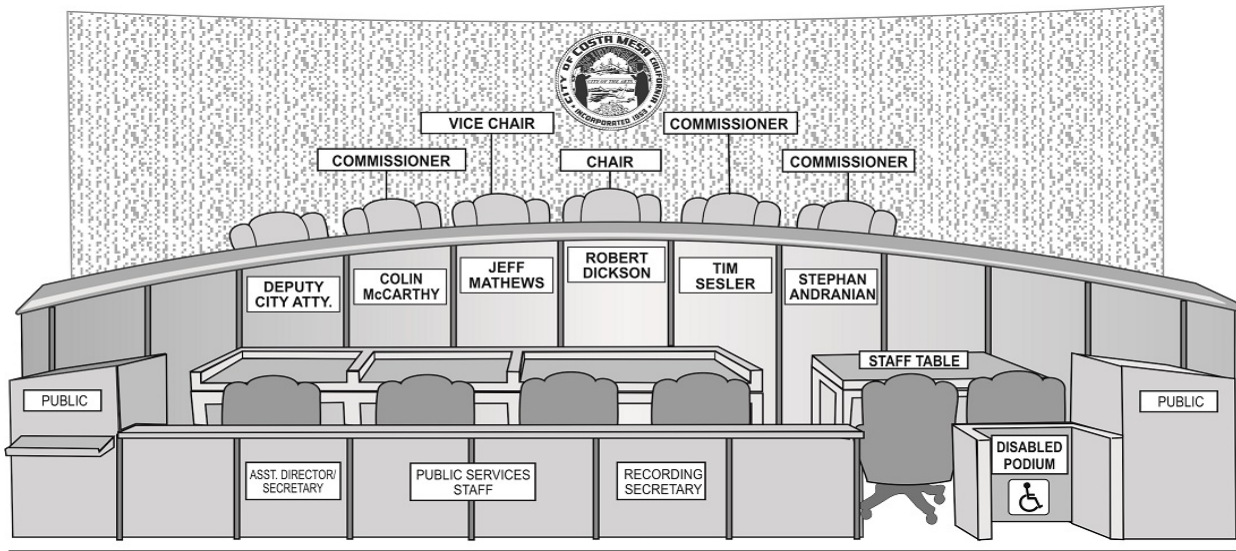


# Planning Commission Agenda

## November 14, 2016

\*Pre-Meeting Agenda Review begins at **5:30 p.m.** in Conference Room 1A

\*\*Planning Commission Meeting begins at **6:00 p.m.** in the Council Chambers



### **CALL TO ORDER.**

### **PLEDGE OF ALLEGIANCE TO THE FLAG.**

**ROLL CALL:** Chair: Robert Dickson  
Vice Chair: Jeff Mathews  
Commissioners: Colin McCarthy, Tim Sesler, and Stephan Andranian

### **PUBLIC COMMENTS:**

To ensure fair and equal treatment of all who appear before the Planning Commission, and to expedite City business, speakers may be limited to three minutes during Public Comments to speak on any item within the Planning Commission's jurisdiction, which is not listed on the Agenda. This time may be extended for good cause by the Chair or by majority vote of the Planning Commission. In accordance with Costa Mesa Municipal Code, Sec. 2-64 (1): No person in the audience shall engage in disorderly, disruptive, disturbing, delaying or boisterous conduct.

### **PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:**

### **CONSENT CALENDAR:**

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the Planning Commission, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion. Items removed from the Consent Calendar will be discussed and voted upon immediately following Planning Commission action on the remainder of the Consent Calendar. Members of the public who wish to discuss Consent Calendar items should come forward to the microphone upon invitation by the Chair, state their name, city in which they reside, and item number to be addressed.

**CONSENT CALENDAR:**

**RECOMMENDATION(S):**

- 1. [Minutes for the meeting of October 24, 2016](#)

Approve.

**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

- 1. [PA-16-54 AND PM-2016-167: DESIGN REVIEW AND SUBDIVISION AT 166 ROCHESTER STREET](#)

Continue public hearing to the November 21, 2016 Special Planning Commission meeting.

**Applicant:** Gavin Sermon  
**Site Address:** 166 Rochester Street  
**Zone:** R2-HD  
**Project Planner:** Dan Inloes

**Environmental Determination:**

The project is categorically exempt under Section 15303 of the State CEQA (California Environmental Quality Act) Guidelines – Class 3 (New Construction).

