

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

April 26, 2004

The Planning Commission of the City of Costa Mesa, California, met in regular session at 6:30 p.m., April 26, 2004 at City Hall, 77 Fair Drive, Costa Mesa, California. The meeting was called to order by Chairman Garlich, followed by the Pledge of Allegiance to the Flag.

ROLL CALL:

Commissioners Present:

Chairman Bruce Garlich
Vice Chair Bill Perkins
Katrina Foley, and Eric Bever

Commissioners Absent:

Dennis DeMaio

Also Present: Perry L. Valentine, Secretary

Costa Mesa Planning Commission
Marianne Milligan, Sr. Deputy City Attorney
Ernesto Munoz, City Engineer
Willa Bouwens-Killeen, Senior Planner
Claire Flynn, Associate Planner
Mel Lee, Associate Planner
Wendy Shih, Associate Planner

MINUTES:

The minutes for the meetings of March 22, 2004 and April 12, 2004 were accepted as amended.

PUBLIC COMMENTS:

None.

**PLANNING COMMISSIONERS
COMMENTS/SUGGESTIONS:**

In response to question from Commissioner Foley regarding City Council action on an ordinance for auto dealer regulations, Mr. Valentine explained that the ordinance was turned down, however, Council requested staff to come back with further study on auto dealership public address systems and storage of vehicles on public streets in residential areas. In further response to Commissioner Foley, he noted these items would be reviewed by Planning Commission first and then would go on to City Council.

Commissioner Foley announced the Sonora Elementary School is having a Cinco de Mayo Family Fun Night to help raise money for playground equipment on Friday, April 30th, from 4:30 to 8:30 p.m.

Commissioner Bever announced the 10th Annual Costa Mesa Public Safety Emergency Services Expo to be held on Sunday, May 16th between 11 a.m. and 3 p.m. at Fire Station #4, 2300 Placentia Avenue, which is free and open to the public, and he described a number of events that would take place.

Chairman Garlich seconded Commissioner Bever's endorsement of the Emergency Services Expo, and added that it is very educational and fun, too. He noted that 2300 Placentia is across the street from Estancia High School. He also said he participated this past weekend in a Neighbors-for-Neighbors program at Canyon Park with lots of families and kids pitching in and getting an idea of what neighborhood community service is about.

Chairman Garlich, as Planning Commission representative to the City School District Liaison Committee, reported on their last meeting of April 22nd.

CONSENT CALENDAR:

On a motion made by Chairman Garlich, seconded by Commissioner Perkins and carried 4-0 (Dennis DeMaio absent), the item on the Consent Calendar received the action below.

RESOLUTION/CAPITAL

A resolution of the Planning Commission of the City of Costa Mesa

IMPROVEMENT PROGRAM

City

finding that the proposed 2004-05 Capital Improvement Program is in conformity with the City of Costa Mesa 2000 General Plan. Environmental determination: exempt.

Approved by adoption of Planning Commission Resolution PC-04-33, finding the proposed 2004-05 Capital Improvement Program is in conformity with the 2000 General Plan based on information and analysis contained in the Planning Division staff report.

PUBLIC HEARINGS:

GENERAL PLAN AMENDMENT
GP-04-01 AND REZONE R-04-01

Richard Dick

The Chair opened the public hearing for consideration of General Plan Amendment GP-04-01 and Rezone R-04-01 to amend the land use designation (Existing: General Commercial; Proposed: Medium Density Residential) and zoning (Existing: General Business District, C2; Proposed: Multi-Family Residential, Medium Density, R2-MD), located at 330 and 340 West Bay Street. Environmental determination: Mitigated Negative Declaration.

Associate Planner Claire Flynn briefly reviewed the information in the staff report and gave a visual presentation of the site characteristics. She said staff recommends that the Planning Commission recommend to City Council: (1) adoption of the mitigated Negative Declaration and mitigation monitoring program; (2) approval of General Plan amendment GP-04-01; and (3) that they give first reading to the ordinance for rezone R-04-01, by adoption of Planning Commission resolution.

