing and proposed parking surpluses. Thus, staff is requiring the additional off-site valet parking area at 1913 Harbor Boulevard when the parking lot is not being utilized by tenant(s) of that property.

A condition of approval requires that off-site valet parking areas, including the property at 1913 Harbor Boulevard, shall be provided for the restaurant use unless there is an amendment to the CUP approved by the Planning Commission. This is to ensure a parking supply of 52 spaces for the restaurant use.

- Granting the conditional use permit will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. Compliance with the applicable Building and Fire Safety Codes will ensure that the proposed use is not materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.
- Granting the conditional use permit will not allow a use, density, or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property. The property has a General Plan Designation of Commercial Center. The project, as conditioned, is consistent with the property's general plan designation. The request, as conditioned, is consistent with the following goals and objectives of the General Plan. The property is not located within a specific plan area.

The proposed parking supply of 52 spaces appears to be adequate for the proposed use based on the current valet operations provided at the site (see discussion of current valet operations earlier in this report). Based upon the current analysis of valet operations provided by SVS, the additional off-site valet spaces proposed to be provided at 1913 Harbor Boulevard will create an additional surplus of available spaces for the restaurant expansion.

- **Objective LU-1F.1:** *Protect existing stabilized residential neighborhoods from the encroachment of incompatible or potentially disruptive land uses and/or activities.*
- *There have been no record of complaints related to the Public Entertainment Permit issued for the use.* The restaurant has a current Public Entertainment Permit (PEP) in accordance with Costa Mesa Municipal Code (CMMC) Title 9, Article 11 (Regulatory Permits for Public Entertainment). The PEP for this establishment has been issued annually by the Code Enforcement Division and allows the establishment to have live bands and recorded music (disc jockey). A copy of the current PEP is attached to this report for reference (Attachment 4).
- *There have been no record of complaints related to the State Alcoholic Beverage Control (ABC) License issued for the use.* The establishment is permitted to operate with a State Alcoholic Beverage Control (ABC) License Type 47 (On-Sale General, Eating Place). According to the license query system on the State ABC website, a copy of which is attached to this report (Attachment 5), the license is currently active and there are no disciplinary actions related to the license on file with ABC.
- *The applicant will be required to pay a Traffic Impact Fee for the expansion of the restaurant.* According to the Transportation Services Division, the applicant will be required to pay a traffic impact fee for the change in use (from retail to restaurant) and the increase in size. The applicant has agreed to this requirement.

ENVIRONMENTAL DETERMINATION

If the Planning Commission approves the project, it is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 for Existing Facilities. The project site contains an existing commercial building. If the Planning Commission denies the project, the denial is exempt from the provisions of CEQA Section 15270(a) for projects which are disapproved.

LEGAL REVIEW

The draft resolutions have been reviewed and approved as to form by the City Attorney's Office.

PUBLIC NOTICE

Pursuant to Title 13, Section 13-29(d), of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. Mailed notice. A public notice was mailed to all property owners within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the affected properties (see attached Notification Radius Map).
2. On-site posting. A public notice was posted on each street frontage of the project site.
3. Newspaper publication. A public notice was published once in the Daily Pilot newspaper.

Additionally, notice was provided to all individuals who provided written correspondence in conjunction with the previous amendment under ZA-14-40 (Attachment 9).

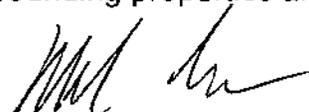
ALTERNATIVES

1. Approve the project with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, should the Planning Commission choose to do so, staff will return with a revised resolution incorporating new findings and/or conditions.
2. Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, Planning Commission must deny the application and provide facts in support of denial to be included in the attached draft resolution for denial. If the project were denied, the applicant could not submit substantially the same type of application for six months.

If the application were to be denied, the applicant could still continue to operate the establishment within the approved 3,200 square foot tenant space and with the on and off-site valet parking as approved under PA-02-50 A1 and ZA-14-40.

CONCLUSION

The proposed restaurant expansion, as conditioned, will not adversely affect surrounding properties and uses. Therefore, staff supports the proposed project.



MEL LEE, AICP
Senior Planner



CLAIRE FLYNN, AICP
Asst. Development Services Director

- Attachments:
1. Location Map, Zoning Map, and Radius Map
 2. Site Photos
 3. Applicant's Project Description

4. Current Public Entertainment Permit
5. State Alcoholic Beverage Control (ABC) License Query Results
6. Draft Resolutions
7. Floor Plan and Valet Parking Plan
8. Zoning Administrator Approval Letter for ZA-14-40
9. Correspondence from Public for ZA-14-40

Distribution: Director of Economic & Development Services/Deputy CEO
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
File (2)

Tim Johnson
4010 River Avenue
Newport Beach, CA 92663

Andrew Lee
973 Grove Place
Costa Mesa, CA 92627

Joseph Thomas Vallejo
2501 Ocean Blvd
Corona Del Mar, CA 92625

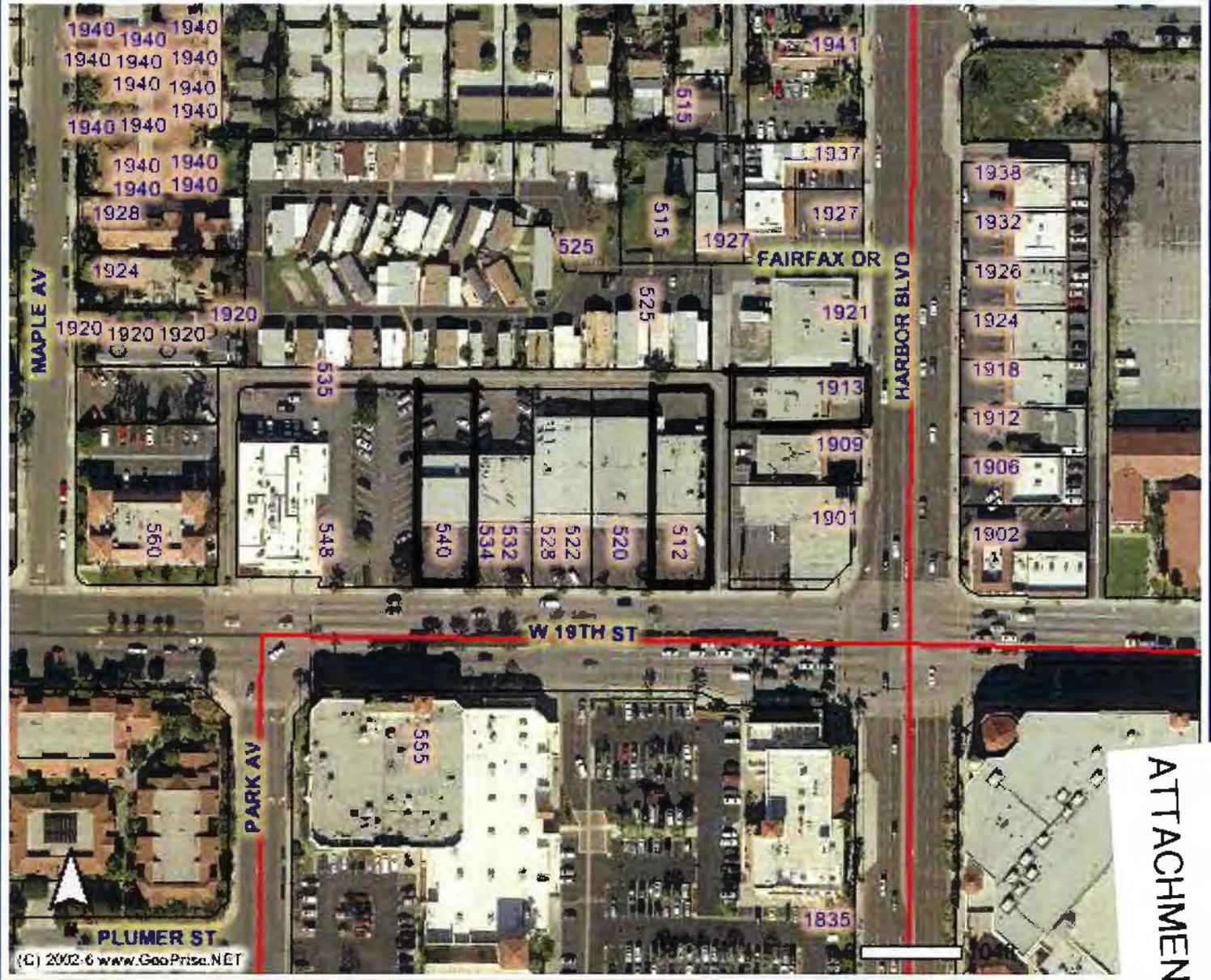
Newport Chapter of National Charity League
540 W. 19th Street
Costa Mesa, CA 92627

Superior Valet Services
Attn: Jason Liddell, Vice President
9151 Atlanta Avenue, Suite 7331
Huntington Beach, CA 92615

Overview Map



Map Display



Legend

- | | | |
|---------------------|--|--------------------|
| Address Medium | | Primary |
| Address Points | | SECONDARY |
| Freeway | | Hydrology |
| Roads | | Channels |
| Collector Freeway | | Street Names |
| Major | | Street Centerlines |
| Newport Blvd (cont) | | |

ATTACHMENT 1

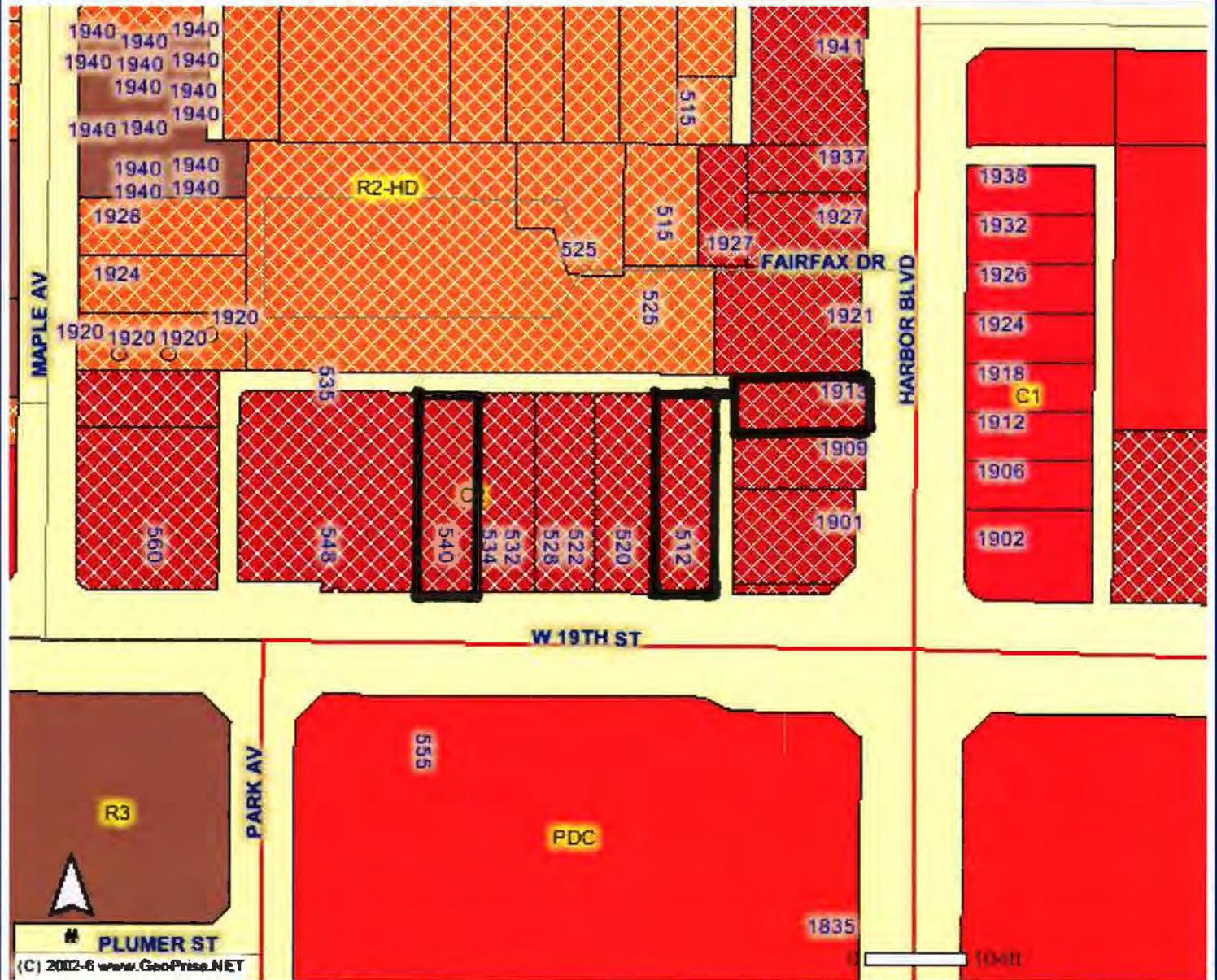
City of Costa Mesa

CITY OF COSTA MESA - [Created: 1/13/2016 2:15:44 PM] [Scale: 200.29] [Page: 8.5 x 11 / Landscape]

Overview Map



Map Display



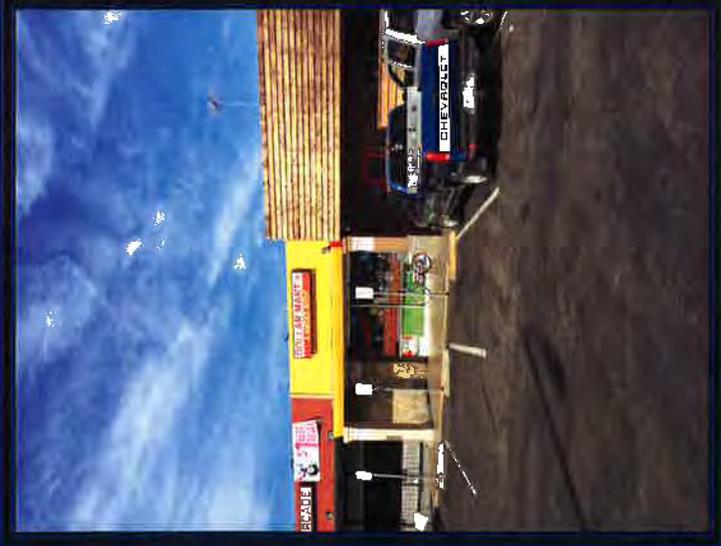
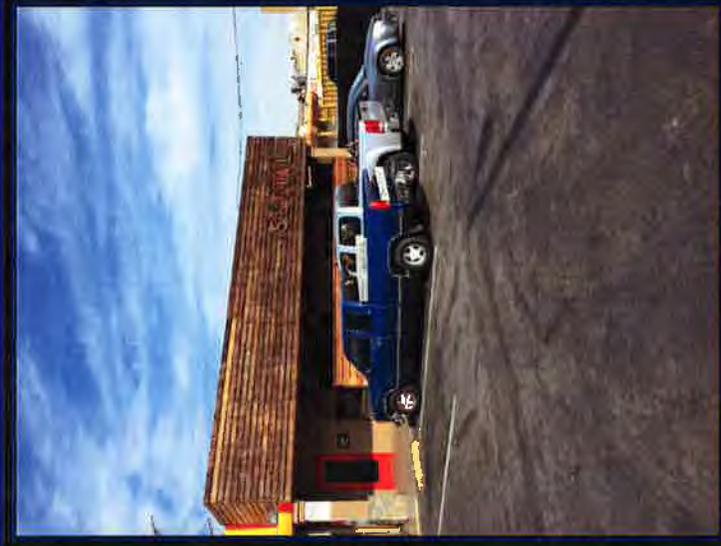
Legend

- | | |
|---------------------|--------------------|
| Address Medium | Primary |
| Address Points | SECONDARY |
| Freeway | Hydrology |
| Roads | Channels |
| Collector Freeway | Street Names |
| Major | Street Centerlines |
| Neaport BLVD (cont) | |

12



DONNA'S RADIUS MAPS
 DATE: 1-13-2016
 684 S GENTRY LANE
 ANAHEIM CA 92807
 (714) 921-2921



PHOTOS OF SUBJECT SPACE (SOCIAL) AND PROPOSED EXPANSION (DOLLAR MART)

