

**REGULAR MEETING OF THE CITY OF  
COSTA MESA PLANNING COMMISSION  
October 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.costamesaca.gov](http://www.costamesaca.gov) or purchased on DVD upon request.

**I. ROLL CALL:**

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

Absent: None

**II. PUBLIC COMMENTS:**

There were no public comments.

**III. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:**

Commissioner Salcedo spoke about the Homeless Task Force Workshop on 10/15/11 @ 1:00 p.m. located in the Emergency Operations Center. The workshop will cover goals, priorities and recommendations. There will be a follow-up meeting on 10/19/11 at which time the recommendations will be submitted to the City Council. Both meetings are open to the public.

Commissioner Fitzpatrick thanked Corrie Viera for her years of dedication and congratulated her on her promotion.

Commissioner Dickson spoke about the Waldorf School Project and thanked staff for their hard work on the project.

Chair McCarthy mentioned the 405 freeway expansion project. He said that there will be a presentation on it at the 11/1/11 City Council meeting.

Chair McCarthy requested that staff provide information on the garage inspection program at the next meeting. He also mentioned that Costa Mesa High School Foundation is having their first fundraiser called “Evening Under the Stars” on 10/22/11.

**IV. Consent Calendar:**

Prior to moving to the Consent Calendar Vice Chair Clark requested that Consent Calendar Item #2 – Code Enforcement Update be pulled.

- 1. Minutes for the meeting of September 12, 2011.**
- 2. Vice Chair Clark requested that staff bring an expanded report on 3013 Royal Palm Drive to the next meeting.**

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick and Salcedo

Noes: None

Absent: None

**V. PUBLIC HEARINGS:**

1. **Application No.:** PA-07-35 (Time Extension)  
**Site Address:** 1509 Orange Avenue  
**Applicant:** Grant Fluegge  
**Zone:** R2-MD  
**Project Planner:** Wendy Shih  
**Environmental Determination:** Exempt

**Description:**

Time extension for a two-unit, two-story residential common interest development. Parcel Map PM-07-181, allowing the units to be sold independent of one another, remains in effect for this project.

No one wished to speak and the Chair closed the public hearings.

**MOTION:** Approve an extension of time to March 24, 2013 for Planning Application PA-07-35, by adoption of Planning Commission Resolution PC-11-44, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B".

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

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick and Salcedo

Noes: None.

Absent: None

2. **Application No.:** PM-11-128  
**Site Address:** 1970 Maple Avenue  
**Applicant:** Kathy Nguyen  
**Zone:** R2-HD  
**Project Planner:** Wendy Shih  
**Environmental Determination:** Exempt

**Description:**

Parcel map to facilitate the subdivision for a two-unit residential common-interest development (condominiums) project approved under Planning Application PA-10-38.

Alison Nguyen, applicant, agreed to all conditions of approval.

No one else wished to speak and the Chair closed the Public Hearing.

**MOTION:** Approve Planning Application PM-11-128 by adoption of Planning Commission Resolution PC-11-45, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B".

**Moved by Commissioner Salcedo, seconded by Chair McCarthy**

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick and Salcedo

Noes: None.

Absent: None.

3. **Application No.:** GP-11-02 & SP-11-01  
**Site Address:** 14850 Sunflower Avenue

**Applicant:** City of Costa Mesa  
**Zone:** PDC (Planned Dev. Comm'l.)  
**Environmental**  
**Determination:** Exempt

**Description:**

The proposed City-initiated applications are for a 33-acre property at 14850 Sunflower Avenue in the Urban Center Commercial designation and Planned Development Commercial (PDC) zone:

1) **General Plan Amendment GP-11-02** to amend the Land Use Element of the City's 2000 General Plan related to Sakioka Lot 2 in the Urban Center Commercial land use designation. The proposed amendment will include changes involving the maximum allowable building square footage, floor area ratios, and residential density for the property. No changes in the existing trip budget allocations or development agreement are proposed.

