

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION
June 11, 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

VI. PUBLIC COMMENTS:

Commissioner McCarthy announced that Public Hearing Item VI may be continued to the August 13, 2012 meeting.

Dennis Labonge stated in regards to CUP PA-11-03 that fifty percent of the property owners at the commercial property at 3130-3140 Airway Avenue oppose the application for the helipad. They oppose it because numerous safety related matters, business disruption, and insurance issues for the other property owners.

VII. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Vice Chair Clark reported that he had a conversation with the interim school super intendent and if any new decisions come out of that meeting he will bring it to the Commission.

Chair McCarthy stated that the Fish Fry was a grand slam event at Fairview Park. He also stated about the Cog Signs, related complaints, and driver visibility. He and Mr. Naghavi will get together to solve the problem so it will not become a bigger problem in November.

VIII. CONSENT CALENDAR:

1. Minutes for the meeting of May 14, 2012.
2. Code Enforcement Update.
3. 2012-2013 Capital Improvement Program – General Plan Conformity Resolution.

PUBLIC COMMENTS:

Commissioner Dickson requested that the item be pulled. He hoped that the city can start funding and jump start the west side capital improvement plans.

Marshall Krupp stated that we need to do business differently and should not commit ourselves to something that we may have to tell the community a year from now we cannot fulfill because we do not have the financial resources to do so.

Vice Chair Clark responded that he ran a business for years and that we have a fiduciary responsibility to project our future.

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

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

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

IX. PUBLIC HEARINGS:

1. Description:

Third Residential Neighborhood Enhancement Program.

PUBLIC COMMENTS:

Claudia Lovett, owner of a four plex in the proposed neighborhood enhancement program area, indicated that she acquired her property in great disrepair and is asking for consideration from the City for the owners in this economy. She understands and appreciates that the city wants to keep the community looking in good standard.

Paul Purtell, a property owner for thirty-five years in this subject area welcomes this program and he believes it will do good. He stated that he is looking forward to the restricted access being eliminated.

Chair McCarthy asked the staff to answer the question that the speaker Paul Purtell asked about this area being the only area that has restricted access. Willa Bouwens-Killeen indicated that this is the one area that is as restricted as it is.

Commissioner Dickson responded to speaker Claudia Lovett's question and stated that the purpose of this program is to: work with the owners, try to achieve compliance, and do it in a cooperative way where we reach out.

Chair McCarthy stated that there would not support the program if it was simply punitive and was excited that there will be staff in the code enforcement positions. He commented that there will be an ability to get out and work with some of these folks to get the properties in compliance which is what the community has been asking for years.

Vice Chair Clark commented that this is our third program and the two previous programs were successful with their neighbors.

**MOTION: Recommend that code enforcement proceed with Third Residential Neighborhood Enhancement Program.
Moved by Vice Chair Clark, seconded by Chair McCarthy.**

Commissioner Salcedo stated that he wanted to distinguish this particular area because it is a little different from the first two areas being it is rental properties and it might take a little longer.

The motion carried by the following roll call vote:
Ayes: McCarthy, Clark, Dickson, Salcedo
Noes: None
Absent: None

2. **Application No.:** PA-08-06
Applicant: Phillip Schwartz
Site Address: 320 E. 18th Street
Zone: R2-MD
Presentation By: Mino Ashabi
Environmental Determination: Exempt

Description:

The proposed request is the fourth time extension request for Planning Application PA-08-06, a Design Review for a two-unit, two-story, single-family, detached, small-lot residential common interest development that includes the following requests:

- a) Variance from rear yard lot coverage (25% required, 30% proposed),
- b) Administrative adjustment for second story rear setback (20 ft. required, 12 ft. proposed), and
- c) Minor modification to allow an eight-foot perimeter wall (maximum 6' height allowed, 8' proposed).

Phil Schwartze, representative for the property owner, stated that he is pleased to report that they have just secured financing and are about to move ahead. He believes this will be his final request for extension and will start demolition in next three to four months.

PUBLIC COMMENTS:

Beth Refakes stated that the property does need to be secured because it has become an attractive nuisance.

MOTION: Approve the time extension for planning application PA-08-06.

Moved by Commissioner Salcedo, seconded by Vice Chair Clark.

Vice Chair Clark stated to have the staff and the applicant work together on dealing with the transients and or other uses to get this remedied as soon as possible.

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.: GP-12-01/PA-12-04**
Applicant: Corrie Kates
Site Address: 1726 Superior Ave
Zone: C2
Project Planner: Mel Lee
Environmental
Determination: Exempt

Description:

The proposed project involves:

- (1) Demolition of an existing 11,000 sq. ft. building (former Tower Records) and construction of a new 14,310 sq. ft. Walgreens Store;
- (2) Variance from building and landscaped setbacks (20 ft. req., 0 - 18 ft. proposed);
- (3) Variance from interior parking area landscaping req. (1,100 sq. ft. req., 0 sq. ft. proposed);
- (4) Variance from maximum building height (30 ft. allowed; 32 ft. proposed); and
- (5) Site specific general plan amendment for floor area ratio (0.30 max. allowed; 0.49 proposed).
- 6) Minor conditional use permit to deviate from shared parking.

Corrie Kates, applicant, gave a brief summary of the project and is in agreement with the conditions of approval.

PUBLIC COMMENTS:

No one wished to speak and the Chair closed the public comments.

All the commissioners expressed their support for the project in that it revitalized a marginal property that has been vacant for years.

MOTION: Recommend that City Council approve Planning Application PA-12-04 and General Planning Amendment GP-12-01 subject to conditions in Exhibit B and based on the findings in Exhibit A.

