



PLANNING COMMISSION AGENDA

April 10, 2017

*Pre-Meeting Agenda Review begins at **5:30 p.m.** in Conference Room 1A

Planning Commission Meeting begins at **6:00 p.m. in the Council Chambers

CALL TO ORDER.

PLEDGE OF ALLEGIANCE TO THE FLAG.

ROLL CALL: Chair Stephan Andranian

Vice-Chair Byron de Arakal

Commissioners: Jeffrey Harlan, Isabell Kerins, Carla Navarro Woods

ANNOUNCEMENTS AND PRESENTATIONS:

PUBLIC COMMENTS:

To ensure fair and equal treatment of all who appear before the Planning Commission, and to expedite City business, speakers may be limited to three minutes during Public Comments to speak on any item within the Planning Commission's jurisdiction, which is not listed on the Agenda. This time may be extended for good cause by the Chair or by majority vote of the Planning Commission. In accordance with Costa Mesa Municipal Code, Sec. 2-64 (1): No person in the audience shall engage in disorderly, disruptive, disturbing, delaying or boisterous conduct.

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. Items removed from the Consent Calendar will be discussed and voted upon immediately following Planning Commission action on the remainder of the Consent Calendar. Members of the public who wish to discuss Consent Calendar items should come forward to the microphone upon invitation by the Chair, state their name (optional), and item number to be addressed.

CONSENT CALENDAR

1. **MINUTES FOR THE MEETING OF MARCH 27, 2017**

Recommended Action: Approve the minutes of a regular meeting of the Planning Commission held on March 27, 2017.

PUBLIC HEARINGS:

PROCEDURE: Announcement of Public Hearing Item, Report of Ex Parte Communications, Staff Report Presentation, Commission Questions for Staff, Open Public Hearing, Close Public Hearing, Motion

1. **CODE AMENDMENT CO-17-03: AMENDING ARTICLE 4 OF CHAPTER XII OF TITLE 13 OF THE COSTA MESA MUNICIPAL CODE AS ADOPTED BY SECTION 5 OF MEASURE Z, ORDINANCE NO. 2016-07, RELATING TO THE OPEN SPACE AND PUBLIC PARK IMPACT FEES, AND AMENDING THE UNCODIFIED PORTION OF SECTION 5 OF MEASURE Z, ORDINANCE NO. 2016-07, RELATED TO THE CREATION, COMPOSITION AND NAME OF THE OPEN SPACE AND RECREATION ADVISORY COMMITTEE**

Description: The proposed ordinance for Planning Commission consideration follows the adoption of Section 5 of Measure Z at the November 8, 2016 election. Measure Z establishes an open space and public park impact fee and revises the name and composition of the Open Space & Recreation Advisory Committee.

Environmental Determination: The ordinance is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b)(3) (General Rule).

Recommended Action:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act per Section 15061(b)(3); and
2. Recommend that the City Council approve Code Amendment CO-17-03 and give first reading.

2. **CODE AMENDMENT CO-16-04: AMENDMENT TO TITLE 13, CHAPTER V – DEVELOPMENT STANDARDS, ARTICLE 1 -- RESIDENTIAL DISTRICTS AND TABLE 13-32; AND CHAPTER VIII -- SIGNS, ARTICLE 2 -- DEFINITIONS AND TABLE 13-115 OF THE COSTA MESA MUNICIPAL CODE**

Description: Code Amendment CO-16-04 is a Zoning Code amendment related to accessory structures in the R1 – Single Family Residential zone, as well as banners under the Sign Code. Proposed changes include:

- An increase in building height that would allow a decrease in setbacks for certain accessory structures; and
- To include a definition and related standards for *non-commercial banners* in addition to those banners used for advertising purposes.

Environmental Determination: The ordinance is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b)(3) (General Rule).

Recommended Action:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act per Section 15061(b)(3); and
2. Recommend that the City Council approve Code Amendment CO-16-04 and give first reading.

3. **PA-16-62: PLANNING APPLICATION AND TENTATIVE PARCEL MAP FOR A TWO-UNIT SMALL LOT SUBDIVISION RESIDENTIAL DEVELOPMENT AT 174 COSTA MESA STREET**

Project Description: The proposed project involves the following:

1. **Planning Application (Design Review) PA-16-62** for the construction of two, two-story detached single-family residences. The existing single-story front residence will be remodeled into a two-story, 3 bed / 3 bath approximately 1,600 square foot residence; and the detached garage in the rear will be demolished for a new, 3 bed / 2 bath approximately 2,100 square foot residence. Both residences will provide attached two-car garages. The project satisfies all Small Lot Subdivision development standards and Residential Design Guidelines.
2. **Tentative Parcel Map 2016-185** for the subdivision of an 8,381 square foot lot into two separate parcels consistent with the Small Lot Subdivision Ordinance.

Environmental Determination: The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 (Class 3), New Construction or Conversion of Small Structures.