2) **North Costa Mesa Specific Plan Amendment SP-11-01** to amend Area 8, Sakioka Lot 2, of the Specific Plan to provide development flexibility related to the development and density standards described above. No changes to the existing trip budget allocations.

George Sakioka indicated his support of the proposal.

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

**MOTION: Approve General Plan Amendment GP-11-02 and North Costa Mesa Specific Plan Amendment SP-11-01, by adoption of Planning Commission Resolution PC-11-46.**

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

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick and Salcedo

Noes: None.

Absent: None.

4. **Application No.:** PA-02-33  
**Site Address:** 3200 Bristol Street  
**Applicant:** Jason Knudson  
**Zone:** TC (Town Center)  
**Project Planner:** Minoo Ashabi  
**Environmental**  
**Determination:** Exempt

**Description:**

Time Extension for a previously-approved 18-story high-rise building. A request for a two-year time extension of Planning Application PA-02-33 for Final Master Plan and Vesting Tentative Parcel Map VPM-03-250. The project is located in the Pacific Arts Plaza at the southwest corner of Bristol Street and Anton Boulevard (3200 Bristol Street; 3199, 3200, and 3210 Park Center Drive; and 601, 611, 633, 655, and 675 Anton Boulevard). The project involves construction of an 18-story office building (400,000 square feet), a 5-level parking structure, demolition of two existing structures, and reconfiguration of surface parking. A variance from Bristol Street setback requirements (0' proposed; 20' required) is requested for the proposed 5-level parking structure.

Jason Knudson, applicant, agreed with staff's recommendations and offered to answer questions.

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

**MOTION: Approve an extension of time to July 12, 2013 for Planning Application PA-02-33 by adoption of Planning Commission Resolution PC-11-47, based on the evidence in the record and findings contained in Exhibit "A" subject to conditions in Exhibit "B".**

Chair McCarthy and Commissioner Fitzpatrick asked if there was a time frame in which the project will be completed.

Vice Chair Clark explained that due diligence on this project was done by the Planning Commission when the application was first submitted. Due to the present market conditions they are simply agreeing to a time extension.

**Moved by Vice Chair Clark, seconded by Commissioner Salcedo.**

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Fitzpatrick, and Salcedo

Noes: None.

Absent: None

Recused: Dickson

- 5. Application No.: PA-11-21**  
**Site Address: 3200 Bristol Street**  
**Applicant: Jason Knudsen**  
**Zone: TC (Town Center)**  
**Project Planner: Minoo Ashabi**  
**Environmental**  
**Determination: Exempt**

**Description:**

New Interim Parking Structure. A request to amend the Pacific Arts Plaza Master Plan at the southwest corner of Bristol Street and Anton Boulevard (3200 Bristol Street; 3199, 3200, and 3210 Park Center Drive; and 601, 611, 633, 655, and 675 Anton Boulevard) to include a new three-level, 356-car, parking structure to replace an existing parking lot with 189 parking spaces for surplus parking of new tenants. The structure will provide interim parking at the site of a future high rise project. The proposal requires approval of a deviation from Ramp Slope Standards (12.5% allowed; 16% proposed).

Jason Knudson, applicant, agreed with staff's recommendations and offered to answer questions.

Robin Leffler, resident, expressed concern as to whether the grade is too steep for people who drive around the structure.

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

Commissioner Fitzpatrick inquired as to whether the structure will eventually be demolished. Mr. Knudsen responded that it would.

Chair McCarthy asked staff for clarification on required percentages for compact stalls.

Commissioner Salcedo expressed concern about parking when occupancy is full.

Vice Chair Clark stated his concern about increased parking and trip ratios. He asked staff whether or not staff reviews the trip ratios after full occupancy. Raja Sethurman, Transportation, stated that staff did not have to unless the use of the property was changed. At that time, the applicant would have to apply for a Conditional Use Permit.

Commissioner Clark responded to resident Robin Leffler's concern about the possible slope danger by mentioning that the slope will be used by vehicles only. There will be no pedestrians walking there.

