

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION
July 9, 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.

II. ROLL CALL:

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

Absent: None

III. PUBLIC COMMENTS:

There were no public comments

IV. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Chair McCarthy encouraged everyone to go to Orange County Fair.

V. CONSENT CALENDAR:

1. Minutes for the meeting of June 11, 2012.
2. Code Enforcement Update.
3. General Plan Conformity Resolution: Vacation of excess public right-of-way along Harbor Blvd. between Shelley Circle and 660 feet north of Wilson St.

**Motion: Approve.
Moved by Commissioner Dickson, seconded by Vice Chair Clark.**

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

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

VI. PUBLIC HEARINGS:

- 1. Application No.: PA-09-18**
Applicant: Diamond Star Assoc.
Site Address: 845 Baker Street
Zone: C1
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.

Don Lamm, applicant, gave a brief summary of the project and stated how he believes there is a need for this type of project especially for the single elderly female.

Commissioner Salcedo asked about the financing for this project.

Art May, Senior Vice President of USA Properties, reported how they found the money to finance this project and stated the importance of how USA Properties must maintain ownership for a minimum of fifteen years.

PUBLIC COMMENTS:

There were no public comments.

MOTION: Approve the time extension for PA-09-18 until July 6, 2013. Moved by Vice Chair Clark, seconded by Commissioner Salcedo.

Chair McCarthy stated how he still has a lot of concerns about the location and how it presents a lot of obstacles for the people in the neighborhood. He indicated that support for the time extension is distinct from the development proposal.

The motion carried by the following roll call vote:

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

- 2. Application No.: PA-87-154 Review**
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.

Commissioner Dickson asked Mr. Lee if Stater Bros. has still not come to an agreement about alterations to the block wall or irrigated landscape. Mr. Lee responded that Stater Bros still has not come to an agreement, but he did get an email from them that stated how they still remain committed to make those improvements but no timeline when they will improve it. Commissioner Dickson also asked if there were any existing conditions of approval that address the above issues. Mr. Lee responded that this market predates the requirement for the conditional use permit that govern such things as on-site improvements, delivery hours, or operations.

Don Opperman, the applicant, is in agreement with the proposed conditions of approval and had already implemented the suggested operational measures.

PUBLIC COMMENTS:

DeAnne Hemmens, resident, requested that the recycling center be moved to a new location because of the increased trash, noise, traffic, accidents, and public urination.

Christy Turley, resident, asked why this particular location was considered and stated her problems with the traffic, parking lot being too small, noise, trash, cars being broken into, bright lights, and the unloading of delivery trucks.

Vice Chair Clark commented how this is an improvement for the neighborhood, and the applicant is trying to minimize the impact.

MOTION: Based on the evidence in the record and findings in Exhibit A subject to the updated conditions of approval contained in Exhibit B that the Planning Commission approve Planning Application PA-87-154 for a two year period valid from September 12, 2011 to September 12, 2013.

Moved by Vice Chair Clark, seconded by Commissioner Salcedo

Chair McCarthy agrees with Vice Chair Clark that Earthwize has been more cooperative than Stater Bros.

Commissioner Dickson recommended the applicant to work with the neighbors on specific complaints about the recycling operations such as the loudness of the glass when being dumped.

The motion carried by the following roll call vote:

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

The Chair explained the appeal process.

- 3. 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, attorney for NextG Networks, commented that staff did a really nice job on this and suggested that residential zone not be excluded because that is really where the demand is right now.

**MOTION: Recommend to City Council that they give first reading and approval to the ordinance.
Moved by Vice Chair Clark, seconded by Chair McCarthy.**

The motion carried by the following roll call vote:

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

- 4. Application No.: PA-97-31 A1**
- Applicant: Mike Bareh**
- Site Address: 1934 Newport Blvd**
- Zone: C2**
- Project Planner: Mel Lee**
- Environmental**

Determination: Exempt

Description:

Amend Conditional Use Permit PA-97-31 to allow a 1,396 square-foot, one-and two-story addition consisting of new office, customer waiting area, and new auto service bay, to an existing 2,833 square-foot auto repair shop with a Minor Conditional Use Permit to allow a reduction in required parking (17 spaces required, 15 spaces proposed).

Chair McCarthy expressed his concerns about the negative impact that could affect the residential neighbors such as increased noise.

Commissioner Dickson recommended to include one of the City's standard conditions about business being conducted at all times in a manner that will allow the quiet enjoyment of the surrounding neighborhood.

Mike Bareh, applicant, is in agreement with most of the conditions of approval but does have concerns with the one pertaining to the eight-foot block wall. He is also asking for the removal of the restriction for tire and wheels sales from the condition.

Vice Chair Clark suggested to delete the last half of Condition No. 12 and indicated that the office area not be subleased to another business.

PUBLIC COMMENTS:

Alberto Garcia, business owner next door, is concerned with the applicants' business blocking his business visibility.

Commissioner Dickson stated his wish to keep Condition of Approval No. 14 and Condition of Approval No. 17.

Chair McCarthy agreed with taking Condition No. 1C out and changing Condition No. 12.

MOTION: Based on the evidence in the record and the findings contained in Exhibit A, and conditions in Exhibit B as modified to:

1A: There shall be no body work, painting, or major engine overhauling, conducted at this site.

1C: Delete and renumber the subsequent Condition in No. 1.

12: The office area shall not be subleased to another business.

17: The business should be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The operator shall institute whatever security and operational measures are necessary to comply with this requirement.

Moved by Commissioner Dickson, seconded by Chair McCarthy.

Vice Chair Clark addressed Albert Garcia's concern and stated that he should work with staff to see what they could do about signage for his business because the applicant is legally allowed to do these types of modifications.

The motion carried by the following roll call vote:

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

The Chair explained the appeal process.

VII. NEW BUSINESS:

1. Applications for Planning Commission vacancy.

City Attorney Bettenhausen explained the process of filling the Planning Commission vacancy seat.

PUBLIC COMMENTS:

There were no public comments.

All Commissioners recommended Jeff Mathews first, then Byron de Arakal second, and then Jonathan Zich third, to fill the Planning Commission vacancy seat.

Chair McCarthy suggested that the City pick someone that has been involved in the City somehow.

Vice Chair Clark suggested recommending the name of one candidate to the City Council to fill the vacancy seat.

Commissioner Salcedo recommended giving a short list of the three candidates they agreed upon in a numbered order of preference to the City Council.

Commissioner Dickson commented that he is willing to give one name to City Council or a short list of three candidates that they rank.

MOTION: Move to recommend to City Council three candidates ranked in the order of Jeff Mathews number one, Byron de Arakal number two, and Jonathan Zich number three.

Moved by Commissioner Salcedo, seconded by Chair McCarthy

SUBSTITUTE MOTION: Recommend to the City Council Jeff Mathews for the Planning Commission vacancy seat.

Moved by Vice Chair Clark, seconded by Commissioner Dickson

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson,

Noes: Salcedo

Absent: None

VIII. ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON August 13, 2012.

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