

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION
December 14, 2009**

The Planning Commission of the City of Costa Mesa, California, met in regular session at 6:00 p.m., December 14, 2009, 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 McCarthy 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 Plng. Commission Secretary Khanh Nguyen
Deputy City Attorney Tom Duarte
City Engineer Ernesto Munoz
Maintenance Services Manager Bruce Hartley
Planning Administrator Claire Flynn
Senior Planner Mel Lee
Senior Planner Minoo Ashabi
Associate Planner Wendy Shih

III. PUBLIC COMMENTS:

James Fisler, Costa Mesa, provided Mesa Consolidated Water District (MCWD) calendars for the Commissioners; explained about the first storm the City had; and encouraged everyone to conserve water and go to MCWD's website for information.

Chris McEvoy, Costa Mesa, commented on the last Planning Commission meeting and the missed business opportunity relating to the address at 251 Avocado Street.

Leonard Filner, landscape architect, offered his services relating to the ordinance.

The Chair noted that the City is not looking for consultants, but will contact him, again, in the future.

IV. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Mensinger wished everyone happy holidays and a merry Christmas. He announced the Mesa Verde Classic on January 18, 2010 with 100% of the proceeds going to youth sports and referred the public to the costamesaunited.com website. He also commented on MCWD's proposed water rate increase to be decided at their meeting of December 22.

Vice Chair Clark wished everyone a merry Christmas and a happy New Year.

Commissioner McCarthy wished the same sentiment for all faiths. He announced the upcoming MCWD meeting and the increase in fees to be decided. He commented on the City of Aliso Viejo spending a lot of money to attract business and suggested that Costa Mesa be more aggressive.

Commissioner Fitzpatrick thanked Mr. Fisler; stated he had finished the Build It Green and Advanced Green Building training; and thanked Mr. Nguyen for the opportunity. He announced OC Green Drinks and Green opportunities this Wednesday, December 16; and invited the Chamber of Commerce to the Planning Commission's Study Session in January 2010 (January 25).

The Chair wished everyone happy Hanukkah and a merry Christmas. He noted there has been a slump in the economy, and private property rights need to be respected. He also introduced Ed Fawcett in the audience as the Chairman of Costa Mesa's Chamber of Commerce.

V. CONSENT CALENDAR:

1. Minutes for the meeting of November 9, 2009.

The Chair said he was pulling Item Nos. 2 and 3 for discussion and asked for movement of Consent Calendar Item No. 1.

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.

2. General Plan Conformity Resolution: City of Costa Mesa's purchase, acquisition, and use of a 150-acre property located at 88 Fair Drive, the Orange County Fair and Event Center.

The Chair recused himself from participating in the discussion of Item Nos. 2 and 3 due to his previous writings in his column in the Daily Pilot. He asked Vice Chair Clark to take over in his absence. The Chair left the dais.

Vice Chair Clark asked that Item No. 2 be discussed.

Planning Administrator Claire Flynn reviewed the report.

Chris McEvoy, Costa Mesa, asked about City Council's input.

MOTION: Adopt Planning Commission Resolution PC-09-42 finding that the City of Costa's purchase, acquisition, and use of the Orange County Fair and Event Center property is in conformance with the City of Costa Mesa 2000 General Plan.

Moved by Commissioner Colin McCarthy, seconded by Commissioner Stephen Mensinger.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

Recuse: Chair James Righeimer

3. **General Plan Conformity Resolution: County of Orange's purchase, acquisition, and use of a 150-acre property located at 88 Fair Drive, the Orange County Fair and Event Center.**

MOTION: Adopt Planning Commission Resolution PC-09-43 finding that the County of Orange's purchase, acquisition, and use of the Orange County Fair and Event Center property is in conformance with the City of Costa Mesa 2000 General Plan.

Moved by Commissioner Colin McCarthy, seconded by Commissioner Stephen Mensinger.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

Recuse: Chair James Righeimer

The Chair returned to the dais.

