

UNOFFICIAL UNTIL APPROVED

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION****April 25, 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.

Vice Chair Mathews 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
Raja Sethuraman, Transportation Services Manager
Bart Mejia, Acting City Engineer
Jennifer Lynch, CEQA Attorney
Laura Stetson, MIG Consultant
Roger Dale, Natelson-Dale Group
Daryl Zerfass, Stantec Transportation Consultant
Joyce LaPointe, Police Department
Minoo Ashabi, Principal Planner
Dan Inloes, Senior Planner
Julie Colgan, Recording Secretary

MOTION: Move on the agenda Public Hearing item number 4 back to Public Hearing item number 3 slot and Public Hearing item number 3 back to Public Hearing item number 4 slot.

Moved by Vice Chair Mathews, seconded by Commissioner McCarthy.

The motion carried by the following roll call vote:

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

PUBLIC COMMENTS

Beth Refakus, Costa Mesa resident, spoke about a ceremony of the Heroes Hall building that happened at the Orange County Fairgrounds and complimented staff on the completion of the monument sign located at the terminus of the 55 Freeway at 19th Street and Newport Boulevard.

Kim Hendricks, Costa Mesa resident, presented a slideshow about what the public wanted from the workshops for Fairview Park.

A Costa Mesa resident expressed concern about a new restaurant called Holiday (formerly known as Maison) opening up without the proper permits.

Cindy Black, Costa Mesa resident, stated concern with a non-profit group working in Fairview Park and announced a petition to sign for Fairview Park.

Pat Murphy, Costa Mesa resident, stated problems that occurred from a sober living home on her street. She expressed how sober living homes are a business and should be operating in a business zone.

The Chair closed the public comments.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS

Commissioner McCarthy mentioned an article in the Orange County Register about two people that were arrested for a stabbing that happened in one of the motels in the City and the problems the motels cause in the City.

Commissioner Sesler stated that the settlement of Solid Landings was signed and thanked the staff that was involved in the process.

Commissioner Andranian thanked Ms. Murphy for her comment about the sober living homes.

Yolanda Summerhill, Deputy City Attorney, announced that the public can give a comment in writing if they are not able to attend any meeting and it will be submitted as part of the record.

Chair Dickson spoke about the motel issue, City's Motel Task Force and the negative impacts the motels are having in the City.

CONSENT CALENDAR

The Chair asked if anyone wanted to discuss or pull any item on the Consent Calendar. No one responded.

1. Minutes for the meeting of April 11, 2016 and;
2. Review of Planning Application PA-15-46 for Boathouse Collective

MOTION: Approve minutes for the meeting of April 11, 2016 and receive and file the review of Planning Application PA-15-46 for Boathouse Collective.

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

PUBLIC HEARINGS

1. **Application No.:** PM-2016-109
Applicant: Steve Scarborough
Site Address: 410 Walnut Place
Zone: R1
Project Planner: Dan Inloes

Environmental Determination:

The project is categorically exempt under Section 15315 of the State CEQA (California Environmental Quality Act Guidelines – Class 15 (Minor Land Divisions)).

Description: Tentative Parcel Map 2016-109 for the subdivision of a 0.746-acre lot into 4 (four) R1 zoned fee simple lots (minimum 6,000 sq. ft.) in accordance with the R1 zone development standards. No code deviations are requested. The proposed lot sizes for all four subdivisions are 87.87 x 92.50 = 8,128 square feet. This application involves the subdivision of the property only; a residential development is not being proposed at this time.

There were three ex-parte communications. Commissioner McCarthy and Vice Chair Mathews spoke with the applicant. Chair Dickson received an email and responded to it.

Dan Inloes, Senior Planner, presented the staff report.

Commissioner Andranian clarified that the house in the proposed project was two-stories not one-story.

PUBLIC COMMENTS

Steve Scarborough, applicant, explained the plan for the property and what concerns they addressed.

A Costa Mesa resident applauded the developer for responding to the resident’s concerns for the development.

The Chair closed the public hearing.

Commissioner McCarthy stated being in support of the development because the applicant listened to the neighbor’s concerns and made the project compatible with the surrounding neighborhood.

