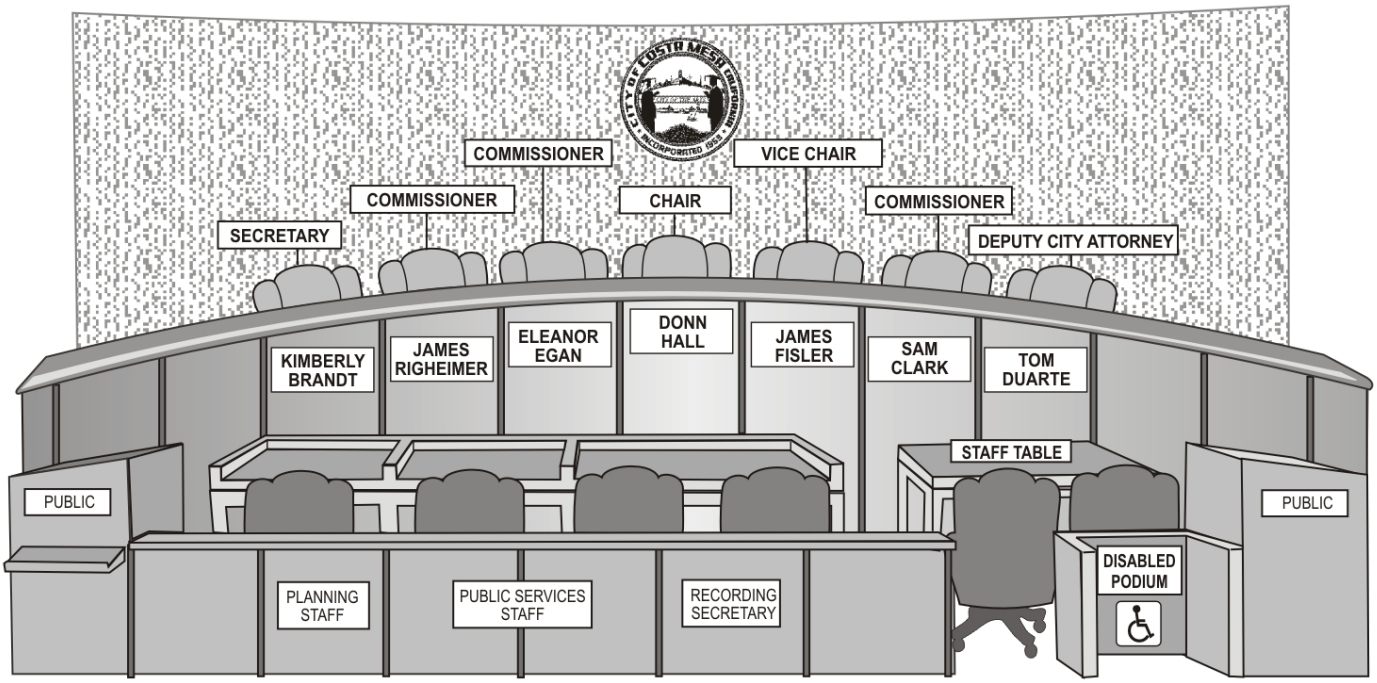
Planning Commission Agenda

Meeting Begins At 6:30 p.m.

JANUARY 28, 2008



WELCOME TO THE COSTA MESA PLANNING COMMISSION

For those in the audience who are not familiar with the operation of the Planning Commission, the following paragraphs provide some background information concerning the Commission and meeting procedures.

Planning Commission Meetings

Costa Mesa Planning Commission meets the second and fourth Monday of each month at 6:30 p.m. in the Council Chambers at City Hall, 77 Fair Drive. All Planning Commission meetings are open to the public.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at (714) 754-5245.

The Planning Commission and staff hold an Agenda Review Study Session at 5:30 p.m., prior to the regular meeting, in the Conference Room 1A. This session is open to the public. Each member of the public will be given the opportunity to speak for one (1) minute on study session items. A maximum overall time of ten (10) minutes will be permitted for public comments. The agenda for the study session is the same as the agenda for the regular meeting. Note that no action may be taken by the Planning Commission prior to the 6:30 p.m. meeting.

E-mail Address

You may e-mail comments to the Planning Commission at PlanningCommission@ci.costa-mesa.ca.us.