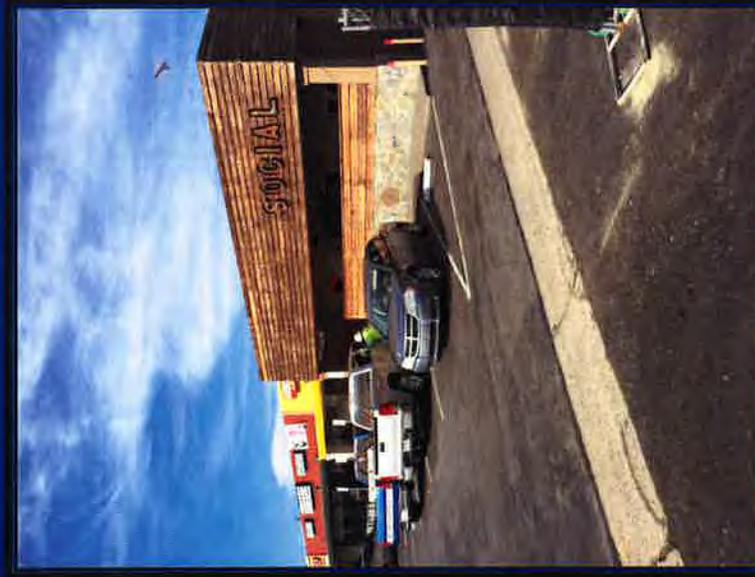
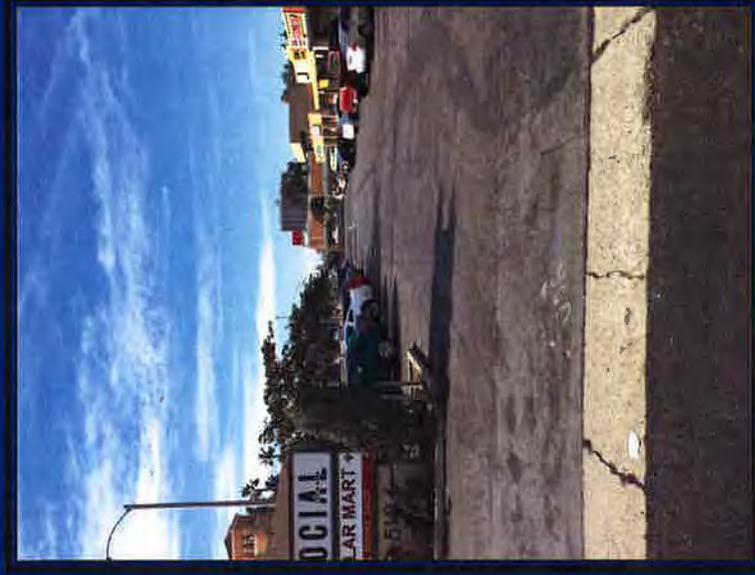
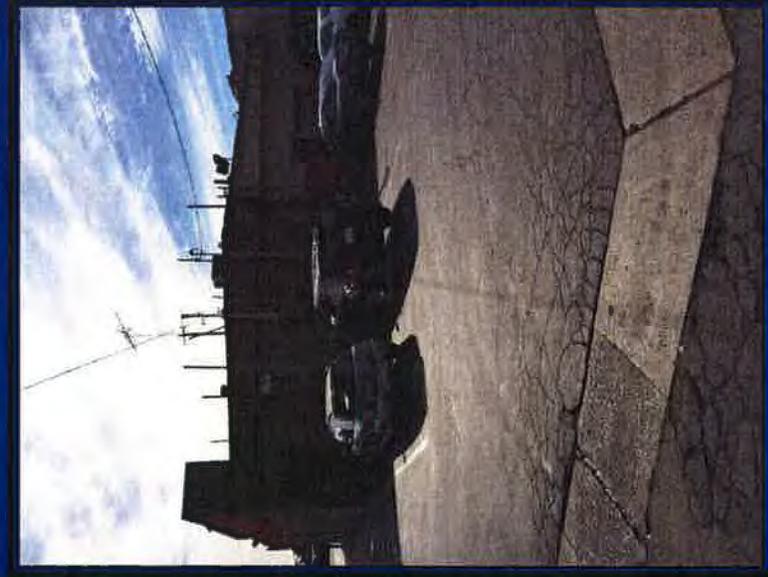
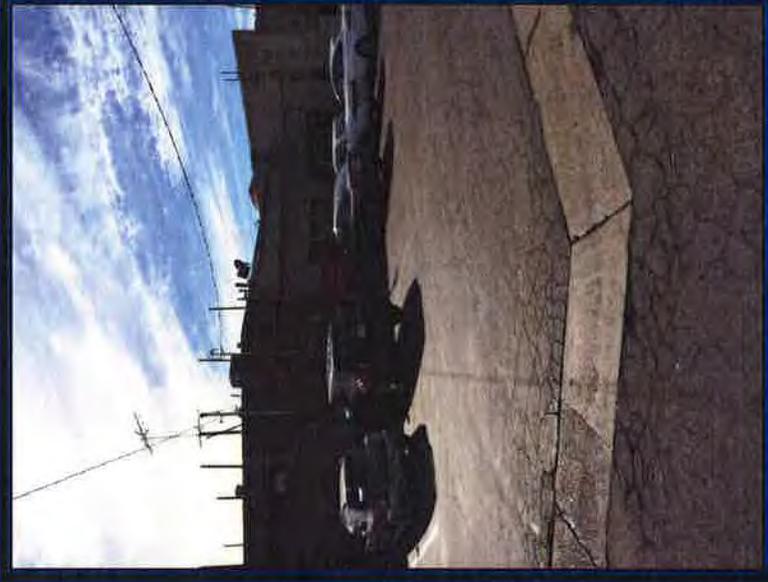


PHOTO OF FRONT PARKING AREA (11 SPACES)



PHOTOS OF SPACES AT REAR OF SOCIAL AND DOLLAR MART (6 SPACES TOTAL)



**PHOTOS OF PARKING AREAS FOR 1913 HARBOR BLVD.
(10 SPACES REAR, 5 SPACES FRONT; 15 SPACES TOTAL)**



PHOTOS OF PARKING FOR 540 W. 19TH (THRIFT STORE-20 SPACES TOTAL)

Letter For Justification of CUP Approval

SOCIAL Costa Mesa is seeking approval to expand its current concept to 512 W.19th Street (currently Smoke Shop). Expansion to next door would not add any new services other than how SOCIAL Costa Mesa is currently operating. It would simply add to functionality and infrastructure. Without expansion it would be detrimental to the success and growth of SOCIAL Costa Mesa.

Expansion would allow SOCIAL Costa Mesa to give our customers a clean, air conditioned waiting area as they wait to be seated. This expansion would also allow us to have more storage space, restrooms, an indoor break room and a janitorial room. Expansion would allow us to add 500 square feet of kitchen prep space. We would also be able to move our service well for drinks and cold line kitchen items to next door to improve overall functionality of the restaurant. Expansion would allow us to remove all beer kegs lines from our current walk in refrigerator to next door and allow kitchen to be able to use it for food storage that is much needed.

For the past 12 months SOCIAL Costa Mesa has been the innovative leader in cuisine on Costa Mesa's Westside. Giving locals a place to dine and enjoy an eccentric, social environment. Since opening, SOCIAL has nearly reached capacity every weekend and some weekdays. This has resulted in us having to turn away hungry customers. We believe that if we had a safe, air conditioned waiting area, these potential customers would feel comfortable and actually enjoy themselves as they wait for a table.

Many of our guests have voiced concern via our Yelp, social media and to our employees about not feeling safe waiting outside because of the Smoke Shop and the clientele that shop there. On numerous occasions we have had to ask homeless persons to not disturb our customers who were waiting outside and have had to call police to remove them.

SOCIAL Costa Mesa has been able to create a proposal that enables expansion without any incremental traffic to the area. SOCIAL Costa Mesa valet service has helped to control the parking flow of the strip mall and has improved the image on the Westside. Attached is our Parking Density Report for the past 12 months.

Parking Density Report:

Address: 512 W 19th St, Costa Mesa CA 92627
Venue: SOCIAL Costa Mesa
Hours of operation: 4:45pm-12:00am
Days of operation: Tues-Sat
Valet Parking spaces: 35
Overflow spaces: 15
Equivocation: 135 guest

Impact use:

Tuesday: 25%
Wednesday: 25%
Thursday: 50%
Friday: 85%
Saturday: 93%

* Impact use is based on peak hours of operation at full valet parking capacity - prior to overflow space use. Guest self parking provides additional increase in parking ratio.

It is of the professional review by SVS Parking that over the past 12 months of services the overall parking use based on the current building footprint and occupancy, remains no greater than 85%-93% during peak hours of operation.

Peak Hours of Operation:

Thursdays: 7:00pm-8:30pm
Fridays: 7:30pm-9:00pm
Saturdays: 6:30pm-9:30pm

Furthermore it is of our review that the existing parking provided by SOCIAL Costa Mesa will support an increase of occupant of up to an additional 64 guests during peak hours of operation.

SOCIAL Costa Mesa has employed over 40 people for the past 12 months and expansion will allow us to employ even more. SOCIAL Costa Mesa has worked with numerous local charities including but not limited to: Big Brothers Big Sisters, NCL, Project Hope Alliance and have donated to numerous local schools and sports teams.

SOCIAL Costa Mesa won Best New Restaurant and Best Californian Cuisine at the 2015 Golden Foodie Awards; after not even being open for a year!

SOCIAL Costa Mesa have been nominated for the OC Weekly Readers Choice Awards and were named one of Orange County's Best New Restaurants by Orange Coast Magazine and Great Taste Magazine.
Recipient of Mayors Award for Costa Mesa October 2015.

SOCIAL Costa Mesa was named 2015 Overall Winner at the Hi-times Annual Charity Chili Cook Off and has appeared on performed multiple live cooking segments on KTLA News and FOX News

SOCIAL Costa Mesa has been in numerous publications within it's first year of opening including but not limited to:

CBS LA
Thrillist
Foodbeast
OC MOM Dining
GreersOC.com
Orange County Register
Daily Pilot
HB Independent
Open Table
gayot.com
WHERE OC Magazine
Food Enthusiast

SOCIAL Costa Mesa's website receives over 7000 website views and 8000 views on Yelp per month.

[Subscribe Today \(/sections/subscribe\)](#)
[Customer Service \(/help/\)](#)
[eRegister \(http://epaper.ocregister.com/Olive/ODE/OrangeCountyRegister/\)](#)
[Today's Paper \(/sections/headlines/\)](#)
[Knowledge Cafe \(http://www.ocregister.com/soctions/knowledge-cafe/\)](#)
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[Unidos \(http://www.unidoscc.com\)](#)
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[Business \(/sections/business/\)](#)

[Entertainment \(/sections/entertainment/\)](#)
[Life \(/sections/life/\)](#)
[Opinion \(/sections/opinion/\)](#)

[Obits \(http://obits.ocregister.com/obituaries/orangecounty/\)](#)

[Register Rewards \(http://rewards.ocregister.com/\)](#)

(/)

CARS

(/GO/CARS)

(HTTP://WWW.OCCJOBFINDER.COM)

(/GO/OCNIGHTSPPLACE/)

CLASSES

(HTTP://OC.KAANGO.COM/)

(http://www)

[Health \(/sections/life/health-and-fitness/\)](#)
[People \(/common/archives/?catID=18952\)](#)
[Food \(/sections/food/\)](#)

2 Orange County schools named prestigious, national Blue Ribbon winners

Assembly candidate, former Villa Park council member Deborah Pauly arrested for DUI

After 25 years, Chapman University President Jim Doti to step down in August to return to

UCI to celebrate 50th with Festival of Discovery
[\(/articles/uci-685192-school-](#)

TOP NEWS

FOOD (/COMMON/ARCHIVES/?CATID=23367)

Social Costa Mesa recruits culinary dream team

Sept. 23, 2014 | Updated Sept. 24, 2014 8:56 a.m.



Social Costa Mesa Executive Chef Jeffrey Boult and owners Andrew Dorsey and Dan Biello (founder of Chronic Tacos), from left, at the site of their new project. Dorsey once ran Anaheim nightclub and bar 195 Downtown Grill.

CINDY YAMANAKA, STAFF PHOTOGRAPHER



Forget crowded food halls, assembly-line eating and secretive, standoffish speakeasys.

At Social Costa Mesa, former bar owner Andrew Dorsey is aiming for the

22



MOST POPULAR

2 Orange County schools named prestigious, national Blue Ribbon winners
[\(http://www.ocregister.com/articles/school-685194-schools-college.html\)](#)

\$3.1 million lotto ticket sold at gas station in Orange claimed
[\(http://www.ocregister.com/articles/ticket-685189-station-gas.html\)](#)

Woman crashes into Orange police car near intersection injuring police officer
[\(http://www.ocregister.com/articles/police-685189-car-turn.html\)](#)

Retail-restaurant roundup: Jimbo's Tacos lands in O.C., Creamistry opens in Costa Mesa
[\(http://www.ocregister.com/articles/creamistry-685186-restaurant-opened.html\)](#)



An intelligent man is
sometimes forced to be
drunk to spend time
with his fools. Ernest Hemingway



SOGGIA

24









BIG BROTHERS BIG SISTERS
OF AMERICA

BIG NIGHT

FRIDAY
APRIL 21
6PM-8:30PM



SOCIAL!

COSTA MESA

512 W. 19TH STREET, COSTA MESA, 92627

MEET MARGARITO!

AGE 9

He likes reading, riding his bike, and playing sports, including soccer, football and baseball.

He likes math and wants to go to a good college.



StartSomethingBIG

Attend BIG Night to learn how to become a Big Brother to Margarito and other kids just like him!

#GOBIGOC









CITY OF COSTA MESA
PUBLIC ENTERTAINMENT PERMIT
DEVELOPMENT SERVICES DEPARTMENT
P. O BOX 1200
COSTA MESA, CA 92628-1200

Andrew Dorsey
Social Costa Mesa
512 West 19th Street
Costa Mesa, CA 92627

Date this permit approved: June 15, 2015

PERMIT PERIOD: One Year

PERMIT # PEP15-0002 THIS PERMIT EXPIRES JUNE 15, 2016

RE: PERMIT FOR LIVE BAND AND DJ RECORDED MUSIC

Your application for a Public Entertainment Permit has been:

- Returned as an incomplete application. The items listed below were found to be inadequately described or were missing from the application.
- Approved with attached conditions that are subject to provisions of Costa Mesa Municipal Code, Article 11, Chapter IV, Title 9.**
- Denied, based on the items below:
 - Zoning Uniform Fire Code Uniform Building Code Security Plan for Prevention of Unlawful Conduct
 - Liability Insurance Security Plan for Control of Pedestrian/Vehicles Parking Plan Seating Plan
 - Noise Control Plan Other
 - Conditional Use Permit Required

CONDITIONS OF APPROVAL ATTACHED

A COPY OF THIS PERMIT MUST BE KEPT ON THE PREMISES AND PRESENTED TO ANY AUTHORIZED CITY OFFICIAL UPON REQUEST.

The last date on which an appeal may be filed is 5 p.m. JUNE 22, 2015.

If you have any questions about this permit, please contact WILLA BOUWENS-KILLEEN at either Willi.Bouwens-Killeen@costamesaca.gov or 714.754.5153.

Person taking action on this permit:

WILLA BOUWENS-KILLEEN
Zoning Administrator

NOTICE TO APPLICANT

32

Notice should be sent to you by mail, within forty-five (45) working days of your filing a completed application, that your application has been granted or denied. If you receive notice that your application has been denied or has been granted subject to conditions, you may appeal to the City Council from the denial or from any of the conditions by filing a written appeal with the City Clerk within seven (7) days from the time the notice was deposited in the mail or was personally delivered to you.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng.
1. Customers shall be encouraged to park in front of the building, with employees directed to park behind the building.
 2. Hours of operation shall be limited to the period between 9 a.m. and 1 a.m., with music to cease at midnight daily.
 3. The restaurant shall be limited to the type of operation described in the staff report. Any change in the operational characteristics including, but not limited to, hours of operation, sale of alcoholic beverages or changes in entertainment, will require approval of an amendment to the conditional use permit, subject to Planning Commission approval.
 4. There shall be no sales of alcoholic beverages for off-site consumption.
 5. At all times the premises is open for business, the sale of service of alcoholic beverages shall be made only in conjunction with the sale and service of food.
 6. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food and meals during the same time period. The applicant shall at all times maintain records which reflect separately the gross sales of food and gross sales of alcoholic beverages of the business. The records shall be kept no less frequently than on a quarterly basis and shall be made available to the Development Services Director or his/her designee on demand.
 7. The restaurant shall remain a "bona fide eating place" as defined by section 23038 of the California Business and Professional Code.
 8. The parking lot shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot.
 9. Music shall not be audible from adjacent residential areas.
 10. 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 security and operational measures are necessary to comply with this requirement.
 11. Live entertainment (maximum four-person band) and karaoke shall be ancillary to the main restaurant use. Amplification shall be directed away from the residences to the north. Rear doors shall remain closed while music is played. Dancing is prohibited.
 12. Live entertainment may only be permitted subject to City issuance of a "public entertainment permit". Contact Code Enforcement at (714) 754-5623 for application information.
 13. 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.

14. 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.
15. A maximum of three pool tables and three video games shall be permitted unless applicant applies for, and is granted, a minor conditional use permit.



**California Department of Alcohol
Beverage Control**
*License Query System Summary
as of 1/12/2016*

License Information
License Number: 548376
Primary Owner: SOCIAL COSTA MESA, LLC
ABC Office of Application: 11 - SANTA ANA
Business Name
Doing Business As: SOCIAL
Business Address
Address: 512 W 19TH ST Census Tract: 0637.02
City: COSTA MESA County: ORANGE
State: CA Zip Code: 92627
Licensee Information
Licensee: SOCIAL COSTA MESA, LLC
<i>Company Information</i>
OFFICER: BIELLO, DANIEL ANTHONY (MANAGING MEMBER)
MEMBER: BIELLO, DANIEL ANTHONY
License Types
1) License Type: 47 - ON-SALE GENERAL EATING PLACE
License Type Status: ACTIVE
Status Date: 20-OCT-2014 Term: 12 Month(s)
Original Issue Date: 17-OCT-2014 Expiration Date: 30-SEP-2016
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: 17-OCT-2014 FROM: 47-528369
Current Disciplinary Action
... <i>No Active Disciplinary Action found</i> ...
Disciplinary History
... <i>No Disciplinary History found</i> ...
Hold Information
... <i>No Active Holds found</i> ...
Escrow
... <i>No Escrow found</i> ...