**MOTION: Approve Planning Application PA-11-21, by adoption of Planning Commission Resolution PC-11-48, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B"**

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

The motion carried by the following roll call vote:

Ayes: McCarthy, Fitzpatrick, and Salcedo

Noes: Clark

Absent: None

Recused: Dickson

- 6. Application No.: PA-11-18**  
**Site Address: 1599 Superior Ave., #B2**  
**Applicant: Theresa Vaughan**  
**Zone: MG**  
**Project Planner: Wendy Shih**  
**Environmental**  
**Determination: Exempt**

**Description:**

Conditional use permit for a dog day care and overnight boarding facility for small dogs (21 pounds and under) in a 1,600 square-foot suite.

Jim Mahoney, applicant, along with Theresa Vaughan, Business Owner agreed to comply with all of the conditions in Exhibit "B" and offered to answer questions.

Chair McCarthy and Commissioner Salcedo asked how this facility would compare to the "Bone Adventure" dog day care facility. Mr. Mahoney explained that this is a much smaller facility (6 dogs only) and will not offer veterinary, grooming or training services.

Chair McCarthy asked staff if neighboring businesses have been notified and if they had received any concerns about parking, noise, or litter. Ms. Shih responded that they had heard from a few people, but after explaining the conditions, she had not heard back from any of them.

No one else wished to speak and the Chair closed the Public Hearing.

There was discussion amongst some of the Commissioners as to what would have to occur should the business owner decide to offer some of the services listed under the conditions in Exhibit "B". Ms Shih responded that it could be handled at staff level as an amendment. Ms. Flynn added that if the intensity to serve changed (more dogs, grooming) they would have to file an amendment.

**MOTION: Approved Planning Application PA-11-18, by adoption of Planning Commission Resolution PC-11-49, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B".**

**Moved by Commissioner Salcedo and seconded by Chair McCarthy.**

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, and Salcedo.

Noes: None

Absent: None

- 7. Application No.: PA-11-22**  
**Site Address: 2775 Mesa Verde Dr. East**  
**Applicant: Peak West**  
**Zone: R3**  
**Project Planner: Wendy Shih**  
**Environmental**  
**Determination: Exempt**

**Description:**

A Design Review with a variance from maximum number of stories and building height (2 stories/27 foot maximum allowed; 3 stories/44 foot proposed) and deviation from the City's Residential Design Guidelines for 2<sup>nd</sup> to 1<sup>st</sup> floor ratio (80% maximum recommended; 86% proposed) for a new 23,109 square-foot community building with below-grade parking for tenants of both Villa Venetia and Pine Brook Village Apartments. This is a revised submittal from the previously proposed building height of 61 feet under planning application PA-11-15.

Commissioner McCarthy asked for clarification as to whether the applicant required City approval to remove the Lake. Ms. Shih responded that they did not require City approval to remove it.

**PUBLIC COMMENTS:**

Gary Polodna, applicant, explained that the purpose of the project was for enhanced recreation amenities for residents.

Commissioner Fitzpatrick asked the applicant what their long term goals for the property were. Mr. Polodna replied that some of their broader plans include replacing carports with more efficient ones, thus providing more parking; improvements to the exterior of the buildings; and landscaping the exterior not included in the present proposal.

Chair McCarthy asked applicant how they feel about the proposed addition of a water feature. Mr. Polodna responded that there are two water surface areas and that they were only filling in the smaller portion. He went on to say that they have a green strategy and the lake utilizes a lot of water. Other green projects they plan on implementing are to install insulated windows, replace old light fixtures with energy saving fixtures, and provide energy saving appliances. He agreed to install an active water feature that is visible from the street.

Commissioner Fitzpatrick asked about any habitation that would be displaced by removal of the lake. Mr. Polodna responded that they have retained a Biologist to study the situation and would take the appropriate measures.

