

UNOFFICIAL UNTIL APPROVED

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION****March 28, 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.

Chair Dickson led in the Pledge of Allegiance.

ROLL CALL

Present: Chair Robert Dickson
Commissioner Colin McCarthy
Commissioner Stephan Andranian

Absent: Vice-Chair Jeff Mathews
Commissioner Tim Sesler

Staff: Willa Bouwens-Killeen, Zoning Administrator
Yolanda Summerhill, Deputy City Attorney
Raja Sethuraman, Transportation Services Manager
Bart Mejia, Acting City Engineer
Alisha Winterswyk, CEQA Attorney
Laura Stetson, MIG Consultant
Mino Ashabi, Principal Planner
Mel Lee, Senior Planner
Dan Inloes, Senior Planner
Ryan Loomis, Associate Planner
Julie Colgan, Recording Secretary

PUBLIC COMMENTS

Beth Refakes, Costa Mesa resident, thanked everyone who donated items for the Easter egg event at Camp Pendleton for the children of the adopted 1/5 Marines and showed pictures of the event.

Chris McEvoy, Costa Mesa resident, stated concerns with the City's density and traffic.

Kim Hendricks, Costa Mesa resident, thanked the residents who signed the Fairview Park Initiative.

A Costa Mesa resident announced a website that has an online petition about sober living homes. She also spoke about a March 18, 2016 meeting in Irvine that some of our City staff and a Council member went to.

The Chair closed the public comments.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS

Commissioner Andranian thanked the volunteers who helped out with the Easter egg event for the adopted 1/5 Marine families.

Commissioner McCarthy gave an example of how the Planning Commissioners do not just approve everything that the City Council would want them to.

Chair Dickson thanked everyone who helped out with the Easter egg event and gave an example of a project to show that the Planning Commissioners are not told how to vote by the City Council.

CONSENT CALENDAR

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

1. Minutes for the meeting of March 14, 2016

**MOTION: Approve minutes for the meeting of March 14, 2016.
Moved by Commissioner McCarthy, seconded by Chair Dickson.**

The motion carried by the following roll call vote:

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

PUBLIC HEARINGS

1. **Application No.:** 2015-2035 General Plan and Draft Environmental Impact Report (DEIR) SCH# 2105111068

Applicant: City of Costa Mesa

Site Address: Citywide

Project Planner: Minoo Ashabi

Environmental Determination:

The General Plan and Draft Environmental Impact Report and Technical Appendices are available for review and comment for 45 days commencing March 4, 2016 at 8:00 am and ending on April 18, 2016 at 5:00 pm. Written comments on the Draft EIR must be submitted by April 18, 2016 by 5:00pm to the City of Costa Mesa.

Description: The proposed project involves the following:

- 2015-2035 General Plan – an update to current General Plan including all ten elements with the exception of the 2013-2021 Housing Element which was adopted in 2014. The proposed amendment is related to: Land Use, Circulation, Growth Management, Conservation Element, Open Space and Recreation, Noise, Safety, Community Design, and Historic and Cultural Resources.
- Draft Environmental Impact Report (DEIR) - This is a Program EIR prepared in accordance with CEQA Guidelines Section 15168, which allows for the preparation of a Program EIR for a series of actions that can be characterized as a single project.

Minoo Ashabi, Principal Planner, stated how public comments could be submitted and what was included in the staff report.

Chair Dickson asked when the Commissioners comments were due by. Ms. Ashabi responded by April 1st.

Commissioner McCarthy asked if the development at Fairview Park would change if the General Plan gets approved. Ms. Ashabi responded no, changes are proposed to the land use and it will remain as open space. She explained that the process to change it would be a General Plan Amendment with approval by the Planning Commission and City Council.

PUBLIC COMMENTS

Wendy Leece, Costa Mesa resident, suggested on page HCR-8 to clarify how the historical and archeological resources are going to be preserved and on page HCR-10 to include all 60 properties not just 29. She also suggested in the Historical and Cultural Resources Element policy HCR-1, on page HCR-21 through A22, to have details of historical or archeological findings so nothing will be destroyed in new construction.

Jay Humphrey, Costa Mesa resident, expressed concern with the cumulative impact and the increase to density will have in the City, sidewalk setbacks on Placentia, Superior Avenue and 17th Street and with Policy LU 2.8 referring to four-stories and addition of language unless otherwise approved by a General Plan Amendment.

