

**UNOFFICIAL UNTIL APPROVED**

**MINUTE EXCERPTS FROM THE  
JUNE 8, 2015 PLANNING COMMISSION MEETING  
REGARDING APPEAL OF 957 W. 19<sup>TH</sup> STREET (SOLID LANDINGS)  
(Public Hearing No. 1 – ZA-15-01)**

1. **Application No.** ZA-15-01  
**Applicant:** Kristen Ford  
**Site Address:** 657 W. 19<sup>th</sup> Street  
**Zone:** C1  
**Project Planner:** Mel Lee  
**Environmental Determination:** If approved, the project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (existing facilities). If denied, project is statutorily exempt under Section 15270 (projects which are disapproved).

**Description:** An appeal of the Zoning Administrator's approval of a minor conditional use permit to deviate from parking requirements for a group counseling use (Solid Landings) in a 6,710 square foot building. A total of 67 parking spaces are required for the use, 24 on-site parking spaces are proposed (29 existing minus 5 that will be lost when the West 19th Street gate is reopened per the conditions of approval) based on unique operating characteristics.

Mel Lee, Senior Planner, gave a brief overview of the proposal and what was approved by the Zoning Administrator.

Vice Chair Mathews asked if the staff members for the facility were using their parking lot or if they are parking on the street. Mr. Lee responded that a Code Enforcement Officer confirmed earlier this week that the parking was not being entirely conducted on site.

Commissioner Andranian asked about if the application is not approved what would happen to their operation at that site. Mr. Lee responded that the applicant could not provide group counseling services; they could only provide administrative or support offices only with the four per thousand parking rate.

Commissioner Sesler asked about the parking requirements and if we have received any complaints from surrounding neighborhoods about the parking and other nuisance aspects in regard to the operation. Mr. Lee responded that we received four letters in opposition and none in support of the parking reduction.

**PUBLIC COMMENTS**

Ann Parker, the appellant, gave her presentation on why she appealed the item.

Wendy Leece, Costa Mesa resident, stated concerns with granting the parking deviations, the traffic impact and safety.

Ms. Parker continued her presentation.

Teresa Drain, Costa Mesa resident, stated concerns with the parking, conditions of approval not being met and code requirements not being followed.

Dennis O'Neil, representative for Solid Landings, gave presentation in support of the Zoning Administrator's decision and stated that Solid Landings had not received any notice of being in violation from the City of any code requirement.

Commissioner McCarthy asked for clarification about the violations the appellant stated and why the applicant was unaware. Mr. Lee and Ms. Gerli responded to the process of the Zoning Administrator decision and when the violations of the minor conditional use permit would take place.

Jay Humphrey, Costa Mesa resident, stated concerns with the parking process and Conditions of Approval No. 3, 4, and 9.

Barrie Fisher, Costa Mesa resident, stated concerns with the detrimental impact Solid Landings is having on the residents across the street.

A Costa Mesa resident stated concerns with traffic, capacity, approved evacuation plan, and the noise of the gate.

Steven Chan, Costa Mesa resident, addressed concerns with setting a precedence of this application.

A Costa Mesa resident stated concerns with how long the business had been operating without permits.

Jennifer Webster, Costa Mesa residents, stated she wanted to see equal treatment when violations are happening and had concerns with the parking.

Ms. Parker addressed Mr. O'Neil statement about not knowing about the violation notices.

Ms. Leece responded to public comments about the process of getting a permit and stated concerns of there being no record of a fire inspection.

Teresa Drain asked for an explanation of how the minor conditional use permit process works.

Mr. O'Neil responded to the public concerns.

Chair closed the public hearing.

Commissioner McCarthy and Dickson asked for clarification with the code violations and if not complying with the conditions would play into the decision of approving the minor conditional use permit. Ms. Gerli responded yes.

Commissioner Andranian stated concerns with setting a precedence with the approving the parking and if the applicant is capable of complying with the conditions of approval. He also asked what would happen if they did not approve the application. Ms. Gerli responded that they could not operate a group counseling facility at this operation and that it is not an issue of precedence instead it would be an issue of it fitting within the City's policy with granting a minor conditional use permit.

The Commissioners discussed the evidence, the code violations, the parking issue, the business plan, and if they should uphold or reverse the Zoning Administrator's approval.

**MOTION: Based on the evidence in the record and the findings set forth in Exhibit A denial that the Planning Commission hereby grant the appeal and reverse the Zoning Administrators decision for approval of ZA-15-01 from the deviation from parking requirements for a group counseling use at 657 West 19<sup>th</sup> Street with further findings:**

- **First finding - The information presented does not provide and does not comply in that the proposed use is not compatible with developments in the same general area and is materially detrimental to other properties in the area. We have seen evidence in the record that the parking operations that are happening now result in parking on the street and result in queuing and stacking commercial vehicles on the street. From the parking aspect, these are findings and we have evidence in the record showing that the parking is materially detrimental to other properties in the area.**
- **Second finding - Granting the minor conditional use permit is materially detrimental to the health and safety to general welfare of the public and otherwise injurious to properties or improvements to the immediate neighborhood. We have had testimony from adjacent property owners describing the impact from the parking on the street and the commercial vans that are not being utilized in the manner depicted in the project descriptions.**
- **Third finding - Granting the minor conditional use permit would allow use density or intensity which is not in accordance with the General Plan designation and that we have evidence in the record that the General Plan portions that were described in the staff report are not supportive of objective LU-1F.1 - protect existing stabilize residential neighborhoods from the encroachment compatible potential disruptive land use or activities. We have evidence in the record that**

shows that the existing operations regardless of an existence of a minor conditional use permit or conditions of approval that there are parking impacts from parking and commercial van traffic that do not conform with the General Plan land use designation.

Moved by Commissioner McCarthy, second by Vice Chair Mathews.

**RESOLUTION 15-34:** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA REVERSING THE ZONING ADMINISTRATOR'S DECISION AND DENYING ZONING APPLICATION ZA-15-01 FOR A MINOR CONDITIONAL USE PERMIT FOR A REDUCTION IN ON-SITE PARKING SPACES FOR A GROUP COUNSELING USE AT 657 WEST 19<sup>TH</sup> STREET

The motion carried by the following roll call vote:

Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.