

**MEETING MINUTES OF THE CITY OF
COSTA MESA PLANNING COMMISSION**

February 27, 2017

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.

The Chair called the meeting to order.

Yolanda Summerhill, Deputy City Attorney, led the Pledge of Allegiance.

Brenda Green, Deputy City Clerk, swore in Jeffrey Harlan as newly appointed Planning Commissioner.

ROLL CALL

Present: Chair Stephan Andranian
Vice-Chair Byron de Arakal
Commissioner Isabell Kerins
Commissioner Carla Navarro Woods
Commissioner Jeffrey Harlan

Staff: Jay Trevino, Development Services Department Consultant
Peggy Schneble, Interim Assistant Development Services Director
Yolanda Summerhill, Deputy City Attorney
Bart Mejia, City Engineer
Brenda Green, Deputy City Clerk
Mino Ashabi, Principal Planner
Justin Arios, Assistant Planner
Julie Colgan, Recording Secretary

ANNOUNCEMENTS AND PRESENTATIONS:

The Chair announced two public hearing items located at 353 18th Street and 326 East 16th Street that were noticed but not agenzized will be continued to the March 13th Planning Commission meeting.

PUBLIC COMMENTS:

A speaker spoke about the lack of Public Hearing items on the Agenda and asked for statistics on how many planning applicants are coming into the Planning Department.

Cindy Brenneman, Costa Mesa resident, stated concerns with the process of applications for the new Commissioners.

A speaker stated concerns with a business located at 2560 Newport Boulevard and run by Sovereign Healthcare; a situation that occurred when he came to the City to speak with the City Manager; and asked the Planning Commissioners to be transparent.

A speaker stated concerns with new sober living homes located at 2561 Santa Ana Avenue; her investigation into a trailer park located at 2560 Newport Boulevard; and asked that the Planning Commission pull two Zoning Administrator Decisions from the February 23rd decision.

Barrie Fischer, Costa Mesa resident, talked about the differences in state license sober living facilities versus non state license facilities and how they operate.

The Chair closed public comments.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Harlan stated he looked forward to serving the community.

Vice Chair de Arakal asked Jay Trevino, Development Services Department Consultant, for a timeline on the work schedule for the sober living homes. Mr. Trevino stated that the City Council has been deliberating over it and has given direction to the City Attorney on changing the City's Group Home Ordinances. The items would be coming back to Planning Commission possibly for special meetings but the schedule has not been established. Vice Chair de Arakal also welcomed Commissioner Harlan on board.

Chair Andranian welcomed Commissioner Harlan and asked at the next meeting for a brief update on where the City is on the process of the sober living home items. He also asked for a policy or guideline on applicant continuances for sober living home items and for a monthly update on new applications the Planning Department is processing. He announced the groundbreaking ceremony for Fire Station No. 1 happening on March 11, 2017 and addressed the public comment about the application process for Planning Commissioners.

Vice Chair de Arakal announced Mayor Foley's lunch honoring past Women Mayors of Costa Mesa happening on March 8th at the Costa Mesa Country Club.

CONSENT CALENDAR:

The Chair asked if anyone wanted to pull the minutes. No one responded.

- 1. Minutes for the meeting of February 13, 2017**
- 2. Minutes for the meeting of a special study session of February 8, 2017**

MOTION: Approve all Consent Calendar items.

Moved by Vice Chair de Arakal, seconded by Commissioner Kerins.

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Kerins, Navarro Woods

Noes: None

Absent: None

Abstained: None

PUBLIC HEARINGS

- 1. PA-07-18 AND VT-17207: A ONE-YEAR TIME EXTENSION AT 585 AND 595 ANTON BOULEVARD**

Project Description: A one-year time extension is requested for Final Master Plan (PA-07-18) and Vesting Tentative Tract Map VT-17207 for a high-rise condominium project at 585 and 595 Anton Boulevard. The project approvals were originally granted on October 8, 2007 and will expire on October 8, 2017 unless an extension is granted.

Environmental Determination: Final Program EIR No. 1052 certified on November 21, 2006 by City Council.

Five ex-parte communications to report: Vice Chair de Arakal had a telephone conversation with Mr. Sakioka on Friday, February 24th discussing the history of the project; Chair Andranian had a telephone conversation with the applicant discussing the project; Commissioner Harlan received an email from Mr. Sakioka on February 23rd; Commissioner Navarro Woods had a telephone conversation with Mr. Sakioka on February 27th regarding general questions about the history of the project and general site features; and Commissioner Kerins received an email on February 23rd.

Minoo Ashabi, Principal Planner, presented the staff report.

Commissioners and Ms. Ashabi discussed the reason for the time extension; the Environmental Impact Report for the original project; and development agreements.

PUBLIC COMMENTS

George Sakioka, applicant, explained that the reasons for the time extension request was that a parking structure needs to be built before their construction can begin and the recession delayed the project.

Vice Chair de Arakal asked for clarification on the entitlements. Mr. Sakioka responded that the original entitlement was for a high rise because of the market at the time and after the recession they reevaluated the project and decided that a mid-high rise was a better option.

Commissioner Kerins asked if the construction at the MET site would be finished before their project started so that it will minimize the effects on the tenants. Mr. Sakioka responded yes.

A speaker asked the Planning Commissioners to be equal when considering time extension requests.

