

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

**June 14, 2004**

The Planning Commission of the City of Costa Mesa, California, met in regular session at 6:30 p.m., June 14, 2004 at City Hall, 77 Fair Drive, Costa Mesa, California. The meeting was called to order by Chairman Garlich, followed by the Pledge of Allegiance to the Flag.

**ROLL CALL:**

Commissioners Present:

Chairman Bruce Garlich  
Vice Chair Bill Perkins  
Katrina Foley, and Eric Bever

Commissioner Absent:

Dennis DeMaio

Also Present: Perry L. Valantine, Secretary

Costa Mesa Planning Commission  
Marianne Milligan, Sr. Deputy City Attorney  
Ernesto Munoz, City Engineer  
Willa Bouwens-Killeen, Senior Planner  
Claire Flynn, Associate Planner  
Mel Lee, Associate Planner  
Hanh Tran, Assistant Planner

**MINUTES:**

The minutes for the meetings of May 24, 2004 were accepted as distributed.

**PUBLIC COMMENTS:**

Martin Millard, 2973 Harbor Boulevard, Costa Mesa, discussed his thoughts on the proactive status of the Planning Commission; the Costa Mesa Crime rate statistics; rentals versus ownership properties; industrial properties on the bluffs and why they should be rezoned to residential. Commissioner Foley commented that there are certain restrictions on the Commission's ability to be proactive in the matter of the bluffs because of budget constraints and Council Policy.

**PLANNING COMMISSIONER  
COMMENTS/SUGGESTIONS:**

Commissioner Bever announced that the Costa Mesa Historical Society is currently working on a project to film an audiotape collection into the 21<sup>st</sup> century, and to complete this work; they need an 8mm standard movie projector; a super 8 movie projector, a 16mm movie projector with sound, and a ¼-inch reel-to-reel tape player. He asked if anyone had these items in working condition, to please contact Mary Ellen Goddard at (949) 631-5918.

Vice Chair Perkins commented on the recent passing of President Reagan and his good character. He thanked the Chair and other City officials who were at annual Costa Mesa Fish Fry event donating their services to the cause.

Chairman Garlich commented that the preliminary numbers indicate that the Fish Fry event increased by about 25% over last year, and all the food was sold out. He thanked all the people who supported it and stated he was hopeful next year's event would be a little bigger and better. The Chair also promoted the "Reading By Nine" program at Wilson, Pomona and Whittier Schools sponsored by the Los Angeles Times; locally and broadly supported by Rotary International. Now, in his fourth year of participating at the Wilson School in this program, he congratulated the children he worked with for all their hard work and efforts.

**CONSENT CALENDAR:**

None.

**PUBLIC HEARINGS:**

REZONE PETITION R-04-04

Pearson

The Chair opened the public hearing for consideration of Rezone R-04-04 for Darwin Pearson, property owner, for a change in zoning from

Local Business District (C1) to Multi-family Residential District, Medium Density (R2-MD) located at 2436 Newport Boulevard. Environmental determination: Mitigated Negative Declaration.

Associate Planner Claire Flynn reviewed the information in the staff report and gave a brief visual presentation of the site characteristics. She stated that staff is recommending that Planning Commission recommend to City Council: (1) adoption of Mitigated Negative Declaration and Mitigation Monitoring Program, and (2) give first reading to the ordinance for Rezone R-04-04.

In response to a question from Commissioner Bever about why an attached condominium type product would be preferable to a detached single-family dwelling, Ms. Flynn explained that the project site is bounded by commercially-zoned properties to both the north and south, medium-density residential to the east, and Newport Boulevard. Therefore, the most likely and appropriate development would be some type of attached housing development, such as townhomes, triplexes, and duplexes, as opposed to a small lot single-family development. If single-family homes on good size lots were built on this property, it would create an isolated land use where there are no other single-family developments of that type in the immediate area. Commissioner Bever said he did not understand the difference between a townhome product and a detached product because both will bring the same type of people. Mr. Valentine offered that one thing attached products provide, is some design opportunity to address potential environmental impacts; noise from the street and freeway out in front can be better buffered by a larger attached building than by smaller detached buildings with spaces in between them which allows the noise to come through. Also, potential privacy impacts from the motel to the south can be better buffered by a larger structure that may provide some shielding for common open space areas. Single-family home private back yards would be individually exposed to views from the adjacent motel.