- - - End of Report - - -

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-02-50 A2 TO PROVIDE ADDITIONAL OFF-SITE VALET PARKING SPACES IN CONJUNCTION WITH AN EXPANSION OF AN EXISTING RESTAURANT (SOCIAL COSTA MESA) AT 512 AND 516 W. 19TH STREET

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

WHEREAS, an application was filed Tim Johnson, representing Andrew Lee, Joseph Thomas Vallejo, and Newport Chapter of National Charity League, the property owners, requesting approval of the following:

Second amendment to Conditional Use Permit PA-02-50 to provide additional valet parking spaces in conjunction with an expansion of an existing restaurant (Social Costa Mesa); the existing square footage of Social (512 W. 19th Street) is 3,200 square feet; the proposed expansion (516 W. 19th Street) is 1,600 square feet (4,800 square feet total). Code requires 52 parking spaces; 52 spaces are proposed with the valet parking program. Hours of operation will continue to be 5:00 pm to 12:00 midnight, Tuesday through Saturday (no change to the hours are proposed).

The **existing valet parking plan** previously approved under the first amendment to PA-02-50 (ZA-14-40) included the following:

- 15 on-site valet spaces at 512 W. 19th Street; and
- 12 off-site valet spaces at 540 W. 19th Street (27 spaces total).

The **proposed valet parking plan** includes the following:

- 17 on-site valet spaces at 512 and 516 W. 19th Street;
- 20 off-site valet spaces at 540 W. 19th Street; and
- 15 off-site valet spaces at 1913 Harbor Boulevard (52 spaces total proposed).

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of CEQA under Section 15301 for Existing Facilities.

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgment of the City of Costa Mesa.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 25, 2016 with all persons having the opportunity to speak for and against the proposal.

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 within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application PA-02-50 A2.

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 Planning Application PA-02-50 A2 and upon the applicant's compliance with each and all of the conditions in Exhibits B, and 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 and/or mitigation measures.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the documents in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 25th day of January, 2016.

Robert L. Dickson Jr., Chair,
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (APPROVAL)

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:

Finding: The proposed development is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Findings: The proposed use, with the recommended conditions of approval, will be compatible with the other uses in the immediate vicinity. Compliance with the conditions of approval will allow this use to operate with minimal impact on surrounding properties and uses.

Finding: Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Findings: The use is an existing commercial project consistent with the C2 zoning of the property and, as conditioned, compatible with the residentially-zoned properties in the vicinity. Compliance with the applicable Building and Fire Safety Codes will ensure that the use is not materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Finding: Granting the minor conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.

Facts in Support of Findings: The property has a General Plan Designation of Commercial Center. The project, as conditioned, is consistent with the applicable provisions of the Commercial Center General Plan Designation. The request, as conditioned, is consistent with the following goals and objectives of the General Plan.

The following describes the proposed project's consistency with specific goals and objectives of the General Plan, Land Use Element.

- o **Goal LU-1: Land Use:** *It is the goal of the City of Costa Mesa to provide its citizens with a balanced community of residential, commercial, industrial, recreational, and institutional uses to satisfy the needs of the social and economic segments of the population and to retain the residential character of the City; to meet the competing demands for alternative developments within each land use classification within reasonable land use intensity limits; and to ensure the long term viability and productivity of the community's natural and man-made environments.*

Consistency: The recommended conditions of approval protects the balance of land uses satisfying the needs of the community as it pertains to commercial retail uses. The project is consistent with this General Plan goal.

- **Objective LU-1F.1:** *Protect existing stabilized residential neighborhoods from the encroachment of incompatible or potentially disruptive land uses and/or activities.*

Consistency: The recommended conditions of approval protects existing stabilized residential neighborhoods from the encroachment of incompatible or potentially disruptive land uses and/or activities. The project is consistent with this General Plan goal.

- B. The project is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 for Existing Facilities. The project, as conditioned, is consistent with the applicable General Plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- C. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng. 1. The use shall be limited to the type of operation described in the staff report and the applicant's description, subject to the following conditions:
- a. The valet station(s) shall be located on private property in areas that do not interfere with parking for other properties, drive aisles, public alleys, or public streets.
 - b. Valet parking shall occur in the areas shown in the approved site plan only. All valet parking shall be onsite at 512 and 516 West 19th Street and offsite at 540 West 19th Street and 1913 Harbor Boulevard. No valet parking may occur on any other property or in any public alley or public street.
 - c. Valet parking shall occur during the following hours only: Tuesday-Saturday 5:00 pm to 12:00 midnight.
 - d. Drop-off of customer cars shall be at the rear of the restaurant to prevent queuing of cars onto West 19th Street.
 - e. Pick-up of customer cars is to be at the front of the restaurant to prevent noise impacts of leaving restaurant customers to the residential neighbors to the north.
 - f. There shall be no charge for valet at any time.
 - g. Offsite valet parking shall occur at 540 West 19th Street and 1913 Harbor Boulevard only, and shall be prohibited during the operating hours of the respective tenants.
 - h. Parking spaces not reserved for valet parking shall remain open and unobstructed for customer self-parking.
 - i. Off-site valet parking areas, including the property at 1913 Harbor Boulevard, shall be provided for the restaurant use unless there is an amendment to the CUP approved by the Planning Commission.

Any change in the operational characteristics including, but not limited to, the hours of operation indicated, shall require review by the Planning Division and may require an amendment to the conditional use permit, 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. Customer and employee parking shall occur where designated in Condition of Approval Number 1 and not on surrounding properties or streets. If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate the problem.
- 3. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute appropriate security and operational measures are necessary to comply with this requirement.

4. The parking area shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot.
5. The business operator shall provide bike racks for employees on the site. This condition shall be completed prior to final occupancy of the expansion, under the direction of the Development Services Department.
6. There shall be no sales of alcoholic beverages for off-site consumption.
7. All sales and service staff (within 90 days of hire) shall complete Responsible Beverage Service (RBS) training with a provider approved by the California Department of Alcoholic Beverage Control. A copy of the training certificates shall be kept on premises and presented to any authorized City official upon request.
8. Truck deliveries shall not occur anytime between the hours of 8:00 pm and 7:00 am.
9. Music or other entertainment shall not be audible beyond the area under the control of the licensee.
10. The conditions of approval, code requirements, and special district requirements of PA-02-50 A2 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
11. 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.
12. Live entertainment and recorded music may only be permitted subject to City issuance of a "public entertainment permit." Contact Code Enforcement (714.754.5623) for application information.
13. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time. Occupant loads for the open patio area and the enclosed building area shall be calculated and posted separately.
14. All eating and drinking establishments shall comply with the provisions within CMMC Section 13-49 (Development Standards for Establishments within 200 Feet of Residentially-Zoned Property), unless approved through either a Minor Conditional Use Permit or Conditional Use Permit.
15. The applicant shall maintain free of litter all areas of the premises under which applicant has control, including the off-site valet parking lots.
16. Any graffiti painted or marked upon the premises shall be removed or painted over within 48 hours of being applied.
17. Demolition permits for existing structure(s) shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
18. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code

requirements have been satisfied.

19. Permits shall be obtained for all signs and shall comply with the provisions of the Costa Mesa Sign Ordinance. Freestanding signs shall be subject to review and approval by the Planning Division/Development Services Director to ensure compatibility in terms of size, height, and location with the proposed/existing development, and existing freestanding signs in the vicinity.
20. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant's project, or any approvals granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.
21. The above conditions of approval shall supersede and replace the conditions of approval for the prior entitlements for this property.

CODE REQUIREMENTS

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- | | |
|-------|--|
| Plng. | <ol style="list-style-type: none">1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.2. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be <u>prohibited</u> on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. |
| Bldg. | <ol style="list-style-type: none">3. Comply with the requirements of the 2013 California Building Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Green Building Standards Code and 2013 California Energy Code (or the applicable adopted, |

California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.

4. Requirements for accessibility to sites, facilities, buildings, and elements by individuals with disability shall comply with Chapter 11B of the 2013 California Building Code.
 - a. Accessibility shall be to and through the front door and to the commercial space from the public sidewalk.
 - b. Accessible restrooms/bathrooms in the commercial space.
 - c. Accessible parking.
 - d. Accessible entry doors, ramps, landings, sidewalks, hallways, strike edge clearances, and elevation changes.
 - e. Additional accessible features maybe required as per Chapter 11B of the 2013 California Building Code.
 5. Submit a precise grading plans and an erosion control plan. If it is determined that a grading plan is not required a drainage plan shall be provided. A precise grading plan shall not be required if any of the following are met:
 - a. An excavation which does not exceed 50 CY on any one site and which is less than 2 ft. in vertical depth, or which does not create a cut slope greater than 1 ½:1 (excluding foundation area).
 - b. A fill less than 1 foot in depth placed on natural grade with a slope flatter than 5:1, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.
 - c. A fill less than 3 ft. in depth, not intended to support structures, which does not exceed 50 CY on any one lot and does not obstruct a drainage course.
 6. Submit a soils report for this project. Soil's Report recommendations shall be blueprinted on both the architectural and the precise grading plans.
 7. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than 5% for a minimum distance of 10 feet measured perpendicular to the face of the wall per CB Section 1804.3.
 8. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent 2013 California Building Code sec. 1808.7.4.
 9. Fulfill mitigation of off-site traffic impacts at the time of issuance of occupancy by submitting to the Planning Division the required traffic
- Trans.

impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for all existing uses. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permit/certificate of occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- | | |
|-------|---|
| Sani. | <ol style="list-style-type: none">1. County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer.2. Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check.3. The applicant is required to contact the Costa Mesa Sanitary District at (714) 754-5307 to arrange final sign-off prior to certificate of occupancy being released.4. Applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements. |
| AQMD | <ol style="list-style-type: none">5. Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD. |
| Water | <ol style="list-style-type: none">6. Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District. |
| State | <ol style="list-style-type: none">7. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information. |

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-02-50 A2 TO PROVIDE ADDITIONAL OFF-SITE VALET PARKING SPACES IN CONJUNCTION WITH AN EXPANSION OF AN EXISTING RESTAURANT (SOCIAL COSTA MESA) AT 512 AND 516 W. 19TH STREET

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

WHEREAS, an application was filed Tim Johnson, representing Andrew Lee, Joseph Thomas Vallejo, and Newport Chapter of National Charity League, the property owners, requesting approval of the following:

Second amendment to Conditional Use Permit PA-02-50 to provide additional valet parking spaces in conjunction with an expansion of an existing restaurant (Social Costa Mesa); the existing square footage of Social (512 W. 19th Street) is 3,200 square feet; the proposed expansion (516 W. 19th Street) is 1,600 square feet (4,800 square feet total). Code requires 52 parking spaces; 52 spaces are proposed with the valet parking program. Hours of operation will continue to be 5:00 pm to 12:00 midnight, Tuesday through Saturday (no change to the hours are proposed).

The ***existing valet parking plan*** previously approved under the first amendment to PA-02-50 (ZA-14-40) included the following:

- 15 on-site valet spaces at 512 W. 19th Street; and
- 12 off-site valet spaces at 540 W. 19th Street (27 spaces total).

The ***proposed valet parking plan*** includes the following:

- 17 on-site valet spaces at 512 and 516 W. 19th Street;
- 20 off-site valet spaces at 540 W. 19th Street; and
- 15 off-site valet spaces at 1913 Harbor Boulevard (52 spaces total proposed).

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 25, 2016 with all persons having the opportunity to speak for and against the proposal;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission hereby **DENIES** Planning Application PA-02-50 A2.

PASSED AND ADOPTED this 25th day of January, 2016.

Robert L. Dickson Jr., Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

I, Claire Flynn, 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 January 25, 2016 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Claire L. Flynn, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (DENIAL)

- A. The requested conditional use permit does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) because:

Finding: The proposed development is not compatible with developments in the same general area and would be materially detrimental to other properties within the area.

Finding: Granting the conditional use permit will be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Finding: Granting the conditional use permit will allow a use, density or intensity which is not in accordance with the general plan designation for the property.

- B. The Costa Mesa Planning Commission has denied Planning Application PA-02-50 A2. Pursuant to Public Resources Code Section 21080(b) (5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.
- C. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

SOCIAL Costa Mesa
516 W 19th Street, Costa Mesa CA

Parking Plans for:

CUP



CUP / Parking Plan
Restaurant Valet Impact and Operations Report

Report Date: January 16th , 2016
Client: SOCIAL Costa Mesa
Location: 512 W 19th St Costa Mesa Ca
Attention: City Of Costs Mesa / Planning / Public Works / Traffic

For the purpose of confirming required valet parking operations, parking requirements, and surrounding traffic patterns the following has been comprised to show current and projected impact. This report is based on twelve months of review.

Related valet parking map, and narrative below illustrate how traffic direction, placement, as well as the logistics plan for parking is more than ample, and within city requirements – on-site and off-site, parking management, security for the subject business understood as *SOCIAL Costa Mesa*, and all those neighboring within the 500 foot radius.

Further improvements have been made by securing 52 total parking spaces. This will further assure that all surrounding neighbors will not be impacted by overflow and or unauthorized parking. It is of the professional review, and live on-site traffic that 52 spaces will not be needed to sustain operations; but will be maintained for code compliance.

Over the past 12 months, the presence of valet has significantly assisted in improving the safety along both city easements, and private venue properties during the hours of operation. Cleanliness of private property, sweeping and maintenance of city alleyways, and parking personnel standing as security and surveillance for activity occurring on and around the subject property has directly assisted in providing tenants and residential neighbors with an improved and safer atmosphere.

Tenant / Business / Resident Contact:

At any time if any parties are concerned of the on-site parking operations, and or placement of such vehicles, direct contact can be make to either of the following principals:

- Jason Liddell (principal of SVS Parking) 714.943.2084
- Steve Moon (principal of SVS Parking) 714.655.7403

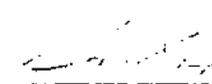
Included:

- Current and project traffic impact charts based on 12 months of traffic logging, and venue expansion plans.
- Narrative for expansion CUP
- Uber impact based on 6 months of regular logging.

Previously Submitted:

- Full scale maps for review

Prepared By: SVS Parking / Superior Valet Services LLC

Name: Jason Liddell Signature: 

Date: 1/16/2016

31

Operations:

- ▲ Signage and valet attendants will direct SOCIAL guests into the "valet" lanes and out of the common line of traffic.
- Arriving guests will be directed, received, and greeted where indicated ▲ .
- Traffic flow is planned to allow unobstructed business and neighboring tenant travel.
- Guest or public traffic ----- Valet traffic -----
- Vehicles are parking in spaces:
 - 1 through 11 512 W 19th St & 516 W 19th St Costa Mesa, Ca
 - 12 through 17 512 W 19th St & 516 W 19th St Costa Mesa, Ca
 - 18 through 37 540 W 19th St Costa Mesa, Ca
 - 38 through 52 1913 Harbor Blvd Costa Mesa, CA
- Valet attendants will remain present to assure all guests are clearly directed to drop-off ▲ and pick-up area .
- Valet attendants will monitor all parking locations for security, safety and operations purposes.
- Parking operations will include radio communication between valet and inside management/hostess.

Permitted Areas for Parking:

- No valet parking or self parking will be permitted or used along the rear alley fence indicated by ----- .
- No valet or self parking will be permitted in any neighboring lot without written consent from business or lot owner.
- SVS Parking assumes responsibility for cleanliness of valet station, isles, alleys, and lot areas in use.
- Valet operations will be conducted on the following peak days and hours of operations:
 - Tuesdays 5:00pm until 12:00am or until valet is no longer needed based upon traffic influx
 - Wednesdays 5:00pm until 12:00am or until valet is no longer needed based upon traffic influx
 - Thursdays 5:00pm until 12:00am or until valet is no longer needed based upon traffic influx
 - Fridays 5:00pm until 12:00am or until valet is no longer needed based upon traffic influx
 - Saturdays 5:00pm until 12:00am or until valet is no longer needed based upon traffic influx
 - Sundays 11:00am until 3:00pm or until valet is no longer needed based upon traffic influx

Existing Traffic Analysis
(number of vehicles received with the hour)

Hours	5:00pm	6:00pm	7:00pm	8:00pm	9:00pm	10:00pm	11:00pm	12:am	1:00am	Total cars
Tuesday	0	2	4	5	0	0	0	0	0	11
Wednesday	0	2	5	5	5	0	0	0	0	17
Thursday	0	4	5	10	5	2	0	0	0	26
Friday	3	6	6	10	8	5	5	0	0	43
Saturday	0	8	10	10	5	10	2	0	0	45
BRUNCH	11:00am	12:00pm	1:00pm	2:00pm	3:00pm	X	X	X	X	
Sunday	1	3	2	0	0					6

Existing Consumption Analysis
(number of vehicles onsite within the hour)

Hours	5:00pm	6:00pm	7:00pm	8:00pm	9:00pm	10:00pm	11:00pm	12:am	1:00am	Average
Tuesday	0	2	6	9	9	4	0	0	0	6
Wednesday	0	2	6	9	9	2	0	0	0	5.8
Thursday	0	4	8	14	12	14	5	0	0	9.6
Friday	3	9	15	22	20	17	10	1	0	11.75
Saturday	0	6	18	25	20	22	12	2	0	15.28
BRUNCH	11:00am	12:00pm	1:00pm	2:00pm	3:00pm	X	X	X	X	
Sunday	1	4	6	2	1					2.8

52

Projected Traffic Patterns

Charts below factor in existing traffic patterns, and projected traffic increase based on the proposed expansion of SOCIAL Costa Mesa, and number of seats zoned for the increase of interior working space.

