

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION****January 12, 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.

Stephanie Roxas, Associate Planner, led in the Pledge of Allegiance.

ROLL CALL:

Present: Chair Jim Fitzpatrick
Vice-Chair Dickson
Commissioner Colin McCarthy
Commissioner Jeff Mathews
Commissioner Tim Sesler

Staff: Claire Flynn, Assistant Development Services Director
Yolanda Summerhill, Planning Commission Counsel
Fariba Fazeli, City Engineer
Willa Bouwens-Killeen, Principal Planner/Zoning Administrator
Antonio Gardea, Senior Planner
Stephanie Roxas, Associate Planner
Chelsea Crager, Assistant Planner
Martha Rosales, Recording Secretary

PUBLIC COMMENTS

Cynthia MacDonald, Costa Mesa resident, requested information pertaining to the General Plan Update.

Barrie Fisher, Costa Mesa resident, wanted to know what "Title 20 violations" were with regards to Consent Calendar Item No. 2.

Ann Parker, Costa Mesa resident, asked for an update regarding the R2 Zone Sober Living Ordinance, asked that it be expedited and said codes were not being enforced.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS

Commissioner Sesler gave an update regarding the Sober Living ordinance and asked the public to use the Costa Mesa connect application for reporting violations.

Vice-Chair Dickson said the December 18, 2014 General Plan Update memo was posted on the General Plan Update website. He defined Title 20 and thanked the Snoopy House volunteers.

Commissioner McCarthy thanked City staff on the 2nd floor on a job well done. He invited the public to the Mesa-Verde Classic Golf Tournament on Monday, January 19th, honoring Cla-Val.

Commissioner Mathews wished everyone a Happy New Year.

Chair Fitzpatrick gave a detailed explanation regarding Title 20.

Ms. Flynn reported that a General Plan Interest List was available on the website for parties interested in receiving alerts, and that an R2-Zone Ordinance was being drafted but no timeline had been established as of yet.

CONSENT CALENDAR:

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

1. Minutes for the meeting of December 8, 2014.

MOTION: Approve the December 8, 2014 Planning Commission Minutes. Moved by Commissioner McCarthy, seconded by Vice-Chair Dickson.

The motion carried by the following roll call vote:

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

2. Update on Planning Commission Goals related to Code Enforcement.

Barrie Fisher, Costa Mesa resident, asked if Code Enforcement Officers had the ability to issue tickets to the tenants from The Victorian (overflow) who parked illegally. Ms. Bouwens-Killeen reported the officers could not issue tickets and suggested Ms. Fisher call the Police Department.

Chair Fitzpatrick spoke briefly about the Costa Mesa Connect application and asked Ms. Fisher to send him an email to follow-up on enforcement efforts.

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

The motion carried by the following roll call vote:

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

PUBLIC HEARINGS:

1. **Application No.** ZA-14-34: Appeal of Minor Conditional Use Permit for Outdoor Display at 1654 Santa Ana Avenue

Applicant: Ojama Elfeky

Site Address: 1654 Santa Ana Avenue

Zone: C1

Project Planner: Chelsea Crager

Environmental

Determination: This project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (existing facilities).

Description: Appeal by Planning Commission of a Minor Conditional Use permit for outdoor display of a DVD rental kiosk, water vending machine, and propane tank exchange in front of a Circle K convenience store (outdoor DVD rental kiosk denied by Zoning Administrator).

Chelsea Crager, Assistant Planner, presented the staff report and reported that the Zoning Administrator's decision included conditions and code requirements to remove the DVD rental kiosk and relocate the water vending machine.

The Commission discussed placement requirements for displays outside of convenience stores, intensification of use, parking concerns and calls for service.

PUBLIC COMMENTS

Hadi Nabi, representing Circle K Store, did not believe that keeping the vending machines outside the convenience store caused parking problems or harm to the residents or the community. Mr. Nabi recalled having to place only two police calls since they have been there (July 24, 2014). Mr. Nabi answered questions regarding propane at convenience stores, his background experience, the store's remodel and removal of the pay phone.

Holland Rhodes, Costa Mesa resident, addressed various concerns with the Circle K store (parking, advertising, signage, increased usage, clientele, etc.).

The Commissioners discussed the need to come up with criteria for convenience stores.

MOTION: Based on the evidence in the record and the Findings of Denial set forth in Exhibit A, add No. 4 under "A" – *increased intensification of the project*; and add No. 5 under "A" – *potential increased demand on parking*; reverse the findings of the Zoning Administrator and deny the approval of ZA-14-34. Moved by Commission McCarthy, seconded by Commissioner Mathews for discussion.

