

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

**April 13, 2015**

*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](http://www.costamesaca.gov) or purchased on DVD upon request.*

Sergeant Chris Merkel, United States Marine Corp veteran, led in the Pledge of Allegiance.

**ROLL CALL**

Present: Chair Robert Dickson  
Vice-Chair Jeff Mathews  
Commissioner Colin McCarthy  
Commissioner Tim Sesler  
Commissioner Stephan Andranian

Staff: Claire Flynn, Assistant Development Services Director  
Yolanda Summerhill, Planning Commission Counsel  
Raja Sethuraman, Transportation Services Manager  
Minoo Ashabi, Principal Planner  
Mel Lee, Senior Planner  
Dan Inloes, Associate Planner  
Chelsea Crager, Assistant Planner  
Jennifer Marks, Bon Terra Psomas Consultant  
Martha Rosales, Recording Secretary

**PUBLIC COMMENTS**

Beth Refakes, representing the Military Affairs Team, thanked everyone who donated candy and eggs for the Easter Egg Hunt in Camp Pendleton that was held on April 3, 2015.

Steven Chan, Costa Mesa resident, gave a third public plea to abate the Barrera nightclub on West 19<sup>th</sup> Street stating it is not suitable for the surrounding community.

Ann Parker, Costa Mesa resident, expressed concern over security at the Barrera nightclub and questioned who would be liable for any incidents.

Mary Spadoni, Costa Mesa resident, spoke on the percentage of homeless children in Orange County and in Costa Mesa. Ms. Spadoni acknowledged Project Hope Alliance, a Costa Mesa organization that assists housing homeless families, and gave details on a May 1<sup>st</sup> fundraiser where 100% of the proceeds go to Project Hope Alliance. She also asked the Planning Commission to take action towards bringing affordable housing to Costa Mesa.

**PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS**

Commissioner McCarthy discussed the potential closure and other possibilities for the Fairview Development Center property. He asked the community to come together as a group to develop plans for the property.

**CONSENT CALENDAR:**

- 1. Minutes for the meeting of March 23, 2015.

**MOTION: Approve March 23, 2015 minutes. Moved by Commissioner McCarthy, seconded by Commissioner Sesler.**

The motion carried by the following roll call vote:

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

**PUBLIC HEARINGS:**

- 1. **Application No.** PA-14-33: AN AMENDMENT TO MASTER PLAN PA-06-75 FOR DEVELOPMENT OF A 23-STORY HIGH-RISE RESIDENTIAL TOWER AND 6.5 LEVEL PARKING STRUCTURE AT 3350 AVENUE OF THE ARTS  
**Applicant:** Rosanna Inc.  
**Site Address:** 3350 Avenue of the Arts  
**Zone:** PDR-HD  
**Project Planner:** Minoos Ashabi  
**Environmental Determination:** Addendum to the Final Program EIR No. 1054/Previously Certified on November 20, 2007 by City Council.

**Description:** The proposed project involves the following:

The proposed project involves:

- 1) Amend the proposed hotel room count from a 200-room to a 238-room hotel to reflect retention of all of the rooms of the existing Wyndham hotel.
- 2) Reduce the originally approved density of the high-rise condominium building from 120 units (44 dwelling units per acre) to 100 dwelling units (34 dwelling units per acre).
- 3) Variance from North Costa Mesa Specific Plan to allow overall mix of 238 hotel rooms and 100 residential units. Approval of the requested variance shall be subject to conformance with Specific Plan findings.
- 4) Variance from open space perimeter setback requirement (20 feet originally approved, 6 feet proposed for outdoor seating and 4 feet for perimeter walls and pilasters). Note: The proposed building is located at a 26-foot setback.
- 5) Variance from open space perimeter setback and encroachment into sidewalk and landscape easement for the northwest corner of proposed high-rise building (20 feet required; 5'-3" feet proposed); balconies located about 30 feet above grade level (20 feet required; 6'-3" encroachment over public sidewalk proposed).
- 6) Variance from minimum private open space requirement for two, two-bedroom units on Level Two (minimum 100 sq. ft. required; no balconies proposed for these units).

