

UNOFFICIAL UNTIL APPROVED

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION****February 8, 2016**

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 Jeff Mathews
Commissioner Colin McCarthy
Commissioner Tim Sesler
Commissioner Stephan Andranian

Staff: Gary Armstrong, Director of Economic & Development/Deputy CEO
Yolanda Summerhill, Deputy City Attorney
Pritam Deshmukh, Associate Engineer
Mel Lee, Senior Planner
Dan Inloes, Senior Planner
Julie Colgan, Recording Secretary

PUBLIC COMMENTS

Beth Refakes, Costa Mesa resident, reminded everyone of items being collected for the City's adopted 1/5 Marine families for an Easter egg hunt.

A Costa Mesa resident stated concerns with passing projects that are under parked, broken street lights and medians with different materials.

Tim Lewis, Costa Mesa resident, stated concerns with the extension of Planning Application PA-13-29 and the owners of the property for Red Mountain LLC.

Chair Dickson announced that they received a public comment from Ms. Witt-King.

Chair closed the public comments.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS

Commissioner Andranian asked for a Code Enforcement update at the next meeting.

Commissioner Sesler wished everyone a Happy Valentine's Day.

Commissioner McCarthy reported that the Fairview Development Center had a good meeting on Saturday and stated concerns with the Smart Growth Initiative having an impact on the site.

Chair Dickson asked staff to look into the public comment about the broken street lights in the City.

CONSENT CALENDAR

Chair Dickson asked if anyone wanted to pull the Consent Calendar item. No one responded.

1. Minutes for the meeting of January 25, 2016

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

The motion carried by the following roll call vote:

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

The Chair moved Public Hearing item number 3 to the first item.

PUBLIC HEARINGS

3. **Application No.:** PA-15-48 & VT-17981
Applicant: C&V Consulting
Site Address: 2626 Harbor Boulevard
Zone: R2-MD
Project Planner: Ryan Loomis

Environmental Determination: Addendum to previously adopted Initial Study/Mitigated Negative Declaration. The City of Costa Mesa adopted an Initial Study/Mitigated Negative Declaration for the originally approved 33-unit Project located at 2626 Harbor Boulevard. The City of Costa Mesa proposes to adopt an Addendum to the Initial Study/Mitigated Negative Declaration for the proposed 43-unit project based on the findings of California Code of Regulations Section 15162 and Section 15164. Per California Code of Regulations Section 15164, the City, as the Lead Agency, shall prepare an Addendum to an adopted Mitigated Negative Declaration if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent Mitigated Negative Declaration have occurred. Also, per California Code of Regulations Section 15164, an Addendum need not be circulated for public review, but can be included in or attached to the adopted Mitigated Negative Declaration. The Mitigated Negative Declaration was based on the finding that, through compliance with the Standard Conditions and Mitigation Measures, the Project's potential significant adverse impacts would be reduced to a less than significant level. The reasons to support such a finding are documented by an Initial Study prepared by the City of Costa Mesa.

Description: The proposed 43-Unit residential project amends the previously approved 33-Unit Residential Common Interest Development analyzed in the Final IS/MND, which included a General Plan Amendment, Rezone, Design Review, and Tentative Map for detached residential development located on a 3.71-acre lot at 2626 Harbor Boulevard. The proposed amended project consists of the following discretionary requests:

- 1) ***Adoption of an Addendum to Initial Study/Mitigated Negative Declaration (IS/MND);***
- 2) ***Planning Application PA-15-48:*** Design Review for the development of a 43-unit condominium project with specified deviations from the Residential Common Interest development standards, including the following:
 - Variance to allow deviation from required development lot minimum open space requirements (40% required; 38% proposed).
 - Administrative Adjustment to allow deviation from required distance between main

buildings (10 feet required; 6 feet proposed).

- Minor Modification to allow deviation from required development lot rear setback (20 feet required; 16 feet proposed).

- 3) **Vesting Tentative Tract Map 17981:** Vesting Tentative Tract Map 17981 for residential subdivision for condominium purposes.

