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City of Costa Mesa

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CITY OF COSTA MESA  
BY SB

Appeal of Planning Commission Decision:  
\$1,220.00 (Tier 1)<sup>1</sup>  
\$3,825.00 (Tier 2)<sup>2</sup>

Appeal of Non-Planning Commission Decision:  
\$690.00 (Tier 1)<sup>1</sup>  
\$3,825.00 (Tier 2)<sup>2</sup>

APPLICATION FOR APPEAL OR REVIEW

Applicant Name\* Christopher R Riley  
Address 1651 Topanga, Costa Mesa CA 92627  
Phone 949 2808856

REQUEST FOR:  APPEAL  REVIEW\*\*

Decision of which appeal or review is requested: (give application number, if applicable, and the date of the decision, if known.)

9/12/2022 Planning Commission Meeting Trenta infractions on space utilization and car parking valet OBJECTION Costa Mesa Planning Application Number PA 21 07 AND ZA 19 50 ADDRESS 1661 Superior Avenue Units C and D and 1645 Superior Avenue

Decision by: Planning Commission

Reasons for requesting appeal or review:

1 There was significant confusion at the Commission meeting as to what was resolved On review of the video Costa Mesa planning commission staff agree that in the absence of a parking mediation plan that there is not additional space the restaurant can utilize at certain times of day, 7 days a week. The location continued and continues to act with impunity despite councils' best effort of field enforcement To quote the chairperson "my head is exploding" However it is a simple situation to resolve  
2 This was a split decision commission members were concerned on safety and parking issues  
3 Other residents objected to the proposed Beach Cities parking utilization as over flow carparking with or without valet assistance  
The simple solution is to go back to pre-pandemic approved arrangements whereby this become an inside restaurant with 250 square feet of outside space with the correct safety barrier separating cars and patrons as is installed in that code approved section. In line with all other restaurants that are not leverage TUP situations into double scale with none of the correct infrastructure investments, restrooms increase usually as patrons increase, correct to code electrical installation and fire approval Plus permanent safety barriers which mean parking is not available for other business within the plaza at off hours. This would address all issues, we knew what was there when we bought Now it's a totally different scale  
4 The utilization of 25% of the parking spaces in the present plaza (CM planning staffs calculations, although the Vice Chair and myself cannot see where the 25 spaces are in the facility today and they are not supported by drawings) by doubling the restaurants surface area to 2000+ square feet exacerbates the present shortage of parking for the facility within the plaza it is part of Essentially a negative double dip bring more patrons use the parking to seat them Banal at best against best practices for planning approval at worst. This restaurant could not pass code today and would not be approved as operating today  
terraces facing the Beach Cities facility  
5 The proposed parking at Beach Cities car wash creates significant noise after the 4 pm closure by making it a carpark nightly through 11 pm 20 feet from new homes that were bought knowing the carwash existed and is extremely noisy during the day but that stopped at 4pm, so they could enjoy quiet enjoyment of their properties that have a significant amount of outdoor terraces facing the Beach Cities facility. This impacting property values in our community  
6 So many cars arrive that once Beach Cities facilities are full with approximately 70 vehicles, often turning twice patrons then trespass on the W 17th facility despite warning from the association to prevent this occurring. (Obviously a gate would prevent this issue occurring and increase safety within our community)  
Note that the proposed PMP creates around 3 ingress and egress movements per vehicle so a traffic study needs to undertaken given the danger presented to traffic on a fast moving Superior Avenue and the entrances impacted by this incredible traffic invasion Video and photographic evidence has been provided to planning commission members  
7 Noise and light pollution to the properties directly behind the facility will be drastically reduced by taking the restaurant back to what it was in scale and indoor facilities  
8 The proprietors act with impunity ignoring city staff and assaulting people (Police case has been filed) There is no way the city should reward such behavior nor allow significant impact of citizens of Costa Mesa who have invested and will continue to invest in the city

Date: 9/19/2022

Signature:

\*If you are serving as the agent for another person, please identify the person you represent and provide proof of authorization.  
\*\*Review may be requested only by the City Council or City Council Member.

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SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:  
If appeal or review is for a person or body other than City Council/Planning Commission, date of hearing of appeal or review

Updated April 2020

<sup>1</sup> Includes owners and/or occupants of a property located within 500 feet of project site (excluding owners and/or occupants of the project site).  
<sup>2</sup> Includes the project applicant, owners and/or occupants of the project site, and owners and/or occupants of a property located greater than 500 feet from the project site.