

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

**July 11, 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  
Commissioner Colin McCarthy  
Commissioner Tim Sesler  
Commissioner Stephan Andranian

Absent: Vice-Chair Jeff Mathews

Staff: Gary Armstrong, Economic Development & Development Services Director/  
Deputy CEO  
Mino Ashabi, Principal Planner  
Yolanda Summerhill, Deputy City Attorney  
Bart Mejia, City Engineer  
Mel Lee, Senior Planner  
Dan Inloes, Senior Planner  
Julie Colgan, Recording Secretary

**PUBLIC COMMENTS**

Beth Refakes, Costa Mesa resident, spoke about street banners that were installed to support the First Battalion Fifth Marines.

A Costa Mesa resident stated concerns with the affect sober living homes are having on the City; the cost and need of a new position in the Community Improvement Division; Solid Landings property not getting fined; and approving projects with houses facing an alleyway.

A Costa Mesa resident reported an incorrect response someone received after they reported about excess cigarette smoke occuring at a house in the City.

The Chair closed the public comments.

**PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS**

Commissioner McCarthy spoke highly about Claire Flynn, former Assistant Development Services Director, and wished her the best. He also talked about how other cities are struggling with keeping their budget in balance and how our City has a balanced budget.

Commissioner Sesler stated he will miss Claire Flynn and her professionalism.

Commissioner Andranian thanked Claire Flynn for her service to the community and the Police and Fire Department for their outreach to the community regarding the City's fireworks rules.

Chair Dickson spoke about Claire Flynn's departure from the City and what a great Planning staff the City currently has. He also talked about the reduction in illegal fireworks this year due to the Police and Fire Department outreach.

## **CONSENT CALENDAR**

The Chair asked if any member of the public wanted to pull an item on the Consent Calendar. No one responded.

1. Minutes for the meeting of June 13, 2016 and;
2. General Plan Conformity for Capital Improvement Project Annual Report

**MOTION: Approve minutes for the meeting of June 13, 2016 and adopt resolution for General Plan Conformity for Capital Improvement Project Annual Report.  
Moved by Commissioner McCarthy, seconded by Commissioner Andranian.**

**RESOLUTION PC-16-34 - A RESOLUTION OF THE PLANNING COMMISSION OF CITY OF COSTA MESA FINDING THAT THE PROPOSED ONE YEAR 2016-2017 AND SEVEN-YEAR 2016-2023 CAPITAL IMPROVEMENT PROGRAMS ARE IN CONFORMANCE WITH THE CITY OF COSTA MESA 2000 GENERAL PLAN**

The motion carried by the following roll call vote:

Ayes: Dickson, McCarthy, Sesler, Andranian

Noes: None

Absent: Mathews

Abstained: None

## **PUBLIC HEARINGS**

1. **Application No.:** PM-2015-185  
**Applicant:** Justin Henderson – Mastercraft Homes  
**Site Address:** 1951 Tustin Avenue  
**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:** Parcel Map 2015-185 for the subdivision of a 0.29-acre lot into two 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 are: Parcel 1 - 6,051 sq. ft. and parcel 2 - 6,714 sq. ft. This application involves the subdivision of the property only. Any proposed single-family residence on the subdivided property will be submitted at a future date and subject to the appropriate review process at that time and may not require a public hearing for approval.

No ex-parte communications to report.

Dan Inloes, Senior Planner, presented the staff report.

Commissioner McCarthy asked if the application is for an R-1 Zone single-family development like the surrounding properties. Mr. Inloes responded yes.

## **PUBLIC COMMENTS**

Ray Dorme, applicant, gave a power point presentation on the proposed application.

Commissioner Andranian asked for clarification that only the subdivision of the property is being decided on. Mr. Dorme responded that was correct.

David Williams, Costa Mesa resident, stated opposition to the project based on concerns it will change the character of the neighborhood and traffic.

Patrick Fenn, Costa Mesa resident, spoke in opposition to the application.

Lauri Fischer, Costa Mesa resident, spoke in opposition to the application.

A Costa Mesa resident spoke in opposition to the application.

Lisa Harper, Costa Mesa resident (neighbor), stated concerns with privacy and the enjoyment of their backyard.

Tim Harper, Costa Mesa resident (neighbor), stated concern with the project fitting in with the surrounding neighborhood and the access space to the garages.

The Chair closed the public hearing.

Commissioner McCarthy asked if the Small Lot Ordinance applied to the application, the surrounding lot sizes and what else could be built by right if the lot could not be subdivided. Mr. Inloes responded that the Small Lot Ordinance does not apply; surrounding lots are greater than 6,000 square feet in area; and a primary residence on the existing lot could be built with a secondary unit that could be a rental.