Agenda Reports

Written reports are available for all items on this agenda. Reports may be obtained in the office of the Development Services Department, Planning Division, on the second floor of City Hall, 77 Fair Drive, Costa Mesa or on the City's web site at ci.costa-mesa.ca.us. For further information regarding items on this agenda, including results of Planning Commission action, please call (714) 754-5245.

Planning Commission Membership

The Planning Commission consists of five members appointed by the City Council. The Commissioners are residents of Costa Mesa and are appointed for four-year terms. The Chair and the Vice-Chair are elected by the Planning Commission to serve two-year terms.

Planning Commission Authority

The Planning Commission functions as an advisory body to the City Council on issues related to the long-term growth and development of the community. In this regard the Planning Commission holds public hearings and provides recommendations to the Council on requests for general plan amendments, rezones, specific plans, planned development projects, environmental impact reports and amendments to the City's Zoning Ordinance. The Commission also acts as an advisory body to the Redevelopment Agency for projects located in the Redevelopment Area.

The Planning Commission has authority to take final action on a variety of Planning Applications, including Conditional Use Permits, Variances, and Tentative Tract and Parcel Maps. Commission action on these items becomes final in seven days unless appealed to the City Council.

Appeal Procedure

Unless otherwise indicated on the agenda, the decision of the Planning Commission is final at 5:00 p.m., seven (7) days following the action, unless an aggrieved party files: (1) an application for rehearing by the Planning Commission, or (2) an appeal to the City Council, or, (3) the City Council, upon its own motion, undertakes a review of the action. Applications for appeals or rehearings are available in the Planning Division and in the City Clerk's office. For further information, please call (714) 754-5245.

Public Hearing Process

For each item on the agenda, the Planning Staff will present a brief description of the request and a recommendation for Planning Commission action. The Commissioners will then have the opportunity to question staff regarding the request or the recommendation. The applicant or authorized agent will then be invited to make a presentation and to respond to any questions from the Commission. Members of the audience wishing to speak in favor or in opposition, will then be invited by the Chair to provide testimony. At the conclusion of the public testimony, the Chair will close the public hearing and the Commission will discuss and take action on the request. No additional testimony can be given after the public hearing is closed.

Those wishing to speak on an item are asked to come forward to the podiums on either side of the Chambers; to speak into the microphone, and state their name and address for the taped record. To ensure accuracy of the record, speakers are also asked to complete a Registration Card and to give this card to the Recording Secretary prior to leaving the Chambers.

The Planning Commission is eager to hear all persons wishing to give testimony. Therefore, the Commission respectfully requests that all speakers limit their comments to the item under consideration and that each new speaker add new information and not repeat points which previous speakers have made. The Chair may establish time limits on individual speakers for those items for which a large number of people are anticipated to provide testimony.

Members of the audience who wish to speak on any item NOT on the agenda will be invited to come forward during the "Public Comments" portion of the agenda.

List of Acronyms

Please see last page of agenda.

Costa Mesa

PLANNING COMMISSION MEETING OF MONDAY - JANUARY 28, 2008 AT 6:30 P.M. AGENDA

I. PLEDGE OF ALLEGIANCE TO THE FLAG.

II. ROLL CALL: Chair: Donn Hall
Vice Chair: James Fisler
Commissioners: Sam Clark, Eleanor Egan, and James Righeimer

III. MINUTES: Minutes for the meeting of January 14, 2008

IV. PUBLIC COMMENTS:

To ensure fair and equal treatment of all who appear before the Planning Commission, and to expedite City business, speakers may be limited to three minutes during Public Comments to speak on any item within the Planning Commission's jurisdiction, which is not listed on the Agenda. This time may be extended for good cause by the Chair or by majority vote of the Planning Commission.

V. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

(a) Chair Donn Hall
(b) Vice Chair James Fisler
(c) Commissioner Sam Clark
(d) Commissioner Eleanor Egan
(e) Commissioner James Righeimer

VI. PUBLIC HEARINGS:	**RECOMMENDATION:**
1. **Appeal of Zoning Application ZA-07-57,** for Andrew Miller, authorized agent for Scott Savian, for a minor conditional use permit to allow a single-story room addition to encroach into the bluff crest setback and to allow a deck to cantilever a maximum of 10 ft., 6 in. over the bluff crest (10 ft. setback from bluff crest required), located at 1157 Gleneagles Terrace, in an R1 zone. Environmental determination: exempt.	Uphold Zoning Administrator's decision by adoption of Planning Commission resolution.
2. **Appeal of Zoning Application ZA-07-66,** for Alan Hall, for a minor conditional use permit to legalize a deck and patio trellises that cantilevers up to 8-½ ft. over the bluff crest (10 ft. setback from bluff crest required), located at 1147 Gleneagles Terrace, in an R1 zone. Environmental determination: exempt.	Uphold Zoning Administrator's decision by adoption of Planning Commission resolution.

