

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION
April 12, 2010**

The Planning Commission of the City of Costa Mesa, California, met in regular session at 6:00 p.m., April 12, 2010, at City Hall, 77 Fair Drive, Costa Mesa, California. The meeting was called to order by Chairman Righeimer.

I. PLEDGE OF ALLEGIANCE TO THE FLAG.

Commissioner Fitzpatrick led the Pledge of Allegiance.

II. ROLL CALL: Chair: James Righeimer
Vice Chair: Sam Clark
Commissioners: Jim Fitzpatrick, Colin McCarthy, and Stephen Mensinger

Present: Chair James Righeimer
Vice Chair Sam Clark
Commissioner Jim Fitzpatrick
Commissioner Colin McCarthy
Commissioner Stephen Mensinger

Absent: None.

Also Present: Acting Planning Commission Secy. Khanh Nguyen
Deputy City Attorney Tom Duarte
Acting City Engineer Fariba Fazeli
Chief of Code Enf. Willa Bouwens-Killeen
Senior Planner Mel Lee
Senior Planner Minoo Ashabi
Associate Planner Wendy Shih
Assistant Planner Rebecca Robbins

III. 2009 PLANNING COMMISSION DESIGN AWARD AND MESA GREEN DESIGN AWARD PRESENTATIONS

The Chair made a 2009 Planning Commission Design Award presentation for the Sycamore Stream Residential Homes (2451 - 2467 Orange Avenue) and an award certificate was presented to Garrett Calacci, President of Waterpointe Homes.

The Chair made a Mesa Green Design Award presentation for the 2869 Europa Drive residence and an award certificate was presented to Hal Woods, owner/builder. Mr. Woods spoke in acceptance of the award.

The Chair made a Mesa Green Design Award presentation for the 1811 Gisler Avenue residence and an award certificate was presented to Steven Blanchard, owner/builder. Mr. Blanchard spoke in acceptance of the award.

IV. PUBLIC COMMENTS:

John Hawley, Costa Mesa, expressed concern regarding permanent graffiti made in wet cement. He suggested that the permit process should include protection of the wet cement from graffiti.

Derek Davis, Costa Mesa, handed packets to the Commissioners relating to trash enclosures and the Spice Tract. He gave an overview of Municipal Code 20-7j (screening of existing trash bins) and how it will affect apartment buildings on Coriander Drive and the Spice Tract.

The Chair said this municipal code is a standard in the City and certain trash bins/dumpsters need enclosures. He also said a review of this item is going before Planning Commission at their May 10 meeting.

Joe Panarisi, Costa Mesa, also expressed concern regarding the municipal code and trash enclosures and commented that there was a lot of confusion about enforcement.

Chief of Code Enforcement Willa Bouwens-Killeen confirmed the Chair's question that violation letters have been sent out to the Coriander property owners. The Chair asked Ms. Bouwens-Killeen to send a letter out to each property owner to explain that enforcement will be suspended until the review process is complete.

V. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Fitzpatrick commented on the Freedom Tract and noted his concern about the many items on tonight's agenda. He

also noted the opportunity for another study session to take place.

Commissioner McCarthy announced the upcoming Mesa Verde Classic on April 19 and the Costa Mesa Community Run on April 24.

Vice Chair Clark said he would not be able to attend the Costa Mesa Community Run because he would be participating in the Neighbors for Neighbors event on the same day.

Commissioner Mensinger also announced the Neighbors for Neighbors event on April 24; flag football sign-ups this Saturday at Parson's Field from 9:00 a.m. to 12:00 p.m.; and sign-ups this Sunday at Estancia High School from 1:00 p.m. to 3:00 p.m. Commissioner Mensinger noted regarding the Mesa Verde Classic that the City Attorney and the Planning Commission have volunteered four hours of clean-up plus a \$200 Home Depot gift card is included.

VI. CONSENT CALENDAR:

1. Minutes for the meeting of March 8, 2010.

The Chair asked for a motion on the Consent Calendar.

MOTION: Approve.

Moved by Commissioner Colin McCarthy, seconded by Vice Chair Sam Clark.

The motion carried by the following roll call vote:

Ayes: Chair James Righeimer, Vice Chair Sam Clark,
Commissioner Jim Fitzpatrick, Commissioner Colin
McCarthy, and Commissioner Stephen Mensinger

Noes: None.

Absent: None.

