UNOFFICIAL UNTIL APPROVED

MEETING MINUTES OF THE CITY OF COSTA MESA PLANNING COMMISSION

August 23, 2021

CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Toler led the Pledge of Allegiance.

ROLL CALL

Present: Chair Byron de Arakal, Vice Chair Jon Zich, Commissioner Adam Ereth, Commissioner Dianne Russell, Commissioner Russell Toler

Absent: None

Officials Present: Director of Economic and Development Services Jennifer Le, Assistant City Attorney Tarquin Preziosi, Assistant Planner Chris Yeager, Associate Planner Justin Arios, City Engineer Seung Yang and Recording Secretary Julie Colgan

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS:

None.

COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Toler commented on and thanked former Commissioners Tourje and Colbert. He also commented on the City of Costa Mesa releasing its preliminary Housing Element. He also thanked the Public Services Department for their efforts on the protective bike lanes on Victoria Street.

Vice Chair Zich also thanked former Commissioners Tourje' and Colbert. He also commented on ways the public can search the City website for information and project approvals for properties in the City.

CONSENT CALENDAR:

None.

PUBLIC HEARINGS

1. PLANNING APPLICATION 21-06 FOR A CONDITIONAL USE PERMIT FOR THE SERVICE AND REPAIR OF MOTOR VEHICLES WITHIN 200 FEET OF RESIDENTIALLY-ZONED PROPERTY AT 261-263 BRIGGS AVENUE

Project Description: Planning Application 21-06 is a request for a Conditional Use Permit to establish a motor vehicle service and repair facility for Rivian, an electric vehicle maker, within 200 feet of residentially-zoned property. The proposed facility will act as Rivian's pre-inspection and delivery center and provide minor vehicle service and repairs, such as wheel alignment, hardware replacement, and software program updates. The proposed use would be a 24/7 operation and all service activities would take place inside the existing building, with the exception of outdoor vehicle storage.

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

No ex-parte communications reported.

Commissioner Ereth recused himself from this item and left the Council Chambers.

Christopher Yeager, Assistant Planner, presented the staff report.

Commissioners asked staff questions regarding the conditions of approval and restrictions within the 200-foot buffer zone, street parking restrictions for business patrons and employees, water quality management for the on-site car wash and vehicle battery storage at the property.

Chair de Arakal asked whether Condition of Approval No. 9, regarding the expiration of the CUP was a standard condition placed on all applicants.

Mr. Yeager noted this was a standard condition.

The Chair opened the Public Hearing.

Donald Lamm, representing the applicant, stated he had read and agreed to the conditions of the approval.

Mr. Lamm thanked staff for their great customer service and provided an overview of Rivian and their electric vehicle business that will be at this location.

The Chair opened Public Comments.

PUBLIC COMMENTS:

No public comments.

The Chair closed Public Comments.

The Chair closed the Public Hearing.

Chair de Arakal made a motion. Seconded by Vice Chair Zich.

Vice Chair Zich commented that he is excited that Rivian is coming to the City and pleased that the condition regarding employee parking was added.

MOVED/SECOND: de Arakal/Zich
MOTION: Move staff's recommendation.
The motion carried by the following roll call vote:
Ayes: de Arakal, Zich, Russell, Toler
Nays: None
Absent: None
Recused: Ereth
Motion carried: 4-0

ACTION: The Planning Commission adopted 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 15301 Existing Facilitates (Class 1), and Section 15332 (Class 32) In-Fill Development; and
2. Approve Planning Application 21-06, subject to conditions.

RESOLUTION PC-2021-15 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 21-06 FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE SERVICE AND REPAIR OF MOTOR VEHICLES WITHIN 200 FEET OF A RESIDENTIALLY ZONED PROPERTY (261-263 BRIGGS AVENUE)

The Chair explained the appeal process.

Commissioner Ereth returned to the meeting at 7:20 p.m.