3.	**Extension of time for Planning Application PA-06-51,** for The Saywitz Company/Barry Saywitz, to allow the conversion of four apartment units to a residential common interest development (condominiums), located at 2536 Orange Avenue, in an R2-MD zone. Environmental determination: exempt.	Approve by adoption of Planning Commission resolution, subject to conditions.
4.	**Extension of time for Planning Application PA-06-67,** for Michael Boudreaux of Morse-Boudreaux Architects, authorized agent for property owners Craig and Jeff Hermann, for a master plan of a 5-unit, three-story, attached multi-family residential condominium development, located at 1974 Meyer Place, in the Mesa West Residential Ownership Urban Plan area and R2-HD zone. Deviations from minimum open space, rear yard coverage, parking, landscape parkway, and front/side/rear setback requirements are requested. Environmental determination: exempt.	Approve by adoption of Planning Commission resolution, subject to conditions.
5.	**Planning Application PA-07-31 and Tentative Map T-17248,** for Justin McMillen, authorized agent for property owners Andre Ferreira/Sam Ranca, for the following: (1) Master Plan for a 7-unit, three-story, attached residential common-interest development; (2) deviations from open space, lot coverage, rear yard coverage, setback standards, size of residential loft areas, parking requirements, and residential design guidelines regarding bulk/massing; (3) density bonus of 2 units per overlay zone; and (4) subdivision of the property for condominium purposes. The properties are located at 616 Center Street and 613 Plumer Street, in the Mesa West Residential Ownership Urban Plan area and in the R2-HD zone. Environmental Determination: exempt.	Approve by adoption of Planning Commission resolution, subject to conditions.
6.	**Planning Application PA-07-36,** for Chris Bennett, authorized agent for Shaheen Sadeghi, for a conditional use permit for a boutique wine bar with wine tastings, open until 2:00 a.m. at the LAB, within 200 feet of	Continue to the Planning Commission meeting of February 11, 2008.

a residential zone, located at 2930 Bristol Street, Suite A101-B, in a C2 zone. Environmental determination: exempt.

7.	**Planning Application PA-07-44,** for John Vach, authorized agent for Marilyn Huscroft, for a conditional use permit for a vehicle auction at a tow yard, previously approved under ZA-07-27, located at 1640 Babcock Street, in an MG zone. Environmental determination: exempt.	Deny by adoption of Planning Commission resolution.
8.	**Planning Application PA-07-54,** for Gaston Villaba, authorized agent for Mesa Brothers, LLC, for a variance to encroach into the required front setback for an outdoor bar area (20 ft. required; 6 ft. proposed), with a conditional use permit to serve alcoholic beverages past 11:00 p.m. (midnight on weekdays and 2:00 a.m. Fridays and Saturdays), with live entertainment, within 200 feet of a residential zone, and a minor conditional use permit to expand an outdoor seating area for restaurant use (previously a coffee house), and to deviate from shared parking requirements, located at 1749 Newport Boulevard, in a C2 zone. Environmental determination: exempt.	Approve with modifications by adoption of Planning Commission resolution, subject to conditions.

VII. REPORT OF THE DEVELOPMENT SERVICES DEPARTMENT.

Planning Commission Design Awards Selection for 2007

VIII. REPORT OF THE CITY ATTORNEY'S OFFICE.

IX. ADJOURNMENT TO THE MEETING OF MONDAY, FEBRUARY 11, 2008.

PLANNING TERMS & ACRONYMS

ADT Average Daily Traffic: The measure of the average volume of traffic in both directions on a particular street during a 24-hour period.

ALUC Airport Land Use Commission: The County commission which coordinates compatible zoning and land uses adjacent to John Wayne airport.

AQMD Air Quality Management District: A regional agency which has the responsibility of monitoring air quality and the authority to adopt and enforce all rules and regulations necessary to control nonvehicular sources of air contaminants.

