

**CITY OF COSTA MESA
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Costa Mesa City Council at its regular meeting at City Hall Council Chambers, 77 Fair Drive, Costa Mesa, California on **Tuesday, April 2, 2024 at 7:00 P.M.**, or as soon as possible thereafter, to consider:

Application No.: ZA-22-11, PDVR-23-0003 & PMND-23-0003

Applicant/Agent: Jay Higgins/ Barry Von Hemert

Site Address: 1595 Old Newport Boulevard

Zone: General Business District (C2)

Description: Zoning Application (MCUP) 22-11, Development Review PDVR-23-0003, and Minor Modification PMND-23-0003 is a request to demolish an existing 25,159-square-foot furniture store and to construct a new 2,913-square-foot drive-through restaurant (Raising Cane's) and a 1,303-square-foot outdoor patio. The proposed hours of operation are 9 a.m. to 2 a.m. Sunday through Wednesday, 9 a.m. to 3:30 a.m., Thursday through Saturday. The proposed request also involves a reduction of the drive-through lane width from the standard 11-foot width to 10-foot, a deviation from the required parking by seven spaces, and a 20% reduction in the required front building setback. On February 12, 2024, the Planning Commission approved the project on a 4-2 vote. A member of the City Council has called the Planning Commission's decision up for review.

Environmental Determination: The project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303 (Class 3), for new construction and conversion of small structures, and section 15332 (Class 32) in-fill development projects.

Public Comments:

Members of the public wishing to participate in the meeting may find instructions to participate on the agenda. Members of the public may also submit written comments via email to the City Clerk at cityclerk@costamesaca.gov and they will be provided to the City Council, made available to the public, and will be part of the meeting record. Any written communications, photos, or other materials for copying and distribution to the City Council that are 10 pages or less, can be e-mailed to cityclerk@costamesaca.gov, submitted to the City Clerk's Office on a flash drive, or mailed to the City Clerk's Office. Kindly submit materials to the City Clerk **AS EARLY AS POSSIBLE, BUT NO LATER THAN 12:00 p.m.** on the day of the hearing, **April 2, 2024**. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted, a direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats, .mp4, .mov or .wmv. Only one file may be included per speaker for public comments. Please note that materials submitted by the public that are deemed appropriate for general audiences will not be redacted in any way and will be posted online as submitted, including any personal contact information. For further assistance, contact the City Clerk's Office at (714) 754-5225. The City Council agenda and related documents may also be viewed on the City's website at <http://costamesaca.gov>, 72 hours prior to the public hearing date. **IF THE AFOREMENTIONED ACTION IS CHALLENGED IN COURT**, the challenge may be limited to only those issues raised at the public hearing described in the notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

Brenda Green, City Clerk, City of Costa Mesa

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