VII. PUBLIC HEARINGS:

- 1. Application No.: DA-10-01**
Site Address: 1201 South Coast Dr.
Applicant: C.J. Segerstrom & Sons
Zone: PDC
Environmental

Determination: Final Program Environmental Impact Report No. 1048; SCH No. 2000071050 certified November 19, 2001.

Description:

Annual review and Amendment No. 3 to DA-00-01 Home Ranch Development Agreement to include such changes as: specifying fulfillment of development agreement obligations, further defining the future Fire Station location, and revising the Historic District obligations.

The Chair noted that this item is recommended for continuance to the meeting of May 10. He asked if anyone wished to speak on this item that would not be able to attend the meeting of May 10, and there was no response.

**MOTION: Continue to the Planning Commission meeting of May 10, 2010.
Moved by Vice Chair Sam Clark, seconded by Commissioner Colin McCarthy.**

The motion carried by the following roll call vote:

Ayes: Chair James Righeimer, Vice Chair Sam Clark, Commissioner Jim Fitzpatrick, Commissioner Colin McCarthy, and Commissioner Stephen Mensinger

Noes: None.

Absent: None.

The Chair pointed out that Public Hearing Item No. 6 would be moved in front of the second item.

- 6. Application No.: ZA-10-05**
- Site Address: 1805 Placentia Avenue**
- Applicant: Anna Lauri/Shore Break Consultants**
- Zone: MG**
- Environmental**
- Determination: Exempt**

Description:

Minor conditional use permit for a recycling and collection facility within an existing 7,500 sq. ft. industrial building.

The Chair noted that the applicant has requested for a continuance to the meeting of May 10. He asked if anyone wished to speak on this item that would not be able to attend the meeting of May 10. He also said you can only speak on this item at one meeting, not both.

John Hawley, Costa Mesa, spoke in opposition to the project and said the location of this site is improper for this business. He also mentioned that this area is the gateway to the bluffs and is a detriment to future development.

Judy Berry, Westside Costa Mesa, asked the Commission to deny this request and said there are already three recycling centers nearby and the City does not need any more vehicles on Placentia Avenue, nor homeless people with shopping carts near the site. She also expressed concern regarding the safety of school children walking by on their way to school.

Phil Morello, Costa Mesa, agreed with the two previous speakers and said he believes this is an inappropriate use. He asked the Commission to deny this application.

No one else wished to speak and the Chair closed the public hearing.

**MOTION: Continue to the Planning Commission meeting of May 10, 2010.
Moved by Vice Chair Sam Clark, seconded by Commissioner Jim Fitzpatrick.**

The motion carried by the following roll call vote:

Ayes: Chair James Rigeimer, Vice Chair Sam Clark,
Commissioner Jim Fitzpatrick, Commissioner Colin
McCarthy, and Commissioner Stephen Mensinger

Noes: None.

Absent: None.

2. **Application No.: ZA-10-07
Site Address: 1000 South Coast Dr.
Applicant: Fola Linebarger/Arnel
Properties**

Zone: PDR-HD
Environmental
Determination: Exempt

Description:

Review of Planned Signing Program to legalize 6 apartment flags within the public right-of-way on a property containing a 296-unit apartment complex.

Assistant Planner Rebecca Robbins reviewed the information in the staff report and responded to questions from the Commission regarding legalization of the current flags, the number of flags allowed, the permitted number of right-of-way flags, the setback requirements, and the timing requirements.

Commissioner Mensinger pointed out that this development uses a lot of trees and it would be impossible to comply with the setback requirements with the number of trees involved.

Fola Linebarger, representing Arnel Properties, asked that her request be approved. She pointed out that the sidewalk at the site is meandering and hinders view.

Commissioner Mensinger noted that he has worked with Ms. Linebarger and complimented her on the condition of the properties.

In response to Vice Chair Clark's question if this application is to retroactively approve the non-legal apartment flags, Ms. Linebarger replied that she was contacted by the City and has taken every step to legalize the flags and agreed there would be no more problems in the future.

Chris McEvoy, Costa Mesa, expressed concern regarding the banners and signs.

No one else wished to speak and the Chair closed the public hearing.

Commissioner McCarthy noted that he pulled this item due to it being a commercial product. He said he appreciated staff's clarification of this item and did not see any issue to deny this

request.

Commissioner Fitzpatrick mentioned bringing this item into compliance and asked staff to note the traditionally asked questions for Zoning Administrator approvals and to prepare a complete staff report for each application.

Commissioner Mensinger asked staff for a time frame on all banners, including an annual review for approval of banner sign programs with a 6-month/9-month/12-month time frame.

