



City of Costa Mesa

Inter Office Memorandum

TO: CITY COUNCIL AND PLANNING COMMISSION
CC: TOM HATCH, GARY ARMSTRONG, AND CLAIRE FLYNN
FROM: CLAIRE FLYNN, ZONING ADMINISTRATOR *CF*
DATE: AUGUST 7, 2015
SUBJECT: ZONING ADMINISTRATOR DECISION(S)

This is to advise you of the following decision(s) made by the Zoning Administrator within the last week. Project descriptions have been kept brief for this notice. Please feel free to contact me by e-mail at claire.flynn@costamesaca.gov if you have any questions or would like further details.

ZA-15-14 **970 ARLINGTON DRIVE**

Minor conditional use permit to co-locate 12 additional antennas on an existing mono-eucalyptus wireless facility located in TeWinkle Park in the I&R Zone.

Withdrawn.

Comments received: One in opposition.

ZA-15-16 **678 WEST 19TH STREET**

Modification of Minor Conditional Use Permit to install 21 additional roof-top telecommunication antennas (seven microwave dishes, six panel antennas, and eight radome antennas) and a cabinet within the equipment room on an existing 18-story senior housing building (The Tower on 19th / Bethel Towers) located in the R3 zone.

Approved, subject to conditions of approval.

Comments received: One in opposition.

ZA-15-22 **3033 BRISTOL STREET, SUITE D**

Amendment of PA-96-14 and PA-00-45 to allow a further deviation from shared parking requirements for Hachi Asian Fusion restaurant, proposed in a 2,100 square-foot suite. Original

approvals were from 6:00 p.m. to 9:30 p.m., Sunday through Thursday, and 6:00 p.m. to 4:00 a.m., Friday and Saturday. Proposed hours are 5:00 p.m. to 11:00 p.m., Sunday through Thursday, and 5:00 p.m. to 1:00 a.m., Friday and Saturday. No live entertainment is proposed.

Approved, subject to conditions of approval.

Comments received: One in opposition.



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

City of Costa Mesa

PUBLIC CONTACT RECORD

Date: 8/3/2015

Name: P. Karimpanan

Address: 678 W. 19th Street (Tower on 19th)

Call Received by: Antonio Gardea, Senior Planner

COMMENTS: The resident of the Tower on 19th senior housing complex:

1. Disputed the CEQA exemption indicating that the transmission antennas have environmental effects on the senior citizens.
2. Indicated that there are studies that show electromagnetic fields cause significant health effects.
3. Questioned why the property manager did not inform the residents that the antennas were going to be installed.
4. Asked if the board was profiting from the installation and operation of the antennas.

COLGAN, JULIE

From: David Smith <onedjsmith@gmail.com>
Sent: Thursday, July 30, 2015 9:28 AM
To: PLANNING COMMISSION
Subject: Application ZA-15-22

I am opposed to the application for a deviation from shared parking requirements at 3033 Bristol Street. Although I am an advocate of development in our area when done correctly - these shared parking agreements are not working. As the Planning Commission keeps deviating from parking requirements and allowing uses that clearly need at least the minimum parking requirements if not more parking in our area, especially the SOBECA area, traffic and problems are increasing in our residential area (Pentridge Cove). The safety of the area is being jeopardized, mainly by the uses being granted (restaurants and bars) but BECAUSE the root cause is that there is not a comprehensive traffic and parking plan for the neighborhood.

The Camp has expanded restaurants in an area that was not parked, even minimally, for that many restaurant use and their shared parking agreements and valet parking are not working. Expanded businesses on Randolph Street are experiencing the same problem. This application only expands the area of the problem and does not solve the problem.

As there have been recent deaths and tragic accidents and injuries in the area, the entire area needs to be looked at from a comprehensive view. Crosswalks or a signal light at Randolph needs to be installed to slow down traffic as well as allow for pedestrian flow and the parking FOR THE ENTIRE AREA needs to be thought out before development continues.

Until that comprehensive plan is put in place, and shared parking agreements that are in place are re-evaluated with actual use - I am opposed to any new shared parking agreements for the area.

I would be glad to address the commission and get them views from an area resident who enjoys and uses the area while watching it deteriorate and wanting it to succeed. Thank you for allowing my views on this application.

--
David Jordan Smith, AIA, CSI
Architecture - Construction Management
788 Wesleyan Bay
Costa Mesa, CA 92626
(714) 392-3834 Cell
onedjsmith@gmail.com



CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

August 7, 2015

Scott Sutherland
Velotera Services, Inc.
151 Kalmus Drive, Ste. E-220
Costa Mesa, CA 92626

**RE: ZONING APPLICATION ZA-15-16 (ZA-99-40 A1)
MINOR CONDITIONAL USE PERMIT TO MODIFY AN EXISTING ROOF TOP
TELECOMMUNICATIONS FACILITY TO INSTALL ADDITIONAL ANTENNAS
678 W. 19TH STREET, COSTA MESA**

Dear Mr. Sutherland:

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 August 14, 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, Antonio Gardea, at (714) 754-5692, or at antonio.gardea@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments: Project Description
 Findings
 Conditions of Approval, Code Requirements, and Special District
 Requirements
 Applicant Letter
 Conceptual Plans

cc: Engineering
 Fire Protection Analyst
 Building Safety Division

BACKGROUND

Site Location

The property is zoned Multiple Family Residential District (R3) with a General Plan land use designation of High Density Residential. The property is surrounded by commercially zoned properties to the east and west as well as south across W. 19th Street. The property is developed with an 18-story, 270-unit senior housing development (The Tower on 19th/Bethel Towers). A number of antennas have been installed on the roof top and the related cabinets are housed within an equipment area adjacent to the penthouse.

Previous Entitlement

On July 9, 2015, the Zoning Administrator approved a minor conditional use permit, ZA-09-21, allowing the installation of three panel antennas, three microwave antennas and a GPS antenna. The antennas and microwave dishes are mounted to the penthouse at the top of the building. The telecommunications cabinet is also on the rooftop within a screened equipment area. The equipment cabinets for the wireless facilities are located within a metal screen enclosure.

Since additional antennas are proposed, an amendment to the existing Minor Conditional Use Permit is required.

PROJECT DESCRIPTION

Proposed Use

Zoning Code Sections 13-141 and 13-142 require approval of a Minor Conditional Use Permit for this installation because:

1. the microwave dish antennas cannot be concealed; and
2. the location of the antennas on the rooftop of the building at a height of 175'-9" exceeds the maximum allowable height of 30 feet for communication antennas.

The applicant proposes to modify an existing roof mounted wireless telecommunications facility by adding a total of 21 new rooftop telecommunication antennas and a new cabinet within the screened equipment area. The new antennas consist of seven microwave dishes, six panel antennas, and eight radome antennas. The microwave dish antennas are mounted to and project approximately five feet above the equipment screen wall. The other antennas would be mounted to the exterior of the screen wall.

Because of clear transmission requirements, a number of antennas have been installed on the rooftop that are located above the existing parapet and equipment screen walls. For example, a building permit was issued on September 13, 2010 for the installation of five parabolic (microwave antennas) that require unobstructed transmission. Other transmission antennas by other carriers and utilities are also visible from a distance.

Analysis

Because of the overall height of the building, the majority of the antennas will not be visible. In addition, the antennas are mounted to the screen wall and painted to match. The equipment most visible are the microwave antennas. Six of the proposed microwave antennas will be mounted on masts projecting above the existing screen wall. Two of the new dishes are four feet in diameter and the other four are two feet in diameter. The microwave antennas would face toward the east and west. The proposed dishes would be at a lower point on the building than the other existing antennas. The new microwave dishes are proposed to be painted to match the penthouse and screen wall. The new equipment cabinet will be placed behind the existing metal screen wall. Because of the height of the building, the proposed microwave antennas are not readily visible from the surroundings. The proposed panel and radome antennas are less visible since they would be flush mounted to the screen wall, painted to match the building, and further screened from view by the existing building parapet.

Per Policy No. B-06-06 of the Development Services Department, all new buildings over three stories in height are required to include specific in-building public safety radio facilities. A condition of approval is include addressing this requirement.

Conditions have been included to ensure antenna frequencies do not interfere with the frequency used for Public Safety communications. Additionally, the environmental radio frequency radiation generated by the antennas will comply with the ANSI/IEEE standards.

FINDINGS

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

1. The proposed use is compatible with developments in the same general area. The new panel and radome antennas will be mounted on the equipment screen wall and painted to match the building. The proposed new cabinet is located within the equipment area behind the screen wall. The height of the building prevents view of the roof top equipment from the immediately adjacent properties. The existing building parapet screens the majority of the roof top equipment. The existing antennas that are mounted to the penthouse are painted to match the building. In a similar fashion, the proposed microwave antennas will also be painted to match the color of the penthouse.

2. Granting the Minor Conditional Use Permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity since the antenna frequencies will comply with ANSI/IEEE standards. Conditions have also been added to certify that the antennas do not interfere with frequencies used by the City for public safety purposes. The antenna frequencies comply with all Federal standards for radio frequency emissions in

accordance with the Telecommunications Act of 1996 and subsequent amendments, as well as any other applicable requirements imposed by the State and Federal agencies.

3. Granting the Minor Conditional Use Permit will not allow a use, density or intensity that is not in accordance with the General Plan designation for the property. The new telecommunications antennas will be co-located on the rooftop and placed at a lower height than the existing antennas which are mounted to the penthouse. The proposed cabinet will be placed within the existing equipment area. Since the rooftop equipment is not visible from the immediate surroundings, the new antennas and related equipment are not deemed visually obtrusive.

- B. 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 15311, Class 11, Accessory Structures, of the CEQA Guidelines.
- C. 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 conditions of approval and Code requirements of Zoning Application ZA-15-16 (ZA-09-21 A1) shall be blueprinted on the face of the site plan of the plan check submittal package.
 - 2. Any future modifications to the equipment or antennas shall be done only with the prior approval of Planning staff and may require filing and approval of a minor conditional use permit.
 - 3. The microwave dishes and antennas mounted to the existing screen wall shall be painted to match the color of the building.
 - 4. The cabinet(s) shall be located in the existing equipment area and shall not be visible from off-site.
 - 5. The applicant shall provide a 24-hour phone number to which interference problems may be reported.
 - 6. The applicant shall provide a "single point of contact" in its Engineering and Maintenance Departments to ensure continuity on all interference issues. The name, telephone number, fax number, and email address of that person shall be provided to the City's designated representative.
 - 7. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the final building inspection(s). This inspection is to confirm that the conditions of approval and Code requirements have been satisfied.
 - 8. The applicant shall ensure that lessee or other user(s) shall comply with the terms and conditions of this permit and shall be responsible for the failure of any lessee or other users under the control of applicant to comply.

9. The wireless telecommunications facility and all associated equipment shall be completely removed upon discontinuance of use. The applicant shall notify the Planning Division when this occurs and obtain the necessary demolition permits to remove the wireless facility and associated equipment.
- Bldg 10. This project shall comply with the In-Building Public Safety Radio System Coverage per Sections 5-130 to 5-137 of the Costa Mesa Municipal Code. At plan check submittal, 6 copies of an In-Building Public Safety Radio System Coverage Report (Radio System Report) shall be submitted to the Building and Safety Division. The Radio System Report shall be certified by an FCC-licensed radio technician as provided by the property owner/applicant. The technician is required by Section 5-133 to conduct initial tests and shall be employed by the owner, the engineer or architect of record, or agent of the owner, but not by the contractor or any other person responsible for the work.
- Police 11. The applicant recognizes that the frequencies used by the cellular facility located at the subject property are extremely close to the frequencies used by the City of Costa Mesa for Public Safety. This proximity will require extraordinary "comprehensive advanced planning and frequency coordination" engineering measures to prevent interference, especially in the choice of frequencies and radio ancillary hardware. This is encouraged in the "Best Practices Guide" published by the Association of Public Safety Communications Officials, International, Inc. (APCO), and as endorsed by the federal Communication Commission (FCC). Prior to the issuance of any permits to install the facility, applicant shall meet in good faith to coordinate the use of frequencies and equipment with the Communications Division of the Orange County Sheriff-Coroner Department to minimize, to the greatest extent possible, any interference with the Public Safety 800 MHz Countywide Coordinated Communications System (CCCS). Similar consideration shall be given to any other existing or proposed wireless communications facility that may be located on the subject property.
12. At all times, the applicant shall not prevent the City of Costa Mesa from having adequate spectrum capacity on the City's 800 MHz radio frequency.

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. 1. Approval of the zoning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by obtaining building permits for the authorized construction and initiates construction. If the applicant is unable to obtain building permits within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the planning application.

2. All construction-related activity shall be limited to between the hours of 7 a.m. and 7 p.m., Monday through Friday, and 9 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
3. Antennas shall comply with the Antenna Development Standards in Section 13-142 of the Costa Mesa Zoning Code.
- Bldg. 4. Comply with the requirements of the 2013 California Building Code, 2013 California Electrical Code, 2013 California Energy Code (or the applicable adopted California Building Code, California Electrical Code, 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.
Provide a structural analysis and framing details designed by a licensed California Civil Engineer.
- Bus. 5. All contractors and subcontractors must have valid business licenses to do
Lic. business in the City of Costa Mesa. Final inspections will not be granted until all such licenses have been obtained.



May 19, 2015

City of Costa Mesa
Development Services Department - Planning Division
77 Fair Drive
Costa Mesa, CA 92626

Re: Subject Property: 678 W. 19th Street
APN: 422-242-19

Dear Planner,

As consultant for the Applicant, TelePacific Communications (TelePacific), VeloTera Services, Inc., hereby submits the enclosed Planning Application package (Application) regarding the above-captioned property. The purpose of this filing is to obtain the necessary permits and approvals from the City of Costa Mesa (Costa Mesa) required for TelePacific Communications to continue operations of its communication antennas as an accessory use atop the existing 17-story residential building on the Subject Property. Please accept the Application to process a Minor Conditional Use Permit for TelePacific's antenna installation.

The Application includes the following documentation.

1. Planning Application (Part One)
2. Plans (eleven sets, 11"x17" copy)
3. Fees: Check # 1340
4. Public Notification Package

This wireless facility was built in 2010 by NextWeb, Inc, d/b/a Covad Wireless, and has operated continuously since first becoming operational. TelePacific Communications, a facility-based carrier in business since 1998, acquired Covad Wireless' interest in the asset. TelePacific offers local and long distance voice, dedicated Internet access, private networking and data transport services, converged voice and data service, as well as mobile solutions to its customers.

Project Description

TelePacific 's operations of the existing communication antennas and equipment cabinets atop the existing building will be painted to match the exterior color of the building. The panel and microwave dish antennas are mounted on screen wall framework on the rooftop and on the penthouse wall. The panel antenna dimensions are 20 inches tall by 10 inches wide and the microwave antenna dimensions are between 1-foot and 4-feet in diameter. The associated equipment cabinets are located behind a screen wall. The antennas are screened from pedestrian view by the new parapet wall.

The Subject Property is located along the 19th Street secondary corridor. The zoning designation is R3. According to the Code Of Ordinances, the height of the antennas above 30 feet requires approval of a Minor Conditional Use Permit. The top of the highest antenna is approximately 4-feet lower than the mechanical penthouse. The top of the highest antenna is approximately 175-feet above ground level.

By painting the antennas to match the building exterior and being located at the top of the building, the proposed antenna system would be consistent and compatible with the existing building design and would not distract from the architectural integrity of the existing high-rise development, hence not materially affecting the function of the surrounding land uses.

This telecommunication facility is unmanned and is visited very infrequently by technical personnel. Scheduled maintenance is conducted twice yearly. And occasional site visits are required to respond to technical issues or customer requests. Technicians visiting the property park in unreserved parking spaces.

It is anticipated that this project is exempt from the requirements of the California Environmental Quality Act.

Site Selection

Site selection criteria in this area requires antenna placement on an antenna support structure with the highest geographical vantage point within 1 mile of the center of the service area. The need to overcome line of sight challenges inherent to the Fixed Wireless technologies requires the steepest angle of incidence to avoid as many near field obstructions as possible. Most customers are in 1-2 story buildings, often surrounded by tall trees or buildings which necessitate that the candidate sites be located on a tall building in an urban environment or on a mountain top in order to obtain optimal line of sight to the end users.

Structural capacity of a candidate is considered not only for immediate design requirements, but is also assessed for future installations when analyzing all aspects of a prospective property.

This property is currently developed with a multiple family high-rise building and wireless communication facilities. There is existing commercial power sufficient to energize TelePacific's equipment. No ground disturbance is required.

Radio Frequency Information

Fixed Wireless services require Line of Sight (LOS) to our customers and require an antenna to be mounted on the customer's rooftop to enable them to receive our signal. The frequencies at which our network operates (3 GHz, 5 GHz, 18 GHz, 23 GHz and 28 GHz) do not penetrate obstructions such as buildings, trees, or glass so any obstruction to the signal makes it unusable. This is unlike cellular frequencies which have better penetration.

TelePacific's customers to be served by this site are located throughout the southern half of Costa Mesa, westerly most part of Newport Beach and the southerly most part of Huntington

Beach. All the antennas need to be mounted in specific directions in order to provide coverage to customers. Point-to-multipoint and point-to-point antennas are used to provide service to customers while minimizing the amount of antennas required at the site. Equipment at this location is linked to TelePacific's network via (3-foot and 4-foot diameter) backhaul antennas.

Type of Technology

TelePacific is a facility-based carrier headquartered in Los Angeles that has been in business since 1998, serving small and medium sized business customers. Telecommunication services are provided through a combination of TelePacific-owned switches and network infrastructure. They offer local and long distance voice, dedicated internet access, private networking and data transport, and converged voice and data services.

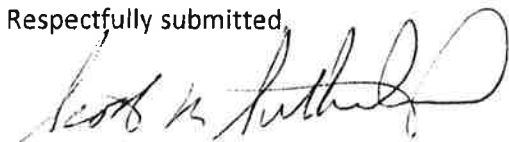
TelePacific uses fixed wireless to deliver data/internet services to its customers. The three main fixed wireless technologies used are:

- WiMAX – Point-to-Multipoint access points operating in the 3 GHz and 5GHz bands are installed at the tower site to provide service to many customers.
- LMDS – Point-to-Multipoint access points operating in the 28 GHz bands are installed at the tower site to provide service to many customers. LMDS sectors are used to deliver higher bandwidth products than WiMAX sectors.
- Microwave – Point-to-Point dishes operating in the 18 GHz and 23 GHz bands are installed at the tower site to provide service to a single customer. And microwave links are used to deliver higher bandwidth products than both LMDS and WiMAX sectors.