Recommended Action:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act section 15303; and
2. Adopt a resolution to approve Planning Application PA-16-62 and Tentative Parcel Map 2016-185, subject to conditions of approval.

4. **REVIEW OF PUBLIC CONVENIENCE OR NECESSITY (PCN) FINDING FOR A TYPE 20 (OFF-SALE BEER & WINE) ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE FOR 99 CENTS ONLY STORES, LLC, AT 2180 HARBOR BOULEVARD**

Description: On February 23, 2017, the Zoning Administrator made the PCN Finding for the 99 Cents Only Stores, LLC. Four conditions of approval recommended by the Police Department and agreed to by the store operator were included as part of the finding. On March 2, 2017, the PCN Finding was called up for review by the Planning Commission by Mayor Foley.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301, for Existing Facilities.

Recommended Action: Uphold, Reverse or Modify the Zoning Administrator's decision to make a finding of public convenience or necessity (PCN) to allow the transfer of a Type 20 (Off-Sale Beer & Wine) ABC license, with included conditions for 99 Cents Only Stores, LLC.

5. **PA-16-60: FOR A FAST FOOD RESTAURANT WITH DRIVE THROUGH SERVICE AND WALK-UP SERVICE AND NO INTERIOR SEATING (CHICK FIL-A) AT 1750 NEWPORT BOULEVARD**

Project Description: The proposed project is to construct a new 1,999 square-foot fast food restaurant building (Chick Fil-A) with a double drive through and walk-up pedestrian service and no interior seating at the former location of Grant Boys at 1750 Newport Boulevard. The project includes a variance from landscape setback requirements along Newport Boulevard (20 feet required, 10 feet proposed) and Rochester Avenue (15 feet required, 7.5 feet proposed).

Environmental Determination: Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.

Recommended Action:

1. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out; and
2. Adopt a resolution to deny Planning Application PA-16-60 based on findings included in Exhibit A.

DEPARTMENTAL REPORTS

1. **Public Services Report**
Recommended Action: Receive and file
2. **Development Services Report**
Recommended Action: Receive and file

CITY ATTORNEY'S OFFICE REPORT

1. **City Attorney**
Recommended Action: Receive and file

ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M., OR SHORTLY THEREAFTER, ON MONDAY, APRIL 24, 2017.

ADDITIONAL INFORMATION

PLANNING COMMISSION MEETINGS:

Costa Mesa Planning Commission meets the second and fourth Monday of each month at 6:00 p.m. in the Council Chambers at City Hall, 77 Fair Drive. All Planning Commission meetings are open to the public.

The Planning Commission and staff hold an Agenda Review Study Session at 5:30 p.m., prior to the regular meeting, in Conference Room 1A. This session is open to the public. Each member of the public will be given the opportunity to speak for one (1) minute on study session items.

PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA:

Members of the public desiring to speak during the Public Comments period on a matter listed on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Each speaker is limited to three minutes.

1. Any written communications, photos, or other material for copying and distribution to the Planning Commission must be submitted to the Planning Division staff **NO LATER THAN 3:00 P.M.** If the public wishes to submit written communication, photos, or other material for distribution to the Planning Commission at the meeting **AFTER 3:00 p.m.**, 10 copies will need to be provided for distribution. Please note that **NO** copies of written communication will be made **AFTER 3:00 p.m.** Any materials to be displayed on the overhead projector at the Planning Commission Meeting must be submitted to the Planning Department **NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.**
2. **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.
3. In accordance with City Council Policy 000-11, and among other requirements, any video submitted for display at a public meeting must have been previously reviewed by staff to verify appropriateness for general audiences. A copy of this policy is available at City Hall during normal office hours.
4. Free Wi-Fi is available in the Council Chamber during the meetings. Two networks are available: council1 and council2. The password for either network is: cmcouncil.

In compliance with the Americans with Disabilities Act of 1990, Assistive Listening headphones located inside the Council Chambers are available at all Costa Mesa City Council meetings 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]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al (714) 754-5225 por lo menos con 48 horas de anticipación.

AGENDA REPORTS:

Reports may be obtained on the City's web site at www.costamesaca.gov. Agenda Packets are available for public review in three-ring binders located at the Planning Division Counter at City Hall located on the second floor during normal business hours and at the Council Chambers entrance during the meeting. In addition, such writings and documents may be posted, whenever possible, as part of the agenda, on the City's website at www.costamesaca.gov.

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 aggrieved party files: (1) an application for rehearing by the Planning Commission, or (2) an appeal to the City Council, or (3) a member of City Council requests a review of the action. Applications for appeals or re-hearings are available in the Planning Division and in the City Clerk's office.

CONTACT US:

77 Fair Drive, Costa Mesa, CA 92626
Planning Division (714) 754-5245
Fax (714) 754-4913
PlanningCommission@costamesaca.gov