

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

**August 14, 2017**

*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.*

The Vice Chair called the meeting to order (00:00:26).

Commissioner Navarro Woods led the Pledge of Allegiance.

**ROLL CALL**

Present: Vice Chair Byron de Arakal  
Commissioner Isabell Kerins  
Commissioner Carla Navarro Woods

Absent: Chair Stephan Andranian  
Commissioner Jeffrey Harlan

Staff: Barry Curtis, Economic and Development Services Director  
Peggy Schneble, Interim Assistant Development Services Director  
Yolanda Summerhill, Deputy City Attorney  
Bart Mejia, City Engineer  
Mino Ashabi, Principal Planner  
Dan Inloes, Senior Planner  
Julie Colgan, Recording Secretary

**ANNOUNCEMENTS AND PRESENTATIONS:** None

**PUBLIC COMMENTS:**

Kim Hendricks, Costa Mesa resident, presented a slideshow about concerns she has with the City's Small Lot Ordinance and announced a website that has a petition to stop the ordinance.

A speaker stated concerns with the City's Small Lot Ordinance and asked residence to sign the petition to stop the ordinance.

A speaker stated concerns with the City's Small Lot Ordinance.

A speaker spoke about the solutions the Small Lot Ordinance brings to the City and looks forward to a discussion on the City's Small Lot Ordinance.

Vice Chair de Arakal announced that on September 12<sup>th</sup> there will be a joint study session with the City Council and Planning Commission to discuss the City's Small Lot Ordinance.

**PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:**

Commissioner Kerins responded to the first public comment and asked staff to look into the City's parking issues and suggested a parking structure as a solution.

Barry Curtis, Economic and Development Services Director, responded that the Development Services Department and Public Services Department have been discussing alternative parking to address the City's parking issue specifically in the SOBECA area and will return to the Planning Commission with a discussion at a future date.

Vice Chair de Arakal spoke about the Lions Park groundbreaking event that he attended and congratulated Julie Colgan, Recording Secretary, on receiving the City Manager's Leadership Award for the month of July.

#### **CONSENT CALENDAR (00:17:40)**

The Vice Chair asked if anyone wanted to pull the Consent Calendar item. No one responded.

#### **1. MINUTES FOR THE MEETING OF JULY 24, 2017**

**MOTION: Move to approve the minutes of a regular meeting of the Planning Commission held on July 24, 2017.**

**Moved by Commissioner Kerins, seconded by Commissioner Navarro Woods.**

The motion carried by the following roll call vote:

Ayes: de Arakal, Kerins, Navarro Woods

Noes: None

Absent: Andranian, Harlan

Abstained: None

#### **PUBLIC HEARINGS (00:20:25)**

#### **1. PLANNING APPLICATION PA-17-17 AND TENTATIVE PARCEL MAP 2017-130 FOR A TWO-UNIT SMALL LOT SUBDIVISION RESIDENTIAL DEVELOPMENT AT 335-337 16TH PLACE**

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

- 1. Planning Application (Design Review) PA-17-17** for construction of two, two-story detached single-family residences. Each single-family residence is approximately 2,300 square feet and includes 3 bedrooms / 4 baths with an attached two-car garage. The project satisfies all Small Lot Subdivision development standards and the Residential Design Guidelines.
- 2. Tentative Parcel Map 2017-130** for the subdivision of a 10,395-square-foot lot into two separate parcels consistent with the Small Lot Subdivision Ordinance.

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

One ex-parte communication to report: Vice Chair de Arakal met with the applicant last Friday to review the project's plans.

Dan Inloes, Senior Planner, presented the staff report.

Commissioner Kerins asked to clarify if the project will be offered as homeownership versus rentals. Mr. Inloes responded that they will be offered as homeownership.

#### **PUBLIC COMMENTS**

Matt White, applicant, presented a slideshow on the proposed project and agrees to all the Minutes – Regular Meeting – August 14, 2017 - Page 2

conditions of approval.

Commissioner Navarro Woods and Mr. White discussed the height of the wall and privacy for the rear unit. Mr. Inloes clarified that Conditions of Approval No. 21 and 6 address privacy issues. Commissioner Navarro Woods stated being in favor of the project and appreciated its open space, permeable pavers, and the protection of an existing tree.