Ms. Robbins replied to Vice Chair Clark that the signing program runs with the property.

Vice Chair Clark agreed with Commissioner Mensinger concerning a time frame for the signing program. He proceeded to make a motion.

**MOTION: Uphold the Zoning Administrator's approval of Zoning Application ZA-10-07, by adoption of Planning Commission Resolution PC-10-5, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B".
Moved by Vice Chair Sam Clark, seconded by Commissioner Stephen Mensinger.**

During discussion on the motion, Commissioner Fitzpatrick inquired about a sunset clause and Deputy City Attorney Tom Duarte replied that on conditional use permits and minor conditional use permits the Planning Commission does not have the authority to put an ending period on the permit. He said the Code does not provide for it.

Vice Chair Clark commented that he understands not adding the time frame; appreciated staff's response; and made a few remarks regarding the 6-month Zoning track record. He said he did receive some negative public comments, but will uphold the Code.

Acting City Engineer Fariba Fazeli pointed out that since flag poles are in the public right-of-way, a Public Services' encroachment permit must be pulled and renewed each year.

The applicant agreed.

The Chair explained that the reason for signage (flags) is due to the meandering sidewalk and the large number of trees. He gave his support for the motion.

The motion carried by the following roll call vote:

Ayes: Chair James Righeimer, Vice Chair Sam Clark,
Commissioner Jim Fitzpatrick, Commissioner Colin
McCarthy, and Commissioner Stephen Mensinger

Noes: None.

Absent: None.

3. **Application No.: ZA-10-08**
Site Address: 655 Baker Street
Applicant: Fola Linebarger/Arnel
Properties
Zone: PDR-HD
Environmental
Determination: Exempt

Description:

Review of Planned Signing Program to legalize 7 apartment flags within the public right-of-way for a total of 13 apartment flags (9 permitted) on a property containing a 440-unit apartment complex.

Assistant Planner Rebecca Robbins reviewed the information in the staff report and responded to questions from the Commission regarding the number of existing flags, the proposed number of flags, and the permitted number of flags.

Fola Linebarger, representing Arnel Properties, gave no presentation.

Ms. Linebarger replied to Commissioner Fitzpatrick's question concerning the flags stating that the small flags are used on the weekends and are taken down.

No one else wished to speak and the Chair closed the public hearing.

MOTION: Uphold the Zoning Administrator’s approval of Zoning Application ZA-10-08 for a maximum of 9 flags, with no more than 7 in the public right-of-way, by adoption of Planning Commission Resolution PC-10-6, based on the evidence in the record and the findings contained in Exhibit “A”, subject to conditions in Exhibit “B”. Moved by Commissioner Stephen Mensinger, seconded by Vice Chair Sam Clark.

The motion carried by the following roll call vote:

Ayes: Chair James Righeimer, Vice Chair Sam Clark, Commissioner Jim Fitzpatrick, Commissioner Colin McCarthy, and Commissioner Stephen Mensinger

Noes: None.

Absent: None.

The Chair explained the appeal process for both zoning applications.

4. **Application No.: ZA-09-42**
Site Address: 820 W. 19th Street
Applicant: Shelly Leonard
Zone: C1
Environmental
Determination: Exempt

Description:

Review of Amendment to Zoning Application ZA-03-11 to allow an existing bar (Avalon) to upgrade an Alcoholic Beverage Control (ABC) license from Type 42 (on-sale beer and wine - public premises) to Type 48 (on-sale general - public premises), to extend the closing time to 2:00 a.m. daily, to legalize entertainment and dancing, and to legalize an outdoor patio enclosure in front of the building.

Associate Planner Wendy Shih reviewed the information in the staff report and responded to questions from the Commission regarding the minor amendment to the conditional use permit, legalizing the closing time to 2:00 a.m., and the applicant’s non-compliance.

Regarding ex parte communications, the Chair and Vice Chair Clark said they spoke with the applicant. Commissioner Fitzpatrick noted that he spoke to the applicant and other businesses nearby.

Shelly Leonard, applicant, read a letter, and noted that there have been no Police actions against the establishment. She mentioned the improvements made to the site and the positive element this business is on the Westside, with no attraction by the homeless. Ms. Leonard said that with five bars in the immediate area, her business cannot compete without the amendment.

In response to Vice Chair Clark's questions, Ms. Leonard explained the lounge-style atmosphere of the business; commented there is no direct access to residential homes; mentioned the certificated security guard's monitoring of the site; and noted their noncompliance with the closing time. She also noted she has had this business for three years and desires to expand the business, dependent on tonight's outcome.