VI. PUBLIC HEARINGS:

1. **Application No.: PA-09-15**
Site Address: 1640 Monrovia Avenue
Applicant: Rob Eres
Zone: MG/Mixed-Use Overlay
Environmental
Determination: Exempt

Description:

From the meeting of November 9, 2009, Master Plan Amendment to previously-approved mixed-use

development (PA-07-20). A four-story, 146-unit Assisted Living Senior Facility is proposed to replace an unbuilt entitlement for a 151-unit residential condominium development. Room mix includes studios to 2-bedroom apartments. The facility will be provide 119 parking spaces and include amenities such as a pool area, fitness center, congregate dining hall, and activity rooms. All other components of the original Master Plan are unchanged.

The Chair confirmed with Deputy City Attorney Tom Duarte that there would be no vote on this item and it would be brought back in January or February.

2. **Application No.: CO-09-14**
Site Address: Citywide
Applicant: City of Costa Mesa
Environmental
Determination: Exempt

Description:

An ordinance of the City Council of Costa Mesa, California adopting Zoning Code Amendment CO-09-14 to amend Title 13, Chapter VII, of the Costa Mesa Municipal Code regarding water efficiency in landscape standards consistent with the State Model Ordinance and consideration of the adoption of new water efficient landscape guidelines.

Senior Planner Mino Ashabi reviewed the information in the staff report and Maintenance Services Manager Bruce Hartley responded to a question from the Commission regarding the increments to analyze costs and said the ordinance applies to businesses and the fees are integrated into the certification process resulting in no great added costs.

Ms. Ashabi responded to questions from the Commission regarding thresholds, the mechanism process for completion with the City, and occupancy.

The Chair commented that staff needs the mechanism process and asked staff to provide that information to the Planning Commission.

James Fislser, Costa Mesa, commented that the public needs to conserve the use of water outside their homes and agreed that the proposed rate increase needs to be lower.

The Chair noted MCWD's proposed five-year rate increase and commented on the exterior usage of water.

In response to Commissioner Mensinger's question as to who are the biggest water users, Mr. Fislser replied the school district, Fairview Development Center, Los Angeles Times, and the Automobile Club.

The Chair closed the public hearing.

MOTION: Recommend that City Council adopt guidelines and introduce and give first reading of the ordinance. Moved by Vice Chair Sam Clark, seconded by Commissioner Colin McCarthy.

During discussion on the motion, Commissioner McCarthy noted his support for the motion.

Commissioner Fitzpatrick commented on local implementation with everyone working together to educate the public regarding water efficiency and eliminating runoff. He also said MCWD performed a water audit at his home resulting in a \$30 to \$40 savings per month.

The Chair 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.

3. **Application No.: CO-09-16**
Site Address: Citywide
Applicant: City of Costa Mesa
Environmental

Determination: Exempt

Description:

An ordinance of the City Council of Costa Mesa, California adopting Zoning Code Amendment CO-09-16 to amend Title 13, Chapter XIII, of the Costa Mesa Municipal Code to modify the days and hours in which construction activity is exempt from the City's noise regulations and to establish a procedure to seek relief from the proposed restrictions.

Associate Planner Wendy Shih reviewed the information in the staff report, and there were no questions of staff.

Chris McEvoy, Costa Mesa, wanted to confirm that there is no construction on Sundays unless the City grants a waiver. Ms. Shih agreed and stated this relates to any type of construction that generates noise disturbances, whether or not a permit is required.

A discussion ensued between the Chair and Planning Administrator Claire Flynn regarding noise generating activities, waivers, building a block wall, and noise standards.

Commissioner McCarthy and Ms. Shih discussed the existing Code, required permits, and the appropriate verbiage in the proposed ordinance.

Commissioner McCarthy pointed out that the proposed amendment is not what he had envisioned.

The Chair closed the public hearing.

Commissioner Mensinger and Ms. Flynn discussed Commissioner McCarthy's intent regarding this amendment, violation of the noise ordinance, and adding verbiage to prohibit construction on Sundays for building permitted activities.

Vice Chair Clark and Commissioner McCarthy discussed permitted work versus non-permitted work and Commissioner McCarthy voiced his opposition to the proposed amendment.

