

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

May 13, 2024

CALL TO ORDER

The Vice Chair called the meeting to order at 6:02 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Chair Ereth led the Pledge of Allegiance.

ROLL CALL

Present: Chair Adam Ereth, Vice Chair Russell Toler, Commissioner Angely Andrade, Commissioner Karen Klepack, Commissioner Martinez, Commissioner Jon Zich

Absent: Commissioner Jonny Rojas

Officials Present: Assistant Director of Development Services Scott Drapkin, Planning and Sustainable Development Manager Bill Rodrigues, Assistant City Attorney Tarquin Preziosi, Director of Public Works Raja Sethuraman, Transportation Services Manager Jenifer Rosales, Associate Planner Chris Yeager, Assistant Planner Jeffery Rimando, City Engineer Seung Yang and Recording Secretary Anna Partida

ANNOUNCEMENTS AND PRESENTATIONS:

**1. OATH OF OFFICE FOR NEWLY-APPOINTED PLANNING COMMISSIONER
DAVID MARTINEZ BY CITY CLERK.**

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:

Cynthia McDonald inquired about what was changed for the Amended Planning Commission Agenda.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Zich welcomed Commissioner Martinez on his appointment to the Commission.

Commissioner Andrade welcomed Commissioner Martinez to the Commission and congratulated him on his recent graduation.

Commissioner Klepack welcomed Commissioner Martinez to the Commission and congratulated him on his recent graduation.

Vice Chair Toler welcomed Commissioner Martinez to the Commission. He also wished Happy Mother's Day to all the mothers in the community. He informed the public of the upcoming Love Costa Mesa Day and provided the website Lovecostamesa.org for the community to sign up for cleanup projects. He closed his comments by announcing that its National Bike Month. He encouraged the community to bike safely and sign up for a group bike ride.

Chair Ereth expressed his appreciation for Jimmy Vivar's time on the Planning Commission and he welcomed Commissioner Martinez to the Planning Commission.

Commissioner Martinez introduced himself to the community and shared information about his recent graduation from the University of Southern California with a degree in Public Policy. He shared that he has served on Costa Mesa's Active Transportation Committee for two and a half years and for 6 months on the Newport Mesa Unified School District's Banning Ranch Surplus Property Committee. He thanked his fellow Commissioners for their warm welcome to the Commission and expressed his excitement to be serving on the Commission.

CONSENT CALENDAR:

No member of the public nor Commissioner requested to pull a Consent Calendar item.

1. MINUTES

MOVED/SECOND: Toler/Ereth

MOTION: Approve recommended action for Consent Calendar Item No. 1.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Klepack, Martinez, Zich

Nays: None

Absent: Rojas

Abstained: None

Motion carried: 6-0-1

ACTION: Planning Commission approved the minutes of the regular meetings of the March 25, 2024 and April 8, 2024.

PUBLIC HEARINGS:

Chair Ereth asked his fellow Commissioners if they would consent to a reordering of the Planning Commission Agenda to consider Lighthouse Church as the first public hearing item.

No objections were expressed.

Chair Ereth made a motion. Seconded by Commissioner Zich.

MOVED/SECOND: Ereth/Zich

MOTION: Reordering of the Agenda.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Klepack, Martinez, Zich

Nays: None

Absent: Rojas

Abstained: None

Motion carried: 6-0-1

ACTION: Public Hearing item No. 3 to be heard first.

3. PLANNING APPLICATION 21-02 FOR A CONDITIONAL USE PERMIT TO ALLOW A TRANSITIONAL HOUSING AND SUPPORT SERVICES USE WITH UP TO 16 INDIVIDUALS AT LIGHTHOUSE CHURCH (1885 ANAHEIM AVENUE)

Project Description: Planning Application 21-02 is a request for a conditional use permit to operate a transitional housing and supportive services use for a maximum of 16 men. The residents would reside in an existing 2,020-square-foot second floor area of the Church and would take part in a faith-based program that lasts approximately 12 months. The goal of the program is to provide independence for residents after the program and that the participants graduate the program with birth certificates, identification card, insurance, a primary care physician or mental health provider, bank account and employment when possible.

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

Four ex-parte communications reported:

- Commissioner Klepack met onsite with the applicant.
- Commissioner Zich met onsite with the applicant.
- Vice Chair Toler met onsite with the applicant.
- Chair Ereth spoke on the phone with the applicant.

Chris Yeager, Associate Planner, presented the staff report.

The Commission asked questions of staff, which included transportation for a participant who is removed from the program, bed limit for the program, if SB-4 could have been applied to the project, vehicle registration and bicycle storage/parking.

The Chair opened the Public Hearing.

Phil Eyskens, applicant, stated he had read and agreed to the conditions of approval and presented information on the program provided by his church. As well as, sharing success stories from those who have worked for and/or been a part of the program.