Ms. Leonard explained she has spoken to the nearby residents and believes her business is not the source of the noise. She also said the business has an outdoor patio enclosure built for patrons to smoke.

Gregg Ridge, Costa Mesa, spoke in support of the project and said the liquor license will not negatively affect the area.

Bryan Burnett, Costa Mesa, commented that he likes the Avalon Bar and the Westside is much improved because of it. He said the amendment should be granted.

Mary Fewel, Costa Mesa, said she lives in the adjacent neighborhood and is supportive of the application. She also asked the Planning Commission to look into making the end of Federal Avenue a cul-de-sac and commented on motorists racing their vehicles, parking concerns, and loud noises.

Jordan Martinez, Costa Mesa, said he lives on the corner of Federal Avenue and opposes the application. He expressed

concern regarding the loud music; the business' proximity to his residence; patrons leaving messes on his street; limited parking spaces for the establishment; and loud fighting at night affecting his neighborhood.

Chris McEvoy, Costa Mesa, stated the patrons at this bar tend to be low-key and said he was not sure where the noise is coming from that is affecting Mr. Martinez. He asked why the Police Department has not come out in response to Mr. Martinez' concerns.

Steve Monroe, Costa Mesa, noted that he was in favor of the application and said this was in the best interest of the Westside and the City.

Michelle Martinez, Costa Mesa, commented that her children's bedrooms back up to the alleyway, and a later closing time would extend the crowd noise and vomiting, and everything else. She noted that she has improved her residence and the area only for others to mess on. She also commented that the back door of the business stays open during the playing of live music creating a lot of noise.

Jeff Chapman, Costa Mesa, gave his support for this application.

Patrick Irvin, employee of Avalon Bar, commented that the Evolcal establishment is no longer there, and said he believes the Garibaldi de Noche Bar could be causing most of the problems.

Mark Lock, Santa Ana, supported the application and said it would benefit the applicant and her children.

Michelle Martinez returned to the podium and stated the previous speakers do not live next to the bar like she does. She specifically stated the patrons are coming from Avalon Bar.

Bryan Burnett returned to the podium and mentioned he has not seen waste from the patrons of Avalon Bar.

Gabe (no last name given) said he used to live in the area and noted that Avalon Bar literally modified the whole corner area and gave his support for the project.

No one else wished to speak and the Chair closed the public hearing.

Commissioner Fitzpatrick discussed with Ms. Shih concerning all the required parking and that it was available. He asked staff to look into the parking onsite and to confirm this. Commissioner Fitzpatrick also asked staff to contact the Police Department to look into residents' complaints.

Commissioner McCarthy noted that he does not think Avalon Bar is causing the neighbors' complaints and gave his support for the project.

Vice Chair Clark commented on the neighbors' complaints and asked staff to monitor the business' compliance with Condition Nos. 11 (parking) and 16 (quiet enjoyment). He asked the applicant to get in contact with John Hanour with the Shark Club and said the applicant needs to be pro-active with the patrons. Vice Chair Clark proceeded to make a motion.

MOTION: Uphold the Zoning Administrator's approval of Zoning Application ZA-09-42, by adoption of Planning Commission Resolution PC-10-7, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B".

Moved by Vice Chair Sam Clark, seconded by Commissioner Colin McCarthy.

During discussion on the motion, Commissioner Mensinger empathized with the Martinez' and asked to see more detailed photos of the immediate area. The Chair and Commissioner Mensinger discussed the sidewalk, and the alley behind the bar. Commissioner Mensinger said the application is consistent with the General Plan and 19 West Urban Plan and recommended that the owner mitigate the sound in relation to the back door of the business. He also asked the owner to speak with the Martinez' regarding their concerns.

Commissioner McCarthy asked staff to follow up with the Martinez' to address their issues as well as the other neighbors on Federal Avenue.

The Chair noted that the problems affecting Federal Avenue residents need to be resolved and spoke of meeting Mrs. Leonard's husband before he died and his vision for 19th Street. The Chair said he supports the motion.

The motion carried by the following roll call vote:

Ayes: Chair James Righeimer, Vice Chair Sam Clark,
Commissioner Jim Fitzpatrick, Commissioner Colin
McCarthy, and Commissioner Stephen Mensinger

Noes: None.

Absent: None.

