



REGULAR PLANNING COMMISSION MONDAY, FEBRUARY 10, 2025 - MINUTES

CALL TO ORDER - The Regular Planning Commission Meeting was called to order by Chair Jeffery Harlan at 6:03 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG – Commissioner Rojas led the Pledge of Allegiance

ROLL CALL

Present: Chair Jeffery Harlan, Vice Chair Jon Zich, Commissioner Angely Andrade, Commissioner Robert Dickson, Commissioner Karen Klepack, Commissioner David Martinez, Commissioner Johnny Rojas

Absent: None

ANNOUNCEMENTS AND PRESENTATIONS: None.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:

Jim Fitzpatrick expressed concern over delays and inefficiencies in the application process, urging better communication and transparency between staff, commissioners, and applicants. He noted challenges in accessing information, bottlenecks in public works, and unexpected permit requirements that add time and cost. While acknowledging efforts to improve, he encouraged a more collaborative approach and announced plans to form a group to develop constructive recommendations for streamlining the process.

Jay Humphrey, welcomed the new commissioners and expressed continued concern over high rental costs despite promises made by Measure K. He questioned why rents remain high, even in neighboring cities without Measure Y, and doubted that new affordable housing would significantly impact prices. He criticized the council's decision to approve an in-lieu fee at half the recommended amount, arguing it would generate funds but not enough to build meaningful projects. Humphrey urged the commission to prioritize affordable housing so that essential workers can afford to live in the community and to ensure that Measure K delivers on its promises.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Andrade welcomed attendees and acknowledged the importance of community participation. She thanked staff for delivering materials earlier in the week, noting that it provided more time for thorough review. Andrade emphasized the value of

commission discussions in informing future applicants and fostering community understanding. She also acknowledged concerns about affordability, highlighting the broader issue of private entities buying up housing and its potential impact on local affordability, suggesting it as a topic worth further exploration.

Commissioner Dickson appreciated the strong community turnout and followed up on public comments. He suggested staff consider surveying T.E.S.S.A users to identify pain points, leaving the method—whether through a study session or informal survey—up to staff’s discretion. He also noted recent trends in post-fire displacement in Los Angeles, predicting increased pressure on rents and housing availability as people relocate to Costa Mesa and Orange County. While expressing hope for affordability, he acknowledged the potential challenges ahead.

Commissioner Martinez recognized Black History Month and the contributions of Black Americans, noting that the City Council is expected to issue a proclamation at its next meeting. He shared community announcements, including an OCTA meeting on February 11 about the new Wave card payment system for buses and an opportunity to participate in planning for the Randall Preserve. Martinez also memorialized Professor Donald Shoup, a UCLA scholar known for his influential work on parking policy, emphasizing the relevance of his research for future parking ordinance reviews in Costa Mesa.

Vice Chair Zich expressed appreciation for Commissioner Martinez’s community announcements, highlighting their value for residents who may not follow city updates. He showed interest in joining Jim Fitzpatrick’s informal working group and encouraged staff to be more responsive to public concerns, particularly regarding T.E.S.S.A. Addressing Jay Humphrey’s comments on rent reduction, he noted that market conditions, rather than City Ordinances, typically drive rent prices and suggested that expectations of a city-led decrease might be unrealistic. He also welcomed the strong audience turnout and looked forward to future meetings.

CONSENT CALENDAR:

1. JANUARY 27, 2025 UNOFFICIAL MEETING MINUTES

MOVED/SECOND: DICKSON/ ANDRADE

MOTION: Approve the Regular meeting Minutes of January 27, 2025.

The motion carried by the following roll call vote:

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas, Commissioner Rojas

Nays: None

Absent: None

Abstained: None

Motion carried: 7-0

-----**END OF CONSENT CALENDAR**-----

PUBLIC HEARINGS:

Chair Harlan announced that the applicant for Public Hearing Three had requested a continuance and asked the Commission to make a motion to reorder the agenda accordingly.

MOVED/SECOND: MARTINEZ/DICKSON

MOTION: Reordering of the agenda to hear Public Hearing item number 3 first.

The motion carried by the following roll call vote:

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas, Commissioner Rojas

Nays: None

Absent: None

Abstained: None

Motion carried: 7-0

3. APPEAL OF THE DIRECTOR OF DEVELOPMENT SERVICES DETERMINATION THAT CONDITIONAL USE PERMIT PA-21-23 TO ESTABLISH A CANNABIS STOREFRONT LOCATED AT 1687 ORANGE AVENUE (KING'S CREW) HAS EXPIRED

The Chair opened the Public Hearing.

The Chair asked for a motion to Continue to a date certain.

MOVED/SECOND: MARTINEZ/DICKSON

MOTION: Continue the item to February 24, 2025.

