

**REGULAR MEETING OF THE CITY OF  
COSTA MESA PLANNING COMMISSION  
August 8, 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](http://www.ci.costa-mesa.ca.us) or purchased on DVD upon request.

**I. ROLL CALL:**

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

Absent: Commissioner Edward Salcedo.

**II. PUBLIC COMMENTS:**

There were no public comments.

**III. CONSENT CALENDAR:**

**1. Minutes for the meeting of July 11, 2011.**

**MOTION: Approve.**

**Moved by Vice Chair Sam Clark, seconded by Commissioner Robert Dickson.**

The motion carried by the following roll call vote:

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

Noes: None.

Absent: Commissioner Edward Salcedo.

**2. Code Enforcement Update**

**MOTION: Receive and file.**

**Moved by Vice Chair Sam Clark, seconded by Commissioner Robert Dickson.**

The motion carried by the following roll call vote:

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

Noes: None.

Absent: Commissioner Edward Salcedo.

**IV. PUBLIC HEARINGS:**

1. **Application No.: PA-09-18**  
**Site Address: 845 Baker Street**  
**Applicant: Eric A. Nelson**  
**Zone: C1 Mixed Use Overlay**  
**Project Planner: Mel Lee**  
**Environmental**  
**Determination: Exempt**

**Description:**

**Extension of time for a master plan to construct a three-story, 53-unit senior housing project over a 4,980 square foot retail building (four stories total) with up to 10% compact parking spaces (seven total) in the SoBECA Urban Plan. Deviations from Urban Plan requirements also requested.**

Steve Gall, representing the applicant, asked for an extension of time to re-work the financial plan of the project.

Chris Bennett with Lab Holdings said the project location may not be the best in the City.

Irene Raney, Costa Mesa, supported the project.

**MOTION: Approve an extension of time to July 6, 2012 for Planning Application PA-09-18, by adoption of Planning Commission Resolution PC-11-30, based on the evidence in the record.**

**Moved by Commissioner Robert Dickson, seconded by Chair Colin McCarthy.**

The motion carried by the following roll call vote:

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

Noes: None.

Absent: Commissioner Edward Salcedo.

The Chair explained the appeal process.

2. **Application No.: ZA-11-08**  
**Site Address: 698 W. 19th Street**  
**Applicant: Emad Ahmed Elhasany**  
**Zone: C1**  
**Project Planner: Rebecca Robbins**  
**Environmental**  
**Determination: Exempt**

**Description:**

**Review of the Zoning Administrator's denial of minor conditional use permit to allow an existing hookah lounge (Sultana Lounge) to legalize extended hours of operation past 11:00 p.m. The proposed business hours are from 5:00 p.m. to 2:00 a.m., Monday through Thursday and 5:00 p.m. to 3:00 a.m., Friday through Sunday. The business is located within 200 feet of a residential zone, including Bethel Towers.**

Ryan Shultz, representing the applicant, explained the recent improvements made to the business.

Moaz Emad Elhasany, property owner's son, commented on keeping the Sultana Lounge in business.

Bethel Towers' residents Irene Raney, Rich Reiser, and Darleen McNamer spoke in opposition to this business and the proposed extended hours of operation.

Mr. Shultz returned to the podium and continued to speak on the improvements made and employee Jonathan Abbott referenced the bass music.

Mr. Elhasany returned and stated his willingness to make whatever improvements are necessary to keep the Sultana Lounge in business and stated his obligation to support his family.

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

The Commissioners discussed the number of Police service calls and noise concerns and the Chair recommended staff to look into assisting the applicant in relocating this business.

**MOTION: Uphold the Zoning Administrator's denial, by adoption of Planning Commission Resolution PC-11-31, based on the evidence in the record and the denial findings contained in Exhibit "A".**

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: Commissioner Edward Salcedo.

The Chair explained the appeal process.

3. **Application No.:** CO-11-02  
**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-11-02, amending Title 13, Chapter VII, Article 2, General Provisions, and Article 3, Sign Regulations, of the Costa Mesa Municipal Code relating to sign regulations.**

Betty Clen, Costa Mesa, made a comment concerning a business using storage space and signage at Triangle Square without actually having a storefront.