Commissioner McCarthy and Acting Planning Commission Secretary Khanh Nguyen discussed required permits, noise, Code enforcement, and emergency permits.

MOTION: Continue to the Planning Commission meeting of January 11, 2010 with direction to staff to include analysis on permitted versus non-permitted work. Moved by Commissioner Colin McCarthy, seconded by Commissioner Stephen Mensinger.

The motion carried by the following roll call vote:

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

Noes: Commissioner Jim Fitzpatrick

Absent: None.

4. **Application No.: ZA-09-38**
Site Address: 241 East 17th Street
Applicant: Casey Caston/Goodwill of Orange County
Zone: C1-S
Environmental
Determination: Exempt

Description:

Review of Zoning Administrator's approval of a minor conditional use permit for an attended donation center (trailer) for Goodwill of Orange County in the parking lot behind Staples.

Associate Planner Wendy Shih reviewed the information in the staff report and responded to questions from the Commission regarding the location of the Goodwill of Orange County donation collection trailer on the Hi-Time Wine Cellars' property, the number of Goodwill donation collection trailers in Costa Mesa, and alternative site locations.

The Chair asked staff about the fence located next to the 10 parking spaces on another portion of the lot.

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

Casey Caston of Goodwill of Orange County, applicant, representing the property owner, noted that last week he talked to all the tenants. He pointed out that an attendant will be watching the back parking lot; and nightly cleanup will be provided maintaining the entire lot. He also said signs will be posted regarding illegal drop-offs. Mr. Caston mentioned the Goodwill of Orange County's 85-year history, including their 13 sites in Orange County and their 13 store locations. He noted their 12 years at the Hi-Time Wine Cellars site without any incidents. He pointed out that the donation collection trailers provide jobs and serve the community and commented on landfill diversion.

Commissioner Mensinger discussed with Mr. Caston the location of the Goodwill donation collection trailers in Orange County and asked why a second location is needed in Costa Mesa. Mr. Caston explained that this second location is proposed due to the high population in Costa Mesa. They continued to discuss the 19th Street location and the strategy for site locations.

Vice Chair Clark explained that he brought this item up for review because of the number of negative comments received.

Commissioner McCarthy and Mr. Caston discussed the negative comments received; moving the donation collection trailer closer to Westminster Avenue; and the weekly replacement of the donation collection trailer.

Commissioner Fitzpatrick and Mr. Caston discussed where this donation collection trailer would draw from; alternate locations; homeless concerns, and revisiting this request.

Randy Taylor of Goodwill of Orange County provided the Chair with the location of the donation collection trailer when it was on the Hi-Time Wine Cellars site and Mr. Caston noted the lease is from Burnham USA. They discussed the need for an additional location because the 19th Street location is largely impacted.

Paul Burnett, Surfside Sports, expressed concern regarding the trash, the parking situation with the back lot being very full, and asked that the donation collection trailer be moved closer to Westminster Avenue. He provided some pictures for the Commission.

In response to Commissioner Fitzpatrick's question if he would agree to extend the review of the conditions to six months, Mr. Burnett agreed.

Martin Millard, Costa Mesa, expressed concern that bringing in this donation collection trailer would hurt the other businesses and recommended the trailer be placed in Newport Beach.

Susan Strong, Property Manager for several tenants in the center, DMP Properties, said she believes the donation collection trailer does not belong there. She expressed concern with the dumping of items on the property; the cleanup related to the homeless; and her frequent calls to Code Enforcement Officer Mitt Seely regarding these concerns.

Mr. Taylor said there is a potential for dump sites with or without the donation collection trailer. Mr. Caston said that with the proposed trailer, free cleanup services would be included.

Commissioner McCarthy and Ms. Shih discussed the notification process relating to this item to nearby property owners and the potential of the trailer being moved closer to Westminster Avenue.

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

Commissioner Fitzpatrick, Commissioner Mensinger, and Ms. Shih discussed if there were any previous Code Enforcement issues with the trailer at the Hi-Time Wine Cellars site (and there were none) and notification to residents in the nearby apartments.