The Commission asked questions of the applicant, which included transportation for those who are removed from the program, information on the programs referral program, program funding, number of men the program has served, the Reconnection Program, if participants are allowed to practice other religions, if participants come in as a group or if they stagger program start dates, reasons the program is not co-ed and how many staff are employed.

The Chair opened public comments.

Ambrose Daniel Carranza spoke in favor of the item.

Luise Ray Crouse spoke in favor of the item.

Mike Scholar spoke in favor of the item.

Wendy Leece spoke in favor of the item.

The Chair closed public comments.

Phil Eyskens, applicant, offered closing remarks.

The Chair closed the Public Hearing.

Chair Ereth made a motion. Seconded by Commissioner Zich.

The Commission discussed the motion and the positive impacts the program has made in the community.

MOVED/SECOND: Ereth/Zich

MOTION: Approve staff's recommendation.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Martinez, Klepack, Zich

Nays: None

Absent: Rojas

Recused: None

Motion carried: 6-0-1

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 Facilities); and
2. Approve Planning Application 21-02, based on findings of fact and subject to conditions of approval.

RESOLUTION PC-2024-10 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 21-02 FOR A CONDITIONAL USE PERMIT TO ALLOW A TRANSITIONAL HOUSING AND SUPPORT SERVICES USE FOR UP TO 16 MALE INDIVIDUALS AT AN EXISTING CHURCH (1885 ANAHEIM AVENUE)

The Chair explained the appeal process.

1. DESIGN REVIEW PDES-24-0001 AND TENTATIVE PARCEL MAP 2023-187 FOR A TWO-UNIT RESIDENTIAL SMALL LOT SUBDIVISION DEVELOPMENT AT 1022 WEST WILSON STREET

Project Description: Design Review 24-0001 and Parcel Map 24-0001 (Tentative Parcel Map 2023-187) requests a residential small lot subdivision to create two parcels each containing one unit. These applications propose to subdivide the existing 10,817-square-foot parcel into two parcels, which are approximately 5,502 and 5,315 square feet each. The project would demolish the existing single-family residential unit and construct a new-detached two-story single-family dwelling unit with attached two-car garage on each of the new parcels. Accessory dwelling units (one on each parcel) are also proposed and would be processed under separate permits. In addition, the project proposes site improvements including new hardscape and landscaping.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15315 (Class 15), Minor Division of Land, and Section 15303 (Class 3) New Construction or Conversion of Small Structures.

One ex-parte communication reported:

- Commissioner Martinez spoke on the phone with the applicant.

Jeffery Rimando, Assistant Planner, presented the staff report.

The Commission asked questions of staff including discussion of the vacant land to the north and west of the project site and its intended use, examples of the

occupant's path of travel to the future accessory dwelling units (ADU), parking for the occupants in the ADUs, if the ADUs need to be built for the applicant to obtain the building permit for each of the primary residences, reasons SB-9 does not apply to this application, landscaping requirements and maintenance, reason for the jog in the proposed property line towards the rear of the lot, height and placement of wall relative to the property line, required parking, adding additional trees particularly in the public right-of-way, and the restriction of the garage space to be used for parking only.

The Chair opened the Public Hearing.

Grant Bixby, applicant, stated that he had read and agreed to the conditions of approval.

The Commission asked questions of the applicant, which included discussing the buyer profile for this type of development, when the ADUs will be built, privacy measures for main house and ADU occupants, window in bedroom four, who will have access to the path to the ADUs, consideration of building more housing than proposed on the project site, demand for bigger homes and whether an HOA is necessary.

The Chair opened public comments.

Speaker one spoke in opposition of the item.

Rick Huffman spoke in favor of the item.

The Chair closed public comments.

The Commission inquired of staff if there were incentives for developers to build more housing in the community and clarification on the city's requirement for CC&R's. Planning and Sustainable Development Manager Rodrigues indicated that there would be no HOA for the project and, as a result, there is no need to have project CC&R's.

The Chair closed the Public Hearing.

Commissioner Martinez made a motion. Seconded by Vice Chair Toler.

The Commission discussed the motion including project design, minimum parking requirements, housing density, encouraged working with the applicant to plant more trees on the property and in the adjacent parkway, and creating more ownership opportunities in the community.

MOVED/SECOND: Martinez/Toler

MOTION: Approved the projects with the removal of Condition number 10, a

duplicate condition. As well as, conditions that reference CC&R's, conditions 17, 18, 19, and 24.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Martinez, Klepack, Zich

Nays: None

Absent: Rojas

Recused: None

Motion carried: 6-0-1

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 15315 (Class 15) Minor Division of Land, and Section 15303 (Class 3) New Construction or Conversion of Small Structures; and
2. Approve Design Review PDES-24-0001 and Parcel Map PTPM-24-0001 (Tentative Parcel Map 2023-187), based on findings of fact and subject to conditions of approval.