TelePacific's customers are often small-to-mid sized businesses. They appreciate competition in the marketplace and expect services targeted to their specific needs. They demand low costs, a large product portfolio, and proactive customer care.

Please consider the undersigned as your point of contact for this Application. We look forward to working with Costa Mesa to obtain all required permits and approvals.

Respectfully submitted,

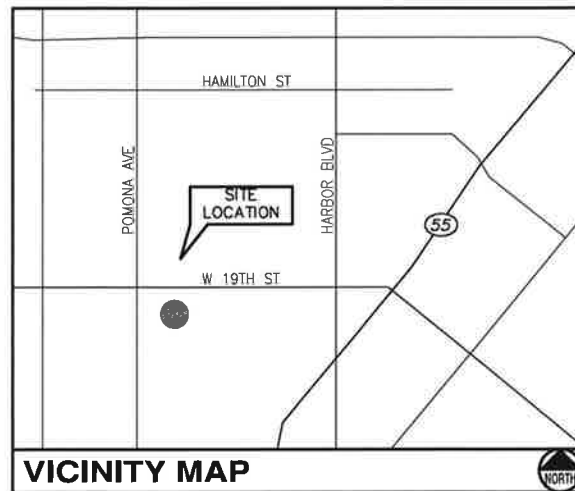


Scott M. Sutherland
Vice President of Operations

Enc.



THE TOWER ON 19TH 678 W 19TH STREET COSTA MESA, CA 92627



START AT 151 KALMUS DRIVE, COSTA MESA, CA.

- HEAD SOUTHEAST
- TURN LEFT TOWARD KALMUS DR
- TURN LEFT ONTO KALMUS DR
- KALMUS DR TURNS RIGHT AND BECOMES PULLMAN ST
- TURN LEFT ONTO BAKER ST E
- TURN LEFT ONTO THE CALIFORNIA 55 S RAMP
- MERGE ONTO CA-55 S/COSTA MESA FWY
- TURN RIGHT ONTO W 19TH ST
DESTINATION WILL BE ON THE RIGHT
678 W 19TH ST COSTA MESA, CA 92

SITE DIRECTIONS

SCOPE OF WORK:
MODIFICATION OF EXISTING COMMUNICATION FACILITY. THIS PROJECT ENTAILS:
1. INSTALL (21) NEW TELEPACIFIC ANTENNAS ON AN EXISTING PENTHOUSE WALL AND PAINT TO MATCH BUILDING COLOR.
2. INSTALL TELEPACIFIC EQUIPMENT CABINET BEHIND EXISTING SCREEN WALL ON LOWER ROOF LEVEL.

SCOPE OF WORK BY OTHERS:
1. RELOCATE EXISTING CLEARWIRE CABINET WITHIN EXISTING SPRINT LEASE AREA.
2. INSTALL (3) NEW SPRINT EQUIPMENT CABINETS WITHIN EXISTING LEASE AREA.
3. REPLACE (3) EXISTING CLEARWIRE PANEL ANTENNAS WITH (3) NEW SPRINT PANEL ANTENNAS.
4. INSTALL (3) NEW 1-1/4" HYBRID FLEX CABLES TO PROPOSED SPRINT RRU'S.
5. REPLACE (3) EXISTING CLEARWIRE RRUS WITH (3) NEW SPRINT RRU'S.
6. INSTALL (1) NEW SPRINT GPS ANTENNA.

PROJECT DESCRIPTION

PROPERTY OWNER

OWNER: 19TH STREET AFFORDABLE LP
100 SPECTRUM CENTER DRIVE, SUITE 830
IRVINE, CA 92618

CONTACT: BARB VURGUN
DIRECT: (949) 753-0555 x205
EMAIL: BVURGUN@REINERCOMMUNITIES.COM

PARCEL INFORMATION:

A.P.N.: 422-242-19

OCCUPANCY: R-2.1 (ADULT RESIDENTIAL FACILITIES)

CONSTRUCTION TYPE: VA

CURRENT ZONING: R3
ZONING APPLICATION #: ZA-15-16 (ZA-09-21 A1)
ACCESSIBILITY REQ'D: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

PROJECT SUMMARY

ARCHITECT:
DCI PACIFIC
32 EXECUTIVE PARK, SUITE 110
IRVINE, CA 92614
CONTACT: D.K. DO E-MAIL: DK@DCIPACIFIC.COM
PHONE: (949) 475-1000 FAX: (949) 475-1001

APPLICANT REPRESENTATIVE:
SCOTT M. SUTHERLAND
VELOTERA SERVICES, INC.
151 KALMUS DRIVE, STE E-220
COSTA MESA, CA 92626
PHONE: (858) 774-4004 (714) 209-7499

PROJECT TEAM

POWER:
COMPANY: SOUTHERN CALIFORNIA EDISON
PHONE: 1-800-655-4555

TELCO:
COMPANY: AT&T
PHONE: 1-888-944-0447

UTILITY PROVIDERS

- 2013 CALIFORNIA ADMINISTRATIVE CODE (CAC)
- 2013 CALIFORNIA BUILDING CODE (CBC), VOLUMES 1, AND 2 (2012 EDITION INTERNATIONAL BUILDING CODE WITH 2013 CALIFORNIA AMENDMENTS)
- 2013 CALIFORNIA ELECTRICAL CODE (2011 EDITION NATIONAL ELECTRICAL CODE WITH 2013 CALIFORNIA AMENDMENTS)
- 2013 CALIFORNIA MECHANICAL CODE (CMC) (2012 EDITION IAPMO UNIFORM MECHANICAL CODE WITH 2013 CALIFORNIA AMENDMENTS)
- 2013 CALIFORNIA ENERGY CODE (2013 EDITION CALIFORNIA ENERGY COMMISSION BUILDING ENERGY EFFICIENCY STANDARDS)
- 2013 CALIFORNIA FIRE CODE (CFC) (2012 EDITION OF INTERNATIONAL FIRE CODE WITH 2010 CALIFORNIA AMENDMENTS)
- 2013 CALIFORNIA GREEN CODE
- 2013 CALIFORNIA REFERENCES STANDARDS CODE
- APPLICABLE LOCAL CODES

CODE COMPLIANCE

SHEET	DESCRIPTION	ISSUE LEVEL
T1	TITLE SHEET	---
A1	SITE PLAN	---
A2	ROOF PLAN AND ANTENNA LAYOUT PLAN	---
A3	ELEVATIONS	---
A4	ELEVATIONS	---
A5	ANTENNA SPECIFICATIONS	---
A6	ANTENNA SPECIFICATIONS	---
7 SHEETS TOTAL		
SHEET INDEX		ISSUED FOR: ZONING JURISDICTION: CITY OF COSTA MESA

DO NOT SCALE DRAWINGS

GENERAL CONTRACTOR NOTES

DCI PACIFIC
A|E|C WORKS
ARCHITECTURE | ENGINEERING | CONSULTING
32 EXECUTIVE PARK | SUITE 110
IRVINE | CA 92614



Vel@Tera
SERVICES, Inc.

PROJECT IDENTIFICATION:
THE TOWER ON 19TH
678 W 19TH STREET,
COSTA MESA, CA 92627

CURRENT ISSUE DATE:
04/06/15

ISSUED FOR:
ZD

APPROVALS:

APPROVED BY:	INITIALS:	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK:	APV:
IP	BOK	DKD

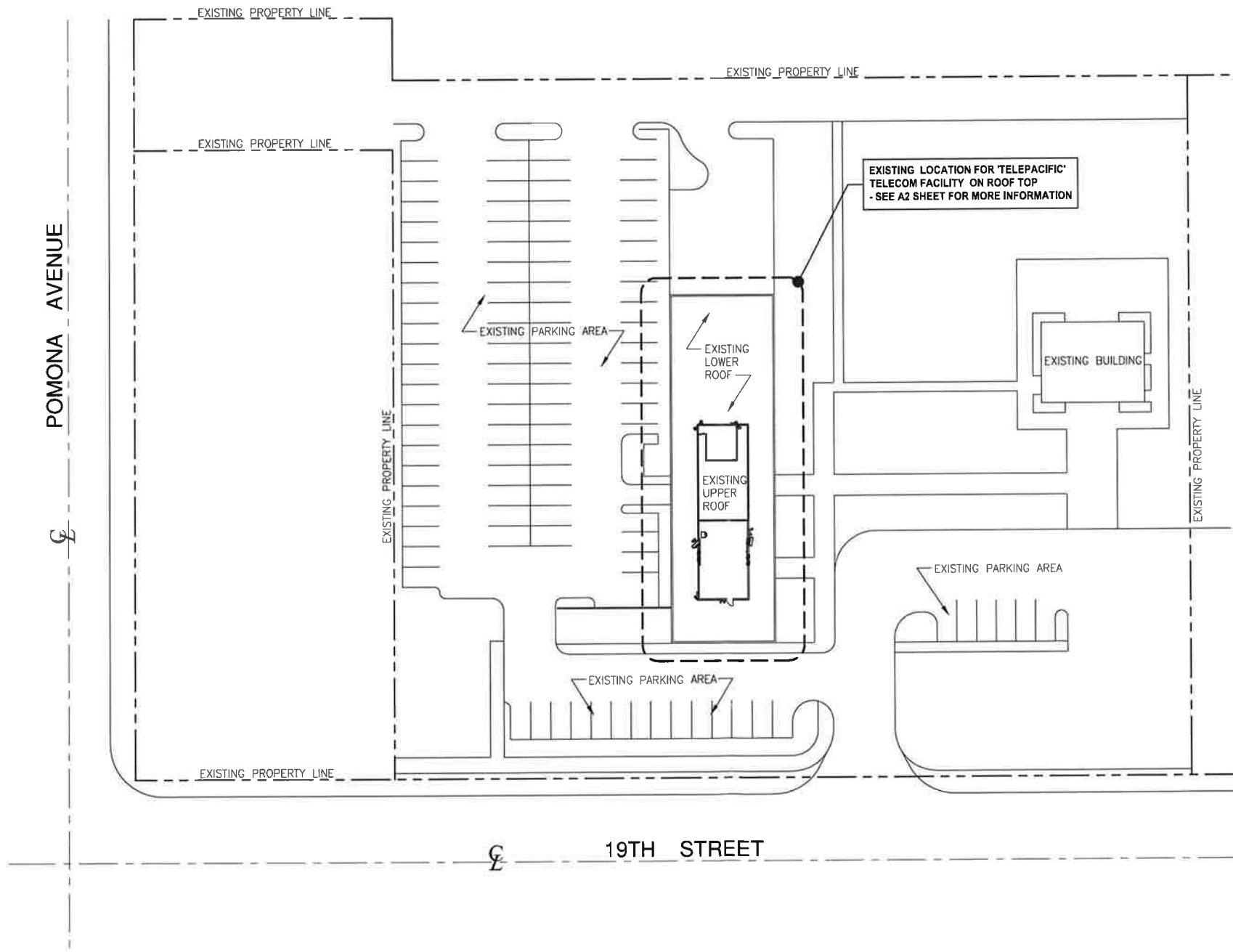
ISSUE STATUS:

DATE:	DESCRIPTION:	BY:
11/14/13	90% ZD	IP
12/10/13	100% ZD	IP
01/08/14	REVISED 100% ZD	IP
04/06/15	UPDATED PER LL.'S CMNTS	KVT
08/03/15	UPDATED PER CITY'S CMNTS	TN

SHEET TITLE:
TITLE SHEET

SHEET NUMBER:
T1
THE TOWER ON 19TH

NOTE:
PROPERTY LINE SHOWN APPROXIMATE ONLY,
NO SURVEY DRAWINGS PROVIDED.



EXISTING LOCATION FOR 'TELEPACIFIC'
TELECOM FACILITY ON ROOF TOP
- SEE A2 SHEET FOR MORE INFORMATION

DCI PACIFIC
A|E|C WORKS
ARCHITECTURE | ENGINEERING | CONSULTING
32 EXECUTIVE PARK | SUITE 110
IRVINE | CA 92614



PROJECT IDENTIFICATION:
THE TOWER ON 19TH
678 W 19TH STREET,
COSTA MESA, CA 92627

CURRENT ISSUE DATE:
04/06/15

ISSUED FOR:
ZD

APPROVALS:

APPROVED BY:	INITIALS:	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK:	APV:
IP	BOK	DKD

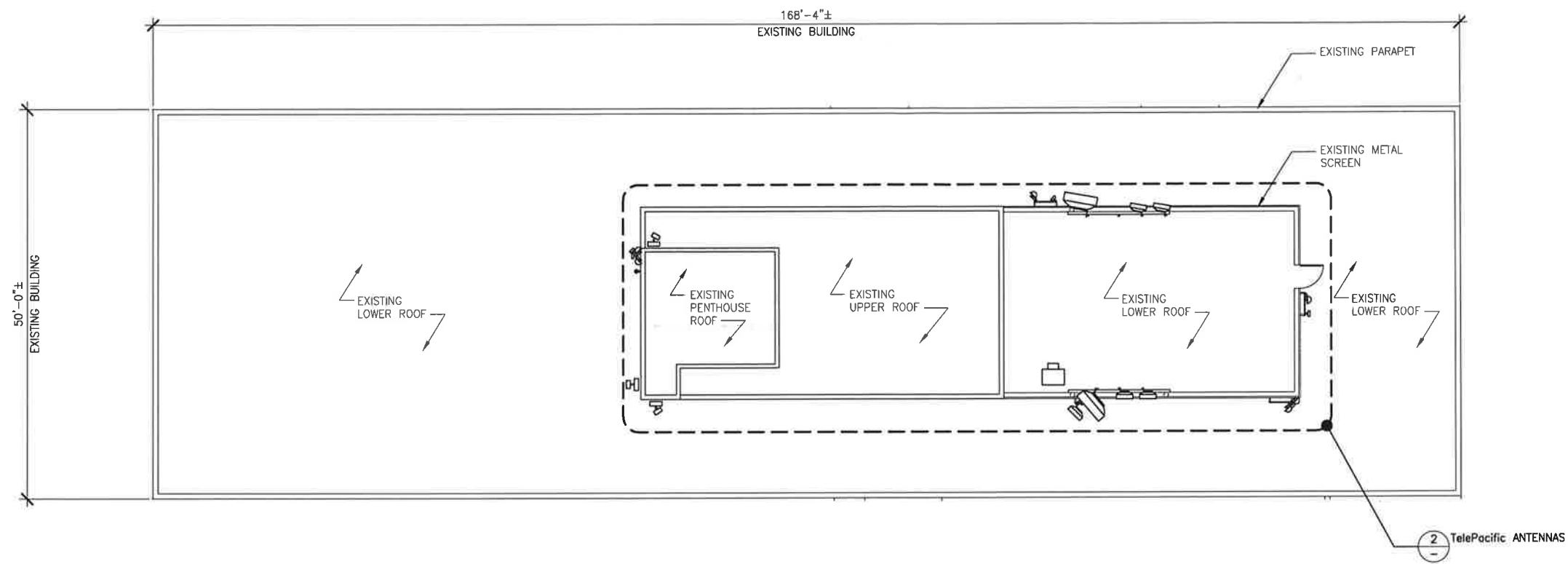
ISSUE STATUS:

△	DATE:	DESCRIPTION:	BY:
—	11/14/13	90% ZD	IP
—	12/10/13	100% ZD	IP
—	01/09/14	REVISED 100% ZD	IP
—	04/06/15	UPDATED PER LL'S CMNTS	KVT
—	08/03/15	UPDATED PER CITY'S CMNTS	TN

SHEET TITLE:
SITE PLAN

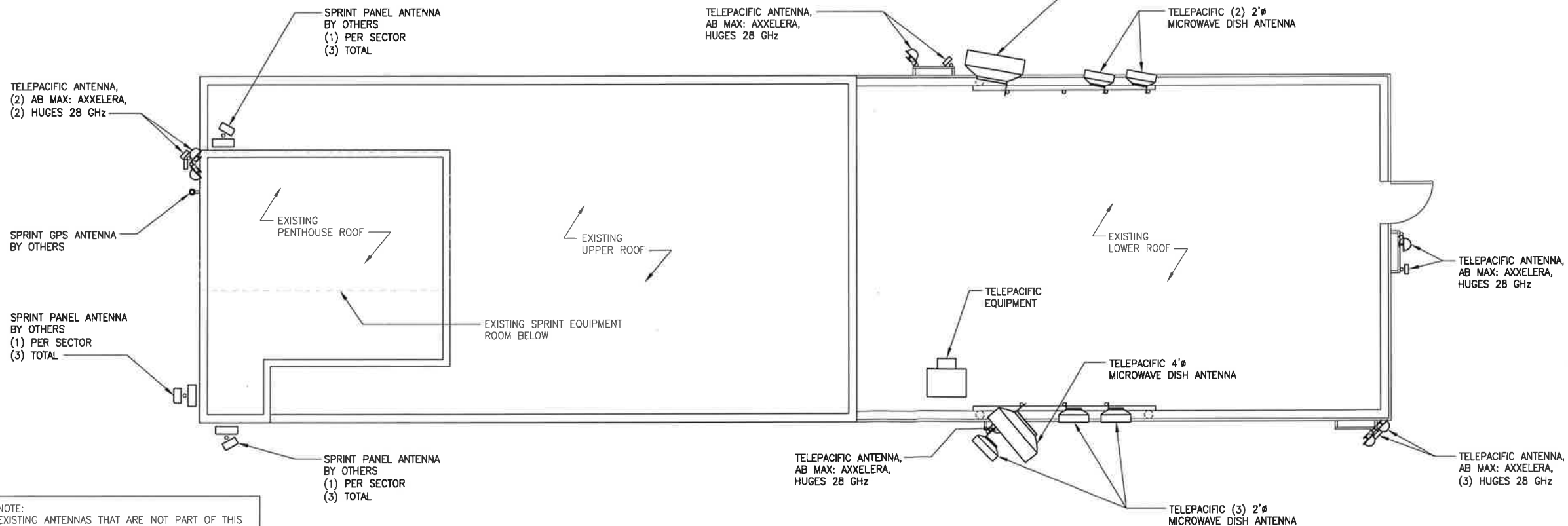
SHEET NUMBER:
A1

ISSUE LEVEL:
THE TOWER ON 19TH



ROOF PLAN

SCALE: 1/8"=1'-0" 0 2' 4' 8'



NOTE:
EXISTING ANTENNAS THAT ARE NOT PART OF THIS PROJECT ARE NOT SHOWN FOR CLARITY PURPOSES.

