



CITY OF COSTA MESA

PLANNING COMMISSION

Agenda

Monday, October 14, 2024

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.

TRANSLATION SERVICES AVAILABLE / SERVICIOS DE TRADUCCIÓN DISPONIBLE

Please contact the City Clerk at (714) 754-5225 to request language interpreting services for City meetings. Notification at least 48 hours prior to the meeting will enable the City to make arrangements.

Favor de comunicarse con la Secretaria Municipal al (714) 754-5225 para solicitar servicios de interpretación de idioma para las juntas de la Ciudad. Se pide notificación por lo mínimo 48 horas de anticipación, esto permite que la Ciudad haga los arreglos necesarios.

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Please click the link below to join the webinar:

<https://zoom.us/j/96060379921?pwd=N2lrbzhJM2hWU3puZkk1T3VYTXhoQT09>

Or sign into Zoom.com and “Join a Meeting”

Enter Webinar ID: 960 6037 9921 / Password: 595958

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- Select “Join Audio via Computer.”
- The virtual conference room will open. If you receive a message reading, “Please wait for the host to start this meeting,” simply remain in the room until the meeting begins.
- 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.

Participate via telephone:

Call: 1 669 900 6833 Enter Webinar ID: 960 6037 9921 / Password: : 595958

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>.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II].

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PLANNING COMMISSION REGULAR MEETING

OCTOBER 14, 2024 – 6:00 P.M.

**ADAM ERETH
CHAIR**

**RUSSELL TOLER
VICE CHAIR**

**JOHNNY ROJAS
PLANNING COMMISSIONER**

**ANGELY ANDRADE
PLANNING COMMISSIONER**

**KAREN KLEPACK
PLANNING COMMISSIONER**

**JON ZICH
PLANNING COMMISSIONER**

**DAVID MARTINEZ
PLANNING COMMISSIONER**

**TARQUIN PREZIOSI
ASSISTANT CITY ATTORNEY**

**SCOTT DRAPKIN
ASSISTANT DIRECTOR**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ELECTION OF OFFICER:

1. SELECTION OF LIAISON TO THE HOUSING AND PUBLIC SERVICE GRANT COMMITTEE

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:

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the Planning Commission, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion. The public can make this request via email at PCPublicComments@costamesaca.gov and should include the item number to be addressed. Items removed from the Consent Calendar will be discussed and voted upon immediately following Planning Commission action on the remainder of the Consent Calendar.

1. [**SEPTEMBER 23, 2024 UNOFFICIAL MEETING MINUTES**](#) [**24-381**](#)

RECOMMENDATION:

Planning Commission approve the Regular Meeting Minutes of September 23, 2024.

Attachments: [SEPTEMBER 23, 2024 UNOFFICIAL MEETING MINUTES](#)

2. [**MARCH 28, 2022 UNOFFICIAL MEETING MINUTES**](#) [**24-382**](#)

RECOMMENDATION:

Planning Commission approve Minutes of a Regular meeting of March 28, 2022.

Attachments: [MARCH 28, 2022 UNOFFICIAL MEETING MINUTES](#)

PUBLIC HEARINGS:

1. [MASTER PLAN \(PMAP-24-0003\) FOR THE DEVELOPMENT OF A 24-378 NEW COSTA MESA FIRE STATION NO. 2 WITH MINOR CONDITIONAL USE PERMIT FOR TEMPORARY MANUFACTURED STRUCTURES LOCATED AT 800 BAKER STREET](#)

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) pursuant to CEQA Guidelines Section 15302 (Class 2), Replacement or Reconstruction; and
2. Approve Master Plan (PMAP-24-0003) and Minor Conditional Use Permit, based on findings of fact and subject to conditions of approval.

Attachments: [Agenda Report](#)

- [1. Draft Planning Commission Resolution](#)
- [2. Applicant Letter](#)
- [3. Vicinity and Zoning Map](#)
- [4. Site Photos](#)
- [5. Project Plans](#)

2. **[CONDITIONAL USE PERMIT \(PA-23-07\) FOR VALET SERVICES AT 24-379 PLAYA MESA RESTAURANT LOCATED AT 428 EAST 17TH STREET](#)**

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) pursuant to CEQA Guidelines Section 15301 (Class 1), Existing Facilities; and

2. Approve Conditional Use Permit PA-23-07, based on findings of fact and subject

to conditions of approval.

Attachments: [Agenda Report](#)

[1. Draft Planning Commission Resolution](#)

[2. Applicant Letter](#)

[3. Vicinity Map](#)

[4. Zoning Map](#)

[5. Site Photos](#)

[6. Valet Plan](#)

[7. Project Plans](#)

3. [CALL TO REVIEW ZONING ADMINISTRATOR APPROVAL OF A 24-380 MINOR CONDITIONAL USE PERMIT AND OUTDOOR DINING PERMIT \(PODA-24-0001 AND PMCP-24-0008\) AT 814 WEST 19TH STREET \("WESTEND"\)](#)

RECOMMENDATION:

Staff recommends 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 15303 (Class 3) New Construction and Conversion of Small Structures; and
2. Uphold the Zoning Administrator conditional approval of Minor Conditional Use Permit and Outdoor Dining Permit (PODA-24-0001 and PMCP-24-0008) at 814 West 19th Street ("Westend") by adopting the attached Resolution.

Attachments: [Agenda Report](#)

- [1. Draft Planning Commission Resolution](#)
- [2. Call For Review](#)
- [3. Zoning Administrator Report](#)
- [4. Applicant Letter \(including Sound Plan\)](#)
- [5. Project Plans](#)
- [6. Public Comment](#)

OLD BUSINESS: NONE.

NEW BUSINESS: NONE.

DEPARTMENTAL REPORTS:

1. PUBLIC WORKS REPORT
2. DEVELOPMENT SERVICES REPORT

CITY ATTORNEY REPORTS:

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 #: 24-381

Meeting Date: 10/14/2024

TITLE:

SEPTEMBER 23, 2024 UNOFFICIAL MEETING MINUTES

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/ PLANNING
DIVISION

RECOMMENDATION:

Planning Commission approve the Regular Meeting Minutes of September 23, 2024.

UNOFFICIAL UNTIL APPROVED

**MEETING MINUTES OF THE CITY OF
COSTA MESA PLANNING COMMISSION**

September 23, 2024

CALL TO ORDER

Chair Ereth called the meeting to order at 6:04 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Chair Ereth led the Pledge of Allegiance.

ROLL CALL

Present: Chair Adam Ereth, Vice Chair Russell Toler, Commissioner Angely Andrade, Commissioner Karen Klepack, Commissioner David Martinez, Commissioner Jonny Rojas, Commissioner Jon Zich

Absent: None

Officials Present: Assistant Director of Development Services Scott Drapkin, Assistant City Attorney Tarquin Preziosi, Senior Planner Michelle Halligan, Engineer Seung Yang and Recording Secretary Anna Partida

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:

None.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Martinez acknowledged Hispanic Heritage Month and extended his best wishes to those celebrating in the community. He encouraged participation in the upcoming Costa Mesa Historical Society's historical bike ride and the "Week Without Driving" challenge, highlighting the importance of exploring alternative modes of transportation. Reflecting on a recent Energy Bill Savings Workshop, Commissioner Martinez shared valuable information about rebate programs offered by Southern California Edison, SoCal Gas, and the Costa Mesa 311 app, which helps residents report local issues. Commissioner Martinez also mentioned initiatives like the Parkway Tree Planting Program, Just Cause Residential Tenant Protection Ordinance, and home loan programs for qualifying residents. Additionally, he drew attention to rebates available through the Costa Mesa Sanitary District, Mesa Water, and the Municipal Water District

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of Orange County for sewer inspections, pool covers, and turf replacement. He concluded by emphasizing the need for better community engagement, urging the City to actively involve residents at events to ensure broader participation and representation in City programs and projects

Commissioner Klepack expressed her gratitude to Commissioner Martinez for highlighting community programs and services.

Vice Chair Toler thanked Commissioner Martinez for presenting the information.

Chair Ereth echoed his fellow Commissioners comments and thanked Commissioner Martinez for his presentation.

CONSENT CALENDAR:

No member of the public nor Planning Commissioner requested to pull a Consent Calendar item.

1. APPROVAL OF MEETING MINUTES: AUGUST 26, 2024 AND MARCH 14, 2022

ACTION: Planning Commission approved the minutes of the Planning Commission's regular meetings of August 26, 2024 and March 14, 2022.

MOVED/SECOND: Martinez / Toler

MOTION: Approve recommended action for Consent Calendar Item No. 1.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Klepack, Martinez, Rojas, Zich

Nays: None

Absent: None

Abstained: None

Motion carried: 7-0

PUBLIC HEARINGS:

1. CONDITIONAL USE PERMIT PCUP-24-0010 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY (THE HUMBOLDT CONNECT) LOCATED AT 2138 NEWPORT BOULEVARD

Project Description: PCUP-24-0010 is a request for a Conditional Use Permit to allow a 920-square-foot retail cannabis storefront use with delivery in an existing one-story commercial building located at 2138 Newport Boulevard. The proposed use would be subject to Costa Mesa's regulations, conditions of approval, and State cannabis regulations.

Commissioner Martinez recused himself from the hearing and left the dais due to living within 1,000 feet of the proposed property.

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Environmental Determination: The project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

Five ex-parte communications were reported:

Commissioner Zich met with the applicant.

Vice Chair Toler met with the applicant.

Commissioner Klepack met with the applicant.

Chair Ereth received an email from the applicant.

Michelle Halligan, Senior Planner, presented the staff report.

Commissioner Andrade asked staff about the other approved cannabis storefronts in the area. Specifically, she requested clarification on a nearby conditional use permit at 2146 Newport Boulevard, asking where it stood in the approval process and whether it was included in the map shown during the presentation. Commissioner Andrade expressed concern over whether that property was still intended to be a cannabis dispensary or if there had been a change of use. Staff responded, confirming that while a cannabis storefront conditional use permit was initially approved at 2146 Newport Boulevard, the property owner had since submitted plans for a non-cannabis use.

The Chair opened the Public Hearing.

Chris Trent, applicant, stated he had read and agreed to the conditions of approval.

Commissioner Andrade asked about the applicant's commitment to donating 2% of revenue to local nonprofits, to which the applicant confirmed that he had already donated to several organizations, and those he had donated to were aware of that he was a cannabis business owner. He also assured the Commission that these donations would continue for the duration of his license. Commissioner Andrade then inquired about the local hiring and training practices at Humboldt Connect, and Mr. Trent responded that most of employees would be hired locally from Costa Mesa. He explained that the training would be tailored to each employee's role, whether in management, sales, or other positions, ensuring professional development for the staff. Additionally, Commissioner Andrade asked about the applicant's competitive edge in a market that may soon have multiple cannabis businesses. Mr. Trent highlighted that his vertical integration—owning cultivation, distribution, and manufacturing licenses—allowed him to offer unique products, differentiating his dispensary from others. He explained that integration gives him more control over product quality and pricing, ensuring a competitive advantage.

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Chair Ereth followed up with a question about the feedback the applicant had received from neighboring businesses. Chair Ereth wanted to know if the businesses listed in the applicant's letter had expressed active support or simply neutrality. The applicant clarified that most businesses were either supportive or neutral, with one business owner expressing opposition to cannabis in general.

The Chair opened public comments.

Jason Piazza spoke in support of the item.

Ryan Swan spoke in support of the item.

Caller three spoke in support of the item.

Caller four spoke in support of the item.

Caller five spoke in support of the item.

Sean Waddell spoke in support of the item.

Brian Michael Barash spoke in support of the item.

Eric Trent spoke in support of the item.

Caller nine spoke in support of the item.

Brian Esser spoke in support of the item.

Lance Barish spoke in support of the item.

The Chair closed public comments.**The Chair closed the Public Hearing.**

Vice Chair Toler made a motion. Seconded by Commissioner Rojas.

Commissioner comments on the motion included acknowledgement of the overwhelming community support the applicant received regarding his character. They emphasized that the project would revitalize the area and bring positive changes to the location. Despite some Commissioners' personal views about cannabis, Commissioners admired the applicant's professionalism, patience, and dedication, noting the potential positive impact his business would have on the community.

MOVED/SECOND: Toler/Rojas

MOTION: Approve staff's recommendation.

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The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Klepack, Rojas, Zich

Nays: Andrade

Absent: None

Recused: Martinez

Motion carried: 5-1-1

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 (Class 1) Existing Facilities; and
2. Approve Conditional Use Permit PCUP-24-0010 subject to the conditions of approval as contained in the Resolution:

RESOLUTION PC-2024-21 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION PCUP-24-0010 FOR CONDITIONAL USE PERMIT FOR A STOREFRONT RETAIL CANNABIS BUSINESS WITH DELIVERY (THE HUMBOLDT CONNECT) IN THE C1 ZONE AT 2138 NEWPORT BOULEVARD

The Chair explained the appeal process.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

DEPARTMENTAL REPORTS:

1. Public Works Report – None.
2. Development Services Report – None.

CITY ATTORNEY'S OFFICE REPORT:

1. City Attorney – None.

ADJOURNMENT AT 7:11 PM

UNOFFICIAL UNTIL APPROVED

Submitted by:

SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 24-382

Meeting Date: 10/14/2024

TITLE:

MARCH 28, 2022 UNOFFICIAL MEETING MINUTES

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION

RECOMMENDATION:

Planning Commission approve Minutes of a Regular meeting of March 28, 2022.

UNOFFICIAL UNTIL APPROVED

**MEETING MINUTES OF THE CITY OF
COSTA MESA PLANNING COMMISSION
CLOSED SESSION**

March 28, 2022

CALL TO ORDER

The Chair called the meeting to order at 5:00 p.m.

ROLL CALL

Present: Chair de Arakal, Vice Chair Jon Zich, Commissioner Adam Ereth, Commissioner Dianne Russell, Commissioner Jonny Rojas, Commissioner Russell Toler, Commissioner Jimmy Vivar

Absent: None

Officials Present: Director of Development Services Jennifer Le, Assistant Director of Development Services Scott Drapkin, Assistant City Attorney Tarquin Preziosi, Senior Planner Nancy Huynh, Contract Planner Michelle Halligan, City Engineer Seung Yang, City Clerk Brenda Green and Recording Secretary Anna Partida

**PUBLIC COMMENTS – MATTERS LISTED ON THE SPECIAL CLOSED SESSION
AGENDA:**

None.

SPECIAL CLOSED SESSION ITEM(S):

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.9 (D)(1) NAME OF CASE: RD X CATALYST - COSTA MESA LLC, A CALIFORNIA LIMITED LIABILITY COMPANY V. CITY OF COSTA MESA, ORANGE COUNTY SUPERIOR COURT OF CALIFORNIA, CASE NO. 30-2021-01214880-CU-WM-CJC**

The Planning Commission recessed for a Special Closed Session at 5:02 p.m.

The Planning Commission reconvened at 6:10 p.m.

City Attorney Report:

None.

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2022 - Page 1

ADJOURNMENT AT 6:11 PM

Submitted by:

SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION

**MEETING MINUTES OF THE CITY OF
COSTA MESA PLANNING COMMISSION**

MARCH 28, 2022

CALL TO ORDER

The Chair called the meeting to order at 6:12 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Ereth led the Pledge of Allegiance.

ROLL CALL

Present: Chair de Arakal, Vice Chair Jon Zich, Commissioner Adam Ereth, Commissioner Dianne Russell, Commissioner Jonny Rojas, Commissioner Russell Toler, Commissioner Jimmy Vivar

Absent: None.

Officials Present: Director of Development Services Jennifer Le, Assistant Director of Development Services Scott Drapkin, Assistant City Attorney Tarquin Preziosi, Senior Planner Nancy Huynh, Contract Planner Michelle Hallegan, City Engineer Seung Yang, City Clerk Brenda Green and Recording Secretary Anna Partida

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:

Nicole Lockhead, addressed the Planning Commission regarding cannabis retail applications near a youth center, expressing strong opposition due to the risks posed to children. She urged the Commission to reject these applications, citing safety concerns such as impaired drivers, secondhand exposure, and the potential for cannabis products to be mistaken for candy by young children.

Speaker two urged the Planning Commission to follow the state's broad definition of youth centers, which requires a 600-foot separation between youth centers and cannabis storefronts. They are advocating for Camp Lila to be recognized as a youth center and are asking the Commission to reject the approval of cannabis retail locations

at 167 Cabrillo Street and 178 Wells Place, as these locations violate the separation distance.

Speaker three urged the city to reject the approval of cannabis dispensaries at 167 Cabrillo and 178 Wells, which are located within 600 feet of Camp Lila, a children's enrichment center. She expressed concerns about potential petty crime, exposure to secondhand marijuana fumes, increased traffic, and safety risks for children, arguing that these dangers outweigh any benefits of placing dispensaries in residential areas near children's programs.

Speaker four, urged the city not to open cannabis dispensaries at 178 Wells Place and 167 Cabrillo Street, both of which are in close proximity to homes with children. She highlights the concerns of increased traffic and the dangers of having cannabis stores so close to where children play, stressing that these locations are surrounded by residential homes and a children's enrichment program, and that there are better alternative sites away from family neighborhoods.

Speaker 5, the owner of Camp Lila, a children's art, music, and yoga center on Cabrillo Street, urged the city to deny cannabis dispensary applications for 167 Cabrillo Street and 178 Wells Place, both of which are within 600 feet of her business. She emphasized the state-mandated protection for youth centers, expressing concern for the safety of the children attending her programs and the potential negative impact on her business, asking the Planning Commission to uphold the same protective standards as the state of California.

Morgan Martin, urged the city to reconsider allowing a cannabis dispensary to share a fence with her daughter's art, yoga, and music program at Camp Lila, stressing that just because something is legal does not make it right. She expressed concerns about the negative impact on children's safety and the potential failure of Camp Lila, a unique and valuable enrichment program, if it is forced to operate next to a dispensary, highlighting the shortage of similar programs in the community.

Speaker seven, expressed concerns about the proximity of proposed cannabis dispensaries at 167 Cabrillo Street and 178 Wells to Camp Lila, where her four-year-old son attends an enrichment program. While not opposed to cannabis, she worries about potential secondhand marijuana smoke, impaired drivers, and the safety of children in a high-traffic pedestrian area, urging the city to apply the same protection principles given to schools.

Ann Mallet, urged the city not to approve cannabis dispensaries at 167 Cabrillo and 178 Wells, which would be within 600 feet of the children's enrichment program. She emphasizes concerns about secondhand smoke, increased traffic, and crime, highlighting the unique value of Camp Lila for her son and the community, and asks the city to protect this special place by rejecting the permits.

Speaker nine, stated she travels to Costa Mesa specifically for the Camp Lila program and supports local businesses while there. She expressed concerns about the potential impact of nearby cannabis shops on children due to exposure to images and smells, urging the city to prioritize the well-being the children and to keep Camp Lila open by not approving the dispensary permits.

Speaker ten, expressed her concern over the proximity of proposed cannabis retail stores to Camp Lila, a center her children love and that has been especially valuable during the pandemic. She believes it is inappropriate to place dispensaries near such a facility, highlighting concerns about increased traffic, parking issues, impaired drivers, and potential crime, urging the city to find more suitable locations for cannabis retailers in industrial or retail-dense areas instead of residential neighborhoods.

Speaker eleven asked the city to deny the approval of two cannabis dispensaries at 167 Cabrillo and 178 Wells Place due to their proximity to Camp Lila, a children's center, a church, and residential properties. She stressed the potential safety risks to children, including increased traffic, impaired drivers, and secondhand exposure, urging the city to provide the same protections for Camp Lila as are given to schools and daycare centers.

Kimberly Borland, stated she opposes the approval of cannabis dispensaries at 167 Cabrillo Street and 176 Wells Place, citing concerns about the impact on the children's center and the surrounding residential area. She emphasized that these dispensaries could threaten Camp Lila's positive influence on the community and increase crime, disrupt the neighborhood, and raise rents, and urged the Planning Commission to reject the applications for these sensitive locations.

Henny Abraham, stated she visited Camp Lila and was deeply impressed by the enrichment it offers to children, and urged the Commissioners to visit and recognize its value. She expressed concern about the proximity of proposed cannabis dispensaries to Camp Lila and her nearby church, which also hosts children for tutoring, emphasizing the importance of supporting and preserving such spaces that provide vital services to the community, especially in the wake of the pandemic.

Olivia Bata, urged the Planning Commission to reconsider allowing cannabis shops within 600 feet of the children's program, emphasizing the importance of protecting youth programs like Camp Lila over cannabis profits. She highlighted how programs like Camp Lila have provided vital social, emotional, and creative support to children and families, especially during the pandemic, and asked the city to prioritize the well-being of the community's children.

Cameron Lindy, urged the city not to allow cannabis shops near Camp Lila, where his three-year-old son attends and loves. Drawing from a commercial real estate perspective, he explained that most retailers avoid placing cannabis stores near family-oriented businesses and urged the Commission to find alternative industrial locations for dispensaries that won't impact children or families.

Phil Iskins, urged the Planning Commission to exercise extreme discretion regarding the approval of cannabis shops, expressing doubt about the positive impact of such businesses in any community. Drawing from his experiences ministering to people struggling with drug use, he supports the concerns raised by parents and families, emphasizing the need for careful consideration in making these decisions.

Speaker seventeen, expressed concern about the potential opening of cannabis dispensaries near residential areas, particularly around 167 Cabrillo Street. They recount observing suspicious activity at a nearby cannabis dispensary and argued that such businesses are inappropriate for areas with children, and urged the Planning Commission to carefully consider the impact on the community and protect the city's character.

Keith McGinley, asked the city to adopt the broader definition of a youth center, instead of the narrow definition recommended by the cannabis industry. He emphasizes that the narrow definition would exclude places like Camp Lila, a children's arts and yoga program, from being protected, potentially forcing it to close if cannabis stores are allowed nearby, which would make it harder for parents to find safe, enriching programs for their kids.

Travis Castro, spoke in support of cannabis businesses and addresses misconceptions about their safety, emphasizing that on-site consumption and smoking are illegal and that cannabis products are sealed and stored securely with air filtration systems to prevent odors. He highlights the rigorous and costly process of obtaining a cannabis business license, stressing his commitment to safety as both a business owner and a resident of Cabrillo Street, while also acknowledging the concerns of the Camp Lila community.

Speaker twenty expressed frustration with the city's approach to cannabis zoning, comparing it to past challenges with sober living facilities and warning against "spot zoning" that bends rules to allow cannabis stores in inappropriate locations. They urged the Planning Commission to consider the long-term impact on future generations, emphasizing that zoning rules should not be modified to force cannabis businesses into areas where they don't fit, and ask the commission to prioritize the well-being of the city's residents.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Toler praised staff and the Housing and Grants Services Committee for their thorough work during the meeting, noting that the Committee did excellent homework and their recommendations will ensure community services are well-funded. Secondly, he highlighted attending two events: (1) the West Side walk, organized by Council Member Arlis Reynolds and Planning Commissioner Jimmy Vivar; and, (2) a bike ride celebrating women's contributions to Costa Mesa, thanking the Historical Society for their support.

Commissioner Vivar expressed his satisfaction with the community walk on Saturday, emphasizing the importance of exploring the city on foot to better understand its character and discover hidden spots that might be missed while driving. He also shared his experience of returning to his old middle school, TeWinkle Intermediate, where he gave a presentation to students about his journey through education and public service, aiming to inspire the next generation of Costa Mesa leaders.

Vice Chair Zich thanked everyone for attending the meeting and expressing their opinions, emphasizing the importance of community engagement. He encouraged residents to sign up for city notifications on the website to stay informed about various city activities, including Planning Commission and City Council meetings, and expressed hope that people stay involved in more than just local issues directly outside their homes.

CONSENT CALENDAR:

None.

PUBLIC HEARINGS:

None.

OLD BUSINESS:

1. CANNABIS RETAIL STOREFRONT AND NON-STOREFRONT REGULATIONS - INFORMATIONAL PRESENTATION

Director Jennifer Le gave the staff presentation.

Commissioner Toler asked questions of staff regarding traffic impact analysis requirements for new businesses, he questioned whether the analysis solely establishes fees or could lead to public right-of-way design changes. Transportation Services Manager Jennifer Rosales explained that a traffic impact study is triggered if a development generates 100 or more peak hour trips, but no businesses have met this threshold so far. She also clarified how credits for existing land use and active transportation projects are calculated, referencing Table A from the staff report. Retail establishments receive a credit of 54 daily trips per 1,000 square feet, and a 5% active transportation credit is applied to traffic impact fees, reflecting contributions to city transportation improvements. The credit does not discount fees but designates funds for active transportation projects.

Chair de Arakal inquired whether the trip rate of 108.4, referenced in the staff report, is based on the Institute of Transportation Engineers (ITE) data and whether it accounts for pass-by trips. Transportation Services Manager Jennifer Rosales confirmed that the rate is an ITE figure specifically for a pharmacy with a drive-through and does not include pass-by trips. Chair de Arakal further asked if the ITE

manual allows for pass-by trip credits, to which Ms. Rosales responded that while the ITE does provide for such credits, the city has generally not applied them in traffic impact fee calculations for most developments.

Commissioner Vivar asked several questions regarding the traffic impact fee process, beginning with how the city determines whether a project requires infrastructure improvements or the payment of a traffic impact fee. Transportation Services Manager Jennifer Rosales explained that all developments generating new trips are required to pay the traffic impact fee, and if a traffic study is triggered, additional funds may be needed to mitigate impacts. Commissioner Vivar also inquired about the role of city staff in conducting traffic analysis, and Rosales clarified that the city retains a traffic consultant to perform full traffic studies, with costs borne by the applicant. Commissioner Vivar further asked about credits given for pre-existing uses, and Rosales confirmed that the most recent use is considered, regardless of when it occurred. Additionally, he inquired about the city's approach to reviewing impacts on active transportation infrastructure and was informed that all transportation modes are reviewed if a full traffic study is conducted. Lastly, Commissioner Vivar questioned why the city used pharmacy trip rates in its cannabis review instead of other uses like liquor stores. Rosales explained that the limited data available on cannabis in the ITE's 11th edition led to the choice of pharmacy rates, which are higher and more widely studied.

Chair de Arakal asked a brief question regarding whether a full traffic analysis would include a Vehicle Miles Traveled (VMT) review, assuming the project does not screen out. Transportation Services Manager Jennifer Rosales confirmed that a full analysis would include a VMT review in such cases.

Vice Chair Zich inquired about the allocation of tax revenue, particularly the portion designated for the Cultural Arts Master Plan and the First-Time Homebuyer Program. He questioned whether the half-percent allocation from \$1 million in revenue equates to just \$5,000. Director Jennifer Le clarified that the half-percent refers to a portion of the 7% tax collected, not the total revenue, and she will confirm with the Finance Department. Vice Chair Zich also asked about the 1,000-foot separation requirement, confirming it applies to homeless shelters but not churches (unless they have a state-licensed daycare or school) or sober living homes. Additionally, Vice Chair Zich sought clarification on the definition of "youth center," which Assistant Director Scott Drapkin explained as facilities for minors' recreation, excluding places like dance studios or tutoring centers.

Chair de Arakal asked Assistant City Attorney Tarquin Preziosi to clarify the distinction between state law and local jurisdiction definitions of "sensitive uses" regarding cannabis regulation. Assistant City Attorney Preziosi explained that under Prop 64, the city has broad authority to regulate or prohibit cannabis and can define sensitive uses independently, with few exceptions. Chair de Arakal then inquired whether Measure Q, passed by Costa Mesa voters, specified sensitive use definitions. Assistant City Attorney Preziosi clarified that Measure Q was an

uncodified ordinance, leaving the definition of sensitive uses to the discretion of the City Council, as granted by state law. The sensitive uses defined in the City's Ordinance are the result of the City Council's discretion, within the authority granted by the state.

Vice Chair Zich asked Assistant City Attorney Tarquin Preziosi whether Measure Q included language specifying the intent to separate retail cannabis locations from other uses. Assistant City Attorney Preziosi confirmed that Measure Q outlined separation distances from certain sensitive uses, but the definitions of those sensitive uses and the method for measuring the separation distance were left to the discretion of the City Council, as allowed by the voters. Vice Chair Zich thanked him for the clarification.

The Chair opened Public Comment.

Speaker one expressed his frustration with the City's definition of sensitive uses, particularly questioning why a preschool teaching art and yoga is not considered a protected school, while a video arcade is. The speaker criticized the decision-making process as "insanity" and suggested that redefining such terms is misguided. They emphasized that modern technology, like cell phones with video games, makes the distinction irrelevant, sarcastically suggesting that if 10 kids play games on their phones, they should be protected like a video arcade. He concluded by stating that altering definitions in this way is wrong.

Catherine Young, raised concerns about the lack of a traffic study for a potential retail dispensary. She questioned if a traffic study had been required and expressed worries about parking availability, particularly how cars would stop and park at the dispensary. Chair de Arakal clarified that no specific applications were under discussion at the meeting, and staff would address general questions about parking and traffic.

Speaker three asked if the City Council has the ability to modify the definitions of sensitive uses over time, depending on the makeup of the Council, such as if a more liberal council were in place. They questioned whether the City Council would have the latitude to change the definition of sensitive businesses or organizations. Chair de Arakal deferred the question to the Assistant City Attorney Tarquin Preziosi who clarified that under California law a City Council has the authority to amend ordinances, including definitions of sensitive uses, with certain limited exceptions.

The Chair Closed Public Comment.

Chair de Arakal summarized that the informational item had been presented, and staff had received the input provided. He asked if the next step would involve reviewing applications as they are ready. Director Le confirmed that this was correct and noted that the presentation was the last of three to the Planning Commission.

She added that staff is actively reviewing the conditional use permit applications and will schedule them for Planning Commission consideration when appropriate.

NEW BUSINESS:

None.

DEPARTMENTAL REPORTS:

1. Public Works Report – None.
2. Development Services Report – None.

CITY ATTORNEY'S OFFICE REPORT:

1. City Attorney – None.

ADJOURNMENT AT 7:40 PM

Submitted by:

SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 24-378

Meeting Date: 10/14/2024

TITLE:

MASTER PLAN (PMAP-24-0003) FOR THE DEVELOPMENT OF A NEW COSTA MESA FIRE STATION NO. 2 WITH MINOR CONDITIONAL USE PERMIT FOR TEMPORARY MANUFACTURED STRUCTURES LOCATED AT 800 BAKER STREET

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION

PRESENTED BY: CHRIS YEAGER, SENIOR PLANNER

CONTACT INFORMATION: CHRIS YEAGER, 714.754.4883;
Christopher.Yeager@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) pursuant to CEQA Guidelines Section 15302 (Class 2), Replacement or Reconstruction; and
2. Approve Master Plan (PMAP-24-0003) and Minor Conditional Use Permit, based on findings of fact and subject to conditions of approval.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: October 14, 2024

ITEM NUMBER: PH-1

SUBJECT: MASTER PLAN (PMAP-24-0003) FOR THE DEVELOPMENT OF A NEW COSTA MESA FIRE STATION NO. 2 WITH MINOR CONDITIONAL USE PERMIT FOR TEMPORARY MANUFACTURED STRUCTURES LOCATED AT 800 BAKER STREET

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

PRESENTATION BY: CHRIS YEAGER, SENIOR PLANNER

**FOR FURTHER INFORMATION CONTACT: CHRIS YEAGER
714.754.4883
Christopher.Yeager@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) pursuant to CEQA Guidelines Section 15302 (Class 2), Replacement or Reconstruction; and
2. Approve Master Plan (PMAP-24-0003) and Minor Conditional Use Permit, based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant and authorized agent is PBK Architects representing the property owner, City of Costa Mesa.

PLANNING APPLICATION SUMMARY

Location:	800 Baker Street	Application Number:	PMP-24-0003
Request:	Master Plan for the development of a new Costa Mesa Fire Station No. 2. Minor Conditional Use Permit for temporary structures to ensure the fire station remains operational during construction.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	I&R (Institutional and Recreational)	North:	Across Randolph Avenue: R3 (Multiple-Family Residential District) developed with two apartments; and R2-HD (Multiple-Family Residential District, High Density) developed with two story ownership units.
General Plan:	Public/Institutional	South:	Across Baker Street: C1 (Local Business District) developed retail and entertainment uses
Lot Dimensions:	Approximately 105' x 333'	East:	R3 (Multiple-Family Residential District, High Density) developed with three-story ownership townhomes
Lot Area:	34,520 SF	West:	R3 (Multiple-Family Residential District, High Density) developed with two-story ownership townhomes
Existing Development:	Existing 6,650 SF fire station (to be demolished).		

DEVELOPMENT STANDARDS COMPARISON

Development Standard		Required/Allowed I&R Dev. Standard	Proposed/Provided
Density/Intensity			
Floor Area Ratio (FAR)		0.25 (8,630 SF)	0.25 (8,630 SF)
Building Height		4 Stories	1 Story/25'
Setbacks:			
Front		20'	Building: 52' Parking: 20'-10"
Side (left / right)		5'/5'	5'/23'-7"
Rear		10'	93'-4"
Landscape Setback – front		20'	20'-10"
Parking			
Standard		NA	9
Handicap		1	2
Bicycle		NA	1
Total		NA	12 spaces
CEQA Status	Exempt per CEQA Guidelines Section 15302 (Replacement or Reconstruction)		
Final Action	Planning Commission		

EXECUTIVE SUMMARY

The proposed project will demolish and re-construct a new Fire Station No. 2 at 800 Baker Street. As shown in Exhibits 1 and 2 below, the existing 6,650-square-foot station, built in 1966, has exceeded its useful life and does not meet modern standards for functionality, safety, or personnel capacity.

Exhibit 1 - “Streetview” Image of Fire Station No. 2 from Baker Street



Exhibit 2 - “Streetview” Image of Fire Station No. 2 from Randolph Avenue



The new fire station is proposed to be 8,630-square-feet and is designed to enhance operational efficiency and increase fire response capabilities by providing additional areas for fire apparatus and modernizing the site with overall facility enhancements.

The new fire station will include upgraded apparatus bays, administrative offices, dorm rooms, and modern amenities. Site improvements include new parking facilities and a bike rack, new drive aisle for fire apparatus, and drought-tolerant landscaping. Development will occur in two

phases to ensure the station remains operational during construction. The proposed fire station is designed to be compatible with the surrounding residential and commercial developments, and the proposed architecture reflects design elements similar to the surrounding residences.

Staff supports the request because the project is consistent with applicable goals, objectives, and policies of the General Plan, complies with applicable provisions of the Zoning Ordinance, and it will enhance the City's ability to deliver crucial life-safety services to the community. Staff recommends that the Planning Commission find the project exempt from the California Environmental Quality Act (CEQA) and approve the Master Plan based on findings of fact and subject to conditions of approval presented in this report.

SETTING

The 34,520-square-foot subject property is located at 800 Baker Street on the north side of Baker Street between Century Place and Jeffery Drive (see Exhibit 3 below). The site is a "through lot" with street frontage and access provided from both Baker Street and Randolph Avenue.

Exhibit 3 - Site Location



The site is designated Public/Institutional by the City's Land Use Element of the General Plan and is zoned I&R (Institutional and Recreational). The Public/Institutional designation applies to publicly and privately owned properties that provide recreation, open space, health, and educational opportunities, as well as uses that provide a service to the public. The I&R zoning designation is intended to allow land uses which provide recreation, open space, health and public service uses. Though located across Baker Street from northern boundary of the SoBECA Urban Plan, it should be noted that the subject project is not located within the boundaries of any specific plan or overlay district.

Baker Street is an arterial right-of-way having an east-west alignment that serves the northern portion of the City south of Interstate 405. The project site is located in an area that has multi-family residential uses to the north, east, and west. Properties located south of Baker Street are developed with a variety of retail, restaurant, service, and entertainment uses.

HISTORY

Since 1966, Fire Station No. 2 has been providing fire protection and emergency response services to the Costa Mesa community. Historical imagery indicates that prior to its construction in 1966, the subject property and surrounding area was used for agricultural purposes.

In addition to responding to fires, the staff of Fire Station No. 2 respond to medical emergencies, motor vehicle accidents, rescue calls, and incidents involving hazardous materials.

The existing 6,650-square-foot fire station consists of an approximately 2,800-square foot apparatus bay and 3,850-square feet of living space. However, after 58 years of service, the Fire Station has exceeded its useful life and is not compliant with current industry standards and specifications.

BACKGROUND

For many years, Fire Station No. 2 has been impacted by regular maintenance and service issues and now requires a complete replacement. Issues that the new fire station will address include electrical and mechanical upgrades; heating, ventilation, and air conditioning improvements; modernization of life-safety equipment and communications; improved parking facilities; enhancements to the staff living quarters; and adherence to current building codes and regulations.

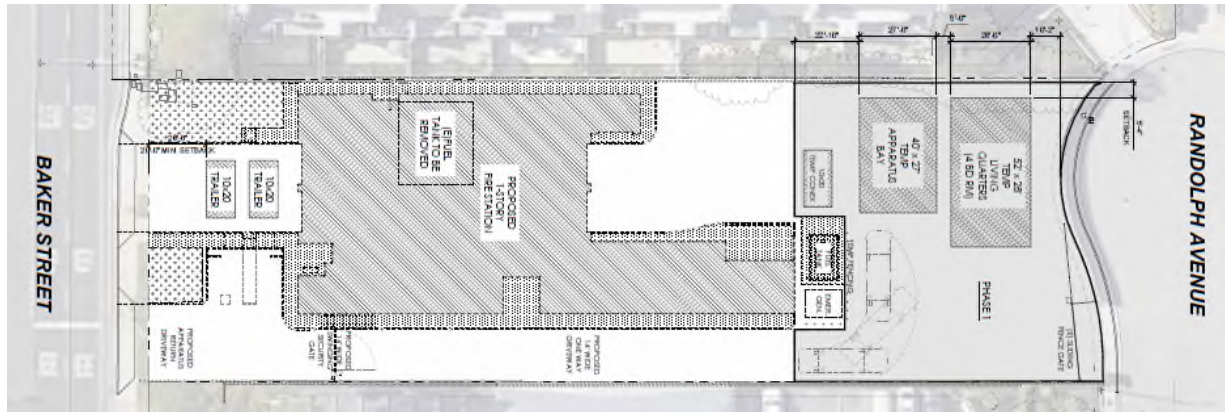
On August 27, 2024, a community meeting was held at Fire Station No. 2 to solicit public input and participation. Additional input was solicited from Fire Department Staff and the Employee Association. Discussions and comments were considered in the development of the proposed Master Plan and selected architectural style.

REQUESTED PLANNING APPLICATIONS

The City has contracted PBK Architects to develop the plans and process the required entitlements. Pursuant to the CMMC Land Use Matrix, public facilities such as fire stations are permitted land uses in the I&R zone. Although the use is permitted by right, pursuant to CMMC Section 13-28(g), development in the I&R Zoning District requires “master plan” approval. Pursuant to CMMC Table 13-29(c), the planning application review process for a “master plan” requires Planning Commission approval, and therefore the project site development aspects are subject to discretionary review by the Planning Commission.

In addition, for the Fire Station to remain operational during construction, the project is proposed to be constructed in two phases. Phase One includes installing temporary

structures totaling 2,736 square feet in the rear parking lot of the property (near Randolph Avenue) including modular living quarters, apparatus bay, and safety equipment storage. In addition, two construction offices are proposed to be placed at the front of the fire station (near Baker Street). Construction fencing will also be installed as needed throughout the property. (See the below Exhibit 4 for site plan details of “Phase 1” of the constructions plan.) Pursuant to CMMC Section 13-188, except for temporary real estate offices and construction offices, temporary structures including the crew quarters, apparatus bay, and storage require a minor conditional use permit.



STANDARD OF REVIEW

Pursuant to CMMC Section 13-29(g)(5), the following findings must be made in the affirmative in order to approve subject project Master Plan for site development:

Minor Conditional Use Permit

- 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;

- Granting the conditional use permit or 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; and
- Granting the conditional use permit or 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.

Review Criteria

In addition to the required Master Plan and Minor Conditional Use Permit findings, the CMMC requires that all planning applications comply with the following planning application Review Criteria:

- Neighborhood compatibility;
- Safety and compatibility of design;
- Compliance with performance standards; and
- Consistency with the general plan and any applicable specific plan,

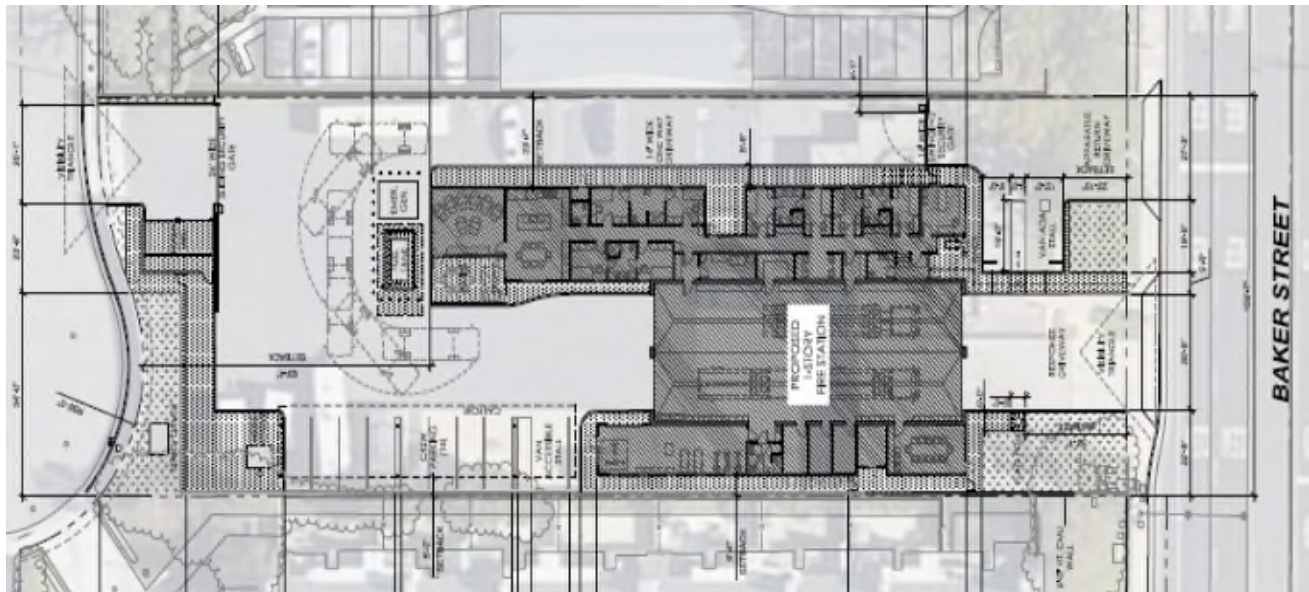
DESCRIPTION:

The new Fire Station No. 2 to be 8,630-square-feet with a double-deep apparatus bay and administrative, storage, and living areas. Additional site improvements include a new drive aisle, two visitor parking spaces, and bike rack at the front of the property; a new covered crew parking area in the rear parking lot; new perimeter walls, new landscaping, and new utility connections. Accessory structures including a hose tower, generator, and fuel tank will be relocated within the rear parking area.

Site Plan

As shown in Exhibit 5, below, the fire station is proposed be constructed generally in the center of the property with drive aisles, visitor parking, and landscaping at the front of the site. Nine crew parking spaces are proposed in the rear of the property and would be covered by a proposed 10-foot-tall carport that has five-foot side setback along the west property line. An existing hose tower is proposed to be relocated north of the proposed covered parking to make room for the new parking and to comply with current setback requirements. The existing emergency generator located at the front of the property will be relocated to the rear parking lot next to a relocated fuel tank. All structures are proposed in compliance with the minimum setback requirements of the I&R Zoning District.

Exhibit 5 - Site Plan



Parking and Circulation

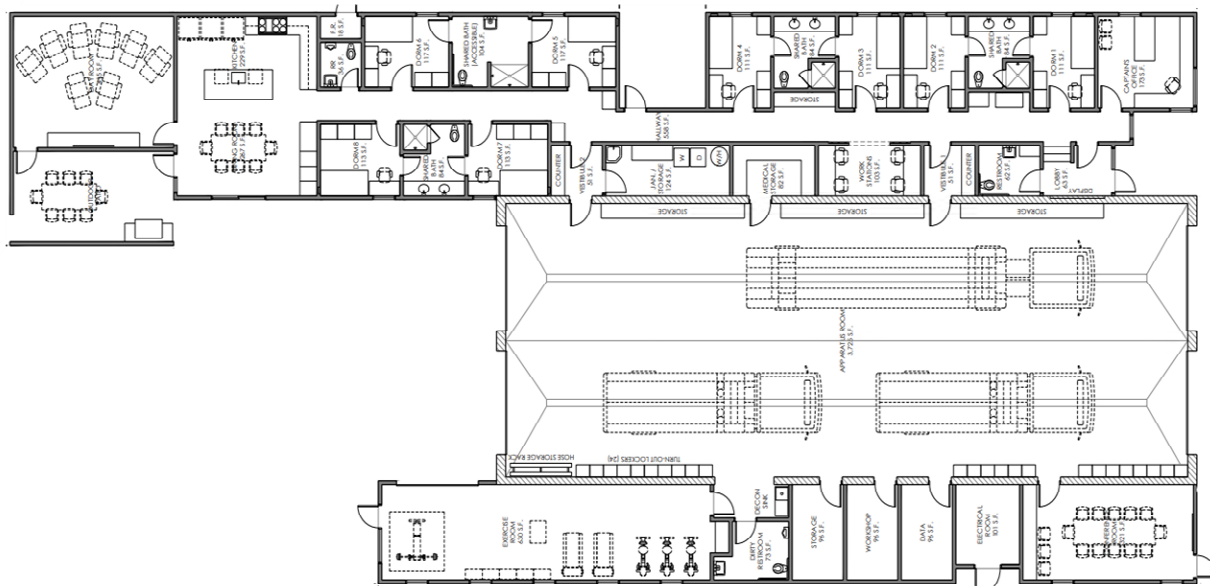
The CMMC does not establish a specific parking requirement for public facilities such as fire departments. As proposed, the site will include a total 12 parking spaces, not including the fire track apparatus bays. Two visitor spaces and a bike rack will be provided at the front of the building and accessed from Baker Street, and nine staff parking spaces will be provided to the rear of the building and will be accessed from Randolph Avenue. As the Fire Station staff will consist of a maximum of eight firefighters at any given time, the amount of provided crew and public parking is sufficient.

The proposed site circulation includes a new apparatus return driveway and visitor parking accessible from Baker Street. Currently, fire trucks are required to enter the station by driving on Randolph Avenue, which provides access to several residential developments. The reconfigured circulation will reduce the station's impact on these residences by removing the necessity for fire apparatus to return to the station by Randolph Avenue. The drive aisle accessing Randolph Avenue will be used by employees to access the station and for waste collection purposes.

Floor Plan

The new fire station features a two-bay, double deep apparatus room, administrative offices and workspaces, eight dorm rooms, a kitchen/dining room, day room, exercise room, outdoor patio area screened from neighboring residences, mechanical rooms, and other various support spaces. As shown in Exhibit 6 below, the apparatus bay is located in the center of the building with living, work, and support spaces positioned on both sides.

Exhibit 6 - Floor Plan



Floor Area Ratio (FAR)

Pursuant to the General Plan and CMMC, Public/Institutional Uses are limited to an FAR of 0.25. The project proposes an 8,630-square-foot building on a property that is 34,520 square feet which equates to a 0.25 FAR, and therefore complies with the City's General Plan.

Elevations/Architecture

As shown in Exhibit 7, below, the proposed fire station is designed to blend modern architectural elements with traditional craftsmen elements. The fire station features dark tan fiber cement siding which will appear similar to wood, complementing the two-tone plaster in light beige and dark brown. A stacked stone veneer at the base and adjacent to apparatus doors adds texture, contrast and interrupts the front and side elevations which results in the appearance of less overall building height and mass. The building has a composition shingle roof with a maximum height of 25 feet proposed at the peak of the sloped gable roofline above the apparatus bay. The red apparatus doors provide a contrast and a functional focal point for emergency vehicle access.

The design reflects elements present in the surrounding neighborhood, such as sloped gable roofs and traditional building materials, helping the station integrate seamlessly into the surrounding neighborhood. Materials like stone veneer and red accents maintain a connection to traditional fire station design, while modern materials and finishes update its appearance for a contemporary urban setting.

Exhibit 7 - Front Rendering



Fences and Walls

The Institutional and Recreational Zoning Districts does not require walls around the development; however, the project proposes to construct a new six-foot tall block wall at the rear of the property to allow for a new landscaped area along Randolph Avenue. The wall will comply with City's street visibility triangle requirements. As shown in Exhibit 8, below, the current block wall does not include any landscaping along the public facing sidewalk. As discussed in the following section, new landscaping in front of the wall will soften the appearance and improve the streetscape. In addition, new block walls will be constructed along the east and west property lines as needed. The project proposes a swinging vehicular gate to the right of the fire station on the apparatus ingress driveway accessed from Baker Street. An additional roiling gate is proposed at the rear of the property adjacent to Randolph Street to secure the rear parking area.

Exhibit 8 - Existing Block Wall along Randolph Avenue

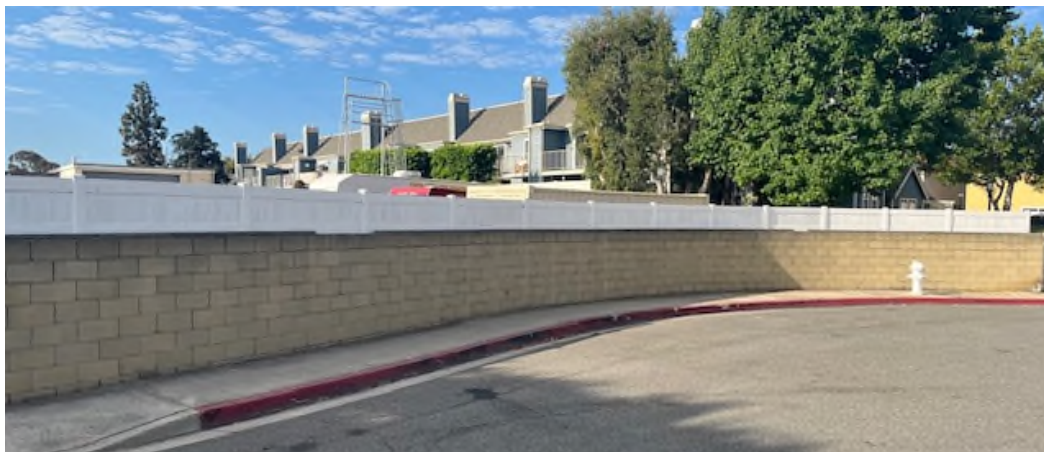
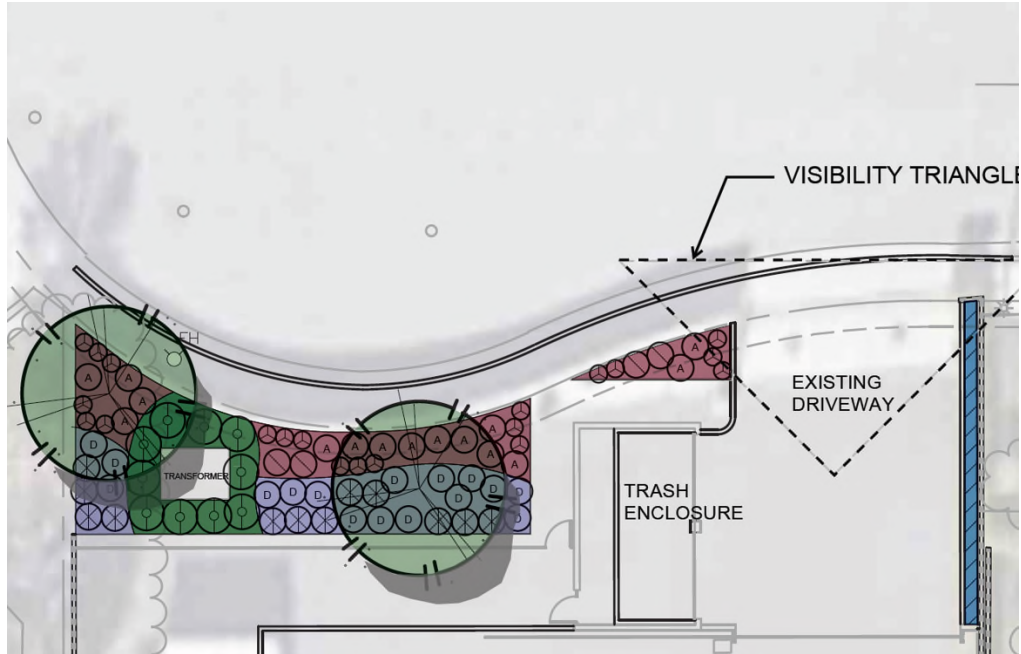


Exhibit 9 - Proposed Block Wall and New Landscaping along Randolph Avenue



Landscaping

The project proposes a total of 2,000 square feet of landscaping including new landscaping in front of the new fire station and at the rear adjacent to Randolph Avenue. Pursuant to the CMMC, one shrub is required per 25 square feet of open space, and 70 percent of the landscape area shall be covered by groundcover. Consistent with these ratios, the project requires 80 shrubs and will provide 243 shrubs.