Vice Chair Perkins confirmed with Ms. Flynn that detached or attached residential would still involve a maximum of 10 units.

Darwin Pearson, 2436 Newport Boulevard, Costa Mesa, told the Commission he would consider both types of housing.

Martin Millard, 2973 Harbor Boulevard, Costa Mesa, discussed condominiums versus detached homes and made comparisons. He was against apartments because he felt the ratio of rentals to ownerships was too high in the City.

No one else wished to speak.

MOTION:  
R-04-04  
Recommend approval

A motion was made by Commissioner Foley, seconded by Chairman Garlich and carried 4-0 (DeMaio absent), to recommend to City Council: (a) adoption of the Mitigated Negative Declaration and Mitigation Monitoring Program; and (b) to give first reading to the Ordinance for Rezone R-04-04, by adoption of Planning Commission Resolution PC-04-40.

In response to a question from the Chair, Mr. Valentine stated that this item would go to the City Council meeting of July 6<sup>th</sup>.

APPEAL OF ZONING ADMINISTRATOR'S APPROVAL OF MINOR DESIGN REVIEW ZA-04-15

Chilcott

The Chair opened the public hearing for consideration of an appeal of the Zoning Administrator's approval of Minor Design Review ZA-04-17 for Willard Chilcott, to construct a two-story, 2,376 square-foot house with an attached 2-car garage, located at 2172 Myran Drive, in an R2-MD zone. Environmental determination: exempt.

Associate Planner Mel Lee reviewed the information in the staff report and gave a visual presentation of the site characteristics. He said staff is recommending the Planning Commission uphold the zoning Administrator's approval, by adoption of Planning Commission reso-

lution, subject to conditions. He read into the record, a modification to condition of approval #13 relating to removal and replacement of trees to accommodate building and construction (as shown in the motion below).

In response to a question from Commissioner Foley regarding repaving the private driveway, Mr. Lee stated that the applicant is required to completely repave the area in the easement that the vehicles would be driving across to access his own property and the three other properties that take access off of the easement. In response to another question from Commissioner Foley regarding the ability of the City to require 2 parking spaces at the end of the easement, Mr. Lee explained that the paving of the easement would not change the nature of the easement, which is for roadway purposes. It is staff's belief that the imposition of parking spaces would take away from the current definition of the easement as "for roadway purposes." They must pave it to provide access for the vehicles, but not for parking.

There was discussion among the Commissioners and staff regarding the turnaround area and parking at the end of the easement. Mr. Valentine pointed out that the trees would not interfere with that driveway or parking area. Commissioner Bever stated that there are some small trees that would be in the place where there is suggested parking. That space is not currently being used for parking.

In response to Commissioner Foley regarding an explanation of what will be required of the applicant during construction to address concerns of a physically challenged resident and how that resident will be accommodated in terms of having wheelchair access during construction, City Engineer Ernesto Munoz stated that the developer could be required to maintain whatever access there is currently on that easement and not block it with construction equipment or debris but not necessarily improve it to permit ADA accessibility. As to a question from Commissioner Foley regarding the addition of sidewalks, Mr. Munoz explained that the developer is not conditioned for sidewalks because this is a private.