ANTENNA LAYOUT PLAN

SCALE: 1/4"=1'-0" 0 1' 2' 4'

DCI PACIFIC
A|E|C WORKS

ARCHITECTURE | ENGINEERING | CONSULTING
32 EXECUTIVE PARK | SUITE 110
IRVINE | CA 92614

TelePacific
COMMUNICATIONS

VeloTera
SERVICES, Inc.

PROJECT IDENTIFICATION:
THE TOWER ON 19TH
678 W 19TH STREET,
COSTA MESA, CA 92627

CURRENT ISSUE DATE:
04/06/15

ISSUED FOR:
ZD

APPROVALS:

APPROVED BY:	INITIALS:	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK:	APV:
IP	BOK	DKD

ISSUE STATUS:

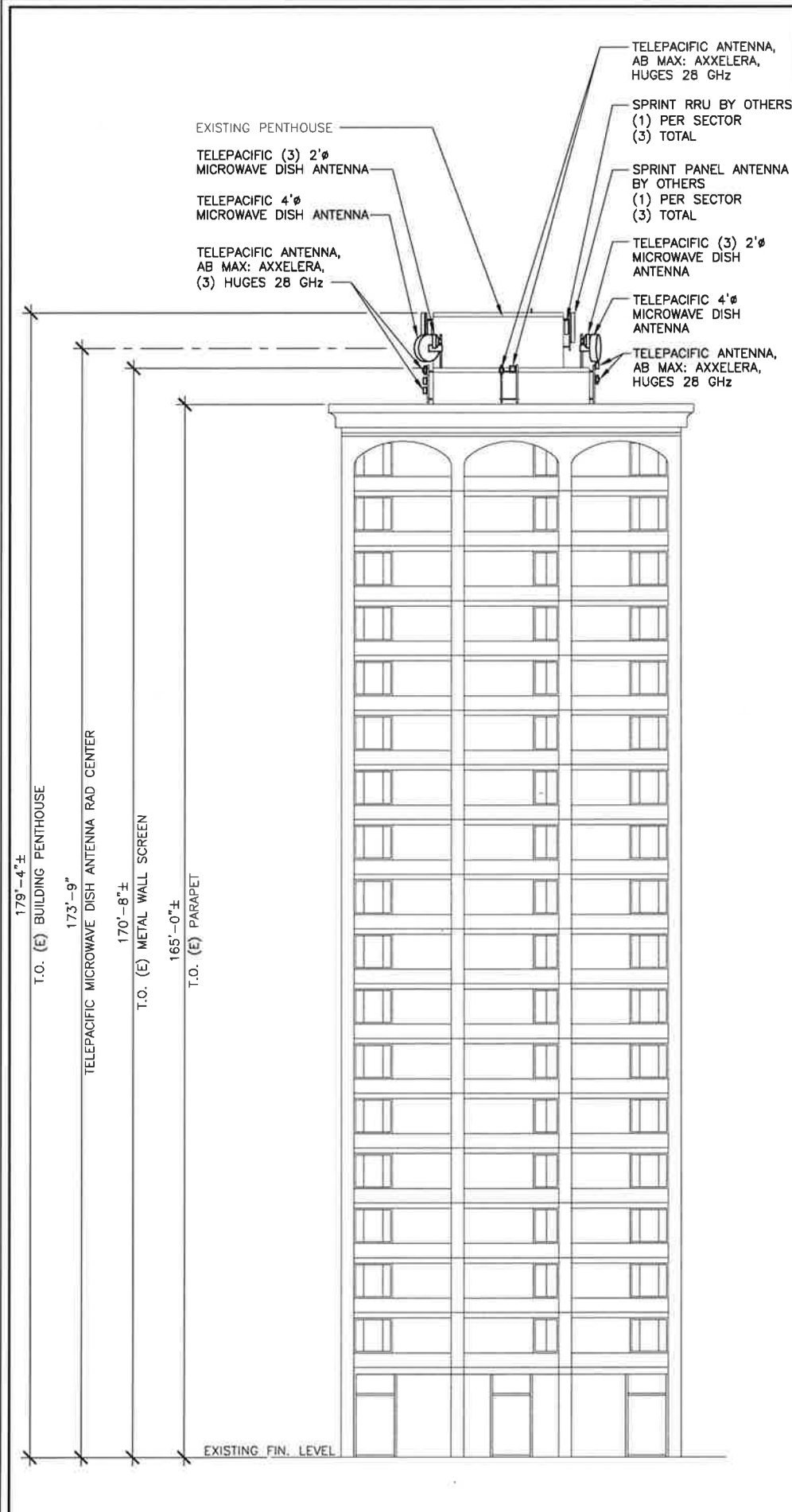
DATE:	DESCRIPTION:	BY:
11/14/13	90% ZD	IP
12/10/13	100% ZD	IP
01/09/14	REVISED 100% ZD	IP
04/06/15	UPDATED PER LL'S CMNTS	KVT
08/03/15	UPDATED PER CITY'S CMNTS	TN

SHEET TITLE:
ROOF PLAN AND ANTENNA LAYOUT PLAN

SHEET NUMBER:
A2

ISSUE LEVEL:
THE TOWER ON 19TH

NOTE:
EXISTING ANTENNAS THAT ARE NOT PART OF THIS
PROJECT ARE NOT SHOWN FOR CLARITY PURPOSES.

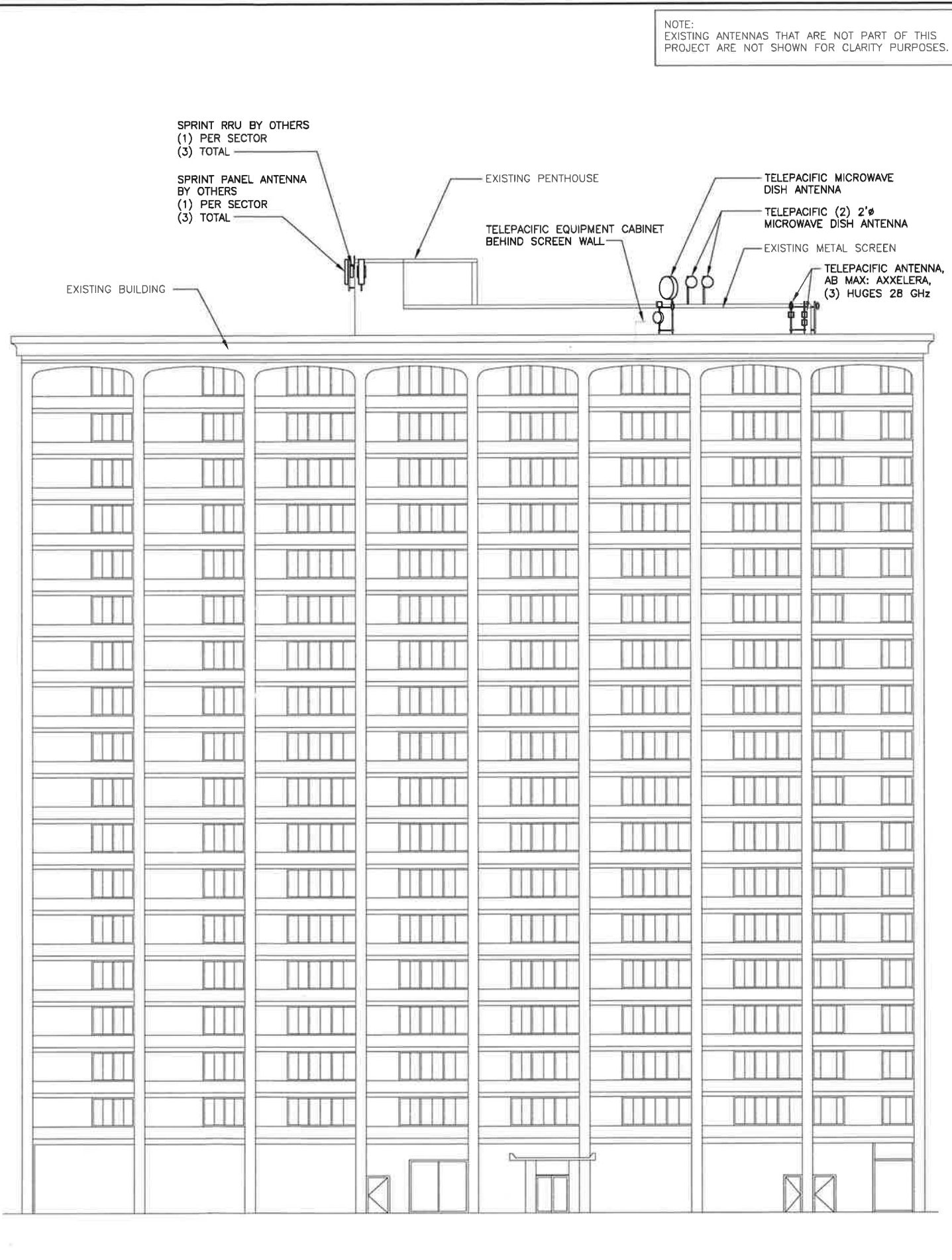


SOUTH ELEVATION

SCALE: 3/32"=1'-0"
0' 2' 5' 10'

2

WEST ELEVATION



SCALE: 3/32"=1'-0"
0' 2' 5' 10'

1

DCI PACIFIC
A|E|C WORKS

ARCHITECTURE | ENGINEERING | CONSULTING
32 EXECUTIVE PARK | SUITE 110
IRVINE | CA 92614



PROJECT IDENTIFICATION:
THE TOWER ON 19TH
678 W 19TH STREET,
COSTA MESA, CA 92627

CURRENT ISSUE DATE:
04/06/15

ISSUED FOR:
ZD

APPROVALS:

APPROVED BY:	INITIALS:	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK:	APV:
IP	BOK	DKD

ISSUE STATUS:

△	DATE:	DESCRIPTION:	BY:
—	11/14/13	90% ZD	IP
—	12/10/13	100% ZD	IP
—	01/09/14	REVISED 100% ZD	IP
—	04/06/15	UPDATED PER LL.'S CMNTS	KVT
—	08/03/15	UPDATED PER CITY'S CMNTS	TN

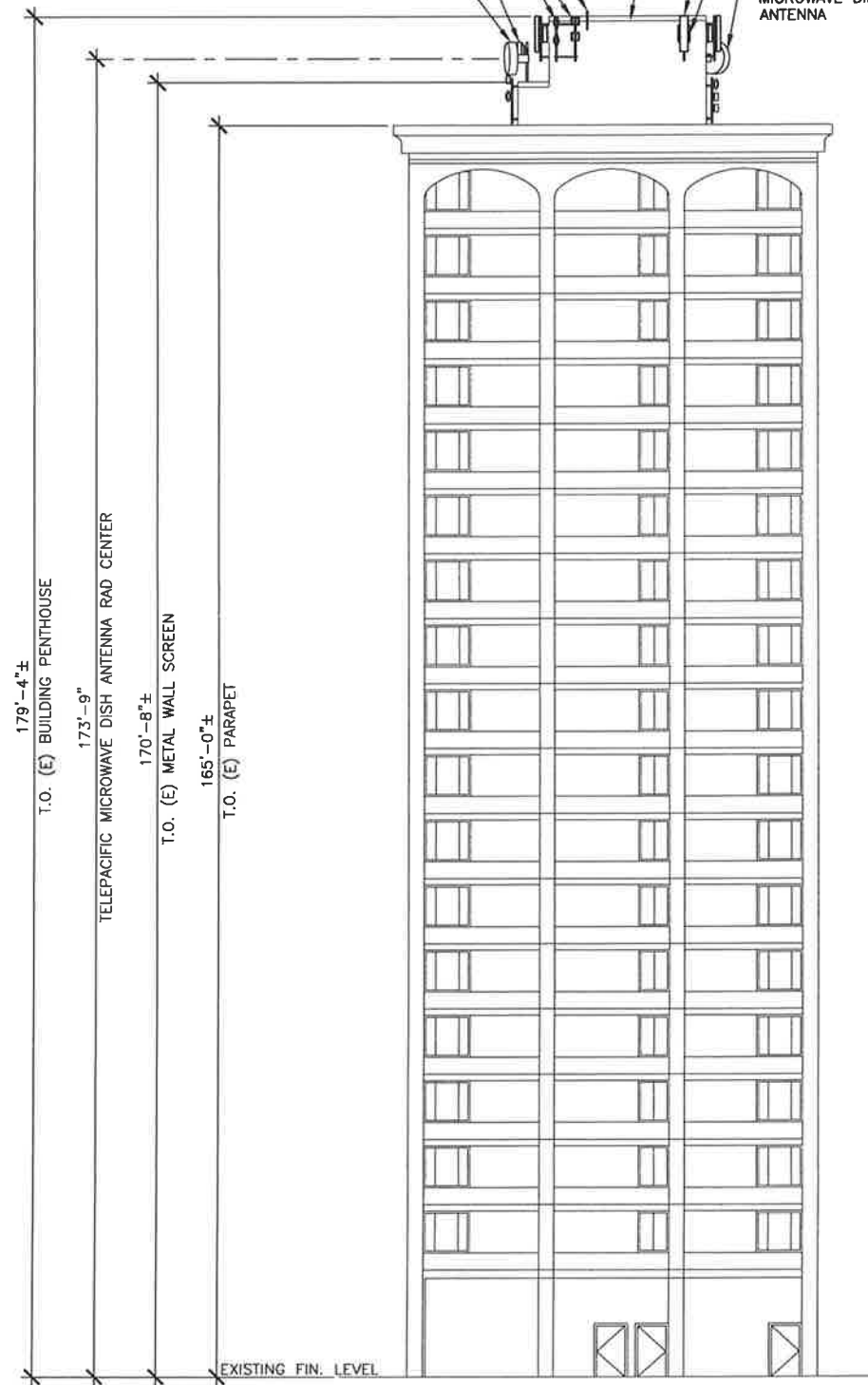
SHEET TITLE:
ELEVATIONS

SHEET NUMBER:
A3

ISSUE LEVEL:
THE TOWER ON 19TH

NOTE:
EXISTING ANTENNAS THAT ARE NOT PART OF THIS PROJECT ARE NOT SHOWN FOR CLARITY PURPOSES.

- SPRINT GPS ANTENNA BY OTHERS
- TELEPACIFIC ANTENNA, (2) AB MAX: AXCELERA, (2) HUGES 28 GHz
- TELEPACIFIC (2) 2'Ø MICROWAVE DISH ANTENNA
- TELEPACIFIC 4'Ø MICROWAVE DISH ANTENNA
- EXISTING PENTHOUSE
- SPRINT PANEL ANTENNA BY OTHERS (1) PER SECTOR (3) TOTAL
- SPRINT RRU BY OTHERS (1) PER SECTOR (3) TOTAL
- TELEPACIFIC 4'Ø MICROWAVE DISH ANTENNA



NORTH ELEVATION

SCALE: 3/32"=1'-0"
0 2' 5' 10'

2 EAST ELEVATION

- TELEPACIFIC ANTENNA, AB MAX: AXCELERA, HUGES 28 GHz
- TELEPACIFIC MICROWAVE DISH ANTENNA
- TELEPACIFIC (2) 2'Ø MICROWAVE DISH ANTENNA
- EXISTING METAL SCREEN
- EXISTING PENTHOUSE
- SPRINT PANEL ANTENNA BY OTHERS (1) PER SECTOR (3) TOTAL
- SPRINT RRU BY OTHERS (1) PER SECTOR (3) TOTAL
- EXISTING BUILDING



SCALE: 3/32"=1'-0"
0 2' 5' 10'

DCI PACIFIC
A|E|C WORKS

ARCHITECTURE | ENGINEERING | CONSULTING
32 EXECUTIVE PARK | SUITE 110
IRVINE | CA 92614



PROJECT IDENTIFICATION:
THE TOWER ON 19TH
678 W 19TH STREET,
COSTA MESA, CA 92627

CURRENT ISSUE DATE:
04/06/15

ISSUED FOR:
ZD

APPROVALS:

APPROVED BY:	INITIALS:	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK:	APV:
IP	BOK	DKD

ISSUE STATUS:

△	DATE:	DESCRIPTION:	BY:
—	11/14/13	BOX ZD	IP
—	12/10/13	100% ZD	IP
—	01/09/14	REVISED 100% ZD	IP
—	04/06/15	UPDATED PER LL'S CMNTS	KVT
—	06/03/15	UPDATED PER CITY'S CMNTS	TN

SHEET TITLE:
ELEVATIONS

SHEET NUMBER:
A4

ISSUE LEVEL:
THE TOWER ON 19TH

Product Specifications



Product Specifications

VHP4181WH

VHP4181WH

4 ft ValuLine® High Performance Low Profile Antenna, single-polarized, 17.7-19.7 GHz, US flange, white antenna, white radome



CHARACTERISTICS

General Specifications

Antenna Type	VHLP - ValuLine® High Performance Low Profile Antenna, single-polarized
Diameter, nominal	1.2 m 4 ft
Antenna Input	UG-595/U
Polarization	Single
Reflector Construction	One-piece reflector
Antenna Color	White
Radome Color	White
Radome Material Description	Polymer
Flash Included	No
Packing	Standard pack

Electrical Specifications

Operating Frequency Band	17,700 - 19,700 GHz
Gain, Top Band	45.1 dBi
Gain, Mid Band	44.7 dBi
Gain, Low Band	44.3 dBi
Front-to-Back Ratio	72 dB
Cross Polarization Discrimination (XPD)	30 dB
Beamwidth, Vertical	0.9°
VSWR	1.26
Return Loss	17.7 dB
Radiation Pattern Envelope Reference (RPE)	7061
Electrical Compliance	US FCC Part 1014 Brazil Anatel Class 2 Canada SRSP 317 B Part A ETSI 302 217 Class 3

Product Specifications



Product Specifications

VHLP2231WH/3

VSWR

1.30

VHLP2231WH/3

0.6 m | 2 ft ValuLine® High Performance Low Profile Antenna, single-polarized, 21,200-23,600 GHz, UG-599/U modified, white antenna, polymer white radome without flash, standard pack—one-piece reflector



• ValuLine Vision™ VHP2 and VHPX2 antennas will be available from Andrew manufacturing plants globally in the coming weeks

CHARACTERISTICS

General Specifications

Antenna Input	UG-599/U Modified
Packing	Compact pack
Radome Color	White
Radome Material	Polymer
Reflector Construction	One-piece reflector
Antenna Color	White
Antenna Type	VHLP - ValuLine® High Performance Low Profile Antenna, single-polarized
Diameter, nominal	0.6 m 2 ft
Flash Included	No
Polarization	Single

Electrical Specifications

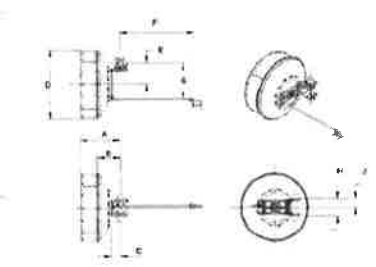
Beamwidth, Horizontal	1.7°
Beamwidth, Vertical	1.7°
Cross Polarization Discrimination (XPD)	30 dB
Electrical Compliance	Brazil Anatel Class 2 Canada SRSP 321.8 Part A ETSI 302 217 Class 3 US FCC Part 101A
Front-to-Back Ratio	65 dB
Gain, Low Band	40.0 dBi
Gain, Mid Band	40.5 dBi
Gain, Top Band	41.0 dBi
Operating Frequency Band	21,200 - 23,600 GHz
Radiation Pattern Envelope Reference (RPE)	7205B
Return Loss	17.7 dB

ANDREW ANTENNA CUTSHEET

Product Specifications

VHP4181WH

Antenna Dimensions And Mounting Information



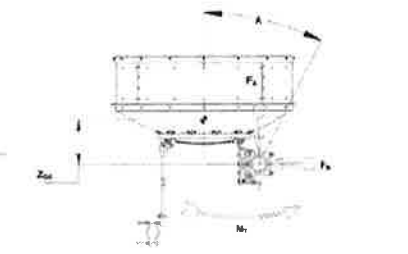
ANTENNA DIMENSIONS All dimensions in mm, unless noted			
A	711 (28.0)	G	1391 (54.8)
B	427 (16.8)	H	472 (18.6)
C	178 (7.0)	I	180 (7.1)
D	1391 (54.8)	J	131 (5.2)
E	363 (14.3)		

* Footnotes

Axial Force (FA)	Maximum forces exerted on a supporting structure as a result of wind from the most critical direction for this parameter. The individual maximums specified may not occur simultaneously. All forces are referenced to the mounting pipe.
Cross Polarization Discrimination (XPD)	The difference between the peak of the co-polarized main beam and the maximum cross-polarized signal over an angle twice the 3 dB beamwidth of the co-polarized main beam.
Front-to-Back Ratio	Denotes highest radiation relative to the main beam, at 180° ± 40°, across the band. Production antennas do not exceed rated values by more than 2 dB unless stated otherwise.
Gain, Mid Band	For a given frequency band, gain is primarily a function of antenna size. The gain of Andrew antennas is determined by either gain by comparison or by computer integration of the measured antenna patterns.