MOTION: Move to approve Tentative Parcel Map PM-2016-109 for a four lot single-family residential subdivision at 410 Walnut Place in an R-1 zone based on the findings of Exhibit A and conditions of approval in Exhibit B. Also including the California Environmental Quality Act, categorically exempt under 15315 as Minor Land Divisions.

Moved by Vice Chair Mathews, second by Commissioner McCarthy.

RESOLUTION PC-16-20 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING TENTATIVE PARCEL MAP 2016-109 AT 410 WALNUT PLACE IN THE R1 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.

- 2. **Application No.:** PM-2015-192
- Applicant:** Land Development Consultants
- Site Address:** 2242 Pacific Avenue
- 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: A small lot subdivision consisting of two fee simple lots in accordance with small lot standards. The design of the project was previously approved in 2016 (PA-15-42) to construct a 2-unit, two story, detached residential development on a 7,405 sq. ft. lot in an R2-MD zone. The development complies with parking requirements and features standard two-car garages and individual driveways serving each residence. Unit 1 (2,262 sq. ft.) consists of 4 bedrooms/4 baths. Unit 2 (2,255 sq. ft.) includes 3 bedrooms/3.5 baths. The proposed project meets all residential development standards and design guidelines. The project was approved by Planning Commission on January 11, 2016.

No ex-parte communications.

Dan Inloes, Senior Planner, presented the staff report.

PUBLIC COMMENTS

A Costa Mesa resident stated being in favor of the project but did have concerns with the Small Lot Ordinance part of it.

The Chair closed the public hearing.

Chair Dickson stated he liked the design of the project and will be in support of it.

MOTION: Move to approve Tentative Parcel Map PM-2015-192 for a two lot single-family residential subdivision at 2242 Pacific Avenue in the R2-MD zone. Also the project being exempt from California Environmental Quality Act 15303 and in accordance with the findings of Exhibit A and the conditions of approval in Exhibit B.

Moved by Vice Chair Mathews, second by Commissioner McCarthy.

RESOLUTION PC-16-21 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING TENTATIVE PARCEL MAP 2015-192 AT 2242 PACIFIC AVENUE 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.

- 3. **Application No.:** PA-07-54 A1
- Applicant:** Matt Stone
- Site Address:** 1749 Newport Boulevard
- Zone:** C2
- Project Planner:** Minoo Ashabi
- Environmental Determination:**

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

Description: The proposed request is an amendment to Planning Application PA-07-54, an existing Conditional Use Permit (CUP) for a 2,000 square foot restaurant with 1,200 square foot outdoor dining area located at 1749 Newport Boulevard (The Hub) that serves alcoholic beverages after 11:00 p.m. within 200 feet of residentially-zoned properties. The existing CUP limits the hours of operation to 9:00 a.m. - 12:00 midnight Friday and Saturday and 9:00 a.m. - 11:00 p.m. Sunday through Thursday. The applicant is requesting modification of the conditions of approval to allow the restaurant/bar to open at 7:00 a.m. and close at 2:00 a.m. on a daily basis.

There were three ex-parte communications to report. Vice Chair Mathews spoke with the applicant. Chair Dickson received an email and responded to it. Commissioner Andranian received an email from the applicant.

Mino Ashabi, Principal Planner, presented the staff report, and stated the applicant wants to change the hours of operation. She explained that the police have not had any service calls at the location within the last six months and had no objection to extending their hours on the weekends. She stated that there was a verbal public comment about noise concerns.

Commissioner McCarthy asked for clarification on the proposed hours of operation.

Chair Dickson asked about the banners and storage container.

PUBLIC COMMENTS

Michael Cho, attorney representing the applicant, explained that the storage container will be returned at the end of the month, the applicant has gone through the conditions and agrees with them but is asking for a 2 a.m. closure of New Year's Eve.

Vice Chair Mathews asked the applicant if they would be ok with adding a condition that the rear parking lot only be for employees all the time or after a certain time in the evening. Mr. Cho responded the applicant is amendable to closing the rear parking lot at midnight to customers seven days a week but open to employees for security reasons.

Jeff Martin, Costa Mesa resident, stated the noise late at night has not been a problem recently like before but would like the rear parking to be locked up at midnight to everyone including employees.

A Costa Mesa resident stated concerns with the parking.

Cindy Black, Costa Mesa resident, stated opposition to extending the hours of operation.

