

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF COSTA MESA

FEBRUARY 2, 2004

The City Council of the City of Costa Mesa, California, met in regular session February 2, 2004, at 6:30 p.m., in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa. The meeting was called to order by the Mayor, followed by the Pledge of Allegiance to the Flag led by Mayor Monahan, and invocation by Pastor Dave Manne, Calvary Chapel of Costa Mesa.

ROLL CALL

Council Members Present: Mayor Gary Monahan  
Mayor Pro Tem Allan Mansoor  
Council Member Libby Cowan  
Council Member Chris Steel  
Council Member Mike Scheafer

Council Members Absent: None

Officials Present: City Manager Allan Roeder  
Acting City Attorney Tom Wood  
Development Services Director  
Donald Lamm  
Public Services Director William  
Morris  
Planning and Redevelopment  
Manager Mike Robinson  
Personnel Manager Howard  
Perkins  
Deputy City Clerk Julie Folcik

ORDINANCES AND  
RESOLUTIONS

A motion was made by Council Member Cowan, seconded by Council Member Steel, and carried 5-0, to read all ordinances and resolutions by title only.

PRESENTATION  
Employee of the Month

Mayor Monahan congratulated Police Department Sergeant Clay Epperson on being named Employee of the Month for January, 2004, in recognition of his professionalism and compassion for the citizens of Costa Mesa. He commended Sergeant Epperson for handling a neighborhood mediation by arriving at a successful conclusion to a conflict which had persisted for three years.

PRESENTATION  
Stormwater Pollution  
Prevention Awards

The City Manager announced that certificates had been awarded to the following Costa Mesa businesses in recognition of their outstanding performance and lasting contribution to Stormwater Pollution Prevention: Connell Nissan; Conroy's Flowers of Costa Mesa; Cushman & Wakefield; Dick Church's; Just Tires; Metropolitan Life; South Pacific Car Wash; and Theodore Robins Ford.

PUBLIC COMMENT  
Orange County Human  
Relations Commission

Pat Krone, 835 Amigos Way, Newport Beach, a member of the Orange County Human Relations Commission, reported on the Commission's accomplishments in Costa Mesa during the past year, and provided an annual report and the most recent newsletter. In cooperation with the Costa Mesa Police Department, she reported that the Commission had documented 17 "hate crimes" during 2002, mediated 62 cases, and conducted "Living Room Dialogues" in conjunction with the Costa Mesa Human Relations Committee. Ms. Krone indicated that the Commission provides Costa Mesa and Estancia High Schools, and TeWinkle

Middle School, with programs relating to inter-ethnic relations, violence prevention, and school leadership programs.

Costa Mesa Bike Trails Robert Graham, 3260 Dakota Avenue, Costa Mesa, presented photographs of several Costa Mesa bicycle trails, commenting that the trail adjacent to the south side of the Costa Mesa Golf Course ending at Placentia Avenue was to be extended until residents of Joann Street decided the property was “surplus”, petitioned City Council to acquire the land, and were granted that privilege. He likened the process to the Swan Drive residents who wish to purchase the land adjacent to Fairview Park. He challenged Council to inform the community what the entire City will gain from this action.

Tony Morello Janice Davidson, 1982 Arnold Avenue, Costa Mesa, announced that Tony Morello, a 9-year-old Costa Mesa resident, succumbed to brain cancer on January 27, 2004, and asked Council to attend the memorial service. She showed a photograph of Tony.

New Business No. 2, Bristol Street Mixed-Use Overlay Zone, Final Concept Plan Robin Leffler, 3025 Samoa Place, Costa Mesa, discussed the availability of information to the public, complaining that the attachment for New Business Item No. 2, Bristol Street Mixed-Use Overlay Zone, had not been available prior to the meeting. She asked if a General Plan Amendment will be required, if there will be an increase in density and traffic, and if so, how much, and does it increase height restrictions. Mayor Monahan replied that this item will be addressed under New Business, and informed Ms. Leffler that she will have the opportunity to speak at that time. Ms. Leffler encouraged a General Plan review, including public input, workshops, etc., prior to accepting future General Plan Amendments.