CEQA* California Environmental Quality Act: This act requires all state and local agencies to consider the environmental impact of any discretionary project proposed.

CNEL Community Noise Equivalent Level: An acoustical scale used as a measure of noise annoyance. In Costa Mesa, the maximum outdoor residential standard is 65 CNEL, and 45 CNEL is the indoor residential standard.

CUP Conditional Use Permit: The Planning Commission may grant a conditional use permit to certain uses identified in the Zoning Code that require individual review and consideration because of their location in relation to other sensitive uses (i.e., proximity to residences), or their operational characteristics (i.e., business hours). A CUP cannot be used to permit a land use not allowed by the Zoning Code or inconsistent with the General Plan.

dBA Decibel, A-weighted: The loudness of sound is measured in units of noise called decibels (dB). When this measure is modified by what is called an "A-weighting," abbreviated dBA, it corresponds more closely to what the human ear can hear.

DR Development Review: The Planning Division reviews plans for certain types of development in multiple-family residential, industrial, and commercial zones. Approval under this process must be granted before building permits may be issued.

EIR Environmental Impact Report: An informational document required by CEQA, which provides a detailed statement of the environmental effects of a proposed project. Its purpose is to provide information to the decision-makers and the general public so that a project's significant effects on the environment can be evaluated; the methods of reducing adverse impacts identified; and the alternatives to proposed project considered.

FAR Floor Area Ratio: The gross floor area of a building or project divided by the project lot area upon which it is located.

LAFCO* Local Agency Formation Commission: A board established within each county with the power and duty to approve or disapprove the annexation of territory to cities. LAFCO determines the "sphere of influence" (a plan for the ultimate physical boundaries and services area) of each city within a county.

NOP Notice of Preparation: A brief notice sent by the City stating it plans to prepare an Environmental Impact Report (EIR) for a proposed project.

OCFCD Orange County Flood Control District: The agency responsible for studies, plans, and construction-related activities for flood control channels.

OCTA Orange County Transportation Authority: The agency responsible for public transportation in Orange County. It is also responsible for county-wide transportation planning, funding, and construction of major regional projects.

PA Planning Application: In order to give flexibility to the City's comprehensive zoning regulations, some exceptions are allowed by the Planning Commission. These exceptions are classified as variances or conditional use permits. On approving such an exception, the Commission may impose reasonable conditions to the use of the property. In Costa Mesa, planning application is identified by an application number such as PA-99-01. The "PA" identifies the application as a Planning Application, the "99" identifies the year in which the application was filed, and "01" indicates that this was the first application in 1999.

SCAG* Southern California Association of Governments: A regional intergovernmental organization composed or representatives from eligible cities and the six eligible counties (Orange, Los Angeles, San Bernardino, Ventura, Imperial, and Riverside).

SCAQMD Southern California Air Quality Management District (see "AQMD")

SRO Single Room Occupancy Development: These efficiency room residential hotels are rented primarily on a monthly basis, for the purpose of providing individuals and small households of low income, low cost housing that is easily accessible to services and employment opportunities.

TAZ Traffic Analysis Zone: The City of Costa Mesa is divided into 176 traffic analysis zones, or TAZs, which form the level of analysis for recording land use and demographic data. The land use information is then used for traffic forecasting and analysis.

TE (Vehicle) Trip Ends: A one-way vehicular journey to or from a site, or totally within the site, i.e., internal trip. Each trip has 2 trip ends, one at the beginning and the other at the destination.

UBC Uniform Building Code: This code contains the national standards and regulations pertaining to fire, life, and structural safety aspects of all buildings and related structures. All building permits must comply with these requirements.

VARIANCE Variance: A permit granted by the Planning Commission when the strict application of a zoning standard creates a unique hardship for a landowner because his or her parcel is different from other property in the vicinity under an identical zoning classification due to size, shape, topography, location, or surroundings. A variance cannot be used to approve a use not authorized by the Zoning Code or inconsistent with the General Plan.

ZA Zoning Administrator: This person performs reviews of specific discretionary projects that are not subject to Planning Commission review. The Development Services Director or his designee is authorized to act as the Zoning Administrator.

*These acronyms are pronounced as if the letters spelled a word, while most acronyms are pronounced as a string of individual letters.