Vice Chair Clark expressed his extreme concern regarding the

proposed location of the donation collection trailer being near a residential area.

MOTION: Reverse the Zoning Administrator's decision and denied Zoning Application ZA-09-38, by adoption of Planning Commission Resolution PC-09-44, based on the evidence in the record and the denial findings contained in Exhibit "A".

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

During discussion on the motion, Vice Chair Clark noted the proximity to a residential area, the overnight traffic, and said other locations are more advantageous.

Commissioner Fitzpatrick commented that this would be an asset to the Eastside and offered a substitute motion.

MOTION: Request staff to work with applicant to bring back an alternate location and to include review after six months.

Moved by Commissioner Jim Fitzpatrick. The motion died for lack of a second.

Commissioner Mensinger made some comments regarding where the Commission puts uses and noted 19th Street's location is fine. He suggested the applicant look in Newport Beach.

The Chair expressed concern with the highly impacted parking lot and said the parking issue would be his reason for supporting the motion.

Vice Chair Clark said he could not see a place in this shopping center that he could support for this trailer.

Ms. Shih asked the maker of the motion and the seconder to add Exhibit "A" on handwritten Page 11 into the motion. Vice Chair Clark and Commissioner McCarthy agreed.

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.

5. **Application No.:** PA-09-16
Site Address: 3011 Harbor Boulevard
Applicant: Christopher Perrin
Zone: C1
Environmental
Determination: Exempt

Description:
Conditional use permit for the establishment of a tattoo shop in Suite B.

Associate Planner Wendy Shih reviewed the information in the staff report and responded to questions from the Commission regarding the outdoor seating area, location of the site, number of other tattoo parlors in the immediate area, and the parking.

Christopher Perrin, applicant, stated he has been a professional tattoo artist since 1996 and would like to set up his own business.

In response to the Chair's question regarding signage, Mr. Perrin said the sign will be a non-exposed neon sign. He also said his business will be a positive influence for the youth, and his tattoo artwork will be by appointment only.

Mr. Perrin added that his tattoo shop will be welcoming and inviting.

Mr. Perrin explained that he is not into drugs or alcohol and stated tattoo conventions and networking may seem ill-conceived. He noted regarding the number of tattoo stations that he might have an additional tattoo artist that is professional and positive, but he is not looking for one right now.

Martin Millard, Costa Mesa, supported the tattoo shop and said

tattooing is art, and this is the City of the Arts. He also said this establishment should be good for the retail center.

Chris McEvoy, Costa Mesa, also supported the tattoo shop and said it would bring in business for the neighboring restaurants. He noted this is a wonderful business and it does not impact parking.

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

Commissioner McCarthy gave his support for the project, as long as the applicant agrees to remove the seating outside.

Vice Chair Clark made a comment regarding the City of the Arts and proceeded to make a motion.

MOTION: Approve Planning Application PA-09-16, by adoption of Planning Commission Resolution PC-09-45, 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 noted his concerns with the clientele and the schools being located across the street. He said he would not be supporting this project.

Commissioner McCarthy commented that this is truly an art and views this project as an artistic one. He said this fits a niche and gave his support for the project.

The Chair said he has a real aversion to tattoo shops, but supports private property owner rights and will support this project.

The motion carried by the following roll call vote:

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

Noes: Commissioner Stephen Mensinger
Absent: None.

The Chair explained the appeal process.

6. **Application No.: PA-09-17**
Site Address: 629 Terminal Way,
Unit 13
Applicant: Massimo DiMarco
Zone: MG
Environmental
Determination: Exempt

Description:

Conditional use permit to allow a motor vehicle (scooter) repair shop (Massimo's Vespa Shop) within 200 feet of residentially zoned properties.

Senior Planner Mel Lee reviewed the information in the staff report, and there were no questions of staff.

Regarding ex parte communications, Commissioner Fitzpatrick said he spoke with the applicant.

Massimo DiMarco, applicant, was present. He made no presentation.