Wind Forces At Wind Velocity Survival Rating

Axial Force (FA)	3162 N 711 lbf
Side Force (FS)	1567 N 352 lbf
Twisting Moment (MT)	1570 N•m
Zcg without Ice	170 mm 7 in
Zcg with 1/2" (12 mm) Radial Ice	241 mm 10 in
Weight with 1/2" (12 mm) Radial Ice	115 kg 254 lb



Packed Dimensions

Gross Weight, Packed Antenna	102.0 kg 224.9 lb
Length	1371.6 mm 54.0 in



Product Specifications

VHP4181WH

Operating Frequency Band

Bands correspond with CCIR recommendations or common allocations used throughout the world. Other ranges can be accommodated on special order.

Packing

Andrew standard packing is suitable for export. Antennas are shipped as standard in totally recyclable cardboard or wire-bound crates (dependent on product). For your convenience, Andrew offers heavy duty export packing options.

Radiation Pattern Envelope Reference (RPE)

Radiation patterns determine an antenna's ability to discriminate against unwanted signals under conditions of radio congestion. Radiation patterns are dependent on antenna series, size, and frequency.

Return Loss

The figure that indicates the proportion of radio waves incident upon the antenna that are rejected as a ratio of those that are accepted.

Side Force (FS)

Maximum axial forces exerted on support structure by side struts as a result of a 2001 m/s (450 mph) wind from the most critical direction and extreme angle permitted. The forces are a component of, not in addition to, the maximum forces specified above.

Twisting Moment (MT)

Maximum forces exerted on a supporting structure as a result of wind from the most critical direction for this parameter. The individual maximums specified may not occur simultaneously. All forces are referenced to the mounting pipe.

VSWR

Maximum is the guaranteed Peak Voltage Standing Wave Ratio within the operating band.

Wind Velocity Operational

The wind speed where the antenna deflection is equal to or less than 0.3 degrees.

Wind Velocity Survival Rating

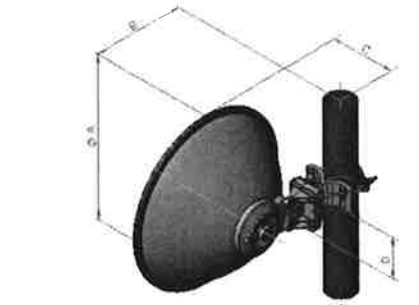
Microwave antennas, including mounts and radomes, where applicable, will withstand the simultaneous wind and ice conditions as specified.



Product Specifications

VHLP2231WH/3

Antenna Dimensions And Mounting Information



Dimensions in Inches (mm)				
Antenna Size, ft (m)	A	B	C	D
2 (0.6)	25.9 (658)	14.6 (372)	10.2 (259)	6.4 (162)

* Footnotes

Axial Force (FA)	Maximum forces exerted on a supporting structure as a result of wind from the most critical direction for this parameter. The individual maximums specified may not occur simultaneously. All forces are referenced to the mounting pipe.
Cross Polarization Discrimination (XPD)	The difference between the peak of the co-polarized main beam and the maximum cross-polarized signal over an angle twice the 3 dB beamwidth of the co-polarized main beam.
Front-to-Back Ratio	Denotes highest radiation relative to the main beam, at 180° ± 40°, across the band. Production antennas do not exceed rated values by more than 2 dB unless stated otherwise.
Gain, Mid Band	For a given frequency band, gain is primarily a function of antenna size. The gain of Andrew antennas is determined by either gain by comparison or by computer integration of the measured antenna patterns.
Operating Frequency Band	Bands correspond with CCIR recommendations or common allocations used throughout the world. Other ranges can be accommodated on special order.
Packing	Andrew standard packing is suitable for export. Antennas are shipped as standard in totally recyclable cardboard or wire-bound crates (dependent on product). For your convenience, Andrew offers heavy duty export packing options.

DCI PACIFIC

A/E/C WORKS

ARCHITECTURE | ENGINEERING | CONSULTING
32 EXECUTIVE PARK | SUITE 110
IRVINE | CA 92614



PROJECT IDENTIFICATION:

THE TOWER ON 19TH

678 W 19TH STREET,
COSTA MESA, CA 92627

CURRENT ISSUE DATE:

04/06/15

ISSUED FOR:

ZD

APPROVALS:

APPROVED BY:	INITIALS:	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK:	APV:
IP	BOK	DKD

ISSUE STATUS:

△	DATE:	DESCRIPTION:	BY:
___	11/14/13	90% ZD	IP
___	12/10/13	100% ZD	IP
___	01/09/14	REVISED 100% ZD	IP
___	04/06/15	UPDATED PER LL'S CMNTS	KVT
___	08/03/15	UPDATED PER CITY'S CMNTS	TN

SHEET TITLE:

ANTENNA SPECIFICATION

SHEET NUMBER:

A5

ISSUE LEVEL:

THE TOWER ON 19TH

SCALE:
N.T.S. 1

AB-MAX™

Point to Multipoint



- Key Features**
 - WMAN Compliant (802.16d, MDS)
 - Triple frequency operation
 - FCC and CE approved for U-NII and ISM bands
 - Supports 3.47 - 3.85 GHz operation on a single platform
 - Self Support (CLR, PH)
 - Programmable clock and Access Point operation
 - Dynamic Frequency Selection (DFS)
 - Integrated GPS time synchronization
- Benefits**
 - Improved cell penetration and range
 - Improved cell throughput (Up to 64QAM modulation)
 - Different SLAs for different end users
- Applications**
 - Wireless ISPs
 - Rural Broadband
 - Public Safety
 - Transportation
 - Cyber-Cafe
 - Enterprise Networks

AXXCELERA BROADBAND

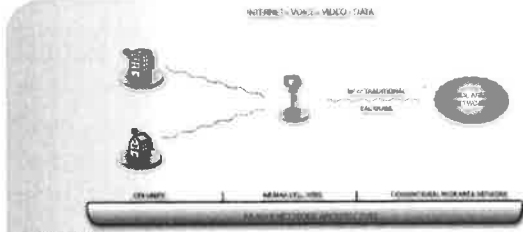
Axxcelera Broadband Wireless is a data service provider, not just a technology provider. We are developing leading edge technology for the deployment of broadband wireless communication on the Internet. The AB-MAX™ dual-band, dual-antenna platform bridges the last mile, currently replacing the local loop for corporate and small business subscribers and replacing the residential modem and will be certified WMAN compliant. Axxcelera is a principal member of the WMAN Forum.

AB-MAX OVERVIEW

AB-MAX™ consists of dual-band, dual-antenna access equipment (Access Point and CPE) for Internet, data, multimedia, video, voice, and other emerging IP based applications. Combining WMAN with higher level access features, AB-MAX™ provides a robust, cost-effective alternative to wired alternatives such as T1/E1, DSL and cable modem.

REASONS TO BUY AB-MAX

AB-MAX™ offers service providers a standard-based, State-of-the-Art (SOTA) platform that helps improve cell range and penetration compared with proprietary single-carrier solutions. It also supports Quality of Service (QoS) features like CIR and THP along with advanced scheduling services like best effort service, real-time polling and QoS services. This allows a service provider to offer different classes of service to different end customers. Deployment may be incremental from the U-NII and ISM 3GHz spectrum. Select from various modulation schemes and antenna polarizations, all in a low-cost, easily-deployable unit.



AB-MAX OPERATION
 AB-MAX™ offers multiple options for processing and management. For small capacity networks, AB-MAX™ can be configured to operate as a stand-alone system. For larger networks, AB-MAX™ can be configured to be managed through a central controller. In either case, the network is managed through a central controller. In either case, the network is managed through a central controller.

KEY FEATURES
 • Supports 3.47 - 3.85 GHz operation on a single platform
 • Self Support (CLR, PH)
 • Programmable clock and Access Point operation
 • Dynamic Frequency Selection (DFS)
 • Integrated GPS time synchronization

BENEFITS
 • Improved cell penetration and range
 • Improved cell throughput (Up to 64QAM modulation)
 • Different SLAs for different end users

APPLICATIONS
 • Wireless ISPs
 • Rural Broadband
 • Public Safety
 • Transportation
 • Cyber-Cafe
 • Enterprise Networks

AXXCELERA BROADBAND
 Axxcelera Broadband Wireless is a data service provider, not just a technology provider. We are developing leading edge technology for the deployment of broadband wireless communication on the Internet. The AB-MAX™ dual-band, dual-antenna platform bridges the last mile, currently replacing the local loop for corporate and small business subscribers and replacing the residential modem and will be certified WMAN compliant. Axxcelera is a principal member of the WMAN Forum.

AB-MAX OVERVIEW
 AB-MAX™ consists of dual-band, dual-antenna access equipment (Access Point and CPE) for Internet, data, multimedia, video, voice, and other emerging IP based applications. Combining WMAN with higher level access features, AB-MAX™ provides a robust, cost-effective alternative to wired alternatives such as T1/E1, DSL and cable modem.

REASONS TO BUY AB-MAX
 AB-MAX™ offers service providers a standard-based, State-of-the-Art (SOTA) platform that helps improve cell range and penetration compared with proprietary single-carrier solutions. It also supports Quality of Service (QoS) features like CIR and THP along with advanced scheduling services like best effort service, real-time polling and QoS services. This allows a service provider to offer different classes of service to different end customers. Deployment may be incremental from the U-NII and ISM 3GHz spectrum. Select from various modulation schemes and antenna polarizations, all in a low-cost, easily-deployable unit.

Antenna specification

Table 2-26 lists the 90° antenna specifications, Table 2-27 lists the 180° antenna specifications, Figure 2-6 shows a side view of the 180° antenna.

Parameter	Specification
26 GHz Frequency Range	24.25 to 26.8 GHz
28 GHz Frequency Range	27.3 to 29.5 GHz
Polarization	Vertical / Horizontal
Cross-polarization	- 25 dB min EN 301215-2 Class CS-2
Front to back	- 40 dB min EN 301215-2 Class CS-2
Beamwidth eazimuth (3 dB)	90°
Beamwidth elevation	6°
Nominal boresight gain (dBi)	16 min
Size (H x W x D)	11.81 in x 9.97 in x 5.88 in 300 mm x 253 mm x 149 mm
Weight (including mount)	Approximately 20 lb, (9.1 kg)
Mount	Integrated adjuster 2 in to 4.5 in diameter mast (5.1 cm to 11.4 cm)

Antenna Radome

The HT antenna can be equipped with a radome as shown in Figure 2-7.



Figure 2-7. HT Antenna Radome

AXXCELERA ANTENNA CUTSHEET

3 HUGHES ANTENNA CUTSHEET

1



MT-404007

3.3-3.8 GHz 17 dBi 60° Vertical Pol. Base Station Antenna

Antenna Data Sheet MT-404007 Page 1 of 7

Specifications

MT PART NUMBER	MT-404007	
ELECTRICAL		
REGULATORY COMPLIANCE	ETSI EN 302 085 V1.1.2 (2001-9) Range 1 CS3	
FREQUENCY RANGE	3.3-3.8GHz	
GAIN	15 dBi (min) @ 3.3-3.4GHz 17 ± 0.5 dB (min) @ 3.4-3.7GHz 16dB (min) @ 3.7-3.8GHz 1.5:1 (typ), 1.7:1 (max)	
VSWR		
AZIMUTH BEAMWIDTH @ 13dBi (3.4-3.7GHz)	60 ± 4°	
AZIMUTH BEAMWIDTH @ 13dBi (3.3-3.8GHz)	60 ± 4°	
POLARIZATION	Linear Vertical	
5 DEGREE LEVEL	AT ETSY EN 302 085 V1.1.2 CS3 EL ETSY EN 302 085 V1.1.2 CS3 @ 3.3-3.7GHz	
CROSS POLARIZATION	ETSY EN 302 085 V1.1.2 CS3	
F1B RATIO	-15 dB (max) -40 dB @ 3.3-3.4GHz -42 dB @ 3.4-3.8GHz	
INPUT IMPEDANCE	50 ohm	
INPUT POWER	4W (max)	
LIGHTNING PROTECTION	DC Grounded	
MECHANICAL		
DIMENSIONS (LxWxD)	500-280x130, 5mm (max)	
WEIGHT	1.5 kg (max)	
CONNECTOR	N-Type Female	
RADOME	Plastic	
BASE PLATE	Aluminum with chemical conversion coating	
OUTLINE DRAWING	See page 2	
MOUNTING KIT	MT-120019	
ENVIRONMENTAL		
TEST STANDARD DURATION TEMPERATURE NOTES		
LOW TEMPERATURE	IEC 68-2-1 72 h -55°C	-
HIGH TEMPERATURE	IEC 68-2-2 72 h +71°C	-
TEAR CYCLING	IEC 68-2-14 1 h -45°C +70°C	3 Cycles
VIBRATION	IEC 60721-3-4 30 min/axis	Random 4/3
SHOCK MECHANICAL	IEC 60721-3-4	4M3
HUMIDITY	ETSY EN 302 085 V1.1.2 CS3	95%
WATER TIGHTNESS	IEC 529	IP67
SOLAR RADIATION	ASTM G55	1000 h
FLAMMABILITY	UL 94	-
SALT SPRAY	IEC 68-2-11 1h	500 h
ICE AND SNOW	-	-
WIND SPEED SURVIVAL	-	-
OPERATION	-	-
WIND LOAD SUR. FRONT THL SIDE THRUST	-	-



3.3-3.8 GHz 17 dBi 60° Vertical Pol. Base Station Antenna

Antenna Data Sheet MT-404007 Page 2 of 2

Specifications

3.3-3.8 GHz 17 dBi 60° Vertical Pol. Base Station Antenna

Antenna Radiation Pattern Midband Freq. 3.5 GHz

Antenna Radiation Pattern Midband Freq. 3.5 GHz

Dimensions (mm)

Existing Antenna Versions

Version	Notes
1	
2	

MTI Wireless Edge is certified according to ISO 9001 and ISO 14001.

WARRANTY: While the information contained in this document has been carefully compiled to the best of our present knowledge, it is not intended as representation or warranty of any kind on our part regarding the fitness of the products concerned for any particular use or purpose and neither shall any statement contained herein be construed as a recommendation to infringe any industrial property rights or as a license to use any such rights. The fitness of each product for any particular purpose must be checked beforehand with our specialists.

MTI Wireless Edge Ltd.
 11 Harelaché St.
 Afeq Industrial Park
 Rosh Ha'ayin 48091, Israel
 Tel: +972-3-9008900
 Fax: +972-3-9008901
 www.mtiwireless.com

Document No. MT-404007
 Issued: 1/1/2007

Uncontrolled Copy

- NOT USED -

4 MTI ANTENNA CUTSHEET

2

DCI PACIFIC

A/E/C WORKS

ARCHITECTURE | ENGINEERING | CONSULTING
 32 EXECUTIVE PARK | SUITE 110
 IRVINE | CA 92614

PROJECT IDENTIFICATION:

THE TOWER ON 19TH

678 W 19TH STREET,
 COSTA MESA, CA 92627

CURRENT ISSUE DATE:

04/06/15

ISSUED FOR:

ZD

APPROVALS:

APPROVED BY:	INITIALS:	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK:	APV:
IP	BOK	DKD

ISSUE STATUS:

DATE:	DESCRIPTION:	BY:
11/14/13	90% ZD	IP
12/10/13	100% ZD	IP
01/09/14	REVISED 100% ZD	IP
04/06/15	UPDATED PER L.L.'S CMNTS	KVT
08/03/15	UPDATED PER CITY'S CMNTS	TN

SHEET TITLE:

ANTENNA SPECIFICATION

SHEET NUMBER:	ISSUE LEVEL:
<h1>A6</h1>	

THE TOWER ON 19TH



CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

August 7, 2015

Jason Ball
PO Box 1233
Cardiff, CA 92007

RE:

ZONING APPLICATION ZA-15-22, AN AMENDMENT TO PA-96-14 AND PA-00-45 TO ALLOW A DEVIATION FROM SHARED PARKING REQUIREMENTS/HOURS OF OPERATION FOR HACHI ASIAN FUSION RESTAURANT, A 2,100 SQUARE-FOOT RESTAURANT AT 3033 BRISTOL STREET, SUITE D

Dear Mr. Ball:

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 attached and subject to the conditions listed. The decision will become final at 5:00 p.m. on August 14, 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, Ryan Loomis, at (714) 754-5608, or at ryan.loomis@costamesaca.gov.

