

**REGULAR MEETING OF THE CITY OF  
COSTA MESA PLANNING COMMISSION  
March 12, 2012**

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.

**I. ROLL CALL:**

Present: Chair Colin McCarthy  
Vice Chair Sam Clark  
Commissioner Robert Dickson  
Commissioner Jim Fitzpatrick  
Commissioner Edward Salcedo

Absent: None

**II. PLANNING COMMISSION MESA GREEN DESIGN AWARDS:**

Chair McCarthy presented awards to T-3 Motion and Precision Optical. Commissioner Fitzpatrick complimented each on their green contributions.

**III. PUBLIC COMMENTS:**

There were no public comments.

**IV. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:**

Commissioner Dickson complimented staff on their contributions toward the Capital Improvement, Westside Urban Plan and stated that he has enjoyed working with them, as well as with Commissioner Fitzpatrick.

Commissioner Fitzpatrick complimented Chair McCarthy on his presentation to the Chamber of Commerce. He mentioned that the Veterans Affairs’ Committee will have a brief presentation on March 30, 2012.

Commissioner Salcedo mentioned that the California Small Business Committee, which meets quarterly, met recently in an effort to reach out to small businesses. They look for small businesses.

**V. CONSENT CALENDAR:**

- 1. Minutes for the meeting of December 12, 2011.**
- 2. Code Enforcement Update.**
- 3. 2011 Annual Review of the Costa Mesa 2000 General Plan.**
- 4. General Plan Conformity Resolution for Vacation of Excess Public Right-of-Way.**

There was a request that Consent Calendar Item number 2 – Code Enforcement Update - be pulled.

Vice Chair Clark, in an effort to determine why there were a number of complaints on the same street, inquired of Chief of Code Enforcement Willa Bouwens-Killeen as to how long a period of time these complaints were received and why there were so many of them. Ms. Bouwens-Killeen responded that the complaints were 1998 to present. She stated that there were many variables that went into the number of complaints including, the age of the buildings, absentee landlords, graffiti, and trash and debris being left by non-residents.

Commissioner Dickson asked what the time frame is between when a complaint is received and the time it takes to achieve compliance. Ms. Bouwens-Killeen responded that the officers attempt to respond within two business days. Compliance can be anywhere from one week to several months depending on the response from the property owners.

Commissioner Salcedo asked what steps are taken for non-compliance. Ms. Bouwens-Killeen responded that there are three different levels of citations issued. If compliance still has not been achieved, staff works with the City Attorney in an attempt to gain compliance.

Commissioner Fitzpatrick asked for a cost estimate to hire additional Code Enforcement Officers to be presented at the next Planning Commission meeting.

The motion to approve the consent calendar carried by the following roll call vote:

Moved by Vice Chair Clark and seconded by Chair McCarthy.

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, Salcedo  
Noes: None  
Absent: None

**VI. PUBLIC HEARINGS:**

<b>1. Application No.:</b>	<b>PA-87-154</b>
<b>Site Address:</b>	<b>2180 Newport Boulevard</b>
<b>Applicant:</b>	<b>City of Costa Mesa</b>
<b>Zone:</b>	<b>C1</b>
<b>Project Planner:</b>	<b>Mel Lee</b>
<b>Environmental Determination:</b>	<b>Exempt</b>

**Description:**

Review of conditional use permit for an existing recycling center (EarthWise Recycling) within the Stater Brothers Market parking lot for possible revisions to the conditions of approval, including additional landscaping/screening requirements.

Commissioner Dickson asked staff why the improvements would not be finished before the 8 ½ months requested in the application.

Commissioner Fitzpatrick asked staff if there were complaints concerning possible water quality standard violations.

Commissioner Salcedo asked about the size discrepancy between the trailer in the original application and that of the present one.

**PUBLIC COMMENTS:**

Don Opperman, owner, explained the purpose and intent of the project, agreed to comply with the conditions of Exhibit B and offered to answer any questions.