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

Commissioner Mensinger stated he was glad the applicant met with Ed Fawcett of the Costa Mesa Chamber of Commerce.

In response to the Chair's question if the applicant read and agreed to the Conditions of Approval, Mr. DiMarco agreed.

The Chair closed the public hearing again.

MOTION: Approve Planning Application PA-09-17, by adoption of Planning Commission Resolution PC-09-46, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit

“B”.

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

Commissioner Fitzpatrick thanked the applicant for their second location in Costa Mesa and recognized the Costa Mesa Chamber of Commerce for providing such a great resource for businesses.

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.

VII. NEW BUSINESS

1. Mesa Green Awards

Senior Planner Mel Lee reviewed the information in the staff report and noted that Commissioner McCarthy brought forward this item to address green projects and to obtain feedback.

Vice Chair Clark mentioned he was glad this was brought forward and encouraged a Chair's award from the Planning Commission.

Commissioner McCarthy commented that he did not want to create more staff work, but this would be a Chairman's award on an ad hoc basis and would include printing a certificate and taking a picture with the Planning Commission.

Mr. Lee pointed out there is no approval by City Council.

The Chair and Commissioner Fitzpatrick discussed adding a category for green and possibly in the January Study Session considering recognizing green efforts. The Chair said he supports the recommendation for a special award and tying it into the existing program, annually.

2. Fee Waiver Programs

Senior Planner Mel Lee reviewed the information in the staff report and noted this item was suggested by the Planning Commission. He stated that he obtained a copy of the most recent Building Industry Impact Fee Deferral Programs, including the four options.

Commissioner McCarthy said this will spur good development in the City.

Mr. Lee noted that if a fee waiver request was received, it went to the City Council. He recalled that one developer requested a Planning Processing Fee waiver last year.

The Chair and Mr. Lee discussed the Master Plan Fees and Impact Fees, and following the rest of the cities relating to Parkland and Drainage Impact Fees.

Commissioner McCarthy commented that there should be a deferral of Impact Fees to promote good development, and be approved by the City Council.

Commissioner Mensinger pointed out that developers choose areas to develop based on markets and the ability to defer costs.

Vice Chair Clark commented that deferring fees is a great idea and the Certificate of Occupancy Fee has no meaning until the units are sold. He also said User Fees are cost recovery dollars we collect up front.

The Chair stated that he notes a consensus for Option A: One Year Impact Fee Deferral Program. The remaining Commissioners did not disagree.

City Engineer Ernesto Munoz cautioned the Commission regarding Drainage Impact Fees, and stated that the fees are collected at the time that it is provided by the Subdivision Map Act. He said the reason why these fees are collected prior to approval of the map is to preclude the possibility of

someone subdividing a piece of land and subsequently selling the parcels without meeting the development conditions. Once the map is approved, the land is subdivided and the developer can sell the subdivided lots without executing any of the improvements on those parcels. The new owners will be saddled with the responsibility of making those improvements upon requesting permits from the City to build on the lots. Once the map is approved and recorded, the City has limited recourse to go after the developer to pay for any fees. He also said that many developments cannot move forward without utilities, of which drainage facilities are one. Mr. Munoz pointed out that he assumes the City Attorney's Office will be looking into this request.

A discussion ensued among the Commissioners regarding Drainage Impact Fees and buying property, payment prior to the tract map, and the listing of fees. The Chair noted that legal council is needed.

Mr. Munoz stated that in his 30 years of experience, he has seen developers actually walk away from properties, sell the maps or sell the properties, and the new developer expects the agency to come up with those improvements. This can result in a lawsuit.

The Chair asked staff to research what other cities are doing in reference to the drainage impact fee issue.

The Chair and Mr. Lee discussed getting direction from the City Council.

VIII. REPORT OF THE DEVELOPMENT SERVICES DEPARTMENT.

None.

IX. REPORT OF THE CITY ATTORNEY'S OFFICE.

None.

X. REPORT OF THE PUBLIC SERVICES DEPARTMENT.

1. Parks and Parkways Presentation

Maintenance Services Manager Bruce Hartley introduced himself and gave an overview of the Tree Program. He said their guide is the Streetscape and Median Development Standards, and tree removals are the sole responsibility of the Parks and Recreation Commission.