In response to a question from Commissioner Foley regarding gutters and curbs, Mr. Munoz said he did not anticipate any gutters or curbs, but was not sure what the engineer will propose regarding drainage. He said that at this point it is premature to discuss and decide any drainage issues because plans had not yet been prepared, however, drainage plans must be approved by the Engineering Division. Mr. Valentine added that if there is landscaping on either side of the easement, the zoning code would require curbs between the paved area and the landscaping, so there could be curbs along the length of the easement, at least the portions under the owner's control and the west side of the easement.

Commissioner Foley inquired about the 200-year old Ponderosa Pine situated on Ms. Frankel's property. Mr. Lee explained the tree referenced is on Ms. Frankel's property but he could not confirm its age. Commissioner Foley and Mr. Lee discussed the information that would be included in the arborist's impact report, and credentials of the arborist and those reviewing the report.

In response to question from Commissioner Foley regarding underground utilities, Mr. Munoz stated that the easement has a dedication for Edison for a full 25 feet, and any utilities that are required will be put in this easement, and it is more than adequate.

In response to a request from the Chair, Mr. Lee discussed the Fire Department's recommendations as written in the Planning Division staff report.

In response to the Chair, regarding the installation of a fence/wall, Mr. Lee confirmed that a condition of approval could be included

stipulating that fencing would be constructed upon completion of rough grading.

In response to Commissioner Foley, Mr. Lee discussed the possibility of a second unit on the site and what obstacles the applicant may or may not have to overcome in doing so. He pointed out that condition #10 addresses this issue. Vice Chair Perkins questioned what the shortage of open space would be if the two units had been built at the same time. Mr. Lee said he couldn't say, since no plans had been drawn for the second unit. There was further discussion between the Commission, Sr. Deputy City Attorney Marianne Milligan, and staff regarding the possibility of compelling the applicant to bring both units forward at the same time.

In response to a question from Commissioner Foley, Mr. Lee identified the trees on the property that are planned for removal. He said the applicant has indicated that all trees will be removed to accommodate the structure, as well as the grading. He said staff has indicated that the City has a tree preservation ordinance (reflected in the conditions of approval) and the applicant would be required to provide justification for tree removal.

Willard Chilcott, 167 Rochester, Costa Mesa, agreed to the conditions of approval, including a condition requiring construction of the walls, at the time the rough grading phase was completed.

Commissioner Foley asked Mr. Chilcott if the residents who are parties to the easement are agreeable to the 2 parking spaces at the end of the private drive, would this be something he would be agreeable to, Mr. Chilcott said, "no." She asked how long he anticipated construction on the site, and he said he was only guessing that it would be about 8 or 9 months. She asked why he wasn't submitting both units together. He said one reason is economics, and the second is that the design revisions necessary to incorporate the open space constraint brought about by the observation of the 25' easement and this redesign was not budgeted. She asked why he did not want the 2 parking spaces at the end of the driveway, and he said because that property is his and is not available for the other residents, other than for road purposes; further, he felt it would be a burden to provide parking for the other 3 homes on the street. Commissioner Foley asked if he would be willing to provide the parking for his own property, residents, guests, and other. Mr. Chilcott said the parking requirements stipulate that he needs a two-car garage, and 2 guest parking spaces in front of the garage and he felt that this addresses his needs. Commissioner Foley asked where his guests would park if they had a birthday party with more than 2 guests. Mr. Chilcott said he did not know.

In response to a question from Vice Chair Perkins, Mr. Chilcott said he was agreeable to starting construction on Saturday at 10 a.m. and no construction on Sundays or federal holidays.

Terry Shaw, 420 Bernard Street, Costa Mesa, urged the Commission to note and adopt as closely as possible, the conditions requested by the neighbors. He reviewed and detailed each of those requests by the residents. Mr. Lee pointed out that most of the decks, drainage and tree issues have already been addressed.

Robin Leffler, 3025 Samoa Place, Costa Mesa, commented that this was a complicated call and that all parties had rights and valid issues. She was concerned that the building might be overpowering, and because this lot will eventually have 2 homes on it, the hydrology concerned her. She said if she were in the Commission's place, she would ask to see the plans for the second house and then evaluate the impacts.