Jay Humphrey, Costa Mesa resident, spoke in support of the project.

A speaker spoke in support of the project and of the builder.

A speaker spoke in support of the project and stated concerns with the sober living homes near the house.

A speaker stated concerns with the parking.

Erik Weeks, property owner, responded to public comments.

The Vice Chair closed the public hearing.

**MOTION: Find that the project is categorically exempt from the provisions of the California Environmental Quality Act section 15303; and adopt a resolution to approve Planning Application PA-17-17 and Tentative Parcel Map 2017-130, subject to conditions of approval.**

**Moved by Vice Chair de Arakal, seconded by Commissioner Kerins.**

Vice Chair de Arakal clarified what zones Small Lot Ordinance projects can be built in and what can be built by right in those zones.

**RESOLUTION PC-17-29 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-17-17 FOR A 2-UNIT SMALL LOT SUBDIVISION RESIDENTIAL DEVELOPMENT AND TENTATIVE PARCEL MAP 2017-130 IN THE R2-MD ZONE FOR PROPERTY AT 335-337 16TH PLACE**

The motion carried by the following roll call vote:

Ayes: de Arakal, Kerins, Navarro Woods

Noes: None

Absent: Andranian, Harlan

Abstained: None

The Vice Chair explained the appeal process.

**2. PRELIMINARY MASTER PLAN (PA-17-03) FOR DEVELOPMENT OF 655,000 SQUARE FEET OF OFFICE SPACE WITHIN A 23.4-ACRE SITE GENERALLY LOCATED AT 1375 SUNFLOWER AVENUE, 1376 SOUTH COAST DRIVE, AND 3370 HARBOR BOULEVARD**

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

1. Initial Study/Mitigated Negative Declaration prepared for development of a 23.4-acre site with 655,000 square feet of office space, surface parking and three parking structures.
2. Preliminary Master Plan (PA-17-03) for development of maximum 655,000 square feet of office space with an average Floor Area Ratio (FAR) of 0.64 in three phases as follows:
  - Phase 1: Repurposing the existing building (former LA Times) for a 339,063-square-foot, two-story open office space with two levels of tiered mezzanine space; a three-level parking structure with 1,277 parking spaces; and 87 surface parking spaces.

- Phase 2: A new five-story building with 190,000 square feet of office space; a four-level parking structure with 697 parking spaces and 220 surface parking spaces.
- Phase 3: A new five-story building with 125,000 square feet of office space; a four-level parking structure with 423 parking spaces and 84 surface parking spaces.

#### **Environmental Determination:**

An Initial Study/ Mitigated Negative Declaration (IS/MND) was prepared in accordance with the Lead Agency's Guidelines implementing the California Environmental Quality Act. The IS/MND found that the environmental effects from the project would be less than significant with the incorporation of standard conditions of approval and compliance with Code requirements. The IS/MND was available for review and comment from June 23, 2017 to July 24, 2017.

One ex-parte communication to report: Vice Chair de Arakal attended an Urban Land Institute event at the project's site in April and toured the property and had a brief discussion with the applicant but not about the project.

Minoo Ashabi, Principal Planner, presented the staff report.

Commissioner Kerins stated that revised Condition of Approval No. 38 and 40 were duplicates and suggested removing one of them.

#### **PUBLIC COMMENTS**

Hoonie Kang, applicant from Kearny Real Estate Company, stated he has read the conditions of approval and agrees to them.

Commissioners, applicant, and staff discussed the project's construction management plan; what is required if the proposed office space was to change to retail space; what each phase consist of; landscape plans; walkway paths at the proposed site; soil testing; traffic study; daily trips; and groundwater report.

Daryl Zerfass, Traffic Engineer with Stantec, clarified the daily trips for the site and explained that they did evaluate the traffic coming off the Susan Street freeway off-ramp.

Jay Humphrey, Costa Mesa resident, stated concerns with how the City determined that the project does not come under Measure Y and spoke about a Measure Y lawsuit regarding retroactivity.

A speaker spoke in support of the project and the repurposing of the existing building.

