

**REGULAR MEETING OF THE CITY OF  
COSTA MESA PLANNING COMMISSION  
December 12, 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 Fitzpatrick spoke about the Snoopy House in front of City Hall and recommended that anyone who hasn’t seen it to come by.

He mentioned radio station KOCI 101.5, which he felt has good music as well as community updates and public service announcements.

Chair McCarthy commended all those whose efforts went into putting together the Snoopy House.

He mentioned that the Commissioners were going to participate in the Santa’s letters program at the post office and recommended additional participation. A gift will be provided to children who are in need.

Chair McCarthy also mentioned the annual Golf Tournament event on January 16<sup>th</sup> and a Chamber of Commerce breakfast in which he will be providing an update on the development within the city.

Gary Peacock, a long time Costa Mesa resident and community activist, recently passed away and Chair McCarthy mentioned that the meeting would be adjourning in his memory.

**IV. Consent Calendar:**

There was a request that Consent Calendar Item number 3 – Status Update – Second Residential Neighborhood Enhancement program be pulled.

- 1. Minutes for the meeting of November 14, 2011**
- 2. Code Enforcement Update**
- 3. Status Update – Second Residential Neighborhood Enhancement program**

Commissioner Dickson commended Chief of Code Enforcement Willa Bouwens-Killeen on the good progress being made and asked when she anticipates the completion of the present pilot program and if the next target area had been chosen. Ms. Bouwens-Killeen stated that they were about halfway through the present pilot program and due to the holidays, inclement weather, and other items that have come up, she anticipates the completion to occur at the end of February or early March.

Commissioner Clark asked what Code Enforcement's criteria are for lawns that do not meet code. Ms. Bouwens-Killeen stated that it was a difficult call. Generally, if the lawn is not predominantly brown and is mowed and edged and not weeded, the lawn will be deemed in compliance with Title 20. Commissioner Clark suggested that Ms. Bouwens-Killeen contact him with a couple of dates to meet and discuss possible lawn requirement standards.

Commissioner Fitzpatrick also inquired on the status of the technology for Code Enforcement that was budgeted for the year, and about the 8,000 trees that were also budgeted that might be utilized as part of the neighborhood enhancement program.

**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-87-154  
**Site Address:** 2180 Newport Blvd.  
**Applicant:** City of Costa Mesa  
**Zone:** C1  
**Project Planner:** Mel Lee  
**Environmental Determination:** Exempt

**Description:**

Review of conditional use permit for an existing recycling center (EarthWize Recycling) within the Stater Bros. Market parking lot for possible revisions to the conditions of approval, including additional landscaping/screening requirements.

**PUBLIC COMMENTS:**

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

**MOTION: Continue to the February 13, 2012 Planning Commission meeting as requested by EarthWize Recycling.**

**Moved by Commissioner Fitzpatrick, 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

2. **Application No.:** PA-10-07 Time Extension  
**Site Address:** 449 Hamilton St.  
**Applicant:** Kim Leiloni Nguyen  
**Zone:** R2-MD  
**Project Planner:** Wendy Shih  
**Environmental Determination:** Exempt

**Description:**

Time extension for a five-unit, two-story detached residential common interest development. Tentative Tract Map T-17414 (approved separately) allowing the units to be sold independent of one another remains in effect for this project.

**PUBLIC COMMENTS:**

Kim Leiloni Nguyen, applicant, was present and available to answer any questions.

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

**MOTION: Approve an extension of time to August 22, 2013 for Planning Application PA-10-07, by adoption of Planning Commission Resolution PC-11-55, based on the evidence in the record.**

**Moved by Commissioner Dickson, 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.:** PA-11-14 /PM-11-02  
**Site Address:** 2201 & 2203  
Santa Ana Avenue  
**Applicant:** David Hendryx  
SCEL Properties  
**Zone:** R1  
**Project Planner:** Minoo Ashabi  
**Environmental**  
**Determination:** Exempt

**Description:**

The proposed project involves:

- 1) A tentative parcel map to subdivide a 0.325-acre parcel into two parcels (7,408 SF and 6,767 SF) including a variance from the minimum lot width requirements (60 feet required, 50 and 55 feet proposed);
- 2) New single family residence at 2201 Santa Ana Avenue including a minor modification from front yard setback (20 feet required, 16 feet proposed) and side yard setback (5 feet required, 4 feet proposed).
- 3) New single family residence at 2203 Santa Ana Avenue with deviation from the city's residential design guideline for 2<sup>nd</sup> to 1<sup>st</sup> floor ratio (80% maximum recommended; 100% proposed) and second floor side setback (10 feet recommended, 5 feet proposed).