Refakes Comments Beth Refakes, 320 Magnolia Street, Costa Mesa, mentioned that the new traffic signal which the City has installed at McCormack Lane and Fairview Road is fully operational and will improve traffic. She complimented the City on the additional Police officers who are patrolling the streets which will hopefully reduce crime and traffic problems. Ms. Refakes reported that she had left a message on the shopping cart retrieval hotline twice before the reported cart was picked up nine days later. She thought that the process should be improved and the telephone number for the retrieval service placed on the website. She commented on damaged trees in the parkway by her home. Council Member Cowan suggested checking the shopping cart contract since she had noticed several abandoned carts along Baker Street, which are the first that she has seen in a long time. The City Manager responded that staff will review the contract and report to Council.

Sid Soffer Brian Evans, Post Office Box 15070, Newport Beach, reiterated his requests for information regarding property owned by Sid Soffer on Bernard Street. Council Member Cowan repeated her contention that Mr. Soffer's case is under the jurisdiction of the court system, not the City.

CONSENT CALENDAR The following item was removed from the Consent Calendar: Item No. 5, Newport Boulevard Bike Trail, Adjacent to the Orange County Fairgrounds, Project No. 03-29.

MOTION/Approved Except On motion by Council Member Cowan, seconded by Council Member Scheafer, and carried 5-0, the remaining Consent Calendar items were approved as recommended.

READING FOLDER	The following Reading Folder items were received and processed:
Claims	Claims received by the Deputy City Clerk: Doris Abbott; Debra A. Randall; and Stella T. Yost.
Alcoholic Beverage Control Licenses	Request for Alcoholic Beverage Control Licenses from S & S Import Sales LLC, 729 West 16 <sup>th</sup> Street, Suite 4B, for an original Type 9 ABC license (beer and wine wholesaler), a duplicate Type 10 ABC license (beer and wine importer's general), and a premise-to-premise transfer of a Type 17 ABC license (beer and wine wholesaler).
Public Utilities Commission	Southern California Edison Company filed Application No. A.03-10-022 with the Public Utilities Commission regarding rate changes.
WARRANTS	The following warrants were approved:
Approved Warrant 1989/Payroll 402	Warrant Resolution 1989, funding Payroll No. 402 for \$1,975,306.57, Payroll No. 401A for negative \$292.64, and City operating expenses for \$1,758,344.67, including payroll deductions.
Approved Warrant 1990	Warrant Resolution 1990, funding City operating expenses for \$198,066.14.
ADMINISTRATIVE ACTIONS/Adopted 2002 DPPMP	The 2002 Development Phasing and Performance Monitoring (DPPMP) Program report was adopted, and staff was directed to include the proposed improvements at the Fairview Road/Adams Avenue intersection in the seven-year Capital Improvement Plan
Accepted Work for Street Rehabilitation, Project No. 03-07, by R. J. Noble Company	Rehabilitation Improvements for Several Arterial and Residential Streets, and One Alley (Project A), Project No. 03-07, were completed to the satisfaction of the Public Services Director on November 21, 2003, by R. J. Noble Company, 15505 East Lincoln Avenue, Orange. The work was accepted; the Deputy City Clerk was authorized to file a Notice of Completion; authorization was given to release retention monies 35 days thereafter; the Labor and Material bond was ordered exonerated 7 months thereafter; and the Performance Bond was ordered exonerated 12 months thereafter.
Approved Agreement with Segerstrom and Emulex Transferring Home Ranch Property Rights	A Partial Assignment Agreement was approved between the City of Costa Mesa, the owner of Segerstrom Home Ranch, and Emulex Corporation, transferring certain development agreement rights and obligations to Emulex Corporation, regarding property transferred to Emulex Corporation, and the Mayor and Deputy City Clerk were authorized to sign on behalf of the City.
Approved Amendment to Contract with Bonterra and Rutter for EIR No. 1050	An amendment was approved to the contract between Bonterra Consulting, 151 Kalmus Drive, Suite E-200, Irvine, Rutter Development Corporation, 18012 Cowan, Suite 200, Irvine, and the City, for \$26,012.25 (the full cost to be borne by Rutter Development Corporation), for environmental consulting services related to preparation of Final Environmental Impact Report (EIR) No. 1050 for the 1901 Newport Plaza Residences project, and the Mayor and Deputy City Clerk are authorized to sign on behalf of the City.
Adopted Resolution 04-11, Funding Discharge System	Resolution 04-11 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE EXECUTION OF ACTIONS NECESSARY TO

