

UNOFFICIAL UNTIL APPROVED

**MEETING MINUTES OF THE CITY OF  
COSTA MESA PLANNING COMMISSION****November 14, 2022****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 Johnny Rojas, Commissioner Dianne Russell, Commissioner Russell Toler, Commissioner Jimmy Vivar

Absent: None

Officials Present: Assistant Development Services Director Scott Drapkin, Assistant City Attorney Tarquin Preziosi, Associate Planner Christopher Yeager, City Engineer Seung Yang and Recording Secretary Anna Partida

**ANNOUNCEMENTS AND PRESENTATIONS:**

None.

**PUBLIC COMMENTS:**

None

**COMMISSIONER COMMENTS AND SUGGESTIONS:**

Commissioner Vivar welcomed the students attending the Planning Commission tonight.

Commissioner Ereth also welcomed the students to the Planning Commission and congratulated Commissioner Rojas for being picked as "Veteran of the Year".

Commissioner Rojas welcomed the students to the meeting and thanked the City for the honor of being chosen as "Veteran of the Year".

Vice Chair Zich welcomed the students and public to the meeting and recognized Commissioner Rojas for his honor. He also wanted to recognize Commissioner Vivar for singing the National Anthem at the November 1<sup>st</sup> City Council meeting.

Chair de Arakal also welcomed the students to the meeting and also congratulated Commission Rojas.

**CONSENT CALENDAR:**

None.

**PUBLIC HEARINGS:**

**1. PLANNING APPLICATION 22-20 AND TENTATIVE PARCEL MAP 2022-140 FOR A FOUR-UNIT RESIDENTIAL SMALL LOT SUBDIVISION DEVELOPMENT AT 549 BERNARD STREET**

**Project Description:** Planning Application 22-20 and Tentative Parcel Map 2022-140 is a request for a residential small lot subdivision. The project includes a subdivision of an existing 12,003-square-foot parcel into four approximately 3,000-square-foot parcels. The project includes the demolition of the existing two residential units and detached garage and the construction of four new-detached single-family dwelling units with attached two-car garages. In addition, the project proposes site improvements including hardscape and landscape throughout.

**Environmental Determination:** The project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions, and Section 15332 (Class 32), In-Fill Development Projects.

No ex-parte communications.

Associate Planner Christopher Yeager, presented the staff report.

**Commission and Staff:**

Commissioner Ereth asked for clarification on the minimum parking requirements for this project and changes that may have been implemented by the State.

Mr. Yeager noted that the State did enact regulations, but will not be implemented until January. The changes would impact future projects.

Discussion ensued regarding park impact fees, and transportation fees imposed on new housing developments.

Commissioner Ereth asked whether the City imposes best practices as to construction related waste in the conditions of approval for this project.

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Assistant Development Services Director Scott Drapkin, noted the City's building department checks this during review and they do have minimum requirements that they impose on the contractors. He noted this is highly regulated.

Commissioner Vivar asked Mr. Yeager to briefly explain the delay in the project coming before the Planning Commission.

Mr. Yeager noted the delay was related to the tentative parcel map consistency, and it is now compliant with local and state laws.

Discussion ensued regarding the urban overlay plans in the west side of the City that allows residential development in industrial zones.

Commissioner Vivar asked whether it was correct that the site plan shows eight parking spaces and a single common driveway for access.

Mr. Yeager answered that each unit has a 2-car garage, plus 7 open spaces and all the spaces are accessed via a common alley.

Commissioner Vivar asked whether there were any relocation plans for the occupied unit on the property.

Mr. Yeager noted the renter had been informed that their lease would not be extended.

Commissioner Toler noted the project has a lot of parking and asked whether there is relief for the applicant if they wanted to reduce that number.

Mr. Yeager noted the applicant would have to apply for a variance.

Discussion ensued regarding small lot developments and ordinances.

Vice Chair Zich asked whether COA number 3 regarding window placement for privacy is also a consideration in approving ADU's.

Mr. Yeager noted windows for first story ADU's or first story residential projects are not generally looked at. Design guidelines specifically call out second story windows and second story ADU's to confirm to specific regulations on window placements.

Discussion ensued on the City's design guidelines approved by City Council and the ground floor existing decks as shown on the plans.

Chair de Arakal asked on the orientation of the garage door for Unit A, and whether it can be moved to enter off Bernard Street rather than the alleyway.

Mr. Yeager noted there were no discussions with the applicant on the placement of this garage.

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Discussion ensued regarding the design standards for garages, and any articulation of the second floor wall plane for Unit A.

**The Chair opened public hearing.**

William Lang, authorized agent, stated he read and agreed to the conditions of approval.

**Commission, Applicant and Staff:**

Mr. Lang spoke briefly on the project and introduced the project's architect.

Commissioner Vivar asked whether there are relocation plans for the current tenant on the property.

Mr. Lang noted the tenant has been given a one-year lease and are aware of the construction plans for the property next summer.

Discussion ensued regarding the design choices for the four units and any sustainability aspects incorporated into them.