**PUBLIC COMMENTS:**

David Hendryx, applicant, explained the purpose and intent of the project, agreed to comply with the conditions of Exhibit B and offered to answer any questions.

Commissioner Fitzpatrick asked the applicant to explain the manufacturing process for building the homes.

Several of the Commissioners asked the applicant questions concerning 1<sup>st</sup> floor and 2<sup>nd</sup> floor ratios and set-backs that do not meet the City standards.

Commissioner Salcedo asked the applicant which parts of the homes are built on-site. Mr. Hendryx responded that drywall nailing, framing and all mechanical, plumbing and electrical is done on-site, allowing for the necessary City inspections.

Shirley Siglin, Costa Mesa, spoke against building the homes. She is concerned that the homes will not fit into the neighborhood and that it will look like two houses squeezed onto one lot.

Joseph Kink, Costa Mesa, also stated concern for what he called the character of the neighborhood. He also felt that these homes would not fit into the neighborhood and mentioned his concern about the ratio differentials.

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

Commissioner Fitzpatrick asked the applicant if there was opportunity for landscaping on the side of the house. Mr. Hendryx responded that it was outside the tolerance of the building, however, there will be a six foot wall built and the side will not be visible from the street.

Vice Chair Clark stated that the 100% ratio and the side and front set-backs will be keeping him from supporting the project. He mentioned that he likes everything else about the project.

Commissioner Salcedo asked that all future projects be based on their individual merits and suggested that the applicant use local businesses to work on the project whenever possible.

**MOTION: Approve Planning Application PA-11-14 by adoption of Planning Commission Resolution PC-11-56, based on the evidence in the record and the findings contained in Exhibit A, subject to conditions in Exhibit B.**

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

The motion carried by the following roll call vote:

Ayes: McCarthy, Dickson, Fitzpatrick and Salcedo

Noes: Clark

Absent: None

- 4. Application No.:** ZA-11-17  
**Site Address:** 3115 Harbor Blvd.  
**Applicant:** Fred Cook  
**Zone:** C-1  
**Project Planner:** Minoo Ashabi  
**Environmental Determination:** Exempt

**Description:**

A Minor Conditional use Permit to construct a 2,733 square-foot fast food restaurant (Taco Bell) with indoor dining and 24-hour drive-through service within 200 feet of a residential zone.

Commissioner Dickson wanted to confirm that the 4:00 a.m. time slot for trucks loading and unloading was consistent with other businesses nearby. Staff responded that delivery hours are consistent with Sonic Burger and In-N-Out Burger located within the same area.

Chair McCarthy wanted to assure uniformity of signage and landscaping to other restaurants along Harbor Blvd. Staff responded that no deviations from sign standards are requested.

**PUBLIC COMMENTS:**

Fred Cook, applicant, agreed to the conditions of the approval and made a short presentation.

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

**MOTION: Approve Planning Application ZA-11-17 by adoption of Planning Commission Resolution PC-11-57, 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 Vice Chair Clark.**

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

- 5. Application No.:** PA-11-19  
**Site Address:** 1878 & 1884 Placentia Avenue  
**Applicant:** Michael A. Murphy  
**Zone:** C1  
**Project Planner:** Mel Lee  
**Environmental Determination:** Exempt

**Description:**

Conditional use permit to expand an existing automotive repair use (Beach House Imports) at 1884 Placentia Avenue, previously approved under PA-98-93, onto an adjacent property (1878 Placentia Avenue) within 200 feet of residentially-zoned property in conjunction with a reduction in required on-site parking spaces based on unique operating characteristics.

**PUBLIC COMMENTS:**

Michael Murphy, applicant, along with property owner Timothy Bunning, agreed to conditions and provided a detailed presentation on the project.

Residents Wayne Miller, Paul Frech, Robert Feenstra & Jeff Newman all spoke in support of the project.

Chair McCarthy and Commissioners Clark and Dickson complimented the property owner on providing the City of Costa Mesa with an aesthetically pleasing project.