OBTAIN FEDERAL FINANCIAL ASSISTANCE THROUGH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 9 WATER QUALITY COOPERATIVE AGREEMENTS/ GRANTS PROGRAM, for national pollutant discharge elimination system.

Newport Bike Trail,  
Project No. 03-29

Item No. 5 on the Consent Calendar was presented: Newport Boulevard Bike Trail, Adjacent to the Orange County Fairgrounds, Project No. 03-29. Robert Graham, 3260 Dakota Avenue, Costa Mesa, complimented Council for installing a new bike trail, and asked how the selection process determines the best allocation for funds designated for the trails. Mayor Pro Tem Mansoor indicated that he considered this area a gateway to the City, and fully supported the trail. The Public Services Director informed Mr. Graham that the width of the trail is 8 feet which complies with California Department of Transportation (CALTRANS) design standards.

MOTION

On motion by Council Member Cowan, seconded by Mayor Pro Tem Mansoor, and carried 5-0, the following action was taken:

Awarded Contract to  
GMC Engineering

The contract was awarded to GMC Engineering, Inc., 1401 Warner Avenue, Suite B, Tustin, for \$177,000.84, and the Mayor and Deputy City Clerk were authorized to sign on behalf of the City.

Waived Popular Paver  
Irregularities

Minor irregularities in the bid submitted by Popular Paver Rental, the second lowest bidder, were waived.

PUBLIC HEARING  
SP-03-01/Theater  
and Arts District Plan

The Deputy City Clerk announced that this is the time and place set for the public hearing to consider Specific Plan Amendment SP-03-01 to incorporate the Theater and Arts District Plan into the North Costa Mesa Specific Plan. Environmental Determination: Exempt. The Affidavits of Publishing and Mailing are on file in the City Clerk's office. No communications were received. The Planning and Redevelopment Manager reviewed the Agenda Report dated January 21, 2004, and responded to questions from Council.

Heather Somers, 313 Robin Hood Lane, Costa Mesa, in a response to a comment regarding the Community Foundation, clarified that the City does not oversee this organization. The City Manager concurred that the Foundation was originally created by action of the City Council but is now independent.

Ted Baker, 3468 Wimbledon Way, Costa Mesa, member of the Cultural Arts Committee, supported the Plan and discussed the benefits to the children of the community.

Paul Freeman, representing South Coast Plaza Partners, 3315 Fairview Road, Costa Mesa, thanked staff for their efforts on this project. He addressed two provisions in the draft document stating that the clear requirement for discounted parking which they are obliged to provide under the Development Agreement would be a 50 percent discount of the current rate; and he objected to the language which gives the City the right to allocate the entire 2.2 million unilaterally under circumstances which are not clearly defined. Mr. Freeman supported the enhancement of the Theater and Arts District in the City, stating that it will be of great benefit and indicating that they are looking forward to getting underway with the improvements. He qualified that this support is for the plan that was endorsed by the Cultural Arts Committee and both plans that were reviewed by the Planning Commission, and asked for the

opportunity to provide input regarding the particulars.

David Wilson, representing South Coast Plaza, 3315 Fairview Road, Costa Mesa, indicated that the objectional language referred to by Mr. Freeman came to their attention at 3:32 p.m. on November 5, 2003, and the Planning Commission hearing was five days later. He reported that he had indicated to staff that this was not satisfactory.

Mr. Freeman responded to questions from Council Member Steel, and advised that the narrative of the document explains that the City's web page will provide a link to the Theater and Arts District web site which is yet to be developed. He asked who would be responsible for creating the web page and advised that it will be costly. He observed that signage will be the most effective marketing tool. Mr. Freeman did not believe that the adoption of either of the alternatives would necessitate an amendment to the development agreement, and questioned the need for a Theater and Arts District Council. Mayor Pro Tem Mansoor agreed that the Theater and Arts District Council should be eliminated.