Kristine Nulf, Costa Mesa resident, suggested that affordable units should be included in new developments, to increase the density from 25-units per acre to 40-units per acre at the Fairview Developmental Center site so more affordable units will be available and to remove from the proposed General Plan Amendment the residential incentive overlay for motel properties unless that plan includes an affordable housing requirement.

Kim Hendricks, Costa Mesa resident, spoke again about errors that she stated at the March 14, 2016 Planning Commission meeting regarding the pink color not being depicted correctly that represents underserved parks in the park access map on page OSR14 and the statement that sports fields are needed on page OSR18.

Linda Tang, Kennedy Commission, spoke about supporting the increase to the density at the Fairview Developmental site to 40-units per acre to help with the affordable housing availability for the developmentally disabled.

Kathy Esfahani, member of the Costa Mesa Affordable Housing Coalition, expressed concern again with the affordable housing available in the City, the density at Fairview Developmental site, the residential overlay zone for the motels and the increase in homelessness that might occur if the motel properties turn into a high density zone.

Rick Huffman, Costa Mesa resident, asked what would be the projected 20 year build out if no new overlays took place in the current General Plan versus the proposed General Plan.

Robert Graham, Costa Mesa resident, stated elevators and built in vacuum systems should be required in new three-story developments, and patios on a roof for privacy.

A Costa Mesa resident suggested to stop using roof top decks as open space, eliminate the small lot ordinance, have an updated traffic study in the proposed General Plan and new sewers in the City.

The Chair stated how the public can give a comment by email.

The Chair closed the public hearing.

Commissioner McCarthy and Commissioner Andranian thanked everyone who gave comments tonight.

Ms. Stetson clarified that Ms. Hendricks public comments about the distance to parks was addressed in the staff report.

Chair Dickson asked if the public comments would be addressed at the next meeting. Ms. Ashabi responded that the comments related to the Environmental Impact report will be addressed in the response to comments and comments specifically to the General Plan would be addressed at the next Planning Commission meeting.

Chair Dickson asked for clarification with the comments that are seeking to have something included in the General Plan revision. Ms. Stetson responded it will be up to the Planning Commission if the public comments should be included in the draft General Plan.

Commissioner McCarthy asked what kind of fields in the General Plan analysis are included in the sports fields. Ms. Stetson responded public fields including school district fields that are under joint-use agreements. He also asked if the school district field's availability could change at any time. Ms. Stetson responded yes because the joint-use agreement could be altered.

MOTION: Move that the Planning Commission continue Public Hearing item number one 2015-2035 General Plan and Draft Environmental Impact Report (DEIR) SCH State Clearing House 2105111068 item to the Planning Commission meeting of April 11, 2016.

Moved by Commissioner McCarthy, second by Commissioner Andranian.

The motion carried by the following roll call vote:

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

2. **Application No.:** PA-15-45 & TT-17958
Applicant: Nick Louis
Site Address: 592 Hamilton 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 6 detached residences in an urbanized area and therefore is categorically exempt under this provision.

Description: The proposed project involves:

- 1) **Planning Application PA-15-45:** Urban master plan to construct a 6-unit, two-story, detached small lot development on a lot size of 19,635 sq. ft. in an R2-MD zone. The project is also within the Mesa West Residential Ownership Urban Plan. The project also includes the following:
 - a. Deviation from minimum required open parking spaces (12 open spaces required; the 12 required open spaces are proposed as 6 open spaces and 6 garage spaces). Overall number of parking spaces for the project meets code requirements (21 spaces required; 21 spaces proposed).
 - b. Minor modification to deviate from front building setback (20 feet required; 16 feet proposed).

- 2) **Tentative Tract Map TT-17958:** Tentative Tract Map for the subdivision of the property into fee simple lots, in accordance with the small lot subdivision standards.

No ex-parte communications to report.

Mel Lee, Senior Planner, presented the staff report and stated that the applicant asked for a waiver of Condition of Approval No. 25 for the undergrounding a utility pole in the public right-of-way and gave an example of a previous project that requested it.

Commissioner McCarthy asked if the parking had changed since it went to City Council. Mr. Lee responded yes. In order for the project to be code compliant with the open space it lost one of the open parking spaces.

Chair Dickson asked if the project's front setbacks on Hamilton Street are comparable to other houses on the street. Mr. Lee responded yes.

PUBLIC COMMENTS

Nick Louis, applicant, stated being in agreement with the conditions of approval except undergrounding the utility pole in the public right-of-way and stated the reason to grant a waiver for it.