Sincerely,

CLAIRE L. FLYNN, AICP
Zoning Administrator/Asst. Development Services Director

- Attachments:
1. Background/Project Description/Analysis
 2. Findings
 3. Conditions of Approval, Code Requirements, and Special District Requirements
 4. Applicant's Project Description, Justification for Approval, Plans/Email
 5. PA-96-14 Adopted Resolution
 6. PA-00-45 Adopted Resolution

BACKGROUND

Project Site/Environs

The project site is located near the southwest corner of Bristol Street and Paularino Avenue, and contains a one-story, 39,153 square-foot commercial retail center. The property is zoned C1 (Local Business District) and has a General Plan land use designation of General Commercial. The subject tenant space is a 2,100 square-foot space located in the southern portion of the L-shaped building (Suite D). The property is bounded by a C1 commercially-zoned property to the south, R3 multiple-family residentially-zoned property to the west, and C1 commercially-zoned properties to the north and west, across Paularino Avenue and Bristol Street, respectively.

Former Orchid Restaurant space (6,800 sq.ft.)

The subject tenant space was previously used as the former Orchid restaurant, a Persian restaurant that originally occupied a 6,800 square-foot suite within the retail center. Orchid Restaurant was approved through two separate Conditional Use Permits.

On February 12, 1996, the City of Costa Mesa Planning Commission approved PA-96-14, a Conditional Use Permit (CUP) to allow an addition of 3,920 square feet to the existing 2,880 square-foot (6,800 sq. ft. total) restaurant located within 200 feet from a residentially-zoned property, including the sale of alcohol beverages and live entertainment (See Attachment 5). The CUP also allowed for a deviation from the shared parking study, due to off-set hours of operation. On December 11, 2000, the City of Costa Mesa Planning Commission approved PA-00-45, which was a Conditional Use Permit (CUP) to extend the closing time for Orchid Restaurant from 10:30 p.m. to 4:00 a.m. on Friday and Saturday only (see Attachment 6). Hours of operation were not to extend beyond 9:30 p.m., Sunday through Thursday.

ANALYSIS

Amendment to Existing CUPs for Orchid Restaurant

The proposed project is an amendment to the existing Conditional Use Permits for Orchid Restaurant (PA-96-14 and PA-00-45). Given that the former Orchid Restaurant space has been reconfigured for other new small restaurant uses and for purposes of this analysis, these CUPS are being amended. Once final and effective, this Zoning Application ZA-15-22 shall replace these Conditional Use Permits.

Proposed Project: Hachi Asian Fusion Restaurant (2,100 sq.ft)

Hachi Asian Fusion restaurant proposes to locate within a portion of the former Orchid restaurant. Orchid restaurant occupied a total of 6,800 square feet within the southern portion of the shopping center, currently known as suites "C", "D", and "E". The proposed

Hachi Asian Fusion restaurant will occupy 2,100 square-feet, known as Suite "D". The balance of the former Orchid restaurant, including Suite "C" (3,300 SF) and Suite "E" (1,400 SF), have already been leased to two other restaurants under construction.

The proposed restaurant is replacing a portion of the former Orchid restaurant area; however, past approvals limited the operating times for this portion of the former restaurant from 6 p.m. to 9:30 p.m., Sunday through Thursday, and 6 p.m. to 4 a.m., Friday and Saturday. The applicant's request is to modify the hours to allow an additional hour of business during the afternoon.

Consequently, a modification of PA-96-14 and PA-00-45 is required, including a deviation from shared parking and allowance for the restaurant to open at 5 p.m. instead of 6 p.m. In addition, the modification will allow the restaurant to remain open until 11 p.m., Sunday through Thursday, and 1 a.m., Friday and Saturday. Also, no live entertainment is proposed for the new restaurant. The table below provides a summary of proposed amendments.

	SF	Orchid Restaurant CUP PA-96-14	Orchid Restaurant CUP PA-00-54
Orchid Restaurant (Suite C, D, E)	6,800 SF	Allow addition of 3,920 square feet to existing restaurant. Allow for deviation of parking, sale of alcoholic beverages, and live entertainment. Require new banquet facility to open after 6pm.	Extend the permitted closing time for Orchid Restaurant from 10:30 pm to 4AM on Friday and Saturday.
Hachi Asian Fusion Restaurant (Suite D)	2,100 SF	ZA-15-22	
		ZA-15-22 amends PA-96-14 to: 1) Eliminate live entertainment, 2) Allow for deviation of parking for 5PM opening.	ZA-15-22 amends PA-00-54 to: 1) reduce restaurant closing hours from 4AM down to 1AM, Friday and Saturday. Restaurant hours will remain 5pm to 11pm Sunday thru Thursday.

Existing Parking Supply

The proposed Hachi Asian Fusion restaurant is locating within a retail shopping center within the C1 zone. There are approximately 162 parking spaces within the existing center, which includes parking located in the rear of the center.

Table - Existing Parking Supply

Main Parking Lot	142 parking spaces
Rear Parking Lot	24 parking spaces (includes 4 spaces to be created per condition)
Proposed Bike Rack	1 parking space credit (allowed per Code)
Overflow parking at Dunn Edwards after 6PM	Minimum 10 spaces
TOTAL	177 spaces

Note: Property owner indicates that there is a pending agreement with Dunn Edwards at 3015 Bristol Street to allow overflow parking in their lot after 5PM. A condition of approval requires that this agreement be formalized prior to issuance of building permits for the proposed restaurant use.

According to the applicant's justification letter and email correspondence (Attachment 4), the hours of operation for Hachi Asian Fusion restaurant are to be similar to the conditioned portion of Orchid restaurant, and will be open for business between 5:00 p.m. to 11:00 p.m. Monday through Thursday, and 5:00 p.m. to 1:00 a.m., Friday and Saturday.

Existing Tenant Mix

Based on parking ratio for eating establishments with more than 300 sq. ft. of public area, Hachi Asian Fusion restaurant will require increased amount of parking compared to retail uses. Many retail uses in the center close around 5:00 p.m., including the adjacent dentist office (Suite "A") and Watch Connection (Suite "AA") store. In addition, the two insurance offices (Suite "G" and Suite "P") close by 7 p.m., offsetting parking demand.

In addition to the suites that occupy the former Orchid restaurant, there are currently three existing restaurants in the retail center with public serving area over 300 square feet, including Oki Doki restaurant in Suite "O", Anjin restaurant in Suite "N", and Hashigo restaurant in Suite "M". Anjin restaurant is open for dinner after 5pm only. In addition, there are two eating establishments that have less than 300 square feet of public serving area, including Tapioca Express in Suite "L" and California Wok in Suite "H". These small eating establishments require similar parking requirements to retail uses. Other uses within the center include a dentist office (medical use), insurance (office use), and various retail stores.

The table below provides a breakdown of the current uses within the 39,153 square-foot shopping center as of August 6, 2015.

Table – Existing Tenant Mix and Hours at 3033 Bristol Street

Suite Number	Business Name	Use	Hours	Leased Area (SF)
A	Watch Connection	Retail	Tue-Fri 11am-5:30, closed Mon & Sun	2,700
AA	Dentist	Medical	Mon-Fri 11:30am-5pm	2,033
C	Capital	Restaurant	Daily	3,300
D	Hachi (Proposed)	Restaurant	5:00 pm- 11pm M-Thurs 5:00pm-1am Fri- Sat	2,100
E	Halal Guys	Restaurant	Daily	1,440
F	Vacant	Retail		1,440
F-11	Vacant	Retail		1,868
G	Insurance	Office	Mon-Fri 9am- 6pm	1,440
H	CA Wok	Restaurant (max of 300 sq. ft. public area)	Mon-Sat 11:30am-10pm, Sun 12pm-9pm	1,440
I	Nail Salon	Retail	Mon-Sat 9am-7pm, Sun 10am-5pm	1,440
II	Vacant	Retail		1,800

J	Vap/Smoke Shop	Retail	Mon-Sat 10am-10pm, Sun to 8pm	1,800
K	Nanu	Retail	Mon-Fri 10am-8pm, Sat 10am-7pm, Sun 11am-6pm	1,440
L	Tapioca Express	Restaurant (max of 300 sq. ft. public area)	Mon-Thurs 11am-12am, Fri-Sat 11am-1am, Sun 12pm-12am	1,440
M	Hashigo Restaurant	Restaurant	Lunch Mon-Fri 11:30am-2pm, Dinner Sun-Wed 5:30-10pm, Thurs-Sat 5:30pm-1am	1,410
N	Anjin Restaurant	Restaurant	Mon-Sun 5pm-1am	1,410
O	Oki Doki Restaurant	Restaurant	Mon-Sun 11:30am-10pm	1,440
P	Insurance	Office	Mon-Thu 9am-7pm, Fri 9am-6pm, Sat 9am-5pm,	1,440
Q	Vacant	Retail		2,376
R & S	Vacant	Retail		5,040
			Electrical Room	356
			Total	39,153

Parking Demand After 5PM (176 spaces required, 176 spaces proposed)

Based on the existing and proposed uses at 3033 Bristol Street, the tables below show parking demands for both weekday and weekend time periods for the retail center. The parking demand is based on 38,797 SF of leasable space (does not include a 356 square-foot electrical room). The proposed Hachi Asian Fusion restaurant is included in the City's shared parking table.

Table – Shared Parking Study (After 5PM only)
 Proposed Hachi Restaurant (5PM to 11PM, M-Thu, 1AM, Fri-Sat)

Hours	Weekday Peak Demand	Weekend Peak Demand
5:00PM	145 spaces	129 spaces
6:00PM	168 spaces	155 spaces
7:00PM	177 spaces	151 spaces
8:00PM	169 spaces	147 spaces
After 9PM	149 spaces	135 spaces
	Total Required*: Total Proposed: Net:	154 spaces 176 spaces + 22 extra spaces
	176 spaces 176 spaces** zero	
*One space credit for bike racks. **Four additional spaces to be provided in the rear		

Please refer to the shared parking tables for more detailed information (Attachment 8). As discussed, the commercial retail center at 3033 Bristol Street has 172 parking spaces (including 10 overflow spaces at Dunn Edwards after 5pm). As seen in the above tables, the retail center could accommodate parking demands for the existing uses and proposed Hachi Fusion restaurant after 5 p.m. According to the tables, peak parking demand during weekdays after 5pm, or when Hachi Asian Fusion restaurant opens for business, will occur during the 6-7 p.m. dinner hours. The highest parking demand, 177, is shown for

approximately 1-2 hours, which exceeds the amount of parking available by five spaces. During the peak weekend demand period, there will be 17 extra parking spaces. As discussed, there are various retail uses that close by 7 p.m., including Watch Connection (Suite "A"), dentist office (Suite "AA"), as well as the insurance offices (Suite "G" and Suite "P"). This will help alleviate parking demands. Also, per the conditions of approval, the applicant will be required to provide a bike rack, which provides a credit of one space. Also, per the conditions of approval, the applicant will be required to provide approximately four additional striped parking spaces to accommodate overflow. In addition to requiring four extra parking spaces, the preliminary overflow parking agreement with Dunn Edwards for parking after 5PM is required to be formalized and executed prior to issuance of building permits for the proposed restaurant use.

A condition of approval requires that if parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to eliminate the problem, including, but not limited to, providing valet service and/or restricting the operating hours of the business.

CONCLUSION

Based on analyzing parking demand after 5 p.m., it has been determined that due to: (1) restriction of the business hours to a 5PM opening time; (2) additional 4 parking spaces created in the rear lot; (3) the requirement for a bike rack; and (4) additional overflow parking available at Dunn Edwards after 5PM, there does not appear to be a parking deficiency based on compliance with conditions of approval and the proposed parking supply of 176 spaces (one credit for bike rack). Approximately 176 spaces will be provided to serve the peak weekday demand.

GENERAL PLAN CONFORMITY

Future development of all land within the City of Costa Mesa is guided by the General Plan adopted in 2002. The General Plan sets forth land use goals, policies, and objectives that guide new development and uses.

Based on the issues discussed in the previous sections, the request, as conditioned, is consistent with the following goals and objectives of the General Plan.

- **Objective LU-1A:** *Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.*

LU-1A.1 *Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.*

The General Commercial designation intended to permit a wide range of commercial uses, which serve both local and regional needs. Appropriate uses include uses permitted in the Neighborhood Commercial designation such as retail shops, financial institutions, service establishments, as well as more intense uses like restaurants, automobile sales and service establishments that benefit from exposure to major transportation routes.

The proposed restaurant use would provide a specialized service to the community. The restaurant would not generate vehicle trips in excess of that which can be supported by the existing traffic infrastructure.

ENVIRONMENTAL DETERMINATION

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.

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 Zoning Administrator decision:

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 property. (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.

As of August 7, 2015, application ZA-15-22 has received one communication from a property owner located within a 500-foot radius of the project site (Attachment 7).

FINDINGS

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

Finding: The proposed use is 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: As conditioned, an adequate number of on-site parking spaces are provided. According to the parking demand tables for the retail center, peak parking demand during weekdays after 5pm, or when Hachi Asian Fusion restaurant opens for business, will occur during the 6-7 p.m. dinner hours.

A parking demand of approximately 176 spaces (includes one space credit for bike rack) are required at 7 p.m., which exceeds the amount of parking available by four spaces. As discussed, there are various retail uses that close by 7 p.m., including Watch Connection (Suite "A"), dentist office (Suite "AA"), as well as the insurance offices (Suite "G" and Suite "P"). This will help alleviate parking demands. Also, per the conditions of approval, the applicant will be required to provide approximately 4 additional striped parking spaces, a bike rack, and formalize the overflow parking agreement with Dunn Edwards for a minimum of 10 parking space after 5PM. As such, there are equal parking spaces available as required during the peak weekday demand period. In regards to the weekend, the peak parking demand will also occur during the 6-7 p.m. dinner hours, requiring approximately 154 spaces (includes one space credit for bike rack). As such, there will be 22 extra parking spaces during the peak weekend demand period, when considering all the conditions of approval.

Finding: Granting the minor 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 proposed restaurant use will be compatible with the surrounding businesses. The proposed restaurant use will occupy and replace a former restaurant (Orchid), and operate under improved conditions than the former restaurant, including closing at 1 a.m. instead of 4 a.m., Friday and Saturday, and proposing no live entertainment.

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.

Facts in Support of Findings: The request is consistent with the following goals and objectives of the General Plan:

- **Objective LU-1A:** *Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.*

The General Commercial designation intended to permit a wide range of commercial uses, which serve both local and regional needs. Appropriate uses include uses permitted in the Neighborhood Commercial designation such as retail shops, financial institutions, service establishments, as well as more intense uses like restaurants, automobile sales and service establishments that benefit from exposure to major transportation routes. The proposed restaurant use would provide a specialized service to the community. The proposed use would not generate vehicle trips in excess of that which can be supported by the existing traffic infrastructure.

- B. 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
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

The following conditions of approval for ZA-15-22 include the amended conditions of approval from PA-96-14 and PA-00-54. Amended conditions are indicated by *, and duplicates have been removed. ZA-15-22 hereby replaces

1. ~~*A maximum table seating of 92 and lounge seating of 24 shall be available before 6:00 p.m.~~
2. ~~*The applicant shall provide a removable barrier between the daytime restaurant seating and the nighttime banquet seating under the direction of Planning Staff.~~
3. ~~*The banquet seating shall be available after 6 p.m.~~
4. *Hours of operation are limited to 5 p.m. to 11 p.m., Sunday through Thursday, and 5 p.m. to 1 a.m., Friday and Saturday.
5. 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.
6. The restaurant shall be limited to the type 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 provision of entertainment, will require approval of an amendment to the Conditional Use Permit, subject to the Planning Commission approval.
7. 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.
8. ~~*There shall be no room or designated persons or "Private Club Members."~~
9. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owners shall institute whatever security and operational measures are necessary to comply with this requirement.
10. There shall be no sales of alcoholic beverages for off-site Consumption.

11. The restaurant shall remain a "bona fide eating place" as defined by section 23038 of the California Business and Professions Code.
12. ~~*Music or other entertainment shall not be audible beyond the area under the control of the licensee.~~
13. ~~*The licensee shall not employ or use or use the services of any full- or part-time active or reserve peace officer for security purposes.~~
14. At all times the premises is open for made only in conjunction with the sale and service of food.
15. 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 record which reflect separately the gross sales of food ad 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.
16. The parking lot shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot.
17. 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 owner shall be notified of conditions of approval upon transfer of business or ownership of land.
18. ~~*Live entertainment and amplified music and may only be permitted subject to the "public entertainment permit." Contact Code Enforcement (754-5623) for application information.~~
19. The conditions of approval, code requirements, and special district requirements of ZA-15-022 shall be blueprinted on the face of the site plan as part of the plan check submittal package (if plan check is required).
20. No live entertainment is permitted. Any request for live entertainment shall require approval of an amendment to the conditional use permit, subject to Planning Commission approval.
21. If parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to minimize or eliminate the problem, including but not limited to providing valet parking, increasing amount of parking spaces available on the property per approval from Transportation Services, and/or additional restrictions related the operating hours of the business.
22. The applicant shall provide striping for 4 parking spaces in the rear of the property to allow for additional parking per approval of Transportation Services.
23. The applicant shall provide for a bike rack on the property, based on locational approval from Planning and Transportation Services, to allow for parking credit of one space, per Code.
24. The applicant shall formalize the overflow parking agreement with Dunn Edwards to allow for a minimum of ten parking spaces after 5PM. The formal

agreement shall be executed prior to issuance of building permits for the proposed restaurant use.

25. No employees, clients or visitors to the property shall park on City streets. All parking for the use shall take place on the property in designated parking spaces.
26. All employees of 3033 Bristol Street shall utilize the rear parking area behind the retail center for parking purposes.
27. If any section, division, sentence, clause, phrase or portion of this approval is 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.
28. 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 City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. 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 select the attorney defending it, if it elects to do so.

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.

- PIng.
1. This use, as well as all contractors and subcontractors doing construction-related activity on the site, shall 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. Approval of the zoning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) obtains building permit(s) for the authorized construction and initiates construction; and/or 2) obtains a business license and/or legally establishes the business. If the

applicant is unable to establish the use/obtain building permits within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the zoning application.