In addition, the CMMC requires all landscape areas to include a minimum of one tree per 200 square feet of landscape area. However, and pursuant to the CMMC, this requirement may be reduced by the Planning Division when it is determined that an alternative design would meet the intent of the City's landscape objectives (CMMC Section 13-104). As proposed, one tree is proposed per 400 square feet of landscape area and therefore the Planning Commission must consider if the proposed "tree count" satisfies the City's "Landscape Plan Objectives". Staff believes that the proposed "tree count" meets the City's landscape objectives as follows:

- ***"Each landscape plan shall be compatible with the shape and topography of the site and architectural characteristics of structure(s) on the site. Each landscape plan shall be compatible with the character of adjacent landscaping, provided the quality of the adjacent landscaping meets the standard of these guidelines. However, it is not the intent of this section to require the use of identical plant materials or landscape designs. Where existing mature landscaping is in good, healthy condition, every effort shall be made to retain trees and mature landscaping."***

The proposed landscaping is compatible with the proposed architecture and the surrounding landscaping in the general SoBECA area because a native and drought tolerant landscape pallet has been proposed. The existing trees at the front of the property are overgrown and the root systems are beginning to damage utilities and paving and therefore require replacement. Three new replacement trees will be planted at the front of the fire station. Western Sycamores are proposed for the front landscaping and Natchez Crape Myrtle trees are proposed for the rear landscaping. Western Sycamore trees can grow up to 80 feet tall with canopies ranging 30-50 feet wide. The canopy of the trees could grow to cover an area of approximately 900-1900 square feet. Crape Myrtle trees do not grow as large but can still exceed a canopy cover of over 300 square feet. Therefore, the one tree per 200 square feet of landscape area is not appropriate because if additional trees were proposed, they would soon grow into each other causing maintenance, health, and pest issues.

- **“Each landscape plan shall illustrate a concern for design elements such as balance, scale, texture, form, water conservation, and unity”.**

The landscape plan has been designed to balance plant material with the proposed design. The scale of the landscaping is appropriate for the surrounding neighborhood and project because large trees of similar species are found throughout the general area. The landscape plan will comply with water efficient landscape (WELO) requirements.

- **Each landscape plan shall address the functional aspects of landscaping such as grading, drainage, minimal runoff, erosion prevention, wind barriers, provisions for shade and reduction of glare, and water conservation. Each landscape plan shall demonstrate a concern for solar access, including exposure and shading of window areas.**

A final landscape plan will be required to be submitted and reviewed prior to building permit issuance and will be required to comply with the City's WELO requirements which will address irrigation, drainage, and water conservation. In addition, the final landscape plan will be reviewed for shade and solar access.

- **Landscaping shall be used to relieve solid, unbroken elevations, soften continuous wall expanses and deter graffiti.**

Landscaping will be used at the rear of the property to soften proposed new hardscape. The plantings will specifically buffer a new wall from the sidewalk creating a deterrent to graffiti. In addition, trees and low shrubs are proposed at both street frontages to improve the site aesthetics.

- **Landscaping shall be required to screen storage areas, trash enclosures, parking areas, public utilities, freeways, highways, and other similar land uses or elements which do not contribute to the enhancement of the surrounding area.**

The project includes a new trash enclosure at the rear of the property which will be softened and screened by landscaping as seen from Randolph Avenue. In addition, the relocated fuel tank and generator are centrally located on the site behind block walls and will not be readily visible from neighboring properties and do not necessitate landscape screening. The relocated hose tower is proposed to be located adjacent to existing mature trees on the neighboring property which will screen the tower from the neighboring property. High quality landscaping will be used at the rear of the property including two new trees, shrubs, and ground cover, to soften the new block wall. The plantings will soften the new block wall from the public right of way. The project is proposed to include bioswales to trap and filter runoff.

- **Water elements (pools, ponds, fountains, and other similar ornamental water features) incorporated into the project shall be of a design, shape, and size that minimizes water loss through evaporation. Recirculating water shall be used for decorative water features.**

The project does not propose water elements.

- **Landscape and irrigation plans shall be designed and implemented to meet the water conservation measures described in the water efficient landscape guidelines as applicable**

A final landscape plan will be required to be submitted and reviewed prior to building permit issuance and will be required to comply with MWELO requirements.

Utilities

As required by the CMMC, any utility equipment including transformers and backflow preventers, or other related equipment shall be installed outside of the front landscape setback and must be screened from the view from any location on or off the site.

Consistent with code requirements all utility meters will be screened from view from the public right of way and neighboring properties. Staff is recommending a condition of approval to require prior to building permit approval that the applicant submit a comprehensive utilities plan for staff approval that shows how the project's utility design will fully comply. Prior to construction, the comprehensive utility plan will be reviewed by both the City's Building Division and Public Works Department, and with the applicable utility agencies.

ANALYSIS:

Staff supports the applicant's request to redevelop Fire Station No. 2 in that it aligns with both the General Plan and the City's zoning regulations. The project's Public/Institutional land use designation emphasizes providing essential services to the public, and a new, modern fire station, where existing previously, fits harmoniously within this framework. By upgrading this facility, the City can continue to deliver critical fire and emergency services

to the community while ensuring compliance with current standards. The station's thoughtful design, which mirrors the architectural elements of the surrounding neighborhood, speaks to the City's commitment to excellence in design—a key finding required under the Review Criteria.

Furthermore, the project has been shaped by community feedback and collaborative design. It not only reflects community needs but continues the station's 58-year legacy of protecting the City's residents and structures.

The absence of past compatibility issues reinforces the station's excellent neighborhood integration, and its expanded capacity will only improve the fire department's ability to serve the public effectively.

GENERAL PLAN CONFORMANCE

The Public/Institutional land use designation applies to both publicly and privately owned land that provides recreation, open space, health, and educational opportunities, as well as uses that provide a service to the public. The proposed development is consistent with the Public/Institutional Land Use Designation in that a new public fire station building is proposed that will provide life and structure safety services to community. The following analysis further evaluates the proposed project's consistency with applicable policies and objectives of the 2015-2035 General Plan.

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

Consistency: The project site is located immediately adjacent to existing residential areas. Currently, fire apparatus utilize Randolph Avenue to return to the fire station. The new fire station will occupy the same property but will now allow fire apparatus to return to the station from Baker Street which will reduce the impact of the fire station has on the surrounding neighborhood. The new fire station will allow for additional apparatus which will allow for better fire coverage in the area.

2. **Objective LU-2A:** Promote land use patterns and development that contribute to community and neighborhood identity.

Consistency: The project will replace the existing fire station with a new station designed with cohesive architectural elements compatible with the surrounding residential neighborhood. The design will contribute to a sense of community and Costa Mesa identity.

3. **Policy S-2.4:** Provide a high level of police and fire service in the community. Secure adequate facilities, equipment, and personnel for police and fire.

Consistency: The project will replace an aged fire station that has exceeded its useful life. The new fire station will allow the City to continue providing services that are in line with industry practices and will allow for an additional apparatus to operate out of the facility, which will result in better fire services coverage throughout the community.

REVIEW CRITERIA – CMMC Section 13-29(e)

To approve the Master Plan, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable criteria:

- a. Compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.

The proposed development is compatible and harmonious with development and uses on surrounding properties because the proposed fire station has been designed with elements from the surrounding neighborhood including a gable roof and traditional building materials. The property has been used for a fire station for 58 years, is a permitted use in the zone, and has operated largely without complaint or incident.

- b. Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.

Safety and compatibility of the design of buildings, parking area, landscaping, lighting, and other site features have been incorporated into the design of the proposed project in that all portions of the building will comply with all building and fire codes. Visibility triangles will be maintained at all drive aisles, pedestrians and bicycles can circulate the site without mixing with vehicles, and lighting will be added in pedestrian areas to ensure adequate visibility. Additionally, the property will meet ADA accessibility requirements from the public right of way.

- c. Compliance with any performance standards as prescribed elsewhere in this Zoning Code.

The Zoning code does not prescribe performance standards for fire stations.

- d. Consistency with the general plan and any applicable specific plan.

The property has a General Plan designation of Public/Institutional. Under the General Plan designation, public uses such as fire stations are allowed. The proposed project complies with the maximum FAR allowed on the site. As indicated above, the proposed project conforms to the City's General Plan

including Objective LU-1A, Objective LU-2A, and Policy S-2.4. The project site is not located in a specific plan area.

- e. The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

The planning application is for the project specific case for the replacement of and existing fire station at 800 Baker Street. The application is not to be construed to be setting precedent for future development because each application is reviewed on its own merits.

FINDINGS

Pursuant to Title 13, Section 13-29(g)(5), Findings, of the CMMC, in order to approve the Master Plan, the Planning Commission must find that the evidence presented in the administrative record meets the following applicable required Master Plan Findings:

- a. The master plan meets the broader goals of the general plan, any applicable specific plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.

The master plan meets the broader goals of the general plan by preserving and enhancing the residential character of the surrounding neighborhood by changing the circulation of the fire station to limit fire apparatus from driving on residential streets. In addition, the master plan design includes architectural elements that are similar to the surrounding residences and will blend with the surrounding neighborhood. The project complies with all required Zoning standards including setbacks, FAR, landscaping, and parking and meets the broader goals of the Institutional and Recreational Zoning designation. The project will bring the fire station into conformance with current industry standards and will allow for improved community safety/emergency response.

- b. Master plan findings for mixed use-development projects in the mixed-use overlay district are identified in Chapter V, Article 11, mixed-use overlay district.

The proposed master plan is not proposing mixed use development.

- c. As applicable to affordable multi-family housing development, the project complies with the maximum density standards allowed pursuant to the general plan and provides affordable housing to low or very-low income households, as defined by the California Department of Housing and Community Development. The project includes long-term affordability covenants in compliance with state law.

The proposed master plan is not proposing affordable multi-family housing development.

Pursuant to Title 13, Section 13-29(g)(2), Findings, of the CMMC, in order to approve the temporary crew quarters, apparatus bay, and storage, the Planning Commission must find that the evidence presented in the administrative record meets the following applicable required Minor Conditional Use Permit Findings:

- a. 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 temporary structures related to the construction of Fire Station No. 2 are compatible to the general area and would not be materially detrimental to other properties within the area because the temporary apparatus bay, crew quarters, and storage will be located completely on the subject property while construction occurs. The structures are temporary in nature and will be removed once construction has been completed. The structures will be placed outside of required setbacks, will maintain visibility requirements, and will maintain adequate onsite circulation for personal vehicles and fire apparatus.

- b. Granting the conditional use permit or 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 proposed temporary structures will comply with building and fire codes. The placement of the structures will allow for adequate vehicle and pedestrian circulation. The temporary structures will allow the fire station to remain operational while construction is occurring to ensure safety and general welfare of the surrounding neighborhood.

- c. Granting the conditional use permit or 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 temporary structures will not allow a use, density, or intensity which is not in accordance with the general plan because the structures are temporary. The temporary structures will replace the existing fire station while it is reconstructed to allow for continued operation.

ENVIRONMENTAL DETERMINATION:

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302 (Class 2), Replacement or Reconstruction. Under Class 2, a project consisting of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced is eligible for the exemption. Since the

project is requesting to replace the existing fire station with a new fire station with the same purposes and substantially the same capacity, the proposed development project meets all criteria for a Class 2 Categorical Exemption pursuant to CEQA Guidelines Section 15302.

ALTERNATIVES

As an alternative to the recommended action to approve the project, the Planning Commission may consider one of the following:

1. 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.
2. 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.

LEGAL REVIEW:

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

PUBLIC NOTICE:

Pursuant to Title 13, Section 13-29(d) of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the 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 October 4, 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 October 4, 2024.
3. **Newspaper publication.** A public notice was published once at least 10 days before the Planning Commission meeting in the Daily Pilot newspaper on October 4, 2024.

As of the date that the Planning Commission agenda for the October 14, 2024 meeting was published, staff has not received any written public comments in support or opposition to the application. Any public comments received after the Planning Commission agenda is published but before the October 14, 2024 Planning Commission meeting will be provided to the Commission at the meeting.

CONCLUSION

Approval of the Master Plan would allow for the City of Costa Mesa to reconstruct the existing Fire Station No. 2 with a modern facility that is compliant with industry standards and best practices. The proposed fire station complies with the City's General Plan and Zoning Code. The project is designed with high quality materials and finishes and is compliant with applicable development standards. The proposed landscaping satisfies the City's "Landscape Plan Objectives". The project would improve the City's ability to serve the community and staff recommends approval of the Master Plan based on findings of fact and subject to conditions of approval contained in the attached resolution.

RESOLUTION NO. PC-2024-**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING MASTER PLAN (PMAP-24-0003) FOR THE DEVELOPMENT OF A NEW COSTA MESA FIRE STATION NO. 2 AND MINOR CONDITIONAL USE PERMIT FOR TEMPORARY MANUFACTURED STRUCTURES LOCATED AT 800 BAKER STREET**

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

WHEREAS, Master Plan and Minor Conditional Use Permit PMAP-24-0003 was filed by PBK Architects, acting as the authorized agent for the property owner, City of Costa Mesa, requesting approval of a Master Plan to demolish the existing Costa Mesa Fire Station No. 2 and replace it with a new 8,630-square-foot fire station having a double deep apparatus bay, and administrative, storage, and living areas. Additional site improvements include a new drive aisle, two visitor parking spaces, and bike rack at the front of the property, new covered crew parking in the rear parking lot, new perimeter walls, new landscaping, and new utility connections. Existing accessory structures that include a fire hose tower, generator, and fuel tank will be relocated to accommodate the new improvements. The proposed project will be constructed in two phases to ensure that the facility remains operational during construction.

WHEREAS, a Minor Conditional Use Permit was filed requesting the approval of a temporary crew quarters, apparatus bay, and storage for the duration of the construction of the new fire station.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 14, 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) pursuant to Section 15202 (Class 2) because the project is requesting to replace the existing fire station with a new fire station with the same purposes and substantially the same capacity.

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** Master Plan PMAP-24-0003 as 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 Master Plan and Minor Conditional Use Permit PMAP-24-0003 and upon the 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 14th day of October, 2024.

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- __ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on October 14, 2024 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2024-__

EXHIBIT A

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(5) because:

Finding: The master plan meets the broader goals of the general plan, any applicable specific plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.

Facts in Support of Findings: The master plan meets the broader goals of the general plan by preserving and enhancing the residential character of the surrounding neighborhood by changing the circulation of the fire station to limit fire apparatus from driving on residential streets. In addition, the master plan design includes architectural elements that are similar to the surrounding residences and will blend with the surrounding neighborhood. The project complies with all required Zoning standards including setbacks, FAR, landscaping, and parking and meets the broader goals of the Institutional and Recreational Zoning designation. The project will bring the fire station into conformance with current industry standards and will allow for improved community safety/emergency response.

Finding: Master plan findings for mixed use-development projects in the mixed-use overlay district are identified in Chapter V, Article 11, mixed-use overlay district.

Facts in Support of Findings: The proposed master plan is not proposing mixed use development.

Finding: As applicable to affordable multi-family housing development, the project complies with the maximum density standards allowed pursuant to the general plan and provides affordable housing to low or very-low income households, as defined by the California Department of Housing and Community Development. The project includes long-term affordability covenants in compliance with state law.

Facts in Support of Findings: The proposed master plan is not proposing affordable multi-family housing development.

- B. 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 temporary structures related to the construction of Fire Station No. 2 are compatible to the general area and would not be materially detrimental to other properties within the area because the temporary apparatus bay, crew quarters, and storage will be located completely on the subject property while construction occurs. The structures are temporary in nature and will be removed once construction has been completed. The structures will be placed outside of required setbacks, will maintain visibility requirements, and will maintain adequate onsite circulation for personal vehicles and fire apparatus.

Finding: Granting the conditional use permit or minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Findings: The proposed temporary structures will comply with building and fire codes. The placement of the structures will allow for adequate vehicle and pedestrian circulation. The temporary structures will allow the fire station to remain operational while construction is occurring to ensure safety and general welfare of the surrounding neighborhood.

Finding: Granting the conditional use permit or 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 Findings: The temporary structures will not allow a use, density, or intensity which is not in accordance with the general plan because the structures are temporary. The temporary structures will replace the existing fire station while it is reconstructed to allow for continued operation.

- C. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302 (Class 2), Replacement or Reconstruction. Under Class 2, a project consisting of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced is eligible for the exemption. Since the project is requesting to replace the existing fire station with a new fire station with the same purposes and substantially the same capacity, the proposed development project meets all criteria for a Class 2 Categorical Exemption pursuant to CEQA Guidelines Section 15302. The project is consistent with the applicable General Plan land use designation and policies as well as with the applicable zoning designation and regulations.
- D. The project is exempt from traffic impact fees, pursuant to Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. Approval of Master Plan PMAP-24-0003 is valid for two (2) years from the effective date of this approval and will expire at the end of that period unless the 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; or 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 Master Plan PMAP-24-0003 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 Master Plan PMAP-24-0003 shall be printed on the site plan sheet that is submitted as part of the plan check submittal package.
 3. The project shall be limited to the 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 Master Plan.
 4. 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.
 5. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system which is painted to match the building would comply with the condition.
 6. On-site lighting shall be provided in all parking areas, vehicular access ways, and along major walkways. The lighting shall be directed onto driveways and walkways within the project and away from dwelling units and adjacent properties to minimize light and glare impacts, and shall be of a type approved by the Development Services Director.

7. Prior to the issuance of Building Permits, the applicant shall submit to the City's Economic and Development Services Department a Lighting Plan and Photometric Study for review and approval. The Lighting Plan shall demonstrate compliance with the following: (a) Lighting design and layout shall limit light spill to no more than 0.5 foot candle at the property line of the surrounding neighbor's properties, consistent with the level of lighting that is deemed necessary for safety and security purposes on site; (b) Light shields may be required for select light standards to reduce or eliminate direct lighting into neighboring residence.
8. All on-site utility services and connections shall be installed underground or shall be screened at the direction of the Planning Division.
9. Transformers, backflow preventers, and any other approved above-ground utility improvement 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.
10. Installation of all new 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 shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
11. Temporary structures shall be removed prior to operation of the new Fire Station No. 2.
12. Temporary structures shall comply with all required setbacks and shall not exceed the FAR of operational buildings shall not be exceeded the maximum FAR allowed on site at any time.
13. The project shall comply with groundcover landscaping requirements pursuant to CMMC Section 13-106(a)(4).

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. Development shall comply with all requirements of Article 7, Chapter 5, Title 13, of the Costa Mesa Municipal Code relating to development standards for Institutional 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 prohibited on Sunday and the following federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
 3. All landscaped areas shall be separated from paved vehicular areas by 6 inch high continuous Portland Cement Concrete curbing.

- | | | |
|--------------|----|---|
| | 4. | Parking spaces shall be striped in accordance to the City's Parking Design Standards. |
| Bldg. | 5. | 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, and 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. |
| | 6. | Plans shall be prepared under the supervision of a registered California Architect or Engineer. Plans shall be stamped and signed by the registered California Architect or Engineer. |
| | 7. | Maximum area of exterior wall openings shall be determined in accordance with the applicable provisions of California Building Code 705.8. |
| Fire | 8. | Comply with the requirements of the California Fire Code, including the reference standards, as adopted and amended by Costa Mesa Fire & Rescue. |
| Bus.
Lic. | 9. | All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained. |

SPECIAL DISTRICT REQUIREMENTS

- | | | |
|-------|----|---|
| AQMD | 1. | <p>Prior to the Building Division (AQMD) issuing a demolition permit, contact South Coast Air Quality Management District located at:
 21865 Copley Dr.
 Diamond Bar, CA 91765-4178
 Tel: 909-396-2000</p> <p>OR</p> <p>Visit their web site:
 http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381
 The Building Division will not issue a demolition permit until an identification number is provided by AQMD.</p> |
| State | 2. | Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at 1-888-4FIREANT for information. |



8163 Rochester Avenue
 Rancho Cucamonga, CA 91730
 P. +1 909-987-0909
 PBK.com

September 20, 2024

Project Description:

Fire Station 2 is a new 8,630 usable SF facility designed to replace the original station which was built in 1966. The 0.8 acre site is located on the north of Baker Street, east of Freeway 73. The station is located in a largely commercial corridor but is directly north of a residential portion of the City. The station is designed to accommodate eight fire fighters in an individual dormitory setting. Other station features include a two-bay, double-deep Apparatus Room, Administrative Office areas, Kitchen, Dining Room, Day Room, Physical Training Room, shop, medical supply storage, and the various support spaces required for a facility of this type. Circulation within the station is organized such that the utility areas and living spaces are situated closer to the Apparatus Bay to facilitate a quicker response in an emergency situation.

Site features include secured fire fighter parking, visitor parking, fuel station, emergency generator, hose tower, an open patio area to make use of daylight opportunities, and a metal carport sized at 96' long x 19' wide x 10' high having a cantilevered metal roof deck supported by metal posts and beams. The site encompasses a long driveway corridor to facilitate the return of apparatus due to its narrow lot.

The Fire Department preferred the traditional craftsman-style scheme that refines the massing into a residential form. This design is expressed through contrasting materials, including random-shaped stones, various earth-tone cement plaster colors, an asphalt shingle roof, and the clean horizontal lines of fiber cement siding that mimics wood. The stone display defining the pillars at the sides of the Apparatus Bay doors exhibits stability. The subtle colors of tan, beige, and white throughout the building are intended to blend harmoniously with the residential community. This feature also minimizes the scale, which often dominates typical fire station designs. Like other elements of this scheme, the form functions as a mechanical screen, shading element, and platform for photovoltaic panels. The red color is used sparingly and is strategically placed to maintain the identity of a fire station without overwhelming the overall aesthetic.



August 29, 2024

PRELIMINARY PROJECT SCHEDULE

Fire Station 2
City of Costa Mesa

PBK Project W2109200AR.02

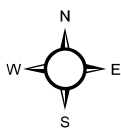
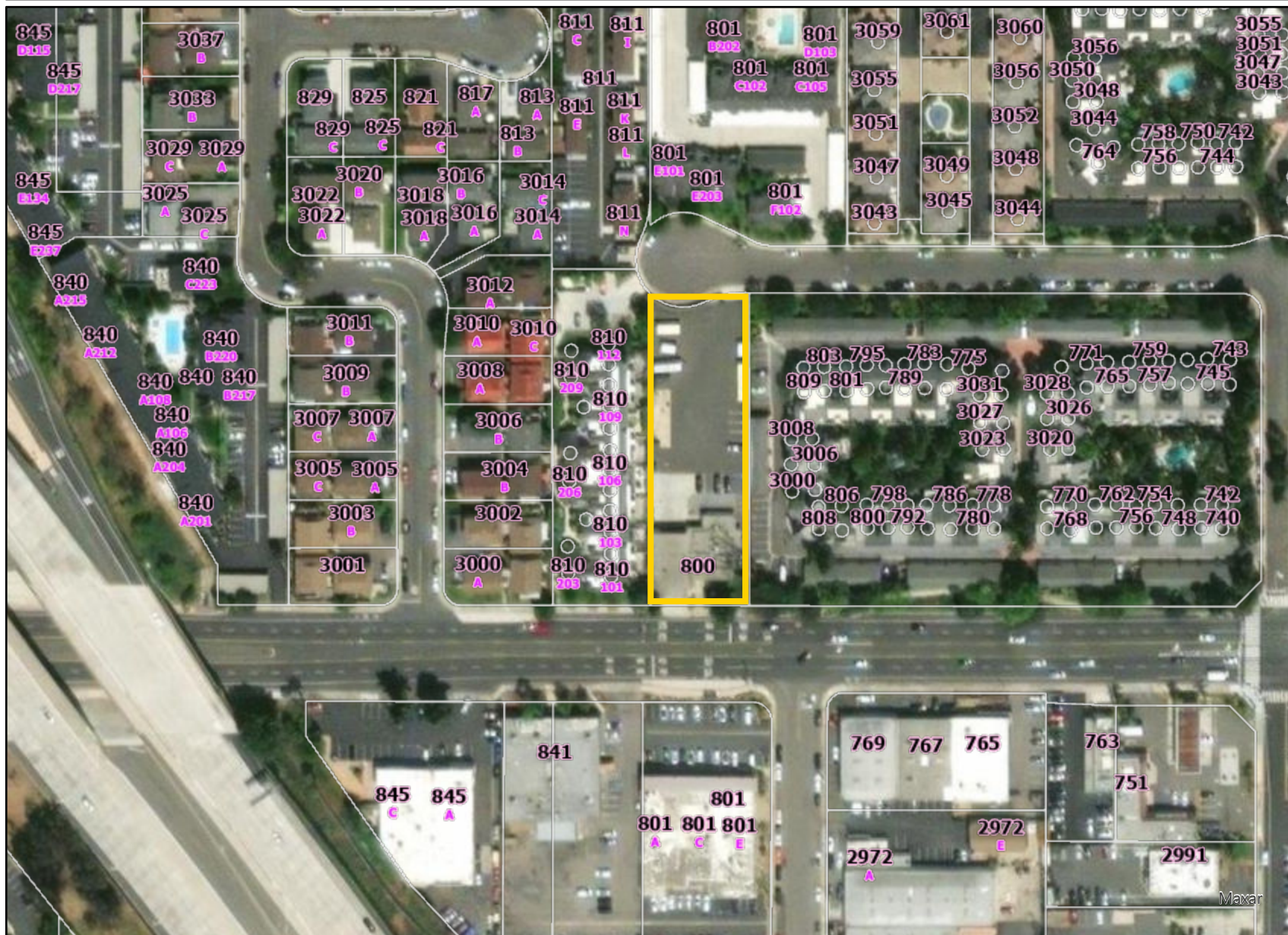
PHASE	DESCRIPTION	Duration in Days	Start Date	Completion Date
1.0	Schematic Design	941	March 10, 2022	October 5, 2024
2.0	Design Development	103	October 16, 2024	January 26, 2025
3.0	Construction Documents	162	December 20, 2024	May 30, 2025
4.0	Bidding	138	June 13, 2025	October 28, 2025
5.0	Construction	731	November 7, 2025	November 7, 2027
	TOTAL	Days	2,075	
	PROJECT TIMELINE	Years	5.68	March 10, 2022 November 7, 2027

JM:PW2109200ARx1-sch

Vicinity Map

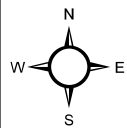
Legend

- City Limit
 - Addresses
 - Silver



A horizontal scale bar with tick marks at 0, 0.03, 0.05, and 0.1 miles. The bar is black with white text labels.

Zoning Map



0 0.03 0.05 0.1 mi



Existing block wall at rear of property
along Randolph Ave.



Existing rear parking lot.



Existing rear parking lot.

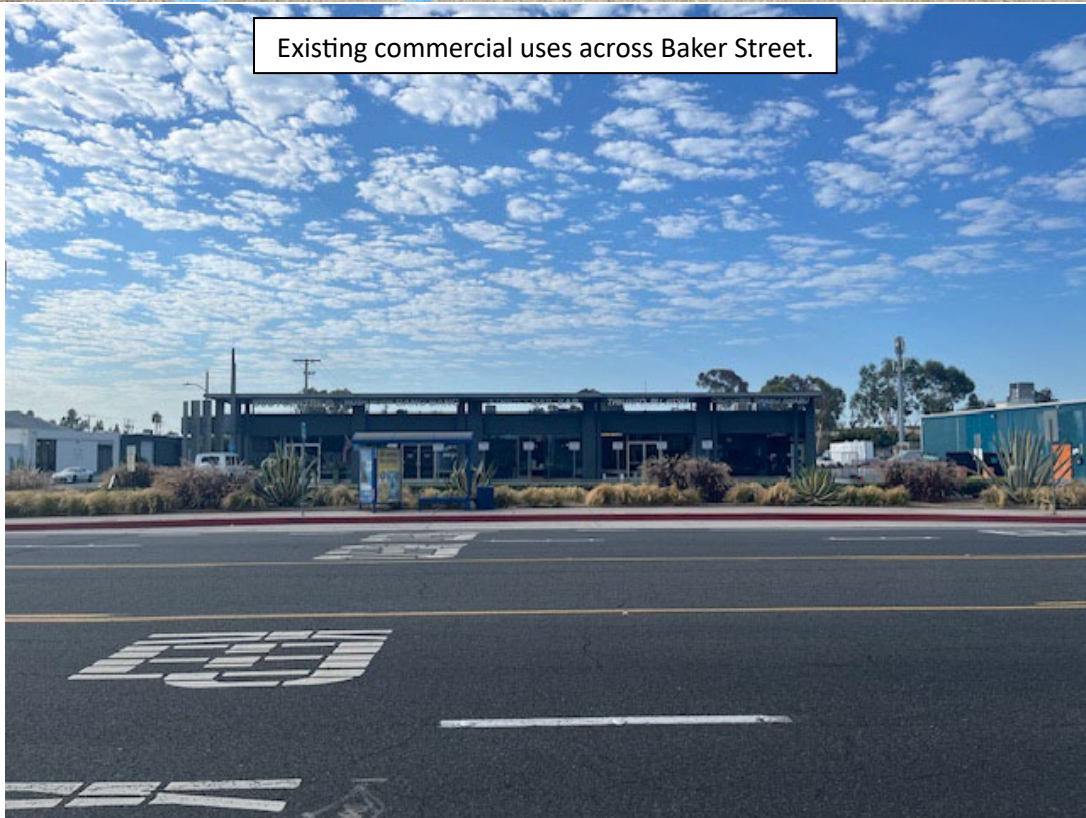


Existing rear access gate along Randolph Ave.





Existing patio area.



Existing commercial uses across Baker Street.

Existing residential to the west of the site.



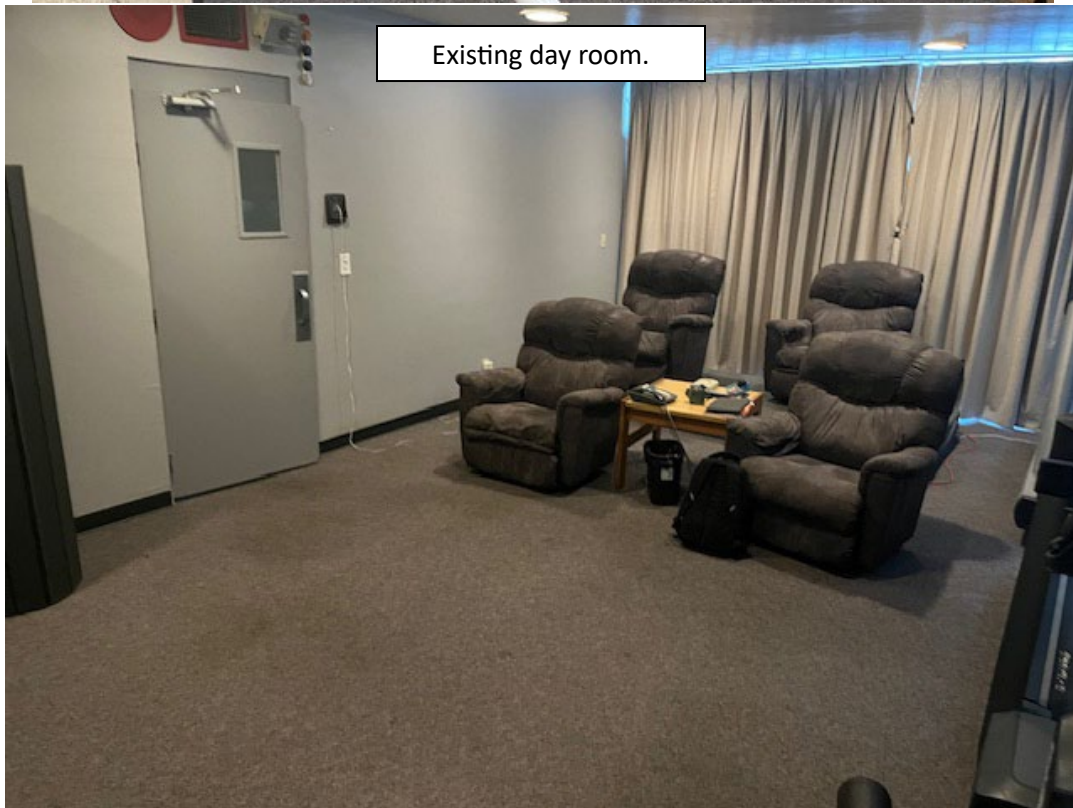
Existing residential to the east of the site.







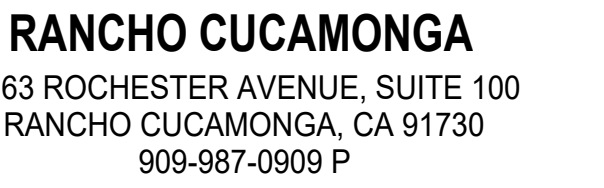
Existing fitness room.



Existing day room.

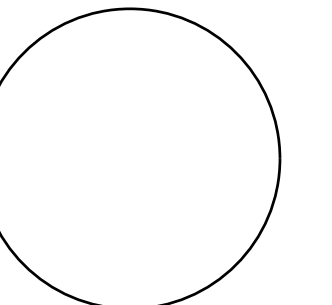
Existing typical dorm room.





COSTA MESA FIRE STATION NO. 2

COSTA MESA FIRE & RESCUE DEPARTMENT
800 BAKER STREET, COSTA MESA CA. 92626



CONSULTANT

[illegible]

NO	DATE	BY	DESCRIPTION
	REVISIONS		

DRAWN: SC	CHECKED:
DATE: 09/20/2024	SCALE: AS NOTED
PROJECT NUMBER: W2109300AR	

SITE PLAN

DRAWING NUMBER: **A1.1**

PROPOSED BUILDING (USABLE SQUARE FOOTAGE)	
APPARATUS BAY:	3,725 S.F. (43%)
LIVING SPACE:	4,905 S.F. (57%)
TOTAL:	8,630 S.F. (100%)

SITE INFORMATION	1
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TYPE OF PARKING SPACE	QUANTITY
STANDARD - CREW	8
STANDARD - VISITOR	1
ACCESSIBLE / VAN ACCESSIBLE	2
TOTAL	10
ACCESSIBLE PARKING SPACES REQUIRED (CBC 2022)	1

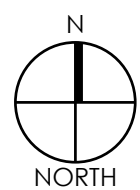
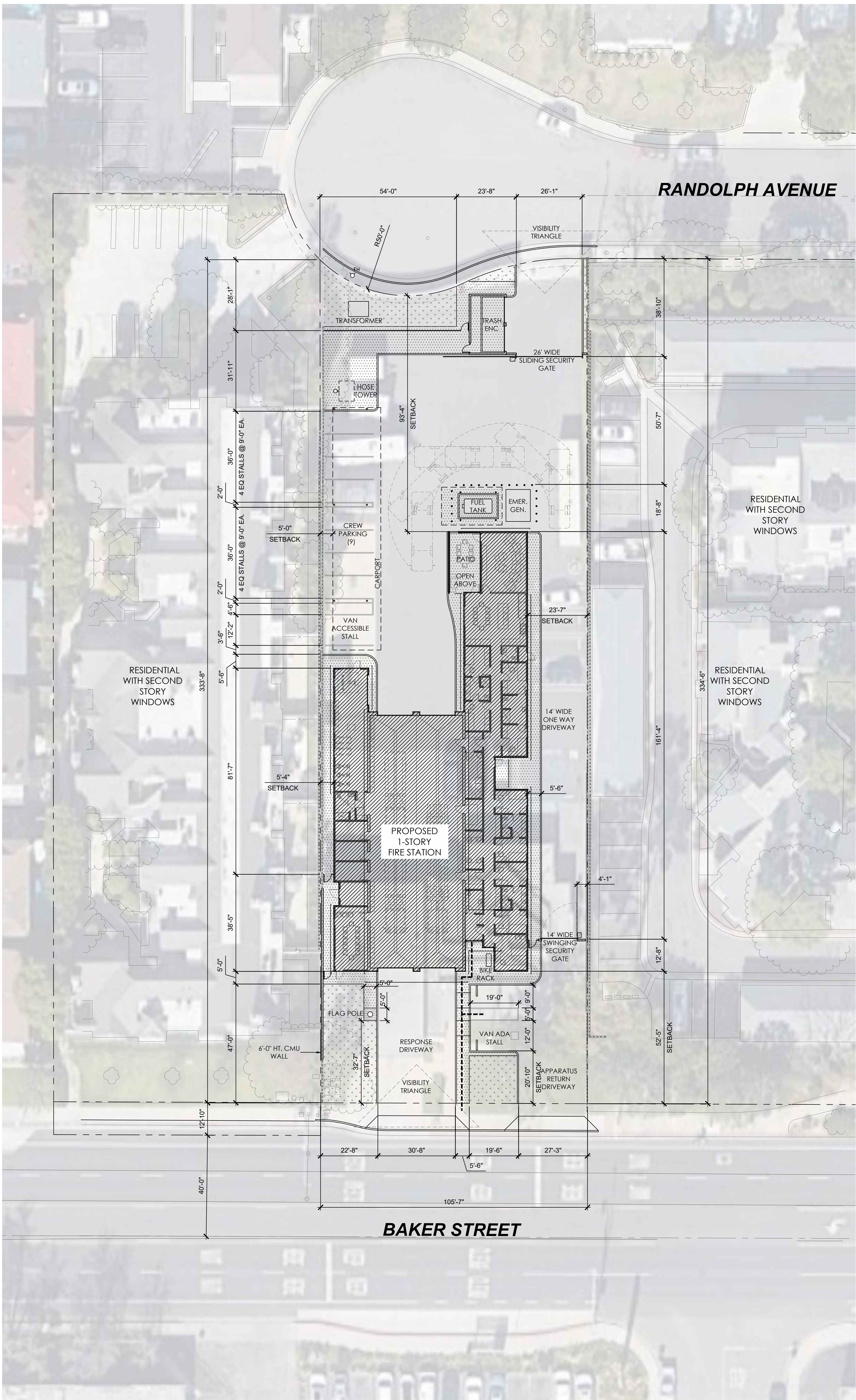
PARKING SUMMARY	2
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	<u>XERISCAPE (DROUGHT TOLERANT)</u>
	<u>CONCRETE VEHICULAR PAVING</u>
	<u>CONCRETE SIDE WALK</u>
	<u>BUILDING</u>
	(E) FIRE HYDRANT, SEE CIVIL DRAWINGS
	(E) CMU WALLS W/ VINYL FENCE
	ACCESSIBLE PATH OF TRAVEL: NO ABRUPT CHANGES IN ELEVATION ALONG PATH OF TRAVEL
	PROPERTY LINE

MATERIAL LEGEND & NOTES | 3

PROJECT SITE

VICINITY MAP	NTS	4
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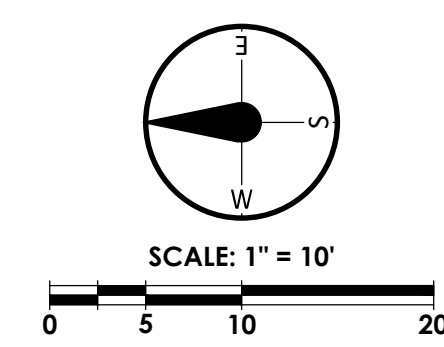
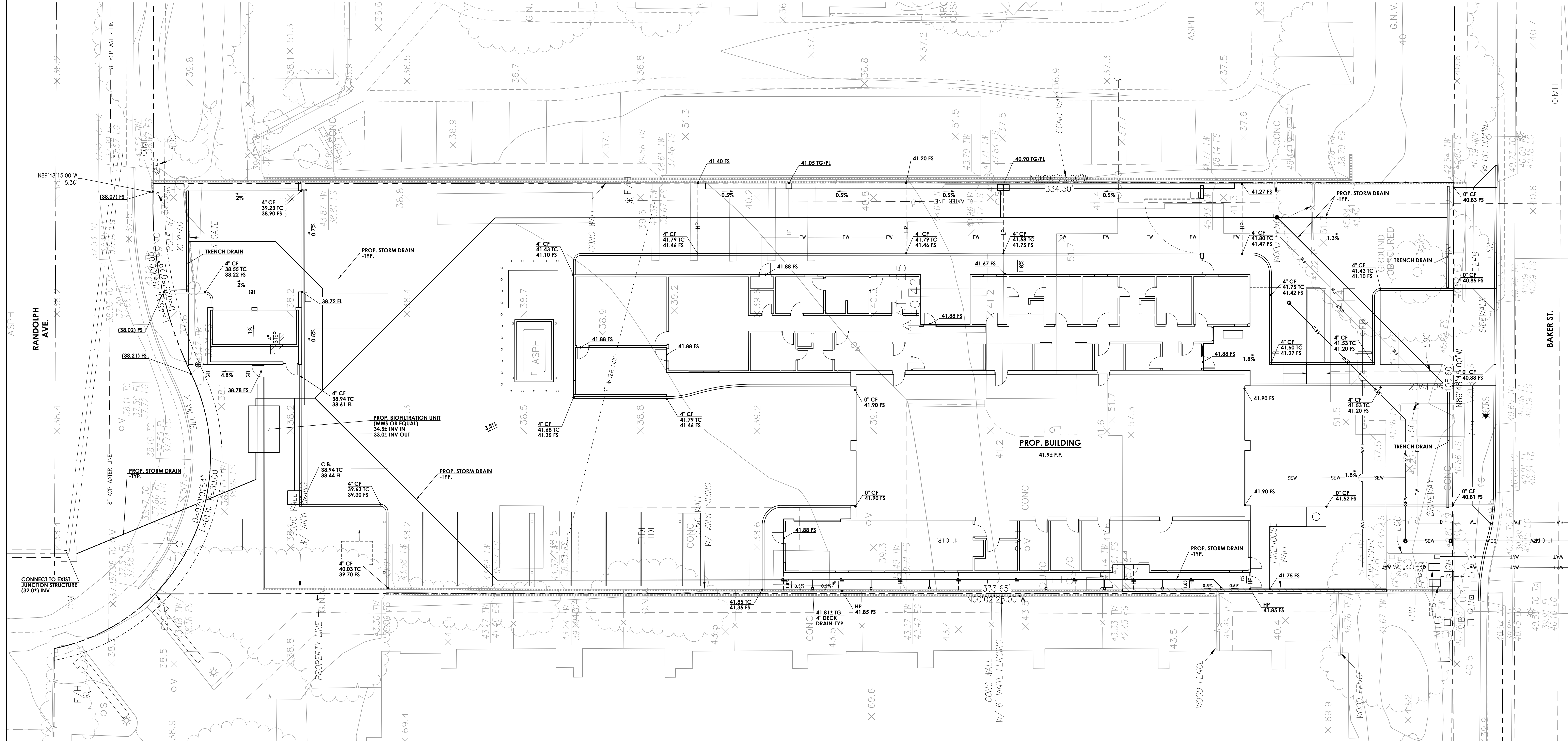
SITE PLAN

$$1'' = 20'-0''$$

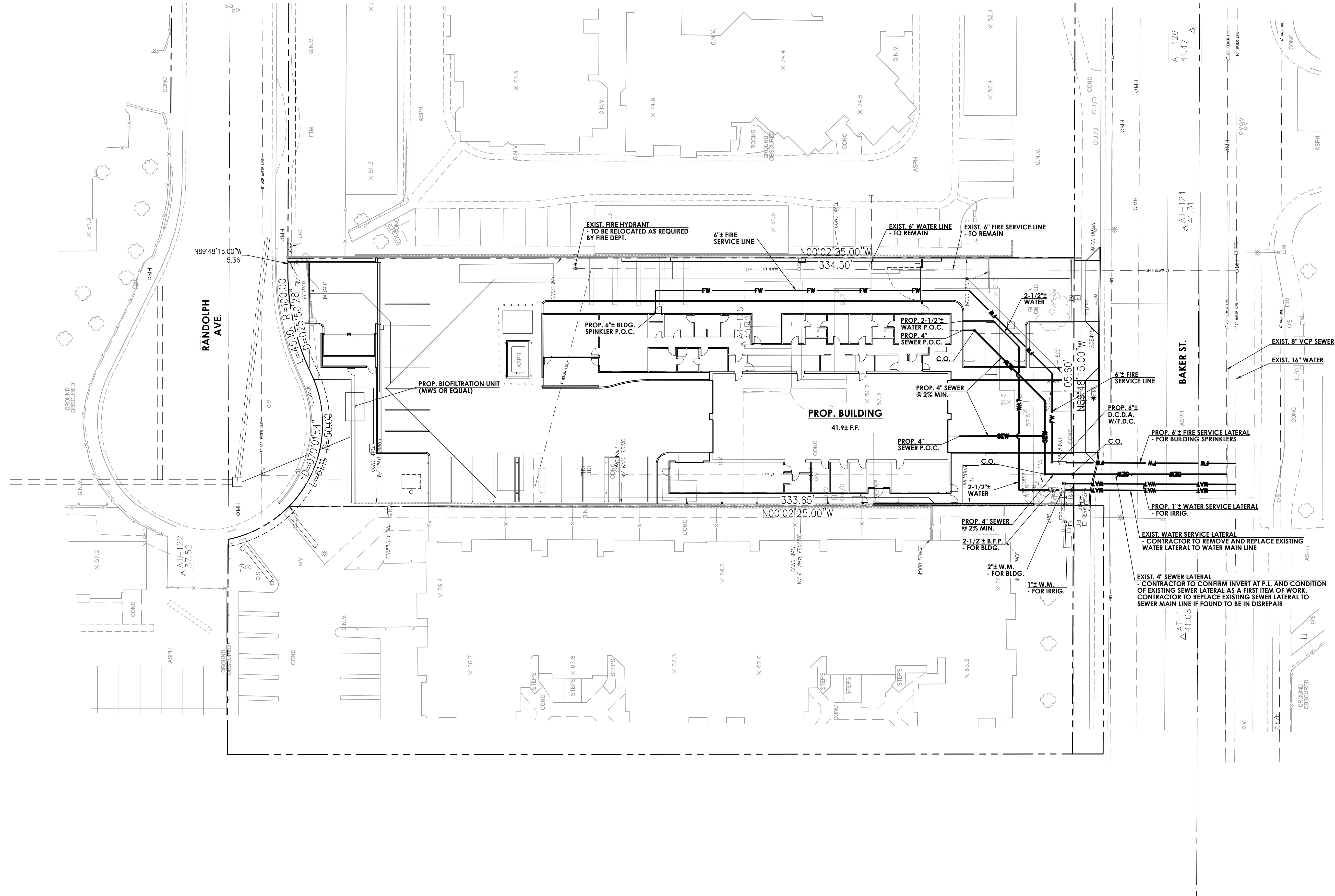
8 VICINITY MAP

NTS

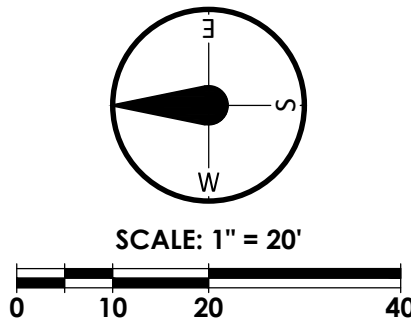
4



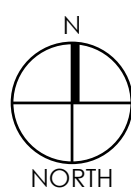
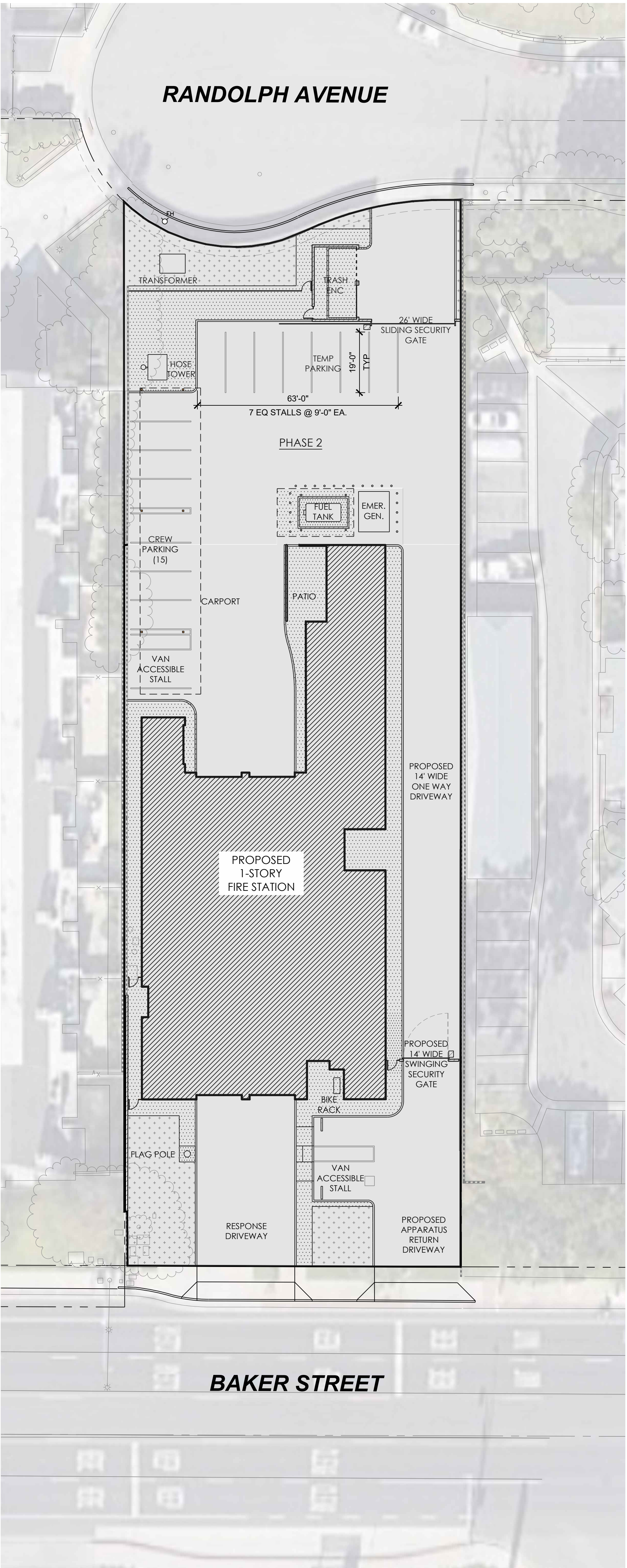
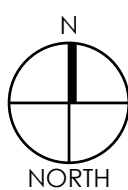
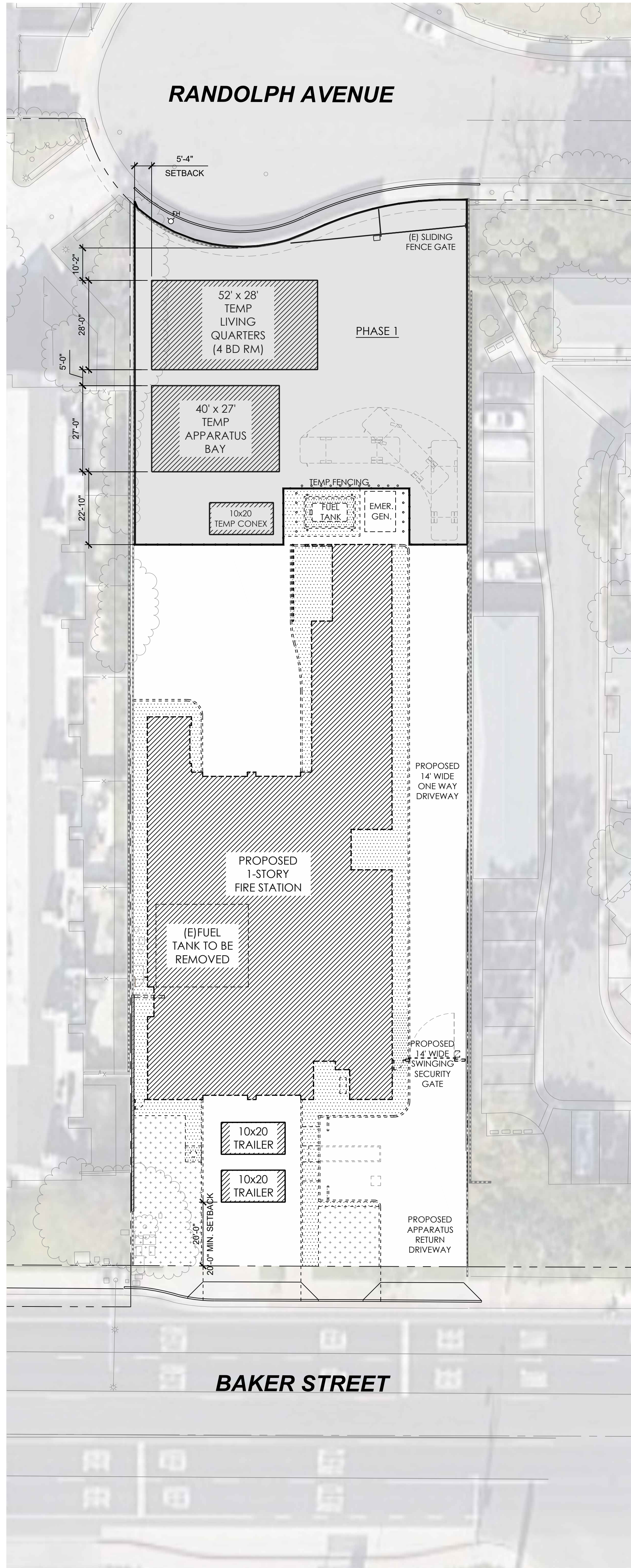
				PREPARED BY: <div><div>CIVIL ENGINEERING CONSULTING</div><div>999 CORPORATE DR., #100 LADERA RANCH, CA 92694 p: 949.463.8822 e: tec@civtec.net</div></div>		SCALE: PER PLAN DATE: 9/9/24 DRAWN BY: STAFF CHECKED BY: TEC PLOT DATE: 9/9/24	CONCEPTUAL GRADING PLAN BAKER FIRE STATION 2 800 BAKER STREET COSTA MESA, CA	DRAWING NUMBER: DDGP-1.1 SHEET 1 OF 2 JN 170.01
NO.	DATE	DESCRIPTION	BY					
REVISIONS								