2. ZONING APPLICATION 20-14 FOR A MINOR CONDITIONAL USE PERMIT TO ALLOW AN INDIVIDUAL AND GROUP COUNSELING USE IN THE GENERAL INDUSTRIAL (MG) ZONE AND TO DEVIATE FROM PARKING REQUIREMENTS, LOCATED AT 1640 SUPERIOR AVENUE

Project Description: Zoning Application 20-14 is a request for a Minor Conditional Use Permit to deviate from parking requirements due to unique operating

characteristics for an individual and group counseling use (Tree House Recovery) located within an existing industrial building (8,155 square feet) at 1640 Superior Avenue.

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

No ex-parte communications reported.

Justin Arios, Associate Planner, presented the staff report.

Commissioners asked staff questions regarding the minor conditional use permit requirement for this use in an industrial zone, parking requirements, deviations from parking requirements, security and operational measures anticipated in order to comply with the requirement to allow the quiet enjoyment of the surrounding neighborhood.

The Chair opened the Public Hearing.

Justin McMillan, applicant, stated he had read and agreed to the conditions of approval.

Justin McMillan presented an overview of the business for the Commission.

Brandon Thender, a member of Tree House Recovery, spoke in favor of the project.

Commissioner Ereth requested clarification whether medications are administered on site and whether the applicant was operating other recovery homes in the City of Costa Mesa.

Mr. McMillan answered in the negative to both questions.

The Chair opened Public Comments.

PUBLIC COMMENTS:

Dr. Nadar McHale, a Costa Mesa resident, commented that parking is the main issue. Parking is very limited in the area.

The Chair closed Public Comments.

Vice Chair Zich received confirmation from staff that the 500-foot radius notification and posting was done for this property.

The Chair closed the Public Hearing.

Vice Chair Zich made a motion. Seconded by Commissioner Russell.

Chair de Arakal asked the maker of the motion to include a new condition (Condition No. 14) to the conditions of approval.

Vice Chair Zich was in agreement and asked that a new condition (Condition No. 14) be added. Seconded by Commissioner Russell.

Commissioner Toler commented further on the parking requirements.

Commissioner Russell spoke on the parking and the need for this type of service for the community.

MOVED/SECOND: Zich/Russell
MOTION: Move staff's recommendation adding a new Condition of Approval No. 14
The motion carried by the following roll call vote:
Ayes: de Arakal, Zich, Ereth, Russell, Toler
Nays: None
Absent: None
Recused: None
Motion carried: 5-0

ACTION: The Planning Commission adopted 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 15301 Existing Facilitates (Class 1), and Section 15332 (Class 32) In-Fill Development; and
2. Approve Zoning Application 20-14, subject to conditions with a new condition added by the Commission.

NEW CONDITION ADDED BY COMMISSION:

Condition of Approval No. 14: The minor conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The minor conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, or if, in the opinion of the Director of Economic and Development Services or his designee, any of the findings upon which approval was based are no longer applicable.

RESOLUTION PC-2021-16 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING ZONING APPLICATION 20-14 FOR A MINOR CONDITIONAL USE PERMIT TO ALLOW FOR AN INDIVIDUAL AND GROUP COUNSELING USE IN THE MG ZONE AND TO DEVIATE FROM PARKING REQUIREMENTS, LOCATED AT 1640 SUPERIOR AVENUE

The Chair explained the appeal process.

OLD BUSINESS: None.

NEW BUSINESS: None.

DEPARTMENTAL REPORT(S)

1. Public Services Report – Mr. Yang noted the Fairview Road project is ongoing, with the new traffic signal at Village Way being installed and street repair continuing. City Hall elevators are being repaired and upgraded and completed by spring.

2. Development Services Report – Ms. Le provided an update on the Housing Element. The draft Housing Element has been posted online for review and public comments, which are due by September 15th. A community meeting has been scheduled for September 2, 2021 via Zoom at 6 p.m. A joint Planning Commission/City Council Study session will also be scheduled in September.

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney – None.

ADJOURNMENT AT 7:20 P.M.

Submitted by:

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JENNIFER LE, SECRETARY
COSTA MESA PLANNING COMMISSION