**Description:** The proposed project involves:

- 1. **Design Review PA-16-54** for the demolition of an existing single-family residence and construction of two residences (one with 4 bed/3.5 bath 2,393 square foot and one with 3 bed / 2.5 bath 2,049 square foot) with attached two-car garages.
- 2. **Tentative Parcel Map PM-2016-167** for the subdivision of a 0.16-acre lot into two fee simple lots, per the Small Lot Subdivision Ordinance.

- 2. [PA-16-57: PLANNING APPLICATION FOR VARIANCE REQUEST AND MINOR MODIFICATION FOR A NEW DETACHED TWO STORY ACCESSORY STRUCTURE AT 321 ROCHESTER STREET](#)

Continue public hearing to the November 21, 2016 Special Planning Commission meeting.

**Applicant:** Mark Rogers  
**Site Address:** 321 Rochester Street  
**Zone:** R2-MD  
**Project Planner:** Ryan Loomis

**Environmental Determination:**

The project is categorically exempt under Section 15303 of the State CEQA (California Environmental Quality Act) Guidelines – Class 3 (New Construction).

**Description:** The proposed project involves the development of a 1,350 square-foot two-story detached accessory structure in the R2-MD zone to be used as an exercise room and storage on

**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

**(Continued)**

the first floor, and office on the second floor, with the following requests:

- 1. **Variance** from rear yard setback requirements (20 feet required; 5 feet proposed); and
- 2. **Minor Modification** from building separation requirements (6 feet minimum required; 5 feet – 6 inches proposed).

- 3. **ZA-16-34: MINOR CONDITIONAL USE PERMIT TO ALLOW RESERVED PARKING SPACES AT 3033 BRISTOL STREET, UNIT A** Continue public hearing to the November 21, 2016 Special Planning Commission meeting.

**Applicant:** Marc Martine  
**Site Address:** 3033 Bristol Street, Unit A  
**Zone:** C1  
**Project Planner:** Ryan Loomis

**Environmental Determination:**  
 The project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (Existing Facilities).

**Description:** The applicant is requesting approval of a Minor Conditional Use Permit to allow two reserved parking spaces in front of Suite A at the 3033 Bristol Street retail plaza to accommodate patrons of the Watch Connection as follows: **Days:** Tuesday through Saturday and **Hours:** 11 a.m. to 2 p.m.

- 4. **SL-15-0013: APPEAL OF DIRECTOR’S DENIAL OF SPECIAL USE PERMIT TO OPERATE A GROUP HOME WITH 6 RESIDENTS AT 1180 AUGUSTA STREET** Adopt a resolution to uphold Director’s denial of Special Use Permit SL-15-0013.

**Applicant:** Ryan Hampton of Hampton House, LLC  
**Site Address:** 1180 Augusta Street  
**Zone:** R1  
**Project Planner:** Sheri Vander Dussen

**Environmental Determination:**  
 The request is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15268 (Ministerial Projects), 15270 (Disapproved Projects) and 15301 (Existing Facilities).

**Description:** The applicant applied for a Special Use Permit (SUP) to operate a group home with

**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

**(Continued)**

six or fewer all-male residents at 1180 Augusta on March 16, 2015. The Director of Economic and Development Services/Deputy CEO denied the SUP and the applicant has appealed that decision to the Planning Commission.

**5. SL-15-0019: APPEAL OF DIRECTOR’S DENIAL OF SPECIAL USE PERMIT TO OPERATE A GROUP HOME WITH 6 RESIDENTS AT 653 JOANN STREET**

Adopt a resolution to uphold Director’s denial of Special Use Permit SL-15-0019.

This item was continued from the Planning Commission meeting on October 24, 2016.

**Applicant:** Richard Perlin  
**Site Address:** 653 Joann Street  
**Zone:** R1  
**Project Planner:** Sheri Vander Dussen  
**Environmental Determination:**

The request is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15268 (Ministerial Projects), 15270 (Disapproved Projects) and 15301 (Existing Facilities).

**Description:** The applicant applied for a Special Use Permit (SUP) to operate a group home with six or fewer all-male residents at 653 Joann Street on April 8, 2015. The Director of Economic and Development Services/Deputy CEO denied the SUP and the applicant has appealed that decision to the Planning Commission.