It is of the professional review by SVS Parking that the existing on-site parking will be ample to fulfill all parking needs, but to ensure room for parking overflow in consideration of the proposed expansion plans, additional park has been secured at the following neighboring locations:

- 540 W 19th Street, Costa Mesa Ca
- 1913 Harbor Blvd, Costa Mesa Ca

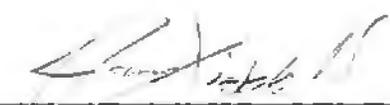
Projected Traffic Analysis (number of vehicles received with the hour)

Hours	5:00pm	6:00pm	7:00pm	8:00pm	9:00pm	10:00pm	11:00pm	12:am	1:00am	Total cars
Tuesday	0	2	4	5	0	0	0	0	0	11
Wednesday	0	2	5	5	5	0	0	0	0	17
Thursday	0	4	5	10	5	2	0	0	0	26
Friday	3	10	12	15	12	5	5	0	0	62
Saturday	5	12	20	15	10	10	2	0	0	74
BRUNCH	11:00am	12:00pm	1:00pm	2:00pm	3:00pm	X	X	X	X	
Sunday	1	3	2	0	0					6

Projected Consumption Analysis (number of vehicles onsite within the hour)

Hours	5:00pm	6:00pm	7:00pm	8:00pm	9:00pm	10:00pm	11:00pm	12:am	1:00am	Average
Tuesday	0	2	6	9	9	4	0	0	0	6
Wednesday	0	2	6	9	9	2	0	0	0	5.6
Thursday	0	4	9	14	12	14	5	0	0	9.6
Friday	3	13	25	35	37	32	15	0	0	22.85
Saturday	5	17	37	42	37	30	15	0	0	26.14
BRUNCH	11:00am	12:00pm	1:00pm	2:00pm	3:00pm	X	X	X	X	
Sunday	1	4	6	2	1					2.8

Name: Jason Liddell

Sign: 

Date: 1/16/2016

Uber Impact Report

Chart 1 below indicates *Uber* impact since August 1st 2015. SVS Parking has found that Uber has made a 40% impact in onsite parking since initial opening of SOCIAL Costa Mesa as of October 2014. The results below over the past 6 months of logging support the cause of valet vehicle reduction during hours of operation.

Findings are accurate with initial opening vehicle counts diminishing from 35 vehicle consumption during peak hours, to current 25 vehicle consumption as seen on page 2 of the Existing Consumption Analysis.

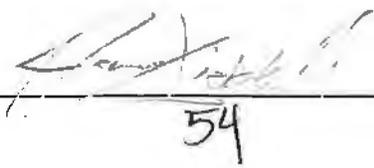
Chart 2 below cross references parking space use to parking space open, and the relative impact of vehicle consumption during every hour.

Hours	5:00pm	6:00pm	7:00pm	8:00pm	9:00pm	10:00pm	11:00pm	12:am	1:00am	Total Uber
Tuesday	0	0	2	2	1	0	0	0	0	5
Wednesday	0	1	3	4	1	0	0	0	0	9
Thursday	1	2	4	3	2	0	0	0	0	12
Friday	0	1	4	6	7	3	0	0	0	21
Saturday	1	2	5	8	8	4	2	0	0	30
BRUNCH	11:00am	12:00pm	1:00pm	2:00pm	3:00pm	X	X	X	X	
Sunday	0	0	0	0	0					0

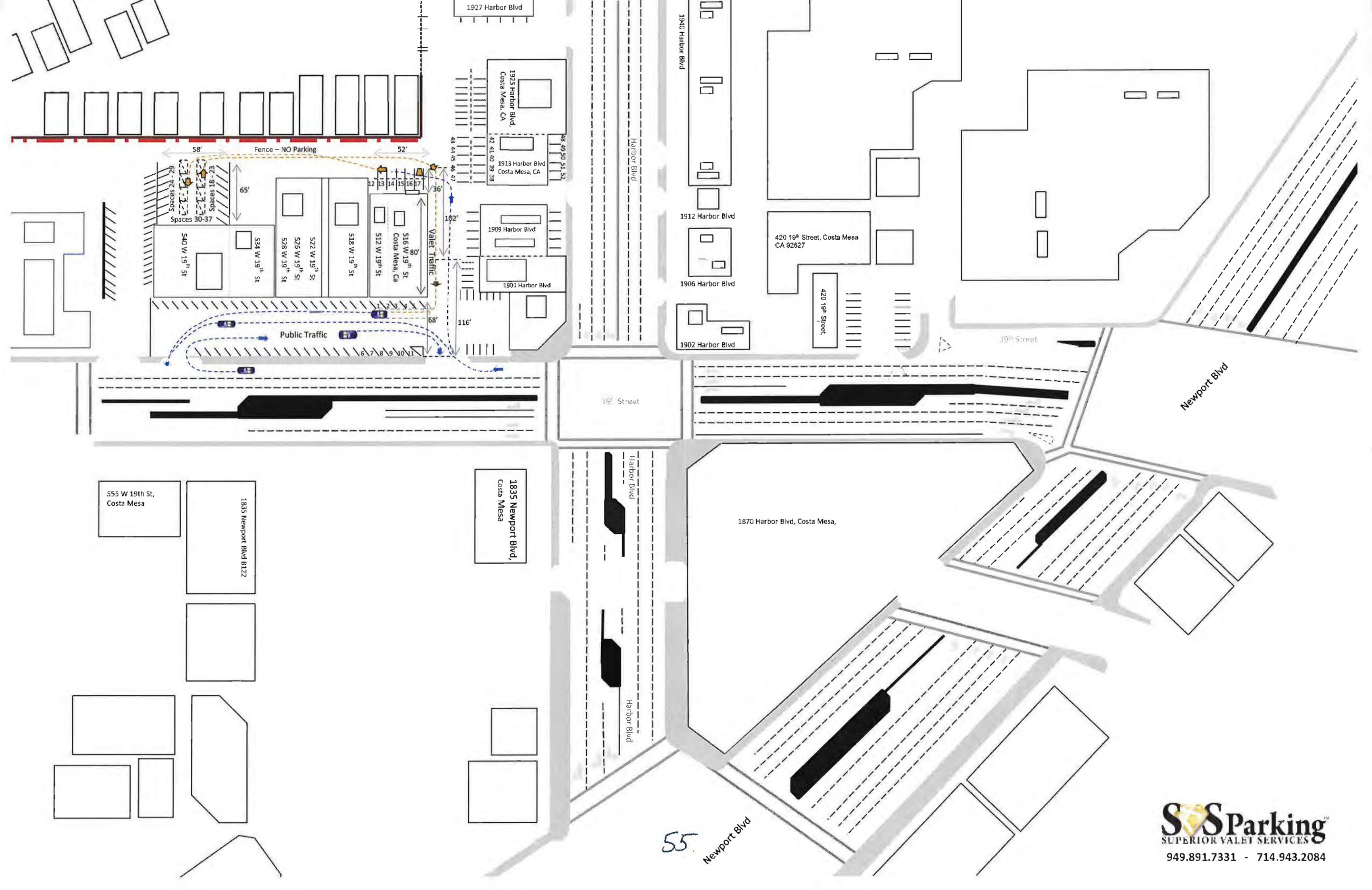
Parking Impact Report (number of spaces open within the hour)

Hours	Used Parking		Aver Open																
	5 pm	Open Parking	6 pm	Open Parking	7 pm	Open Parking	8 pm	Open Parking	9 pm	Open Parking	10 pm	Open Parking	11 pm	Open Parking	12 am	Open Parking	1 am	Open Parking	
Tues	0	47	2	45	6	41	9	38	9	38	4	43	0	40	0	47	0	47	43
Wed	0	47	2	45	6	41	9	38	9	38	2	45	0	40	0	47	0	47	43
Thurs	0	47	4	44	9	38	14	33	12	35	14	33	5	32	0	47	0	47	39
Fri	3	45	9	39	15	32	22	25	20	27	17	30	10	38	1	47	0	47	36
Sat	0	47	8	39	18	29	25	22	20	27	22	25	12	35	2	42	0	47	34
BRUNCH	11 am		12 pm		1m		2 pm		3 pm	X	X	X	X	X	X	X	X	X	X
Sun	1	46	4	43	6	41	2	45	1	46									44

Name: Jason Liddell

Sign: 

Date: 1/16/2016





CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

June 4, 2015

Andrew Dorsey
162 Tulip Lane, Unit C
Costa Mesa, CA 92627

**RE: ZONING APPLICATION ZA-14-40
AMENDMENT TO A CONDITIONAL USE PERMIT TO ALLOW ONSITE AND
OFFSITE VALET PARKING
512 AND 540 WEST 19TH STREET, COSTA MESA**

Dear Mr. Dorsey:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved, based on the findings and subject to the conditions of approval and code requirements (attached). The decision will become final at 5:00 p.m. on June 11, 2015, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Chelsea Crager, at (714) 754-5609, or at chelsea.crager@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments: Project Description and Analysis
Findings
Conditions of Approval and Code Requirements
Project Description
Approved Conceptual Plans

cc: Engineering Andrew Lee
Fire Protection Analyst 53 Balboa Coves
Building Safety Division Newport Beach, CA 92663

57

PROJECT DESCRIPTION

The subject property is located on West 19th Street west Harbor Boulevard. The property is a part of a commercial center where tenant spaces are individually owned and parking is not shared. The property is zoned C2 (General Business) with a General Plan land use designation of Commercial Center. Properties to the east and west are also zoned C2 and contain commercial uses. The property to the south across West 19th Street is zoned PDC (Planned Development Commercial), and the property to the north, across a public alley, is zoned R2-HD (Multi-Family Residential, High Density) and contains residential uses. The property is accessed by a public alley to the east and north.

The subject property contains a restaurant use and 15 onsite parking spaces, as shown on the submitted site plan. The parking at the property is legal nonconforming.

Previous Entitlements

On November 25, 2002, Planning Commission approved Conditional Use Permit PA-02-50 for extended operating hours of an existing restaurant and to allow live entertainment (background music), while withdrawing the conditional use permit for shared parking and the minor conditional use permits for shared access and to deviate from the shared parking requirements in the C2 zone (Applicant had requested to expand the restaurant but could not obtain permission from other owners in the center to formally share parking and access).

On June 13, 2005, Planning Commission approved Conditional Use Permit PA-05-17 to extend the days of live entertainment, including karaoke, to seven days a week with music to cease at midnight. Additionally, the live entertainment was expanded to allow karaoke.

On July 19, 2007, the Zoning Administrator approved Minor Conditional Use Permit ZA-07-33 for a deviation from parking requirements for an outdoor patio area. According to this approval, the enclosed outdoor patio area is to be used for restaurant patrons who wish to smoke outdoors, but is not to be used for additional dining area.

Proposed Amendment

The applicant proposes amending the existing conditional use permit to allow onsite and offsite valet parking Wednesday through Saturday 5:00 p.m. to 12:00 a.m. The intent of this amendment is to alleviate parking problems during these hours by allowing the stacking of valet parked cars, gaining additional parking.

ANALYSIS

Parking and Circulation

Onsite valet parking will occur in the spaces immediately in front of the tenant space and behind the tenant space, as shown on the attached site plan. Offsite valet parking will occur in the rear parking lot of 540 West 19th Street (Tick Tocker Thrift Store) only, and will not occur during business hours of the tenant at 540 West 19th Street. Transportation Services Division staff have reviewed and approved this plan.

To encourage customers to take advantage of available valet parking, the service is to remain free at all times.

Valet stands are conditioned to be on the subject property only, with no loading or unloading of passengers either offsite, in the alley, or on the street. Additionally, they are to be placed in areas that do not interfere with required parking for other properties or drive aisles.

Noise

The subject property abuts residential properties to the north, closest to the rear of the restaurant. To prevent noise impacts of restaurant patrons picking up valet-parked cars to these neighbors, all valet pickup is to occur at the front of the restaurant.

Impacts to Neighbors

To prevent impacts of this use on neighboring properties, the applicant has agreed to clean up any litter from restaurant patrons on adjacent properties.

General Plan Consistency

The Commercial Center General Plan land use designation is intended for large areas with a concentration of diverse or intense commercial uses serving local and regional needs. Valet parking is supportive of those types of uses, including the currently operating restaurant at 512 West 19th Street, and will allow a use and intensity that is consistent with the General Plan. Valet parking, as conditioned, should not generate noise impacts to the residential neighbors and will help alleviate parking impacts, therefore, ensuring the project is compatible with surrounding uses.

The proposed project, as conditioned, is consistent with the Zoning Code and the City's General Plan because, with the included conditions of approval, the valet parking should not adversely impact the surrounding uses.

FINDINGS

- A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:
1. The proposed use is compatible and harmonious with developments in the same

general area and would not be materially detrimental to other properties within the area. The loading and unloading of customers will occur onsite only. Offsite parking is prohibited during business hours of the tenant at 540 West 19th Street. Valet drop off is to occur at the rear of the tenant space to prevent queuing of cars onto West 19th Street. Additionally, any littering on adjacent properties caused by restaurant patrons will be the responsibility of the restaurant owner.

2. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. Valet stands are conditioned to be placed entirely on private property and not to interfere with drive aisles nor required parking for neighboring properties.

3. Granting the conditional use permit will not allow a use, density or intensity that is not in accordance with the General Plan designation and any applicable specific plan for the property. The proposed use is supportive of the restaurant use, consistent with the Commercial Center General Plan land use designation.

B. The information presented complies with Costa Mesa Municipal Code Section 13-29(e) in that:

1. There will be a compatible and harmonious relationship between the proposed building and the site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood. Valet parking is conditioned not to interfere with parking for other properties, drive aisles, public alleys, or public streets. Additionally, loading and unloading of passengers is permitted onsite only, and offsite valet parking may not occur during the operating hours of the tenant at 540 West 19th Street.

2. Safety and compatibility of the design of buildings, parking area, landscaping, luminaries, and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation have been considered. Transportation Services Division staff have reviewed and approved the attached site plan. The minor conditional use permit includes conditions that the loading and unloading of passengers may only occur onsite only and may not interfere with parking for other properties, drive aisles, public alleys, or public streets.

3. The project complies with performance standards described elsewhere in the Zoning Code, and is conditioned to operate as described in this staff report.

4. The project as conditioned is consistent with the General Plan in that the project is supportive of the restaurant use permitted under the Commercial Center General Plan land use designation of the property and does not adversely affect surrounding uses.

5. This zoning application is for a project-specific case and is not to be construed to

be setting 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 under Section 15301, Existing Facilities, of the CEQA Guidelines.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

- Plng. 1. The use shall be limited to the type of operation described in the staff report and the applicant's description, subject to the following conditions:
- The two valet stations shall be located on private property in areas that do not interfere with parking for other properties, drive aisles, public alleys, or public streets.
 - Valet parking shall occur in the areas shown in the attached site plan only. All valet parking shall be onsite at 512 West 19th Street and offsite at 540 West 19th Street. No valet parking may occur on any other property or in any public alley or public street.
 - Valet parking shall occur during the following hours only: Wednesday-Saturday 5:00 p.m. to 12:00 a.m.
 - Drop-off of customer cars is to be at the rear of the restaurant to prevent queuing of cars onto West 19th Street.
 - Pick-up of customer cars is to be at the front of the restaurant to prevent noise impacts of leaving restaurant customers to the residential neighbors to the north.
 - There shall be no charge for valet at any time.
 - Offsite valet parking shall occur at 540 West 19th Street only, and shall be prohibited during the operating hours of the tenant.
 - Parking spaces not reserved for valet parking shall remain open and unobstructed for customer self-parking.
- Any change in the operational characteristics including, but not limited to, the hours of operation, number and location of valet stations, or vehicle/walkway routes, shall be subject to Planning Division review and may require an amendment to the conditional use permit, 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.
2. As required by Minor Conditional Use Permit ZA-07-33, no food or beverages shall be served in the patio area.

3. As required by Minor Conditional Use Permit ZA-07-33, if parking shortage or other parking-related problems arise, the applicant shall institute whatever optional measures are necessary to minimize or eliminate the problem, including, but not limited to, removal of all tables and chairs from the patio area.
4. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute appropriate security and operational measures are necessary to comply with this requirement.
5. Any littering on adjacent properties caused by restaurant patrons shall be cleaned by the restaurant operator.
6. 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.
7. All conditions of approval/Code requirements of PA-02-50, PA-05-17, and ZA-07-33 shall apply.

CODE REQUIREMENTS

The following list of federal, state, and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Bldg.
1. Comply with the requirements of the 2013 California Building Code. (or the applicable adopted, California Building code and and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
 2. Comply with 2013 California Building code section 11B-209.4 for a valet parking to provide at least one accessible passenger loading zone at vehicle drop-off and vehicle pick-up areas.



