Costa Mesa

NOTICE OF ADDITIONAL AGENDA RELATED WRITINGS OR DOCUMENTS GOVERNMENT CODE 54957.5

APRIL 13, 2009

Additional writings or documents related to the following agenda items were received and provided to the Planning Commission after distribution of the Planning Commission Agenda Packet.

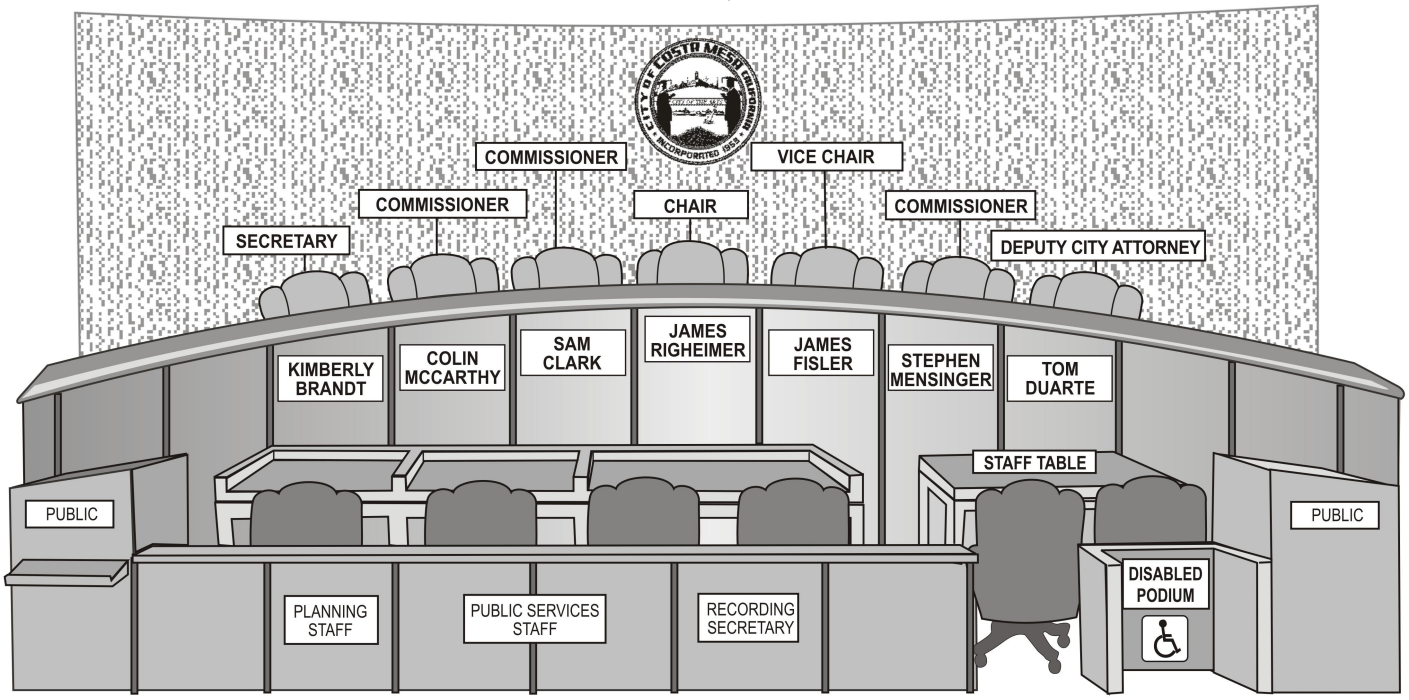
Public Hearing Item VI.1

Public Hearing Item VI.4

Planning Commission Agenda

Meeting Begins At 6:30 p.m.

APRIL 13, 2009



WELCOME TO THE COSTA MESA PLANNING COMMISSION

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.

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 www.ci.costa-mesa.ca.us. For further information regarding items on this agenda, including results of Planning Commission action, please call (714) 754-5245. Agenda-related written communications or documents provided to a majority of the Planning Commission after distribution of the Planning Commission Agenda Packet are available for public review in 3-ring binders located at the Planning Division Counter at City Hall located on the second floor during normal business hours and at the Council Chambers entrance during the meeting. In addition, such writings and documents may be posted, whenever possible, as part of the agenda, on the City's website at www.ci.costa-mesa.ca.us.

