

## UNOFFICIAL UNTIL APPROVED

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

February 22, 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](http://www.costamesaca.gov) or purchased on DVD upon request.*

Commissioner Sesler 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, Deputy City Attorney  
Bart Meja, Acting City Engineer  
Mino Ashabi, Principal Planner  
Mel Lee, Senior Planner  
Ryan Loomis, Associate Planner  
Julie Colgan, Recording Secretary

**PUBLIC COMMENTS**

Tim Lewis, Costa Mesa resident, suggested checking staff work before it goes to Planning Commission.

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

Teresa Drain, Costa Mesa resident, gave an overview of the Smart Growth Initiative.

A Costa Mesa resident spoke about a film that was shown to Congress and about helping the residents with issues in the City.

A Costa Mesa resident stated a website to find out information about the Smart Growth Initiative.

Ann Vrska, Costa Mesa resident, talked about the Smart Growth Initiative.

A Costa Mesa resident asked what the status was for the injunction of the sober living homes.

Chair closed the public comments.

**PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS**

Commissioner McCarthy stated concerns with the effect the Smart Growth Initiative will have on the General Plan.

Commissioner Sesler encouraged everyone to visit the website Costa Mesa Public Square.

Vice Chair Mathews stated concerns with the dialogue from some of the Smart Growth Initiative public comments.

Chair Dickson encouraged everyone to read the documents from the Smart Growth Initiative analysis.

## **CONSENT CALENDAR**

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

1. Minutes for the meeting of February 8, 2016
2. General Plan Conformity Resolution for proposed relocation of the Costa Mesa Sanitary District Headquarters to 290 Paularino Avenue

Commissioner McCarthy announced an article to read in today's Daily Pilot about the relocation of the Sanitation District.

**MOTION: Approve Consent Calendar items number 1 and 2.  
Moved by Commissioner McCarthy, seconded by Commissioner Sesler.**

**RESOLUTION 16-11 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA FINDING THAT THE RELOCATION OF THE COSTA MESA SANITARY DISTRICT OFFICE IS IN CONFORMANCE WITH THE CITY OF COSTA MESA 2000 GENERAL PLAN AND WILL SERVE THE PUBLIC INTEREST AND IS A PUBLIC BENEFIT.**

The motion carried by the following roll call vote:

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

## **PUBLIC HEARINGS**

1. **Application No.:** PA-13-29 & TT- 17668  
**Applicant:** Red Mountain Asset Fund II, LLC  
**Site Address:** 2089, 2095 and 2099 Harbor Boulevard, 511 Hamilton  
**Zone:** PDC  
**Project Planner:** Minoo Ashabi  
**Environmental Determination:**

An Initial Study/ Mitigated Negative Declaration was adopted for the project on May 27, 2014. The Negative Declaration was based on the finding that, through compliance with the Standard Conditions of Approval and Code Requirements, the environmental effects from the project would be less than significant. The reasons to support such a finding are documented by the IS/MND prepared by the City of Costa Mesa.

**Description:** Request for a two-year time extension for Planning Application PA-13-29 and Tentative Tract Map 17668. The 28-unit, three-story common interest development project on a 1.53-acre site in PDC zone (Planned Development Commercial) was originally approved on May 27, 2014. The project included the following:

1. **PA-13-29** - Master Plan for a 28-unit detached three-story townhouse development including seven live/work units with ground floor workspace with the following deviation:

- A Minor Modification to reduce the perimeter open space along Harbor Boulevard from 20 feet to 17 feet.
  - A Variance to reduce the perimeter open space along Hamilton Street from 20 feet to 10 feet.
  - Deviation from Residential Design Guidelines to allow 104% -110% second floor and third floor ratio to first floor (100% recommended).
2. **Tentative Tract Map 17668** – Subdivision of a 1.53-acre property for condominium purposes to allow private sale and ownership of the 28 residential and live/work units.

No ex-parte communications to report.

Minoo Ashabi, Principal Planner, presented the staff report.

Commissioner McCarthy asked for clarification when approving the time extension; if the components of the project should be considered. Yolanda Summerhill, Deputy City Attorney, advised the Commissioners to look at the appropriateness of the extension of time not on the appropriateness of the project.

Commissioner Sesler had questions on the numbering of Exhibit B and asked for it to be renumbered.

## **PUBLIC COMMENTS**

Applicant had no comment.

Glen Redman, Costa Mesa resident, spoke against the application.

Tim Lewis, Costa Mesa resident, spoke against the application and stated that the approval should be for one year.

Greg Tunnell, Costa Mesa resident, spoke against the application.

Jay Humphrey, Costa Mesa resident, stated the time extension should be one year not two.