Request for Valet Parking Permit
Restaurant Valet Plan

Valet Map Date: October 21st, 2014
Revised Date: October 28th, 2014
Client: SOCIAL Costa Mesa
Location: 512 W 19th St Costa Mesa Ca
Attention: City Of Costs Mesa / Public Works / Traffic

For the purpose of requesting and obtaining an appropriate valet parking permit the following has been comprised to assure operations, positive impact, and safety:

The valet parking map and narrative below illustrates how traffic direction, placement, as well as the logistics plan for parking assures ample parking, parking management, security for the subject business understood as *SOCIAL Costa Mesa*, and all those neighboring within the 500sq' radius. Further improvements has been made by implementing and sustaining safety measures as prior pass-through traffic had been consuming along with public driving speeds well beyond the allowed speed within a business complex. Revitalizing the surrounding conditions has begun by sustaining clean curbs, parking lots, and fairways, reducing public nuisance, the unfortunate but heavily prominent homeless presence, and other issues that have negatively impacted the local business owners.

Prepared By: SVS Parking / Superior Valet Services LLC

Name: Jason Liddell Signature: _____ Date: 10/28/2014

63

Letter of Urgency for Temporary Lenience

Business: SOCIAL Costa Mesa
Address: 512 W 19th St Costa Mesa Ca, 92627
Date: October 28th 2014
Purpose: Express urgency for:

- The need for valet in order to operate business & appropriate parking per code
- Positive impact SOCIAL and associated valet have had on surroundings
- Request for temporary lenience

Good afternoon Rene, Lee and Planning Department staff,

My name is Andrew Dorsey, part owner and principal of a new restaurant titled SOCIAL Costa Mesa that has been positively impacting not only the dinning culture within Costa Mesa, but specifically improving upon the immediate surroundings of our location. The corner development on 19th and Harbor Blvd has long been a compromised *seed* for the neighborhood, police, and City in whole; but over the past several weeks we have positively impacted this setting, greatly improving the influence, and would like to continue to do so by means of our business, and the current topic of *valet parking*.

Please accept our apology as we did not think the ancillary service needed City approval given we viewed it only as a facilitation factor to assure business and patron support. We ask for your grace while we complete the process of receiving approval for valet parking. The process has begun, and we are in the midst of revising our valet parking plans and analysis for you.

Our concern in "ceasing all valet operations" this week is that this will negatively impact our neighbors, parking control/management, stifle our ability to receive business, as well as cause us to lose the oversight and security for both our neighbors, and patrons. The shock to our patrons if they arrive under limited parking circumstances will be detrimental to our business, and most likely difficult to recover from. First impressions with new businesses last for the first 6 months until patrons find comfort in their approval of the business/service.

Requested temporary solution: The owners of our valet provider will meet with you personally to answer questions and assure you of the onsite operations, while the formalities are complete through document submittal, review, and approval. We ask this of you only because of the pertinent nature of having valet parking present during our peak hours of operation.

The positive feedback above we have received from neighboring businesses, police, as well as observation as to a revitalization that has occurred due to the class of clientele that we attract, and security that the valet has ensured. These outcomes thus far have also been greatly amplified by the valet parking services. From onsite traffic facilitation, to lot security, to protecting our neighbors parking, to assisting in the enforcement of the "no parking along the alley" requirement we received from the City last week (this was not the valet, but rather other self-parkers), the valet stands as a "make or break" point for our business, as well as our relations with our neighbors.

We again apologize and ask for your grace while we show proof of proceeding in providing your requested documentation (this process has begun). Our peak hours of operations that valet is pivotal are Wednesday through Saturday from 5:00pm to 12:00am.

Our valet provider: SVS Parking (Superior Valet Services) / Jason Liddell 714.943.2084 / Steve Moon 714.655.7403
Existing Business License in Costa Mesa: Yes / Account #: 45967

Appreciatively,
Andrew Dorsey / 760.695.2487

04

See Map on page 4

- Signage and valet attendants will direct SOCIAL guests into the "valet" lanes and out of the common line of traffic.
- Arriving guests will be directed, received, and greeted were indicated
- Traffic flow is planned to allow unobstructed business and neighboring tenant travel.
- Guest or public traffic Valet traffic
- Vehicles are parking in spaces:
 - 1 through 9
 - 15 through 23
 - 24 through 43
- Spaces 10 through 14 and 44 through 50 indicated as prospective back-up parking pending future business increase.
- Valet attendants will remain present to assure all guests are clearly directed to drop-off and pick-up area
- Valet attendants will monitor all parking locations for security, safety and operations purposes.
- All vehicles will be backed in to further assure ambiance, facilitation and presentation.
- Parking is arranged in the attached front & rear lots, along with allowable side neighboring spaces.
- Spaces used for valet parking as numbered on map.
- No valet parking will be allowed or used along the rear alley fence indicated by
- SVS Parking assumes responsibility for cleanliness of valet station, isles, alleys, and lot areas in use.
- Valet operations will be conducted on the following peak days and hours of operations:
 - Wednesdays 5:00pm until 12:00am or until valet is no longer needed based upon traffic influx
 - Thursdays 5:00pm until 12:00am or until valet is no longer needed based upon traffic influx
 - Fridays 5:00pm until 12:00am or until valet is no longer needed based upon traffic influx
 - Saturdays 5:00pm until 12:00am or until valet is no longer needed based upon traffic influx

Traffic Analysis

(number of vehicles received with the hour)

Hours	5:00pm	6:00p m	7:00p m	8:00p m	9:00p m	10:00p m	11:00p m	12:am	1:00am	Total cars
Wed - cars	1	2	4	3	5	6	2	0	0	23
Thurs - cars	3	4	5	9	2	8	10	2	0	43
Fri - cars	3	6	6	10	8	10	10	2	0	55
Sat - Cars	2	8	8	5	5	12	12	5	0	57

Consumption Analysis

(number of vehicles onsite within the hour)

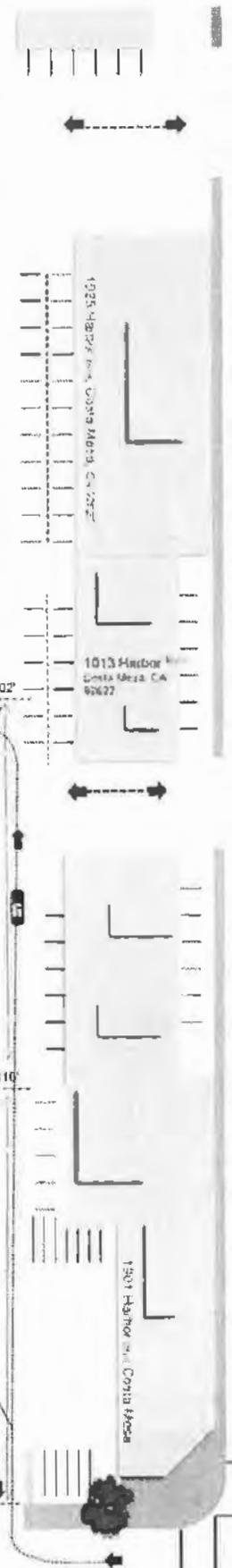
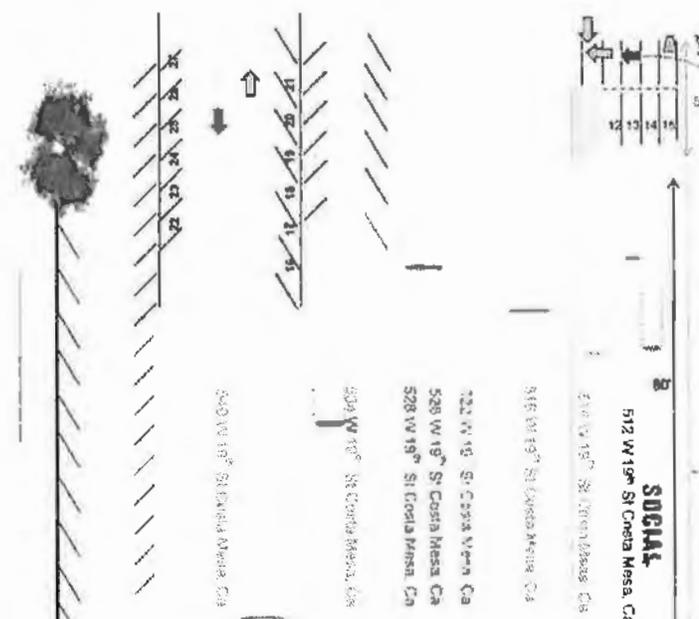
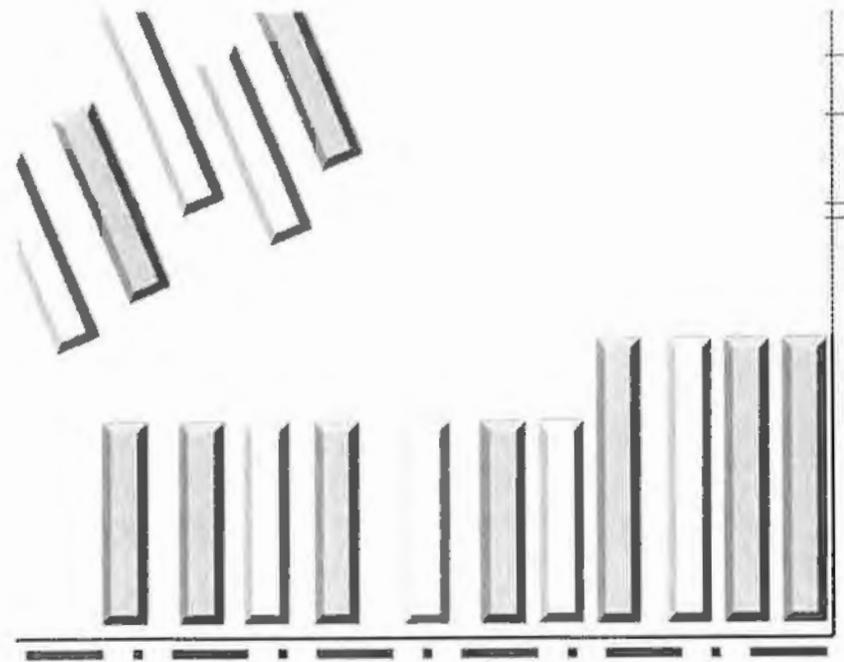
Hours	5:00pm	6:00p m	7:00p m	8:00p m	9:00p m	10:00p m	11:00p m	12:am	1:00am	Average cars
Wed - cars	1	3	7	10	7	13	10	6	0	6.3
Thurs - cars	3	7	12	18	20	19	12	8	0	11
Fri - cars	3	9	15	22	21	25	17	8	0	13.3
Sat - Cars	2	10	18	21	18	35	20	5	0	14.3

Name: Jason Liddell Signature: _____ Date: 10/30/2014

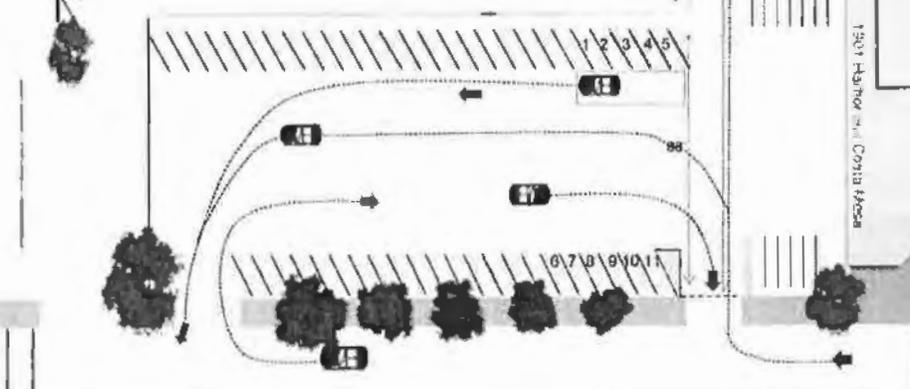


Thank you for using SVS Parking

65



Harbor Blvd Costa Mesa, CA 92627



10th St, Costa Mesa, CA 92627



66

L.O.T.P.

Law Offices of Tung T. Pham

15355 Brookhurst Street, Suite 210B | Westminster, CA 92683

Tel 714.839.4097 | Fax 714.839.0957 | assist.lotp@gmail.com

Tung T. Pham, Esq.

David M. Do, Esq.

VIA IN PERSONMay 15th, 2015

Attn: Planning Division
 City Hall
 77 Fair Drive
 Costa Mesa, CA 92626

Re: Opposition to Application No. ZA-14-40
Site Address: 512 W. 19th Street

Dear Planning Commission,

As an initial matter take notice that our office represents the property owner, Antonio Casalini ("Mr. Casalini") regarding the above matter. As such, all correspondence and communication should be directed to our office at the address above. This letter concerns Mr. Casalini's opposition to the application referenced above, by the applicant Andrew Lee, with the project description as follows:

Amendment to Conditional Use Permit PA-02-50 to allow valet parking at an exiting restaurant (Social Costa Mesa). The plan includes 9-on-site valet spaces at 512 W. 19th Street and 12 off-site valet spaces at 540 W. 19th Street (21 spaces total). Hours of valet parking are Wednesday through Saturday 5:00 pm to 12:00 am ("Application").

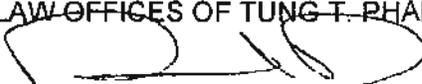
Mr. Casalini is the owner of the following commercial buildings adjacent to 512 W. 19th Street and directly affected by the Application:

- 522 West 19th St., Costa Mesa, CA 92627;
- 524 West 19th St., Costa Mesa, CA 92627;
- 526 West 19th St., Costa Mesa, CA 92627; and
- 528 West 19th St., Costa Mesa, CA 92627.

Find attached Mr. Casalini's opposition to the Application.

Thank you in advance for your attention and anticipated professional courtesy and cooperation.

Best Regards,
 LAW OFFICES OF TUNG T. PHAM


 David M. Do, Esq.
 Attorney

Received
 City of Costa Mesa
 Development Services Department

Enclosure(s):

1. Opposition to Application No. ZA-14-40

CC: Mr. Antonio Casalini

MAY 20 2015

67

- 1 - Mr. Casalini owns the parking spaces in-front of and in-the-rear of his properties. Mr.
2 Casalini has made no agreements with SCM to use any of his parking spaces.
3 - Upon information and belief, it is alleged that currently no known agreements exist
4 between any other adjacent commercial property owners and SCM for the lease of
5 parking spaces for the requested times of the valet service.

6 II.

7 ARGUMENTS

8 **A. Social Costa Mesa's Application should be denied for 20 on-site valet spaces**
9 **because it only has a maximum of 11 on-site parking spaces.**

10 As an initial matter, the proposed project does not comply with *Costa Mesa Municipal*
11 *Code Section ("CM Muni. Code.") 13-89*. Pursuant to *CM Muni Code Sec. 13-89*, SCM is
12 required to have a minimum of 30 parking spaces—establishments where food or beverages
13 are served are required to have at least 10 spaces per 1,000 square feet of gross leasable area
14 unless permitted to have less than the required amount of parking pursuant to *CM Muni. Code*.
15 *Sec. 13-89-5*. To date, SCM has only 11 known on-site parking spaces shared between SCM
16 employees and customers.

17
18 Realistically, SCM would only have the 7 known on-site parking spots for customers in
19 the front as the rear parking is for employees. This application would force the planning
20 commission to believe that all workers will be able to park the vehicles in the back of the
21 property. In reality, the SCM workers and SCM patrons, will and have parked in the adjacent
22 parking spots without permission belonging to this opposing owner.

23 Based upon the above facts and allegations, the site that SCM is located on does not
24 have any more than the 7 parking spaces on-site. Moreover there are no known easements or
25 covenants with adjacent lots for parking spaces that would allow SCM to count as on-site
26 parking spaces. Thus factually, SCM cannot possibly provide 9 on-site valet spaces.

27 Moreover, there is no possible way for Social Costa Mesa to obtain 9 on-site spaces for
28

1 valet without infringing upon the legal rights of the adjacent commercial property owners and
2 their business tenants. At most all they can have is 7 on-site spaces for valet—assuming
3 arguendo that from the hours of 5:00pm to 12:00am customers will be forced to do valet. SCM
4 cannot count the parking spaces belonging to adjacent owners as on-site parking spaces just
5 because those parking spaces are adjacent to SCM's business. Review of property information
6 clearly shows that each commercial parcel owns the parking spaces in front of and in the rear of
7 each respective building.

8 Thus, this application should be denied because it is impossible to approve 9 on-site
9 valet spaces in a location where realistically only 7 on-site spaces exist.

10
11 **B. SCM's Application should be denied because approval will result in the infringement**
12 **upon adjacent property owners' rights and will be detrimental to the health, safety**
13 **and general welfare of the public or other properties or improvements within the**
14 **immediate vicinity.**

15
16 The problems associated with the parking spaces have been continuous since SCM began
17 operating. (See attachment B – Protest Against Alcoholic Beverage License Application) On at
18 least four separate occasions Mr. Casalini made written notice to SCM regarding the parking
19 space issues. All four attempts have been ignored. Despite Mr. Casalini's protests, SCM has
20 allowed its patrons to trespass upon the property and infringe upon Mr. Casalini's property
21 rights causing waste and loss of spaces for patrons of the businesses located at such
22 properties.

23 On several occasions after SCM began operations, Mr. Casalini has arrived to his
24 properties in the morning to find human waste—most notably vomit and urine—as well as,
25 broken and un-broken empty bottles and glasses strewn about his properties' parking spaces.
26 Mr. Casalini and his tenants do not profit from SCM's business practices but are the ones who
27 are ultimately forced deal with and clean-up the associated mess.

