

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

February 24, 2014

These meeting minutes represent an "action minute" format with a concise summary of the meeting. A video of the meeting may be viewed on the City's website at www.costamesaca.gov or purchased on DVD upon request.

Commissioner Mathews led in the Pledge of Allegiance.

ROLL CALL:

Present: Chair Jim Fitzpatrick
Vice-Chair Robert Dickson
Commissioner Colin McCarthy
Commissioner Jeff Mathews
Commissioner Tim Sesler

Staff: Gary Armstrong, Economic & Development Services Director
Jerry Guarracino, Interim Assistant Development Services Director
Fariba Fazeli, City Engineer
Willa Bouwens-Killeen, Principal Planner
Mel Lee, Senior Planner
Antonio Gardea, Senior Planner
Martha Rosales, Recording Secretary

PUBLIC COMMENTS - None

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner McCarthy announced that Saturday, 3/1/14 was Little League Opening Day and encouraged everyone to attend.

Commissioner Sesler reported on the new Smartphone application - Costa Mesa Connect – that was available in Apple Stores or Google Play. The application, available in 17 languages, could be downloaded and used to report problems to the City.

Chair Fitzpatrick congratulated staff on achieving a Bicycle Corridor Improvement (BCI) grant with a maximum grant feasible of \$1 million dollars to compliment a total \$1.7 million budget for bike trails that will enhance bicycle and pedestrian mobility on West 19th Street.

With regards to the May 2013 priority goals that City Council cascaded to the Planning Commission, Chair Fitzpatrick requested the following: Review the 2013 Planning Commission Goals at the March 24th Planning Commission meeting; review recommendations to meet Council goals in an April Planning Commission meeting and a Joint Study Session with Council in May. Chair Fitzpatrick asked the Commissioners to provide updates to staff.

CONSENT CALENDAR:

1. Minutes for the meeting of February 10, 2014
2. Proposed Vacation of a portion of Fullerton Avenue at 1854 Fullerton Avenue

MOTION: Approve Consent Calendar Items No. 1 and 2. Moved by Commissioner McCarthy, second by Chair Fitzpatrick.

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None
Abstained: None

Chair Fitzpatrick announced the Commission was moving the New Business item to the top of the Agenda.

MOTION: Move New Business item before Public Hearings on the Agenda. Moved by Commissioner Mathews, second by Commissioner McCarthy.

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None
Abstained: None

NEW BUSINESS:

1. Update/Status of the Fourth Residential Neighborhood Enhancement Program

Willa Bouwens-Killeen, Principal Planner, presented the staff report and said she would notify the Police Department to check the streets for parking compliance.

Chair Fitzpatrick asked when another neighborhood enhancement program would be considered. Ms. Bouwens-Killeen advised Code Enforcement had just lost their Senior Officer so it might be a couple of months. She hoped to work with 5th floor Code Enforcement (Community Improvement Division) to target single-family homes in the area west of Placentia and south of West Wilson.

MOTION: Receive and file the Update/Status of the Fourth Residential Neighborhood Enhancement Program. Moved by Commissioner McCarthy, second by Vice-Chair Dickson.

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None
Abstained: None

PUBLIC HEARINGS:

1. **Application No.:** PA-13-08
Applicant: Patrick Fielder
Site Address: 751 Baker Street
Zone: C2
Project Planner: Mel Lee
Environmental Determination: Exempt

Description:

1. Conditional use permit for the sale of alcoholic beverages (beer, wine, distilled spirits) and motor vehicle fuel at an existing service station / convenience market with a State Alcoholic Beverage Control (ABC) License Type 21 (Off-Sale General). Current hours of operation are 24 hours, 7 days a week.

2. A finding of Public Convenience or Necessity (PC or N) in conjunction with a premise-to-premise transfer of an existing ABC License from within the City to allow the sales of alcoholic beverages at the proposed location.

Mel Lee, Senior Planner, reported Public Hearing No. 1 was a continued item. He recapped the staff report and read the applicant's revised proposal for Condition of Approval No. 11 regarding an electronic surveillance of the site rather than a roving security guard for the property.