Moved by Commissioner Salcedo, seconded by Vice Chair Clark.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Salcedo

Noes: None

Absent: None

- 4. Application No.: PA-91-99 A1**
Applicant: Pepper Tree Inc.
Site Address: 1195 Baker Street
Zone: C2
Project Planner: Mel Lee
Environmental
Determination: Exempt

Description:

Amend Conditional Use Permit PA-91-99 for the following:

- (1) Add 143 sq. ft. to the existing retail/mini-market area, a 144 sq. ft. storage shed, and an 80 sq. ft. car wash kiosk;
- (2) Remodel/refurbish existing carwash and gas station buildings; and
- (3) Finding of public convenience and necessity in conjunction with a State Alcoholic Beverage Control License Type 20 (Off-Sale Beer and Wine) to allow concurrent sales of alcoholic beverages and gasoline.

Sherrie Olson, co-applicant, stated how she did have a concern with condition number twenty six and called the applicant forward to address that.

Larry Kennepohl, owner of the property, stated how they agree with all the conditions of approval but have concerns with one which is the screening wall for the vacuuming stations. He suggested four planters.

PUBLIC COMMENTS:

No one wished to speak and the Chair closed the public comments.

Chair McCarthy asked Mel Lee about his take on what they are proposing verses what we are recommending. Mr. Lee responded that ideally a screen wall would more affective barrier than the potted plants that the applicant is proposing. He believed a compromise would be an actual in ground landscape planter with a lower wall or even a raised landscape planter.

Vice Chair Clark agrees that there needs to be a screen and likes the idea of a low planter. His other concerns are the flow of traffic and the ABC license.

Commissioner Salcedo stated that one of his concerns is the southerly portion of the property and that it should be addressed by making that a one directional area. He also likes the compromise of a block wall to some kind of planting.

Chair McCarthy proposed that we revise condition number 26 to require a permanent planter that has permanent features to it. Mr. Lee responded that the commission could provide staff with the direction to work with the applicant to come up with the landscape screen for the vacuuming stations.

MOTION: Approve Planning Application Amendment PA-91-99 A1 for the expansion of existing service station and car wash and a finding of public convenience necessity to allow concurrence sells of alcohol beverages at 1195 Baker Street with the amendment to condition of approval twenty six is revised to provide now that the city will work with applicant to work with the landscape screening. Moved by Chair McCarthy, seconded by Commissioner Dickson.

The motion carried by the following roll call vote:

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

5. **Application No.:** PA-12-08/PM-12-103
Applicant: RSI Construction, Inc.
Site Address: 1596 Santa Ana Avenue
Zone: R2-MD
Project Planner: Minoo Ashabi
Environmental
Determination: Exempt

Description:

A request for a residential development at 1596 Santa Ana Ave. as follows:

- (1) Design Review for two detached units, two stories with an attached two-car garage; and
- (2) Tentative parcel map to facilitate subdivision of the property into two fee-simple lots with a variance from common lot requirement. A common lot is defined as one lot to be held in common ownership and maintained by homeowners association.

Greg Ocasek, agent for the property owner, stated that he is in agreement with the proposed conditions of approval.

Lisa Gordon, applicant, indicated that they are happy to have the CC&Rs but would rather not have an association.

PUBLIC COMMENTS:

No one wished to speak and the Chair closed the public comments.

MOTION: Move to approve the project (PA-12-08 and PM-12-103) based on the evidence in the record and findings contained in Exhibit A subject to conditions of approval contained within Exhibit B, striking condition of approval number 16.

Moved by Commissioner Dickson, seconded by Commissioner Salcedo.

Commissioners commented on how they like the architectural of this project.

The motion carried by the following roll call vote:

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

- 6. Application No.: CO-12-06**
- Applicant: City of Costa Mesa**
- Site Address: Citywide**
- Zone: N/A**
- Project Planner: Minoo Ashabi**
- Environmental Determination: Exempt**

Description:

The Costa Mesa Planning Commission will hold a public hearing to consider Code Amendment CO-12-06 to amend Title 13 (Zoning Code) of the Costa Mesa Municipal Code consistent with requirements of state law.

MOTION: Move to the Planning Commission meeting on August 13, 2012.

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

X. NEW BUSINESS:

1. I-405 Improvement Project

Raja Sethuraman, Transportation Manager, gave a presentation.

PUBLIC COMMENTS:

Beth Refakes, resident, stated that Costa Mesa will be impacted economically by Alternative 3. She was also curious what the other affected cities' reaction to Alternative 3.

Chair McCarthy opposed Alternative 3. He recommended withdrawing TCA and looking at our legal rights under Measure M. He mentioned challenging the EIR and going to Sacramento to talk to senators and assemblymen.

Vice Chair Clark, Commissioners Dickson, and Salcedo agreed with Chair McCarthy to oppose Alternative 3. Commissioner Salcedo asked Mr. Sethuraman if city representatives will attend the OCTA board meeting, and he responded that we will have our Mayor, or City Council representative, and staff. Commissioner Salcedo recommended to try to have the board support the community in their opposition.

MOTION: Move that the Planning Commission of Costa Mesa formally oppose OCTA proposed alternative three for the expansion of the 405 freeway with the added language that the City Council consider all available options at its disposal in order to fight alternative three.

Moved by Chair McCarthy, seconded by Vice Chair Clark.

The motion carried by the following roll call vote:

Ayes: McCarthy, Clark, Dickson, Salcedo

Noes: None

Absent: None

XI. ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M. ON July 9, 2012.

Submitted by: 
CLAIRE FLYNN, SECRETARY
COSTA MESA PLANNING COMMISSION