

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

May 31, 2018

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.

The Chair called the meeting to order (00:00:15).

Vice Chair de Arakal led the Pledge of Allegiance.

ROLL CALL

Present: Chair Stephan Andranian
Vice Chair Byron de Arakal
Commissioner Jeffrey Harlan
Commissioner Carla Navarro Woods

Staff: Barry Curtis, Director of Economic and Development Services
Jennifer Le, Assistant Director of Development Services
Tarquin Preziosi, Assistant City Attorney
Bart Mejia, City Engineer
Willia Bouwens-Killeen, Zoning Administrator
Minoo Ashabi, Principal Planner
Nancy Huynh, Associate Planner
Johnwilly Aglupos, Assistant Planner
Julie Colgan, Recording Secretary

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS:

A speaker spoke on behalf of Mary Spadoni and showed a video of a critically-injured tourist and information regarding a GoFundMe account to assist him.

Steve Gaitan, Costa Mesa resident, stated concerns with the appearances of houses in the City; He asked if there is anything in place to require developers to tier the first and second floors of structures to soften the look.

Tim Lewis thanked the Commissioners for their work.

An unidentified speaker spoke about the primary elections.

Jay Humphrey, Costa Mesa resident, asked for more City involvement in the Orange County Fairgrounds master plan process; talked about the monolithic style of some housing in Costa Mesa; and recommended the City consider developer exactions when special requests are sought in conjunction with development projects.

William Fernandez, Costa Mesa property owner, stated concerns with the high density buildings in Costa Mesa and asked that before sober living homes renew or acquire permits that the City should require them to provide a bus ride home to their residents that leave.

An unidentified speaker asked the Commission to listen to the residents on the issues affecting Costa Mesa.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Navarro Woods addressed public comments.

Commissioner Harlan announced the Daily Pilot Cup Event.

Vice Chair de Arakal addressed Mr. Gaitan's public comment.

CONSENT CALENDAR:

1. MINUTES FOR THE MEETING OF APRIL 23, 2018

MOTION: Move approval of the consent calendar.

Moved by Vice Chair de Arakal, seconded by Commissioner Navarro Woods.

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Navarro Woods

Noes: None

Absent: None

Abstained: None

PUBLIC HEARINGS (00:22:12)

1. PLANNING APPLICATION 18-06 FOR A MEDICAL MARIJUANA MANUFACTURING FACILITY (LEAF CONCEPTS, LLC) AT 3505 CADILLAC AVENUE, BUILDING E

Staff requested this item be rescheduled to the June 11th Planning Commission meeting.

Chair Andranian stated he will not open public comments; the item will be re-noticed for the June 11, 2018 meeting.

2. AN ORDINANCE TO ADOPT CODE AMENDMENT CO-18-02 AMENDING TITLE 13, ARTICLE 2.5 OF CHAPTER V OF THE COSTA MESA MUNICIPAL CODE RELATED TO SMALL LOT SUBDIVISIONS

Project Description: This code amendment is a follow up to direction provided by the City Council regarding a work plan considered by the City Council at its February 6, 2018 meeting. The City Council approved the work plan and directed staff to proceed with a code amendment to modify the Small Lot Residential standards to be consistent with the Common Interest Development standards; and to notify by mail all owners of properties subject to the Small Lot Ordinance. This item was continued from the April 9, 2018, Planning Commission meeting.

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

Mino Ashabi, Principal Planner, presented the staff report. Option 1 as presented in the staff report would modify the Small Lot Ordinance development standards to match the standards for Common Interest Developments, as directed by Council. Option 2 recommended modifications to the existing Small Lot Ordinance development standards.

Commissioners and staff discussed whether the Small Lot Ordinance standards could be applied in the urban plan areas in lieu of urban plan regulations and how many long but narrow parcels are in the R2 or R3 zones.

PUBLIC COMMENTS

Cynthia McDonald, Costa Mesa resident, stated the Small Lot Ordinance is developer driven; supports eliminating the Small Lot Ordinance; suggested that staff work on a vision for growing the City's neighborhoods; and making the City's development standards comply with that vision.

Ken Wayte, Costa Mesa resident, suggested grandfathering in the Small Lot Ordinance lots that already have high density around them for current owners and to consider allowing small lots in certain areas with existing high density.

Norm Glass, Costa Mesa resident, stated parts of the proposal are a good idea; changes should reduce the overbuilding and overcrowding in the City; and spoke in favor of having rules on lot sizes and parking.

Stephanie Christenson, Costa Mesa resident, stated concerns with high density housing in the City and the negative effects of it.

A speaker read an email from Mary Spadoni that stated support for Option 1.

Elizabeth Hansburg, People for Housing Orange County, spoke on the California housing shortage and in support of the Small Lot Ordinance.