Compiled by Arrowhead Mapping Corporation



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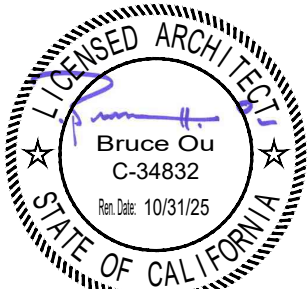
- LEGEND**
- PHASING
 - XERISCAPE
 - CONCRETE VEHICULAR PAVING
 - CONCRETE SIDE WALK
 - BUILDING
 - (E) FIRE HYDRANT, SEE CIVIL DRAWINGS
 - (E) CMU WALLS W/ VINYL FENCE
 - PROPERTY LINE
 - PROPOSED PHASE CONSTRUCTION



RANCHO CUCAMONGA
8163 ROCHESTER AVENUE, SUITE 100
RANCHO CUCAMONGA, CA 91730
909-987-0809 P

COSTA MESA FIRE STATION NO. 2

COSTA MESA FIRE & RESCUE DEPARTMENT
800 BAKER STREET, COSTA MESA CA. 92626



CONSULTANT

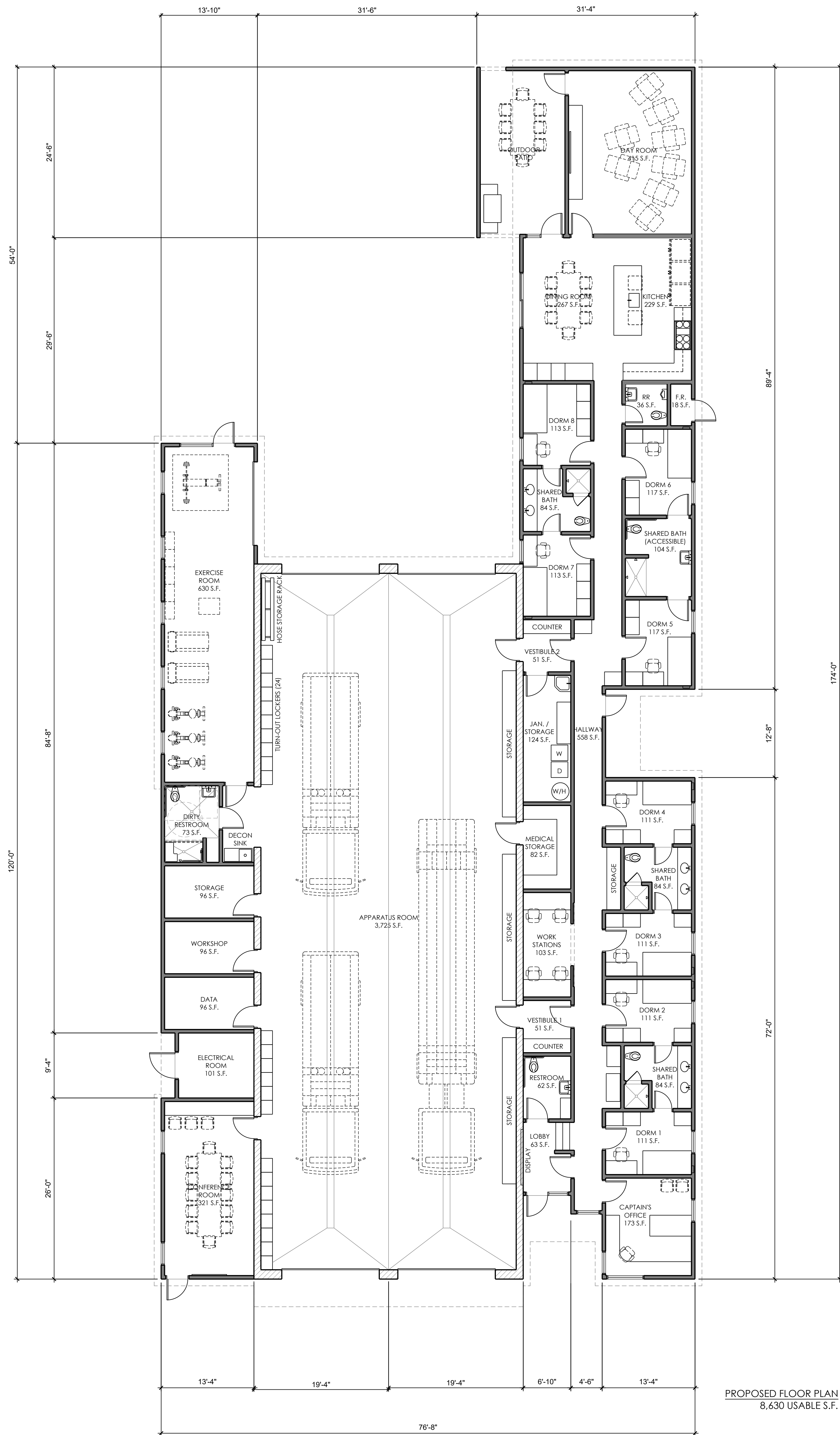
NO	DATE	BY	DESCRIPTION
1			REVISIONS

DRAWN: SC	CHECKED:
DATE: 09/20/2024	SCALE: AS NOTED
PROJECT NUMBER: W2109300AR	

CONSTRUCTION PHASING

DRAWING NUMBER:

A1.2



ROOM #	ROOM NAME	ROOM #	ROOM NAME
101	LOBBY	119	DORM 8
102	CAPTAIN'S OFFICE	120	SHARED BATH
103	DORM 1	121	DORM 7
104	SHARED BATH 1	122	VESTIBULE 2
105	DORM 2	123	JANITOR STORAGE
106	DORM 3	124	MEDICAL STORAGE
107	SHARED BATH 2	125	WORK STATIONS
108	DORM 4	126	VESTIBULE 1
109	HALLWAY	127	RESTROOM
110	DORM 5	128	APPARATUS ROOM
111	ACC. SHARED BATH 3	129	CONFERENCE ROOM
112	DORM 6	130	ELECTRICAL ROOM
113	RESTROOM	131	DATA
114	F.R.	132	WORKSHOP
115	KITCHEN	133	STORAGE
116	DAY ROOM	134	DECON SINK
117	OUTDOOR PATIO	135	DIRTY RESTROOM
118	DINING ROOM	136	EXERCISE ROOM

ROOM LEGEND

RANCHO CUCAMONGA
8163 ROCHESTER AVENUE, SUITE 100
RANCHO CUCAMONGA, CA 91730
909-987-0909 P

COSTA MESA FIRE STATION NO. 2

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800 BAKER STREET, COSTA MESA CA. 92626

CONSULTANT

NO	DATE	BY	DESCRIPTION
REVISIONS			

DRAWN: UQ	CHECKED:
DATE: 09/20/2024	SCALE: AS NOTED
PROJECT NUMBER: W2109300AR	

FIRST FLOOR PLAN

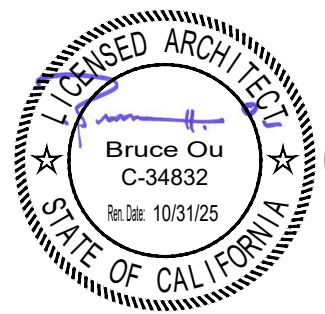
DRAWING NUMBER:	A2.1
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PLANNING DEPARTMENT SUBMITTAL 01



RANCHO CUCAMONGA
8163 ROCHESTER AVENUE, SUITE 100
RANCHO CUCAMONGA, CA 91730
909-987-0909 P

COSTA MESA FIRE STATION NO. 2
COSTA MESA FIRE & RESCUE DEPARTMENT
800 BAKER STREET, COSTA MESA CA. 92626



CONSULTANT

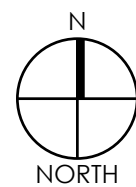
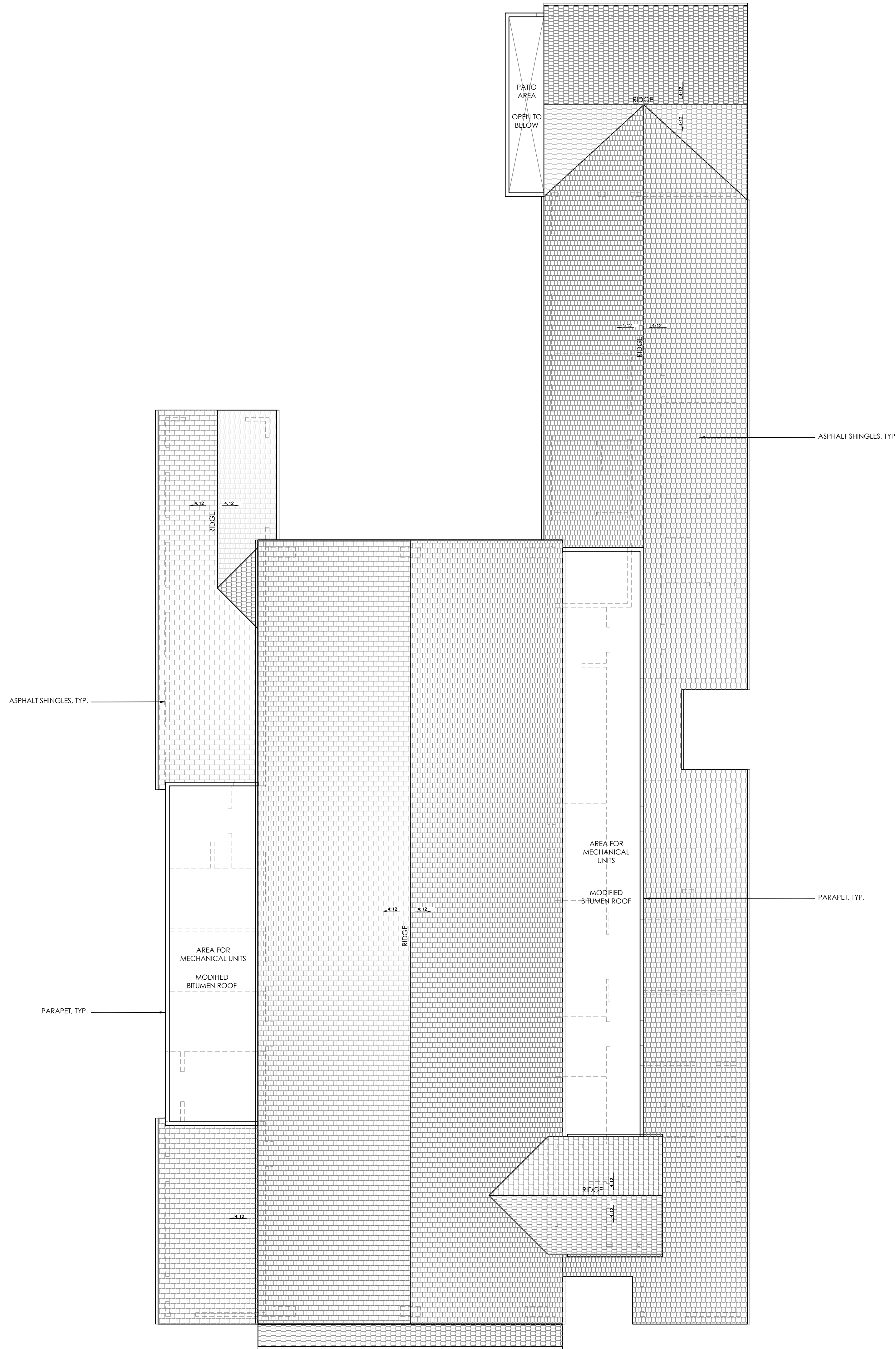
NO	DATE	BY	DESCRIPTION
REVISIONS			

DRAWN: SC	CHECKED:
DATE: 09/20/2024	SCALE: AS NOTED
PROJECT NUMBER: W2109300AR	

ROOF PLAN

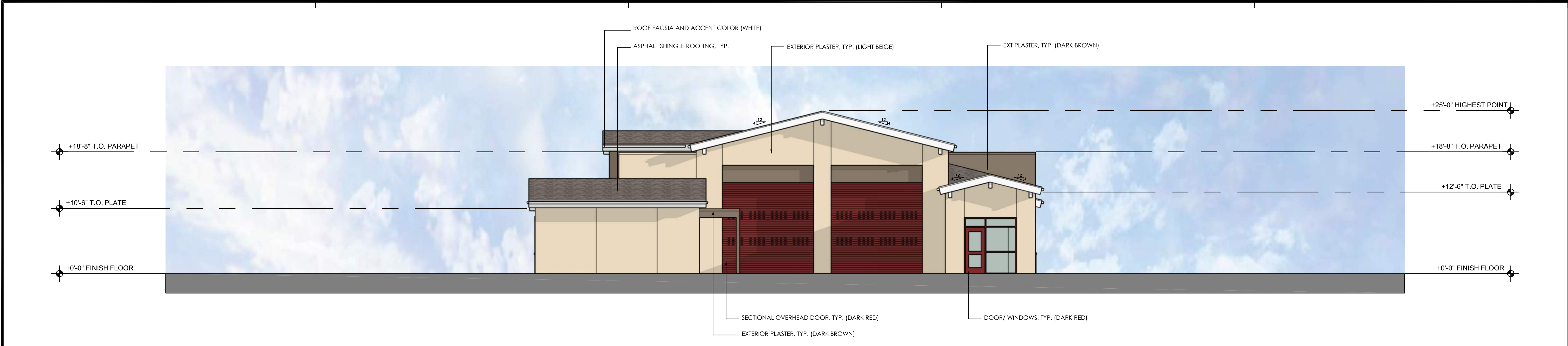
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PLANNING DEPARTMENT SUBMITTAL 01 R1



ROOF PLAN

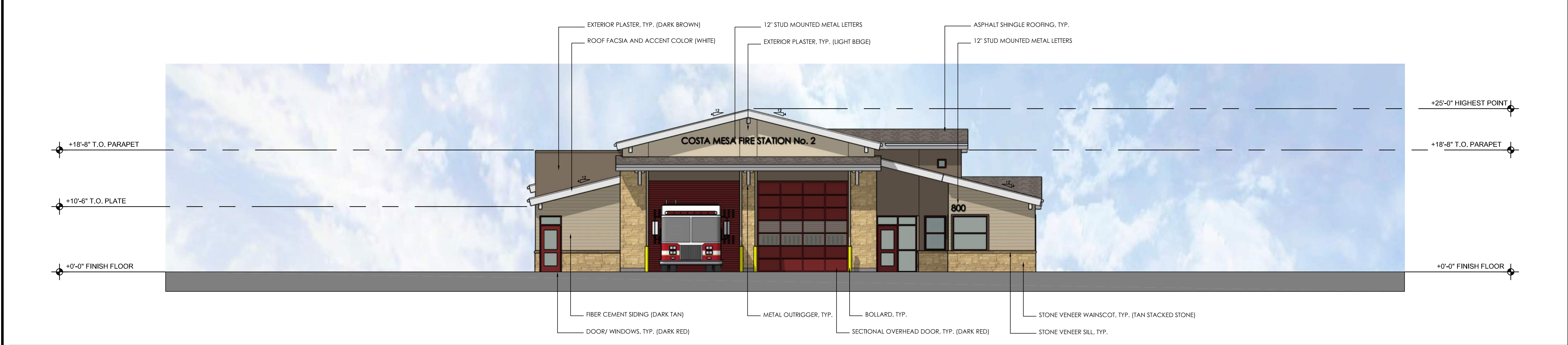
1/8" = 1'-0" 8



NORTH ELEVATION 1/8" = 1'-0" 5



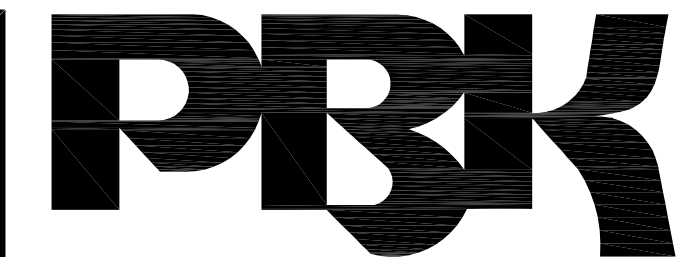
EAST ELEVATION 1/8" = 1'-0" 6



SOUTH ELEVATION 1/8" = 1'-0" 7



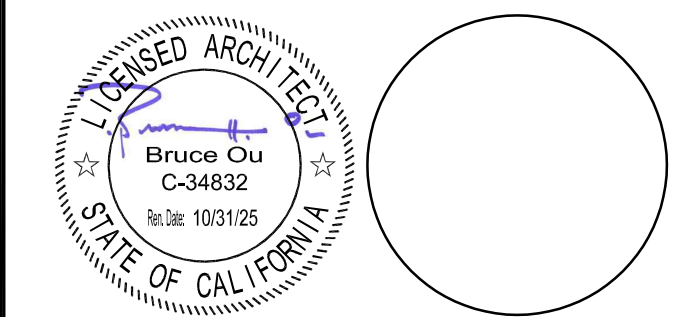
WEST ELEVATION 1/8" = 1'-0" 8



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800 BAKER STREET, COSTA MESA CA. 92626



CONSULTANT

REVISIONS

NO	DATE	BY	DESCRIPTION

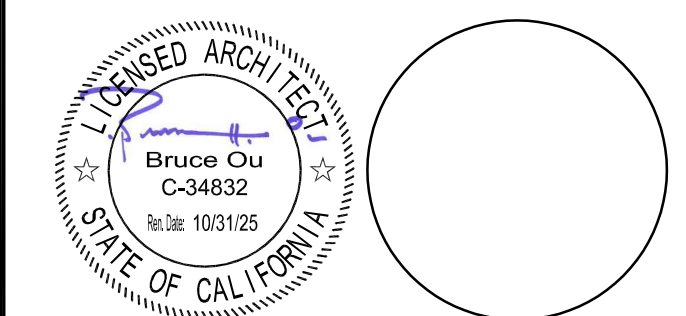
DRAWN: SC	CHECKED:
DATE: 09/20/2024	SCALE: AS NOTED
PROJECT NUMBER: W2109300AR	

EXTERIOR
ELEVATION

DRAWING
NUMBER: A3.1

COSTA MESA FIRE STATION NO. 2

COSTA MESA FIRE & RESCUE DEPARTMENT
800 BAKER STREET, COSTA MESA CA. 92626



CONSULTANT

REVISIONS

NO	DATE	BY	DESCRIPTION

REVISIONS

DRAWN: SC CHECKED:
DATE: 09/20/2024 SCALE:
PROJECT NUMBER: W2109300AR

**FIRE STATION
PERSPECTIVES**

DRAWING
NUMBER: **A3.2**



VIEW FROM SOUTHEAST CORNER



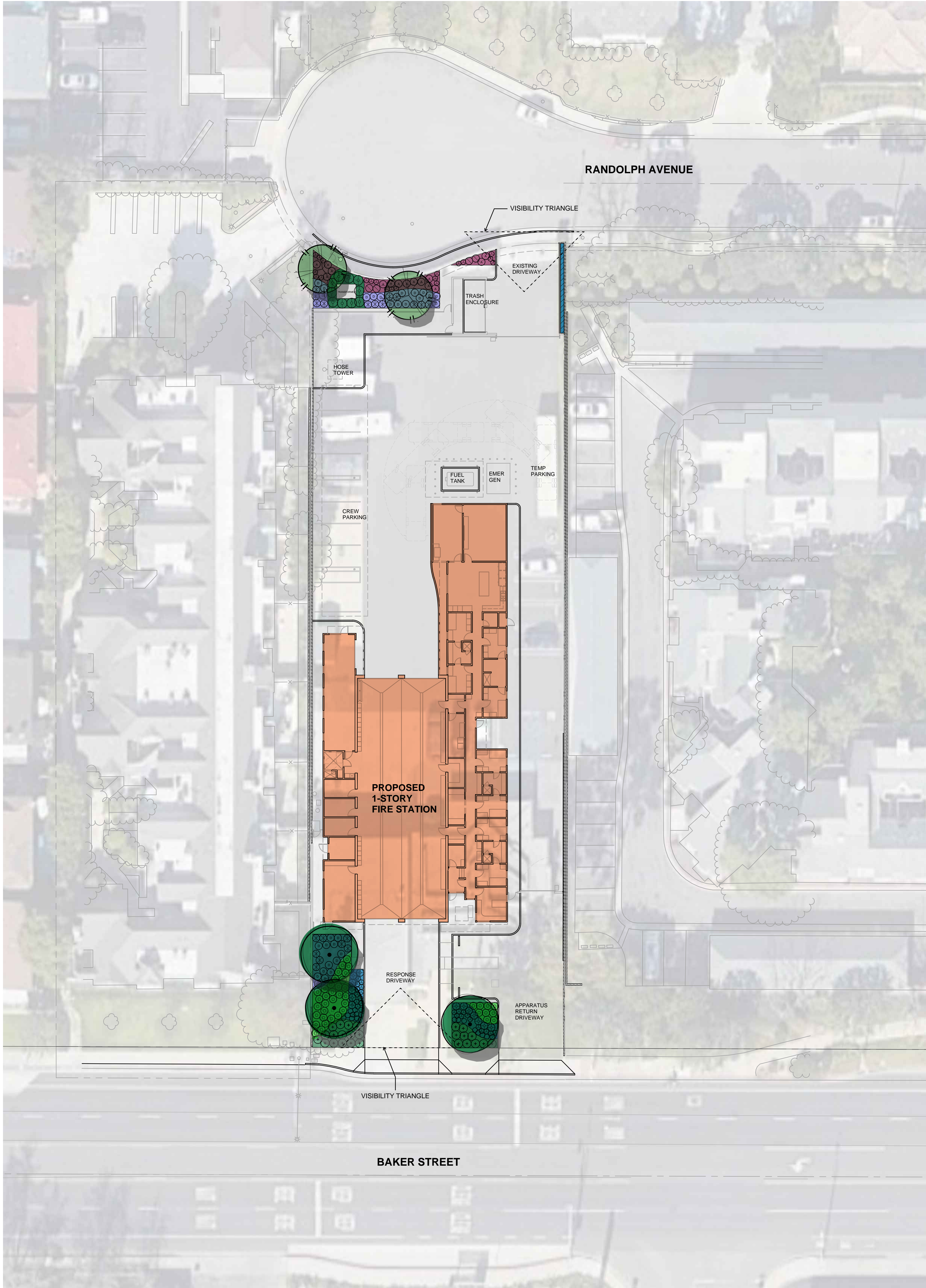
VIEW FROM SOUTHWEST CORNER



VIEW FROM SOUTH- BAKER STREET



VIEW FROM AERIAL SOUTHEAST



PLANTING LEGEND

	BOTANICAL NAME	COMMON NAME	QTY.	SIZE
TREES				
T-1	PLANTANUS RACEMOSA	WESTERN SYCAMORE	3	36" BOX
T-2	LAGERSTROEMIA FAURIEI 'NATCHEZ'	NATCHEZ CRAPE MYRTLE TREE	2	36" BOX

SHRUBS & GROUNDCOVERS

S-1	CARISSA M. 'GREEN CARPET'	GREEN CARPET NATAL PLUM	25 @42" O.C.	5 GAL
S-2	AGAVE 'BLUE FLAME'	BLUE FLAME AGAVE	13 @3' O.C.	5 GAL
S-3	AGAVE 'BLUE GLOW'	BLUE GLOW AGAVE	43 @2' O.C.	5 GAL
S-4	DIANELLA REVOLUTA 'LITTLE REV'	LITTLE REV FLAX LILY	19 @2' O.C.	5 GAL
S-5	CALLISTEMON 'LITTLE JOHN'	LITTLE JOHN DWARF BOTTLEBRUSH	40 @3' O.C.	5 GAL
S-6	MUHLENBERGIA RIGENS	DEERGRASS	29 @3' O.C.	5 GAL
S-7	SALVIA CLEVELANDII	CLEVELAND SAGE	20 @3' O.C.	5 GAL
S-8	LIGUSTRUM 'TAXANUM'	WAXLEAF PRIVET	10 @4' O.C.	5 GAL
S-9	AGAVE 'BLUE GLOW'	BLUE GLOW AGAVE	25 @42" O.C.	5 GAL
S-10	ARTEMISIA 'MONTARA'	MONTARA SAGEBRUSH	15 @3' O.C.	5 GAL
S-11	EPILOBIUM CANUM	CALIFORNIA FUCHSIA	4 @3' O.C.	5 GAL

TOTAL LANDSCAPE AREA: 2,000 SF

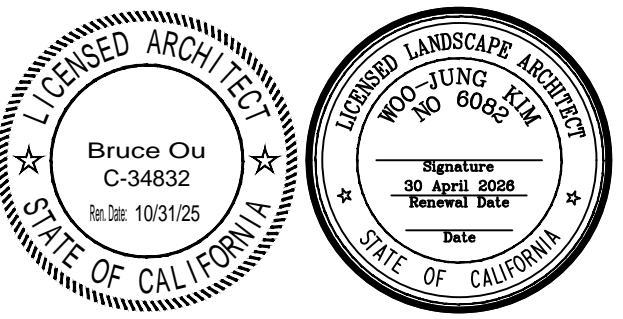
PLANTING NOTES :

- WORK SHALL MEET THE REQUIREMENTS OF ALL LOCAL, STATE, AND FEDERAL GOVERNING CODES, ORDINANCES, LAWS, REGULATIONS, SAFETY ORDERS AND DIRECTIVES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HIMSELF/HERSELF FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE OF SAID UTILITIES.
- CONTRACTOR MUST CHECK ALL SITE CONDITIONS PRIOR TO COMMENCING WORK. CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED. WHEN IT IS OBVIOUS THAT UNKNOWN OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE CITY OF COSTA MESA. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.
- ALL PLANT QUANTITIES ARE IDENTIFIED BY TYPICAL SYMBOLS. REFER TO PLANT LEGEND FOR QUANTITIES. PLANT QUANTITIES ARE APPROXIMATE AND ARE PROVIDED FOR THE CONVENIENCE OF THE CONTRACTOR. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONFIRM ALL PLANT QUANTITIES PRIOR TO BIDDING. IN THE EVENT OF DISCREPANCIES IN PLANT COUNT, QUANTITIES INDICATED BY PLANT SYMBOLS SHALL PREVAIL.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO FURNISH PLANT MATERIAL FREE OF PESTS OR DISEASE.
- ALL PLANT MATERIAL DELIVERED TO THE SITE SHALL BE APPROVED BY THE CITY OF COSTA MESA PRIOR TO INSTALLATION.
- ALL PLANT MATERIAL SHALL BE SET OUT AS SHOWN ON PLAN. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF COSTA MESA.
- ALL SHRUB AREAS NOT PLANTED IN TURF AND LESS THAN 4:1 SLOPE SHALL BE COVERED WITH 3" ORGANIC MULCH. SUBMIT 1 CU. FT. SAMPLE PRIOR TO APPLICATION.
- ANY TREE SHOWN ON PLAN TO BE INSTALLED LESS THAN 3' (THREE FEET) CLEAR DISTANCE FROM CENTERLINE OF TRUNK TO ANY CURB, WALKWAY, OR FOUNDATION. SHALL BE INSTALLED IN A ROOT CONTROL BARRIER. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
- MINIMUM 3 SOIL SAMPLES SHALL BE TAKEN BY CONTRACTOR AFTER GRADING OPERATIONS ARE COMPLETED FOR SOIL FERTILITY AND AGRICULTURAL SUITABILITY BY AN APPROVED LABORATORY. SEE SPECIFICATIONS FOR SOIL AMENDMENTS SPECIFIED FOR BIDDING PURPOSES ONLY. SUBMIT SOIL REPORT TO THE CITY OF COSTA MESA. SOIL AMENDMENTS SHALL BE AS PER RECOMMENDATIONS IN SOILS REPORT.
- CONTRACTOR SHALL NOTIFY THE CITY OF COSTA MESA 48 HOURS PRIOR TO COMMENCEMENT OF WORK TO COORDINATION OPERATIONS.
- THE CITY OF COSTA MESA SHALL BE THE SOLE JUDGE AS TO WHEN THE MAINTENANCE PERIOD BEGINS.



RANCHO CUCAMONGA
8163 ROCHESTER AVENUE, SUITE 100
RANCHO CUCAMONGA, CA 91730
909-987-0909 P

COSTA MESA FIRE STATION NO. 2
COSTA MESA FIRE & RESCUE DEPARTMENT
800 BAKER STREET, COSTA MESA CA. 92626



CONSULTANT

CORNERSTONE STUDIOS, INC.
951 E Santa Ana Blvd. Suite 100
Santa Ana, CA 92701
714.973.2200 Voice
714.973.0005 Fax

LANDSCAPE ARCHITECTURE URBAN DESIGN PLANNING RESEARCH ANALYSIS

NO	DATE	BY	DESCRIPTION
REVISIONS			

DRAWN: JL	CHECKED: JK
DATE: 09/10/2024	SCALE: AS NOTED
PROJECT NUMBER: W2109300AR	

LANDSCAPE PLAN

DRAWING NUMBER: L2.1



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 24-379

Meeting Date: 10/14/2024

TITLE:

CONDITIONAL USE PERMIT (PA-23-07) FOR VALET SERVICES AT PLAYA MESA RESTAURANT
LOCATED AT 428 EAST 17TH STREET

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION

PRESENTED BY: CHRISTOPHER ALDANA, ASSISTANT PLANNER

CONTACT INFORMATION: CHRISTOPHER ALDANA, 714-754-4868;
christopher.aldana@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) pursuant to CEQA Guidelines Section 15301 (Class 1), Existing Facilities; and
2. Approve Conditional Use Permit PA-23-07, based on findings of fact and subject to conditions of approval.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: October 14, 2024

ITEM NUMBER: PH-2

**SUBJECT: CONDITIONAL USE PERMIT (PA-23-07) FOR VALET SERVICES AT
PLAYA MESA RESTAURANT LOCATED AT 428 EAST 17TH STREET**

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

PRESENTATION BY: CHRISTOPHER ALDANA, ASSISTANT PLANNER

**FOR FURTHER INFORMATION CONTACT: CHRISTOPHER ALDANA, ASSISTANT PLANNER
714-754-4868
christopher.aldana@costamesaca.gov**

RECOMMENDATION:

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2. Approve Conditional Use Permit PA-23-07, based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant and authorized agent is Gregg Ramirez, representing the property owner, Playa Mesa LLC.

PLANNING APPLICATION SUMMARY

Location:	428 East 17 th Street	Application Number:	PA-23-07
Request:	Conditional Use Permit for valet services at Playa Mesa Restaurant located at 428 E 17 th Street		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	Local Business District (C1)	North:	R1 (Single-Family Residential District), developed with detached single-family homes
General Plan:	General Commercial (GC)	South:	C1 (Local Business District), developed with a variety of retail, service, and restaurant uses
Lot Dimensions:	50 FT x 280 FT	East:	C1 (Local Business District), developed with a variety of retail, service, and restaurant uses
Lot Area:	14,000 SF	West:	C1 (Local Business District), developed with a variety of retail, service, and restaurant uses
List of Approved Plans / Land Use Entitlements	ZA-04-37 – Minor Conditional Use Permit to allow a 148 sq. ft. outdoor patio in the front setback at Peet's Coffee. ZA-18-39 – Minor Conditional Use Permit for an outdoor dining patio for Playa Mesa Mexican Kitchen within the required front landscape setback. ZA-19-94 (ZA-04-37 A1) – Minor Conditional Use Permit to deviate from shared parking requirements to allow the expansion of the outdoor dining patio into the required front landscape setback and an opening time of 5 a. m. for Peet's Coffee.		
Existing Development:	The existing on-site development consists of a 4,759 sq. ft. restaurant (Playa Mesa Mexican Kitchen) with 815 sq. ft. of outdoor patio area. Additional site improvements include landscaping, a trash enclosure and on-site parking that is shared between Playa Mesa Mexican Kitchen and an adjacent commercial use, Peet's Coffee, which is located to the west of the project site.		

DEVELOPMENT STANDARDS COMPARISON

Development Standard		Required/Allowed C1 Dev. Standard	Proposed/Provided
Building Height		2 Stories / 30 ft	1 Story / 20’ 6”
Setbacks:			
Front		20 ft.	20 ft.*
Side (left/ right)		15 ft. on one side and 0 feet on the other side.	0 on the left, west side and 0 foot on the right, east side.
Rear		**41 ft.	155 ft. 2 in.
Landscape Setback – front		20 ft.	20 ft.*
Parking		Playa Mesa: 5,574 (61 Spaces) Peet's: 2,149 (22 Spaces)	69 Shared Parking Spaces & 10 Bike Racks***
Floor area ratio (FAR)		.20	0.39****
CEQA Status	Exempt pursuant to CEQA Guidelines Section 15301, Existing Facilities		
Final Action	Planning Commission		
*Under the entitlements ZA-04-37, ZA-18-39 and ZA-19-94 (ZA-04-37 A1) both properties were approved with outdoor patios that project into the required front landscape setback. **Exception: If the rear property line is adjacent to a residential zone, all buildings shall maintain a rear setback from the residential property line of 2 times the building height at all locations. ***Legal non-conforming parking ****Legal non-conforming FAR			

EXECUTIVE SUMMARY

Playa Mesa Restaurant (“Playa Mesa”) is requesting Planning Commission approval for valet services at an existing 4,759-square-foot restaurant use located at 428 East 17th Street. The proposed valet service is requested to provide improved customer service and is not necessary to comply with Code required parking demand.

Staff supports the request because the valet service would be operated by a professional valet service, pursuant to a professionally prepared valet program and compatible with surrounding land uses. Therefore, staff recommends that the Planning Commission find that the project is exempt from the California Environmental Quality Act (CEQA), and approve the application based on findings of fact and subject to conditions of approval.

SETTING

The project site consists of two adjacent lots located on the north side of East 17th Street, located between Tustin Avenue to the west and Irvine Avenue to the east (see Exhibits 1 and 2 below). Playa Mesa restaurant is located at 428 East 17th Street, which is the narrower parcel outlined in red in Exhibit 1 below. The other parcel outlined in red-dash is improved with a commercial building occupied by Peet’s Coffee (424 East 17th Street). Access and parking are shared between the two parcels.

EXHIBIT 1 - Location



The project site is designated General Commercial (GC) by the Land Use Element of the City’s General Plan and is zoned Local Business District (C1). In general, the Local Business District (C1) zone allows for restaurants, retail, and professional office type uses.

Residentially zoned properties developed with single-family residences are located to the north. Properties to the east and west are zoned C1 and are improved with commercial buildings that house a variety of retail, restaurant, and service businesses. Properties located south across East 17th Street are also zoned C1 and are improved with commercial development similarly offering a variety of retail, food, and personal services.

EXHIBIT 2 - Existing Site



HISTORY

The project site consists of a 0.51-acre parcel (424 East 17th Street) that was originally developed in the 1970's with a 1,449 sq. ft. commercial building (i.e., Peet's Coffee). The smaller adjoining 0.32-acre parcel (428 East 17th Street) was developed in the 1960's with

a 4,759 sq. ft. commercial building (i.e. Playa Mesa). The shared on-site parking is accessed by a driveway from East 17th Street.

Over time, both commercial buildings have applied for entitlements, minor additions and tenant improvements that have modified both the interior and exterior of the buildings. In 2018, Playa Mesa (428 East 17th Street) underwent substantial remodeling and development under Zoning Application ZA-18-39. Exhibit 3 below shows a current street view of the project site from 17th Street.

EXHIBIT 3 - STREET VIEW



Playa Mesa has operated since 2018. Per Costa Mesa Municipal Code (CMMC), Table 13-47 Permitted and Conditionally Permitted Uses, establishments where food and beverage are served with more than 300 square feet of public area and that are located within 200 feet of a residential zone are permitted (by right) in the C1 zone. The restaurant also has a Type 47 Alcoholic Beverage Control (ABC) license; however, a Conditional Use Permit (CUP) is not required to sell alcoholic beverages for on-site consumption because the restaurant closes by 11:00 p. m. Playa Mesa does not offer live entertainment.

BACKGROUND

As part of a previous entitlement (ZA-19-94), a parking demand analysis was conducted for both restaurant operations that concluded existing site parking lot, with 69 parking stalls, adequately served both businesses after the completion of a proposed patio extension for Peet's coffee. The Zoning Administrator approval was conditioned, so that should a parking shortage or other parking-related problems arise, adequate measures would need to be implemented by either Peet's Coffee or Playa Mesa to reduce or eliminate the problem. Currently, during Playa Mesa's hours of operation, the on-site parking demand increases and creates the need for additional parking capacity. With the proposed valet service, Playa Mesa can better manage the site parking demand.

REQUEST

The applicant requests a Conditional Use Permit to operate valet services during Playa Mesa Restaurant's operating hours. Pursuant to Costa Mesa Municipal Code (CMMC) 13-96, valet parking may be offered when and as authorized by Planning Commission approval of a conditional use permit.

STANDARD OF REVIEW

Conditional Use Permit (CUP)

Pursuant to the Costa Mesa Municipal Code, to approve the CUP application, the Planning Commission must make findings that the use:

- *Is compatible with developments in the nearby area;*
- *Would not be detrimental to other nearby properties;*
- *Will not be detrimental to the public health, safety and general welfare;*
- *Will not injure nearby property or improvements; or*
- *Will not allow a use, density or intensity not in accord with the General Plan.*

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.

Review Criteria

In addition to the CUP findings, the Costa Mesa Municipal Code, requires that all planning applications comply with the following planning application Review Criteria:

- *Neighborhood compatibility;*
- *Safety and compatibility of design;*
- *Compliance with performance standards;*
- *Consistency with the general plan and any applicable specific plan; and*
- *Application is for a project-specific case.*

DESCRIPTION

Valet services will be offered daily, generally coinciding with Playa Mesa's operating hours as shown in Exhibit 2 below. During Playa Mesa's business hours, 55 of the site's 69 parking spaces will be used for valet, with the remaining 14 spaces allocated to Peet's Coffee. When both Peet's and Playa Mesa are simultaneously open, Playa Mesa will provide complimentary valet parking for customers of Peet's Coffee. And when Peet's Coffee is closed, the 14 parking stalls would be available to Playa Mesa patrons who prefer to self-park instead of valet (see the below Exhibit 5).

EXHIBIT 4 - Business Hours and Proposed Valet Parking Hours

	Playa Mesa	Peet's Coffee	Valet Hours
Monday – Thursday	11:00 a.m. – 10:00 p.m.	5:30 a.m. - 6:00 p.m.	11:00 a.m. – 10:00 p.m.
Friday	11:00 a.m. – 11:00 p.m.	6:00 a.m. - 6:00 p.m.	11:00 a.m. – 11:00 p.m.
Saturday	9:00 a.m. – 11:00 p.m.	6:00 a.m. - 6:00 p.m.	10:00 a.m. – 11:00 p.m.
Sunday	9:00 a.m. – 10:00 p.m.	6:00 a.m. - 6:00 p.m.	10:00 a.m. – 11:00 p.m.

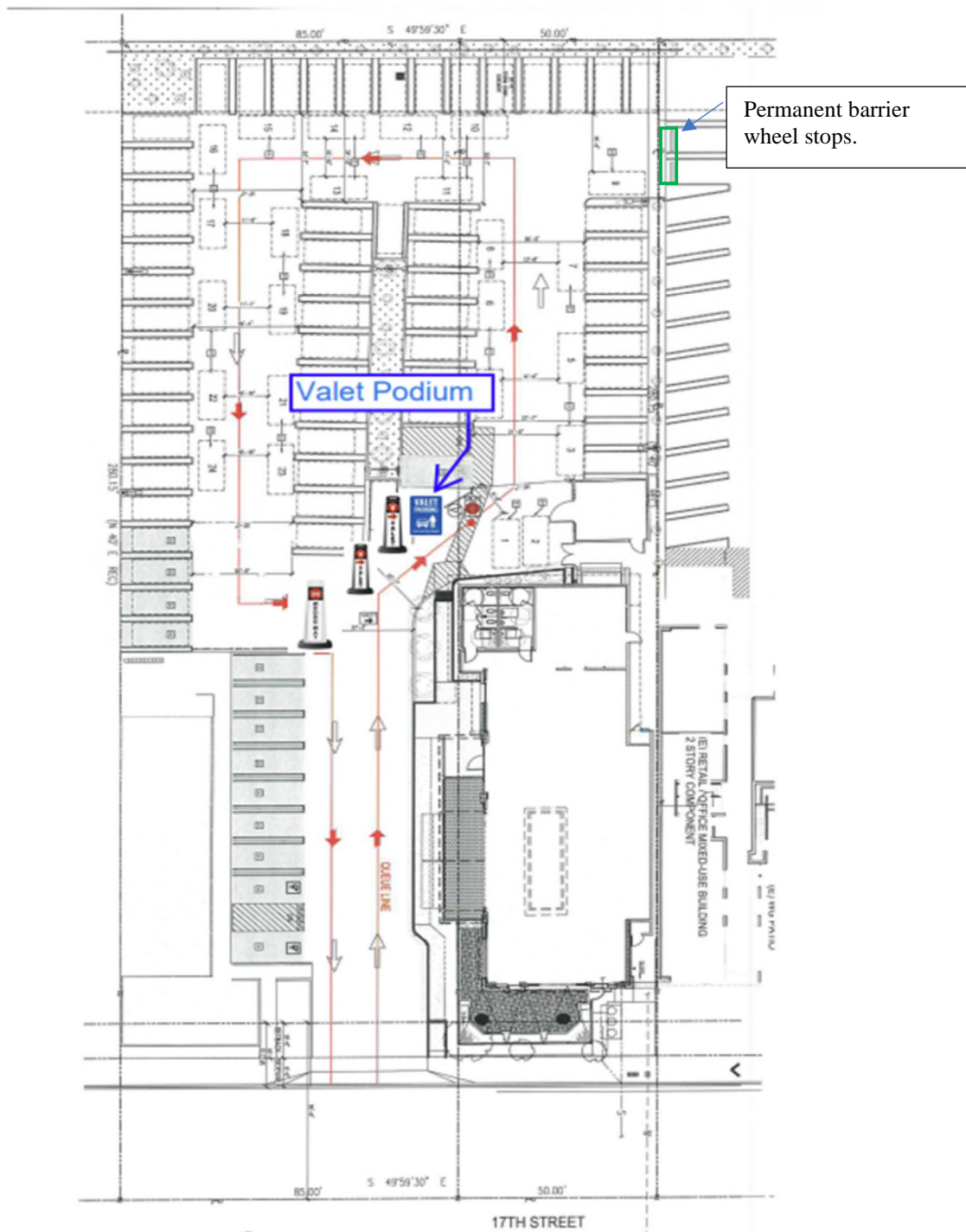
Valet staffing will consist of two to four attendants made up of both “greeters” and “runners”. A greeter welcomes guests and manages the flow of traffic by identifying vehicles to be parked by the runners. The runner is then responsible for timely parking and retrieval of customer vehicles. All valet attendants will wear standard uniforms and are trained in customer service.

As shown in Exhibit 5 (on the next page), the valet drop-off area is accessed from the site shared driveway from East 17th Street. This driveway is approximately 155 feet and allows for eight vehicles to be stacked on-site before the queue could potentially block the public sidewalk. Valet greeters will monitor the vehicle queue and move the vehicles forward to avoid potential conflicts with the public right-of-way. Runners will take the car at the drop-off location and park cars throughout the parking lot in a way that allows for an additional 24 vehicles to be parked on-site. While the valet service is in use, the site's valet parking count will increase to 93 spaces.

ANALYSIS

The proposed project is a request to offer valet parking services for Playa Mesa Restaurant. The valet parking would take place within the on-site parking lot, which is shared with the adjacent business, Peet's Coffee. The proposed use will include the implementation of valet operations which will optimize the efficient use of the parking lot. Valet service will improve customer experience by reducing potential waiting for spaces and blocking drive aisles, and further reduce the potential for vehicles overflowing onto East 17th Street.

EXHIBIT 5 - Flow of Traffic



Additionally, a comprehensive valet/parking management plan has been prepared to address parking, staging, queuing and traffic flow (Attachment 6). As part of the valet management plan, new concrete wheel stops will be installed as a physical boundary between the subject property and the adjacent property to its east at 436 East 17th Street (Wild Goose Tavern) which is owned by the same property owners as Playa Mesa

restaurant. As shown in Exhibit 5 on the previous page, these permanent barriers will not block or impede accessible access routes but will assist in managing the circulation of valet vehicles. All City Departments have reviewed the valet design and have no concerns.

Staff is in support of the valet service because it is anticipated to improve operations for an existing restaurant, and is in conformance with applicable goals, objectives, and policies of the General Plan (as indicated below). The proposed valet service would operate pursuant to a professionally prepared valet parking plan, which is designed to avoid impacts to adjacent properties and the public right-of-way. In addition, the valet plan provides customers the option to self-park, if self-parking is preferred and available. Because Playa Mesa has limited on-site parking stalls, which are shared with the adjacent tenant Peet's Coffee, the use of valet services will increase the amount of available on-site parking in support of each business. For these reasons, staff is in support of the valet services as proposed and believes that it will not have any detrimental effect to the health, safety, and general welfare of the public or nearby improvements.

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-6.2:** Continue to promote and support the vitality of commercial uses to meet the needs of local residents and that support regional-serving commercial centers.

Consistency: The addition of valet would assist in continuing to promote and support the vitality of an existing commercial use "Playa Mesa restaurant." Playa Mesa restaurant has a limited number of on-site parking stalls, which are shared with their neighboring tenant Peet's Coffee. Therefore, providing valet services will better manage site parking and allow for additional vehicles to park on-site. As detailed within the valet plan, two to four valet attendants will manage the customer drop-off and pick up of vehicles. The valet is an ancillary service to the restaurant and will provide residents with an upscale amenity in addition to their dining experience.

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

Consistency: The existing Playa Mesa restaurant provides the community with sit-down dining services and the addition of the valet service will better manage site parking and increase the amount of available customer parking on-site. The valet services will aid in retaining an existing business by improving operations and would create approximately four additional valet jobs.

FINDINGS

Pursuant to Title 13, Section 13-29 (g)(2), Conditional and Minor Conditional Use Permit 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:

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: Playa Mesa Mexican Kitchen restaurant has operated from this location for many years where customers would self-park in the back lot proximate to residential uses. And during that time there's been no known incompatibility between neighboring uses. The applicant's request for valet services is an improvement upon existing conditions and one that will benefit the quiet enjoyment of the adjacent residential properties. The valet podium will be located approximately mid-property and all cars will be professionally parked by a limited number of staff. All noise from customers self-parking or loitering will be minimized because of the professional valet services. Because of this, when operating consistent with the conditions of approval, the proposed valet service will be compatible and harmonious with nearby development and would not have a detrimental effect upon nearby properties.

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: The valet podium will be located approximately mid-property and all cars will be professionally parked by a limited number of staff. All noise from customers self-parking or loitering will be minimized because of the professional valet services. In addition, the valet podium's location is approximately 155 feet away from 17th Street and this distance can stack eight vehicles before the public right of way could be affected. The management plan states that valet staff will monitor the queue and move vehicles closer together to avoid right-of-way impacts. The number of concurrent valets running vehicles is reasonable to ensure that the queue line moves at a reasonable pace that will keep cars from adversely affecting 17th Street. For these reasons, when operating consistent with the conditions of approval, the proposed valet service will not be detrimental to the health, safety, and general welfare of the public or otherwise injurious to property or improvement in the neighborhood.