Minoos Ashabi, Senior Planner, presented Part 1 of a 2 part staff report. Jennifer Marks, consultant with Bon Terra/Psomas, presented Part 2 that pertained to CEQA requirements.

**PUBLIC COMMENTS**

Paul Sanford, General Manager for the Wyndham Hotel, provided background history about the project to give everyone a better understanding for the amendment.

Gay Royer, Costa Mesa resident, stated if the Commission was going to approve another high-rise building that they please not close Fire Station No. 6.

Mary Spadoni, Costa Mesa resident, urged the Commission to have a plan to keep Fire Station No. 6 in place.

**MOTION:** Approve PA-14-33, an Amendment to Master Plan PA-06-75 for development of a 23-story high-rise residential tower and 6.5 level parking structure at 3350 Avenue of the arts, including an Addendum to the Project Environmental Impact Report No. 1054, demolition of the existing 3-story parking structure and a Master Plan for the Wyndham Boutique and Hotel High-Rise Residential Condominium building, including Amendments A through F minus D, based on the evidence in the record, the Findings set forth in Exhibit A and subject to the revised Conditions of Approval set forth in Exhibit B as follows:

**Condition of Approval No. 37** – delete

**Revise Standard Condition No. 19** to read: “Construction equipment, vehicles, or work between the hours of 7:00 a.m. and 7 p.m., Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturdays with exception of federal holidays, provided that all required permits for such construction, repair, or remodeling have been obtained from the appropriate City Departments.”

**Moved by Commission McCarthy, seconded by Chair Dickson with comment.**

Chair Dickson encouraged residents concerned with Fire Department issues regarding staffing, deployment or stations to reach out to the City Council.

**RESOLUTION 15-16** - A RESOLUTION OF PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT NO. 1054 AND MASTER PLAN AMENDMENT PA-14-33 FOR A 23-STORY HIGH-RISE RESIDENTIAL DEVELOPMENT WITH 100 CONDOMINIUM UNITS AND A 6.5 LEVEL SHARED PARKING STRUCTURE AT 3350 AVENUE OF THE ARTS.

The motion carried by the following roll call vote:

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

2. **Application No.:** GP-14-03, R-14-03, PA-14-19, VT-17779: A MASTER PLAN FOR DEVELOPMENT OF A 28-UNIT RESIDENTIAL PLANNED DEVELOPMENT AT 1239 VICTORIA STREET

**Applicant:** Eric Nelson  
**Site Address:** 1239 Victoria Street  
**Zone:** AP (Existing); R2-HD (Proposed)  
**Project Planner:** Mel Lee

**Environmental**

**Determination:** The City of Costa Mesa proposes to adopt a Mitigated Negative Declaration for the Project. The Initial Study/Mitigated Negative Declaration available for review and comment from February 25, 2015 to March 27, 2015. The Mitigated Negative Declaration is based on the finding that, through compliance with the Standard Conditions and Mitigation Measures, the Project’s potential significant adverse impacts would be reduced to a less than significant level. The reasons to support such a finding are documented by an Initial Study prepared by the City of Costa Mesa

**Description:** The proposed project involves the following:

- 1) Adoption of an *Initial Study/Mitigated Negative Declaration (IS/MND)*;

- 2) **General Plan Amendment GP-14-03** – General Plan amendment to change of Land Use Designation from Neighborhood Commercial to High Density Residential;
- 3) **Rezone R-14-03** - A Rezone (or change) of the zoning classification of the site from Administrative and Professional District (AP) to R2-HD (Multiple-Family Residential District, High Density), up to 14.5 dwelling units per acre;
- 4) **Planning Application PA-14-19** – A Master Plan for development of a 28-unit Residential Planned Development at the site of an existing commercial/light industrial use. The project consists of the development of 28 single-family, detached residences with a net density of 14 dwelling units per acre. The three bedroom residences are three-stories with roof decks and have attached two-car garages. A total of 56 garage parking spaces, 42 driveway spaces, and 14 guest parking spaces are proposed (112 total spaces, or four spaces per unit). The following variances are requested:
  - a) Open Space - A minimum of 40 percent required, 34.9 percent proposed;
  - b) Rear Setback - (20 feet required for second story; 10 feet proposed for second and third stories);
  - c) Building Height (max. 2 stories/27 feet required; 3 stories/roof deck/37 feet proposed).Administrative Adjustment is required for the Front Setback (20 feet required; 14 feet proposed); A Minor Modification required to deviate from the distance from main buildings requirement (10 feet required, 8 feet proposed).
- 5) **Vesting Tentative Tract Map 17779** – Subdivision of a 2.04-acre property.