A Costa Mesa resident stated concerns with projects being passed in the City without listening to the business owners or residents.

Alton Klein, applicant, stated reasons for the request of the time extension and the history of the application.

The Chair closed the public hearing.

Commissioners and staff discussed the public comments, Subdivision Map Act and whether to approve a one-year time extension or a two-year one.

**MOTION: Move that the Planning Commission approve a two-year time extension for Planning Application PA-13-29 and Tentative Tract Map 17668 a 28-unit residential and live work development at 2089, 2095 and 2099 Harbor Boulevard, 511 Hamilton Street with the clarification to the findings in conditions of approval with the following modifications:**

**Re-number Conditions of Approval starting at number 1 and;**

**Conditions of Approval No. 1 to read: “Applicant shall comply with the mitigation measures and conditions of approval of the previously-approved Planning Application PA-13-29 and Tentative Tract Map No. 17668 attached hereto as Exhibit 1 in their entirety, these are still applicable and valid to the proposed residential**

project and are incorporated herein by reference. Note: Condition No. 1 of Exhibit 1 has been modified to clarify that the Planning Commission may extend a planning application for successive periods of one year upon showing good cause by the applicant. In this case, two successive periods constituting a two-year time extension approval has been allowed to account for additional time for soil remediation/clean-up. The application will therefore expire on or before May 27, 2018”.

Moved by Commissioner McCarthy, seconded by Chair Dickson.

**RESOLUTION 16-12 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING A TWO-YEAR TIME EXTENSION FOR PLANNING APPLICATION PA-13-29 AND TENTATIVE TRACT MAP NO. 17668, FOR A 28-UNIT RESIDENTIAL AND LIVE/WORK CONDOMINIUM DEVELOPMENT AT 2089, 2095 AND 2099 HARBOR BOULEVARD AND 511 HAMILTON STREET**

The motion carried by the following roll call vote:

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

The Chair explained the appeal process.

2. **Application No.:** PA-15-31  
**Applicant:** TAG Design Works-Shawn Chang  
**Site Address:** 146 East 18<sup>th</sup> Street  
**Zone:** R2-HD  
**Project Planner:** Ryan Loomis  
**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 the following:

1. **Planning Application PA-15-31:** Design review to construct a two-unit, two-story, small lot subdivision on an 8,839 sq. ft. lot in the R2-HD zone. The two-story detached homes consist of 3 bedrooms, 3 and ½ bathrooms, and a two car garage with minimum interior dimensions of 20 feet by 20 feet. The two-story residential development will be developed per the residential small lot development standards with the following deviation from code requirements:
  - a. Minor modification for front yard setback distance along 18<sup>th</sup> Street (20 feet required; 16 feet proposed for covered front porch).
2. **Tentative Parcel Map TPM 2015-137:** A subdivision in accordance with the small lot subdivision standards to create two fee simple lots.

No ex-parte communications to report.

Ryan Loomis, Associate Planner, presented the staff report.

Commissioner Sesler asked if the garage ever faced Fullerton Avenue for Parcel No. 2. Mr. Loomis responded yes, in the first submittal.

**PUBLIC COMMENTS**

Shawn Chang, applicant, has read the condition of approval and is in agreement. He also stated reasons for the change in the project since it was first submitted.

No public comment.

The Chair closed the public hearing.

Commissioner McCarthy and Chair Dickson stated being in support of the project because of its high quality finishing touches and the amount of open space.

**MOTION: Hereby move that the Planning Commission approve Planning Application PA-15-31 and Tentative Parcel Map number 15-137 for a two-unit residential development at 146 East 18<sup>th</sup> Street based on the findings set forth in Exhibit A, subject to the conditions set forth in Exhibit B.  
Moved by Commissioner McCarthy, second by Commissioner Sesler.**

**RESOLUTION 16-13 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-31 AND TENTATIVE PARCEL MAP NO. PM-2015-137 FOR PROPERTY AT 146 EAST 18<sup>TH</sup> STREET IN THE R2-HD ZONE**

The motion carried by the following roll call vote:

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

The Chair explained the appeal process.

3. **Application No.:** PA-15-57 & TT-17998  
**Applicant:** Zabeth Shuman  
**Site Address:** 133 to 139 East 21<sup>st</sup> Street  
**Zone:** R2-MD  
**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). The project is proposing the construction of 8 detached residences in an urbanized area and therefore is categorically exempt under this provision.

**Description:** The proposed project involves:

1. Design Review to construct an 8-unit, two-story, detached small lot subdivision development on a lot size of 31,526 sq. ft. in an R2-MD zone. No zoning code deviations are proposed for this project.
2. Tentative Tract Map for the subdivision of the property into fee simple lots, in accordance with the small lot subdivision standards.

