

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

February 25, 2019

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.

Chair de Arakal called the meeting to order at 6:00 p.m.

Commissioner Zich led the Pledge of Allegiance.

ROLL CALL

Present: Chair Byron de Arakal
Vice Chair Jeffrey Harlan
Commissioner Kedarious Colbert
Commissioner Carla Navarro Woods
Commissioner Jon Zich

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
Justin Arios, Assistant Planner
Julie Colgan, Recording Secretary

Chair de Arakal announced that the Commission would move New Business Item No. 1 to the beginning of the meeting..

NEW BUSINESS:

1. RESOLUTION FOR YOLANDA SUMMERHILL

Chair de Arakal presented Ms. Summerhill with a Resolution thanking her for her service to the City and to the Planning Commission.

Ms. Summerhill spoke about the knowledge she acquired while serving with the Planning Commissioners and thanked them.

RESOLUTION PC-19-04 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA COMMENDING YOLANDA SUMMERHILL FOR SERVICE

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS:

None.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Vice Chair Harlan thanked Ms. Summerhill and wished her luck.

Chair de Arakal agreed with Vice Chair Harlan's comments on Ms. Summerhill.

CONSENT CALENDAR:

Chair de Arakal asked if any Commissioners or members of the public wanted to pull a Consent Calendar Item for discussion.

Commissioner Zich pulled Consent Calendar Item No. 2 along with two members of the public and one member of the public pulled Consent Calendar Item No. 3.

1. MINUTES FOR THE MEETING OF FEBRUARY 11, 2019

4. GENERAL PLAN CONFORMITY REPORT AND RESOLUTION THEREOF FOR THE TEMPORARY ACQUISITION OF REAL PROPERTY AND THE CONSTRUCTION AND/OR AUTHORIZATION OF PUBLIC BUILDINGS OR STRUCTURES LOCATED AT 1885 ANAHEIM AVENUE (ASSESSOR'S PARCEL NUMBER 424-211-12)

RESOLUTION PC-19-10 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDING THAT THE PROPOSED TEMPORARY ACQUISITION OF REAL PROPERTY AT 1885 ANAHEIM AVENUE AND THE CONSTRUCTION OR AUTHORIZATION OF A PUBLIC BUILDING OR STRUCTURE THEREON IS IN CONFORMANCE WITH THE CITY OF COSTA MESA 2015-2035 GENERAL PLAN

MOTION: Move the items.

Moved by Commissioner Zich, seconded by Commissioner Colbert.

The motion carried by the following roll call vote:

Ayes: de Arakal, Harlan, Navarro Woods, Zich, Colbert

Noes: None

Absent: None

Abstain: None

2. GENERAL PLAN CONFORMITY REPORT AND RESOLUTION THEREOF FOR THE PROPOSED VACATION OF EXCESS RIGHT-OF-WAY LOCATED IN FRONT OF 227 EAST 22ND STREET

Commissioner Zich and Bart Mejia, City Engineer, discussed whether the City could take the same action (vacating excess right-of-way) without the homeowner making the request; that this location is the only one being processed at this time; how the General Plan adopted the Master Plan of Highways and the Bicycle Master Plan designating this portion of the street

as a Collector Arterial with Class II Bike Facilities; and how the City will acquire 5 feet of excess right-of-way from the north side to insure that the street width will be 70 feet consistent with the Master Plan of Streets and Highways.

PUBLIC COMMENTS

Rob Hamers, Civil Engineer for the applicant, stated that the property owner will have to remove a block wall with a fence on top and an electronic gate because they will be out of compliance. He asked that the City give back all 10 feet to the property owner in exchange for an irrevocable offer to dedicate 5 feet anytime in the future.

Chair de Arakal and Tarquin Preziosi, City Attorney, discussed that this meeting was not the forum to take action of what Mr. Hamers is requesting.

Mark Cerniky, property owner, spoke in opposition to the widening of 22nd Street and stated concerns with the traffic on 22nd Street.

Chair de Arakal explained that this application is only addressing whether the vacation of excess right-of-way in front of 227 22nd Street is in conformance with the General Plan.

Ann Parker, Costa Mesa resident, spoke in support of the property owner and that the Commission should favor longtime residents in its actions.