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: Granting the conditional use permit will not allow a use, density, or intensity, which is not in accordance with the general plan designation. As conditioned, the valet service will not generate noise, odor, traffic, or parking effects unusual for a commercially zoned property. The project does not propose any modification in the square footage to either of the existing commercial buildings on-site and the restaurant would continue to not operate after 11 p. m.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 (Class 1), Existing Facilities. The Project proposes a conditional use permit for Playa Mesa valet parking. No substantial physical improvements to the existing building would result from the project. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. 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

As an alternative to the recommended action, the Planning Commission may consider one of the following:

1. 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.
2. 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 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 October 2, 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 October 4, 2024.
3. Newspaper publication. A public notice was published once in the Daily Pilot newspaper on October 2, 2024.

As of this report, no written public comments have been received. Any public comments received prior to the October 14, 2024 Planning Commission meeting will be provided separately.

CONCLUSION

Approval of the project would allow for valet services for the Playa Mesa restaurant which is a supplemental parking proposal beyond that required by Code. The proposed use is in conformance with the General Plan, Zoning Code, and the findings to approve the application can be made. The valet operation for Playa Mesa is anticipated to address the operational demand for a local successful business, improve customer service and is compatible with the surrounding commercial and residential developments. Therefore, because the proposed valet would not be materially detrimental to other properties within the area and would improve operations for an existing Costa Mesa business, staff recommends approval of the conditional use permit application, subject to the conditions of approval contained in the attached resolution.

RESOLUTION NO. PC-2024-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA, CALIFORNIA APPROVING
PLANNING APPLICATION PA-23-07 FOR VALET SERVICES
AT PLAYA MESA RESTAURANT LOCATED AT 428 EAST
17TH STREET**

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

WHEREAS, Planning Application PA-23-07 was filed by Gregg Ramirez, authorized agent for the property owner, Playa Mesa Property LLC, requesting approval of the following:

A Conditional Use Permit to allow valet parking for Playa Mesa Mexican Kitchen restaurant.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 14, 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 categorically 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 in Exhibit B, the Planning Commission hereby **APPROVES** Planning Application PA-23-07 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-23-07 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance with 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 14th day of October, 2024.

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-__ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on October 14, 2024 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2024-__

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: Playa Mesa Mexican Kitchen restaurant has operated from this location for many years where customers would self-park in the back lot proximate to residential uses. And during that time there's been no known incompatibility between neighboring uses. The applicant's request for valet services is an improvement upon existing conditions and one that will benefit the quiet enjoyment of the adjacent residential properties. The valet podium will be located approximately mid-property and all cars will be professionally parked by a limited number of staff. All noise from customers self-parking or loitering will be minimized because of the professional valet services. Because of this, when operating consistent with the conditions of approval, the proposed valet service will be compatible and harmonious with nearby development and would not have a detrimental effect upon nearby properties.

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: The valet podium will be located approximately mid-property and all cars will be professionally parked by a limited number of staff. All noise from customers self-parking or loitering will be minimized because of the professional valet services. In addition, the valet podium's location is approximately 155 feet away from 17th Street and this distance can stack eight vehicles before the public right of way could be affected. The management plan states that valet staff will monitor the queue and move vehicles closer together to avoid right-of-way impacts. The number of concurrent valets running vehicles is reasonable to ensure that the queue line moves at a reasonable pace that will keep cars from adversely affecting 17th Street. For these reasons, when operating consistent with the conditions of approval, the proposed valet service will not be detrimental to the health, safety, and general welfare of the public or otherwise injurious to property or improvement in the neighborhood.

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: Granting the conditional use permit will not allow a use, density, or intensity, which is not in accordance with the general plan designation. As conditioned, the valet service will not generate noise, odor, traffic, or parking effects unusual for a commercially zoned property. The project does not propose any modification in the square footage to either of the existing commercial buildings on-site and the restaurant would continue to not operate after 11 p. m.

- B. The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 (Class 1), Existing Facilities. The Project proposes a conditional use permit for Playa Mesa valet parking. No substantial physical improvements to the existing building would result from the project. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. 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

- Plng.
1. The project is subject to compliance with all applicable Federal, State, and local laws.
 2. Any graffiti painted or marked upon the premises shall be removed or painted over within 48 hours of being applied.
 3. The applicant shall maintain free of litter all areas of the premises under which applicant has control.
 4. No outdoor public communication systems shall be installed without prior review and approval by the Planning Division.
 5. 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 or any contiguous agency for security purposes.
 6. This Conditional Use Permit does not include the allowance for live entertainment, dancing, or extended hours of operation after 11 p. m. Live entertainment, dancing, or extended hours of operation may only be permitted subject to approval of a Conditional or Minor Conditional Use Permit and issuance of a "public entertainment permit". Contact Planning and Code Enforcement for application information.
 7. 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 are necessary to comply with this requirement.
 8. The valet service shall be operated as described in this staff report, valet plan, and shown in the attached plans. Any change in the use, size, or design or valet plan operation shall require review by the Planning Division and may require an amendment to the Conditional Use Permit as determined by the Economic and Development Services Director.
 9. A copy of the conditions of approval for the conditional use permit shall be kept on the 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.
 10. If parking shortages or other parking-related problems arise, the business operator shall immediately institute appropriate measures to cure the problem and then work with the Economic and Development Services Director or his/her designee to develop long-term plan that will minimize or eliminate the shortage and/or problem. The long-term plan may necessitate an amendment to the Conditional Use Permit pursuant to Condition No. 8 above.
 11. The parking lot shall be posted with signs advising customers and employees to be considerate of the adjacent residences from noise levels they generate when driving around the site, entering/exiting their vehicles, and walking to and from the restaurant.

12. The restaurant shall provide the available parking as described in the report. A minimum of two valet attendants (one greeter and one runner) shall be available at all times when the valet service is in operation.
13. Valet attendants shall not “rev” engines and shall turn-off vehicles as soon as parked. Vehicle radios shall always remain off while within the designated valet area on the property and while under the care of the valet attendants. Unless next to each other, valet attendants shall not raise their voice to communicate with another valet attendant, customer, or individual who is on-site. All valets will keep their voices low and shall quietly close vehicle doors out of respect for the quiet enjoyment of the adjacent residential properties. Also, when parking cars, the valet shall park in the first available parking space within the valet parking area nearest the valet podium (i.e., closest to East 17th Street) so as to minimize vehicle turnover nearest the adjacent residential properties
14. Valet services shall be provided free of charge to both Playa Mesa Restaurant and Peet’s Coffee Customers.
15. During Playa Mesa’s business hours, 55 of the site’s 69 parking spaces will be used for valet, and the remaining 14 spaces shall be allocated to Peet’s Coffee. When both Peet’s and Playa Mesa are simultaneously open, Playa Mesa shall provide complimentary valet services to customers of Peet’s Coffee. When Peet’s Coffee is closed, the 14 parking stalls shall be made available to Playa Mesa patrons who prefer to self-park instead of valet.
16. The valet booth shall be located a minimum of 155 feet from the front property line to allow for vehicle stacking. Under no circumstance shall the queued vehicles cross over the property line into the public right-of-way in a manner that reduces the width of the public sidewalk. Playa Mesa management and the valet service will ensure that cars do not queue onto East 17th Street at anytime.
17. The valet service shall be provided by a professional valet company and shall operate pursuant to the valet plan. The valet company will ensure that valet services do not impact adjacent business operations.
18. No restaurant or valet service signage shall be located on the public sidewalk. All proposed signage must adhere to the Costa Mesa Municipal Code Sign regulations listed within Title 13. It is the business owner’s responsibility to apply for permits for any proposed signs or banner prior to their installation.

19. 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.
20. 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.

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. The project is subject to compliance with all applicable Federal, State, and local laws. A copy of the applicable Costa Mesa Municipal Code requirements has been forwarded to the Applicant and, where applicable, the Authorized Agent, for reference.2. 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. |
| Bldg. | <ol style="list-style-type: none">3. Comply with the requirements of the adopted California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, and 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.
4. 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.
 5. Accessible parking space, access aisle, and accessible route shall not be obstructed during valet operation.
 6. Permanent barrier shall not impede accessible access rout for those in wheelchair to access other business or public way.
 - Eng. 7. Applicant must pay permit fees in connection with Private Encroachment permit EP18-02 allowing construction of private improvements in public right-of-way. Contact Costa Mesa Public Works to pay fees.
 - Trans. 8. If queuing occurs on the sidewalk or on East 17th Street, then the applicant/valet operator shall implement immediate corrective action. Upon request, applicant will be required to submit an operations management plan to mitigate any vehicle queuing on the sidewalk or East 17th Street for review and approval.
 - Fire 9. Comply with the requirements of the 2022 California Fire Code, including the reference standards, as adopted, and amended by Costa Mesa Fire & Rescue.
 - Bus. 10. Business license shall be obtained prior to the initiation of the use.
 - Lic.

Playa Mesa
Valet Parking CUP
January 26, 2024

**Playa Mesa
424-428 East 17th Street
Conditional Use Permit for Valet Parking
CUP Resubmittal**

Project Description/Request

The owners of Playa Mesa Mexican Kitchen are requesting approval of a conditional use permit ("CUP") to allow valet parking operations at the existing restaurant pursuant to Costa Mesa Municipal Code ("CMMC") Section 13-96 (parking spaces permanently available for automobile parking). No construction or physical alterations are proposed, and no operational changes are proposed as part of this CUP application. This is a voluntary request, no reduction of required spaces is proposed, and the restaurant is permitted to operate without the use of valet parking. The applicant is the owner of the entire Playa Mesa and Peet's Coffee properties and the parking lot.

The implementation of valet operations will optimize the efficient use of the parking lot. Valet will also reduce the number of cars waiting for spaces and blocking drive aisles, and further reduce the potential for vehicles overflowing onto 17th Street. As part of this request, the owners have prepared a comprehensive valet/parking management plan addressing parking, staging, queuing and traffic flow. The charge is \$5 which covers the cost of the valet service. This is not a revenue generator for the restaurant. The valet plan includes signage and operational guidance to ensure customers of nearby Peet's Coffee have clear access to parking. Peet's customers will not be charged a valet fee if they use the valet.

The subject property is approximately 23,812 square feet and is currently developed with Playa Mesa Mexican Kitchen and Peet's Coffee. The two restaurants share a 69-space surface parking lot that is accessed from 17th Street. As noted on the plans, permanent concrete wheel stops will be installed as physical boundary between the subject property and the adjacent property at 436 East 17th Street. (Wild Goose Tavern). These permanent barriers will not block or impede accessible access routes. Please refer to the site plan and valet plan to view the existing and previously approved accessible access routes.

With the use of valet operations, a total of 86 vehicles can be parked (59 stalls/27 staged). These stalls are exclusive of the 9 spaces directly adjacent to Peet's coffee which closes at 6:00 p.m., daily and is busiest in the mornings before 10:00 a.m. Please refer to the attached valet plan for more details on parking spaces counts and times.

Playa Mesa's approximate 4,759 square foot restaurant also includes a 400 square foot outdoor dining patio at the west side of the building adjacent to the driveway. An additional 415 square foot outdoor patio located at the front of the building adjacent that encroaches into the 17th Street landscape setback was approved by Minor Conditional Use Permit ZA-

18-39 in August 2018. Playa Mesa is full-service restaurant that holds a Type 47 (On-Sale General) Alcoholic Beverage Control (ABC) license. The restaurant with alcohol service is permitted by right in the CI (Central Business District) zoning district because the closing hour is at or before 11:00 p.m., daily.

Business Hours and Proposed Valet Parking Hours

	Playa Mesa	Peet's Coffee	Valet Hours
Monday – Thursday	11:00 a.m. – 10:00 p.m.	5:30 a.m. - 6:00 p.m.	11:00 a.m. – 10:00 p.m.
Friday	11:00 a.m. – 11:00 p.m.	6:00 a.m. - 6:00 p.m.	11:00 a.m. – 11:00 p.m.
Saturday	9:00 a.m. – 11:00 p.m.	6:00 a.m. - 6:00 p.m.	10:00 a.m. – 11:00 p.m.
Sunday	9:00 a.m. – 10:00 p.m.	6:00 a.m. - 6:00 p.m.	10:00 a.m. – 11:00 p.m.

The use of valet parking will occur after Peet's peak customer hours which declines around 10:00 a.m., daily. Therefore, valet service will begin at 11:00 a.m. Monday-Friday. On Saturday and Sunday, valet service will begin at 10:00 a.m. Peet's customers will continue to have access to the nine spaces directly in front of the coffee shop and they will also have access to complimentary valet parking. On-site signage and valet operators will ensure Peet's customers have convenient access to parking.

Same landlord and operating legal entities own both parcels. Same entity is also the applicant here. Therefore, Peet's is a tenant of the Playa Mesa applicants. The applicant has reached out to adjacent commercial properties and no opposition has been heard. Additionally, many of the nearby residents are patrons and support efficient operations.

Since the restaurants have different peak operating hours, the proposed valet plan will effectively make use of the existing parking lot for customer convenience and efficient use of the parking lot.

Justification and Findings for Approval

Pursuant to CMMC Section 13-29(g)(2) (planning application review process), the following findings are required to be made by the review authority before approving a CUP:

- a. 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.

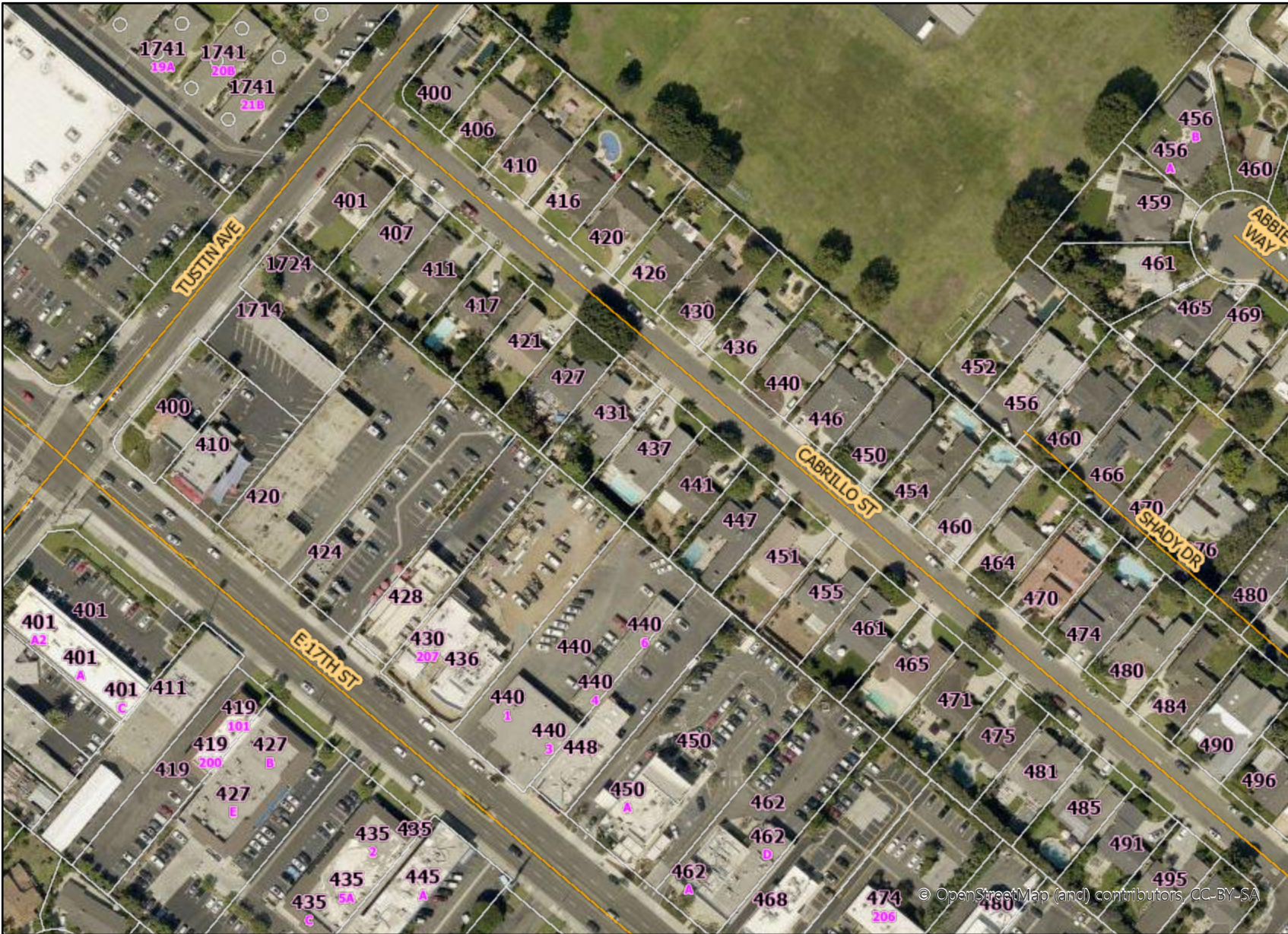
- The use of valet occurs after Peet's busiest time of the day which is mornings until about 10:00 a.m. Monday-Friday valet service will begin at 11:00 a.m. On Saturday and Sunday, valet service will begin at 10:00 a.m. After valet service begins, Peet's customers will continue to have access to the nine spaces directly in front of the store and also have access to complimentary valet parking. On-site signage and valet operators will ensure Peet's customers have convenient access to parking.
 - Peet's customers will have access to the entire parking lot during their busiest time of day which is mornings until about 10:00 a.m.
 - The valet/parking management plan will ensure the joint use of the parking lot by two restaurants with differing peak business hours is managed efficiently for customers of both establishments.
 - The valet plan addresses access to parking spaces for Peet's Coffee customers with signage and operationally to minimize any potential conflicts.
 - Accessible parking space and paths of travel will not be obstructed during valet operations and remain open for those with ADA placards. Please refer to page 3 of the Valet Parking Proposal.
 - The valet parking is typical and can be expected at popular eating and drinking establishments in commercial areas.
 - Restaurants with alcohol service are permitted by right in the CI (Central Business District) with the requirement that they close by 11:00 p.m. if they are located within 200 feet of a residential zoning district.
 - Playa Mesa is located on 17th Street which is developed with a mix of restaurants, retail and service use. Peet's Coffee, Two Wheels One Planet bike shop and other restaurants are located near Playa Mesa. Residential uses are located at the rear of the property.
- b. Granting the conditional use permit or 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.
- Granting the CUP will optimize parking lot use during peak demand by effectively utilizing available parking spaces and helping to eliminate vehicles blocking drive aisles.
 - The valet plan reduces or eliminates the potential for vehicle queuing onto 17th Street.
 - In addition, the block wall and landscaping, the valet plan reduces the potential for patrons to loiter and make noise from talking car alarms, stereos and idling vehicles while leaving the establishment and disturbing the occupants of the adjacent residences.
 - The on-site valet provides an additional presence in the parking lots resulting in an additional level of security for patrons and vehicles.

- The valet plan addresses access to parking spaces for Peet's Coffee customers with signage and operationally to eliminate and minimize any potential conflicts.
- c. Granting the conditional use permit or 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 granting of the CUP will not allow a use, density or intensity which is not in accordance with the general plan designation for the property. In fact, the property has a General Commercial land use designation. Full-service restaurants with ancillary valet parking are allowed and consistent with this designation in the general plan.

428 East 17th Street - Vicinity Map

Legend

-  City Limit
-  Streets
-  Addresses
-  Silver

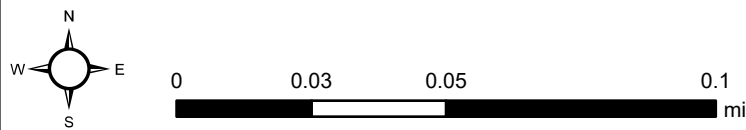
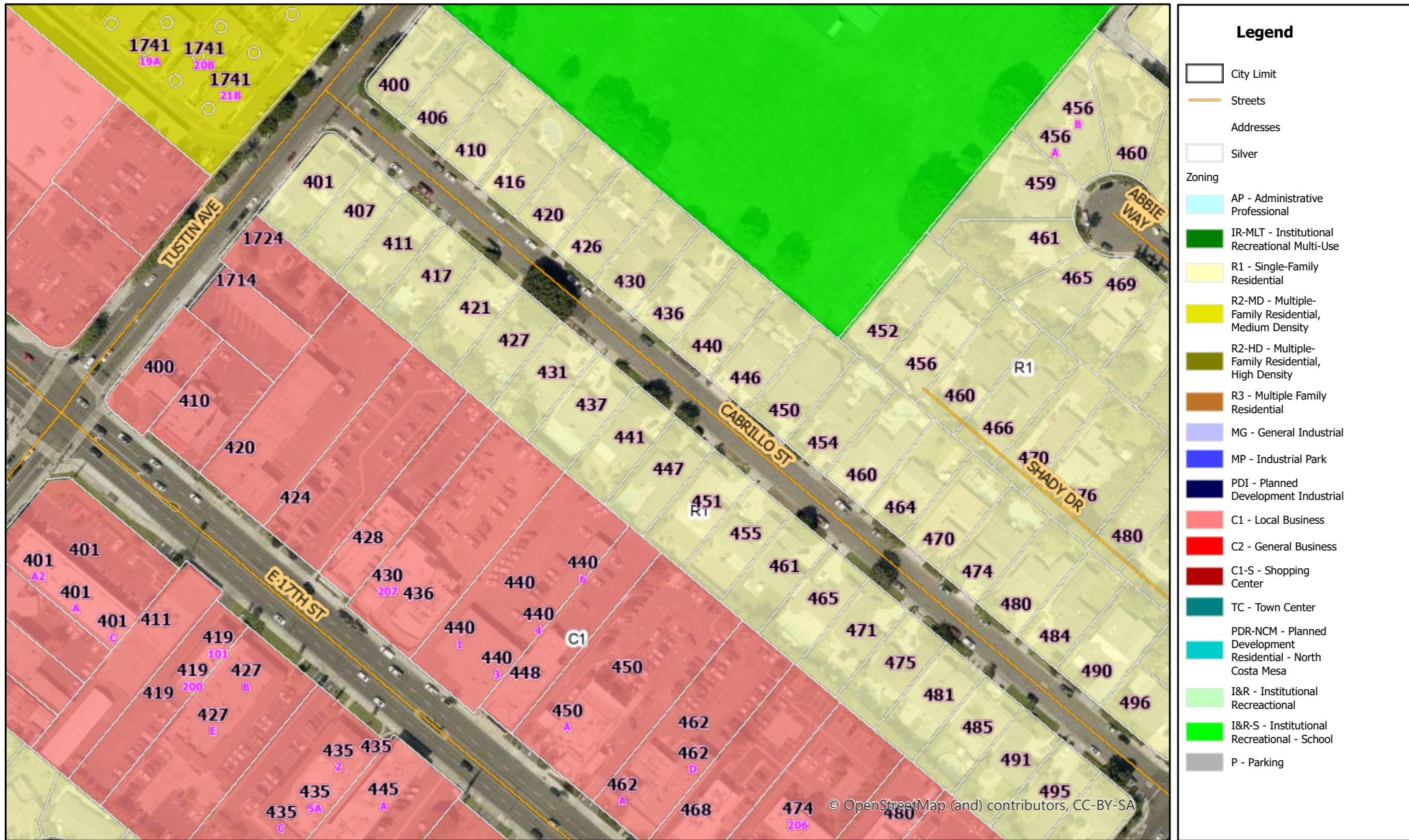


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428 East 17th Street - Zoning Map



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SITE PHOTO





VALET PARKING PROPOSAL

PREPARED FOR:

LOUNGE GROUP CONSULTING (PLAYA MESA)

428 E 17th St, Costa Mesa CA 92627

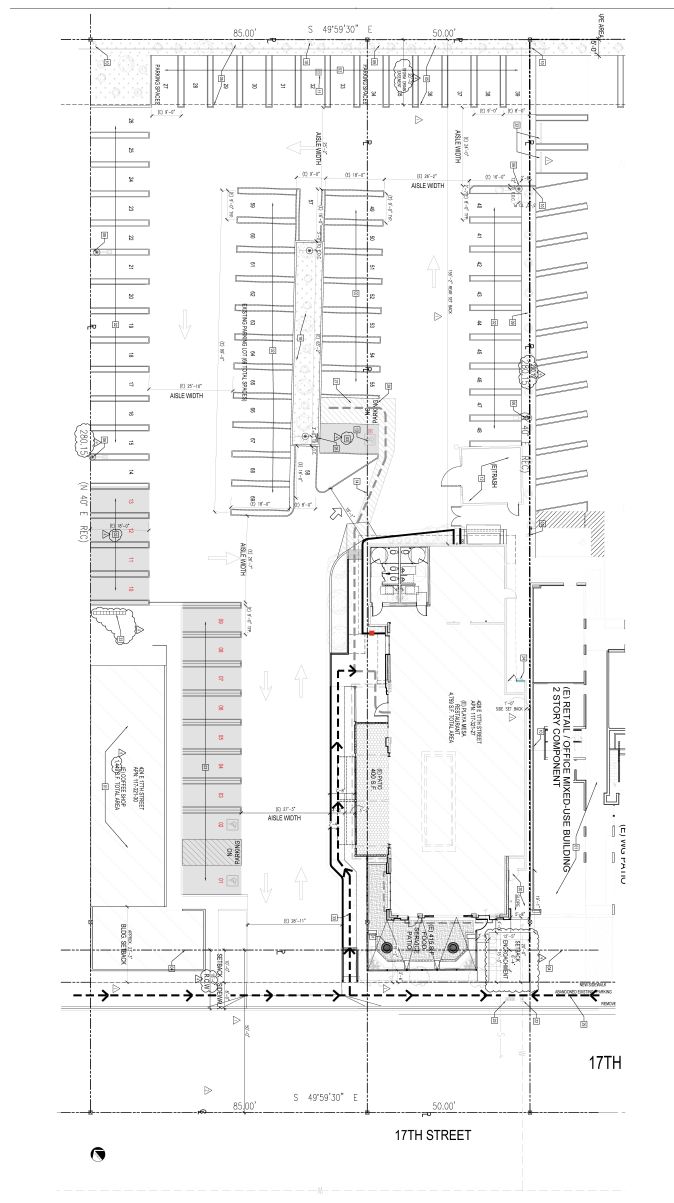
*Streamline Valet Inc. | 1278 Glennerye #190 | Laguna Beach | CA | 92651
1.888.71.VALET*

PURPOSE

Streamline Valet Inc. (SVI) is proposing to offer valet parking for the restaurants Playa Mesa restaurant located at the address **428 E 17TH STREET, COSTA MESA, CA 92627**. This will allow for more efficient parking in this lot and should reduce the strain on available parking for nearby businesses during peak hours.

PARKING AREA

AREA	COLOR	STALLS	NOTES
Valet	White	14-55 & 57-69 (55 total)	Valet for Peet's and Playa Mesa customers
Peets/Self Park	Shaded	1-13 & 56 (14 total)	Parking exclusive to Peet's customers. Not used by valet. (See page 3 for more information)



NEIGHBORING PARKING LOT IMPACT/DETAILS

PEET'S Reserved Spaces

There are 14 spaces at the entrance to the lot reserved for Peet's parking during and after their normal business hours (5:30am - 6pm). This area is shaded in gray on the image on the previous page. These spaces will not be used for valet.

Additional PEET's Parking

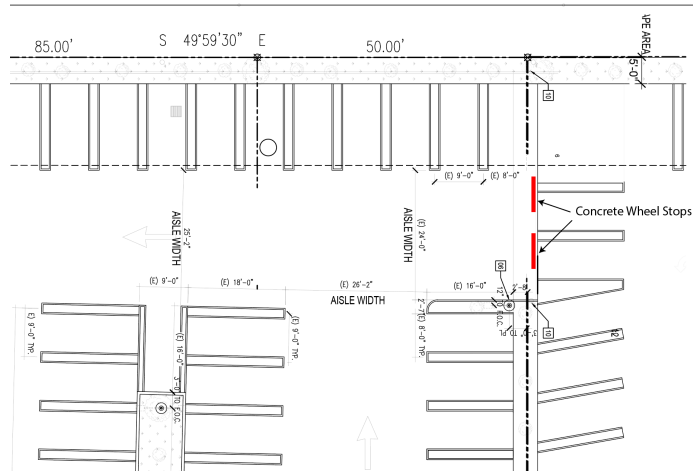
Valet will accommodate PEET's customers when necessary and will provide additional parking in the valet area at no charge when spaces are available. There will be a sign located at the valet entrance instructing PEET's customers to check in with valet attendants for additional parking in the valet area.

ADA / Handicap Parking*

There ADA stall in the designated valet area (stall 56) which will be left open for ADA usage only. This will ensure vehicles with ADA needs will be able to park and unload their vehicles based on their own specific needs. Valet attendants are trained to make special accommodations for ADA customers at all times.

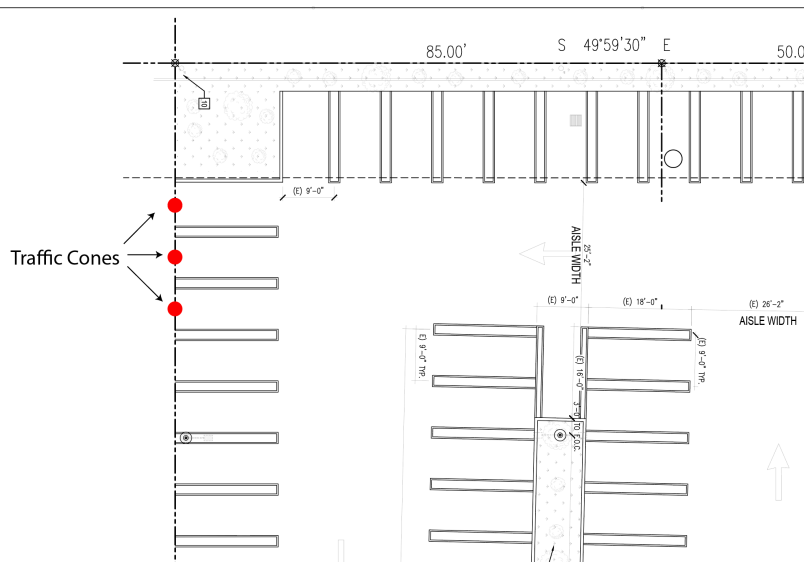
Closed Access to 436 E 17th St Parking Lot

The drive thru to the parking lot for Wild Goose Tavern and other tenants (436 E 17th St, Costa Mesa) will be closed for car access via concrete wheel stops to isolate the valet lot from the connected lot. Please see diagram below.



Closed Access to 420 E 17th St Parking Lot

The drive thru to the parking lot for Two Wheels One Planet will be closed with traffic cones to isolate the valet lot from the connected lot. Please see diagram below.

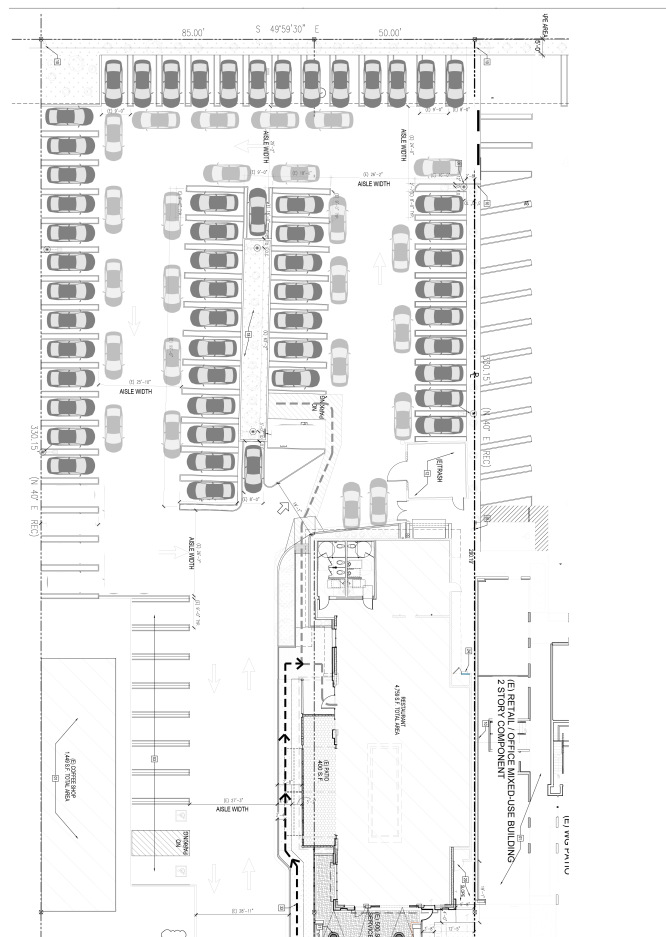


PARKING GAINS

In Isle Parking / Perimeter Parking (Staging):

The gain for staged parking is approximately 1 extra valet vehicle per every 2 marked stalls. This is accomplished by ensuring the vehicles parked in the stalls are backed in as far as possible, then parking in the aisle in front of them. We will also be able to utilize curbs and areas in front of dumpsters or other unused asphalt. **This will allow us to park an additional 24 vehicle. Please view diagram below for parked car locations.**

By using the above mentioned valet parking techniques, **we anticipate being able to park an additional 24 vehicles on the property for a total of 79* vehicles.**



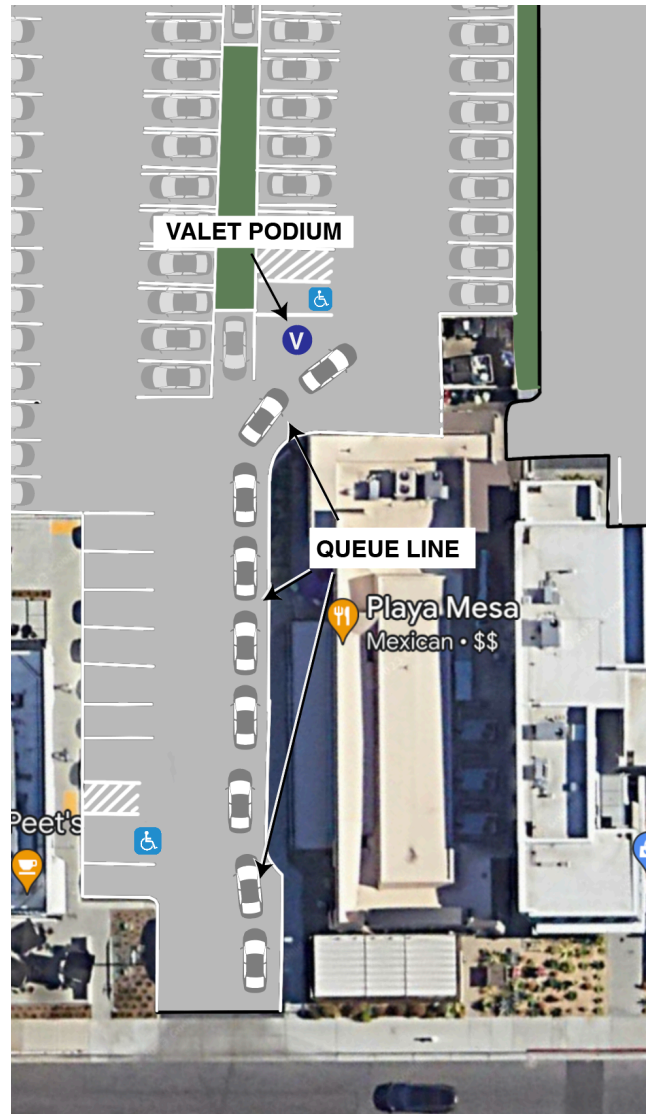
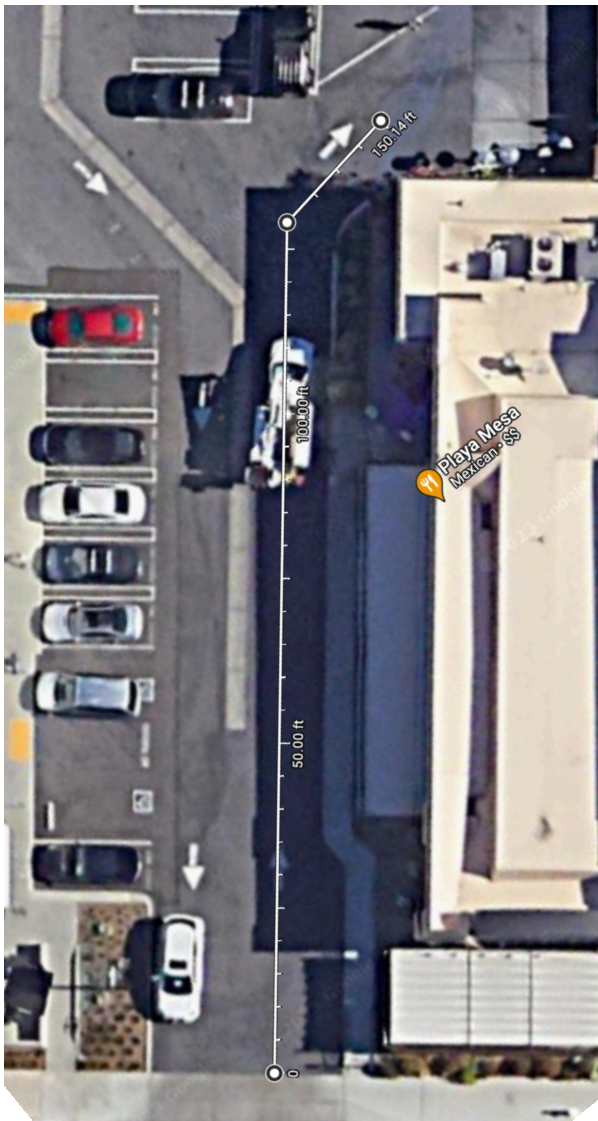
Stall Vehicles (Main Lot)	55
Staged Vehicles (Main Lot)	24
Total Vehicles (Main Lot)	79

QUEUING LINES AND DISTANCES

All valet parking calculations use averages for vehicle length, number of guests per vehicle and load/unload times.

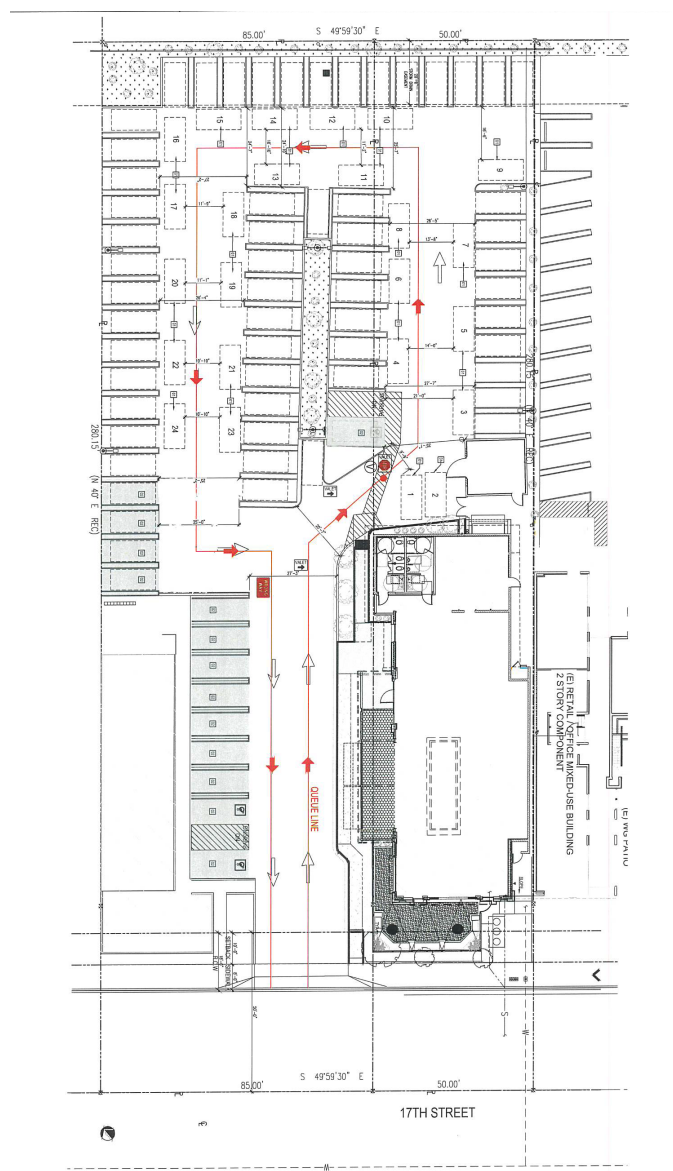
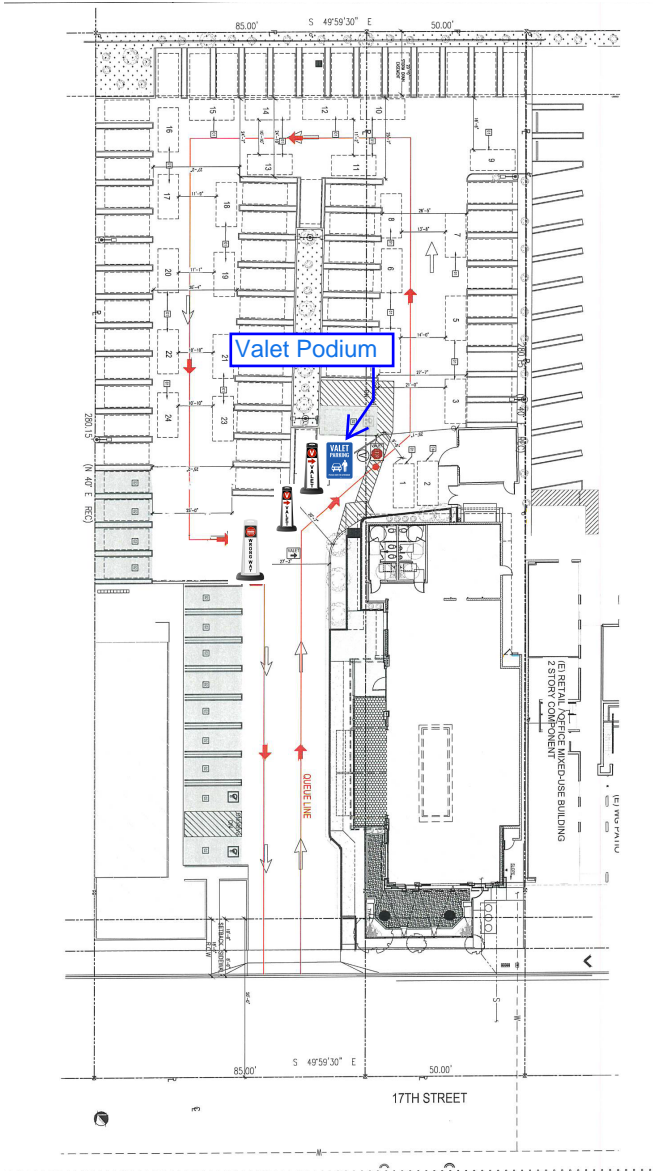
Average vehicle length: 15ft
Average vehicle width: 5.8ft
Average space between vehicles: 3 ft
Average load / unload time: 30 seconds

The distance from the entrance of the property to the valet drop-off area is approximately 155 ft. This distance should allow for about **9 vehicles in the standard queue line** without blocking traffic at the entrance. Valet greeters are trained to constantly move the line forward to prevent the line from backing up.



FLOW OF TRAFFIC

Please see the diagram below for the general flow of traffic.



STAFFING

Staffing will consist of 1-4 Valet Attendants with various responsibilities. The team will include both Greeters and Runners.

Greeters are trained to manage the flow of traffic, welcome and greet guests and ensure the queue line is constantly moving forward. Greeters will also be responsible for receiving tickets and calling out vehicles to runners to be returned to guests when they are ready to leave.

Runners are trained to clear the queue line by parking vehicles in available parking stalls or staging vehicles when all available spaces become full. Runners will also be responsible for retrieving guest vehicles for departure.

Valet attendants have the first and last impression on guests. At Streamline Valet Inc. all attendants are trained on customer service to ensure all guests are treated with respect on their way in and out of the property.

VALET DUTIES AND RESPONSIBILITIES

Including but Not Limited to:

- Providing Exceptional Service to all Guests
- Safely Unloading Guests/Contents
- Issuing Valet Tickets and Documenting Number of Guests per Night
- Safely Parking and Securing all Valet Vehicles
- Securing all Vehicle Keys in Valet Lock Box
- Collecting Valet Service Fee From Guests
- Safely Delivering Guest Vehicle

UNIFORMS AND APPEARANCE

The standard uniform for Streamline Valet Parking Attendants is a navy polo shirt (containing our Streamline logo), tucked into black non-denim pants. Our attendants are required to wear a black dress belt and wear predominately black running shoes. Uniforms are always to be clean, neat, and in overall good shape.

Valet attendants will maintain a neat, clean-cut and clean-shaven, professional appearance at all times. Valet attendants will not be permitted to have goatees or wear earrings if they are males. Excessive jewelry, tattoos and body piercing is strictly prohibited. In addition, Valet Attendants will always be required to conduct themselves in a professional manner.

Streamline Valet takes service and appearance very seriously. Please see the following page for an excerpt from our Employee Handbook, which every employee receives when they are hired:

Expectations

As a Valet Parking Attendant, you will be expected to provide the highest level of service to our clients and guests. When a guest or client allows you to take control of their vehicle, they are in essence letting you into their home while they are gone. It is of the utmost importance to be physically and socially presentable, and to do the right thing at all times. This includes smiling, being attentive and having good approachable posture, running fast and driving slow, being safe and courteous at all times, and again, always doing the right thing. The details below provide a road map to what is expected of you. If you have any questions please ask your training supervisor.

Appearance

Your appearance should resemble that of someone that would serve you at a fine dining restaurant. Your uniform should be clean, complete, and you should be well groomed.

Uniform requirements:

- Clean Streamline Valet polo shirt*
- Clean black pants – no denim allowed at any time**
- Black belt
- Running shoes – predominately black
- Name Tag

Grooming standards:

- Clean shaven or well-trimmed beard
- Hair combed and styled or long hair pulled back
- No visible tattoos or piercings***

* Private party attire is white, long sleeve button up shirt and black tie.

** Certain shift allow black shorts, management will advise when this is the case.

*** Piercings must be removed unless management approves, any tattoos should be covered.



Employee Handbook 2015

EQUIPMENT

Streamline Valet will provide all necessary signs; a locked, moveable commercial grade key-podium; cones; claim checks, and all other tools of the trade. All of these items will be kept in good shape.

CANCELLATION

This can be cancelled at any time, by any party, for any reason, by giving Streamline Valet Inc. 24 hour notice.

ADDITIONAL INFORMATION

Any request for additional information should be directed to:

Tim Earlywine, Founder and President

tim@streamlinevalet.net

Cell: 949.235.2620

Playa Mesa

ATTACHMENT 7

CONDITIONAL USE PERMIT - VALET PARKING

428 17TH STREET

COSTA MESA, CA 92627



robinson hill architecture, inc.
A California Corporation
3195-B Airport Loop, Dr.
Costa Mesa, CA 92626
tel. 714-825-8888
fax 714-825-8889
web www.rhainc.net

Michael David Robinson: C-20731
John Steven Hill: C-23553

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This document has been prepared to describe proposed new work and does not necessarily represent as-built or existing conditions. The Architect does not warrant, in any way, the accuracy of this information and shall not be responsible for any discrepancy between this document and the existing conditions.

Owner
Lounge Group
434 E. 17th Street
Costa Mesa, CA 92627

Consultant

GENERAL NOTES

INTERPRETATION OF THE DOCUMENTS

DISCREPANCIES IN AND OMISSIONS FROM THE PLANS, SPECIFICATIONS, OR OTHER CONTRACT DOCUMENTS, OR QUESTIONS AS TO THEIR MEANING SHALL, AT ONCE, BE BROUGHT TO THE ATTENTION OF THE ARCHITECT. ANY INTERPRETATION OF THE DOCUMENTS WILL BE MADE ONLY BY ADDENDA DULY ISSUED AND A COPY OF SUCH ADDENDA WILL BE MAILED OR DELIVERED TO EACH GENERAL CONTRACTOR BIDDER RECEIVING A SET OF SUCH DOCUMENTS. THE OWNER WILL NOT BE RESPONSIBLE FOR ANY OTHER EXPLANATIONS OR INTERPRETATIONS. SHOULD ANYTHING IN THE SCOPE OF WORK OR ANY OF THE SECTIONS OF THE SPECIFICATIONS BE FOUND TO BE IN ERROR, HAVE CONFLICTS OR DISCREPANCIES, SUCH INFORMATION SHALL BE PROMPTLY BROUGHT TO THE ATTENTION OF THE ARCHITECT IN WRITING DURING THE BID PROCESS, UPON WHICH, THE ARCHITECT WILL ISSUE A BID CLARIFICATION BY ADDENDA. QUESTIONS RECEIVED LESS THAN 48 HOURS BEFORE THE BID OPENING CANNOT BE ANSWERED. NOTWITHSTANDING THAT DRAWINGS AND SPECIFICATIONS MAY BE INCOMPLETE IN CERTAIN DETAILS, IT IS UNDERSTOOD BY CONTRACTOR THAT ANY WORK NOT EXPLICITLY SHOWN OR EXPLICITLY SPECIFIED THEREIN, BUT NONETHELESS REQUIRED TO COMPLY WITH THE AGREED CONTRACTUAL INTENT OF PROVIDING A COMPLETE JOB, SHALL BE INCLUDED IN THE WORK.

PROJECT SCOPE

NO CHANGES TO EXISTING FLOOR PLAN, FOR REFERENCE ONLY.

(N) VALET PARKING PROPOSAL AT EXISTING RESTAURANT. NO PROPOSED CHANGES TO EXISTING SITE.

PROJECT INFORMATION

GOVERNING CODES

CAL. BUILDING CODE	2022 EDITION	(2021 IBC)
CAL. MECHANICAL CODE	2022 EDITION	(2021 CMC)
CAL. PLUMBING CODE	2022 EDITION	(2021 CPC)
CAL. ELECTRICAL CODE	2022 EDITION	(2021 NEC)
TITLE 24 ENERGY STANDARDS	2022 EDITION	
CAL GREEN BUILDING CODE	2022 EDITION	(CGBC)

PROJECT INFORMATION & CODE ANALYSIS

ZONE: C1

GENERAL PLAN DESIGNATION: GC

APN: 428 E 17TH STREET 117-321-27
424 E 17TH STREET 117-321-30

OCCUPANCY TYPE: A2

NO. OF STORIES: (1) ONE

BUILDING HEIGHT: TOP OF HEIGHTS PARAPET-20'-5"

FIRE SPRINKLERS: YES

FIRE ALARM: YES

CONSTRUCTION TYPE: TYPE V-B

EXTERIOR WALLS PROTECTION: [CBC TABLE 602]
1-HOUR REQUIRED EAST EXTERIOR WALL.
PROVIDED: 1-HOUR RATED AT EAST EXTERIOR WALL.