**6. SL-15-0041: APPEAL OF DIRECTOR’S DENIAL OF SPECIAL USE PERMIT TO OPERATE A GROUP HOME WITH 6 RESIDENTS AT 647 JOANN STREET**

Adopt a resolution to uphold Director’s denial of Special Use Permit SL-15-0041.

This item was continued from the Planning Commission meeting on October 24, 2016.

**Applicant:** Richard Perlin  
**Site Address:** 647 Joann Street  
**Zone:** R1  
**Project Planner:** Sheri Vander Dussen  
**Environmental Determination:**

The request is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15268 (Ministerial Projects), 15270 (Disapproved Projects) and 15301 (Existing Facilities).

**Description:** The applicant applied for a Special Use Permit (SUP) to operate a group home with

**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

**(Continued)**

six or fewer all-male residents at 647 Joann Street on June 24, 2015. The Director of Economic and Development Services/Deputy CEO denied the SUP and the applicant has appealed that decision to the Planning Commission.

- 7. **PA-16-03: CONDITIONAL USE PERMIT FOR AN ALL-MALE SOBER LIVING FACILITY WITH A MAXIMUM OF 11 OCCUPANTS WITHIN 2 EXISTING CONDOMINIUM UNITS AT 165 EAST WILSON**

Adopt a resolution approving Conditional Use Permit PA-16-03.

**Applicant:** Keith Randle  
**Site Address:** 165 East Wilson  
**Zone:** R2-MD  
**Project Planner:** Sheri Vander Dussen

**Environmental Determination:**  
 The project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (Existing Facilities).

**Description:** Conditional Use Permit PA-16-03 is a request for an all-male sober living facility housing 11 occupants (including one resident house manager) within two existing attached condominium units.

- 8. **PA-16-04: CONDITIONAL USE PERMIT FOR AN ALL-MALE SOBER LIVING FACILITY WITH A MAXIMUM OF 13 OCCUPANTS WITHIN 3 EXISTING UNITS AT 2041 TUSTIN AVENUE**

Adopt a resolution approving Conditional Use Permit PA-16-04.

**Applicant:** Keith Randle  
**Site Address:** 2041 Tustin Avenue  
**Zone:** R2-MD  
**Project Planner:** Sheri Vander Dussen

**Environmental Determination:**  
 The project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (Existing Facilities).

**Description:** Conditional Use Permit PA-16-04 is a request for an all-male sober living facility housing 13 occupants (including one live-in manager) within three existing units.

**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

**9. PA-16-15: CONDITIONAL USE PERMIT FOR A SOBER LIVING FACILITY WITH A MAXIMUM OF 14 OCCUPANTS WITHIN 3 EXISTING UNITS AT 166 EAST 18<sup>TH</sup> STREET**

Adopt a resolution upholding the Director's denial of reasonable accommodation and denying Conditional Use Permit PA-16-15.

**Applicant:** Casa Capri, LLC  
**Site Address:** 166 East 18<sup>th</sup> Street  
**Zone:** R2-HD  
**Project Planner:** Sheri Vander Dussen

**Environmental Determination:**

The project has been found to be categorically exempt under Section 15301 of the CEQA Guidelines. Notwithstanding the foregoing, if this action were found to be a project, it would be exempt from CEQA under Section 15321 for Enforcement Actions by Regulatory Agencies.

**Description:** Conditional Use Permit PA-16-15 is a request to allow a Sober Living Facility housing 14 residents within three existing units. The application includes an appeal of the decision of the Economic and Development Services Director to deny a request for a reasonable accommodation to allow this facility to be located within 650 feet of another property that contains a group home, sober living home or state licensed drug and alcohol treatment facility.

**10. PA-16-41 AND PA-16-44: CONDITIONAL USE PERMIT FOR A SOBER LIVING FACILITY WITH A MAXIMUM OF 28 OCCUPANTS WITHIN 4 EXISTING UNITS AT 266 AND 271 16<sup>TH</sup> PLACE**

Adopt a resolution upholding the Director's denial of reasonable accommodation and denying Conditional Use Permit PA-16-41.

**Applicant:** Casa Capri, LLC  
**Site Address:** 266 and 271 16<sup>th</sup> Place  
**Zone:** R2-HD  
**Project Planner:** Sheri Vander Dussen

**Environmental Determination:**

The project has been found to be categorically exempt under Section 15301 of the CEQA Guidelines. Notwithstanding the foregoing, if this action were found to be a project, it would be exempt from CEQA under Section 15321 for Enforcement Actions by Regulatory Agencies.