The Commissioners and Mr. Inloes discussed: The two-story developments in the area; surrounding properties; what the process is if a house in the R-1 zone wanted to add a second story; the privacy concern from adjacent neighbors; that future building application have to comply with the Residential Design Guidelines; and that no traffic analysis had to be done because the potential for a site this size to be subdivided was already included in the General Plan built out plan.

Commissioner McCarthy stated the owner of the property has the right to subdivide and do what the surrounding neighbors have already done. He would support the application because it meets all the requirements and it is an improvement to what is currently there.

Commissioner Andranian stated that this application to subdivide the property meets the character of the neighborhood and will be in support of it.

Chair Dickson stated supporting the subdivision.

**MOTION: Hereby move that the Planning Commission approve Parcel Map 2015-185 for a two lot single-family residential subdivision at 1951 Tustin Avenue in the R1 zone including the environmental determination that it is exempt from California Quality Environmental Act under section 15332, Class 32, for In-Fill Development based on the findings set forth in Exhibit A and subject to the conditions set forth in Exhibit B. Moved by Commissioner McCarthy, second by Commissioner Andranian.**

**RESOLUTION PC-16-35 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PARCEL MAP 2015-185 AT 1951 TUSTIN AVENUE IN THE R1 ZONE**

The motion carried by the following roll call vote:  
Ayes: Dickson, McCarthy, Sesler, Andranian  
Noes: None  
Absent: Mathews  
Abstained: None

The Chair explained the appeal process.

2. **Application No.:** PA-09-15 A1  
**Applicant:** Rob Eres, Nexus Development  
**Site Address:** 1640 Monrovia Avenue  
**Zone:** MG – Mixed-Use Overlay  
**Project Planner:** Dan Inloes  
**Environmental Determination:** There are no changes to the original environmental impact conclusions of the Initial Study/Mitigated Negative Declaration adopted on November 15, 2007. The Addendum to the previously adopted Mitigated Negative Declaration is attached in the staff report.

**Description:** The proposed Vivante Phase II includes a request to amend the Master Plan PA-09-15 to allow the replacement of the previously approved 42,000 square feet of office building with a proposed 111-unit independent and assisted living facility, 1700 square foot Club Fitness Center, and a 3,900 square foot Community Event Center. The proposed assisted living facility would be housed within a four-story structure and accommodate 15 studio units, 77 one-bedroom units, and 19 two-bedroom units. The project also would contain a surface parking lot, one level underground parking on the easterly portion of the property, and multiple amenities such as a kitchen/restaurant style dining room, dance studio, café, bar/lounge, activity rooms, library/computer room, art room, outdoor plaza park and some ancillary office space for management services. The project requires a deviation from the required street setback of 10 feet from the Mesa West Bluffs Urban Plan to a proposed 0 foot setback to maximize the number of parking spaces within the underground parking structure.

One ex-parte communication to report: Commissioner McCarthy met with the applicant.

Dan Inloes, Senior Planner, presented the staff report and stated that the applicant is in agreement with all the conditions except Condition of Approval No. 29.

Commissioners and Mr. Inloes discussed the mixed-use component of the revised project, the height of the buildings, the utility poles conditions of approval, and the traffic study.

## **PUBLIC COMMENTS**

Cory Alder, applicant, gave a presentation on the existing Vivante Phase I development and what the proposed Phase II application is requesting.

Commissioners, applicant, and staff discussed undergrounding the utilities.

Consuelo Rodrigues and Dana McCleery, asked if the applicant would have a forum meeting to discuss the Phase II construction to answer questions from the residents and family members. They also stated concerns with parking, traffic flow, noise, construction time frame, and safety issue with the gym being open to the public.

A Costa Mesa resident stated concerns with the density of the project, and proximity to a business in Newport Beach that produces toxin emissions of chromium 6.

A Costa Mesa resident stated concern with the project being close to a business in Newport Beach that produces toxin emissions of chromium 6.

Applicant responded to the public comments.

The Chair closed the public hearing.

Commissioner McCarthy asked for clarification on what poles on Monrovia Avenue still need to be undergrounded.

The Chair re-opened the public hearing.

Rob Eres, applicant, clarified that the five power poles that originally abutted the Monrovia Avenue frontage of the property, three poles were removed and two poles were re-located. The northwest and southwest poles on Monrovia Avenue need to remain according to Edison. The applicant is requesting Condition of Approval No. 29 to be replaced by a proposed condition of approval (as noted in presentation) so the project can be built without requiring abutting businesses compliance with undergrounding of utilities.

