

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION
February 25, 2013**

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.

III. ROLL CALL:

Present: Chair Colin McCarthy
Commissioner Robert Dickson
Commissioner Jeff Mathews

Absent: Vice Chair Clark and Commissioner Salcedo

II. SWEARING IN OF NEWLY-APPOINTED PLANNING COMMISSIONERS.

Acting City Clerk, Brenda Green, swore in Jim Fitzpatrick and Tim Sesler.

IV. ELECTION OF OFFICERS:

- (a) Election of Chair**
- (b) Election of Vice Chair**

There were no public comments for the election of officers.

The Commissioners voted for Jim Fitzpatrick for Chair.

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None

The Commissioners voted for Robert Dickson for Vice Chair.

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None

V. PUBLIC COMMENTS:

There were no public comments.

VI. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner McCarthy suggested checking out Orange County restaurant week.

VII. CONSENT CALENDAR:

1. Minutes for the meeting of February 11, 2013.

Motion: Approve Consent Calendar.

Moved by Commissioner McCarthy , seconded by Vice Chair Dickson.

The motion carried by the following roll call vote:

Ayes: Dickson, McCarthy, Mathews

Noes: None

Absent: None

Abstained: Fitzpatrick, Sesler

VIII. PUBLIC HEARINGS:

1. **Application No.:** PA-12-24 & TT-17508
Applicant: Victoria Residential Partners L.P.
Site Address: 1259 Victoria Street
Zone: R2-MD
Project Planner: Mel Lee
Environmental Determination: Exempt

Description: The proposed project involves the following:

- (1) Design Review to construct a 17-unit, two-and-three-story detached (six-inch separation between units) residential common interest development clustered within four main buildings throughout the property.
- (2) Variance from number of stories and overall building height for Building Complex 1 and 3 (two stories/27 feet allowed; three stories/35 to 37 feet proposed).
- (3) Variance from street landscape setback (20 feet required; 10 feet proposed).
- (4) Variance from minimum and average lot sizes for small lot common interest developments (3,000 square feet minimum, 3,500 square feet average required; 1,500 square feet minimum, 2,038 square feet average proposed).
- (5) Variance from parkway landscaping requirements (five feet minimum required, 2.5 feet minimum proposed).
- (6) Variance for height and location of crib wall along the street frontage (maximum six-foot height allowed, 10-foot front setback required; 30-foot maximum height, six-foot setback proposed).
- (7) Administrative adjustment from rear yard setback for the second story of one of the units in Building Complex 4 (20 feet required; 15 feet proposed).
- (8) Deviation from Residential Design Guidelines for building massing of upper story to first story percentage for all units (80% recommended; 100% proposed).
- (9) Deviation from Residential Design Guidelines for building height structures with flat roofs in Building Complex 2 and 4 (22 feet recommended; 25 feet proposed).
- (10) Minor conditional use permit to allow encroachments of the crib wall, parking areas, and residential buildings to be constructed closer than 10 feet to a bluff crest (zero feet to bluff crest proposed).
- (11) Tentative tract map to allow the units to be sold independent of one another

Commissioner McCarthy asked Raja Sethuraman, Transportation Services Manager, about traffic impacts. Mr. Sethuraman responded there is a very small number of trips expected and does not see an issue with traffic.

Mr. Bettenhausen, Deputy City Attorney, stated that the Planning Commission should look at the findings with the variances and administrative adjustments when approving this project. The issue of the obstruction of view is a non issue and should not be taken into consideration.

Vice Chair Dickson asked staff about windows on the second story in building four. Mr. Lee responded that the City's Residential Guidelines does have a provision that upper level windows would have to be designed to avoid direct line of site views to upper windows on abutting properties.

Peter Zehnder, applicant, is in agreement with the conditions of approval.

PUBLIC COMMENTS:

David Tanner, President of Environmental & Regulatory Specialists, Inc, stated that the CEQA exemption on this project was being improperly applied based on the zoning and the effect on the environment for the habitats of endangered species at Talbert Park.

CB Nana, resident, stated that the project does not comply with CEQA therefore it cannot be exempt and is also concerned with the traffic safety.

Paul Barrett, resident, stated that he would like to see some consideration taken regarding impacts to his property.

Chris Steward, resident, stated that she would like to see the Commissioners do site visits, drive through the area to see about the traffic issue and do a traffic study.

Bernard Kretzschmar, resident, stated the importance with the view coming into Costa Mesa and a in-fill development study should be done.

Mitchell Goodz, resident, stated concerns with the parking and traffic.

Chair Fitzpatrick asked staff or City attorney to comment on the CEQA concerns brought up by the public.

Mr. Bettenhausen commented that the general rule is that the court will not over turn staff's determination of the five elements being present based on their review of the CEQA exemptions and if Planning Commission also determines that there was substantial evidence to support the five elements.

Ms. Flynn went over staff's findings and that this project does satisfy the five required component elements for the CEQA exemption requirements.

Mr. Bettenhausen recommended modifying the resolution with regards to the CEQA exemption.

Mr. Zehnder responded that he does not see any impact of traffic to the surrounding areas or potential safety risk.

Commissioner Sesler stated he went to the property several times this week and saw that it was a very busy street but does see the project being very well received from the public that want to live in that area.

Commissioner McCarthy stated that our City has some of the most strenuous parking requirements and this project does meet the requirements.

MOTION: Move that the Planning Commission hereby approve Planning Application PA-12-24 and Tenant Tract Map TT-17508 for design review and subdivision map for a 17 unit small lot common interest development specify variances and deviations at 1259 Victoria Street based on the findings set forth in Exhibit A, subject to the conditions set forth in Exhibit B, with the following revisions and/or additions to the following conditions:

Finding K: to be added to the proposed resolution and indicate that the environmental review for the proposed project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, and the proposed project has been found to be exempt from CEQA under Section 15332, Class 32-In-Fill Development.

An appended to the findings with a supplemental attachment of the CEQA exemption findings.

No. 31: The applicant shall increase the amount of interior parkway landscaping within the project if the fire lane widths are allowed to be reduced by Fire Prevention.

Convert No. 26 to 24E: All units are required to maintain a two-car garage. Residents shall park vehicles in garage spaces. Storage of other items may occur only to the extent that vehicles may still be parked within the require garage spaces.

Moved by Commissioner McCarthy, seconded by Vice Chair Dickson.

The motion carried by the following roll call vote:

Ayes: Dickson, McCarthy, Mathews, Sesler

Noes: None

Absent: None

Abstained: Fitzpatrick

The Chair explained the appeal process.

IX. NEW BUSINESS:

1. Mesa Green Design Award Nomination

MOTION: Commission support the recommendation for the Mesa Green Design Award.

Moved by Chair Fitzpatrick, seconded by Commissioner McCarthy.

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler

Noes: None

Absent: None

X. ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON MARCH 11, 2013.

Submitted by: _____
CLAIRE FLYNN, SECRETARY
COSTA MESA PLANNING COMMISSION