Any written communications or documents provided to the Planning Commission by a member of the public regarding any item on this agenda during the meeting will be made available for public review on the following business day at the Planning Division Counter at City Hall located on the second floor.

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, 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, planned development projects, and tentative tract and parcel maps. Commission action on these items becomes final in seven days unless appealed to the City Council.

Public Hearing Process

For each agenda item, 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. 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 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.

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) a member of City Council requests 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.

E-mail Address

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

List of Acronyms

Please see last page of agenda.

Costa Mesa

PLANNING COMMISSION MEETING OF MONDAY - APRIL 13, 2009 AT 6:30 P.M. AGENDA

I. PLEDGE OF ALLEGIANCE TO THE FLAG.

II. ROLL CALL: Chair: James Righeimer
Vice Chair: James Fisler
Commissioners: Sam Clark, Colin McCarthy, and Stephen Mensinger

III. MINUTES: Minutes for the meeting of March 23, 2009

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 James Righeimer
(b) Vice Chair James Fisler
(c) Commissioner Sam Clark
(d) Commissioner Colin McCarthy
(e) Commissioner Stephen Mensinger

VI. PUBLIC HEARINGS:	**RECOMMENDATIONS:**
1. **Amendment No. 1 to the Mesa West Bluffs Urban Plan SP-05-08** related to mixed-use, live/work, and residential loft development standards, in the Mixed-use Overlay zone. Environmental determination: exempt.	Recommend City Council adopt the Urban Plan amendment, by adoption of Planning Commission resolution.
2. **From the meeting of March 23, 2009, Planning Application PA-08-31,** for Scott Laidlaw/Laidlaw Schultz Architects, authorized agent for The Crossing Church, for an amendment to Conditional Use Permit PA-99-07 to construct a 932 sq. ft. café for the church and a 21,920 sq. ft. auditorium (to replace an existing temporary structure) at the front of the property instead of the rear as originally approved, with a variance from building	Approve by adoption of Planning Commission resolution, subject to conditions.

height requirements (30 ft. maximum height allowed; 36 to 40 ft. high proposed), located at 2115 Newport Boulevard, in a C2 zone. Environmental determination: exempt.

3.	**Planning Application PA-05-48 and Zoning Application ZA-08-02,** for Marc De Frenza, authorized agent for Roger and Barbara Allensworth, for extensions of time for a master plan for a 250-unit residential high rise project and subsequent modification of building elevations, located at 580 Anton Boulevard, in a PDR-HD zone. Environmental determination: exempt.	Approve by adoption of Planning Commission resolution, subject to conditions.
4.	**Planning Application PA-09-05,** for Terry Palms, authorized agent for American Equities Three, LLC, for a conditional use permit to allow ancillary pawnbroker services in conjunction with a proposed watch and jewelry store, located at 1880 Newport Boulevard. Environmental determination: exempt.	Deny by adoption of Planning Commission resolution.
5.	**Review, modification, and/or revocation of two previously approved conditional use permits: a) Zone Exception Permit ZE-83-86** to allow retail sales and service of motor scooters; and **b) Planning Application PA-85-216** to allow a 680 sq. ft. storage building within a parking lot. The property is located at 1880 Newport Boulevard. Environmental determination: exempt.	a) Revoke by adoption of Planning Commission resolution. b) Revoke by adoption of Planning Commission resolution.
6.	**Planning Application PA-09-06,** for Hector Navarro and John Lubbers/Progressive Community & Vocational Services, LLC, authorized agents for Josiah Lilly, for a conditional use permit for an adult, day-activity center for developmentally disabled adults, located at 2034 Placentia Avenue, in an MG zone. Environmental determination: exempt.	Approve by adoption of Planning Commission resolution, subject to conditions.

7.	**Planning Application PA-09-08**, for Craig Martinelli, authorized agent for Hashem Kermani, for a conditional use permit for a live children's puppet theater, located at 3077 Bristol Street, in a C1 zone. Environmental determination: exempt.	Approve by adoption of Planning Commission resolution, subject to conditions.

VII. REPORT OF THE DEVELOPMENT SERVICES DEPARTMENT.

VIII. REPORT OF THE CITY ATTORNEY'S OFFICE.

IX. ADJOURNMENT TO THE MEETING OF MONDAY, APRIL 27, 2009.

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.