LOT SIZE:

428 E 17TH STREET	117-321-27	: 14,007.5 AREA SQ. FT.
424 E 17TH STREET	117-321-30	: 23,812.75 AREA SQ. FT.

FAR:

428 E 17TH STREET	4,759 SQ. FT. / 14,007.5	= 2.94%
424 E 17TH STREET	1,449 SQ. FT. / 23,812.75	= 16.43%

SETBACKS

	REQUIRED	PROVIDED
FRONT	20'	20'
SIDE	15' ON SIDE & 0 ON THE OTHER SIDE	1' & 0
REAR	41'*	155'-2"

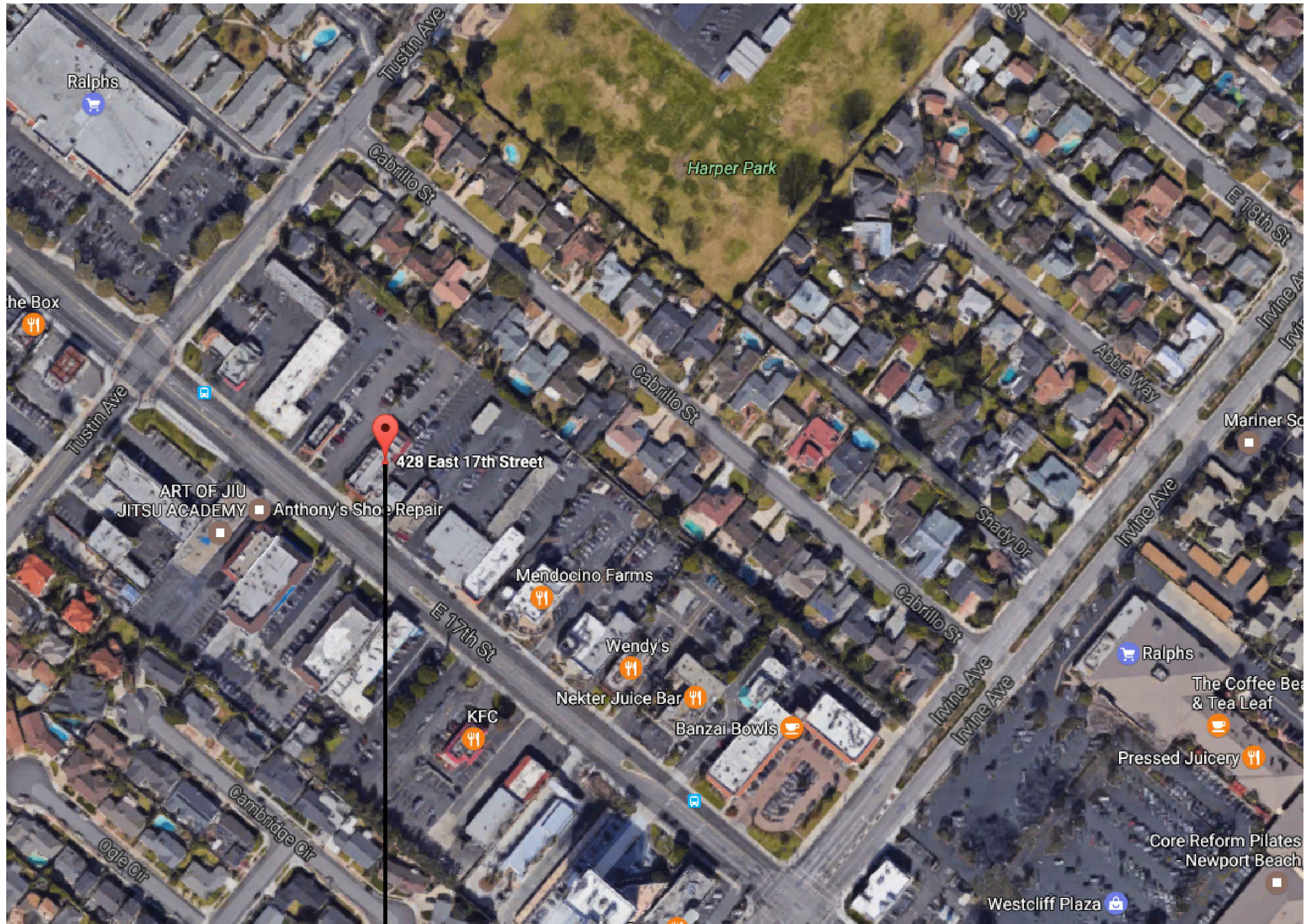
* EXCEPTION: IF THE REAR PROPERTY IS ADJACENT TO A RESIDENTIAL ZONE, ALL BUILDINGS SHALL MAINTAIN A REAR SETBACK FROM THE RESIDENTIAL PROPERTY LINE OF 2 TIMES THE BUILDING HEIGHT AT ALL LOCATIONS

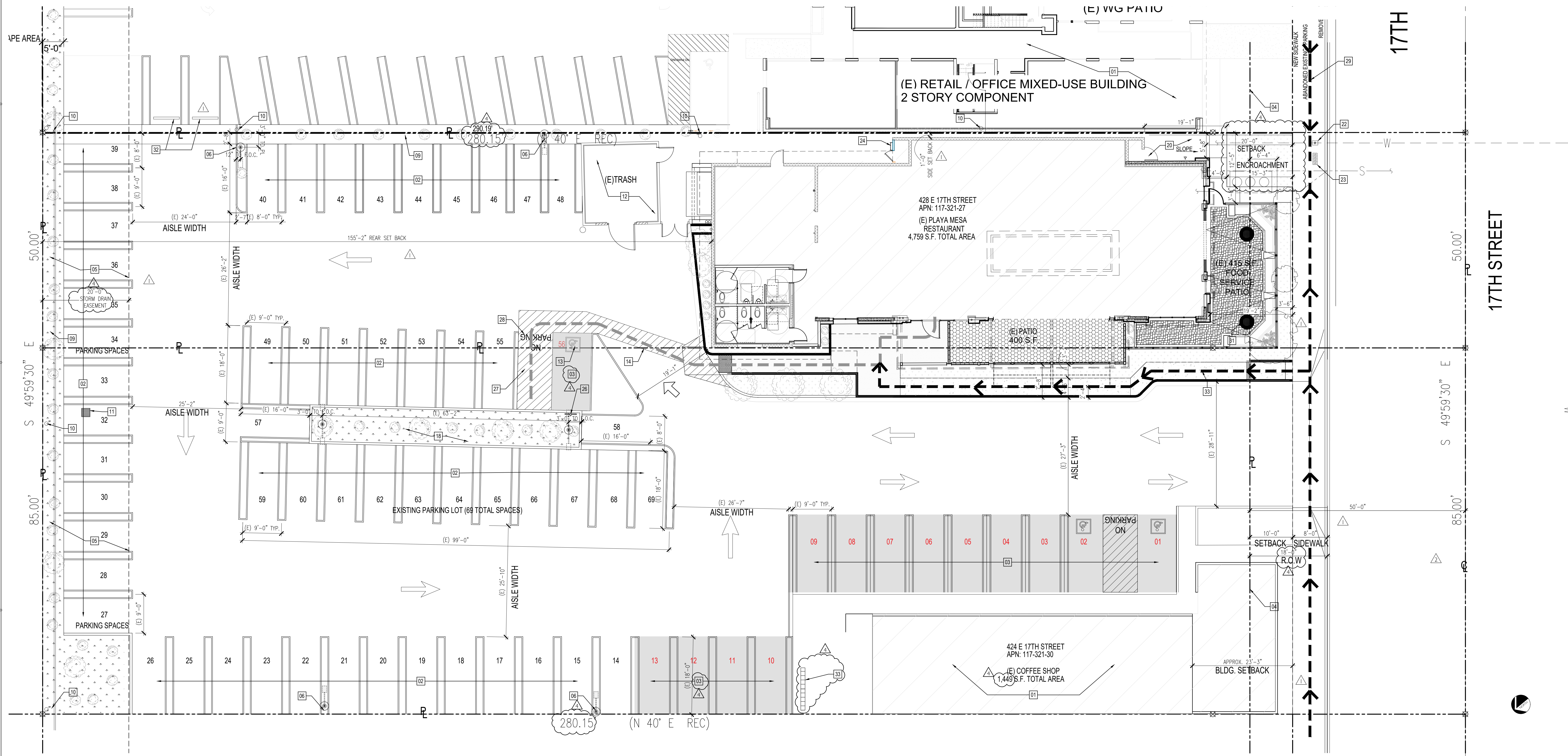
PLAYA MESA:	(E) BUILDING	4,759 S.F. (428 E 17T ST.)
EXISTING AREA:	(E) PATIOS	815 S.F.
	(E) SWITCH GR COVR	64 S.F.
	TOTAL	5,638 S.F.

PETE'S COFFEE	(E) BUILDING	1,449 S.F. (424 E 17T ST.)
EXISTING AREA:	(E) PATIOS	700 S.F.
	TOTAL	2,149 S.F.

TOTAL ON-SITE PARKING: 69 SPACES
BIKE RACK: 10 SPACES

VICINITY MAP





FIRE DEPARTMENT NOTES

- THE INSTALLATION OF AUTOMATIC FIRE SPRINKLER SYSTEMS SHALL COMPLY WITH THE NFPA 13, 2016 EDITION, INSTALLATION UNDER SEPARATE PERMIT.
- PROVIDE ONE PORTABLE FIRE EXTINGUISHER WHICH HAS A CLASSIFICATION OF TYPE K FIRE EXTINGUISHER TO SUPPORT THE HOOD AND DUCT SYSTEM AND A 2A:10BC TYPE EXTINGUISHER FOR THE REMAINDER OF THE KITCHEN PER THE REQUIREMENTS OF CFC 906, TABLES 903.6.1 AND 903.6.2 AND TITLE 19 FIRE EXTINGUISHER REQUIREMENTS.
- ALL DECORATIVE MATERIALS SHALL BE MAINTAINED IN A FLAME RETARDANT CONDITION.
- BUILDING OCCUPANT SHALL SECURE PERMITS REQUIRED BY THE FIRE DEPARTMENT FROM THE FIRE PREVENTION BUREAU PRIOR TO OCCUPANCY THIS BUILDING.
- THE CONSTRUCTION, REMODEL, OR DEMOLITION OF A BUILDING SHALL COMPLY WITH CFC CHAPTER 33.
- PROVIDED OCCUPANT LOAD SIGNS AS REQUIRED BY CBC 1004.3.

GRADING NOTES

- MINIMUM 5% GRADE (2% FOR CONCRETE SURFACES FOR 10' FROM EXTERIOR WALL TO DRAIN WATER AWAY FROM EXTERIOR FOOTING).
- EXISTING SITE: (E) SITE FULLY COMPLIES WITH T24 AND ACCESSIBILITY STANDARDS, AND SUBJECT TO FIELD VERIFICATION.
- ACCESSIBLE PATH OF TRAVEL: MAXIMUM SLOPE SHALL NOT EXCEED 5% IN DIRECTION OF TRAVEL. MAXIMUM CROSS SLOPE SHALL NOT EXCEED 2%.

GENERAL NOTES

- ALL WELDS AND MILLSTRAPS TO BE GRINDED SMOOTH, PRIME AND PAINTED. REFER TO STRUCTURAL AND ID DRAWINGS.
- CAP ALL TUBE STEEL ENDS.
- PRIMER FOR PAINTING AS REQUIRED.
- PATIO STEEL TO BE POWDER COAT PAINTED PER EXTERIOR ELEVATIONS PRIOR TO INSTALLATION AND TOUCHED UP AS REQUIRED AFTER INSTALLATION.
- G.C. TO INFORM ARCHITECT OF ALL DISCREPANCIES.
- G.C. TO FIELD VERIFY ALL CONDITIONS. ADVISE ARCHITECT OF ANY DISCREPANCIES.
- REFER TO ID DRAWINGS FOR ADDITIONAL INFORMATION REGARDING FINISHES AND EQUIPMENT.
- REFER TO STRUCTURAL, ELECTRICAL, MECHANICAL, AND PLUMBING DRAWINGS FOR ADDITIONAL INFORMATION.
- REFER TO ID FINISH SCHEDULE TO ALL INTERIOR WALL FINISHES
- FLOOR AND GROUND SURFACES SHALL BE STABLE, FIRM, AND SLIP RESISTANT.

SITE NOTES

- PARKING LAYOUT INFORMATION IS FROM RECORD DRAWINGS PERMITTED BY THE CITY OF COSTA MESA, UNDER PREVIOUS PERMIT, AND IS FOR REFERENCE ONLY.
- ACCESSIBLE PARKING STALLS TO BE PROVIDED AND IDENTIFIED PER 2022 CBC (11B-206.2.4, 11B-502.6, 11B-502.8 (FIG 11B, 18A, B & C & 1117B))

- EACH PARKING SPACE RESERVED FOR PERSONS WITH DISABILITIES SHALL BE IDENTIFIED BY A REFLECTORIES SIGN PERMANENTLY POSTED IMMEDIATELY ADJACENT TO AND VISIBLE FROM EACH STALL OR SPACE, CONSISTING OF A PROFILE VIEW OF A WHEELCHAIR WITH OCCUPANT IN WHITE ON DARK BLUE BACKGROUND THE SIGN SHALL NOT BE SMALLER THAN 70 SQ. INCHES IN AREA AND, WHEN IN A PATH OF TRAVEL, SHALL BE POSTED AT A MINIMUM HEIGHT OF 80" FROM THE BOTTOM OF THE SIGN TO THE PARKING SPACE FINISHED GRADE.
- PROVIDE "MINIMUM FINE \$250" BELOW ACCESSIBILITY SYMBOL SIGN.
- PROVIDE AT SITE ENTRANCE TO OFF-STREET PARKING FACILITIES OR ADJACENT TO AND VISIBLE FROM EACH STALL A 17"x22" MIN. SIGN WITH 1" LETTERING STATING: "UNAUTHORIZED VEHICLES PARKED IN DESIGNATED DISABLED SPACES NOT DISPLAYING DISTINGUISHING PLACARDS OR LICENSE PLATES ISSUED FRO PSYCHICALLY DISABLED PERSONS MAY BE TOWED AWAY AT OWNER'S EXPENSE. TOWED VEHICLES MAY BE RECLAIMED AT AUTHORIZED POLICE DEPARTMENT, TOWING AGENCY OR BY TELEPHONING " (714) 754-5280".

STREET CENTERLINE
PROPERTY LINE
EASEMENT
ADA PATH OF TRAVEL
ABLE AND DISABLE PATH OF TRAVEL FROM THE PUBLIC WAY TO ENTRANCE 11B-206.2.1

PLAYA MESA EXISTING AREA:

(E) BUILDING	4,759 S.F.
(E) PATIOS	815 S.F.
(E) SWITCH GR COVR	64 S.F.
TOTAL	5,638 S.F.

PETE'S COFFEE:

(E) BUILDING	1,449 S.F.
(E) PATIO	700 S.F.
TOTAL	2,149 S.F.

BIKE RACK: 10 TOTAL SPACES

01 (E) ADJACENT BUILDING TO REMAIN, N.A.P.
02 (E) PARKING STALLS
03 (E) 14 SELF PARKING SPACE WHILE PETE'S IS OPEN
04 (E) PARKING SET BACK
05 (E) UTILITY EASEMENT
06 (E) LIGHT POST AND LIGHT FIXTURE TO REMAIN
07 (E) CONCRETE CURB 6" HIGH. PAINT RED IN FIRE LANE
08 (E) PLANTER TO REMAIN. SEE LANDSCAPE FOR NEW PLANTING
09 (E) PLANTER TO REMAIN
10 (E) POWER POLE AND OVERHEAD WIRE TO REMAIN
11 (E) STORM WATER AREA DRAIN TO REMAIN
12 (E) TRASH ENCLOSURE TO BE RENOVATED
13 (E) ACCESSIBLE STALL AND ADA LOGO TO REMAIN
14 (E) BLUE PAINTED ACCESSIBLE PATH TO REMAIN
15 (E) ACCESSIBLE RAMP TO REMAIN
16 (E) LOW RAISED EDGE PROTECTOR @ 6" A.F.F. SEE CIVIL

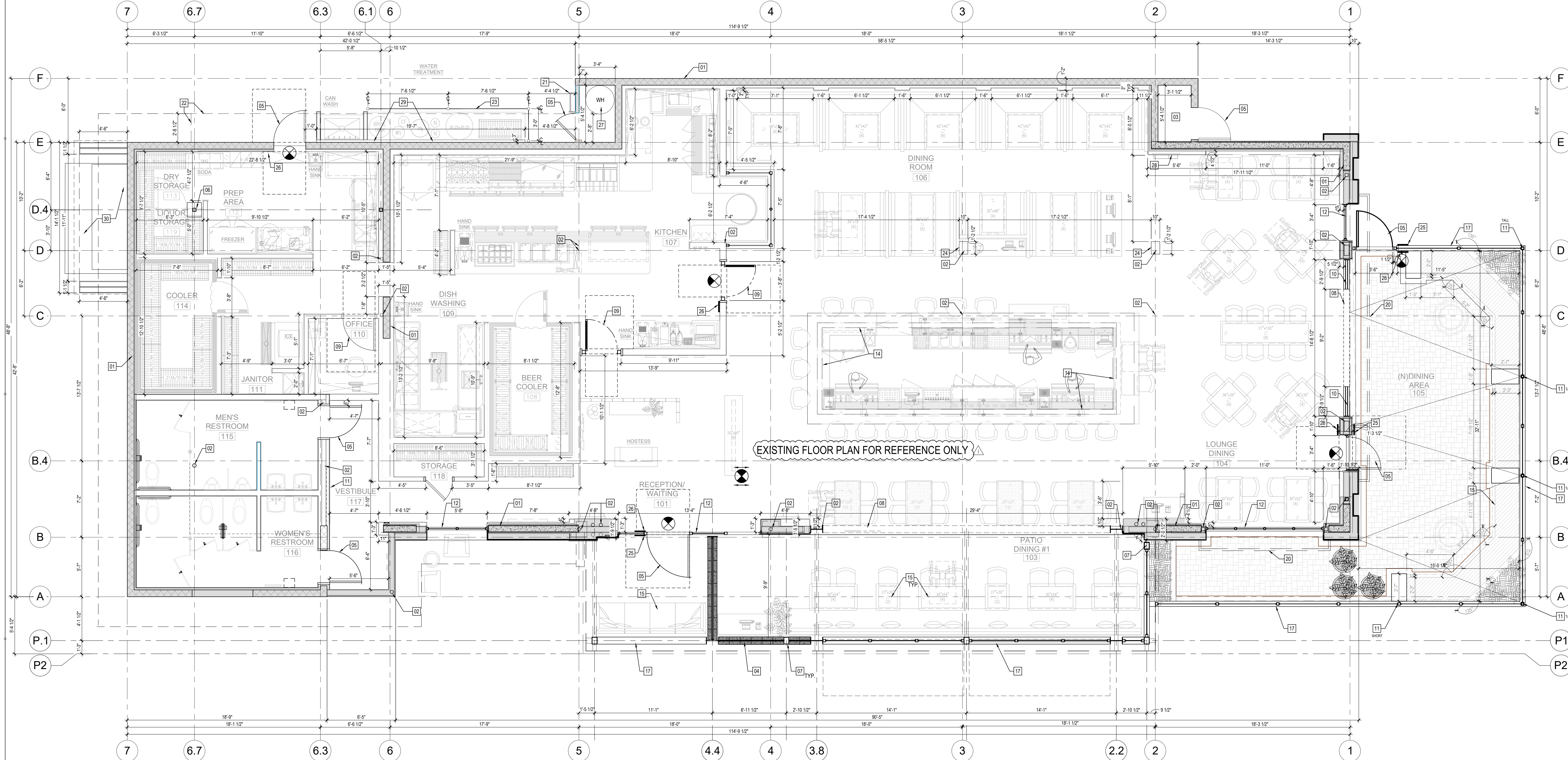
17 (E) SIDEWALK
18 (E) PLANTER TO BE RENOVATED PER NEW LAYOUT
19 (E) GREASE INTERCEPTOR TO BE REPLACED, SEE MECHANICAL
20 (E) FIRE RISER ROOM AND PATHWAY TO REMAIN
21 (E) INTERNATIONAL SYMBOL OF ACCESSIBILITY SIGN COMPLYING WITH SECTION 11B-703.7.2.1, 211HC-1, INSTALL PER 15.211HC-1, 11B-703.4.1.
22 (E) WATER METER
23 (E) GAS METER
24 (E) ROOF ACCESS LADDER
25 (E) TRUNCATED DOMES TO REMAIN, 26HC100 ACCESSIBLE DETAILS
26 (E) VAN ACCESSIBLE PARKING SIGN ON POST, WITH AN ADDITIONAL SIGN STATING "\$250 MINIMUM FINE" ON POST TO REMAIN, PER 02HC100
27 (E) BLUE PAINTED ACCESS AISLES AND NO PARKING SIGN ON THE PAVED SURFACE OF THE ACCESS AISLE TO REMAIN, PER 05HC100
28 (E) PAINT "NO PARKING" SIGN ON THE PAVED SURFACE OF THE ACCESS AISLE PER 05HC100.

29 NOT USED
30 (E) INTERNATIONAL SYMBOL OF ACCESSIBILITY DIRECTIONAL SIGN TO COMPLY PER 11B-216.3, 11B-216.6, 11B-703.5.6, 211HC-1.
31 (E) HANDRAIL TO REMAIN
32 (E) PATHWAY FOR ACCESS TO BUILDING FROM PUBLIC WAY FOR ABLE AND DISABLE PER 11B-206.2.1 EXPT. #2, ROUTE PER 11B-206.2, 11B-403.3 AND 11B-403.5.1
33 (E) HANDRAIL, IT SHALL BE CONTINUOUS THE FULL LENGTH OF THE RAMP TO BE IMBEDDED INTO CONCRETE APPROX. 3" TO 4", SHALL 34" TO 38" 16, 20HC-1 ABOVE RAMP SURFACE, SHALL EXTEND HORIZONTALLY ABOVE THE LANDING FOR 12' BEYOND THE TOP AND BOTTOM OF RAMP SEE 20HC-1, PER 11B-505.10.1, 11B-505.10.1, LOW EDGE PROTECTOR TO COMPLY PER 17HC-1. SEE 02A2.0 FOR ELEVATION.
34 (N) WHEEL STOP
35 (FLOOR MOUNTED BIKE RACK, 10 SPACES.

Job Number:
23RHA11128
Date:
04.11.23
Sheet No.:

EXISTING SITE PLAN

ST1.0



Fire Department Notes
THE INSTALLATION OF AUTOMATIC FIRE SPRINKLER SYSTEMS SHALL COMPLY WITH THE UBC STANDARD NO. 9-1. INSTALLATION UNDER SEPARATE PERMIT
PROVIDE ONE PORTABLE FIRE EXTINGUISHER WHICH HAS A CLASSIFICATION OF NOT LESS THAN 40-B FOR KITCHEN.
ALL DECORATIVE MATERIALS SHALL BE MAINTAINED IN A FLAME RETARDANT CONDITION.
BUILDING OCCUPANT SHALL SECURE PERMITS REQUIRED BY THE FIRE DEPARTMENT FROM THE FIRE PREVENTION BUREAU PRIOR TO OCCUPANCY THIS BUILDING.
THE CONSTRUCTION, REMODEL, OR DEMOLITION OF A BUILDING SHALL COMPLY WITH CFC ARTICLE 87.
PROVIDED OCCUPANT LOAD SIGNS AS REQUIRED BY CBC 1002.3

General Notes
ALL WELDS AND MILL STRIPS TO BE GRIND SMOOTH, PRIME AND PAINTED. REFER TO STRUCTURAL AND ID DRAWINGS.
CAP ALL TUBE STEEL ENDS.
PRIMER FOR PAINTING AS REQUIRED.
PATIO STEEL TO BE POWDER COAT PAINTED PER EXTERIOR ELEVATIONS PRIOR TO INSTALLATION AND TOUCHED UP AS REQUIRED AFTER INSTALLATION.
G.C. TO INFORM ARCHITECT OF ALL DISCREPANCIES.
G.C. TO FIELD VERIFY ALL CONDITIONS. ADVISE ARCHITECT OF ANY DISCREPANCIES.
REFER TO ID DRAWINGS FOR ADDITIONAL INFORMATION REGARDING FINISHES AND EQUIPMENT.
REFER TO STRUCTURAL, ELECTRICAL, MECHANICAL, AND PLUMBING DRAWINGS FOR ADDITIONAL INFORMATION.
REFER TO ID FINISH SCHEDULE TO ALL INTERIOR WALL FINISHES
FLOOR AND GROUND SURFACES SHALL BE STABLE, FIRM, AND SLIP RESISTANT.

NOTES

(E) MASONRY WALLS TO REMAIN.
(E) PARTITION WALL
(E) ILLUMINATED EXIT SIGN WITH EMERGENCY POWER BACK UP SUPPLY. SHALL COMPLY WITH CBC 1011.3 & 1011.6.3.

LEGEND

(01) (E) BUILDING STRUCTURE, TO REMAIN
(02) (E) STEEL COLUMN TO REMAIN
(03) (E) FIRE RISER ROOM, TO REMAIN
(04) 12" x 4" DECORATIVE CONC. BLOCK, DOUBLE ROW W/ GAP - 3FORM DECORATIVE PANEL BETWEEN - EDGE LIGHTING AROUND PERIMETER OF PANEL
(05) (E) DOOR TO REMAIN
(06) (E) PLANTER @ 11" A.F.F
(07) (E) STEEL TRELLIS TO REMAIN
(08) (E) STRUCTURAL SUPPORT HEADER TO REMAIN
(09) (E) DOOR
(10) NOT USED
(11) (E) HSS 3 X 3 POST @ 10'-6" F.F (WHERE SUPPORTING TIVOLI LIGHTS) OTHERWISE 6'-10" @ F.F.
(12) (E) STOREFRONT SYSTEM TO REMAIN
(13) NOT USED
(14) (E) BAR AREA
(15) (E) PATIO FURNITURE
(16) NOT USED
(17) (E) SITE LOW WALL TO REMAIN
(18) NOT USED
(19) NOT USED
(20) (E) METAL CHANNEL TO REMAIN
(21) (E) ROOF LADDER, TO REMAIN
(22) (E) SOFFIT ABOVE, TO REMAIN
(23) (E) CHAIN LINK ENCLOSURE FENCE
(24) (E) COLUMN
(25) (E) INTERNATIONAL ACCESSIBILITY SYMBOL ON ENTRY PER CBC 11B-216.6
(26) (E) TACTILE EXIT SIGNAGE TO BE PROVIDED WITH THE WORD "EXIT", SHALL IDENTIFY EACH GRADE LEVEL EXTERIOR EXIT DOOR PER CBC SECTION 1011.4
(27) (E) WATER HEATER
(28) (E) FURRED OUT WALL
(29) NOT USED
(30) (E) ENCLOSED SWITCH GEAR
(31) PROPOSED FUTURE LOCATION OF OUTDOOR FIREPIT. NOTE: INSTALLATION CONTINGENT UPON APPROVAL OF CUP FOR FRONT PATIO USE.

KEYNOTES

01



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 24-380

Meeting Date: 10/14/2024

TITLE:

CALL TO REVIEW ZONING ADMINISTRATOR APPROVAL OF A MINOR CONDITIONAL USE PERMIT AND OUTDOOR DINING PERMIT (PODA-24-0001 AND PMCP-24-0008) AT 814 WEST 19TH STREET ("WESTEND")

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION

PRESENTED BY: JUSTIN ARIOS, ASSOCIATE PLANNER

CONTACT INFORMATION: JUSTIN ARIOS, 714-754-5667; Justin.Arios@costamesaca.gov

RECOMMENDATION:

Staff recommends 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 15303 (Class 3) New Construction and Conversion of Small Structures; and
2. Uphold the Zoning Administrator conditional approval of Minor Conditional Use Permit and Outdoor Dining Permit (PODA-24-0001 and PMCP-24-0008) at 814 West 19th Street ("Westend") by adopting the attached Resolution.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: October 14, 2024

ITEM NUMBER: PH-3

**SUBJECT: CALL TO REVIEW ZONING ADMINISTRATOR APPROVAL OF A
MINOR CONDITIONAL USE PERMIT AND OUTDOOR DINING PERMIT
(PODA-24-0001 AND PMCP-24-0008) AT 814 WEST 19TH STREET
("WESTEND")**

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

PRESENTATION BY: JUSTIN ARIOS, ASSOCIATE PLANNER

**FOR FURTHER INFORMATION CONTACT: JUSTIN ARIOS
714-754-5667
Justin.Arios@costamesaca.gov**

RECOMMENDATION

Staff recommends 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 15303 (Class 3) New Construction and Conversion of Small Structures; and
2. Uphold the Zoning Administrator conditional approval of Minor Conditional Use Permit and Outdoor Dining Permit (PODA-24-0001 and PMCP-24-0008) at 814 West 19th Street ("Westend") by adopting the attached Resolution.

APPLICANT OR AUTHORIZED AGENT

The authorized agent is Tyler Hertzke / Roland Barrera, representing the property owner, Monica Chang.

PLANNING APPLICATION SUMMARY

Location	814 West 19th Street	Application Number	PODA-24-0001 & PMCP-24-0008
Request	Zoning Applications PODA-24-0001 and PMCP-24-0008 request approvals of a Minor Conditional Use Permit and Outdoor Dining Permit to expand the existing Westend Restaurant's public service area outdoors within the front of the building and parking lot area, to allow sales of alcohol for onsite consumption after 11 p.m. and allow live entertainment and dancing more than 200 feet from a residential zone.		
CEQA	Exempt per CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures)		
Final Action	Zoning Administrator		

SUBJECT PROPERTY

Zoning District	C1 (Local Business District)
General Plan Land Use Designation	General Commercial
Lot Dimensions	35 FT x 107.5 FT
Lot Area	3,762.5 SF
List of Approved Plans / Land Use Entitlements	19 West Urban Plan
Existing Development	An existing 1,034-square-foot building with 101-square-foot front patio area and 296-square-foot rear patio occupied by a food and beverage establishment (Westend).

SURROUNDING PROPERTY

	Zoning District	General Plan Land Use Designation	Existing Development
North	MG (General Industrial)	Light Industrial	Industrial Uses
East	C1 (Local Business)	General Commercial	Commercial Uses
South (Across W. 19 th Street)	C1 (Local Business)	General Commercial	Commercial Uses
West	C1 (Local Business)	General Commercial	Commercial Uses

Development Standard	Required / Allowed C1 Zone	Provided / Proposed
Building Height	2 stories / 30'	1 story / 16'
Setbacks		
Front	20'	10' 2" ¹
Side (left / right)	0' / 15'	0' / 12' ²
Rear	0'	30' 5"
Parking	4 spaces ³	1 spaces ⁴ 18 spaces (with private off-site agreement)
¹ Existing, legal nonconforming front setback. ² See staff report discussion regarding proposed outdoor dining area covers/structures encroachment [CMMC Section 13-48(a)(1)(k)]. ³ Parking at 4 per 1,000 sq. ft. ratio for 1,034 sq. ft. building (outdoor dining area does not require additional parking (see Parking discussion below)) ⁴ Proposed parking includes a bike rack credit of one space. Parking for the commercial use is legal non-conforming.		

EXECUTIVE SUMMARY

On January 16, 2024, the City Council determined that outdoor dining promotes private and public economic interests, creates a community oriented and pedestrian friendly dining environment, and adopted ordinance modifications that encourage existing and new food and beverage serving establishments to offer outdoor dining.

On May 28, 2024, the City's Zoning Administrator approved a project to permit outdoor dining and construct a new outdoor patio structure, expand the hours of operation for service of alcoholic beverages, and to allow for live entertainment at an existing food and beverage establishment (Westend). A thorough description and analysis of the project request is included in the attached May 28, 2024, Zoning Administrator report (Attachment 3).

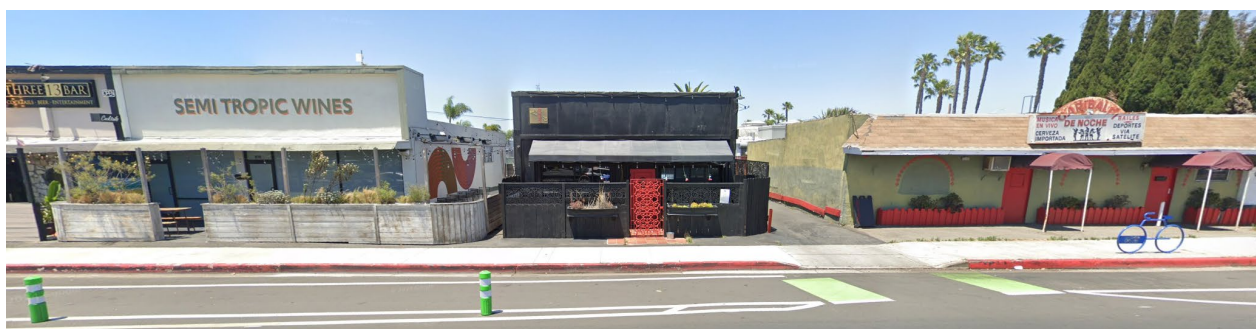
On May 30, 2024, Council Member Harper submitted an "application for review" of the approval to be considered by the Planning Commission. The Council Member was concerned specifically about "adequate parking for both the applicant and the surrounding businesses". (See Attachment 2.)

SETTING

The project site is located along the north side of West 19th Street between Federal Avenue and Placentia Avenue. The property is zoned C1 (Local Business District) and has a General Plan land use designation of "General Commercial". Pursuant to the CMMC, the C1 "District is intended to meet the local business needs of the community by providing a wide range of goods and services in a variety of locations throughout the City."

Physical on-site improvements include an existing 1,034-square-foot building with an approximate 175 square-foot front courtyard area. The property obtains access from a narrow on-site driveway that connects a three-car surface parking lot located at the rear of the property with West 19th Street. The project site is surrounded by commercially zoned properties to the south (across West 19th Street), east and west; and by industrially zoned properties to the north (along Placentia Avenue). Several existing eating and drinking establishments are located nearby and on both sides of the subject property.

Image 1 – Current Site Street View



BACKGROUND

The existing use, Westend, was approved administratively with a business license to replace an existing food and beverage serving establishment in 2017 (“Big Belly Deli”). The business license for Westend was originally approved as a coffee/café eatery with beer and wine, as well as antiques/retail. The approved hours of operation are from 6 a.m. to 11 p.m., with a maximum of 300 square feet of public seating area.

Appeal and Call to Review Procedures

Costa Mesa Municipal Code (CMMC) Title 2 Chapter IX stipulates the City’s appeal and review procedures. The CMMC allows any affected or interested person to appeal a project within specified periods and also allows City Council members to call projects up for review. In this case, the project approval included a seven-day appeal period. Since the Zoning Administrator approved the project, pursuant to the CMMC, the call to review decision shall be made by the Planning Commission.

The CMMC further indicates that the Planning Commission hearing is a de novo hearing in which the Planning Commission may consider the project in its entirety. Pursuant to the de novo hearing process, the Planning Commission may consider all aspects of the proposed project and is not required to limit the discussion to the issues in the “call to review” application. The CMMC also stipulates that the review hearing shall be based on any relevant evidence, submitted at the time of the prior decision and at the call for review hearing, findings, if any, and decision of the person or body whose decision is being appealed.

Pursuant to CMMC Chapter IX, Section 2-303(6), the applicant for the original decision shall have the burden of proof to support the granting of the approval action at the appeal.

ZONING ADMINISTRATOR APPROVAL

On May 28, 2024, the Zoning Administrator approved an entitlement at 814 West 19th Street (Westend) to permit outdoor dining and to construct a new outdoor patio structure, expand the hours of operation for service of alcoholic beverages, and to allow live entertainment. The approved hours of operation are Mondays through Fridays, 5 PM to 2 AM and Saturdays and Sundays from 2 PM to 2 AM. The project included an increase in the restaurant customer serving area of approximately 800 square feet (outdoor dining area only).

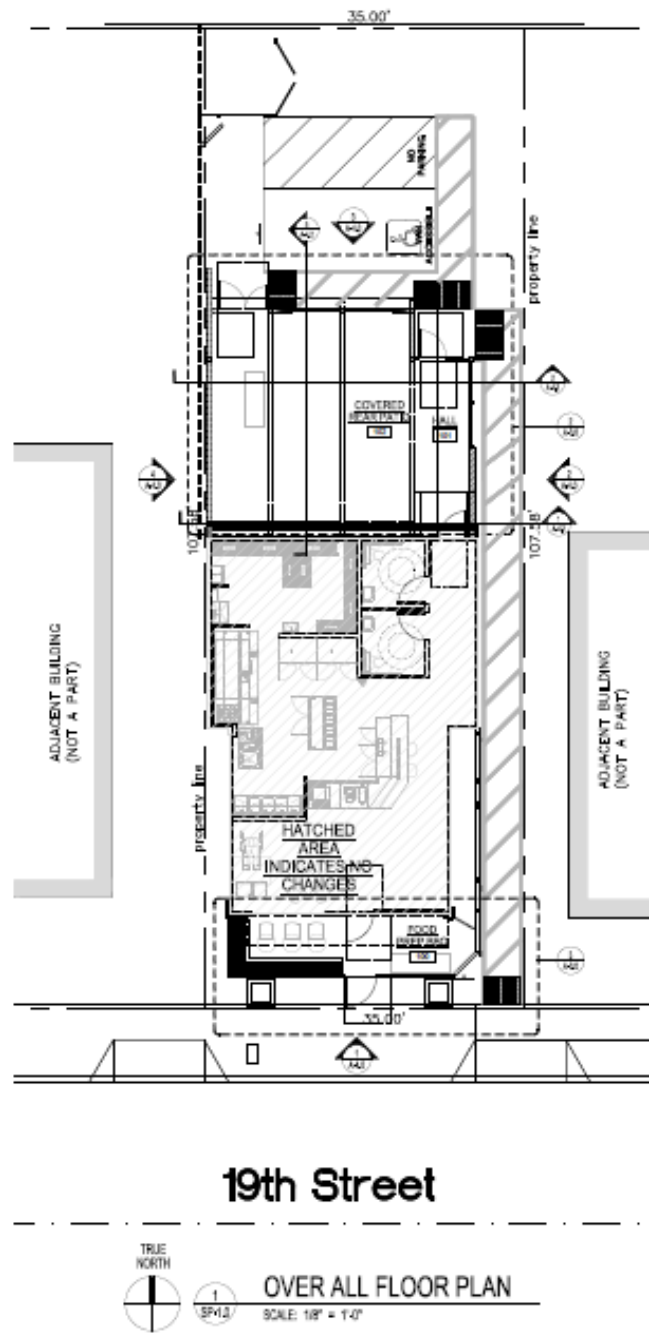
Minor Conditional Use Permit Required

The project entitlements require Zoning Administrator approval of a Minor Conditional Use Permit (MCUP) for the following aspects of the proposed project:

- Establishing an outdoor dining area within an existing parking area that results in more than a 50-percent increase of public indoor area [CMMC Table 13-47(b)];
- The removal of more than 25% of existing required parking [CMMC Table 13-47(b)];

- For an outdoor dining area cover/structure to encroach into a setback area [CMMC Section 13-48(a)(1)(k)];
- For sale of alcoholic beverages for on-site consumption after 11 p.m. located outside 200 feet of a residential zone [CMMC Table 13-47(b)]; and
- To provide live entertainment after 11 p.m. located outside 200 feet of a residential zone [CMMC Table 13-47(b)];

Exhibit 1 – Proposed Site/Floor Plan



Pursuant to the CMMC, the approval of an MCUP requires that the Zoning Administrator make three findings related to neighborhood compatibility, health and safety, and land use compatibility. The Zoning Administrator made the required MCUP findings as indicated below:

MCUP Finding No. 1 - *“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”.*

Zoning Administrator Finding: The proposed use is compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The use is located along a commercial corridor developed with other similar food and beverage establishments, operating under similar hours, with live entertainment and with outdoor dining. In addition, the use is surrounded by other commercial properties to the east, west and south, and industrial properties to the north. The nearest residential property is located approximately 265 feet from the subject property. The project is conditioned to operate in compliance with the City’s Noise Ordinance. The applicant also has an agreement with an adjacent industrial property to provide parking.

MCUP Finding No. 2 – *“Granting the conditional use permit or 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”.*

Zoning Administrator Finding: The proposed development complies with the City’s development standards and other requirements, such as ADA requirements. Compliance with the applicable Building, Fire Safety and Health Codes will also ensure that the project is not materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. Additionally, the proposed outdoor dining areas have been conditioned to comply with the development standards for all outdoor dining areas per CMMC Section 13-48(a)(1) and the City’s noise ordinance. On-site security and additional parking will also be provided.

MCUP Finding No. 3 – *“Granting the conditional use permit or 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”.*

Zoning Administrator Finding: Granting the minor conditional use permit will not allow a use, density or intensity that is not in accordance with the General Plan designation. The site has a General Plan designation of General Commercial, which is intended to permit a wide range of commercial uses that serve both local and regional needs. Appropriate uses include smaller retail stores, theaters, restaurants, hotels and motels, and automobile sales and service establishments. As such, the proposed restaurant operations and use are anticipated by General Plan designation. Lastly, the City Council recently determined that outdoor dining

promotes private and public economic interests, creates a community oriented and pedestrian friendly dining environment, and adopted ordinance modifications that encourage existing and new food and beverage serving establishments to offer outdoor dining.

Project Parking Considerations and Conditions of Approval

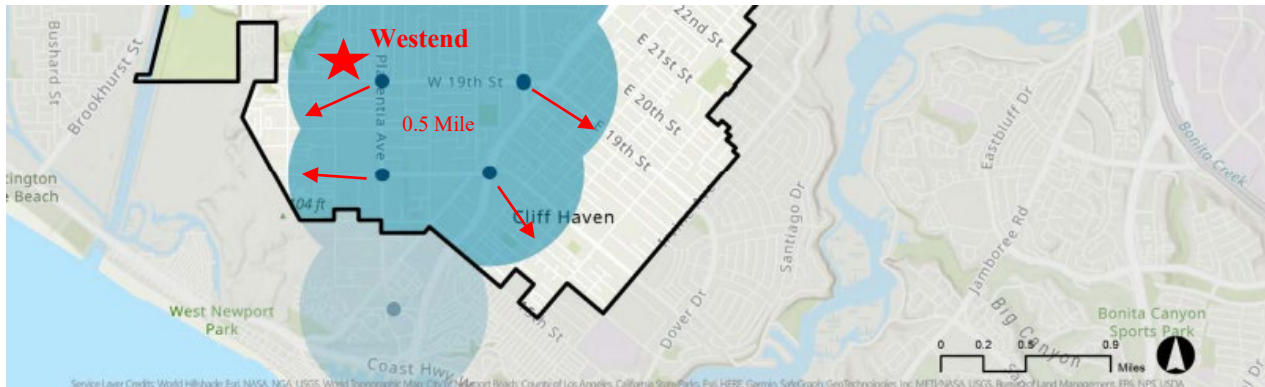
Pursuant to the City's Parking Ordinance, Section 13-89, "outdoor seating areas shall not be included in the floor area calculations for the purposes of determining the required parking". Therefore, the project does not require additional parking. In addition, the CMMC Table 13-47(b) allows with the approval of a Minor Conditional Use Permit for the removal of required parking for the development of outdoor dining areas. The applicant is proposing the removal of two of the three existing parking spaces in conjunction with the development of the rear outdoor dining area. Although not required, to compensate for the loss of these two parking spaces (pursuant to the CMMC), the applicant has a private agreement to utilize 17 parking spaces with the adjacent property owners of an industrial property located nearby at 1945 Placentia Avenue. These spaces are available in that the restaurant generally operates during offset hours of the existing industrial use (evenings and weekends).

In addition, the Zoning Administrator approval included Condition of Approval No. 15 which indicates the following:

"Outdoor dining areas shall not result in any customer parking offsite, (including in any adjacent commercial property parking areas, unless authorized by both property owners), with the exception of available public parking. Customer parking shall not park in adjacent residential areas or on residential streets. If parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services or designee, including, but not limited to, reducing operating hours of the business, reducing interior or exterior seating capacities, hiring an additional employee trained in traffic control to monitor parking lot use and assist with customer parking lot circulation, and/or requiring employees to bike, walk or take public transit".

Lastly, 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 restrict local governments from imposing parking regulations on commercial and residential projects that are located within 0.5 miles of a "major transit location". AB 2097 defines major transit location 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. Pursuant to the "Costa Mesa SCAG Data/Map Book" (see below Exhibit 2), the subject site is located within 0.5 miles of major transit location (bus route intersection) located east of the project site at the intersection of Placentia Avenue and West 19th Street, and therefore is exempted from required parking pursuant to State law.

Exhibit 2 – Costa Mesa SCAG Data/Map Book



Applicant Response to “Call for Review” Parking Concern

The applicant has reviewed the “call for review” application and believes that the proposed outdoor dining areas will not result in on-site or offsite parking impacts. According to the applicant, the project was adequately conditioned by the Zoning Administrator to restrict customers from parking on nearby private properties pursuant to Condition of Approval No. 15), and the applicant also suggests that with the recently obtained 17 offsite parking spaces that are located at 1945 Placentia Avenue, the restaurant would be served by more parking than without the project.

In addition, the applicant has indicated that the restaurant will provide security staff to monitor customers crossing the public right-of way from nearby businesses and request that that if they have parked at other nearby businesses that they relocate their vehicles to available street parking or at 1945 Placentia Avenue before entering the premises. The applicant has suggested to staff that this additional security guard monitoring could be included as a project condition of approval by the Planning Commission.

ENVIRONMENTAL DETERMINATION:

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (Class 3), New Construction and Conversion of Small Structures. This project site contains an existing commercial building that has been used for a restaurant use, and the application does not propose a change in use. The project is consistent with the applicable General Plan land use designation and policies as well as with the 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 applies. Specifically, the project would not result in a significant 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 may take the following actions:

1. Uphold the Zoning Administrator's decision and approve the project;
2. Approve the project, subject to conditions of approval such as adding specific conditions to avoid/reduce neighboring parking impacts; or
3. Reverse the Zoning Administrator's decision and deny the project.

LEGAL REVIEW:

The City Attorney has reviewed the draft resolution and has approved it as to form.

PUBLIC NOTICE:

Section 2-308 of the Costa Mesa Municipal Code requires that the notice of the hearing for an appeal or review shall be given in the same manner as any required notice for the hearing at which the decision subject to the appeal or review was made. In all cases for the hearing for an appeal or review, written notice of the date, time, and place shall be given to the original applicant, if any, any prior applicant for appeal regarding the same matter, and for appeals the person requesting the current appeal.

Mailed notice has been provided at least 10 days in advance of the hearing to the immediately adjacent residences (which were also originally notified of the Zoning Approval Administrator notice), and both the applicant and Councilmember Harper have been notified.

As of the date of this report, no written public comments have been received. Any public comments received prior to the October 14, 2024, Planning Commission meeting will be provided separately.

CONCLUSION:

The Planning Commission should consider the "call for review" request, and specifically consider the project impact to on/off-site parking. As noted in this staff report, the applicant's proposal is in compliance with the City's outdoor dining standards, including being exempted from the requirement of parking. In addition, the site is exempt from required parking based on its proximity to a major transit location pursuant to AB 2097. Further, the applicant has obtained permission for customer use of 17 offsite nearby parking spaces, and the project is conditioned (Condition No.15) to prevent customers from parking offsite, with the exception of available on-street and other public parking areas. Lastly, in response to the "call for review" the applicant has offered to require that restaurant staff security monitor customers crossing the public right-of way from nearby businesses and request that that if they have parked at other nearby businesses that they relocate their vehicles to available street parking or at 1945 Placentia Avenue before entering the premises.

RESOLUTION NO. PC-2024-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FOR THE PLANNING APPROVAL OF A MINOR CONDITIONAL USE PERMIT AND OUTDOOR DINING PERMIT (PODA-24-0001 AND PMCP-24-0008) AT 814 WEST 19TH STREET (“WESTEND”)

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

WHEREAS, a Conditional Use Permit and Outdoor Dining Permit was filed by Tyler Hertzke / Roland Barrera, authorized agent for the property owner, Monica Chang requesting approval for outdoor dining, construction of a new outdoor patio structure, expanding the hours of operation for service of alcoholic beverages, and to allow for live entertainment at an existing food and beverage establishment.

WHEREAS, a Notice of Zoning Administrator Approval was provided pursuant to the Costa Mesa Municipal Code Section 13-29(d);

WHEREAS, the project was called up for review by Councilmember Harper on May 30, 2024;

WHEREAS, a duly noticed public hearing held by the Planning Commission on October 14, 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 15303 (Class 3), for new construction and conversion of small structures.

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** Conditional Use Permit and Outdoor Dining Permit (PODA-24-0001 and PMCP-24-0008) at 814 West 19th Street (“Westend”) 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 the Call to Review and upon the 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 14th day of October, 2024.

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- __ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on October 14, 2024 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

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 use is compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The use is located along a commercial corridor developed with other similar food and beverage establishments, operating under similar hours, with live entertainment and with outdoor dining. In addition, the use is surrounded by other commercial properties to the east, west and south, and industrial properties to the north. The nearest residential property is located approximately 265 feet from the subject property. The project is conditioned to operate in compliance with the City’s Noise Ordinance. The applicant also has an agreement with an adjacent industrial property to provide parking.

Finding: *“Granting the conditional use permit or minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood”.*

Facts in Support of Findings:: The proposed development complies with the City’s development standards and other requirements, such as ADA requirements. Compliance with the applicable Building, Fire Safety and Health Codes will also ensure that the project is not materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. Additionally, the proposed outdoor dining areas have been conditioned to comply with the development standards for all outdoor dining areas per CMMC Section 13-48(a)(1) and the City’s noise ordinance. On-site security and additional parking will also be provided.

Finding: *“Granting the conditional use permit or 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 Findings: Granting the minor conditional use permit will not allow a use, density or intensity that is not in accordance with the General Plan designation. The site has a General Plan designation of General Commercial, which is intended to permit a wide range of commercial uses that serve both local and regional needs. Appropriate uses include smaller retail

stores, theaters, restaurants, hotels and motels, and automobile sales and service establishments. As such, the proposed restaurant operations and use are anticipated by General Plan designation. Lastly, the City Council recently determined that outdoor dining promotes private and public economic interests, creates a community oriented and pedestrian friendly dining environment, and adopted ordinance modifications that encourage existing and new food and beverage serving establishments to offer outdoor dining.

- B. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (Class 3), New Construction and Conversion of Small Structures. This project site contains an existing commercial building that has been used for a restaurant use, and the application does not propose a change in use. The project is consistent with the applicable General Plan land use designation and policies as well as with the 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 applies. Specifically, the project would not result in a significant 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.