The motion carried by the following roll call vote:

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas, Commissioner Rojas

Nays: None

Absent: None

Abstained: None

Motion carried: 7-0

ACTION:

The Planning Commission continued the item to February 24, 2025.

1. CONDITIONAL USE PERMIT PCUP-24-0009 TO AMEND CONDITIONS FOR A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT (PA-17-15) FOR A DOG DAY CARE AND BOARDING FACILITY WITH GROOMING SERVICES ("HYDRANT PET HOTEL") AT 776 WEST 17TH STREET

Two ex-parte communications reported by Commissioner Klepack and Commissioner Martinez.

Presentation by Mr. Jefferey Rimando, Assistant Planner.

Commissioners asked questions of staff including Condition of Approval No. 9, questioning the necessity of including examples such as reducing the number of dogs or limiting outdoor breaks, with staff clarifying that these are only suggestions, not requirements. Condition of Approval No. 12 regarding employee ratios was explained as a safeguard for future oversight rather than an immediate requirement. There was also a discussion about whether a public hearing was necessary for amendments to a Conditional Use Permit (CUP), with staff confirming that changes to conditions originally set by the Planning Commission require their review. Questions were raised about the applicant's authority to expand operations, and staff confirmed that the original CUP allowed for full expansion. Additionally, Condition of Approval No. 1 was clarified as including pickup and drop-off services, which were originally part of the project approval but not explicitly listed.

The Chair opened the Public Hearing.

The Commission and the applicant discussed the employee-to-animal ratio requirement, clarifying whether it should be operator-determined or explicitly stated in the conditions. The applicant initially estimated a 1:15 ratio but found it to be inconsistent due to varying needs across different areas and times of day. The Commission considered modifying the condition to allow discretion, as the current wording suggests a fixed ratio regardless of circumstances. The applicant agreed that allowing flexibility would be beneficial and confirmed that staffing fluctuates, typically ranging from 7–8 employees at slower times to 12–15 during peak hours. The Commission also questioned whether a stated minimum number of employees, rather than a ratio, would be a more practical approach.

The Chair opened the Public Comment.

Public comment:

Jim Fitzpatrick recommended improving the Planning Commission's process by releasing staff reports a week in advance, reinstating pre-meetings for better preparation, and requiring reports to include applicant submission dates for transparency. He emphasized finalizing conditions of approval upfront to avoid last-minute changes and highlighted the need for early disclosure of key requirements like encroachment permits and water regulations. He stated he was in support of this item.

The Chair closed Public Comment.

Commissioner Dixon suggested consolidating Conditions of Approval 8, 17, and 20,

which all address pickup and drop-off, into a single condition with bullet points for clarity and efficiency. While not proposing an immediate change, they recommended it as a process improvement for easier reference in the future.

The Chair closed the Public Hearing and called for a motion.

MOVED/SECOND: ZICH/DICKSON

MOTION: Approve staff's recommendation with the following updates:

1. Condition No. 1 – Adjustments were made to hours of operation, the number of animals allowed, and the addition of a pickup and drop-off service to ensure clarity and alignment with the applicant's operations.
2. Condition No. 9 – The Commission accepted staff's recommended changes, which provided guidelines for managing potential impacts, such as noise or overcrowding, while keeping the language flexible rather than prescriptive.
3. Condition No. 12 – The language to be further refined by adding the word "appropriate" to ensure that the employee-to-animal ratio is determined based on operational needs rather than a fixed number, allowing flexibility while maintaining oversight.

The motion carried by the following roll call vote:

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas, Commissioner Rojas

Nays: None

Absent: None

Abstained: None

Motion carried: 7-0

ACTION:

The Planning Commission:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1) Existing Facilities; and
2. Approve Conditional Use Permit PCUP-24-0009 based on findings of fact and subject to conditions of approval.

2. MASTER PLAN (PMAP-24-0004) AND TENTATIVE TRACT MAP 19345 FOR THE DEVELOPMENT OF 38 LIVE/WORK RESIDENTIAL UNITS AT 960 WEST 16TH STREET

Six ex-parte communications reported from Chair Harlan. Vice Chair Zich, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas.

Presentation by Mr. Chris Yeager, Senior Planner.

Commissioners asked staff about various aspects of the project, including open

space access, confirming that the nearest park is Schiffer Park (0.9 miles away) and discussing the status of nearby land. Parking assumptions in the study were questioned, with staff confirming that all garage spaces were assumed to be filled, though actual demand could vary. Compliance with driveway standards from Newport Beach and storm runoff management were also discussed, with staff confirming adherence to regulations, including a trench drain to prevent runoff onto sidewalks. The potential for ADU conversions within live-work spaces was debated, with staff clarifying that while state law allows ADUs, the City's conditions restrict workspace conversion but may allow garage conversions. Commissioners also raised concerns about setbacks, public visibility, signage, and accessibility of live-work units, particularly how businesses within these spaces would engage with the public. Additionally, there was discussion about design uniformity, with a suggestion to explore more architectural creativity in future developments to reflect the City's identity as the "City of the Arts."

