

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

August 25, 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 McCarthy led in the Pledge of Allegiance.

ROLL CALL:

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

Absent: Commissioner Tim Sesler

Staff: Jerry Guarracino, Interim Assistant Development Services Director
Yolanda Summerhill, Planning Commission Counsel
Bart Mejia, Parks Project Manager
Raja Sethuraman, Transportation Manager
Mino Ashabi, Principal Planner
Mel Lee, Senior Planner
Antonio Gardea, Planner
Martha Rosales, Recording Secretary

PUBLIC COMMENTS - None

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS

Chair Fitzpatrick thanked the Public Services Department for sharing a list of rehabilitation and improvements projects. In September he will be meeting with Commissioner Graham from the Parks & Recreation Commission and welcomed community input regarding bike-ability and walkability. He gave an overview regarding a Residential Parking Program meeting he attended with Vice-Chair Dickson and spoke about building a body of evidence by developing the best practices for the community when using Costa Mesa Connect.

At the request of Chair Fitzpatrick, Raja Sethuraman, Transportation Manager gave an update on the 17th Street Project (Public Hearing Item No. 1).

Commissioner McCarthy made a brief presentation on e-vaping and stated they needed to become better informed on this subject. E-vaping is expanding and proliferating and he did not feel the City had a handle on it. He asked staff's assistance in finding out how many Costa Mesa shops sold the product, their location, advertising regulations, if it was legal in parks, etc.

CONSENT CALENDAR:

1. Minutes for the meeting of August 11, 2014.

2. **Application No.** PA-99-39 & PA-97-174 (Review/Modification/Revocation)
Applicant: Joel Burnstine
Site Address: 1609 Pomona Avenue
Zone: C1
Project Planner: Antonio Gardea
Environmental Determination: Exempt – Section 15321 Enforcement Actions

Description:

The City of Costa Mesa initiated the revocation of the following Conditional Use Permits, at the request of the property owner's authorized agent; PA-99-39 that allowed operation of a martial arts studio which has been discontinued from more than 180 days; and PA-86-174 for automobile sales without outdoor display which is a use allowed by right. A standard condition of approval indicates that the application expires upon discontinuance for a period of 180 days or more. The Planning Commission is taking formal action to revoke the discontinued land use entitlements.

MOTION: Approve Consent Calendar items; find Consent Calendar Item No. 2 (PA-99-39 & PA-86-174) to be exempt from further CEQA review per Section 15321 and adopt resolution to approve revocation of the Conditional Use Permit. Moved by Commissioner McCarthy, seconded by Vice-Chair Dickson. (PC Resolution 14-38)

The motion carried by the following roll call vote:

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

PUBLIC HEARINGS:

1. **Application No.** PA-14-14
Applicant: Tom Utman
Site Address: 481 E. 17th Street
Zone: C1
Project Planner: Mel Lee
Environmental Determination: Exempt - Section 15303 New Construction

Description:

Conditional use permit to demolish an existing 6,350 square foot car wash facility (Beacon Bay Auto Wash) and construct a new 4,506 square foot car wash facility (Fast 5 Xpress Car Wash).

Mel Lee, Senior Planner, presented the staff report and provided answers regarding rear block walls, signage and threshold for 55 decibel (dBA) noise levels.

Mr. Sethuraman responded to Commissioner Dickson's question regarding Beacon Bay using the alley as an ingress/egress point.

PUBLIC COMMENTS

Tom Utman, applicant and an owner of Fast 5 Xpress Car Wash, met with City staff to review the latest recommendations regarding the ingress/egress circulation and perpendicular vacuum stalls. Mr. Utman agreed to widen the internal driveways to 24-foot for dual access, reduce the rear alley access, and said the site plan would be

revised. He plans to adhere to the revised changes and said they have the support of the owners to the rear.

MOTION: Based on the evidence of the record, the findings contained in Exhibit A and subject to the Conditions of Approval contained in Exhibit B as modified, including the 4 revisions circulated by staff (transportation/circulation issues), inclusion of a Condition of Approval requiring the applicant to rework the exit circulation if egress issues arise in the alley; lowering the entry canopy to the extent possible to allow ingress/egress to trash vehicles plus modify existing Condition of Approval No. 17 by removing the words “*not to exceed eight feet in height and*” from the first sentence and find the project exempt from further CEQA review per Section 15303, approve PA-14-14. Moved by Vice-Chair Dickson, seconded by Commissioner McCarthy with comment. (PC Resolution 14-39).

The motion carried by the following roll call vote:

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

The Chair explained the appeal process.

2. **Application No.:** PA-14-18 & TT-17647
Applicant: Chad Brown
Site Address: 1631-1645 Tustin Avenue
Zone: R2-MD
Project Planner: Minoo Ashabi
Environmental Determination: Exempt – Section 15332 Infill Development Projects

Description: The proposed project involves:

- 1) Design Review to construct an 11-unit detached, two-story, residential development including an Administrative Adjustment from front yard setback standards (20 feet required, 12 feet proposed).
- 2) Tentative Tract Map for the subdivision of the property in accordance with the small lot ordinance.

Minoo Ashabi, Principal Planner, presented the staff report.

Ms. Ashabi explained the difference between a variance, a deviation and an administrative adjustment to give the Commissioners a better understanding for the reduced front setback on Ogle Street. It was determined that aside of the administrative adjustment, everything in the application complied with the Small Lot Ordinance.

At the request of Vice-Chair Dickson, Ms. Ashabi explained the mitigation to justify the front setback on Ogle Street and the conditions for the enhanced landscaping for aesthetics purposes.