EXHIBIT B

CONDITIONS OF APPROVAL (PODA-24-0001 & PMCP-24-0008)

- Plng.
1. The use shall be limited to the type of operation described in the staff reports. The approved hours of operation are Mondays through Fridays, 5 PM to 2 AM and Saturdays and Sundays from 2 PM to 2 AM. Any change in the operational characteristics shall be subject to Planning Division review and may require an amendment to the Minor 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 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 applicant shall contact the Planning Division to arrange a Planning inspection of the site. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 3. Any change in the operational characteristics of the use shall be subject to Planning Division review and may require an amendment to the minor conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change.
 4. Outdoor dining areas shall be maintained in good condition, kept clean and shall not result in conditions which are harmful or injurious to the public health, safety and welfare.
 5. Outdoor dining areas shall be removed and the areas returned to previous conditions if the corresponding food and beverage establishment is replaced by a non-food and beverage establishment, or if the outdoor dining area is no longer in use.
 6. Outdoor dining areas and their corresponding restaurant shall comply with all applicable Building and Fire Safety code requirements, circulation standards, and aesthetic development standards outlined in Section 13-48 at the time of their construction.
 7. All outdoor dining areas shall observe State and local health guidelines for restaurants.
 8. Any service of alcoholic beverages in outdoor dining areas shall be subject to approval by the California Department of Alcoholic Beverage Control and shall adhere to all requirements and standards implemented by said State agency.
 9. All proposed outdoor dining structures and improvements shall be subject to Fire and Building Department approval.
 10. Noise concerns shall be addressed in a timely manner pursuant to Title 13, Chapter XIII of the Costa Mesa Municipal Code. A contact phone number shall be posted at the establishment's entrance and outdoor dining area so any noise concerns can be reported to the business operator. Outdoor dining areas shall be subject to review by authorized

- City officials to ensure that noise complaints and/or potential noise ordinance violations are addressed. If necessary, modifications of the operating characteristics of outdoor dining areas may be required. If any noise complaints and/or noise ordinance violations are not adequately addressed, approvals for outdoor dining areas may be revoked at the discretion of the appropriate review authority.
11. Live entertainment shall be permitted 11 PM to 2 AM. The live entertainment shall include various genres of musical performances, open mic, DJ, comedy, dance performances and live art entertainment. The areas of entertainment shall be limited to the interior of the building and the proposed rear patio area. The live entertainment shall operate without impacting the surrounding developments and businesses. Installation of soundproofing shall occur with live entertainment pursuant to the applicant provided sound management plan. All restaurant operations, including but not limited to live entertainment shall be in compliance with the City's Noise Ordinance standards. If the live entertainment creates off-site noise and/or other impacts, and complaints are received, the City may require that the live entertainment either be limited to the inside of the restaurant or a reduction of the hours of live entertainment. A noise study with structural and non-structural noise mitigations may also be required. The noise study will be paid by the restaurant operator under the administration of the City.
 12. 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.
 13. On-site security shall include a minimum of three security guards with one of the three security staff stationed at the front of the restaurant checking for age identification. Restaurant security staff shall also monitor customers crossing the public right-of way from nearby businesses and request that if they have parked at other nearby businesses that they relocate their vehicles to available street parking or at 1945 Placentia Avenue before entering the premises. The operator shall be required to provide additional on-site security if requested by the Police Department, or by the Director of Economic and Development Services Department.
 14. Landscaping shall be installed around outdoor dining areas to the greatest extent possible.
 15. Outdoor dining areas shall not result in any customer parking offsite, (including in any adjacent commercial property parking areas, unless authorized by both property owners), with the exception of available public parking. Customer parking shall not park in adjacent residential areas or on residential streets. If parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to minimize or eliminate the problem

in a manner deemed appropriate by the Director of Economic and Development Services or designee, including, but not limited to, reducing operating hours of the business, reducing interior or exterior seating capacities, hiring an additional employee trained in traffic control to monitor parking lot use and assist with customer parking lot circulation, and/or requiring employees to bike, walk or take public transit.

CODE REQUIREMENTS

The following list of 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. The applicant is also required to comply with any other applicable State and local laws not provided below.

- Plng. 1. Approval of the planning/zoning application is valid for two 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 has continued to maintain a valid building permit by making satisfactory progress as determined by the Building Official, 2) a certificate of occupancy has been issued, or 3) the use is established and a business license has been issued. A time extension can be requested no less than 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. Hours of construction shall comply with Section 13-279, Title 13, of the Costa Mesa Municipal Code.
 3. Street address shall be visible from the public street. The street address may be displayed on the fascia adjacent to the main entrance or on another prominent location. Numerals shall be a minimum twelve (12) inches in height with not less than three-fourth-inch stroke and shall contrast sharply with the background.
 4. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
 5. Trash enclosure(s) or other acceptable means of trash disposal shall be provided. Design of trash enclosure(s) shall conform to City standards.

6. Vehicle standing, loading and unloading shall be conducted so as not to interfere with normal use of streets, sidewalks, driveways and on-site parking.
7. No vehicle loading area shall encroach into a required building setback along a public right-of-way.
8. 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.
- Bldg. 9. Comply with the requirements of the following adopted codes: 2022 California Residential Code, 2022 California Building Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Green Building Standards Code and 2022 California Energy Code (or the applicable adopted, California Residential Code, 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 2022 California Building Code.
10. The conditions of approval and ordinance or code provisions of Outdoor Dining Application PODA-24-0001 & Minor Conditional Use Permit PMCP-24-0008 including subsequent amendments shall be blueprinted on the face of the site plan as part of the plan check submittal package when building permits are necessary.
11. Plans shall be prepared by a California licensed Architect or Engineer. Plans shall be wet stamped and signed by the licensed Architect or Engineer prior to the issuance of building permits.
12. Provide a plan to the County of Orange Health Department for review and approval.

- | | | |
|--------------|-----|--|
| | 13. | Due to added seating the number of plumbing fixtures shall comply with the 2019 California Plumbing Code Section 422.1 and Table 422.1. |
| Fire | 14. | A complete plan submittal and permit shall be required, in accordance with Building Code Sections CBC 105.1, CBC 105.3, and CBC 107.2.1 through 107.2.8. |
| | 15. | Equipment shall comply with California Building and Fire Code requirements, including, but not limited to, the requirement that equipment be approved by a recognized testing laboratory for the specific use. |
| | 16. | Comply with the requirements of the 2022 California Fire Code, including the 2022 Intervening Update and referenced standards as amended by the City of Costa Mesa. |
| | 17. | Quarterly Fire & Life Safety Inspections will be conducted by the Community Risk Reduction Division to verify compliance with the approval operation. The applicant will pay for the inspection according to the Additional Required Inspections as adopted in the Fee Schedule. |
| | 18. | Annual Fire & Life Safety Inspections will be conducted by the Fire Station Crew for emergency response pre-planning and site access familiarization. The applicant will pay for the inspection according to the adopted Fee Schedule. |
| Bus.
Lic. | 19. | 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. |

RECEIVED
CITY CLERK



ATTACHMENT 2

City of Costa Mesa

24 MAY 30 AM 8:29

CITY OF COSTA MESA
BY BG

☐ Appeal of Planning Commission Decision:
\$1,220.00 (Tier 1)¹
\$3,825.00 (Tier 2)²

☐ Appeal of Non-Planning Commission Decision:
\$690.00 (Tier 1)¹
\$3,825.00 (Tier 2)²

APPLICATION FOR APPEAL OR REVIEW

Applicant Name*

WEST END

Address

814 WEST 19TH STREET

Phone

REQUEST FOR: ☐ APPEAL

☒ REVIEW** BY PLANNING COMMISSION

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

PO DA-24-0001 & PMCP-24-0008. DATE: MAY 28, 2024
DECISION: APPROVED

Decision by: ZONING ADMINISTRATOR

Reasons for requesting appeal or review:

REVIEW CONCERNS REGARDING ADEQUATE PARKING
FOR BOTH THE APPLICANT AND SURROUNDING
BUSINESSES THAT WILL BE IMPACTED.

Date: 5/28/2024

Signature: DON HARPER, CITY COUNCIL

*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.

For office use only – do not write below this line

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

¹ Includes owners and/or occupants of a property located within 500 feet of project site (excluding owners and/or occupants of the project site).

² 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.



CITY OF COSTA MESA

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

ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT

May 28, 2024

Tyler Hertzke / Roland Barrera
814 West 19th Street
Costa Mesa, CA 92627

**RE: OUTDOOR DINING APPLICATION (PODA-24-0001) & MINOR CONDITIONAL
USE PERMIT (PMCP-24-0008) FOR WESTEND LOCATED AT 814 WEST 19TH
STREET**

To Whom It May Concern:

The Zoning Administrator for the City of Costa Mesa has approved the above-referenced application based on the attached report, findings of fact, and subject to the conditions of approval. Except where deviations have been specifically granted, this project is otherwise subject to applicable requirements of the City of Costa Mesa.

This decision will become final at 5:00 p.m. on June 4, 2024 unless it is appealed by an affected party by filing the necessary application and paying the appropriate fee, or is called up for review by a member of the City Council.

Please contact the project planner, Justin Arios, at 714-754-5667 or by email at justin.arios@costamesaca.gov with any questions.

Sincerely,

Scott Drapkin
Assistant Director of Development Services / Zoning Administrator

Attachments: Report, Applicant Letter, and Approved Conceptual Site Plan

cc:	Engineering	Monica Chang
	Fire Marshal	18169 Santa Laurretta Circle
		Fountain Valley, CA 92708

PLANNING APPLICATION SUMMARY

Location	814 West 19th Street	Application Number	PODA-24-0001 & PMCP-24-0008
Request	Zoning Applications PODA-24-0001 and PMCP-24-0008 request approvals of a Minor Conditional Use Permit and Outdoor Dining Permit to expand the existing Westend Restaurant's public service area outdoors within the front of the building and parking lot area, to allow sales of alcohol for onsite consumption after 11 p.m. and allow live entertainment and dancing more than 200 feet from a residential zone.		
CEQA	Exempt per CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures)		
Final Action	Zoning Administrator		

SUBJECT PROPERTY

Zoning District	C1 (Local Business District)
General Plan	General Commercial
Land Use Designation	
Lot Dimensions	35 FT x 107.5 FT
Lot Area	3,762.5 SF
List of Approved Plans / Land Use Entitlements	19 West Urban Plan
Existing Development	An existing 1,034-square-foot building with 101-square-foot front patio area and 296-square-foot rear patio occupied by a food and beverage establishment (Westend).

SURROUNDING PROPERTY

	Zoning District	General Plan Land Use Designation	Existing Development
North	MG (General Industrial)	Light Industrial	Industrial Uses
East	C1 (Local Business)	General Commercial	Commercial Uses
South (Across W. 19 th Street)	C1 (Local Business)	General Commercial	Commercial Uses
West	C1 (Local Business)	General Commercial	Commercial Uses

Development Standard	Required / Allowed C1 Zone	Provided / Proposed
Building Height	2 stories / 30'	1 story / 16'
Setbacks		
Front	20'	10' 2" ¹
Side (left / right)	0' / 15'	0' / 12' ²
Rear	0'	30' 5"
Parking	4 spaces ³	1 spaces ⁴ 18 spaces (with private off-site agreement)

1 Existing, legal nonconforming front setback.

2 See staff report discussion regarding proposed outdoor dining area covers/structures encroachment [CMMC Section 13-48(a)(1)(k)].

3 Parking at 4 per 1,000 sq. ft. ratio for 1,034 sq. ft. building (outdoor dining area does not require additional parking (see Parking discussion below)

4 Proposed parking includes a bike rack credit of one space. Parking for the commercial use is legal non-conforming.

BACKGROUND

The project site is located along the north side of West 19th Street between Federal Avenue and Placentia Avenue. The property is zoned C1 (Local Business District) and has a General Plan land use designation of "General Commercial". The property is located in the City's "19 West Urban Plan" area; however, since a mixed-use project is not being proposed, the Urban Plan provisions are not applicable.

Physical on-site improvements include an existing 1,034-square-foot building with an approximate 175 square-foot front courtyard area. The front courtyard area is not currently approved for customer dining services. The property obtains access from a narrow on-site driveway that connects a three-car surface parking lot located at the rear of the property with West 19th Street. The project site is surrounded by commercially zoned properties to the south (across West 19th Street), east and west; and by industrially zoned properties to the north (along Placentia Avenue). Existing eating and drinking establishments are located on both sides of the subject property.

The existing use, Westend, was approved administratively with a business license to replace an existing food and beverage serving establishment in 2017. The use prior to Westend was "Big Belly Deli". The business license for Westend was originally approved as a coffee/café eatery with beer and wine, as well as antiques/retail. The approved hours of operation are from 6 a.m. to 11 p.m., with a maximum of 300 square feet of public seating area.

ANALYSIS

On January 16, 2024, the City Council determined that outdoor dining promotes private and public economic interests, creates a community oriented and pedestrian friendly dining environment, and adopted ordinance modifications that encourage existing and new food and beverage serving establishments to offer outdoor dining.

The proposed project is to permit outdoor dining and construct a new outdoor patio structure, expand the hours of operation for service of alcoholic beverages, and to allow for live entertainment at an existing food and beverage establishment. The proposed hours of operation are Mondays through Fridays, 5 PM to 2 AM and Saturdays and Sundays from 2 PM to 2 AM.

As indicated above, the project is located in the C1 Zoning District. Pursuant to the CMMC, the C1 "District is intended to meet the local business needs of the community by providing a wide range of goods and services in a variety of locations throughout the City." Pursuant to CMMC Table 13-30, establishments where food and beverages are served are subject to Article 4 of the City's Zoning Code; Article 4 is applicable to the proposed project in that the following operational changes are proposed to an existing restaurant:

1. To expand the serving hours of alcoholic beverages for on-site consumption between 11 p.m. and 2 a.m.;
2. To provide live entertainment;

3. Alterations resulting in a cumulative increase of 100 square feet or more in the floor area devoted to customer service, e.g., food and/or beverage service or entertainment, during the lifetime of the establishment; and
4. The construction of new, or additional outdoor dining areas.

Minor Conditional Use Permit Required

The project requires a Minor Conditional Use Permit (MCUP) for the following aspects of the proposed project:

- Establishing an outdoor dining area within an existing parking area that results in more than a 50-percent increase of public indoor area [CMMC Table 13-47(b)];
- The removal of more than 25% of existing required parking [CMMC Table 13-47(b)];
- For an outdoor dining area cover/structure to encroach into a setback area [CMMC Section 13-48(a)(1)(k)];
- For sale of alcoholic beverages for on-site consumption after 11 p.m. located outside 200 feet of a residential zone [CMMC Table 13-47(b)]; and
- To provide live entertainment after 11 p.m. located outside 200 feet of a residential zone [CMMC Table 13-47(b)];

Pursuant to the CMMC, the approval of an MCUP requires that the Zoning Administrator make findings related to neighborhood compatibility, health and safety, and land use compatibility. Proposed uses subject to MCUPs will generally have site-specific conditions of approval to ensure the required findings can be met. A detailed project analysis regarding MCUP findings is provided below in this report, and site-specific conditions of approval are also included.

Proposed Outdoor Dining

In accordance with CMMC Table 13-47(b), a Minor Conditional Use Permit is required in conjunction with the proposed outdoor dining in that the project proposes the expansion of more than 50% of indoor public area outdoors in a parking/setback area, the removal of more than 25% of existing required parking (two of three existing parking spaces to be removed), and the encroachment of the outdoor dining structure into the a required side-setback.

As described in the applicant letter and shown on the project plans, the applicant is proposing the construction of a new 720-square-foot rear patio outdoor dining area, with 343 square feet of public serving area. The applicant is proposing generally an open structure with an angled roof (maximum height of 13 feet). A 16-foot wall is also proposed on the west side of the structure, an approximate seven-foot high partial wall is proposed on the east side of the structure and the rear of outdoor dining structure stands approximately 13-foot high (mostly consisting of relatively open air metal mesh panels). Access to the structure is obtained via the interior of the restaurant and two outdoor doors located at the rear of the patio structure.

The required side setback for the C1 zone is 15 feet on one side and a zero setback is allowed on the opposite side. The applicant is proposing the rear patio structure with a zero setback on the west side of the property and a 12-foot side setback on the east side of the property. Although the proposed rear outdoor dining structure would encroach into the required 15-foot C1 zone side setback area (by approximately three feet), pursuant to CMMC Section 13-48(a)(1)(k), outdoor dining area covers/structures may encroach into a setback area with approval of a minor conditional use permit.

The applicant is also requesting approval to provide outdoor dining in the front of the property located within an existing fenced-in patio courtyard area. As proposed, the applicant would provide 80 square feet of public serving area in this location. Pursuant to CMMC Table 13-47(b), an outdoor area proposed in an existing courtyard area is permitted by right.

Live Entertainment and Operation Hours After 11 PM

Pursuant to the City of Costa Mesa Municipal Code (CMMC) Table 13-47(a), the project requires approval of an MCUP for the provision of live entertainment and the sale of alcoholic beverages for on-site consumption after 11 p.m. The proposed hours of operation are Mondays through Fridays, 5 PM to 2 AM and Saturdays and Sundays from 2 PM to 2 AM. Live entertainment is proposed from 11 PM to closure. As described in the applicant letter, the applicant is proposing to offer a multitude of live entertainment venues. The proposed live entertainment includes various genres of musical performances, open mic, DJ, comedy, dance performances and live art entertainment. The proposed areas of entertainment include the interior of the building and the proposed rear patio area. As part of the proposed live entertainment, the applicant submitted a sound plan to ensure the use operates without impacting the surrounding developments and businesses. This includes installation of soundproofing and regular noise level readings to prevent off-site noise impacts. As conditioned, the project is required to operate in compliance with the City's Noise Ordinance.

The applicant is also proposing on-site security consisting of three security guards with one of the three security staff stationed at the front of the restaurant checking for age identification. The three security staff will be present from 9 PM to closure.

Parking

The project does not include an expansion of interior floor area; however, additional customer service areas are proposed with the proposed outdoor dining areas into the rear parking lot and front courtyard. Pursuant to the City's Parking Ordinance, Section 13-89, "outdoor seating areas shall not be included in the floor area calculations for the purposes of determining the required parking". Therefore, the project does not require additional parking. In addition, the CMMC Table 13-47(b) allows with the approval of a Minor Conditional Use Permit for the removal of required parking for the development of outdoor dining areas. The applicant is proposing the removal of two of the three existing parking spaces in conjunction with the development of the rear outdoor dining area. To compensate for the loss of these two parking spaces, the applicant has a private

agreement to utilize 17 parking spaces with the adjacent property owners of an industrial property located at 1945 Placentia Avenue. These spaces are available in that the restaurant general operates during offset hours of the existing industrial use.

Review Criteria

All planning applications are reviewed pursuant to CMMC Section 13-29(e) to ensure a proposal is compatible with the surrounding area, and in compliance with applicable zoning standards and General Plan policies. Additionally, the Zoning Administrator must make specific findings pursuant to the Zoning Code for the specific planning applications.

The following are the applicable Review Criteria pursuant to CMMC Zoning Code Section 13-29(e):

(1) Compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.

The proposed use is compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The use is located along a commercial corridor developed with other similar food and beverage establishments, operating under similar hours, with live entertainment and with outdoor dining. In addition, the use is surrounded by other commercial properties to the east, west and south, and industrial properties to the north. The nearest residential property is located approximately 265 feet from the subject property.

(2) Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.

Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation have been considered. The proposed development complies with all development standards and other requirements, such as ADA requirements. The applicant also has a private agreement for off-site parking at an adjacent industrial property. Proposed outdoor dining areas have been conditioned to comply with the development standards for all outdoor dining areas per CMMC Section 13-48(a)(1). The applicant is also proposing three security guards.

(3) Compliance with any performance standards as prescribed in the Zoning Code.

The proposed outdoor dining area in an existing parking lot, removal of two parking spaces, live entertainment and alcoholic beverages consumption after 11 p.m., and an outdoor dining structure to encroach into a setback is allowed subject to the approval

of an MCUP. The proposed project, as conditioned, complies with applicable development standards and will continue to meet those standards and requirements. Additionally, the proposed outdoor dining areas have been specifically conditioned to comply with the outdoor dining development standards pursuant to CMMC Section 13-48(a)(1), and the City's noise Ordinance provisions.

(4) *Consistency with the general plan and any applicable specific plan.*

The proposed project is in conformance with the City of Costa Mesa General Plan. The Costa Mesa General Plan establishes the long-range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that both serve local needs and attract regional and international spending, and continuing to provide cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives, and policies contained in this Plan. The following analysis evaluates proposed project consistency with applicable policies and objectives of the 2015-2035 General Plan:

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 proposed project upholds the balance of land uses satisfying the needs of the community as it pertains to commercial goods and services, and employment opportunities by providing for outdoor dining which creates a community-oriented and pedestrian friendly dining environment.

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

Consistency: The proposed project would encourage the retention of an existing established restaurant within the City, thus encouraging the long-term productivity and viability of the community's economic base. The proposed project would expand an existing local land use, which contributes to the City's tax base and ultimately preserves the City's long-term fiscal health.

(5) *The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.*

This planning application allows for an existing restaurant to provide additional outdoor dining area, provide live entertainment and expand hours of operation. The review of this application and any conditions applied thereto are relevant to the specific situs and circumstances involved at this point-in-time. Because of these factors, the

determination and any applied conditions are unique and should not be construed to be precedent setting for future applications.

FINDINGS

- A. The proposed project complies with Title 13, Section 13-29(g)(2), Minor Conditional Use Permit "findings," based on the following:

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 use is compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The use is located along a commercial corridor developed with other similar food and beverage establishments, operating under similar hours, with live entertainment and with outdoor dining. In addition, the use is surrounded by other commercial properties to the east, west and south, and industrial properties to the north. The nearest residential property is located approximately 265 feet from the subject property. The project is conditioned to operate in compliance with the City's Noise Ordinance. The applicant also has an agreement with an adjacent industrial property to provide parking.

Finding: *Granting the conditional use permit or minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.*

Facts in Support of Findings: The proposed development complies with all development standards and other requirements, such as ADA requirements. Compliance with the applicable Building, Fire Safety and Health Codes will also ensure that the project is not materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. Additionally, the proposed outdoor dining areas have been conditioned to comply with the development standards for all outdoor dining areas per CMMC Section 13-48(a)(1) and the City's noise ordinance. On-site security and additional parking will also be provided.

Finding: *Granting the conditional use permit or 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 Findings: Granting the minor conditional use permit will not allow a use, density or intensity that is not in accordance with the General Plan designation. The site has a General Plan designation of General Commercial, which is intended to permit a wide range of commercial uses that serve both local and regional needs. Appropriate uses include smaller retail stores, theaters,

restaurants, hotels and motels, and automobile sales and service establishments. As such, the proposed restaurant operations and use are anticipated by General Plan designation. Lastly, the City Council recently determined that outdoor dining promotes private and public economic interests, creates a community oriented and pedestrian friendly dining environment, and adopted ordinance modifications that encourage existing and new food and beverage serving establishments to offer outdoor dining.

- B. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (Class 3), New Construction and Conversion of Small Structures. This project site contains an existing commercial building that has been used for a restaurant use, and the application does not propose a change in use. The project is consistent with the applicable General Plan land use designation and policies as well as with the 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 applies. Specifically, the project would not result in a significant 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 exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL (PODA-24-0001 & PMCP-24-0008)

- Plng.
1. The use shall be limited to the type of operation described in the staff report. Any change in the operational characteristics shall be subject to Planning Division review and may require an amendment to the Minor 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 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 applicant shall contact the Planning Division to arrange a Planning inspection of the site. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 3. Any change in the operational characteristics of the use shall be subject to Planning Division review and may require an amendment to the minor conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change.
 4. Outdoor dining areas shall be maintained in good condition, kept clean and shall not result in conditions which are harmful or injurious to the public health, safety and welfare.

5. Outdoor dining areas shall be removed and the areas returned to previous conditions if the corresponding food and beverage establishment is replaced by a non-food and beverage establishment, or if the outdoor dining area is no longer in use.
6. Outdoor dining areas and their corresponding restaurant shall comply with all applicable Building and Fire Safety code requirements, circulation standards, and aesthetic development standards outlined in Section 13-48 at the time of their construction.
7. All outdoor dining areas shall observe State and local health guidelines for restaurants.
8. Any service of alcoholic beverages in outdoor dining areas shall be subject to approval by the California Department of Alcoholic Beverage Control and shall adhere to all requirements and standards implemented by said State agency.
9. All proposed outdoor dining structures and improvements shall be subject to Fire and Building Department approval.
10. Noise concerns shall be addressed in a timely manner pursuant to Title 13, Chapter XIII of the Costa Mesa Municipal Code. A contact phone number shall be posted at the establishment's entrance and outdoor dining area so any noise concerns can be reported to the business operator. Outdoor dining areas shall be subject to review by authorized City officials to ensure that noise complaints and/or potential noise ordinance violations are addressed. If necessary, modifications of the operating characteristics of outdoor dining areas may be required. If any noise complaints and/or noise ordinance violations are not adequately addressed, approvals for outdoor dining areas may be revoked at the discretion of the appropriate review authority.
11. Live entertainment shall be permitted as described in the staff report. If the live entertainment creates off-site noise and/or other impacts, and complaints are received, the City may require that the live entertainment either be limited to the inside of the restaurant or a reduction of the hours of live entertainment is provided. A noise study with structural and non-structural noise mitigations may also be required. The noise study will be paid by the restaurant operator under the administration of the City.
12. 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.
13. On-site security shall be provided as described in the applicant letter, including:
 - Three security guards with one of the three security staff stationed at the front of the restaurant checking for age identification.The operator shall be required to provide additional on-site security if requested by the Police Department, or by the Director of Economic

- and Development Services Department, or if determined by the restaurant management as necessary for restaurant operations.
14. Landscaping shall be installed around outdoor dining areas to the greatest extent possible.
 15. Outdoor dining areas shall not result in any customer parking offsite, (including in any adjacent commercial property parking areas, unless authorized by both property owners), with the exception of available public parking. Customer parking shall not park in adjacent residential areas or on residential streets. If parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services or designee, including, but not limited to, reducing operating hours of the business, reducing interior or exterior seating capacities, hiring an additional employee trained in traffic control to monitor parking lot use and assist with customer parking lot circulation, and/or requiring employees to bike, walk or take public transit.

CODE REQUIREMENTS

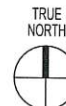
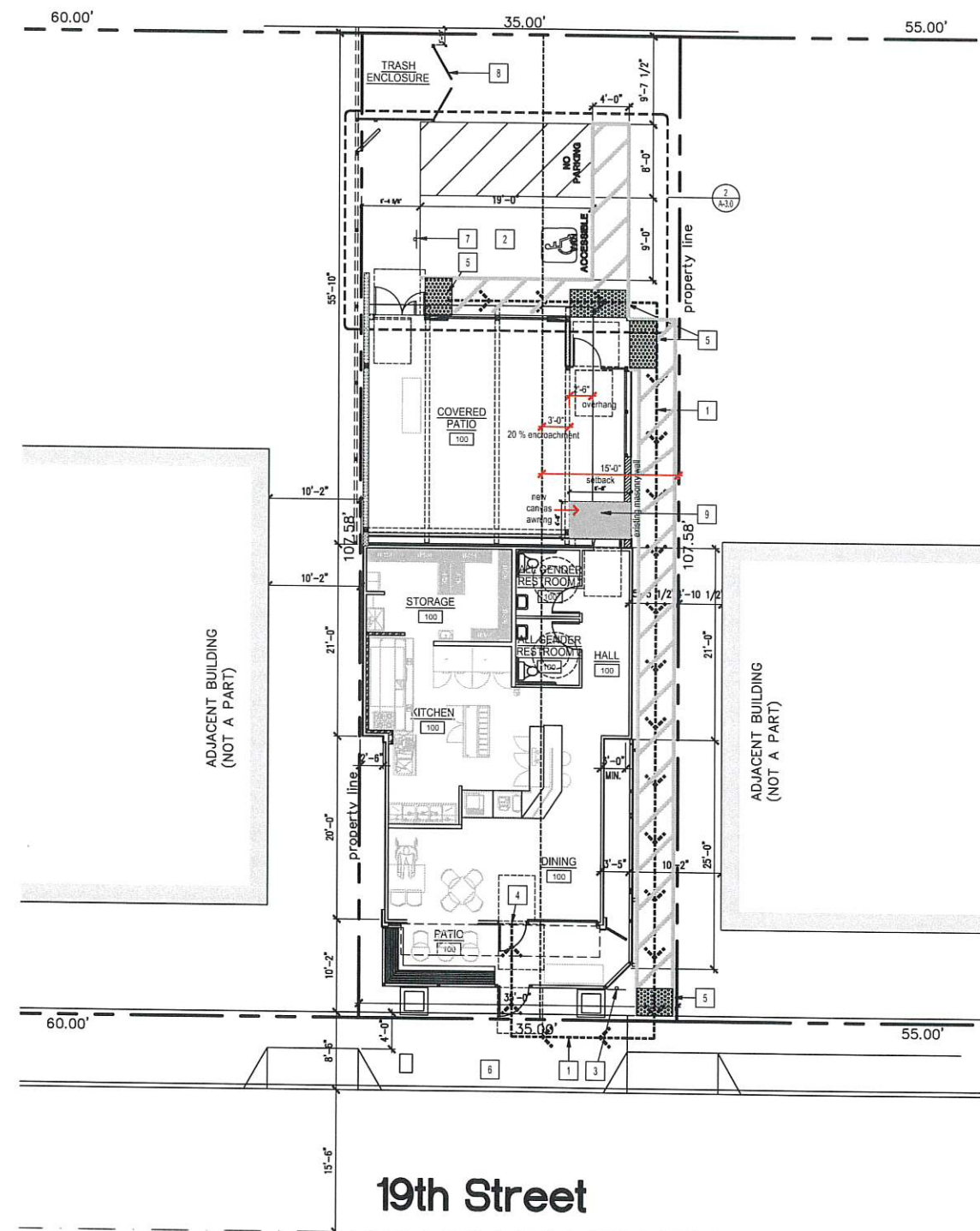
The following list of State and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa. The applicant is also required to comply with any other applicable State and local laws not provided below.

- PIng. 1. Approval of the planning/zoning application is valid for two 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 has continued to maintain a valid building permit by making satisfactory progress as determined by the Building Official, 2) a certificate of occupancy has been issued, or 3) the use is established and a business license has been issued. A time extension can be requested no less than 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. Hours of construction shall comply with Section 13-279, Title 13, of the Costa Mesa Municipal Code.
 3. Street address shall be visible from the public street. The street address may be displayed on the fascia adjacent to the main entrance

- or on another prominent location. Numerals shall be a minimum twelve (12) inches in height with not less than three-fourth-inch stroke and shall contrast sharply with the background.
4. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
 5. Trash enclosure(s) or other acceptable means of trash disposal shall be provided. Design of trash enclosure(s) shall conform to City standards.
 6. Vehicle standing, loading and unloading shall be conducted so as not to interfere with normal use of streets, sidewalks, driveways and on-site parking.
 7. No vehicle loading area shall encroach into a required building setback along a public right-of-way.
 - Bldg. 8. Comply with the requirements of the following adopted codes: 2022 California Residential Code, 2022 California Building Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Green Building Standards Code and 2022 California Energy Code (or the applicable adopted, California Residential Code, 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 2022 California Building Code.
 9. The conditions of approval and ordinance or code provisions of Outdoor Dining Application PODA-24-0001 & Minor Conditional Use Permit PMCP-24-0008 including subsequent amendments shall be blueprinted on the face of the site plan as part of the plan check submittal package when building permits are necessary.
 10. Plans shall be prepared by a California licensed Architect or Engineer. Plans shall be wet stamped and signed by the licensed Architect or Engineer prior to the issuance of building permits.
 11. Provide a plan to the County of Orange Health Department for review and approval.
 12. Due to added seating the number of plumbing fixtures shall comply with the 2019 California Plumbing Code Section 422.1 and Table 422.1.
 - Fire 13. A complete plan submittal and permit shall be required, in accordance with Building Code Sections CBC 105.1, CBC 105.3, and CBC 107.2.1 through 107.2.8.
 14. Equipment shall comply with California Building and Fire Code requirements, including, but not limited to, the requirement that

- equipment be approved by a recognized testing laboratory for the specific use.
15. Comply with the requirements of the 2022 California Fire Code, including the 2022 Intervening Update and referenced standards as amended by the City of Costa Mesa.
16. Quarterly Fire & Life Safety Inspections will be conducted by the Community Risk Reduction Division to verify compliance with the approval operation. The applicant will pay for the inspection according to the Additional Required Inspections as adopted in the Fee Schedule.
17. Annual Fire & Life Safety Inspections will be conducted by the Fire Station Crew for emergency response pre-planning and site access familiarization. The applicant will pay for the inspection according to the adopted Fee Schedule.
- Bus. 18. All contractors and subcontractors must have valid business licenses to
Lic. 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.

-14-



SITE PLAN
SCALE: 1/8" = 1'-0"

KEY NOTES

- (N) PATH OF TRAVEL
- (N) ACCESSIBLE PARKING VAN STALL PER DETAIL 7/SP-1.1
- (N) ACCESSIBLE SITE SIGN PER DETAIL 8/SP-1.1
- (E) MAIN ENTRY - 1/2" MAX THRESHOLD, 2% MAX SLOPE IN ALL DIRECTIONS AT BOTH SIDES OF THE DOOR LANDING
- (N) ADA COMPLIANT TRUNCATED DOMES - SEE DETAIL 6/SP-1.1
- (E) CONCRETE SIDEWALK
- (N) ACCESSIBLE PARKING SIGN PER DETAIL 2.3, AND 4 /SP-1.1
- (E) TRASH ENCLOSURE AND GATE
- (N) CANVAS AWNING AT REAR EXIT DOOR
-



SITE PARKING

NOTE NO PROPOSED CHANGE OF USE.

GENERAL NOTES

- ALL SIDEWALKS SHALL HAVE A SLOPE LESS THAN 1:20 OR 5%.
- WALKS ALONG AN ACCESSIBLE ROUTE OF TRAVEL SHALL BE 48" MIN. IN WIDTH AND SHALL HAVE A SLIP RESISTANT SURFACE, PER 2016 CBC 11B-301 AND 401.
- THE MAXIMUM PERMITTED CROSS SLOPE SHALL BE 1:48 PER SECTION 11B-405.3.
- ANY ABRUPT LEVEL CHANGES WILL BE 1/4" OR LESS ALONG ANY ACCESSIBLE ROUTE OF TRAVEL. WHEN CHANGES DO OCCUR, THEY SHALL BE BELIEVED WITH A SLOPE OF 1:2 OR LESS. LEVEL CHANGES OF 1/4" OR LESS MAY BE VERTICAL.
- A 60"x60" LEVEL AREA (OR NOT TO EXCEED 2% SLOPE FOR DRAINAGE) IS PROVIDED AT AREAS WHERE A DOOR (OR GATE) SWINGS TOWARD THE WALK IN THE ACCESSIBLE ROUTE OF TRAVEL, PER SECTION 11B-404.
- 80" HEADROOM MIN. IS TO BE PROVIDED FROM ALL WALKWAYS SURFACES TO OBSTRUCTIONS, PER SECTION 11B-307.2.
- NO ABRUPT CHANGES IN ELEVATION ALONG PATH OF TRAVEL SHOWN. THE SLOPE AND CROSS SLOPE ALONG THE PATH OF TRAVEL SHALL NOT EXCEED 5% AND 2% RESPECTIVELY. (INSPECTOR TO VERIFY).
- IF A WALK CROSSES OR ADJOINS A VEHICULAR WAY AND THE WALKING SURFACES ARE NOT SEPARATED BY CURBS, RAILINGS OR OTHER ELEMENTS BETWEEN THE PEDESTRIAN AREAS AND VEHICULAR AREAS, THE BOUNDARY BETWEEN THE AREAS SHALL BE DEFINED BY A CONTINUOUS DETECTABLE WARNING WHICH IS 36" WIDE, COMPLYING WITH 2016 CBC SECTION 11B-406.

GENERAL NOTES

- ALL DIMENSIONS ARE TO FACE OF FRAMING, OR CENTERLINE OF STRUCTURE UNLESS NOTED OTHERWISE.
- DASHED CIRCLE IN RESTROOMS INDICATES 5'-0" TURNING DIAMETER REQUIRED BY ADA.
- REFER TO FLOOR PLAN ON A-3.0 FOR ALL DIMENSIONS.
- STUD SIZES AS INDICATED PER FLOOR PLAN LEGEND.
- INTERIOR DOORS ARE 4" OFF OF PERPENDICULAR WALL UNLESS NOTED OTHERWISE.
- NEW SIGN INDICATION NUMBER OF ROOM OCCUPANTS PERMITTED. THE SIGN SHALL BE DURABLE AND HAVE CONTRASTING COLOR FROM THE BACKGROUND. SIGN SHALL READ: "MAXIMUM OCCUPANT LOAD, _____ PERSONS".
- TACTILE EXIT SIGNAGE (TYP.) AT EACH EXIT DOOR. SEE SHEET A-0.1 EXITING PLAN.
- ALL DIMENSIONS ARE TO BE HELD PER DRAWING UNLESS NOTED OTHERWISE. CONTACT ARCHITECT IF DISCREPANCY IS REQUIRED DUE TO AS-BUILT CONDITIONS.
- PROVIDE FULL HEIGHT BLOCKING IN WALL FOR ALL SHELVING, TYP.



J.C. MARVICK & ASSOC., INC.
ARCHITECTURE / PLANNING
1827 Capital Street, suite 101
Corona, Calif. 92878 951-808-0520



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Westend Restaurant
SITE IMPROVEMENT
814 WEST 19TH STREET
COSTA MESA, CA 92627

REVISION RECORD	
6-1-23	C.U.P. SUBMITTAL
7-8-23	C.U.P. UPDATE

DRAWN:	CHECKED:
C.M.	C.M.

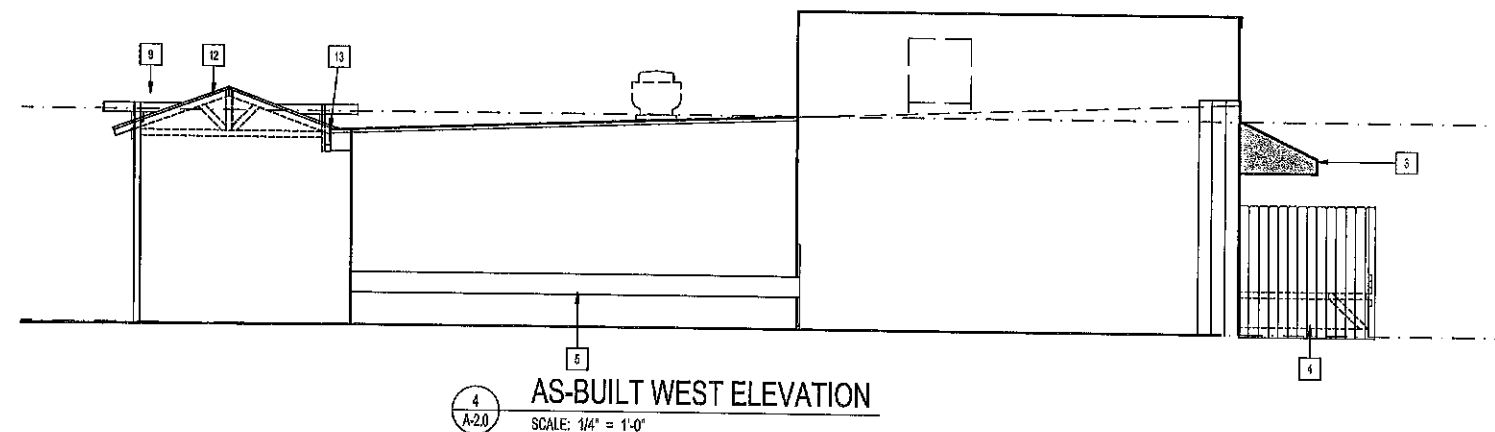
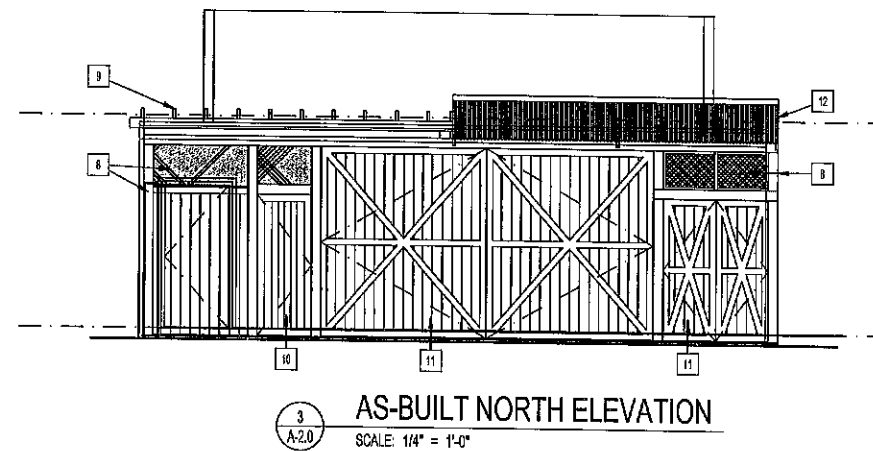
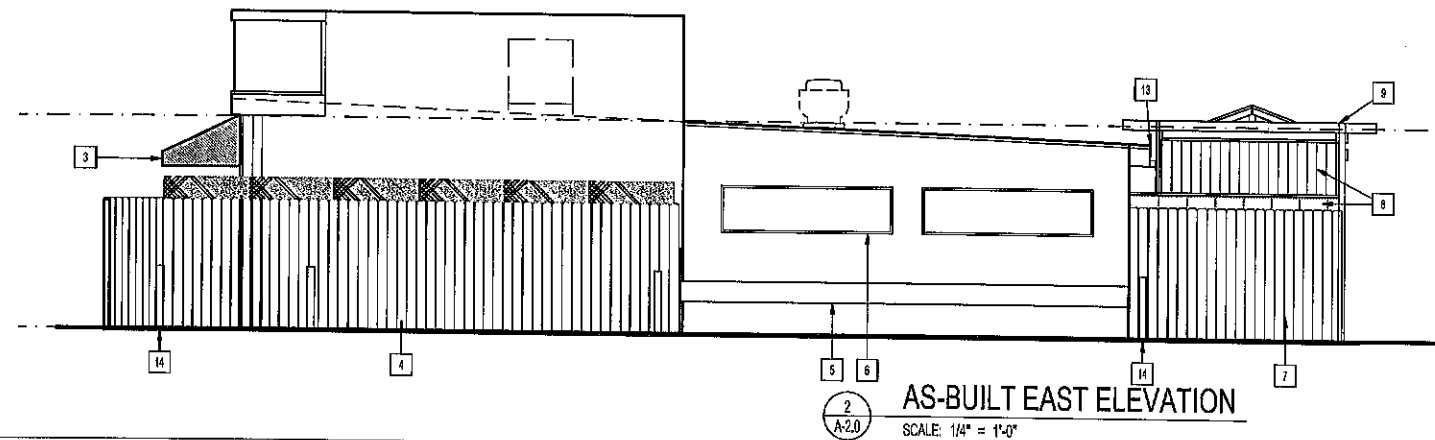
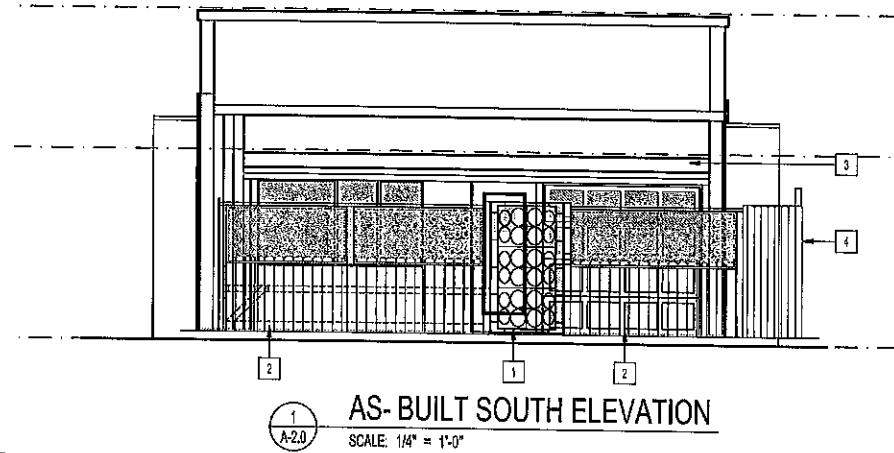
PROJECT NUMBER:
22-13 WEST END RESTAURANT

SHEET TITLE:
SITE PLAN

SHEET NUMBER:

SP-1.0

DATE OF LAST PRINT:
5-16-23



KEY NOTES

- | | |
|----|---|
| 1 | (E) WROUGHT IRON ENTRY GATE |
| 2 | (E) 42" HIGH WOOD FENCE W/ WROUGHT IRON ABOVE |
| 3 | (E) FABRIC AWNING |
| 4 | (E) 6" HIGH WOOD FENCE |
| 5 | (E) 2x12 WOOD TRIM |
| 6 | (E) WINDOWS |
| 7 | (E) WOOD FENCING APPLIED TO AN (E) 7" HIGH CMU WALL |
| 8 | (E) WOOD FENCE WITH LATTICE ABOVE |
| 9 | (E) 2x WOOD TRELLIS |
| 10 | (E) REAR WOOD DOOR |
| 11 | (E) REAR WOOD GATES |
| 12 | (E) WOOD FRAMED PATIO COVER WITH METAL ROOFING |
| 13 | (E) REAR FASCIA AND RAIN GUTTER |
| 14 | (E) BOLLARDS TO REMAIN - TYP. |



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Westend Restaurant

SITE IMPROVEMENT
814 WEST 19TH STREET
COSTA MESA, CA 92627

6-1-23 C.U.P. SUBMITTAL

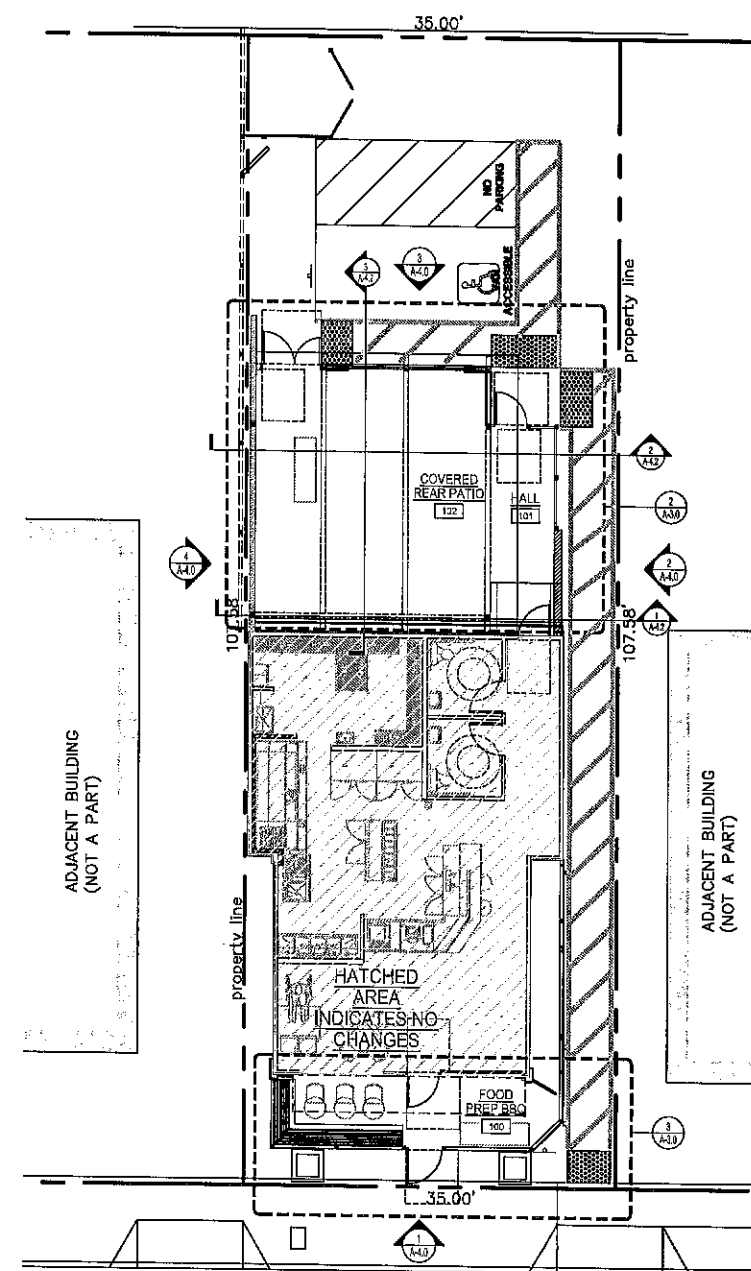
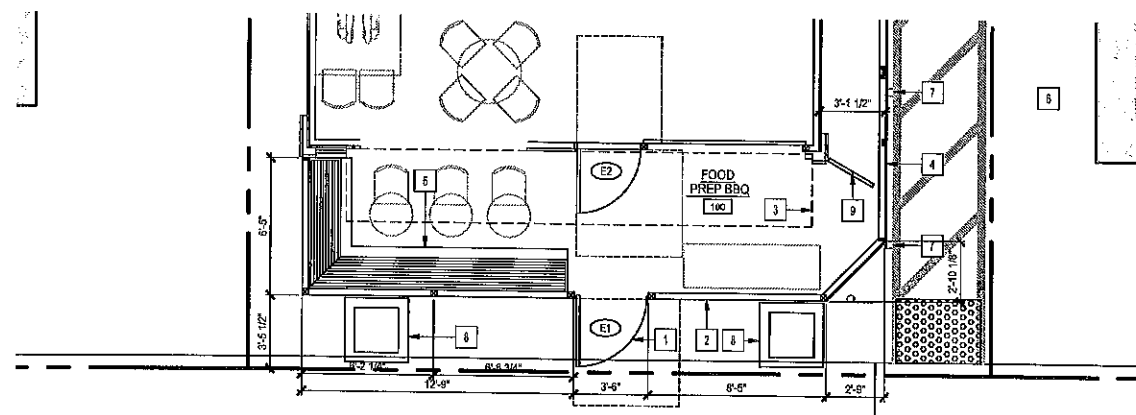
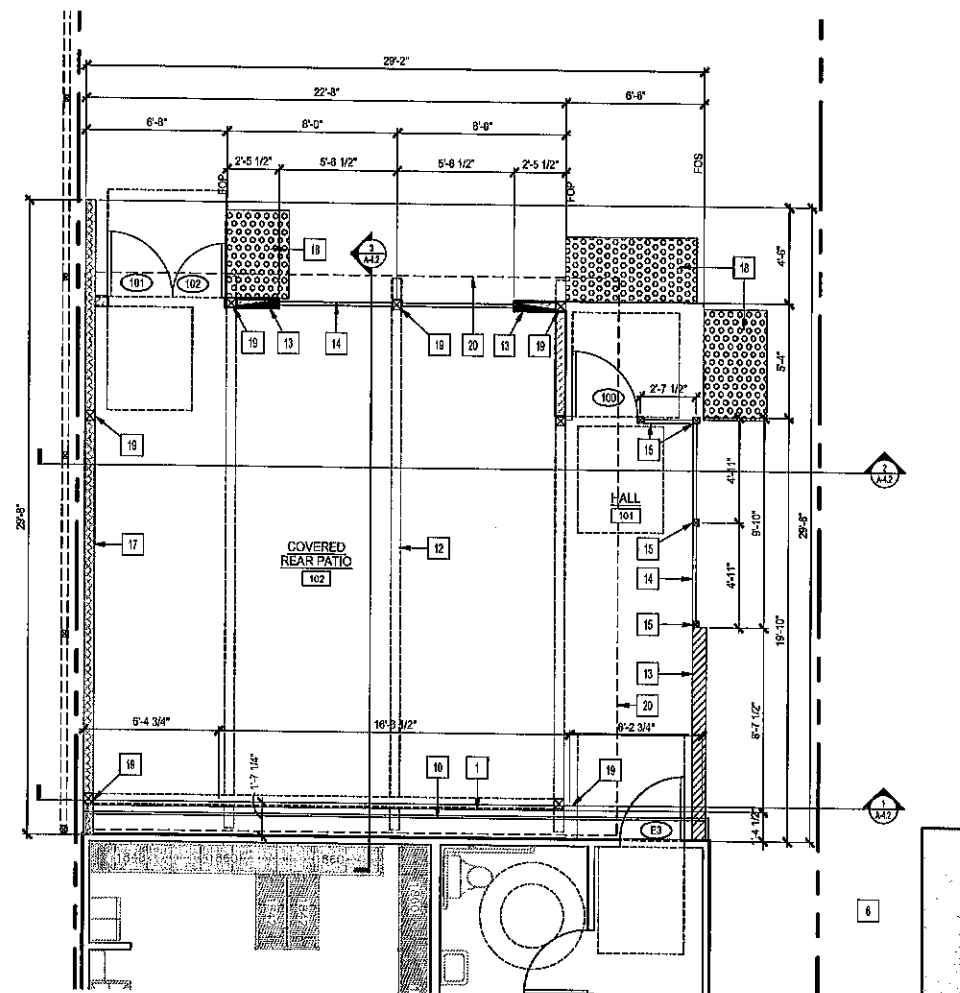
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PROJECT NUMBER: 22-13 WEST END RESTAURANT

AS-BUILT ELEVATIONS

JIMMY BUCHANAN

DATE OF LAST PRINT: 5-16-23



- ## KEY NOTES

- 1 (E) WROUGHT IRON ENTRY GATE
- 2 (E) 42" HIGH WOOD FENCE W/ WROUGHT IRON ABOVE
- 3 (E) FABRIC AWNING
- 4 (E) 6" HIGH WOOD FENCE
- 5 (E) OUTDOOR WOOD BENCH SEATING
- 6 (E) DRIVE ISLE TO REAR
- 7 (E) BOLLARDS TO REMAIN
- 8 (E) 3" HIGH PLANTER
- 9 (E) PATIO STORAGE GATE TO REMAIN
- 10 (E) REAR FASCIA AND RAIN GUTTER
- 11 (N) BOLLARDS - TYP.
- 12 (N) WOOD FRAMED PATIO COVER WITH METAL ROOFING
- 13 (N) STUCCO WALL PER PLAN
- 14 (N) METAL MESH PANEL
- 15 (N) 4x4 POST PER PLAN
- 16 (N) REAR DOOR PER SCHEDULE
- 17 (N) CMU WALL PER PLAN
- 18 (N) TRUNCATED DOMES PER PLAN
- 19 (N) 6x6 POST PER PLAN
- 19 LINE OF NEW OVERHANG

- ### GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE OF FRAMING, OR CENTERLINE OF STRUCTURE UNLESS NOTED OTHERWISE.
2. DASHED CIRCLE IN REESTROOMS INDICATES 5'-0" TURNING DIAMETER REQUIRED BY ADA.
3. REFER TO FLOOR PLAN ON A-3.0 FOR ALL DIMENSIONS
4. STUD SIZES AS INDICATED PER FLOOR PLAN LEGEND.
5. INTERIOR DOORS ARE 4" OFF OF PERPENDICULAR WALL UNLESS NOTED OTHERWISE.
6. NEW SIGN INDICATION NUMBER OF ROOM OCCUPANTS PERMITTED. THE SIGN SHALL BE DURABLE AND HAVE CONTRASTING COLOR FROM THE BACKGROUND. SIGN SHALL READ: "MAXIMUM OCCUPANT LOAD: _____ PERSONS".
7. TACTILE EXIT SIGNAGE (TYP) AT EACH EXIT DOOR. SEE SHEET A-0.1 EXITING PLAN
8. ALL DIMENSIONS ARE TO BE HELD PER DRAWING UNLESS NOTED OTHERWISE. CONTACT ARCHITECT IF DISCREPANCY IS REQUIRED DUE TO AS-BUILT CONDITIONS.
9. PROVIDE FULL HEIGHT BLOCKING IN WALL FOR ALL SEATING. TYP.