Harold Ducote, a 20 year resident, asked that the Planning Commissioners reject the application. He asked it on the grounds of losing the beauty of the lake. He also questioned that since it was Columbus Day, was it legal under the Brown Act to meet. Mr. Ducote also questioned whether Peck West and UDR were licensed to do business in Costa Mesa.

Ellen Ducote spoke next and stated the facility already has plenty of parking spaces and questioned why they would need more. She was concerned about congestion and traffic jams. She asked the Commissioners to deny the project.

Sandra Genis, resident, spoke next and read the last page of the staff report questioning the legality of approving the project. She said that they already exceed density and height as they are presently 60% above the height limit. She mentioned that the variance does not allow for special privilege and felt that the height of the building would be considered a privilege since there were no other properties under identical zoning that had the identical height.

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

Chair McCarthy mentioned that the height was only two stories as the 1<sup>st</sup> story would be the parking structure. He also mentioned that it would be the same height as the leasing office.

Commissioner Fitzpatrick asked if there was a safe, adequate path for walking between the buildings. Ms. Shih said that Transportation reviewed and approved the proposal.

The City will review the need for a crosswalk at a later date. Commissioner Fitzpatrick also inquired of Deputy City Attorney Bettenhausen about whether it was allowed under the Brown Act to meet on Columbus Day. Deputy City Attorney Bettenhausen responded that, yes, they were allowed to meet and that in many cases holidays allowed more people to attend the meetings since they were not working.

Chair McCarthy reiterated that the use of the proposed facility would be for residents only. He also mentioned that if the Commissioners want the additional water feature they need to address it now or they will lose their ability to address it later.

Vice Chair Clark reiterated that the lake is not really a huge issue as it doesn't require City approval. He agreed that adding a water feature would make the property more attractive.

No one else wished to speak and the Chair closed the Public Hearing.

**MOTION: Approve Planning Application PA-11-22 by adoption of Commission Resolution PC-11-50, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B" with the additional condition as stated below:**

**CONDITION #26**

The applicant shall provide a water feature and enhanced landscaping in the landscape setback area along Golf Course Drive adjacent to the proposed pool area. Schematic drawings for the water feature shall be approved prior to issuance of the building permit for the community building to the satisfaction of the Development Services Director.

**Moved by Vice Chair Clark and seconded by Chair McCarthy.**

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, and Salcedo.

Noes: None

Absent: None

**8. Application No.: PA-11-23  
Site Address: 2937 Bristol St., A101B  
Applicant: ChrisAnn Richards  
Zone: C1  
Project Planner: Mel Lee  
Environmental  
Determination: Exempt**

**Description:**

Conditional use permit to allow retail sales of beer and wine for off-site consumption with a Type 20 State Alcoholic Beverage Control (ABC) license, as well as on-site consumption of beer and wine with a Type 42 ABC license, for a boutique beer and wine store with a tasting room and wine and cheese bar at The Camp.

Commissioner Clark asked staff to clarify Public Convenience Necessity when there are 7 allowable licenses and 34 licenses have been approved. Senior Planner Mel Lee responded that ABC regulations are typically for restaurants, liquor stores, mini markets and convenience stores. Since this proposal does not fit those descriptions, it would qualify for the PCN finding.

**PUBLIC COMMENTS:**

ChrisAnn Richards, applicant, mentioned that their proposal was unique to the area and that they are already providing the service in Newport Beach. They agreed to the

conditions of the approval and asked for any questions. There were no questions for the applicants.

Chris Bennett, manager of the "Camp Project", stated that he was looking forward to having them at the "CAMP". He felt that they were a perfect fit with the other establishments already there and hoped for approval of the project.

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

The Commissioners spoke favorably about the project.

**MOTION: Approve Planning Application PA-11-23, by adoption of Planning Commission Resolution PC-11-51, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B".**

**Moved by Vice Chair Clark and seconded by Chair McCarthy.**

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, and Salcedo.

Noes: None

Absent: None

**VI. ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON NOVEMBER 14, 2011.**

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