3. The project is subject to compliance with all applicable Federal, State, and local laws. A copy of the applicable Costa Mesa Municipal Code requirements has been forwarded to the Applicant and, where applicable, the Authorized Agent, for reference.
4. Street address shall be visible from the fascia adjacent to the main entrance or on another prominent location. Numerals shall be a minimum twelve (12) inches in height with not less than three-fourth-inch stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be four (4) inches in height with not less than one-fourth-inch stroke and shall contrast sharply with the background.
5. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
- Bldg. 6. Comply with the requirements of the following adopted codes: 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, and 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.
7. 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.
8. Provide a plan to the County of Orange Health Dept. for review and approval.
9. A Construction Access Permit and deposit of \$580 will be required by City of Costa Mesa, Engineering Division prior to start of any on-site work, necessary during construction for street sweeping and to guarantee replacement costs in case of damage to existing public improvements.

10. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disabilities shall comply with chapter 11B of the 2013 California Building Code.
 - Accessibility shall be to and through the front door and to the commercial space from the public sidewalk.
 - Accessible restrooms/bathrooms in the commercial space.
 - Accessible parking.
 - Accessible entry door, ramps, landings, sidewalks, hallways, strike edge clearances, and elevation changes.

- Bus. Lic. 11. If construction occurs, 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.

SPECIAL DISTRICT REQUIREMENTS

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

- Sani. 1. Comply with the requirements of the California Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.
- AQMD 2. Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.

3033 BRISTOL STREET, LLC

June 16, 2015

City of Costa Mesa
Development Services Department
77 Fair Drive, P.O. 1200
Costa Mesa, CA 92628-1200

**RE: 3033 Bristol Street., Suite D
Minor Conditional Use Permit
Project Description and Justification for Approval**

To whom this may concern,

3033 Bristol Street is a 39,153 sqft. Shopping Center located at the intersection of Bristol Street and Paularino Avenue.

The prior Tenant Orchid Restaurant occupied 6,840 sqft for over 15 years operating as a restaurant serving alcohol. Orchid Restaurant was evicted for non-payment of rent in November 2014. Tenant ceased payment of rent in February 2014 and continued operating in the premises until the Landlord recaptured the premises through an unlawful detainer action and local sheriff department's assistance. During the course of tenancy, Orchid restaurant had received several complaints and violations from the health department and code enforcement.

During the course of the eviction process the Landlord had several meetings with the planning department to discuss the re-leasing of the premises. The city planning department had always told the Landlord that we would be allowed to demise the premises (formerly suites C,D,E) into three restaurant spaces. The Landlord re-leased the premises to three separate restaurant tenants and proceeded with demising the large contiguous space into three spaces. We upgraded the sewer line, set three new grease interceptors and upgraded the power. The prior restaurant operated without a grease interceptor discharging significant amounts of grease into the city main line. Several other infrastructure upgrades were made to the space at the request of Mesa Water and Sanitary District.

Hachi Asian Fusion restaurant intends to occupy Suite "D" approximately 2,100 sqft. and open for dinner only serving beer and wine. The balance of the former Orchid restaurant was leased to Capital Noodle Bar 3,300 sqft Suite "C" and The Halal Guys 1,440 sqft Suite "E".

Orchid Restaurant, on December 11, 2000 the Planning Commission approved Condition Use Permit PA-0-45 permitting the restaurant to operate hours of operation not to extend beyond 9:30 pm., Sunday through Thursday, and 4:00 am., Friday and Saturday.

3033 BRISTOL STREET, LLC
P.O. BOX 1233
CARDIFF, CA 92007
310 755-5262

The Landlord is requesting Hachi Asian Fusion restaurant be permitted to operate as a restaurant within Suite "D". The Landlord is not adding additional restaurants only replacing the prior 6,840 sqft with three new restaurant Tenants totaling 6,840 sqft.

The Landlord has made a significant capital investment into the Shopping Center and has upgraded the Tenancy and building infrastructure. We believe this is a significant improvement from the prior Tenant and replaced with quality multi-store operators. The Landlord's intention is to implement a valet parking service if needed. We have made arrangements if necessary with adjoining property owners to accommodate parking after 5:00 pm if needed.

We are requesting your consideration to allow Hachi Asian Fusion restaurant to operate within 2,100 sqft of the former Orchid Restaurant 6,840 sqft and replace one restaurant use with another restaurant use.

I look forward to your feedback. Please let me know of any questions. Thank you in advance for your consideration.

Sincerely,



Jason Ball
Managing Member
3033 Bristol Street, LLC

3033 BRISTOL STREET, LLC
P.O. BOX 1233
CARDIFF, CA 92007
310 755-5262

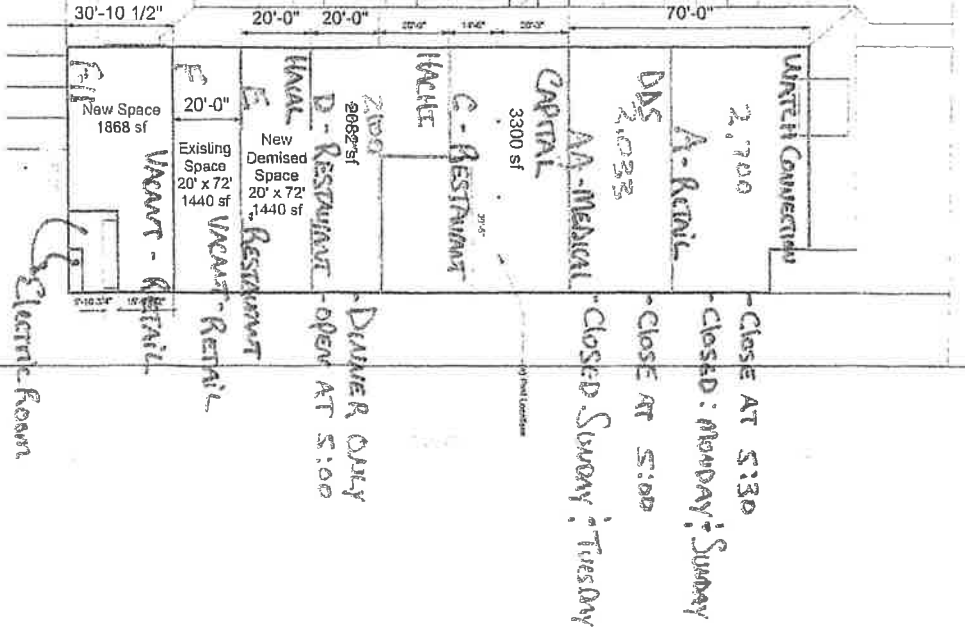
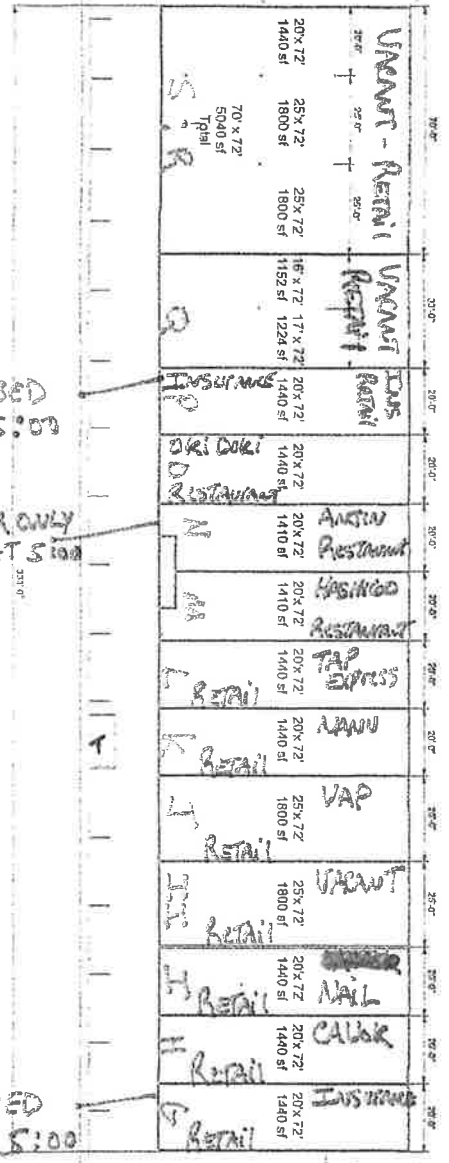
162
PARKING STALLS

3033 BRISTOL STREET
APPLICANT: 3033 BRISTOL STREET, LLC
310/755-5262

CLOSED
AT 5:00

DINNER ONLY
OPEN AT 5:00

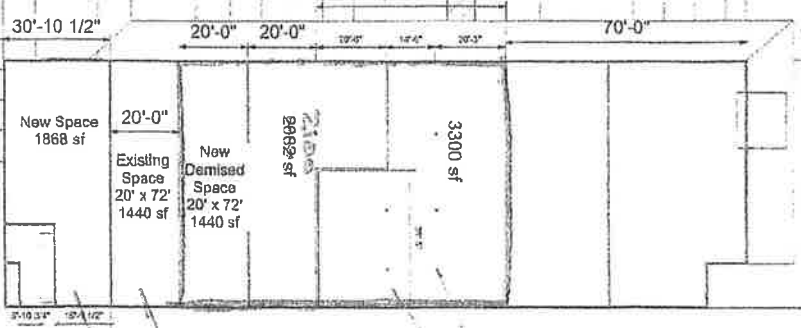
CLOSED
AT 5:00



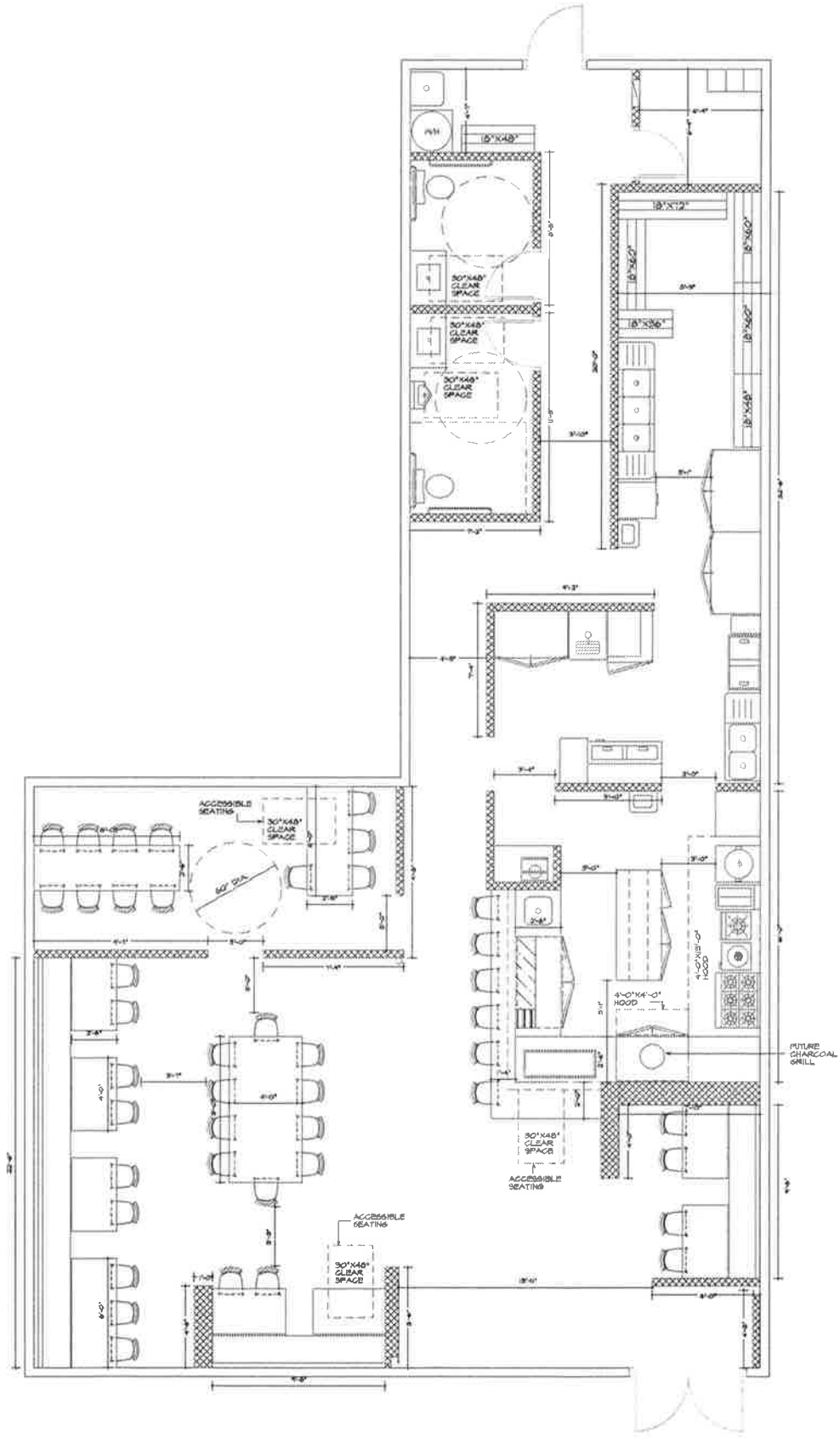
FORMER
ECONOMIST
FORMER
LIBRARY

FORMER
DRY CLEANERS

20' x 72'	25' x 72'	25' x 72'	18' x 72'	17' x 72'	20' x 72'	20' x 72'	20' x 72'	20' x 72'	20' x 72'	25' x 72'	25' x 72'	20' x 72'	20' x 72'	20' x 72'
1440 sf	1800 sf	1800 sf	1152 sf	1224 sf	1440 sf	1440 sf	1410 sf	1410 sf	1440 sf	1440 sf	1800 sf	1800 sf	1440 sf	1440 sf
70' x 72' 5040 sf Total														



FORMER
HODDART
LOUNGE
FORMER
20/20
FORMER
ORRIB
REST-



FLOOR PLAN

SCALE: 1/4" = 1'-0"

LOOMIS, RYAN

From: Jason Ball <jball@emeraldpg.com>
Sent: Wednesday, July 08, 2015 6:41 PM
To: LOOMIS, RYAN
Cc: LEE, MEL
Subject: RE: 3033 Bristol Street - Costa Mesa - Minor CUP Application Submittal

Ryan,

This is acceptable to us. Please let me know what we need to do to proceed forward? Thank you for your follow up and I look forward to your feedback.

Thank you,

Jason Ball
Emerald Property Group, LLC
P.O. Box 1233
Cardiff, Ca 92007
310 755-5262

On Jul 8, 2015 2:22 PM, "LOOMIS, RYAN" <RYAN.LOOMIS@costamesaca.gov> wrote:

Hi Jason,

The original Conditional Use Permit (CUP) for 3033 Bristol Street for Orchid Restaurant, Suite B, C and D, was to allow Orchid to stay open Friday and Saturday night only til 4am. Orchid was to close at 9:30pm Sunday through Thursday. We can only allow Hachi's to stay open Friday and Saturday til 1am with an amendment to the CUP through the Minor CUP process. If Hachi's is looking to remain open between 11pm to 1am 7 days a week, the process is a CUP, which would require a new application and fee. A CUP also requires Planning Commission approval. This is due to the restaurant serving alcohol and being 200 feet way from residential. Please let me know what you decide.

If you have any questions or concerns, please contact me.

Thank you,

Ryan Loomis | Associate Planner

City of Costa Mesa

77 Fair Drive, Costa Mesa, 92628

Ph. (714) 754-5608 Fax. (714) 754-4913

ryan.loomis@costamesaca.gov



From: Jason Ball [mailto:jball@emeraldpg.com]
Sent: Thursday, July 02, 2015 12:39 PM
To: LOOMIS, RYAN
Cc: LEE, MEL
Subject: Re: 3033 Bristol Street - Costa Mesa - Minor CUP Application Submittal

Hi Ryan,

Thank you for reaching out. Hachi's proposed hours are 5:00 pm - 1:00 am. 7 days per week. Please let me know of any questions. We appreciate your kindest consideration.

Thank you,

Jason D. Ball

EMERALD PROPERTY GROUP
P.O. Box 1233
Cardiff by the Sea, CA 92007

Phone: 310-755-5262

Email: jball@emeraldpg.com

CA Broker Identification Number: 01275569

On Thu, Jul 2, 2015 at 9:43 AM, LOOMIS, RYAN <RYAN.LOOMIS@costamesaca.gov> wrote:

Hi Jason,

I have been assigned the Minor CUP application for Hachi Restaurant. I have spoken with you in the past regarding the restaurant arrangement on the property. I notice that your project description does not provide complete operating hours of Hachi. What hours does Hachi propose to open and close. Also, is there live entertainment proposed?

If you have any questions or concerns, please contact me.

Thank you,

Ryan Loomis | Associate Planner

City of Costa Mesa

77 Fair Drive, Costa Mesa, 92628

Ph. [\(714\) 754-5608](tel:(714)754-5608) Fax. [\(714\) 754-4913](tel:(714)754-4913)

ryan.loomis@costamesaca.gov



From: LEE, MEL
Sent: Thursday, July 02, 2015 7:48 AM
To: LOOMIS, RYAN
Subject: FW: 3033 Bristol Street - Costa Mesa - Minor CUP Application Submittal

From: Jason Ball [<mailto:jball@emeraldpg.com>]
Sent: Wednesday, July 01, 2015 11:53 PM
To: LEE, MEL; Kevin Maguire
Subject: Re: 3033 Bristol Street - Costa Mesa - Minor CUP Application Submittal

Hi Mel,

I hope all is well. I'm reaching out to check on the process of the Minor CUP Application. Please let me know if you need anything from our group. I look forward to your feedback.

Best regards,

Jason D. Ball

EMERALD PROPERTY GROUP
P.O. Box 1233
Cardiff by the Sea, CA 92007
Phone: [310-755-5262](tel:310-755-5262)
Email: jball@emeraldpg.com

CA Broker Identification Number: 01275569

On Thu, Jun 18, 2015 at 2:17 PM, LEE, MEL <MEL.LEE@costamesaca.gov> wrote:

Perfect. Thanks.

Mel Lee, AICP
Senior Planner

City of Costa Mesa

77 Fair Drive, Costa Mesa, 92628

Ph. [\(714\) 754-5611](tel:7147545611) Fax. [\(714\) 754-4856](tel:7147544856)

mel.lee@costamesaca.gov



From: Jason Ball [mailto:jball@emeraldpg.com]
Sent: Thursday, June 18, 2015 1:46 PM
To: LEE, MEL
Subject: 3033 Bristol Street - Costa Mesa - Minor CUP Application Submittal

Mel,

Thank you for your time yesterday. Attached please find the requested floorplan for the proposed restaurant. Please confirm your receipt of this email and attachment. We look forward to your feedback. Please don;t hesitate to contact me with any questions.