Commissioner Fitzpatrick felt that the proposed landscaping, at the corner of the parking area, was not adequate enough and suggested planting trees, adjacent to the recycling facility itself.

DeAnne Hemmens, and Christy Turley, local residents, spoke of the congestion, noise and debris caused by having the Recycling Center there.

Mr. Opperman responded that they have attempted, to the best of their ability, to address the concerns of the local residents. No one else wished to speak so the Chair closed the Public comments.

Mr. Opperman, in response to a request made by Commissioner Dickson, stated that they would be agreeable to the City imposing time restrictions on the hours that they can pick-up and drop-off the recycling containers.

Commissioner Fitzpatrick requested that staff notify the Quality of Life Task Force and ask them to address some of the issues stated by the residents.

Vice Chair Clark, in attempt to address the concerns of the residents, acknowledged that the hearing was to tighten up some of the regulations of the site and not to close the facility.

**MOTION: Continue to Planning Commission meeting of May 14, 2012.**

Moved by Commissioner Fitzpatrick, seconded by Chair McCarthy.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, Salcedo  
Noes: None  
Absent: None

<b>2. Application No.:</b>	<b>PA-10-30 and LLA-10-02 (Time Extension)</b>
<b>Site Address:</b>	<b>1500 thru 1548 Adams Avenue</b>
<b>Applicant:</b>	<b>John S. Hill</b>
<b>Zone:</b>	<b>C1</b>
<b>Project Planner:</b>	<b>Mel Lee</b>
<b>Environmental Determination:</b>	<b>Exempt</b>

**Description:**

Time Extension for a Master Plan for new construction and exterior remodel of an existing shopping center, including the following: (1) variance from landscape setbacks (20' req.; 3' prop.); (2) MCUP to deviate from shared parking requirements; (3) CUP for reciprocal access and parking; (4) development review for a 4,000 sq. ft. pad building; and (5) a lot line adjustment.

**PUBLIC COMMENTS:**

John Hill, applicant, agreed to the conditions of the time extension and was available for questions.

Jonathan Monte, Property Management Company for 2801 Harbor Boulevard was concerned with the proposed 3' landscape setback. He was concerned with a possible loss of visibility to their property. Mr. Hill assured him that the setbacks would not cause them to lose any visibility.

No one else wished to speak and the Chair closed the Public comments.

**MOTION: Approve Planning Application PA-10-30 and LLA-10-02 by adoption of Planning Commission Resolution PC-12-03, based on the evidence in the record and the findings contained in Exhibit A, subject to conditions in Exhibit B.**

Moved by Commissioner Dickson, seconded by Commissioner Salcedo.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, Salcedo

Noes: None

Absent: None

**3. Application No.:** Revocation of PA-85-31  
and ZE-83-45  
**Site Address:** 1520 Nutmeg Place  
**Zone:** C1  
**Project Planner:** Minoo Ashabi  
**Environmental Determination:** Exempt

**Description:**

Revocation of Planning Application PA-85-31 (Conditional Use Permit to deviate from the shared parking requirements approved on March 11, 1985 for 1,443 SF dental office), and Zoning Application ZE-83-45 (Conditional Use Permit for off-site parking approved on March 28, 1983 authorizing 1,500 SF of medical office) due to change in configuration of parcels and parking spaces.

**PUBLIC COMMENTS:**

No one wished to speak and the Chair closed the Public comments.

**MOTION: Approved revocation by minute order Planning Application PA-85-31 and ZE-83-45.**

Moved by Commissioner Salcedo, seconded by Chair McCarthy.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, Salcedo

Noes: None

Absent: None

**4. Application No.:** PA-07-30  
(Time Extension)  
**Site Address:** 300 E. 23<sup>rd</sup> Street

**Applicant:** Mike Czajkowski  
**Zone:** R2-MD  
**Project Planner:** Minoo Ashabi  
**Environmental Determination:** Exempt

**Description:**

Time extension for a minor design review of a proposed residential common interest development, consisting of two, two-story detached single-family residences with minor modifications to encroach 1.5 ft. into the required 10 ft. street side setback and 1 ft. into the required 10 ft. building separation area for architectural projections.

