

UNOFFICIAL UNTIL APPROVED

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION**

September 28, 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.

Commissioner McCarthy led in the Pledge of Allegiance.

ROLL CALL

Present: Chair Robert Dickson
Vice-Chair 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
Khanh Nguyen, Building Official
Charles Chamoun, Chief Plans Examiner
Danny Azevedo, Building Inspector
Mino Ashabi, Principal Planner
Mel Lee, Senior Planner
Dan Inloes, Associate Planner
Julie Colgan, Recording Secretary

PUBLIC COMMENTS

Beth Refakus, Costa Mesa resident, reminded everyone of the candy drive event for the families of the 1/5 Marines at Camp Pendleton.

A Costa Mesa resident stated concerns with Solid Landings at 657 W. 19th Street still being in operation, Hotel California By The Sea's satellite addresses on E. 17th Street and the building activity at a home on Capri Lane.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS

Commissioner McCarthy thanked the Public Services staff for their great job with the non-traffic impact happening during the Harbor Boulevard improvement project.

Commissioner Andranian stated the group counseling activity is still happening at 657 W. 19th Street. He asked staff and the City to look into it and to proceed with abatement immediately if not corrected.

Chair Dickson asked Khanh Nguyen, Building Official, to comment on the process of shutting down a business. Mr. Nguyen responded that there has to be a fire and life safety issue to be able to shut down a business. Chair Dickson also thanked the Police, Code Enforcement and Public Services department for their quick response to the criminal activity complaints.

CONSENT CALENDAR

Chair Dickson pulled consent calendar item number 2 and asked if anyone wanted to pull item number 1. No one responded.

1. Minutes for the meeting of September 14, 2015

**MOTION: Approve Consent Calendar Item number 1
Moved by Commissioner McCarthy, seconded by Vice Chair Dickson.**

The motion carried by the following roll call vote:

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

2. 2015 Status Update of Building Division Activity and Trends

Mr. Nguyen gave a brief presentation on the recent building division activity and trends.

Commissioner McCarthy stated that the building inspection process is great operation that is very organized.

No public comment.

**MOTION: Approve Consent Calendar Item number 2.
Moved by Commissioner McCarthy, seconded by Vice Chair Dickson.**

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.** DA-00-02 (DA-15-02) and SP-15-01
Applicant: Segerstrom and Sons
Site Address: 3400 and 3420 Bristol Street
Zone: TC
Project Planner: Minoo Ashabi

Environmental Determination:

The project is categorically exempt under Section 15061 (b) (3) (general rule) of the State CEQA (California Environmental Quality Act).

Description:

1. Second amendment to Development Agreement DA-00-02 (Segerstrom Town Center):
 - Extending the term of the development agreement (originally executed in 2001) for additional 20 years until 2035.
 - Provide consistency between the development agreement and the entitlements approved on January 16, 2007 by General Plan Amendment (GP-06-02) as included in North Costa Mesa Specific Plan that allowed development of a

maximum non-residential FAR of 1.88 with maximum 275 high-rise units or a maximum of non-residential FAR of 1.98 with a decrease in the maximum allowable high-rise residential units.

2. The proposed project also includes a SP-15-01 North Costa Mesa Specific Plan Amendment. The NCMSP was adopted in July 1994. The proposed amendment will provide clarifying language related to, but not limited to, the following:
 - General description of the purpose, policy, and regulations set forth in the North Costa Mesa Specific Plan.
 - Expanded description of the preliminary and final master plan process required for development in the Specific Plan areas.
 - New clarifying language regarding approved and available entitlements in the Segerstrom Town Center area of the Specific Plan.
 - Add new map exhibits and related exhibits for Area 4, South Coast Plaza Town Center.
 - NO CHANGES to existing trip budgets are proposed as part of this Specific Plan amendment

Chair Dickson recused himself.

Minoo Ashabi, Principal Planner, presented the staff report.

Commissioner McCarthy asked if anything had changed since the project was first approved. Mrs. Ashabi responded no.

PUBLIC COMMENTS

Justin McCusker, applicant, gave reasons for the extension of the project.

No public comments.

Vice Chair closed the public hearing.

MOTION: Move that the Planning Commission hereby approves the second amendment to Development Agreement DA-00-02 and DA-15-02 and the North Costa Mesa Specific Plan Amendment SP-15-01 for approval by the City Council. Moved by Commissioner McCarthy, second by Commissioner Andranian.

RESOLUTION 15-53 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING CITY COUNCIL TO: (1) ADOPT NORTH COSTA MESA SPECIFIC PLAN AMENDMENT SP-15-01 AND (2) GIVE FIRST READING TO ORDINANCE FOR SECOND AMENDMENT TO DEVELOPMENT AGREEMENT DA-00-02 (DA-15-02)

The motion carried by the following roll call vote:

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

2. **Application No.:** PA-11-03
Applicant: Kevin Coleman
Site Address: 3132 Airway Avenue
Zone: MP
Project Planner: Mel Lee

Environmental Determination:

The project is categorically exempt under Section 15311 of the State CEQA (California Environmental Quality Act) Guidelines – Class 11 (Accessory Structures).

Description: Conditional Use Permit to install a 40-foot (long) x 40-foot (wide) helipad/helistop on the roof of an existing industrial building. The helistop will be located on a 6' high platform on the roof of an existing 19' high building. The proposed helistop was conceptually approved in 2011 by the Airport Land Use Commission (ALUC) and conditionally approved by the Federal Aviation Administration (FAA).

This project was originally heard by the Planning Commission on August 8, 2011, who recommended denial of the project to the City Council, and subsequently withdrawn by the applicant prior to being heard by the City Council. The applicant is re-submitting the project for consideration by the Planning Commission and City Council.

Mel Lee, Senior Planner, presented the staff report.

Commissioner Andranian asked if other helipads within the City had been approved. Mr. Lee responded yes. He also asked about the reasons for the first denial of the application and if any of them had been corrected.

Commissioners and staff discussed if any other surrounding cities beside Newport Beach stated that they were in opposition, City policies on helipads, and where other helipad locations were within the City.

PUBLIC COMMENTS

Kevin Coleman, applicant, has read and is in agreement with the conditions of approval. He also addressed the concerns of the application.

Chair Dickson asked for clarification with how many flights per day, location of where the maintenance/fueling will take place and where the helicopter will be stored. Mr. Coleman responded it does not fly on a daily basis; it is a private helicopter. Maintenance/fueling will occur off-site and the helicopter will be stored on the helipad.

Denis S. LaBonge, adjacent business owner, spoke in opposition of the application.

Beth Refakus, Costa Mesa resident, stated concerns with the increased intensity of the flight activity, noise and debris.

Mike Manclark, owner of the helicopter, responded to Commissioners questions and public comments.

Mr. Coleman responded to the public comments.

Chair closed the public hearing.

Commissioners discussed the concerns and public comments about the application.

MOTION: Hereby approve that the Planning Commission recommend approval to the City Council for Planning Application PA-11-03, conditional use permit for a private helistop for Leading Edge Aviation Services at 3132 Airway Avenue based on the findings set forth in Exhibit A, and subject to conditions set forth in Exhibit B with the following modification:

Condition of Approval No. 4 to read: “A maximum of 2 arrivals and 2 departures per day with a maximum of 3 arrivals and 3 departures per week are permitted for the

helistop. Hours of operation shall be 7:00 am-7:00 pm, Monday through Saturday, and 8:00 am-7:00 pm Sunday”.

Moved by Commissioner McCarthy, seconded by Vice Chair Mathews.

Claire Flynn, Assistant Development Services Director, asked the Commissioners if they wanted the hours of operation on Sunday, in Condition of Approval No. 4, to be changed to 8 a.m. to coincide with the same hours as John Wayne Airport. Commissioner McCarthy agreed.

RESOLUTION 15-54 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING APPROVAL TO THE CITY COUNCIL FOR PLANNING APPLICATION PA-11-03, A CONDITIONAL USE PERMIT FOR A PRIVATE HELISTOP FOR LEADING EDGE AVIATION SERVICES AT 3132 AIRWAY AVENUE

The motion carried by the following roll call vote:

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

3. **Application No.:** PA-13-16 and TT-17640
Applicant: MDM Investment Group Holdings LLC
Site Address: 522 and 526 Bernard Street
Zone: R2-HD
Project Planner: Minoo Ashabi
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: Two-year time extension for a 10-unit, three story condominium development in the Mesa West Ownership Urban Plan area. The project includes a tentative tract map to subdivide a 0.53-acre parcel for condominium purposes. The Planning Commission approved the project on October 14, 2013 with the following deviations:

- Lot size (one acre required, 0.53-acre proposed);
- Garage size standard (20' x 20' required, 19'- 4" x 19' proposed);
- Open space requirement (40 percent required, 22.4 percent proposed);
- Front setback requirement (20 feet required, 10'- 5" proposed);
- Side yard setback for corner lots (10 feet required, 8' - 3" proposed);
- Interior side setback (10 feet required abutting residential, 6 feet proposed);
- Minimum distance between buildings (10 feet required, 7 feet proposed); and,
- Privacy wall setback on Charle Street (5 feet required, 3 feet proposed).

Minoo Ashabi, Principal Planner, presented the staff report.

PUBLIC COMMENTS

Ian Harvey, applicant, has read and is in agreement with the conditions of approval including the new condition of undergrounding utility poles.