Thank you,

Jason D. Ball

EMERALD PROPERTY GROUP
P.O. Box 1233
Cardiff by the Sea, CA 92007
Phone: [310-755-5262](tel:3107555262)
Email: jball@emeraldpg.com

CA Broker Identification Number: 01275569

PLANNING DIVISION STAFF REPORT

AGENDA NO. 8.e.

SITE LOCATION 3033 Bristol Street

APPLICATION NO. PA-96-14

AP # 418-131-07

MANDATORY ACTION DATE July 9, 1996

APPLICANT D.B. Investments
(Owner of Record)

AUTHORIZED AGENT Frank Bagherz

ADDRESS 17853 Santiago Blvd.
Suite 107 #315
Villa Park, CA 92667

ADDRESS 2805 Camellia Court
Corona, CA 91720

Applicant is reminded that all ordinances and regulations governing the use of the land or building(s) to which this application pertains must be complied with whether specified herein or not.

PREPARED BY Willa Bouwens-Killeen
Senior Planner

DATE PREPARED February 7, 1996

LAST UPDATE _____

REQUEST:

A Conditional Use Permit to add an adjacent 3,920 sq. ft. suite to the Orchid, an existing 2,880 sq. ft. Persian restaurant, located within 200' for a residentially-zoned property, with sale of alcoholic beverages past 11 PM, and live entertainment, in conjunction with a Conditional Use Permit to deviate from the shared parking study, due to off-set hours of operation.

STAFF RECOMMENDATION:

Approve, subject to conditions.

FINAL COMMISSION ACTION: February 12, 1996

Approved by adoption of Planning Commission Resolution PC-96-21, based on analysis and information contained in the Planning Division Staff Report, and Findings contained in Exhibit "A", subject to conditions contained in Exhibit "B".

(5-0)

APPLICANT NOTIFIED no DATE February 16, 1996

CITY OF COSTA MESA, 77 FAIR DRIVE, COSTA MESA, CA 92628-1200 (714) 754-5245



I. DESCRIPTION

A. Subject Property

1. Location - 3303 Bristol Street, Suites C & D
2. General Plan Designation - General Commercial
3. Zone - C1
4. Present Development - Costa Mesa Village Shopping Center
5. Lot Area - Approximately 3 acres
6. CEQA - Exempt, Class 1

B. Surrounding Property

1. North - C1, miscellaneous commercial
2. South - C1, miscellaneous commercial
3. East - (Across Bristol Street), C1, miscellaneous commercial
4. West - R3, apartments

C. Request

Conditional Use Permit to add an adjacent 3,920 sq.ft. suite to the Orchid, an existing 2,880 sq.ft. Persian restaurant, located within 200' of residentially zoned property with sale of alcoholic beverages and live entertainment in conjunction with a Conditional Use Permit to deviated from the shared parking study due to off-set hours of operation.

II. PROJECT DESCRIPTION

The applicant proposes to expand the existing Orchid restaurant into the adjacent suite, currently occupied by a retail use. The existing restaurant would be modified, expanding both the kitchen and the waiting area; the new area would contain an expansion of the lounge, a relocation of some of the existing tables and additional seating for banquet purposes. 116 seats - both at tables and in the lounge - exist; 152 seats - again, both at tables and in the lounge area - are proposed. However, the applicant proposes to use the additional seating in the evenings only, for banquet purposes.

Live entertainment consists of a belly dancer on Saturday nights, with a 2 to 3 piece band (keyboards, percussion and a singer) Friday and Saturday nights. Hours of operation are to remain 11:30 a.m. to 9:30 p.m., Sunday through Thursday and 11:30 a.m. to 10:00 p.m., Friday and Saturday.

//

III. PLANNING STAFF ANALYSIS

The restaurant is located within 200' of residentially zoned property. However, the restaurant expansion itself does not require the Conditional Use Permit - since the restaurant is to close no later than 11 p.m. Review was required because of the live entertainment and the potential parking impacts associated with the proposed expansion.

The live entertainment is low-key and has been provided (without City approval) without any complaints. The entrance to the restaurant and the vast majority of the parking is oriented away from the residents and is buffered by another commercial building on this property. Because the restaurant closes at 9:30 or 10:00 p.m., it operates strictly as a restaurant and does not create the impacts often associated with bars that are open past 11:00 p.m. Thus, Staff's main concern with this request is the potential impact on parking.

Staff prepared a shared parking study for this center, taking into account the two other restaurants and the doctor's office as well as the proposed expansion. Required parking would be 230 spaces; 153 spaces exist.

The applicant proposes to use the banquet facilities only in the evening hours, after 6:00 p.m., when the majority of the other businesses are closed. Staff prepared a second shared parking study reflecting the tenants that were open at 6:00 p.m., the earliest time the banquet facilities are to be used. This worse case scenario shows 189 parking spaces would be required week nights, with 170 spaces being required weekend nights; with the existing 153 spaces, a deficiency of 17 to 36 spaces.

However, the provision of the banquet facilities represents an increase of only 36 seats - 10 in the new lounge with the remainder at tables. The day time seating of 116 (24 in the lounge, 92 at tables) will remain unchanged. Consequently, the number of seats actually being added is relatively minor.

Additionally, Staff's experience has been that neighborhood oriented retail centers such as this are relatively quiet after 6 p.m.; the majority of the businesses are service oriented with many of the customers concluding their business by approximately 6 p.m. Even if the businesses stay open until 7 or 8 p.m., the number of customers is relatively light.

Planning Commission has approved restaurants where seating has been limited until the evening hours in the same type of shopping centers as this one; these restaurant businesses have operated without impacting parking. Consequently, based on past experiences with similar restaurants in similar shopping centers and the limited number of seats proposed to be added, it is Staff's opinion that a deviation from shared parking to allow the banquet facilities should not adversely impact the on-site parking.

To ensure that the increased seating is not used during the day, the applicant has agreed to install a removable barrier, under the direction of Planning Staff. The applicant will still be able to use the 116 daytime seats, in the same ratio of lounge versus tables, as exists.

The General Commercial General Plan designation of this site allows commercial uses such as restaurants. Because the restaurant is a small part of a multi-tenant center with a mix of uses, the overall traffic generation for the site is not substantially affected. Consequently, approval of the use is consistent with the General Plan designation of the property.

IV. PLANNING STAFF RECOMMENDATION

Approve Planning Action by adoption of Planning Commission resolution, based on findings contained in Exhibit "A", subject to conditions contained in Exhibit "B".

(7PA9614)

CITY OF COSTA MESA - PLANNING DIVISION
(714) 754-5245

DESCRIPTION/JUSTIFICATION

Address: 3033 Harbor #C&D
Application #: PA-96-124 Environmental Determination: Exempt 1

1. Fully describe your request:

See Attachment "A"

2. Justification

- A. For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

See Attachment "A"

- B. For a Variance or Administrative adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings, that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code

See Attachment "A"

3. Hazardous Waste Disclosure

I have reviewed the **HAZARDOUS WASTE AND SUBSTANCES SITES LIST** published by the Office of Planning and Research (OPR) and reproduced on the back of this page and have determined that the project:

Is not included in the OPR publication.

Is included in the OPR publication.

Y. K. Byrd
Signature

11/9/96
Date

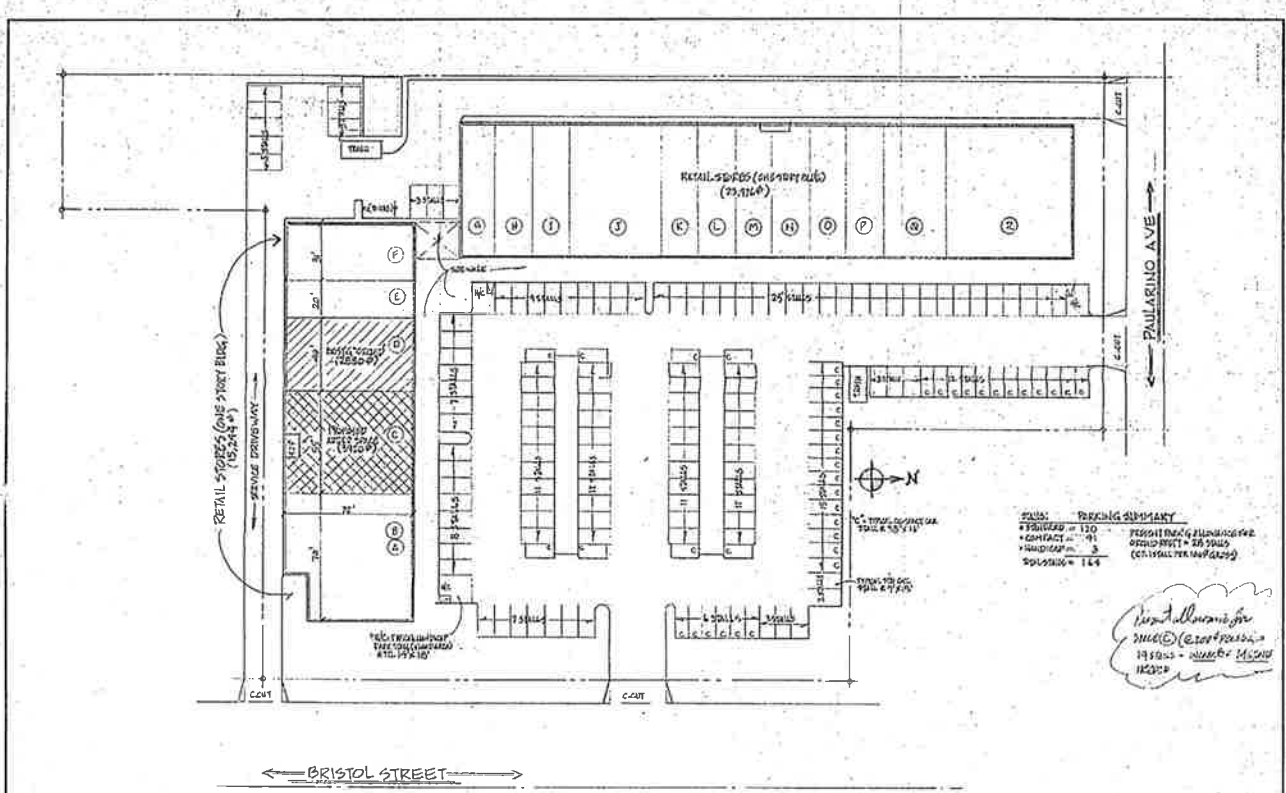


TABLE - PARKING SUMMARY

• TOTAL STALLS	110	• TOTAL STALLS AVAILABLE	110
• CONTACT	91	• TOTAL STALLS TO BE PAID	110
• HANDICAP	3	• TOTAL STALLS AVAILABLE	110
• TOTAL STALLS	114		

Handwritten note:
 Must allow for
 110 stalls - number of stalls
 110 stalls

SITE PLAN: PARKING LAYOUT

CREATIVE DESIGN & PLANNING, INC.
 11421 Bristol Ave., Ste. 200
 Costa Mesa, CA 92626
 (714) 966-6939

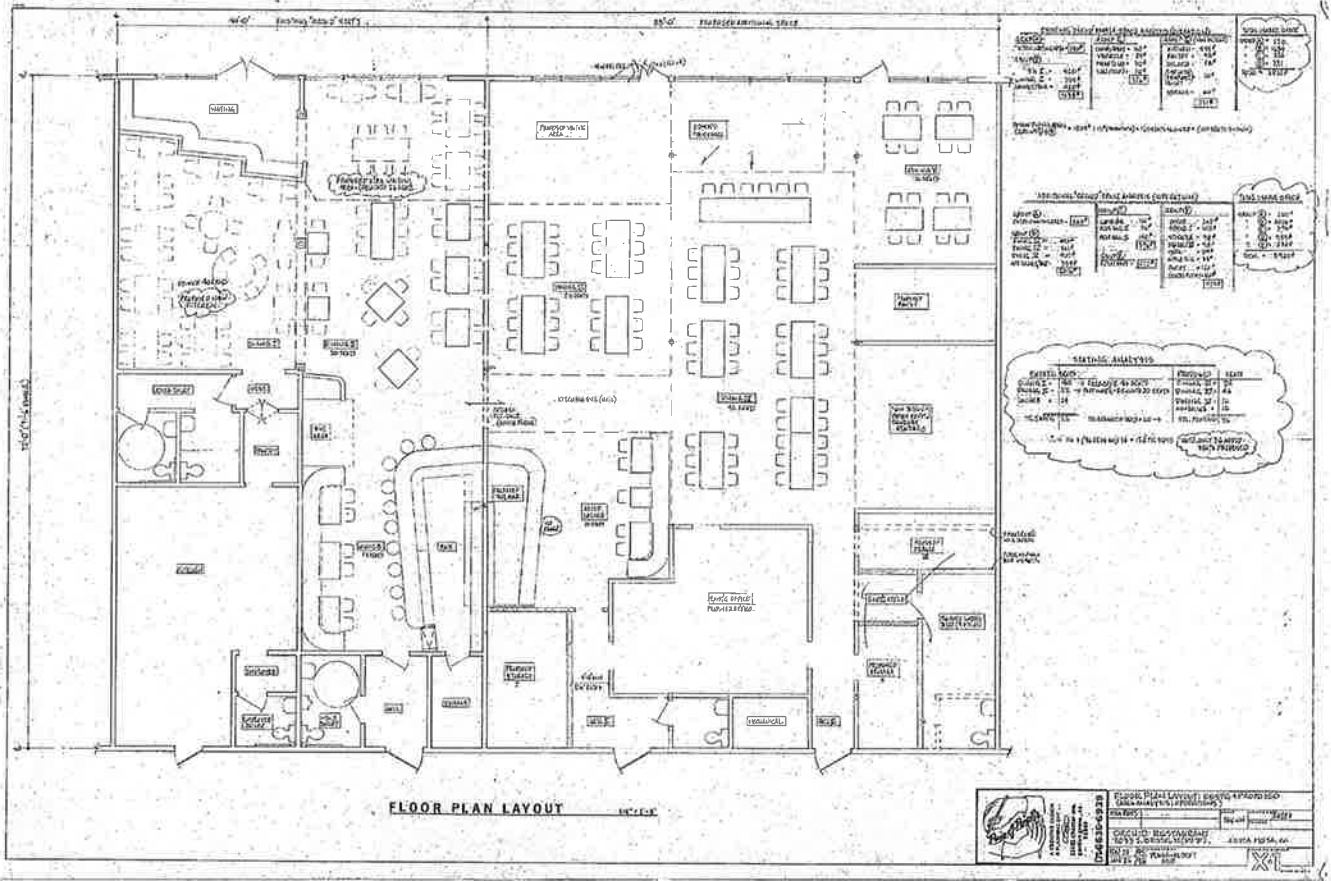
PARKING LAYOUT/SITE PLAN

SCALE: 1" = 20'
 DATE: 01/21/08

APPROVED BY: _____
 PROJECT: ORCHID RESTAURANT
 2073 S. BRISTOL ST. (S.E. 10') COSTA MESA, CA

DATE: 01/21/08

PA-06-12



RESOLUTION NO. PC-96-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
COSTA MESA APPROVING PLANNING ACTION PA-96-14.

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

WHEREAS, an application was filed by Frank Bagherz, authorized agent for D.B. Investments, with respect to real property located at 3303 Bristol Street, Suite C & D, requesting a Conditional Use Permit to deviate from the shared parking study to expand an existing restaurant (Orchid) and to provide live entertainment within 200' of residentially zoned property in the C1 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 12, 1996.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby APPROVES Planning Action PA-96-07 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon operation of the business or activity in the manner described in the Staff report for Planning Action PA-96-07, and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, then this Resolution, and any approvals herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 12th day of February 1996.


Chair, Costa Mesa
Planning Commission



STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, Perry L. Valantine, 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 February 12, 1996, by the following votes:

AYES: COMMISSIONERS: Cowan, Korando, Dixon, Davenport, Robertson

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: None

ABSTAIN: COMMISSIONERS: None

Perry L. Valantine
Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-347 in that the deviation from the shared parking study for the expansion of the restaurant with live entertainment is substantially compatible with developments in the same general area; granting the Conditional Use Permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity; and granting the Conditional Use Permit will not allow a use, density or intensity which is not in accordance with the General Plan designation for the property. Specifically, the additional seating will not be used until the evening hours when the majority of the other businesses on site are closed; therefore, parking will not be impacted. Furthermore, the live entertainment will be low key (a belly dancer one night a week and a 2 to 3 piece band two nights a week); the business will close no later than 10:30 p.m. and a second commercial building exists on the lot which provides a buffer between the parking and the restaurant itself from the residents to the west. Consequently, the expansion should not impact residents within the area.
- B. 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.
- C. The project is exempt from Article 22½, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng.
1. A maximum table seating of 92 and lounge seating of 24 shall be available before 6:00 p.m.
 2. The applicant shall provide a removable barrier between the day time restaurant seating and the nighttime banquet seating under the direction of Planning Staff.
 3. The banquet seating shall be available after 6 p.m. only.
 4. Hours of operation shall not extend beyond 9:30 p.m. Sunday through Thursday and 10:30 p.m. Friday and Saturday.
 5. 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.
 6. 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 provision of entertainment, will require approval of an amendment to the Conditional Use Permit, subject to Planning Commission approval.
 7. 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.
 8. There shall be no room or designated area reserved for the exclusive use of designated persons or "Private Club Members."
 9. The business 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 whatever security and operational measures are necessary to comply with this requirement.

10. There shall be no sales of alcoholic beverages for off-site consumption.
11. The restaurant shall remain a "bona fide eating place" as defined by Section 23038 of the California Business and Professions Code.
12. Music or other entertainment shall not be audible beyond the area under the control of the licensee.

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. Approval of the Planning Action is valid for one (1) year and will expire at the end of that period unless building permits are obtained or the applicant applies for and is granted an extension of time. 2. 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. 3. Permits shall be obtained for all new signs according to the provisions of the Costa Mesa Sign Ordinance. 4. Development shall comply with all requirements of Article 16, Chapter II, Title 13 of the Costa Mesa Municipal Code. 5. Any new mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division. 6. All exits shall be clearly marked with "EXIT" signs. 7. All conditions of the California Alcoholic Beverage Control Board shall be complied with. 8. Truck deliveries shall not occur between 8:00 p.m. and 7:00 a.m. 9. Live entertainment, amplified music and/or dancing may only be permitted subject to City issuance of a "Public Entertainment Permit." Contact Code Enforcement (754-5059) for application information. |
| Bldg. | <ol style="list-style-type: none"> 10. Comply with the requirements of the Uniform Building Code as to design and construction and CCR Title 24 pertaining to "Disabled Access Regulations". |
| Fire | <ol style="list-style-type: none"> 11. Provide an automatic fire sprinkler system according to NFPA 13. 12. Exit doors shall not be provided with a latch or lock unless it is panic hardware. 13. Provide a fire alarm system in accordance with Article 14 of the Uniform Fire Code, 1991 edition. |

APPL. PA-96-14

SPECIAL DISTRICT REQUIREMENTS

The requirement of the following special district is hereby forwarded to the applicant:

- Sani. 1. Applicant shall pay all applicable Sanitary District fixture fee charges (754-5307).



PLANNING COMMISSION AGENDA REPORT

ATTACHMENT 6

MEETING DATE: DECEMBER 11, 2000

U. 5.
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-00-45
3033 BRISTOL STREET, UNITS "C" AND "D"

DATE: DECEMBER 6, 2000

FOR FURTHER INFORMATION CONTACT: MEL LEE, ASSOCIATE PLANNER
(714) 754-5611

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit to extend the permitted closing time for an existing restaurant (Orchid Restaurant) from 10:30 p.m. to 4 a.m. on Friday and Saturday. The restaurant is currently permitted to sell alcoholic beverages and have live entertainment until 10:30 p.m. on Friday and Saturday.

APPLICANT

The applicant is Frank Bagheri, representing the property owner, John B. Heffernan.

RECOMMENDATION

Approve by adoption of Planning Commission resolution.

Handwritten signature of Mel Lee in cursive.

MEL LEE
Associate Planner

Handwritten signature of Perry L. Valentine in cursive.

PERRY L. VALANTINE
Asst. Development Services Director

On February 12, 1996, Planning Commission approved Conditional Use Permit PA-96-14 to increase the size of an existing restaurant (Orchid Restaurant) from 2,880 square feet to 6,880 square feet and to deviate from shared parking. The approval included a request to provide amplified live entertainment in the form of a belly dancer and a 2 to 3 piece band (keyboards, percussion and a singer). The restaurant is located within 200 feet of a residential zone. Approved hours of operation are 11:30 a.m. to 9:30 p.m., Sunday through Thursday, and 11:30 a.m. to 10:30 p.m. on Friday and Saturday. The restaurant is licensed to sell alcoholic beverages.

Earlier this year, the Police Department became aware of increased activity at the restaurant in the late evening/early morning hours. After additional review, it was discovered that the restaurant was operating beyond the closing time permitted under PA-96-14. The applicant has formally requested an extension to the hours under this application.

ANALYSIS

The applicant has stated that demand has been high for extended hours due to banquets and other private functions. As part of the original CUP approval, banquets were restricted to the evening hours (after 6 p.m.) to reduce the parking impacts to the other businesses within the center. Currently, the An Jim Restaurant, which closes at 1 a.m., and Video Tokyo, which closes at 2 a.m., are the only two businesses that are open late. The remaining businesses close at earlier hours. A comparison of the hours of operation for the other businesses in the center is summarized below:

SUITE #	BUSINESS NAME	TIMES	
		Weekdays	Weekends
A	Video Tokyo	10 a.m. to 2 a.m.	10 a.m. to 2 a.m.
B	Gameland	11 a.m. to 9 p.m., Mon-Thurs., 11 a.m. to 10 p.m., Fri.	11 a.m. to 10 p.m., Sat., 10 a.m. to 9 p.m., Sun.
C & D	Orchid Restaurant (Proposed)	11:30 a.m. to 9:30 p.m., Mon-Thurs, and 11:30 a.m. to 4 a.m., Fri.	11:30 a.m. to 4 a.m. Sat., 11:30 a.m. to 9:30 p.m., Sun.
E	Excel Eye Care	9 a.m. to 6 p.m., Mon- Fri.	Closed
F	Vacant	N/A	N/A
G	Alvand International Market	10 a.m. to 8 p.m., Mon-Fri.	11 a.m. to 8 p.m., Sat., 11 a.m. to 5:30 p.m., Sun.

H	Jewelry	11 a.m. to 5:30 p.m., Tues-Fri. Closed Mon.	11 a.m. to 5:30 pm., Sat. Closed Sun.
I	Cleaners	7 a.m. to 7 p.m., Mon- Fri.	9 a.m. to 6 p.m., Sat. Closed Sun.
J	Scope City	10 a.m. to 7p.m., Mon-Fri.	10 a.m. to 5 p.m., Sat and Sun.
K	Salon Detour	9:30 a.m. to 7 p.m., Tues-Fri. Closed Mon.	9:30 a.m.-3 p.m., Sat. Closed Sun.
L	Sign Masters	8:30 a.m. to 5:30 p.m., Mon-Fri.	Closed
M	Joey's Italian Eatery	11 a.m. to 9 p.m., Mon-Fri.	11 a.m. to 9 p.m., Sat. Closed Sun.
N	An Jim	5 p.m. to 1 a.m., Mon- Fri.	5 p.m. to 1 a.m., Mon-Fri.
O	Imperial Dragon	11 a.m. to 3 p.m. (Lunch); 6 p.m. to 8 p.m. (Dinner), Mon-Fri.	11 a.m. to 3 p.m. (Lunch); 6 p.m. to 8 p.m. (Dinner), Sat. Closed Sun.
P	Eastwood Insurance	8 a.m. to 8 p.m., Mon- Thurs., 8 a.m. to 1 p.m., Fri.	9 a.m. to 5 p.m., Sat. Closed Sun.
Q	Serv-Well Kitchen Appliances	8 a.m. to 4:30 p.m., Mon-Fri.	9 a.m. to 4 pm., Sat. Closed Sun.
R	Vacant	N/A	N/A

It is staff's opinion that the extended hours requested by the applicant will not adversely affect the other businesses with regard to noise or parking, since most will already be closed, and also will not adversely affect nearby residential properties, based on the lack of noise complaints received by the City since the restaurant started operating at this location in 1991.

The lack of noise complaints is due to the approximately 130-foot separation between the restaurant and residentially-zoned properties to the west, which is further buffered by tenant spaces in between the restaurant and the westerly end of the commercial building. Additionally, the parking area utilized by the restaurant is oriented away from the residential properties and buffered by the other commercial building on the property. There is no evidence that the restaurant has adversely impacted nearby residents or businesses.

The Police Department has expressed concern with the applicant's request, as summarized in the memo attached to this report. In the memo, six Police-related incidents dating from October, 1999, to October, 2000, are listed. Staff has reviewed the Police reports for the incidents cited in the memo and is of the opinion that the incidents do not affect the land use compatibility of the restaurant:

- Two of the incidents, dated 9/16/00 and 9/24/00, simply reflect inspection to verify violation of the current conditions of approval for operating hours;
- The incident involving an assault on a restaurant patron dated 10/8/00 was an altercation within the restaurant between one of the patrons and the restaurant security guard, who punched the patron after being shoved;
- The incident involving public drunkenness dated 7/23/00 was a patron who locked his keys in his car and had to take a taxi home;
- The incident involving an assault on a restaurant patron dated 6/3/00 was an altercation in the parking area of the restaurant between a patron and the patron's brother-in-law;
- The incident involving a disturbance dated 10/31/99 involved a patron who had a glass thrown at him, which struck him in the elbow. The patron requested that no police action be taken.

ALTERNATIVES

The Commission has the following alternatives:

1. Approve the request to extend the closing time for the restaurant from 10:30 p.m. to 4 a.m. on Friday and Saturday as requested by the applicant, subject to the recommended conditions;
2. Approve an earlier closing time for the restaurant, such as 1 a.m. or 2 a.m.;
3. Deny the request to extend the closing time for the restaurant based on Police Department concerns. The establishment would still be permitted to close at 10:30 p.m. on Friday and Saturday as previously approved under PA-96-14.

ENVIRONMENTAL DETERMINATION

The project is exempt from the California Environmental Quality Act (CEQA) because of the existing nature of the business and its separation from sensitive uses.

extended hours will allow for the continued
rant and will not adversely affect existing

Commission Resolution
Findings
Conditions of Approval
Description and Justification
ion

/CS.

Commander

RESOLUTION NO. PC-00-80

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA APPROVING CONDITIONAL
USE PERMIT PA-00-45**

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

WHEREAS, an application was filed by Frank Bagheri, representing the property owner, John B. Heffernan with respect to the real property located at 3033 Bristol Street, Units C and D, requesting approval of a conditional use permit to extend the permitted closing time for an existing restaurant (Orchid Restaurant) from 10:30 p.m. to 4:00 a.m. on Friday and Saturday; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on December 11, 2000.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in exhibit "A", and subject to the conditions contained in exhibit "B", the Planning Commission hereby **APPROVES** PA-00-45 with respect to the property described above.

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 Conditional Use Permit PA-00-45 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the Conditions of Approval, then this Resolution, and any recommendation for approval herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 11th day of December, 2000.


Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Perry L. Valentine, 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 December 11, 2000, by the following votes:

AYES: COMMISSIONERS Davenport, Sutro, Fewel, Foley, Wilson
NOES: COMMISSIONERS None
ABSENT: COMMISSIONERS None
ABSTAIN: COMMISSIONERS None



Secretary/Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed use complies with Costa Mesa Municipal Code Section 13-29(e) because:
- The use is compatible and harmonious with uses on surrounding properties.
 - Safety and compatibility of the design of the buildings, landscaping, and other site features including functional aspects of the site development such as automobile and pedestrian circulation will remain unchanged.
 - The project is consistent with the General Plan.
 - The planning application is for a project-specific case and does not establish a precedent for future development.
 - The cumulative effects of all past and present planning applications have been considered for both the subject property and surrounding properties.
- B. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) in that the proposed use is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the extended hours requested by the applicant will not adversely affect the other businesses with regard to noise or parking, since most will already be closed, and also will not adversely affect nearby residential properties, based on the lack of noise complaints received by the City. The lack of noise complaints is due to the approximately 130-foot separation between the restaurant and residentially-zoned properties to the west, which is further buffered by tenant spaces in between the restaurant and the westerly end of the commercial building. Additionally, the parking area utilized by the restaurant is oriented away from the residential properties and buffered by the other commercial building on the property. Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
- D. 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 from CEQA.
- E. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. 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.
2. 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 operational measures are necessary to comply with this requirement.
3. Hours of operation shall not extend beyond 9:30 p.m., Sunday through Thursday, and 4:00 a.m., Friday and Saturday.
4. 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 provision of entertainment, shall require approval of an amendment to the conditional use permit, subject to Planning Commission approval.
5. A maximum table seating of 92 and lounge seating of 24 shall be available before 6:00 p.m.
6. The licensee shall not employ or use the services of any full- or part-time active or reserve peace officer for security purposes.
7. The maximum occupancy, as determined by the UBC or other applicable codes, shall be posted in public view within the premises. It shall be the responsibility of management to ensure that the maximum allowable occupancy is not exceeded at any time.
8. There shall be no room or designated area reserved for the exclusive use of designated persons or private club members.
9. There shall be no sales of alcoholic beverages for off-site consumption.
10. At all times the premises is open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale and service of food.
11. 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.

12. The restaurant shall remain a "bona fide eating place" as defined by section 23038 of the California Business and Professions Code.
13. The parking lot shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot.
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. Music or other entertainment shall not be audible beyond the area under the control of the licensee.
16. Live entertainment and amplified music and may only be permitted subject to a "public entertainment permit.". Contact Code Enforcement (754-5623) for application information.

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.

- Ping.
1. Approval of the planning application is valid for one (1) year and will expire at the end of that period unless building permits are obtained and construction commences, or the applicant applies for and is granted an extension of time.
 2. Lighting shall comply with all requirements of Costa Mesa Municipal Code Section 13-93(d). Shielding or other methods necessary to prevent light or glare spill-over shall be incorporated.
 3. This conditional use permit does not authorize the sale or service of alcoholic beverages beyond the hours limitations established by the State Department of Alcoholic Beverage Control or State law.



ATTACHMENT 7

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

City of Costa Mesa

PUBLIC RECORD

Date: 7/30/2015

Name: David Smith

Address: 788 Wesleyan Bay, Costa Mesa, CA 92626

Received by: Ryan Loomis, Associate Planner

COMMENTS: (Use Back or Attach Additional Sheets as Necessary)

1. Email received 7/30/15 from David Smith (788 Wesleyan Bay) with concerns over the ZA-15-22.

LOOMIS, RYAN

To: LEE, MEL
Subject: RE: Application ZA-15-22

From: David Smith [<mailto:onedjsmith@gmail.com>]
Sent: Thursday, July 30, 2015 9:28 AM
To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costa-mesa.ca.us>
Subject: Application ZA-15-22

I am opposed to the application for a deviation from shared parking requirements at 3033 Bristol Street. Although I am an advocate of development in our area when done correctly - these shared parking agreements are not working. As the Planning Commission keeps deviating from parking requirements and allowing uses that clearly need at least the minimum parking requirements if not more parking in our area, especially the SOBECA area, traffic and problems are increasing in our residential area (Pentridge Cove). The safety of the area is being jeopardized, mainly by the uses being granted (restaurants and bars) but BECAUSE the root cause is that there is not a comprehensive traffic and parking plan for the neighborhood.

The Camp has expanded restaurants in an area that was not parked, even minimally, for that many restaurant use and their shared parking agreements and valet parking are not working. Expanded businesses on Randolph Street are experiencing the same problem. This application only expands the area of the problem and does not solve the problem.

As there have been recent deaths and tragic accidents and injuries in the area, the entire area needs to be looked at from a comprehensive view. Crosswalks or a signal light at Randolph needs to be installed to slow down traffic as well as allow for pedestrian flow and the parking FOR THE ENTIRE AREA needs to be thought out before development continues.

Until that comprehensive plan is put in place, and shared parking agreements that are in place are re-evaluated with actual use - I am opposed to any new shared parking agreements for the area.

I would be glad to address the commission and get them views from an area resident who enjoys and uses the area while watching it deteriorate and wanting it to succeed. Thank you for allowing my views on this application.

--

David Jordan Smith, AIA, CSI
Architecture - Construction Management
788 Wesleyan Bay
Costa Mesa, CA 92626
(714) 392-3834 Cell
onedjsmith@gmail.com

ATTACHMENT 9



ATTACHMENT 10

April 23, 2015

Mr. George Roldante
Dunn Edwards
Manager
3015 Bristol Street
Costa Mesa, CA 92626

**RE: 3033 Bristol Street - Parking
After Hours Parking**

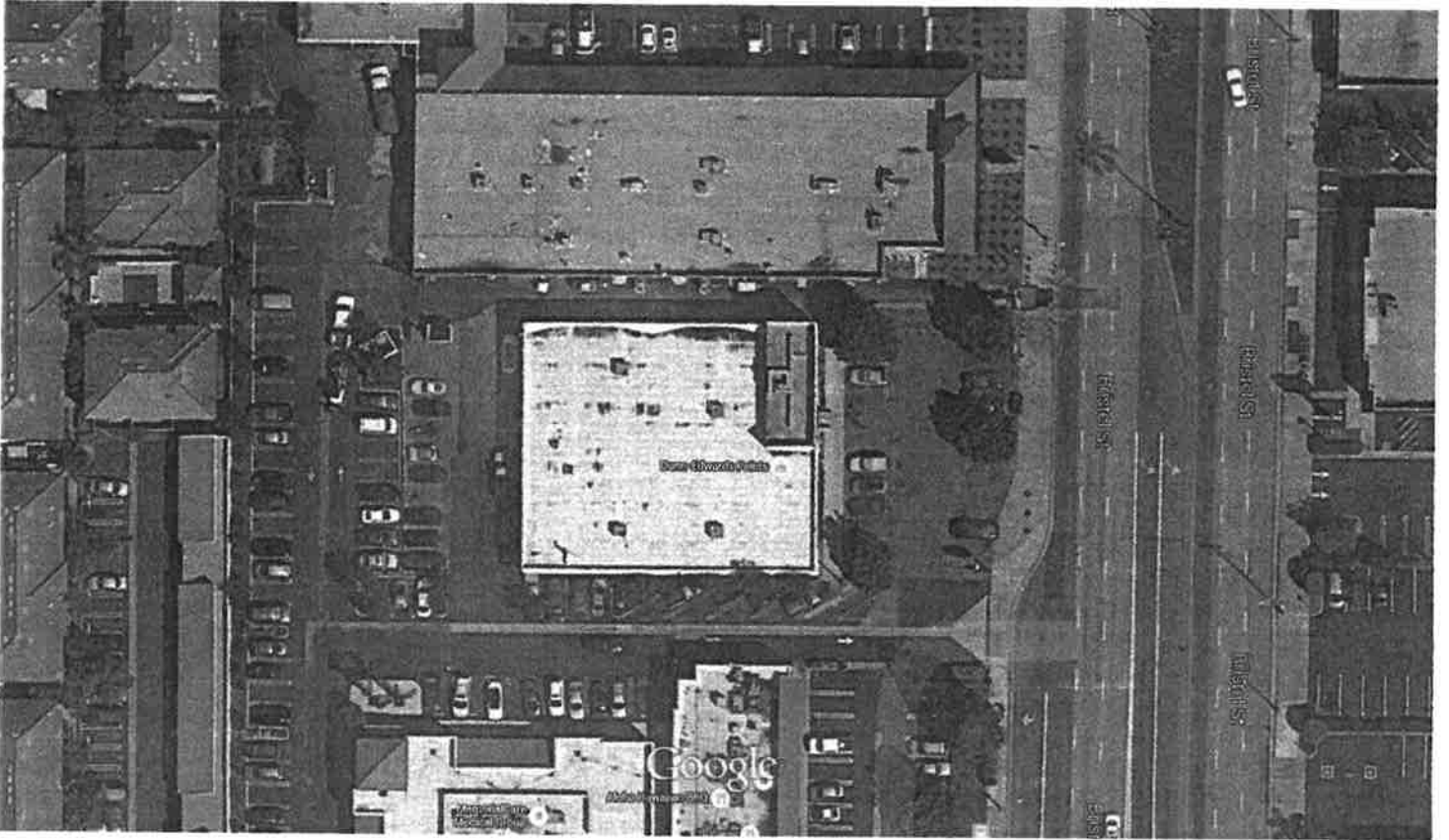
Dear Mr. Roldante,

Please let this letter serve as our written correspondence of our agreement to utilize the approximately 34 parking stalls located at 3015 Bristol Street from the hours of 5:00 pm – 2:00 am 7 days per week. Our agreement to compensate Dunn Edwards \$250.00 per month will commence once 3033 Bristol Street starts utilizing the parking stalls. Projected commencement date shall be November 1, 2015. We will provide you with further written documentation and Insurance requirements if needed.

Sincerely,



Jason Ball
Managing Member
3033 Bristol Street, LLC



Map data ©2015 Google 20 ft

34 STALLS