Commissioner Toler asked the depth of the front porch for Unit A.

The project's architect noted the area is about four feet in depth and 16 feet in length, due to open space requirements.

Discussion ensued regarding grade level of the site, the City's parking requirements and density for the area.

Chair de Arakal spoke on the house facing the street, it's orientation on the site and design. He also spoke on the north elevation facing Bernard Street looking like a side elevation and the design for Unit A.

Discussion ensued on the limitations the architect faced in placing the garage where it is now and changing the front north elevation of Unit A.

Chair de Arakal thought the two taller linear windows on the north elevation should be moved to the west elevation and to also move the two big windows on the west elevation to the north elevation to give more visual interest from the public street.

The architect noted the bigger windows were not placed on the north side due to more indirect light shading, but thought the linear windows could be made larger as suggested.

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Discussion ensued regarding window, balcony placements, zoning code issues and articulation relief.

Chair de Arakal asked the applicant to share more of their landscaping plans, especially the placement of trees around Unit A, which the architect noted on the plans.

Discussion ensued regarding up-lighting and the lighting requirements for the development.

**The Chair opened Public Comments.****PUBLIC COMMENT:**

None.

Vice Chair Zich asked for clarification on the civil engineer who stamped the plans, which was answered.

Commissioner Ereth asked whether the upcoming assembly bills regarding new parking requirements would affect this project.

Commissioner Vivar asked for clarification on the reasons for the drive way access for the front unit being placed as it is.

City Engineer, Seung Yang, noted it is for line of site issues and lack of parking spaces it may cause on the street.

Commissioner Vivar noted he was pleased that the driveway access was through the alley and supported residential or commercial projects that designed access through lower volume streets or alleys.

Chair de Arakal asked the applicant to clarify the placement of a small window adjacent to the front door of Unit A, that does not show on the floor plans.

The architect noted the elevation plans are correct and he will change the floor plan to reflect that inconsistency.

Discussion ensued regarding the front door being near the garage door and the floor plans will be updated to show the correct separation distance between the two.

**The Chair closed the public hearing.**

Commissioner Toler agreed with the Chair de Arakal's concerns regarding elevations and he would support to having the applicant come back with revisions.

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Commissioner Vivar made a motion to approve the project. Seconded by Vice Chair Zich.

The Chair asked the maker of the motion to add a condition of approval on the project to change the windows on the north elevation of the den to the same size windows as the west elevation above the garage, to break up the wall plain on the north elevation.

The Chair asked the maker of the motion if he agreed to this added condition of approval, which he agreed to.

The Chair asked Vice Chair Zich if he agreed, which he also concurred.

The Chair also asked that the larger windows be installed on the north east corner of the lower floor on north elevation and removal of the window treatment identified as Item G on Unit A floor plan.

Commissioner Vivar asked staff if these modifications would interfere with any lines of sight and privacy issues, which staff noted they would not as they face the north towards the street.

The maker of the motion and the second both agreed to this added modification to the windows.

The Chair noted he would support the project with these modifications.

Commissioner Vivar thanked staff and the applicant and spoke briefly on the project.

Vice Chair Zich, Commissioner Russell, Commissioner Ereth, Commissioner Rojas and Commissioner Toler all spoke on their support of the project.

Commissioner Toler also spoke on parking, over use of vehicles and the City's design guidelines. He also spoke on the porch needing to be larger with railings, the compositions of the north and west elevations and vertical alignment of windows.

**MOVED/SECOND:** Vivar/Zich

**MOTION:** Move staff's recommendation with added condition of approval.

The motion carried by the following roll call vote:

Ayes: de Arakal, Zich, Ereth, Rojas, Russell, Toler, Vivar

Nays: None

Absent: None

Recused: None

Motion carried: 7-0

**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 15315 (Class

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- 15) Minor Division of Land, and Section 15332 (Class 32) In-Fill Development and;
2. Approve Planning Application 22-20 and Tentative Parcel Map 2022-140, subject to conditions of approval and added Condition of Approval No. 29.

**ADDED CONDITION:**

**Condition of Approval No. 29 to read:** The Bernard Street elevation at Unit A shall be modified to enhance the façade to appear more like a front elevation including, but limited to, replacing the windows at the second floor den identified on the approved plan on agenda report page number 45 as “A” with the larger windows identified as “G”, and an additional window “G” to be incorporated into the east corner of the Bernard Street elevation at the first floor living room.

**RESOLUTION PC-2022-30 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 22-20 AND TENTATIVE PARCEL MAP 2022-140 FOR A FOUR-UNIT RESIDENTIAL SMALL LOT SUBDIVISION DEVELOPMENT AT 549 BERNARD STREET**

The Chair explained the appeal process.

**DEPARTMENTAL REPORT(S)**

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

**CITY ATTORNEY’S OFFICE REPORT(S)**

1. City Attorney – None.

**ADJOURNMENT AT 7:41 P.M.**

Submitted by:

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SCOTT DRAPKIN, SECRETARY  
COSTA MESA PLANNING COMMISSION