- ### WALL LEGEND

- =====
- (E) INTERIOR: 2x4 WOOD STUDS @ 16" O.C. W/ 5/8" TYPE 'X' GYP BOARD
- =====
- (E) INTERIOR: 2x6 WOOD STUDS @ 16" O.C. W/ 5/8" TYPE 'X' GYP BOARD
- =====
- (E) EXTERIOR: 2x8 WOOD STUDS @ 15" O.C. W/ 5/8" SHEATHING, 2 LAYERS OF BUILDING PAPER, W/RE, SCRATCH & BROWN COATS, TOP COAT
- =====
- (E) EXTERIOR: 2x8 WOOD STUDS @ 15" O.C. W/ 1/2" VERTICAL SIDING ON EXTERIOR AND T-111 ON PATIO INSIDE



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SITE IMPROVEMENT
814 WEST 19TH STREET
COSTA MESA, CA 92627

ISSUE RECORD

6-1-23 C.U.P. SUBMITTAL

DATE: _____
C.M. C.M.

PROJECT NUMBER: 22-13 WEST END RESTAURANT

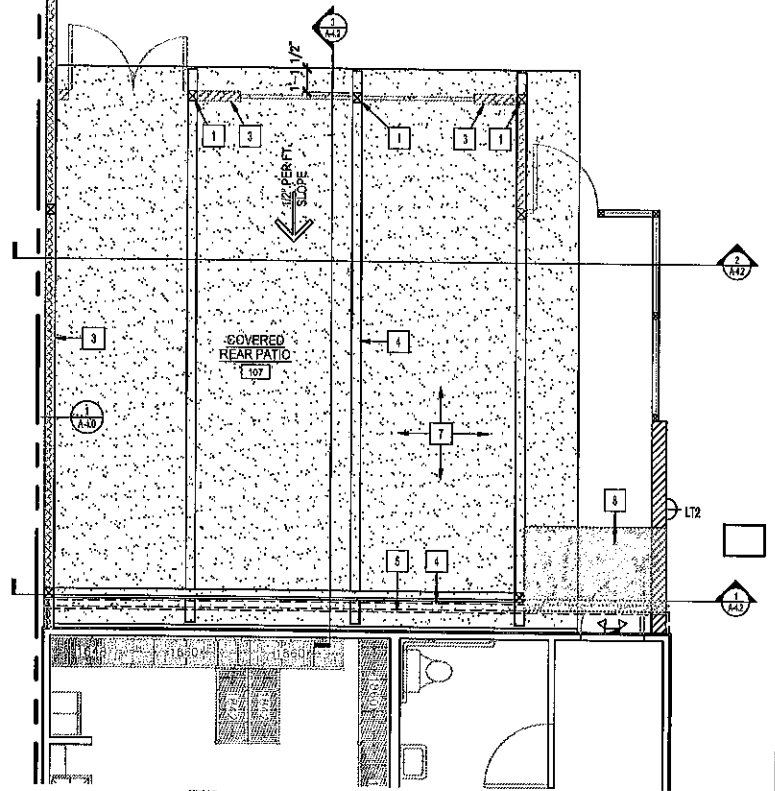
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DAVID HUNTER

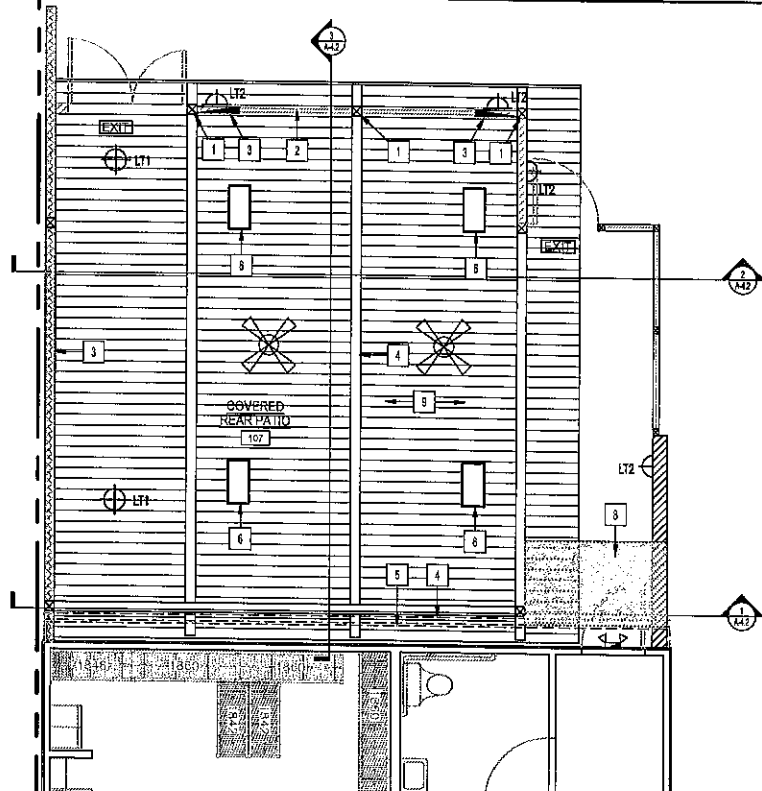
A-3.0

DATE OF LAST

5-16-23



TRUE NORTH
2
A-3.0
COVERED REAR PATIO ROOF PLAN
SCALE: 1/4" = 1'-0"



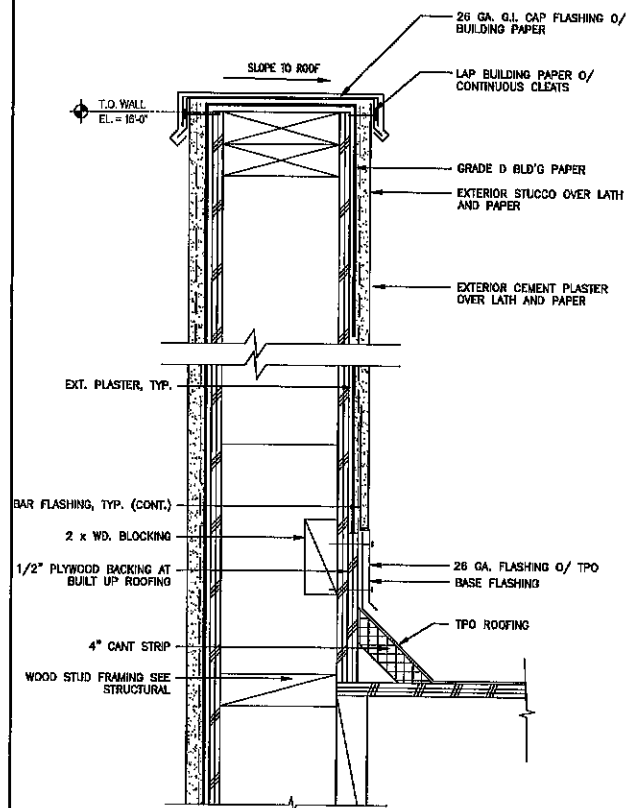
TRUE NORTH
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A-3.0
COVERED REAR PATIO RCP PLAN
SCALE: 1/4" = 1'-0"

KEY NOTES

- 1 (N) 6x POST PER PLAN
- 2 (N) METAL MESH PANEL
- 3 (N) STUCCO WALL PER PLAN
- 4 (N) WOOD BEAM PER PLAN
- 5 (E) REAR FASCIA AND RAIN GUTTER
- 6 (N) CEILING MOUNTED HEATER
- 7 (N) SINGLE PLY TPO ROOFING MEMBRANE OR PLYWOOD SHEATHING, ER1305-01 ICG ES AC10, GLASS A
- 8 (N) CANVAS AWNING AT REAR DOOR
- 9 (N) 58" T1-11 PLYWOOD W/ GROOVES @ 6" O.C. AND ACOUSTIC PANELS MOUNTED BELOW

CEILING SCHEDULE

- LT1 NEW SURFACE MOUNTED LIGHT FIXTURE
- LT2 NEW SURFACE MOUNTED WALL SCONCE
- EXIT ILLUMINATED EXIT SIGN W/ 90 MIN. BATTERY BACK UP.
- (E) SURFACE MOUNTED LIGHT FIXTURE TO REMAIN
- (N) SURFACE MOUNTED INFRARED AREA HEATER
- (N) SURFACE MOUNTED FANS



CANT & FLASHING
DETAIL @ PARAPET
SCALE: 3/8" = 1'-0"



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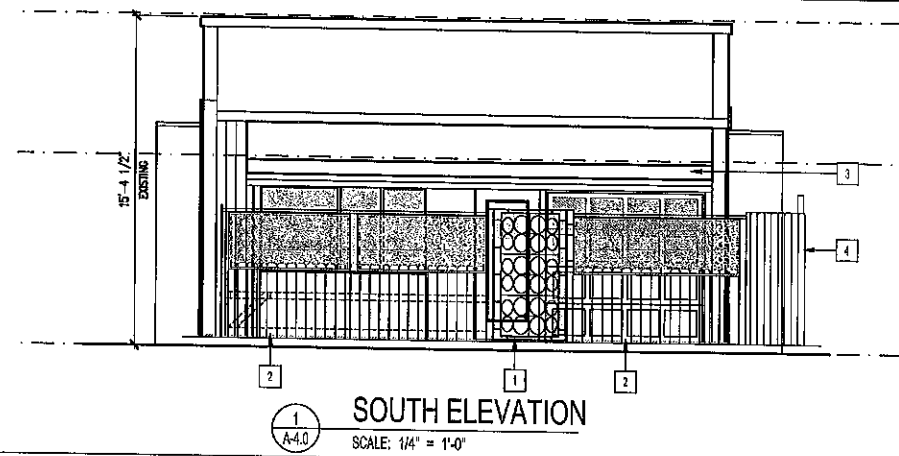


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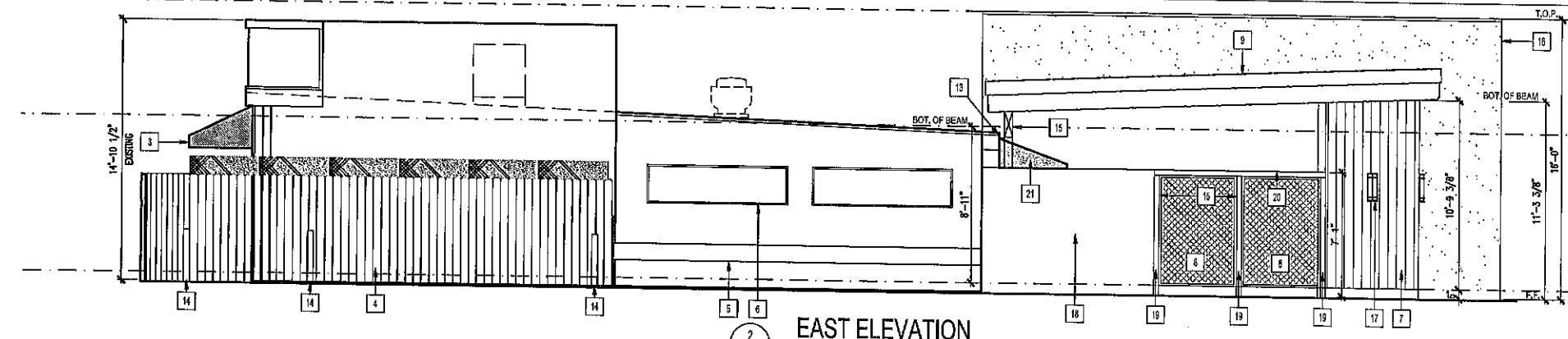
Westend Restaurant
SITE IMPROVEMENT
814 WEST 19TH STREET
COSTA MESA, CA 92627

DATE REVISION:	
6-1-23	C.U.P. SUBMITTAL
DATE:	CHECKED:
C.M.	C.M.
PROJECT NUMBER:	
22-13 WEST END RESTAURANT	
SHEET TITLE:	
REFLECTED CEILING PLAN & ROOF PLAN	

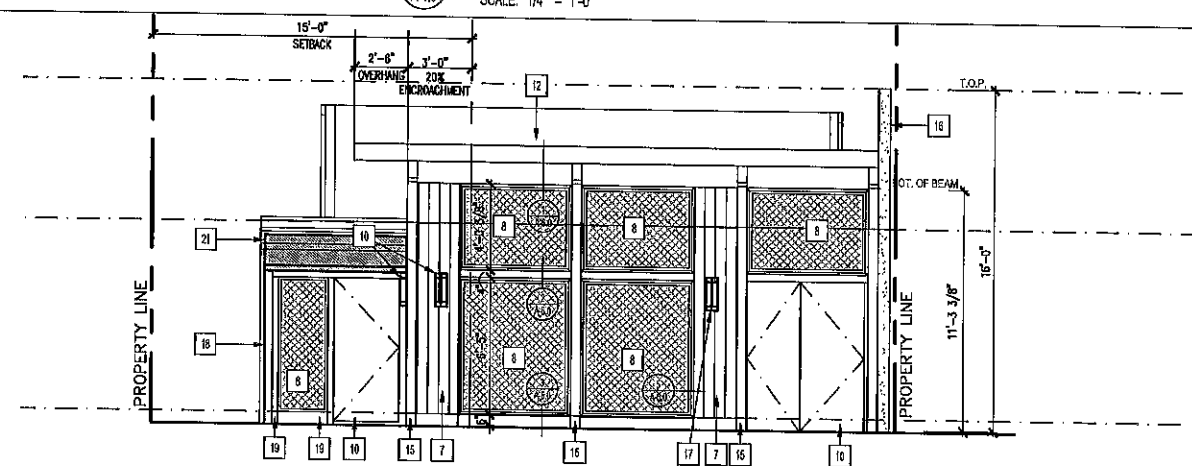
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DATE OF LAST PRINT: 5-16-23



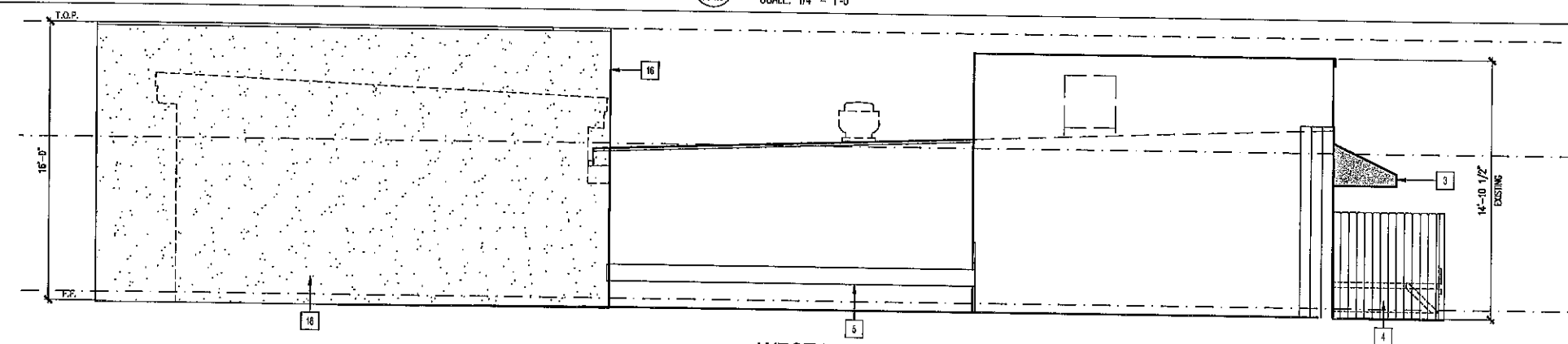
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A-4.0
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



2
A-4.0
EAST ELEVATION
SCALE: 1/4" = 1'-0"



3
A-4.0
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



4
A-4.0
WEST ELEVATION
SCALE: 1/4" = 1'-0"

KEY NOTES

- 1 (E) WROUGHT IRON ENTRY GATE
- 2 (E) 42" HIGH WOOD FENCE W/ WROUGHT IRON ABOVE
- 3 (E) FABRIC AWNING
- 4 (E) 6" HIGH WOOD FENCE
- 5 (E) 2x12 WOOD TRIM
- 6 (E) WINDOWS
- 7 (N) 1x6 WOOD SIDING PER PLAN
- 8 (N) METAL MESH PANEL
- 9 (N) TPO ROOFING
- 10 (N) REAR DOOR PER DOOR SCHEDULE
- 11 (E) REAR WOOD GATES
- 12 (N) WOOD FRAMED PATIO COVER - SEE FRAMING PLAN
- 13 (E) REAR FASCIA AND RAIN GUTTER
- 14 (E) BOLLARDS TO REMAIN - TYP.
- 15 (N) 2x POST PER PLAN
- 16 (N) STUCCO WALL PER PLAN
- 17 (N) WALL SCONCE MOUNT AT 5'-6" A.F.F. TO BOTTOM OF FIXTURE - SEE ELECTRICAL DRAWINGS
- 18 (E) CMU WALL TO REMAIN
- 19 (N) 4x4 POST PER PLAN
- 20 (N) 4x4 HEADER PER PLAN
- 21 (N) CANVAS AWNING AT REAR DOOR



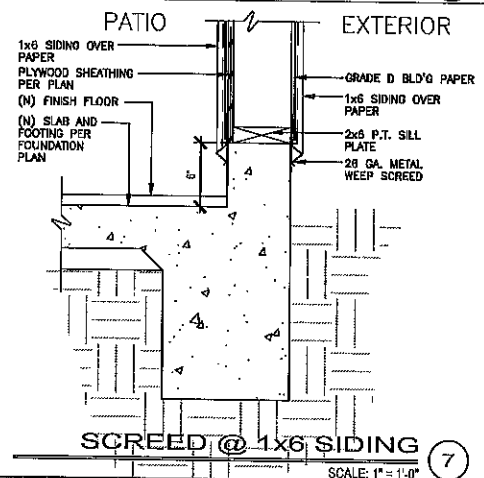
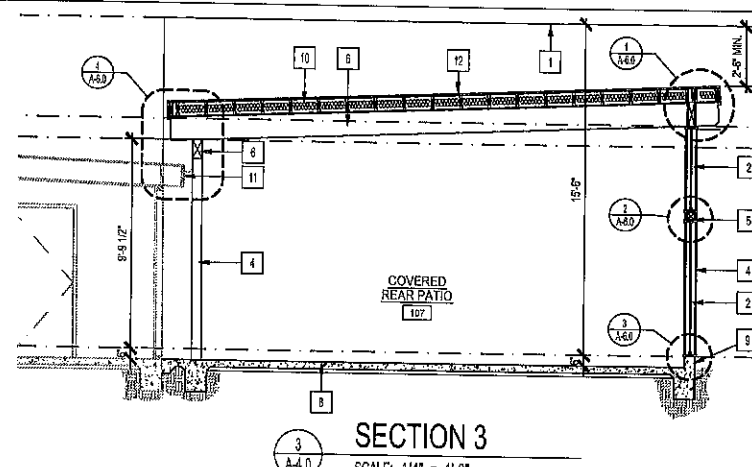
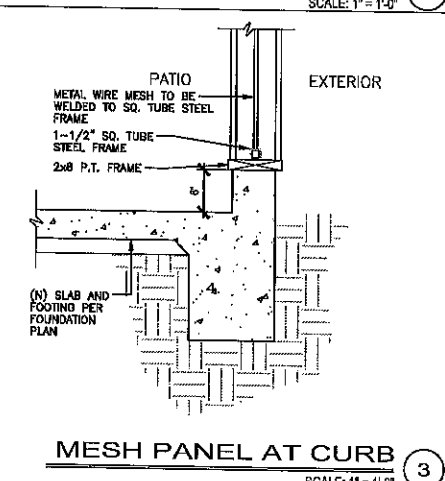
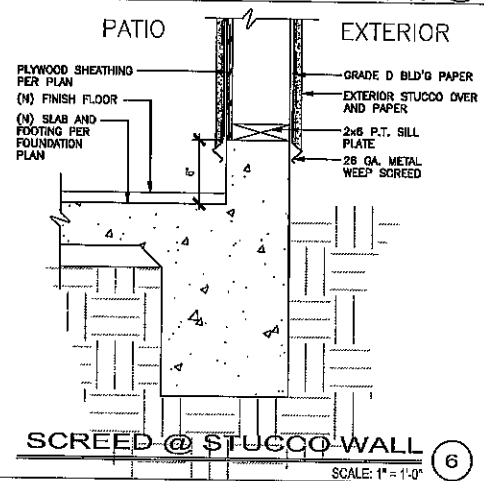
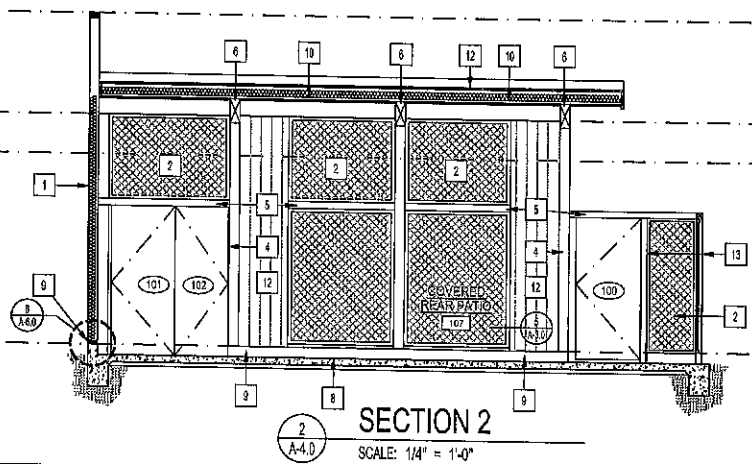
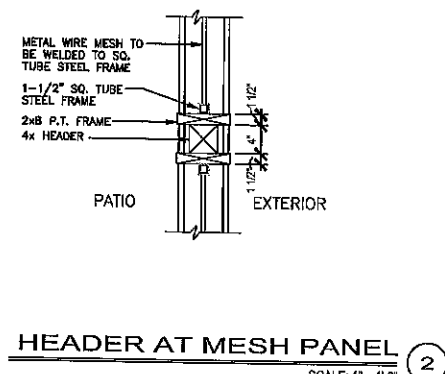
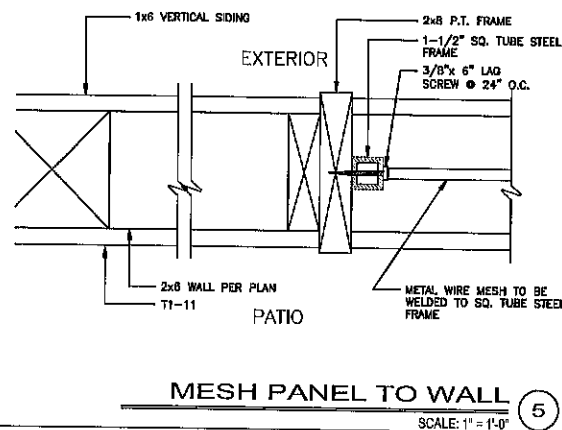
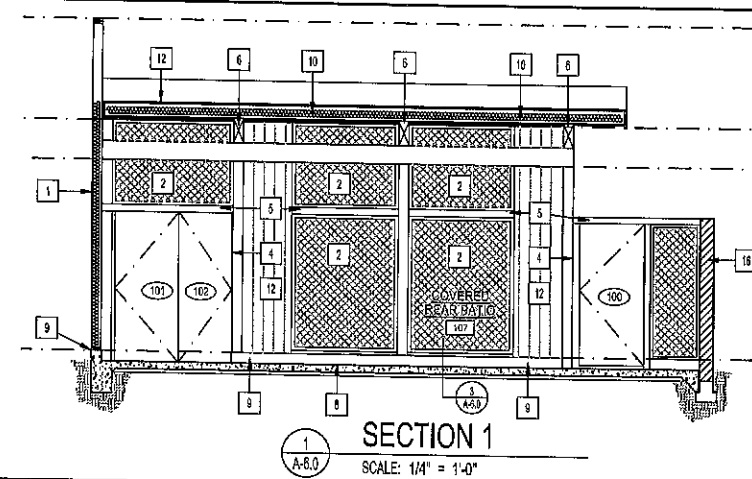
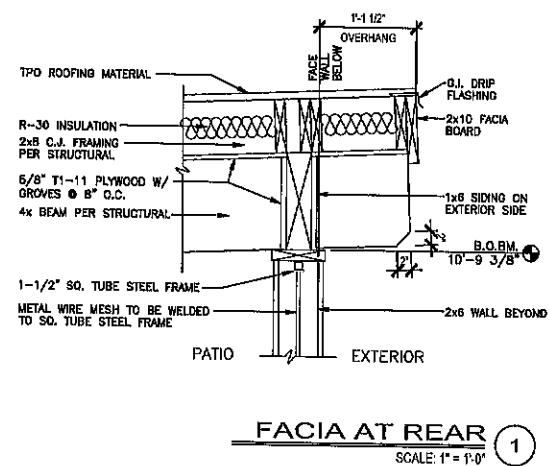
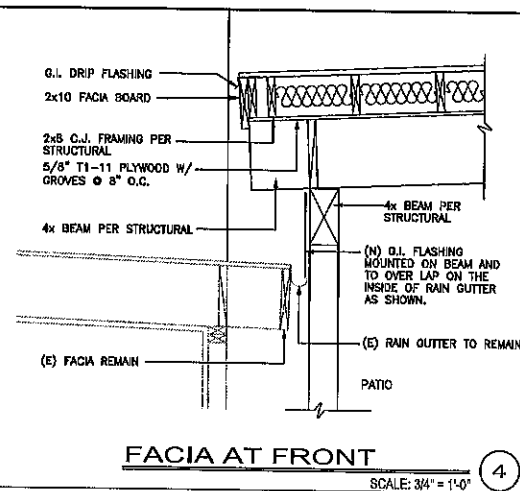
J.C. MARVICK & ASSOC., INC.
ARCHITECTURE / PLANNING
1627 Capital Street, Suite 101
Corona, Calif. 92718 951-808-0520



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Westend Restaurant
SITE IMPROVEMENT
814 WEST 19TH STREET
COSTA MESA, CA 92627

DATE RECORDED	8-1-23
C.U.P. SUBMITTAL	
CHECKER	C.M.
PROJECT NUMBER	22-13 WEST END RESTAURANT
SHEET TITLE	ELEVATIONS
SHEET NUMBER	A-5.0
DATE OF LAST PRINT	5-16-23



KEY NOTES

- 1 (N) 2x8 WOOD STUD @ 16" O.C. STUCCO WALL PER PLAN
- 2 (N) METAL MESH PANEL
- 3 (N) REAR DOOR PER SCHEDULE
- 4 (N) 6x POST PER FRAMING PLAN
- 5 (N) 4x HEADER PER FRAMING PLAN
- 6 (N) 8x BEAM PER FRAMING PLAN
- 7 TPO ROOFING PER PLAN
- 8 (N) SLAB ON GRADE AND FOOTINGS PER FOUNDATION PLAN
- 9 (N) 6" CURB PER FOUNDATION PLAN
- 10 (N) 2x8 PER FRAMING PLAN
- 11 (E) REAR FASCIA AND RAIN GUTTER
- 12 (N) 1x6 SIDING
- 13 (N) 4x POST
- 14 (N) METAL MESH PANEL RAILING
- 15 (N) 2x4 CAP
- 16 (E) 8" CMU WALL



J.C. MARVICK & ASSOC., INC.
ARCHITECTURE / PLANNING
1827 Capital Street, Suite 101
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Westend Restaurant

SITE IMPROVEMENT

814 WEST 19TH STREET
COSTA MESA, CA 92627

6-123 C.U.P. SUBMITTAL

DATE:	CHECKED:
C.M.	C.M.

PROJECT NUMBER:
22-13 WEST END RESTAURANT

SHEET TITLE:
SECTIONS & DETAILS

SHEET NUMBER:
A-6.0

DATE OF LAST PRINT:
5-16-23

Westend Background

Westend was previously the Big Belly Deli up until May 1st of 2017 and was transformed into Westend months later and is in its 5th year in business taking the 2021 Year off as it pursued an offsite parking agreement. The business was acquired, polished and created into a unique and hip southern and latin inspired artists cafe, bar & kitchen. Our mission is to continue to establish a cultured experience through a creative and premium classic southern and latin cafe style dishes and a classic cocktail menu with visually stimulating historic imagery, art, and architecture. We would like to legally include increased outdoor seated capacity, extended hours and an eclectic mix of national and localized live entertainment and set to reopen in mid 2022.

Proposed Extended Business Hours

- 5p.m. to 2a.m. Monday thru Friday
- 2p.m. to 2a.m. Saturday thru Sunday

Extending our services until 2am ensures our mom and pop the opportunity to succeed in one of the most challenging businesses and economic climate.

Westend would like to offer a multitude of genres and performance art to compliment its diners and locals alike. Proposed live entertainment & genres:

- Jazz
 - Blues
 - Rock & Roll
 - Punk
 - Dance
 - Pop
 - Soul
 - R& B
 - Hip Hop
 - Metal
 - Open Mic
 - Comedy
 - Dance Performances & Live Art.

Entertainment hours of ops will reflect the proposed extended business hours of 5p.m. to 2a.m. Monday thru Friday, Saturday & Sunday 2p.m. to 2a.m..

Bio's

Tyler Hertzke - Co founder of Westend. Mr. Hertzke is and has been an international touring artist since 2008. He has toured and worked with the largest artists on the globe. From Ariana Grandes 2017 to late 2019 Sweetener Tour to the Lady Gaga's Las Vegas residency, and currently production tour managing Lizzo. Mr. Hertzke has larger scale production and expertise in the live entertainment game. Mr. Hertzke currently is a homeowner and lives in Costa Mesa, CA

Pat Lloyd - Westend Partner. Mr. Lloyd was one of the early adopters to the Volcom family where he was the head of Sales for all Latin America and currently ended his 20 Year stint in early 2021. Mr. Lloyd has moved on with the same position at Columbia Apparel. Mr. Lloyd has lived in Costa Mesa, CA as a homeowner for the past two decades and splits his time between Oregon and CA.

Roland Barrera - Co Founder of Westend. Mr. Barrera is a building contractor and night life and special events producer for the past few decades. Booking and securing acts such as Eric Burden and The Animals to the current Rock and Roll greats the Foo Fighters. Mr. Barrera is actively designing and building an off grid eco friendly resort, live music venue and boutique hotel concept in Austin, Tx where he currently resides. Splitting his time between CA & TX.

The three of us are extremely happy to call Costa Mesa home!

Project Description:

Westend is tucked away over in the Manufacturing district of Costa Mesa. The multiple business that surround Westend are three type 48 liquor license. For those that may need clarity a type 48 license allows a business to pour and distribute alcohol/spirits to its guests without the consumption or sale of food. Westend has been feeding its community since early 2017 and strives at being the best in the foodie community. So much so westend held the top 5 restaurants in the city via Yelp and or Google from 2018 to 2020.

Westend intends on recreating this position first, along with adding a cultural addition as it once was for many years in its "traditional use" fashion as "Evocal" an Art and live music gallery/venue, as well as the many businesses that operate within a block or two of its location. A list of other like minded business is here below for your review.

- Semi Tropic Wine 6p.m. to 1am with Dj/live music - 816 W 19th St.
- Donkey D's 8p.m. to 2a.m. with Dj/live music - 820 W 19th St.
- Gerabaldi De Noche 8p.m. to 2a.m. with DJ/live music - 810 W 19th St.
- The Wayfarer 5p.m. to 2 a.m. with DJ/live music - 843 W 19th St.
- Tiki Bar noon to 2a.m. with Dj/live music - 1700 Placentia Ave.

Project Description Continued:

- Strut 8p.m. to 2a.m. and Sundays at noon to 2a.m. with DJ/live music - 719
 - Social 5p.m. to 10p.m. during the week and to 1 a.m. on Fri-Sat. - 512 W 19th St.
- Westend and its location as you can see has been a substantially compatible business going on its third decade now. The entire diner proposed usable space as it sits today is approximately 1,855 sf. Westend intends to conduct two seating times for our diners. Dinner Timelines will be from 5p.m./6pm., to 7p.m./8p.m., and 7:30p.m./8p.m. to 10p.m.

The below is a breakdown in square footages.

- Front Patio - 101 SF
- Interior - 1034 SF
- Back Patio - 720 SF

Grand Total of = 1,855 SF

Project Description Continued:

Front patio, interior, rear patio and outdoor space is all for our diners. Seated dining, beer, wine, and craft cocktail consumption. As stated these areas have been in traditional use since Big Belly was in ownership from 2009 to Westend up until December of 2020. And live entertainment was legal years prior from 2005 to 2008 (years may be off) with Evocal Art Gallery. Not only did the seller explain that all these areas were legal for consumption but the ABC auditor confirmed with us as well. Therefore new ownership did not believe we had to seek further approvals since we had confirmation with the Alcoholic Beverage Control Agency. It was only until the TUP issuance that these exterior locations were brought to current ownerships attention that they needed to be permitted. We intend to utilize all areas for live and DJ music coupled with roaming Mariachi's and performance art.

Westend is a family friendly all ages European style cafe. We will continue to thrive in feeding our community with a full service kitchen and bar. Segueing into the night life portion of the business model at approximately 10 p.m., Westend will have the CA Code and legal limit "when alcohol is present" of 1 guard per 75 patrons. We propose to have one guard at entry for I.D. check after 9p.m. An additional 2 guards will be present for the interior and exterior roamer once dining tables have been removed at approximately 10p.m. in the event we exceed 100 "standing only" patrons. We feel that the above stated is substantially compatible with The Wayfarer, Gerabaldi De Noche, Tiki Bar, Strut, Donkey D's, and security scale model therefore would not be materially detrimental to both adjacent properties that surround our establishment.

The proposed areas of entertainment do not have any rhyme or reason. Each night may differ to the next depending on artist availability. The area in the center of the back patio facing the parking lot and old Hurly building would be the only area where we would host any larger live acts and or if they have more than 4 bandmates, due to the limited space requirements needed to do so. It's possible on occasion or more of a special event that we will host a smaller Jazz 2 or 3 piece/Dj on the interior during dining hours and host a DJ/live act on back patio for larger dinner parties etc.

****For your review please see attached Sound Plan for entertainment past 11p.m.***

Westend After 11p.m. Sound Plan

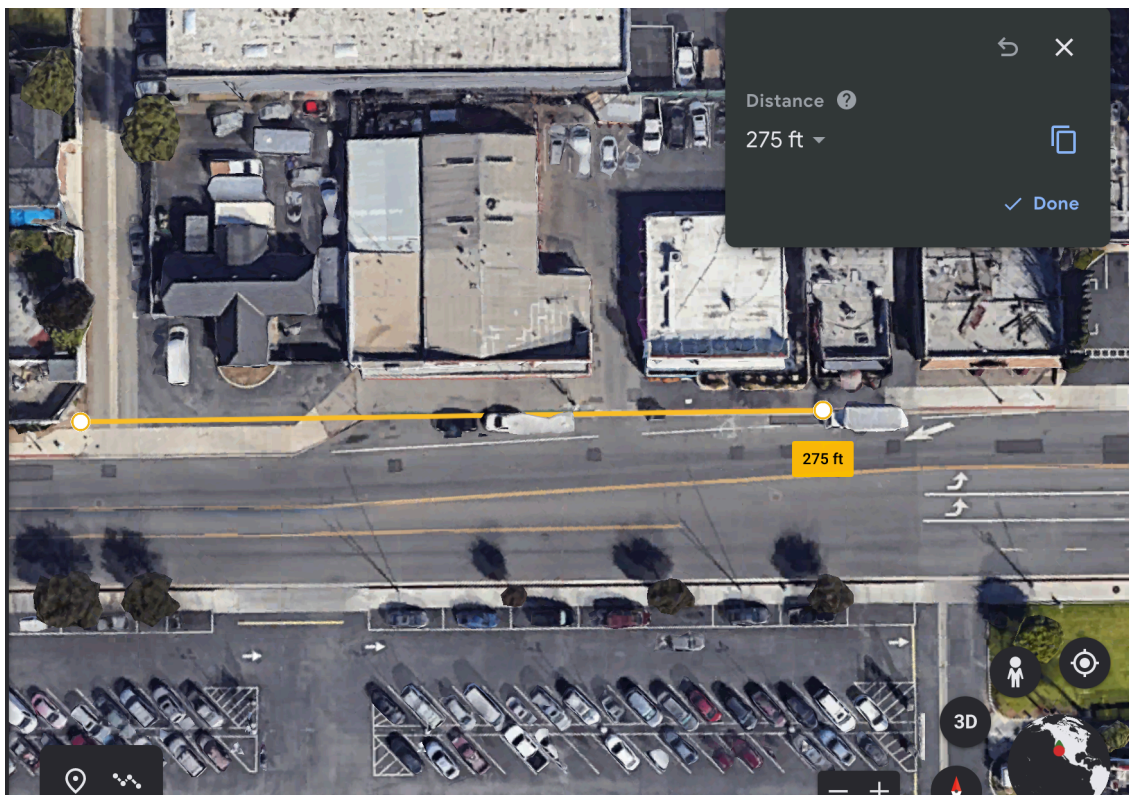
Noise Element

Vehicular Noise

The Corners of Placentia Avenue and 19th Street was calculated back in 2020 in a study done by Westend management over the course of two weekends. The noise generation for each night on the those corners between the hours of 11p.m., midnight and 1a.m. exceeded the residential limit of 55dBA and was averaging at approximately 64/65 dB(A). It's concurrent of a study conducted by the city of Costa Mesa back in 2015 on the corners of Placentia and 20th at approximately 10am, which is one block north of our venue. Since then the city has increased its population as well as the demand in crossing over into the Westside.

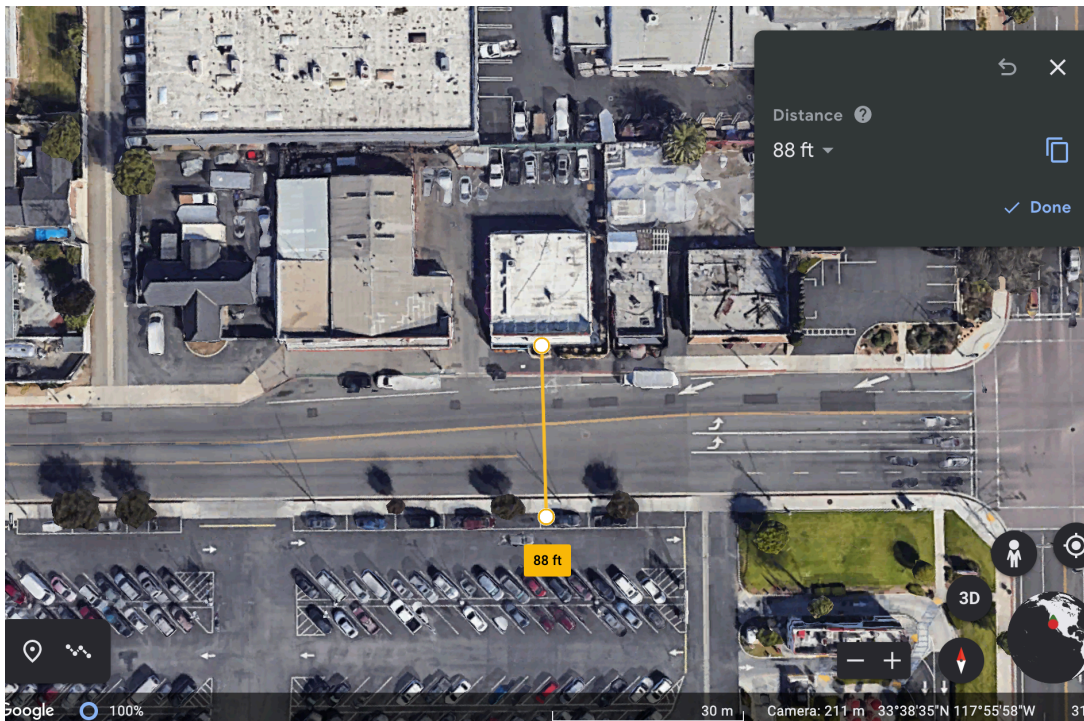
*Leq describes the average level that has the same acoustical energy as the summation of all time-varying events. This descriptor is useful because the sound levels can vary markedly over a short period of time. The most common averaging period for Leq is hourly, but can be of any duration. The “dB(A)” is a sort of filtering in the frequency in the frequency domain, originally created to take the non-linear sensitivity of human hearing. The “A” derived from the sound pressure levels (SPL) in dB applying the so called A-weighting = “dBA”.

Points & Locations of Study 1(a):



From 275' away 49 to 86 dBA with Leq at 64 dBA for
10 mins at midnight 10.16.20

1 (b)



Directly in front of Westend. A 65 dBA Leq was measured. The Vehicular/ Urban Mixed Use noise pollution was the main cause of noise during this study and could not hear the music from the venues back patio for more than a few seconds over the vehicles passing by.

Noise Plan (from 2015 study)

Noise impacts can be addressed in three ways: 1) by reducing the sound level of the noise generator, 2) by increasing the distance between the source and the receiver, and 3) by insulating the receiver. Noise reduction can be accomplished by placement of the walls, landscape berms and or a combination of the two between the noise source and the receiver.

With the above stated herein, the venue as we know can not practice #1 & #2. In the event Westend accrues calls from the westerly neighborhood we would like to be proactive and introduce ourselves to the property owners or tenants of them personally prior to any activations of our live music permit approval and events. We will leave behind the manager on duty as well as the GM's personal contact numbers so that they may communicate directly with these representatives of the venue. This way we are able to intercept any calls and or complaints to the CMPD and or City of Costa Mesa.

We are prepared to install minimal sound proof blankets at the westerly facing walls to avoid any audio ricochet that may occur. This will insure dampening of the exterior dBA pollution. Soundproofing blankets is one of the simplest and most efficient ways for sound treatment. Westend's proposed plan is to face audible sound systems to the southeast direction to enable all sound waves avoiding the westside Federal Avenue neighborhood.

Westend will conduct dBA reading every 30 minutes starting at 11:30 p.m. to 1:30a.m. in the event we utilize the rear exterior for live Dj sets and or live amplified music and will file its discoveries accordingly. Noise level measurement shall be performed using a sound level dBA 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. Westend lies in the manufacturing district 4 (C1). Approximately 275' from its first residential neighbor (1a) and is located and classified in the manufacturing district. In this district the dBA adjust from 55 dBA to 65 dBA. During this time frame specified we will conduct two measuring points for the exterior. The two locations of our study points will be directly in front of said establishment (please refer to map 1b) as well as 275' feet away at the west alley way prior to the first and second home (on east side located) on Federal Ave.



Westend Is in area 4 (C1)

City of Costa Mesa dBA standards schedule:

Land Use Category	Community Noise Exposure Ldn or CNEL, dBA			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential: Low-Density	50-60	60-70	70-75	≥75
Residential: Multiple Family	50-65	65-70	70-75	≥75
Mixed use	50-65	65-70	70-75	≥75
Transient Lodging-Motel, Hotels	50-65	65-70	70-80	≥80
Schools, Libraries, Churches, Hospitals, Nursing Homes	50-60	60-65	65-80	≥80
Auditoriums, Concert Halls, Amphitheaters	NA	50-70	NA	≥80
Sports Arenas, Outdoor Spectator Sports	NA	50-75	NA	≥80
Playgrounds, Neighborhood Parks	50-67.5	NA	67.5-75	≥75
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50-70	NA	70-80	≥80
Office Buildings, Business Commercial and Professional	50-67.5	67.5-77.5	77.5-85	≥85 unless appropriately insulated
Industrial, Manufacturing, Utilities, Agriculture	50-70	70-80	80-85	NA

Normally Acceptable. Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

Conditionally Acceptable. New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction but with closed windows and fresh air supply systems or air conditioning will normally suffice.

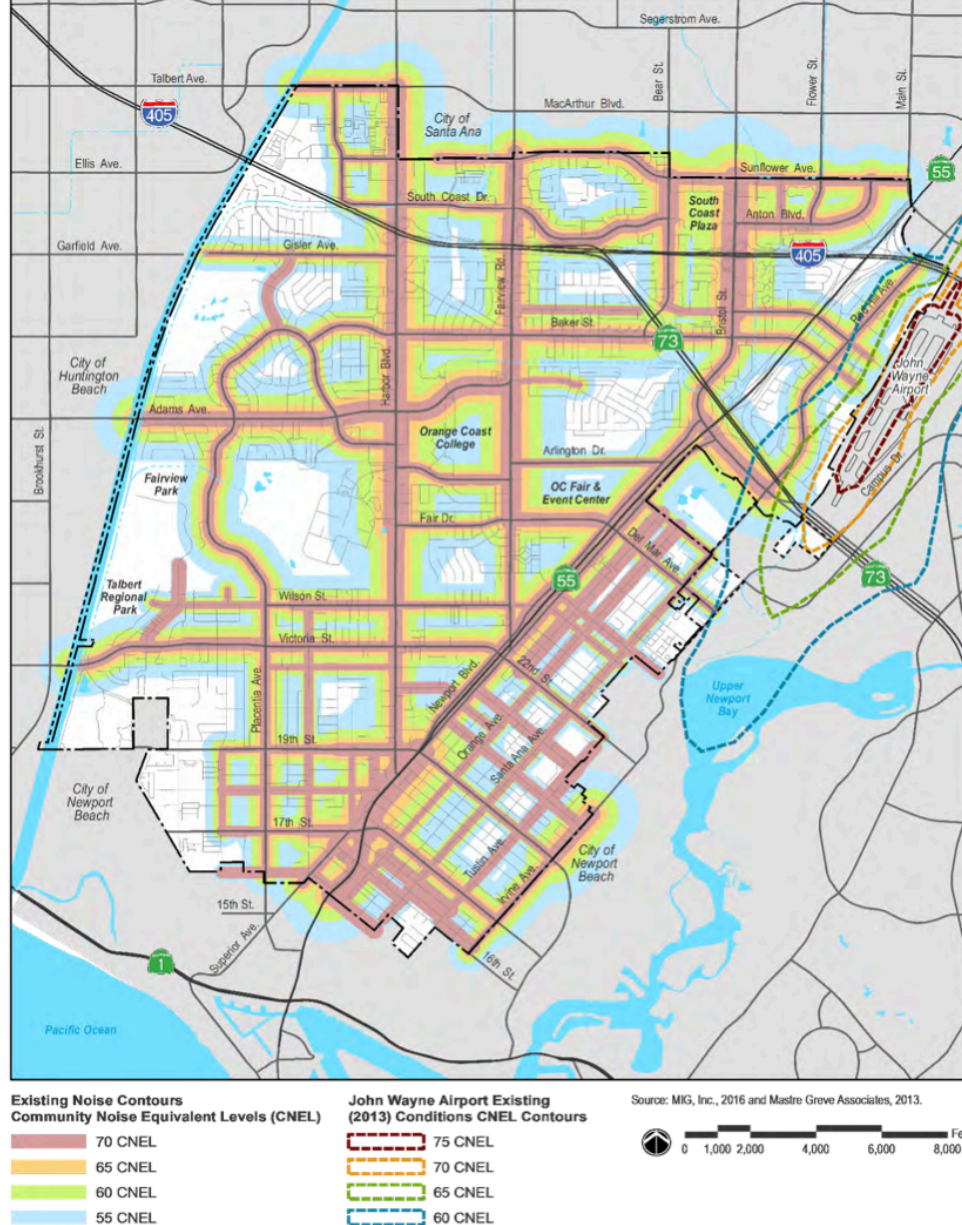
Normally Unacceptable. New Construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Clearly Unacceptable. New construction or development should generally not be undertaken.

NA: Not Applicable.

Source: Modified from U.S. Department of Housing and Urban Development Guidelines and State of California Standards.

67.5 dBA - 77.5 dBA is the ratios for said Venue.