1 In addition, SCM's overflow has caused financial disruption to Mr. Casalini's business
2 and business tenants due to the competition and loss of parking spaces for patrons. There have
3 been numerous times when Mr. Casalini was forced to find off-site parking to come to his own
4 properties. The Application is requesting on-site valet spaces from 5 pm to 12 am. If Social
5 Costa Mesa does not have the space, then it likely that they are intending that their patrons spill
6 into Mr. Casalini's properties. This is something that is already happening. (See Attachment B)
7 Thus, such practices will cause continual financial disruption to the businesses located at Mr.
8 Casalini's properties since the businesses located there are still operating at those times.

9
10 III.

11 CONCLUSION

12 Therefore, this Application should be denied because of the following:

13 1. This Application cannot comply with *CM Muni. Code Sec. 13-89 et seq.* because it does
14 not have more than 7 on-site parking spaces nor does any exception exist. Thus, approval is a
15 factual impossibility.

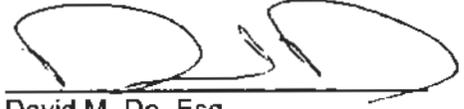
16 2. This Application does not comply with *CM Muni. Code Sec. 13-29(g)(2)* because the
17 proposed use is not compatible with developments in the same general area. Granting the
18 conditional use permit will be detrimental to the health, safety and general welfare of the public
19 or other properties or improvements within the immediate vicinity. Granting the conditional use
20 permit will allow a use, density or intensity, which is not in accordance with the General Plan
21 designation for the property.

22 3. The proposed amendment does not comply with *CM Muni. Code Sec. 13-29 (e)*
23 because:

- 24 a. The proposed use is not compatible and harmonious with uses both on site and
25 those on surrounding properties.
26 b. The project is not consistent with the General Plan.
27
28

1 Dated: May 15th, 2015

Respectfully Submitted By:
LAW OFFICES OF TUNG PHAM
Attorneys for Antonio Casalini

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David M. Do, Esq.

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ATTACHMENT A

Map View



Street View



512 W 19th Street, Costa Mesa, CA

Property Details

Primary Property Type Commercial

Property Sub-type Other

Building Size 4,800 SF

Year Built 1955

Building Code End Row

No. Stories 1

Lot Size 0.28 Acres

APN/Parcel ID 422-103-14

APN/Parcel ID 422-103-14

Census Tract 0637025002

Building Size 4,800 SF

Lot Size 0.28 Acres

Lot Number 5

Maps

ATTACHMENT B

76

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- **Please print legibly or type.** Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

SOCIAL COSTA MESA, LLC and Daniel Anthony Biello

(Name(s) of Applicant(s))

For premises at:

512 W 19th St., Costa Mesa, CA 92627

(Exact address of proposed premises)

on the grounds that:

Please see attached.

Check here if additional sheets attached

I, **Antonio Casalini**, declare under penalty of perjury:

PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

DATE SIGNED

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

Attachment to ABC-510

1
2 1. I am the property owner of the business plaza at 522, 524, 526, and 528 W. 19th St. Costa
3 Mesa, CA 92627 ("Adjacent Lot"). I have several commercial tenants that utilize my parking lot.
4 My property is directly adjacent to the premise at 512 W. 19th St., Costa Mesa, CA 92627
5 ("Premise") that is seeking the aforementioned license.

6 2. The premises and its parking facilities have insufficient parking on-site. Because of this
7 insufficiency, patrons to the premise park their vehicles in the Adjacent Lot that is reserved for
8 patrons of my tenant's businesses. Operation of the requested license, particularly if this request
9 includes a later closing time than is presently allowed at the premises or at other licensed
10 premises nearby will cause residents and business owners to be affected by increased crime, late
11 night noise and disturbances, and unruly competition for parking.
12

13 3. Granting the license to the premises would make the disturbances and obstructions to the
14 use of my property a permanent public nuisance pursuant to Penal Code Section 370.

15 a. Because the parking lot that belongs to the premise is insufficient, then the
16 premise's patrons are unlawfully parking in the Adjacent Lot—using up the spots reserved for my
17 tenants' businesses; bringing refuse from the premise and leaving it strewn about my property;
18 and causing destruction with bodily fluids to my tenants' surrounding businesses.
19

20 b. I, personally, have had to park my vehicle in another parking lot quite some
21 distance away to get to my own property. On at least four separate occasions, I have given
22 Applicant written notice of my discontent and request for Applicant to cease his behavior. Each
23 time I have been ignored. Applicant's refusal to cooperate with me does not give me confidence
24 that the licensing of the premise will solve the obstruction Applicant is causing to my use of my
25 property—it may actually make things worse. Thus, operation of the requested license has caused
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28

1 and will cause an ongoing and increasing obstruction to the use of my property.

2 c. This spill-over is not just limited to a parking issue. Because patrons park in my
3 property and leave the premise intoxicated, then I constantly find trash and bodily fluids strewn
4 about. Several mornings I have come to my property and have found the following in my parking
5 lot and in front of my tenant's doors and offices:

- 6 i. Urination;
7 ii. Vomit; and
8 iii. Empty alcohol bottles and containers.

9 Such disorderly conduct impedes the lawful conduct of business and of my patrons
10 that do not want to deal with inebriated individuals and/or their aftermath.

11 4. Further, operation of the premises under the requested license will tend to create or
12 continue law enforcement problems and also will add to the existing law enforcement problems
13 and to the existing concentration of assaultive violence, robbery, and forcible rape. See Costa
14 Mesa Police Department Crime Statistics at <http://www.costamesaca.gov/index.aspx?page=382>.
15 From review of the statistics, crime is increasing in the area.

16 5. Licensing of the premises will add to, re-establish, or maintain, public nuisance in the
17 area; specifically, it will be injurious to the health of, offensive to the senses of, and an
18 obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or
19 property by an entire neighborhood, including but not limited to:

20 a. those residences within hearing distance of the noise from the premises, its parking
21 facilities, and its delivery and refuse collection vehicles;

22 b. those residents who will be exposed to cooking and refuse bin odors;

23 c. those residents living next to, sometimes with their bedrooms directly adjacent to,
24 drunken acts of public urination or defecation and late-night loud and boisterous behavior can
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1 reliably be predicted; and

2 d. licensing of the premise will also adversely affect a considerable number of other
3 business persons, who, may be interested in looking for a business lease location in this business
4 plaza or other surrounding business plazas because they do not wish to have to deal with the
5 aftermath of the patrons from the premise.

6 6. The applicant cannot establish, per Rule 61.4, that licensing the premises will not interfere
7 with the quiet enjoyment of local residences. Issuance to these premises of a conditional license,
8 where the public is to be protected by the application of those conditions (and existing State laws)
9 because "issuance of an unrestricted license would be contrary to the public welfare and morals,"
10 is a sham and fraud upon the public, as in recent history the Department has not enforced, in the
11 census tract of this license, the most important of the conditions imposed nor has it enforced State
12 laws regarding underage purchases or drinking, and due to State budget restrictions, is even less
13 likely to do so in the future.

14 a. What applicant has established is that the type of disruptions and obstructions that
15 licensing the premises will cause to both local residences and business residents.

16 b. There are residences directly behind the premises and the residents there would be
17 subjected to increased noise, loitering, and littering to the extent that my neighboring tenants have
18 already been exhibiting.

19 c. The residences will also be in competition with the parking needs of the
20 Applicant's patrons because the patrons will spill into residential areas during the late hours that
21 the Applicant is operating.

22 7. Based on the Department's past actions, and that this is an application for a TYPE 47
23 license, Protestant expects that the Conditional License the Department will offer to Applicant
24

1 will contain all of the following conditions, many of which are commonly found on restaurant
2 licenses in urban areas, and which are necessary to ensure that the premises remain a restaurant
3 and not a night-club or bar.

4 a. Petitioner shall not operate a sports bar at the premises.

5 b. The premises shall be maintained as a bona fide restaurant and shall provide a
6 menu containing an assortment of foods normally offered in restaurants; that full menu of foods
7 shall be available, at regular prices, during all hours that alcohol is sold, served, or consumed.
8

9 c. The sale of alcoholic beverages for consumption off the premises is strictly
10 prohibited.

11 d. The quarterly gross sales of alcoholic beverages shall not exceed 49% of the gross
12 sales of food (excluding alcoholic beverages) during the same period.

13 e. No reduced price alcoholic beverage promotions shall be allowed, examples being,
14 but not limited to, "happy hours", "all you can drink" for a set amount, "two drinks for the price
15 of one", and alcoholic beverages included as part of the price of a meal.
16

17 f. Alcoholic beverages shall be sold only by single drink containing no more than 12
18 fl. Oz. of beer, or 6 fl. Oz. of wine, or 1 fl. Oz. of distilled spirits. There shall be no sale of
19 alcoholic beverages in multi-drink, multi-person or oversized portions or containers, examples
20 being, but not limited to, by the "bucket", pitcher or "yard", or wine sold by the bottle or carafe.

21 g. All employees of the premises shall undergo the ABC L.E.A.D. training program
22 as a condition of employment.
23

24 h. Petitioner shall not require an admission charge or a cover charge, nor shall there
25 be a requirement to purchase a minimum number of drinks.

26 i. There shall be no dancing or live entertainment.
27
28

1 j. The exterior of the premises shall be maintained free of graffiti at all times.

2 k. On the patio, the petitioner shall only serve alcoholic beverages to patrons who are
3 seated at a dining table.

4 l. The boundaries of the patio shall be clearly defined and designated by physical
5 barriers to separate the patio from the public sidewalk and adjacent private property, which is not
6 under the exclusive control of licensee. These barriers and boundaries, as approved and
7 designated on ABC 257, shall not be changed without prior approval of the Department.
8

9 m. On the patio, sales, service, and consumption of alcoholic beverages and any
10 entertainment provided, shall cease at 10:00 P.M. on Friday and Saturday, and at 9:00 P.M.
11 Sunday through Thursday.

12 n. The licensee or an employee of licensee shall be present in the patio at all times
13 that alcoholic beverages are being served or consumed.

14 8. Applicant premises are located in a jurisdiction where there has been little enforcement,
15 whether by local police or the ABC, of the ban on underage drinking. During the same period,
16 crime has occurred, which could have been prevented had the ban been enforced. Applicant
17 premises will and pursuant to Type 47 license are allowed to admit persons under 21.
18



P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200 • (714) 754-5245

City of Costa Mesa

TELEPHONE RECORD

Date: May 11, 2015

Name: Dorothy Bayliss

Address: 534 West 19th Street

Call Received by: Chelsea Crager, Assistant Planner

COMMENTS: ZA-14-40

Concerns about parking on other properties, including 534 West 19th Street
Too much activity in the back of the building

Curt A. Herberts, II
234 E. 17th, Suite 118
Costa Mesa, CA 92627

April 30, 2013

Zoning Administrator
City of Costa Mesa
P.O. box 1200
Costa Mesa, CA 92628-1200

Re: Your application No. ZA-13-09
Site Address: 1925 Harbor Blvd., Costa Mesa

To Whom This May Concern,

I am responding to the multiple public notices that I received regarding the above referenced planning action. As the owner of adjoining properties at 1907-1909 and 1927-1937 Harbor Blvd., Costa Mesa, I am very familiar with the subject property at 1925 Harbor Blvd. My concern with the proposed use stems from the rampant parking problems that were experienced when the subject property was last occupied by a furniture store and later a golf cart businesses. Even with both of those business having relatively low demand parking requirements their employees and customers would habitually park in the most convenient parking lot, which was at my property at 1927 Harbor Blvd.

It seems readily apparent that the subject property has a limited area for parking to begin with, which is exacerbated by the lack of visibility from the street or way finding signs. At present, parking space delineation is virtually non-existent. Finally, for many years the parking area was entirely fenced and gated precluding customer parking.

One other issue that has been prevalent in the neighborhood is the transient and or drug activity. The Costa Mesa Police Department will readily confirm this. The driveways and alleys to the rear of the subject property are in poor condition and either have minimal or non-existing security/customer lighting. In its present state, customers will avoid parking on the subject property parking lot due to the security risk.

Due to these issues, I would request that the City of Costa Mesa take these factors into account in the determination of a CUP. Therefore, in the event that a CUP is contemplated, I would request the following:

1. The issuance of a CUP be limited to a specific duration, (ex. 1 year) or subject to a periodic review, (6mo or annual) during the term of the proposed tenants occupancy to ensure that the owner and tenant are adhering to the conditions of the CUP.
2. Requirement for the subject property parking area to be re surfaced, striped and signed with way finding signs for customers to readily find and park without any fences or obstructions to ingress or egress.
3. Requirement for lighting to be installed on the building and or parking area to ensure employee and customer safety.

Please do not misunderstand my desires, as the subject property has been vacant for many years, I would like to see the owner be successful in leasing the property to a business that will have a positive influence on the neighborhood. That being said, due to issues that are listed above, I would respectfully request that conditions that ensure enforceability be implemented to ensure that parking and safety concerns are adhered to.

Due to the significant impact that the proposed CUP has on the adjacent properties, I would appreciate the opportunity to review plans or proposals that may be available during the CUP process.

Thank you in advance for your consideration.

Sincerely,



Curt A. Herberts, II
Off: (949) 631-6004



P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200 • (714) 754-5245

City of Costa Mesa

TELEPHONE RECORD

Date: March 24, 2015

Name: Ted Horwith

Address: 1901 Harbor Boulevard

Call Received by: Chelsea Crager, Assistant Planner

COMMENTS: ZA-14-40

Valet parking at this location blocks traffic through the alley and access into 1901 Harbor parking lot
Cars are queuing onto West 19th Street

CRAGER, CHELSEA

From: Curt Herberts II <herberts.pcr@gmail.com>
Sent: Thursday, March 19, 2015 2:29 PM
To: CRAGER, CHELSEA
Cc: BOUWENS-KILLEEN, WILLA
Subject: Re: 512 W. 19th Street & 1925 Harbor Blvd., Costa Mesa

Hi Chelsea,

Thank you for discussing the status of the "Social" application for the CUP as it relates to parking at their establishment location of 512 W. 19th Street, Costa Mesa. As I mentioned, most of my original concerns that are listed in my February 9, 2015 letter addressed to Willa Bouwens-Killeen still have not been address by the owners of the Social establishment in their new proposal as listed below:

1. Social's Valet service continues to illegally section of and use property that they do not have authorization to use for the parking of cars.
2. Social's Valet service continues to stage the Valet stands and signs in such a way that when cars arrive or depart those cars block the ingress and egress from the public alley that runs between their location and the commercial properties that line Harbor Blvd. starting at 1901 through 1925.
3. I received a phone call from Andrew Dorsey who identified himself as the owner of Social. During the course of our conversation Andrew made it quite clear that he was fully aware that illegally parked cars cannot be legally towed until they have been parked for at least 1 hour.

As a result of the above actions on the part of Social, the business that surround Social have been and continue to be severely impacted. As the property owner, of two properties at 1907-1909 and 1927 Harbor Blvd., Costa Mesa, I am receiving complaint from my seven tenants that our parking spaces are being commandeered from patrons of adjoining properties which in turn do not have parking on their properties due to the lack of parking at the Social location.

I would ask that in the event that the City of Costa Mesa Planning Dept. is considering approving the CUP that Social has applied for that the following items listed above be address in a very forthright manner. I believe that it would also be appropriate stipulate that as a condition of the CUP approval that Social would not be permitted to set up Valet parking on any other properties that they do not have permission to park on other than the properties that are designated in the condition of the CUP. Unless there are "teeth" in the conditions of the CUP, the problems that I have listed are only going to become exacerbated. All the other business that are in the neighborhood will see their businesses negatively impacted even though they will be conducting their business pursuant to the law and the City of Costa Mesa codes.

Thank you for your assistance on this matter. Would you please be so kind as to notify me when the application from Social has been amended and a new decision date has been established.

Please confirm your receipt of this email.

Regards,
Curt

Curt A. Herbets, II
Principal - Broker
CA DRE # 00521135
Pacific Coast Realty Group
234 E. 17th Street, Suite 118
Costa Mesa, CA 92627
Dir. (949) 631-6004
Fax (949) 631-0580
Cell (949) 500-2462

On Friday, February 27, 2015 2:37 PM, Curt Herbets II <herbets.pcr@gmail.com> wrote:

Hi Chelsea,

As we discussed, I am forwarding you the email that I sent Willa this morning regarding your planning action Application # ZA-14-40. Thank you for your assistance.

Regards,
Curt

Curt A. Herbets, II
Principal - Broker
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On Friday, February 27, 2015 10:44 AM, Curt Herbets II <herbets.pcr@gmail.com> wrote:

Good Morning Willa,

I'm contacting you to inquire about the present status of Application N. ZA-14-40 as it relates to the Conditional Use Permit PA-02-50. I understand that the decision has been postponed, however, I would like to know if a new date for a decision has been established. In the event that the application is being considered for approval, I would like to know what conditions if any are being considered taking into account the impact that the Social business is having on the adjoining property owners.

Just as an FYI, I received a call from a young man who identified himself as Andrew, the owner of the business Social. During the course of our conversation he was attempting to aggressively bully me into supporting his proposed valet parking plan. He was not offering any solutions to the issues that other property owners or I have to his proposal. However, he was very clear when he stated that illegally parked cars could not be towed until after 1 hour, which speaks volumes about how he intends on conducting his business.