**Description:** Conditional Use Permits PA-16-41 and PA-16-44 are requests to allow a Sober Living Facility housing 28 residents in four units on two parcels. The application includes an appeal of the decision of the Economic and

Adopt a resolution approving Conditional Use Permit PA-16-44.

**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

**(Continued)**

Development Services Director to deny a request for a reasonable accommodation to allow these facilities to be located within 650 feet of another property that contains a group home, sober living home or state licensed drug and alcohol treatment facility.

- 11. **PA-16-42 AND PA-16-43: CONDITIONAL USE PERMIT FOR A SOBER LIVING FACILITY WITH A MAXIMUM OF 28 OCCUPANTS WITHIN 8 EXISTING UNITS ON TW**

Adopt a resolution upholding the Director's denial of reasonable accommodation and denying Conditional Use Permit PA-16-42.

**PARCELS AT 351 AND 357 VICTORIA STREET**

Adopt a resolution upholding the Director's denial of reasonable accommodation and denying Conditional Use Permit PA-16-43.

**Applicant:** Windward Way Recovery  
**Site Address:** 351 and 357 Victoria Street  
**Zone:** R2-HD  
**Project Planner:** Sheri Vander Dussen

**Environmental Determination:**

The project has been found to be categorically exempt under Section 15301 of the CEQA Guidelines. Notwithstanding the foregoing, if this action were found to be a project, it would be exempt from CEQA under Section 15321 for Enforcement Actions by Regulatory Agencies.

**Description:** Conditional Use Permits PA-16-42 and PA-16-43 are requests for a Sober Living Facility housing up to 28 residents in eight units on two parcels. The application includes an appeal of the decision of the Economic and Development Services Director to deny a request for a reasonable accommodation to allow these facilities to be located within 650 feet of another property that contains a group home, sober living home or state licensed drug and alcohol treatment facility.

- 12. **GP-16-01/R-16-01/PA-16-46/TT-18064:**  
**GENERAL PLAN AMENDMENT, REZONE, PLANNING APPLICATION FOR MASTER PLAN AND TENTATIVE TRACT MAP TO ALLOW THE DEMOLITION OF THE EXISTING TWO-STORY RETAIL/OFFICE CENTER AND THE CONSTRUCTION OF 8 NEW THREE-STORY DETACHED SINGLE-FAMILY UNITS AND 20 FOUR-STORY DUPLEX UNITS AT 440 FAIR DRIVE**

Continue public hearing to the November 21, 2016 Special Planning Commission meeting.

**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

**(Continued)**

**Applicant:** Sheldon Development, LLC

**Site Address:** 440 Fair Drive

**Zone:** C1 (Local Business District)

**Project Planner:** Ryan Loomis

**Environmental Determination:**

An IS/MND was prepared for the project in accordance with the Lead Agency's Guidelines implementing the California Environmental Quality Act. The IS/MND was available for public review and comment from October 4, 2016 to October 24, 2016. The IS/MND found that the environmental effects from the project would be less than significant with the incorporation of standard conditions of approval and compliance with the Code requirements. The proposed project site is not on a list compiled pursuant to Government Code Section 65962.5.

**Description:** The project involves the demolition of the existing two-story retail/office center, and the construction of 28 single-family new residential units. The proposed project involves the following discretionary requests:

1. Adoption of an Initial Study/Mitigated Negative Declaration (**IS/MND**).
2. **General Plan Amendment GP-16-01** to change the land use designation from Neighborhood Commercial (NC) to High Density Residential (HDR).
3. **Rezone 16-01** to change the zoning classification from C1 (Local Business District) to PDR-HD (Planned Development Residential – High Density).
4. **Planning Application PA-16-46** to implement a Master Plan for the 28-unit residential project with specified deviations from the PDR-HD development standards, for the following:
  - Variance to allow deviation from required open space requirements (42% required; 36.8% proposed);
  - Variance for encroachment of block walls into required perimeter open space area (20 feet required; 6 feet proposed on Fair Drive and 4.7 feet proposed on Carnegie Avenue);
  - Variance to allow deviation from required landscaped parkway requirements (10 feet



**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

**(Continued)**

with no dimension less than 5 feet on house side of private street required; 10 feet/3.6 feet proposed);

- Administrative Adjustment for encroachment of building into required perimeter open space area along Fair Drive (20 feet required; 15 feet proposed);
- Minor Modification for encroachment of building into required perimeter open space area along Carnegie (20 feet required; 18 feet proposed); and
- Deviation from Residential Design Guidelines for multi-story to first floor ratio (100% multi-story to first floor ratio recommended; 150% for 4-story units and 114% for 3-story units proposed).