The Chair re-closed the public hearing.

Chair Dickson addressed the public comments. He stated being in support of the application and that the project is a great addition to the community.

**MOTION: Hereby move that the Planning Commission adopt the Initial Study/Mitigated Negative Declaration and approve Planning Application PA-09-15 A1 Master Plan Amendment to replace the proposed office-use with the expansion of the existing Assisted Living Facility, Club Fitness Center, and Community Event Center at 1640 Monrovia Avenue based on the findings set forth in Exhibit A and subject to the conditions set forth in Exhibit B with the following modifications:**

**Code Requirement- Planning No. 10 to read: "All on-site utility services shall be installed underground to the extent required by code".**

**Condition of Approval No. 29 stricken and replaced with proposed Condition of Approval which reads: "All on-site utilities serving the project site shall be undergrounded to the fullest extent possible; this requirement excludes utilities that may be located within the project site but be serving adjoining neighbors located off-site. Distribution lines adjacent to proposed Assisted Living Facility along the Monrovia Avenue frontage shall be undergrounded, excluding the two distribution lines located at the outside corners of the property which must remain above ground pursuant to the requirements of the utility provider. Undergrounding these specified utilities shall occur within three years of issuance of the building permit for the Assisted Living Facility Unit or prior to issuance of the first certificate of occupancy for the industrial office buildings, whichever occurs first" and;**

**Also include updated Exhibit A**

**Moved by Commissioner McCarthy, second by Commissioner Andranian.**

**RESOLUTION PC-16-36 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA ADOPTING the ADDENDUM TO THE INITIAL STUDY / MITIGATED NEGATIVE DECLARATION AND APPROVING MASTER PLAN AMENDMENT TO THE PREVIOUSLY APPROVED MASTER PLAN PA-09-15 TO REPLACE PROPOSED OFFICE USE WITH EXPANSION OF EXISTING ASSISTED LIVING FACILITY, A CLUB FITNESS CENTER, AND A COMMUNITY EVENT CENTER AT 1640 MONROVIA AVENUE.**

The motion carried by the following roll call vote:

Ayes: Dickson, McCarthy, Sesler, Andranian

Noes: None

Absent: Mathews

Abstained: None

The Chair explained the appeal process.

The Chair called for a break.

3. **Application No.:** PA-16-27 & PM-2016-122

**Applicant:** Gavin Sermon

**Site Address:** 155 Flower Street

**Zone:** R2-HD

**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 two-unit, two story, detached small lot subdivision on a 9,033 sq. ft. lot in the R2-HD zone. The two units are 2,297 sq. ft. and 2,513 sq. ft. in area including two-car garages and meet all parking requirement (8 required: 8 proposed) and applicable development standards.
2. Parcel Map for the subdivision of the property into two fee simple lots, in accordance with the small lot subdivision standards.

No ex-parte communications.

Dan Inloes, Senior Planner, presented the staff report.

#### **PUBLIC COMMENTS**

Gavin Sermon, applicant, has read and agrees with the conditions of approval. He gave a presentation regarding the proposed project.

Commissioner McCarthy asked how much the houses will sell for; Mr. Sermon responded \$1.4 million.

Jay Humphrey, Costa Mesa resident, asked to put in a condition of approval for privacy consideration for the windows in the back of the unit.

The Chair closed the public hearing.

Chair Dickson asked Mr. Inloes to respond to the public comment; Mr. Inloes responded that it is included as a standard condition of approval.

Commissioner Andranian stated the application is an improvement for the area, is a great use of the Small Lot Ordinance, and supports the project.

Commissioner McCarthy stated it being a wonderful Small Lot Ordinance project and is in support of the project.

**MOTION: Move that based on the evidence in the record and the findings contained in Exhibit A and subject to the conditions of approval contained within Exhibit B that the Planning Commission approve Planning Application PA-16-27 and Parcel Map PM-2016-122 and that the Planning Commission find that the project is exempt under the provision of the California Environmental Quality Act under Guidelines Section 15303. Moved by Chair Dickson, second by Commissioner Andranian.**

**RESOLUTION PC-16-37 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-16-27 FOR A TWO-UNIT SMALL LOT SUBDIVISION RESIDENTIAL DEVELOPMENT AND TENTATIVE PARCEL MAP NO. PM 2016-122 FOR PROPERTY AT 155 FLOWER STREET IN THE R2-HD ZONE**

The motion carried by the following roll call vote:

Ayes: Dickson, McCarthy, Sesler, Andranian

Noes: None

Absent: Mathews

Abstained: None

The Chair explained the appeal process.