Costa Mesa resident referred to the SR55 extension and stated opposition to the application.

Commissioner McCarthy asked Raja Sethuraman, Transportation Services Manager, if Measure M funds will ever be used to complete the 55 Freeway. Mr. Sethuraman responded no, the Measure M funds nor any other funds were ever elected for that portion of the 55 freeway.

Mr. Cho stated he spoke to his client and they would agree to a condition where the rear parking lot would be closed to all parking at midnight.

The Chair closed the public hearing.

Chair Dickson asked for clarification if closing the rear parking lot and losing 13 spaces would affect the shared parking agreement in the original approval back in 2008. Ms. Ashabi responded they would lose 1/3 of the parking required and street parking would be available.

Commissioners and staff discussed the parking issue, what time the businesses nearby close at and whether to add a condition of approval to closing the rear parking at midnight.

The Commissioners stated being in favor of the application because the applicant had done everything that was asked of him from the August Planning Commission meeting.

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 the Planning Commission approve Planning Application PA-07-54 A1. Also find that the project is exempt from further California Environmental Quality Act analysis under California Environmental Quality Act guidelines section 15301 for Existing Facilities with the following modifications:

Condition of Approval 5 to read: “The hours of operation shall be as follows:

- Sunday through Wednesday 7:00 a.m. to 11:00 p.m.
- Thursday, Friday, and Saturday 7:00 a.m. to 2:00 a.m.
- New Year’s Eve open until 2:00 a.m. (revised by PC on 4/25/2016)”.

Condition of Approval 10 to read: “Operator shall secure the premises with appropriate security lighting and employee scrutiny of adjacent areas under which applicant has control, to prevent trash, graffiti and littering. Any lighting under the control of applicant shall be directed in such a manner so as not to unreasonably interfere with the quiet enjoyment of nearby residences. Applicant shall further provide adequate lighting above the entrance to the premises sufficient in intensity to make visible the identity and actions of all persons entering and leaving the premises.

The intensity and location of lights shall be limited to minimize nighttime light and glare to residents and shall be subject to the Development Services Director’s approval.

All site lighting fixtures shall be provided with a flat glass lens. Photometric calculations shall indicate the effect of the flat glass lens fixture efficiency.

Lighting design and layout shall limit light spillage to no more than 0.5 foot-candles at the property line of residential properties, consistent with the level of lighting that is determined necessary for safety and security purposes on site. Light standards near residential properties shall be shielded in such a way as to minimize light spillage onto surrounding properties.

The rear parking lot shall be locked every night at midnight and not available for employee and customer parking. (revised by PC on 4/25/16)”.
Moved by Chair Dickson, second by Commissioner McCarthy.

RESOLUTION PC-16-22 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING AN AMENDMENT TO PLANNING APPLICATION PA-07-54 A1 TO ALLOW OPENING AT 7:00 A.M. ON DAILY BASIS AND EXTENDED EVENING HOURS UNTIL 2:00 A.M. FOR THURSDAY THROUGH SATURDAY FOR AN EXISTING EATING RESTAURANT/ BAR WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTIES LOCATED AT 1749 NEWPORT BOULEVARD

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.

The Chair called for a 5-minute break.

4. **Application No.:** 2015-2035 General Plan and Draft Environmental Impact Report (DEIR) SCH# 2015111068

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 and ending on April 18, 2016.

Description: The proposed project involves the following:

- 2015-2035 General Plan – an update to current General Plan including all ten elements with incorporation 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 Historical 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.

Claire Flynn, Assistant Development Services Director, explained the Great Reach process and highlighted comments received and issues raised from the California Department of General Services.

Commissioner McCarthy asked if high density housing created more trips than active park space. Ms. Flynn responded yes.

Ms. Flynn continued her presentation on the comment letters received.

Laura Stetson, MIG consultant, addressed the Environmental Impact Report comments about Newport Boulevard and Harbor Boulevard overlay, tabulation of residential units, the walking shed distance to parks accurately measured, water supply impacts, air quality impacts and Fairview Park.

Commissioner McCarthy asked Bart Mejia, Acting City Engineer for clarification on Fairview Park Committee. Mr. Mejia responded that the proposed General Plan does not describe any changes to Fairview Park. He explained that it is a task for the Open Space Master Plan and the Fairview Park Citizens Advisory Committee to review and make recommendations.