Charlene Ashendorf, Vice Chairperson of the Cultural Arts Committee, 3210 Montana Avenue, Costa Mesa, acknowledged Mr. Wilson and Mr. Freeman for seizing the opportunity to create the Costa Mesa Arts and Music Scholarship. She asked Council to support Commissioner Foley's alternative concept.

John Krappman, Commonwealth Partners, 633 West Fifth Street, Los Angeles, thought that the document should combine clarity and simplicity, and supported the various options, as well as the Cultural Arts Committee recommendations with respect to Commissioner Foley's plan and/or any other modifications that Council deems necessary.

Gay Geiser Sandoval, 3408 Geranium Street, Costa Mesa, spoke on behalf of the children of Costa Mesa, noting that her children who are now in college benefited greatly from the school drama, choir, and band programs.

Marti Simons, Mesa del Mar resident, President of Sonora Elementary School Parent Teacher Association, encouraged Council to approve the grant/scholarship program, believing that it will make a great difference to the children of Costa Mesa.

Terry Shaw, 420 Bernard Street, Costa Mesa, commented that the document does not appear to be ready for adoption.

Robin Leffler, 3025 Samoa Place, Costa Mesa, addressed the discounted parking, indicating that Council intent had been to provide affordable parking for the public.

Molly Settles, a third grade student at Sonora Elementary School, and Megan Settles, a Sonora Elementary School student, spoke on behalf of the arts programs.

There being no other speakers, the Mayor closed the public hearing.

Council Member Steel enumerated his concerns that the "leftover monies" should stay in the Theater Arts District for future augmentation/improvements; the Theater Arts District Council is not necessary; the input regarding spending of the unused monies

should be directed through the Cultural Arts Committee; school programs should be funded by the school board, booster clubs, and parents groups or businesses, not through the development agreement. Regarding the two foundations created under the Home Ranch Development Agreement, he asked that copies of the agendas for their meetings be directed to Martin Millard, by either fax or e-mail, etc. Council Member Steel thought that “the function of the schools in Costa Mesa are a function of the City Council”, suggesting that the City change its policies and program to review school issues.

MOTION/To Approve  
Alternative Concept  
Died

A motion was made by Council Member Cowan to approve the alternative concept prepared by Commissioner Foley, directing staff to work with the applicant to remove or refine the improvement language as identified on page 29 of the plan, to reconcile the language regarding discounted parking, to remove the Theater Arts Council, to revise the TAD Plan to address issues such as the website, and to bring the Plan to Council for final approval. The motion died for lack of a second.

Mayor Pro Tem Mansoor believed that the \$630,000.00 mentioned on page 28, as far as infrastructure improvements, meets the intent of the development agreement, and stated that Council had an obligation to provide clear and final direction on this matter. He commented that the alternative concept did not appear to be specific enough, leaving too many unanswered questions. He clarified that the direction he intended to pursue is to stay with the requirements on page 28 of the Plan regarding the \$630,000.00 for infrastructure improvements, \$800,000.00 for private improvements, and the remaining \$800,000.00 to be spent at the discretion of the applicant.

Katrina Foley, 2778 Lorenzo Avenue, Costa Mesa, responded with respect to the clarity and the specifics of the alternative plan proposal, stating that she did not believe it was within the authority of the Planning Commission to provide clear, defined criteria for grant requirements, suggesting that the Cultural Arts Committee would be the appropriate committee to establish the criteria. She believed that the concept would be of great benefit for the children of the community.

Mayor Pro Tem Mansoor commented that donations to the Costa Mesa Community Foundation should be made separate and free from obligation imposed by the City.