The Chair confirmed with Ms. Flynn that the Planning Commission action this evening involves a general plan amendment and a rezone only, and that any future site-specific development would come back to Planning Commission as a separate proposal.

No one else wished to speak and the Chair closed the public hearing.

MOTION:
GP-04-01/R-04-01
Recommended adoption

A motion was made by Commissioner Foley, seconded by Chairman Garlich and carried 4-0 (Dennis DeMaio absent) to recommend to City Council: (1) adoption of the mitigated Negative Declaration and mitigation monitoring program; (2) approval of General Plan amendment GP-04-01; and (3) that they give first reading to the ordinance for rezone R-04-01, by adoption of Planning Commission Resolution PC-04-34, based on information and analysis contained in the Planning Division staff report.

The Chair confirmed with Mr. Valantine that this item would go to the City Council meeting of May 17, 2004.

APPEAL OF MINOR DESIGN
REVIEW ZA-03-101

Thompson

The Chair opened the public hearing for consideration of an appeal of Minor Design Review ZA-03-101 for Todd and Martha Thompson, for a 2,032 square-foot, second-floor addition to a single-family residence, located at 463 E. 19th Street in an R1 zone, Environmental determination: exempt.

Associate Planner Mel Lee reviewed the information in the staff report and gave a visual presentation of the site characteristics. He said staff recommends upholding the Zoning Administrator's denial.

In response to a question from the Chair regarding the roof peak in the drawings, Mr. Lee stated it would be part of the new addition. In response to a question from Commissioner Foley regarding the horizontal plane, Mr. Lee stated that this horizontal plane is more prevalent on the left side elevation, which has the 5-foot side yard setback. Commissioner Foley confirmed with Mr. Lee that this is the elevation of most concern by staff and it faces the side plane of another house. He also confirmed with Commissioner Foley that there is no plan to remove the tree in that area.

In response to the Chair regarding discussions with the applicant about modifying the plans to satisfy things like the setbacks, Mr.

Lee stated they had discussions with the applicant and because of the design of the existing roof pitch, the addition has been designed to incorporate the second story, as well as the gable elements along the front. He explained that if this elevation were to be brought inward to accommodate the 10-foot average side yard setback, it would create an entirely different type of roof structure.

Commissioner Foley noted that many of the second-story additions in the neighborhood are somewhat set back on the house and have gables on one side even if the second-story doesn't go all the way across one side of the house. She asked Mr. Lee to describe what is included behind the third gable in elevation #1. Mr. Lee explained the gables she referred to on the front elevation, correspond to the elements of areas being open to the first floor below.

Commissioner Bever asked if there was favorable correspondence received from adjoining neighbors and those across the street. Mr. Lee confirmed that is the case.

In response to a question from the Chair regarding the options open to the Planning Commission and discussions by staff noting that the architecture, side setbacks, and first floor to second floor coverage were the primary concerns, Mr. Lee stated that in this instance, in order to comply with the Residential Design Guidelines, it would involve significantly altering the structure of the house, as well as the architecture. In summary, the Chair noted that if this home were to meet all the residential guidelines it would look very different from the architecture of the homes in the immediate area, and the Thompsons have made a concerted effort to retain the architecture of the homes in their neighborhood.

There was a discussion between Chairman Garlich, Commissioner Foley, and Mr. Lee regarding a statement mentioned in the staff report and staff's presentation regarding "prevailing two-story designs in the neighborhood..." and how it was applied to staff's recommendation for denial.

In response to a question from Commissioner Bever regarding provided parking, Mr. Lee confirmed there are 3 parking spaces on site with revised plans submitted. In response to a question from Commissioner Foley regarding covered parking, Mr. Lee confirmed that the roofline of the detached structure extends to the property line and functions as a 3rd car carport. Further, he said the applicant is required to provide 40% open space and is presently providing 53% open space.