5. **Application No.: PA-10-01**
Site Address: 3036 Enterprise Street
Applicant: Cameron Ruley
Zone: MG
Environmental
Determination: Exempt

Description:

Variance to legalize a steel openwork screen/canopy structure that encroaches into the required street setback (10 ft. required; 3.5 ft. existing).

Associate Planner Wendy Shih reviewed the information in the staff report and responded to questions from the Commission regarding Pg. 14 of the staff report relating to the illegal facade, and the required setback.

The Chair confirmed with the Commissioners that there were no ex parte communications.

Cameron Ruley, applicant, and Ted Purcell, representing the property owner Blake Brett Properties, LLC, said they reviewed the staff report. Mr. Purcell commented that a parting of the ways between the contractor and the owner took place and could have resulted in the structure not being legalized. Mr.

Ruley confirmed that no one is opposed to this structure and there have been no complaints. Mr. Purcell complimented staff.

No one else wished to speak and the Chair closed the public hearing.

MOTION: Approve Planning Application PA-10-01, by adoption of Planning Commission Resolution PC-10-8, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B".

Moved by Commissioner Stephen Mensinger, seconded by Vice Chair Sam Clark.

During discussion on the motion, Vice Chair Clark commented that he liked the architecture of the facade. He supported the motion.

The Chair also said he liked the look of the facade and supported the motion.

The motion carried by the following roll call vote:

Ayes: Chair James Righeimer, Vice Chair Sam Clark, Commissioner Jim Fitzpatrick, Commissioner Colin McCarthy, and Commissioner Stephen Mensinger

Noes: None.

Absent: None.

The Chair explained the appeal process.

The Chair called a recess at 8:09 p.m. and resumed the meeting at 8:16 p.m.

VIII. NEW BUSINESS

1. Code Enforcement Priorities

Senior Planner Mel Lee reviewed the information in the staff report and responded to a question from the Commission regarding the earliest Joint Commission/Council Study Session date.

The Chair and Vice Chair Clark spoke about Discussion Item No. 4 to amend Title 13 relating to banner signs and special events, such as a grand opening event. Deputy City Attorney Tom Duarte noted that you can provide clarification relating to the banner signs, but you cannot regulate sign copy.

Commissioner McCarthy commented on communicating to the City Council for their consideration on Council policy relating to banner signs and certain offenses, such as commercial vehicles in residential driveways.

Commissioner Fitzpatrick and Commissioner Mensinger narrated a PowerPoint presentation highlighting their concerns. Commissioner Fitzpatrick commented on the recommended discussion items to be brought forward to the City Council.

Commissioner Mensinger explained in detail his concerns with Title 20 and stated that Title 20 is the CC&R's for a community. He mentioned the obligation to neighbors and the economic interests in our homes. He said the issue is enforcement and moving to mandatory compliance. Commissioner Mensinger commented on automatic fines with the ability to correct the violation at no cost, like a fix-it ticket. He also said that Code Enforcement needs to report to the Assistant City Manager. He referred to the pictures on the overhead screen, the repeat violations, the number of Code Enforcement officers, and no resources.

Commissioner Fitzpatrick requested that the current Title 20 brochure be updated and available as a handout and on-line. He commented on preparation of a document to promote private assistance, and neighborhood groups working with neighbors to achieve the desired outcome. In addition, Commissioner Fitzpatrick noted the Discussion Item No. 1 pertaining to fines and asked about fix-it opportunities.

Acting Planning Commission Secretary Khanh Nguyen explained the enforcement process.

Commissioner Fitzpatrick and Mr. Nguyen discussed fix-it

tickets, inoperative vehicles, car covers, and inoperative vehicle language.

Mr. Nguyen replied to Commissioner Mensinger concerning purchasing technology to record violations and said a Request for Proposals shows the pricing of \$120,000 for the software and laptops with an annual maintenance fee of \$24,000. Commissioner Mensinger made a comment concerning Code Enforcement's annual budget.

Commissioner Fitzpatrick requested that staff make fact-based recommendations to Council using the provided pictures.

Howard Hall, Costa Mesa, inquired of Code Enforcement Officer duties and said there should be a proper plan and staff needs to know their duties.

Chris McEvoy, Cost Mesa, expressed concern about the City making more rules and more regulations and noted the present economy.

Beth Refakes, Costa Mesa, said the violations as shown in the pictures should have been dealt with, but in the current economic conditions the fines should not be increased. She also disagreed with having Code Enforcement report to the Assistant City Manager.