RESOLUTION PC-2024-11 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING DESIGN REVIEW PDES-24-001 AND TENTATIVE PARCEL MAP 2023-187 FOR A TWO-UNIT RESIDENTIAL SMALL LOT SUBDIVISION DEVELOPMENT AT 1022 WEST WILSON STREET

The Chair explained the appeal process.

2. PDEV-23-0001, AMENDING CERTAIN PROVISIONS TO ONE METRO WEST DEVELOPMENT AGREEMENT (DA-20-02), ORDINANCES AND RESOLUTIONS

Project Description: PDEV-23-0001 is a request to amend provisions of Development Agreement DA 20-02; amend conditions of approval of Resolution 2021-55 (Resolution that approved General Plan 20-01, Master Plan 19-19, and Tentative Tract Map 19015), and to clarify the project's effective date in approved Ordinance Numbers 2021-11, 2021-12, and 2021-13, for the One Metro West project. The proposed Development Agreement amendments include revisions to provisions related to the timing of payment of impact fees and community benefit funds. The proposed amendments to the project's conditions of approval modify submittal requirements for the public artwork proposed on Building A located along the I-405 Freeway; and, the proposed ordinance amendments clarify the project's approval date consistent with subsequent code amendments as a result of the approval of Measure K. No changes to the previously approved project plans are proposed with this request.

Environmental Determination: Pursuant to Section 15162 of the State CEQA Guidelines, the project was reviewed and found to be consistent with the One Metro West Environmental Impact Report (EIR) (State Clearinghouse No. 2019050014), which was certified on May 4, 2021, by the City Council of the City of Costa Mesa (Resolution No. 2021-54). Pursuant to Section 15162 of the Guidelines, no subsequent environmental review is warranted for the project because there are no substantial changes to the project in that there are no modifications to the approved project plans or required mitigation measures.

Three ex-parte communications reported.

- Commissioner Martinez held a meeting with the applicant.
- Commissioner Klepack commented on the item when it was first heard and spoke on the phone with the applicant.
- Vice Chair Toler held a meeting with the applicant.

Bill Rodrigues, Planning and Sustainable Development Manager, presented the staff report.

The Commission asked questions of staff including discussion about the length of development agreement, development fees payment schedule, intended use of the development impact fees, the recommended interest rate, if the applicant can prepay fees and whether the interest rate would be pro-rated in that case, public art requirements, in which phase the parking structure would be built, rationale for supporting development impact fee payments to be made in two installments, reasons for why the Arts Commission should approve the public art, the reason behind review process with the City Council, Arts Commission and Planning Commission.

The Chair opened the Public Hearing.

Brent Stoll, applicant, stated he had read and agreed to the conditions of approval.

The Commission asked questions of the applicant, including about differences between applicant-submitted letters concerning monetary numbers and the reason for asking the Planning Commission to waive their approval for the art aspect of the project.

The Chair opened public comments.

Cynthia McDonald spoke in opposition to the item.

Jay Humphrey spoke in opposition to the item.

Diana Denney spoke in opposition to the item.

Priscilla Rocho spoke in opposition to the item.

The Chair closed public comments.

The Planning Commission continued their discussion by inquiring about the One Metro West Ordinances, if Caltrans review of the public art facing the 405 freeway, and whether the interest rate is appropriate.

The Chair closed the Public Hearing.

Discussion amongst the Commission consisted of the Development Agreement and the proposed changes, individual Commissioner opinions regarding City actions assisting with the project's financing and the percentage rate, the difference in money owed to the City based on the original agreement and the proposed agreements, revision of the project date, allowing the Planning Commission to review the proposed mural after the Arts Commission, and changes in occupancy.

The Commission discussed each of the applicant's requests separately.

Chair Ereth then made a motion. Seconded by Commissioner Martinez.

The Commission discussed the motion including clarification on government bodies reviewing the project and landscaping.

MOVED/SECOND: Ereth/Martinez

MOTION: Approve staff recommendation with direction to include discussion about the interest rate in the City Council staff report and to change the 405-freeway-facing parking structure artwork condition as to approval process and timing.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Martinez, Klepack

Nays: Zich

Absent: Rojas

Recused: None

Motion carried: 5-1-1

ACTION: The Planning Commission adopted Resolution 2024-XX to:

1. Find pursuant to CEQA Guidelines Section 15162 that the proposed amendments are in substantial conformance with the Final Environmental Impact Report (EIR) for the One Metro project (State Clearing House No. 2019050014), including a mitigation monitoring program and statement of overriding

considerations, which was certified by the City Council on July 20, 2021, and that no further environmental review under CEQA is required; and

2. Recommend that the City Council:
 - Introduce for first reading an ordinance amending Development Agreement DA-20-02 regarding the timing of payment for impact fees and community benefit funds;
 - Introduce for first reading an Ordinance clarifying the project's effective approval date contained in Development Agreement 20-02, Rezone 20-01 and Specific Plan 20-01; and
 - Approve modifications to City Council Resolution 2021-55 amending certain conditions of approval regarding the artwork on Building A along the I-405 Freeway.