The Chair opened the Public Hearing.

Commissioners questioned the applicant about parking study methodology, suggesting that the actual parking demand might be lower than reported due to assumptions about garage use. They also asked if the applicant would be open to reducing parking spaces in favor of more open space, to which the applicant expressed willingness if it did not extend the approval process or burden homeowners. Another discussion focused on community engagement and walkability, with the applicant sharing examples of successful live-work businesses, such as home-based bakeries, photography studios, and estheticians, and highlighting efforts to market these spaces effectively to creative entrepreneurs. The Commission also inquired about the applicant's approach to attracting buyers who would use the live-work spaces for community-facing businesses. The applicant emphasized their marketing strategies and financial support options, such as interest rate buy-downs, to help homeowners establish functional live-work environments while addressing the local housing crisis.

That Chair opened for Public Comment.

Speaker one, raised concerns about the height difference between their property (approximately 35 feet) and the proposed development (44 feet per unit), questioning why the elevations are not identical and how this might impact natural light and views. They also inquired about the fate of the four mature trees on 16th Street, asking whether they would be retained or removed.

Jay Humphrey expressed general support for the project but raised concerns about Measure Y, noting that no entitlement changes triggered its requirements. He acknowledged the financial viability of the project and appreciated staff's clarification that the units are truly four stories, not three with a roof deck. He also cautioned about fire risks, particularly the six-foot separation between units, warning that roof decks could become fire hazards if embers from the Randall

Preserve were carried by prevailing winds. Additionally, he highlighted parking concerns, warning that if units become rentals, multiple tenants per unit could lead to excessive vehicle use, as seen in past developments like Villa Martinique, where parking overflowed into surrounding streets.

Jim Fitzpatrick expressed support for the project but raised policy concerns about the permitting process and cost impacts on affordability. He praised the applicant's presentation and the City's recent adherence to the Permit Streamlining Act, but challenged the Commission to ensure that all applicants benefit from the same streamlined five-month approval timeline. He criticized the lack of transparency in tracking applications through the City's system and pointed out that parking concerns may not be as significant due to the location. He also raised concerns about special district approvals, warning that agencies like the Sanitary District and Mesa Water could impose unexpected requirements, such as additional water meters or backflow devices, which should be clarified upfront. Lastly, he criticized the City for failing to allocate \$400,000 in cannabis tax revenue toward first-time homebuyer assistance, despite City Council direction.

Speaker four criticized the live-work designation as a loophole that allows developers to increase housing density without ensuring that the workspaces are used for businesses. They questioned how many live-work units in the City genuinely operate as businesses, pointing out that similar projects on Placentia appear to have few active businesses. Concerns were raised about parking shortages on 16th Street, given existing demand from nearby businesses, and about the high density (38 units) and 45-foot building height, which they argued is excessive for the parcel size. They also challenged the renderings' accuracy, predicted parking and livability issues, and argued that the project is not family-friendly due to the lack of yards or open space. Lastly, they expressed concern about loss of sunlight for neighboring properties and urged the developer to consider lowering building heights to minimize impacts.

The Chair closed Public Comment .

A commissioner followed up on a neighbor's concerns about the height discrepancy between the proposed project and the adjacent property, with staff clarifying that the difference is due to a parapet pop-up rather than a significant elevation change. Staff also noted that Costa Mesa's code does not regulate views or sunlight access, only requiring compliance with building ventilation standards. Regarding the mature trees on 16th Street, staff explained that since the parkway is in Newport Beach's jurisdiction, their conditions require the removal of four ficus trees due to root damage to infrastructure. The applicant confirmed that the ficus trees will be replaced with 11 large crepe myrtles as part of the landscaping plan.

The Chair Closed the public hearing and called for a motion.

Commissioner Dickson made a motion to approve. Seconded by Vice Chair Zich.

MOVED/SECOND: MARTINEZ/DICKSON

MOTION: Approve staff's recommendation.

The motion carried by the following roll call vote:

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas, Commissioner Rojas

Nays: None

Absent: None

Abstained: None

Motion carried: 7-0

ACTION:

The Planning Commission adopt a resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332 (Class 32) InFill Development; and
2. Approve Planning Application PMAP-24-0004 and Vesting Tentative Tract Map 19345, subject to conditions of approval.

OLD BUSINESS: None.

NEW BUSINESS: None.

REPORT - PUBLIC WORKS - None.

REPORT - DEVELOPMENT SERVICES - None.

REPORT - ASSISTANT CITY ATTORNEY - None.

ADJOURNMENT AT 8:29 PM

Submitted by:

SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION