



CITY OF COSTA MESA

PLANNING COMMISSION

Agenda

Monday, October 27, 2025

6:00 PM

**City Council Chambers
77 Fair Drive**

The Commission meetings are presented in a hybrid format, both in-person at City Hall and as a courtesy virtually via Zoom Webinar. If the Zoom feature is having system outages or experiencing other critical issues, the meeting will continue in person.

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Members of the public are welcome to speak during the meeting when the Chair opens the floor for public comment. There is no need to register in advance or complete a comment card. When it's time to comment, line up at one of the two podiums in the room and wait for your turn. Each speaker will have up to 3 minutes (or as directed) to address the Commission.

To maintain a respectful and orderly atmosphere during the meeting, attendees shall refrain from using horns or amplified speakers. Signs and props may be brought into the Chamber, provided they do not exceed 11 inches by 18 inches in size and do not hinder the visibility of other attendees. The possession of poles, sticks, or stakes is strictly prohibited.

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- During the Public Comment Period, use the "raise hand" feature located in the participants' window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

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During the Public Comment Period, press *9 to add yourself to the queue and wait for city staff to announce your name/phone number and press *6 to unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

4. Additionally, members of the public who wish to make a written comment on a specific agenda item, may submit a written comment via email to the PCPublicComments@costamesaca.gov. Comments received by 12:00 p.m. on the date of the meeting will be provided to the Commission, made available to the public, and will be part of the meeting record.

5. Please know that it is important for the City to allow public participation at this meeting. If you are unable to participate in the meeting via the processes set forth above, please contact the City Clerk at (714) 754-5225 or cityclerk@costamesaca.gov and staff will attempt to accommodate you. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website.

Note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information.

All 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 e-mail to PCPublicComments@costamesaca.gov NO LATER THAN 12:00 Noon on the date of the meeting.

Note regarding agenda-related documents provided to a majority of the Commission after distribution of the agenda packet (GC §54957.5): Any related documents provided to a majority of the Commission after distribution of the Agenda Packets will be made available for public inspection. Such documents will be posted on the city's website and will be available at the City Clerk's office, 77 Fair Drive, Costa Mesa, CA 92626.

All cell phones and other electronic devices are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.

Free Wi-Fi is available in the Council Chambers during the meetings. The network username available is: CM_Council. The password is: cmcouncil1953.

As a LEED Gold Certified City, Costa Mesa is fully committed to environmental sustainability. A minimum number of hard copies of the agenda will be available in the Council Chambers. For your convenience, a binder of the entire agenda packet will be at the table in the foyer of the Council Chambers for viewing. Agendas and reports can be viewed on the City website at <https://costamesa.legistar.com/Calendar.aspx>.

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PLANNING COMMISSION REGULAR MEETING**OCTOBER 27, 2025 – 6:00 P.M.****JEFFREY HARLAN
CHAIR****JON ZICH
VICE CHAIR****ANGELY ANDRADE
PLANNING COMMISSIONER****ROBERT DICKSON
PLANNING COMMISSIONER****KAREN KLEPACK
PLANNING COMMISSIONER****DAVID MARTINEZ
PLANNING COMMISSIONER****JOHNNY ROJAS
PLANNING COMMISSIONER****TARQUIN PREZIOSI
ASSISTANT CITY ATTORNEY****CARRIE TAI
DIRECTOR****CALL TO ORDER****PLEDGE OF ALLEGIANCE****ROLL CALL****ANNOUNCEMENTS AND PRESENTATIONS****PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA**
Comments are limited to three (3) minutes, or as otherwise directed.**PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS****CONSENT CALENDAR:**

1. [**OCTOBER 13, 2025 UNOFFICIAL MEETING MINUTES**](#) [**25-558**](#)

RECOMMENDATION:

Planning Commission approve the regular Meeting Minutes of October 13, 2025.

Attachments: [**OCTOBER 13, 2025 UNOFFICIAL MEETING MINUTES**](#)**PUBLIC HEARINGS:**

1. [CONDITIONAL USE PERMIT PCUP-25-0018 TO OPERATE A DOG DAYCARE \(THE BONE HOME\) AT 1619 SUPERIOR AVENUE AND CONDITIONAL USE PERMIT PCUP-25-0019 \(AMENDING PA-03-14\) TO MODIFY THE SITE PLAN OF AN EXISTING DOG DAYCARE WITH OVERNIGHT KENNELING \("THE BONE ADVENTURE"\) AT 1629 SUPERIOR AVENUE.](#)

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1) Existing Facilities; and
2. Approve Conditional Use Permit PCUP-25-0018 and PCUP-25-0019 (amending PA-03-14) based on findings of fact and subject to conditions of approval.

Attachments: [Agenda Report](#)

- [1. Planning Commission Draft Resolution CUP 25-0018](#)
- [2. Planning Commission Draft Resolution PCUP-25-0019](#)
- [3. Applicant Letter](#)
- [4. Vicinity Map](#)
- [5. Zoning Map](#)
- [6. AGI - Noise Study](#)
- [7. Plans](#)
- [8. PA-03-14](#)

OLD BUSINESS:

1. [MINOR CONDITIONAL USE PERMIT \(ZA-22-35\) CONDITION OF APPROVAL NO. 28 - TWELVE-MONTH REVIEW \("ARENA OC"\)](#)

RECOMMENDATION:

PLANNING COMMISSION RECEIVE STAFF'S TWELVE-MONTH REVIEW PRESENTATION OF "ARENA OC" AND MAKE THE DETERMINATION THAT NO CHANGE IS APPROVED OPERATIONAL CONDITIONS ARE NEEDED AT THIS TIME

Attachments: [Agenda Report](#)

- [1. ZA-22-35 Agenda Report](#)
- [2. ZA-22-35 Resolution](#)
- [3. Calls for Service Log](#)
- [4. April 4, 2025 Planning Commission Minutes](#)

NEW BUSINESS:**DEPARTMENTAL REPORTS:**

1. PUBLIC WORKS REPORT
2. DEVELOPMENT SERVICES REPORT

CITY ATTORNEY REPORTS:

1. CITY ATTORNEY REPORT

ADJOURNMENT**PLANNING COMMISSION MEETING:**

Costa Mesa Planning Commission meets on the second and fourth Monday of each month at 6:00 p.m.

APPEAL PROCEDURE:

Unless otherwise indicated, the decision of the Planning Commission is final at 5:00 p.m., seven (7) days following the action, unless an affected party files an appeal to the City Council, or a member of City Council requests a review. Applications for appeals are available through the City Clerk's Office; please call (714) 754-5225 for additional information.

CONTACT CITY STAFF:

77 Fair Drive, Costa Mesa, CA 92626
Planning Division (714) 754-5245
planninginfo@costamesaca.gov



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 25-558

Meeting Date: 10/27/2025

TITLE:

OCTOBER 13, 2025 UNOFFICIAL MEETING MINUTES

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION

RECOMMENDATION:

Planning Commission approve the regular Meeting Minutes of October 13, 2025.



REGULAR PLANNING COMMISSION MONDAY, OCTOBER 13, 2025 - MINUTES

CALL TO ORDER - The Regular Planning Commission Meeting was called to order by Chair Harlan at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Commissioner Dickson led the Pledge of Allegiance.

ROLL CALL

Present: Chair Jeffrey Harlan, Vice Chair Jon Zich, Commissioner Angely Andrade, Commissioner Robert Dickson, Commissioner Karen Klepack, Commissioner David Martinez, Commissioner Johnny Rojas

Absent: None

ANNOUNCEMENTS AND PRESENTATIONS: None.

PUBLIC COMMENTS - MATTERS NOT LISTED ON THE AGENDA:

Wendy Simo expressed ongoing noise and code-compliance concerns regarding the gym at 140 17th Street. She stated that doors open early each morning, loud music and events without permits continue, and valet parking requirements are not being followed. Simo said the noise has negatively affected neighbors' quality of life and health and urged the City to take enforcement action.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Klepack announced that Barktober Fest will be held on Saturday, October 18, at TeWinkle Park from 11 a.m. to 2 p.m. The family-friendly event promotes pet adoption and raises awareness for the City's Animal Services. Activities will include food trucks, a DJ, a pet costume contest, and a vaccine and microchip clinic.

Commissioner Andrade highlighted the many upcoming fall community events hosted by the City, noting they provide great opportunities to connect with staff and residents. She commended staff participation at the Hispanic Heritage Month

celebration and encouraged everyone to follow the City's website and recreation page to stay informed and engaged with the community.

Commissioner Dickson requested a follow-up from staff regarding the conditions of approval for the gym at 140 17th Street to better understand the regulations in place. He noted his familiarity with similar noise issues from living near a gym in the past and acknowledged that some impacts are part of urban living. He also encouraged everyone to watch recent City Council meetings for important discussions related to the Planning Division activities

Commissioner Martinez shared his experience attending CicLAvia, an open streets event in Los Angeles, and expressed hope that Costa Mesa could host a similar event in the future. He announced several upcoming City events, including the Homeless Solutions Town Hall on October 15, Fire Station Open Houses on October 25, and a Community Bike Skills Workshop that same day at the Senior Center. He also provided an overview of recently signed state housing and planning legislation, highlighting key bills related to building permit fee schedules, adaptive reuse projects, ADUs, and traffic impact fees, encouraging staff to review and update municipal codes as needed.

Vice Chair Zich commented on the significant news of progress toward a lasting peace in the Middle East, noting that while it is not a local issue, it captured his attention and he expressed gratitude for the development.

Chair Harlan thanked Vice Chair Zich for his comments and expressed appreciation for his capable leadership while filling in during his recent absence.

CONSENT CALENDAR:

1. SEPTEMBER 22, 2025 UNOFFICIAL MEETING MINUTES

MOVED/SECOND: MARTINEZ/ DICKSON

MOTION: to approve Consent Calendar.

The motion carried by the following roll call vote:

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas

Nays: None

Absent: None

Recused: None

Motion carried: 7-0

ACTION:

Planning Commission approved consent calendar items.

-----**END OF CONSENT CALENDAR**-----

PUBLIC HEARINGS:

1. CONDITIONAL USE PERMIT (PCUP-25-0012) TO MODIFY THE EXISTING OFF-SALE STATE ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE FROM TYPE 20 (BEER AND WINE) TO TYPE 21 (GENERAL) FOR AN EXISTING CONVENIENCE STORE (7-ELEVEN) AT 2244 FAIRVIEW ROAD

No ex-parte communications reported.

Presentation by Assistant Planner, Christopher Aldana.

Sherry Olson, from the applicant team, stated she read and agreed to the conditions if approval.

Public comments:

No Public Comments.

Motion Discussion:

The Commission discussed revisions to Condition of Approval Number 5, related to the sale and display of alcoholic beverages at a convenience store. Members clarified that the intent was to prevent the use of portable or ad hoc refrigerated units while allowing wine to be displayed unrefrigerated on an end cap. Following discussion and staff input, the Commission agreed to strike the existing Condition Number 5 and replace it with language stating that distilled spirits shall only be sold and displayed behind the counter.

MOVED/SECOND: MARTINEZ/DICKSON

MOTION: To move staff recommendations with the following modifications:

1. Condition of Approval Number 5 to read: "Distilled spirits shall only be sold and displayed behind the counter".

The motion carried by the following roll call vote:

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Rojas, Commissioner Martinez

Nays: None

Absent: None

Recused: None

Motion carried: 7-0

ACTION:

The Planning Commission adopted a resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities), and
2. Approve Conditional Use Permit 25-0012 based on findings of fact and subject to conditions of approval.

2. AMENDMENT TO THE LAND USE ELEMENT OF THE CITY'S GENERAL PLAN TO PROVIDE CONSISTENCY WITH THE SIXTH CYCLE (2021-2029) HOUSING ELEMENT - PCTY-25-0004

One ex-parte communication reported by Vice Chair Zich.

Presentation by Principal Planner, Melinda Dacey.

The Commission asked staff to address a public comment received regarding notification procedures. The City Attorney responded that the commenter's interpretation was incorrect, explaining that the municipal code requires mailed notice to all property owners and occupants within 500 feet of a project site, except for applications involving buildings over 150 feet in height, which require a greater notice radius. Since the item under discussion was not a building application, the standard noticing requirements were met.

The Commission and staff discussed the proposed Land Use Element amendment to ensure consistency with the City's Housing Element, clarifying that the update is primarily a technical correction to reconcile past procedural gaps rather than a substantive policy overhaul. Staff explained that the changes are needed because the original Housing Element adoption did not include a required General Plan consistency finding, and the current action aligns the two documents under state law. Commissioners asked detailed questions regarding site capacity, height limits, trip generation, rezoning timelines, Measure K implications, and compliance with state housing mandates. Staff emphasized that while the amendments provide flexibility to achieve housing element densities, future projects would still undergo environmental review and be subject to objective development standards through the upcoming "Neighborhoods Where We All Belong" program.

Public comments:

Ralph Taboada thanked the Commission for their thoughtful questions, noting that the discussion was informative and that he learned a lot from the exchange.

Cynthia McDonald expressed concern about noticing procedures related to a rezoning item, stating that current property owners within 500 feet were not properly notified and that prior notices from previous years were insufficient. The

speaker also raised issues regarding potential Measure Y implications, noting that increased densities and building heights could trigger a public vote, and emphasized the need for coordination with the circulation element due to possible traffic impacts. She urged the Commission to defer consideration of the item until updated noticing and Measure Y evaluations are completed.

Motion Discussion:

The Commission discussed a motion to advance updates with minor updates to Figure LU-4 and Figure LU-6 to replace “reductions” with “modifications” from the proposed language to the Land Use Element for consistency as part of implementing the City’s Housing Element. Supporters described the update as a necessary procedural step to align City policy with state housing requirements and ensure consistency across zoning codes and specific plans. Others expressed concern about removing height limits, traffic standards, and other safeguards, warning that such changes could alter neighborhood character, reduce local control, and expand high-density residential zoning beyond public expectations. The discussion also highlighted differing views on the city’s housing crisis—some emphasizing the urgency of addressing affordability and homelessness, while others questioned the long-term impacts on open space, infrastructure, and economic balance.

MOVED/SECOND: MARTINEZ/ANDRADE

MOTION: To move staff recommendation.

The motion carried by the following roll call vote:

Ayes: Chair Harlan, Commissioner Andrade, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas

Nays: Vice Chair Zich, Commissioner Dickson

Absent: None

Recused: None

Motion carried: 5-2

ACTION:

The Planning Commission adopted a resolution to:

To recommend to the City Council to adopt the draft amendments to the Land Use Element of the City’s General Plan to provide consistency with the Sixth Cycle Housing Element and associated California Environmental Quality Act (CEQA) environmental determination.

OLD BUSINESS: None.

NEW BUSINESS: None.

REPORT - PUBLIC WORKS - Mr. Yang highlighted recent and upcoming community events and projects. Walk to School Day events were held on October 8 and continued on October 15 at various elementary schools to promote safe biking and walking routes. He also announced the Community Bike Skills Workshop will take place on October 25 at the Costa Mesa Senior Center, offering free bike tune-ups and safety lessons. Additionally, construction has begun on Fairview Road between Fair Drive and Newport Boulevard to repave the roadway, enhance bike lanes, add green conflict zones, and install a new pedestrian crossing signal near College Park Elementary School.

REPORT - DEVELOPMENT SERVICES - Director Tai provided an update on recent and upcoming City Council actions. On October 7, 2025, the Council upheld the Planning Commission's approval of a small lot subdivision at 2308 Santa Ana Avenue and adopted the second reading of the technical code cleanup updates, which take effect November 6, 2025. Upcoming Council items include an appeal for a cannabis business permit at 2301 Newport Boulevard, discussion of the Fairview Developmental Center environmental study scope, and consideration of the Planning Commission's recommendation on the land use element and general plan amendment. The Director also noted that the triennial building and fire code updates will include minor safety changes, with limited impact due to Assembly Bill 130, and shared that staff recently held a Fair Housing workshop and provided a Fairview Developmental Center update to the Parks and Community Services Commission.

REPORT - ASSISTANT CITY ATTORNEY - None.

ADJOURNMENT AT 8:07 p.m.

Submitted by:

CARRIE TAI, SECRETARY
COSTA MESA PLANNING COMMISSION



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 25-559

Meeting Date: 10/27/2025

TITLE:

CONDITIONAL USE PERMIT PCUP-25-0018 TO OPERATE A DOG DAYCARE (THE BONE HOME) AT 1619 SUPERIOR AVENUE AND CONDITIONAL USE PERMIT PCUP-25-0019 (AMENDING PA-03-14) TO MODIFY THE SITE PLAN OF AN EXISTING DOG DAYCARE WITH OVERNIGHT KENNELING ("THE BONE ADVENTURE") AT 1629 SUPERIOR AVENUE.

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES
DEPARTMENT/PLANNING DIVISION

PRESENTED BY: FROYLAN GARCIA, ASSISTANT PLANNER

CONTACT INFORMATION: FROYLAN GARCIA, (714) 754-4863;
Froylan.garcia@costamesaca.gov

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1) Existing Facilities; and
2. Approve Conditional Use Permit PCUP-25-0018 and PCUP-25-0019 (amending PA-03-14) based on findings of fact and subject to conditions of approval.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: OCTOBER 27, 2025

ITEM NUMBER: PH-1

SUBJECT: CONDITIONAL USE PERMIT PCUP-25-0018 TO OPERATE A DOG DAYCARE (THE BONE HOME) AT 1619 SUPERIOR AVENUE AND CONDITIONAL USE PERMIT PCUP-25-0019 (AMENDING PA-03-14) TO MODIFY THE SITE PLAN OF AN EXISTING DOG DAYCARE WITH OVERNIGHT KENNELING ("THE BONE ADVENTURE") AT 1629 SUPERIOR AVENUE.

**FROM: ECONOMIC AND DEVELOPMENT SERVICES
DEPARTMENT/PLANNING DIVISION**

PRESENTATION BY: FROYLAN GARCIA, ASSISTANT PLANNER

**FOR FURTHER INFORMATION CONTACT: FROYLAN GARCIA
(714) 754-4863
Froylan.garcia@costamesaca.gov**

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1) Existing Facilities; and
2. Approve Conditional Use Permit PCUP-25-0018 and PCUP-25-0019 (amending PA-03-14) based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant and authorized agent is Diane Cuniff representing the property owners, Clay Stevens and CM Commercial Properties LLC.

PLANNING APPLICATION SUMMARY

Location:	1619 Superior Avenue & 1629 Superior Avenue	Application Number:	PCUP-25-0018 & PCUP-25-0019
Request:	Conditional Use Permits to establish a dog daycare facility with an outdoor play area, and overnight kenneling.		

SUBJECT PROPERTY:

1619 Superior Avenue

SURROUNDING PROPERTY:

Zone:	MG (General Industrial)	North:	MG (General Industrial)
General Plan:	Light Industry	South:	MG (General Industrial)
Lot Dimensions:	Irregular Shape	East (across Superior Ave):	MG (General Industrial)
Lot Area:	14,374 Square Feet	West:	MG (General Industrial)
Existing Development:	Two standalone buildings, consisting of a garage and an office.		

1629 Superior Avenue

Zone:	MG (General Industrial)	North:	MG (General Industrial)
General Plan:	Light Industry	South:	MG (General Industrial)
Lot Dimensions:	Irregular Shape	East (across Superior Ave):	MG (General Industrial)
Lot Area:	11,771 Square Feet	West:	MG (General Industrial)
Existing Development:	One standalone building with surface parking and dog play area at the rear.		

DEVELOPMENT STANDARDS COMPARISON

1619 Superior Avenue

Development Standard		Required	Existing/Proposed
Building Height			
		2 Stories / 30 FT	1 Story / 14 FT 7 IN (no change)
Setbacks:			
Front		10 FT	10 FT (no change)
Side (left/right)		0 FT	0 FT left (no change) 67FT 4IN right (no change)
Rear		0 FT	0 FT (no change)
Floor Area Ratio			
		0.25	0.10 (no change)
Parking:			
Standard		6*	10
Van Accessible		1	1
Bicycle		N/A	1
		Total	12
CEQA Review	Exempt per CEQA Guidelines Section 15301 (Existing Facilities)		
Final Action	Planning Commission		

* Subject property is subject to Assembly Bill (AB) 2097, since it is located within one-half mile of two major transit stops. Pursuant to AB 2097, the City is barred from imposing a minimum parking requirement on the project.

1629 Superior Avenue

Development Standard		Required	Existing/Proposed
Building Height			
		2 Stories / 30 FT	1 Story / 16 FT 6 IN (no change)
Setbacks:			
Front		10 FT	32 FT (no change)
Side (left/right)		0 FT	23 FT left (no change) 6 FT right (no change)
Rear		0 FT	28 FT (no change)
Floor Area Ratio			
		0.25	0.28 (no change)
Parking:			
Standard		10**	7
Van Accessible		1	1
Bicycle		N/A	0
		Total	8
CEQA Review	Exempt per CEQA Guidelines Section 15301 (Existing Facilities)		
Final Action	Planning Commission		
** Subject property is subject to Assembly Bill (AB) 2097, since it is located within one-half mile of two major transit stops. Pursuant to AB 2097, the City is barred from imposing a minimum parking requirement on the project.			

EXECUTIVE SUMMARY

This request involves two adjacent industrial properties located at 1619 and 1629 Superior Avenue. The applicant proposes to amend the existing Conditional Use Permit for *The Bone Adventure* at 1629 Superior Avenue to modify the site layout and to establish a new dog daycare facility at 1619 Superior Avenue, with shared operations between both sites. Improvements at 1629 Superior Avenue would be limited to site modifications to reconfigure the outdoor play areas while maintaining the existing building. The new facility at 1619 Superior Avenue would occupy a currently vacant site containing a 972-square-foot garage and a 489-square-foot office.

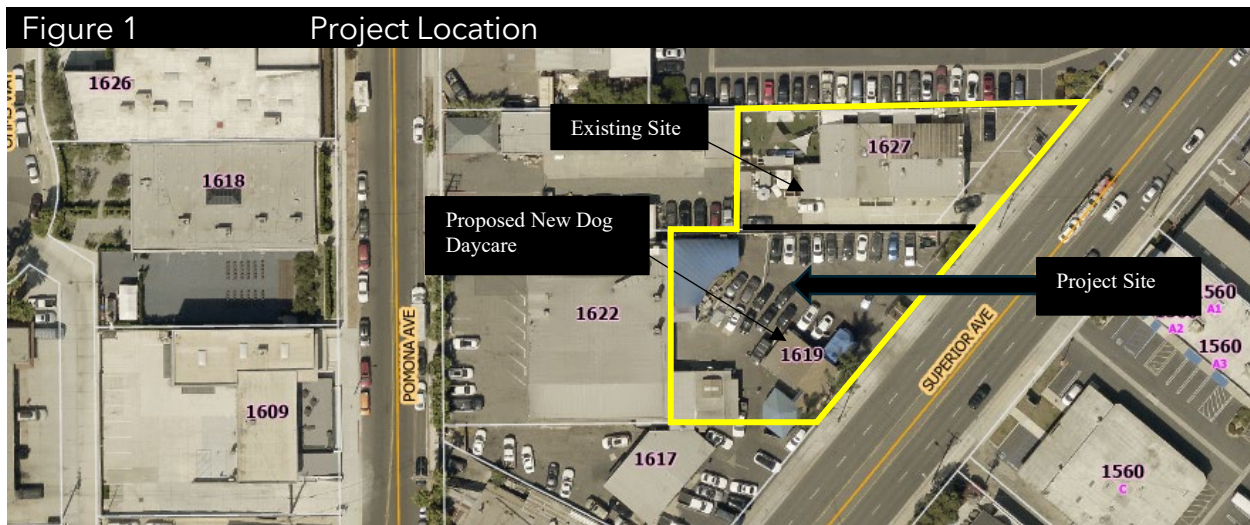
Staff supports the request, as both the proposed use and the amendment to the existing Conditional Use Permit are consistent with the applicable General Plan policies, comply with the provisions of the Zoning Ordinance and required findings, and are not anticipated to operate in a manner that would be incompatible with surrounding uses. Therefore, staff recommends that the Planning Commission find the project exempt from the California Environmental Quality Act (CEQA) and approve the application based on the required findings and subject to conditions of approval.

SETTING

The subject properties are located at 1619 and 1629 Superior Avenue (also known as 1627 Superior Avenue)(see Figure 1). The property at 1629 Superior Avenue is a 11,771-square-foot lot developed with a 3,315 square-foot standalone building. The remainder of the site is improved with an outdoor play area and surface parking spaces.

The adjacent property to the south at 1619 Superior Avenue is a 14,374-square-foot lot improved with two buildings: a 489-square-foot office and a 972-square-foot garage. The remainder of the site consists of a surface parking lot previously utilized by the former tenant, Jimmy's Automotive Cosmetics & Detailing.

Overall, the project site consists of two interior lots measuring approximately 0.33-acre and 0.27- acre and are situated on the north side of Superior Avenue, mid-block between West 16th Street and West 17th Street. The site is bounded by an industrial building containing multiple businesses to the north, an auto repair service building to the west, an auto body shop to the south and Superior Ave to the east.



The sites are designated Light Industry by the City's Land Use Element of the General Plan and are zoned MG (General Industrial). The Light Industry designation is intended for a variety of light and general industrial uses such as small manufacturing and service industries. Certain commercial uses may be allowed, provided that the commercial use is determined to be complementary to the industrial area. The MG zone allows for a wide range of light and general industrial activities. The subject property is surrounded by other MG-zoned properties to the north, west, south, and east containing a variety of uses including vehicle repair shops, hardware stores and home furnishing businesses.

BACKGROUND

On June 9th, 2003, the Planning Commission unanimously approved an application for a kenneling, dog daycare and grooming business, *The Bone Adventure*, at 1629 Superior Avenue. The approval was subsequently appealed to the City Council. On July 7th, 2003, the City Council upheld the decision by the Planning Commission to approve the kenneling business and approve Conditional Use Permit (CUP) PA -03-14. The adopted resolution (PA-03-14), staff report and meeting minutes are provided as Attachment 7.

The approved use allowed a total of 46 dogs and was conditioned so that the dogs would only be allowed outside in the play areas from 6:30 a.m. to 8:00 p.m. Since its approval, *The Bone Adventure* has operated the dog daycare and kenneling facility at this site.

The owner has also opened a second location, *The Bone Backyard*, at 2700 Bristol Street in 2011. To continue meeting demand, the applicant proposes to expand the daycare facilities for *The Bone Adventure*, by establishing a complementary dog daycare at the adjacent 1619 Superior Avenue. The site at 1619 Superior Avenue previously operated as *Jimmy's Automotive Cosmetics & Detailing* (PA-03-17) but closed in June of this year and is currently vacant.

PROJECT DESCRIPTION

Use and Operations

The applicant requests Conditional Use Permit PCUP-25-0019 (1629 Superior Ave) to amend the existing Conditional Use Permit (PA-03-14) to enlarge the dog play area at the rear of the property and modify the parking layout. Although the play area would be reconfigured, it would remain at the rear of the property. The play area is proposed to be enclosed by a covered walkway structure consisting of two parallel vinyl fences with a PVC roof above. The existing facility at 1629 Superior Avenue is proposed to operate as it has for the past 22 years.

Additionally, the applicant requests Conditional Use Permit PCUP-25-0018 (1619 Superior Ave) to operate a new dog daycare facility within an existing 489 square foot office and 972 square foot garage. The facility would provide daily dog daycare services and include an approximately 5,090 square foot outdoor play area located at the rear of the property. Hours of operation are proposed between 6:30 a.m. and 8:00 p.m., with dogs allowed outdoors only between 8:00 a.m. and 7:00 p.m. (consistent with *The Bone Adventure's* hours of operation).

The applicant proposes to operate both facilities as a single dog daycare facility with adjoining outdoor play areas.

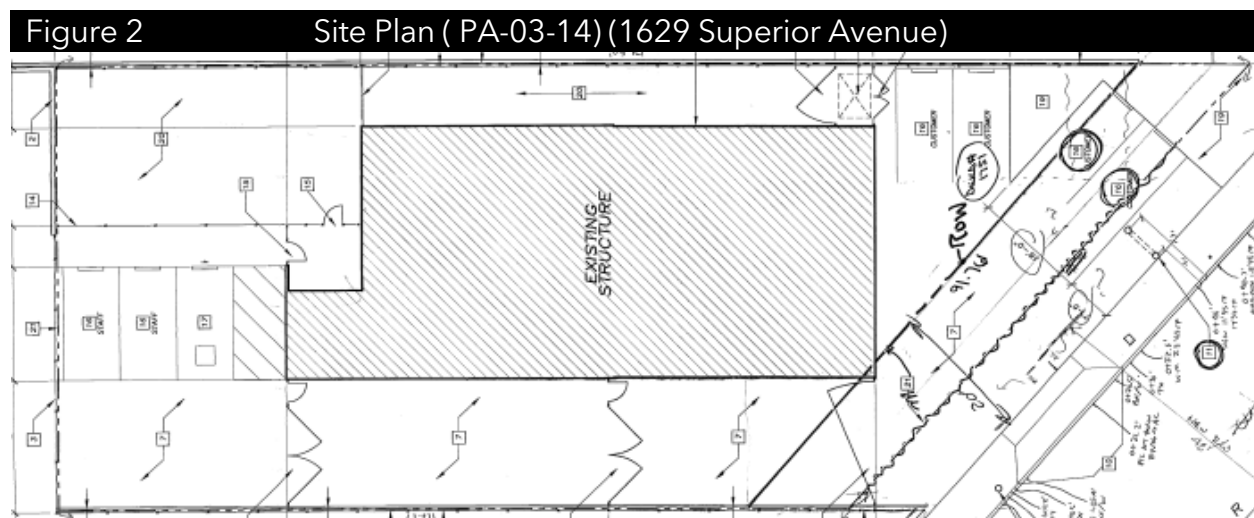
The proposed uses would be open to the public from 6:30 a.m. to 8:00 p.m., during which time clients could drop off or pick up their dogs at either location. Dogs will be dropped off as early as 6:30 a.m. at either site, but the dogs will remain inside the building until 8:00 a.m. Dogs from the existing facility located to the north could be brought over during the day to use the new play area, but dogs would not be allowed outside of the buildings before 8:00 a.m. Use of the outdoor play areas for both sites would be limited to daytime hours, between 8:00 a.m. and 7:00 p.m. The sites will be maintained in a clean and orderly manner to ensure the continued enjoyment of neighboring properties. Consistent with the previous approval, the number of dogs would be limited to one dog per 100 square feet of outdoor space for the new play area at 1619 Superior Avenue. The

new outdoor area totals approximately 5,090 square feet, allowing a maximum of 51 dogs within the play area.

In anticipation of the proposed expansion, the applicant submitted a noise study prepared by Acoustic Group, Inc. The study evaluated noise levels generated by the dog daycare operations and their potential impact on the nearest residential properties. The analysis concluded that noise levels would remain within the limits established by the City's Noise Ordinance for residential zones and provided recommendations to further minimize potential impacts, including limiting the number of dogs allowed outdoors at one time, restricting the hours of outdoor activity, and installing noise-suppression equipment on exterior-facing doors.

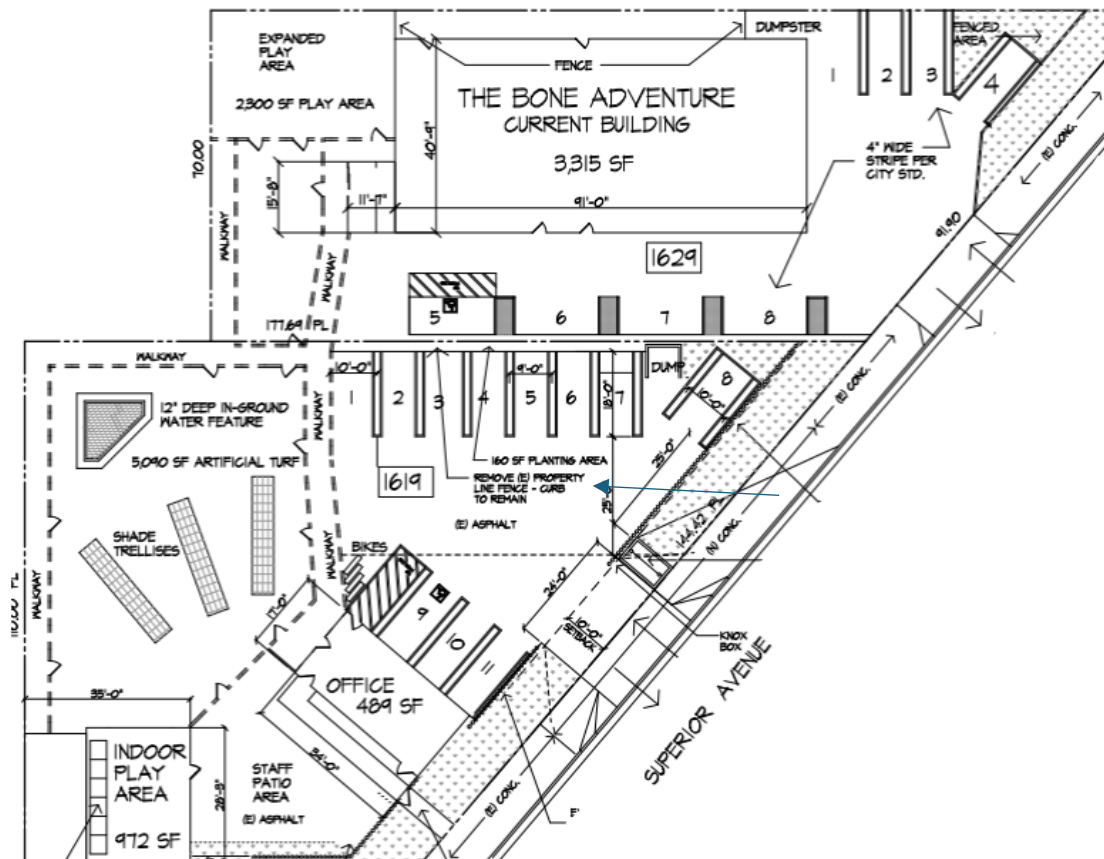
Site Plan

The property at 1629 Superior Avenue contains a single standalone building located approximately 30 feet from the front property line. The site includes an existing outdoor play area at the rear and surface parking throughout. The existing entitlement, PA-03-14, approved a site plan that contains five parking spaces, two spaces near Superior Ave. and three located at the rear of the property. The original site plan can be seen in Figure 2 below.



As part of the proposed modifications, the reconfigured play area would remain at the rear of the property and be enclosed by fencing, two parking stalls would be relocated towards the middle. The play area would be expanded from the originally approved 1,225 square feet to 2,300 square feet. As part of the proposed reconfiguration of the site. No parking spaces will be eliminated. A proposed site plan is shown below in Figure 3 and includes the proposed site modifications to the existing facility, and the proposed new facility for reference.

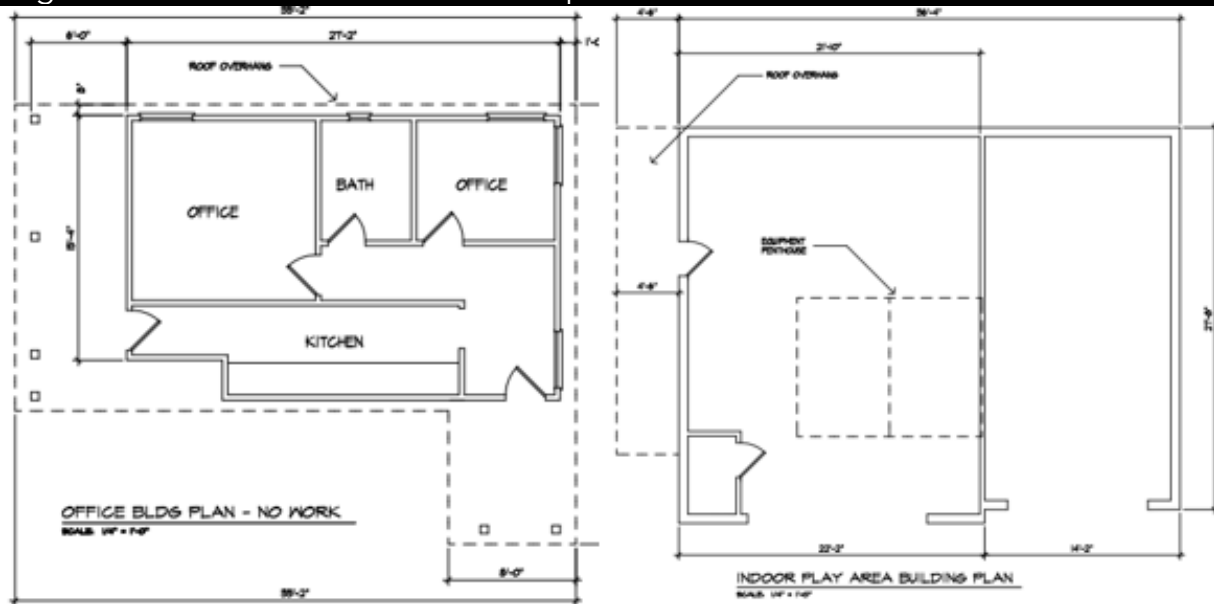
Figure 3 Site Plan (1619 and 1629 Superior Avenue)



The site at 1619 Superior Avenue currently contains two buildings: a 489-square-foot office located along the southeast portion of the lot, approximately two feet from the front property line, and a 972-square-foot garage situated near the rear along the southern portion of the site. A new outdoor play area would be located at the rear of the property and would total approximately 5,090 square feet. This area would be enclosed with fencing and enhanced with landscaping to provide separation between staff and the dogs. The existing garage located at the rear of 1619 Superior Avenue is proposed to be repurposed as a feeding area and would also be a hybrid indoor and outdoor play area.

Proposed site improvements at 1619 Superior include a reconfiguration and restriping the parking area on the north side of the office building to accommodate 11 parking spaces as well as a bicycle rack. Additional improvements include installation of K9 grass at the rear of the property, a water feature, fencing, and shade structures. No new buildings are proposed. Additionally, the applicant has provided a conceptual landscape plan illustrating proposed landscape improvements throughout both sites. A condition of approval is included for both uses that requires a detailed landscape plan to be submitted during the building plan check. Additional improvements to the site include the consolidation of the two existing driveways into a single driveway modifying the existing gate accordingly.

Figure 5 Floor Plan 1619 Superior Avenue



Elevations

The existing buildings on the site were constructed in the 1940s, based on historical aerial records from the County. All of the structures share a similar industrial architectural style that was typical of the postwar period. The proposed improvements include repairs to the existing wood features throughout the building, replacement of the roof, and repainting of the buildings to provide a refreshed and updated appearance. No exterior modifications are proposed to the building located at 1629 Superior Avenue.

Figure 6 Front Elevation (1619 Superior Avenue)

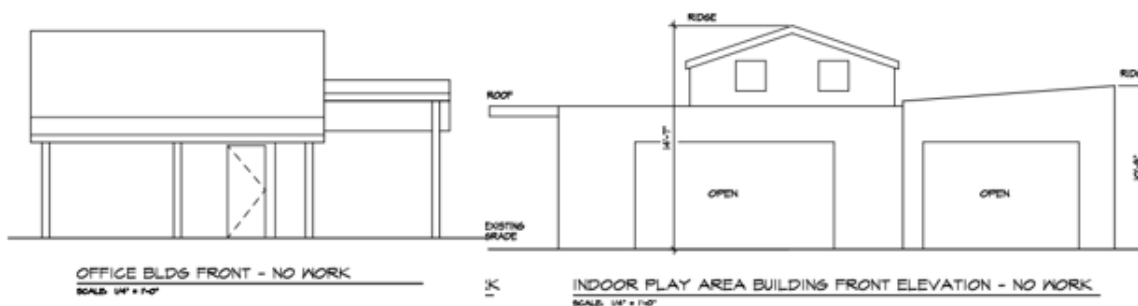


Figure 7 Rear Elevation (1619 Superior Avenue)

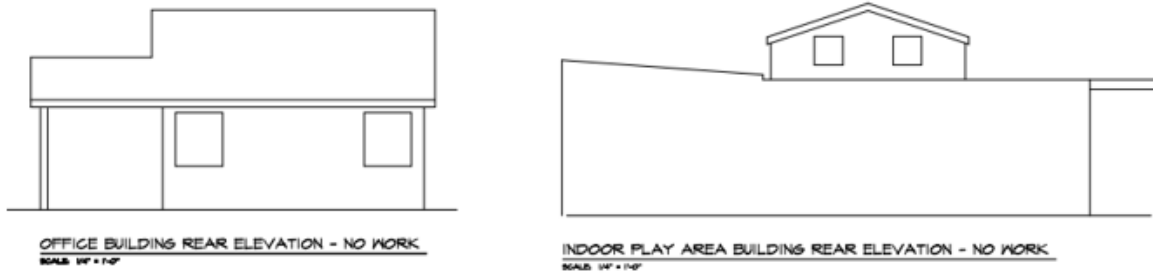
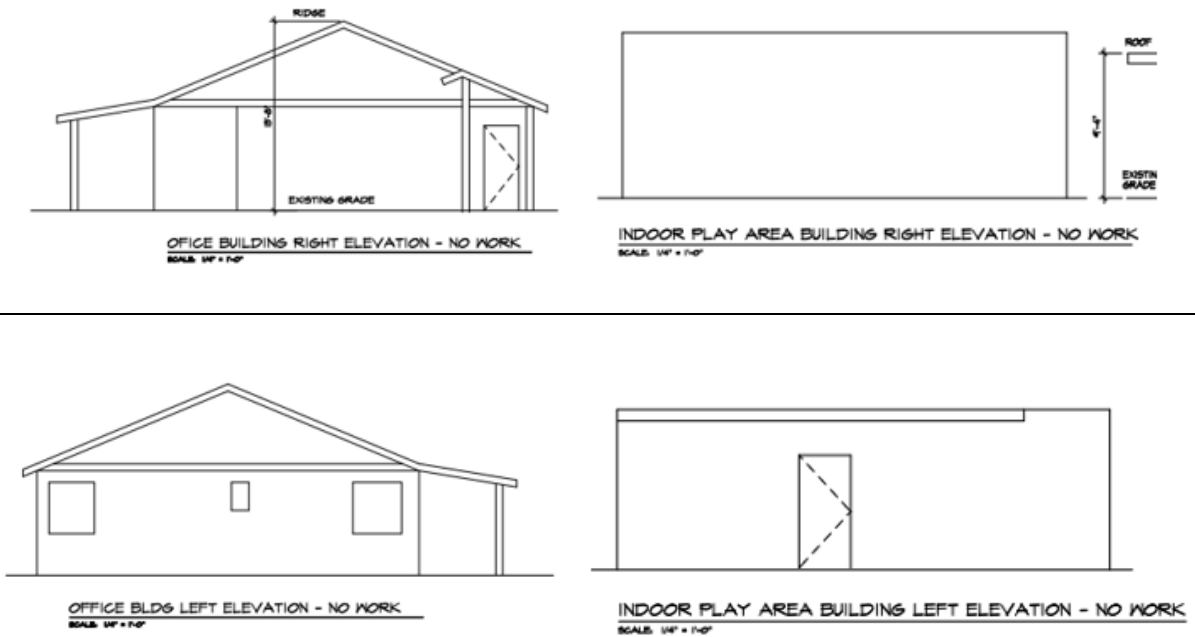


Figure 8 Side Elevations (1619 Superior Avenue)



ANALYSIS

The proposed dog daycare involves the handling of animals, which may result in potential noise impacts from barking. The facility is anticipated to accommodate up to 51 dogs with four staff members (one staff person per 10-15 dogs). The previous approval limited the use at 1629 Superior Avenue to a maximum of 46 dogs. With the expansion of the new play area, a total of 97 dogs could be accommodated between both sites, as conditioned.

Dogs would continue to only be permitted in the outdoor play areas between 8:00 a.m. and 7:00 p.m. (Condition 5 in PCUP-25-18 & PCUP-25-0019). The applicant also indicated that barking dogs may be fitted with collars designed to reduce noise and encourage training. If barking persists, dogs would be restricted to the indoor play area. While the applicant notes that this measure is rarely required, it remains available as a last resort. Any dogs exhibiting excessive barking would be moved indoors to minimize potential impacts to surrounding properties.

The City's noise standards in Costa Mesa Municipal Code (CMMC) Title 13, Chapter 13 – Noise Control apply only to residential districts. The Zoning Code does not establish specific noise thresholds for industrially zoned properties such as the subject site, and the site is not adjacent to a residential zone. However, as noted above, to evaluate potential noise impacts, the applicant submitted a noise study. The study concluded that noise generated by both the existing and proposed facilities would remain within residential noise thresholds when measured from the nearest residences. The study also recommended measures to further minimize outdoor activity and limit the number of dogs allowed outside during operating hours (8:00 a.m. to 7:00 p.m.). Based on the study's findings, the applicant has proposed operational measures consistent with the recommendations. Staff has included conditions of approval consistent with these recommendations that restrict the hours of operation, limit the number of dogs to a maximum of 97 (below the study's recommended capacity of 145), and require the installation of drop-down compression threshold seals to further mitigate potential noise impacts.

Additionally, staff reviewed the complaint history for *The Bone Adventure*, as well as that of the neighboring property. Noise complaints were recorded in 2007 and 2008; however, those complaints were related to use of a loudspeaker rather than dog barking. Both cases have since been closed, and no additional cases have been opened. The Police Department also confirmed that no calls for service or noise complaints have been reported at the subject site or at the applicant's second facility at 2700 Bristol Street within the past year. Condition No. 10 in both PCUP-25-0018 and PCUP-25-0019 has been added to restrict the use of loudspeakers within the play areas.

Another common concern associated with dog daycare facilities is the potential for odor. To address this, conditions of approval have been applied requiring staff to be present during all dog play times, immediate disposal of animal waste, and more frequent trash collection, ensuring that odor is effectively mitigated. Additionally, Condition No. 26 has been added to both entitlements to ensure immediate compliance with odor concerns. If odor issues become prevalent, the number of dogs allowed in the outdoor play areas shall be reduced until the issue is resolved.

The overall ratio of dogs to staff would remain unchanged and consistent with the conditions of PA-03-14, ensuring that operations continue in a manner consistent with the past 22 years of operation. The existing conditions of approval would remain in effect

and would be applied to both sites, ensuring continued monitoring of the dogs, maintenance of a clean and orderly play area, and adherence to the restriction prohibiting outdoor activity before 8:00 a.m. and after 7:00 p.m.

Parking

Conditional and permitted uses must comply with the required parking demand based on CMMC Table 13-89, Non-Residential Parking Standards. The primary functions of the businesses are dog daycare. The use is most comparable to typical office and retail operations, which require three parking spaces per 1,000 square feet of floor area in the industrial area per Zoning Administrator Decision 08-4. However, the project sites are subject to Assembly Bill (AB) 2097, and thus, the City is barred from imposing a minimum parking requirement on the project and no additional parking is required.

Based on this information, staff finds that the proposed reconfiguration and new use are compatible with the surrounding area and consistent with the Zoning Code. Furthermore, conditions of approval applied to this entitlement would ensure that the facility operates in a manner harmonious with surrounding properties. With these conditions in place, staff concludes that the proposed facilities would not result in significant noise impacts and recommends approval of the request.

ENTITLEMENT

Per Costa Mesa Municipal Code (CMMC) Section 13-30, any proposed use not listed in the Land Use Matrix, shall require approval of a Conditional Use Permit prior to the establishment of the use. The proposed dog daycare use is not listed in the Land Use Matrix and therefore a CUP is required. Additionally, pursuant to CMMC Section 13-29(p), proposed amendments to planning applications must follow the same procedures and fee schedule required for the initial approval. Accordingly, the applicant has submitted a Conditional Use Permit (CUP) application pursuant to Costa Mesa Municipal Code (CMMC) Section 13-30 to modify the existing layout of the dog daycare and overnight kenneling facility and to allow the operation of a new dog daycare use within the MG zone.

The properties are currently being entitled as two separate uses so that, in the future, if one of the sites or property owners proposes a change of use, each site could continue to operate independently.

STANDARD OF REVIEW

To approve an CUP application under CMMC Section 13-29(g)(2)(a-c), the Planning Commission must find that the proposed use must meet specific criteria. The project must be compatible with surrounding developments and should not be detrimental to nearby properties. Additionally, granting the permit must not harm public health, safety, or

welfare, nor permit a use, density, or intensity inconsistent with the general plan or specific plans for the property. Each application is project-specific and evaluated on its unique merits to ensure it aligns with the City's development standards and the zoning code.

As necessary, proposed conditional uses may have conditions of approval applied to the development or their operations to ensure that the required findings can be met. An assessment of the project's relationship to the findings and General Plan is provided later in this report.

GENERAL PLAN CONFORMANCE

The following analysis further evaluates the proposed project's consistency with specific policies of the 2015-2035 General Plan.

1. **Policy LU-6.7:** "Encourage new and retain existing businesses that provide local shopping and services."

Consistency: The approval of this use would expand the operations of an existing business that provides a needed service to the community. Because the applicant is an existing business in the City, the approval would also support business retention as the company seeks to expand. Furthermore, the project site is currently vacant and in a deteriorated condition; the proposed use would improve the appearance of the building frontage along Superior Avenue.

Additionally, the approval for the reconfiguration of the sites would ensure the retention of an existing services that has expanded in the last couple of years throughout the City.

2. **Policy LU-6.1:** "Encourage a mix of land uses that maintain and improve the City's long-term fiscal health."

Consistency: Costa Mesa contains a diverse mix of land uses, including a variety of retail and service oriented commercial uses. The proposed facility and reconfiguration of the existing facility would provide dog daycare services for both residents and employees who work in the City. This service would allow employees who own dogs and work in Costa Mesa to have a convenient location to care for their pets during the day. The addition of another dog daycare facility would further diversify the City's land use mix and would be located in an area appropriate for such activity.

Additionally, the proposed reconfiguration of the site layouts would help retain an existing business within the City and support a diverse mix of uses throughout the community. Overnight dog daycare facilities fulfill an important community need by providing a valuable service for residents who travel or work extended hours, thereby contributing to the City's overall economic and fiscal health.

FINDINGS

Pursuant to Title 13, Section 13-29(g)(2), Findings, of the CMMC, to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required Conditional Use Permit findings:

- *The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.*

Consistent. The proposed new use is substantially compatible with the surrounding developments and would not be materially detrimental to nearby properties in that the surrounding area is a mix of industrial uses, and no sensitive uses are located adjacent to the project site. Potential noise concerns would be minimized through conditions of approval on outdoor play hours and the fact that no overnight kenneling would occur at the new location. Conditions of approval have been implemented to limit outdoor play to between 8:00 a.m. and 7:00 p.m. The play area is also conditioned to require immediate and proper disposal of all waste and ongoing site maintenance.

Additionally, the proposed reconfiguration of the existing site at 1629 Superior Avenue is compatible with surrounding development, will not substantially alter current operations, and would not be detrimental to adjacent properties, as the expanded play area would remain located at the rear of the site. The existing conditions of approval would continue to be enforced on site to ensure the enjoyment of neighboring property. In addition, the existing site, which contains the dog play area at the rear of the property, has not received any complaints within the last year.

- *Granting the 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.*

Consistent. Granting approval of the proposed dog daycare use would not be detrimental to the health, safety, or general welfare of the public, nor would it be injurious to property or improvements within the immediate neighborhood in that all business activities would primarily occur within the building, and an outdoor area

located to the rear of the property that would be fully fenced to ensure that dogs remain contained on site. Potential noise from outdoor operations would be mitigated through limited hours of use, and the applicant would be required to maintain the property in a clean condition to prevent odor impacts.

Additionally, granting the approval of the proposed reconfiguration of the site at 1629 Superior would not be detrimental to the health, safety, or general welfare of the public, nor would it be injurious to property or improvements within the immediate neighborhood in that the proposed expanded play area would be located in the same area as previously approved. The existing conditions of approval that have ensured the property operates in a clean manner and allows for the enjoyment of neighboring properties would remain in effect.

Conditions of approval have been included to restrict use of the outdoor play area to the hours of 8:00 a.m. to 7:00 p.m. and to require consistent trash collection. In addition, prior to commencing operations, all proposed tenant improvements would be reviewed by the City's Building and Fire Departments to ensure compliance with safety standards, appropriate occupancy, and adequate ingress and egress.

- Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.

Consistent. The proposed use and site reconfiguration would be compatible with the existing uses in the industrial zone and would meet the intent of the General Plan's Light Industrial land use designation, which allows certain commercial uses that are determined to be complementary to the industrial area. The project is consistent with the Light Industrial designation and complies with the applicable development standards of the Zoning Code, as it represents a commercial use that serves both local and regional needs while continuing to provide a community service. Furthermore, the project is consistent with General Plan Land Use Policies LU-6.1 and LU-6.7, as previously described.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Permitting and/or Minor Alteration of Existing Facilities. The site is located in an urbanized area that is fully developed and does not contain any sensitive species or habitat including nearby water bodies. This project site contains existing buildings, and the application does not include any new construction that would adversely affect native plants or species. The project would result in limited interior improvements to adequately address operation and safety concerns. The project is consistent with the applicable General Plan

designation and all applicable General Plan policies as well as with applicable zoning designation and regulations. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

ALTERNATIVES

As an alternative to the recommended action, the Planning Commission may:

Approve the project with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.

Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months.

LEGAL REVIEW

The draft Resolution and this report has been approved as to form by the City Attorney's Office.

PUBLIC NOTICE

Pursuant to CMMC Section 13-29(d) three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site October 15, 2025. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on each street frontage of the project site on October 16, 2025.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on October 17, 2025.

As of the completion date of this report, one written public comment has been received. Any public comments received prior to the October 27, 2025, Planning Commission meeting will be provided separately.

CONCLUSION

Approval of the project would establish amend the existing Conditional Use Permit for *The Bone Adventure* at 1629 Superior Avenue and allow a new dog daycare facility at 1619 Superior Avenue to allow for a shared operation and modified site layout. The proposed use is in conformance with the General Plan, Zoning Code, Planning Application Review Criteria, and the required CUP findings can be made. The proposed use, as conditioned, would be compatible with the surrounding industrial businesses and would not be materially detrimental to other properties within the area. Therefore, staff recommends approval of the proposed project, subject to the conditions of approval contained in the attached resolution.

RESOLUTION NO. PC-2025-**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT PCUP-25-0018 TO OPERATE A DOG DAYCARE FACILITY (“THE BONE ADVENTURE”) AT 1619 SUPERIOR AVENUE**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, Planning Application PCUP-25-0018 was filed by Diane Cuniff, authorized agent for the property owner, Clay Stevens, requesting approval of a Conditional Use Permit for a new dog daycare with outdoor play area at 1619 Superior Avenue in the General Industrial (MG) zone for The Bone Adventure;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 27, 2025, with all persons having the opportunity to speak for and against the proposal; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301 (Class 1, for Existing Facilities).

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa.

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application PCUP-25-0018 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 Planning Application PCUP-25-0018 and upon applicant’s compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. Any approval granted by this Resolution shall be subject to review, modification, or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are 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.

PASSED AND ADOPTED this 27th day of October, 2025.

Jeffrey Harlan, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Carrie Tai, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2025-13 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on October 27, 2025 by the following votes:

AYES:
NOES:

ABSENT:

ABSTAIN:

Carrie Tai, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2025-1X

EXHIBIT A

FINDINGS

- A. Pursuant to Title 13, Section 13-29(g), Findings, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required Conditional Use Permit findings:

Finding: *The proposed development or use is substantially 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: The proposed new use is substantially compatible with the surrounding developments and would not be materially detrimental to nearby properties in that the surrounding area is a mix of industrial uses, and no sensitive uses are located adjacent to the project site. Potential noise concerns would be minimized through conditions of approval on outdoor play hours and the fact that no overnight kenneling would occur at the new location. Conditions of approval have been implemented to limit outdoor play to between 8:00 a.m. to 7:00 p.m. The play area is also conditioned to require immediate and proper disposal of all waste and ongoing site maintenance.

Finding: *Granting the 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 Finding: Granting approval of the proposed dog day care use would not be detrimental to the health, safety, or general welfare of the public, nor would it be injurious to property or improvements within the immediate neighborhood in that all business activities would primarily occur within the building, and an outdoor area located to the rear of the property that would be fully fenced to ensure that dogs remain contained on site. Potential noise from outdoor operations would be mitigated through limited hours of use, and the applicant would be required to maintain the property in a clean condition to prevent odor impacts.

Conditions of approval have been included to restrict use of the outdoor play area to the hours of 8:00 a.m. to 7:00 p.m. and to require consistent trash collection. In addition, prior to commencing operations, all proposed tenant improvements would be reviewed by the City's Building and Fire Departments to ensure compliance with safety standards, appropriate occupancy, and adequate ingress and egress.

Finding: *Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.*

Facts in Support of Finding: The proposed use would be compatible with the existing uses in the industrial zone and would meet the intent of the General Plan's Light Industrial land use designation, which allows certain commercial uses that are determined to be complementary to the industrial area. The project is consistent with the Light Industrial designation and complies with the applicable development standards of the Zoning Code, as it represents a commercial use that serves both local and regional needs while continuing to provide a community service. Furthermore, the project is consistent with General Plan Land Use Policies LU-6.1 and LU-6.7, as previously described.

- B. **Environmental Determination.** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Permitting and/or Minor Alteration of Existing Facilities. The site is located in an urbanized area that is fully developed and does not contain any sensitive species or habitat including nearby water bodies. This project site contains existing buildings, and the application does not include any new construction that would adversely affect native plants or species. The project would result in limited interior improvements to adequately address operation and safety concerns. The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. Approval of Planning Application PCUP-25-0018 is valid for two (2) years 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) a building permit has been issued and construction has commenced, and a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; 2) a certificate of occupancy has been issued. A time extension can be requested no less than thirty (30) days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
 2. The conditions of approval for PCUP-25-0018 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 3. Hours of operation open to the public shall be limited to Monday through Sunday 6:30 a.m. to 8:00 p.m.
 4. All uses shall be conducted underroof, with the exception of the designated outdoor play area per the approved site plan. All waste will be immediately and properly disposed of, and the area shall be maintained to prevent nuisance odors and negative impacts to adjacent properties and pedestrians.
 5. Outdoor yard use within the designated outdoor play area per the approved site plan shall be limited from 8:00 a.m. to 7:00 p.m. Dogs at all times will be supervised by facility staff.
 6. The operator shall maintain free of litter all areas of the premises under which the applicant has control.
 7. The facility shall operate, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood.
 8. The number of dogs shall be limited to a maximum of 51 dogs.

9. A complete landscape plan that conforms to CMMC Chapter 7 Landscape Standards shall be submitted to the Planning Division prior to the issuance of any permits for site improvements.
10. The use of outdoor loudspeakers, amplified sound systems, or similar noise-producing devices shall be prohibited within the outdoor play area. All activities shall be conducted in a manner that minimizes noise impacts to surrounding properties.
11. Kenneling shall not take place at this location at any time.
12. Veterinary services are limited to an on-call basis. On-site staff will be limited to administering of medicines.
13. Outdoor area shall be limited to the outdoor play area located at the rear of the property, as shown on the site plan.
14. All outdoor activities of the dogs shall be supervised by staff. With a minimum of 1 staff per 15 dogs.
15. All proposed improvements (Painting of the building, installation of landscaping and new fencing), shall be completed prior to the initiation of the business.
16. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the initiation of the business. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
17. If the applicant loses their lease on the property to the north at 1629 Superior Avenue, all site improvements that were installed to allow access between the two properties shall be restored to their previous condition (e.g., fencing, curbs, or other improvements). The business shall be able to operate independently on the subject site.
18. Applicants shall post signs instructing dog owners to keep dogs on leash until they are well inside the building. No dogs shall be allowed off-leash in the parking or driveway areas.
19. Owner shall install easily cleanable surfaces on interior and exterior play and rest areas. These areas shall be maintained in a sanitary condition by mopping or similar means.
20. Applicant shall employ all necessary means, including but not limited to double doors, double gate systems, to prevent dogs from escaping the facility.

21. Applicant shall ensure that waste and contaminated runoff do not reach the public right of way and storm drain system.
22. Applicant shall monitor outdoor areas, including driveway and parking areas, and clean up as necessary to prevent odors and other nuisances.
23. All exterior doors shall be maintained in the closed position during the daytime and nighttime hours.
24. All exterior facing doors shall feature drop down compression seals and perimeter seals to minimize noise transfer.
25. Trash pick-up shall be scheduled as frequently as necessary to prevent odors from becoming a nuisance to surrounding properties and tenants.
26. If odors are detected off-site or by neighboring properties, the operator shall take immediate corrective action to eliminate the source of the odor to the satisfaction of the Economic and Development Services Director or their designee. Should odor issues persist or become prevalent, the number of dogs permitted in the outdoor play areas shall be reduced to 25, until the odor issue has been resolved and verified by City staff.
27. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The operator shall institute whatever security and operational measures, including sound attenuation, are necessary to comply with this requirement.
28. Any change in the operational characteristics of the use shall be subject to Planning Division review and may require an amendment to the Conditional Use Permit. Modifications are subject to the final review authority determined by the Economic and Development Services Director or his/her designee.
29. The project shall be limited to the type of operation/building as described in this staff report and in the attached plans. Any change in the use, size, or design shall require review by the Planning Division and may require an amendment to the Conditional Use Permit.
30. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant's project, or any approval granted by City related to the applicant's project. 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 choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.

31. 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.
32. No signage shall be installed until a sign permit is issued by the City's Development Services Department.
- Trans 33. Fulfill mitigation of off-site traffic impacts at the time of issuance of building permits by submitting to the Transportation Division the required Traffic Impact Fee pursuant to the prevailing schedule of charges adopted by the City Council. The Traffic Impact Fee is calculated based upon the average daily trip generation rate of 34.70 trip ends per TSF for the proposed project. It includes a credit for any previously existing use. At the current rate, the Traffic Impact Fee is estimated at \$ 3,648.00. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permits based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.
34. The vehicle gate must remain open during business hours. Approved business hours are 6:30 AM to 8:00 PM.
- Eng 35. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk.
36. Submit required cash deposit or surety bond to guarantee construction of offsite improvements at time of permit per Section 15-32, C.C.M.M.C. and as approved by City Engineer. Cash deposit or surety bond amount to be determined by City Engineer.
37. Provide a secondary containment and cover for all aboveground storage containers to prevent, reduce, or eliminate the discharge of pollutants.

38. In order to comply with the 2003 Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval.
- a) A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to.
 - b) Location of BMPs shall not be within the public right-of-way.
39. At the time of development submit for approval an Offsite Plan to the Engineering Division that shows parkway improvements prepared by a registered Civil Engineer or Architect. Construction Access approval must be obtained prior to Building or Engineering Permits being issued by the City of Costa Mesa. Pay Offsite Plan Check fee per Section 13-231 of the C.C.M.M.C.

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. Once the use is legally established, the planning application herein approved shall be valid until revoked. The Development Services Director or his/her designee may refer the planning application to the Planning Commission for modification or revocation at any time if, in his/her opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.
 - 2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
 - 3. All noise-generating construction activities shall be limited to 8 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

- | | |
|--------------|--|
| Bldg. | <p>4. Comply with the requirements of the most recent adopted, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, California Existing Building Code, California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa at the time of plan submittal or permit issuance.</p> <p>Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with Chapter 11B of the California Building Code.</p> <p>A change of occupancy shall require compliance with the Disabled access requirements of chapter 11B of the California Building Code.</p> <p>5. Plans shall be prepared under the supervision of a registered California Architect or Engineer. Plan shall be stamped and signed by the registered California Architect or Engineer.</p> <p>6. If required, provide a plan to the County of Orange Health Dept. for review and approval.</p> |
| Water | <p>7. Project will require a Plan Check and permit from Mesa Water District. Applicant is reminded that additional conditions of development may be imposed by Mesa Consolidated Water District (949) 631-1200 and/or other serving utilities. Subject to approval by the board of directors, Mesa Consolidated Water District may require payment of a developer impact fee prior to installation of water service or construction of required master plan facilities.</p> <p>Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District.</p> |
| Bus.
Lic. | <p>8. 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.</p> <p>9. A Business license shall be obtained prior to the initiation of the business.</p> |

RESOLUTION NO. PC-2025-**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT PCUP-25-0019 TO AMEND PA - 03-14 AT 1629 SUPERIOR AVENUE TO EXPAND THE EXTERIOR PLAY AREA AT THE EXISTING DOG DAYCARE AND OVERNIGHT KENNELING FACILITY**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, Planning Application PA-03-14, approved by the City Council on July 7, 2003, authorized a Conditional Use Permit to establish a dog daycare facility, including indoor and outdoor operations, within an existing industrial building located in the MG zone; and

WHEREAS, Planning Application PCUP-25-0019 was filed by Diane Cuniff, authorized agent for the property owner, CM Commercial Properties LLC, requesting approval of a Conditional Use Permit to amend PA-03-14 to modify the existing dog kenneling site plan and expand the outdoor play area at 1629 Superior Avenue in the General Industrial (MG) zone for The Bone Adventure;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 27, 2025 with all persons having the opportunity to speak for and against the proposal; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301 (Class 1, for Existing Facilities).

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa.

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application PCUP-25-0019 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 Planning Application PCUP-25-0019 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. Any approval granted by this Resolution shall be subject to review, modification, or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are 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.

PASSED AND ADOPTED this 27th day of October, 2025.

Jeffrey Harlan, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Carrie Tai, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2025-13 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on October 27, 2025 by the following votes:

AYES:
NOES:

ABSENT:

ABSTAIN:

Carrie Tai, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2025-1X

EXHIBIT A

FINDINGS

- A. Pursuant to Title 13, Section 13-29(g), Findings, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required Conditional Use Permit findings:

Finding: *The proposed development or use is substantially 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: The proposed reconfiguration of the existing site at 1629 Superior Avenue is compatible with surrounding development, will not substantially alter current operations, and would not be detrimental to adjacent properties, as the expanded play area would remain located at the rear of the site. The existing conditions of approval would continue to be enforced on site to ensure the enjoyment of neighboring property. In addition, the existing site, which contains the dog play area at the rear of the property, has not received any complaints within the last year.

Finding: *Granting the 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 Finding: Granting the approval of the proposed reconfiguration of the site at 1629 Superior would not be detrimental to the health, safety, or general welfare of the public, nor would it be injurious to property or improvements within the immediate neighborhood in that the proposed expanded play area would be located in the same area as previously approve. Additionally, the existing conditions of approval that have ensured the continued enjoyment of neighboring properties would remain in effect.

Conditions of approval have been included to restrict use of the outdoor play area to the hours of 8:00 a.m. to 7:00 p.m. and to require consistent trash collection. In addition, prior to commencing operations, all proposed tenant improvements would be reviewed by the City's Building and Fire Departments to ensure compliance with safety standards, appropriate occupancy, and adequate ingress and egress.

Finding: *Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.*

Facts in Support of Finding: The proposed reconfiguration of the site plan for the existing dog kenneling services would be compatible with the existing uses in

the industrial zone and would meet the intent of the General Plan's Light Industrial land use designation, which allows certain commercial uses that are determined to be complementary to the industrial area. The project is consistent with the Light Industrial designation and complies with the applicable development standards of the Zoning Code, as it represents a commercial use that serves both local and regional needs while continuing to provide a community service. Furthermore, the project is consistent with General Plan Land Use Policies LU-6.1 and LU-6.7, as previously described.

- B. **Environmental Determination.** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Permitting and/or Minor Alteration of Existing Facilities. The site is located in an urbanized area that is fully developed and does not contain any sensitive species or habitat including nearby water bodies. This project site contains existing buildings, and the application does not include any new construction that would adversely affect native plants or species. The project would result in limited interior improvements to adequately address operation and safety concerns. The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. Approval of Planning Application PCUP-25-0019 is valid for two (2) years 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) a building permit has been issued and construction has commenced, and a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; 2) a certificate of occupancy has been issued. A time extension can be requested no less than thirty (30) days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
 2. The conditions of approval for PCUP-25-0019 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 3. A copy of the conditions of approval for the conditional use permit must be kept on premise and presented to any authorized city official upon request. Applicant shall notify new business/property owners of conditions of approval upon transfer of business or ownership of land.
 4. Street addresses shall be displayed on the fascia or store front adjacent to the main entrance of the building, in a manner visible to the public street. Numerals shall be a minimum of 12 inches in height with not less than $\frac{3}{4}$ - inch stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrance. Letters or numerals shall be 4 inches in height with not less than $\frac{1}{4}$ inch stroke and shall contrast sharply with the background.
 5. Outdoor yard use within the designated outdoor play area per the approved site plan shall be limited from 8:00 a.m. to 7:00 p.m. Dogs at all times will be supervised by facility staff.
 6. Hours of operation open to the public shall be limited to Monday through Sunday 6:30 a.m. to 8:00 p.m.
 7. This entitlement supersedes Condition of Approval Planning Application PA-03-14. Any modification to the operational characteristics of the use or to the approved site layout shall be subject to review by the Planning

Division and may require an amendment to the Conditional Use Permit. The determination of whether such modifications require formal review or approval shall be made by the Economic and Development Services Director or designee.

8. The facility shall operate, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood.
9. Parking spaces may be used interchangeably by employees and customers, provided that all required parking spaces remain accessible and unobstructed at all times and that the site complies with all applicable parking standards.
10. The use of outdoor loudspeakers, amplified sound systems, or similar noise-producing devices shall be prohibited within the outdoor play area. All activities shall be conducted in a manner that minimizes noise impacts to surrounding properties.
11. The number of dogs shall be limited to 10-15 dogs for each handler and shall not exceed 46 dogs at any time.
12. A complete landscape plan that conforms to CMMC Chapter 7 Landscape Standards shall be submitted to the Planning Division prior to the issuance of any permits for site improvements.
13. The level of trash service shall be increased on an as-needed basis.
14. Overnight stays shall be limited to the area within the building. An on-site security staff person shall remain on the premises overnight.
15. Veterinary services are limited to an on-call basis. On-site staff will be limited to administering of medicines.
16. Outdoor activity shall be limited to the outdoor play area located at the rear and north of side of the building, as shown on the site plan.
17. All outdoor activity of the dogs shall be supervised by staff.
18. All parking stalls and any future modifications shall be striped under the direction of the Planning Division.
19. Applicant shall post signs instructing dog owners to keep dogs on leash until they are well within the building. No dogs shall be allowed off-leash in the parking or driveway areas.

20. Applicants shall employ all necessary means – including but not limited to double-door, double-gates systems- to prevent dogs from escaping the facility.
21. Owner shall install easily cleanable surfaces on interior and exterior play and rest areas. These areas shall be maintained in a sanitary condition by mopping or similar means.
22. Applicant shall monitor outdoor areas, including driveway and parking areas, and clean up as necessary to prevent odors and other nuisances.
23. Trash pick-up shall be scheduled as frequently as necessary to prevent odors from becoming a nuisance to surrounding properties and tenants.
24. Applicant shall ensure that waste and contaminated runoff do not reach the public right-of-way and storm drain system.
25. All exterior doors shall be maintained in the closed position during the daytime and nighttime hours.
26. If odors are detected off-site or by neighboring properties, the operator shall take immediate corrective action to eliminate the source of the odor to the satisfaction of the Economic and Development Services Director or their designee. Should odor issues persist or become prevalent, the number of dogs permitted in the outdoor play areas shall be reduced to 25 dogs, until the odor issue has been resolved and verified by City staff.
27. All exterior facing doors shall feature drop down compression seals and perimeter seals to minimize noise transfer.
28. If the use at 1619 Superior Avenue ceases to operate and the facilities are no longer operating together, all site improvements that were installed to allow access between the two properties shall be restored to their previous condition (e.g., fencing, curbs, or other improvements). The business shall be able to operate independently on the subject site.
29. The project shall be limited to the type of operation/building as described in this staff report and in the attached plans. Any change in the use, size, or design shall require review by the Planning Division and may require an amendment to the Conditional Use Permit.
30. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as “proceeding”) brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the

applicant's project, or any approval granted by City related to the applicant's project. 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 choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.

31. 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.
32. No signage shall be installed until a sign permit is issued by the City's Development Services Department.
- Eng 33. Construct parkway drain per City of Costa Mesa Standard Drawing 418 behind the drive approach.
34. In order to comply with the 2003 Drainage Area Management Plan (DAMP), the proposed Project shall prepare a Water Quality Management Plan conforming to the Current National Pollution Discharge Elimination System (NPDES) and the Model WQMP, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Works for review and approval. a) A WQMP (Priority or Non-Priority) shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to. b) Location of BMPs shall not be within the public right-of-way.
35. Provide a secondary containment and cover for all aboveground storage containers to prevent, reduce, or eliminate the discharge of pollutants.

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. Once the use is legally established, the planning application herein approved shall be valid until revoked. The Development Services Director or his/her designee may refer the planning application to the Planning Commission for modification or revocation at any time if, in his/her opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.
2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
3. All noise-generating construction activities shall be limited to 8 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- Bldg. 4. Comply with the requirements of the most recent adopted, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, California Existing Building Code, California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa at the time of plan submittal or permit issuance.
Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with Chapter 11B of the California Building Code.
A change of occupancy shall require compliance with the Disabled access requirements of chapter 11B of the California Building Code.
5. Plans shall be prepared under the supervision of a registered California Architect or Engineer. Plan shall be stamped and signed by the registered California Architect or Engineer.
6. If required, provide a plan to the County of Orange Health Dept. for review and approval.
- Bus.
Lic. 7. 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.
8. Business license shall be obtained prior to the initiation of the business.



September 29, 2025

The Bone Adventure, Inc. requests a Conditional Use Permit from the City of Costa Mesa for a property adjacent to its existing business at 1629 Superior Avenue. The addition will be at 1619 Superior Ave., the property formerly known as “Jimmy’s Car Wash”.

Background

The Bone Adventure opened its doors at 1629 Superior Avenue (aka “Bone Home”) in August 2003, after obtaining its Conditional Use Permit. The Bone Adventure provides the following services:

- Cage Free Dog Daycare
- Overnight Boarding
- Bathing and Grooming

Since 2003, The Bone Adventure has become the premier dog care center in Orange County. With two locations (both in Costa Mesa) 5 miles apart, the company offers unprecedented freedom for active dogs wanting a great day of exercise, a safe boarding environment, and fabulous grooming at end-of-day pickup. The company has a strong customer base, who have been using The Bone Adventure’s services for years. The proposed expansion to the property to the south, at 1619 Superior, will allow the dogs to have more space to play, providing them with additional exercise and enrichment activities. While the company expects to grow, the addition of this property will also allow us to provide a more valuable service to existing clientele.

Today’s business

We are proud to note that 40% of our employees have been with us over five years. Many of our employees have worked with us through their college years and several have continued with us beyond college. Dog owners say that they can enjoy their time away from their dogs knowing they are safe and that our caring staff is watching them.

The number of dogs attending daycare, boarding, and grooming varies throughout the year. The average total number of dogs daily is approximately 60 at our “Bone Home” location on Superior Avenue. The overnight boarding numbers go up in the months of August, November, and December, while the number of dogs staying with us just for the day (daycare) goes down. As stated, our numbers will increase with this addition, but we will be able to provide better and richer services for existing clients.

The hours of “open to the public” operation are 6:30 AM to 8:00 PM seven days per week, 365 days per year. The Bone Adventure always has an employee on the premises to care for the dogs boarding overnight, although there will be no boarding at the 1619 location.

Proposed Use: Two Separate Properties with shared access

The two properties, 1619 and 1629 Superior, are owned by two different entities. The Bone Adventure has designed the layout for the properties to be joined by common play areas, and also to be operated independently, if the lease on either property is cancelled.

The Bone Adventure plans to use the property at 1619 Superior primarily for enhanced play areas. Our location on Bristol (Bone Backyard) has approximately 17,000 square feet of outside space. Bone Home today has around 3,000 square feet. The addition of 1619 Superior will expand our play areas to a total of approximately 12,000 square feet.

1619 Superior will be designed to operate independently from 1629 Superior.



- There is an entrance from the parking lot at 1619 into the offices/registration area that lead out to the play areas at 1619. The enclosed garage area will have kennels in which to feed dogs throughout the day.
- The small house on the property will be used for office space, conference room, and break area.
- There are two restrooms (just toilets and sinks) on the property.
- There are no plans for boarding or bathing dogs at 1619 Superior. If needed, there is room to develop a grooming entity within the enclosed garage area.

Property Enhancements

The Bone Adventure's goal is to develop this property to be visually appealing to the community. The owner of the property, Clay Stevens, has plans to make some improvements to ensure the safety and cleanliness of the existing structures:

- Repair roof on the small house
- Repair both bathrooms (just toilets and sinks)
- Clean out the attics in the small house and covered garage.
- Safely remove the old clarifier that existed in the former car wash. This has been approved by all agencies (done July, 2025)
- Enhance existing landscaping once the CUP is accepted.
- Repaired termite damage and wood in the house and the garage.
- Remove, replace, & repair damaged drywall.
- Will inspect and replace, where necessary, electrical outlets and breakers in house and garage.

The primary construction effort will be to install K9 grass (artificial turf specifically designed for canine use) and fencing to keep the dogs safe and to design separate enrichment areas. There will be at least two play areas, separated by fencing. Since much of the area is not enclosed, there is a need to provide shelter for inclement weather. We will develop sheltered walkways around the perimeter of the property to allow easy access to all areas as well as "time out" areas for dogs. PVC fencing and corrugated plastic shelter material will be used around the perimeter walkways.

To enhance the street presence of the property, The Bone Adventure will re-paint all structures at 1629 and 1619 Superior in an approved Costa Mesa color palette.

With the additional space, The Bone Adventure can provide enrichment activities such as smaller play groups, agility training, "yappy hour" (does not include alcoholic beverages!) for dogs and owners, separate areas to use balls for dog entertainment, and a place for puppies to play with each other. All of these activities will result in happier dogs, clients, and staff. The property also has a small garage type building in the south corner of the property that will allow for indoor/outdoor play.

1619 Staffing Requirements

There will be approximately 8000 sf of play area created at 1619. The dog daycare industry allows for 1 dog for every 100 square feet, resulting in a maximum amount of dogs at any time to be 80. We anticipate we will have an average of 60 dogs at any one time in this area. The industry average is to have 1 person for every 15 dogs, so there will be approximately 4 people working at one time.

Parking is always a problem in this area. There are 11 spaces currently planned to assist employees and clients to park at 1619 Superior. The Bone Adventure is located within .5 miles of a busy bus stop at 17th and Newport Blvd. Many of our existing employees do not have cars and utilize public transit to get to and



from work. Others ride skateboards and electric bikes. Getting employees to work on time and allowing clients to freely pick up and drop-off their pups is very important to The Bone Adventure. We believe we have planned adequately for parking.

An important note to add is that The Bone Adventure does not allow dogs to play outside its buildings until after 8am, and the dogs are brought inside no later than 7PM. We will continue with that policy at 1619 Superior.

Noise Concerns

The Bone Adventure Home has had its Conditional Use Permit since 2003. The major voiced concerns of this use has always been noise concerns. The Bone Adventure is committed to fantastic partnerships with our neighbors, which includes monitoring noise and fixing it if the need arises. We have had 22 years of experience in this area and when an issue has arisen, we are quick to provide a solution.

Noise control is important for the business to be successful for our neighbors as well as our staff. The amount of stress goes markedly up when nuisance barking occurs. Our staff is trained thoroughly to mitigate this. It's part of employee training, introductory and advanced, and it's part of our operations manual. It is not usual for barking to get out of control at Bone Home. As an insurance policy, all neighbors have the President's cell phone number. If they hear something, we encourage them to say something, and any problem is immediately addressed. The company is aware that our Conditional Use Permit is dependent upon peaceful coexisting with our neighbors.

The primary point we want to convey is that when dogs are off leash and the owners are not present, the behavior of dogs changes noticeably. Our environment is much different from a traditional kennel or rescue, where the stress level can be much higher. While sometimes newer dogs are nervous with the unknown, our environment is relaxed. The dogs are comfortable. The staff is trained to keep the yard that way.

In our service contract between The Bone Adventure and its clients, the clients understand that we need to keep the barking to a minimum. See the exact wording below in our contract. The Bone Adventure has bark collars that are used (with owner's consent) when a dog is barking and not listening to commands. If this does not work, clients understand that their dog cannot play outside. This happens rarely, but we have removed dogs from the play areas for barking. There are suitable places inside the building for barking dogs to be safely cared for.