MOTION/To Approve  
the Plan Died

A motion was made by Mayor Pro Tem Mansoor, seconded by Mayor Monahan, to adopt a resolution approving the expenditure of \$630,000.00 for improvements in the public right-of-way and the funds listed under “Private Improvements of Public Benefit”, including \$800,000.00 towards a new courtyard at Park Center and \$800,000.00 towards improvements to the Pedestrian Plaza at Town Center and Avenue of the Arts, to remove language that states that the City has the authority to reallocate the funds, and to remove the parking cap requirement and the Theater and Arts Council.

After discussion, Mayor Monahan withdrew his second to the motion, and the motion died for lack of a second.

MOTION/Adopted  
Resolution 04-12

On motion by Mayor Monahan, seconded by Council Member Steel, and carried 4-1, Council Member Cowan voting no, Resolution 04-12 was adopted: A RESOLUTION OF THE CITY

COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING SPECIFIC PLAN AMENDMENT SP-03-01 TO INCORPORATE THE THEATER AND ARTS DISTRICT PLAN AS APPENDIX E OF THE NORTH COSTA MESA SPECIFIC PLAN, with the following changes to the Theater Arts District Plan: approved proposed \$630,000 for Improvements in the Public Right-of-Way and \$800,000 for Private Improvements of Public Benefit for the new courtyard at Park Center Drive, and reduced to \$800,000 remaining Private Improvements for Public Benefit for the Town Center Drive pedestrian plaza (page 28); deleted reference to prevailing parking charges in the "Discount Parking – Cultural Events" section (page 16); deleted the second paragraph of "Cost Reallocation Between Improvements" relating to the City Council's authority to reallocate funds (page 29); deleted requirement for web site links (page 24); and deleted requirements and references to the formation of a Theater Arts District Council.

Council Member Steel asked the maker of the motion, who declined, to reinstate the City Council's authority to reallocate funds (page 29). Council Member Scheafer thought that Commissioner Foley's alternative concept has merit. Mayor Monahan agreed that the concept has merit but did not consider it the obligation of City government to dole out grant monies. He suggested an option, through the foundation, of soliciting voluntary and charitable donations for arts programs. Council Member Steel was concerned that Commission Foley's plan would lead to legal, financial, and political problems in the future. Mayor Pro Tem Mansoor appreciated the intent of Commissioner Foley's plan but agreed that private financing would be the best option.

RECESS

Mayor Monahan declared a recess at 8:20 p.m., and reconvened the meeting at 8:30 p.m.

PUBLIC HEARING  
Town Center Drive  
Master Plan

The Deputy City Clerk announced that this is the time and place set for the public hearing to consider Town Center Drive Master Plan for future improvement of Town Center Drive, between Park Center Drive and Avenue of the Arts. Environmental Determination: Final EIR No. 1047. The Affidavits of Publishing and Mailing are on file in the City Clerk's office. No communications were received. The Planning and Redevelopment Manager summarized the Agenda Report dated January 21, 2004.

Kerry Madden, Vice President of Operations, Orange County Performing Arts Center, 600 Town Center Drive, Costa Mesa, thanked staff, Planning Commission, and City Council for considering the project because he considers it is a valuable addition to the Center.

MOTION/Adopted  
Resolution 04-13

On motion by Mayor Monahan, seconded by Mayor Pro Tem Mansoor, and carried 5-0, Resolution 04-13 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE TOWN CENTER DRIVE MASTER PLAN, subject to conditions.

OLD BUSINESS  
1901 Newport Plaza  
Residential Project

The Deputy City Clerk presented from the meeting of January 20, 2004, second reading and adoption of Ordinance 04-2, regarding a site-specific floor area ratio and site-specific residential density for the 1901 Newport Plaza Residential Project.

Curtis Herberts, 234 East 17<sup>th</sup> Street, Suite 188, Costa Mesa, owner of property which would be in the shade of the proposed four-story parking structure, maintained that parking and density

requirements have been in place for many years and observed that tonight's action would "rip them apart and change them entirely".

Heather Somers, 313 Robin Hood Lane, Costa Mesa, remarked that the General Plan is not set in stone, being more of a map or guideline, and she objected to Council allowing a project to be developed which changes the standards to which other developers have adhered. She implored Council to reconsider adopting this ordinance, and reported that there will be a referendum opposing the project in place by the 19<sup>th</sup> of February. She stated that this is not the right project for this site, the density is too high, and it is a misuse of public funds using Redevelopment Agency dollars to build parking structures instead of good, quality housing.

