

**Revised 09-04-19**

**Public Hearing Item No. 1- recommendation revised to request Planning Commission continue the item**



## **PLANNING COMMISSION **AMENDED** AGENDA**

**September 9, 2019**

\*Pre-Meeting Agenda Review begins at **5:30 p.m.** in Conference Room 1A

\*\*Planning Commission Meeting begins at **6:00 p.m.** in the Council Chambers

### **CALL TO ORDER.**

### **PLEDGE OF ALLEGIANCE TO THE FLAG.**

**ROLL CALL:** Chair: Byron de Arakal

Vice Chair: Jeffrey Harlan

Commissioners: Kedarious Colbert, Carla Navarro Woods, Dianne Russell,  
Jenna Tourje, Jon Zich

### **ANNOUNCEMENTS AND PRESENTATIONS:**

### **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. In accordance with Costa Mesa Municipal Code, Sec. 2-64 (1): No person in the audience shall engage in disorderly, disruptive, disturbing, delaying or boisterous conduct.

### **PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:**

**CONSENT CALENDAR:**

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the Planning Commission, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion. Items removed from the Consent Calendar will be discussed and voted upon immediately following Planning Commission action on the remainder of the Consent Calendar. Members of the public who wish to discuss Consent Calendar items should come forward to the microphone upon invitation by the Chair, state their name (optional), and item number to be addressed.

**CONSENT CALENDAR:**

1. **GENERAL PLAN CONFORMITY RESOLUTION FOR THE COUNTY OF ORANGE HEALTH CARE AGENCY’S PROPOSED USE AT 2801 BRISTOL STREET**

**Recommended Action:** Adopt a Resolution finding that the County’s proposed use which includes individual and group counseling at 2801 Bristol Street is in conformance with the City of Costa Mesa General Plan.

2. **GENERAL PLAN CONFORMITY RESOLUTION FOR THE PROPOSED VACATION OF THE ORANGE COUNTY FLOOD CONTROL DISTRICT EASEMENT AT 1376 SOUTH COAST DRIVE**

**Recommended Action:** Adopt a Resolution finding that the proposed vacation of the Orange County Flood Control District easement at 1376 South Coast Drive is in conformance with the City of Costa Mesa General Plan.

3. **GENERAL PLAN CONFORMITY RESOLUTION FOR THE PROPOSED VACATION OF EXCESS CITY STREET RIGHT-OF-WAY LOCATED AT 480 EAST 19TH STREET**

**Recommended Action:** Adopt a Resolution finding that the proposed vacation of excess City street right-of-way fronting 480 East 19th Street is in conformance with the City of Costa Mesa General Plan, serves the public interest, and is a public benefit.

**PUBLIC HEARINGS:**

*PROCEDURE: Announcement of Public Hearing Item, Report of Ex Parte Communications, Staff Report Presentation, Commission Questions for Staff, Open Public Hearing, Close Public Hearing, Motion*

1. **PLANNING APPLICATION 19-17 FOR A CONDITIONAL USE PERMIT TO ALLOW A RESTAURANT AND BAR WITH LIVE ENTERTAINMENT TO OPERATE AFTER 11 PM AT THE SHOPS AT MESA VERDE SHOPPING CENTER (1555 ADAMS AVENUE, SUITE 100)**

**Project Description:** Planning Application 19-17 is a request for a:

Conditional Use Permit to allow a new restaurant and bar (Kenwood's Kitchen and Tap) located within 200 feet of residentially-zoned property to operate after 11 PM with occasional live entertainment. The restaurant and bar proposes to operate until 2 AM on Fridays, Saturdays, and holidays. The restaurant and bar would operate until 11 PM on the remaining days of the week (Sunday through Thursday).

**Environmental Determination:** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

**REVISED Recommended Action:** Staff recommends that the Planning Commission continue this item to the next Planning Commission meeting of September 23, 2019.

**DEPARTMENTAL REPORTS:**

1. Public Services Report
2. Development Services Report

**CITY ATTORNEY'S OFFICE REPORT:**

1. City Attorney

**ADJOURNMENT**

Next Meeting: Planning Commission regular meeting, September 23, 2019, 6 PM, City of Costa Mesa Council Chambers, 77 Fair Drive, Costa Mesa, California.

## **ADDITIONAL INFORMATION**

### **PLANNING COMMISSION MEETINGS:**

Costa Mesa Planning Commission meets the second and fourth Monday of each month at 6:00 p.m. in the Council Chambers at City Hall, 77 Fair Drive. All Planning Commission meetings are open to the public.

The Planning Commission and staff hold an Agenda Review Study Session at 5:30 p.m., prior to the regular meeting, in 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.

### **PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA:**

Members of the public desiring to speak during the Public Comments period on a matter listed on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Each speaker is limited to three minutes.

1. Any written communications, photos, or other materials for copying and distribution to the Planning Commission must be 10 pages or less and submitted to the Planning Department **NO LATER THAN 12:00 p.m.** on the day of the hearing. Materials can be e-mailed to [PlanningCommission@costamesaca.gov](mailto:PlanningCommission@costamesaca.gov). If the public wishes to submit written communication, photos, or other material for distribution to the Planning Commission at the meeting or AFTER 12:00 p.m. the day of the hearing, 10 copies will need to be provided for distribution. Please note that NO copies of written communication will be made AFTER 12:00 p.m. Any materials to be displayed on the overhead projector at the Planning Commission Meeting must be submitted to the Planning Department **NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.**
2. **All cell phones and other electronic devices are to be turned off or set to vibrate.** Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.
3. In accordance with City Council Policy 000-11, and among other requirements, any video submitted for display at a public meeting must have been previously reviewed by staff to verify appropriateness for general audiences. A copy of this policy is available at City Hall during normal office hours.
4. Free Wi-Fi is available in the Council Chamber during the meetings. Two networks are available: council1 and council2. The password for either network is: cmcouncil.

In compliance with the Americans with Disabilities Act of 1990, Assistive Listening headphones located inside the Council Chambers are available at all Costa Mesa Planning Commission meetings and can be checked out from the Planning Department. If you need special assistance to participate in this meeting, please contact the Planning Department at 714.754.5245. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling 714.754.5245 at least 48 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al 714.754.5245 por lo menos con 48 horas de anticipación.

**AGENDA REPORTS:**

Reports may be obtained on the City's web site at [www.costamesaca.gov](http://www.costamesaca.gov). Agenda Packets are available for public review in three-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.costamesaca.gov](http://www.costamesaca.gov).

**Note regarding agenda-related documents provided to a majority of the Planning Commission after distribution of the Planning Commission agenda packet (GC §54957.5):**

Any related documents provided to a majority of the Planning Commission after distribution of the Planning Commission Agenda Packets will be made available for public inspection. Binders containing these agenda-related documents are located in the Council Chambers lobby. In addition, such documents may be posted—whenever possible on the city's website at [www.costamesaca.gov](http://www.costamesaca.gov).

**APPEAL PROCEDURE:**

Unless otherwise indicated, the decision of the Planning Commission is final at 5:00 p.m., seven (7) days following the action, unless an aggrieved party files <sup>[U1]</sup>an appeal to the City Council, or a member of City Council requests a review of the action. Applications for appeals are available in the City Clerk's office.

**CONTACT US:**

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