No ex-parte communications to report.

PUBLIC COMMENTS

No public comments.

MOTION: Move continuance of Public Hearing item number three, Planning Application PA-15-48 and Vesting Tentative Tract Map VT-17981 for a 43-unit two-story detached residential common interest development at 2626 Harbor Boulevard to the Planning Commission meeting of February 22, 2016. 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

1. **Application No.:** ZA-15-38
Applicant: Salim Rahemtulla
Site Address: 3184 Airway Avenue, Suite J
Zone: MP
Project Planner: Mel Lee

Environmental Determination:

The project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (Existing Facilities).

Description: Request for a review of a minor conditional use permit for a deviation from shared parking requirements due to off-set hours of operation for a religious education and cultural assembly use:

- Monday through Sunday 4:00 a.m. – 6:00 a.m. and 7:00 p.m. – 9:30 p.m.
- Saturday 10:00 a.m. – 2:00 p.m.
- Sunday 10:00 a.m. – 2:00 p.m. (10 times per year).

A total of 55 parking spaces are required for the 1,914 sq. ft. religious assembly use. The proposal involves off-set operational hours in order to utilize the parking lot when other business are closed.

The request was approved by the Zoning Administrator on December 10, 2015, and called up for review by the Planning Commission on December 11, 2015.

Three of the Commissioners had ex-parte communications with the applicant. Chair Dickson by phone. Commissioner Andranian and Vice Chair Mathews met with the applicant.

Mel Lee, Senior Planner, presented the staff report.

PUBLIC COMMENTS

Nazim Karim, Editor of Islami magazine, gave a detailed presentation about their religious education and cultural assembly.

Salim Rahemtulla, applicant, gave a presentation about the parking survey and how there would be enough spaces.

The Commissioners and applicants discussed the parking issue and the reason for the re-location.

Peter Kim, pastor at Berean Community Church, stated concerns with the parking.

Mark Lim, pastor at Berean Community Church, stated concerns with the parking.

Randy Schafer, owner of 3184 Airway J, stated concerns with the Berean Community Church violating their minor conditional use permit pertaining to parking.

John Locks, owner of building G and H at 3184 Airway, spoke against the application.

Kim Josephson, owner of 3199 E Airport Loop, spoke against the application.

A Costa Mesa resident thanked Commissioner Andranian for pulling the item for review and stated concerns with the parking.

Mr. Lim responded to the public comment about Berean Community Church violating their minor conditional use permit.

Mike Howard, adjacent business owner 3184 Airway K & L, spoke against the application.

Mr. Rahemtulla responded to the public comments.

The Chair closed the public hearing.

Commissioner and staff discussed the minor conditional use permit of Berean Community Church.

Commissioner Andranian stated he pulled the application because he thought the use that was being requested should have had a public hearing and stated concerns with the location.

Commissioner McCarthy stated the application does not work at the location and potential problems to the surrounding business.

Chair Dickson stated concerns with penalizing the applicant for existing parking problems.

Commissioners discussed the parking issue and whether to uphold the Zoning Administrator's approval.

MOTION: Hereby move that the Planning Commission reverse the Zoning Administrators Approval of Zoning Application ZA-15-38 for a religious and cultural center use with a deviation from shared requirements at 3184 Airway Avenue, Suite J without prejudice based on the evidence that has been presented here tonight. Moved by Commissioner McCarthy, second by Commissioner Sesler.

RESOLUTION 16-07 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA REVERSING THE ZONING ADMINISTRATOR'S DECISION AND DENYING ZONING APPLICATION ZA-15-38, WITHOUT PREJUDICE, FOR A MINOR CONDITIONAL USE PERMIT FOR A DEVIATION FROM SHARED PARKING

REQUIREMENTS DUE TO OFF-SET HOURS OF OPERATION FOR A RELIGIOUS EDUCATION AND CULTURAL ASSEMBLY USE AT 3184 AIRWAY AVENUE, SUITE J

The motion carried by the following roll call vote:

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

The Chair explained the appeal process.