MOTION/Adopted  
Ordinance 04-2

On motion by Council Member Cowan, Council Member Scheafer, and carried 3-2, Mayor Pro Tem Mansoor and Council Member Steel voting no, Ordinance 04-2 was given second reading and adopted: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING A SITE-SPECIFIC FLOOR AREA RATIO AND SITE-SPECIFIC RESIDENTIAL DENSITY FOR THE 1901 NEWPORT PLAZA RESIDENCES PROJECT LOCATED AT 1901 NEWPORT BOULEVARD IN THE PLANNED DEVELOPMENT COMMERCIAL (PDC) ZONE.

Council Member Cowan indicated that the money designated to this project is being directed to the low and moderate-income housing which will be built on site. She added that the funds are derived from the tax increases generated from that property, and a certain percentage of that by law must be used for low and moderate income housing. Mayor Pro Tem Mansoor opposed the motion because of the increased traffic generated by the project, the lack of sufficient parking, and the increase in density.

NEW BUSINESS  
Review of the City  
Attorney's Office

The Deputy City Clerk presented an Organization Review/Cost Benefit Analysis of the City Attorney's office. The Personnel Manager reviewed the Agenda Report dated January 14, 2004. Mayor Monahan expressed an interest in reviewing proposals from outside firms, as well as a proposal from the affected department. He and Council Member Cowan supported preparation of a request for qualifications (RFQ).

Council Member Steel supported an in-house City Attorney's office, and encouraged the appointment of the current Acting City Attorney to the position of City Attorney. He offered his services to serve on a subcommittee and to implement the recommendations of the consultants. He suggested obtaining a consensus as to the expectations for this office.

MOTION/Received  
and Filed Report;  
Gave Directions to  
Staff

A motion was made by Council Member Cowan, seconded by Council Member Scheafer, and carried 4-1, Council Member Steel voting no, to receive and file the organizational review of the City Attorney's office as prepared by Management Partners, to direct the City Manager to prepare an RFQ for contract legal services, to solicit proposals from qualified law firms, and to appoint two Council Members to work with staff assigned by the City Manager to evaluate the proposals submitted and make recommendations to the City Council.

Council Member Cowan expressed an interest in determining how

the structure of legal services within the City may be accomplished in a more cost effective and efficient manner, and believed that through the RFQ process, the opportunity exists to define expectations. Mayor Monahan concurred with many of the comments made by Council Member Cowan, and informed Council Member Steel that this action does not necessarily indicate that the City Attorney's office will be contracted out.

MOTION/Appointed  
Monahan and Cowan  
as Liaisons

On motion by Mayor Monahan, seconded by Mayor Pro Tem Mansoor, and carried 4-1, Council Member Steel voting no, Mayor Monahan and Council Member Cowan were appointed to work with staff to provide a proposed implementation plan.

NEW BUSINESS  
Bristol Street Mixed-  
Use Overlay Zone

The Deputy City Clerk presented the Bristol Street Mixed-Use Overlay Zone – Final Concept Plan. The Associate Planner reviewed the Agenda Report dated January 22, 2004. Council Member Steel, liaison to the Bristol Street Committee, complimented the members of the committee and staff, and supported the concept.

Shaheen Sadeghi, member of the Bristol Street Committee, commented that this mixed-use area of the City is unique, and thought that with the right research and development it could be "really wonderful".

Robin Leffler, 3025 Samoa Place, Costa Mesa, complained that the attachment for this item had been unavailable prior to the meeting. Regarding the sampling of pictures in the Plan, she objected to the lack of setbacks and the highly urban street frontage, reporting that staff had indicated that this could be a prototype or precedent for 19<sup>th</sup> Street. Mayor Pro Tem Mansoor replied that he is also concerned about density, although as previously reported by Mr. Sadeghi, some of the changes would be rehabilitation of existing properties.