Ms. Stetson continued with her presentation on comments about the Bike Master Plan Concept Plan and Affordable Housing.

Commissioner McCarthy asked if the public comments received stated that the Affordable Housing part of the General Plan should not be decided by a legislation process through

the City Council's decision but have provisions included. Ms. Stetson responded yes, the public comments referred to have inclusionary requirements.

Ms. Stetson continued her presentation on comments about Environmental Impact Report project alternatives that were examined.

Daryl Zerfass, Stantec Transportation Consultant, gave a presentation on the trip generation comparison numbers and explained the changes in trips refers to net changes.

Roger Dale, Natelson-Dale Group, gave a presentation on questions that came up about the Fiscal Impacts Analysis for the General Plan.

PUBLIC COMMENTS

Kim Hendricks, Costa Mesa resident, expressed opposition to the accuracy of identified underserved areas, policy 4.15 area of, Orange County Fairgrounds being added twice, the statement that the repurposing of Fairview Park is not under threat, and information not reflecting any of the workshops in the proposed General Plan.

Cynthia McDonald, Costa Mesa resident, expressed concern with the proposed General Plan lacking homeownership opportunity, affordable housing being a possibility not a probability, giving an entitlement to one person, displacement of residence because there is no plan to provide affordable housing, increase in parking issues, lowering the level of service at 21 intersections, increased air pollution, gas imitation, no new parks because there is no land to build them. Need to be rewritten to reflect what the residents wants like open space, character of the neighborhood, walk ability, and bike ability,

Kathy Esfahani, Costa Mesa Affordable Housing Coalition, expressed the need for inclusionary housing ordinance for the motels and to include a requirement of a percentage of the new units to be affordable.

Linda Tang, Kennedy Commission, stated an affordable housing component for lower income working households should be considered in the proposed General Plan as part of the Residential Incentive Overlay.

The Chair closed the public hearing.

Chair Dickson asked for clarification with who would be deciding on the numbers of Fairview Developmental Center capacity. Ms. Flynn responded any changes to the current proposal would require additional analysis and could require recirculation of the draft Environmental Impact Report.

Commissioner McCarthy stated Fairview Developmental Center site is not owned by the City and appreciated what staff planned for the site in the proposed General Plan.

Commissioner Andranian clarified to the public that the vote tonight is an advisory one and is one step along the path to finalizing the document. He thanked staff, consultants, and the public that came to the meetings to address their concerns.

Chair Dickson asked staff to clarify Ms. Hendricks comment about the radius to parks. Dan Inloes responded that the information was double checked and the process was accurate. The network analyst tool used was a half a mile threshold.

Chair Dickson asked staff next time an affordable housing subject comes up for discussion, he would like to know how the RHNA numbers fall out for the other 10 cities with inclusionary housing ordinance.

MOTION: Hereby move that the Planning Commission recommend that the City Council certify Environmental Impact Report SCH# 2015111068 State Clearing House number and recommend that the City Council adopt 2015-2035 General Plan. Moved by Commissioner McCarthy, second by Commissioner Andranian.

RESOLUTION PC-16-23 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING THAT CITY COUNCIL CERTIFY ENVIRONMENTAL IMPACT REPORT SCH NO. 2015111068 FOR THE 2015-2035 GENERAL PLAN.

RESOLUTION PC-16-24 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING THAT CITY COUNCIL ADOPT THE COSTA MESA 2015-2035 GENERAL PLAN

The motion carried by the following roll call vote:

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

DEPARTMENTAL REPORT(S)

1. Public Services Report – none.

Commissioner McCarthy asked Mr. Mejia if there was a report or an assessment on the lack of sports field in the City that could be shared. Mr. Mejia responded that the report on the lack of sports field is a part of the Open Space Master Plan and is in progress. Commissioner McCarthy asked for a copy of the final report.

2. Economic and Development Services Report – Ms. Flynn gave an explanation of the General Plan timeline and that the next step is for the Airport Land Use Commission to review the documents at the hearing tentatively scheduled on May 19th, after which it will go to the City Council for consideration.

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney – none.

ADJOURNMENT: THE NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON MAY 9, 2016.

Submitted by:

CLAIRE FLYNN, SECRETARY
COSTA MESA PLANNING COMMISSION