Leigh Peterson, 2152 San Michelle Drive, Costa Mesa, said she is a friend of Pamela Frankel and that she has concerns for the preservation of the site and the impacts such as drainage, old trees, and the parking problem currently existing with a single-family residence. Ms. Peterson pointed out the entire easement is currently being used for parking and there is no space to turn around.

Joelle Frankel, 2166 Myran Drive, Costa Mesa, said she believed the tree preservation ordinance is inadequate because it only requires replacement of the trees on the subject property but does not cover how the changes made on that property would affect the surrounding properties. She discussed the pine tree on her mother's property with roots that extend underneath the easement and what possible impacts it might have on that tree. She also discussed the installation of a fence/wall and the impacts to the foliage on their side of the fence.

In response to the Chair, Mr. Lee addressed the issues brought up by Joelle Frankel. He stated that condition of approval #13 is the standard tree replacement condition which was modified to add that if it was necessary to remove existing vegetation to accommodate either the proposed structure or the driveway leading to Victoria, a written request would have to be submitted as part of that request, including a justification from a California licensed arborist. Further, the plans for improvements will have to show how the construction will affect the vegetation along the easement. If it is in a negative manner, that may be something that staff would not be in a position to approve, and may have the applicant come back with specific recommendations on how to preserve as many trees along that easement as possible.

The Chair explained, to address Mr. Leffler's comment, that although staff and the Commission would prefer to review both units at the same time, the City has no authority or basis to demand the applicant submit a plan for both when the applicant may choose not to build a second unit.

Commissioner Foley argued that the Commission might have a basis to demand submittal of the plan for a second unit. In response to a question from Commissioner Foley, Mr. Valentine confirmed that staff would prefer to review plans for both units at once, but the applicant had only applied for a single unit. There was discussion between the Commissioners, and staff on this subject and the purpose of the proposed use of the second unit. Mr. Valentine confirmed that the 2 units cannot be independently owned as in a condominium or townhouse development. There was also discussion about the present location of the house in the plan now before the Commission and the validity of that location if the second unit was not planned to be developed there in the future. The Chair confirmed that as the plan is submitted, it meets all code requirements.

In response to a question from Commissioner Bever concerning the easement, stated that generally an easement precludes any permanent structure from being built on it. He said from a legal standpoint this neighboring property has actually encroached on that easement and if they in fact maintain that this tree has to be permanent, they are violating the applicant's rights to ingress and egress to his own property. Sr. Deputy City Attorney, Marianne Milligan said it is her understanding their concern is that in paving and excavating the easement for utilities and for the pavement of the road, it might damage the tree roots, and not necessarily the tree. He commented that it still did not give the neighbor a basis for denying the applicant the ability to make use of the easement. Ms. Milligan explained that if there was damage to either property, it would be a civil matter between the two neighbors.

Robin Leffler asked for 2 points of clarification; don't we have re-

quirements in our code that cumulative affects of planned or permitted development be considered, and does that apply here? Mr. Lee explained that one of the mandatory findings is that when reviewing a development, consideration has to be given to not only to specific impacts related to the proposed project, but any cumulative affects as a result of the proposed project and is a legitimate factor in rendering a decisions for land use applications or land use actions.

Ms. Leffler said as a landscape professional and horticulturalist, she can give a little clarification on paving and root excavation on this particular type of tree. She said the use of “boron”, which is often put under asphalt to keep weeds from sprouting through it, could also kill the tree. She said she has seen several cases where it is illegal for a person on one property to do something from their property that would cause the death of plant material on another property.

In response to a question from Vice Chair Perkins regarding this subject, Ms. Milligan stated that the City is entitled to impose conditions and it is up to the applicant to ensure that the work and conditions are met in a legal manner. In response to question from Commissioner Foley regarding risk to the City for approving a project that was detrimental to a neighbor, Ms. Milligan said she did not believe the City would have liability because there would be governmental immunity.