- *I understand that The Bone Adventure needs to monitor our noise level in the neighborhood. I further understand that if my dog creates a disturbance with constant/continuous barking, The Bone Adventure reserves the right to use a citronella (not shock) bark control device on my dog as necessary. I have read this and understand the importance of discouraging constant/continuous barking.*

1619 Superior is further away from residential structures than our current location. There are a couple of units that may be able to see the dogs playing, it can be a wonderful view! To provide for increased control of the environment, The Bone Adventure will install a retractable sailcloth overhead covering much of the outdoor area. This will provide additional shade for the animals, minimize noise, and reduce the overhead view into the facility for the convenience of the surrounding neighbors. We will also provide trees and other landscaping to enhance the visual appearance of the property.

In preparation for the planning commission meeting where noise concerns could be mentioned we have hired a consulting firm: Acoustics Group, Inc. That report is submitted along with this application.

Conclusion



The Bone Adventure has successfully co-existed in this area on Superior Avenue for 23 years. The area is zoned Industrial and there is a car wash, auto body shop, motorcycle shop, and a steady flow of traffic in the vicinity. This is the primary reason The Bone Adventure chose this area. Since 2003, there has been some residential development on and around Superior Avenue. Communication with neighboring businesses and residents will always be key. The Bone Adventure has abided by all the conditions of its current CUP since 2003. We are already an established business in Costa Mesa and will continue to contribute to this eclectic and vibrant community.

Thank you for your attention to this request.

Sincerely,

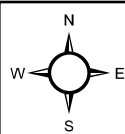
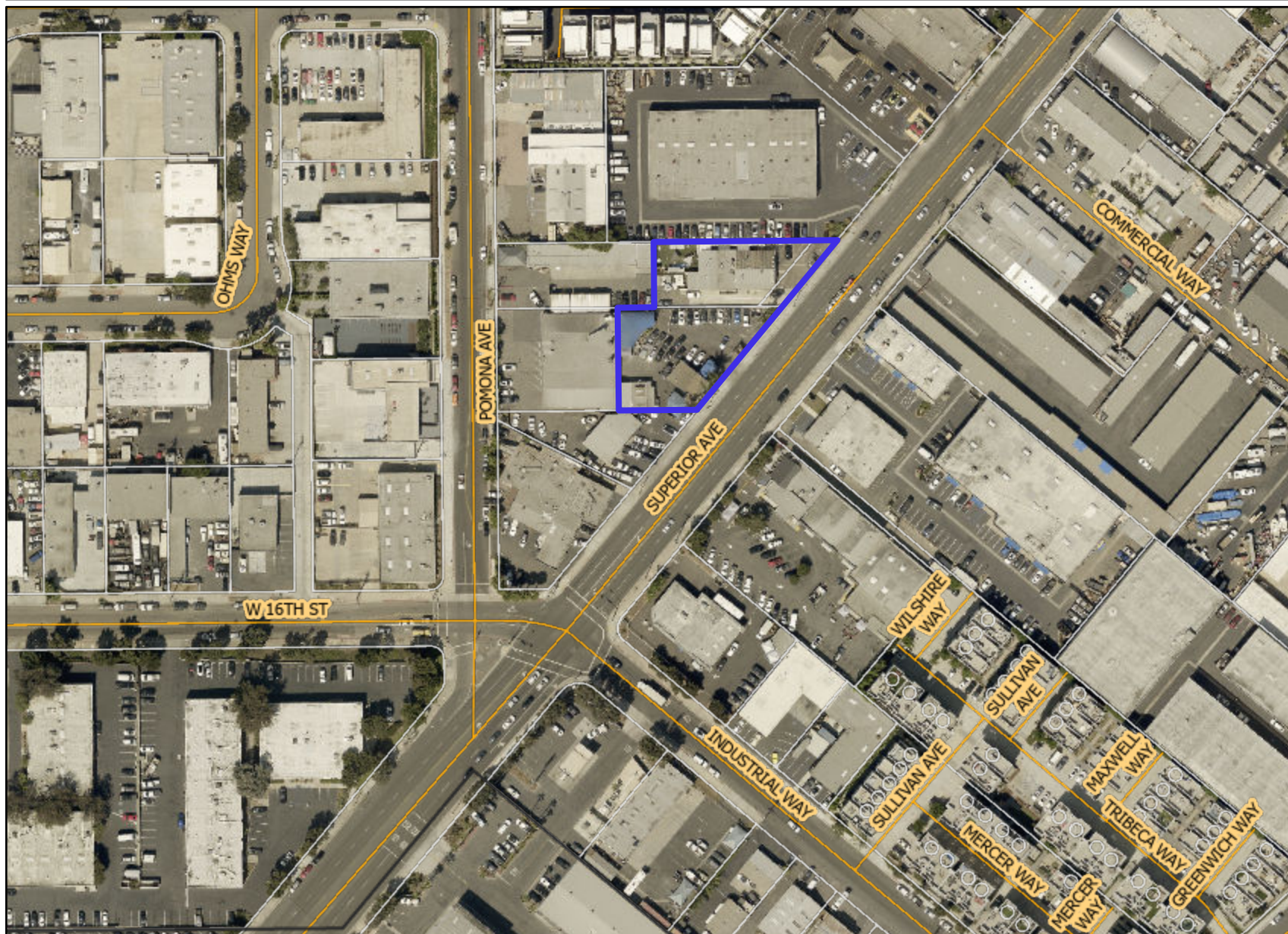
Diane Cuniff
Founder/Owner/President
The Bone Adventure, Inc.

Bone Home
1629 Superior Ave.
Costa Mesa, CA 92627

Bone Backyard
2700 Bristol
Costa Mesa, CA 92626

Legend

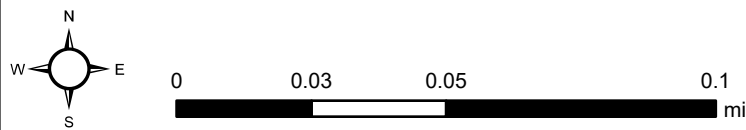
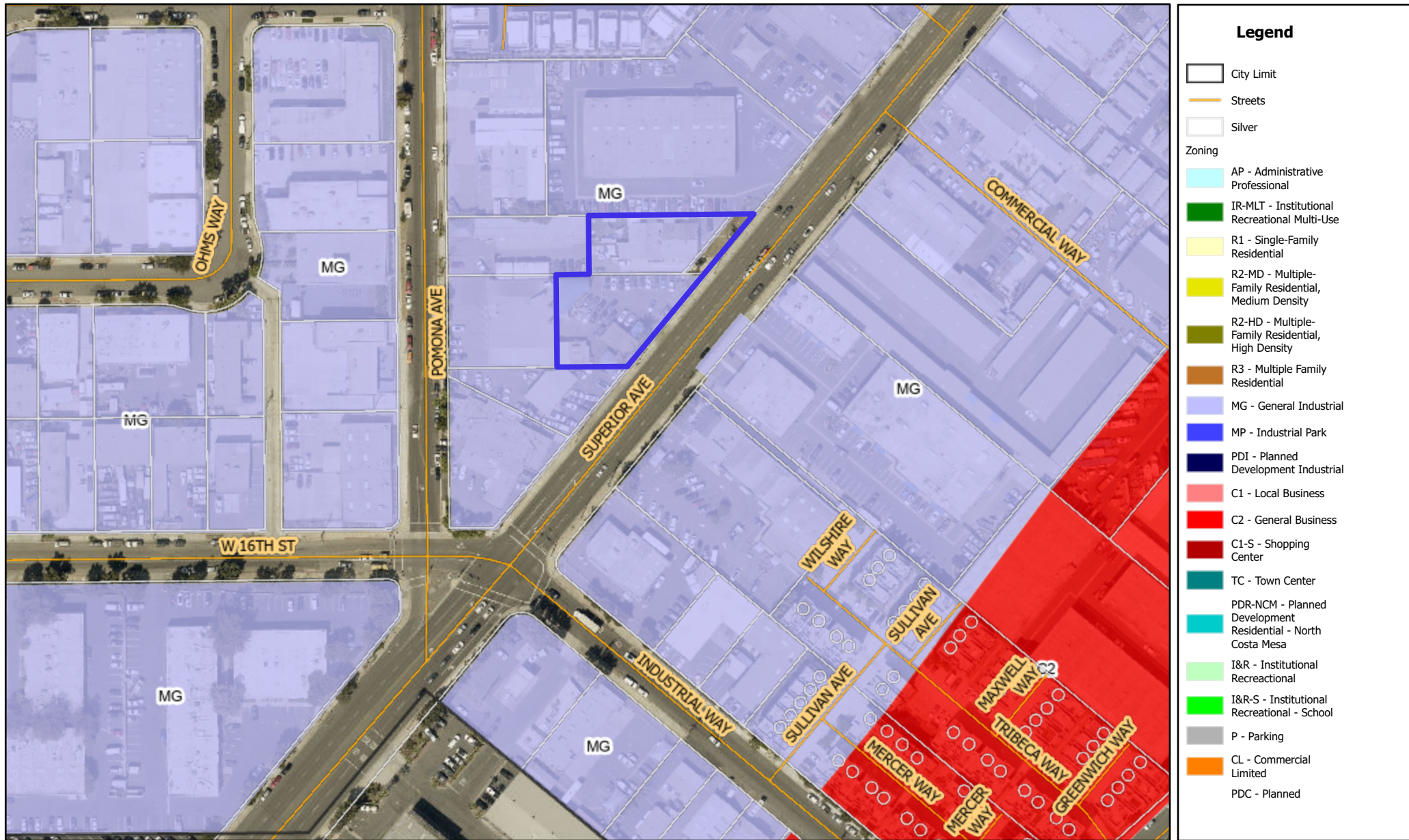
-  City Limit
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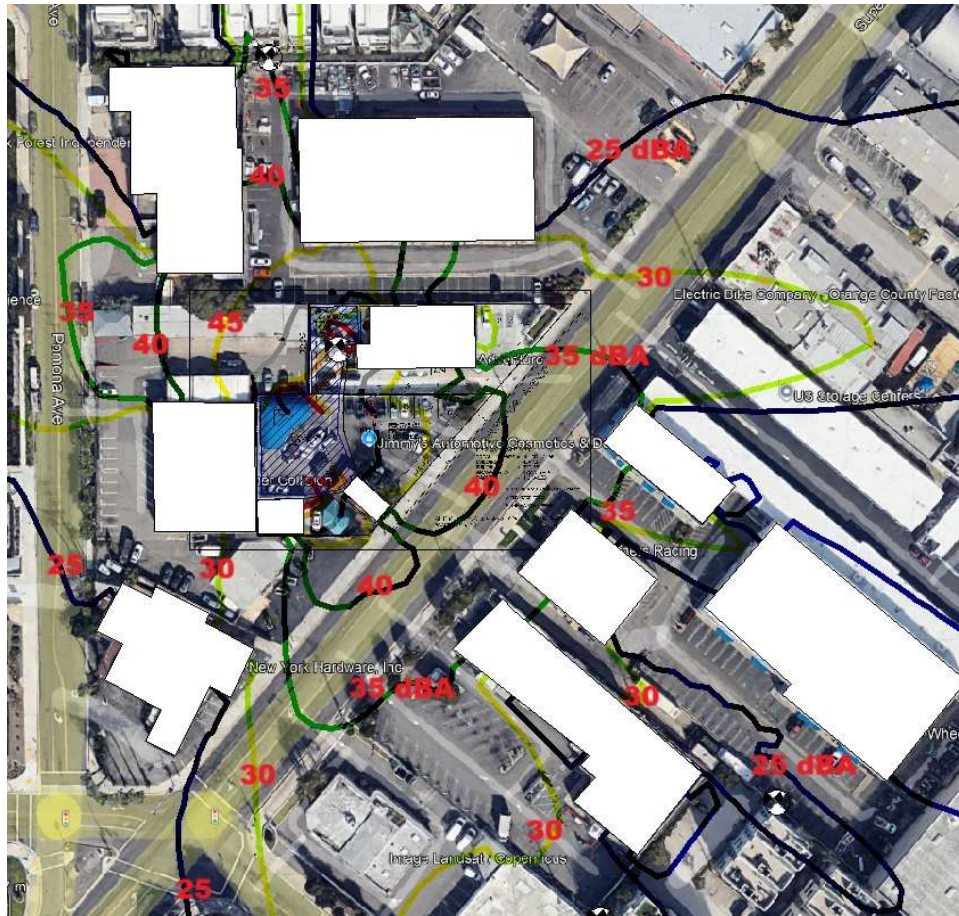
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THE BONE ADVENTURE FACILITY EXPANSION NOISE STUDY

SEPTEMBER 19, 2025

PREPARED FOR:
THE BONE ADVENTURE

PREPARED BY:
ACOUSTICS GROUP, INC.
CONSULTANTS IN ACOUSTICS, NOISE & VIBRATION





The Bone Adventure Facility Expansion Noise Study

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EXECUTIVE SUMMARY

Acoustics Group, Inc., (AGI) was retained by The Bone Adventure to evaluate the future noise level from their proposed Facility Expansion Project at 1619 Superior Avenue in Costa Mesa, CA. AGI has reviewed the City of Costa Mesa Noise Ordinance Standards, conducted an ambient and operations noise survey, analyzed the future Project Layout and Operations, assessed the impact, and identified noise control measures.

The future average hourly noise levels from the Bone Adventure expanded facility will be as high as 39.2, 43.3 and 35.2 dBA at Receptors NM1, ST1 and NM2, respectively. When the future noise from the Bone Adventure Operations is compared to the City of Costa Mesa Daytime Exterior Noise Standard of 55 dBA for Residential Land Uses, the future noise will be in full compliance with the City's noise standard during the daytime hours. When compared with the hourly range in ambient daytime average noise level, the noise from the Bone Adventure will also be below the daytime average noise levels. However, even though the projected noise levels from the Project will be below the ambient background, dog barking may still be occasionally audible especially when there are lulls in traffic or industrial activity. There are no outdoor operations at the Bone Adventure during the nighttime and therefore no nighttime noise events related to the facility.

Implementation of the recommended noise control measures will ensure compliance with the City's Noise Standards. The acoustical design should be reviewed by a qualified acoustical consultant to ensure compliance with City Noise Standards.

INTRODUCTION

Acoustics Group, Inc., (AGI) was retained by The Bone Adventure to evaluate the future noise level from their proposed Facility Expansion into 1619 Superior Avenue in Costa Mesa, CA. The owner is concerned about future noise from the Facility Expansion Project affecting the nearby residences to the North and to the Southeast. AGI has reviewed the City of Costa Mesa Noise Ordinance Standards, conducted an ambient and operations noise survey, analyzed the future Project Layout and Operations, assessed the impact, and identified noise control measures. Figure 1 shows the location of the project site and Figure 2 shows the site plan of the proposed expansion.

NOISE

The magnitude by which noise affects its surrounding environment is measured on a logarithmic scale in decibels (dB). Because the human ear is limited to hearing a specific range of frequencies, the A-weighted filter system is used to form relevant results. A-weighted sound levels are represented as dBA. Figure 3 shows typical A-weighted exterior and interior noise levels that occur in human environments.

Several noise metrics have been developed to evaluate noise. L_{eq} is the energy average noise level and corresponds to a steady-state sound level that has the same acoustical energy as the sum of all the time varying noise events. L_{max} is the maximum noise level measured during a sampling period, and L_{xx} are the statistical noise levels that are exceeded xx-% of the time of the measurement. L_{50} is the average noise level that is exceeded 50% of the time, 30-minutes in a 60-minute period.

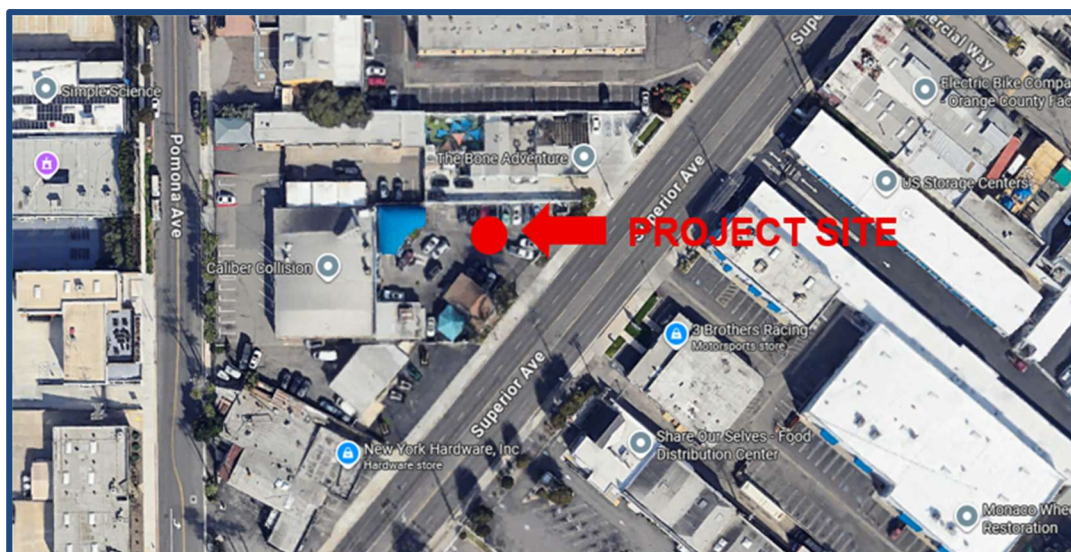


Figure 1. Project Site

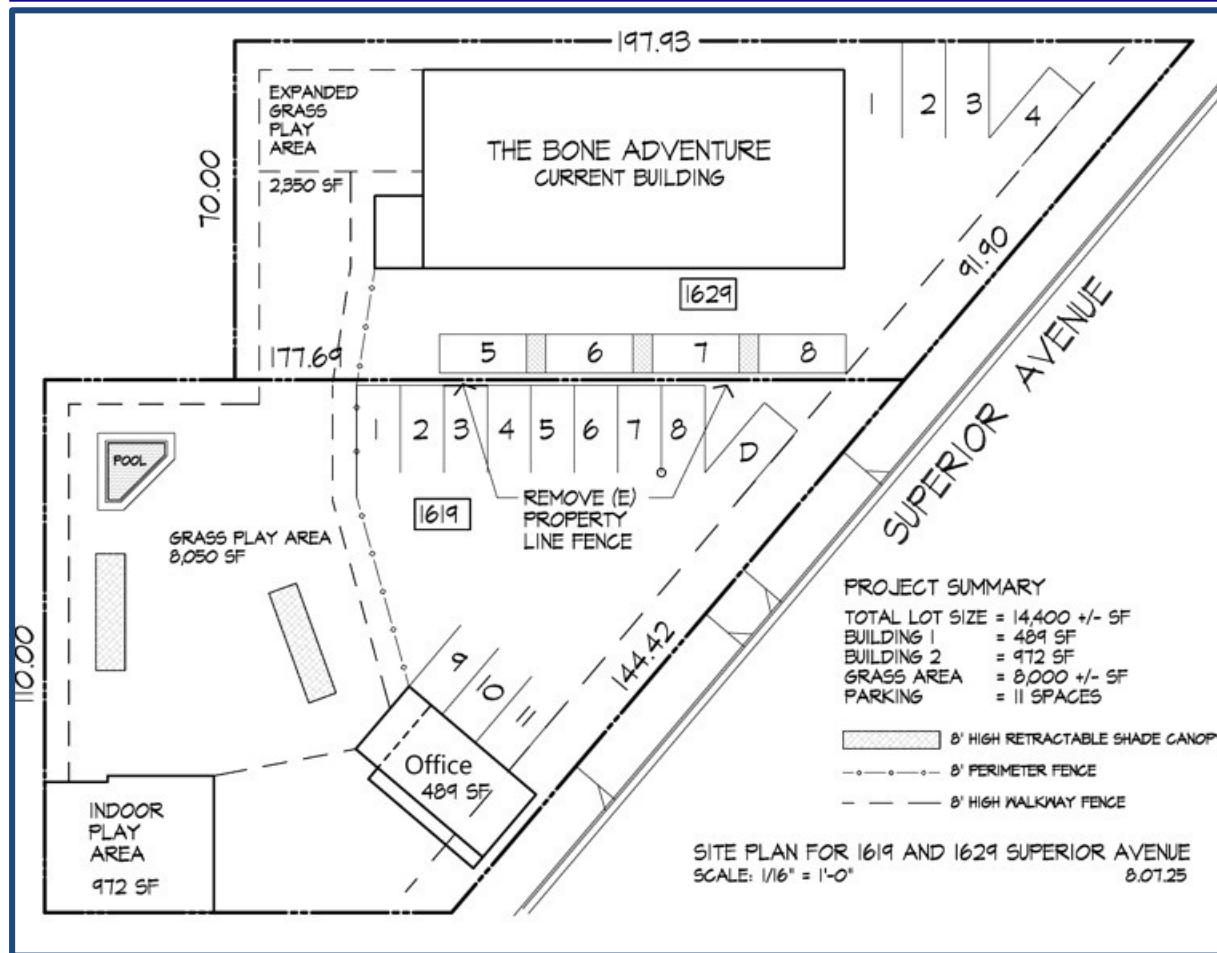


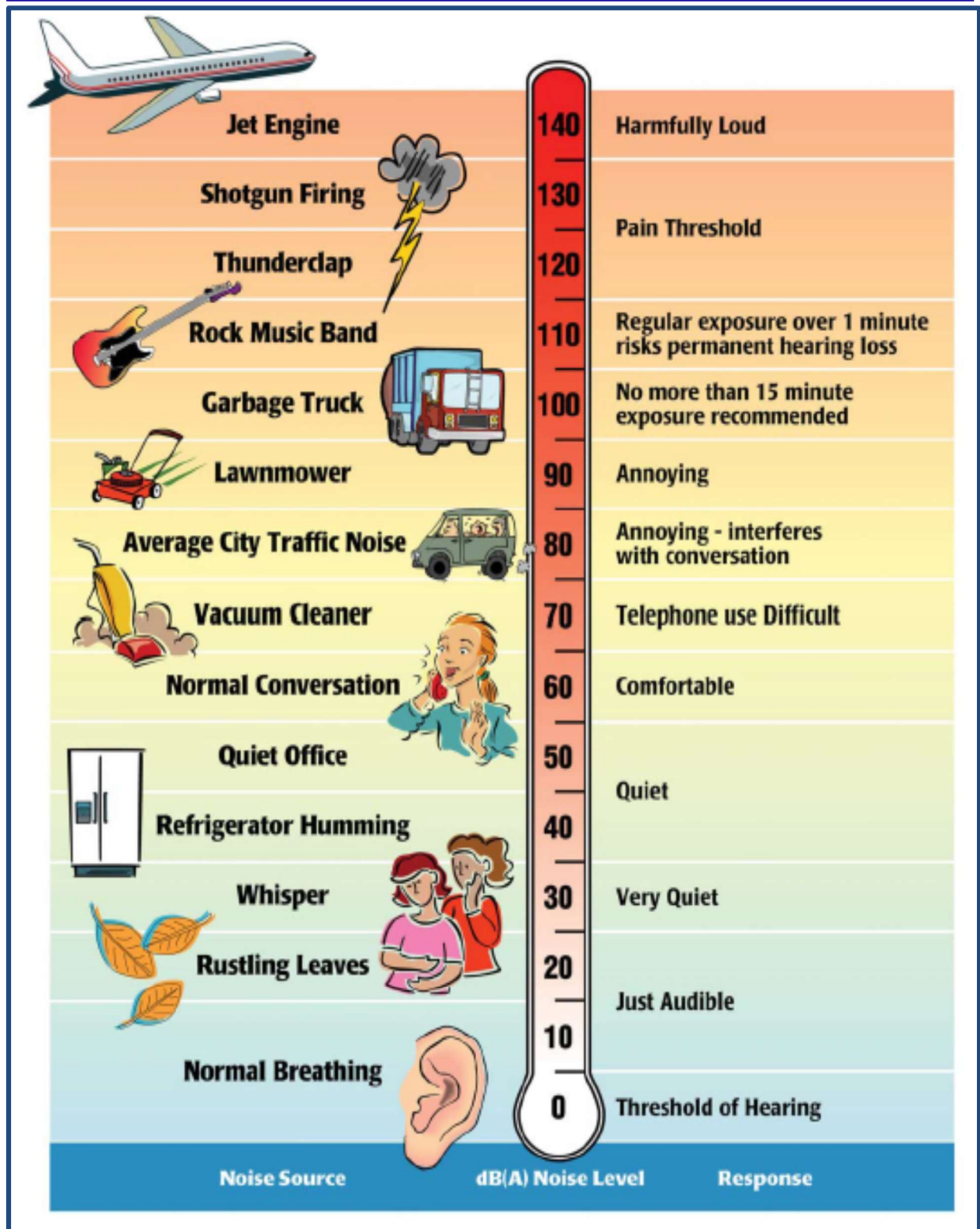
Figure 2. Site Plan

NOISE STANDARDS

The City of Costa Mesa Municipal Code has adopted regulations for the purpose of protecting citizens from excessive noise (Section 8.13.280). The City's Code limits exterior noise levels to an average noise level of 55 and 50 dBA at any residential property line between the hours from 7:00 am to 11:00 pm and 11:00 pm to 7:00 am, respectively. These noise limits are for noise occurring for a cumulative period of more than 30 minutes in any hour. Refer to Table 1 for the City of Costa Mesa Noise Standards. A copy of the noise ordinance is provided in the Appendix.

Table 1. City of Costa Mesa Noise Standards

Residential Exterior Noise Standards	
Average Noise Level, L50, dB(A)	Time Period
55	7:00 a.m. - 11:00 p.m.
50	11:00 p.m. - 7:00 a.m.



Source: Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.

Figure 3. Typical A-weighted Noise Levels



NOISE SURVEY

AGI conducted a site visit on August 25 to 26, 2025 to measure ambient background noise levels around the Project site. Brüel & Kjær Model 2250 Acoustical Analyzers were used to conduct the surveys. These analyzers are precision Type 1 instruments that are calibrated to laboratory standards. The instrument system was field calibrated before and after the measurements to ensure accuracy and was operated per the manufacturer's recommendations.

A 24-hour noise measurement was conducted at location NM1 which is north of the Project site, at the nearest residential boundary. The microphone was attached to a telescoping pole approximately 20 ft above the ground and secured along the property line barrier. The hourly average noise levels ranged from 39.7 to 57.4 dBA at this location and between 8:00 AM to 6:00 PM, the hourly average noise level ranged from 53.9 to 57.4 dBA. For each hour, the noise level represents 60 minutes of data for the time period beginning with the stated hour. A simultaneous short-term measurement was also conducted at location ST1 which is located approximately 75 ft west of NM1. This location was selected because it has direct line of sight to the existing outdoor yard of the Bone Adventure. The average noise level measured at ST1 was 51.3 dBA during the short term survey. The hourly average noise level, L50, is estimated to range from 54.2 to 84.7 dBA for a 24-hour period and 48.2 to 51.7 dBA between 8:00 AM to 6:00 PM. At both of these two locations, the ambient background noise was attributed to nearby industrial activity, vehicular traffic, the adjacent car wash, birds, and aircraft. Dogs barking at the Bone Adventure were faintly audible at this location but were not measurable due to the high ambient background noise during the daytime hours.

A 24-hour noise measurement was also conducted at location NM2 which is the nearest residential boundary southeast of the Project site. The microphone was attached to the telephone pole approximately 12 ft above the ground and secured along the north property line. The 24-hour hourly average noise levels ranged from 41.3 to 58 dBA at this location. Between 8:00 AM to 6:00 PM, the hourly average noise levels ranged from 52.0 to 58 dBA. Ambient background noise at this location was attributed to nearby industrial activity, vehicular traffic, birds, and aircraft. Dog barking from the Bone Adventure was not audible at this location. Table 2 summarizes the measured ambient noise levels. Refer to the Appendix for the field data sheets.

Existing noise generated at the Bone Adventure outdoor yard was measured on August 26, 2025. During the measurement, approximately 20 dogs were in the outdoor area and were supervised by up to two staff members. Dogs could be heard running and occasionally barking while staff directed instructions at the dogs during the survey. The average noise level, L50, measured during the short term survey was 58 dBA at a distance of approximately 20 ft from the center of activity. Based on the noise measurement data, the sound power level, Lw was calculated for the 20 dogs and 2 staff members. Future sound power levels for approximately 145 dogs and 10+ staff members



was calculated for the expansion noise analysis. The sound power levels are summarized in Table 3.

Table 2. Ambient Noise Measurement Data

Receptor	Date/Time ¹	Range in Measured Hourly Average Noise Level, L ₅₀ , dBA	Range in Measured Hourly L _{max} , dBA	Range in Measured Hourly L _{min} , dBA
NM1	August 25 – 26, 2025 11:00 AM - 11:00 AM	39.7 - 57.4	58.7 - 84.2	38.0 - 51.8
	August 25 – 26, 2025 8:00 AM – 6:00 PM	53.9 – 57.4	70.2 – 84.5	44 – 51.8
	August 26, 2025 9:15 AM - 9:45 AM	57	73.7	51.3
ST1	August 26, 2025 9:15 AM - 9:45 AM	51.3	84.7	54.2
	August 25 – 26, 2025 8:00 AM – 6:00 PM	48.2 – 51.7 (estimated)	81.2 – 95.5 (estimated)	46.9 – 54.7 (estimated)
	August 25 – 26, 2025 11:00 AM - 11:00 AM	34 – 51.7 (estimated)	69.7 – 95.2 (estimated)	40.9 – 54.7 (estimated)
NM2	August 25 – 26, 2025 11:00 AM - 11:00 AM	41.3 – 58.0	49.9 - 85.8	35.8 - 50.1
	August 25 – 26, 2025 8:00 AM – 6:00 PM	52.0 – 58.0	67.5 – 85.8	43.6 – 50.1

Note: ¹ - For each hour, the noise level represents 60 minutes of data for the time period beginning with the stated hour.

Table 3. Sound Power Levels

Noise Sources at Outdoor Area	Octave Band Sound Power Level, L _w dB re: 1picowatt								
	31.5	63	125	250	500	1k	2k	4k	8k
20 dogs & 2 staff	62	61	57	54	61	60	54	46	42
145 dogs & 10+ staff	71	70	66	63	70	69	63	55	51



NOISE ANALYSIS

The methodology used to evaluate noise from the Bone Adventure involved the use of the CadnaA computer noise model. CadnaA can simulate the physical environment by factoring in x, y, and z geometrics of a particular site to simulate the buildings, obstacles, and typography. The model uses industry recognized algorithms (ISO 9613) to perform acoustical analyses. The noise generated by existing and future Bone Adventure operations was calculated by inputting acoustical sources at the project site. AGI's measurement data from the short term survey with 20 dogs and 2 staff members was used for the modeling inputs and calibration.

The existing noise levels were estimated for a typical hour with 20 dogs and 2 staff members at the outdoor yard. This is the predominant noise source associated with daily operations and is characterized with dogs barking, dogs running and staff members talking. The average noise level is as high as 20.2, 22.0 and 15.0 dBA at Receptor locations NM1, ST1 and NM2, respectively. Table 4 summarizes the existing noise levels from the Bone Adventure at the nearest residential boundaries. Figure 4 shows the existing average noise level contour map for Bone Adventure operations.

Table 4. Existing Bone Adventure Noise Levels and Impact Assessment

Receptor	Existing Hourly Average Noise Level from 20 dogs & 2 Staff Members at Outdoor Area, L50, dBA	City of Costa Mesa Average Noise Level Standard, 7:00 AM – 11:00 PM L50, dBA	Range in Ambient Hourly Average Noise Level between 8:00 AM – 6:00 PM, L50, dBA	Assessment with City Standard/Ambient Background
NM1	20.2	55	53.9 – 57.4	Compliance/ Compliance
ST1	22.0	55	48.2 – 51.7 (estimated)	Compliance/ Compliance
NM2	15.0	55	52.0 – 58.0	Compliance/ Compliance

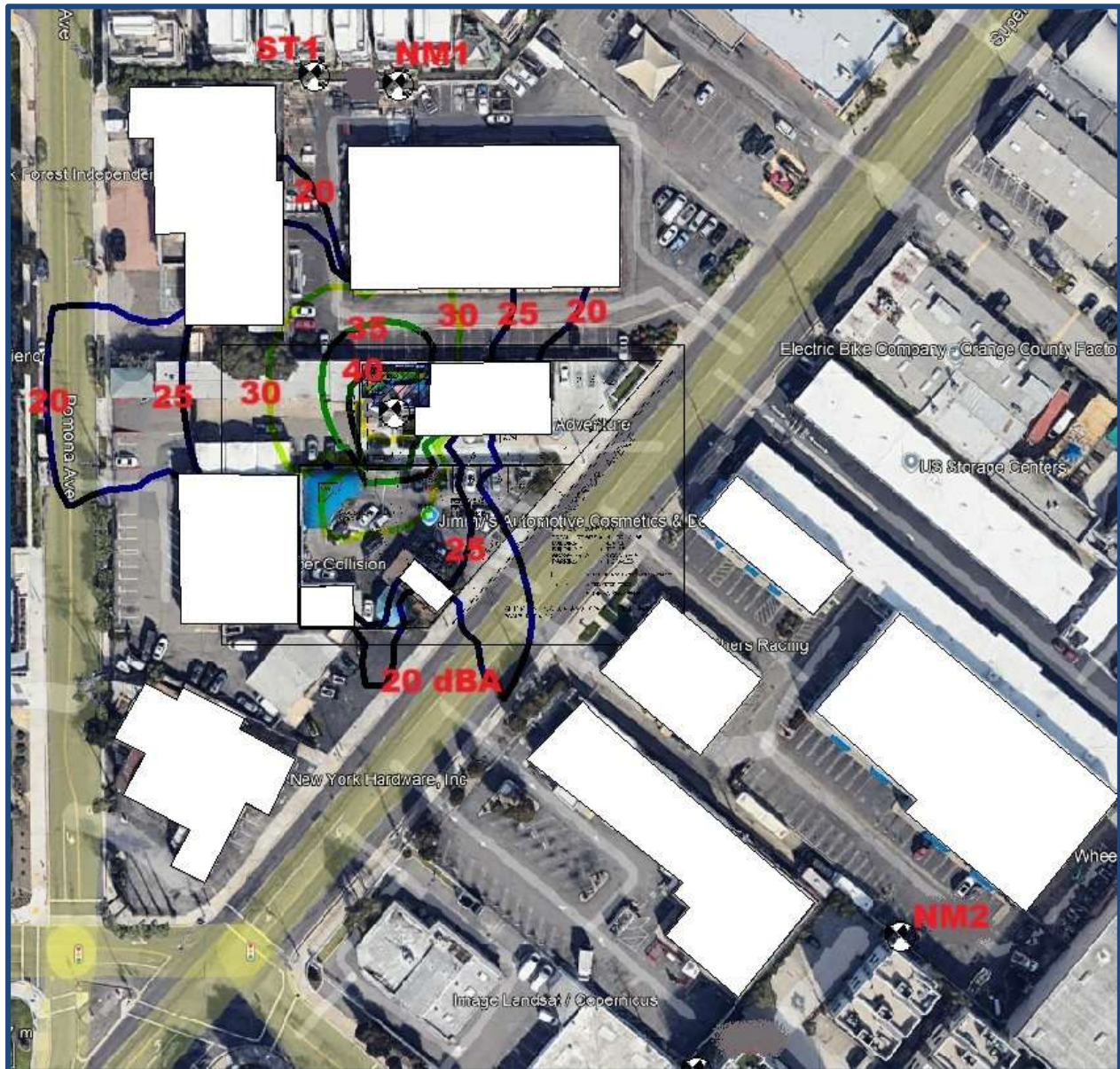


Figure 4. Noise Contour Map – Bone Adventure Existing Operations



Future noise levels from the Facility Expansion at the Bone Adventure was evaluated using the calculated sound power levels based on 145 dogs and 10+ staff members in the outdoor yard for any one hour period between the daytime hours beginning at 8:00 AM through the 6:00 PM hour. These operating parameters are considered to be the maximum capacity at the future facility as specified by Bone Adventure Management. The future average hourly noise levels from the Bone Adventure expanded facility will be as high as 39.2, 43.3 and 35.2 dBA at Receptors NM1, ST1 and NM2, respectively. Table 5 summarizes the future noise levels from the Bone Adventure at the nearest residential boundaries. Figure 5 shows the future hourly average noise level contour map for Bone Adventure operations.

Table 5. Future Bone Adventure Noise Levels with Facility Expansion and Impact Assessment

Receptor	Future Hourly Average Noise Level from 145 dogs & 10+ Staff Members at Outdoor Area, L50, dBA	City of Costa Mesa Average Noise Level Standard, 7:00 AM – 11:00 PM L50, dBA	Range in Ambient Hourly Average Noise Level between 8:00 AM – 6:00 PM, L50, dBA	Assessment with City Standard/Ambient Background
NM1	39.2	55	53.9 – 57.4	Compliance/ Compliance
ST1	43.3	55	48.2 – 51.7 (estimated)	Compliance/ Compliance
NM2	35.2	55	52.0 – 58.0	Compliance/ Compliance

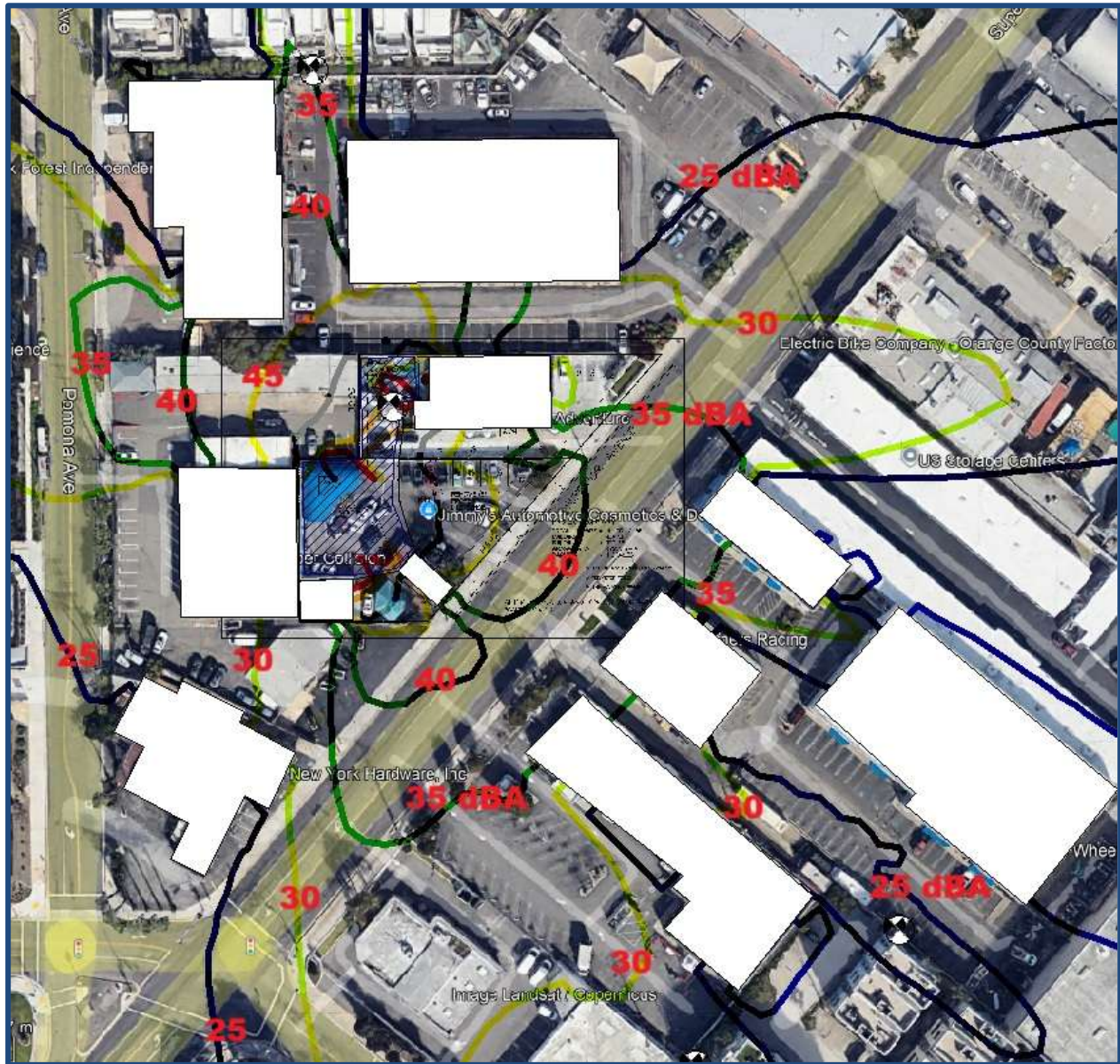


Figure 5. Noise Contour Map – Bone Adventure Future Operations



IMPACT ASSESSMENT

When the existing operations noise levels are compared to the City of Costa Mesa Daytime Noise Standard of 55 dBA for Residential Land Uses, the existing noise from the Bone Adventure Operations is in full compliance with the City's exterior noise standard during the daytime hours. When compared with the hourly range in ambient daytime average noise level, the noise from the Bone Adventure is well below the daytime average noise levels. There are no outdoor operations at the Bone Adventure during the nighttime and therefore no nighttime noise events related to the facility. Refer to previous Table 4 for the impact assessment with the City of Costa Mesa Noise Standards and comparison with ambient background noise levels.

When the future noise from the Bone Adventure Operations is compared to the City of Costa Mesa Daytime Noise Standard of 55 dBA for Residential Land Uses, the future noise will be in full compliance with the City's exterior noise standard during the daytime hours. When compared with the hourly range in ambient daytime average noise level, the noise from the Bone Adventure will also be below the daytime average noise levels. However, even though the projected noise levels from the Project will be below the ambient background, dog barking may still be occasionally audible especially when there are lulls in traffic or industrial activity. There are no outdoor operations at the Bone Adventure during the nighttime and therefore no nighttime noise events related to the facility. Refer to previous Table 5 for the impact assessment with the City of Costa Mesa Noise Standards and comparison with ambient background noise levels.

NOISE CONTROL RECOMMENDATIONS

The following noise control measures are recommended to maintain compliance with the City of Costa Mesa Noise Standards:

1. Outdoor Area capacity shall be limited to 145 dogs and 10 staff members in any hour.
2. Outdoor Area operations shall be limited to the daytime hours beginning at 8:00 AM and ending at 7:00 PM with dogs starting to be moved inside at 6:00 PM.
3. Staff should be instructed to minimize activities that encourage dog barking.
4. A 6-ft high perimeter wall shall be maintained around the entire outdoor area.
5. All exterior doors should be maintained in the closed position during daytime and nighttime hours.
6. All exterior doors shall feature drop down compression threshold seals and perimeter seals to minimize noise transfer.
7. All mechanical equipment shall be selected to fully comply with the City's noise standards at the property boundaries.



8. The final project design should be reviewed to ensure compliance with the City's Noise Standards.

CONCLUSION

Acoustics Group, Inc., (AGI) was retained by The Bone Adventure to evaluate the future noise level from their proposed Facility Expansion Project at 1619 Superior Avenue in Costa Mesa, CA. AGI has reviewed the City of Costa Mesa Noise Ordinance Standards, conducted an ambient and operations noise survey, analyzed the future Project Layout and Operations, assessed the impact, and identified noise control measures.

The future average hourly noise levels from the Bone Adventure expanded facility will be as high as 39.2, 43.3 and 35.2 dBA at Receptors NM1, ST1 and NM2, respectively. When the future noise from the Bone Adventure Operations is compared to the City of Costa Mesa Daytime Noise Standard of 55 dBA for Residential Land Uses, the future noise will be in full compliance with the City's exterior noise standard during the daytime hours. When compared with the hourly range in ambient daytime average noise level, the noise from the Bone Adventure will also be below the daytime average noise levels. There are no outdoor operations at the Bone Adventure during the nighttime and therefore no nighttime noise events related to the facility.

Implementation of the recommended noise control measures will ensure compliance with the City's Noise Standards. The acoustical design should be reviewed by a qualified acoustical consultant to ensure compliance with City Noise Standards.



REFERENCES

1. Project Floor Plan
2. Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.
3. Leo Beranek, Noise Reduction, McGraw-Hill Book Co., NY, 1960.
4. Cyril M. Harris, Handbook of Acoustical Measurements and Noise Control Third Edition, Acoustical Society of America, NY, 1998.



APPENDIX

NOISE STANDARDS

MODELING INPUT & OUTPUT

FIELD DATA

SITE PLAN



NOISE STANDARDS

CHAPTER XIII NOISE CONTROL

§ 13-277. Purpose.

It is the city's purpose to prohibit unnecessary, excessive and annoying noises from all sources subject to its police power. At certain levels noises are detrimental to the health, comfort, safety, peace and enjoyment and welfare of the citizenry, and in the public interest shall be regulated and systematically proscribed.

(Ord. No. 97-11, § 2, 5-5-97)

§ 13-278. Definitions.

The following words, phrases and terms as used in this chapter shall have the meaning indicated below:

Cumulative period. An additive period of time composed of individual time segments which may be continuous or interrupted.

Decibel (dB). A unit which denotes the ratio between two quantities which are proportional to power: The number of decibels corresponding to the ratio of two amounts of power is 10 times the logarithm to the base 10 of this ratio.

Emergency machinery, vehicle or work. Any machinery, vehicle or work used, employed or performed in an effort to protect, provide or restore safe conditions in the community or for the citizenry, or work by private or public utilities when restoring utility service.

Exterior residential noise environment. The exterior environs of a residential development which include private yard of single-family residence, multi-family private patio or balcony which is served by means of exit from inside the dwelling, private balconies greater than six feet in depth, and common open space areas containing resident-serving amenities (i.e. pool, spa, tennis courts). Exception: For multi-family residential development or live/work units approved pursuant to a master plan in a mixed-use overlay district where the base zoning district is nonresidential, the exterior residential noise environment does not include the following areas: Private balconies or patios regardless of size, private or community roof decks/roof terraces, internal courtyards and landscaped walkways that do not include resident-serving, active recreational uses such as community pool, spa, tennis courts, barbeque, and picnic areas.

Fixed noise source. A stationary device which creates sounds while fixed or motionless, including but not limited to industrial and commercial machinery and equipment, pumps, fans, compressors, generators, air conditioners and refrigeration equipment.

Grading. Any excavating or filling of earth material, or any combination thereof, conducted at a site to prepare the site for construction or other improvements.

Impact noise. The noise produced by the collision of one mass in motion with a second mass which may be either in motion or at rest.

Interior residential noise environment. The interior environs of a residential dwelling unit or live/work unit which includes all interior spaces such as, but not limited to, bathrooms, closets, corridors, kitchen, living room/family room, bedrooms, playroom, and office.

Mobile noise source. Any noise source other than a fixed noise source.

Noise level. The "A" weighted sound pressure level in decibels obtained by using a sound level meter at slow response with a reference pressure of 20 micronewtons per square meter. The unit of measurement shall be designated as dB(A).

Person. A person, firm, association, copartnership, joint venture, corporation or any entity, public or private in nature.

Residential property. A lot of real property which is developed and used either in part or in whole for residential purposes, other than transient uses such as hotels and motels.

Simple tone noise. A noise characterized by a predominant frequency or frequencies so that other frequencies cannot be readily distinguished.

Sound pressure level of a sound, in decibels. Twenty times the logarithm to the base 10 of the ratio of the pressure of the sound to a reference pressure, which reference pressure shall be explicitly stated.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 06-9, § 1j., 4-18-06)

§ 13-279. Exceptions for construction.

The provisions of this chapter shall not apply to the following:

- (a) Emergency machinery, vehicles, or work; or
- (b) Construction equipment, vehicles, or work between the following approved hours, provided that all required permits for such construction, repair, or remodeling have been obtained from the appropriate city departments.

HOURS FOR CONSTRUCTION ACTIVITIES	
7:00 a.m. through 7:00 p.m.	Mondays through Fridays
9:00 a.m. through 6:00 p.m.	Saturdays
Prohibited all hours	Sundays and the following specified federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day

- (c) *Waiver procedure.* An applicant may request approval of a minor modification for a temporary waiver for construction equipment, vehicles, or work outside these permitted hours. The minor modification may be granted by the development services director or his/her designee. Any temporary waiver shall take into consideration the unusual circumstances requiring construction activity outside the permitted hours and the short-term impacts upon nearby residential and business communities.

Minor modification findings shall indicate whether or not the extended construction hours will be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the construction site.

Unless a temporary waiver is approved, construction activity outside the permitted hours

shall still be subject to the city's noise regulations.
(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 10-3, § 1a., 2-16-10)

§ 13-280. Exterior noise standards.

- (a) The following noise standards, unless otherwise specifically indicated, shall apply to all residential property within the city:

RESIDENTIAL EXTERIOR NOISE STANDARDS	
Noise Level	Time Period
55 dB(A)	7:00 a.m.—11:00 p.m.
50 dB(A)	11:00 p.m.—7:00 a.m.

In the event the alleged offensive noise consists entirely of impact noise, simple tone noise, speech, music, or any combination thereof, each of the above noise levels shall be reduced by five dB(A).

- (b) It is unlawful for any person at any location within the city to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, when the foregoing causes the noise level, when measured on any other residential property, either within or outside the city, to exceed:
- (1) The noise standard for a cumulative period of more than 30 minutes in any hour;
 - (2) The noise standard plus five dB(A) for a cumulative period of more than 15 minutes in any hour;
 - (3) The noise standard plus 10 dB(A) for a cumulative period of more than five minutes in any hour;
 - (4) The noise standard plus 15 dB(A) for a cumulative period of more than one minute in any hour; or
 - (5) The noise standard plus 20 dB(A) for any period of time.
- (c) In the event the ambient noise level exceeds any of the first four noise limit categories above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level.
- (d) The exterior noise standards shown in subsection (a) shall not apply to the following exterior areas of multi-family residential development or live/work units located within a mixed-use overlay district where the base zoning district is nonresidential, approved pursuant to a master plan, and subject to the land use regulations of an urban plan:
- (1) Private balconies or patios regardless of size;
 - (2) Private or community roof decks/roof terraces;

- (3) Internal courtyards and landscaped walkways that do not include resident-serving, active recreational uses such as community pool, spa, tennis courts, barbeque, and picnic areas.
- (e) In high-rise residential developments in the North Costa Mesa Specific Plan, the exterior noise standards shown in subsection (a) shall only apply to the common outdoor recreational amenity areas located on the ground level. Recreational amenity areas located above the ground level and private balconies and patios shall be exempt from this standard.
- (Ord. No. 97-11, § 2, 5-5-97; Ord. No. 06-9, § 1k., 4-18-06; Ord. No. 07-2, § 1m., 2-6-07)

§ 13-281. Interior noise standards.

- (a) The following interior noise standards, unless otherwise specifically indicated, shall apply to all residential property within the city:

RESIDENTIAL INTERIOR NOISE STANDARDS	
Noise Level	Time Period
55 dB(A)	7:00 a.m.—11:00 p.m.
45 dB(A)	11:00 p.m.—7:00 a.m.

In the event the alleged offensive noise consists entirely of impact noise, simple tone noise, speech, music, or any combination thereof, each of the above noise levels shall be reduced by five dB(A).

- (b) It is unlawful for any person at any location within the city to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, when the foregoing causes the noise level when measured within any other dwelling unit on any residential property, either within or outside the city, to exceed:
- (1) The interior noise standard for a cumulative period of more than five minutes in any hour;
 - (2) The interior noise standard plus five dB(A) for a cumulative period of more than one minute in any hour; or
 - (3) The interior noise standard plus 10 dB(A) for any period of time.
- (c) In the event the ambient noise level exceeds either of the first two noise limit categories above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the third noise limit category the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level.
- (Ord. No. 97-11, § 2, 5-5-97)

§ 13-282. Noise near schools, hospitals, churches.

It is unlawful for any person to create, maintain or cause to be created or maintained any noise or sound which:

- (a) Exceeds the noise standards specified in section 13-280, Exterior noise standards, near any school, hospital or church while it is in use, regardless of the zone within which it is located; or
 - (b) The noise level unreasonably interferes with the working of such installations or which disturbs or unduly annoys patients in a hospital, provided conspicuous signs are displayed in three separate locations within one-tenth of a mile indicating the presence of a school, church or hospital.
- (Ord. No. 97-11, § 2, 5-5-97)

§ 13-283. Loud, unnecessary noise.

It is unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary and unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area, regardless of whether the noise level exceeds the standards specified in section 13-280, Exterior noise standards, and section 13-281, Interior noise standards. The standard which may be considered in determining whether a violation of the provisions of this section exists may include, but not be limited to, the following:

- (a) The level of noise;
 - (b) Whether the nature of the noise is usual or unusual;
 - (c) Whether the origin of the noise is natural or unnatural;
 - (d) The level and intensity of the background noise, if any;
 - (e) The proximity of the noise to residential sleeping facilities;
 - (f) The nature and zoning of the area within which the noise emanates;
 - (g) The density of the inhabitation of the area within which the noise emanates;
 - (h) The time of the day and night the noise occurs;
 - (i) The duration of the noise;
 - (j) Whether the noise is recurrent, intermittent or constant;
 - (k) Whether the noise is produced by a commercial or noncommercial activity; and
 - (l) The density of the inhabitation of the area affected.
- (Ord. No. 97-11, § 2, 5-5-97)

§ 13-284. Noise level measurement.

- (a) Any noise level measurement shall be performed using a sound level meter meeting American National Standard Institute's Standard S1.4-1971 for Type 1 or Type 2 sound level meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.

- (b) Exterior measurements: The location selected for measuring exterior noise levels shall be at any point on the affected property.
 - (c) Interior measurements: Interior noise measurements shall be made within the affected dwelling unit. The measurement shall be made at a point at least four feet from the wall, ceiling, or floor nearest the alleged offensive noise source and may be made with the windows of the affected unit open.
- (Ord. No. 97-11, § 2, 5-5-97)

§ 13-285. Variance procedure.

- (a) The owner or operator of a noise source which violates any provision of this chapter may file an application with the development services director for a variance from the provisions of this chapter. Variance applications shall be processed according to procedures set forth in Chapter III, Planning Applications. The application shall set forth all actions taken to comply with this chapter, the reasons immediate compliance cannot be achieved, a proposed method and time schedule for achieving compliance, and any other information requested by the director.
 - (b) An applicant shall remain subject to prosecution under the terms of this chapter until a variance is granted.
 - (c) All applications shall be evaluated with respect to time for compliance, subject to any conditions deemed reasonable to achieve maximum compliance with this chapter. Each variance granted shall set forth the approved method and time schedule for achieving compliance. Evaluation of the variance request shall include consideration of the magnitude of the noise nuisance; the uses of property affected by the noise; the time factors related to study, design, financing, and construction of remedial work; the economic factors related to age and useful life of equipment; and the general public interest and welfare.
- (Ord. No. 97-11, § 2, 5-5-97)

§ 13-286. Violations.

- (a) Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding \$1,000 and/or be imprisoned in the county jail for a period not exceeding six months. Each violation may instead be charged as an infraction.
 - (b) Each time an offensive noise exceeds any one of the standards set forth in this chapter shall constitute a separate offense and be punishable as such.
- (Ord. No. 97-11, § 2, 5-5-97)

§ 13-287. Nuisance declared.

It is determined that certain noise levels are detrimental to the public health, welfare and safety and contrary to public interest, and therefore the city council does ordain and declare that the creating or maintaining or causing or allowing to be created or maintained any noise in a manner prohibited by or not in conformity with the terms of this chapter is a public nuisance and shall be punishable as such and may be subject to abatement pursuant to Chapter I, General, Article 4,

Enforcement.
(Ord. No. 97-11, § 2, 5-5-97)



MODELING INPUT & OUTPUT

THE BONE ADVENTURE INPUT OUTPUT

RECEIVERS

Name	Height	Coordinates		
	(m)	X (m)	Y (m)	Z (m)
NM1	6.1 r	159.6	201.89	2.44
ST1	7 r	140.32	203.88	7
NM2	7 r	259.28	29.42	7
SE2	7 r	218	1.91	7
CAL	2.44 r	156.66	135.71	2.44

Name	M.	ID	Result. PWL Day (dBA)
------	----	----	-----------------------------

EX PLAY AF			83.5
x (m)	y (m)	z (m)	Ground (m)
164.53	144.42	0.6	0
151	144.55	0.6	0
151	137.68	0.6	0
153.4	137.75	0.6	0
153.4	136.15	0.6	0
164.6	136.15	0.6	0
164.6	144.69	0.6	0

Name	M.	ID	Result. PWL Day (dBA)
------	----	----	-----------------------------

FUT PLAY A			100
x (m)	y (m)	z (m)	Ground (m)
139.45	100.62	0.6	0
149.46	100.48	0.6	0
158.12	101.82	0.6	0
161.32	105.42	0.6	0
157.32	115.15	0.6	0
157.72	124.22	0.6	0
158.66	131.29	0.6	0
159.06	136.36	0.6	0
162.26	136.36	0.6	0
161.99	144.76	0.6	0
151.06	144.49	0.6	0
151.19	123.82	0.6	0
139.32	123.29	0.6	0
139.59	100.62	0.6	0

Freq, Hz	31.5	63	125	250	500	1000	2000	4000	8000	LAeq	LAS50.0
Lp	65	64	60	57	64	63	57	49	43	66	58
Lw	70	69	65	62	69	68	62	54	48	LAeq 66	

Lw	62	61	57	54	61	60	54	46	42	LAS50.0 58	20 dogs
Lw	62	61	57	54	61	60	54	46	42		8.6 145 dogs Future Exterior & Interior Areas

BARRIERS

Name

6 FT PROP WALL

x (m)	y (m)	z (m)	Ground (m)
202.59	145.24	1.83	0
150.46	145.18	1.83	0
150.52	124.11	1.83	0
138.26	123.97	1.83	0
138.46	99.84	1.83	0
138.53	90.9	1.83	0

	160.4	90.8	1.83	0
6 FT PKLT WALL				
	x (m)	y (m)	z (m)	Ground (m)
	187.79	123.84	1.83	0
	158.39	123.91	1.83	0

6 FT NU WALL				
	x (m)	y (m)	z (m)	Ground (m)
	159.59	135.59	1.83	0
	159.46	129.93	1.83	0
	158.59	123.79	1.83	0
	158.79	115.73	1.83	0
	161.99	105.46	1.83	0
	158.39	101.19	1.83	0
	149.99	99.59	1.83	0

Name	M.	ID	RB	Residents	Absorption Height Begin (m)
------	----	----	----	-----------	-----------------------------------

1635 Bldg			x		0
	x (m)	y (m)	z (m)	Ground (m)	
	148.12	188.47	6	0	
	148.66	159.53	6	0	
	203.46	160.2	6	0	
	203.33	189	6	0	
	148.26	188.6	6	0	

1638 Bldg			x		0
	x (m)	y (m)	z (m)	Ground (m)	
	104.12	200.74	6	0	
	133.45	201.01	6	0	
	133.85	181.8	6	0	
	135.05	181.8	6	0	
	135.19	152.47	6	0	
	115.05	152.47	6	0	
	115.05	171	6	0	
	108.92	170.74	6	0	
	108.78	190.34	6	0	
	103.72	190.34	6	0	
	103.85	200.74	6	0	

EXBA Bldg					
	x (m)	y (m)	z (m)	Ground (m)	
	162.39	144.6	4	0	
	189.33	144.87	4	0	
	189.59	130.33	4	0	
	161.86	130.06	4	0	
	161.72	135.93	4	0	
	164.79	135.93	4	0	
	164.92	144.73	4	0	

1622 PA Bldg					
	x (m)	y (m)	z (m)	Ground (m)	
	113.98	122.16	6	0	
	137.99	121.9	6	0	
	138.12	91.89	6	0	
	114.38	91.76	6	0	
	113.85	122.56	6	0	

1603 Bldg					
	x (m)	y (m)	z (m)	Ground (m)	
	114.92	78.82	5	0	
	127.32	72.69	5	0	
	126.39	70.42	5	0	
	137.59	64.29	5	0	
	132.25	52.95	5	0	
	127.59	55.49	5	0	
	119.18	39.22	5	0	
	112.25	42.82	5	0	
	116.12	49.89	5	0	
	102.65	57.09	5	0	

107.05	65.36	5	0
100.78	68.56	5	0
107.05	79.76	5	0
113.58	76.29	5	0
114.78	78.96	5	0

1560 3Bro Bldg

x (m)	y (m)	z (m)	Ground (m)
199.99	82.69	5	0
212.13	97.23	5	0
232.13	80.69	5	0
219.73	65.09	5	0
199.46	82.29	5	0

1560 N Bldg

x (m)	y (m)	z (m)	Ground (m)
227.2	121.76	6	0
219.6	112.56	6	0
242.67	93.76	6	0
250.53	102.56	6	0
227.33	121.76	6	0

1560 3Bro WRHS Bldg

x (m)	y (m)	z (m)	Ground (m)
260.14	93.89	6	0
304.67	56.82	6	0
285.87	33.48	6	0
261.34	53.75	6	0
263.6	56.02	6	0
243.2	74.29	6	0
260.14	93.76	6	0

1550 Bldg

x (m)	y (m)	z (m)	Ground (m)
198.03	73.74	5	0
242.7	35.34	5	0
227.37	16.27	5	0
212.57	28.8	5	0
217.5	34.27	5	0
214.17	37.2	5	0
216.17	39.34	5	0
184.3	64.41	5	0
195.9	76.14	5	0

Nu IPA Bldg

x (m)	y (m)	z (m)	Ground (m)
138.56	99.42	5	0
149.23	99.55	5	0
149.36	91.28	5	0
138.56	91.42	5	0
138.29	98.62	5	0

Nu Ofc Bldg

x (m)	y (m)	z (m)	Ground (m)
158.69	101.42	4	0
161.76	104.88	4	0
169.63	98.08	4	0
166.29	94.35	4	0
158.56	101.15	4	0

EXISTING NATURAL BARRIER

Receiv+A2! Lr w/o Noise Control

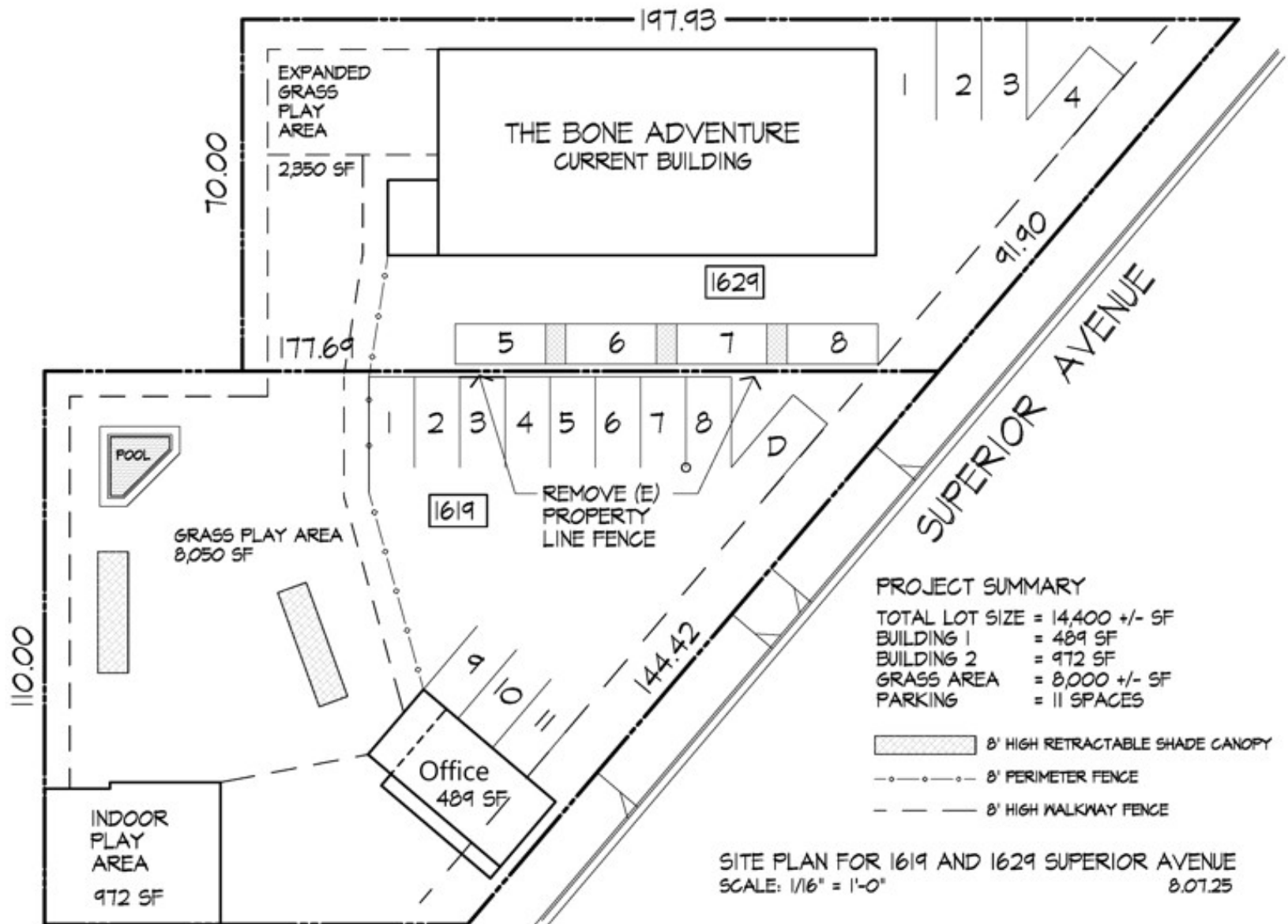
Name	Day dB(A)
NM1	20.2
ST1	22
NM2	15
SE2	18.1
CAL	57.7

FUTURE NATURAL BARRIER

Receiver Name	Lr w/o Noise Control Day dB(A)
NM1	39.2
ST1	43.3
NM2	35.2
SE2	36.7
CAL	70.1



SITE PLAN



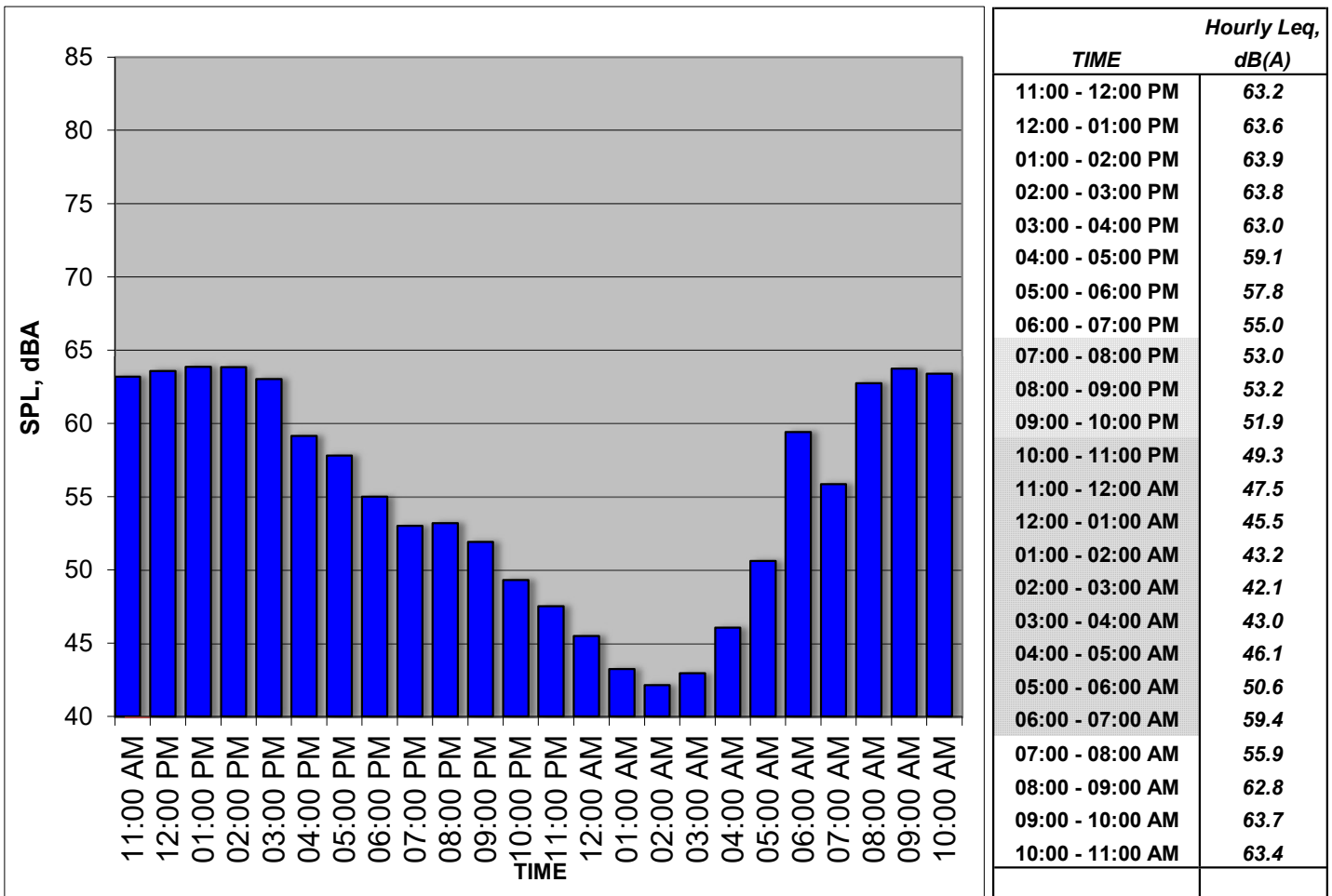


FIELD DATA SHEETS

MEASUREMENT DATA - HOURLY NOISE LEVELS

Project: The Bone Adventure
Address: 1619 and 1629 Superior Ave, Costa Mesa CA 92627
Location: North of 1635 Superior Ave, Costa Mesa, CA 92627
Noise Sources: Vehicular Traffic, Car Wash & Industrial Activities

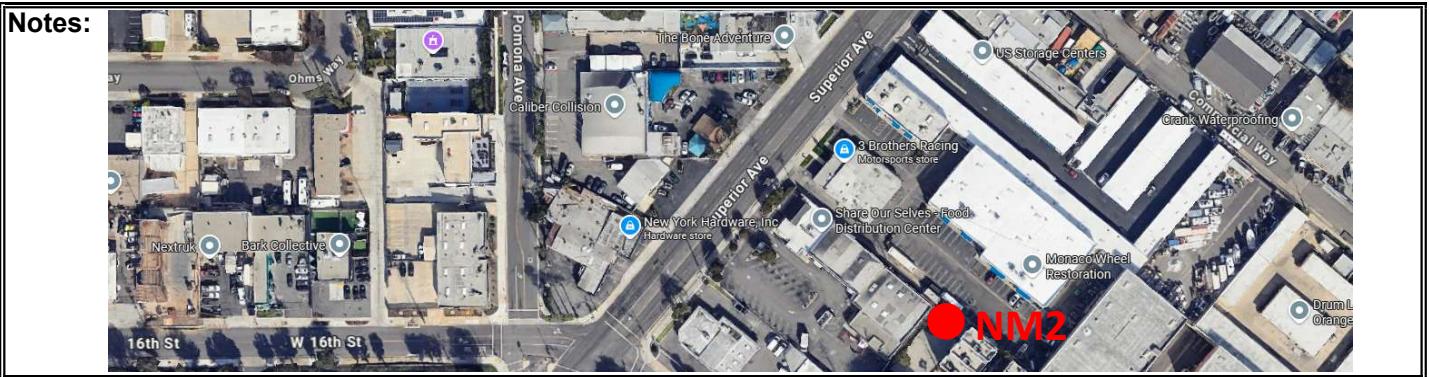
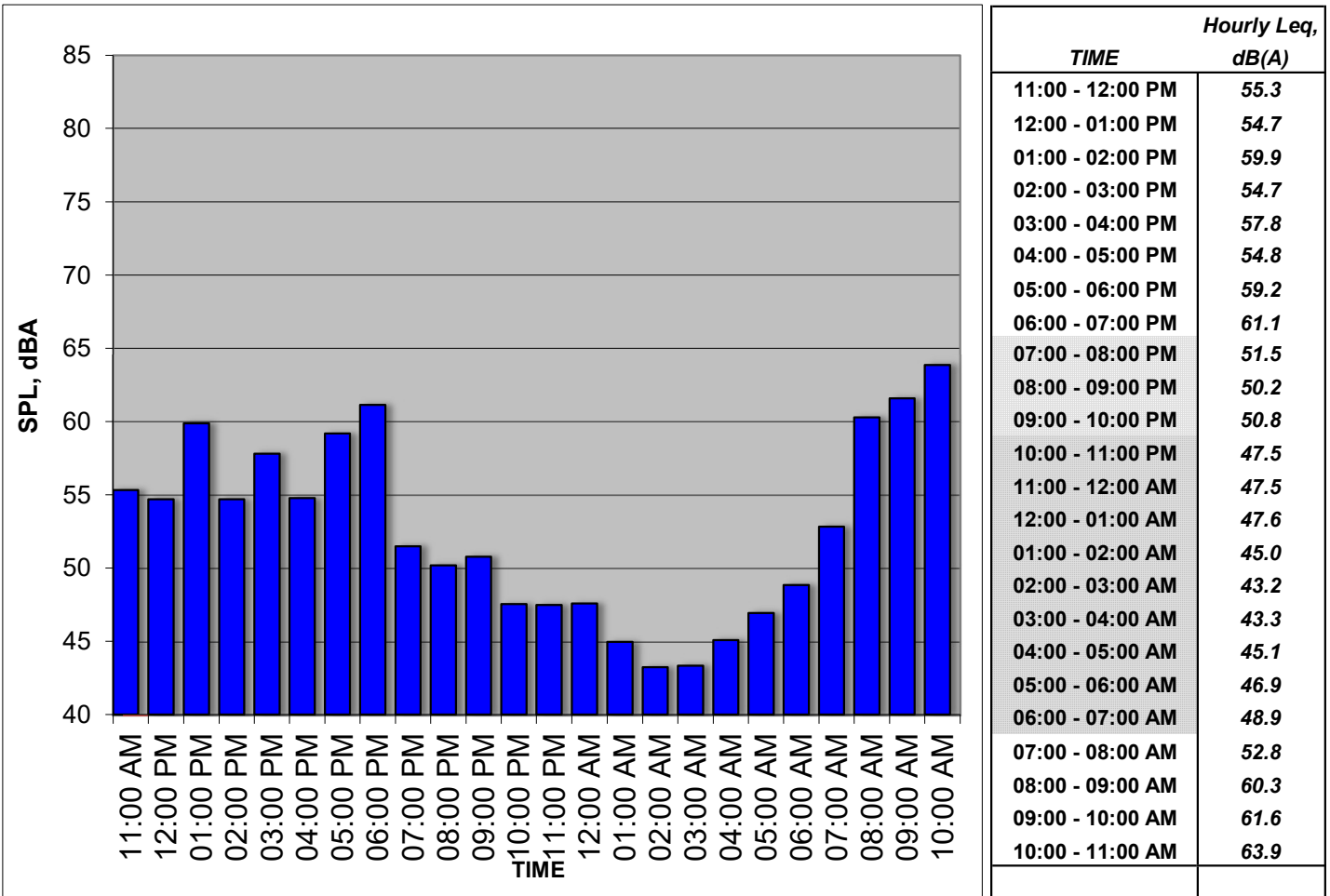
Date: 8/25/2025
 - 8/26/2025
Position: NM1



MEASUREMENT DATA - HOURLY NOISE LEVELS

Project: The Bone Adventure
Address: 1619 and 1629 Superior Ave, Costa Mesa CA 92627
Location: East of 1550 Superior Ave, Costa Mesa, CA 92627
Noise Sources: Vehicular Traffic and Industrial Activities

Date: 8/25/2025
 - 8/26/2025
Position: NM2



NOISE MONITORING FIELD DATA SHEET

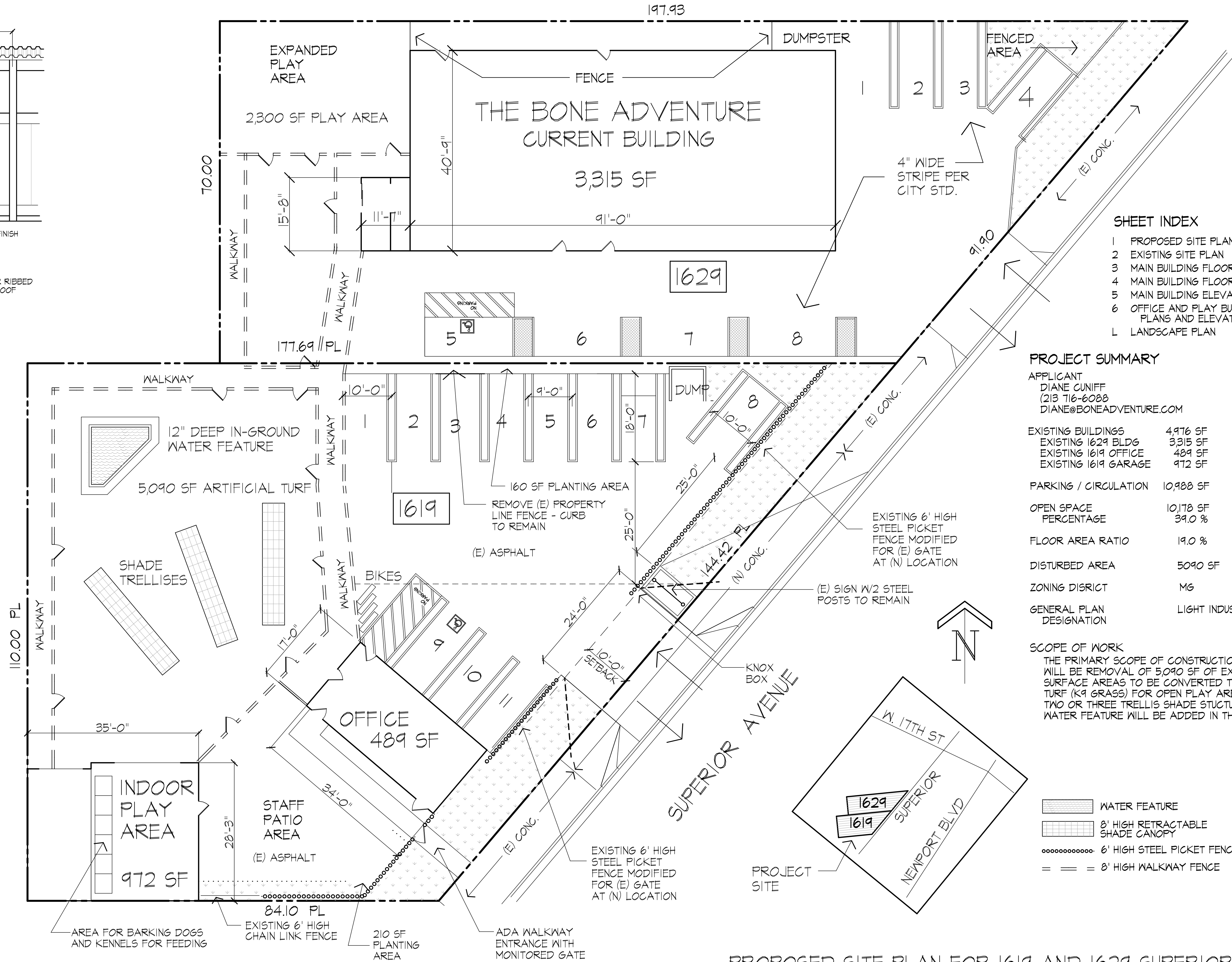
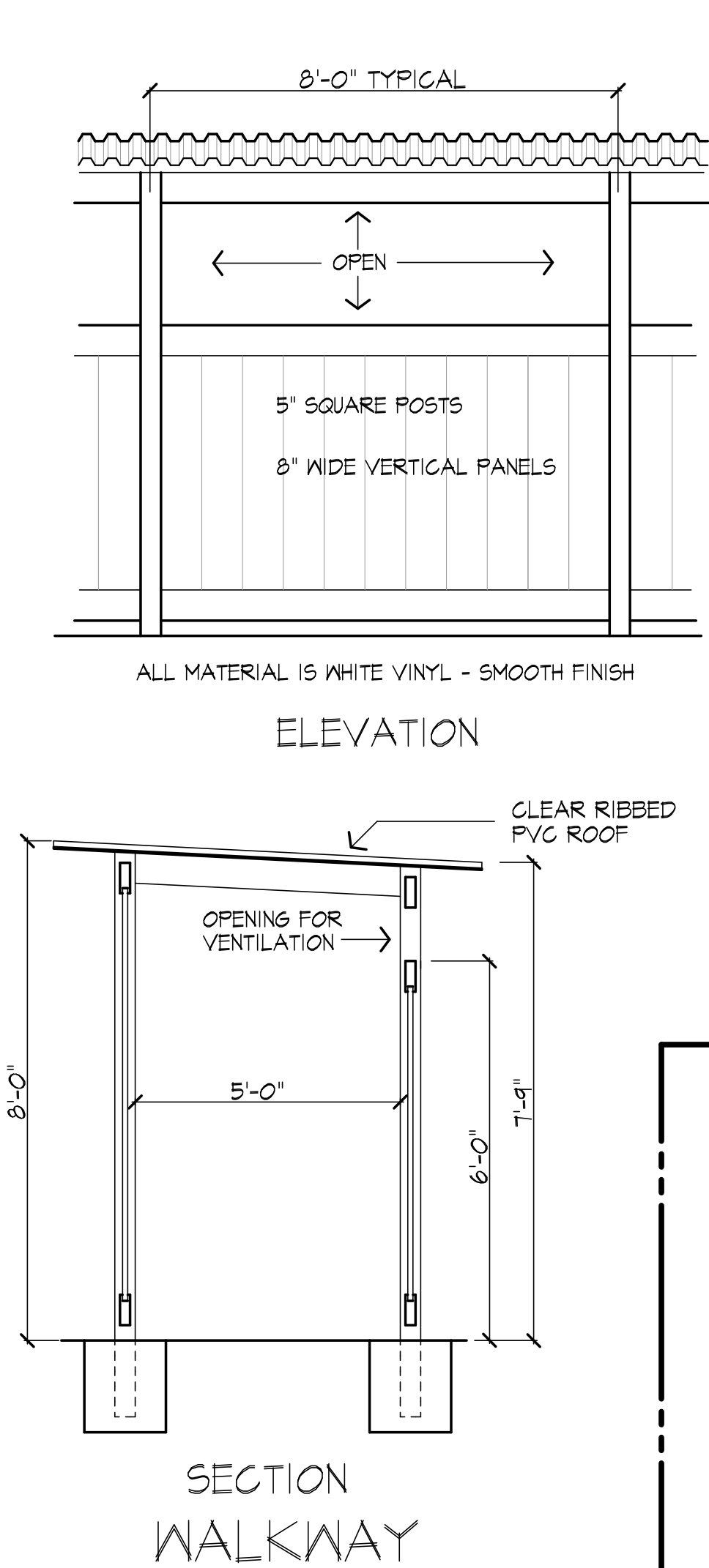
Project:	The Bone Adventure - 1629 Superior Ave, Costa Mesa CA 92627		Date:	8/25/2025 - 8/26/2025
Loc:	ST1 - Northwest of 1635 Superior Ave, Costa Mesa, CA 92627			
	ST2 - 1629 Superior Ave, Costa Mesa CA 92627			
	NM1 - North of 1635 Superior Ave, Costa Mesa, CA 92627			
SLM:	Brüel & Kjær 2270	SN:	3023677	
Mic:	Brüel & Kjær 4189	SN:	3100242	
P/A:	Brüel & Kjær ZC0032	SN:	26386	
SLM:	Brüel & Kjær 2250	SN:	3011736	
Mic:	Brüel & Kjær 4189	SN:	3099878	
P/A:	Brüel & Kjær ZC0032	SN:	26056	
SLM:	Brüel & Kjær 2250	SN:	3011736	
Mic:	Brüel & Kjær 4189	SN:	3099878	
P/A:	Brüel & Kjær ZC0032	SN:	26056	