The Chair closed the public hearing.

Vice Chair de Arakal asked if entitlement extensions are discretionary approvals or are they subject to rights by law. Ms. Summerhill responded that it is a discretionary determination on whether adequate measures have been taken to move the project along.

MOTION: Adopt the resolution to approve the one-year time extension to be valid until October 8, 2018 for Planning Application PA-07-18 and Vesting Tentative Tract Map VT-17207 and that no additional environmental review is required as a result of the Final Program Environmental Impact Report Number 1052 certified on November 21, 2006. Also that the original conditions of approval for the project in 2007 are applicable.

Moved by Commissioner Kerins, seconded by Vice Chair de Arakal.

The Chair stated that there are differences in PA-07-18 Time Extension application versus PA-15-08 Time Extension from the last meeting and is in favor of the motion.

Vice Chair de Arakal stated that the City has a clear vision for the South Coast Metro area; the Sakioka's have always demonstrated a long history of doing quality projects; and is looking forward to the project moving along.

RESOLUTION PC-17-04 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING ONE-YEAR TIME EXTENSION FOR PLANNING APPLICATION PA-07-18 AND VESTING TENTATIVE TRACT MAP 17207 FOR DEVELOPMENT OF 484 HIGH RISE UNITS AT 585 AND 595 ANTON BOULEVARD

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Kerins, Navarro Woods

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.

2. PA-93-42 A and PA-16-73: REQUEST FOR A CONDITIONAL USE PERMIT AT 891 BAKER STREET, SUITE B-19

Project Description: Conditional Use Permit to allow the establishment of a food service use (Rollin Deep Ice Cream), in the Commercial Limited zone, located within 200 feet of a residential zone. Proposed hours of operation are 12 PM – 11 PM, daily. No seating furniture (tables or chairs) is proposed. Application also includes a request to delete Condition of Approval number 5 of PA-93-42, which requires any new restaurant or food service use obtain a conditional use permit.

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

No ex-parte communications to report.

Justin Arios, Assistant Planner, presented the staff report.

Chair Andranian asked if Condition of Approval No. 5 in PA-93-42 A is why the item is before the Planning Commission and not the Zoning Administrator. Ms. Arios responded yes. Chair Andranian also asked for clarification on the parking and if the project is fully parked. Mr. Arios explained the calculation for the proposed use; that four parking spaces are recognized for tenant space; and it is fully parked according to code.

Commissioner Kerins and staff discussed Condition of Approval No. 2 in Exhibit B for PA-93-42 A and Conditional of Approval No. 10 in Exhibit B for PA-16-73.

Commissioner Navarro Woods asked if the shopping center had received any complaints about the parking and if staff has looked at the customer traffic within the center. Mr. Arios responded since he has had the project, he has not received any complaints. Ms. Ashabi responded that the proposed use could be considered an extension of one of the restaurants there.

Vice Chair de Arakal asked for clarification on whether the center is parked per the City's Zoning Code. Ms. Ashabi responded the center is parked based on the retail parking ratio the center was originally built for.

Commissioners and staff discussed Condition of Approval No. 5 in PA-93-42 and if it is mentioned in the resolution or findings.

PUBLIC COMMENTS

David Gusto, representative for the applicant, has read and is in agreement with the updated conditions of approval.

Kalvin Feng, Founder of Rollin Deep Ice Cream, explained the business and reasons for the location choice.

Commissioner Harlan asked Mr. Feng if any seating is being proposed. Mr. Feng responded no.

Cindy Brenneman, Costa Mesa resident, spoke in support of the application and liked how the applicant took the parking concern into consideration.

The Chair closed the public hearing.

MOTION: Adopt the resolution to approve Planning Application PA-16-73 subject to the conditions of approval and subject to the findings that the project is exempt from the provisions of the California Environmental Quality Act under Section 15301 for existing facilities and to eliminate original Condition of Approval Number 5 related to Planning Application PA-93-42 and include the corrections noted by staff in the resolution.

Moved by Chair Andranian, seconded by Vice Chair de Arakal.

RESOLUTION PC-17-05 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT PA-16-73 FOR A CONDITIONAL USE PERMIT TO ALLOW THE ESTABLISHMENT OF A FOOD SERVICE USE (ROLLIN DEEP ICE CREAM) LOCATED AT 891 BAKER STREET, SUITE B-19 AND DELETING CONDITION OF APPROVAL NUMBER 5 FROM PLANNING APPLICATION PA-93-42

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Kerins, Navarro Woods

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.

DEPARTMENTAL REPORT(S)


1. Public Services Report – none.
2. Development Services Report – Mr. Trevino, reported that at the March 13th Planning Commission meeting there will be three residential projects and the department will also bring a report on the planning application activity. He also reminded the Commissioners of the League of California Cities 2017 Planning Commissioners Academy that some will be attending and of the March 28th joint meeting with the Planning Commission, Parks and Recreation Commission and City Council to discuss the Lion Park's project.

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney – none.

ADJOURNMENT: TO A PLANNING COMMISSION MEETING AT 6:00 P.M., OR SHORTLY THEREAFTER, ON MONDAY, MARCH 13, 2017.

Submitted by:



JAY TREVINO, ACTING SECRETARY
COSTA MESA PLANNING COMMISSION