Tiny Hyder, Myran Drive resident, Costa Mesa, stated that the easement on her property is for road purposes only and does not mention “digging.” She said this project is wrong for the site. The Chair said that, with regard to the Edison easement, staff could make that information available to her to review.

Pamela Frankel, 2166 Myran Drive, Costa Mesa, discussed the present state of the parking on Myran Drive; the length of Myran Drive has always been from Victoria Street to the fence at the north end; property owners of the easement have always shared equal rights on this easement. She asked what gave Mr. Valentine or any other City employee, the right to change the configuration of a private road. To address this issue, Mr. Valentine stated that the City did not take any action to grant or withhold authority to block or develop a private road—the City approved a plan that showed circulation and a parking pattern that complied with City ordinances; whether the pavement stops as shown, or continues all the way to the north end of the property, either configuration would comply with City codes. This is the plan submitted to the Planning Division, and it meets City requirements and was approved. The City is not responsible, nor does it have jurisdiction for enforcing the terms of the private easement.

Ms. Frankel insisted there must be some ordinance because the road is shorter and she wanted to know what ordinance would allow the City to make it shorter. Sr. Deputy City Attorney, Marianne Milligan said the question has already been addressed and clarified that the City is not shortening the road. She said they have made sure that the site plans have met the parking and turnaround requirements in compliance with the City’s code.

Ms. Frankel quoted from the residential guidelines that “new and remodeled structures must be compatible in scale and character with existing buildings in the residential neighborhoods” and said that needs to be looked at. She was also concerned about the drainage because if these structures are built, and they are higher than hers, they will drain onto her property. She said she would like to see a condition of approval that Myran Drive be left as it always has been and not shortened from the beginning of Victoria to the end; and, any wall that is constructed between the properties be built 8 feet in height, and before the construction begins. She was concerned about her pets and the construction noise, etc.

Michael Lawler, attorney for Ms. Frankel, 901 Dover Drive, Newport Beach, reviewed the letter he prepared for Commission previously. He discussed the drainage and entitlements in particular. He also touched upon how it would be a nightmare with all the construction equipment and parking. City Engineer Ernesto Munoz explained that there are several techniques that can be used to drain that lot. It is important not to dictate a particular solution to the developer at this point so he can come up with an economical one that meets the approval of the Engineering Division. There further discussion between Mr. Munoz and Commissioner Foley on this subject. Mr. Munoz said that in any case, the applicant will have to address the drainage situation, and cannot do anything that will flood the adjacent properties.

Mr. Lawler and Commissioner Bever discussed the possibility of drainage problems since Mr. Chilcott's property has historically been the low point on Myran Drive and does receive the bulk of the storm runoff now from all of the properties. Mr. Lawler offered that he has not yet met with Mr. Chilcott and looked forward to doing so.

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

MOTION  
ZA-04-15  
Upheld Zoning Administrator's  
Approval

A motion was made by Chairman Garlich, seconded by Vice Chair Perkins and carried 3-1(Foley voted no, DeMaio absent) to uphold the Zoning Administrator's approval, by adoption of Planning Commission Resolution PC-04-41, based on information and analysis in the Planning Division staff report and the findings in exhibit "A", subject to conditions in exhibit "B" with the following modifications and addition:

Conditions of Approval

5. Construction, grading, materials delivery, equipment operation or other noise generating activity shall be limited to between the hours of 7 a.m. and 8 p.m. Monday through Friday, and between the hours of 8 10 a.m. and 7 p.m., on Saturday; there shall be no construction activity on Sundays and federal holidays. ~~Exceptions may be made for activities that will not generate noise audible from...~~
13. Should it be necessary to remove existing vegetation for any reason to accommodate the proposed structure or the driveway leading to Victoria as noted in Conditions No. 12, the applicant shall submit...
15. Property line walls or fences shall be constructed at the completion of rough grading.