RESOLUTION PC-2024-12 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA RECOMMENDING APPROVAL TO THE CITY COUNCIL OF DEVELOPMENT AGREEMENT (PDEV-23-0001) BY AMENDING CERTAIN PROVISIONS TO THE ONE METRO WEST APPROVED DEVELOPMENT AGREEMENT, ORDINANCES, AND RESOLUTIONS

The Chair explained the appeal process.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **REVIEW OF THE ONE YEAR (FY 2024-2025) AND FIVE YEAR (FY 2024-2025 TO FY 2028-2029) CAPITAL IMPROVEMENT PROGRAM FOR CONSISTENCY WITH THE COSTA MESA 2015-2035 GENERAL PLAN**

Project Description: Government Code Section 65103(c) requires Planning Commission review of the proposed Capital Improvement Program (CIP) portion of the City's annual budget for conformity with the adopted General Plan. The proposed CIP includes a number of projects to implement various policies, objectives, and programs in the 2015-2035 General Plan. The CIP includes projects related to facilities, parks, parkways and medians, streets, and transportation projects.

Environmental Determination: The CIP is a fiscal planning and budgeting activity, which allows the City to plan for future specific capital improvement projects. It does not commit the City to implementing any specific project or project design. Therefore, the determination of General Plan conformity for the CIP is not a "project" and is not subject to the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378. Notwithstanding, specific CIP projects are evaluated for CEQA compliance prior to project approval and implementation. Most are categorically exempt under CEQA Guidelines Sections 15304 (Minor Land Alterations) and 15301

(Existing Facilities) however, certain major projects may require preparation of a project-specific environmental analysis, which is undertaken at the project design phase.

Seung Yang, City Engineer, presented the staff report.

The Commission asked questions of staff, which included discussion about adding Active Transportation elements into the citywide street and alley improvements, communication with OCTA to speed up emergency transit vehicle preemption, Placentia Storm Water Collection project, what determines the placement of projects and their timeline, addition of a community garden, and reasons for the Westside Park Project has been pushed.

The Chair opened Public Comments.

Ralph Taboada spoke on capital improvement projects and the process of completing the projects. He asked for more transparency in communication as to why certain projects are being pushed to make more informed decisions.

Cynthia McDonald spoke on Paularino Park needing public restrooms, she spoke against the signal being proposed at Belfast and Fairview Road and she asked that the City fill in the gaps in bike lanes around the City.

The Chair closed Public Comments.

Chair Toler made a motion. Seconded by Commissioner Ereth.

The Commission discussed the motion which included staff providing the Commission with more communication and updates on proposed projects, reasons for project timeline determinations, and proposing CIP projects to the City's General Plan policies so the City becomes more-in-compliance.

MOVED/SECOND: Toler/ Ereth

MOTION: To adopt staff recommendation.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Martinez, Klepack, Zich

Nays: None

Absent: Rojas

Recused: None

Motion carried: 6-0-1

ACTION: The Planning Commission adopted a Resolution to:

1. Find that the City's Capital Improvement Program is a fiscal planning and budgeting activity, which allows the City to plan for future specific capital improvement projects

and does not commit the City to implement any specific project or project design, and, therefore, is not a “project” per California Environmental Quality Act (CEQA) Guidelines Section 15378; and

2. Approve a resolution finding that the One Year (FY 2024-2025) and Five Year (FY 2028-2029) Capital Improvement Program is consistent with the Costa Mesa 2015-2035 General Plan.

RESOLUTION PC-2024-13- A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDING THAT THE PROPOSED ONE-YEAR (FY 2024-25) AND FIVE-YEAR (FY 2024-25 TO FY 2028-29) CAPITAL IMPROVEMENT PROGRAMS ARE IN CONFORMANCE WITH THE CITY OF COSTA MESA 2015-2035 GENERAL PLAN

DEPARTMENTAL REPORTS:

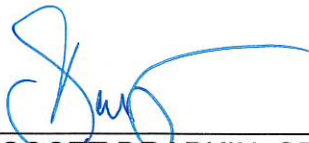
1. Public Works Report – None.
2. Development Services Report – None.

CITY ATTORNEY’S OFFICE REPORT:

1. City Attorney – None.

ADJOURNMENT AT 11:05 PM

Submitted by:



SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION