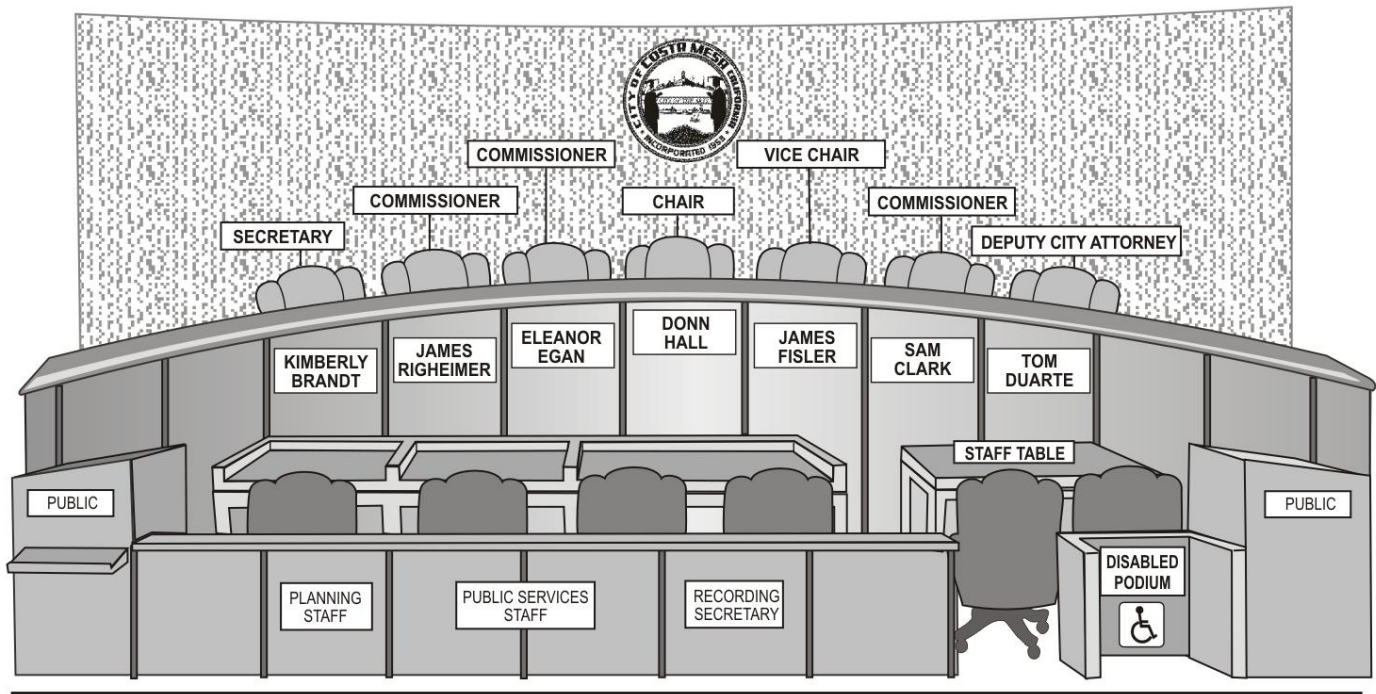


Planning Commission Agenda

Meeting Begins At 6:30 p.m.

FEBRUARY 11, 2008



WELCOME TO THE COSTA MESA PLANNING COMMISSION

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

Planning Commission Meetings

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

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

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

E-mail Address

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

Agenda Reports

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

Planning Commission Membership

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

Planning Commission Authority

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

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

Appeal Procedure

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

Public Hearing Process

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

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

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

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

List of Acronyms

Please see last page of agenda.



**PLANNING COMMISSION MEETING OF
MONDAY - FEBRUARY 11, 2008 AT 6:30 P.M.
AGENDA**

I. PLEDGE OF ALLEGIANCE TO THE FLAG.

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

III. MINUTES: Minutes for the meeting of January 28, 2008

IV. PUBLIC COMMENTS:

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

V. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

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

VI. PUBLIC HEARINGS:

RECOMMENDATION:

1. [Review of Zoning Application ZA-07-53](#), for Dante D. Facchina, authorized agent for Hall/Jenkins, for a minor conditional use permit to extend the existing rear, open deck by 8 feet (16 ft. past the bluff crest), and to allow a 6-foot high block wall to extend 8 feet into the required 10-foot bluff crest setback, located at 1151 Aviemore Terrace, in an R1 zone. Environmental determination: exempt.
2. [From the meeting of January 28, 2008, Planning Application PA-07-36](#), for Chris Bennett, authorized agent for LAB Holding LLC, for a conditional use permit for a boutique wine bar/art gallery with wine tastings, open until 2:00 a.m. at The LAB, within 200 feet of a residential zone, located at 2930 Bristol Street, Suite A101-A, with a minor conditional use

Uphold, reverse, or modify Zoning Administrator's decision by adoption of Planning Commission resolution, subject to conditions.

Approve by adoption of Planning Commission resolution, subject to conditions.

permit for off-site parking at 708 Randolph Avenue, in C2 and CL zones. Environmental determination: exempt.

3. [From the meeting of January 28, 2008, Planning Application PA-07-54](#), for Gaston Villaba, authorized agent for Mesa Brothers, LLC, for a variance to encroach into the required front setback for an outdoor bar area (20 ft. required; 6 ft. proposed), with a conditional use permit to serve alcoholic beverages past 11:00 p.m. (midnight on weekdays and 2:00 a.m. Fridays and Saturdays), with live entertainment, within 200 feet of a residential zone, and a minor conditional use permit to expand an outdoor seating area for restaurant use (previously a coffee house), and to deviate from shared parking requirements, located at 1749 Newport Boulevard, in a C2 zone. Environmental determination: exempt.

Approve by adoption of Planning Commission resolution, subject to conditions.
4. [Planning Application PA-07-38](#), for George Forbes, authorized agent for Boris Pirah and Jacob Logar, for a conditional use permit to expand a bar/lounge (The Huddle) with alcohol sales past 11:00 p.m., within 200 feet of a residential zone, into an adjacent 774 sq. ft. space, and to deviate from shared parking requirements, located at 741 Baker Street, in a C1 zone. Environmental determination: exempt.

Approve by adoption of Planning Commission resolution, subject to conditions.
5. [Planning Application PA-07-43](#), for Linda Kenski, Inc., for a conditional use permit to expand a liquor store (Party Time Liquor) into an adjacent space, with an existing off-sale general alcoholic beverage control license operating from 8:00 a.m. to midnight, 7 days a week, located at 1548 Adams Avenue, #A through #C, in a C1 zone. Environmental determination: exempt.

Approve by adoption of Planning Commission resolution, subject to conditions.
6. [Planning Application PA-07-48](#), for Richard and Wendy Schones, authorized agents for Gary F. Schones, for variances from rear setback requirements (10 ft. required; 3 ft. existing) and rear yard

Continue to the Planning Commission meeting of February 25, 2008.

coverage requirements (25% maximum permitted; 76% existing), and an administrative adjustment for reduced side setbacks (5 ft. required; 3 ft. proposed) to legalize a garage and granny unit at the rear of the property in conjunction with a minor design review for a second story addition to an existing single-family residence which exceeds the recommended 80% second-to-first floor ratio (90% proposed) and a minor modification to allow first and second-story encroachments into the front setback (20 ft. required; 16 ft. setback proposed), located at 378 Costa Mesa Street, in an R1 zone. Environmental determination: exempt.

- 7. [Planning Application PA-07-49](#), for Jonathan Zane, authorized agent for Parkway Ventures LTD, for a conditional use permit to allow a specialty retail store and a dance studio with one-on-one dance coaching, located at 2777 Bristol Street, in a CL zone. Environmental determination: exempt. Approve by adoption of Planning Commission resolution, subject to conditions.

- 8. [Planning Application PA-07-50](#), for Jack and Cindy Douglas, for a variance for a second driveway in the required front setback; minor conditional use permits for a 1,060 sq. ft. garage addition with a bathroom; and a minor design review for a second-story addition exceeding the 80% second-to-first floor ratio recommended by the Residential Design Guidelines (88% proposed), located at 2605 Westminster Place, in an R1 zone. Environmental determination: exempt. By adoption of Planning Commission resolution:
 - 1. Deny variance;
 - 2. Approve minor conditional use permits, subject to conditions; and
 - 3. Withdraw minor design review.

- 9. [Planning Application PA-07-56](#), for 126 Properties LLC, for a conversion of a duplex to condominiums, previously approved under PA-06-45, located at 550 Bernard Street, #A and #B, in an R2-HD zone. Environmental determination: exempt. Approve by adoption of Planning Commission resolution, subject to conditions.