Commissioner McCarthy asked if staff was comfortable with the compromise. Mr. Lee responded affirmatively.

PUBLIC COMMENTS

Ken Barton, applicant, said they had pursued a number of alternatives and ways to make this work operationally and meet the Commission's requirement. Mr. Barton felt they had come back with a strong compromise.

The Commission overall supported the Applicant's revised proposal.

MOTION: Based on the evidence of the record, the findings contained in Exhibit A and Conditions of Approval in Exhibit B, approve PA-13-08 and make a finding of public convenience or necessity for the premise-to-premise transfer of a Type 21 ABC license. Moved by Vice-Chair Dickson, second by Commissioner McCarthy.

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None
Abstained: None

The Chair explained the appeal process.

2. **Application No.:** GP-13-02, R-13-02, CO-13-02, and PA-13-11
Applicant: Red Oak Investments
Site Address: 125 East Baker Street
Zone: CL (Existing); PDR- HD (Proposed)
Project Planner: Mel Lee
Environmental Determination: Exempt

Description: The proposed project is a five-story, 240-unit apartment complex (63-foot maximum height proposed) at a density of 58 dwelling units per acre with a six-story parking structure (57-foot maximum height proposed) with 465 parking spaces and four outdoor on-grade parking spaces, along with the following specific entitlements:

1. **General Plan Amendment GP-13-02.** Change the land use designation of the 4.17-acre development site from Industrial Park to High Density Residential. In addition to the change in land use designation, the general plan amendment also involves text amendment(s) to the City's General Plan to reflect a site-specific density of 58 dwelling units per acre, and a site-specific height of six stories.
2. **Zoning Code Amendment CO-13-02.** A zoning ordinance to amend Costa Mesa Municipal Code Title 13 for a site-specific density of 58 dwelling units per acre. The site is proposed to be designated PDR-HD (Planned Development Residential-High Density) in the City's Zoning Code. The designation allows up to 20 dwelling units per acre, or 83 dwelling units maximum for the site. The proposed 240-unit project

- would require an amendment to Table 13-58 (Planned Development Standards) to allow a site-specific density of 58 dwelling units per acre for this project.
3. **Rezone R-13-02.** A rezone (or change) of the zoning classification of the 4.17-acre development site from Commercial Limited (CL) to Planned Development Residential – High Density (PDR-HD).
 4. **Master Plan PA-13-11.** A Master Plan application for the proposed development of the five-story 240-unit residential apartment building (63 feet overall height) that wraps around a six-story parking structure (57 feet overall height) with 465 parking spaces in the structure and four outdoor on-grade parking spaces with a deviation from: on-site parking requirements (541 parking spaces required; 469 parking spaces proposed).
 5. **Final Environmental Impact Report (SCH# 2013081051).** Certification of the Final EIR for the project

Mel Lee, Senior Planner, reported staff was recommending to continue the item to the March 24, 2014 Planning Commission meeting.

PUBLIC COMMENTS - None

MOTION: Continue item to the March 24, 2014 Planning Commission meeting. Moved by Vice-Chair Dickson, second by Commissioner McCarthy.

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
 Noes: None
 Absent: None
 Abstained: None

3. **Application No.:** PA-13-36 & TTM 17708
Applicant: Bryan Coggins
Site Address: 2075 Placentia Avenue
Zone: MG
Project Planner: Antonio Gardea
Environmental Determination: Exempt

Description:

The proposed project involves development of 14 three-story live/work units with roof decks. The project site is 40,283 square feet (0.93-acre) and the proposed Floor Area Ratio (FAR) is 0.68. A total of 46 parking spaces (28 enclosed and 18 open) are provided on site. The project is within the Mesa West Bluffs Mixed Use Overlay District. The project includes the following:

1. **Planning Application PA-13-36** – Urban Master Plan for development of a 14-unit live/work project on an industrially zoned parcel within the Mesa West Bluffs Urban Plan area. The project includes a deviation from the building separation requirement (ten feet required, six feet, three inches provided).
2. **Tentative Tract Map 17708** – Subdivision of a 0.93-acre property for condominium purposes to allow private sale and ownership of the 14 live/work units.