Mel Lee, Senior Planner, gave an overview and summary of the project's developments since the last Planning Commission meeting.

Raja Sethuraman, Transportation Services Manager, provided a summary of the traffic analysis.

The Commission discussed several concerns - ingress/egress, open space deficiency, roof decks, traffic safety, provision prohibiting rental of rooms and fencing along Vista Park. Ms. Flynn advised the applicant would be responsible for the wrought-iron fence at Valley Rd. and Victoria and that he had not yet concurred.

## **PUBLIC COMMENTS**

Eric Nelson, Trumark Homes applicant, gave a presentation that covered the history of the area, a new project and issues raised at the March 23, 2015 Planning Commission meeting.

Ann Parker, Costa Mesa resident, asked questions regarding the traffic study and using the parking from the shopping center.

Guitar Hoang, Costa Mesa resident, spoke about concerns with the project's proposed zoning and height and the impacts they would have on his home and community.

Christine O'Connor, Costa Mesa resident, was happy that the ingress/egress on to Sea Bluff would not happen. Ms. O'Connor raised concerns with pedestrian access and traffic safety.

Amber Webster, Costa Mesa resident, spoke in opposition of the project's proposed design.

Jay Humphrey, Costa Mesa resident, addressed concerns with parking, the height of the project and the future development of the corner market.

CJ Eckman, Costa Mesa resident, supported the project – it was low maintenance, close to parks and good for growing families. Reduced traffic would be a benefit.

James Hsu, Costa Mesa resident, was concerned with the number of variances and spoke in opposition of the project.

Chris Stewart, Costa Mesa resident, wanted to know the current number of employees at the Westar Plant and addressed traffic safety, access and privacy concerns.

Scott Maples, Corona del Mar resident, liked the detached project because it was low maintenance. It reached out to a group in the City that currently did not have options.

Mike Byer, Costa Mesa resident, felt the project was a good product that attracted younger residents to Costa Mesa. Mr. Byer supported the project.

James Dodelson, Costa Mesa resident, stated a significant change to the character of the neighborhood was at stake due to the high-density. Mr. Dodelson was opposed to the roof decks and height of the project.

Pete Brown, Costa Mesa resident, spoke about the parking issues the project would create and said the project was a recipe for disaster.

Christina Ball, Costa Mesa resident, said the project provided opportunities for the next generation of Costa Mesa residents to start families. She was in support of the project.

Randy Maples, Costa Mesa resident, supported the project because there was growing voice of young professionals that supported projects that offered them trendy amenities.

Mr. Nelson addressed the concerns raised by the public speakers (abutting neighbors who supported and opposed the project, parking, traffic, HOA-maintained sewage plan, deviations, etc.).

Chair Dickson discussed the fence along Vista Park. Mr. Nelson said the City Council would have to decide if the applicant could use park fees to improve the park.

Tom Holm, AECOM Environmental Consultant, reported on the results of the Shadow Study that the project architect submitted to their firm for review.

Commissioner Andranian believed that people who purchase property should essentially get the benefit of the bargain; hence, he had concerns with the zone change.