2. **Application No.:** PA-10-30 A1
Applicant: John Hill
Site Address: 1534 Adams Avenue, Suite B
Zone: C1
Project Planner: Mel Lee

Environmental Determination:

The project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (Existing Facilities).

Description: First amendment to previously approved master plan for an existing retail shopping center to allow the following:

- 1) Conversion of a 2,334 square foot tenant space located at 1534 Adams Avenue, Suite B, from a retail to a restaurant space;
- 2) A deviation from shared parking requirements for the proposed restaurant space (240 spaces existing; 248 spaces required); and
Proposed valet parking plan to provide 12 valet spaces to offset increased parking demand for the new restaurant space. The original master plan required 240 parking spaces based on unique operational characteristics and adjusted shared parking. The net increase in parking for the new restaurant space is 8 spaces (248 spaces required; 252 spaces proposed by valet).

There were three ex-parte communications. Chair Dickson, Vice Chair Mathews and Commissioner McCarthy met with the applicant.

Mel Lee, Senior Planner, presented the staff report and stated a modification to a Fire Code requirement.

Commissioner McCarthy asked if there had been any recent parking complaints from the residents on Elm Street. Mr. Lee responded no.

Commissioner Sesler asked for clarification of when the valet service would be utilized. Mr. Lee responded only when needed.

PUBLIC COMMENTS

John Hill, applicant, stated being in agreement with all the conditions of approval including Fire Code requirement Condition of Approval No. 7.

Commissioner McCarthy asked how potential issues would be addressed. Mr. Hill responded by contacting the property management on site.

No public comments.

The Chair closed the public hearing.

Commissioner McCarthy stated he will be supporting the application based on no current problems at the center.

Chair Dickson stated the centers transformation is great and supports the application.

Motion: Move that based on the evidence in the record and the findings contained in Exhibit A and subject to conditions of approval within Exhibit B that the Planning Commission Approve Planning Application PA-10-30 A1 and find that the project is exempt from the California Environmental Quality Act under section 15301 of the guidelines with the following modification:

Fire Condition of Approval No. 7 to read: “The proposed expansion of restaurant use may require fire sprinklers in the restaurant as well as throughout the existing structure per Chapter 5, CBC, 2013, at the applicant’s expense”.

Moved by Chair Dickson, seconded Vice Chair Mathews.

RESOLUTION 16-08 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-10-30 A1 TO PROVIDE ADDITIONAL RESTAURANT SPACE IN A RETAIL SHOPPING CENTER WITH ON-SITE VALET PARKING AT 1534 ADAMS AVENUE, SUITE B

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-15-49 and PM-15-165
Applicant: Ryan Walker
Site Address: 1808 Pomona Avenue
Zone: R2-HD
Project Planner: Mel Lee
Environmental Determination:

The project is categorically exempt under Section 15303 of the State CEQA (California Environmental Quality Act) Guidelines – Class 3 (New Construction).

Description: The proposed project involves:

- 1) Design Review to construct a 2-unit, two story, detached residential development on a 7,500 sq. ft. lot in an R2-HD zone.
- 2) Tentative Parcel Map PM-15-165 for the small lot subdivision of the property into two fee simple lots. The project complies with the City’s Small Lot Ordinance standards with regard to building setbacks, open space, and on-site parking, and no code deviations are proposed.

No ex-parte communications to report.

Mel Lee, Senior Planner, presented the staff report.

Commissioner Sesler stated concerns with the project increasing the intensity use because of having so many bedrooms and bathrooms.

PUBLIC COMMENTS

Mark Kersaffi, has read the conditions of approval and is in agreement. He also stated a correction that the front unit had 4 and half bathrooms not 5.

Commissioner McCarthy asked if there were early designs. Mr. Kersaffi responded yes. What went before the Commissioners was revised drawing based on meetings with staff.

A Costa Mesa resident stated concerns with the project's excess, being surrounded by sober living homes, parking and the potential for it being a sober living home.