5. **Tentative Tract Map 18064** for a single lot subdivision for condominium purposes.

**DEPARTMENTAL REPORT(S):**

**RECOMMENDATION(S):**

1. **Public Services Report**

Receive and file.

2. **Development Services Report**

Receive and file.

**CITY ATTORNEY’S OFFICE REPORT(S)**

**RECOMMENDATION(S):**

1. **City Attorney**

Receive and file.

**ADJOURNMENT: NEXT PLANNING COMMISSION SPECIAL MEETING AT 6:00 P.M., OR SHORTLY THEREAFTER, ON MONDAY, NOVEMBER 21, 2016.**

## **ADDITIONAL INFORMATION**

### **Planning Commission Meetings**

Costa Mesa Planning Commission meets the second and fourth Monday of each month at 6:00 p.m. in the Council Chambers at City Hall, 77 Fair Drive. All Planning Commission meetings are open to the public.

The Planning Commission and staff hold an Agenda Review Study Session at 5:30 p.m., prior to the regular meeting, in Conference Room 1A. This session is open to the public. Each member of the public will be given the opportunity to speak for one (1) minute on study session items.

In compliance with the Americans with Disabilities Act of 1990, Assistive Listening headphones located inside the Council Chambers are available at all Costa Mesa City Council meetings and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al (714) 754-5225 por lo menos con 48 horas de anticipación.

Submitting Written Communication to the Planning Commission:

- Any written communication, photos or other materials for distribution to the Planning Commission must be received by the **Planning staff (2<sup>nd</sup> floor) prior to 3:00 pm on the day of the hearing** (see date above).
- If the public wishes **to submit written comments** to the Planning Commission **at the hearing 10-copies will be needed for distribution** to the Commissioners, City Attorney and Staff.
- Please note that **no copies** of written communication **will be made after 3:00 PM**.
- Please note that records submitted by the public **will not be redacted** in any way and will be posted online as submitted, including any personal contact information.
- Any materials to be displayed on the overhead projector at the Planning Commission meeting must be submitted to Planning staff **no later than 15 minutes prior to the start of the meeting (no copies, for the Commission, will be made unless the materials are submitted prior to 3:00 PM)**.
- If you challenge this action in court, you may be limited to raising only those issues you, or someone else raised, at or prior to the hearing.
- While staff may not be making additional copies for distribution after 3:00 pm on the day of the hearing, public may provide 10 copies for distribution until 5:00 pm on the day of the meeting.

### **Agenda Reports**

Reports may be obtained in the office of the Development Services Department, Planning Division, on the second floor of City Hall, 77 Fair Drive, Costa Mesa or on the City's web site at [www.costamesaca.gov](http://www.costamesaca.gov). Agenda Packets are available for public review in three-ring binders located at the Planning Division Counter at City Hall located on the second floor during normal business hours and at the Council Chambers entrance during the meeting. In addition, such writings and documents may be posted, whenever possible, as part of the agenda, on the City's website at [www.costamesaca.gov](http://www.costamesaca.gov).

### **Public Comments**

Those wishing to speak on an item are asked to come forward to the podiums on either side of the Chambers and state their name and address for the record. To ensure accuracy of the record, speakers are also asked to complete a Registration Card and to give this card to the Recording Secretary.

### **Appeal Procedure**

Unless otherwise indicated, the decision of the Planning Commission is final at 5:00 p.m., seven (7) days following the action, unless an aggrieved party files: (1) an application for rehearing by the Planning Commission, or (2) an appeal to the City Council, or (3) a member of City Council requests a review of the action. Applications for appeals or rehearings are available in the Planning Division and in the City Clerk's office.

### **Contact Us**

77 Fair Drive, Costa Mesa, CA 92626  
Planning Division (714) 754-5245  
Fax (714) 754-4856  
[PlanningCommission@costamesaca.gov](mailto:PlanningCommission@costamesaca.gov)