

## **Attachment No. PC 2**

Use Permit No. 1822

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March 3, 1977

## ROLL CALL

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Item #10

USE PERMIT  
NO. 1822APPROVED  
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Request to remodel and enlarge the existing kitchen, storage and supply areas of the Five Crowns Restaurant facility in the C-1 District. The proposed development also includes the construction of a roofed trash enclosure that encroaches to the rear property line (where the Ordinance requires a 5 foot rear yard setback when the rear of a C-1 lot abuts on a Residential District).

Location: Lots 1, 2, and 3, Block A of Tract 673, located at 3801 East Coast Highway on the southeast corner of East Coast Highway and Poppy Street in Corona del Mar.

Zone: C-1 and C-1-H

Applicant: The Five Crowns Restaurant, Newport Beach

Owner: Van-Frank Investments, Inc., Los Angeles

Staff advised that any motion to approve this use permit should also include a waiver of whatever number of parking spaces the Commission so desired to waive.

Public hearing was opened in connection with this matter.

Arthur Wynne, officer of the Five Crowns Restaurant, appeared before the Commission and concurred with the staff report and recommended conditions. With respect to the problem of parking in front of the "cottage" which has occurred in the past, he advised that the valets have been instructed not to use this area in the future.

Commissioner Hummel voiced concern with the width of the driveway leading into the garages on the adjacent property and questioned the possibility of requiring a reduction in the width in order to eliminate access to the side of said garages. Mr. Wynne advised that the property referred to was not under their control, however, he would contact the parent company to see what could be done.

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Herbert Citron, President of Valet Parking Services, Inc., appeared before the Commission and advised of their instructions to the parking attendants for the Five Crowns Restaurant in order to eliminate parking problems which have existed in the past.

Roger Morin, 327 Poppy, appeared before the Commission in favor of the request and advised that the major concerns of the adjacent residents which were expressed at past public hearings have been met by Five Crowns and that the proposed remodeling would be an asset to the neighborhood.

There being no others desiring to appear and be heard, the public hearing was closed.

## Motion

X Motion was made that Planning Commission make the following findings:

1. That the proposed use is consistent with the Land Use Element of the General Plan and is compatible with surrounding land uses.
2. The project will not have any significant environmental impact.
3. The Police Department has indicated that they do not contemplate any problems.
4. The existing work, washout, and storage areas are inadequate for the needs of the restaurant facility. The proposed development will greatly improve the restaurant operations, including the access of delivery and trash trucks to and from the site.
5. A waiver of a portion of the required off-street parking spaces is justifiable, since no additional seats or "net public area" are proposed in the restaurant complex.
6. The existing offstreet parking spaces for the restaurant use on a separate lot from the building site are justifiable for the following reasons:
  - a. The subject parking lot is directly across Poppy Avenue from the restaurant site.

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- b. The existing development does not create undue traffic hazards in the surrounding area.
  - c. The site is owned by the property owner of the restaurant property and will be maintained as an offstreet parking lot for the duration of the restaurant use on the adjoining property.
7. That the establishment, maintenance or operation of the use of the property or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City and further that the proposed modification is consistent with the legislative intent of Title 20 of this Code.
  8. The approval of Use Permit No. 1822 will not, under the circumstances of this case be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing and working in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.
- and approve Use Permit No. 1822, subject to the following conditions:
1. That development shall be in substantial conformance with the approved plot plan, floor plans, and elevations.
  2. That all mechanical equipment and trash areas shall be screened from adjoining properties and from adjoining streets.
  3. That an offsite parking agreement shall be approved by the City Council, guaranteeing that a minimum of 87 parking spaces shall be maintained at the southwesterly corner of East Coast Highway and Poppy Avenue for the duration of the restaurant use on the adjoining property and that the remaining requirement of 33 spaces be waived.

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4. That valet parking personnel shall be maintained on the offsite parking lot at all times during the hours of operation of the restaurant facility.
5. That a washout area for trash containers shall be provided in such a manner as to allow direct drainage into the sewer system and not into the storm drains.
6. That there shall be no increase in the "net public area" of the restaurant facility in conjunction with the proposed development.
7. That a parcel map be filed.
8. That all improvements be constructed as required by Ordinance and the Public Works Department.
9. That no building permits be issued for structures within the abandoned alley area until vacation and abandonment proceedings can be completed for all or a portion of the public utility easement which was reserved when the alley was vacated and abandoned.
10. That the portion of the existing driveway approach not being used be closed up.
11. That the new driveway approach be constructed as shown on the site plan.
12. That all work in the public right-of-way be done under an encroachment permit obtained from the Public Works Department.
13. That the "heaved" sidewalk along East Coast Highway and Poppy Avenue be replaced.

Motion

X

The Motion was amended to add two conditions; that the employees be encouraged to park in the parking lot, and that the valet service in no way utilize the space in front of the "cottage" for valet parking.

In discussing the amendment, Commissioner Hummel commented on required parking for restaurants in general and felt that this restaurant should comply with the requirements and provide parking

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for their employees off the street in order to eliminate parking problems in the adjacent residential neighborhood.

Commissioner Agee felt that additional parking requirements were unfair at this point because the remodeling was to the kitchen and trash areas only and because the restaurant was established prior to any parking requirements.

Following discussion, the two conditions were acted upon separately, as follows:

Ayes  
Absent

Ayes  
Noes  
Absent

Ayes  
Absent

1. That the valet service shall not use the driveway apron in front of the "cottage", which adjoins the restaurant site to the south, for restaurant parking.  
(Amendment carried.)
2. That the employees be encouraged to park in the designated lots.  
(Amendment failed.)

The original motion was then voted on as amended and carried.

\* \* \*

Item #11

VARIANCE  
NO. 1061

APPROVED  
CONDITIONALLY

Request to permit the construction of a duplex and related parking spaces on a lot with less than the required 2,400 square feet in the R-3 District. Further request to permit one of the required parking spaces to have a width of 8 feet (where the Ordinance requires minimum 9 foot wide spaces).

Location: Lot 18, Block 1, Newport Bay, located at 205 East Balboa Boulevard on the southerly side of East Balboa Boulevard, between Alvarado Street and Coronado Street on the Balboa Peninsula.

Zone: R-3

Applicant: Marinko Jerkunica, Laguna Beach

Owner: Same as Applicant

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