During the motion Vice Chair Perkins commented that the applicant and the neighbors should be more tolerant and civil to each other. He also felt it would have been better to see both projects on the table at the same time in order to assess the impacts on the neighborhood, however, if the applicant brings forward a plan at a later date it stands to be denied because it may require a variance.

Chairman Garlich commented that half the neighborhood is owned by Mr. Chilcott and the other half is owned by the neighborhood so there are equal property rights to consider. He said staff has done an excellent job in the conditions of approval trying to do the very best they can to anticipate the issues with regard to drainage, trees, the easement, etc. He said Mr. Lawler's letter had many valid points of discussion, however, in many instances here, these are civil matters and the City should not adjudicate things that are not City business. He said as far as the question of the birthday party and parking at Mr. Chilcott's house, he did not know what the answer was, but felt the same answer would be that guests would park the same place as everyone else parks at a birthday party on Myran Drive. He said we do not take these things lightly or without respect for the impact and the feelings of the people involved, except that it comes down to a question of what the code allows, what is the applicant willing to do—you cannot force the applicant to bring forward a second proposal at this time, and he may never bring that forward, or he may bring

something forward that the Commission denies because he needs a variance. He said he supports the application.

Commissioner Foley said she would not support the motion because it completely ignores the requirement under the code and guidelines that the Commission consider the established neighborhood. She said she believes the Commission could have required the applicant to bring both units forward. She said that the City's position that it's a civil matter as a reason not to require some other conditions of approval, it seems convenient to say that in certain circumstances, but its not a civil matter when it comes to other things that might be appropriate for allowing the development to proceed. She said it was probably an oversight a long time ago that this street was not re-zoned, because it's not appropriate for such density, and this has created a situation that ensures "rental housing" as opposed to "owner-occupied housing." (The Chair called the motion as shown above.)

The Chair explained the appeal process.

The Chair called a recess the meeting resumed at 8:50 p.m.

*BREAK:*

APPEAL OF ZONING ADMINISTRATOR'S APPROVAL OF MINOR CONDITIONAL USE PERMIT ZA-04-18

Bailey & Whitaker/Kowalewsky

The Chair opened the public hearing for consideration of an appeal of the Zoning Administrator's approval of Minor Conditional Use Permit ZA-04-18 for Victoria Kowalewsky, authorized agent for Donald Bailey and Linda Whitaker/D.B. Investments, to allow an 1,800 square-foot personal training studio to deviate from shared parking requirements due to off-set hours of operation, located at 3033 Bristol Street, Suite F, in a C1 zone. Environmental determination: exempt.

Assistant Planner Hanh Tran reviewed the information in the staff report and gave a visual presentation of the site characteristics. She noted that since the applicant's appeal, staff has conducted further research about the property and found that adequate parking exists to support the proposed fitness studio. Staff is therefore, recommending approval by adoption of Planning Commission resolution, subject to modified conditions as outlined in the staff report. She outlined each of the modifications.

Don Bailey, 18852 Mesa Drive, Villa Park, agreed to the conditions of the approval. Mr. Bailey expressed that it was discourteous of the Planning Commission to allow the people responsible for the previous appeal, multiple, 3-minute speaking times, while all other agendized items waited for approximately 2 hours. The Chair apologized for the amount of time and inconvenience caused to the waiting appellant, and added that clarification points are allowed and took a great deal of unexpected time by several of the same speakers.

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

MOTION 1:  
ZA-04-18  
Approved

A motion was made by Chairman Garlich, seconded by Vice Chair Perkins and carried 4-0 (Dennis DeMaio absent) to approve by adoption of Planning Commission Resolution PC-04-42, based on analysis and information in the Planning Division staff report, and findings contained in exhibit "A", subject to conditions in exhibit "B."