**MOTION: Recommend by adoption of the Planning Commission Resolution that the City Council approve General Plan Amendment GP-14-03, Rezone R-14-03, Planning Application PA-14-19, Vesting Tentative Tract Map VT-17779, including the Initial Study/Mitigated Negative Declaration, based on the evidence in the record, the Findings set forth in Exhibit A and subject to the Conditions of Approval set forth in Exhibit B, and additional conditions as follows:**

- 1) Prior to consideration by City Council, the applicant work with staff to assess the feasibility (cost, location, etc.) of the installation of a wrought-iron fence at Victoria Park**
- 2) Prior to the consideration by City Council, applicant to explore leasing the additional parking space at Victoria Square for afterhours parking**
- 3) Inclusion of the specific conditions as set forth in the Supplemental Memo**
- 4) Per Page 72 of the staff report and Page 14 on the Supplemental Memo, remove the roof decks for Lots 3, 4, 5 and 6 and amend Conditional of Approval No. 7 pertaining to lot configuration.**

- 5) Installation of privacy windows above the site line per the satisfaction of the Development Services Director.
- 6) Inclusion of a provision by City Council prohibiting the rental of individual rooms to the extent that it is legal.

Moved by Commissioner McCarthy, second by Chair Dickson.

**RESOLUTION 15-17** - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THAT CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

- (1) ADOPT THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION;
- (2) ADOPT GENERAL PLAN AMENDMENT GP-14-03 CHANGING THE LAND USE DESIGNATION OF A 2.04 ACRE SITE FROM NEIGHBORHOOD COMMERCIAL (NC) TO HIGH DENSITY RESIDENTIAL (HDR) LOCATED AT 1239 VICTORIA STREET;
- (3) GIVE FIRST READING TO REZONE R-14-03 TO CHANGE THE ZONING DISTRICT FROM ADMINISTRATIVE PROFESSIONAL TO MULTIPLE FAMILY RESIDENTIAL – HIGH DENSITY; AND
- (4) APPROVE MASTER PLAN PA-14-19 AND VESTING TENTATIVE TRACT MAP VT-17779

The motion carried by the following roll call vote:

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

Chair Dickson called a 5-minute break.

Mr. Nelson reported that due to timing issues with their purchase contract, Ms. Flynn was going look into changing the June 2, 2015 Council meeting date.

3. **Application No.:** PA-14-19: VARIANCE TO REDUCE REAR YARD SETBACK AT 2967 CEYLON DRIVE  
**Applicant:** Rolly Pulaski  
**Site Address:** 2967 Ceylon Drive  
**Zone:** R1  
**Project Planner:** Chelsea Crager  
**Environmental Determination:** The project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (existing facilities).

**Description:** The proposed project involves:

- 1) Variance to reduce the rear yard setback requirements for an addition to an existing detached garage and attached second unit (10 feet minimum required or one-story structures and 20 feet for two-story structures; 5 feet 8 inches proposed for one-story and two-story additions); and
- 2) Reasonable Accommodation request to obtain zoning relief for equal opportunity housing due to special circumstances.

Chelsea Crager, Assistant Planner, presented the staff report regarding a variance to deviate from rear setback requirements.

Commissioner McCarthy inquired about the variance and reasonable accommodation request. Ms. Flynn gave an explanation for the variance and reasonable accommodation request.

The Commission asked about the type of screening trees in Condition of Approval No. 11 and removing the deck as specified in Condition of Approval No. 12. Ms. Flynn reported the applicant was not concurring with Condition of Approval No. 11 and would be seeking relief from the Planning Commission to remove the condition. Ms. Crager reported the applicant would also be seeking relief from Condition of Approval No. 12 due to space and cost issues.

## **PUBLIC COMMENTS**

Michael Zea, applicant and homeowner, spoke about Conditions of Approval Nos. 11, 12, 13, 14 and 15. Ms. Crager explained the intent for the conditions was to make the development compatible with the neighborhood. Mr. Zea confirmed his neighbor was in agreement with removing said conditions.

Rolly Pulaski, Architect, offered clarifications to the site plan.

Darcy Garcia, Costa Mesa resident, spoke about long term concerns and how to prevent the property from turning into rental property that did not meet specific needs.

Jay Humphrey, Costa Mesa resident, expressed concern with the long-term results of making short-term decisions.

Ted Patterson, Costa Mesa resident, did not have a problem with the project. It was a beauty of a home and he was in complete support of it.