Vice Chair Perkins said he appealed the denial of this item because all adjacent neighbors were in support of the project, including all other issues as questioned and argued by the Commission previously.

Commissioner Foley questioned the front and east side elevations and the horizontal planes and confirmed the direction of the roofline. She also confirmed with Mr. Lee that the side elevation of the proposed home was located such that this side setback faced another flat horizontal plane on the adjacent property, and that the gables protruded outward on the front elevation breaking up the horizontal plane.

Todd and Martha Thompson, 463 East 19th Street, Costa Mesa, briefly outlined their 20-year history in this home and the fact that they have worked on this plan for the past 3 to 4 years. At this time, they have 3 daughters in one bedroom and 1 son. He felt they were now at point where they could move forward with this project, and they have gone to great lengths to make sure the project fits with the existing structure; moreover, they need more space considering the size of their family.

Vice Chair Perkins asked the applicant if he would agree to a condition excluding construction on Sunday and federal holidays and he agreed.

In response to a question from the Chair regarding Mr. Thompson's reasons for not wanting to redesign his home to comply with the Residential Guidelines, he said it would not be financially feasible; to redesign would require extreme structural changes; the proposed design basically mirrors the adjacent property, and they need the space.

In response to Igal Israel, 2280 Newport Boulevard, regarding technical questions about ordinances of the City of Costa Mesa, Mr. Valantine said he was unaware of what research Mr. Israel has done but those ordinances are available for inspection in the offices of the Planning Division, or the City Clerk's Office. In response to Commissioner Foley, he said the Municipal Code is available on the website, but the actual ordinances may not be available in that manner. Senior Deputy City Attorney Marianne Milligan stated that the Municipal Code refers to the guidelines by reference. The Chair further explained that the findings in the staff report make reference to the code and if there is a further problem, he said Mr. Israel could come to City Hall and speak with staff further.

Steve Sloan, 462 Flower Street, Costa Mesa, serving as architect for this project, explained that the mitigating circumstances for this project are: (a) 10 letters in support of the project from properties immediately surrounding the existing house; (b) every effort has been made to maintain the existing character of the house; (c) the height of the roof has been raised and is within the height limit for such structures; (d) approximately 75% of the frontage wall already exists, and will relieve the horizontal plane including protruding gables, which have been designed along the wall; (e) the immediate adjacent neighbor is a tall one-story building, and although it predates the design guidelines, it also has a similar gable facing about 5' off the property line and is located in about the same area; (f) regarding the issue of the "prevailing second story", he disagreed with Mr. Valantine's interpretation and quoted the ordinance as stating, "the design guidelines state that the 10' average, 2-story, side setback does not apply for proposed construction that is consistent with the prevailing 2-story design within the same residential tract." Therefore, the question is, *what is the character of the homes that have second-story additions to them now, in that tract.* He referred the Commission to photographs of 18 homes in this tract located within 3 blocks of the proposed project.

No one else wished to speak and the Chair closed the public hearing.

MOTION:
ZA-03-101
Approved

A motion was made by Vice Chair Perkins, seconded by Chairman Garlich and carried 4-0 (Dennis DeMaio absent), to reverse the Zoning Administrator's denial and approve by adoption of Planning Commission Resolution PC-04-35, based on testimony, and analysis and information in the Planning Division staff report, and findings contained in exhibit "A", subject to conditions in exhibit "B" with the following modifications:

Findings:

Replace "A" as follows:

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that the project meets the purpose and intent of the Residential Design Guidelines, despite the fact that it doesn't comply with the second-to-first floor percentage or the average second story setback on the

east side, because it is compatible and harmonious with the architecture of the surrounding neighborhood; all adjacent neighbors support this application; 75% of the east side wall structure exists, and a mature tree which will be left undisturbed, will help to screen some of the side wall plane; there would be no benefit to modifying the side wall plane since it faces another side wall plane; and the gables protrude outward and will alleviate the flat plane of the street frontage and horizontal roofline.