There were two ex-parte communications. Commissioner McCarthy met with the applicant and Chair Dickson spoke with the applicant over the phone.

Mel Lee, Senior Planner, presented the staff report and stated the applicant requested a waiver for undergrounding the utility pole in the public right-of-way.

Vice Chair Mathews stated he did meet with the applicant.

Commissioners and staff discussed the utility pole and the parking arrangement on-site.

## **PUBLIC COMMENTS**

Matt White, applicant, has read the conditions of approval and is not in agreement with Condition of Approval No. 25. He gave a detailed presentation on other projects he worked on in the City, what the proposed project consist of and the reason for disagreeing with Condition of Approval No. 25.

Commissioner Sesler asked about the price of the homes, parking on the side of the homes and how the controversial East Haven project was being received by neighbors currently. Mr. White responded that homes will start at \$950,00, parallel parking will be easy to use and no one is complaining about the East Haven project now.

Gordon Kuo, Costa Mesa resident, spoke against undergrounding the power pole because it will cause one to be in front of his house.

Jay Humphrey, Costa Mesa resident, suggested an option to implement an undergrounding fee for new projects to help with the cost.

Barbara Ward, Costa Mesa resident, spoke in favor of the application and not requiring undergrounding the utilities.

The Chair closed the public hearing.

Commissioner McCarthy and Chair Dickson stated being in support of the project with the removal of Condition of Approval No. 25.

**Motion: Hereby move that the Planning Commission approve Planning Application 15-57 and Tentative Tract Map number TT-17998 for a Design Review and subdivision map for a detached 8-unit small lot development at 133 to 139 East 21<sup>st</sup> Street based on the findings set forth in Exhibit A and subject to the conditions set for in Exhibit B including the supplemental conditions, Engineering conditions of approval with the following modifications:**

**Deletion of Condition of Approval No. 25 and;**

**Striking the Engineering Condition of Approval No. 10 from the Supplemental Memo Moved by Commissioner McCarthy, seconded Vice Chair Mathews.**

### **RESOLUTION 16-14 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-57 AND TENTATIVE TRACT MAP TT-17998 AT 133-139 EAST 21<sup>ST</sup> STREET IN THE R2-MD ZONE**

The motion carried by the following roll call vote:

Ayes: Dickson, Mathews, McCarthy, Sesler

Noes: None

Absent: Andranian

Abstained: None

The Chair explained the appeal process.

4. **Application No.:** PA-15-59 & PM-15-189  
**Applicant:** Warren Caves  
**Site Address:** 165 to 171 22<sup>nd</sup> Street  
**Zone:** R2-MD  
**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). The project is proposing the construction of 4 detached residences in an urbanized area and therefore is categorically exempt under this provision.

**Description:** The proposed project involves:

1. Design Review to construct a 4-unit, two-story, detached small lot subdivision development on a lot size of 13,506 sq. ft. in an R2-MD zone.
2. Variance from front building setback due to required dedications for right-of-way and a bike lane (20 feet required; 9 feet proposed).
3. Tentative Tract Map for the subdivision of the property into fee simple lots, in accordance with the small lot subdivision standards.

One ex-parte communication to report. Vice Chair Mathews met with the developer.

Mel Lee, Senior Planner, presented the staff report.

**PUBLIC COMMENTS**

Warren Caves, applicant, gave a detailed presentation about the proposed project.

Commissioner Sesler asked what the price range will be. Mr. Caves responded mid-900,000.

No public comments.

The Chair closed the public hearing.

Chair Dickson and Mr. Lee discussed the project's 20-foot setback, encroachment on 22<sup>nd</sup> Street, on-site trees versus City trees, ingress or egress and if Engineering/Traffic Department had issues with speeding on the street.

**MOTION: Move that based on the evidence in the record and the findings contained in Exhibit A and subject to conditions of approval contained within Exhibit B that Planning Commission approve Planning Application PA-15-59 and Tentative Parcel Map PM-15-189 and find that the project is exempt from the California Environmental Quality Act, categorically exemption under section 15332 of the guidelines. Moved by Chair Dickson, seconded by Vice Chair Mathews.**

**RESOLUTION PC-16-15 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-59 AND TENTATIVE PARCEL MAP PM-15-189 AT 165-171 22ND STREET IN THE R2-MD ZONE**

The motion carried by the following roll call vote:

- Ayes: Dickson, Mathews, Sesler
- Noes: None
- Absent: McCarthy, Andranian
- 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 – none.

**ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON MARCH 14, 2016.**

Submitted by:

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CLAIRE FLYNN, SECRETARY  
COSTA MESA PLANNING COMMISSION