**PUBLIC COMMENTS:**

Applicant Mike Czajkowski explained that this is a second extension request and that the delay is due to economic conditions.

Thomas Davies, resident, stated concerns about the lack of visibility at the corner. He believes that it is dangerous and that the 1½ foot encroachment will add to the danger.

Mr. Czakowski stated that there would be no sidewalk encroachments and that they have met all of the City requirements.

No one else wished to speak so the Chair closed public comments.

**MOTION: Approve two-year time extension for Planning Application PA-07-30 by adoption of Planning Commission Resolution PC-12-05, based on the evidence in the record and the findings contained in Exhibit A, subject to conditions in Exhibit B.**

Moved by Vice Chair Clark, seconded by Commissioner Fitzpatrick.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, Salcedo  
Noes: None  
Absent: None

**5. Application No.:** DR-99-22 A3  
**Site Address:** 3030 A Harbor Boulevard  
**Applicant:** Pacific Land Services  
**Zone:** C-1  
**Project Planner:** Mel Lee  
**Environmental Determination:** Exempt

**Description:**

Amend condition of approval for Target Costa Mesa's non-holiday store hours as follows: 8:00 am to 11:00 pm, 7 days a week (8:00 am to 10:00 pm, 7 days a week currently approved).

**PUBLIC COMMENTS:**

Chair McCarthy asked staff to explain what the thought process was behind recommending the time extension when Target agreed to the 10:00 closing time originally?

John Warren, with Pacific Land Services, explained the reason for the request and stated that there would be no negative impact on the City by staying open the extra hour and that the City would benefit as well as the employees who live in the City.

Al Morelli, Beth Refakes, Sarah Morelli, & LouAnn McCormick, residents, spoke in opposition to the extended hour. They felt that Target agreed to the original hours and should stick to that agreement. Their main concern was the noise that they would experience later into the night. Ms. Refakes had concerns about rewarding Target after ignoring the conditions of approval and staying open without approval. She also mentioned car alarms that go off in the parking lot at night and disturb the residents, but are not issues that could be addressed by Code Enforcement or the Police Department.

Mr. Warren, in response to the residents' complaints, stated that they have attempted to work with the residents. He reiterated that they have made several changes in response to the complaints and does not know what else they can do.

No one else wished to speak so the Chair closed public comments.

Chair McCarthy and Vice Chair Clark both stated opposition to the extended hours and would not support the request. They agreed that Target should not be rewarded for bad behavior and should stick to their original agreement.

No one wished to speak and the Chair closed the Public comments.

**MOTION: Approve Planning Application DR-99-22 A3 by adoption of Planning Commission Resolution PC-12-06, based on the evidence in the record and the findings contained in Exhibit A, subject to conditions in Exhibit B with the following additional conditions:.**

- 4. The use shall be limited to the following hours of operation: 8:00 a.m. to 11:00 p.m., Monday through Saturday, and 8:00 a.m. to 10:00 p.m. Sunday. Changes to the hours of operation that extend the opening**

**and closing times past the above hours shall be submitted to the Planning Commission for review.**

- 6. DR-99-22 A3 shall be reviewed by the Planning Commission no later than six months from the date of approval to determine if the extended hours of operation may be permitted to remain in effect.**

Moved by Commissioner Dickson, seconded by Commissioner Salcedo.