MOTION 2:  
ZA-04-18  
Recommend to City Council

A motion was made by Chairman Garlich, seconded by Vice Chair Perkins and carried 4-0 (Dennis DeMaio absent) to recommend to City Council, refund of the appeal fee for this application.

The Chair explained the appeal process.

Commissioner Bever extended his regrets to the applicant, that there was a mistake in the application process that led the applicant to this added consumption of his time.



PLANNING APPLICATION  
PA-03-42

Mozayeni/Garrison

Planning Application PA-03-42 for John Garrison, authorized agent for ABCO Realty/Al Mozayeni, for a design review to construct a 26-unit residential town house project with variances from building height (2 stories, 27' allowed; 3 stories, 36' proposed), chimney height (29' allowed; 42' proposed), and off-street parking (84 spaces required; 58 spaces proposed), with a minor conditional use permit to allow up to 6 compact parking spaces, and a minor modification to reduce the front landscape setback (20' required; 16' proposed), located at 2013-2029 Anaheim Avenue in an R3 zone. Environmental determination: exempt.

Staff recommended a continuance of this item to the Planning Commission meeting of July 12, 2004, to allow additional time for the applicant to complete their revised plans and submit to Planning Division.

MOTION:  
PA-03-42  
Continued

A motion was made by Chairman Garlich, seconded by Vice Chair Perkins and carried 4-0 (Dennis DeMaio absent) to continue this item to the Planning Commission meeting of July 12, 2004.

PLANNING APPLICATION  
PA-04-13

Brogan/Somsel

The Chair opened the public hearing for consideration of the Planning Application PA-04-13 for Dana Somsel, authorized agent for Irene Brogan, for a minor design review to construct a new 837 square-foot second dwelling unit above a new, 1,044 square-foot, four-car garage behind an existing dwelling unit; with a variance to deviate from required driveway parkway landscaping (10' combined, 5' on house side required; 6.5' combined, 3' on house side proposed), located at 180 22<sup>nd</sup> Street in an R2-MD zone. Environmental determination: exempt.

Senior Planner Willa Bouwens-Killeen reviewed the information in the staff report and gave a visual presentation of the site characteristics. She said staff is recommending approval, subject to conditions.

Dana Somsel, authorized agent, 22 Finca, San Clemente, agreed to the conditions of approval.

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

MOTION:  
PA-04-13  
Approved

A motion was made by Commission Foley, seconded by Commissioner Perkins, and carried 4-0 (Dennis DeMaio absent), to approve by adoption of Planning Commission Resolution PC-04-43, based on analysis and information in the Planning Division staff report, and information contained in exhibit "B", subject to conditions in exhibit "A."

The Chair explained the appeal process.

PLANNING APPLICATION  
PA-04-15

Darkjian

The Chair opened the public hearing for consideration of Planning Application PA-04-15 for a conditional use permit for a 1,380 square-foot car wash, in conjunction with a development review for a 3,994 square-foot auto repair building; and a 663 square-foot oil change facility, located at 2015 Harbor Boulevard in a C1 zone. Environmental determination: exempt.

Staff recommended a continuance of this item to the Planning Commission meeting of June 28, 2004 to the allow the applicant additional time to resolve design issues with Planning Division staff.

MOTION:  
PA-04-15  
Continued

A motion was made by Chairman Garlich, seconded by Vice Chair Perkins and carried 4-0 (Dennis DeMaio absent) to continue this item to the Planning Commission meeting of June 28, 2004.

**REPORT OF THE DEVELOPMENT SVS. DEPARTMENT**

None.

**REPORT OF THE SENIOR DEPUTY CITY ATTORNEY**

None.

**ADJOURNMENT:**

There being no further business, Chairman Garlich adjourned the meeting at 9:05 p.m., to the study session of Monday, June 21, 2004.

Submitted by:

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PERRY L. VALANTINE, SECRETARY  
COSTA MESA PLANNING COMMISSION