As I indicated in my Feb. 9, 2015 letter, I am extremely concerned that the impact of Social's success and their lack of parking is going to have an equally negative domino effect for all the other surrounding business that do not have the resources to police their parking.

Thank You for you assistance. I look forward to your reply.
Curt

Curt A. Herberts, II
Principal - Broker
CA DRE # 00521135
Pacific Coast Realty Group
234 E. 17th Street, Suite 118
Costa Mesa, CA 92627
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Fax (949) 631-0580
Cell (949) 500-2462

CRAGER, CHELSEA

From: Curt Herberts II <herberts.pcr@gmail.com>
Sent: Friday, February 27, 2015 2:37 PM
To: CRAGER, CHELSEA
Subject: Fw: 512 W. 19th Street & 1925 Harbor Blvd., Costa Mesa

Hi Chelsea,

As we discussed, I am forwarding you the email that I sent Willa this morning regarding your planning action Application # ZA-14-40. Thank you for your assistance.

Regards,
Curt

Curt A. Herberts, II
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Just as an FYI, I received a call from a young man who identified himself as Andrew, the owner of the business Social. During the course of our conversation he was attempting to aggressively bully me into supporting his proposed valet parking plan. He was not offering any solutions to the issues that other property owners or I have to his proposal. However, he was very clear when he stated that illegally parked cars could not be towed until after 1 hour, which speaks volumes about how he intends on conducting his business.

As I indicated in my Feb. 9, 2015 letter, I am extremely concerned that the impact of Social's success and their lack of parking is going to have an equally negative domino effect for all the other surrounding business that do not have the resources to police their parking.

Thank You for you assistance. I look forward to your reply.
Curt

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Cell (949) 500-2462

CRAGER, CHELSEA

From: Joanne Johnston <jjohnston310@yahoo.com>
Sent: Friday, February 20, 2015 3:51 PM
To: CRAGER, CHELSEA
Subject: Valet parking 512 W.19th Street

Dear Chelsea,

Thank you for taking the time to meet with me on Tuesday. I appreciate the clarification of exactly what constitutes the 20 on-site parking places referred to in the Amendment.

As I told you, it was my understanding from Social Costa Mesa that the valet parking was to be implemented in an effort to improve parking issues between the other center businesses and Social Costa Mesa and at no time was I told that this would involve 20 on-site spaces. I understood that the valet parking spaces were to be off-site.

I think the Amendment as described tends to create more parking problems for the center than it solves.

Yours truly,

Dale Johnston
Games Plus
518 W. 19th Street
Costa Mesa, CA 92627
714-321-6095

Request for Denial

NOTICE OF A ZONING ADMINISTRATOR DECISION DATE

The Costa Mesa Zoning Administrator will make a decision regarding the following application:

HEARING DATE:	February 19, 2015	City Hall Address:	City Hall 77 Fair Drive Costa Mesa, CA
Application No.	ZA-14-40	Applicant:	Andrew Lee
Site Address:	512 W. 19 th Street & 1925 Harbor Blvd.	Zone:	C2
Contact:	Planning Division (714) 754-5245	Environmental Determination:	Exempt- Section 15301 Existing Facilities
Website:	www.costamesaca.gov	Email:	PlanningCommission@costamesaca.gov

Description: Amendment to Conditional Use Permit PA-02-50 to allow valet parking at an existing restaurant (Social Costa Mesa) both on-site (20 spaces at 512 West 19th Street) and off-site (14 spaces at 1925 Harbor Boulevard) for a total of 34 valet parking spaces. Hours of valet parking are proposed to be 5 pm to 12 midnight Wednesday through Saturday.

Environmental Determination: The project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (existing facilities).

Public Comments: There will be **no public hearing** on this request. Oral or written comments must be received by the Planning Division prior to the decision date (see above). The decision letter (and any related conceptual plans, as applicable) can be downloaded from the City's website following the decision date at: <http://www.costamesaca.gov/index.aspx?page=340>. If you challenge this action in court, you may be limited to raising only those issues you, or someone else raised, prior to the decision date.

To the City of Costa mesa planning divlision.

My name is Sherry Hafez and I am a franchisee for Baskin Robbins on 1927 harbor Blvd., Costa Mesa ca, 92627. The City of Costa Mesa has put out a Notice that I just received regarding a Conditional Use Permit (CUP) on the adjoining property to my business at 1925 Harbor Blvd., Costa Mesa. The CUP requested by the property owner of 1925 Harbor Blvd., Costa Mesa would allow valet parking on that property for the benefit of a distant property at 512 W. 19th Street. The valet parking would conflict with the hours of operation of both existing business at 1925 Harbor Blvd. Presently, 1925 only has 9 parking spaces to start with. The CUP is asking for 14 spaces. The valet parking as proposed will have a obvious adverse effect on our parking. Our parking at Harbor Center is in high demand because the business in Harbor Center are successful and our customer traffic flows are high. We do not have enough parking spaces to accommodate other properties.

I am requesting from the City of Costa Mesa denial of the proposed CUP. The property at 1925 Harbor Blvd., Costa Mesa does not even have enough parking to satisfy its own tenant requirements let alone a distant property that would be parking cars in tandem. The City of Costa Mesa Zoning Administrator is scheduled to make a decision regarding the CUP on February 19, 2015. Therefore, I am responding to this proposed action since this will affect my business negatively.

I am not exaggerating the negative consequences of the proposed CUP. If approved, it will affect the parking at Harbor Center. Customers will not be able to come in to my store and I will

Loose sales. My store has been in this location for more than 40 years and it is a anchor in our community. This proposed valet parking situation will lead to loss of sales and loss of income

Please consider my denial to the projected permit.

Sherry Hafez

(949)637-9668

COLGAN, JULIE

From: John Grant <john.grant@earthlink.net>
Sent: Wednesday, February 18, 2015 8:54 PM
To: PLANNING COMMISSION
Subject: Application # ZA-14-40, Hearing Date February 19, 2015

Dear Members of the Planning Commission,

I am the owner of the mobile home park known as Oceanbreeze Mobile Estates located at 525 Fairfax Drive. We are just off the northwest corner of Harbor and 19th. We are located right across the alley from Social Costa Mesa located at 512 W. 19th Street.

I am writing you to urge you to DENY the amendment to conditional use permit PA-02-50 to allow valet parking at Social Costa Mesa.

The existing parking at 1925 Harbor is already inadequate and vehicles crossing back and forth would be terrible. We put up with cars parking in the alley, cars blocking access to the alley, cars blocking access to our pedestrian door to the mobile home park, and a continual hazard as cars drive at too high of speeds in an alleyway around all these illegally parked vehicles.

The very inadequate parking and hazardous conditions will be even worse if the amendment is not denied.

John Grant, Member
Oceanbreeze Mobile Estates LLC
858-586-9400, john.grant@earthlink.net

VIA IN PERSONFebruary 17th, 2015Attn: Planning Division
City Hall
77 Fair Drive
Costa Mesa, CA 92626**Re: Opposition to Application No. ZA-14-40
Site Address: 512 W. 19th Street**

Dear Planning Commission,

As an initial matter take notice that our office represents the property owner, Mr. Antonio Casalini ("Mr. Casalini") regarding the above matter. As such, all correspondence and communication should be directed to our office at the address above. This letter concerns Mr. Casalini's opposition to the application referenced above, by the applicant Andrew Lee, with the project description as follows:

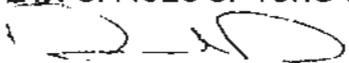
Amendment to Conditional Use Permit PA-02-50 to allow valet parking at an exiting restaurant (Social Costa Mesa) both on-site (20 spaces at 512 West 19th Street) and off-site (14 spaces at 1925 Harbor Boulevard) for a total of 34 valet parking spaces. Hours of valet parking are proposed to be 5 pm to 12 midnight Wednesday through Saturday ("Application").

Mr. Casalini is the owner of the following commercial buildings adjacent to 512 W. 19th Street and directly affected by the Application:

- 522 West 19th St., Costa Mesa, CA 92627;
- 524 West 19th St., Costa Mesa, CA 92627;
- 526 West 19th St., Costa Mesa, CA 92627; and
- 528 West 19th St., Costa Mesa, CA 92627.

Find attached Mr. Casalini's opposition to the Application.

Thank you in advance for your attention and anticipated professional courtesy and cooperation.

Best Regards,
LAW OFFICES OF TUNG T. PHAM
David M. Do, Esq.
Attorney

Enclosure(s):

1. Opposition to Application No. ZA-14-40

CC: Mr. Antonio Casalini

Received
City of Costa Mesa
Development Services Department
FEB 17 2015

1 Application No.: ZA-14-40 ("Application")
Hearing Date: On or about 2/18/2015

2
3 **Property Owner:**

4 Mr. Antonio Casalini (Mr. Casalini) is the owner of the following commercial buildings located
5 adjacent to 512 West 19th Street that will be directly affected by the Application:

- 6 ○ 522 West 19th St., Costa Mesa, CA 92627;
- 7 ○ 524 West 19th St., Costa Mesa, CA 92627;
- 8 ○ 526 West 19th St., Costa Mesa, CA 92627; and
- 9 ○ 528 West 19th St., Costa Mesa, CA 92627.

10 (Note: Each commercial building owns the parking stalls located in front of their
11 respective unit (see attachment A)).

12 **I.**

13 **FACTS AND ALLEGATIONS**

- 14 - Social Costa Mesa is a food and drink establishment with approximately 3200 square
15 feet of operable space. Thus, per code, Social Costa Mesa ("SCM") is required to have
16 at least 30 parking spaces.
- 17 - 512 W. 19th Street—APN/Parcel ID 422-103-14—only has 7 front parking spaces total
18 and potentially only 4 rear spaces for a maximum total of 11 parking spaces. (See
19 Attachment A.)
- 20 - A prior condition of approval for the previous application PA-05-17 states in item 1:
21 "Customers shall be encouraged to park in front of the building, with employees directed
22 to park behind the building."
23
- 24 - Upon information and belief, it is alleged that SCM has 8 employees at any given time.
- 25 - Upon information and belief, it is alleged that there is no approval on file for SCM to
26 have less than the required amount of spaces pursuant to *CM Muni. Code Sec. 13-89 et*
27 *seq.*

- 1 - Mr. Casalini owns the parking spaces in-front of and in-the-rear of his properties. Mr.
2 Casalini has made no agreements with SCM to use any of his parking spaces.
3 - Upon information and belief, it is alleged that currently no known agreements exist
4 between any other adjacent commercial property owners and SCM for the lease of
5 parking spaces for the requested times of the valet service.

6 II.

7 ARGUMENTS

8 **A. Social Costa Mesa's Application should be denied for 20 on-site valet spaces**
9 **because it only has a maximum of 11 on-site parking spaces.**

10 As an initial matter, the proposed project does not comply with *Costa Mesa Municipal*
11 *Code Section ("CM Muni. Code.") 13-89*. Pursuant to *CM Muni Code Sec. 13-89*, SCM is
12 required to have a minimum of 30 parking spaces—establishments where food or beverages
13 are served are required to have at least 10 spaces per 1,000 square feet of gross leasable area
14 unless permitted to have less than the required amount of parking pursuant to *CM Muni. Code.*
15 *Sec. 13-89-5*. To date, SCM has only 11 known on-site parking spaces shared between SCM
16 employees and customers.
17

18 Based upon the above facts and allegations, the site that SCM is located on does not
19 have any more than the 11 parking spaces on-site. Moreover there are no known easements or
20 covenants with adjacent lots for parking spaces that would allow SCM to count as on-site
21 parking spaces. Thus factually, SCM cannot possibly provide 20 on-site valet spaces.

22 Moreover, there is no possible way for Social Costa Mesa to obtain 20 on-site spaces for
23 valet without infringing upon the legal rights of the adjacent commercial property owners and
24 their business tenants. SCM cannot count the parking spaces belonging to adjacent owners as
25 on-site parking spaces just because those parking spaces are adjacent to SCM's business.
26 Review of property information clearly shows that each commercial parcel owns the parking
27 spaces in front of and in the rear of each respective building.
28

1 Thus, this application should be denied because it is impossible to approve 20 on-site
2 valet spaces in a location where only 11 on-site spaces exist.

3
4 **B. SCM's Application should be denied because approval will result in the infringement**
5 **upon adjacent property owners' rights and will be detrimental to the health, safety**
6 **and general welfare of the public or other properties or improvements within the**
7 **immediate vicinity.**

8 The problems associated with the parking spaces have been continuous since SCM began
9 operating. (See attachment B – Protest Against Alcoholic Beverage License Application) On at
10 least four separate occasions Mr. Casalini made written notice to SCM regarding the parking
11 space issues. All four attempts have been ignored. Despite Mr. Casalini's protests, SCM has
12 allowed its patrons to trespass upon the property and infringe upon Mr. Casalini's property
13 rights causing waste and loss of spaces for patrons of the businesses located at such
14 properties.

15
16 On several occasions after SCM began operations, Mr. Casalini has arrived to his
17 properties in the morning to find human waste—most notably vomit and urine—as well as,
18 broken and un-broken empty bottles and glasses strewn about his properties' parking spaces.
19 Mr. Casalini and his tenants do not profit from SCM's business practices but are the ones who
20 are ultimately forced deal with and clean-up the associated mess.

21 In addition, SCM's overflow has caused financial disruption to Mr. Casalini's business
22 and business tenants due to the competition and loss of parking spaces for patrons. There have
23 been numerous times when Mr. Casalini was forced to find off-site parking to come to his own
24 properties. The Application is requesting on-site valet spaces from 5 pm to 12 am. If Social
25 Costa Mesa does not have the space, then it likely that they are intending that their patrons spill
26 into Mr. Casalini's properties. This is something that is already happening. (See Attachment B)
27 Thus, such practices will cause continual financial disruption to the businesses located at Mr.
28

1 Casalini's properties since the businesses located there are still operating at those times.

2 **III.**

3 **CONCLUSION**

4 Therefore, this Application should be denied because of the following:

5 1. This Application cannot comply with *CM Muni. Code Sec. 13-89 et seq.* because it does
6 not have more than 12 on-site parking spaces nor does any exception exist. Thus, approval is a
7 factual impossibility.

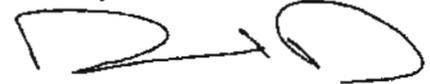
8 2. This Application does not comply with *CM Muni. Code Sec. 13-29(g)(2)* because the
9 proposed use is not compatible with developments in the same general area. Granting the
10 conditional use permit will be detrimental to the health, safety and general welfare of the public
11 or other properties or improvements within the immediate vicinity. Granting the conditional use
12 permit will allow a use, density or intensity, which is not in accordance with the General Plan
13 designation for the property.

14 3. The proposed amendment does not comply with *CM Muni. Code Sec. 13-29 (e)*
15 because:

- 16 a. The proposed use is not compatible and harmonious with uses both on site and
- 17 those on surrounding properties.
- 18 b. The project is not consistent with the General Plan.
- 19
- 20

21 Dated: February 17th, 2015

22 Respectfully Submitted By:
23 LAW OFFICES OF TUNG PHAM
24 Attorneys for Antonio Casalini



25 David M. Do, Esq.

ATTACHMENT A

101

Map View



Street View



512 W 19th Street, Costa Mesa, CA

Property Details

Primary Property Type Commercial

Property Sub-type Other

Building Size 4,800 SF

Year Built 1955

Building Code End Row

No. Stories 1

Lot Size 0.28 Acres

APN/Parcel ID 422-103-14

APN/Parcel ID 422-103-14

Census Tract 0837025002

Building Size 4,800 SF

Lot Size 0.28 Acres

Lot Number 5

Maps

103

ATTACHMENT B

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- **Please print legibly or type.** Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

SOCIAL COSTA MESA, LLC and Daniel Anthony Biello

(Name(s) of Applicant(s))

For premises at:

512 W 19th St., Costa Mesa, CA 92627

(Exact address of proposed premises)

on the grounds that:

Please see attached.

Check here if additional sheets attached

I, **Antonio Casalini**, declare under penalty of perjury:

PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE	TELEPHONE NUMBER (Optional & non-public)
SIGNED AT (City and State)	DATE SIGNED
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)	

105

Attachment to ABC-510

1
2 1. I am the property owner of the business plaza at 522, 524, 526, and 528 W. 19th St. Costa
3 Mesa, CA 92627 ("Adjacent Lot"). I have several commercial tenants that utilize my parking lot.
4 My property is directly adjacent to the premise at 512 W. 19th St., Costa Mesa, CA 92627
5 ("Premise") that is seeking the aforementioned license.

6 2. The premises and its parking facilities have insufficient parking on-site. Because of this
7 insufficiency, patrons to the premise park their vehicles in the Adjacent Lot that is reserved for
8 patrons of my tenant's businesses. Operation of the requested license, particularly if this request
9 includes a later closing time than is presently allowed at the premises or at other licensed
10 premises nearby will cause residents and business owners to be affected by increased crime, late
11 night noise and disturbances, and unruly competition for parking.

12
13 3. Granting the license to the premises would make the disturbances and obstructions to the
14 use of my property a permanent public nuisance pursuant to Penal Code Section 370.

15 a. Because the parking lot that belongs to the premise is insufficient, then the
16 premise's patrons are unlawfully parking in the Adjacent Lot—using up the spots reserved for my
17 tenants' businesses; bringing refuse from the premise and leaving it strewn about my property;
18 and causing destruction with bodily fluids to my tenants' surrounding businesses.