A Costa Mesa resident stated concerns with the property being used for a sober living home.

Richard Russell, Costa Mesa resident, had a question about requiring the garage being used for parking.

Mr. Kersaffi responded to the public comments.

The Chair closed the public hearing.

Commissioner McCarthy responded that Condition of Approval 17A addressed the public comment about the garage parking.

Chair Dickson addressed the public comment about the potential uses of the property.

Commissioner Andranian stated that the CC&R's also had a requirement about parking in the garage and had concern with the intensity of the use.

Commissioner Sesler did not oppose the project because it met all of the City's requirement and it will be sold to increase home ownership.

MOTION: Hereby move that the Planning Commission approve Planning Application PA-15-49 and Tentative Parcel Map PM-15-165 for a Design Review and subdivision map for a detached two-unit small lot development at 1808 Pomona Avenue based on the findings set forth in Exhibit A and subject to the conditions set forth in Exhibit B.

Moved by Commissioner McCarthy, seconded by Vice Chair Mathews.

RESOLUTION PC-16-09 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-49 AND TENTATIVE PARCEL MAP PM-15-165 AT 1808 POMONA AVENUE IN THE R2-HD ZONE

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.

5. **Application No.:** PA-15-52 & PM-15-158
Applicant: Sam Khedraki
Site Address: 2156 Myran Drive
Zone: R2-MD
Project Planner: Dan Inloes
Environmental Determination:

The project is categorically exempt under Section 15303 of the State CEQA (California Environmental Quality Act) Guidelines – Class 3 (New Construction).

Description: The proposed project involves:

- 1) Design Review to construct a 2-unit, two-story, detached small lot subdivision development on a 10,300 sq. ft. lot in an R2-MD zone.
- 2) Tentative Parcel Map for the subdivision of the property into two, fee simple lots, in accordance with the small lot subdivision standards.

There were no ex-parte communications.

Dan Inloes, Senior Planner, presented the staff report and stated the applicant was not in agreement with the five-foot landscape setback.

Commissioners and staff discussed the reason for the two feet landscape with two feet permeable pavers and if the roadway changes because of it.

PUBLIC COMMENTS

Sam Khedraki, applicant, turned over the presentation to Mike Alladawi. Mr. Alladawi stated being in approval of all the conditions except with the five-foot setback. He would like the five-foot planter and driveway to be consistent with the surrounding neighbors.

No public comments.

The Chair closed the public hearing.

Chair Dickson stated it being a fantastic project and is in support of the changes to Condition of Approval No. 25.

Commissioner McCarthy stated being in support of the project because it met all of the City requirements, improved the parking situation and it being a great addition to the area.

Commissioner Sesler stated it being a great project.

MOTION: Move that based on the evidence in the record and the findings contained in contained in Exhibit A, subject to conditions of approval contained within Exhibit B that the Planning Commission approve Planning Application PA-15-52 and Tentative Parcel Map PM-2015-158 and find that the project is exempt from the provision of the California Environmental Quality Act under CEQA guidelines section 15332 with the following modification:

Condition of Approval No. 25: "A revised landscape plan shall be submitted prior to building permits being issued. The plan must show the trees and shrubs to be planted within the 4 foot landscaped space which will consist of 2 feet landscaping and 2 feet permeable pavers. The applicant shall provide landscape plans which reflect this 4-foot landscape space and identify the location and type of the proposed trees and shrubs for that location".

Moved by Chair Dickson, seconded by Vice Chair Mathews.

RESOLUTION PC-16-10 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-52 AND TENTATIVE PARCEL MAP PM-2015-158 AT 2156 MYRAN DRIVE IN THE R2-MD ZONE

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 – none.
2. Economic and Development Services Report – none.

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney – Yolanda Summerhill, Deputy City Attorney, announced that the Planning Commissioners received Form 700 to fill out and are due March 18, 2016.

ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON FEBRUARY 22, 2016.

Submitted by:

CLAIRE FLYNN, SECRETARY
COSTA MESA PLANNING COMMISSION