OFFICIAL MINUTE EXCERPTS FROM THE JUNE 13, 2016 PLANNING COMMISSION MEETING REGARDING BRISTOL AUTOPLEX (Public Hearing No. 5 – R-15-01 and PA-15-30)

5. **Application No.:** R-15-01 and PA-15-30
Applicant: Annette Wiley
Site Address: 375 Bristol Street
Zone: Existing: PDC (Planned Development Commercial)
Proposed: C2 (General Business District)
Project Planner: Mel Lee
Environmental Determination:
An IS/MND was prepared for the project in accordance with the Lead Agency's Guidelines implementing the California Environmental Quality Act. The IS/MND is available for public review and comment from May 14, 2016 to June 12, 2016. The IS/MND found that the environmental effects from the project would be less than significant with the incorporation of standard conditions of approval and compliance with the Code requirements. The proposed project site is not on a list compiled pursuant to Government Code Section 65962.5.

Description: The proposed project involves the following:

1. ***Initial Study/Mitigated Negative Declaration (IS/MND):*** This document analyzes the environmental impacts of the proposed project. Significant environmental impacts are mitigated to below a level of significance.
2. ***Rezone R-15-01:*** An ordinance to rezone a 3.18-acre site from PDC (Planned Development Commercial) to C2 (General Business District).
3. ***Planning Application PA-15-30***: Conditional Use Permit PA-15-30 for the demolition of the existing automotive center (Bristol Autoplex) and the development of a two-story, 774-unit mini-storage facility and 5,000 square-foot food court building. No code deviations are requested.

Three ex-parte communications to report: Vice Chair Mathews and Commissioner McCarthy met with the applicant; Chair Dickson spoke with the applicant.
Mel Lee, Senior Planner, presented the staff report.

Vice Chair Mathews asked for clarification on the proposed building height. Mr. Lee responded that the three elevator shafts would be the highest portions of the buildings.

Commissioner McCarthy asked for guidance on evaluating the opposition comments made from tenants. Yolanda Summerhill, Deputy City Attorney, responded that the Planning Commission could use broad discretion and would look at how the proposed use is consistent with the findings under the Zoning Code.

PUBLIC COMMENTS

Paul Freeman, applicant, addressed the public comments about the food tenants and what termination process took place. Mr. Freeman also agrees with the conditions of approval except No. 19.

Annette Wiley, architect, presented a slideshow about the proposed application.

Chair Dickson asked if the applicant would be willing to underground utilities along Bristol Street. Mr. Freeman responded no but he would be willing to pay into a fund for future undergrounding.

Mae Ray stated concerns with the noise from the Autoplex and stated the location needs improvement.

Hilda Martinez, Costa Mesa resident, spoke in support of the application.

Newport Beach resident asked if there was a crime impact report for the application and why there was not 24-hour security required. He also stated concerns with noise, the after hour lighting in the back of the building and suggested raising the wall to eight feet.

Chelsie Sharp, tenant at the Autoplex, spoke against the application.

Sherry Kroeg, tenant at the Autoplex, spoke against the application.

Marc Prowse, tenant at the Autoplex, spoke against the application.

Isabella, tenant at the Autoplex, spoke against the application.

Olivia, tenant at the Autoplex, spoke against the application.

Shawn Bean spoke against the application.

Dan, tenant at the Autoplex, spoke against the application.

Wonda Pessy, speaking on behalf of Dave Pessy, spoke against the application.

Carter Grant, tenant at the Autoplex, spoke against the application.

Heather Davis, tenant at the Autoplex, spoke against the application.

Jay Humphrey, Costa Mesa resident, spoke against the application.

George Bean, tenant at the Autoplex, spoke against the application.

Jiyoung Yui, tenant at the Autoplex, spoke against the application.

John Le, tenant at the Autoplex, spoke against the application.

Tony, tenant at the Autoplex, spoke against the application.

Victor Alberez spoke against the application.

Teri Taylor spoke against the application.

Mr. Freeman responded to the public comments.

Commissioner Sesler asked Mr. Freeman if they considered a relocation fee and if it would be an option. Mr. Freeman responded no, they could not afford it but would be willing to discuss rent discounts.