B. The proposed project ~~does not comply~~ complies with Costa Mesa Municipal Code Section 13-29(e) because:

1. The proposed development is ~~not~~ and harmonious with uses within the general neighborhood, specifically ...
2. Safety and compatibility...

C. Same

D. Same.

Conditions of Approval:

3. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m. and 7 p.m. on Saturday; no work shall be conducted on Sunday and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site such as painting and other quiet interior work.

Vice Chair Perkins said he supports this project because the owner's family has outgrown their small structure and they need a larger home. It does not appear to be problematic for the neighbors; it is a good project and design, and he believed the Commission should move forward and approve the plan.

Chairman Garlich said he supports the motion, but it is sometimes difficult to make the guidelines apply to different conditions, different locations around town, and for different kinds of architecture. He said he believed this house would look very much the way it looks now after it is remodeled. He felt a redesign would make the house look quite different than many of the homes in that tract, and would be contrary to the intent of the design guidelines. He pointed out other changes that might also impact the architecture and structural design and he felt it was reasonable to interpret the design guidelines as supportive.

Commissioner Foley said she also supports the motion because she agrees with the Chair's synopsis. She clarified the findings (as shown in the motion above). She also felt that the existing 75% of wall and the protrusion of the gables breaks up the roof line from the street frontage. She also felt there would be no benefit to the sidewall plane to make modifications because it faces another sidewall plane that closely mirror one another; nevertheless, the wall does have a triangular slope that does provide some relief. She also agreed with the Chair's conclusion that it will be very much the same as it is, only larger. The maker of the motion and the second agreed to her clarifications for findings.

The Chair explained the appeal process.

VESTING TENTATIVE PARCEL
MAP PM-03-250 (TWO TOWN
CENTER)

CommonWealth Ptn. LLC/Selleck

Vesting Tentative Parcel Map PM-03-250 for Karen Selleck, authorized agent for John Krappman/CommonWealth Partners, to subdivide approximately 20 acres into 14 parcels (10 for building footprints and 4 for common areas) for Two Town Center (3200 Bristol Street; 3199, 3200, and 3210 Park Center Drive; 601, 611, 633, and 675 Anton Boulevard), in a TC zone. Environmental determination:

exempt.

Staff recommended this item be continued to the Planning Commission meeting of May 24, 2004.

MOTION:
PM-03-250
Continued

A motion was made by Chairman Garlich, seconded by Vice Chair Perkins and carried 4-0 (Dennis DeMaio absent) to continue to the Planning Commission meeting of May 24, 2004.

TENTATIVE TRACT MAP
T-16560

The Chair opened the public hearing for consideration of Tentative Tract Map T-16560 for Tim Roberts/Lissoy Family Trust, to facilitate a 5 unit, small-lot, common-interest development previously approved under PA-03-33, located at 168, 172 and 176 Merrill Place in an R2-MD zone. Environmental determination: exempt.

Associate Planner Wendy Shih reviewed the information in the staff report and gave a visual presentation of the site characteristics. She said staff recommends approval by adoption of Planning Commission resolution, subject to conditions.

In response to a question from the Chair regarding a letter received from a neighbor who had some concerns about some construction issues, Ms. Shih said she discussed the issues with the author of the letter and assured him that everything would be addressed under the code requirements.

Tim Roberts, Patriot Development Company, 2518 North Santiago Boulevard, Orange, said they have reviewed the staff report and are in agreement with the conditions of approval.

No one else wished to speak and the Chair closed the public hearing.

MOTION:
T-16560
Approved

A motion was made by Vice Chair Perkins, seconded by Chairman Garlich and carried 4-0 (Dennis DeMaio absent), to approve by adoption of Planning Commission Resolution PC-04-36, based on analysis and information contained in the Planning Division staff report, and findings contained in exhibit "A", subject to conditions in exhibit "B."

The Chair explained the appeal process.

RECESS

The Chair called a break and the meeting resumed at 8:12 p.m.

PLANNING APPLICATION
PA-03-47/VESTING TENTATIVE
TRACT MAP VT-16600

Everhart/Calvary Church
Newport Mesa

The Chair opened the public hearing for consideration of Planning Application PA-03-47/Vesting Tentative Tract Map VT-16600 for the Olson Company, authorized agent for Tim Celek/Calvary Church Newport Mesa, for a design review to construct a 26-unit, two-story, small lot subdivision with a variance from rear yard setback requirements (20' required; 5' proposed) and a minor modification to allow the porches of 2 of the proposed residences to encroach 4' into the required 20' front setback along Orange Avenue, with a vesting tentative tract map containing 26 lots and 6 common lots, located at 170 through 190 23rd Street (even numbers only) and 2337 Orange Avenue. Environmental determination: Negative Declaration.

Senior Planner Willa Bouwens-Killeen reviewed the information in the staff report and gave a detailed visual presentation of the site characteristics. She reviewed all modifications made by the Olson Company since the last public hearing on April 12th. She said staff was now recommending approval as follows: (1) adopt the Negative Declaration; (2) withdraw the variances and minor modifications; and (3) approve design review and vesting map by adoption of Planning Commission resolution, subject to conditions. Ms. Bouwens-Killeen noted a modification to condition of approval #17. She said that Planning Division received 10 communications supporting the project and 7 against the project, via a combination of letters, petitions and phone calls.

In response to a question from Commissioner Foley regarding a reduction in the setback for unit #25 to increase the 7-foot landscape buffer on the northern setback to 10 feet, adjacent to the Brandywyne Development, Ms. Bouwens-Killeen said it could be done however, 5 feet must be retained on the house side of the private street to be in compliance with code requirements. Mr. Valentine offered that it is a code requirement, however, he felt there may be 11 feet from the face of the house so there may be more room available to increase landscaping on the north side of the private street.

In response to a question from Vice Chair Perkins regarding parking in front of the tot lot, Ms. Bouwens-Killeen said she had heard concerns regarding the parking and assumed it was because people are afraid that cars parked there will limit visibility for the children playing in the tot lot. It does provide additional open guest parking for visitors to the site, but and is in excess of that required by code. Commissioner Foley said she is concerned about cars heading right into a tot lot. Ms. Bouwens-Killeen responded that condition of approval #15 requires a street barrier because of the proximity of the parking to the tot lot.

Eric Everhart, representative of the Olson Company, 3020 Old Ranch Parkway, Seal Beach, agreed to the conditions of approval including conditions discussed at the last public hearing regarding a CC&R provision to require parking in garages, and the prohibition of construction on Sundays and federal holidays.

There was discussion between Commissioner Foley, Mr. Everhart, and the Chair regarding reduction of the landscape for unit #25 to increase the setback along the north property line to provide additional planter space for screening.

In response to a question from the Chair, Mr. Everhart confirmed that the existing 7 foot buffer does not prohibit an adequate landscape buffer and was increased to 7 feet since the last public hearing.

Commissioner Bever felt that unit #25 should also have some setbacks because they will not have the benefit of a 6-foot block wall between their house and the private street. Commissioner Foley said her preference would be to eliminate unit #25 altogether, and she is trying to address a letter received by the Commission requesting denser landscaping back there. In response to a question from Commissioner Bever regarding the buffer the north wall would provide, Mr. Munoz agreed it would provide sound mitigation to some extent, but would not necessarily eliminate all noise. The Chair asked Mr. Everhart if there was a difference between 7 feet and 10 feet with regard to the plant material he would use to create this landscape buffer. In response, Mr. Everhart said there would be no difference in the plantings with 3 more feet. There was further discussion on this subject between Commissioner Bever, Mr. Munoz, Chairman Garlich, and Commissioner Foley.

Mr. Valentine confirmed that the distance from the wall may make some difference in terms of the sound mitigation for the first floor of the adjoining neighbors, however, the second floor would probably not be shielded by a six-foot wall.