Igal Israel spoke about how the Commission should look at items and act based on the local residents' opinions of the applicants; that, as a constituent, the Commission serves on his behalf; that, as a general contractor, his job is like the Planning Commission's; and that he deals with other peoples headaches.

Vice Chair Harlan and Mr. Mejia discussed that the next step for the City and the applicant, after the report is adopted, is that it will be presented to City Council to make the final determination. They also discussed that this is the first time staff has been presented with the applicant's proposal of a 10-foot vacation of excess right-of-way.

Jennifer Le, Assistant Development Services Director, explained that the Bikeways and Walkability Committee reviewed the applicant's proposal of a 10-foot vacation but the Committee recommended a 5-foot vacation. It was so determined because of the Master Plan of Bikeways and, because the Master Plan of Bikeways is incorporated in the General Plan, staff's position is that the 5-foot vacation would be consistent with the General Plan whereas the 10-foot vacation would not.

MOTION: Move that the Planning Commission adopt the Resolution and recommend the approval of staff action of PC-19.

Moved by Commissioner Zich, seconded by Chair de Arakal.

Commissioner Zich provided comments on the motion.

RESOLUTION PC-19-08 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDING THAT THE VACATION OF FIVE FEET OF EXCESS RIGHT-OF-WAY BY THE CITY OF COSTA MESA, FRONTING THE

PROPERTY AT 227 EAST 22ND STREET, IS IN CONFORMANCE WITH THE CITY OF COSTA MESA 2015-2035 GENERAL PLAN

The motion carried by the following roll call vote:

Ayes: de Arakal, Harlan, Navarro Woods, Zich, Colbert

Noes: None

Absent: None

Abstain: None

3. GENERAL PLAN CONFORMITY REPORT AND RESOLUTION THEREOF FOR THE PROPOSED ACQUISITION OF REAL PROPERTY LOCATED AT 3175 AIRWAY AVENUE (ASSESSOR'S PARCEL NUMBER 427-091-12)

PUBLIC COMMENTS

James Mitchell stated concerns with the location's compatibility with the surrounding area which has been evolving and is now mostly office uses; that the planned use is not compatible, recognizing it is zoned industrial; and that the location is not suitable for residential use as there are no sidewalks, parks, stores, healthcare, etc. in the vicinity.

Ann Parker, Costa Mesa resident, stated concerns with the process that occurred for choosing the location and spoke in opposition to the location; that there are better locations that are all set for ADA with elevators, etc.; that she is suspect of who owns this property and criticized the use of consultants to locate a site - the City should use residents for this; that she is upset with the temporary bridge shelter, as well; and, that she suggested the City should have reviewed and attempted to purchase a project site regardless of whether it was for sale.

Igal Israel stated he had found a building off of Red Hill; that he has concerns with the location due to limited services - Why here? He criticized use of a consultant and was critical of the consultant's having listed vacant landscape areas of City Hall for a temporary shelter location; and that the Commission is on notice he will sue the City regarding the shelter.

MOTION: Move that the Planning Commission adopt a Resolution to move staff's recommendation.

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

Vice Chair Harlan and Chair de Arakal commented on the motion.

RESOLUTION PC-19-09 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDING THAT THE PROPOSED ACQUISITION OF REAL PROPERTY AT 3175 AIRWAY AVENUE IS IN CONFORMANCE WITH THE CITY OF COSTA MESA 2015-2035 GENERAL PLAN

The motion carried by the following roll call vote:

Ayes: de Arakal, Harlan, Navarro Woods, Zich, Colbert

Noes: None

Absent: None

Abstain: None

PUBLIC HEARINGS (00:42:55)

1. TENTATIVE PARCEL MAP 2018-136 FOR THE SUBDIVISION OF A SINGLE PARCEL INTO TWO PARCELS AT 2183 TUSTIN AVENUE

Project Description: Tentative Parcel Map 2018-136 is a request for the subdivision of a 14,350-square-foot parcel into two separate parcels to allow for the future development of a residential project containing a single-family dwelling unit on the front parcel and a single-family dwelling unit with an attached Accessory Dwelling Unit (ADU) on the rear parcel. The proposed subdivision is consistent with the Subdivision Map Act and development standards.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions.

No ex-parte communications to report.

Justin Arios, Assistant Planner, presented the staff report.

Commissioner Navarro Woods and Ms. Le discussed whether the lot dimensions are consistent with those shown by the County Assessor's parcel data. Staff indicated it is. Commissioner Navarro Woods also discussed the exception is that is stated in Table 13-32 for Residential Development Standards in the Costa Mesa Municipal Code.

PUBLIC COMMENTS

Michael Mossman, applicant, stated he has read the conditions of approval and agrees to them. He clarified issues stated in the correspondence received and presented a slideshow.

Vice Chair Harlan and Mr. Mossman discussed the ADU integration into the main structure of the house.

Ann Parker, Costa Mesa resident, read an email correspondence from a next door neighbor to the proposed location that stated last year a planner named Wendy Shih told him the lot could not be split - shame on whoever did that; that this project is wrecking this neighborhood; that she stated concerns with the compatibility to the surrounding neighborhood; and, that the plans have no dimensions.

Winston Whitney, 2189 Tustin Avenue resident. The applicant never reached out to the neighbors and he stated concerns with the project's architectural compatibility with the immediate vicinity and his loss of privacy; and, that he acknowledged there is a mobile home park at the end of the block, but it is a blight on the neighborhood. He asked to deny this item.

Commissioner Harlan and Mr. Whitney discussed what he considers the boundaries of his neighborhood are.

Igal Israel stated his concerns that someone at the City fouled up; that the mother-in-law quarters could be built without subdividing the lot and stated concerns with the compatibility to the surrounding neighborhood; that the neighbors are concerned by bulk and all of the

properties out there are one-story; that he has concerns with the parcel map being accurate - he guaranteed that staff blew it in calculating the lot width; and that a mother-in-law unit could be built on the lot without subdividing and at only one-story.

Terry Stewart, 2179 Tustin Avenue resident, he discussed that a planner, Wendy Shih, told him he could not split this lot so he didn't buy it. He stated concerns with the compatibility to the surrounding neighborhood in the immediate vicinity and traffic on the street. He stated opposition to this item including two two-story homes and that the traffic is bad in this area.

Chair de Arakal and Mr. Stewart discussed that his house has an ADU apartment; that the front house is two stories in height; and that the lot is not subdivided.

Brian Harris, 1912 Tustin Avenue resident, discussed the history of the property. He is concerned with subdividing of large lots in the east side. The infrastructure cannot handle development. He is opposed to this item.

Mr. Mossman responded to public comment.

The Chair closed the public hearing.

Commissioner Navarro Woods, Mr. Arios, and Ms. Le discussed whether the applicant could build a 7,000-square-foot house on the lot without being subdivided.

Commissioner Harlan and Mr. Arios discussed that the 371 and 369 22nd Street lot was legally subdivided in the past ; that the Commission is deciding on the parcel map only (not the development of residential units on the site); and, once subdivided, the development could be approved over the counter (unless appealed).

Commissioner Zich and Ms. Le discussed what factors staff looked into to determine conformity for the subdivision of the property and that the specific development of the lot is a separate process.

MOTION: Move that the Planning Commission adopt a Resolution finding that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15315, Minor Land Divisions; and approve Tentative Parcel Map 2018-136, subject to the findings in Exhibit A and conditions of approval in Exhibit B.

Moved by Chair de Arakal, seconded by Commissioner Colbert.

Commissioner Navarro Woods spoke in support of the motion.

Commissioner Harlan spoke in support of the motion.

RESOLUTION PC-19-11 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING TENTATIVE PARCEL MAP 2018-136 TO SUBDIVIDE ONE PARCEL INTO TWO PARCELS IN THE R1 ZONE FOR PROPERTY AT 2183 TUSTIN AVENUE

The motion carried by the following roll call vote:

Ayes: de Arakal, Harlan, Navarro Woods, Zich, Colbert

Noes: None
Absent: None
Abstain: None

The Chair explained the appeal process.

DEPARTMENTAL REPORT(S)

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

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney – none.

ADJOURNMENT AT 7:30 PM

Submitted by:



BARRY CURTIS, SECRETARY
COSTA MESA PLANNING COMMISSION