Tom Walker, Costa Mesa resident, spoke in support of the Small Lot Ordinance and expressed that it does not change density.

Sandy Johnson, Costa Mesa resident, spoke in opposition to the Small Lot Ordinance.

Rick Huffman, Costa Mesa resident, spoke in support of Option 1 and stated there should be an option 3 to get rid of the Small Lot Ordinance.

Beth Refakes, Costa Mesa resident, stated she wanted to see some action on this item; the need to follow what the City Council indicated should be changed; and would like to see the Small Lot Ordinance eliminated.

A speaker stated concerns with the Small Lot Ordinance development standards; asked the Commission not approve either option; and to review the development standards.

A speaker spoke in opposition to the Small Lot Ordinance and zoning overlays.

Jay Humphrey, Costa Mesa resident, spoke in opposition to the Small Lot Ordinance and asked that the character and quality of the neighborhoods be maintained.

Tim Lewis suggested getting rid of the R2 zone and having all R1 zones instead; and stated that the toughest and restrictive option should be chosen.

John Griggs, Costa Mesa property owner, asked the Commission to look closely at the amendment and stated he does not support it as proposed.

An unidentified speaker asked the Commission to eliminate the Small Lot Ordinance.

Rick Shaffer, Costa Mesa property owner, spoke in opposition to the proposed amendment.

Mary Caldwell, Costa Mesa property owner, stated concerns with parking on her street and the increased density in her neighborhood.

An unidentified speaker spoke in opposition to the item.

Jody Eswick, People for Housing, asked the Commission not to make changes to the Small Lot Ordinance.

Robin Leffler, Costa Mesa resident, spoke in support of having consistency in the surrounding neighborhoods.

Katie Arthur, Costa Mesa resident, asked the Commission to overturn the Small Lot Ordinance.

William Fernandez, Costa Mesa property owner, spoke in opposition to Option 1 and on how this ordinance will affect his property.

The Chair closed the public hearing.

Commissioner Harlan clarified that the Planning Commission cannot implement a moratorium and stated the City Council's direction to staff in February was to produce an ordinance that mirrored the Common Interest Development standards for the Small Lot Ordinance.

Vice Chair de Arakal and staff discussed whether Option 2 addressed his concerns regarding allowing small lot developments on lots with a 6,000-square-foot minimum lot size.

Vice Chair de Arakal addressed public comments and spoke in support of Option 1.

Chair Andranian addressed public comments and stated he could be in favor of Option 2 with some changes to it.

MOTION: Move that the Planning Commission recommend that the City Council adopt Option 2 with the following changes to the Small Lot Ordinance:

- **Keep current standards with 30 percent open space and private open space of 200 square feet**
- **Keep current rear yard setback requirements (10 feet)**

- **Keep current minimum lot size standard of 6,000 square feet**
- **Accept recommended change to parking (two garage spaces and one open for two-bedroom units)**
- **Accept prohibiting alley facing units**
- **Accept minimum driveway width for flag lots and 8-foot lot width for rear lots**
- **Accept not allowing combination of Small Lot Ordinance and overlay standards**

Moved by Chair Andranian.

No one seconded the motion.

Commissioner Harlan spoke in support of the motion.

Commissioner Navarro Woods stated there is a need for more housing and homeownership; stated concerns with the Small Lot Ordinance reduction in open space and privacy; and spoke in support of increasing the minimum lot size in Option 1 and 2.

Vice Chair de Arakal and staff discussed how many pre-1992 lots had been applied for under the Small Lot Ordinance for new entitlements.

SUBSTITUTE MOTION: Move that the Planning Commission find this code amendment to be statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) and that the Planning Commission recommends approval to City Council of Option 2 with the following modifications:

- Add a minimum lot size standard of 7,260 square feet
- Accept the recommended 35 percent open space and keep the private open space requirement per the current Small Lot Ordinance standard of 200 square feet
- Accept prohibiting alley facing units
- Accept minimum driveway width for flag lots and 8-foot lot width for rear lots
- Accept recommended change to parking (two garage spaces and one open for two-bedroom units)
- Accept not allowing combination of Small Lot Ordinance and overlay standards

Moved by Vice Chair de Arakal, seconded by Commissioner Navarro Woods.

Chair Andranian spoke in opposition to the motion.

The motion carried by the following roll call vote:

Ayes: de Arakal, Harlan, Navarro Woods

Noes: Andranian

Absent: None

Abstained: None

The Commission called for a break at 8:20 p.m.

The Commission reconvened at 8:27 p.m.