Commissioner McCarthy asked if the project was at the allowed density. Mr. Louis responded they could have built eight units with the density bonus.

A Costa Mesa resident stated concerns with the amount of waivers developers are given.

Jay Humphrey, Costa Mesa resident, stated concern with the enforcement of the visitor parking and the projects deviations.

Costa Mesa resident, spoke in support of the application.

Mr. Louis responded to the public comment about the visitor parking.

The Chair closed the public hearing.

Commissioner Andranian asked for clarification about the maximum density allowed. Mr. Lee responded that the project is within the Mesa West Urban Plan and could build up to nine units using the density bonus.

Commissioner discussed the parking concern and waiving the requirement of undergrounding the utility pole in the public right-of-way.

MOTION: Move that the Planning Commission hereby approve Planning Application PA-15-45 and Tentative Tract Map TT-17958 for Design Review and Subdivision Map for a detached 6-unit small lot development at 592 Hamilton Street based on the findings set forth in Exhibit A and subject to the conditions set forth in Exhibit B including not waiving Condition of Approval No. 25 and that the project is categorically exempt under 15332 of CEQA for In-Fill Development. Moved by Commissioner McCarthy, second by Chair Dickson.

RESOLUTION PC-16-17 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-15-45 AND TENTATIVE TRACT MAP TT-17958 FOR A DETACHED, 6-UNIT SMALL LOT

DEVELOPMENT PROJECT LOCATED AT 592 HAMILTON STREET IN THE R2-MD ZONE

The motion carried by the following roll call vote:

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

The Chair explained the appeal process.

- 3. Application No.:** PA-16-02 & TT-17640
Applicant: Patric Lynam, Planet Home Living
Site Address: 522 and 526 Bernard Street
Zone: R2-HD
Project Planner: Mino 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). The project is proposing the construction of 10 detached residences in an urbanized area and therefore is categorically exempt under this provision.

Description: The proposed project involves:

1. A Master Plan to construct a 10-unit, two-story and three-story, detached small lot subdivision development on a lot size of 23,142 sq. ft. in an R2-MD zone in the Mesa West Residential Overlay with the following Deviations:
 - Minimum lot size (one acre required, 0.53-acre proposed);
 - Front setback (20 feet required, 10'6" proposed on Bernard);
 - Side setback (10 feet required, 8'3" on Charle Street);
 - Side yard privacy wall setback (5 feet required, 3 feet proposed);
 - Front yard privacy wall setback (10 feet required, 3 feet proposed);
 - Parking (34 spaces total - 14 garage spaces and 20 open parking required, 20 garage spaces and 14 open parking proposed for a total of 34 spaces) and;
 - Two compact spaces at rear (8'- 6" wide required 8'- 0" proposed).
2. Tentative Tract Map for the subdivision of the property into 10 fee simple lots, in accordance with the small lot subdivision standards.

The project site was previously approved in 2013 for development of 10 attached three-story condominiums and a time extension was granted in 2015.

No ex-parte communications to report.

Mino Ashabi, Principal Planner, presented the staff report, responded to a public comment received about alley improvements and stated changes included in the supplemental memo.

Commissioners and staff discussed the previous entitlements, what was screened by the City Council, the reason for all of the deviations and the open parking spaces.

PUBLIC COMMENTS

Patrick Lynam, project manager, explained that since the City Council screening they have dedicated an additional two and half feet to the alley and provided an extra foot to the alley creating a 10-foot setback in lot one. He has read and is in agreement with the conditions of approval and addressed the Planning Commission concerns about the garage parking.

Commissioner McCarthy and Mr. Nguyen discussed the reason for changing the project from condos to detached homes and the setback requirements.

Jay Humphrey, Costa Mesa resident, stated concerns with the project's deviations and density.

A Costa Mesa resident expressed concerns with the project's variances.

Barry Fischer, Costa Mesa resident, spoke against the application.

Mr. Nguyen responded to the public comments.

The Chair closed the public hearing.

Commissioner McCarthy asked where the density came from. Ms. Ashabi responded the Urban Plan.

Commissioner and staff discussed the project's proposed parking.

Commissioner Andranian stated concerns with other parking options not being considered.

MOTION: Hereby move that the Planning Commission approve Planning Application PA-16-02 and Tentative Tract Map TT-17640 for a 10-unit detached small lot residential development within the Mesa West Urban Plan at 522 and 526 Bernard Street based on the findings set forth in Exhibit A and subject to the conditions set forth in Exhibit B and the environmental determination that the project is categorically exempt under section 15332 of CEQA related to In-fill Development Class 32 with the following modifications:

Condition of Approval No. 24 to read: "All parking spaces adjacent to walls, fences, or structures shall be 9.5 feet wide" and;

Changing the rear setback to 10 feet on the site plan included in the Supplemental Memo dated March 23, 2016.