Antonio Gardea, Senior Planner, summarized the staff report. Mr. Gardea advised of two conditions of approval – 1) due to the project’s use of high-quality materials and contemporary design the Planning Commission would have to review any changes to the project’s architecture and 2) requirement for on-site trash pick-up. Two letters of opposition were received that addressed concerns with intensity, parking spaces and

setbacks from the side property lines. Two letters of support were received from a neighboring business owner and project consultant. Mr. Gardea recommended adoption of the resolution approving the Urban Master Plan with a deviation from the minimum required 10-foot building separation requirement.

The Commission discussed the parking standards for multi-unit residential vs. multi-unit live/work; intensity of use and Condition of Approval No. 27E (ground floor work space).

PUBLIC COMMENTS

Bryan Coggins, applicant, was in agreement with all the conditions of approval including the new conditions. Mr. Coggins provided background information on another project (Sea House), spoke of their experience with live/work projects and addressed intensity concerns.

Mike Muzzie, Costa Mesa resident, was in great opposition of the project and asked why there was not an environmental impact report for the project.

Robert Beaver, Costa Mesa West Side resident, felt that improvements to the West Side needed to be measured so as to increase the value of his property and the visual attributes of the neighborhood. Mr. Beaver spoke on parity and said the project was not a good fit for the West Side.

Erica Norgaard, West Side resident, supported live/work projects but was concerned about setback, height and traffic issues in the residential area along Federal Avenue. Ms. Norgaard wanted to see letters of support from the residents along Federal to see if they supported a 3-story project.

Angela Danciu, owner of G&D Auto Collision, supported new development but felt this particular project was extreme. Ms. Danciu raised parking and setback issues as well as concerns with noise and odor complaints from residences being too close to her business.

Michael De Carbo, Costa Mesa resident, strongly opposed the project and urged the Commission to postpone their vote until the applicant answered the public's concerns regarding time-frame, power lines, residents' privacy and the height of the project.

Cornell Iliescu, owner of Reliable Motors, thought it was insane to build homes on some of the most polluted soil that existed in Costa Mesa. Mr. Iliescu asked if the EPA was going to allow people to live in an area that contained 45 years of underground pollution and that measures need to be taken to clean the polluted area to make it livable.

J. Paul Townley, Costa Mesa resident and Ms. Danciu's son-in-law, said the traffic impact from this project would be higher than what it currently is. He did not think the project met AQMD distance requirements and said his mother-in-law was concerned because auto body and mechanical permits were not easily granted. If the area turned into residential, the residents would complain about the fumes and they would be forced to move out.

Don Lamm, applicant's authorized agent, spoke on behalf of Mr. Coggins. Mr. Lamm gave a detailed overview on the history of the West Side and explained that the Urban Plan (adopted in 2006) was an overlay zone that allowed a live/work component - hybrid residential in an urban in-fill situation for residential, home office or other type of small professional use in an industrial environment. Mr. Lamm stated the project was in compliance with zoning standards and the contamination level of the site was surface only.

The Commission discussed the environmental impact reports, contamination findings, live/work implementation, traffic analysis studies and the side and rear walls.

Interim Assistant Director Jerry Guarracino provided responses for questions posed by the Commission. He explained there would be revisions to the resolution findings, addressed the difference between Urban Plan parking and parking for the same units in a different area, defined intensity and said staff would be requesting a revised landscaping plan for the rear area.

MOTION: Based on the evidence of the record, the findings contained in Exhibit A, the conditions of approval contained in Exhibit B and permanent uses contained in Exhibit C, approve PA-13-36 and TT 17708. Moved by Vice-Chair Dickson, second by Commissioner McCarthy.

Mr. Guarracino asked if the motion included the change in the finding regarding CEQA clearance. The maker and second of the motion said their motion did include the revision.

Chair Fitzpatrick stated the motion also included the additional condition of approval regarding on-site trash pick-up. Everyone concurred the motion included the additional condition of approval.

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None
Abstained: None

The Chair explained the appeal process.

ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON MONDAY, MARCH 10, 2014.

Submitted by:



CLAIRE FLYNN, SECRETARY
COSTA MESA PLANNING COMMISSION