Ed Fawcett, President of Costa Mesa Chamber of Commerce, asked the Commission to review his suggested alternatives relating to sign regulations for maximum height of free standing signs.

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

**MOTION: Recommend that City Council give first reading to the ordinance with direction to staff to present alternatives provided by the Costa Mesa Chamber of Commerce.**

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

Commissioner Fitzpatrick asked if the maker of the motion would agree to additional verbiage to direct staff to present alternatives provided by the Costa Mesa Chamber of Commerce. The maker of the motion and the seconder agreed.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: Commissioner Edward Salcedo.

4. **Application No.:** PA-10-26A  
**Site Address:** 3135, 3141, 3151, 3161,  
3181, and 3195 Harbor Bl.,  
and 1515 Gisler Avenue  
**Applicant:** Commerce Realty  
**Zone:** C1  
**Project Planner:** Minoo Ashabi  
**Environmental  
Determination:** Exempt

**Description:**

**An amendment to Master Plan PA-10-26 approved on April 11, 2011, for development of three new commercial parcels along Harbor Boulevard. The amendment is requested to delete the requirement for the undergrounding of utility lines on Gisler Avenue.**

Mr. Lang, applicant, made a short presentation. He noted that everything will be removed from the utility poles except for the transmission lines.

There were no public comments.

**MOTION: Approve amendment to Planning Application PA-10-26 A1, by adoption of Planning Commission Resolution PC-11-32, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B", amending Condition No. 62 and adding Condition No. 63, adopted as follows:**

**CONDITIONS OF APPROVAL**

- 62. All above ground utility lines on Cinnamon Avenue shall be undergrounded. (Amended August 8, 2011.)**
- 63. The applicant is not required to underground the two utility poles on Gisler Avenue as a condition of the Master plan buildout as described in Planning Application PA-10-26.**

**In lieu of undergrounding the two poles on Gisler Avenue during the buildout, the applicant may be subject to a development obligation and/or an obligation to contribute funds towards the future undergrounding of the utility poles at the corner of Gisler Avenue and Harbor Boulevard. The framework of this obligation and any associated costs shall be determined by the City Engineer, and will be based on applicant's proportional share of the overall cost to complete the undergrounding project. Additionally, the obligation shall be consistent with any terms and conditions as set forth by the City Attorney's office. The City Engineer shall have the discretion to waive this condition, in consult with the City Attorney's office regarding the legal implications of the obligation. The implementation or waiver of this condition shall occur prior to the issuance of the Certificate of Occupancy for the retail building at the corner of Gisler Avenue and Harbor Boulevard. (Amended August 8, 2011.)**

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

During discussion on the motion, Commissioner Fitzpatrick asked if there could be an amendment (additional condition) to the motion for a mutually agreeable condition between the applicant and staff. The maker of the motion, the seconder, and the applicant agreed to the amendment.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: Commissioner Edward Salcedo.

5. **Application No.: PA-11-03**  
**Site Address: 3132 Airway Avenue**  
**Applicant: Kevin Coleman**  
**Zone: MP**  
**Project Planner: Mel Lee**  
**Environmental**  
**Determination: Exempt**

**Description:**

**Conditional use permit to install a 40 foot (long) x 40 foot (wide) helipad/helistop on the roof of an existing industrial building. The helistop will be located on a 6' high platform on the roof of an existing 19' high building. The proposed helipad has been approved by the Airport Land Use Commission and conditionally approved by the Federal Aviation Administration.**

Kevin Coleman, applicant, discussed the private property use of the proposed facility; noise impacts; the flight path used by John Wayne Airport; and receiving approval from the other regulatory agencies.

Robert C. Hawkins of the Law Offices of Robert C. Hawkins, representing individuals and several groups including Mariners Community Association and AirFair, discussed his objection to staff's recommendation of approval and of the finding of exemption from CEQA.

The Commissioners discussed their concerns relating to the airport footprint, noise impacts, and if this use is good for Costa Mesa.

**MOTION: Recommend that the City Council deny Planning Application PA-11-03, by adoption of Planning Commission Resolution PC-11-33, based on the evidence in the record and the denial findings contained in Exhibit "A".**

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

During discussion on the motion, Commissioner Fitzpatrick made a substitute motion.

