

**REGULAR MEETING OF THE CITY OF  
COSTA MESA PLANNING COMMISSION  
August 22, 2011**

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.ci.costa-mesa.ca.us](http://www.ci.costa-mesa.ca.us) or purchased on DVD upon request.

**I. ROLL CALL:**

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

Absent: Commissioner Jim Fitzpatrick

**II. PUBLIC COMMENTS:**

There were no public comments.

**III. CONSENT CALENDAR:**

There were no Consent Calendar items.

**IV. PUBLIC HEARINGS:**

1. **Application No.:** T-17417  
**Site Address:** 449 Hamilton Street  
**Applicant:** Vincent Dinh  
**Zone:** R2-MD  
**Project Planner:** Wendy Shih  
**Environmental**  
**Determination:** Exempt

**Description:**

**Tentative tract map to facilitate the subdivision for a five-unit common-interest development (condominiums) project approved under Planning Application PA-10-07.**

Cat Nguyen, representing the property owners, asked for Planning Commission approval of the Tentative Tract Map.

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

**MOTION: Approve Tentative Tract Map T-17417, by adoption of Planning Commission Resolution PC-11-34, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B".  
Moved by Commissioner Edward Salcedo, seconded by Chair Colin McCarthy.**

The motion carried by the following roll call vote:

**Ayes:** Chair Colin McCarthy, Vice Chair Sam Clark, Commissioner Robert Dickson,  
and Commissioner Edward Salcedo

**Noes:** None.

**Absent:** Commissioner Jim Fitzpatrick

The Chair explained the appeal process.

- 2. Application No.: GP-11-01, R-11-01,  
PA-11-06, and TTM-17423**  
**Site Address: 2626 Harbor Boulevard**  
**Applicant: Garrett Calacci/Waterpointe Homes**  
**Zone: C1 (Local Business) and  
P (Off-street Parking)**  
**Project Planner: Minoo Ashabi**  
**Environmental**  
**Determination: Mitigated Neg. Declaration**

**Description:**

Continued from the meeting of August 8, 2011, the proposed project is a 33-unit single-family detached residential development at the former Lincoln Mercury Dealership at 2626 Harbor Boulevard. This proposal involves the following requests:

- 1) Adoption of an Initial Study/Mitigated Negative Declaration;**
- 2) General Plan Amendment GP-11-01 - Change the land use designation of the property from General Commercial to Medium Density Residential (MDR);**
- 3) Rezone R-11-01 - Ordinance of the City Council of the City of Costa Mesa to rezone a 3.7-acre commercial site from C1 (Local Business) and P (Off-street parking) to R2-MD (Multiple Family Residential) with density up to 12 du/acre;**
- 4) Planning Application PA-11-06 - Design review of residential common interest development consisting of 33 two-story detached single-family residences with two-car garages/standard driveways, gated access, and common open space areas; and**
- 5) Tentative Tract Map 17423 - Subdivision of 3.7-acre property for condominium purposes to accommodate a residential common-interest development of 33 small lots and common areas.**

Garrett Calacci, applicant, agreed to all the conditions of approval including the amended condition Nos. 11 and 35.

Charles Melton, architect, described the community-matching design of the project.

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

**MOTION: Recommend City Council adoption of the Initial Study/Mitigated Negative Declaration, by adoption of Planning Commission Resolution PC-11-35, based on the evidence in the record.**

**Moved by Vice Chair Sam Clark, seconded by Chair Colin McCarthy.**

The motion carried by the following roll call vote:

Ayes: Chair Colin McCarthy, Vice Chair Sam Clark, Commissioner Robert Dickson, and Commissioner Edward Salcedo

Noes: None.

Absent: Commissioner Jim Fitzpatrick

**MOTION: Recommend City Council approval of: a) General Plan Amendment GP-11-01; b) Rezone Ordinance R-11-01; and c) Design Review PA-11-06 and Tentative Tract Map T-17423 by adoption of Planning Commission Resolution PC-11-36, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B" and the mitigation measures in the Mitigation Monitoring Program in Exhibit "C", with modifications to Condition Nos. 11 and 35 in Exhibit "B", adopted as follows:**

### **CONDITIONS OF APPROVAL**

- 11. The subject property's ultimate finished grade level may not be filled/raised in excess of 42 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public storm water facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties. Applicant is advised that recordation of a drainage easement across the private street may be required to fulfill this requirement. (Revised August 22, 2011.)**
  
- 35. Applicant shall work with Engineering staff towards the provision of an 8-foot wide sidewalk along Harbor Boulevard. The sidewalk shall meander within the 22' area between the curb and proposed blockwall. Applicant shall provide a sidewalk easement, as needed. (Revised August 22, 2011.)**

**Moved by Vice Chair Sam Clark, seconded by Chair Colin McCarthy.**

The motion carried by the following roll call vote:

Ayes: Chair Colin McCarthy, Vice Chair Sam Clark, Commissioner Robert Dickson,  
and Commissioner Edward Salcedo

Noes: None.