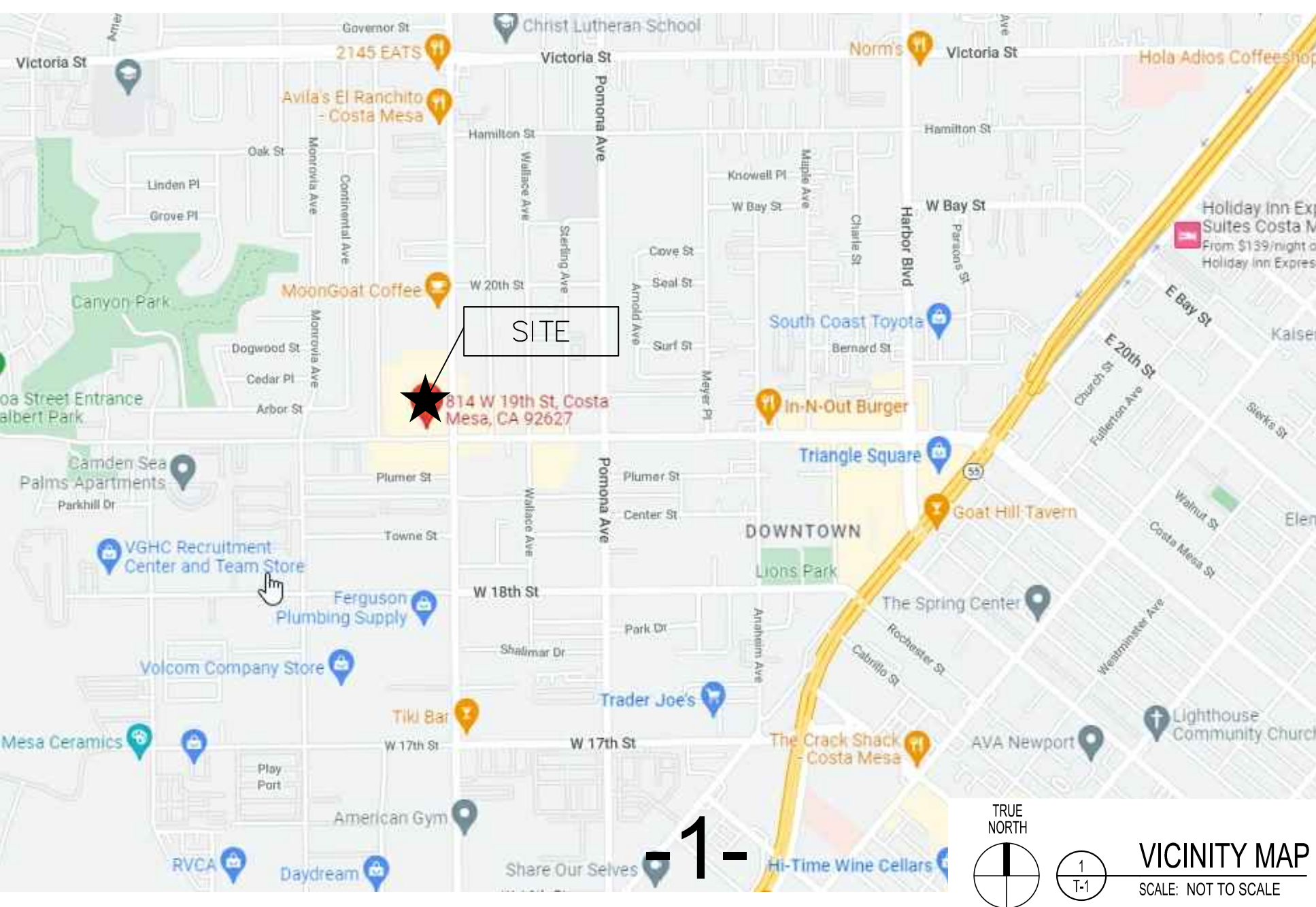
Future Noise Contours in front of 814 W 19th Street is at 70 (dBA) “CNEL” (Community Noise Equivalent Level) which is concurrent to our in-house study.

We would like to point out that the intersection of Placentia & 19th Street impacts some pretty significant traffic noise generation, which in just a few minute study exceeded its legal right to operate at 67 dBA Leq after 11p.m. but within its previously stated “70 dBA CNEL” herein above image. The vehicular traffic noise pollution is greatest at intersections due to the acceleration, deceleration and gear shifting. Regardless of Westend’s music plan, please note that these known facts are and have been operating this way for decades. If it’s any place to provide the city with more arts and culture, this particular location is a perfect destination to introduce uncompromised live art after 11p.m. to its future generations to come. In short, for Westend to become a nuisance to its own community after 11p.m. we would have to be operating at a pretty significant measurement north of 70 CNEL dBA which is highly unlikely in today’s standards.

IF THE BUILDING INSPECTOR DETERMINES NONCOMPLIANCE WITH ANY CURRENT ACCESSIBILITY PROVISIONS OF THE LAW, HE/SHE SHALL REQUIRE SUBMITTAL OF COMPLETE AND DETAILED PLANS TO THE BUILDING DEVELOPMENT REVIEW DIVISION OF THE DEVELOPMENT SERVICES DEPARTMENT FOR FURTHER REVIEW. PLANS MUST CLEARLY SHOW ALL EXISTING NON-COMPLYING CONDITION AFFECTED BY THE REMODEL (INCLUDING SIRE PLAN, FLOOR PLAN, DETAILS, ETC.) AND PROPOSED MODIFICATIONS OF DEFICIENCIES TO MEET CURRENT ACCESSIBILITY PROVISIONS. THE PLANS MUST BE STAMPED BY THE FIELD INSPECTOR PRIOR TO SUBMITTAL FOR PLAN REVIEW.

REVISION NUMBER

1.	OCCUPANCY GROUP:	B / A-2
2.	ZONE:	COMMERCIAL
3.	APN:	115-350-42
4.	TRACT NO.	
5.	BUILDING TYPE: VN-B	
6.	WEST END RESTAURANT AREA :	101
	FRONT PATIO AREA :	1,034
	REAR PATIO AREA :	720
	<u>TOTAL AREA :</u>	<u>1,677</u>
7.	MEANS OF EGRESS:	TWO REQUIRED, TWO PROVIDED
8.	FIRE SPRINKLERS:	YES
9.	SEE SHEET A-0.1 FOR ALL CODE COMPLIANT AND BUILDING INFORMATION	

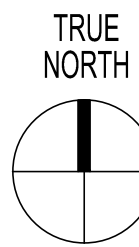


ARCHITECT: J.C. Marvick & Associates, INC.
1827 Capital Street, suite 102
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Contact: Chuck Marvick
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Fax: (951) 808-0560

PROJECT INFORMATION
SITE PLAN
EXITING AND OCCUPANCY PLAN
AS-BUILT FLOOR PLAN
AS-BUILT ELEVATIONS
OVER ALL FLOOR PLAN & ENLARGED FLOOR PLANS
REFLECTED CEILING PLAN & ROOF PLAN
ELEVATIONS
SECTIONS AND DETAILS



173



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

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

-2-

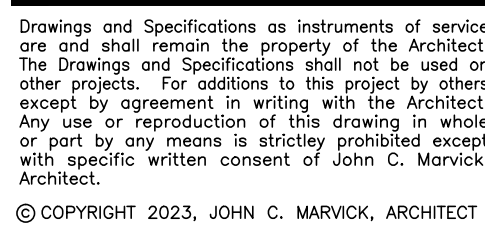
1	(N) PATH OF TRAVEL
2	(N) ACCESSIBLE PARKING VAN STALL PER DETAIL 7/SP-1.1
3	(N) ACCESSIBLE SITE SIGN PER DETAIL 8/SP-1.1
4	(E) MAIN ENTRY - 1/2" MAX THRESHOLD, 2% MAX SLOPE IN ALL DIRECTIONS AT BOTH SIDES OF THE DOOR LANDING
5	(N) ADA COMPLIANT TRUNCATED DOMES - SEE DETAIL 6/SP-1.1
6	(E) CONCRETE SIDEWALK
7	(N) ACCESSIBLE PARKING SIGN PER DETAIL 2,3,AND 4 /SP-1.1
8	(E) TRASH ENCLOSURE AND GATE
9	(N) CANVAS AWNING AT REAR EXIT DOOR
10	



NOTE NO PROPOSED CHANGE OF USE

1. ALL SIDEWALKS SHALL HAVE A SLOPE LESS THAN 1:20 OR 5%
2. WALKS ALONG AN ACCESSIBLE ROUTE OF TRAVEL SHALL BE 48" MIN. IN WIDTH AND SHALL HAVE A SLP RESISTANT SURFACE, PER 2016 CBC 11B-301 AND 401
3. THE MAXIMUM PERMITTED CROSS SLOPE SHALL BE 1:48 PER SECTION 11B-405.3
4. ANY ABRUPT LEVEL CHANGES WILL BE $\frac{1}{4}$ " OR LESS ALONG ANY ACCESSIBLE ROUTE OF TRAVEL. WHEN CHANGES DO OCCUR, THEY SHALL BE BELIEVED WITH A SLOPE OF 1:2 OR LESS. LEVEL CHANGES OF $\frac{1}{4}$ " OR LESS MAY BE VERTICAL.
5. A 60"x60" LEVEL AREA (OR NOT TO EXCEED 2% SLOPE FOR DRAINAGE) IS PROVIDED AT AREAS WHERE A DOOR (OR GATE) SWINGS TOWARD THE WALK IN THE ACCESSIBLE ROUTE OF TRAVEL, PER SECTION 11B-404
6. 80" HEADROOM MIN. IS TO BE PROVIDED FROM ALL WALKWAYS SURFACES TO OBSTRUCTIONS, PER SECTION 11B-307.2
7. NO ABRUPT CHANGES IN ELEVATION ALONG PATH OF TRAVEL SHOWN. THE SLOPE AND CROSS SLOPE ALONG THE PATH OF TRAVEL SHALL NOT EXCEED 5% AND 2% RESPECTIVELY, (INSPECTOR TO VERIFY)
8. IF A WALK CROSSES OR ADJACENT A VEHICULAR WAY AND THE WALKING SURFACES ARE NOT SEPARATED BY CURBS, RAILINGS OR OTHER ELEMENTS BETWEEN THE PEDESTRIAN AREAS AND VEHICULAR AREAS, THE BOUNDARY BETWEEN THE AREAS SHALL BE DEFINED BY A CONTINUOUS DETECTABLE WARNING WHICH IS 36" WIDE, COMPLYING WITH 2016 CBC SECTION 11B-406

1. ALL DIMENSIONS ARE TO FACE OF FRAMING, OR CENTERLINE OF STRUCTURE UNLESS NOTED OTHERWISE.
2. DASHED CIRCLE IN RESTROOMS INDICATES 5'-0" TURNING DIAMETER REQUIRED BY ADA.
3. REFER TO FLOOR PLAN ON A-3.0 FOR ALL DIMENSIONS
4. STUD SIZES AS INDICATED PER FLOOR PLAN LEGEND.
5. INTERIOR DOORS ARE 4" OFF OF PERPENDICULAR WALL UNLESS NOTED OTHERWISE.
6. NEW SIGN INDICATION NUMBER OF ROOM OCCUPANTS PERMITTED. THE SIGN SHALL BE DURABLE AND HAVE CONTRASTING COLOR FROM THE BACKGROUND. SIGN SHALL READ: "MAXIMUM OCCUPANT LOAD, _____ PERSONS".
7. TACTILE EXIT SIGNAGE (TYP.) AT EACH EXIT DOOR. SEE SHEET A-0.1 EXITING PLAN
8. ALL DIMENSIONS ARE TO BE HELD PER DRAWING UNLESS NOTED OTHERWISE. CONTACT ARCHITECT IF DISCREPANCY IS REQUIRED DUE TO AS-BUILT CONDITIONS.
9. PROVIDE FULL HEIGHT BLOCKING IN WALL FOR ALL SHELVING. TYP.



Westend Restaurant

SITE IMPROVEMENT
814 WEST 19TH STREET
COSTA MESA, CA 92627

ISSUE RECORD:	
6-1-23	C.U.P. SUBMITTAL
7-6-23	C.U.P. UPDATE

DRAWN:	CHECKED:
C.M.	C.M.

PROJECT NUMBER:

22-13 WEST END RESTAURANT

SHEET TITLE:

SITE PLAN

SHEET NUMBER: _____

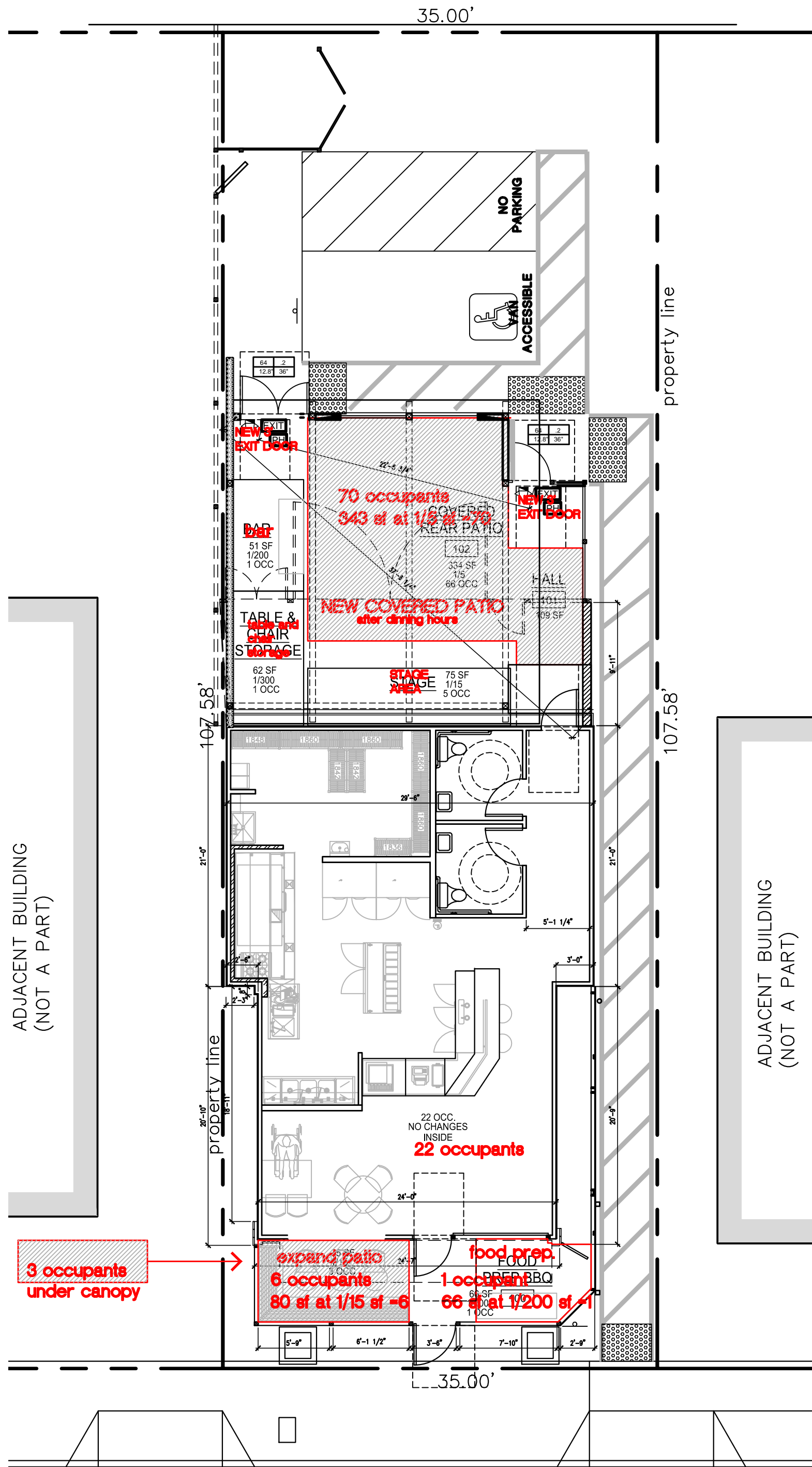
SP-1.0

DATE OF LAST PRINT:

OCCUPANT LOAD (AFTER DINING)				
WEST END Room Type	Area	Occupancy	S.F. / Person	Persons
COVERED REAR PATIO	334 s.f.	ASSEMBLY	5	66
BAR	51 s.f.	KITCHEN COMMERCIAL	200	1
STAGE	75 s.f.	KITCHEN COMMERCIAL	15	5
ENTRY PATIO - COVERED	35 s.f.	ASSEMBLY	15	3
FOOD PREP BBQ	66 s.f.	KITCHEN, COMMERCIAL	200	3
TOTAL AT WEST END	1,677 s.f.		TOTAL	78

Occupancy CBC Table 1004.1.1		
Occupancy S.F. Type	S.F. Per Person	S.F. Unit
BAR AREA	200	Gross
STAGE AREA	15	Gross
PUBLIC ASSEMBLE AREA	15	Gross
PUBLIC ASSEMBLE STANDING	5	Gross
STORAGE / STOCK	300	Gross

OCCUPANT LOAD (DINING HOURS)				
WEST END Room Type	Area	Occupancy	S.F. / Person	Persons
COVERED REAR PATIO	542 s.f.	ASSEMBLY	15	36
HALL	-	-	-	-
ENTRY PATIO - COVERED	35 s.f.	ASSEMBLY	15	3
FOOD PREP BBQ	66 s.f.	KITCHEN, COMMERCIAL	200	3
INTERIOR SPACE - NO CHANGES	1,034 s.f.	-	-	22
TOTAL AT WEST END	1,677 s.f.		TOTAL	64



19th Street

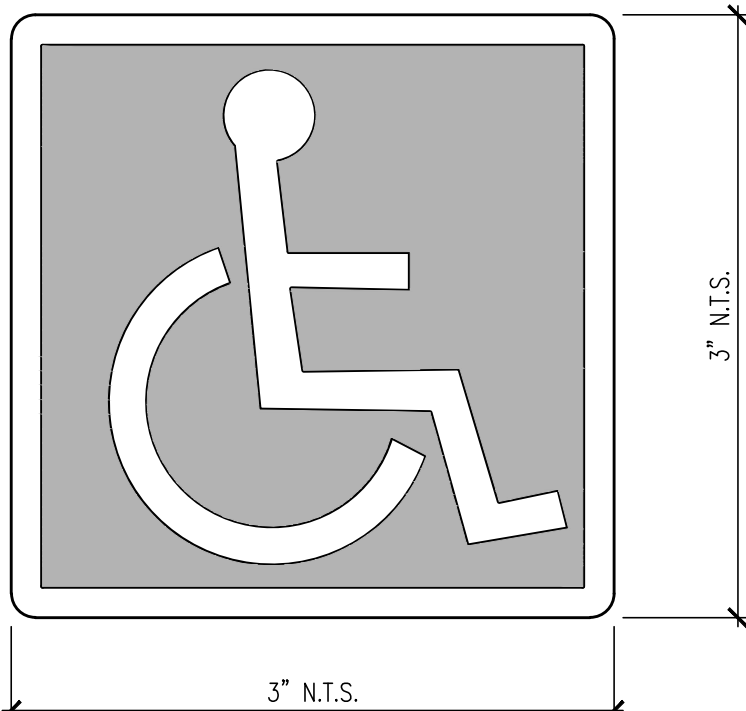
EXIT AND OCCUPANCY PLAN (AFTER DINING)

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

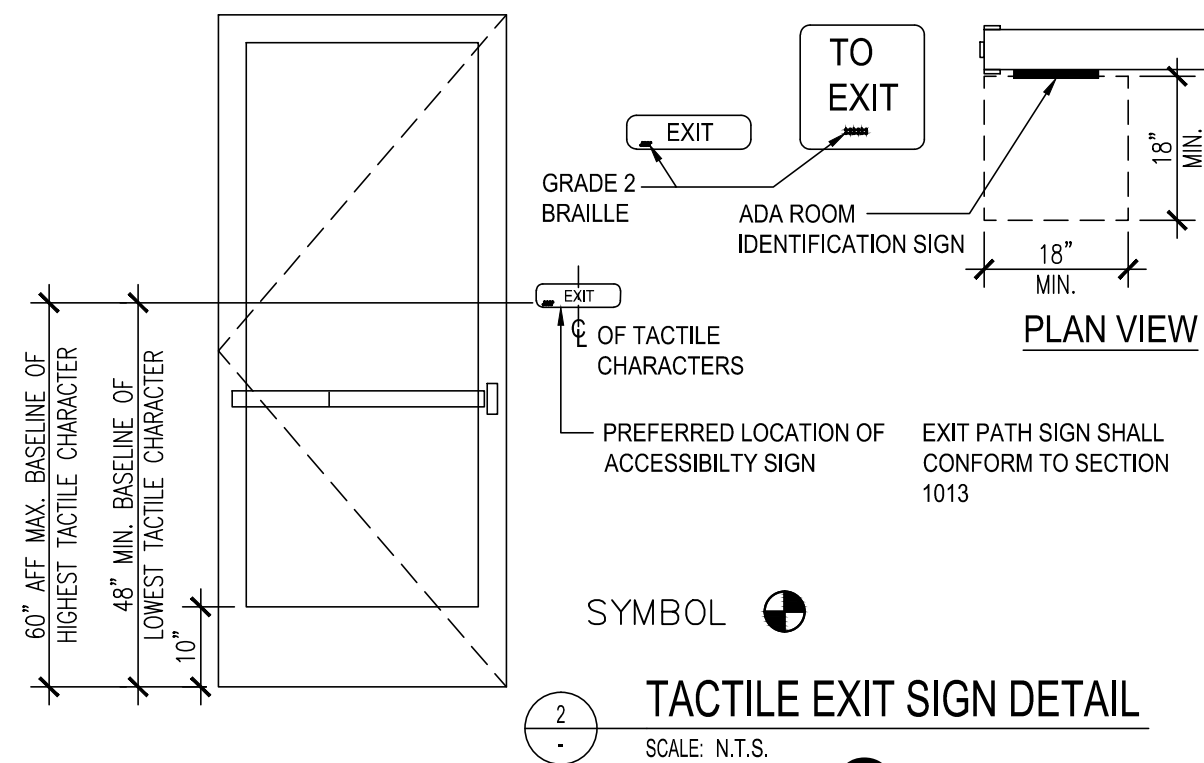
EGRESS PLAN LEGEND	
OCCUPANT LOAD ATTRIBUTED TO EXIT	REQUIRED OPENING WIDTH
SURFACE MOUNTED FIRE EXTINGUISHER	MAX. COMMON PATH OF TRAVEL FROM SPACE TO EXIT
PROVIDE TACTILE EXIT SIGN PER DETAIL 2. SHALL BE INSTALLED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR	PROVIDE UNIVERSAL ACCESSIBILITY SYMBOL
PROVIDE PANIC HARDWARE PER DOOR HARDWARE SCHEDULE	PROVIDE SIGN ABOVE DOOR IN CONTRASTING LETTERS: "DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS"
MAX. OCCUPANT LOAD SIGNAGE WITH MIN. 1" LETTERS AND NUMBERS CONTRASTING WITH THE BACKGROUND. SHALL BE POSTED ON A CONSPICUOUS LOCATION NEAR THE MAIN EXITS. PER CBC 1004.3, TITLE 19 3.30 TO READ "MAXIMUM OCCUPANCY 222 PERSONS"	LED WALL MOUNTED DUAL BUG EYE EMERGENCY LIGHT FIXTURE W/ 90 MIN. BATTERY PACK

THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL BE THE STANDARD USED TO IDENTIFY FACILITIES THAT ARE ACCESSIBLE TO AND USABLE BY PHYSICALLY HANDICAPPED PERSONS. THE SYMBOL SHALL CONSIST OF A WHITE FIGURE ON A BLUE BACKGROUND. THE BLUE SHALL BE EQUAL TO COLOR #15090 IN FEDERAL STANDARD 595A.

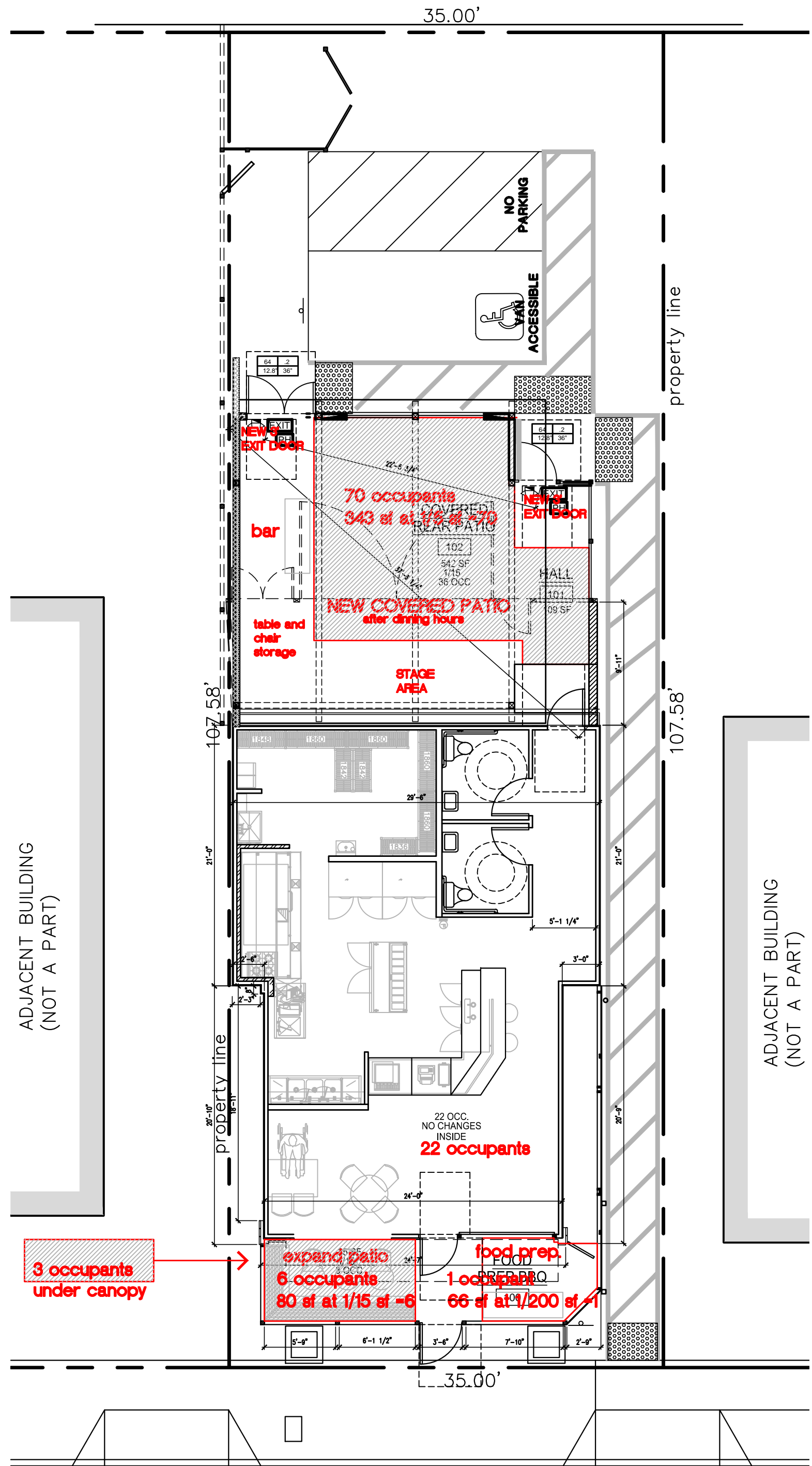
ATTACH DECAL OF SYMBOL TO STOREFRONT IN LOCATIONS AS SHOWN ON PLAN. MOUNT 60" A.F.F.



INTERNATIONAL ACCESSIBILITY SIGN
SCALE: N.T.S.



TACTILE EXIT SIGN DETAIL
SCALE: N.T.S.



19th Street

EXIT AND OCCUPANCY PLAN (DINING HOURS)

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



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Westend Restaurant
SITE IMPROVEMENT
814 WEST 19TH STREET
COSTA MESA, CA 92627

ISSUE RECORD:
6-1-23 C.U.P. SUBMITTAL

DRAWN: C.M. CHECKED: C.M.

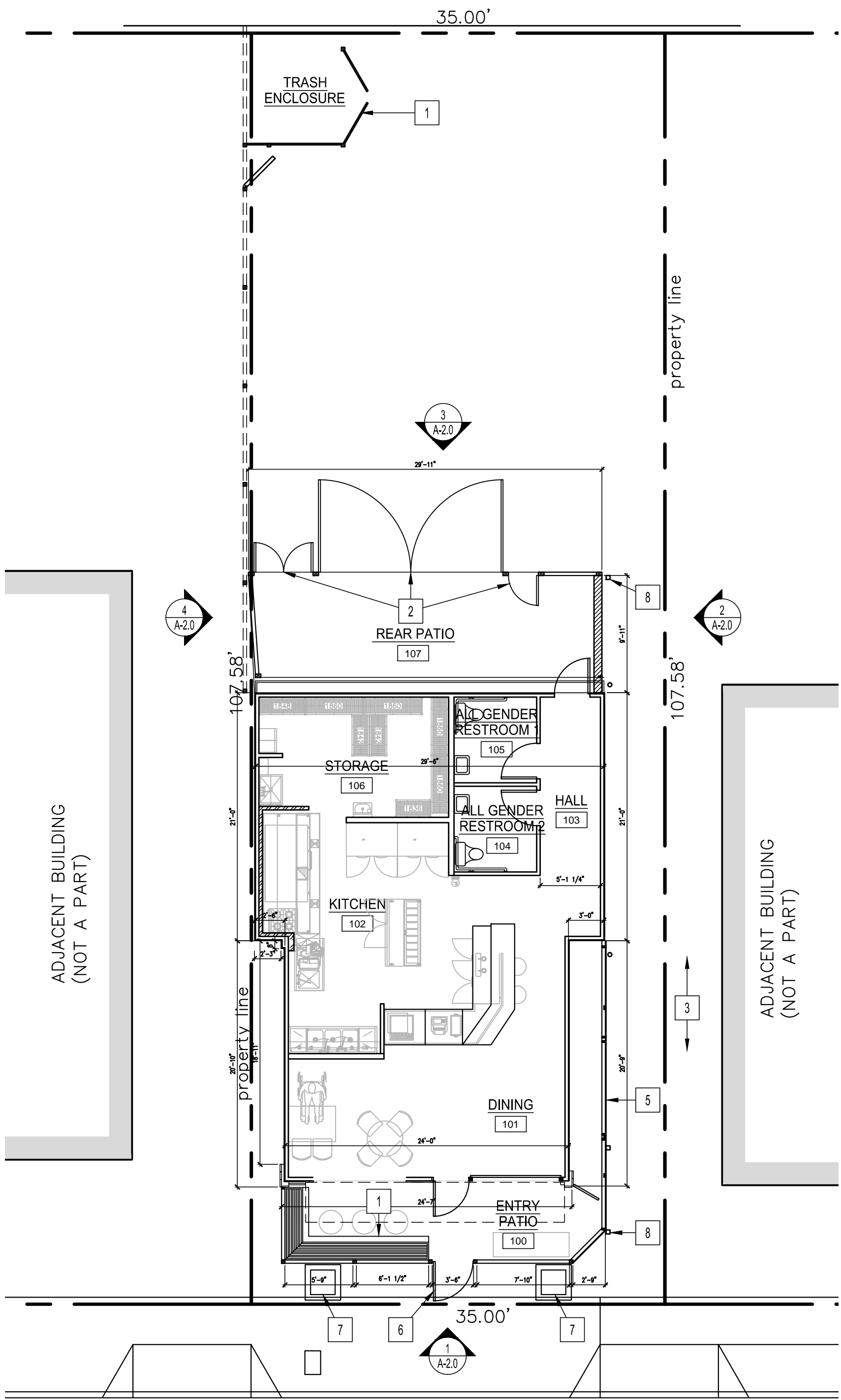
PROJECT NUMBER:
22-13 WEST END RESTAURANT

SHEET TITLE:
EXIT AND OCCUPANCY PLAN

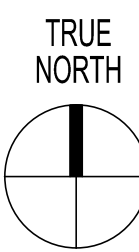
SHEET NUMBER:

A-0.1

DATE OF LAST PRINT: 5-16-23



19th Street



1
SP-1.0

AS-BUILT FLOOR PLAN

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

KEY NOTES

- 1 (E) OUTDOOR WOOD BENCH SEATING
- 2 (E) PATIO GATES
- 3 (E) DRIVE ISLE TO REAR
- 4 (E) PATIO STORAGE
- 5 (E) 6' HIGH WOOD FENCE
- 6 (E) 6' HIGH PATIO GATE
- 7 (E) 3' HIGH PLANTER
- 8 (E) BOLLARDS TO REMAIN

WALL LEGEND

- (E) INTERIOR: 2x4 WOOD STUDS @ 16" O.C. W/ 5/8" TYPE 'X' GYP BOARD
- (E) INTERIOR: 2x6 WOOD STUDS @ 16" O.C. W/ 5/8" TYPE 'X' GYP BOARD



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ISSUE RECORD:	
6-1-23	C.U.P. SUBMITTAL

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C.M.	C.M.

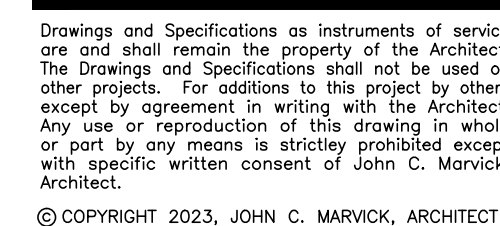
PROJECT NUMBER:
22-13 WEST END RESTAURANT

SHEET TITLE:
AS-BUILT FLOOR PLAN

SHEET NUMBER:

A-1.0

DATE OF LAST PRINT:
5-16-23



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ISSUE RECORD:

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PROJECT NUMBER:

22-13 WEST END RESTAURANT

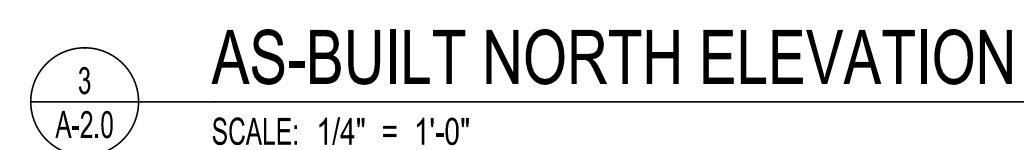
SHEET TITLE:

AS-BUILT ELEVATIONS

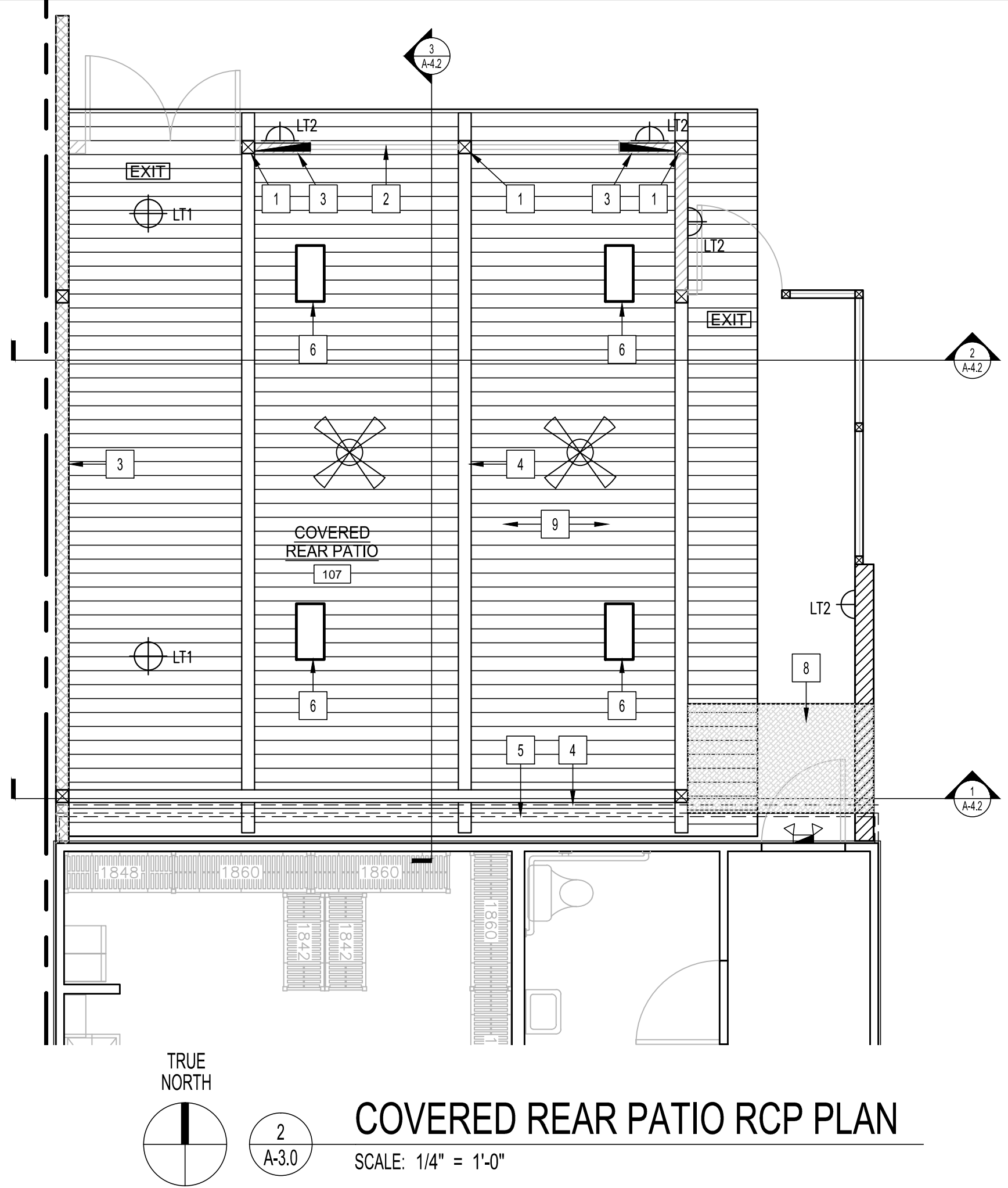
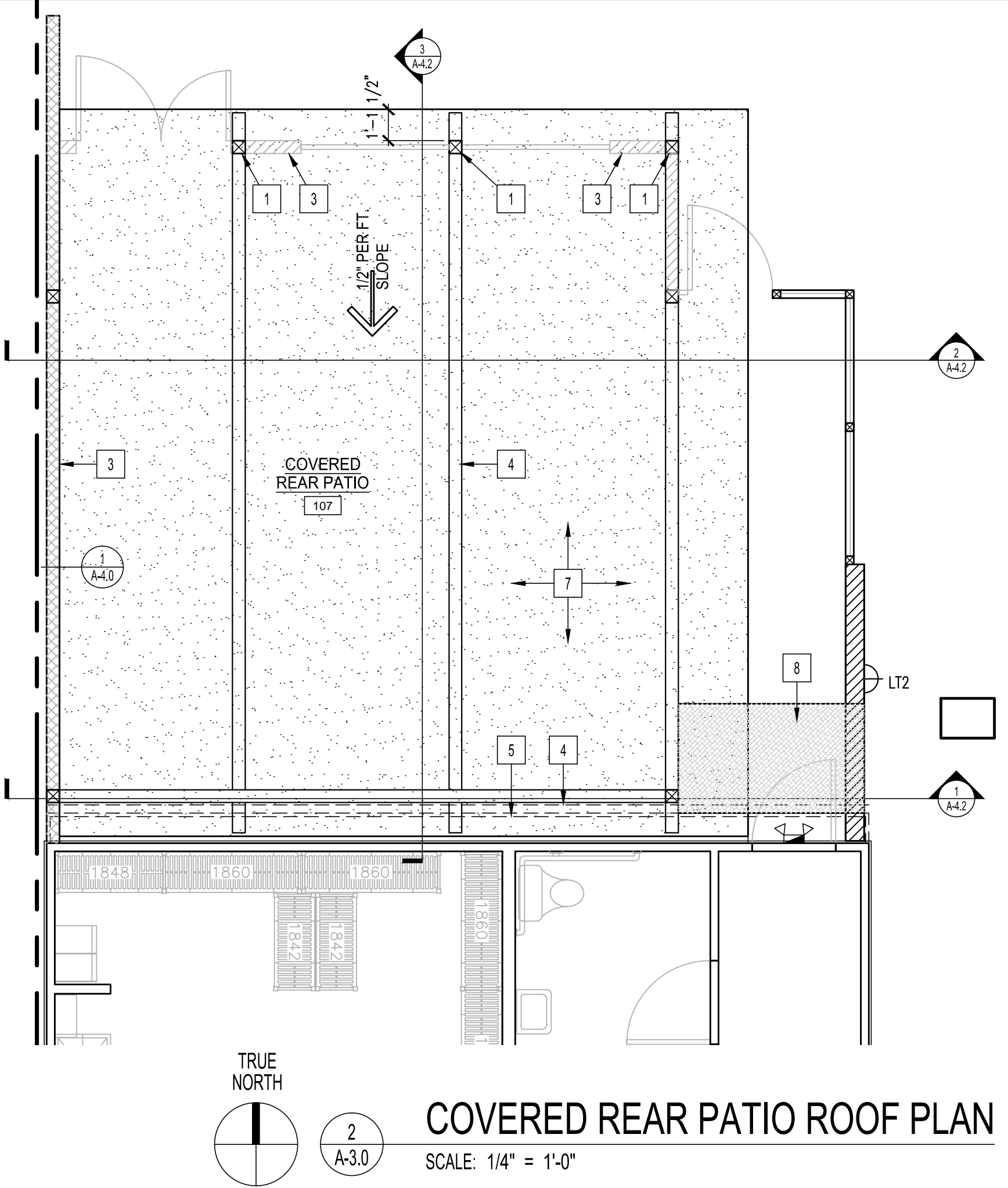
SHEET NUMBER: _____

A-2.0

DATE OF LAST PRINT: 5-16-20



1	(E) WROUGHT IRON ENTRY GATE
2	(E) 42" HIGH WOOD FENCE W/ WROUGHT IRON ABOVE
3	(E) FABRIC AWNING
4	(E) 6' HIGH WOOD FENCE
5	(E) 2x12 WOOD TRIM
6	(E) WINDOWS
7	(E) WOOD FENCING APPLIED TO AN (E) 7' HIGH CMU WALL
8	(E) WOOD FENCE WITH LATTICE ABOVE
9	(E) 2x WOOD TRELLIS
10	(E) REAR WOOD DOOR
11	(E) REAR WOOD GATES
12	(E) WOOD FRAMED PATIO COVER WITH METAL ROOFING
13	(E) REAR FASCIA AND RAIN GUTTER
14	(E) BOLLARDS TO REMAIN - TYP.

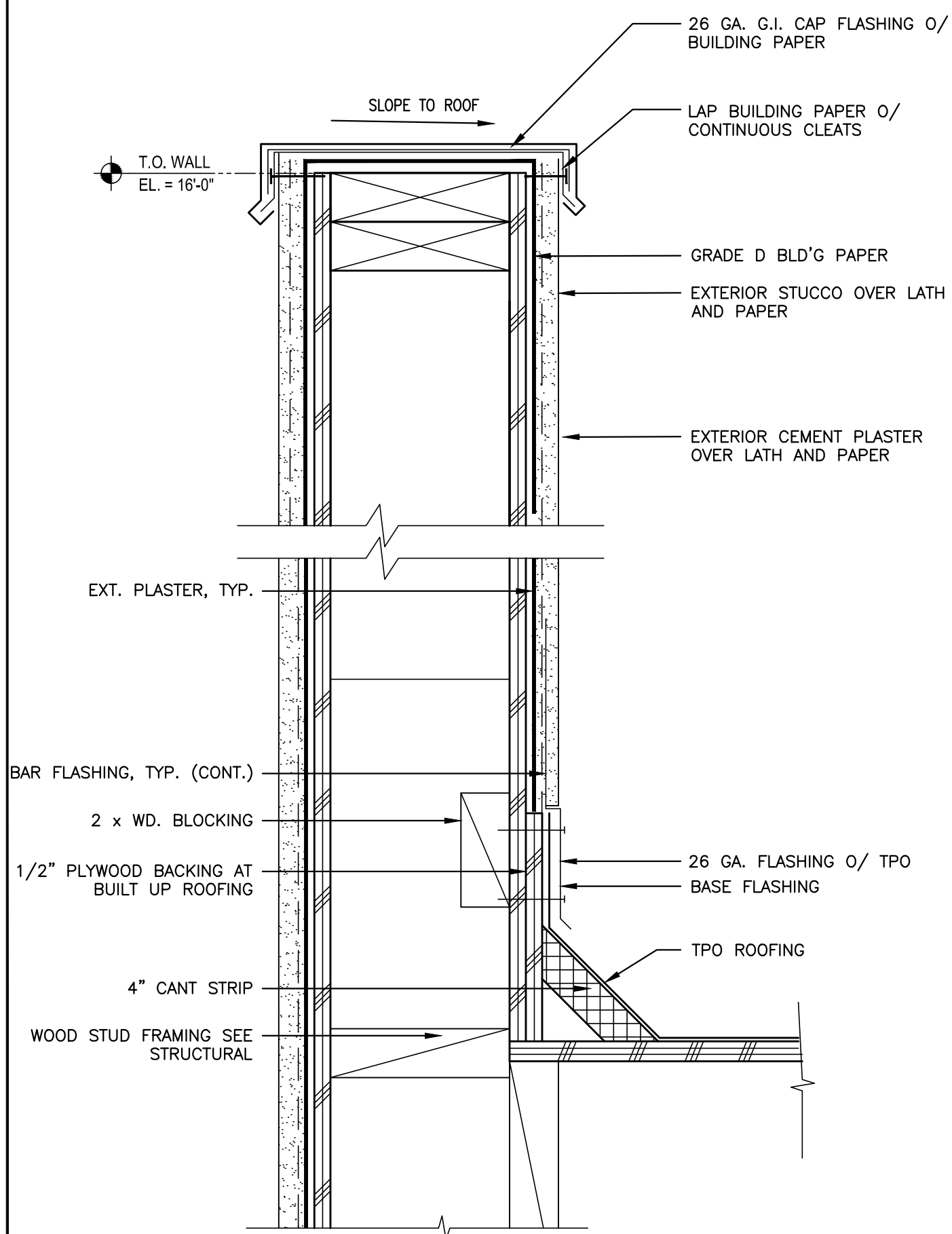


KEY NOTES

- 1 (N) 6x POST PER PLAN
- 2 (N) METAL MESH PANEL
- 3 (N) STUCCO WALL PER PLAN
- 4 (N) WOOD BEAM PER PLAN
- 5 (E) REAR FASCIA AND RAIN GUTTER
- 6 (N) CEILING MOUNTED HEATER
- 7 (N) SINGLE PLY TPO ROOFING MEMBRANE O/ PLYWOOD SHEATHING, ER1306-01 ICC ES AC10, GLASS A
- 8 (N) CANVAS AWNING AT REAR DOOR
- 9 (N) 5/8" T1-11 PLYWOOD W/ GROVES @ 8" O.C. AND ACOUSTIC PANELS MOUNTED BELOW

CEILING SCHEDULE

- LT1 NEW SURFACE MOUNTED LIGHT FIXTURE
- LT2 NEW SURFACE MOUNTED WALL SCONCE
- EXIT ILLUMINATED EXIT SIGN W/ 90 MIN. BATTERY BACK UP.
- (E) SURFACE MOUNTED LIGHT FIXTURE TO REMAIN
- (N) SURFACE MOUNTED INFRARED AREA HEATER
- (N) SURFACE MOUNTED FANS



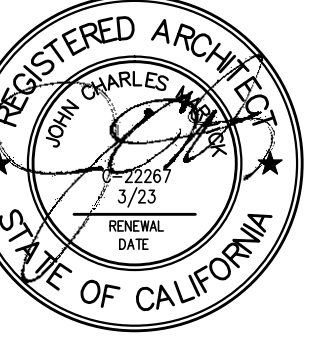
CANT & FLASHING DETAIL @ PARAPET

1

-7-



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COSTA MESA, CA 92627

ISSUE RECORD:
6-1-23 C.U.P. SUBMITTAL

DRAWN: _____ CHECKED: _____
C.M. C.M.

PROJECT NUMBER:
22-13 WEST END RESTAURANT

SHEET TITLE:
REFLECTED CEILING PLAN & ROOF PLAN

SHEET NUMBER:

A-4.0

DATE OF LAST PRINT: 5-16-23

From: [Steve Saltsman](#)
To: [PC Public Comments](#)
Subject: 814 W 19th street business concern
Date: Wednesday, October 9, 2024 10:07:29 AM

Hello,

I am a property owner of the Vista Center in Costa Mesa. I received public notice of a business near my property at 814 W 19th St planning to construct a new outdoor patio, expanding hours, and allowing live music. I have some concerns to address relating to this notice. First, I am concerned with the liability for people crossing the street, especially intoxicated for fear that someone will get hit by a car. Second, people may be parking in our lot illegally and taking possible parking spaces for our customers. Third, this may cause our center additional expenses including being forced to hire security which costs are substantial and placed unfairly on the tenants. Fourth, this expansion may cause issues between neighboring businesses. Finally, if this is approved, it will most like cause other businesses to have the same request.

Thank you for your attention to this matter.

Sincerely,
Steve Saltsman

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From: [RODRIGUES, BILL](#)
To: [PARTIDA, ANNA](#)
Subject: FW: Application NO.: PODA-24-0001 & PMCP-24-0008
Date: Thursday, October 10, 2024 9:12:27 AM

Dear Planning Department,

I hope this message finds you well. My name is Leila Lester, and I am the property manager for Vista Center. I am reaching out regarding Application No. PODA-24-0001 & PMCP-24-0008, which seeks approval for the expansion of outdoor dining and extended hours of operation at a nearby establishment.

We have significant concerns regarding this application, and I would like to bring them to your attention for consideration:

Currently, we are facing persistent issues with customers from neighboring restaurants and bars parking in our private lot. Despite multiple conversations with the managers of these businesses, we frequently have to resort to towing unauthorized vehicles, often causing a large group of patrons to rush back and move their cars. This creates a hazardous situation where individuals, in their urgency, may cross the street unsafely, increasing the risk of accidents—something we feel could become a liability issue.

Given that the surrounding streets are largely permit-only and parking is already extremely limited, we question where these additional patrons, as well as the employees, will be expected to park should the proposed expansion be approved. Without adequate parking solutions, we fear the burden will continue to fall on our property, adding to our operational expenses and exposing us to greater risks.

We understand the Planning Department's role in making informed decisions, and we trust your expertise in addressing these kinds of concerns. We respectfully request that you consider the impact on established businesses like ours, which may face undue hardship if this application is approved without a viable plan for mitigating these issues.

Again to reiterate our concerns:

CONCERNS:

- liability for people crossing the street, especially intoxicated. Fear that someone will get hit by a car
- parking in our lot illegally, taking parking spaces for our customers
- causing the center additional expenses including being forced to hire security which costs are substantial and placed unfairly on the tenants
- causing issues between neighboring businesses

- approval will most like cause other businesses to have the same request

We would greatly appreciate your help in ensuring that you protect the current established businesses.

Thank you for your time and consideration.

- Regards,

Leila Lester

Executive Property Manager

L&M Coastal Property Management, Inc

1810 Newport Blvd Suite C, Costa Mesa, CA 92627

O: 949-646-3679

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