

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION
January 10, 2011**

These meeting minutes represent an “action minute” format with a concise summary of the meeting. A video of the meeting may be viewed on the City’s website at www.ci.costa-mesa.ca.us or purchased on DVD upon request.

Prior to roll call, Commissioner Dickson was sworn in by City Clerk Julie Folcik.

I. ROLL CALL:

Present: Vice Chair: Sam Clark
Commissioner Robert Dickson
Commissioner Jim Fitzpatrick
Commissioner Colin McCarthy

Absent: None.

II. PLANNING COMMISSION GREEN DESIGN AWARD: SOUTH COAST COLLECTION

The Vice Chair and Commissioner Fitzpatrick made a Green Design Award presentation for South Coast Collection. An award certificate was presented to Bryon Ward of Burnham-Ward Properties LLC (property owner) and Mr. Ward spoke in acceptance of the award.

III. PUBLIC COMMENTS:

There were no public comments.

IV. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

During Planning Commissioner comments and suggestions, Commissioner McCarthy pointed out to staff that he had asked for pre-budget cuts’ data/information relating to garage sales and enforcement, including protocol and what citations were issued. Planning Commission Secretary Khanh Nguyen replied that staff would follow-up on the request.

In response to Commissioner McCarthy’s request for staff to look into the complaints received relating to the new In-N-Out Burger at Harbor Boulevard/Gisler Avenue, Mr. Nguyen replied that Code Enforcement would respond to the complaints.

Commissioner Fitzpatrick requested scheduling a more formal training session/study session for the Planning Commission on process improvement, overlays, and urban plans. Commissioner Dickson asked about the graffiti process. Vice Chair Clark requested the graffiti issue be addressed separately and the detailed training session/study session be scheduled as soon as possible. Mr. Nguyen agreed.

V. CONSENT CALENDAR:

1. Minutes for the Meeting of December 13, 2010.

MOTION: Approve.

Moved by Commissioner Jim Fitzpatrick, seconded by Commissioner Colin McCarthy.

The motion carried by the following roll call vote:

Ayes: Vice Chair Sam Clark, Commissioner Robert Dickson, Commissioner Jim Fitzpatrick, and Commissioner Colin McCarthy

Noes: None.

Absent: None.

2. Code Enforcement Update

MOTION: Receive and file.

Moved by Commissioner Jim Fitzpatrick, seconded by Commissioner Colin McCarthy.

The motion carried by the following roll call vote:

Ayes: Vice Chair Sam Clark, Commissioner Robert Dickson, Commissioner Jim Fitzpatrick, and Commissioner Colin McCarthy

Noes: None.

Absent: None.

VI. PUBLIC HEARINGS:

- 1. Application No.: PA-95-10 A1**
Site Address: 580 Anton Blvd., Suite 201
Applicant: Eric Strauss
Zone: PDR-HD
Project Planner: Minoo Ashabi
Environmental
Determination: Exempt

Description:

Amendment to conditional use permit PA-95-10 to allow an existing sports bar and restaurant (Corner Office) to add an outdoor seating

patio with maximum 20 seats and operating hours of 10:00 a.m. to 10:00 p.m. and extend the closing time for the restaurant from midnight to 1:00 a.m.

Police Officer Julian Trevino commented on past Police calls/incidents at this establishment and agreed with Commissioner Fitzpatrick that Police incident data could be provided to staff upon request.

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

Stephanie Potter and Duane Heldt, applicant's representatives, agreed to all the conditions of approval and noted that adding an outdoor seating patio area and extending the closing time an additional hour would enhance the business and generate additional revenue. They gave no presentation.

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

**MOTION: Approve Planning Application PA-95-10 A1 for an amendment to Conditional Use Permit PA-95-10, by adoption of Planning Commission Resolution PC-11-01, 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 Commissioner Jim Fitzpatrick.**

During discussion on the motion, Commissioner Fitzpatrick asked the maker of the motion if he was agreeable to introduce additional language for Condition No. 10 requiring a report from the Police Department every six months to monitor the evenings, weekends, and special events.

Vice Chair Clark requested staff to report back in six months with the Police Department for providing an incident report and Mr. Nguyen agreed.

Commissioner McCarthy pointed out that the establishment is in a great area, the patrons are not rowdy, and said he was in support of his own motion.

The motion carried by the following roll call vote:

Ayes: Vice Chair Sam Clark, Commissioner Robert Dickson, Commissioner Jim Fitzpatrick, and Commissioner Colin McCarthy

Noes: None.

Absent: None.

The Vice Chair explained the appeal process.

2. **Application No.: PA-06-52**
Site Address: 2460 Newport Blvd.
Applicant: Pete Volbeda
Zone: PDR-HD
Project Planner: Minoo Ashabi
Environmental
Determination: Exempt

Description:

Retroactive time extension for PA-06-52 originally approved as a two-story 14-unit condominium project. The time extension expired on May 26, 2009. The new request includes revised elevations and a minor modification request for a new 8-foot high decorative wall within the front setback (20-foot required; 16-foot proposed).

Pete Volbeda, applicant and architect, stated he expects to pull permits as soon as possible this year.

Nick (last name inaudible), nearby resident, supported the project but suggested the entire block wall be eight-foot tall surrounding the project site. He also expressed concern regarding loud noises at 6:00 a.m. in the area.

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

MOTION: Approve a Retroactive Time Extension for Planning Application PA-06-52 to coincide with the expiration of Tentative Tract Map T-17192 until July 7, 2012, including Master Plan PA-06-52, a variance for open space requirements, and a Minor Modification MM-06-36, by adoption of Planning Commission Resolution PC-11-02, 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 Commissioner Robert Dickson.

During discussion on the motion, Mr. Nguyen agreed to have staff look into early morning noise complaints in the area, as requested by Commissioner Fitzpatrick.

The motion carried by the following roll call vote:

Ayes: Vice Chair Sam Clark, Commissioner Robert Dickson, Commissioner Jim Fitzpatrick, and Commissioner Colin McCarthy

Noes: None.

Absent: None.

The Vice Chair explained the appeal process.

VII. BUSINESS ITEM:

1. Landscape Concept Plan for 1500-1548 Adams Avenue

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

John Hill, project architect, made a detailed presentation of the plan revisions.

MOTION: Approve Landscape Concept Plan revisions for Planning Application PA-10-30 for 1500-1548 Adams Avenue, as required per Condition of Approval No. 10.

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

During discussion on the motion, Commissioner Fitzpatrick asked staff to recognize and consider a pedestrian crosswalk across Elm Avenue at Royal Palm Drive to encourage walkability/bike-ability, or to make improvements to that intersection to support bicyclists and pedestrians. City Engineer Ernesto Munoz replied he would forward Commissioner Fitzpatrick's request to the Transportation Services Manager.

The motion carried by the following roll call vote:

Ayes: Vice Chair Sam Clark, Commissioner Robert Dickson, Commissioner Jim Fitzpatrick, and Commissioner Colin McCarthy

Noes: None.

Absent: None.

VIII. REPORT OF THE DEVELOPMENT SERVICES DEPARTMENT.

None.

IX. REPORT OF THE CITY ATTORNEY'S OFFICE.

None.

X. ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON FEBRUARY 14, 2011.

There being no further business, Vice Chairman Clark adjourned the meeting at 7:33 p.m. to the next Planning Commission meeting on February 14, 2011, at 6:00 p.m.

Submitted by: _____

KHANH NGUYEN, SECRETARY
COSTA MESA PLANNING COMMISSION