

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION
December 10, 2007**

The Planning Commission of the City of Costa Mesa, California, met in regular session at 6:30 p.m., December 10, 2007, at City Hall, 77 Fair Drive, Costa Mesa, California. The meeting was called to order by Chairman Hall.

I. PLEDGE OF ALLEGIANCE TO THE FLAG.

Commissioner Egan led the Pledge of Allegiance.

**II. ROLL CALL: Chair: Donn Hall
Vice Chair: James Fisler
Commissioners: Sam Clark, Eleanor Egan, and James Righeimer**

Present: Chair Donn Hall
Vice Chair James Fisler
Commissioner Sam Clark
Commissioner Eleanor Egan
Commissioner James Righeimer

Absent: None.

Also Present: Planning Commission Secy. Kimberly Brandt

Deputy City Attorney Tom Duarte
City Engineer Ernesto Munoz
Senior Planner Mel Lee
Associate Planner Wendy Shih
Associate Engineer Raja Sethuraman
Assistant Planner Rebecca Robbins

III. MINUTES: Minutes for the meeting of November 26, 2007

The Chair approved the minutes as distributed.

IV. PUBLIC COMMENTS:

There were no public comments.

V. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Egan thanked staff for the holiday greeting card and wished everyone a happy holiday season, a merry Christmas, and a happy New Year.

Vice Chair Fisler thanked staff and said he has enjoyed working with them and the Commission this year. He wished everyone a merry Christmas and to be careful during this time.

The Chair noted that a recent article in the paper faulted the City of Newport Beach for not having enough low to moderate-income housing; and the City of Costa Mesa meets all standards.

VI. CONSENT CALENDAR:

1. 2006 Development Phasing and Performance Monitoring Program Report

The Chair asked if anyone wished to pull this item from the Consent Calendar to discuss it separately and no one wished to do so.

MOTION: Approve report.
Moved by Vice Chair James Fisler, seconded by
Commissioner Eleanor Egan.

The motion carried by the following roll call vote:

Ayes: Chair Donn Hall, Vice Chair James Fisler, Commissioner Sam Clark
Commissioner Eleanor Egan, and Commissioner James Righeimer

Noes: None.

Absent: None.

VII. PUBLIC HEARINGS:

1. [From the meeting of November 13, 2007, Planning Application PA-06-76, for Red Mountain Retail Group, authorized agent for Baker Street Retail LLC, for a master plan to construct 22 loft-style residential units over an existing 14,487 square-foot commercial building, with 900 square feet of new storefront retail space, for a 4-story mixed use project that exceeds the maximum building height \(60 feet allowed; 64 feet proposed\) and building setbacks \(10 feet allowed; 0 feet proposed\), in conjunction with a reduction in on-site parking spaces based upon shared parking requirements, existing shared valet parking with an abutting commercial use, and modified ramp slopes within a proposed two-level parking structure, for property located at 801 Baker Street, in the SoBECA \(South Bristol Entertainment and Cultural Arts\) Urban Plan Overlay and C1 zone. Environmental determination: Mitigated Negative Declaration.](#)

The Chair stated that a request was received from the applicant to withdraw this application. The Chair asked if anyone wished to speak on this item that would not be able to attend a future meeting, and there was no response.

MOTION: Withdraw.
Moved by Commissioner James Righeimer,
seconded by Commissioner Sam Clark.

The motion carried by the following roll call vote:

Ayes: Chair Donn Hall, Vice Chair James Fidler, Commissioner Sam Clark
Commissioner Eleanor Egan, and Commissioner James Righeimer

Noes: None.

Absent: None.

2. General Plan Amendment GP-07-03, Rezone R-07-06, Planning Application PA-07-19, and Tentative Tract Map T-17176, for Garrett Calacci of Waterpointe Development, authorized agent for Richard and John Dick, for: (1) General Plan Amendment to change land-use designation from General Commercial to Medium Density Residential, (2) Rezone from C2 (General Business) to R2-MD (Multi-Family Residential-Medium Density), (3) Design Review for a 7-unit, two-story single-family detached, small-lot residential common-interest development to include: a) administrative adjustment from the front setback requirement (20 ft. required; 13 ft. proposed); (b) minor modification from rear setback (20 ft. required; 16 ft. proposed); (c) deviation from Residential Design Guidelines for second-to-first floor ratio (80% recommended; 92% proposed) and second floor left side setback (10 ft. average recommended; 5 ft. average proposed); and (4) Tract Map for a subdivision for common-interest development purposes, located at 351 W. Bay Street. Environmental Determination: exempt.

