

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION
May 14, 2012**

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 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 Dickson stated that they had intended to talk about some of the Westside capital improvement projects with staff but this discussion will take place at the June 11th meeting.

Commissioner Fitzpatrick mentioned that his mother is to thank for in getting him involved in the civic aspect of the community. He announced that Peter Naghavi is going to be a great asset for both the Commission and the staff, and he is looking forward to his leadership.

Commissioner Salcedo commended the participants of the Orange County Marathon and congratulated those who finished.

Chair McCarthy stated that the Commissioners will share their opinions regarding the proposed expansion of I-405 during the June 11th meeting.

IV. CONSENT CALENDAR:

1. Minutes for the meeting of April 23, 2012.
2. Code Enforcement Update.
3. General Plan Conformity Resolution for Vacation of A Portion of Fullerton Street Public Right-of-Way adjacent to 164 Flower Street.

Motion: Approve.
Moved by Vice Chair Clark, seconded by Chair McCarthy.

The motion to approve the consent calendar carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, Salcedo
Noes: None
Absent: None

V. PUBLIC HEARINGS:

Chair McCarthy moved Public Hearing Item Numbers 2 and 3 in front of Public Hearing Item No. 1.

2. Application No.: PA-87-154
Applicant: City of Costa Mesa
Site Address: 2180 Newport Blvd.
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 Planning Commission meeting of July 9, 2012.
Moved by Commissioner Fitzpatrick, seconded by Commissioner Salcedo.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, Salcedo
Noes: None
Absent: None
Recused: None

3. Application No.: PA-91-99 A1
Applicant: Pepper Tree Inc.
Site Address: 1195 Baker Street
Zone: C2
Presentation By: Mel Lee

**Environmental
Determination: Exempt**

Description:

Finding of public convenience and necessity in conjunction with a State Alcoholic Beverage Control License Type 20 (Off-Sale Beer and Wine) to allow concurrent sales of alcoholic beverages and gasoline at an existing service station with a carwash and mini-market approved under PA-91-99.

PUBLIC COMMENTS:

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

MOTION: Continue to Planning Commission meeting of June 11, 2012.

Moved by Commissioner Salcedo, seconded by Vice Chair Clark.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, Salcedo

Noes: None

Absent: None

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| 1. Application No.: | PA-11-02 |
| Site Address: | 2025 Placentia Avenue |
| Applicant: | Lisa Morehart |
| Zone: | MG |
| Project Planner: | Mel Lee |
| Environmental Determination: | Exempt |

Description:

Conditional use permit to establish a recycling and collection facility within a new 15,910 square-foot main building with enclosed parking and a 1,970 square-foot detached storage building with a variance from rear setbacks (48 feet required; 9 feet 10 inches provided); an interpretive center to provide education and information related to recycling as an ancillary use; a reduction in required parking based on unique operating characteristics.

PUBLIC COMMENTS:

John Morehart, applicant, agreed to comply with the conditions of approval, before giving his presentation.

Jennifer Wallin, CalRecycle, discussed the State's concept of recycling.

Roger Goedecke, RK Engineering, talked about how they analyzed two recycling facilities - OCC and one in Beach side in Huntington Beach, to establish a trip generation rate for the proposed facility.

Don Kanning indicated that there should be a wall between his house and the proposed recycling facility.

Kevin Whalen stated his concerns about fire access, noise, people collecting cans and bottles by going through the garbage, the impact on property values, the building's size, bugs and smell.

Mitch Ashwill commented about increased traffic flow and safety.

Clayton Peterson, Boathouse Collective, voiced support of the project.

Shelly and Jesse Tellez indicated that they like recycling but they do not want it in their backyard. They stated that they do not want the homeless digging through their trash, nor the bugs, nor the noise, nor the kind of people this will attract.

Beth Refakes expressed her concern that the rear building can be an echo chamber because of noise bouncing between two buildings. She spoke about dumpster diving and odor that will happen.

Martha Velastegui stated her opposition to this project because in addition to traffic deterioration of street pavement, she believed that there will be odor, noise, and air pollution.

Diane Frisbee uttered her opposition because of people going through the trash and traffic that will result.

Ricardo Avila commented that recycling stacks of cardboard is loud, and with 400 vehicles a day, he believed that the kids coming from Estancia will not be safe.

Barry Walker said that there will be a return wall at the back of the cardboard recycling building and that a 10-foot high wall suffices to block out the noise from a 14-foot truck. He said that the front building will be 70 feet wide and the rear building will be 70 feet long going across an 85-foot property.

Chair McCarthy asked staff for some details on how Fire Department got to the minimum turnaround requirements for fire trucks and why they are required. He requested more information on that because it has been a concern expressed by several developers in town.

Vice Chair Clark commented that the traffic is an issue for him in this project.

Chair McCarthy stated his concern about traffic that this project will incur along Placentia Avenue.