**MOTION: Approve Planning Application PA-11-19 by adoption of Planning Commission Resolution PC-11-58, 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

6.       **Application No.:** PA-11-11  
          **Site Address:** 1640 Pomona Ave.  
                          & 671 W. 17<sup>th</sup> St.  
          **Applicant:** Clayton Peterson  
          **Zone:** MG  
          **Project Planner:** Wendy Shih  
          **Environmental**  
          **Determination:** Exempt

**Description:**

A conditional use permit (CUP) for the Boathouse Collective restaurant and event venue to be valid to July 1, 2014 and inclusive of the following related discretionary components for the proposed business:

- A restaurant and event venue open until 1 AM daily, including live entertainment and dancing with a Type 47 (on-sale general) Alcoholic Beverage Control license;
- On-site and off-site valet parking at 1640 Pomona Avenue and 671 W. 17<sup>th</sup> Street, respectively, for a total parking supply of 66 spaces;
- Off-site 1,000 square-foot outdoor patio dining area at 671 W 17<sup>th</sup> Street;
- Farmers' market monthly and outdoor art shows on a regular basis at 671 West 17<sup>th</sup> Street.

Commissioner Fitzpatrick and Chair McCarthy inquired as to what will happen to the property if their parking lease is not renewed after 7/1/14. Staff explained that unless the applicant is able to find additional parking, they would no longer be able to operate under the present C.U.P.

**PUBLIC COMMENTS:**

Clayton Peterson, applicant, explained the purpose and intent of the project, agreed to comply with the conditions of Exhibit B and offered to answer any questions.

Brett Walker, Matthew Fletcher, Teressa, Gloria Brandes, Don Bowe, and John Morehart spoke in support of the project, while Richard Goehring, Lee Knudson, Charles Rollins, Gary Roberts, Abe Canare, Chris Myers and Mark Keller stated concerns over parking, noise, and litter due to the serving of alcoholic beverages.

Mr. Peterson responded to some of the residents' concerns by explaining that they will not be a nightly bar. Their events will be Boathouse produced private events by invitation only, or private sponsored events. There will be plenty of parking including the valet parking, all of which will be free to the patrons of these events.

Vice Chair Clark asked how often the events would take place. Mr. Peterson responded that most of the events would take place Thursday, Friday and Saturday evenings.

He also responded to concerns regarding off-site parking. Mr. Peterson responded that they will have a security guard as well as signs to direct the patrons where to park.

Commissioner Fitzpatrick suggested adding additional conditions such as parking on-site, a traffic management plan, on-site security and mitigation of amplified music.

Chair McCarthy stated concerns about requiring security and additional lighting when MG Zones are specifically for these types of venues.

Both Chair McCarthy and Vice Chair Clark have concerns about adding additional noise restrictions within an MG zone.

**MOTION: Approve Planning Application PA-11-11 by adoption of Planning Commission Resolution PC-11-59, based on the evidence in the record and the findings contained in Exhibit A, subject to conditions in Exhibit B with the following additional conditions:**

- #16: Employees shall park on-site at 1640 Pomona Avenue or 671 West 17<sup>th</sup> Street. Employees parking on the public streets shall be considered a violation of the terms of approval of the conditional use permit. If repeated violations occur, the Development Services Director shall have the discretion to require employee parking spaces be assigned on the properties or to require other appropriate measures to ensure on-site employee parking.
- #17: Prior to the grand opening of the restaurant and/or event venue, the applicant shall submit an interim parking and traffic management plan to the Planning Division for review and approval to ensure that adequate parking is available on-site or on the adjacent property through an agreement with the adjacent owner. One component of the interim plan is to address parking for employees during this period. In addition, the plan shall indicate that employees (i.e. parking attendant(s) or security personnel) shall be outside to facilitate the restaurant/event venue operations and minimize impacts to adjacent streets and surrounding properties. This interim plan shall be in place for a minimum of 60 days during the "grand opening" and may be extended for an additional 30 days to meet business demands as deemed appropriate by the Development Services Director. The interim plan shall be approved prior to final occupancy or start of restaurant/event venue business.

**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

**VII. ADJOURNMENT IN HONOR OF GARY PEACOCK: NEXT PLANNING  
COMMISSION MEETING AT 6:00 P.M. ON JANUARY 9, 2012.**

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