Absent: Commissioner Jim Fitzpatrick

The Chair explained the appeal process.

- 3. Application No.: PA-11-07**  
**Site Address: 2167 Harbor Blvd.**  
**Applicant: Raynold Yi**  
**Zone: C2**  
**Project Planner: Minoo Ashabi**  
**Environmental**  
**Determination: Exempt**

**Description:**

**Conditional use permit to establish a fully automated car wash with self serve vacuum stalls operating from 7:00 a.m. to 8:00 p.m.**

Kenneth Yi, applicant's brother and business co-owner, agreed to all the conditions of approval and made a presentation.

Brian Hobin, Washology Consulting L.L.C., compared the number of gallons of wash water entering the sanitary sewer system per vehicle washed by the car wash to a single car wash in the driveway.

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

**MOTION: Approve Planning Application PA-11-07, by adoption of Planning Commission Resolution PC-11-37, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B". Moved by Commissioner Robert Dickson, seconded by Commissioner Edward Salcedo.**

The motion carried by the following roll call vote:

Ayes: Chair Colin McCarthy, Vice Chair Sam Clark, Commissioner Robert Dickson,  
and Commissioner Edward Salcedo

Noes: None.

Absent: Commissioner Jim Fitzpatrick

The Chair explained the appeal process.

4. **Application No.: PA-11-15**  
**Site Address: 2775 Mesa Verde Dr. E.**  
**Applicant: Peak West**  
**Zone: R3**  
**Project Planner: Wendy Shih**  
**Environmental**  
**Determination: Exempt**

**Description:**

**Design review to include a variance from maximum number of stories and building height (2 stories/27 ft. maximum allowed; 3 stories/58 ft. proposed) and deviation from the City's residential design guideline for 2nd to 1st floor ratio (80% maximum recommended; 86% proposed) for a new 23,109 square-foot community building with below-grade parking for tenants of both Villa Venetia and Pine Brook Village Apartments.**

Gary Polodna, representing Peak West Development, LLC, agreed to all the conditions of approval including the additional conditions relating to surveying the project site for migratory birds prior to construction and City review of the need for a pedestrian crosswalk.

Ellen and Harold Ducote, Costa Mesa, expressed concern regarding the proposed project's disruption to nearby residents and the integrity of the lake.

Louise Rusher, Costa Mesa, commented on the doors of the proposed community building and made a suggestion about crosswalk markings.

Sandra Genis, Costa Mesa, presented a slide presentation providing justifications to deny the project.

Robin Leffler, Costa Mesa, commented on the building height and stated she opposed the project.

Mr. Polodna returned to the podium and noted the proposed project's benefit to the tenants of both Villa Venetia and Pine Brook Village Apartments.

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

A discussion ensued between the Commissioners and Deputy City Attorney Bettenhausen concerning building height, re-designing the project, and the six-month requirement prior to re-submittal of a similar request. Planning Commission Secretary Claire Flynn suggested the motion of denying the project without prejudice to waive the six-month requirement.

**MOTION: Deny without prejudice Planning Application PA-11-15, by adoption of Planning Commission Resolution PC-11-38, based on the evidence in the record and the denial findings contained in Exhibit "A".**

**Moved by Chair Colin McCarthy, seconded by Vice Chair Sam Clark.**

During discussion on the motion, the Commissioners agreed that the applicant needs to bring back a scaled-down version (height) of the building.

The motion carried by the following roll call vote:

Ayes: Chair Colin McCarthy, Vice Chair Sam Clark, Commissioner Robert Dickson, and Commissioner Edward Salcedo

Noes: None.

Absent: Commissioner Jim Fitzpatrick

The Chair explained the appeal process.

- 5. Application No.: ZA-11-25**  
**Site Address: 1870 Harbor Bl., Ste. 209**  
**Applicant: Diamond Star Assoc.**  
**Zone: PDC**  
**Project Planner: Mel Lee**  
**Environmental**  
**Determination: Exempt**

**Description:**

**Minor conditional use permit to allow a sit-down restaurant (El Corazon) to remain open past 11:00 p.m. (2:00 a.m. closing proposed) with a Type 47 (On-Sale General) State Alcoholic Beverage Control License within Triangle Square.**

Don Lamm, representing the property owners Greenlaw Partners, LLC, agreed to all the conditions of approval and the additional condition No. 19 relating to submitting a Transportation Management Plan. Mr. Lamm made a presentation.

Beth Refakes, Costa Mesa, expressed concern regarding outdoor music, noise, and adequate parking.

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

In response to the Chair's question regarding the number of liquor stores/on-sale alcoholic beverage licenses in the census tract, Senior Planner Mel Lee responded that BevMo is the only liquor store on-sale license and all the rest are sit-down restaurants.