Cynthia McDonald, Costa Mesa resident, spoke in support of the project's bike trail and asked for an explanation from the City on its position on the effective date of the Measure Y Initiative.

Rick Huffman, Costa Mesa resident, stated concerns with Measure Y not being referenced in the staff report and spoke about the effective date of Measure Y.

A speaker suggested housing being used for the site and stated that Measure Y should be considered for the project.

Yolanda Summerhill, Deputy City Attorney, clarified that Measure Y was mentioned on handwritten page 3 of the staff report; spoke about why Measure Y does not apply to the project; and stated that an indemnification provision needed to be added to the conditions of approval.

Mr. Kang responded that he is in agreement to the addition of an indemnification provision in

the conditions of approval, but would like to review the language of it.

The Vice Chair closed the public hearing.

Commissioner Kerins stated concerns with the additional traffic the project will generate and asked if the traffic analysis studied how the project will impact the freeway access. Mr. Zerfass responded that after looking at the CEQA impact criteria on the project there was not a significant impact caused by the project.

Vice Chair de Arakal responded to Commissioner Navarro Woods questions about future phases and explained that the project was at its most intense use at this point in time and any major change would return to the Planning Commission for consideration; and spoke in support of the project.

Commissioner Kerins commended the project's repurposing of the existing building, green space, parking, and bike trails.

Commissioner Navarro Woods liked how the project's site was repurposed; flexibility in design; open space; that comments from Biking and Walkability Committee were incorporated in the design; but wanted to see more in the master plan and landscape plan about future phases.

**Motion: Adopt the Initial Study/Mitigated Negative Declaration for the project; and approve Preliminary Master Plan (PA-17-03) by adopting a resolution to approve the project, subject to the findings in Exhibit A and subject to the conditions of approval Exhibit B revised August 14, 2017 and mitigation measures with the following modification:**

**Condition of Approval No. 26 to read: "The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of (1) City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding".**

**Moved by Vice Chair de Arakal, seconded by Commissioner Kerins.**

Ms. Summerhill read into the record Condition of Approval No. 26.

**RESOLUTION PC-17-30 – A RESOLUTION OF PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING PRELIMINARY MASTER PLAN PA-17-03 FOR DEVELOPMENT OF A MAXIMUM 655,000-SQUARE-FOOT OFFICE SPACE IN THREE PHASES ON 23.4-ACRES GENERALLY LOCATED AT 1375 SUNFLOWER AVENUE, 1376 SOUTH COAST DRIVE, AND 3370 HARBOR BOULEVARD**

The motion carried by the following roll call vote:

Ayes: de Arakal, Kerins, Navarro Woods

Noes: None

Absent: Andranian, Harlan

Abstained: None

The Vice Chair recessed into a break at 7:50 p.m.

The Vice Chair reconvened at 7:55 p.m.

3. **PLANNING APPLICATION PA-17-16 FOR A CONDITIONAL USE PERMIT INCLUDING A MICROBREWERY WITH A TASTING ROOM AND OFF-SITE PARKING AT 2930 BRISTOL STREET AND 700 & 710 RANDOLPH AVENUE AND A MINOR CONDITIONAL USE PERMIT TO INCLUDE AN OUTDOOR DINING PATIO AND OFF-SITE ACCESS ACROSS 2930 BRISTOL STREET**

**Project Description:** The proposed project is a conditional use permit request for a microbrewery with a tasting room (Bootlegger's Brewery) and outdoor patio area. The microbrewery proposes to occupy a 2,703-square-foot lease area at 696 Randolph Avenue. The proposed business involves:

- Alcohol sales for onsite and offsite consumption - the microbrewery will not be selling food.
- The proposed hours of operation are:
  - Sunday – Wednesday: 10:00 AM – 12:00 (Midnight)
  - Thursday – Saturday: 10:00 AM – 1:00 AM
- Pedestrian access only from Randolph Avenue and pedestrian and vehicular access across the adjacent LAB parking lot at 2930 Bristol Street.
- Unencumbered parking at 700 & 710 Randolph Avenue will be used for this use to meet its parking requirement.