**SUBSTITUTE MOTION:** Delay the decision tonight until such time the Commission can clarify and understand the issues of the City of Newport Beach and AirFair. Direct staff to work with the City of Newport Beach and AirFair to obtain their official positions.

The substitute motion died for lack of a second.

Commissioner Fitzpatrick reiterated his non-support of the motion.

The Chair and Vice Chair Clark said this application will go before the City Council, the policy-making body.

Deputy City Attorney Bettenhausen clarified the original motion and the Chair agreed.

The motion carried by the following roll call vote:

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

Noes: Commissioner Jim Fitzpatrick

Absent: Commissioner Edward Salcedo.

- 6. Application No.: GPA-11-01, R-11-01, PA-11-06, and TTM-17423**  
**Site Address: 2626 Harbor Boulevard**  
**Applicant: Garrett Calacci/Waterpointe Homes**  
**Zone: C1 (Local Business) and P (Off-street Parking)**  
**Project Planner: Minoo Ashabi**  
**Environmental**  
**Determination: Mitigated Neg. Declaration**

**Description:**

**The proposed project is a 33-unit single-family detached residential development at the former Lincoln Mercury Dealership at 2626 Harbor Boulevard. This proposal involves the following requests:**

- 1) Adoption of an Initial Study/Mitigated Negative Declaration;**
- 2) General Plan Amendment GPA-11-01 - Change the land use designation of the property from General Commercial to Medium Density Residential (MDR);**
- 3) Rezone R-11-01 - Ordinance of the City Council of the City of Costa Mesa to rezone a 3.7-acre commercial site from C1 (Local Business) and P (Off-street parking) to R2-MD (Multiple Family Residential) with density up to 12 du/acre;**
- 4) Planning Application PA-11-06 - Design review of residential common interest development consisting of 33 detached single-family residences with two-car garages/standard driveways, gated access, and common open space areas; and**
- 5) Tentative Tract Map 17423 - Subdivision of 3.7-acre property for condominium purposes to accommodate a residential common-interest development of 33 small lots and common open space areas.**

Garrett Calacci, applicant, made a short presentation.

There were no public comments.

The Commission discussed traffic issues and the Chair requested additional analysis with the subsequent report to City Council.

Commissioner Fitzpatrick inquired about the jobs created by the proposed project. Commissioner Dickson also inquired about street elevations on Harbor Boulevard.

**MOTION: Continue to the meeting of August 22, 2011.  
Moved by Vice Chair Sam Clark, seconded by Chair Colin McCarthy.**

The motion carried by the following roll call vote:

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

Noes: None.

Absent: Commissioner Edward Salcedo.

The Chair explained the appeal process.

**V. BUSINESS ITEM:**

**1. Mesa Green Design Award Nominations**

**RECOMMENDATION:**

Accept nominations.

Commissioner Fitzpatrick discussed his reasons for nominating the Waldorf School project.

**MOTION: Select Waldorf School of Orange County Campus Expansion Project to be a recipient of the Mesa Green Design Award.  
Moved by Commissioner Jim Fitzpatrick, seconded by Commissioner Robert Dickson.**

The motion carried by the following roll call vote:

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

Noes: None.

Absent: Commissioner Edward Salcedo.

City Engineer Ernesto Munoz described in detail the Joann Street Bike Trail and his reasons for nominating the project.



**MOTION: Select Joann Street Bike Trail to be a recipient of the Mesa Green Design Award.**

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: Commissioner Edward Salcedo.

**VI. REPORT OF THE DEVELOPMENT SERVICES DEPARTMENT.**

None.

**VII. REPORT OF THE CITY ATTORNEY'S OFFICE.**

None.

**VIII. ADJOURNMENT:**

**\* Planning Commission Meeting on August 22, 2011 at 6:00 p.m.**

**\* Planning Commission Meeting on September 12, 2011 at 6:00 p.m.**

There being no further business, Chairman McCarthy adjourned the meeting at 9:26 p.m. to the Planning Commission meeting of August 22, 2011 at 6:00 p.m. followed by the next Planning Commission meeting of September 12, 2011 at 6:00 p.m.

Submitted by: \_\_\_\_\_  
CLAIRE FLYNN, SECRETARY  
COSTA MESA PLANNING COMMISSION