**MOTION: Approve Zoning Application ZA-11-25 and make a finding of Public Convenience or Necessity for a Type 47 ABC License, by adoption of Planning Commission Resolution PC-11-39, based on the evidence in the record and the**

findings contained in Exhibit "A", subject to conditions in Exhibit "B", with the addition of a new condition No. 19, adopted as follows:

**CONDITIONS OF APPROVAL**

**PC 19. No later than 30 days from the date of approval, the applicant shall submit a Transportation Management Plan to the Planning and Transportation Services Divisions for review and approval. The Transportation Management Plan shall address both grand openings and long-term operations of businesses in the Center. The final Transportation Management plan shall be in place prior to the grand opening of 24-Hr Fitness.**

**Moved by Vice Chair Sam Clark, seconded by Chair Colin McCarthy.**

The motion carried by the following roll call vote:

Ayes: Chair Colin McCarthy, Vice Chair Sam Clark, Commissioner Robert Dickson, and Commissioner Edward Salcedo

Noes: None.

Absent: Commissioner Jim Fitzpatrick

The Chair explained the appeal process.

**6. Application No.: ZA-05-23 (A1)  
Site Address: 1870 Harbor Bl., Ste. 210  
Applicant: Diamond Star Assoc.  
Zone: PDC  
Project Planner: Mel Lee  
Environmental  
Determination: Exempt**

**Description:**

**Amendment to a minor conditional use permit for a sit-down restaurant (Saddle Ranch) open past 11:00 p.m. (2:00 a.m. closing proposed) with a Type 47 (On-Sale General) State Alcoholic Beverage Control License within Triangle Square (formerly Chronic Cantina).**

Mr. Lamm agreed to all the conditions of approval and the additional condition regarding the Transportation Management Plan.

Ms. Refakes, Costa Mesa, expressed concern regarding live entertainment, signage, and spill-over light.

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

**MOTION: Approve an amendment to Zoning Application ZA-05-23 A1 and make a finding of Public Convenience or Necessity for a Type 47 ABC License, by**

adoption of Planning Commission Resolution PC-11-40, based on the evidence in the record and the findings contained in Exhibit "A", subject to conditions in Exhibit "B", with the addition of a new condition No. 11, adopted as follows:

**CONDITIONS OF APPROVAL**

**PC 11. No later than 30 days from the date of approval, the applicant shall submit a Transportation Management Plan to the Planning and Transportation Services Divisions for review and approval. The Transportation Management Plan shall address both grand openings and long-term operations of businesses in the Center. The final Transportation Management plan shall be in place prior to the grand opening of 24-Hr Fitness.**

**Moved by Vice Chair Sam Clark, seconded by Commissioner Robert Dickson.**

During discussion on the motion, the Chair pointed out that he would like to be part of the Transportation Management Plan (parking) discussion.

Mr. Lee suggested that the additional condition relating to the Transportation Management Plan be included in the motion. The maker of the motion and the seconder agreed.

Commissioner Dickson recommended that the applicant find ways to direct traffic to the bottom level of the parking structure.

The motion carried by the following roll call vote:

Ayes: Chair Colin McCarthy, Vice Chair Sam Clark, Commissioner Robert Dickson, and Commissioner Edward Salcedo

Noes: None.

Absent: Commissioner Jim Fitzpatrick

The Chair explained the appeal process.

- 7. Application No.: ZA-05-57 (Revocation)**
- Site Address: 1870 Harbor Bl., Ste. 210**
- Applicant: City of Costa Mesa**
- Zone: PDC**
- Project Planner: Mel Lee**
- Environmental**
- Determination: Exempt**

**Description:**

**Revocation of Minor Conditional Use Permit ZA-05-57 allowing live entertainment and dancing for Chronic Cantina, due to closure of the business.**



Deputy City Attorney Bettenhausen confirmed that this minor conditional use permit runs with the land, and live entertainment and dancing could be re-established by a future restaurant without having to obtain approval.

There were no public comments and the Chair closed the public hearing.

**MOTION: Revoke Zoning Application ZA-05-57, by adoption of Planning Commission Resolution PC-11-41, based on the evidence in the record and the findings contained in Exhibit "A".**

**Moved by Commissioner Robert Dickson, seconded by Chair Colin McCarthy.**

The motion carried by the following roll call vote:

Ayes: Chair Colin McCarthy, Vice Chair Sam Clark, Commissioner Robert Dickson, and Commissioner Edward Salcedo

Noes: None.

Absent: Commissioner Jim Fitzpatrick

The Chair explained the appeal process.

**V. ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON SEPTEMBER 12, 2011.**

There being no further business, Chairman McCarthy adjourned the meeting at 9:08 p.m. to the next Planning Commission meeting of September 12, 2011 at 6:00 p.m.

Submitted by: \_\_\_\_\_  
CLAIRE FLYNN, SECRETARY  
COSTA MESA PLANNING COMMISSION