3. PLANNING APPLICATION 18-12 FOR A CONDITIONAL USE PERMIT TO OPERATE AN ESCAPE ROOM (LEGACY ESCAPE ROOMS) AT 1525 MESA VERDE DRIVE EAST, UNIT 212

Project Description: Planning Application 18-12 is a request for a Conditional Use Permit to operate an escape room use (Legacy Escape Rooms) within an existing 1,262-square-foot tenant space at 1525 Mesa Verde Drive East, Unit 212 (Mesa Verde Plaza). The request includes the following:

1. Conditional Use Permit to operate an escape room use within Unit 212 at Mesa Verde Plaza; and
2. Minor Conditional Use Permit to allow a deviation from parking requirements.

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

Nancy Huynh, Associate Planner, presented the staff report.

Vice Chair de Arakal and staff discussed what the two game rooms will be used for; the nature of the businesses directly below the proposed business; and the hours of operation of the businesses below.

Vice Chair de Arakal stated concerns with the noise generated from the proposed use to the businesses below.

Commissioner Navarro Woods and staff discussed the shared parking analysis.

PUBLIC COMMENTS

Julie Hom, applicant, stated she has read the conditions of approval and agreed to them. She addressed the Commissioners questions about noise and parking.

Vice Chair de Arakal and Ms. Hom discussed what kind of games will be played in the escape room; what activities are prohibited on the waiver; what occurs in the control room; and whether the activities of the patrons are monitored.

Tim Lewis asked how many patrons would be allowed and whether there are enough parking spaces for them.

Ms. Hom responded to public comments.

The Chair closed the public hearing.

MOTION: Move that the Planning Commission find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301; and approve Planning Application 18-12, subject to conditions of approval.

Moved by Chair Andranian, seconded by Commissioner Harlan.

RESOLUTION PC-18-42 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION 18-12 FOR A CONDITIONAL USE PERMIT TO OPERATE AN ESCAPE ROOM AND MINOR CONDITIONAL USE PERMIT TO ALLOW A DEVIATION FROM PARKING REQUIREMENTS FOR A PROPOSED PROJECT AT 1525 MESA VERDE DRIVE EAST

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Navarro Woods

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.

4. A RESOLUTION RECOMMENDING ADOPTION OF SMALL CELL TELECOMMUNICATION FACILITY DESIGN GUIDELINES AND APPROVAL OF AN ORDINANCE (CODE AMENDMENT CO-18-03) AMENDING COSTA MESA MUNICIPAL CODE SECTION 19-15 TO REFERENCE THE PROPOSED DESIGN GUIDELINES

Project Description: Staff has developed draft design guidelines applicable to small cell telecommunication facilities proposed in the public right-of-way. The design guidelines provide design criteria in the areas of location, material, color, form, and placement. In addition, a Code

Amendment is proposed amending the Costa Mesa Municipal Code to reference the proposed design guidelines. The intent of the proposed design guidelines is to assure a greater degree of visual compatibility and consistency in the design of wireless telecommunication facilities proposed within the public right-of-way.

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

Johnwilly Aglupos, Assistant Planner, presented the staff report.

Commissioner Harlan and staff discussed the intent of the design guidelines; the reasons behind the proposed ordinance; whether Federal FCC regulations allow local regulation of facility design; and what the process is if a small cell telecommunication facility is within 500 feet of a residential zone.

Jennifer Le, Assistant Development Services Director, explained why staff decided to recommend design guidelines instead of a code requirement for the small cell telecommunication facilities.

PUBLIC COMMENTS

Tim Lewis complimented staff's work on this item and spoke in support of it.

Robin Leffler, Costa Mesa resident, stated concerns with the Zoning Administrator review process for a small cell telecommunication facility located within 500 feet of residential zone.

The Chair closed the public hearing.

Vice Chair de Arakal and Willa Bouwens-Killeen, Zoning Administrator, discussed the parameters of approving a small cell telecommunication facility within 500 feet of a residential zone.

MOTION: Move that the Planning Commission find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3); and recommend that the City Council approve design guidelines for Small Cell Telecommunications Facilities and approve Code Amendment CO-18-03, revising Title 19, Article 4, Section 19-15 of the Municipal Code with respect to wireless telecommunications services in the public right-of-way.

Moved by Chair Andranian, seconded by Vice Chair de Arakal.

RESOLUTION PC-18-43 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE TO REVISE THE MUNICIPAL CODE REGARDING DESIGN GUIDELINES AND TO APPROVE DESIGN GUIDELINES FOR SMALL CELL TELECOMMUNICATIONS FACILITIES

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Navarro Woods

Noes: None

Absent: None

Abstained: None

DEPARTMENTAL REPORT(S)

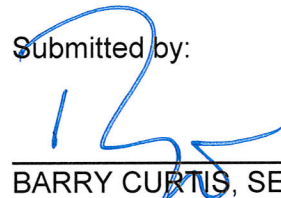
1. Public Services Report – none.
2. Development Services Report – none.

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney – none.

ADJOURNMENT (03:04:42)

Submitted by:



BARRY CURTIS, SECRETARY
COSTA MESA PLANNING COMMISSION