Joann Wort, Costa Mesa resident, has lived on Ceylon Drive for 50 years. Ms. Wort supported the project and felt it would be a good addition to the neighborhood.

Mr. Zea reported that after talking with his architect, the 20-foot offset for the deck was doable and it would not create bad precedent.

**MOTION: Approve Planning Application PA-15-07 by adoption of Planning Commission Resolution, based on the evidence in the record, the Findings contained in Exhibit A and subject to the revised conditions in Exhibit B as follows:**

**Eliminate Condition of Approval No. 11**

**Revise Condition of Approval No. 12 to read: "The proposed plans shall be modified to maintain a 20 foot rear yard setback for the proposed second story deck. The modified site plan shall be approved by the Development Services Director prior to submission of the construction plans for plancheck."**

**Revise Condition of Approval No. 13 to read: "Existing pool equipment shall be noise abated with commercially available products at the discretion of the Development Services Director."**

**Revise Condition of Approval No. 15 to read: "Plant one tree, to be agreed upon by the applicant and the City arborist, on Ceylon frontage in City parkway."**

**RESOLUTION 15-18 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-07 FOR A VARIANCE FROM REAR YARD SETBACKS FOR A DETACHED GARAGE AND SECOND UNIT AT 2967 CEYLON DRIVE AND MAKING A DETERMINATION OF REASONABLE ACCOMMODATION**

The motion carried by the following roll call vote:

Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.

4. **Application No.:** PA-14-45 & PM-14-144: DESIGN REVIEW FOR A TWO-UNIT, TWO-STORY DETACHED RESIDENTIAL DEVELOPMENT AT 334 EAST 16<sup>TH</sup> STREET

**Applicant:** Brian L. Noble

**Site Address:** 334 East 16<sup>th</sup> Street

**Zone:** R2-MD

**Project Planner:** Daniel Inloes

**Environmental**

**Determination:** The project is categorically exempt under Section 15303 of the State CEQA (California Environmental Quality Act) Guidelines – Class 3 (new construction) and under Section 15315 of the State CEQA (California Environmental Quality Act) Guidelines – Class 15 (minor land division).

**Description:** The proposed project involves a:

- 1) Design Review to construct a two-unit, two-story, detached residential development on an 8,104 sq. ft. lot in an R2-MD zone; and a
- 2) Tentative Parcel Map for the subdivision of the property into two, fee simple lots, in accordance with the small lot subdivision standards.

Daniel Inloes, Associate Planner, presented the staff report

**PUBLIC COMMENTS**

Raymond Dorame, applicant, thanked staff for their assistance and gave a presentation regarding the project.

Dan Thompson responded to questions from the Commission regarding the approximate cost for each unit.

Beth Refakes, Costa Mesa resident, said the project would be a good addition to the neighborhood and addressed a privacy issue with the second-story of the rear unit looking into the pool (rendering on handwritten Page 39)

Jay Humphrey, Costa Mesa resident, inquired about park fees.

**MOTION: Approve Planning Application PA-14-45 and PM-14-144, by adoption of Planning Commission Resolution, based on the evidence in the record, the Findings contained in Exhibit A and subject to conditions in Exhibit B with the following addition:**

**Condition of Approval No. 18 to read: "The bathroom window must be frosted on the second floor of the rear house on the right elevation to maintain privacy of adjacent neighbor."**

**RESOLUTION 15-19 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-14-45 AND TENTATIVE PARCEL MAP PM-14-144 AT 334 EAST 16<sup>TH</sup> STREET IN THE R2-MD ZONE**



The motion carried by the following roll call vote:

Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.

**DEPARTMENTAL REPORT(S)**

1. Public Services Report – None.
2. Economic and Development Services Report – Ms. Flynn reported staff would look into agendizing for Council consideration the Trumark Homes project for the Tuesday, May 5<sup>th</sup> meeting.

**CITY ATTORNEY'S OFFICE REPORT(S)**

1. City Attorney – None.

**ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON APRIL 27, 2015.**

Submitted by:



CLAIRE FLYNN, SECRETARY  
COSTA MESA PLANNING COMMISSION