Start	End	L2	L8	L25	L50	L90	L99	Lmax	Lmin	Leq	Notes
8/26/2025 9:15 AM	8/26/2025 9:45 AM	75.8	70.0	61.6	57.8	55.8	54.9	84.7	54.2	65.9	ST1 - Vehicular Traffic, Car Wash, and Industrial Activities
8/26/2025 1:05 PM	8/26/2025 1:33 PM	62.9	60.6	53.9	51.3	48.5	47.1	73.9	45.7	55.3	ST2 - Vehicular Traffic, Car Wash, and Industrial Activities
8/26/2025 9:15 AM	8/26/2025 9:45 AM	72.5	70.4	60.0	57.0	54.0	52.3	73.7	51.3	63.7	NM1 - Vehicular Traffic, Car Wash, and Industrial Activities



Project Name	Date	Start Time	Elapsed Time	LAeq	LASmin	LASmax	LAS2.0	LAS8.0	LAS25.0	LAS50.0	LAS90.0	LAS99.0	Overload
BK4.003	26-Aug-25	8:00:00 AM	01:00:00	62.75	48.27	75.92	73	69.55	57.88	56.12	52.23	49.47	0
BK4.003	26-Aug-25	9:00:00 AM	01:00:00	63.74	50.22	73.96	72.57	70.73	59.85	57.43	54.33	52.25	0
BK4.003	26-Aug-25	10:00:00 AM	01:00:00	63.39	50.21	79.26	72.79	70.74	58.24	56.18	53.3	51.43	0
BK4.003	26-Aug-25	11:00:00 AM	01:00:00	62.82	50.53	84.47	72.45	69.79	57.98	56.12	53.29	51.67	0
BK4.002	25-Aug-25	11:00:00 AM	01:00:00	63.18	51.78	74.99	72.49	70.18	58.55	56.75	54.19	52.67	0
BK4.002	25-Aug-25	12:00:00 PM	01:00:00	63.58	49.5	74.75	72.72	70.98	58.32	56.32	53.42	51.43	0
BK4.002	25-Aug-25	1:00:00 PM	01:00:00	63.86	50.34	79.22	72.28	70.58	60.63	56.91	53.91	51.85	0
BK4.002	25-Aug-25	2:00:00 PM	01:00:00	63.84	51.07	79.7	72.16	70.71	58.51	56.23	53.8	52.21	0
BK4.002	25-Aug-25	3:00:00 PM	01:00:00	63.03	49.65	79.4	72.28	70.38	58.11	56	53.33	51.08	0
BK4.002	25-Aug-25	4:00:00 PM	01:00:00	59.14	50.43	76.97	69.58	59.82	56.82	55.32	53.19	51.79	0
BK4.002	25-Aug-25	5:00:00 PM	01:00:00	57.81	51.47	75.89	62.78	59.81	57.77	56.48	54.45	52.98	0
BK4.002	25-Aug-25	6:00:00 PM	01:00:00	54.99	43.99	70.19	60.36	57.89	56.02	53.91	48.53	45.59	0
			min		43.99	70.19				53.91			
			max		51.78	84.47				57.43			

Project Na	Start Time	Elapsed Ti	Persistent	LAFteq	LAFmax	LASmax	LAlmax	LZFmax	LZSmax	LZlmax	LAFmin	LASmin	LAlmin	LZFmin	LZSmin	LZlmin	LZpeak	LAFeq	LZleq	LAEq	Lep,d	Lep,d,v	LZeq	LAE	LZE	LAFeq-LAE	LCeqq-LAec	LAFteq-LA	Overload	LAS2.0	LAS8.0	LAS25.0	LAS50.0	LAS90.0	LAS99.0	LAS75.0
BK3.006	8/25/2025 11:27	12:32:48	0	61.07	86.08	81.38	90.68	97.09	93.26	98.32	37.44	37.94	38.12	50.58	52.12	52.73	109.93	59.33	70.31	56.22	55.94	55.94	67.43	102.76	113.97	3.11	4.85	0	63.96	58.09	53.82	51.62	45.31	41.1	49.53	
BK3.006	8/25/2025 11:27	00:32:48		65.4	85.65	77.08	90.68	87.15	81.98	90.99	45.29	45.63	46.27	58.13	59.6	60.39	107.99	64.84	70.89	55.33	55.05	55.05	65.82	88.26	98.76	9.51	10.07	0	63.56	56.66	52.72	51.12	48.73	47.42	49.92	
BK3.007	8/26/2025 8:00	01:00:00		64.18	87.44	85.75	89.25	92.3	90.94	93.84	43.12	43.69	43.58	55.57	57.45	58.08	106.89	62.19	70.66	60.29	60.01	60.01	68.3	95.85	103.86	1.9	3.89	0	65.77	61.04	56.04	52.75	47.75	45.44	49.54	
BK3.007	8/26/2025 9:00	01:00:00		65.08	77.09	72.91	78.96	85.47	80.77	89.04	44.93	46.61	46.64	57.61	58.98	59.61	95.45	63.18	69.65	61.57	61.29	61.29	67.13	97.13	102.69	1.61	3.51	0	68.99	66.11	62.86	58.03	50.8	48.19	53.31	
BK3.007	8/26/2025 10:00	01:00:00		69.79	90.26	84.93	94.01	93.87	89.01	97.1	47.37	48.09	47.72	57.29	59.31	60.03	109.29	68.13	73.48	63.85	63.57	63.57	69.28	99.41	104.84	4.28	5.94	0	74.16	63.12	55.64	53.72	51.45	49.82	52.42	
BK3.007	8/26/2025 11:00	01:00:00		56.22	72.4	69.78	75.43	80.79	78.05	84.25	46.69	47.57	47.2	57.61	58.92	59.66	91.11	54.83	67.25	53.23	52.95	52.95	64.47	88.79	100.03	1.6	2.99	0	58.18	55.13	53.26	52.02	49.75	48.49	50.86	
BK3.006	8/25/2025 12:00	01:00:00		57.61	71.8	67.47	73.5	83.55	78.56	86.27	49.18	49.65	49.56	59.91	61.29	61.74	91.29	55.88	69.62	54.71	54.43	54.43	66.29	90.27	101.85	1.17	2.9	0	69.43	56.89	54.66	53.63	51.82	50.4	52.66	
BK3.006	8/25/2025 13:00	01:00:00		63.67	86.08	81.35	88.93	97.04	93.11	98.32	49.42	50.09	49.87	59.92	61.43	62.1	109.93	61.76	72.87	59.88	59.6	59.6	70.05	95.44	105.61	1.88	3.79	0	66.98	61.2	57.39	54.74	51.89	50.7	53.19	
BK3.006	8/25/2025 14:00	01:00:00		59.31	81.65	77.22	83.09	89.09	86.11	91.15	49.01	49.65	49.38	59.1	60.56	60.89	100.88	57.23	69.63	54.71	54.43	54.43	66.48	90.27	102.04	2.52	4.6	0	61.19	56.02	53.53	52.31	50.93	50.23	51.44	
BK3.006	8/25/2025 15:00	01:00:00		64.44	78.74	74.98	80.88	87.95	83.29	90.4	49.4	50.09	49.99	59.05	60.59	61.04	97.19	61.97	72.65	57.8	57.52	57.52	68.47	93.36	104.03	4.17	6.64	0	65.9	61.07	57.44	54.47	51.86	50.79	52.77	
BK3.006	8/25/2025 16:00	01:00:00		60.54	82.2	75.94	84.81	89.26	82.48	92.1	48.71	49.37	49.19	58.03	59.09	59.39	100.75	58.3	70.37	54.78	54.5	54.5	66.58	90.34	102.14	3.52	5.76	0	61.09	57.62	53.97	52.14	50.46	49.81	51.1	
BK3.006	8/25/2025 17:00	01:00:00		64.59	84.04	78.5	87.02	84.82	79.6	87.18	49.19	49.62	49.53	57.97	59.42	59.58	100.42	62.61	69.79	59.17	58.89	58.89	66.89	94.72	102.45	3.44	5.42	0	68.15	66.68	54.14	52.39	50.61	50.05	51.22	
BK3.006	8/25/2025 18:00	01:00:00		64.41	85.88	81.38	87.23	97.09	93.26	98.31	42.52	43.63	42.8	55.54	57	58.06	106.87	62.94	75.98	61.13	60.85	60.85	73.99	96.69	109.55	1.81	3.28	0	71.35	61.65	56.59	53.21	49.93	46.27	51.46	
					min																													52.0		
					max		85.8																											58.0		



- SHEET INDEX**
- 1 PROPOSED SITE PLAN
 - 2 EXISTING SITE PLAN
 - 3 MAIN BUILDING FLOOR PLAN PROPOSED
 - 4 MAIN BUILDING FLOOR PLAN EXISTING
 - 5 MAIN BUILDING ELEVATIONS
 - 6 OFFICE AND PLAY BUILDINGS PLANS AND ELEVATIONS
 - L LANDSCAPE PLAN

PROJECT SUMMARY

APPLICANT
DIANE CUNIFF
(213) 716-6088
DIANE@BONEADVENTURE.COM

EXISTING BUILDINGS	4,976 SF
EXISTING 1629 BLDG	3,315 SF
EXISTING 1619 OFFICE	489 SF
EXISTING 1619 GARAGE	972 SF

PARKING / CIRCULATION 10,988 SF

OPEN SPACE 10,178 SF
PERCENTAGE 39.0 %

FLOOR AREA RATIO 19.0 %

DISTURBED AREA 5090 SF

ZONING DISTRICT MG

GENERAL PLAN DESIGNATION LIGHT INDUSTRIAL

SCOPE OF WORK
THE PRIMARY SCOPE OF CONSTRUCTION WORK WILL BE REMOVAL OF 5,090 SF OF EXISTING ASPHALT SURFACE AREAS TO BE CONVERTED TO ARTIFICIAL TURF (K9 GRASS) FOR OPEN PLAY AREAS. ALSO TWO OR THREE TRELLIS SHADE STUCTURES AND A WATER FEATURE WILL BE ADDED IN THE PLAY AREA

- WATER FEATURE
- 8' HIGH RETRACTABLE SHADE CANOPY
- 6' HIGH STEEL PICKET FENCE W/ GATE
- 8' HIGH WALKWAY FENCE

PROPOSED SITE PLAN FOR 1619 AND 1629 SUPERIOR AVENUE
SCALE 1" = 10'-0"

REV.	DATE	REVISION
△	△	△

OWNER
Bone Adventure
1629 Superior Avenue
Costa Mesa, CA

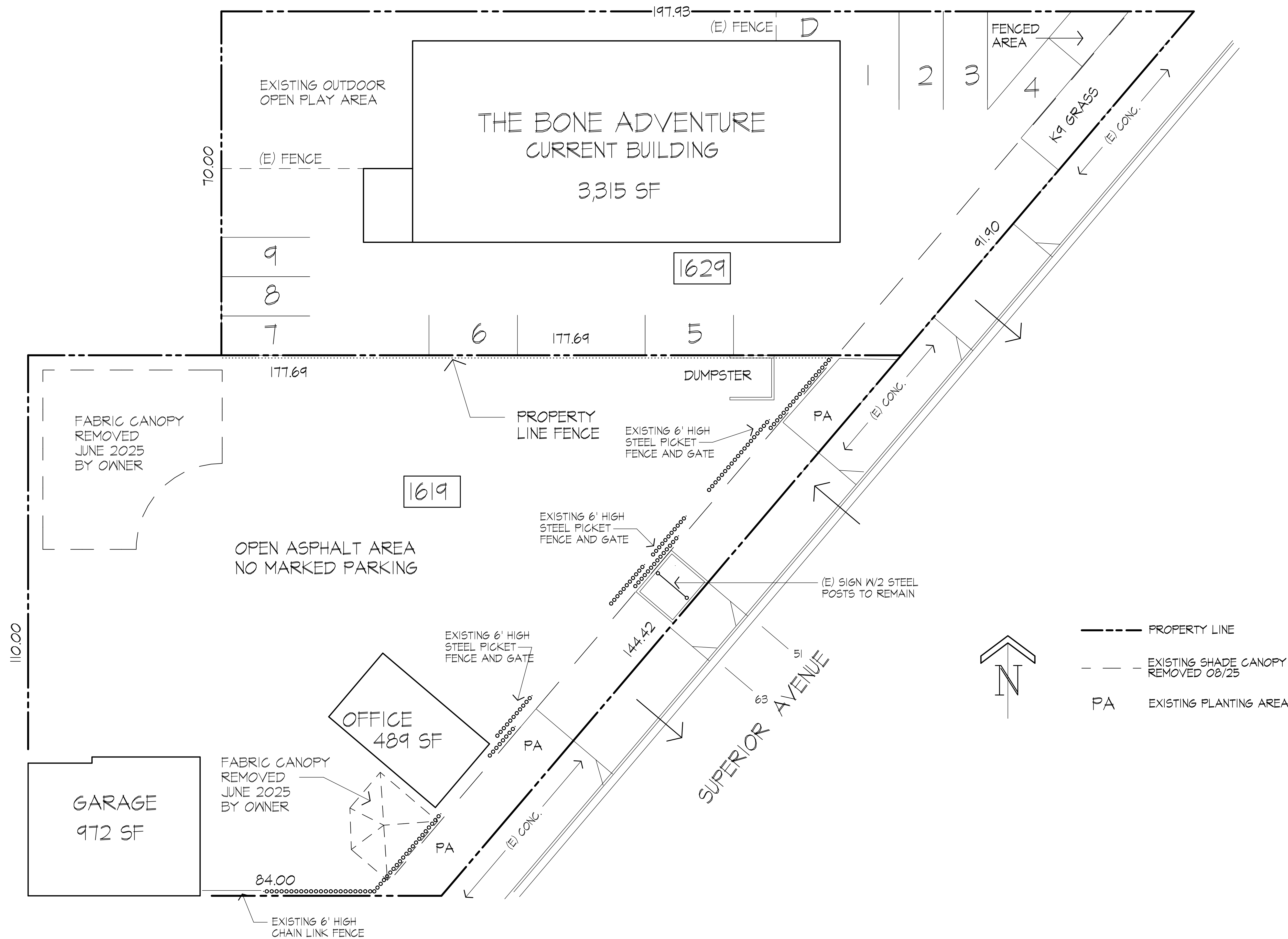
SHEET TITLE
Proposed Landscape Plan

DESIGNER
Barry Walker
P.O. Box 11658
Newport Beach, California 92658
949.246.4085 bwarck.biz@gmail.com

10.15.25

1

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EXISTING SITE PLAN FOR 1619 AND 1629 SUPERIOR AVENUE
SCALE 1" = 10'-0"

REV.	DATE	REVISION
△		
△		
△		
△		

OWNER
Bone Adventure
1629 Superior Avenue
Costa Mesa, CA

SHEET TITLE
Existing
Site Plan

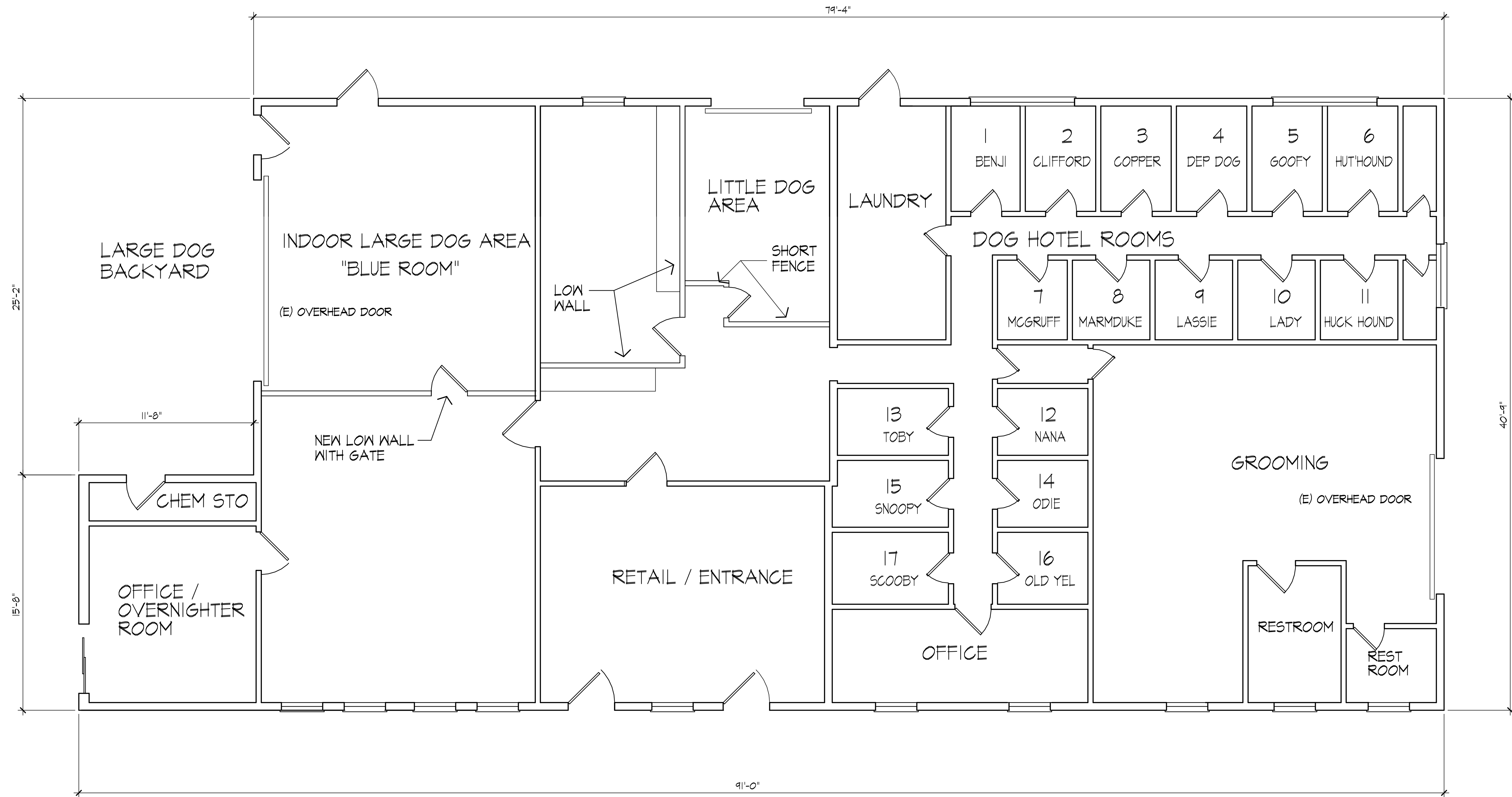
ARCHITECT
Barry Walker
P.O. Box 11658
Newport Beach, California 92658
949.246.4085 bwarch.biz@gmail.com

BW
BARRY WALKER
10.09.25

10.09.25

SHEET
2

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MAIN BUILDING FLOOR PLAN - PROPOSED
SCALE: 1/4" = 1'-0"

REV.	DATE	REVISION
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OWNER
Bone Adventure
1629 Superior Avenue
Costa Mesa, CA

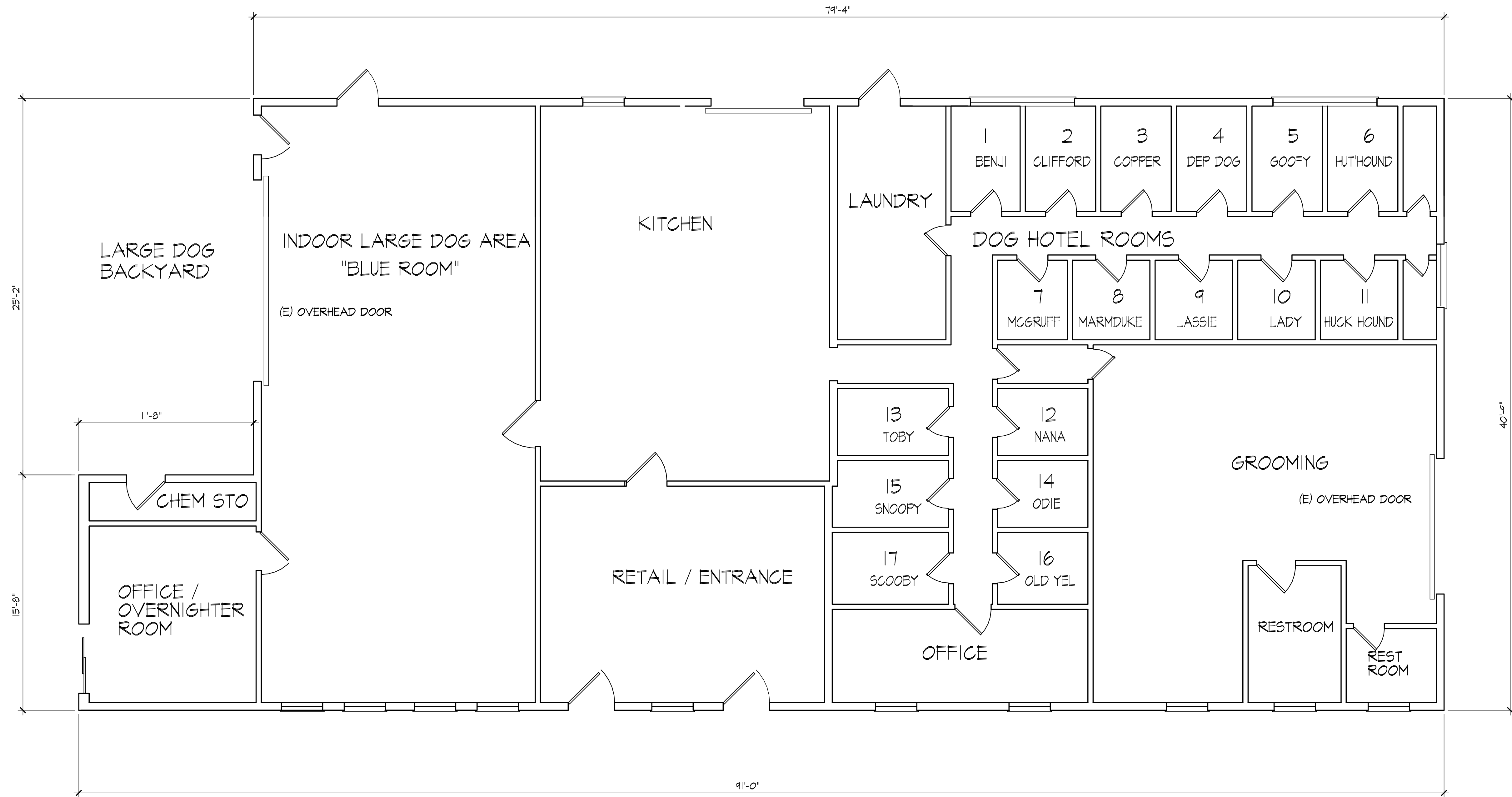
SHEET TITLE
Main Building
Proposed Floor Plan

ARCHITECT
Barry Walker, Architect
P.O. Box 11658
Newport Beach, California 92658
949.246.4085 bwarch.biz@gmail.com

10.09.25

SHEET
3

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MAIN BUILDING FLOOR PLAN - EXISTING
SCALE: 1/4" = 1'-0"

REV.	DATE	REVISION
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OWNER
Bone Adventure
1629 Superior Avenue
Costa Mesa, CA

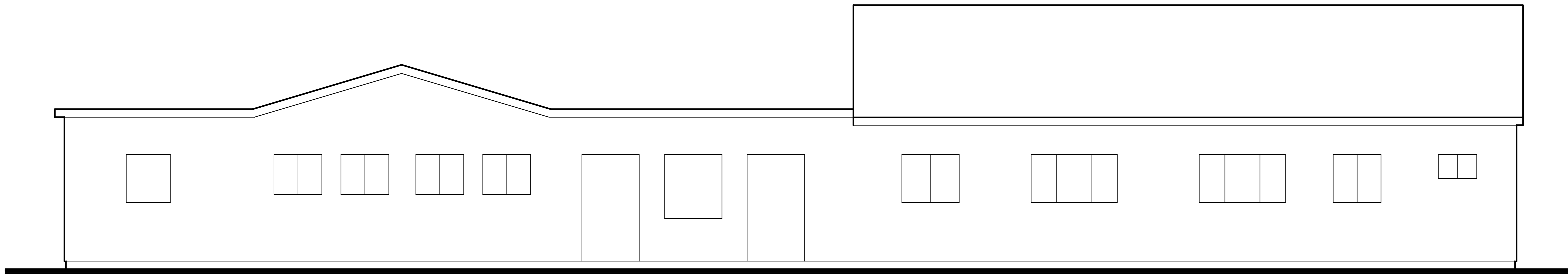
SHEET TITLE
Main Building
Existing Floor Plan

ARCHITECT
Barry Walker, Architect
P.O. Box 11658
Newport Beach, California 92658
949.246.4085 bwarch.biz@gmail.com

10.09.25

SHEET
4

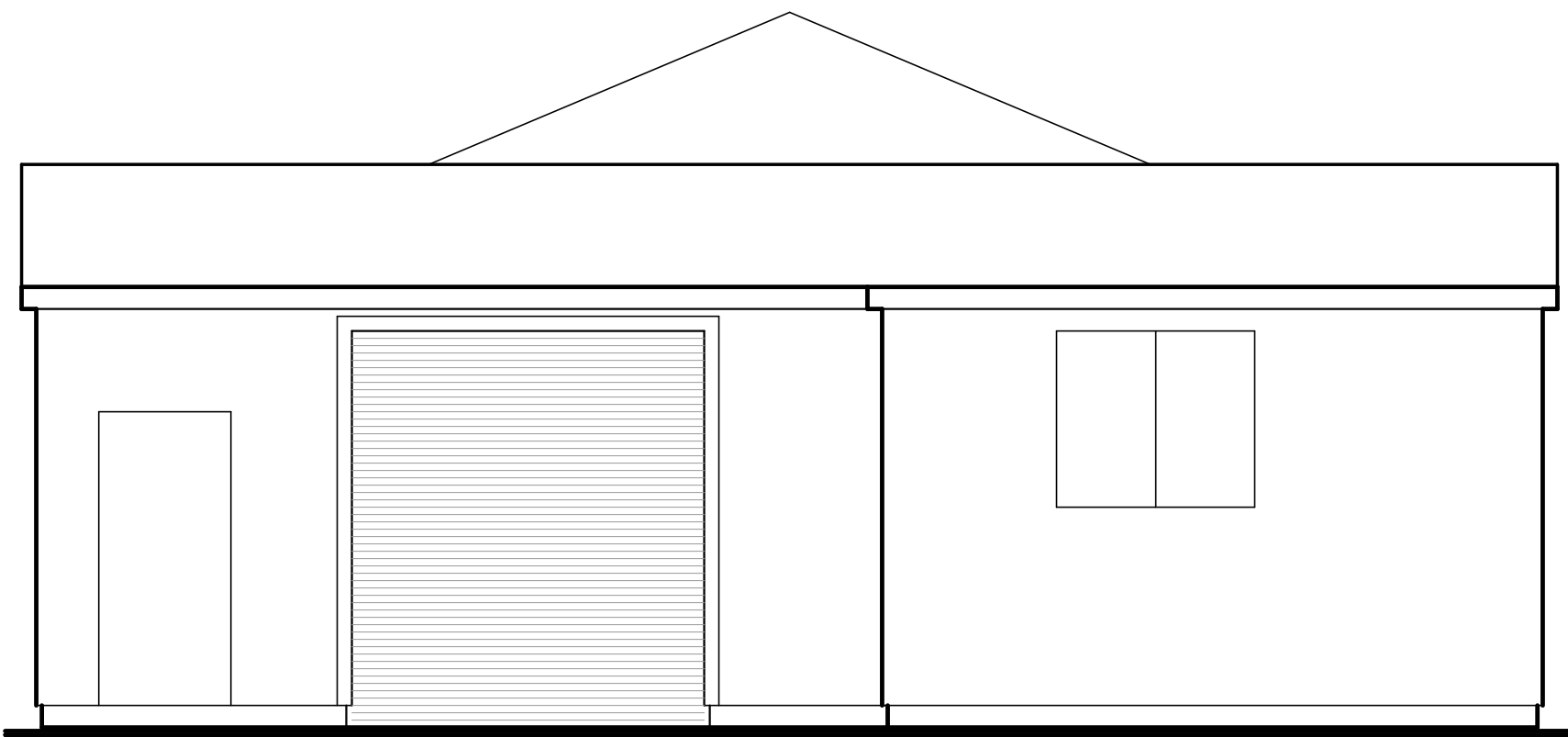
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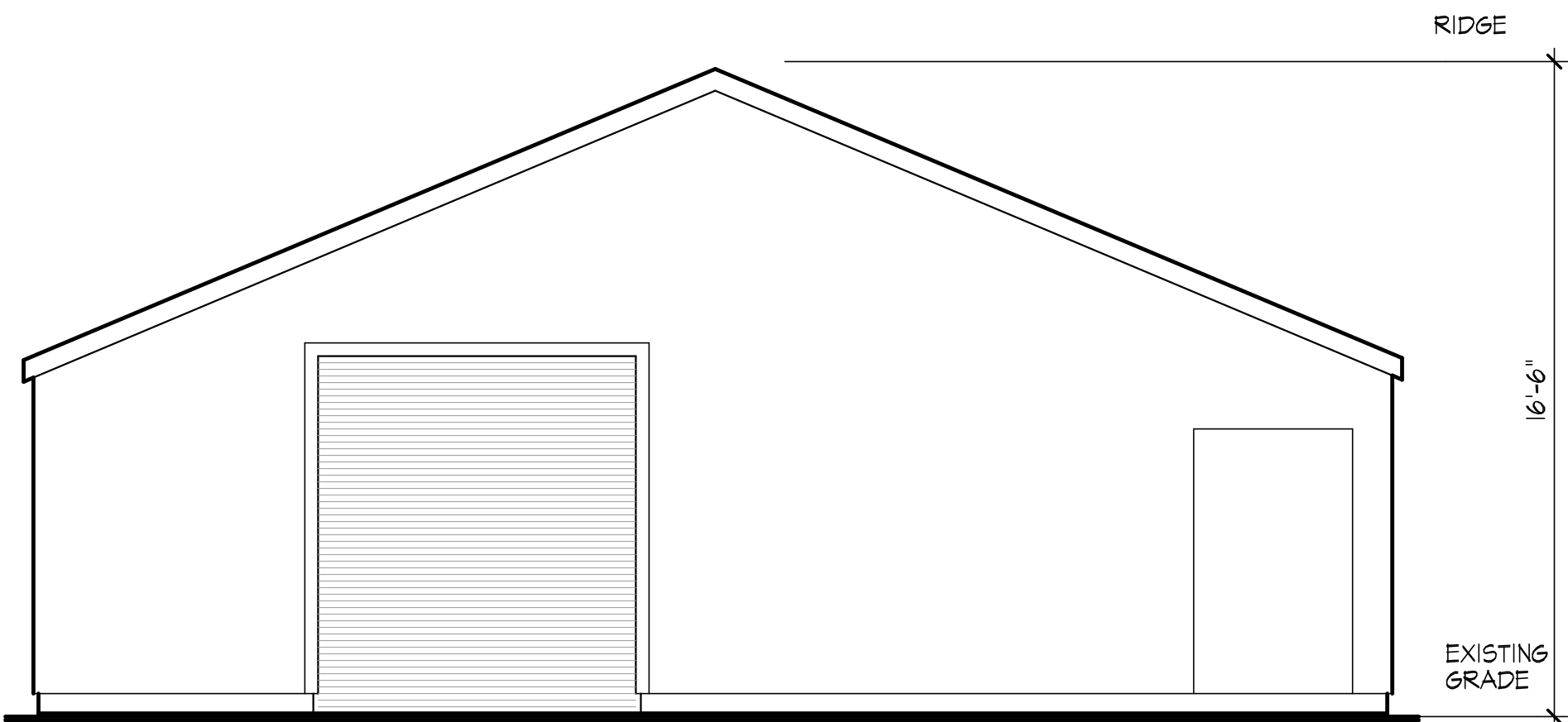
MAIN BUILDING SOUTH ELEVATION (ENTRY)
SCALE: 1/4" = 1'-0"



MAIN BUILDING NORTH ELEVATION (REAR)
SCALE: 1/4" = 1'-0"



MAIN BUILDING EAST ELEVATION (STREET)
SCALE: 1/4" = 1'-0"



MAIN BUILDING WEST ELEVATION
SCALE: 1/4" = 1'-0"

INDOOR PLAY AREA BUILDING PLAN
SCALE: 1/4" = 1'-0"

REV.	DATE	REVISION
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OWNER
Bone Adventure
1629 Superior Avenue
Costa Mesa, CA

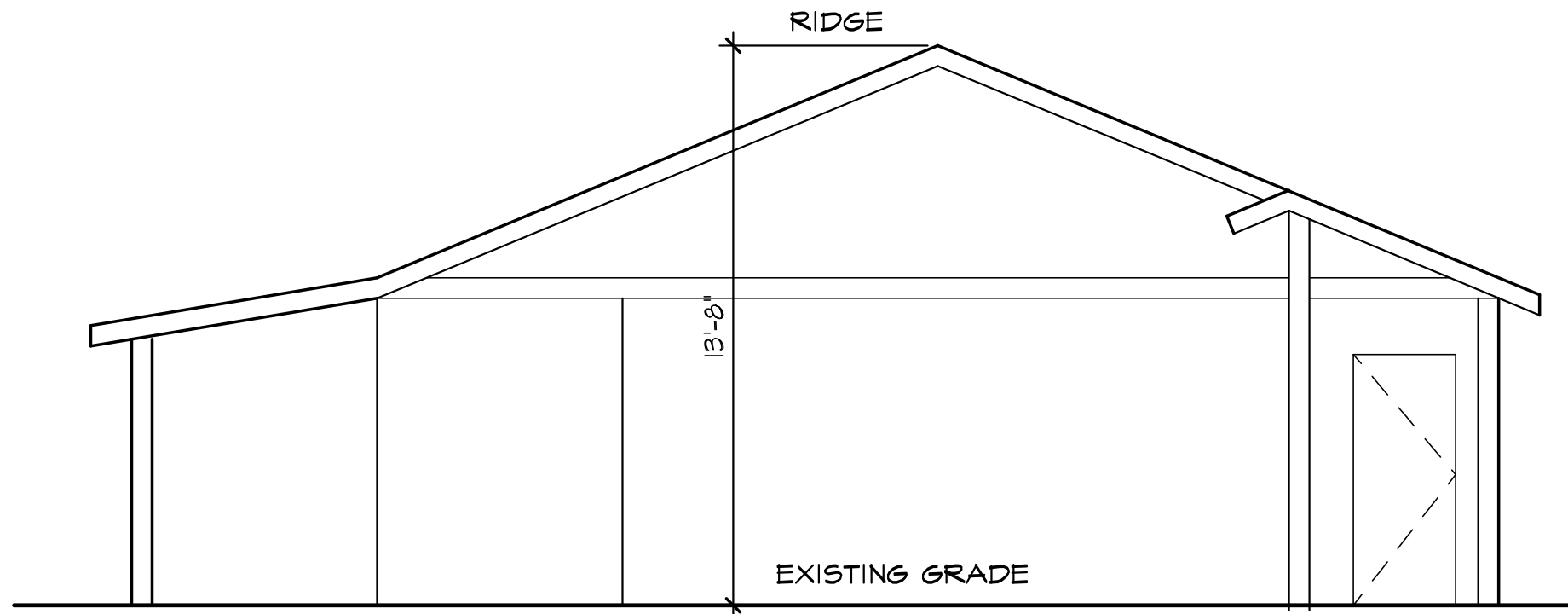
SHEET TITLE
Main. Building
Elevations
(no work or changes)

ARCHITECT
Barry Walker, Architect
P.O. Box 11658
Newport Beach, California 92658
949.246.4085 bwarch.biz@gmail.com

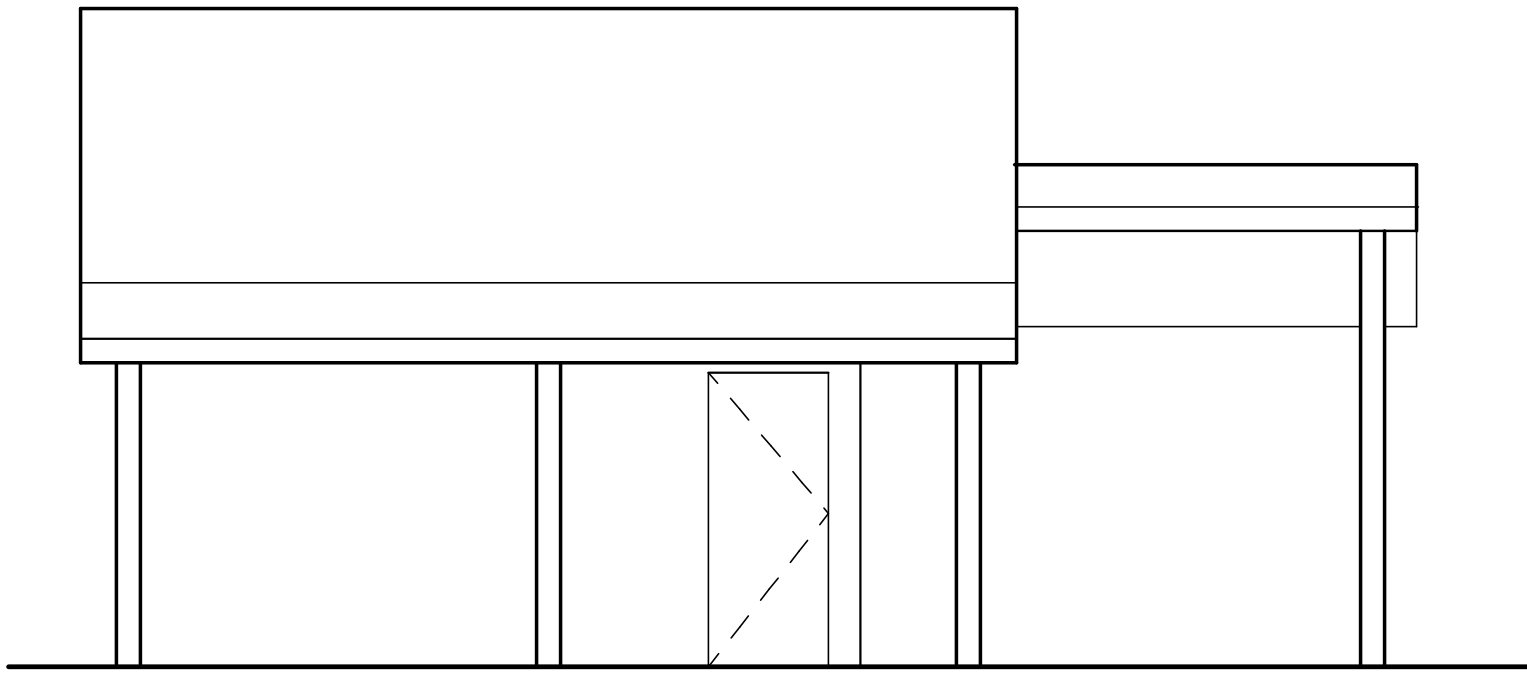
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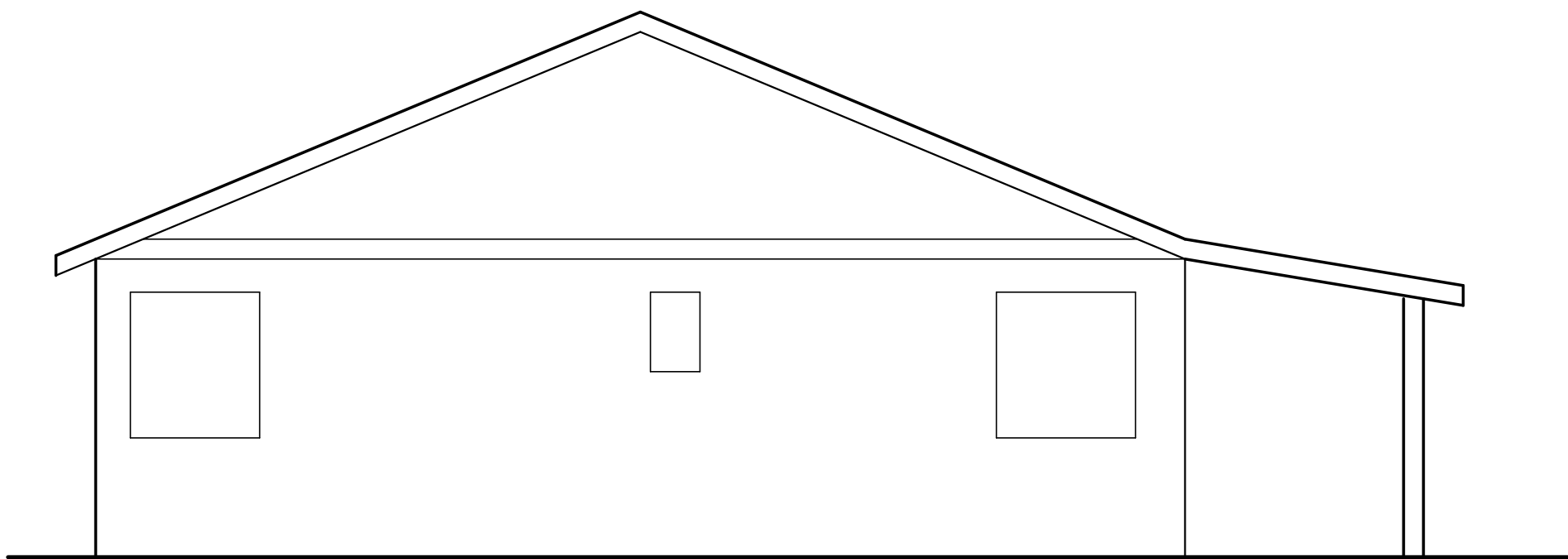
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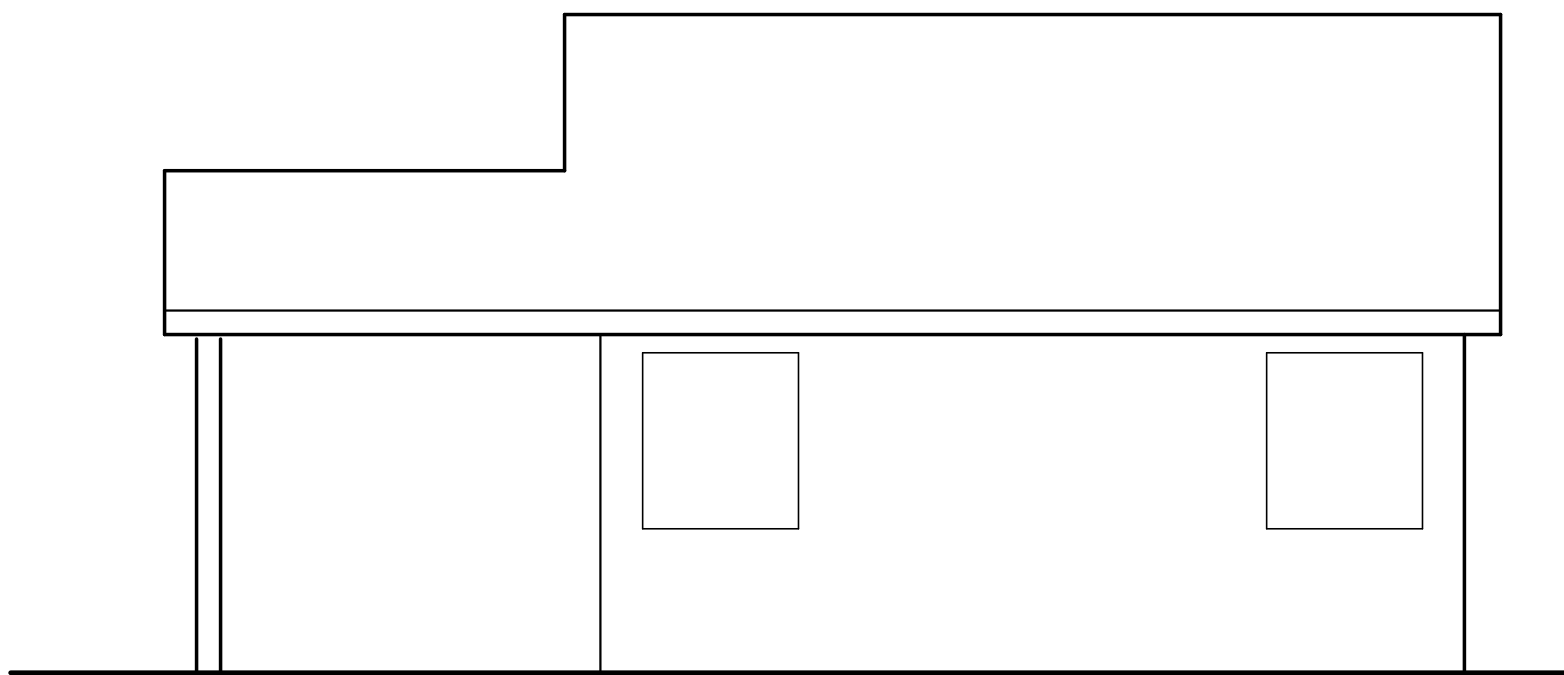
OFFICE BUILDING RIGHT ELEVATION - NO WORK
SCALE: 1/4" = 1'-0"



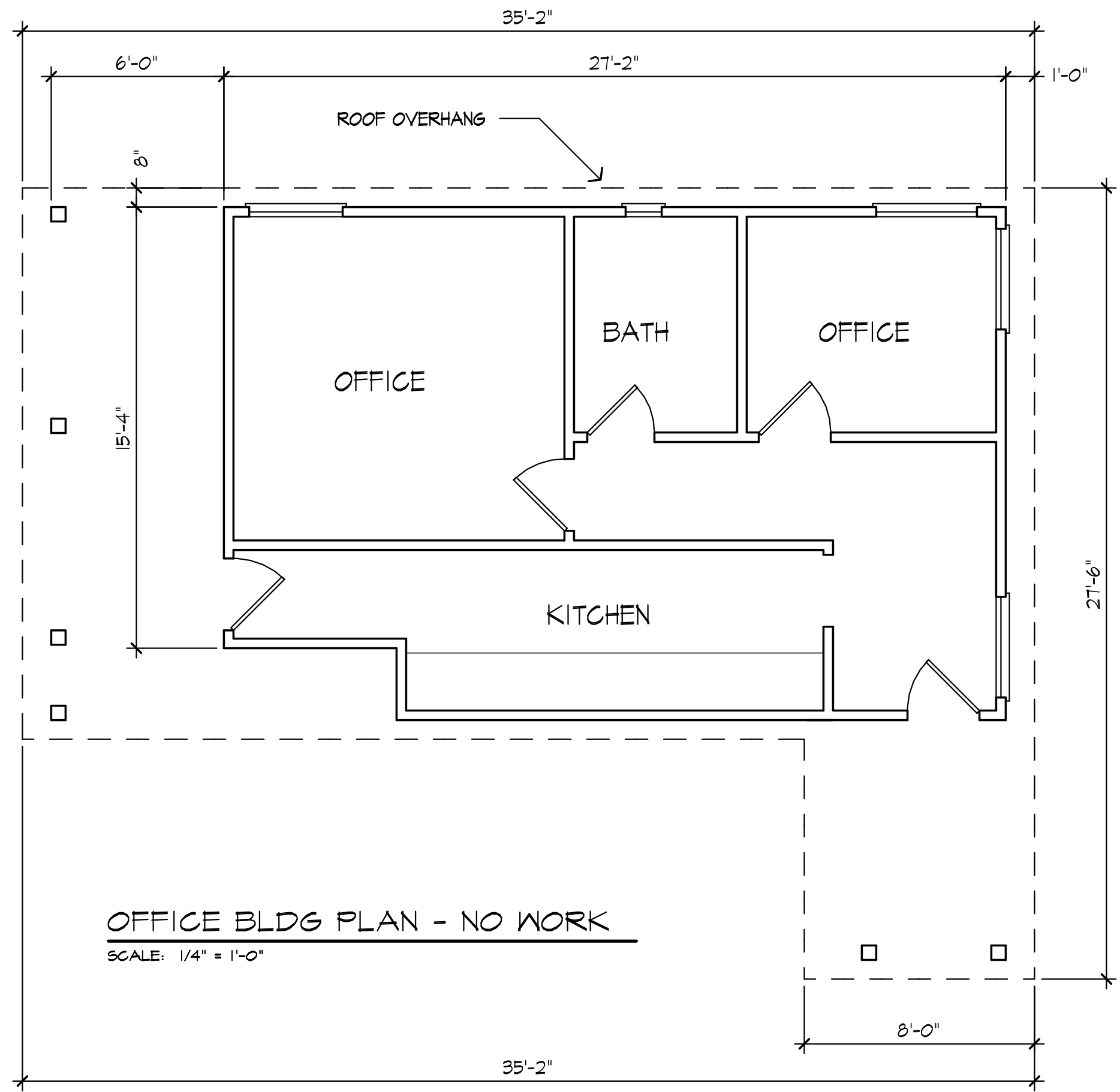
OFFICE BLDG FRONT - NO WORK
SCALE: 1/4" = 1'-0"



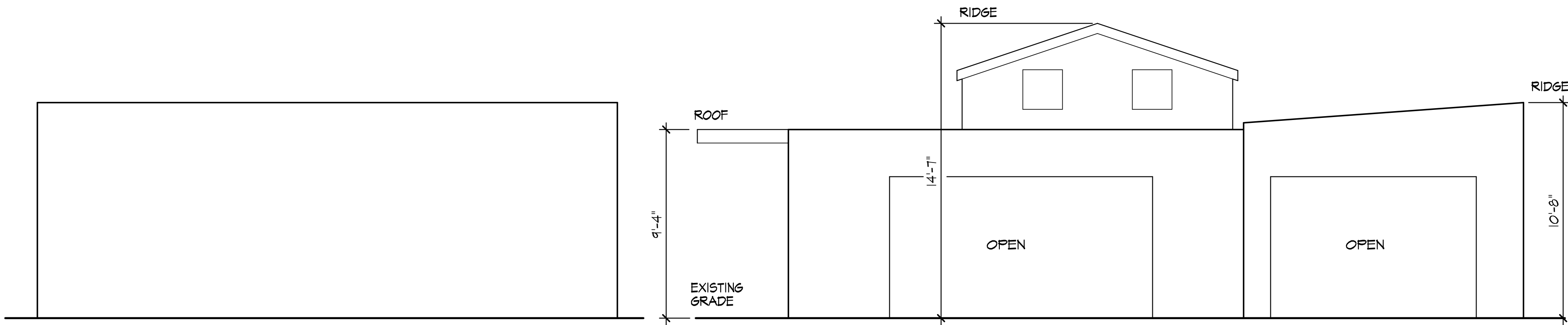
OFFICE BLDG LEFT ELEVATION - NO WORK
SCALE: 1/4" = 1'-0"



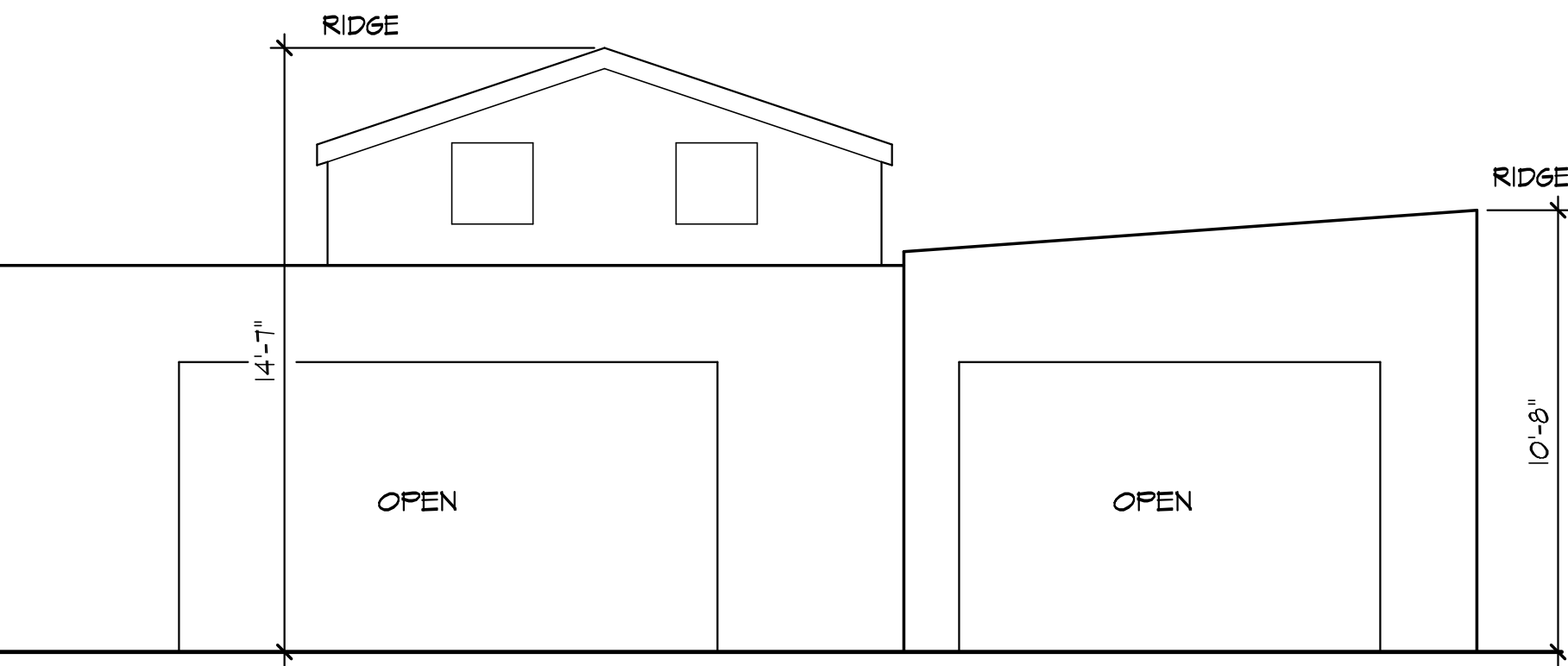
OFFICE BUILDING REAR ELEVATION - NO WORK
SCALE: 1/4" = 1'-0"



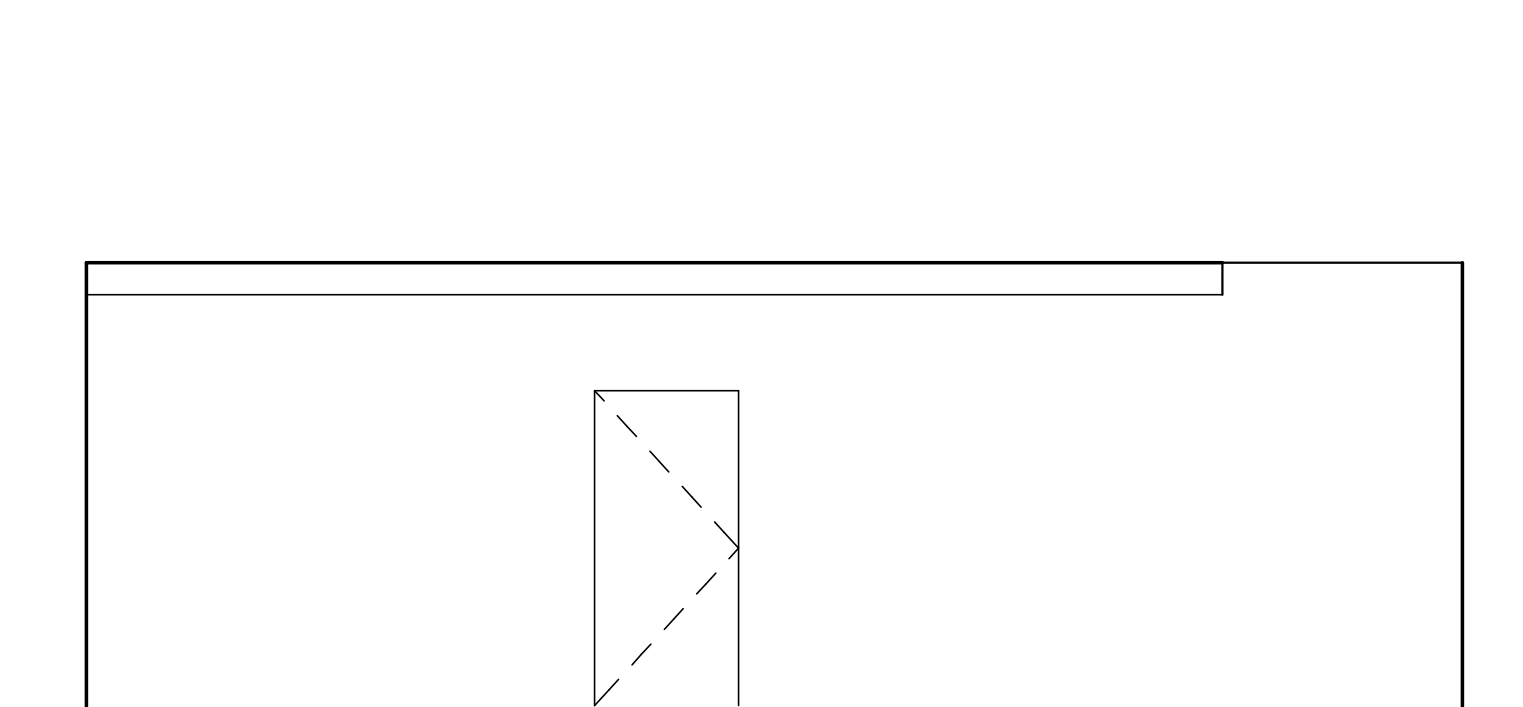
OFFICE BLDG PLAN - NO WORK
SCALE: 1/4" = 1'-0"



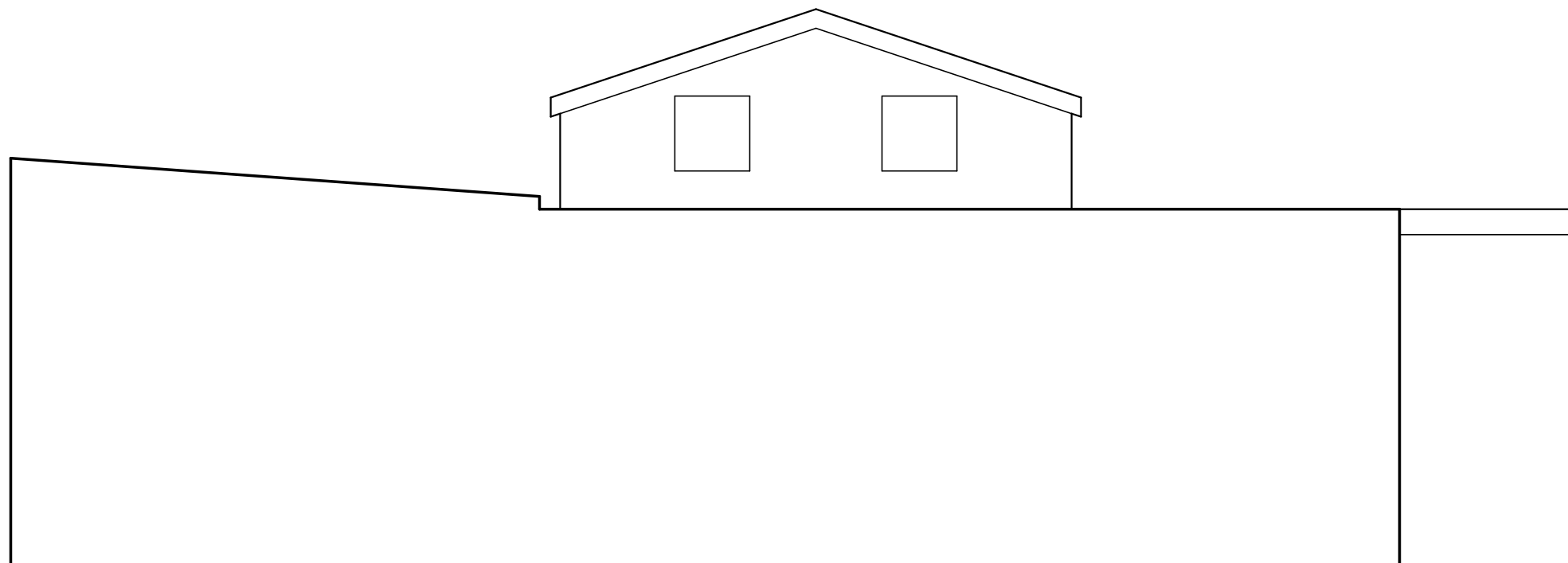
INDOOR PLAY AREA BUILDING RIGHT ELEVATION - NO WORK
SCALE: 1/4" = 1'-0"



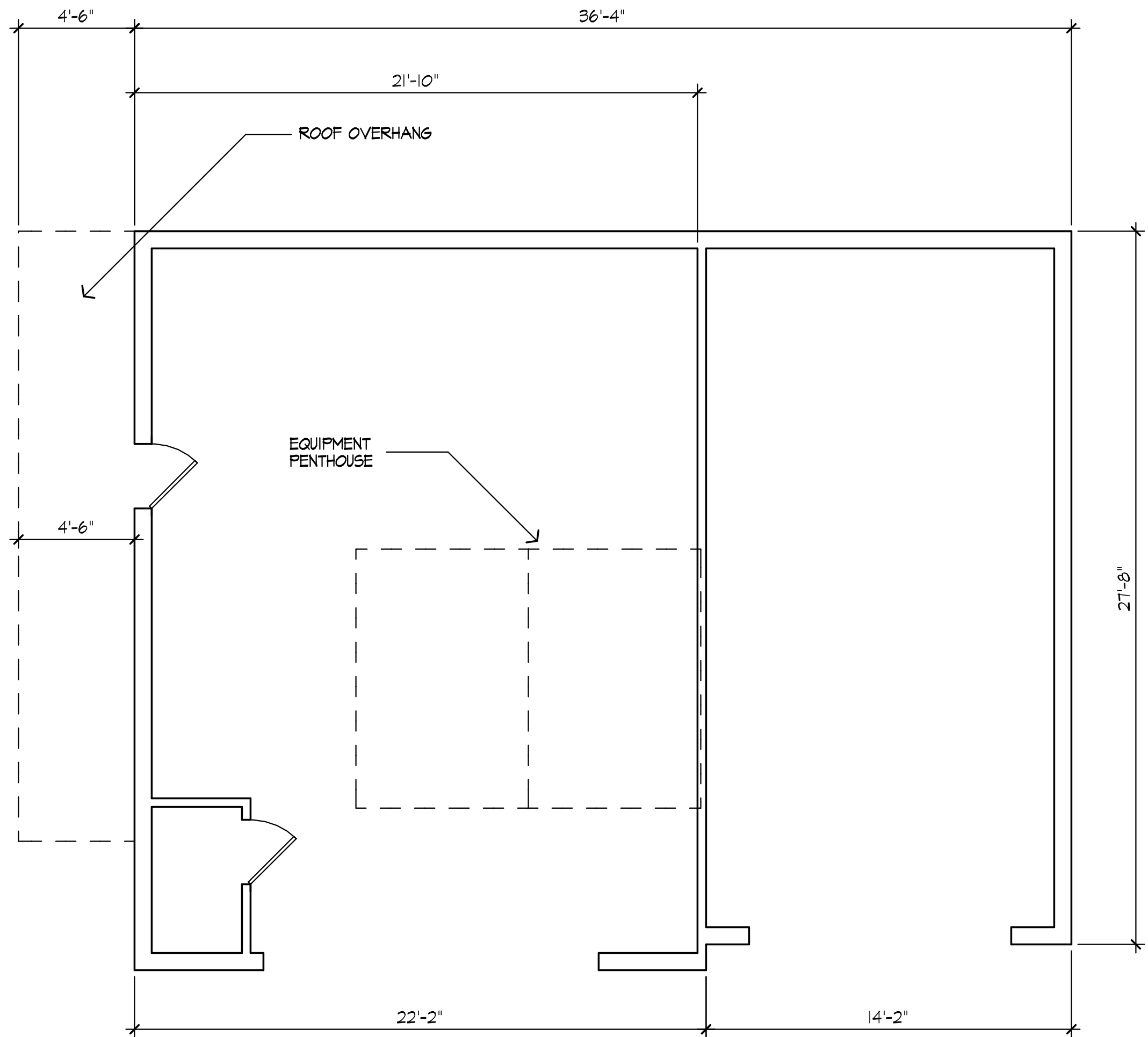
INDOOR PLAY AREA BUILDING FRONT ELEVATION - NO WORK
SCALE: 1/4" = 1'-0"



INDOOR PLAY AREA BUILDING LEFT ELEVATION - NO WORK
SCALE: 1/4" = 1'-0"



INDOOR PLAY AREA BUILDING REAR ELEVATION - NO WORK
SCALE: 1/4" = 1'-0"



INDOOR PLAY AREA BUILDING PLAN
SCALE: 1/4" = 1'-0"

REV.	DATE	REVISION
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OWNER
Bone Adventure
1629 Superior Avenue
Costa Mesa, CA

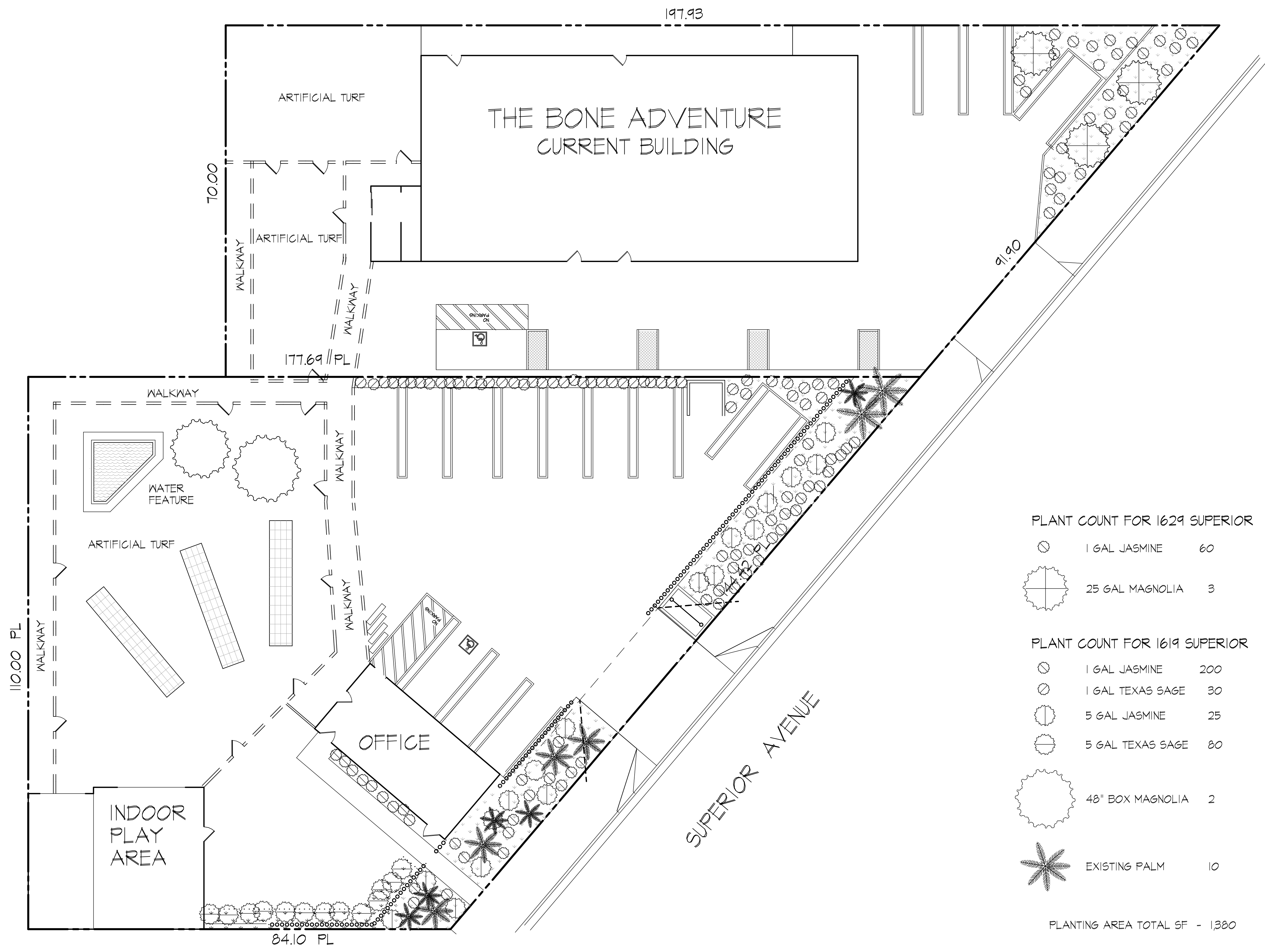
SHEET TITLE
Office and Play Bldgs
Existing Floor Plans
And Elevations

ARCHITECT
Barry Walker, Architect
P.O. Box 11658
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949.246.4085 bwarch.biz@gmail.com

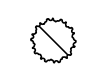
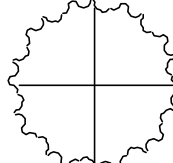
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6

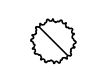
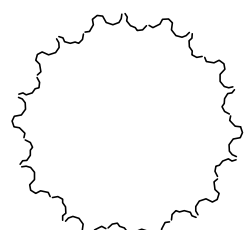
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PLANT COUNT FOR 1629 SUPERIOR

	1 GAL JASMINE	60
	25 GAL MAGNOLIA	3

PLANT COUNT FOR 1619 SUPERIOR

	1 GAL JASMINE	200
	1 GAL TEXAS SAGE	30
	5 GAL JASMINE	25
	5 GAL TEXAS SAGE	80
	48" BOX MAGNOLIA	2
	EXISTING PALM	10

PLANTING AREA TOTAL SF - 1,380

PROPOSED LANDSCAPE PLAN FOR 1619 SUPERIOR AVENUE
SCALE 1" = 10'-0"

REV.	DATE	REVISION

OWNER
Bone Adventure
1629 Superir Avenue
Costa Mesa, CA

SHEET TITLE
Proposed
Landscape Plan

ARCHITECT
Barry Walker
P.O. Box 11658
Newport Beach, California 92658
949.246.4085 bwarck.biz@gmail.com


BARRY WALKER
10.09.25

10.15.25

SHEET
L

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RESOLUTION NO. 03-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COSTA MESA, CALIFORNIA, APPROVING PLANNING
APPLICATION PA-03-14.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY
RESOLVE AS FOLLOWS:

WHEREAS, an application was filed by Diane Cuniff, authorized agent for Glenn Beeler, with respect to the real property located at 1629 Superior Avenue, requesting approval of a conditional use permit to establish a dog day care inside and outside of an existing industrial building, in the MG zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 9, 2003; and

WHEREAS, on June 9, 2003, Planning Commission approved Planning Application PA-03-14 by adoption of Resolution PC-03-39; and

WHEREAS, on June 12, 2003, and June 16, 2003, Ken Woods and Carl and Carolee Stevens, respectively, filed an appeal of Planning Commission's decision; and

WHEREAS, the City Council held a duly noticed public hearing on July 7, 2003.

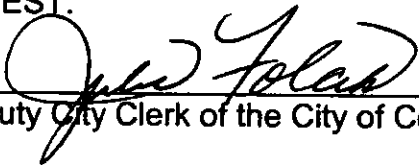
NOW, THEREFORE, BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the City Council hereby APPROVES Planning Application PA-03-14 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa City Council does hereby find and determine that adoption of this resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-03-14, and upon

applicant's compliance with each and all of the conditions contained in Exhibit "B", Any approval granted by this resolution shall be subject to review, modification, or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 7th day of July, 2003.

ATTEST:


Deputy City Clerk of the City of Costa Mesa


Mayor of the City of Costa Mesa

APPROVED AS TO FORM


City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, Deputy City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No. 03-45 was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the 7th day of July, 2003, by the following roll call vote:

AYES: Monahan, Steel, Mansoor, Scheafer

NOES: Cowan

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Costa Mesa this 8th day of July, 2003.

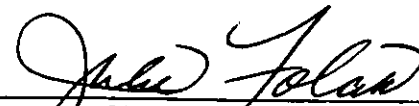

Deputy City Clerk and ex-officio Clerk of
the City Council of the City of Costa Mesa

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 that exist in the general neighborhood.
 - Safety and compatibility of the design of the building, parking area, and other site features including functional aspects of the site development such as automobile and pedestrian circulation will remain unchanged.
 - The proposed use is consistent with the General Plan.
 - The planning application is for a project-specific case and does not establish a precedent for future development.
- 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, no significant noise problems are expected since there are no noise-sensitive uses, such as residences and hospitals, located nearby. In addition, there are other noise generators in the surrounding area, such as manufacturing activities and surface traffic. Also, business operations including extensive maintenance and hours of operations will ensure that the establishment will not negatively impact adjacent properties. The applicant will be required to comply with the recommended conditions of approval to ensure that the use is not disruptive to adjacent uses or properties.
- C. 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.
- D. The project, as conditioned, is consistent with Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

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. 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. Applicant shall notify new business/property owners of conditions of approval upon transfer of business or ownership of land.
3. Street addresses shall be displayed on the fascia or store front adjacent to the main entrance of the building, in a manner visible to the public street. Numerals shall be a minimum 12 inches in height with not less than 3/4-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 4 inches in height with not less than 1/4-inch stroke and shall contrast sharply with the background.
4. If the City receives parking complaints, the applicant or operator shall submit a parking management plan to resolve on-site parking issues. The parking management plan may require that outdoor play area be converted into parking spaces. Said plan shall be reviewed and approved by the Planning Division. In the event the parking issues remain unresolved, the conditional use permit shall be returned to the Planning Commission.
5. Any proposed operational change that increases or intensifies the approved use shall require approval of an amendment to this conditional use permit by the Planning Commission.
6. The facility shall operate, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood.
7. Employee parking shall be located at the rear of the property and customer parking will be located at the front of the property.
8. The number of dogs shall be limited to 10-15 dogs for each handler.

9. The level of trash service shall be increased on an as-needed basis.
10. Additional landscaping shall be installed as part of the improvements to the outdoor play area and shall be shown on landscape plans to be submitted as part of the project plan check process.
11. Hours of operation will be 6:30 a.m. to 8 p.m., daily. No outdoor activity is to be conducted after closing.
12. Overnight stays shall be limited to the area within the building. An on-site security staff person shall remain on the premises overnight.
13. Veterinary services are limited to an on-call basis. On-site staff will be limited to administering of medicines.
14. Outdoor activity shall be limited to the outdoor play area located at the rear and north side of the building, as shown on the site plan.
15. All outdoor activity of the dogs shall be supervised by staff.
16. All proposed improvements (painting of the building, installation of landscaping and new fencing), shall be completed prior to the initiation of the business.
17. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the initiation of the business. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
- PD 18. A list of security recommendations has been provided by the Police Department for the applicant's consideration.
- PIng. 19. Parking shall be modified and striped under direction of the Planning Division. Modifications shall include provision of four (4) staff parking spaces at the rear; provision of required back-up area for staff parking; relocation of handicap parking to the front of the building; provision of two short-term (10-minute maximum), drop-off/pick-up only spaces in the driveway on the south side of the building; removal of the gate at the front of the driveway; and any other necessary adjustments.
20. Within ~~six~~ (6) months of the effective date of approval of this application, property owner shall file, with the Public Services Department, the necessary applications and filing fees to request vacation of excess public right-of-way along Superior Avenue.

Vacation process shall be completed within 12 months of approval of this application.

21. Applicant shall post signs instructing dog owners to keep dogs on leash until they are well inside the building. No dogs shall be allowed off-leash in the parking or driveway areas.
22. Applicant shall employ all necessary means – including but not limited to double-door, double-gate systems – to prevent dogs from escaping the facility.
23. Owner shall install easily cleanable surfaces on interior and exterior dog play and rest areas. These areas shall be maintained in a sanitary condition by mopping or similar means.
24. Applicant shall monitor outdoor areas, including driveway and parking areas, and clean up as necessary to prevent odors and other nuisances.
25. Trash pick-up shall be scheduled as frequently as necessary to prevent odors from becoming a nuisance to surrounding properties and tenants.
26. Applicant shall ensure that waste and contaminated runoff do not reach the public right-of-way and storm drain system.

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 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. 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 signs according to the provisions of the Costa Mesa Sign Ordinance. |
| Bldg. | <ol style="list-style-type: none"> 4. Comply with the requirements of the Uniform Building Code as to design and construction and CCR Title 24 pertaining to "Disabled Access Regulations". |
| Eng. | <ol style="list-style-type: none"> 5. At the time of development submit for approval an off-site plan to the Engineering Division and building plan to the Building Division that shows sewer, water, existing parkway improvements and the limits of work on the site, both prepared by a civil engineer or architect. Construction access approval must be obtained prior to building or engineering permits being issued by the City of Costa Mesa. Pay offsite plan check fee to the Engineering Division. An approved offsite plan and fee shall be required prior to engineering/utility permits being issued by the City. 6. A construction access permit and deposit of \$500 for street sweeping will be required by the Engineering Division prior to the start of any on- or off-site work. 7. Revise site plan to correctly dimension property lines and right of way line. 8. Delete the proposed parking stalls out of public rights of way. 9. Remove the existing chain link gate and sign out of public right of way or show proof of an approved encroachment, allowing placement. |
| Trans. | <ol style="list-style-type: none"> 10. Fulfill mitigation of off-site traffic impacts at the time of issuance of Certificate of Occupancy by submitting to the Planning Division the required Traffic Impact Fee pursuant to the prevailing schedule of charges adopted by the City Council. The Traffic Impact Fee is calculated based upon the average daily trip generation rate of 118 D.C. trip ends for the proposed project and includes a credit for any previously existing use. At the current rate, the Traffic Impact Fee is estimated at \$6,211.00. NOTE: The Traffic Impact Fee will be |

recalculated at the time of issuance of Certificate of Occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

11. Provide 25' minimum distance from far side of drive aisle for all parking spaces at rear of property to provide adequate space for turning movements.
- Plng. 12. Prior to or concurrent with the submittal of plans for building plan check, the applicant shall prepare and submit documentation for compliance with the State Water Resources Control Board (SWRCB) Water Quality Order 99-08-DWQ; National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000002 for Storm Water Discharges Associated with Construction Activity (General Permit); the California Regional Water Quality Control Board (RWQCB) Santa Ana Region Order No. R8-2002-0010 and NPDES Permit No. CAS618030; and, the City of Costa Mesa Ordinance No. 97-20 for compliance with NPDES Permit for the City of Costa Mesa. Such documentation shall include a Water Quality Management Plan (WQMP) identifying and detailing the implementation of the applicable Best Management Practices (BMPs).

SPECIAL DISTRICT REQUIREMENTS

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

- Sani. 1. Developer shall contact the Costa Mesa Sanitary District at (949) 631-1731 for current district requirements.



CITY COUNCIL AGENDA REPORT

MEETING DATE: JULY 7, 2003

ITEM NUMBER:

SUBJECT: CONDITIONAL USE PERMIT PA-03-14
DOG DAY CARE
1629 SUPERIOR AVENUE

DATE: JUNE 23, 2003

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: DONALD D. LAMM, DEPUTY CITY MGR./DEV. SVS. DIRECTOR

FOR FURTHER INFORMATION CONTACT: WILLA BOUWENS-KILLEEN, SENIOR PLANNER
714.754.5153

RECOMMENDATION:

Conduct public hearing and either uphold, reverse, or modify Planning Commission's decision.

BACKGROUND:

On June 9, 2003, Planning Commission, on a 4 to 0 vote (Commissioner DeMaio absent), approved Conditional Use Permit PA-03-14, for a dog day care, conducted both inside and outside an existing industrial building. The owners of the properties abutting the north and south sides of the subject property appealed Planning Commission's decision, stating concerns with potential impacts the use could have on their properties.

ANALYSIS:

The concerns raised by the appellants were already stated to staff, and to the Planning Commission at their study session and public hearing. The conclusion reached by the Stevens (the owners of the property to the south) is that installation of a 7-foot high block wall on their common property line would avoid potential impacts such as dogs barking and urinating on their property or dogs biting customers reaching through the chain link fence on their property. Based on the applicant's business plan and proposed management of the business, Planning Commission did not require construction of a wall. Additionally, Code does not require block walls between industrially-zoned properties.

The property owner to the north continues to feel that the use will generate unacceptable noise, is inconsistent with other uses in the area, and is concerned with the parking. Planning Commission found that there are no noise sensitive uses, such as residences and hospitals, located nearby, and that the use is compatible with the area because a variety of businesses exist in the vicinity of the site (a multi-tenant industrial building exists on the property to the north; a hand car wash has filed for a conditional use permit on the property to the south). Additionally, it was felt that the amount of parking shown on the latest site plan is adequate for the business as

proposed and conditioned (see the supplemental memo to Planning Commission prepared by Perry Valentine on June 4, 2003).

ENVIRONMENTAL REVIEW:

The project is exempt from the provisions of the California Environmental Quality Act.

ALTERNATIVES CONSIDERED:

Denial would result in the inability of the use to establish at this property. The applicant could locate the use in another area of the City, which would be subject to a new conditional use permit.

FISCAL REVIEW:

Fiscal review is not required for this project.

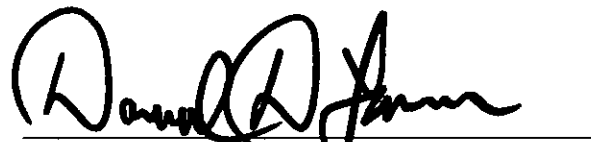
LEGAL REVIEW:

Legal review is not required for this project.

CONCLUSION:

Planning Commission found that the use, as proposed and conditioned, is compatible with the land uses in the surrounding area.


WILLA BOUWENS-KILLEEN
Senior Planner


DONALD D. LAMM
Deputy City Mg./Dev. Svs. Director

DISTRIBUTION: City Manager
City Attorney
City Clerk (2)
Staff (4)
File (2)

Diane Cuniff
1629 Superior Avenue
Costa Mesa, CA 92627

Mr. & Mrs. Carl Stevens
244 Magnolia Avenue
Costa Mesa, CA 92627

Glenn Beeler
25062 Woolwich St.
Laguna Hills, CA 92653

Ken Woods
301 N. Lake Ave. #320
Pasadena, CA 91101

ATTACHMENTS: 1 Zoning location map
2 Plans
3 Color photo

- 4 City Council resolution
- 5 Exhibit "A" – Findings
- 6 Exhibit "B" – Conditions of approval
- 7 Appeal application form
- 8 Planning Commission minutes
- 9 Planning Commission staff report
- 10 Planning Commission resolution
- 11 Exhibit "A" – Findings
- 12 Exhibit "B" – Conditions of approval

File Name070703PA0314

Date7/25/03

Time 11 a.m.

CITY OF COSTA MESA
Development Services Department
P.O. Box 1200, Costa Mesa, CA 92628-1200

PROJECT NO: PA-03-14

DATE: June 16, 2003

To: Glen R. Reeler
25062 Woolwich Street
Laguna Hills, CA 92653

At the regular meeting of the Costa Mesa Planning Commission held on **Monday, June 9, 2003**, the above-referenced item was considered and the following action taken:

Motion: Approved by adoption of Planning Commission Resolution PC-03-39.

(4-0, Commissioner De Maio absent)

Enclosed is a copy of the Planning Commission Resolution, containing findings (Exhibit "A") and, if applicable, conditions of approval (Exhibit "B"). Also enclosed for your convenience is a list of applicable City code requirements, as well as conditions forwarded by various special districts.

Should you have any questions concerning the enclosures or the Commission's decision, or should you wish to appeal the decision to City Council, please contact your Project Planner Willa Bouwens-Killeen at (714) 754-5153.

Sincerely,



DONALD D. LAMM

Deputy City Mgr.-Dev. Svs. Director

RESOLUTION NO. PC-03-39

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT PA-03-14

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

WHEREAS, an application was filed by Diane Cuniff, authorized agent for Glenn R. Beeler, with respect to the real property located at 1629 Superior Avenue, requesting approval of a conditional use permit to establish a dog day care within an existing industrial building; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 9, 2003.

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** Conditional Use Permit PA-03-14 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-03-14 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 9th day of June, 2003.



Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

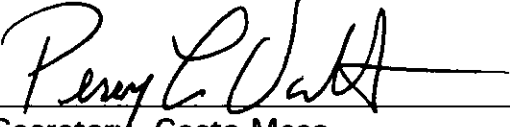
I, Perry L. Valantine, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on June 9, 2003, by the following votes:

AYES: COMMISSIONERS Garlich, Perkins, Faris, Foley

NOES: COMMISSIONERS None

ABSENT: COMMISSIONERS DeMaio

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 that exist in the general neighborhood.
 - Safety and compatibility of the design of the building, parking area, and other site features including functional aspects of the site development such as automobile and pedestrian circulation will remain unchanged.
 - The proposed use is consistent with the General Plan.
 - The planning application is for a project-specific case and does not establish a precedent for future development.
- 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, no significant noise problems are expected since there are no noise-sensitive uses, such as residences and hospitals, located nearby. In addition, there are other noise generators in the surrounding area, such as manufacturing activities and surface traffic. Also, business operations including extensive maintenance and hours of operations will ensure that the establishment will not negatively impact adjacent properties. The applicant will be required to comply with the recommended conditions of approval to ensure that the use is not disruptive to adjacent uses or properties.
- C. 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.
- D. The project, as conditioned, is consistent with Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

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. 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. Applicant shall notify new business/property owners of conditions of approval upon transfer of business or ownership of land.
3. Street addresses shall be displayed on the fascia or store front adjacent to the main entrance of the building, in a manner visible to the public street. Numerals shall be a minimum 12 inches in height with not less than 3/4-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 4 inches in height with not less than 1/4-inch stroke and shall contrast sharply with the background.
4. If the City receives parking complaints, the applicant or operator shall submit a parking management plan to resolve on-site parking issues. The parking management plan may require that outdoor play area be converted into parking spaces. Said plan shall be reviewed and approved by the Planning Division. In the event the parking issues remain unresolved, the conditional use permit shall be returned to the Planning Commission.
5. Any proposed operational change that increases or intensifies the approved use shall require approval of an amendment to this conditional use permit by the Planning Commission.
6. The facility shall operate, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood.
7. Employee parking shall be located at the rear of the property and customer parking will be located at the front of the property.
8. The number of dogs shall be limited to 10-15 dogs for each handler.
9. The level of trash service shall be increased on an as-needed basis.
10. Additional landscaping shall be installed as part of the improvements to the outdoor play area and shall be shown on landscape plans to be submitted as part of the project plan check process.
11. Hours of operation will be 6:30 a.m. to 8 p.m., daily. No outdoor activity is to be conducted after closing.
12. Overnight stays shall be limited to the area within the building. An

- on-site security staff person shall remain on the premises overnight.
13. Veterinary services are limited to an on-call basis. On-site staff will be limited to administering of medicines.
 14. Outdoor activity shall be limited to the outdoor play area located at the rear and north side of the building, as shown on the site plan.
 15. All outdoor activity of the dogs shall be supervised by staff.
 16. All proposed improvements (painting of the building, installation of landscaping and new fencing), shall be completed prior to the initiation of the business.
 17. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the initiation of the business. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 - PD 18. A list of security recommendations has been provided by the Police Department for the applicant's consideration.
 - Plng. 19. Parking shall be modified and striped under direction of the Planning Division. Modifications shall include provision of four (4) staff parking spaces at the rear; provision of required back-up area for staff parking; relocation of handicap parking to the front of the building; provision of two short-term (10-minute maximum), drop-off/pick-up only spaces in the driveway on the south side of the building; removal of the gate at the front of the driveway; and any other necessary adjustments.
 20. Within ~~six (6)~~ months of the effective date of approval of this application, property owner shall file, with the Public Services Department, the necessary applications and filing fees to request vacation of excess public right-of-way along Superior Avenue. Vacation process shall be completed within 12 months of approval of this application.
 21. Applicant shall post signs instructing dog owners to keep dogs on leash until they are well inside the building. No dogs shall be allowed off-leash in the parking or driveway areas.
 22. Applicant shall employ all necessary means – including but not limited to double-door, double-gate systems – to prevent dogs from escaping the facility.
 23. Owner shall install easily cleanable surfaces on interior and exterior dog play and rest areas. These areas shall be maintained in a sanitary condition by mopping or similar means.
 24. Applicant shall monitor outdoor areas, including driveway and parking areas, and clean up as necessary to prevent odors and other nuisances.
 25. Trash pick-up shall be scheduled as frequently as necessary to prevent odors from becoming a nuisance to surrounding properties and tenants.
 26. Applicant shall ensure that waste and contaminated runoff do not reach the public right-of-way and storm drain system.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JUNE 9, 2003

U1.3.
ITEM NUMBER:

SUBJECT: CONDITIONAL USE PERMIT PA-03-14
1629 SUPERIOR AVENUE

DATE: MAY 29, 2003

FOR FURTHER INFORMATION CONTACT: JESSICA C. WILKINSON, ASSOCIATE PLANNER
(714) 754-5640

PROJECT DESCRIPTION

The applicant is requesting a conditional use permit to establish a dog day care, both inside and outside of an existing industrial building.

APPLICANT

The applicant is Diane Cuniff, representing the property owner, Glenn Roy Beeler.

RECOMMENDATION

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

Jessica Wilkinson
JESSICA C. WILKINSON
Associate Planner

Perry L. Valentine
PERRY L. VALANTINE
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 1629 Superior Avenue Application: PA-03-14

Request: Conditional use permit for a dog day care, both inside and outside of an existing industrial building.

SUBJECT PROPERTY:

Zone: MG (General Industrial)

General Plan: Light Industrial

Lot Dimensions: Irregular Lot

Lot Area: 0.23 acres

Existing Development: 3,400 sq. ft. industrial building

SURROUNDING PROPERTY:

North: MG (Multi-tenant industrial business complex)

South: MG (Automotive Repair & Service)

East: MG (Multi-tenant industrial building/Warehouse)

West: MG (Manufacturing)

DEVELOPMENT STANDARD COMPARISON (EXISTING DEVELOPMENT)

Development Standard Required/Allowed Proposed/Provided

Lot Area	10,000 sq. ft.	9,935 sq. ft.*
F.A.R. (Floor Area Ratio)	0.35 (3,477 sq. ft.)	0.34 (3,400 sq. ft.)
Parking:	10	5*
Landscaping:	150 sq. ft.	N/A*

*Legal, non-conforming.

CEQA Status: Exempt, Class 1

Final Action: Planning Commission

Revised 7/98-PLANNING ACTION SUMMARY.COM

BACKGROUND

The subject space is located within an existing 3,400 sq. ft. industrial building in the southwest section of the city. The building was built in 1952. Previous uses include ceramics manufacturing and automotive repair.

On October 3, 1955, City Council approved Variance Application No. 163 for a 40-foot setback from the centerline of Superior Avenue. Encroachment Permit No. 21 was approved by City Council to allow encroachment of the existing building and sign into the street right-of-way. Tentative Parcel Map No. S-24-67 was granted on December 5, 1967 to divide the property into two parcels.

ANALYSIS

The applicant proposes to establish a dog day care, both inside and outside of an existing industrial building. This facility will provide stimulation, exercise, socialization, and in some cases training for a dog that might otherwise be left home alone during the day.

The site consists of an approximately 3,400 sq. ft. building and a 1,225 sq. ft. outdoor play area. The floor plan consists of reception area, an office, staff work areas, a grooming station, indoor play/play run areas, and restrooms. The applicant has indicated that dog day care guidelines, established by the American Boarding Kennel Association, suggest 1 dog per 100 sq. ft. of space. The building and outdoor spaces will total 4,625 sq.ft., which would allow a maximum of 46 dogs at this facility.

There are 7 parking spaces shown on the site plan. However, the property lines are not correctly shown and the actual right-of-way eliminates 2 parking spaces at the front. Consequently, there will be 5 parking spaces available to the facility with 3 spaces at the rear and 2 spaces at the front. Employee parking will be located at the rear of the lot.

Initially, there will be one employee for the facility with one additional full-time employee expected in the future. The applicant plans to hire part-time staff for support during varying times in the day that will not negatively impact parking. Customers will drop off their dogs in the mornings, usually between 6:30 a.m. to 11:30 a.m. Pick ups typically occur between 4 p.m. to 6:30 p.m.

The outdoor play area will be located behind the building. Dogs will be allowed to run through this area without leashes, supervised by staff. The nearest building to this area is an industrial building that is over 20 feet away. Improvements are proposed for the outdoor play area in order to screen it from adjacent properties. The applicant proposes to attach trellises to the existing block walls, and add vine landscaping. Also, the applicant is willing to work with the property owner to the

north in continuing the block wall up to a 7-foot height. Both the applicant and the business owner of the south property have discussed improving the fence along the south property line. However, actual improvements will not be carried out until the neighbor's application for a car wash facility is approved.

The applicant proposes to operate the facility from 6:30 a.m. to 8 p.m. everyday, with overnight stays. There will be one employee on site during the overnight stays. Dogs are dropped off in the mornings, typically between 6:30 a.m. to 11:30 a.m. From 11:30 a.m. to 2 p.m., dogs are placed in crates for a rest/sleep period. From 2 p.m. on dogs will exercise either in the outdoor play area or remain indoors for other activities. Dogs that are in the facility for overnight stays may have outdoor/indoor play time until 8 p.m. After 8 p.m., dogs are placed in crates for their overnight stay. There will be three veterinarians on-call to the facility with their own transportation. No veterinary services will be provided in this facility, except for staff administering medicine.

Trained dog handlers will continually supervise and handle the dogs through out the day, as well as maintain the facility in a clean manner. The facility will be cleaned twice a day to ensure that it does not become unsightly or create an offensive odor. Rubberized floors will be installed and staff will pick up after dogs with scented dog bags. The applicant will monitor the volume of trash and will increase trash pickup when necessary.

Dogs are pre-screened for health and temperament prior to admission to the facility. Ill-mannered dogs, if allowed at all, are confined to areas separate from the other animals. A double-gate system will be installed for all exits to deter dogs from escaping the building. Extensive safety and health measures will be employed to create a secure environment for the dogs, staff, and surrounding area.

The applicant proposes substantial improvements to the site such as interior and exterior paint, new landscaping in front of the building, and new fencing for the outdoor play area.

Staff has received a letter from the property manager for 1635 Superior Avenue in opposition to this permit request. The letter cites concerns with noise, maintenance, increased traffic, and property depreciation. The applicant has responded to this comment with a reply by letter. Both letters are attached for review.

No significant noise problems are expected since there are no noise-sensitive uses, such as residences or hospitals, located nearby. In addition, there are other noise generators in the surrounding area, such as manufacturing activities and surface traffic. In staff's opinion, the dog day care facility complements the industrial area in that it will not be disruptive or unsuitable to the surrounding businesses. The proposed use is consistent with the intent of the General Plan and will not adversely impact the subject site or surrounding properties.

ENVIRONMENTAL REVIEW

This project is exempt from the provisions of the California Environmental Quality Act.

ALTERNATIVES

Denial would result in the inability of the use to establish at this property. The applicant could locate the use in another area of the City, which may be subject to a conditional use permit.

CONCLUSION

Staff believes that the use, as proposed, is compatible with the land uses in the surrounding area.

Attachments: Applicant's Project Description and Justification
Draft Planning Commission Resolution
Exhibit "A" – Findings
Exhibit "B" – Conditions of Approval
Location Map
Letter, dated May 19, 2003
Letter, dated May 22, 2003
Plans

cc: Deputy City Manager-Dev. Svs. Director
 Sr. Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Glenn R. Beeler
25062 Woolwich St.
Laguna Hills, CA 92653



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 25-560

Meeting Date: 10/27/2025

TITLE:

MINOR CONDITIONAL USE PERMIT (ZA-22-35) CONDITION OF APPROVAL NO. 28 - TWELVE-MONTH REVIEW ("ARENA OC")

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION

PRESENTED BY: GABRIEL VILLALOBOS, ASSISTANT PLANNER

CONTACT INFORMATION: GABRIEL VILLALOBOS, 714-754-5610;
gabriel.villalobos@costamesaca.gov <<mailto:gabriel.villalobos@costamesaca.gov>>

RECOMMENDATION:

PLANNING COMMISSION RECEIVE STAFF'S TWELVE-MONTH REVIEW PRESENTATION OF "ARENA OC" AND MAKE THE DETERMINATION THAT NO CHANGE IS APPROVED OPERATIONAL CONDITIONS ARE NEEDED AT THIS TIME



MEMORANDUM

TO: **PLANNING COMMISSION**

FROM: **GABRIEL VILLALOBOS, ASSISTANT PLANNER**

DATE: **OCTOBER 27, 2025**

SUBJECT: **MINOR CONDITIONAL USE PERMIT (ZA-22-35) CONDITION OF APPROVAL NO. 28 - TWELVE-MONTH REVIEW ("ARENA OC")**

BACKGROUND

On August 12, 2024, Planning Application ZA-22-35 for a Minor Conditional Use Permit (MCUP) to amend the previously approved operations of a nightclub ("Arena OC"), that included entertainment, at 2968 Randolph Avenue was approved by the Planning Commission. Generally, the approved application expanded operations to allow dancing, extended the operating hours to open an hour earlier, and to operate on Sundays and major holidays. In addition, a "Finding of Public Convenience or Necessity" was made for the issuance of a Department of Alcoholic Beverage Control (ABC) Type 90 License. One of the provisions of the Type 90 License that differentiates it from the Arena OC's prior Type 48 license is that the Type 90 license does not limit occupants to over 21 years of age. Although customers under 21 years of age cannot be served alcohol, pursuant to this license type, these individuals can attend the approved music/entertainment venues.

The Planning Commission approved the expanded operations subject to certain conditions of approval. In summary, the conditions of approval included, but were not limited to: operational restrictions regarding parking lot security, security staff procedures, responsible beverage service (RBS) training for staff, noise mitigation, hours of operation limitations, a minimum age restriction of 18 years or older, customers under the age of 21 are restricted to attend on Thursdays only, age restricted areas where customers under the age of 21 are prohibited, wrist bands for identifying both customers under/over 21 years of age, and restricting under 21 years of age customers from attendance on major holidays such as New Years Eve, 4th of July and Halloween.

In addition, the Planning Commission approved Condition of Approval (COA) No. 28 which required:

“A review of this entitlement shall be conducted by the Planning Commission as soon as possible after both the sixth-month and one-year anniversary date of the project approval’s effective date to determine if the business is operating in good faith and whether any modifications to business operations or conditions of approval are warranted. If the business is not operating in good faith or other adverse impacts are determined to exist, the Planning Commission may adjust existing conditions of approval or add new conditions to address the concern up to and including initiating a revocation of this use’s entitlement.”

A detailed description of the project is provided in the August 12, 2024, Planning Commission Agenda Report attached and linked below. The meeting minutes and video are also linked below:

- [August 12, 2024 Planning Commission Agenda Report](#)
- [August 12, 2024 Planning Commission Minutes](#)
- [August 12, 2024 Planning Commission Video](#)

On April 14, 2025, the Planning Commission received and filed the 6-month review. Planning staff presented that during this six-month review period, there had been no substantial increase in calls for service related to Arena OC, and the operations (both regarding the under-age component and the general day-to-day operations) were consistent with project land use approvals and without issues of neighborhood compatibility. At that time no operational adjustments to the conditions of approval were considered. The Commission expressed its desire for the applicant to attend the subsequent review hearing.

ANALYSIS

The primary purpose of Condition of Approval No. 28 is for the Planning Commission to receive a review and update from staff relating to the unique operations of serving alcoholic beverages in a club/lounge environment that would also include customers under the legal drinking age. As indicated above, two separate reviews are required by COA No. 28, which are to occur after the six-month and 12-month operational anniversary dates. Arena OC began operations pursuant to the revised use approval on August 19, 2024, making the twelve-month operational anniversary date August 19, 2025. Thus, this memo is intended to respond to COA No. 28 and the required twelve-month review.

In this regard, planning staff has reached out to the Costa Mesa Police Department to request a log of calls for service associated with the 2968 Randolph Avenue property. Between the effective date of approval of August 19, 2024, and the twelve-month anniversary date of August 19, 2025, there have been a total of 20 calls for service, with 16 during the initial 6-month period and 4 within the subsequent 6-month period. These calls for service range from battery, to petty theft, to vehicle theft. Of the 20 calls for service on record, only two of the calls were determined to be on a Thursday night when the establishment would allow for customers under

the age of 21 in attendance. Of the two calls for service made on a Thursday, one did not involve any voice contact and the other involved a suspicious male. Neither call included a follow up incident report, as such there is no additional information to provide regarding the nature of the call or age of callers or person(s) involved. Of the four recent calls for service, none took place on a Thursday and were not deemed to be related to the involvement of underage patrons at this business.

Lastly, there have been no code violations logged at this property and no applicable noise complaints logged by Costa Mesa Police. Further, the City's Police Department have indicated that the calls for service reported during this period related specifically to Arena OC are not considered to be excessive compared to similar establishments operating in the City, and are not adding any unique burden to Police operational resources.

CONCLUSION

Based on review of calls for service during this twelve-month review period, there has been no substantial increase in calls for service related to Arena OC specifically related to the allowance of minors in attendance at nighttime events. The operations (both regarding the under-age component and the general day-to-day operations) are consistent with project land use approvals and are without issues of neighborhood compatibility as the general vicinity includes several other nightlife venues.

Staff is aware that Arena OC is currently not operating and is being advertised as a venue for sale. The business owner indicates that the venue has not been in operation since May 2025, and is in the process of being sold to a new operator. The owner has been notified by staff that all previously approved conditions would still be applicable and any changes in operational procedures would be subject to the approval of an amendment. In addition, pursuant to [Section 13-29\(k\)\(1\)](#) of the Costa Mesa Municipal Code (CMMC), planning applications shall run with the land until revoked, except as provided in Section 13-29 or in a condition imposed at the time of granting the planning application. The previously approved conditions as included in the attached resolution to this memo, do not specify a time period in which ceased operations would nullify and void the approved planning application.

In summary, based on review of Arena OC's operation for the first twelve-months of permitted modified operations, staff believes that the "business is operating in good faith" and no "modifications to business operations or conditions of approval are warranted" at this time.

Attachments:

1. August 12, 2024, Agenda Report
2. August 12, 2024, ZA-22-35 Resolution
3. Calls for Service Log
4. April 4, 2025 Planning Commission Minutes (six month review)



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: AUGUST 12, 2024

ITEM NUMBER: PH-1

SUBJECT: MINOR CONDITIONAL USE PERMIT (ZA-22-35) TO CONSIDER MODIFICATION OF CONDITIONS FOR “ARENA OC” AND TO MAKE A FINDING OF PUBLIC CONVENIENCE OR NECESSITY FOR A NEW TYPE 90 “MUSIC VENUE” ABC LICENSE AT 2968 RANDOLPH AVENUE

**FROM: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION**

PRESENTATION BY: GABRIEL VILLALOBOS, ASSISTANT PLANNER

**FOR FURTHER INFORMATION CONTACT: GABRIEL VILLALOBOS
714-754-5610
GABRIEL.VILLALOBOS@COSTAMESACA.GOV**

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities;
2. Approve Minor Conditional Use Permit (ZA-22-35) based on findings of fact and subject to conditions of approval; and
3. Make a determination in support of a Finding of Public Convenience or Necessity for a New Type 90 “Music Venue” ABC License.

APPLICANT OR AUTHORIZED AGENT:

The authorized agent is F. Michael Ayaz, representing the property owner Jerry Palanjian.

PLANNING APPLICATION SUMMARY

Location:	2968 Randolph Avenue	Application Number(s):	ZA-22-35
Request:	Minor Conditional Use Permit to consider modifying entitlements for Arena OC (formerly "Commissary Lounge") including allowing dancing for an existing business that is permitted for live entertainment and allows for the sale and on-site consumption of alcoholic beverages after 11:00 p.m., to consider modifying the business's hours/days of operation, and to consider a Finding of Public Convenience or Necessity pursuant to City Council Policy 500-8 for the conversion of an existing Type 48 "On-Sale General – Public Premises" Alcoholic Beverage Control ("ABC") license to a Type 90 "Music Venue" ABC license.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	MG (General Industrial)*	North:	C1 (Local Business)
General Plan:	Light Industrial	South:	MG (General Industrial)
Lot Dimensions:	140 FT x 224.34 FT	East:	C1 (Local Business)
Lot Area:	0.72 acres	West:	MG (General Industrial)
Existing Development:	Existing one-story 16,000-square-foot industrial building with 30 on-site surface parking spaces and 24 off-site spaces pursuant to a recorded parking agreement.		
*Property is located within the SoBeca Urban Plan area, the provisions of the urban plan do not have any applicability as there is no mixed-use development onsite.			

DEVELOPMENT STANDARDS COMPARISON

Development Standard		Required/Allowed MG Dev. Standard	Proposed/Provided
Building Height		2 Stories / 30 ft	1 Story / 15 ft. 2 in.(no change)
Setbacks:			
Front		10 ft.	19 ft. 6 in.
Side (left/ right)		0 ft. / 0 ft.	0 ft. / 40 ft.
Rear		0 ft.	46 ft.
Parking		0 spaces*	29 on-site parking spaces 24 off-site parking spaces
CEQA Status	Exempt per CEQA Guidelines Section 15301 (Existing Facilities)		
Final Action	Planning Commission**		
* Assembly Bill 2097 (AB2097) limits cities from imposing minimum parking requirements to development projects located within ½ mile of a major transit stop. This project site meets location criteria to benefit from AB 2097.			
** The Zoning Administrator has forwarded this application to the Planning Commission pursuant to CMMC Section 13-11(b).			

EXECUTIVE SUMMARY:

The applicant (Arena OC) is requesting Planning Commission approval to modify entitlements for an existing bar/lounge approved with entertainment located on Randolph Avenue, which was formerly known as "The Commissary". Specifically, this application seeks to modify conditions to allow dancing, expand the operating hours to open an hour earlier, and to operate on Sundays and major holidays. In addition, a "Finding of Public Convenience or Necessity" is requested for the issuance of a Department of Alcoholic Beverage Control (ABC) Type 90 License.

The project has been noticed as required by the Costa Mesa Municipal Code (CMMC) and staff has received response letters from nearby property owners and residents voicing concerns regarding parking, noise, and land use compatibility. In addition, the Costa Mesa's Police Department have also indicated project concerns (further described below in this report). In light of these concerns, staff has included specific operational conditions for the Planning Commission consideration.

Based on review of the application, as conditioned and as further detailed in the below report, staff finds that the application is in compliance with applicable requirements of the City's General Plan, Zoning Ordinance, and provisions of State law. Staff is recommending that the Planning Commission find the project exempt from the California Environmental Quality Act (CEQA) and approve the application based on findings of fact and subject to conditions of approval contained in the attached resolution.

SETTING:

Arena OC is located at 2968 Randolph Avenue (see the below Exhibit 1) and is currently operating under previously approved City land use entitlements. It is situated on the east side of the street between Baker Street and Bristol Street in the same tenant space formerly occupied by "The Commissary". The applicant is the same business operator as "The Commissary".

EXHIBIT 1: LOCATION MAP



The project site is designated Light Industrial by the City's Land Use Element of the General Plan and is zoned MG (General Industrial). The Light Industrial designation is intended for less intense small manufacturing and service industries, as well as larger industrial operations that can limit disruptions to surrounding uses. The MG zone allows for a variety of land uses including a wide range of light and general industrial activities and other conditionally permitted uses such as establishments selling alcohol with live entertainment.

The property is located within the SoBeca Urban Plan area, which is a local planning area characterized by a variety of unique uses that include retail, food establishments, offices, automobile services, and industrial uses. Allowed uses include a mix of housing and retail/service commercial businesses, light industrial uses, creative studios, retail campuses, and entertainment and restaurant uses that attract local residents and visitors. The SoBeca Urban Plan is an overlay zone that seeks to improve the area by encouraging the development of live/work units or residential development. The overlay zone supersedes the underlying zoning provisions; however, only if activated through the approval of a residential master plan application. At this time, because there is no residential/live/work uses proposed, the provisions of the SoBeca Urban Plan do not apply to the project site.

The project site is located adjacent to other industrially zoned properties to the south and west and commercially zoned properties to the north (along Baker Street) and east (along Bristol Street). Pentridge Cove, a residential condominium community, is located approximately 350 feet away on the north side of Baker Street. Additionally, the subject property is located within a major commercial area of the City, with destinations such as "The LAB" and "The Camp" located in close proximity. Other similar businesses near the project site include several breweries and nightclub/bars such as "Gunwhale Ales", "Green Cheek Beer", "Salty Bear Brewing", "The Huddle" and "Mesa". The remainder of the nearby area consists of other light industrial and commercial land uses including offices, retail stores, and automotive repair shops.

BACKGROUND:

Site and Improvements

The subject property is comprised of Lots 9 and 10 of Tract 3631, which were legally created on March 17, 1960. Each lot is rectangular in shape and measures 70 feet wide by 224.30 feet deep, and have an area of 15,701 square feet.

On April 8, 1960, the Building Department issued Permit No. 11277 to construct a 16,000 square-foot, one-story (15-foot tall) light industrial building. At 100 feet wide, this building extended across the existing lot line and necessitated that Lots 9 and 10 be combined for the purpose of complying with applicable codes. Other on-site improvements included a 19' – 6" landscaped front setback, and an on-site surface parking lot located adjacent to the building and along the rear property line. Access to the site is provided from a driveway shared with Lot 8 (2960 Randolph Avenue). City records show that an easement was

recorded for access purposes as well as to share parking between the two sites. With the addition of the parking spaces at 2960 Randolph Avenue (Lot 8), the total available shared parking for the project is approved with 48 spaces.

The project site was initially occupied as an industrial warehouse used for manufacturing purposes. In 1984, the building was internally divided to accommodate multiple tenants. As of today, the building is divided into four tenant spaces that are occupied by the following uses: Process Creative Production Company (office use), Pacific Point Church (religious use), Mellowist (retail use), and Arena OC (formerly Commissary (bar/lounge use)).

It should be noted that an unpermitted approximate 1,250 square-foot structure has been constructed at the rear of the property. This structure appears to be used for storage purposes and serves the Pacific Point Church. While the structure conforms to setback requirements, it exceeds the properties floor area ratio (FAR).

EXHIBIT 2: SITE AERIAL



As a result of unpermitted structure, the subject property on-site parking has been reduced by approximately five spaces. Additionally, Lot 8 is improved with a one-story, 7,500-square-foot light industrial building that is occupied by an auto wholesaler/machine shop and a microbrewery known as Gunwhale Ales. Gunwhale Ales has installed four picnic benches in two of the parking spaces beside their tenant space. Staff does not have record of issuing Gunwhale Ales a temporary use permit for the tables in the parking lot; however, Gunwhale Ales has expressed interest in permitting this seating area.

Separately, staff will be working with the brewery to determine if this outdoor area can be permitted subject to applicable City codes, or require the benches to be removed. However, as a result of the unpermitted picnic benches encumbering two parking spaces, and the unpermitted storage building encumbering approximately five parking spaces, the actual available parking for the use is less than approved.

EXHIBIT 3: ON-SITE GROUND LEVEL VIEW



Prior Entitlements

On January 14, 2013, the Planning Commission approved Conditional Use Permit PA-12-26 by a vote of 5-0. This approval allowed a bar/lounge (i.e., “Commissary Lounge¹”) to operate Thursday through Saturday from 9:00 p.m. to 2:00 a.m., and included a finding of public convenience or necessity in support of a Department of Alcoholic Beverage Control (ABC) Type 48 (On-Sale General - Public Premise) license.

The Type 48 license is most often issued to bars and allows for the sale of beer, wine and distilled spirits for consumption on the premises. Minors are not allowed to enter the premises and food service is not required. In addition to being able to sell a full complement of beer, wine, and distilled spirits, the City’s approval also allowed for live entertainment in the form of a disc jockey only. The Planning Commission’s approval

¹ The Commissary Lounge was initially approved through PA-07-36 in 2008 and operated at The LAB at 2960 Bristol Street, Suite A101 as a wine bar/art gallery that conducted shows and music-related events with live entertainment in the form of a disc jockey (live music and dancing were prohibited).

included a number of operational conditions of approval. A link to the January 14, 2019, Planning Commission Minutes is provided below:

<https://www.costamesaca.gov/home/showpublisheddocument/9719/636490563866670000>

The 5,403 square-foot “Commissary” tenant space included a 4,256 square-foot lounge area, a 314-square-foot bar area, an 85-square-foot entry, a 389 square-foot restroom area, and a 359 square-foot storage area.

On February 21, 2019, the Zoning Administrator approved Minor Conditional Use Permit ZA-18-51. This approval modified the 2013 conditional use permit by allowing additional forms of live entertainment such as live bands, comedians, poetry readings, and karaoke. The Zoning Administrator approval also allowed electronic game machines in an area not exceeding 570 square feet of the existing floor area. A link to the Minor Conditional Use Permit (ZA-18-51) is provided below:

<https://www.costamesaca.gov/home/showpublisheddocument/36569/636863604424930000>

Public Safety and Calls for Service

Since July 2021, the Costa Mesa Police Department has received 39 calls for service associated with the address of 2968 Randolph Avenue (subject property). A copy of the police log is provided as an attachment to the staff report.

The Police Department has also reviewed the application, visited the site and has provided a Memorandum regarding the proposed modifications to the approved operations (the Police Memorandum is provided as an attachment to this report). The Police Memorandum indicates that the current use averages approximately 12 police calls for service a year, which is not considered excessive based on other similar bars and night clubs operating in the City. However, the Police indicate that previous 18 and over clubs that have operated in the City have created “an unsafe environment and undue burden upon the community resulting in increased calls for service”. The Police Memorandum specifically indicates that previous types of calls for service include fights and physical altercations, intoxicated persons causing disturbances, drinking in public, noise disturbances and littering in surrounding businesses and residential neighborhoods. Lastly, the Police Memorandum indicates that “the changes being requested would allow for a licensing change and the addition of 18–20-year-olds into an environment that sells alcohol and is primarily an adult entertainment environment, which creates an inherent concern of underage drinking and ultimately has the potential to become a detriment to the community”.

Type 90 On-Sale General Music Venue Alcohol License

Senate Bill (SB) 793 became effective on January 1, 2023, and resulted in the State of California's newest Alcoholic Beverage Control license: Type 90 On-Sale General Music Venue. The California Department of Alcoholic Beverage Control (ABC) website describes this license type as authorizing the sale of beer, wine, and distilled spirits for consumption on the premises in a music entertainment facility as defined in Business and Professions Code Section 23550. Sale, service, and consumption of alcoholic beverages are limited to the time period from two hours before a live performance until one hour after the live performance. Minors are allowed on the premises under a Type 90 License. This license type is subject to Responsible Beverage Service (RBS) requirements and requires alcohol servers and managers of alcohol servers to be RBS certified. One of the provisions of the Type 90 License that differentiates it from the existing issued Type 48 license is that this ABC license does not limit occupants to over 21 years of age.

SB 793 defines a music entertainment facility as a publicly or privately owned live performance venue, concert hall, auditorium, or an enclosed arena where music or entertainment events are presented for a price of admission. The facility does not have to be used exclusively for music or entertainment events. SB 793 further stipulates that a music entertainment facility must satisfy all of the following criteria:

- The facility has defined performances and audience spaces;
- The facility includes mixing equipment, a public address system, and a lighting rig;
- The facility employs one or more individuals to serve a number of specified roles, including a sound manager, promoter, stage manager and a box office manager;
- There is a paid ticket or cover charge to attend performances and artists are paid or do not play for free or solely for tips, except for fundraisers or similar charitable events; and,
- Performances at the facility are marketed through listings in printed or electronic publications, on websites, by mass email, or on social media.

According to the author of the Senate Bill, "SB 793 will provide much needed relief for California's independent venues to ensure they are able to recover economically after the COVID-19 pandemic by creating a new license category for music entertainment venues. The pandemic has had a devastating impact on California's live entertainment venues, which were among the first businesses required to close in March 2020, and will likely be among the last to reopen. California State law does not offer a type of liquor license tailored to the unique needs of the State's live entertainment venues. As a result, venue operators face challenges in accessing liquor licenses and complying with their operating requirements".