The motion carried by the following roll call vote:

Ayes: Dickson, Fitzpatrick, Salcedo  
Noes: McCarthy, Clark  
Absent: None

- |                                     |                        |
|-------------------------------------|------------------------|
| <b>6. Application No.:</b>          | ZA-11-35 and PM-11-124 |
| <b>Site Address:</b>                | 1928 Santa Ana Avenue  |
| <b>Applicant:</b>                   | David Hendryx, SCEL    |
| <b>Zone:</b>                        | R-1                    |
| <b>Project Planner:</b>             | Minoo Ashabi           |
| <b>Environmental Determination:</b> | Exempt                 |

**Description:**

A tentative parcel map and design review to subdivide a 0.368-acre parcel into two parcels (7,688 SF and 7,930 SF) for development of two new two-story single family residences each including a detached three-car garage taking access from the rear alley and deviation from the city's residential design guideline for 2<sup>nd</sup> to 1<sup>st</sup> floor ratio (80% maximum recommended; 100% proposed).

**PUBLIC COMMENTS:**

David Hendryx, applicant, gave a brief presentation and was available to answer any questions.

Chair McCarthy stated some concerns that the homes appeared boxy. Mr. Hendryx explained that there were variables that differentiate the homes such as, color, roof structure, porches and shutters.

Commissioner Fitzpatrick mentioned that he has spoken with residents who had concerns that the homes looked boxy and there was some concern with SCEL's ability to sell the homes.



Residents Dino Channel, Rick Harlow, Beth Rafakes, Buddy Aubry & Le Ann Harlow all spoke out against the proposed homes. Their main objections were the boxy appearance of the homes. They felt that they would detract from the eclectic character of the east side and could possibly bring down the value of other homes in the neighborhood. Ms. Harlow was concerned that the homes would be facing her home and was concerned for her privacy.

No one wished to speak and the Chair closed the Public comments.

**MOTION: Approve Planning Application ZA-11-35 and PM-11-124 by adoption of Planning Commission Resolution PC-12-07, based on the evidence in the record and the findings contained in Exhibit A, subject to conditions in Exhibit B.**

Moved by Vice Chair Clark, seconded by Commissioner Salcedo.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Salcedo  
Noes: Fitzpatrick  
Absent: None

<b>7. Application No.:</b>	PA-12-02
<b>Site Address:</b>	1870 Harbor Boulevard and 1875 Newport Boulevard
<b>Applicant:</b>	Greenlaw Partners
<b>Zone:</b>	PDC
<b>Project Planner:</b>	Mel Lee
<b>Environmental Determination:</b>	Exempt

**Description:**

Master Plan for comprehensive update to "The Triangle" (formerly Triangle Square), including the following: approx. 17,000 sq. ft. of new restaurants; an approx. 14,000 sq. ft. bowling center; approx. 7,000 sq. ft. wine storage facility; exterior building and landscaping upgrades; amend existing conditional use permit for valet and shared parking; amend existing planned sign program for new exterior signage.

**PUBLIC COMMENTS:**

Don Lamm, Greenlaw Partners, explained the purpose and intent of the project, agreed to comply with the conditions of Exhibit B and offered to answer any questions.

Paul Wilkinson, Principal with Linscott, Law & Greenspan, Engineers, explained at length the parking study methodology including discussion on directional signage and the refined valet parking plan.

Beth Refakes, resident, was excited about the changes but had a few concerns with signage, flashing white light on top of dome, wine storage for personal use, adequate parking spaces and dangerous cut through at Harbor and Newport Boulevards.

No one else wished to speak and the Chair closed the Public comments.

**MOTION: Approve Planning Application PA-12-02 by adoption of Planning Commission Resolution PC-12-08, based on the evidence in the record and the findings contained in Exhibit A, subject to conditions in Exhibits B, B1, B2, B3, B4, B5, and B6 with the following additional condition:**

**B6/13. Third party (i.e., off-site) advertising on the changeable vinyl signage is expressly prohibited, except for the existing Vans Footwear, until it expires on December 31, 2012.**

Moved by Vice Chair Clark, seconded by Commissioner Dickson.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, Salcedo  
Noes: None  
Absent: None

**VII. ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON MARCH 26, 2012.**

Submitted by: \_\_\_\_\_  
CLAIRE FLYNN, SECRETARY  
COSTA MESA PLANNING COMMISSION