PUBLIC COMMENTS

Chad Brown, with Melia Homes and applicant, stated that with the adoption of the Small Lot Ordinance for infill projects, this was an ideal situation to provide for-sale housing. He provided the Commission with an overview of his project and addressed concerns regarding setbacks and enhanced elevations. Mr. Brown stated that with the allowance of an administrative adjustment, this was the best and well-suited design without trying

to push an adjustment to any other setbacks. He had read the Conditions of Approval, was familiar with them and in agreement. He presented a letter from the Costa Mesa Sanitation District whereby they were granting him approval for on-site trash pick-up and requested the Commission approve his project.

Jay Humphrey, Costa Mesa resident, was happy to see a developer coming forward with a project that came close to the allowable requirements. He suggested the Commission only allow pervious pavers and expressed concern regarding trash pick-up, parking and rear elevation.

Barrie Fisher, Costa Mesa resident, inquired about guest parking. Staff explained that the 6 parallel parking spaces would be open and available, and the spaces depicted in the Plan 2 Floor Plan would be exclusive.

Anna Vrska, Costa Mesa resident, agreed with Mr. Humphrey's analysis and inquired about parking calculations (26 parking spaces for 14 units). She felt the project needed more resident and guest parking and asked that the parking issues be taken into consideration.

Matt Appel, Costa Mesa resident, was having a hard time visualizing the project from its description. He felt the front of the homes along Tustin Avenue should face Tustin Avenue and said the project's density was much higher than the rest of the neighborhood.

Eric C. Ross, Costa Mesa resident and landlord, said it was all about the density and the traffic on Tustin Avenue that was already a nightmare. He was not anti-development and wanted to see his neighborhood cleaned up but the project's density was insane. On certain days, Mr. Ross helped his elderly neighbors back-out of their driveways and controlled traffic because the neighborhood was already over and above "medium density".

Grant McNiff, Costa Mesa resident, urged the Commissioners to drive from 17th Street South to 16th Street at 6:00 and 7:00 a.m. and witness the parking situation. The neighborhood is insane - there was no room in it for 11 units. The project is a recipe for disaster – he urged the Commission to take a good look at the project before making big decisions.

Randy Ladisky, Costa Mesa resident representing Ms. Kristen Cook who owned 384 16th Place read a letter on her behalf regarding the detrimental impacts of the 11-unit project on her home.

John Ryan, Costa Mesa resident, was in agreement with his neighbors regarding the density of the project. He was in favor of changing the current apartment building that was an "eye sore" but wanted to see less density and more creativity so it would blend in with the neighborhood.

Neil Ross, Costa Mesa resident, said all the public speakers had touched on the key topics but he did not know if Vice-Chair Dickson (who had previously resided on Ogle Street) knew that most of the businesses require their employees to park on Ogle and Tustin Avenues. The project would create additional stress on infrastructure that was already out of control. Mr. Ross wanted to see alternative plans before approving the project.

William Owen, Costa Mesa resident, felt the project was too much for too little of a space and he did not want it in his neighborhood – 11-units was too much.

Gill Martinez, Costa Mesa resident, said the architecture of the project looked like boxes with gingerbread on them due to the excessive bedrooms (44 in a space that had 28). He wanted the Commission to do the right and responsible thing not just for the builder but for the residents and the neighborhood as well.

In closing, Mr. Brown addressed the concerns expressed by the public speakers and offered explanations for each issue (pavers and water percolation, trash pick-up, parking and traffic).

Commissioner Mathews asked the nature for an administrative adjustment and how many can a project have. Ms. Summerhill read Municipal Code Section 13-29 which set forth the specific findings that were required.

MOTION: Based on the evidence of the record, Findings contained in Exhibit A and subject to the Conditions of Approval contained in Exhibit B, approve PA-14-18 and TT-17647 for an 11-unit residential development at 1631-1645 Tustin Avenue, including a finding that the project is exempt from further CEQA review per Section 15332, Infill Development Projects; and approved the project by the adoption of the attached resolution to allow development of an 11-unit residential development with an Administrative Adjustment from front setback requirement. Moved by Commissioner McCarthy, seconded by Chair Fitzpatrick for discussion. (PC Resolution 14-40)

Vice-Chair Dickson said it came down to how the Commission felt about the intent of the Small Lot Ordinance. Vice-Chair Dickson was struggling with how the project was going to impact the corner, the street scene on Ogle and setting precedence.

Commissioner McCarthy read a statement from the staff report (Page 5) that pertained to the reduced front setback and stated he agreed with staff's statement.

Vice-Chair Dickson determined if the applicant went to 20-feet they would have to go to smaller units or go to 9 units (massing).

Chair Fitzpatrick told the audience to consider the alternative of what could be built there (rentals).

SUBSTITUTE MOTION: Continue the matter for two weeks to give the applicant the chance to meet with project opponents and do further outreach with the residents. Moved by Vice-Chair Dickson. Motion failed due to lack of a second.

The original motion carried by the following roll call vote:

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

The Chair explained the appeal process.

DEPARTMENTAL REPORT(S):

1. Public Services – None
2. Economic and Development Services – None

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney - None

ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON MONDAY, SEPTEMBER 8, 2014.

Submitted by:

A handwritten signature in black ink, appearing to read "Claire Flynn", with a long horizontal flourish extending to the right.

CLAIRE FLYNN, SECRETARY
COSTA MESA PLANNING COMMISSION