VII. REPORT OF THE DEVELOPMENT SERVICES DEPARTMENT.

VIII. REPORT OF THE CITY ATTORNEY’S OFFICE.

IX. ADJOURNMENT TO THE MEETING OF MONDAY, FEBRUARY 25, 2008.

PLANNING TERMS & ACRONYMS

ADT	<u>Average Daily Traffic:</u> The measure of the average volume of traffic in both directions on a particular street during a 24-hour period.
ALUC	<u>Airport Land Use Commission:</u> The County commission which coordinates compatible zoning and land uses adjacent to John Wayne airport.
AQMD	<u>Air Quality Management District:</u> A regional agency which has the responsibility of monitoring air quality and the authority to adopt and enforce all rules and regulations necessary to control nonvehicular sources of air contaminants.
CEQA*	<u>California Environmental Quality Act:</u> This act requires all state and local agencies to consider the environmental impact of any discretionary project proposed.
CNEL	<u>Community Noise Equivalent Level:</u> An acoustical scale used as a measure of noise annoyance. In Costa Mesa, the maximum outdoor residential standard is 65 CNEL, and 45 CNEL is the indoor residential standard.
CUP	<u>Conditional Use Permit:</u> The Planning Commission may grant a conditional use permit to certain uses identified in the Zoning Code that require individual review and consideration because of their location in relation to other sensitive uses (i.e., proximity to residences), or their operational characteristics (i.e., business hours). A CUP cannot be used to permit a land use not allowed by the Zoning Code or inconsistent with the General Plan.
dBA	<u>Decibel, A-weighted:</u> The loudness of sound is measured in units of noise called decibels (dB). When this measure is modified by what is called an "A-weighting," abbreviated dBA, it corresponds more closely to what the human ear can hear.
DR	<u>Development Review:</u> The Planning Division reviews plans for certain types of development in multiple-family residential, industrial, and commercial zones. Approval under this process must be granted before building permits may be issued.
EIR	<u>Environmental Impact Report:</u> An informational document required by CEQA, which provides a detailed statement of the environmental effects of a proposed project. Its purpose is to provide information to the decision-makers and the general public so that a project's significant effects on the environment can be evaluated; the methods of reducing adverse impacts identified; and the alternatives to proposed project considered.
FAR	<u>Floor Area Ratio:</u> The gross floor area of a building or project divided by the project lot area upon which it is located.
LAFCO*	<u>Local Agency Formation Commission:</u> A board established within each county with the power and duty to approve or disapprove the annexation of territory to cities. LAFCO determines the "sphere of influence" (a plan for the ultimate physical boundaries and services area) of each city within a county.
NOP	<u>Notice of Preparation:</u> A brief notice sent by the City stating it plans to prepare an Environmental Impact Report (EIR) for a proposed project.
OCFCD	<u>Orange County Flood Control District:</u> The agency responsible for studies, plans, and construction-related activities for flood control channels.
OCTA	<u>Orange County Transportation Authority:</u> The agency responsible for public transportation in Orange County. It is also responsible for county-wide transportation planning, funding, and construction of major regional projects.
PA	<u>Planning Application:</u> In order to give flexibility to the City's comprehensive zoning regulations, some exceptions are allowed by the Planning Commission. These exceptions are classified as variances or conditional use permits. On approving such an exception, the Commission may impose reasonable conditions to the use of the property. In Costa Mesa, planning application is identified by an application number such as PA-99-01. The "PA" identifies the application as a Planning Application, the "99" identifies the year in which the application was filed, and "01" indicates that this was the first application in 1999.
SCAG*	<u>Southern California Association of Governments:</u> A regional intergovernmental organization composed of representatives from eligible cities and the six eligible counties (Orange, Los Angeles, San Bernardino, Ventura, Imperial, and Riverside).
SCAQMD	<u>Southern California Air Quality Management District (see "AQMD")</u>
SRO	<u>Single Room Occupancy Development:</u> These efficiency room residential hotels are rented primarily on a monthly basis, for the purpose of providing individuals and small households of low income, low cost housing that is easily accessible to services and employment opportunities.
TAZ	<u>Traffic Analysis Zone:</u> The City of Costa Mesa is divided into 176 traffic analysis zones, or TAZs, which form the level of analysis for recording land use and demographic data. The land use information is then used for traffic forecasting and analysis.
TE	<u>(Vehicle) Trip Ends:</u> A one-way vehicular journey to or from a site, or totally within the site, i.e., internal trip. Each trip has 2 trip ends, one at the beginning and the other at the destination.
UBC	<u>Uniform Building Code:</u> This code contains the national standards and regulations pertaining to fire, life, and structural safety aspects of all buildings and related structures. All building permits must comply with these requirements.
VARIANCE	<u>Variance:</u> A permit granted by the Planning Commission when the strict application of a zoning standard creates a unique hardship for a landowner because his or her parcel is different from other property in the vicinity under an identical zoning classification due to size, shape, topography, location, or surroundings. A variance cannot be used to approve a use not authorized by the Zoning Code or inconsistent with the General Plan.
ZA	<u>Zoning Administrator:</u> This person performs reviews of specific discretionary projects that are not subject to Planning Commission review. The Development Services Director or his designee is authorized to act as the Zoning Administrator.

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