Moved by Commissioner McCarthy, second by Chair Dickson.

RESOLUTION PC-16-18 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-16-02 AND TENTATIVE TRACT MAP TT-17640 FOR A 10-UNIT, DETACHED SMALL LOT DEVELOPMENT PROJECT LOCATED AT 522 AND 526 BERNARD STREET

The motion carried by the following roll call vote:

Ayes: Dickson, McCarthy

Noes: Andranian

Absent: Mathews, Sesler

Abstained: None

The Chair explained the appeal process.

The Chair called for a break.

4. **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.

Description: The proposed 33-unit residential project is an amendment to 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 residential development 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 33-unit detached condominium project with specified deviations from the residential common interest development standards, including the following:
 - Administrative Adjustment to allow deviation from required distance between main buildings (10 feet required; 6 feet proposed).
3. **Vesting Tentative Tract Map 17981:** Vesting Tentative Tract Map 17981 for residential subdivision for condominium purposes.

Commissioner Dickson, McCarthy and Andranian had ex-parte communications by meeting with the applicant.

Ryan Loomis, Associate Planner, presented the staff report.

Commissioner McCarthy asked for clarification on why there was a need for the addendum. Mr. Loomis responded by saying the CEQA Attorney advised them to.

Chair Dickson asked for clarification if the .28-acre park has to stay as an open space amenity in Condition of Approval No. 20. Mr. Loomis responded yes, with no modifications to the site plan.

PUBLIC COMMENTS

Alan Toffoli, Socal Division President for DeNova Homes, gave a background on DeNova Homes and thanked the staff who helped them.

Peter Naghavi, In-Focus Consultants, has read the conditions of approval and is in agreement except with the requirement of low level lighting on Merrimac and Harbor Boulevard. He gave a detailed presentation of the proposed project.

Mr. Naghavi and Commissioner McCarthy discussed the project's one deviation, the old site plan versus the current one and the wall height along the park.

Jay Humphrey, Costa Mesa resident, spoke in support of the project.

Dan Goss, Costa Mesa resident, spoke in support of the project.

Steve Starry, Costa Mesa resident, spoke in support of the project.

Tom Walker, Costa Mesa resident, spoke in support of the project.

Mr. Naghavi stated again that he was in agreement with all the conditions except with the requirement of low level lighting on Merrimac and Harbor Boulevard. He also thanked all the staff that was involved with the project.

The Chair closed the public hearing.

Commissioners and staff discussed amending Condition B1-15.

The Commissioners stated being in support of the project with its new design.

MOTION: Move that based on the evidence in the record and findings contained in Exhibit A and subject to the conditions of approval in Exhibit B and Exhibit B1 all the mitigation measures indicated in the mitigation monitoring program contained within Exhibit C that the Planning Commission approve the addendum to the final Initial Study and Mitigated Negative Declaration as well as Planning Application PA-15-48 and Vesting Tentative Tract Map VT-17981 with the following modifications: Amended Condition of Approval B1-15 by striking it and adding the verbiage to Condition of Approval PC #46 which read: “Per Planning Commission, amend condition #15 of Exhibit B1 to read, “The proposed landscape plan for frontages along Harbor Boulevard and Merrimac Way is to include sidewalk, and if applicable, low-level lighting and plant palette similar to the bike trail improvements across Harbor Boulevard currently in construction phase. Applicant shall work with Public Services and Development Services staff on the application of low-level lighting” and;

Striking Conditions of Approvals 34 and 45.

Moved by Chair Dickson, second by Commissioner McCarthy.

RESOLUTION PC-16-19 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING THE ADDENDUM TO THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION, AND PLANNING APPLICATION PA-15-48 AND VESTING TENTATIVE TRACT MAP 17981 FOR THE 33-UNIT COMMON INTEREST RESIDENTIAL PROJECT LOCATED AT 2626 HARBOR BOULEVARD

The motion carried by the following roll call vote:

Ayes: Dickson, McCarthy, Andranian

Noes: None

Absent: Mathews, Sesler

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: THE NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON APRIL 11, 2016.

Submitted by:

CLAIRE FLYNN, SECRETARY
COSTA MESA PLANNING COMMISSION