REGULAR MEETING OF THE CITY OF COSTA MESA PLANNING COMMISSION

March 9, 2015

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.

Counsel Yolanda Summerhill led in the Pledge of Allegiance.

ROLL CALL

Present: Chair Robert Dickson
Vice-Chair Jeff Mathews
Commissioner Colin McCarthy
Commissioner Tim Sesler
Commissioner Stephan Andranian

Staff: Claire Flynn, Assistant Development Services Director
Yolanda Summerhill, Planning Commission Counsel
Fariba Fazeli, City Engineer
Willa Bouwens-Killeen, Principal Planner
Dan Inloes, Associate Planner
Chelsea Crager, Assistant Planner
Martha Rosales, Recording Secretary

PUBLIC COMMENTS

Martin Millard, Costa Mesa resident, requested Mesa North improvements on Baker Street from Fairview Street to Babb Street. Mr. Millard discussed the following; concern with outdated north-side block wall, possible barrier median at 1097 Baker Street; and improvements to dated shopping center south of Baker.

Beth Refakes, Costa Mesa resident representing the Costa Mesa Military Affairs Team, reported they were collecting Easter items through Friday, March 27, 2015 for the 1/5 Troop. A trunk is placed on the 1st Floor of City Hall to collect the Easter items.

Barrie Fisher, Costa Mesa resident representing the west side, expressed concerns of outdated and dangerous sidewalks, narrow streets and vehicle congestion, and the need for improvements before allowing more redevelopment into the area.

Ann Parker, Costa Mesa resident, inquired clarification on Abbie Way matter approved at the previous commission meeting and asked could the item be pulled back.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS

Commissioner Andranian addressed Ms. Fisher's comment and stated he attended the meeting regarding sober living homes on March 4th, 2015. He agreed this is an important issue for the City and staff is working on a new ordinance for R2 neighborhoods.

Commissioner Sesler mentioned the crime mapping feature on the City of Costa Mesa's website is functioning after a yearlong absence.

Commissioner Sesler appreciated Ms. Fisher on her consistent requests for City repairs through Costa Mesa Connect and agreed an investment - either public and/or private - needs to be made.

Commissioner Sesler addressed Ms. Park's concern and acknowledged the challenging issue and asked the citizens to report incidents or complaints thru Costa Mesa Connect.

Commissioner McCarthy requested clarity on the Wharf decision and how it could affect the City.

Commissioner McCarthy agreed the block wall on Baker Street needs an update and requested staff to look into it.

Commissioner McCarthy attended Costa Mesa Little League opening day and expressed concern that many children are migrating to other cities to play sports.

Vice Chair Mathews addressed comments made regarding condition of the west side of the City and offered to look into the matter.

Chairman Dickson announced the city is conducting a community workshop for the East West bicycle connection taking place Wednesday, March 18, 2015 in the Emergency Operation Center adjacent to the police department from 6:00pm-7:30pm.

Chairman Dickson addressed speaker comments regarding the cinder block walls on Baker Street; plans for possible medians; and sidewalk infrastructure and rehabilitation. Fariba Fazeli, City Engineer, provided an update.

Chairman Dickson addressed the Abbie Way appeal. Claire Flynn, Assistant Development Services Director, stated that the appeal deadline expired Monday, March 2, 2015 and absent the receipt of a timely appeal application and appeal fee if applicable, the matter cannot be re-opened.

Chairman Dickson addressed west side plan review. Claire Flynn, Assistant Development Services Director, confirmed the matter will go before the Planning Commission in April or May.

CONSENT CALENDAR:

Chair Dickson pulled Consent Calendar Item No. 2 for discussion.

1. Minutes for the meeting of February 23, 2015.

   MOTION: Approve February 23, 2015 Minutes. Moved by Commissioner McCarthy, seconded by Commissioner Sesler.

   The motion carried by the following roll call vote:

Ayes:	Dickson, Mathews, McCarthy, Sesler, Andranian
Noes:	None
Absent:	None
Abstained:	None

2. Update of major development activity and demographic trends in Costa Mesa.

   Claire Flynn, Assistant Development Services Director, presented part one of a two part PowerPoint that showcased major development activity and trends.

Chair Dickson expressed excitement on the median projects presented and asked if any Baker Street improvements were included in the plan. Claire Flynn, Assistant Development Services Director, and Fariba Fazeli, City Engineer, provided an update.