No public comments.

MOTION: Hereby move that the Planning Commission hereby approves Public Hearing item No. 3, a two-year time extension for Planning Application PA-13-16 and Tentative Tract Map No. 17640, for a 10-unit residential condominium development at 522 and 526 Bernard Street with the following modification:

Adding Condition of Approval No. 28 to read: “The applicant shall be required to underground utilities in the public right-of-way along the Bernard Street frontage of the development site. The applicant shall submit an application to Southern California Edison (SCE) for a determination on the design and all other logistical requirements for the undergrounding. Unless the proposed undergrounding is not considered feasible by Southern California Edison (i.e. SCE determines that the pole must remain above ground for specified reasons), the Public Services Director shall require compliance with this condition of approval. If the applicant requests a waiver from this undergrounding requirement, the request shall be brought to the Planning Commission for consideration (re-submittal of the Planning Application and Tentative Tract Map is not required)”.

Moved by Commissioner McCarthy, seconded Vice Chair Mathews.

RESOLUTION 15-55 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING A TWO-YEAR TIME EXTENSION FOR PLANNING APPLICATION PA-13-16 AND TENTATIVE TRACT MAP NO. 17640, FOR A 10-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 522 AND 526 BERNARD 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.

4. **Application No.:** PA-15-05 and TT-17839
Applicant: Ray Dorame
Site Address: 2333 Elden Avenue
Zone: R2-MD
Project Planner: Dan Inloes
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: Design Review to construct a five-unit small lot subdivision on a 20,134 sq. ft. lot in an R2-MD zone. The project consists of two-story detached residences with two-car garages. The project requires the following deviations from R2-MD development standards:

- a. Minor Modification from the front yard setback requirement (20 feet required; 17 feet proposed).
- b. Minor Modification from the side yard setback requirement (5 feet required; 4 feet proposed for garage portion of 4 of the 5 residences).

Dan Inloes, Associate Planner, presented the staff report.

Commissioners and staff discussed the setbacks for the project.

PUBLIC COMMENTS

Ray Dorame, applicant, has read and is in agreement with the conditions of approval. However, he explained that he is in support of a request from abutting property 2335 Elden Street residences to alter Condition No. 5 to allow for 263 feet of their common fence to be wrought iron with pilasters instead of block wall. He also explained why they cannot underground the utilities.

Richard Russell, Costa Mesa resident, stated concerns with the parking and spoke highly of the builder.

Chair closed public hearing.

Commissioners and staff discussed in length requiring the applicant to underground the utilities.

MOTION: Hereby move that the Planning Commission approves Planning Application PA-15-05 and Tentative Tract Map TT-17839 for a five-unit detached residential development at 2333 Elden Avenue, based on the findings set forth in Exhibit A and subject to the conditions set forth in Exhibit B, with the following modifications:

Condition of Approval No. 5 to read: “A decorative 6-foot high perimeter block wall approved by the Development Services Director, shall be constructed along the side, rear, and front boundaries of the development lot, with the exception of 263 feet along the shared property line between 2333 and 2335 Elden Avenue which shall be a six foot tall wrought iron fence with pilasters, prior to issuance of certificates of occupancy unless otherwise approved by the Development Services Director. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them and/or provide adequate privacy screening by trees and landscaping”.

Condition of Approval No. 11 to read: “No modification(s) of the approved building elevations including, but not limited to, change of architectural type, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. This includes any modification not consistent with the proposed asphalt roofs, horizontal lap and vertical wood siding, smooth stucco, 24-inch and 12-inch board and batten siding, stacked block and brick decorative material, decorative metal roll-up garage doors, and columns along front entry porches. Any modification should be consistent to originally proposed colors, including the various grays and earthen tones. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process or a variance, or in the requirement to modify the construction to reflect the approved plans.”

Moved by Commissioner McCarthy, seconded by Commissioner Sesler.

RESOLUTION 15-56 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-05 AND TENTATIVE TRACT MAP TT-17839 FOR PROPERTY LOCATED AT 2333 ELDEN AVENUE

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.

DEPARTMENTAL REPORT(S)

1. Public Services Report – Fariba Fazeli, City Engineer, reported that within the next two weeks the median and monument work near the Starbucks at Del Mar and Newport Boulevard would begin
2. Economic and Development Services Report – Ms. Flynn reported that the information for the initial study/mitigated negative declaration for the Costa Mesa Motor Inn project was now available online and at the City libraries. The item will be heard at the next Planning Commission meeting on October 12th and will go before the City Council on November 3rd.

CITY ATTORNEY’S OFFICE REPORT(S)

1. City Attorney – None.

ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON OCTOBER 12, 2015.

Submitted by:

CLAIRE FLYNN, SECRETARY
COSTA MESA PLANNING COMMISSION