**Environmental Determination:** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 (Class 1), Existing Facilities.

One ex-parte communication to report: Vice Chair de Arakal met with Mr. Bennett and Mr. Sadeghi to discuss the project's parking and other issues.

Dan Inloes, Senior Planner, presented the staff report.

Commissioners and staff discussed parking concerns; project's ingress and egress; fire access; if other parking options were explored; and the dumpster location.

### **PUBLIC COMMENTS**

Tony Massaro, architect for the project, stated that Condition of Approval No. 18 addresses parking concerns and they will look into offering valet as an option. He has read the conditions of approval and agrees to them.

Robert Burnand, adjacent property owner, stated concern with the parking and spoke against the application.

A speaker spoke in support of the microbrewery business but stated concern with the location.

Phillip Davis, tenant at 703 Randolph Avenue, spoke against the application.

Jay Humphrey, Costa Mesa resident, stated concern with the parking in the area.

A speaker spoke against the application and about liquor licenses in the area.

Mary Ann Frericks, Barley Forge owner, stated concern with the parking in the area; suggested having a shared parking lot for the area; and encouraged the application not be allowed to have food truck service.

Jeff Herrig, works across the street from the proposed site, stated concerns with the parking and asked if there is going to be an odor from the brewery.

Mr. Massaro responded to public comments.

Aaron Barkenhagen, owner of Bootlegger's Brewery, responded to public comments.

Vice Chair de Arakal and Mr. Massaro discussed 700-710 Randolph Avenue shared parking space and it's potential to be used to start valet parking.

The Vice Chair closed the public hearing.

Commissioner Kerins stated concerns with the parking and suggested a parking structure be built at Randolph Avenue and Bristol Street to help out with the parking in the area.

Commissioner Navarro Woods spoke in support of the proposed business, but stated concerns with the parking.

Vice Chair de Arakal suggested adding a condition to require valet parking.

Chris Bennett, Development Director for the LAB, stated they are currently testing valet and will expand valet when the proposed business is open to address parking concerns.

Vice Chair de Arakal asked if six-month was enough time for them to come up with a parking plan. Mr. Bennett responded yes.

Commissioner Kerins and Mr. Bennett discussed neighbors' concerns of the potential impact to Randolph Avenue and the inclusion of Uber/Lift/rideshare pick up locations.

Bart Mejia, City Engineer, stated he will look into the parking options off Randolph Avenue.

**Motion: Move that the Planning Commission find that the project is categorically exempt from the provisions of the California Environmental Quality Act section 15301; and adopt a resolution to approve Planning Application PA-17-16, subject to conditions of approval with the following modifications:**

**Condition of Approval No. 31 to read: "Prior to issuance of building permits the applicant shall submit a parking management plan that is approved by the Development Services Director and shall include, but may not be limited to, free on-site valet service and the potential for subsidized use of Uber/Lyft or similar service".**

**Condition of Approval No. 32 to read: "Six months after the commencement of operation of the microbrewery, the Planning Commission shall review this conditional use permit and the success of the parking management plan on 2930 Bristol, 696, 700, and 710 Randolph Avenue".**

**Moved by Vice Chair de Arakal, seconded by Commissioner Kerins.**

**RESOLUTION PC-17-31 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT PA-17-16 FOR OPERATION OF A MICROBREWERY (BOOTLEGGERS) AT 696 RANDOLPH AVENUE**

The motion carried by the following roll call vote:

Ayes: de Arakal, Kerins, Navarro Woods

Noes: None

Absent: Andranian, Harlan

Abstained: None

The Vice Chair explained the appeal process.

**DEPARTMENTAL REPORT(S)**

1. Public Services Report – none.
2. Development Services Report – Barry Curtis, Economic and Development Services Director, reported four sober living home items on the next Planning Commission agenda.

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

1. City Attorney – none.

**ADJOURNMENT (02:52:23) TO A PLANNING COMMISSION MEETING AT 6:00 P.M., OR SHORTLY THEREAFTER, ON MONDAY, AUGUST 28, 2017.**

Submitted by:

  
BARRY CURTIS, SECRETARY  
COSTA MESA PLANNING COMMISSION