Assistant Planner Rebecca Robbins reviewed the information in the staff report and responded to a question from the Commission regarding rear setback deviation.

Garrett Calacci of Waterpointe Development, authorized agent for the property owners, agreed to all the conditions of approval and the additional findings, "K" and "M", as referenced in the supplemental memorandum to the Planning Commission dated December 4, 2007. Mr. Calacci thanked Ms. Robbins for all her efforts on this project.

Vice Chair Fidler said he liked the project and it exceeded the parking requirements.

MOTION: Recommend the following actions to City Council, by adoption of Planning Commission Resolution PC-07-87: approval of General Plan Amendment GP-07-03 as shown in Exhibit "A", approval of the ordinance R-07-06 to change the zoning classification from C2 (General Business) to R2-MD (Multi-family Residential - Medium Density) as shown in Exhibit "B", and based on the evidence in the record and findings contained in Exhibit "C", reflecting the changes in the supplemental memorandum to Findings "K" and "M" as noted below, and subject to conditions in Exhibit "D", recommend approval of Planning Application PA-07-19 and Tentative Tract Map T-17176:

FINDINGS

K. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code). The project site is serviced by the north drainage basin that eventually drains into the Fairview Sewer Trunk. The Fairview Sewer Trunk currently peaks daily at approximately 50 to 75 percent capacity. Given the project site was previously developed with residential uses, the existing sewer facilities are expected to adequately serve the proposed project.

M. The subject property is physically suitable to accommodate Tract Map T-17176 in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan. The lot sizes of the proposed project exceed the minimum and average lot sizes required of small-lot common interest developments. In addition, the applicant is not proposing the maximum units allowed within the

proposed Medium Density Residential designation. A maximum of 9 dwelling units would be permitted; the applicant is proposing a 7-unit project.

Moved by Commissioner James Righeimer, seconded by Commissioner Eleanor Egan.

During discussion on the motion, Commissioner Clark mentioned that the project was beautiful and it exceeded the minimum parking requirements.

The motion carried by the following roll call vote:

Ayes: Chair Donn Hall, Vice Chair James Fisler, Commissioner Sam Clark
Commissioner Eleanor Egan, and Commissioner James Righeimer

Noes: None.

Absent: None.

Planning Commission Secretary Kimberly Brandt noted that this item would now be going for City Council approval at their meeting of January 2, 2008.

The Chair stated the appeal process.

3. **Planning Application PA-07-24, for Carolyn Russell, authorized agent for WKR Properties, Inc., for a conditional use permit for auto repair in Unit A, consisting of restoration of antique cars within 200 ft. of a residential zone, and to legalize outdoor storage behind the building, located at 1340 Logan Avenue, in an MG zone. Environmental determination: exempt.**

Associate Planner Wendy Shih reviewed the information in the staff report and there were no questions asked of staff.

The applicant was not in attendance; however, Commissioner Righeimer stated that this item should proceed.

The Chair asked if anyone wished to speak on this item. No one wished to speak and the Chair closed the public hearing.

**MOTION: Approve Planning Applications PA-07-24, by adoption of Planning Commission Resolution PC-07-88, based on the evidence in the record and findings contained in Exhibit “A”, subject to conditions in Exhibit “B”.
Moved by Commissioner James Righeimer,
seconded by Commissioner Eleanor Egan.**

The motion carried by the following roll call vote:

Ayes: Chair Donn Hall, Vice Chair James Fidler, Commissioner Sam Clark
Commissioner Eleanor Egan, and Commissioner James Righeimer
Noes: None.
Absent: None.

The Chair asked Ms. Shih to advise the applicant that the decision made tonight was final unless appealed.