Peter Koetting, member of the Bristol Street Committee, observed that the standards are being refined, and believed that this is the next creative, urbane area which can be user and pedestrian friendly. He mentioned the possibility of the area becoming a secondary theater district.

Sam Clark, 3077 Coolidge Avenue, Costa Mesa, agreed that the area is underutilized, and appreciated that the Committee is working with Council towards revitalization. He supported a mixed-use environment, and encouraged more discussion regarding the type of use and the amount of density considered.

Beth Refakes, 320 Magnolia Street, Costa Mesa, was concerned about the density, and mentioned that cities such as Santa Monica use existing structures as part of their rehabilitation. She questioned Bristol Street being "pedestrian friendly" because of the traffic, but supported the mixed-use concept.

Mike Boudreaux, AIA, Morse Boudreaux Architects, stated that he had been involved in the committee since its inception, and commended staff for the open process. He clarified that the Committee does not promote high density but encourages the creation of neighborhoods which are pedestrian friendly and promote a quality lifestyle.

Terry Shaw, 420 Bernard Street, Costa Mesa, opposed any high-

rise, high-density development, particularly with the lack of open space and adequate setbacks. He thought that a consensus should be reached by the property owners in the area, and commented that Old World Village in Huntington Beach is a nice mixed-use development.

Council Member Cowan confirmed with the Associate Planner that this item will be reviewed by the Planning Commission who will make recommendations, and community meetings will be held with the property owners, as well as the general public. Council Member Steel supported the lowest density and maximum home ownership.

MOTION/Approved  
Concept

A motion was made by Council Member Cowan, seconded by Council Member Steel, and carried 5-0, to approve the Concept Plan, omitting the word "Final" from the staff recommended action, and to direct staff to continue work with the Bristol Street Committee to develop a Mixed-Use Overlay Zone.

Mayor Monahan expressed concerned regarding the large size of the Bristol Street proposed mixed-use area, and questioned the Development Services Director regarding aspects of mixed-use in the City. Mayor Monahan thought that mixed-use should be added to the zoning code, addressed the locations to be studied, and did not believe that this concept is applicable to a good portion of 19<sup>th</sup> Street. He suggested that the Committee and staff be "very particular about the areas, and very, very particular about the development standards because I think they are going to come under intense scrutiny...". The Development Services Director proposed eliminating the table on Page 10, and directing the Committee to work with staff and the consultants to develop an overlay zone that will work for Bristol Street, letting it evolve through the citizen committees, business owner committees, the property owner committees, and the Planning Commission. Mayor Monahan suggested that Mayor Pro Tem Mansoor, who has worked over the past few months to develop incentives for areas of the west side, be assigned to work with the Committee. Mayor Pro Tem Mansoor opposed high density and observed that part of the project will be rehabilitation of existing properties. Council Member Scheafer supported the mixed-use concept, and encouraged pedestrian friendly development.

CITY MANAGER'S  
REPORT

The City Manager reported, as noted earlier in the meeting, the traffic signal at McCormack Lane and Fairview Road is fully operational. He advised Council of the appreciation of former Mayor Robert Wilson's family for their support during Mr. Wilson's memorial service last Saturday, January 31, 2004.

COUNCIL  
COMMENTS  
Wilson Memorial  
Service

Council Member Scheafer attended the aforementioned memorial service and commented on the heartfelt speech delivered by former Mayor Norma Hertzog. Council Member Steel concurred, stating that the ceremony was quite "edifying".

I-405 Study

Mayor Pro Tem Mansoor commented on the memorial service, and reported that he had attended a major investment study regarding the I-405 Freeway which included alternatives to reducing traffic on the I-405 between 605 and the 73. He also attended a meeting with representatives of the City of Newport Beach and several of the corridor cities regarding John Wayne Airport (JWA) issues, and felt that several of Newport Beach's goals are the same as Costa Mesa, such as no change in the number of flights nor change in the physical boundaries. He pledged to keep up-to-date on this matter,

JWA Issues

stated that staff will monitor proposed changes, and avowed his intent to assure that Costa Mesa's interest in this quality of life issue is well represented.

The Mayor declared the meeting adjourned at 10:00 p.m.

ADJOURNMENT