In response to a question from Commissioner Foley regarding sufficient room to include a 5-foot setback between the parking and the area where the tot lot equipment is planned, Mr. Everhart stated that a 5-foot setback would not have a high impact on it.

In response to question from Commissioner Bever regarding the process of rebuilding/building a wall and damage done to neighboring property owners' landscaping, Mr. Everhart said their policy is to meet with each homeowner along the perimeter wall, take digital

photographs of everything existing, take down the wall, put up the new stronger, more attractive wall, and then replace everything that was lost or damaged during construction. In response to a question from Commissioner Bever regarding whether homeowners would have an option at this time, at their cost, to change or improve the original landscaping from the way it was; Mr. Everhart said they would not have a problem with that.

In response to a question from Vice Chair Perkins regarding an opportunity to contact some of the surrounding community, Mr. Everhart said that although there was not enough time to meet with people since the last meeting, they were able to meet with a representative of the opposition, Ms. Heather Somers, who was in favor of the project.

The following people spoke on the project and made the following comments. Mark Carroll, owner of the property at 2331 Orange Avenue; Don Knipp, 247 23rd Street; Brad Truly, 178 Brandywyne Terrace; Dana Lavin, 2337 Elden Avenue; Barbara Burns, 191 Brandywyne Terrace; Gary Brown, 2309 Westminster Avenue; Jane Goddickson, 2324 Elden Avenue; Scott Laidlaw, 222 Fairway Place; Dee Storme, 182 Brandywyne Terrace; Laurie Walker, 128 East Wilson; Steven Brombal, 5000 Birch Street, Newport Beach; Douglas Bader, 198 Brandywyne Terrace; Dan Steward, 3245 Idaho Lane; Diane Basemen, 2141 Orange Avenue; Edward Nicholas, 2833 Monterey Avenue; Beth Refakas, 320 Magnolia Street; Costa Mesa. Comments were made regarding the project's layout, what the new homeowners association would maintain, and how the project had been redesigned. Concerns were expressed regarding construction noise and dust, privacy impacts, location of the tot lot, potential parking impacts, east side density (both existing and permitted). Construction hours were discussed and requested to be added as a condition of approval. Many comments were made in favor of the project for the fact that single-family homes would be built. They expressed confidence in the Olson Company as developers. There were some concerns relative to cut-through traffic and traffic noise attenuation.

Heather Somers, Eastside resident, Costa Mesa, spoke in favor the Olson Company and has dealt with the for many years with previous dealings. She felt they have addressed all of the issues on this project and this would be a workable project with very nice looking homes. She encouraged the Commission to approve this project.

In response to a question from Vice Chair Perkins regarding concerns about parking in front of the tot lot, Ms. Somers said she had faith they would install cement bollards creating a very significant separation and safety factor for the tot lot. There should be very good visibility, accessibility, and safety.

Mr. Everhart returned to the podium and thanked staff and Planning Commission for the hard work. They believe this development preserves the character and scale of Costa Mesa's established residential development.

In response to Vice Chair Perkins, Mr. Everhart agreed to a condition of approval to change the hours of construction with half day on Saturday, and Sundays and federal holidays when no construction work would be permitted.

In response to a question from Commissioner Foley regarding expansion of the northern perimeter wall setback from 7' to 10' by reducing the 6-foot setback that's part of the 11-foot setback in front of home #25, Mr. Everhart said they could increase it to 10 feet and it would basically put 8 feet in front of the front door of that unit and if conditioned by the Planning Commission, he would do that. In response to the Chairman Garlich, Mr. Everhart said it would run

along the entire length of the drive. In response to Vice Chair Perkins, Mr. Everhart said it would be their preference to leave it as it is but repeated if it was the Commission's desire, it can be conditioned.