4. [Planning Application PA-07-42, for Naldo Cabanillas, authorized agent for Paul Garcia, for a design review for a two-unit, two-story residential common interest development that doesn't satisfy residential design guidelines \(80% second-to-first floor ratio recommended; 86% and 88% proposed and 10 ft. average recommended; 8 ft. average proposed\), with a minor modification for a 9 ft., 6-in. street side setback for both units \(10 ft. required\), located at 151 E. 19th Street, in an R2-HD zone. Environmental determination: exempt.](#)

Senior Planner Mel Lee reviewed the information in the staff report which included the additional Condition of Approval, No. 16. He responded to questions from the Commission regarding the address of the property and setback calculations.

Naldo Cabanillas, representing the property owner, agreed to all the conditions of approval, including the additional condition, No. 16.

June McKinzie, neighbor who lives east of the project, noted fencing and shrubbery concerns as well as the noise factor.

The Chair assured Ms. McKinzie that her shrubs would not be removed and Mr. Cabanillas pointed out that a fence would be placed in the back of the project's property.

The Chair asked Mr. Cabanillas to meet with Ms. McKinzie to discuss noise concerns. Mr. Cabanillas agreed.

Mr. Cabanillas had no final comments and the Chair closed the public hearing.

Commissioner Clark mentioned that he would prefer a mixed use of materials for the east and south elevations of the project instead of the smooth stucco design.

Mr. Cabanillas agreed with the Chair that he would meet with staff regarding design changes for the elevations.

MOTION: Approve Planning Application PA-07-42, by adoption of Planning Commission Resolution No. PC-07-89, based on the findings contained in Exhibit "A", subject to conditions in Exhibit "B", with the additional conditions, as follows:

Conditions of Approval

16. Prior to Building Plan Check submittal, the applicant shall modify the placement of Units A and B to accommodate a 4-foot wide sidewalk easement along Fullerton Avenue and a minimum 19-foot long driveway for Unit B as required by Public Services.

17. All elevations shall have enhanced architectural details and building materials per the direction of Planning staff.

Moved by Commissioner Sam Clark, seconded by Commissioner James Righeimer.

During discussion on the motion, Commissioner Righeimer noted that he was very pleased with this project and how it will beautify the street corner.

The motion carried by the following roll call vote:

Ayes: Chair Donn Hall, Vice Chair James Fidler, Commissioner Sam Clark, Commissioner Eleanor Egan, and Commissioner James Righeimer
Noes: None.
Absent: None.

The Chair stated the appeal process.

5. [Planning Application PA-07-43, for Sparks Enterprises LP/40 Kenski Property, Inc., for a conditional use permit to re-establish a liquor store with an off-sale general alcoholic beverage control \(ABC\) license operating from 7:00 a.m. to midnight, 7 days a week, located at 1548 Adams Avenue, #A and #B, in a C1 zone. Environmental determination: exempt.](#)

The Chair stated that a request was received from the applicant to withdraw this application. The Chair asked if anyone wished to speak on this item that would not be able to attend a future meeting, and there was no response.

MOTION: Withdraw.
Moved by Commissioner Eleanor Egan, seconded by Chair Donn Hall.

The motion carried by the following roll call vote:

Ayes: Chair Donn Hall, Vice Chair James Fidler, Commissioner Sam Clark, Commissioner Eleanor Egan, and Commissioner James Righeimer
Noes: None.
Absent: None.

VIII. REPORT OF THE DEVELOPMENT SERVICES DEPARTMENT.

Planning Commission Secretary Kimberly Brandt wished everyone a wonderful holiday season and said she was looking forward to working with the Commission in 2008.

IX. REPORT OF THE CITY ATTORNEY'S OFFICE.

Deputy City Attorney Tom Duarte wished everyone a happy and safe holiday season.

X. ADJOURNMENT TO THE MEETING OF MONDAY, JANUARY 14, 2008.

Chairman Hall wished everyone a merry Christmas.

There being no further business, Chairman Hall adjourned the meeting at 7:15 p.m. to the Planning Commission meeting of Monday, January 14, 2008.

Submitted by: _____
KIMBERLY BRANDT, SECRETARY
COSTA MESA PLANNING COMMISSION