Ms. Flynn informed the Commission of their options (deny, deny without prejudice or continue the matter).

Vic-Chair Dickson suggested denying the application "**without prejudice**". The Maker and Second of the Motion agreed to amend to "**deny the application without prejudice**".

RESOLUTION NO. PC-15-01 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA TO OVERTURN THE ZONING ADMINISTRATOR'S DECISION AND TO DENY ZONING APPLICATION ZA-14-34 FOR A MINOR CONDITIONAL USE PERMIT FOR OUTDOOR USES LOCATED AT 1654 SANTA ANA AVENUE (CIRCLE K STORE).

The motion carried by the following roll call vote:

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

2. **Application No.:** PA-14-44: Design Review for a 4-Unit, Two-Story Apartment Project at 2136 Thurin Avenue
Applicant: Walt Bushman
Site Address: 2136 Thurin Avenue
Zone: R2-MD
Project Planner: Antonio Gardea
Environmental Determination: This project is categorically exempt under Section 15303 of the State CEQA (California Environmental Quality Act) Guidelines – Class 3 (construction of small structures).

Description: Design Review for construction of two duplex structures containing a total of four units. The duplexes are two-story structures and each unit includes four bedrooms. The proposed project includes a deviation from the Residential Design Guidelines for the average side yard setback for the second story (10 foot average recommended, 8 foot average proposed). The 16,890-square foot lot has access from Thurin Avenue and Doctors Circle.

Antonio Gardea, Senior Planner, summarized the staff report. Mr. Gardea reported that a site plan had been provided as a supplemental item and Condition of Approval No. 18 should be revised to state “*the Parcel Map be recorded prior to final Building permit inspection*”. Since a Parcel Map had not been submitted as of yet, the Parcel Map number would be excluded. Mr. Gardea answered questions regarding the open space for the project.

PUBLIC COMMENTS

Walt Bushman, Applicant and building designer, was in agreement with the Conditions of Approval. Mr. Bushman stated the project was purposely designed with plenty of open space and responded to questions posed by the Commissioners.

Jay Humphrey, Costa Mesa resident, liked the project and addressed parking concerns that could lead to other problems.

Cynthia MacDonald, Costa Mesa resident, liked the project said the open space would be good for the community. She expressed concerns regarding parking and drainage.

In closing, Mr. Bushman advised the project was going to have underground drainage pits (bio-filters). All water would be retained within the property and it would not drain to adjacent properties.

The Commission discussed open parking spaces

MOTION: Based on the evidence in the record and the Findings set forth in Exhibit A, subject to the revised Conditions of Approval in Exhibit B, Approve PA-14-44, Design Review for 2136 Thurin Avenue. Conditions of Approval to be modified as follows:

Condition of Approval No. 18:

Strike No. 1, c)

Strike the Parcel Map number from No. 5

New Condition of Approval No. 21 to read: “contingent upon subdivision”.

The Chair reopened the Public Comments session.

James Cefalia, owner of the project, explained why they pull Building permits first and submit a Parcel Map prior to issuance of a certificate of occupancy.

The Maker of the Motion modified his motion as follows:

Condition of Approval No. 6 – strike the second paragraph regarding open, unassigned spaces.

New Condition of Approval No. 21 to read: “Prior to the issuance of a certificate of occupancy, the applicant shall: a) Submit a subdivision map application to subdivide the property for condominium purposes; b) Provide proof of recordation of the Map and c) Remit park fees for the new units, with a credit given for the existing units.”

The Second of the Motion was in agreement with the amended Motion.

RESOLUTION NO. PC-15-02 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-14-44 LOCATED AT 2136 THURIN AVENUE.

The motion carried by the following roll call vote:

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

The Chair explained the appeal process.

NEW BUSINESS ITEM(S):

1. Proposed Amendment to the City's Sign Ordinance related to monument signage

Stephanie Roxas, Associate Planner, presented the staff report.

PUBLIC COMMENTS

Barrie Fisher, Costa Mesa resident, spoke about identifying signs.

Teresa Drain, Costa Mesa resident, asked if the different standards for auto retail uses were for monument signs or banners and hoped the signs would not get bigger.

The Commission provided staff with direction to proceed with draft ordinance.

DEPARTMENTAL REPORT(S)

1. Public Services Report - None
2. Economic and Development Services Report

Ms. Flynn reported that a Code Amendment with Small Lot Subdivisions would be presented to the Commission at their January 26, 2015 meeting with minor staff changes.

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney – None.

ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON MONDAY, JANUARY 26, 2015.

Submitted by:

CLAIRE FLYNN, SECRETARY
COSTA MESA PLANNING COMMISSION