Commissioner McCarthy asked if Fairview Development Center still employed 1,500 employees and inquired on statistics, plans and tracking of soil remediation. He commended the staff on the great presentation and for doing a great job meeting applicant and community needs.

Commissioner Sesler asked whether staff tracked economic impact in terms of taxes. Claire Flynn, Assistant Development Services Director, provided some general information and added an economic consultant will produce additional data for Part Two of the presentation coming in April.

Commissioner Andranian asked for data on park fees and increased property tax revenue generated by new developments. He also requested to see before and after pictures of the developments in part two of the presentation. Commissioner Andranian asked for clarification on the resident statistics, specifically the 19-39 age range and if they were employed. Claire Flynn, Assistant Development Services Director, confirmed the statistic shows working age only.

Chair Dickson agreed before and after pictures for planning projects are important.

PUBLIC COMMENTS - None

MOTION: Receive and file. Moved by Commissioner McCarthy, seconded by Commissioner Sesler.

The motion carried by the following roll call vote:

Ayes:	Dickson, Mathews, McCarthy, Sesler, Andranian
Noes:	None
Absent:	None
Abstained:	None

PUBLIC HEARINGS:

1. **Application No.** PA-14-48, R-14-05 and TT-17824; Master Plan Development for a 13-Unit, Two-Story Residential Development with a Rezone and Tentative Tract Map at 2880 Mesa Verde Drive East

Applicant: Pinnacle Residential
Site Address: 2880 Mesa Verda Drive East
Zone: I & R
Project Planner: Mel Lee
Environmental Determination: The project is categorically exempt under Section 15332 of the State CEQA (California Environmental Quality Act) Guidelines – Class 32 (In-Fill Development Projects).

Description: The proposed project involves the following:
1. ***Rezone R-14-05:*** An ordinance to rezone the 2-acre site from I&R (Institutional and Recreational) to PDR-LD (Planned Development Residential—Low Density). The maximum allowable General Plan density would be 16 dwelling units at a density of 8 dwelling units per acre.
2. ***Planning Application PA-14-48:*** Master Plan for the development of a 13-unit, two-story detached residential development at a density of 6.5 dwelling units

per acre. The Master Plan also includes the following requested deviations from Zoning Code requirements:

- Variance from perimeter open space requirement for location of block walls (20 feet required, 3 feet proposed on Mesa Verde Drive East);
- Administrative Adjustment from perimeter open space requirement for buildings (20 feet required, 13 feet proposed on Andros Street);

3. ***Tentative Tract Map T-17824:*** Subdivision of property into fee simple lots for homeownership.

Mel Lee, Senior Planner, reported the applicant was reviewing comments received from Mesa Verde residents and possibly making modifications to the proposed development; hence, the request for a continuance to the first meeting in March.

PUBLIC COMMENTS - None

MOTION: Continue to a future Planning Commission meeting with public noticing required. Moved by Commissioner McCarthy, seconded by Commissioner Andranian.

The motion carried by the following roll call vote:

Ayes:	Dickson, Mathews, McCarthy, Sesler, Andranian
Noes:	None
Absent:	None
Abstained:	None

2. **Application No.:** ZA-14-38: An appeal by the applicant of the denial of a minor conditional use permit at 111 Del Mar Avenue

Applicant: ZA-14-38
Site Address: 111 Del Mar Avenue
Zone: C1
Project Planner: Chelsea Crager
Environmental Determination: This project is categorically exempt under CEQA section 15301 if approved; or exempt under CEQA section 15270(a) if disapproved.

Description: Appeal by the applicant of the denial of a minor conditional use permit to legalize existing outdoor kiosks for DVDs (Redbox) and Glacier Water in front of a Circle K convenience store. This request was denied by the Zoning Administrator.

Chelsea Crager, Assistant Planner, presented the staff report in response to appeal filed on January 24, 2015. The project was found to be exempt from the provisions of the California Environmental Quality Act under Section 15301 Existing Facilities and staff recommends planning commission uphold the Zoning Administrator's decision to deny Minor Conditional Use Permit ZA-14-38.

Commissioner McCarthy asked if water and movie rentals could be located inside or outside. Ms. Crager, Assistant Planner, confirmed there are no codes requiring items to be located outside.

Chair Dickson asked if adding a new vending machine such as water or Redbox kiosk impact parking calculations. Ms. Crager, Assistant Planner, confirmed the vending machines are not used in parking calculations as they are considered part of the convenience store.