19 b. I, personally, have had to park my vehicle in another parking lot quite some
20 distance away to get to my own property. On at least four separate occasions, I have given
21 Applicant written notice of my discontent and request for Applicant to cease his behavior. Each
22 time I have been ignored. Applicant's refusal to cooperate with me does not give me confidence
23 that the licensing of the premise will solve the obstruction Applicant is causing to my use of my
24 property—it may actually make things worse. Thus, operation of the requested license has caused
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1 and will cause an ongoing and increasing obstruction to the use of my property.

2 c. This spill-over is not just limited to a parking issue. Because patrons park in my
3 property and leave the premise intoxicated, then I constantly find trash and bodily fluids strewn
4 about. Several mornings I have come to my property and have found the following in my parking
5 lot and in front of my tenant's doors and offices:

- 6 i. Urination;
- 7 ii. Vomit; and
- 8 iii. Empty alcohol bottles and containers.

9 Such disorderly conduct impedes the lawful conduct of business and of my patrons
10 that do not want to deal with inebriated individuals and/or their aftermath.

11 4. Further, operation of the premises under the requested license will tend to create or
12 continue law enforcement problems and also will add to the existing law enforcement problems
13 and to the existing concentration of assaultive violence, robbery, and forcible rape. See Costa
14 Mesa Police Department Crime Statistics at <http://www.costamesaca.gov/index.aspx?page=382>.
15 From review of the statistics, crime is increasing in the area.

16
17 5. Licensing of the premises will add to, re-establish, or maintain, public nuisance in the
18 area; specifically, it will be injurious to the health of, offensive to the senses of, and an
19 obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or
20 property by an entire neighborhood, including but not limited to:

- 21 a. those residences within hearing distance of the noise from the premises, its parking
22 facilities, and its delivery and refuse collection vehicles;
- 23 b. those residents who will be exposed to cooking and refuse bin odors;
- 24 c. those residents living next to, sometimes with their bedrooms directly adjacent to,
25 drunken acts of public urination or defecation and late-night loud and boisterous behavior can
26

1 reliably be predicted; and

2 d. licensing of the premise will also adversely affect a considerable number of other
3 business persons, who, may be interested in looking for a business lease location in this business
4 plaza or other surrounding business plazas because they do not wish to have to deal with the
5 aftermath of the patrons from the premise.

6 6. The applicant cannot establish, per Rule 61.4, that licensing the premises will not interfere
7 with the quiet enjoyment of local residences. Issuance to these premises of a conditional license,
8 where the public is to be protected by the application of those conditions (and existing State laws)
9 because "issuance of an unrestricted license would be contrary to the public welfare and morals,"
10 is a sham and fraud upon the public, as in recent history the Department has not enforced, in the
11 census tract of this license, the most important of the conditions imposed nor has it enforced State
12 laws regarding underage purchases or drinking, and due to State budget restrictions, is even less
13 likely to do so in the future.

14 a. What applicant has established is that the type of disruptions and obstructions that
15 licensing the premises will cause to both local residences and business residents.

16 b. There are residences directly behind the premises and the residents there would be
17 subjected to increased noise, loitering, and littering to the extent that my neighboring tenants have
18 already been exhibiting.

19 c. The residences will also be in competition with the parking needs of the
20 Applicant's patrons because the patrons will spill into residential areas during the late hours that
21 the Applicant is operating.

22 7. Based on the Department's past actions, and that this is an application for a TYPE 47
23 license, Protestant expects that the Conditional License the Department will offer to Applicant
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1 will contain all of the following conditions, many of which are commonly found on restaurant
2 licenses in urban areas, and which are necessary to ensure that the premises remain a restaurant
3 and not a night-club or bar.

4 a. Petitioner shall not operate a sports bar at the premises.

5 b. The premises shall be maintained as a bona fide restaurant and shall provide a
6 menu containing an assortment of foods normally offered in restaurants; that full menu of foods
7 shall be available, at regular prices, during all hours that alcohol is sold, served, or consumed.

8 c. The sale of alcoholic beverages for consumption off the premises is strictly
9 prohibited.

10 d. The quarterly gross sales of alcoholic beverages shall not exceed 49% of the gross
11 sales of food (excluding alcoholic beverages) during the same period.

12 e. No reduced price alcoholic beverage promotions shall be allowed, examples being,
13 but not limited to, "happy hours", "all you can drink" for a set amount, "two drinks for the price
14 of one", and alcoholic beverages included as part of the price of a meal.

15 f. Alcoholic beverages shall be sold only by single drink containing no more than 12
16 fl. Oz. of beer, or 6 fl. Oz. of wine, or 1 fl. Oz. of distilled spirits. There shall be no sale of
17 alcoholic beverages in multi-drink, multi-person or oversized portions or containers, examples
18 being, but not limited to, by the "bucket", pitcher or "yard", or wine sold by the bottle or carafe.

19 g. All employees of the premises shall undergo the ABC L.F.A.D. training program
20 as a condition of employment.

21 h. Petitioner shall not require an admission charge or a cover charge, nor shall there
22 be a requirement to purchase a minimum number of drinks.

23 i. There shall be no dancing or live entertainment.
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1 j. The exterior of the premises shall be maintained free of graffiti at all times.

2 k. On the patio, the petitioner shall only serve alcoholic beverages to patrons who are
3 seated at a dining table.

4 l. The boundaries of the patio shall be clearly defined and designated by physical
5 barriers to separate the patio from the public sidewalk and adjacent private property, which is not
6 under the exclusive control of licensee. These barriers and boundaries, as approved and
7 designated on ABC 257, shall not be changed without prior approval of the Department.
8

9 m. On the patio, sales, service, and consumption of alcoholic beverages and any
10 entertainment provided, shall cease at 10:00 P.M. on Friday and Saturday, and at 9:00 P.M.
11 Sunday through Thursday.

12 n. The licensee or an employee of licensee shall be present in the patio at all times
13 that alcoholic beverages are being served or consumed.

14 8. Applicant premises are located in a jurisdiction where there has been little enforcement,
15 whether by local police or the ABC, of the ban on underage drinking. During the same period,
16 crime has occurred, which could have been prevented had the ban been enforced. Applicant
17 premises will and pursuant to Type 47 license are allowed to admit persons under 21.
18

CRAGER, CHELSEA

From: LEE, MEL
Sent: Monday, February 09, 2015 10:55 AM
To: CRAGER, CHELSEA
Subject: FW: Application No. ZA-14-1200 regarding 1925 Harbor Blvd. & 512 W. 19th St., Costa Mesa
Attachments: 1921 Harbor Blvd., C.M. Planning Comm 2-9-2015.pdf

From: FLYNN, CLAIRE
Sent: Monday, February 09, 2015 10:54 AM
To: BOUWENS-KILLEEN, WILLA; LEE, MEL
Subject: FW: Application No. ZA-14-1200 regarding 1925 Harbor Blvd. & 512 W. 19th St., Costa Mesa

From: Curt Herberts II [<mailto:herberts.pcr@gmail.com>]
Sent: Monday, February 09, 2015 10:53 AM
To: PLANNING COMMISSION
Cc: Louise Stuart; Louise Stuart
Subject: Re: Application No. ZA-14-1200 regarding 1925 Harbor Blvd. & 512 W. 19th St., Costa Mesa

Zoning Administrator & Planning Commission
To Whom This May Concern,

Please find attached letter in response to the proposed application, your reference No. ZA-14-1200 regarding 1925 Harbor Blvd. & 512 @. 19th Street, Costa Mesa.

Since I wrote the attached letter of last week, it does not address the issues that I viewed and experienced this past Friday evening at the above referenced properties. In an attempt to inspect my properties this past Friday evening about 9:00pm to view for myself the impact that the "Social" business at 512 W. 19th Street was having I viewed and experienced the following: The driveway/alley between 1901 Harbor Blvd. which is the NW corner of 19th Street and Harbor Blvd. and 512 W. 19th Street had cars lined up on 19th Street trying to enter the parking lot of Social. A makeshift valet staging area was placed in the center of the driveway/alley. Numerous cars were blocking the driveway/alley as customers were in a waiting line attempting to pickup their cars, while others were attempting to leave their cars. The driveway/alley was impassable. The private property parking lots in the driveway/alley of every property on Harbor Blvd. from 1901, 1913 and 1925 including my properties at 1907-09 and 1927 were overrun with parked cars. The cars were parked in tandem with two or three valets running back a forth trying to keep up with the demand, however they were overrun with the sheer number of cars and customers of Social. At the time that I viewed the properties, there was absolutely no way that a firetruck or emergency vehicle could have made its way through the driveway/alley. Since all those cars were customers of Social, you can only imagine what the volume of individuals were inside the building and question whether the occupancy loads were being adhered to.

I will send an additional letter reflecting the above concerns and observations within the next few days.

Please acknowledge your receipt of this email and the attached letters.

Regards,
Curt

Curt A. Herberts, II
Principal - Broker
CA DRE # 00521135
Pacific Coast Realty Group
234 E. 17th Street, Suite 118
Costa Mesa, CA 92627
Dir. (949) 631-6004
Fax (949) 631-0580
Cell (949) 500-2462

THE HERBERTS TRUST
Curt A. Herberts, II, Trustee
234 E. 17th Street, Suite 118
Costa Mesa, California 92627
Phone 949.631.6004 - Fax 949.631.0580

February 9, 2015

Willa Bouwens-Killeen, AICP,
Zoning Administrator
City of Costa Mesa
P O Box 1200
Costa Mesa CA 92628-1200
VIA Email to: PlanningCommission@costamesaca.gov

Re: Application No. ZA-14-40
Hearing Date: February 19, 2015

Dear Administrator Bouwens-Killeen and Members of the Planning Commission:

In connection with the above-referenced Application for Amendment to Conditional Use Permit PA-02-50 concerning parking at property known as 1925 Harbor Blvd (1921 Harbor Blvd per Orange County Assessor's Office), please be advised that the "Official Public Notice" was wrongfully posted on our neighboring property at 1927 Harbor Blvd, and no Notice has been posted on the subject property. Therefore, interested parties have not been noticed of your pending hearing.

By way of introduction, we own properties known as 1907-1909 Harbor Blvd and 1927 Harbor Blvd, both of which stand to be negatively impacted by approval of the Application referenced above. For the record, in spite of the lack of proper notice, we are opposed to the City's granting of the Application and to implementation of its underlying reciprocal parking agreement for the following reasons:

1. **Decreasing the available parking by allowing parking for customers of 512 W 19th Street, in addition to customers of 1925 Harbor Blvd, will exacerbate the problem of those customers taking parking designated for tenants and customers of our properties at 1907-1909 and 1927 Harbor Blvd.** See my letter of April 30, 2013, (copy attached for your reference), in connection with Application No. ZA-13-09 concerning the subject property, 1925 Harbor Blvd. The issues discussed in that letter remain pertinent to the current Application. Many of the negative implications to our property, which were of concern at that time, have materialized. This has resulted in additional costs to us for parking enforcement and has negatively impacted our tenants and their customers.
2. **Existing parking at 1925 Harbor Blvd is inadequate under City of Costa Mesa planning regulations and increasing the number of vehicles parked on the premises places an unreasonable burden on surrounding owners/businesses.** The properties listed on the Application, known as 512 19th Street and 1925 Harbor Blvd, are non-contiguous properties, separated by an alley accessing multiple other properties, all of which would be impacted by approval of the subject Application. To the best of my knowledge, the existing parking for the current tenants of 1925 Harbor Blvd is sub-standard and not in accordance with the City's parking requirements. According to the Orange County Assessor's Office, the

property consists of an improvement of 7,360 sq. ft. We note that the property currently has only 9 designated parking spaces, including 1 handicapped parking space, all of which are shared by the two tenants of the subject property. We are informed by the tenants that each has a non-exclusive right to the use of the entire parking area. According to the City of Costa Mesa requirements for property zoned C-2, *i.e.*, the zoning applicable to the subject property, at 4 spaces per 1000 sq. ft., the property should have a minimum of 29 spaces. We understand that the previous CUP was granted, resulting in the property's current Legal Non-conforming status, apparently allowing the current inadequate parking. It seems clear that in order to squeeze the 14 spaces requested in the application out of the already inadequate 9 spaces, the applicant anticipates tandem parking the entire area behind the subject property. This would not only result in a shortage of parking for tenants and/or customers of the subject property, but increased traffic in the alley and any other access, including our properties at 1907-1909 and 1927 Harbor Blvd. In addition, patrons of the applicant's property at 512 W 19th Street not wishing to use the valet service would likely park on other nearby privately owned properties, requiring owners of those properties to implement towing and/or other costly remedies to avoid harm to their property and tenants by trespassers.

- 3. Requested hours of operation of proposed valet parking are in conflict with and overlap business hours of existing tenants of 1925, 1907-1909 and 1927 Harbor Blvd.** According to the Official Public Notice, the hours of proposed valet parking usage of 1921-1925 Harbor Blvd would be "5 pm to 12 midnight Wednesday through Saturday." Based upon conversations with the business owners/tenants of 1925 Harbor Blvd., the design firm is open until 8 pm Monday through Friday, and the workout/training center is open until 7:30-8 pm Monday through Friday. In addition, businesses at 1907-1909 and 1927 Harbor Blvd are also open after 5 pm. Specifically, Sake Bomb Masa Sushi is open until 10 pm, Baskin-Robbins is open until 10 pm, and Domino's Pizza is open until midnight. All of these businesses depend upon adequate parking for their clientele. Clearly, if the parking lot of the subject property is coned or otherwise marked off for valet parking, the tenants and customers of the subject property will have no available parking during the hours of conflict, and many customers would either choose not to do business with those tenants due to lack of available parking, or park on the premises of neighboring properties. Again this would negatively impact businesses in the surrounding area, including the 2 businesses at 1907-1909 Harbor Blvd and the 5 businesses at 1927 Harbor Blvd property.
- 4. Remedies available to affected neighbors are expensive, unrealistic, and ineffective.** The negatively impacted owners of properties receiving the overflow from businesses with insufficient parking are usually told just to have the trespasser's vehicle towed. In fact, this remedy is easily advised, but extremely difficult to implement. In spite of spending thousands of dollars on legally mandated warning and code violation signage, the owner of the burdened property cannot request towing of an illegally parked vehicle until it has been parked for at least 1 hour. Enforcement thus requires personnel to guard and/or watch and note the time for each parked vehicle, then arrange for towing. In addition to the logistics and expense of enforcement, upset patrons whose vehicles have been towed at significant expense then complain to business/property owners and demand recompense or threaten to avoid future business dealings with the affected business. In short, the lack of available parking on one property has the ability to create a domino effect on many local businesses.

City of Costa Mesa
Zoning Administrator
Planning Commission
February 9, 2015
Page | 3

For the reasons stated above, we respectfully request you deny the application of Social Costa Mesa (the business at 512 W 19th Street) for off-site additional parking at 1925 Harbor Blvd. If you have questions or comments, please feel free to contact me at (949) 631-6004.

Very truly yours,



Curt A. Herberts, II
Trustee

cc: Chelsea Crager, Assistant Planner
City of Costa Mesa

Tate Worswick, Owner
CrossFit Upgrade
1925 Harbor Blvd
Costa Mesa CA 92627

Zach Cole & Ryan Mahoney
Zach Cole: The Collection
1925 Harbor Blvd
Costa Mesa CA 92627

Sake Bomb Masa Sushi
1907 Harbor Blvd
Costa Mesa CA 92627

Robert Sinclair, Managing Partner
Sinclair Properties II, LLC
Owner of 1901 Harbor Blvd
5400 Armour Ranch Road
Santa Ynez, CA 93460

Joseph T. Vallejo, Owner
Owner of 1913 Harbor Blvd
Via email

Cosmo Prof
1913 Harbor Blvd
Costa Mesa CA 92627

Mailboxes & Shipping, Etc
1927 Harbor Blvd A
Costa Mesa CA 92627

Domino's Pizza
1927 Harbor Blvd C
Costa Mesa CA 92627

Baskin Robbins
1927 Harbor Blvd D
Costa Mesa CA 92627

Hi-Tek Auto Service
1927 Harbor Blvd E
Costa Mesa CA 92627

PH-4

COLGAN, JULIE

From: Dr. Antonio Casalini <med@naalt.com>
Sent: Sunday, January 24, 2016 7:29 PM
To: PLANNING COMMISSION
Subject: PA-02-50 A2 512,516, AND 540 WEST 19TH Street and 1913 Harbor Blvd

Dear Planning Commission

I am next door neighbor of 512,516 and 540 West 19th street Costa Mesa. I am protest against this application because of the 5.00pm opening hour. It will harm my tenants businesses because they share the same parking lot. They have 10 plus employees coming in from 11 am for food preparation. Around 4.00 pm on they have waiters and waitresses coming in plus the owners which takes all the parking they own including 1913 Harbor Blvd.

My tenants are 522, 524, 526 and 528. There hours are from 10 am till 8 pm. Social Costa Mesa clients gets drunk at Games Plus selling \$1 beers versus \$5 - \$7 at Social and leaving empty beer bottles in the parking lot. Nobody to clean up and homeless people hanging around to drink left over beer from bottles left in parking lot.

My name is Antonio Caselini. Owner of the above addresses. I will deliver the hard copy before 3pm tomorrow.

Antonio Caselini Cell 949-283-5728
155 TERRAZA CRT
COSTA MESA CA 92627.