Gregg Ridge, Costa Mesa, expressed concern regarding the drop in housing prices, hoarding issues, repeat violation offenders, and noted the City needs more Neighbors for Neighbors events. He thanked the Planning Commission for their efforts.

Jeff Chapman, Costa Mesa, voiced his concern that the street sweepers are sweeping both sides of the street on the same day and forcing residents to park on their lawns and said this is impacting the neighborhood. He asked Commissioner Fitzpatrick about a fence issue.

A discussion ensued between Commissioner Fitzpatrick and Mr. Chapman regarding a neighborhood map, inoperable vehicle language, and pages from the Code Enforcement

Priorities staff report prepared for the March 8 Commission meeting.

The Chair pointed out that the Planning Commission is making recommendations to City Council to give staff time to better refine the items.

A discussion ensued between the Chair, Commissioner Mensinger, Chief of Code Enforcement Willa Bouwens-Killeen, and Mr. Chapman. Mr. Chapman was asked to call Code Enforcement regarding his concerns.

Vice Chair Clark asked Ms. Bouwens-Killeen to check if street sweeping is performed on both sides of the street on the same day and to address that with Mr. Chapman. He also suggested that one member of the Planning Commission should attend the Council meeting regarding these recommendations and the use of CDBG funds relating to a specific area.

The Chair referenced Page Two of the staff report and the four items listed for proceeding to Council and the addition of one item recommending that City Council move Code Enforcement to report to the Assistant City Manager.

Vice Chair Clark commented on providing staff more time for the careful wording of the recommendations.

Commissioner Fitzpatrick commented on report updates and tracking of calls. Commissioner Mensinger asked the status of the violation pictures and Ms. Bouwens-Killeen replied that she is still working on this request and there is a considerable amount of information. She said she expects the memo to be ready next week.

Commissioner Mensinger stated for the record that the City is enforcing current ordinances. He commented on maintaining property values, and said inoperative vehicles are not cars being restored. He also said the best practices have Code Enforcement reporting to the Assistant City Manager.

The Chair said the Planning Commission gives direction to

staff to go to the City Council with five items.

2. Proposed Motel Conversion to SRO/FRO Units at Coast Motel, 2278 Newport Boulevard.

Senior Planner Mino Ashabi reviewed the information in the staff report.

Mr. Donaldson, property owner, said he has 11 units with a couch and bed, and there is a 28-day rental cap. In response to the Chair's question if the rates are below market or low-income rental rates, Mr. Donaldson replied that they are 10% below the market rate.

In response to Commissioner Mensinger's question about the rents, Mr. Donaldson replied the rent is \$265 a week for one person and \$280 a week for two people.

The Chair and Commissioner Mensinger discussed the number of motels and the affordability factor.

Commissioner Fitzpatrick and Mr. Donaldson discussed the front office and parking.

The Chair, Vice Chair Clark, Commissioner Mensinger, and Ms. Ashabi discussed occupant limits, Single Room Occupancy (SRO) and Family Room Occupancy (FRO) units, FRO restrictions, and City Council Policy guidelines. There was a discussion on the rental rates and that it is based on the County's median income.

Commissioner Mensinger asked if the units exceed the market place and Mr. Donaldson replied the rents are below 10-20%.

Vice Chair Clark discussed conditioning SRO, looking at the long-term situation, and if ownership changes. Ms. Ashabi noted that an FRO could accommodate a small family, and the Vice Chair stated that if given the restriction of two people, he would not be in favor of a FRO.

Commissioner Fitzpatrick mentioned there are three successful SRO's in Costa Mesa and commented on best practices.

The Chair asked staff to e-mail the Commissioners and Deputy City Attorney Tom Duarte the addresses of the three SRO locations. Ms. Ashabi noted the address of 2080 Newport Boulevard. Mr. Donaldson added that the upside of these 11 units is the apartment-style living, and the downside is the nearby Napa Valley Pizza business.

The Chair stated the need for the number of occupants to be controlled.

IX. REPORT OF THE DEVELOPMENT SERVICES DEPARTMENT.

None.

X. REPORT OF THE CITY ATTORNEY'S OFFICE.

None.

XI. ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON MONDAY, MAY 10, 2010.

There being no further business, Chairman Righeimer adjourned the meeting at 9:40 p.m. to the next Planning Commission meeting at 6:00 p.m. on May 10, 2010.

Submitted by: _____
KHANH NGUYEN, ACTING SECRETARY
COSTA MESA PLANNING COMMISSION