Commissioner Dickson expressed his concern that the project he was looking at during the meeting is a different project compared to the one he saw in the open house.

Commissioner Salcedo stated that his biggest concern is the traffic.

Commissioner Fitzpatrick said that he wanted to see an appropriate scale and intensity limits, and anti-scavenging efforts.

MOTION: Deny PA-11-02 without prejudice, by adoption of Planning Commission Resolution PC-12-16 based on the evidence in the record and the findings contained in Exhibit A, Moved by Vice Chair Clark, seconded by Chair McCarthy.

The motion carried by the following roll call vote:
Ayes: McCarthy, Clark, Dickson, Fitzpatrick, Salcedo
Noes: None
Absent: None

The Chair explained the appeal process.

Per the request of the applicant, Chair McCarthy moved Public Hearing Item Number 5 in front of Public Hearing Item No. 4.

MOTION: Hear item number PA-12-07 before item number CO-12-04. Moved by Chair McCarthy, seconded by Vice Chair Clark.

The motion carried by the following roll call vote:
Ayes: McCarthy, Clark, Dickson, Salcedo
Noes: Fitzpatrick
Absent: None

- 5. Application No.: PA-12-07**
- Applicant: Myriam Mahiques**
- Site Address: 3058 Murray Lane**
- Zone: R1**
- Project Planner: Mel Lee**
- Environmental Determination: Exempt**

Description:
Conditional use permit to allow a bathroom in a 570 square-foot pool house with no interior connection to the main dwelling (detached structure).

Vice Chair Clark referred to the land use restriction and asked about the City's enforceability, and Mr. Lee responded that the land use restriction has a provision that allows City staff to perform inspections both on an annual basis or on as-needed basis.

Commissioner Salcedo inquired how subsequent owners will be notified about the land use restriction of the property and Mr. Lee replied that the actual land use restriction document is similar to a grant deed where it's actually recorded on the property so whenever a title search is conducted, that document will pop up.

Commissioner Fitzpatrick asked if there will still be issues had it been built and attached to the home, in which Mr. Lee replied that if applicant still proposes access from the outside of the structure, it will still require a conditional use permit.

PUBLIC COMMENTS:

Myriam Mahiques stated that she and Maritza French understand the conditions but she wanted to verify if the condition of inspections really affects the grant deed. Deputy Attorney Bettenhausen responded that it's merely a document that would be recorded against her property to put her and subsequent owners on notice that there's a restriction on her property. The restriction is that the unit cannot be converted and that inspections would occur.

The applicant wanted to know if they would have the same legal condition if they remove the shower and Ms. Flynn replied that with the proposal of toilet and shower, it does require the land use restriction as part of the conditional use permit, but if the shower is removed, City staff can add a language in the land use restriction indicating that the land use restriction can be removed if the shower itself is removed.

MOTION: Approved, subject to conditions, by adoption of Planning Commission Resolution PC-12-17.

Moved by Commissioner Dickson, seconded by Vice Chair Clark.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Salcedo

Noes: Fitzpatrick

Absent: None

The Chair explained the appeal process.

4. **Application No.:** CO-12-04
Site Address: Citywide
Zone: City of Costa Mesa
Project Planner: Claire Flynn/Fariba Fazeli
Environmental Determination: Exempt

Description:

The Costa Mesa Planning Commission will hold a public hearing to consider Code Amendment CO-12-04 to amend Title 19 of the Costa Mesa Municipal Code related to telecommunications facilities in the public right-of-way. The Code amendment will include proposed provisions for a discretionary review process, public noticing procedures, Planning Commission purview, and other related requirements.

PUBLIC COMMENTS:

Paul O'Boyle from Next-G recommended that there be a tiered system instead of CUPs, that noticing requirements be linear instead of the 500 feet radius, and that there should be a pre-approved antenna configuration.

Leslie Daigle from Verizon Wireless stated that they do not enter into revenue-sharing agreement for use of the public right-of-way.

Barbara Morihiro stated that they were not notified when T-Mobile's antenna was built and that the Commission should take into consideration residential areas and location to schools when reviewing the change in the Code.

Chair McCarthy commented that they will give direction to staff to come back with some specifics, incorporate feedback, and at some point request Council approval.

MOTION: Continue to Planning Commission meeting of July 9, 2012. Moved by Chair McCarthy, seconded by Vice Chair Clark.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Fitzpatrick, Salcedo
Noes: None
Absent: None

VI. NEW BUSINESS:

1. Mesa Green Award Nomination – Greenleaf Restaurant

Commissioner Fitzpatrick stated that there are many green and sustainable aspects of this new business.

MOTION: Nominate Greenleaf Restaurant for the Costa Mesa Green Design Award.

Moved by Commissioner Fitzpatrick, seconded by Vice Chair Clark.

VII. ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON JUNE 11, 2012.

Submitted by: _____
CLAIRE FLYNN, SECRETARY
COSTA MESA PLANNING COMMISSION