Ms. Summerhill reminded the Planning Commission that this action will be going City Council for final approval and during that time some of the potential problems mentioned in this meeting could be resolved.

Commissioner Andranian asked the estimated cost of the project. Mr. Freeman stated from 11 to 13 million dollars.

The Chair closed the public hearing.

Commissioners discussed the project, the impact on the tenants, and whether to approve the project.

Vice Chair Mathews asked for clarification if the rezone had to be granted and if it is an act of discretion by the Planning Commission. Mr. Lee responded it is a discretionary act from the Planning Commission and City Council.

Chair Dickson asked Mr. Lee to explain the PDC (Planned Development Commercial) zone versus the C2 (General Business District). Mr. Lee responded self-storage is not allowed in the Planned Development Commercial zone which is why the applicant is requesting a rezone to C2 (General Business District).

MOTION: Hereby move that the Planning Commission recommend that the City Council deny adopting the Initial Study/Mitigated Negative Declaration (IS/MND) for the project, deny giving first reading to an ordinance giving Rezone 15-01 and deny Planning Application PA-15-30 a resolution to approve the project for a 774-unit self-storage facility and 5,000 square-foot food court building at 375 Bristol Street based on the findings for denial with the provision that the applicant work with the affected businesses on relocation plans and relocation assistance prior to the City Council hearing the project. Also, include in the motion for staff to

bring to City Council the issue of the number of storage units in the City and the need for them.
Moved by Commissioner McCarthy, second by Commissioner Sesler.

RESOLUTION PC-16-33 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THAT THE CITY COUNCIL NOT ADOPT THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION, AND DENY REZONE R-15-01 FOR A REZONE OF THE ZONING CLASSIFICATION OF A 3.18-ACRE DEVELOPMENT SITE FROM PDC (PLANNED DEVELOPMENT COMMERCIAL) TO C2 (GENERAL BUSINESS DISTRICT), AND DENY PLANNING APPLICATION PA-15-30 FOR THE DEMOLITION OF THE EXISTING AUTOMOTIVE CENTER (BRISTOL AUTOPLEX) AND THE DEVELOPMENT OF A TWO-STORY, 774-UNIT MINI-STORAGE FACILITY AND 5,000 SQUARE FOOT FOOD COURT BUILDING AT 375 BRISTOL STREET.

The motion carried by the following roll call vote:
Ayes: Mathews, McCarthy, Sesler, Andranian
Noes: Dickson
Absent: None
Abstained: None

UNOFFICIAL UNTIL APPROVED

MINUTE EXCERPTS FROM THE
OCTOBER 10, 2016 PLANNING COMMISSION MEETING
REGARDING 375 BRISTOL STREET
(Public Hearing No. 2 – R-15-01 and PA-15-30)

2. **Application No.:** R-15-01 and PA-15-30
Applicant: Annette Wiley
Site Address: 375 Bristol Street
Zone: Existing: PDC (Planned Development Commercial) Proposed: C2 (General Business District)
Project Planner: Mel Lee
Environmental Determination:
An IS/MND was prepared for the project in accordance with the Lead Agency's Guidelines implementing the California Environmental Quality Act. The IS/MND was available for public review and comment from May 14, 2016 to June 12, 2016. The IS/MND found that the environmental effects from the project would be less than significant with the incorporation of standard conditions of approval and compliance with the Code requirements. The proposed project site is not on a list compiled pursuant to Government Code Section 65962.5.

Description: The proposed project involves the following:
1. Adoption of an Initial Study/Mitigated Negative Declaration (**IS/MND**);
2. **Rezone R-15-01** for the rezone of a 3.2-acre site from PDC (Planned Development Commercial) to C2 (General Business District); and
3. **Conditional Use Permit PA-15-30** for the demolition of a portion of the existing automotive strip mall (Bristol Autoplex) and the development of a two-story, 719-unit mini-storage facility and 12,500 square-foot retail building. The existing three buildings on the site total 38,430 sq. ft.; two buildings and a portion of one building totaling 25,930 sq. ft. will be demolished and the remaining 12,500 sq. ft. retail and tenants will be retained with minor renovations. No code deviations are requested.