Commissioner Foley asked Mr. Everhart to consider what the neighbors will have to endure while construction takes place. Commissioner Bever suggested that Mr. Everhart consider providing portable air conditioning units for the neighbors, specifically, the 6 adjoining units at Brandywyne Terrace, who will be most affected by the noise, dust, fumes and air-borne debris. Mr. Everhart agreed to provide a green screen, and in addition, to keeping the site wet down, and having personnel available on site to lend assistance. He said they will be good neighbors and would be willing to discuss the portable air conditioners with the neighbors if it comes to that. In response to Vice Chair Perkins suggestion that the Olson Company send postcard notification to the neighbors, Mr. Everhart stated that they would be happy to do that and would also have their supervisor knocking on doors letting people know.

No one else wished to speak and the Chair closed the public hearing.

MOTION
PA-03-47/VT-16600
Approved

A motion was made by Chairman Garlich, seconded by Vice Chair Perkins and carried 4-0 (Dennis DeMaio absent), to adopt the Negative Declaration; withdraw the variances and minor modification; and approve the design review and vesting map, by adoption of Planning Commission Resolution PC-04-37, based on analysis and information contained in the Planning Division staff report, and findings contained in exhibit "A", subject to conditions in exhibit "B" with the following additions and modifications:

Conditions of Approval:

17. Buffering shall be provided between the tot lot and the residential property to the ~~south~~ east.
21. Homeowner's Association CC&R's shall include a requirement that residents park in garages.
22. The hours of operation for construction shall be limited to 8 a.m. to 6 p.m., Monday through Friday, from 8 a.m. to 2 p.m. on Saturday, and there shall be no construction conducted on Sunday and Federal holidays.
23. A screen shall be provided at a reasonable height to ensure construction dust and debris are contained as much as possible to prevent impacts from construction on neighboring properties.

During the motion, Commissioner Foley asked the Chair if he would be willing to add a condition of approval to increase the setback along the northern perimeter line to 10 feet. He said he is not willing to do that because it is clear to him that it isn't going to change anything that will be planted there and provides no benefit, and while the developer will do it at this point, they prefer not to.

Commissioner Foley said she would support the motion, but she still felt there should be more landscape along that northern perimeter and believes that 3 additional feet does provided for more room to add more trees. She said she also preferred that unit #25 did not exist. She felt the City should try to achieve greater than "adequate" in making the best possible development for both the existing neighborhood, and for the new development. She felt the public hearing process, gives staff and the Commission an opportunity to gain community input, resulting in a significantly better plan. She said she appreciated the Olson Company efforts in bringing back a better plan.

Chairman Garlich credited Commissioner Foley with detailing all the positive aspects and improvements in this project. He said he was in favor of the continuance for this project out of respect for the public hearing process, and in this case, a lot people thought they had not been heard and this continuance allowed the Olson Company to make good on their word. He thanked the Olson Company and explained to everyone that they are also an “infill specialty company” and he felt the future for residential rehabilitation and recycling is “infill” because Costa Mesa is built out. He thanked all the neighbors who participated in this process. He said he believed it is a good project and he is happy to vote in favor of it.

Vice Chair Perkins agreed with Commissioner Foley and Chairman Garlich’s assessment of the plan’s attributes, the applicant and the surrounding neighborhood. He also thanked the Olson Company and said for the most part this is an excellent project.

Commissioner Bever said regarding the folks a Brandywyne Terrace, as a homeowners’ association member himself, he appreciated the fact that they came to the meetings and addressed their issues in a public forum. He said he supports the project and he hoped and believed that the folks who live next door, on all sides, and across the street, will eventually feel the same way when this is finished.

The Chair explained the appeal process.

REPORT OF THE DEVELOPMENT SVS. DEPARTMENT

None.

REPORT OF THE SR. DEPUTY CITY ATTORNEY

None.

ADJOURNMENT:

There being no further business, Chairman Garlich adjourned the meeting at 9:30 p.m., to the study session of Monday, May 3, 2004.

Submitted by:

PERRY L. VALANTINE, SECRETARY
COSTA MESA PLANNING COMMISSION