Ahmad Gharderi, applicant, thanked the staff for their work and guidance through the process. Mr. Ghaderi addressed three items of concern; first that the two vending machines are not visible from Del Mar; second there have been no water leakage issues as the water vending machines are self-contained and are equipped with a containment tray to catch possible leaks; and third there is approximately 48 inches plus in front of the units to allow safe ADA accessibility. Mr. Gharderi stated inside or outside placement of DVD and water vending machines have no impact on sales generated; however, outside placement is preferred for customer's convenience. Mr. Gharderi asked if the Planning Commission would reconsider their decision based on the information he provided.

Commissioner McCarthy referred to the Supplemental Staff Report which chronicled 135 Police calls for service and asked applicant if more calls were anticipated and given the volume of disturbances, would it not be safer to have the vending machines inside. Mr. Gharderi was not familiar with the Supplemental Staff Report but does not anticipate more calls.

Commissioner Mathews asked if 24 hour security could be provided. Mr. Gharderi stated he could not provide a response.

Commissioner Sesler referred to a July 2014 code enforcement violation which required outside vending machines be removed and Circle K did not comply. Mr. Gharderi was unaware of the July 2014 violation and could not respond. Commissioner Sesler asked what type of security cameras operate at the store and if there was access to a security guard. Mr. Gharderi stated the store is open 24 hours a day and runs closed circuit cameras running 24/7 and the store does not have a security guard.

Commissioner Andranian asked if the vending machine were moved inside would other merchandise be displaced. Mr. Gharderi stated yes and reiterated the outside placement is for customer convenience.

PUBLIC COMMENTS – None

Chair Dickson stated concern for safety given proximity to a residential area and is amendable to continuing the matter.

Commissioner McCarthy stated he was not in support of placing services outside the store and upholds the staff's recommendation.

Commissioner Mathews agreed with the decision and upholds the staff's recommendation.

MOTION: Planning Commission uphold the Zoning Administrator's decision to deny a minor conditional use permit to legalize outdoor placement of a water vending machine and an outdoor DVD rental kiosk at the Circle K convenience store based on the findings put forth in the record. Moved by Commissioner McCarthy, seconded by Commissioner Andranian.

RESOLUTION 15-13 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA UPHOLDING THE ZONING ADMINISTRATOR'S DENIAL OF ZONING APPLICATION ZA-14-38 AND DENY A MINOR CONDITIONAL USE PERMIT FOR OUTDOOR USES LOCATED AT 111 DEL MAR AVENUE (CIRCLE K STORE)

Chair Dickson stated the commission encourages business but in this case, the commission does not support the permit.

The motion carried by the following roll call vote:

Ayes:	Dickson, Mathews, McCarthy, Sesler, Andranian
Noes:	None
Absent:	None
Abstained:	None

NEW BUSINESS ITEM(S):

1. Review of Proposed Parkland Impact Fees

Dan Inloes, Associate Planner, presented the staff report.

David Taussig, president of David Taussig & Associates, gave presentation on the Quimby Act and Methodology of Park Fee Update.

PUBLIC COMMENTS:

Jay Humphrey, Costa Mesa resident, stated he was happy staff brought the item forward but. Mr. Humphrey expressed concern with the numbers of residents and acreage used in the presentation and how that could impact fee cost, property owners opting to pay fees since they are less than property dedication and if conversions are allowed, they should not get fee exemptions.

Steven LaMotte, Director of Government Affairs of the Business Industry Association, supported the proposal.

Beth Refakes, Costa Mesa resident, addressed concerns with the fee proposal. Ms. Refakes would like to see further breakdown of bedrooms per residence, to see an automatic adjustment for inflation and what other cities are doing to calculate fees.

Commissioner McCarthy stated he doesn't think it is realistic for the city to be purchasing park space in the future but supports the methodology and BIA support. Commissioner McCarthy would like a future meeting to see if there are plans from Public Services to acquire park space.

Chair Dickson supported the methodology but would like to find a better way of quantifying apartments.

Commissioner Sesler supports the methodology but is concerned with the location.

MOTION: Receive and file. Moved by Commissioner McCarthy, second by Chair Dickson.

The motion carried by the following roll call vote:

Ayes:	Dickson, Mathews, McCarthy, Sesler, Andranian
Noes:	None
Absent:	None
Abstained:	None

DEPARTMENTAL REPORT(S)

1. Public Services Report – None.

2. Economic and Development Services Report – None.

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney – None.

ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON MONDAY, MARCH 23, 2015.

Submitted by:

CLAIRE FLYNN, SECRETARY
COSTA MESA PLANNING COMMISSION