Mr. Hartley provided a Power-Point presentation.

Mr. Hartley explained about Palm Trimming. He stated there are 16 species, and 90% of the trimming has been accomplished this year. He pointed out that the City Council adopted every other year trimming (\$60,000 cut from budget) and said the City is divided into 30 districts with a three to four-year cycle. He also said 2,000 trees have been trimmed through October.

Mr. Hartley discussed Tree Planting and Removal. He said there is a 3-1 replacement (applicant pays) and \$25,000 was cut from the budget. He noted there were 200-400 trees a year planted before the budget cuts. He pointed out that there are more removals than tree plantings with 34 trees removed this year. He also said there is no replanting of problem trees.

Mr. Hartley continued on regarding tree roots versus sewer and said that if there are tree roots in the sewer, it is a sewer line issue and the tree will be removed at the City's expense, but the tree will not be replaced. The Chair, Vice Chair Clark, and Commissioner Mensinger discussed replanting trees, linear root barriers, Municipal Code requirements, and preserving trees.

Mr. Hartley discussed Root Pruning and Barriers, noting bio root barriers as a new option to preserve infrastructure.

Mr. Hartley spoke about Young Tree Care stating that the first two to three years the trees are establishing structure, and water trucks are used to water the trees.

There was a discussion on Paularino Park, irrigated turf, Fairview Park, oak trees, and slow-growing canopy trees. Mr. Hartley noted there is an approved plant palette and trees are

chosen from that palette. He also noted that 1,000 trees were watered this past summer.

Mr. Hartley reviewed the Cost Recovery Program mentioning that \$4,000 - 8,000 is billed to recover the value of a tree if a motorist hits a tree.

Mr. Hartley spoke about the Tree Inventory noting that approximately 22,000 trees have been planted and he estimates \$100 a tree. He said that regarding the 7-year Capital Improvement Program, \$70,000 to \$80,000 has been cut from the budget.

In response to the Chair's comments that there are no trees, Mr. Hartley replied that there are a lot of factors involved, including the rate of tree removals and that he was instructed to give the Commission an overview.

Mr. Hartley referenced the GIS Application, mentioning the Maintenance Services Division web page.

In addition, Mr. Hartley reviewed the Operational Budget, stating that the Division budget is \$15 million. He noted that his Division is down 7-10 positions and has now approximately 60 employees. Mr. Hartley added that emergency funds were cut and 250 tree plantings were eliminated.

Mr. Hartley explained that trees are donated with a memorial plaque. He also mentioned Relief Costa Mesa.

Commissioner Fitzpatrick thanked Mr. Hartley for the report and said he sees trees as a solution to blight, and as a land use concern. He noted there should be more trees lobbied for in the upcoming budget.

Mr. Hartley stated that the Planning Commission has control with their Planning requests to enhance properties with trees in new projects. He said there is a funding issue with the Public Services Department.

Commissioner Fitzpatrick and Mr. Hartley discussed AQMD grants and the City staff that write the grant applications:

Robert Staples, Baltazar Mejia, and the Grant Administrator Linda Jenkins.

The Chair and Mr. Hartley discussed the 7-year Capital Improvement Program, the species of trees for planting on Broadway, and \$35-\$40 stake trees. Mr. Hartley noted Arbor Day with the planting of 100 trees with available staffing. He also noted volunteer labor is needed. There was a discussion concerning meeting on an annual basis with both the Planning Commission and the Parks and Recreation Commission in a study session.

Commissioner Mensinger thanked Mr. Hartley and staff for the report and stated that the City is responsible for providing good roads and infrastructure, and the City needs to continue to improve in those areas.

The Chair thanked Mr. Hartley for the report.

XI. ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON JANUARY 11, 2010.

There being no further business, Chairman Righeimer adjourned the meeting at 9:48 p.m. to the Planning Commission meeting at 6:00 p.m. on January 11, 2010.

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