4. **Application No.:** PA-16-28 & PM-2016-123  
**Applicant:** Gavin Sermon  
**Site Address:** 163 Flower Street  
**Zone:** R2-HD  
**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 two-unit, two story, detached small lot subdivision on a 7,410 sq. ft. lot in the R2-HD zone. Two units are 3,043 sq. ft. and 3,070 sq. ft. in area including two-car garages and meet all parking requirements (8 required: 8 proposed) and applicable development standards.
2. Parcel Map for the subdivision of the property into two fee simple lots, in accordance with the small lot subdivision standards.

No ex-parte communications to report.

Dan Inloes, Senior Planner, presented the staff report.

Chair Dickson stated concerns with the rear unit having a clearly marked pathway.

**PUBLIC COMMENTS**

Gavin Sermon, applicant, gave a presentation regarding the proposed project.

Chair Dickson asked where the guest traffic would occur. Mr. Sermon responded that the two guest parking spots for Unit B can be accessible from off the alley and pedestrian access of the east side of the project. Chair Dickson stated concerns with the lack of visibility of the entrance to the back unit.

Jay Humphrey, Costa Mesa resident, stated his concern with a house facing an alley especially a dead end alley and concerns with parking.

Harry Durkin, Costa Mesa resident, stated concern with the alley access, construction vehicles parking in the alley, and that the green space next to the side of the house should have a sprinkler system.

Speaker stated concern with the parking, construction traffic down the alley, and Condition of Approval No. 22 requiring the planting of a tree off Cabrillo Street.

Speaker stated opposition to construction hours and the resulting noise; and traffic in the alley.

Mr. Sermon responded to public comments.

Commissioner McCarthy asked the applicant if they considered another option besides having a unit facing the alley. Mr. Sermon responded they came up with a rough sketch but it would require Code deviations.

The Chair closed the public hearing.

The Commissioners and staff discussed the project, concerns with the orientation of the rear house to an alley, and adding conditions about increasing the presence of the pedestrian path from Flower Street to the rear unit and a construction management plan with an inclusion stating that staging and construction crew vehicles shall use Flower Street.

**MOTION: Move that based on the evidence in the record and the findings contained in Exhibit A, subject to conditions of approval contained within Exhibit B, that the Planning Commission approve Planning Application PA-16-28 and Tentative Parcel Map 2016-123 and that the project is exempt from the California Environmental Quality Act under Guidelines Section 15303 and Guidelines Section 15315 with the following modifications:**

**Condition of Approval No. 15 to read:** “Prior to issuance of building permits the developer shall provide a site plan and parcel map that includes a clearly delineated and designed pedestrian access path to the rear unit from Flower Street that is approved by the Transportation Services Director”.

**Condition of Approval No. 16 to read:** “Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring residential uses to the fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. This construction management plan shall stage construction vehicles on Flower Street to the maximum extent possible and minimize use of alley. All construction worker vehicles shall be staged on Flower Street. The plan should mitigate disruption to residents during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Development Services Director or Transportation Services Manager”.

**Condition of Approval No. 24 to read:** “Plant 1-24” box tree in the public right-of-way on Flower Street as part of the redevelopment of the property. Species may be proposed by applicant, with Public Services Department approval, or selected from below without further approval: Queen Palm, Samuel Summer Magnolia, Crape Myrtle, Purple Orchid Tree, Western Redbud ‘Forest Pansy’, and Fern Pine”.

Moved by Chair Dickson, second by Commissioner Sesler.

**RESOLUTION PC-16-38 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-16-28 AND TENTATIVE PARCEL MAP 2016-123 AT 163 FLOWER STREET IN THE R2-HD ZONE**

The motion carried by the following roll call vote:

Ayes: Dickson, McCarthy, Sesler, Andranian

Noes: None

Absent: Mathews

Abstained: None



The Chair explained the appeal process.

**DEPARTMENTAL REPORT(S)**

1. Public Services Report – none.
2. Development Services Director Report – Potential Special Meetings – Gary Armstrong, Economic Development & Development Services Director/Deputy CEO, reported the potential to having three meetings per month starting in September due to having a heavy load of Planning Commission items for the next several months.

**CITY ATTORNEY’S OFFICE REPORT(S)**

1. City Attorney – none.

**ADJOURNMENT: THE NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON JULY 25, 2016.**

Submitted by:



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GARY ARMSTRONG, ACTING SECRETARY  
COSTA MESA PLANNING COMMISSION