Four ex-parte communications to report: Chair Dickson, Vice Chair Mathews, and Commissioner Andranian met with the applicant; Commissioner McCarthy spoke with the applicant.

Mel Lee, Senior Planner, presented the staff report.

Commissioner McCarthy asked if any changes to the project altered the EIR findings or the trip count. Mr. Lee responded no.

Commissioner Sesler asked if staff did an economic analysis. Mr. Lee responded no.

PUBLIC COMMENTS

Paul Freeman, applicant, has read and agreed with the conditions of approval. He explained the changes to the application and thanked the Commissioners for their direction.

Terry Shannon, speaking on behalf of one of the tenants at 375 Bristol Street, stated concerns with the businesses that have to leave and jobs that will be lost; and spoke in opposition to the project.

George Bean, tenant (Sandwich World), stated the owners did do an outreach to the tenants and spoke in support of the project.

Paul, tenant at 375 Bristol Street, stated the cost of the move would be difficult for his business and the Planning Commission should consider another solution.

John, owner of a business at 375 Bristol Street, stated he did not hear from the landlord or owner; he has been a good tenant and asked that the they would reach out to him so his business could stay.

Sherry Krogh, President of Dan's Autocare Express, had meet with the current owners and came to an agreement and is happy with the solution. She is thankful the applicant reached out to them and spoke in support of the project.
Jiyoung Yui, tenant (Sushi Imari), spoke in support of the project.

Mr. Freeman responded to public comments.

Commissioner Sesler asked out of the 13 existing tenants how many would be at the new project and how much sales tax would be generated from them. Mr. Freeman responded that there are five spaces available and marginally less sales tax but more property tax.

The Chair closed the public hearing.

Chair Dickson thanked the Police Department for providing calls for service to the applicant's site and the nearby mini-storage facility at 1275 Bristol Street; and stated that it showed that the calls were less at the 1275 Bristol Street mini-storage facility.

Commissioner McCarthy stated it was a much better application than the previous one in June; that the plan is going to be successful; liked that some of the tenants will be staying; and will be supporting the application.

Commissioner Sesler stated a concern with the applicant requesting a rezone because it could become an economic loss for the City.

Commissioner Andranian stated that the project was an improvement and will be supporting the revised application. He also noted that in the long term the project will be a net gain for the City.

Commissioners and staff discussed the rezone and the potential uses if rezoned.

Chair Dickson stated supporting the project and encouraged the applicant to speak with all tenants prior to the City Council Meeting.

MOTION: Hereby move that the Planning Commission recommends that City Council do as follows: Adopt the Initial Study/Mitigated Negative Declaration; Recommendation of Rezone R-15-01 for the rezone of 3.18 Acre site from Planned Development Commercial to C2 General Business District; and approval of Conditional Use Permit PA-15-30 for the demolition of a portion of the existing automotive strip mall and the development of a two-story 719-unit mini-storage facility and 12,500 square-foot retail building at 375 Bristol Street based on the findings set forth in Exhibit A and subject to conditions set forth in Exhibit B.
Moved by Commissioner McCarthy, second by Commissioner Andranian.

RESOLUTION PC-16-54 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COSTA MESA TAKE THE FOLLOWING ACTIONS: (1) ADOPT THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION, (2) APPROVE AND GIVE FIRST READING TO REZONE R-15-01 FOR A REZONE OF THE ZONING CLASSIFICATION OF A 3.18-ACRE DEVELOPMENT SITE FROM PDC (PLANNED DEVELOPMENT COMMERCIAL) TO C2 (GENERAL BUSINESS DISTRICT), AND (3) APPROVE PLANNING APPLICATION PA-15-30 FOR A CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF A TWO-STORY, 719-UNIT MINI-STORAGE FACILITY AND 12,500 SQUARE-FOOT RETAIL BUILDING AT 375 BRISTOL STREET

The motion carried by the following roll call vote:
Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian
Noes: None
Absent: None
Abstained: None