REQUEST:

Consistent with the requirements of the Type 90 ABC license, Arena OC seeks to establish itself as a focused live entertainment venue. In conjunction with the ABC License change, the applicant is also requesting approval to modify prior entitlements, including:

- 1) To allow dancing;
- 2) To open at 8:00 p.m. (currently permitted to open at 9:00 p.m.), and
- 3) To open on Sundays and major holidays (currently permitted to operate Thursday through Saturday)

In addition, pursuant to State Department of ABC regulations, the applicant is asking the City to make a finding of public convenience or necessity for their requested Type 90 license. The State has informed the City that a determination of public convenience or necessity (i.e., PCN) is required because the census tract that Arena OC is located in is entitled to seven licenses and 57 exist (including their current Type 48 license). Therefore, there is an overconcentration of alcohol licenses in this Census Tract. However, and it is important to note that the requested change in ABC license would not result in a net increase in ABC licenses in the Census Tract. In addition, the City's 2013 and 2019 approvals already establish the underlying land use approvals necessary for a live entertainment venue, and the City previously made a finding of public convenience or necessity in support of the existing Type 48 ABC license for this location. Though the applicant is seeking to convert their Type 48 license into a Type 90 license with the Department of ABC, there is no difference in the types of alcohol that can be served and consumed on the site.

STANDARD OF REVIEW:

All planning applications should demonstrate compatibility to applicable goals, objectives, and policies of the City's adopted General Plan. When evaluating the applicant's request to modify prior conditional use permit and minor conditional use permit approvals, staff also considers whether or not the modification aligns with the findings required to be made pursuant to Costa Mesa Municipal Code Section 13-29(g)(2)(a-c). Those findings generally require the use to:

- Be compatible with and not be materially detrimental to nearby properties;
- Not be materially detrimental to the health, safety and general welfare or injurious to nearby properties; and
- Not allow a use, density or intensity not in accord with the general plan designation and applicable specific plan.

When considering the applicant's requested finding of public convenience or necessity, the standard is whether or not the City believes that public convenience or necessity is served by the issuance of the additional license. This requirement comes from State law as this process does not exist within the Costa Mesa Municipal Code; however, City Council Policy 500-8 authorizes the Planning Commission to be the decision-making body for this type of request. Section 23958.4 of the California Business & Professions Code uses a ratio of alcohol licenses (either on-sale or off-sale) to population within a census tract compared to the ratio of those alcohol licenses to population in the county as-a-whole. When the census tract ratio exceeds the countywide ratio, an "overconcentration" or "undue concentration" is deemed to exist. When an over or undue concentration exists,

The City's review is limited to only the applicant's current specific requests as the City's approvals of the original conditional use permit in 2013 and its modification in 2019 already establish the land use right to sell beer, wine, and distilled spirits Thursday through Saturday from 9:00 p.m. to 2:00 a.m. with live entertainment.

Floor Plan

Arena OC occupies a 5,403 square foot tenant space in a 16,000 square foot multi-tenant building (see the below Exhibit 4). Entry to the tenant space is obtained from the on-site parking lot. Upon entering the facility, patrons must pass through the box office. As proposed, all events are ticketed and advertised online through the business's website and social media platforms as required under the Type 90 ABC license.

[illegible]

The proposed floor plan includes a large open area and a bar located along the back wall. An elevated stage is located opposite the bar at the front of the venue. Several rows of seating are arranged perpendicularly to both the stage and a smaller bar located across

the main entertainment area. The area intended for dancing is located between the third and fourth rows of seats in an open area. A lighting rig is built into the ceiling and lighting can be directed to highlight both the dance floor and the performance stage.

The seating areas located left and right of the dance floor will be roped-off and can be purchased as reserved seating. Security guards will be stationed at each roped-off entry to the reserved seating areas. All other patrons will purchase general admission tickets to the venue and will be allowed to observe performances from other than the reserved seating areas. The venue has two sets of restrooms.

Security Plan

Arena OC has prepared a Security Policy & Procedure Manual (Manual) and is included as an attachment to this report. The Manual is intended to provide employee procedures to reduce and eliminate potential problems that may arise during the course of business, and prevent neighborhood disturbances. The security procedures include both the use of electronic video surveillance and security guards. Specifically, the applicant proposes ten security cameras to be installed (two exterior cameras and eight interior cameras), and seven security guards (two guards will be stationed at the facility's exterior doors and the other five will monitor the interior spaces). The manual also includes provisions for employee training – including for alcohol beverage servers and managers.

The Manual includes direction for employee screening of all customers to ensure that that occupants are 18 years of age or older, and that they are issued a brightly-colored, large, tamper-proof wristband that properly identifies the guest by their age cohort (i.e., under 21 years and over 21 years of age). The Manual also identifies what types of identification are acceptable to verify a person's age. The Manual requires that ID be checked not only upon entry but also before serving alcoholic beverages.

Other topics covered by the Manual include guidelines for handling intoxicated persons, dealing with unacceptable guest behavior, and a conflict resolution process up to and including guest removal. Because Arena OC proposes to allow customers aged 18 and above, the Manual stipulates that only persons 21 and over are allowed within the bottle service area and that an entire group must be present before being escorted by an employee to their table in this age-restricted area. In addition, the Manual requires that prior to the service of alcohol in this area, Arena OC employees are directed to re-check the age identification for all guests being served. The bottle service area will be monitored by security personnel to ensure that alcoholic drinks are not provided to underage persons.

Parking

Arena OC currently operates within a 5,403-square-foot portion of a larger 16,000-square-foot building that is occupied by other businesses including offices, a retail shop, and a church. Each of these businesses is not in operation when Arena OC proposes to operate, which is Thursday through Sunday from 8:00 p.m. to 2 a.m. Per a recorded reciprocal

parking and shared access agreement, the subject property also shares parking spaces with a brewery and automotive shop at 2960 Randolph Avenue. The neighboring brewery use (Gunwhale Ales) was approved through a CUP (PA-15-50) and was conditioned to operate Thursday through Saturday from 12 p.m. to 8:30 p.m. to accommodate the parking demands for the existing bar/lounge.

Current entitlements require 48 parking spaces for Arena OC (formerly The Commissary). This parking ratio is compliant with the Costa Mesa Municipal Code's standard for food and beverage establishments. As mentioned earlier, there is a recorded reciprocal parking agreement with the adjacent property that provides a total of 48 parking spaces; however, due to unpermitted site plan changes made to both the subject and shared parking site, less parking spaces are currently available than previously approved.

In September 2022, Assembly Bill 2097 (AB 2097) was signed into law by Governor Newsom and became effective on January 1, 2023. The primary objective of this legislation is to limit local governments from imposing minimum parking regulations on commercial and residential projects that are located within 0.5 miles of a major transit stop. AB 2097 defines "major transit stop" as an existing rail or bus rapid transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

Staff has reviewed the nearby public transit facilities and determined that the subject property is located within 0.5 miles of a major transit stop (the intersection of Bristol Street and Baker Street). Therefore, and notwithstanding the above parking assessment, pursuant to AB 2097 the City of Costa Mesa cannot impose a minimum parking requirement on this land use entitlement.

ANALYSIS:

Modifications to Existing Conditions of Approval

Staff supports the applicant's request to permit dancing in that the provision of dancing is a complimentary use to the permitted music venue, which would also be substantially compatible with many of the other customer serving uses (including bars, restaurants and breweries) that operate in the SoBECA area.

In addition, staff supports the applicant's request to open at 8:00 p.m. instead of 9:00 p.m. Prior conditions limiting business hours were based on the availability of shared parking; however, with the State's enactment of AB 2097, the City is barred from imposing a minimum parking requirement on uses in this area and therefore parking availability is no longer a project limitation. Also, similar live music venues such as "The Observatory", "Constellation Room", "La Santa", "The Yost" in Santa Ana and "The Coach House in San Juan Capistrano" open as early as 7:00 p.m. and therefore the proposed hours of operation are consistent with similar venues in the local area and region.

Staff also supports the applicant's request to open on Sundays and major holidays. The surrounding area consists of a varied mix of land uses that generally do not operate on Sundays, and therefore potential impacts of traffic and parking are lessened. In addition, Arena OC does not operate Sunday through Wednesday and therefore permitting an additional day of operation will allow the business to be more market competitive and therefore also consistent with General Plan Land Use Element Policy 6.7 which "encourages new and retain existing business that provide local shopping and services". Approving an additional day of operation is also consistent with General Plan Land Use Element Objective LU-6C which states to "retain and expand the City's diverse employment base, including office, retail/service, restaurants, high-tech, action sports, boutique and prototype manufacturing, and industrial businesses", in that the additional day of operation would add additional employment opportunities in the City. Lastly, other nearby operating similar uses such as "The Huddle" and "Mesa" operate on Sundays.

Type 90 ABC License

Pursuant to Section 23552 of the California Business and Professions Code, an on-sale general public premises licensee may exchange that license for a music venue license, subject to the qualifications of the premises as specified by the requirements listed in Table 1 below. The applicant has submitted a floor plan and operational plan that demonstrates how their venue complies with the requirements of the Type 90 ABC license, which is more specifically detailed below in Table 1.

Table 1: Type 90 ABC License Compliance

Requirement	Proposed
Defined performance and audience spaces	An approximately 450 SF existing stage area will be used as performance space. The audience space is comprised of approximately 4,256 square feet of floor area and includes seating and standing, room only areas.
Mixing equipment, a public address system, and a lighting rig.	lighting and sound equipment. The venue would include large digital screens large located behind the stage and dynamic lighting installed on the ceiling along with sound equipment for disc jockeys.
One or more individuals to serve not less than two of the following roles: a) A sound engineer b) A booker c) A promoter d) A stage manager e) Security personnel	The Arena OC will include employees that serve as stage manager, sound and lighting engineer, booker/promoter, box office manager and security personnel.

f) A box office manager	
There is a paid ticket or cover charge to attend performances at the facility and artists are paid and do not play for free or solely for tips, except for fundraisers or similar charitable events.	Tickets will be available for purchase online or at the door.
Performances at the facility are marketed through listings in printed or electronic publications, on websites, by mass email, or on social media.	Performances at the facility will be advertised through their website and on social media.

Public Convenience or Necessity (PCN) Finding

Based on the Countywide ratio, the State requirements limit the applicable census tract 639.08 to seven on-sale licenses. Pursuant to State records, 57 on-sale licenses already exist within this census tract. If the applicant's request is approved, the number of on-sale licenses within the census tract would remain at 57 licenses. A PCN finding can be made for the requested upgrade in ABC license as there will be no increase in the number of ABC licenses in the census tract. This request would not be considered a premise-to-premise transfer as the business is already located at the subject property and has operated there under an on-sale license type. The request would convert the Type 48 license to a Type 90, which both allow for similar onsite consumption and similar alcohol types. If approved, the Type 48 license would become inactive and could not be used at this location anymore. The applicant has the ability to sell the Type 48 license to another location as a premise-to-premise transfer.

As confirmed in an email exchange between City staff and ABC staff, if the Type 90 license is approved, the existing Type 48 license will be surrendered by the applicant upon issuance of a Type 90 license. Type 48 licenses are in high demand and, as such, are a commodity that can be sold. Since ABC only allows one alcohol license to be in use by a business at a time, the Type 48 license will remain unused in the Census Tract until it is sold. If/when sold, there is no ABC requirement that the Type 48 license remain in this census tract or even the City of Costa Mesa.

GENERAL PLAN CONFORMANCE:

The following analysis further evaluates the proposed project's consistency with specific policies and objectives of the 2015-2035 General Plan.

1. **Policy LU-1.1:** 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.

Consistency: The project will allow for continuation of an existing land use that provides commercial services in the form of enhanced live entertainment. The proposal to amend an existing ABC license and allow

for the establishment of a new, and the first Type 90 ABC license, within the City would establish the subject property as a music venue for live entertainment and nightlife destination within the City. The use would not remove any commercial or residential land, thus maintaining the balance of housing opportunities, commercial goods and services, and employment opportunities.

2. **Policy LU-6.7:** Encourage new and retain existing businesses that provide local shopping and services.

Consistency: Arena OC (formerly known as “Commissary”) has existed at the subject property since the approval of conditional use permit PA-12-26 in 2013. The proposed amendment intends to allow the business greater flexibility in the type of events at the subject property including various types of musical acts and events that are intended for patrons 18 years and older.

3. **Objective LU-6C:** Retain and expand the City’s diverse employment base, including office, retail/service, restaurants, high-tech, action sports, boutique and prototype manufacturing, and industrial businesses.

Consistency: Permitting an additional day of operation (Sunday) will result in additional employment opportunities in the City.

FINDINGS:

Pursuant to Title 13, Section 13-29(g), Findings, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required findings:

- *The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.*

The proposed amendment to the permitted use is substantially compatible with developments in the SoBECA area, including numerous restaurants, bars and breweries, and would not be materially detrimental to other properties within the area in that the business is existing and the proposed changes, including operating an hour earlier, opening on Sunday and permitting dancing are not anticipated to result in detrimental effects to properties within the area. Additionally, the project is conditioned to account for concerns regarding neighborhood compatibility, including a condition requiring a Planning Commission reevaluation of the approval six months and one-year from opening.

- *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.*

The proposal 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 as the project is conditioned to address potential safety concerns. In addition, the applicant will operate consistent with a Security Policy and Procedure Manual that outlines training and protocols that staff will be instructed to follow, and includes information such as providing specific wristbands to distinguish patrons under 21 years of age from those that are older, providing numerous security guards in strategic areas and installing video surveillance.

- *Granting the minor conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.*

The proposal will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property. The subject property includes a land use designation of Light Industrial which allows for certain commercial recreational uses, provided that the commercial use is determined to be complementary to the industrial area. The business is already in existence and this proposal would generally maintain existing operations that include the service of on-site alcohol and to be closed at 2 a.m. The proposed modifications that include opening an hour earlier, operating on Sundays and permitting dancing is not inconsistent with the General Plan. The SoBECA Urban Plan is not applicable in that the project does not include a request for residential or live/work.

ENVIRONMENTAL DETERMINATION:

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities. This application is for the proposed amendment of prior entitlements associated with an existing beverage serving establishment to allow for a change in ABC license type and modification of previous operational conditions of approval. There will be no increase in floor area for the site, no significant exterior changes and the business operations will remain relatively similar to what currently exists onsite in relation to potential environmental impacts. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies in that the Project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location, and would not impact any historic resources.

ALTERNATIVES:

The Planning Commission can consider the following alternatives:

1. Approve the application with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.
2. Continue the application to a date certain. The Planning Commission may need more information from staff or the applicant to inform their decision-making. In this case, it would be appropriate to continue the application to a date certain so the requested information can be gathered for presentation to the Planning Commission.
3. Deny the application. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project were denied, the applicant could not submit substantially the same type of application for six months.

LEGAL REVIEW:

The draft Resolution has been approved as to form by the City Attorney's Office.

PUBLIC NOTICE:

Pursuant to CMMC Section 13-29(d) three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site on July 25, 2024. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on each street frontage of the project site on July 26, 2024.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on July 27, 2024.

As of the date of distribution of this report, staff has received five written public comments. These comments are attached for the Planning Commission's reference and generally express concerns about parking availability, patrons illegally parking on neighboring properties, traffic congestion, noise levels, disturbing the peace in nearby residential areas, loitering, trash, and vandalism. Any public comments received after the agenda is posted (prior to the August 12, 2024, Planning Commission meeting) will be provided under separate cover.

CONCLUSION:

Planning staff has determined that the project, as conditioned, will be compatible with surrounding properties and will not impose any substantial health and safety risks and will not be materially detrimental to the general area. However, the Costa Mesa Police Department has expressed certain concerns about this type of land use and, specifically notes that there are a number of similar uses in this immediate area and the City that, collectively, have generated calls for service. The Planning Commission should consider the Police Department concerns and determine if the proposed operational conditions would eliminate the applicable Police concerns.

RESOLUTION NO. PC-2024-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING ZONING APPLICATION ZA-22-35 FOR A MINOR CONDITIONAL USE PERMIT TO AMEND EXISTING CONDITIONS OF APPROVAL AND REPLACE AN EXISTING TYPE 48 ABC LICENSE WITH A TYPE 90 "MUSIC VENUE" LICENSE IN THE MG ZONE FOR THE PROPERTY LOCATED AT 2968 RANDOLPH AVENUE

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, Zoning Application 22-35 was filed by F. Michael Ayaz, authorized agent for the property owner, Jerry Palanjian requesting approval of the following:

A Minor Conditional Use Permit application to replace an existing ABC liquor license (Type 48 "On-Sale General – Public Premises") with a Type 90 "Music Venue", and modifications to conditions of approval, including expanded hours of operation, expanded operating days and to allow dancing;

WHEREAS, a duly noticed public hearing held by the Planning Commission on August 12, 2024 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301 (Class 1), for Existing Facilities;

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa.

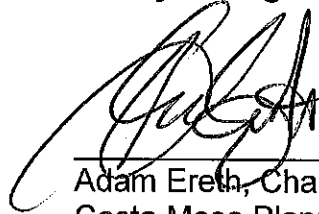
NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Zoning Application 22-35 with respect to the property described above.

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 Zoning Application 22-35 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall

be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are 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.

PASSED AND ADOPTED this 12th day of August, 2024.

A handwritten signature in black ink, appearing to read 'Adam Ereth', is written over a horizontal line.

Adam Ereth, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

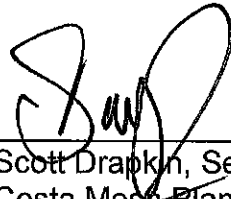
I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2024-19 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on August 12, 2024 by the following votes:

AYES: Ereth, Andrade, Klepack, Martinez, Rojas

NOES: Toler, Zich

ABSENT: None

ABSTAIN: None



Scott Drapkin, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2024-19

EXHIBIT A

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:

Finding: The proposed development or use is substantially 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: The proposed amendment to the permitted use is substantially compatible with developments in the SoBECA area, including numerous restaurants, bars and breweries, and would not be materially detrimental to other properties within the area in that the business is existing and the proposed changes, including operating an hour earlier, opening on Sunday and permitting dancing are not anticipated to result in detrimental effects to properties within the area. Additionally, the project is conditioned to account for concerns regarding neighborhood compatibility, including a condition requiring a Planning Commission reevaluation of the approval six months and one-year from opening.

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 Finding: The proposal 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 as the project is conditioned to address potential safety concerns. In addition, the applicant will operate consistent with a Security Policy and Procedure Manual that outlines training and protocols that staff will be instructed to follow, and includes information such as providing specific wristbands to distinguish patrons under 21 years of age from those that are older, providing numerous security guards in strategic areas and installing video surveillance.

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 and any applicable specific plan for the property.

Facts in Support of Finding: The proposal will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property. The subject property includes a land use designation of Light Industrial which allows for certain commercial recreational uses, provided that the commercial use is determined to be complementary to the industrial area. The business is already in existence and this proposal would generally maintain existing operations that include the

service of on-site alcohol and to be closed at 2 a.m. The proposed modifications that include opening an hour earlier, operating on Sundays and permitting dancing is not inconsistent with the General Plan. The SoBECA Urban Plan is not applicable in that the project does not include a request for residential or live/work.

- B. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities. This application is for the proposed amendment of prior entitlements associated with an existing beverage serving establishment to allow for a change in ABC license type and modification of previous operational conditions of approval. There will be no increase in floor area for the site, no significant exterior changes and the business operations will remain relatively similar to what currently exists onsite in relation to potential environmental impacts. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies in that the Project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location, and would not impact any historic resources.
- C. The project is not subject to a traffic impact fee, pursuant to Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL

- PIng.
1. The use shall be limited to the type of operation as described in the staff report, i.e., live entertainment in the form of live bands, comedians, spoken word/poetry readings, and karaoke. The applicant is entitled to operate pursuant to the California Department of Alcoholic Beverage Control Type 90 (On-Sale General – Music Venue) license except when said provisions are refined by these conditions of approval. Any change in the operating characteristics including, but not limited to, hours of operation and additional services provided, shall require review by the Planning Division and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Costa Mesa Municipal Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
 2. The conditions of approval and code requirements included herein shall supersede and replace the conditions of approval and code requirements for Conditional Use Permit PA-12-26 and Minor Conditional Use Permit ZA-18-51.
 3. Street address shall be displayed in a manner visible to the public street and clearly legible for quick identification by emergency service personnel. Numerals shall be a minimum 12" in height with not less than ¾" 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 4" in height with not less than ¼" stroke and shall contrast sharply with the background.
 4. The licensee shall not employ or use the services of any full or part time active or reserve peace officer currently employed by the City of Costa Mesa for security purposes.
 5. Pursuant to Costa Mesa Municipal Code Section 9-193(2), the applicant must obtain a "Public Entertainment Permit," which is renewable on an annual basis, and shall maintain said permit in good standing by adhering to conditions stipulated as part of that permit.
 6. A maximum occupancy of 296 people, determined by City of Costa Mesa Building Division and Fire Department, has been established pursuant to applicable provisions of the Uniform Building Code and other applicable codes, shall be conspicuously posted in public view within the premises, and shall not be exceeded at any time. It shall be the responsibility of management to ensure that this occupancy limit is not exceeded. This occupancy limitation is inclusive of all patrons, employees, contractors, and other individuals within the licensed premises at any given time.
 7. 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 appropriate security and operational measures as necessary to comply with this requirement.

8. There shall be no sales of alcoholic beverages for off-site consumption and no alcoholic beverage obtained inside the venue shall be taken outside of or beyond the demising walls of the venue.
9. The parking lot shall be posted with signs directing customers and employees to be considerate when entering, exiting, starting their cars and leaving the parking lot. Signage should clarify and security personnel shall enforce that loitering of patrons, employees, and contractors is not allowed, and any unnecessary or excessive noise created by patrons, employees, and contractors is prohibited.
10. All lots where parking is provided shall be properly illuminated.
11. Qualified and trained security personnel shall be provided to ensure that all parking lots are monitored during the days and hours the business is in operation. Security personnel shall provide parking management, noise control as well as general security of parking areas.
12. Customer and employee parking shall be prohibited on any other privately owned lot or private street not associated with the licensed premises. If parking problems arise, the operator shall institute appropriate operational measures to eliminate issues within 30 days to address the problem.
13. A reciprocal parking and access agreement shall be maintained on both properties to reflect the proposed sharing of the parking lots at 2960 and 2968 Randolph Avenue.
14. The business operator shall include a conspicuous and prominent notification in their online advertisement, social media, and at the point of sale for online tickets that onsite parking is limited and that use of a ridesharing service or alternate means of transportation to and from the site are recommended. Furthermore, the business operator shall provide notice that parking in nearby residential developments or other unaffiliated private property is not allowed and that the illegally parked vehicle is subject to tow without warning.
15. All sales and service staff (within 90 days of hire) shall complete Responsible Beverage Service (RBS) training with a provider approved by the California Department of Alcoholic Beverage Control. A copy of the training certificates shall be kept on premises and presented to any authorized City official upon request.
16. Music or other entertainment shall not be audible beyond the property lines in which the licensed premises is located.
17. No outdoor seating or patio area shall be permitted.
18. The applicant shall maintain free of litter all areas of the premises.
19. 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.
20. Hours of operation shall be limited to the hours of 8:00 p.m. to 2:00 a.m., Thursday through Sunday and on the following holidays: New Year's Eve,

Valentine's Day, St. Patrick's Day, Cinco de Mayo, Memorial Day, Fourth of July, Labor Day, Halloween, Veteran's Day, Thanksgiving, and Christmas Day.

21. At the discretion of the Director of Economic and Development Services, upon receipt of noise complaints by the City of Costa Mesa, the applicant shall submit an acoustical analysis prepared under the supervision of a person experienced in the field of acoustical engineering to evaluate existing and projected noise levels and recommend the use of noise attenuation measures and/or noise insulation techniques to muffle sound to a level that conforms to the provisions of Costa Mesa's Noise Ordinance. This is to ensure that any noise impacts to nearby uses are adequately mitigated. The person preparing the report shall, under the direction of a person experienced in the field of acoustical engineering, perform an inspection of the site prior to the opening of the business to the public to ensure that noise attenuation measures are implemented or underway, as recommended by the acoustical expert.
22. The conditions of approval and ordinance or code provisions of Minor Conditional Use Permit ZA-22-35 shall be blueprinted on the face of the site plan as part of the plan check submittal package for any future building permit applications submitted to the City.
23. The applicant, the property owner and the operator (collectively referred to as "indemnitors") shall each jointly and severally defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal 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 indemnitors' joint and several 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.
24. If any section, division, sentence, clause, phrase or portion of this resolution 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.
25. The project is subject to compliance with all applicable Federal, State, and local laws.
26. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, changes that increase the building height, removal of building articulation, or a change of the finish

material(s), shall be made without prior Planning Division written approval.

27. No modification(s) of the approved building interior, including but not limited to, floor plan layout, age restricted areas, or gross floor area, shall be made without prior approval from the City. Applicant shall contact the City of Costa Mesa's Economic and Development Services Department's Planning Division to initiate this process.
28. A review of this entitlement shall be conducted by the Planning Commission as soon as possible after both the sixth month and one-year anniversary date of the project approval's effective date to determine if the business is operating in good faith and whether any modifications to business operations or conditions of approval are warranted. If the business is not operating in good faith or other adverse impacts are determined to exist, the Planning Commission may adjust existing conditions of approval or add new conditions to address the concern up to an including initiating a revocation of this use's entitlement.
29. All patrons must be 18 years or older and must provide valid, state-issued identification for entry.
30. If bottle service is to occur within the licensed premises, it shall only be allowed within the specified age-restricted areas shown on the approved project plans.
31. No patrons under the age of 21 are allowed in the age-restricted areas shown on Sheet A-1.1 of the approved plans when bottle service is offered.
32. All age-restricted areas shall be separated from the general areas of the licensed premises by a physical barrier. The physical barrier shall not obscure visibility into the age-restricted areas and the barrier may include a rope or other identifier to clearly mark the restricted area.
33. Security personnel shall be stationed by each age-restricted area when bottle service is occurring to monitor and secure the restricted areas to ensure that minors do not enter into these areas or are otherwise allowed access to alcohol not served by employees of the establishment.
34. Colored wristbands shall be provided to customers over the age of 21 and under the age of 21. Patrons under 21 years of age must be provided distinctly different wristbands for identification than those patrons above the legal drinking age. Wristbands must be of a type and material that is tamper-proof to ensure under age patrons are easily identifiable and unable to purchase alcohol at the establishment. Wristbands given to patrons between the ages of 18 and under 21 shall be of a color that is highly visible and easily contrasts with the wristbands given to patrons who are 21 and older. Wristband color for each age cohort shall be randomly selected by management on a daily basis and shall avoid repeating colors or creating recognizable patterns in order to reduce the ability to counterfeit or falsify age identifiers. Management

shall maintain a log of wristband colors by age cohort assigned each day and shall make said log available for inspection upon demand of the City of Costa Mesa.

35. The applicant shall submit to the City of Costa Mesa a Security Policy & Procedure Manual for approval. The policy manual shall be kept on the premises at all times and all staff shall be trained on the security policies outlined in said document. No changes to the approved Security Policy & Procedure Manual shall be made by management until first approved by the City of Costa Mesa. Updates to the security plan may be required at the request and subject to the Costa Mesa Police Department approval.
36. The applicant shall maintain a log of the number of employees, security personnel, and patrons in attendance each night the business is in operation and shall provide this log to City officials upon demand for purposes of verifying compliance with the business's maximum occupancy of 296 persons.
- PC. 37. No patrons between the ages of 18 and 21 shall be allowed entry to the venue on any night of the week except for Thursday night. However, if a Special Event is held at the venue pursuant to a lawfully issued Special Event Permit by the City of Costa Mesa on a Thursday, then the operator may move the 18 to 21 year old night from Thursday to another approved business night during the same week.
38. Under no circumstances and without exception, patrons aged 18 to 21 shall not be allowed entry to the venue on the following days: New Year's Eve, Independence Day/Fourth of July, and Halloween regardless of which day of the week these days fall on.

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.

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| PIng. | <ol style="list-style-type: none">1. Development shall comply with all requirements of Article 1, Chapter 5, Title 13, of the Costa Mesa Municipal Code relating to development standards for residential projects.2. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be <u>prohibited</u> on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.3. All on-site utility services shall be installed underground.4. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation vault, wall cabinet, or wall box under the direction of the Planning Division. |
|-------|--|

7. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
8. All unpaved areas visible from public right-of-ways shall be landscaped and the landscaping shall be maintained in a healthy condition, free of dying, dead, diseased, decayed, discarded, and/or overgrown vegetation.
9. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to neighbors.
10. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
11. Transformers, backflow preventers, and any other approved above-ground utility improvements shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
12. Applicant shall maintain compliance with all applicable ABC regulations at all times.
- Bldg. 13. Prior to building permit issuance, the conditions of approval shall be on the approved Architectural plans.
14. Comply with the requirements of the following current adopted codes, California Building Code, California Electrical code, California Mechanical code, California Plumbing code, California Green Building Standards Code and California Energy Code (or the applicable adopted, California Building code California Electrical code, California Mechanical code California Plumbing Code, 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. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the California Building Code.
- ~~15. A change of occupancy shall require compliance with current California Building codes and Disabled access requirements of Chapter 11B of the California Building Code.~~
16. Prior to building permit issuance, the Applicant shall submit a plan to the County of Orange Health Dept. for review and approval.
17. A change of occupancy shall require compliance with current California Building codes and Disabled access requirements of chapter 11B of the California Building Code.
18. Any increase in building occupancy may only occur if approved by the City based on the completion of code required life-safety upgrades to the venue.
- Fire 19. Comply with the requirements of the current California Fire Code and referenced standards as amended by the City of Costa Mesa.

Costa Mesa Communications

OC ARENA STATS

Call Time	Event ID	Rpt #	Street	Nature	Additi
07/02/2025 18	2025059814		2968 RANDOLPH AVE	BURGLARY AUDIBL	(S) (N)
04/28/2025 12	2025038065	25005599	2968 RANDOLPH AVE	FOUND PROPERTY	
02/23/2025 00	2025016960		2968 RANDOLPH AVE	DRUNK IN NEED O	(S) (N)
02/23/2025 00	2025016959	2502033	2968 RANDOLPH AVE	DRUNK IN NEED O	(S) (N)
01/25/2025 00	2025007535		2968 RANDOLPH AVE	DRUNK IN NEED O	(S) (N)
01/25/2025 00	2025007534	2500955	2968 RANDOLPH AVE	DRUNK IN NEED O	(S) (N)
11/23/2024 00	2024108523	24015403	2968 RANDOLPH AVE	INTOXICATED IN	(S) (N)
11/22/2024 19	2024108447	24015392	2968 RANDOLPH AVE	T TRAFFIC STOP	
11/08/2024 01	2024103425	24014653	2968 RANDOLPH AVE	VEHICLE THEFT R	(S) (N)
11/08/2024 00	2024103414		2968 RANDOLPH AVE	COMMUNICATIONS	(S) (N)
11/07/2024 23	2024103395		2968 RANDOLPH AVE	SUSPICIOUS MALE	(S) (N)
11/03/2024 01	2024101765		2968 RANDOLPH AVE		(S) (N)
11/03/2024 01	2024101764		2968 RANDOLPH AVE		(S) (N)
11/03/2024 01	2024101762		2968 RANDOLPH AVE		(S) (N)
11/03/2024 01	2024101761		2968 RANDOLPH AVE	911 WIRELESS NO	(S) (N)
11/03/2024 00	2024101753		2968 RANDOLPH AVE	DISTURBANCE	(S) (N)
10/27/2024 00	2024099410	24014152	2968 RANDOLPH AVE	INFORMATION	
10/25/2024 23	2024099023	24014064	2968 RANDOLPH AVE	FOLLOW UP REPOR	(S) (N)
10/25/2024 01	2024098677	24014064	2968 RANDOLPH AVE	PETTY THEFT - P	(S) (N)
10/24/2024 21	2024098632		2968 RANDOLPH AVE	911 WIRELESS NO	(S) (N)
08/25/2024 02	2024077909	24011300	2968 RANDOLPH AVE	BATTERY REPORT	(S) (N)
08/18/2024 13	2024075782		2968 RANDOLPH AVE	911 WIRELESS NO	(S) (N)
07/27/2024 23	2024068742		2968 RANDOLPH AVE	911 WIRELESS NO	(S) (N)
06/29/2024 21	2024058874	24008705	2968 RANDOLPH AVE	LOST PROPERTY -	(S) (N)
05/21/2024 10	2024045969		2968 RANDOLPH AVE	VANDALISM GRAFF	(S) (N)
05/01/2024 02	2024039661	24005952	2968 RANDOLPH AVE	INFORMATION	
04/28/2024 01	2024038798		2968 RANDOLPH AVE	DISTURBANCE MUS	(S) (N)
04/11/2024 23	2024033716		2968 RANDOLPH AVE	DISTURBANCE MUS	(S) (N)
03/23/2024 21	2024027475		2968 RANDOLPH AVE	P PATROL CHECK	
03/10/2024 00	2024022827		2968 RANDOLPH AVE	911 WIRELESS NO	(S) (N)
03/09/2024 23	2024022800		2968 RANDOLPH AVE	DRUNK IN NEED O	(S) (N)

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Call Time	Event ID	Rpt #	Street	Nature	Additi
03/09/2024 23	2024022797	2402567	2968 RANDOLPH AVE	DRUNK IN NEED O	(S) (N
02/24/2024 00	2024018039		2968 RANDOLPH AVE	911 WIRELESS NO	(S) (N
01/23/2024 16	2024007387	24001050	2968 RANDOLPH AVE	LOST PROPERTY -	(S) (N
01/07/2024 13	2024002064		2968 RANDOLPH AVE	FOLLOW UP REPOR	
01/07/2024 09	2024001983	24000304	2968 RANDOLPH AVE	DRIVING UNDER T	(S) (N



REGULAR PLANNING COMMISSION MONDAY, APRIL 14, 2025 - MINUTES

CALL TO ORDER - The Regular Planning Commission Meeting was called to order by Chair Jeffery Harlan at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG – Commissioner Andrade led the Pledge of Allegiance

ROLL CALL

Present: Chair Jefferey Harlan, Vice Chair Jon Zich, Commissioner Angely Andrade, Commissioner Robert Dickson, Commissioner Karen Klepack, Commissioner David Martinez

Absent: Commissioner Johnny Rojas

ANNOUNCEMENTS AND PRESENTATIONS:

1. 2024 ANNUAL PROGRESS REPORT

Discussion ensued as staff provided updates on the Annual Progress Report (APR), noting it was submitted to HCD one week after being presented to City Council, with revisions made to address issues related to demolition permit reporting. Staff confirmed the ADU survey distributed during permit applications is voluntary and clarified that the city reviews and occasionally denies eviction-related permits when tenant protection requirements are not met; an appeal process is available through the Building Department. Updates were also shared on the One Metro West project, with staff indicating ongoing coordination with the developer and an anticipated completion within the sixth housing cycle. Commissioners asked about affordability requirements under the Inclusionary Housing Ordinance (IHO), and staff provided thresholds based on project density. In response to questions about sustainability, staff explained that while current building codes address key issues like EV infrastructure and fire risk, the upcoming Climate Action and Adaptation Plan will further guide sustainable development and resilience strategies. Staff also addressed the role of the rezoning consultant, clarifying their experience in California cities, especially San Diego, and their involvement in both technical and community engagement work. Lastly, staff confirmed that ownership and rental breakdowns of pipeline projects would be included in future reports and noted that several projects requiring Planning Commission review are already in the queue.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:

A member of the public expressed strong opposition to ongoing and planned high-density housing projects in Costa Mesa, arguing there is no housing crisis and that such developments are destroying the city's character. They criticized the Planning Commission and City Council as being out of touch with residents, urged greater community input, and dismissed sustainability concerns as misguided.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Vice Chair Zich expressed support for Commissioner Martinez's suggestion to list future informational presentations as "New Business" to allow for public comment, emphasizing that such topics are significant and warrant public input. He also acknowledged concerns about community engagement, noting that while he welcomes and values public participation, attendance at meetings is often minimal, and residents need to take initiative to become informed and involved in local issues.

Commissioner Dixon supported moving informational items to "New Business" to allow for public comment and emphasized the value of study or informational sessions during meetings when project items are light. He expressed concern about the lack of substantive development projects in the current pipeline and encouraged staff to share more about the city's outreach and economic development efforts. He also suggested better public education on topics like ADUs, as many residents are confused about what they entail. Lastly, he echoed concerns about public disengagement, noting that many residents are unaware of city activities despite public noticing, and suggested exploring innovative strategies to improve community outreach and participation.

Commissioner Martinez shared several announcements, including upcoming Planning Commission items at the City Council meeting and the City's Earth Day event on April 26. He reported on the OCTA Board meeting where discussion took place regarding the proposed Geisler bridge, urging residents to stay informed and provide input. Martinez also reflected on recent commission and committee meetings, highlighting the Parks Commission's study session as a model for how the Planning Commission could facilitate deeper discussions on policy and capital projects. He expressed interest in exploring new formats for community engagement—such as joint meetings tied to development projects—and emphasized the need to increase public participation, noting the frequent absence of residents at meetings.

Chair Harlan clarified that his earlier comments were not intended to minimize the importance of small-scale developments like duplexes or ADUs, emphasizing that every housing project and investment in the city matters. He expressed a desire for the city to reach a point where it doesn't have to rely on smaller projects to meet RHNA targets, stressing the broader goal of creating meaningful housing opportunities for current and future generations.

CONSENT CALENDAR:

1. FEBRUARY 24, 2025 UNOFFICIAL MEETING MINUTES

MOVED/SECOND: MARTINEZ/HARLAN

MOTION: Approve the Regular meeting Minutes of February 24, 2025.

The motion carried by the following roll call vote:

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez

Nays: None

Absent: Commissioner Rojas

Abstained: None

Motion carried: 6-0-1

-----**END OF CONSENT CALENDAR**-----

PUBLIC HEARINGS: None.

OLD BUSINESS:

1. MINOR CONDITIONAL USE PERMIT (ZA-22-35) CONDITION OF APPROVAL NO. 28 - SIX-MONTH REVIEW ("ARENA OC")

Gabriel Villalobos, Assistant Planner presented the item.

Discussion ensued regarding the six-month review of a business operating under a minor conditional use permit. Commissioners inquired about the tracking of underage patrons at 18+ events; while a log of ticket sales is required, it does not differentiate by age, although there is a noted cover charge for patrons under 21 on certain nights. Staff also noted they reviewed the business's social media activity to verify event promotions, identifying around 20 18+ events between October and February. Commissioners suggested that age-specific ticket data could be helpful for future evaluations, though it is not currently required. Staff confirmed that the applicant has not requested any modifications to the permit since its approval.

Commissioner Martinez made a motion. Seconded by Commissioner Andrade.

Chair Harlan expressed support for the motion but emphasized the importance of the applicant being present at the next review. He noted that having the applicant available would allow commissioners to ask questions directly and demonstrate respect for the review process.

Vice Chair Zich stated that while he agreed with Chair Harlan about the importance of the applicant being present, he would not support the motion. He explained that he also opposed the item originally and remained unconvinced, citing the absence

of a recommendation from the Costa Mesa Police Department and his personal stance against allowing minors into an adult nightclub.

MOVED/SECOND: MARTINEZ/ANDRADE

MOTION: Receive and file

The motion carried by the following roll call vote:

Ayes: Chair Harlan, Commissioner Andrade, Commissioner Dickson,
Commissioner Klepack, Commissioner Martinez

Nays: Vice Chair Zich

Absent: Commissioner Rojas

Abstained: None

Motion carried: 5-1-1

ACTION: Planning Commission Received and Filed the six-month review.

NEW BUSINESS: None.

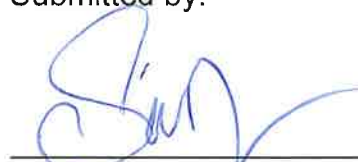
REPORT - PUBLIC WORKS - None.

REPORT - DEVELOPMENT SERVICES - None.

REPORT - ASSISTANT CITY ATTORNEY - None.

ADJOURNMENT AT 7:16 PM

Submitted by:



SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION