

**DRAFT****MEETING MINUTES OF THE CITY OF  
COSTA MESA PLANNING COMMISSION****July 22, 2024**

- 1. ORDINANCE ADOPTION FOR A FIRST AMENDMENT (DA-20-05) TO THE AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA DEVELOPMENT AGREEMENT (DA-94-01) TO ALLOW FOR A 20 YEAR TIME EXTENSION THAT WOULD EXPIRE OCTOBER 31, 2044; TO AMEND PROVISIONS PERTAINING TO THE RATE AND METHODOLOGY FOR CALCULATING TRAFFIC IMPACT FEES; AND, TO AMEND PROVISIONS RELATED TO THE SETBACK OF A FUTURE PARKING STRUCTURE; LOCATED AT 3333 FAIRVIEW ROAD**

**Project Description:** The Automobile Club of Southern California proposes to amend their Development Agreement (DA-20-05) with the City of Costa Mesa to allow for a 20 year time extension that would expire on October 31, 2044; to amend provisions pertaining to the rate and methodology for calculating traffic impact fees; and, to amend provisions related to the placement of a future parking structure for property generally located at 3333 Fairview Road.

**Environmental Determination:** Pursuant to CEQA Guidelines Section 15162 this project is within the scope of the June 20, 1994-certified Final Environmental Impact Report (FEIR) #1045 (State Clearinghouse No. 94021036) for the Automobile Club Expansion project . The effects of the project were examined in the 1994 FEIR, and all feasible mitigation measures and alternatives developed in the 1994 FEIR are incorporated into this project and no new mitigation measures are required. Therefore, the 1994 FEIR for Automobile Club Expansion project is determined to be adequate to serve as the environmental documentation for this project, that no further environmental review is required, and that all requirements of CEQA are satisfied.

Five ex-parte communications reported.

Commissioner Martinez meet with the applicant onsite on July 17, 2024.

Commissioner Klepack meet with the applicant and representative on July 19, 2024.

Commissioner Zich meet with the applicant's management team onsite.

Vice Chair Toler participated in a zoom meeting with the applicant and representatives on July 19, 2024.

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Chair Ereth participated in a phone conversation with the applicant's representative.

Christopher Aldana, Assistant Planner, presented the staff report.

Chair Ereth paused the presentation to announce he needed to recuse himself from this item due to a conflict of interest.

Vice Chair Toler took control of the meeting.

Christopher Aldana continued with his presentation.

The Commission asked questions of staff including discussion of:

Commissioner Martinez enquired what the approval process would be for a new parking structure, office building and proposed second bridge over the flood control channel without a developmental agreement in place. Staff responded that the applicant would need to reapply and submit a master plan. Martinez enquired if staff looked at the proposed Class 1 trail along the flood control channel regarding this item's extension request. Staff responded they did not look at the trail because none of the proposed uses for the site would conflict with the Class 1 trail. Martinez asked staff about the requirements of the parking structure beside the setback. Staff responded that the other requirements are height limitations, number of parking spaces and development standards. Martinez asked if the parking structure location was set and couldn't be modified. Staff responded that if the applicant wanted to, they could push it further away from minimum setback. Martinez clarified his question by asking if the applicant could move the structure over to a different parcel. Staff stated that would go to an approval process before the applicant would be allowed to change the location of the structure. Martinez asked if the parking structure will have an impact on the water quality because of its proximity to the flood channel. Staff responded stating the water that would flow in that direction would go through a cleaning process before flowing into the flood channel. Martinez asked if parking was a revenue generating land use. Staff respond that the applicant would be better able to respond to that question. Martinez asked staff if adding more parking on the site would reduce the reliance on the automobile. Staff respond that the added parking spaces were meant to meet the parking requirements at the time. Martinez asked staff if adding more parking would encourage or discourage driving to the site. Staff respond that the parking requirements were based on parking for the site and in the future, they can reassess the parking needs for the site.

Commissioner Klepack asked if the building codes when this project was first approved would stay in place or change to current codes. Staff responded that the planning and zoning codes were locked in. However, they would have to meet all the current building and safety codes.

**The Chair opened the Public Hearing.**

The Anita Lorz Villagrana, applicant's representative stated they read and agreed to the conditions of approval.

The Commission asked questions of the applicant including discussion of:

Commissioner Zich asked the applicant what facilities their company was considering closing when they consolidate. The applicants team responded that they have a big presence in southern California that is continuing to grow and that they believe that they will continue to grow in Costa Mesa.

Commissioner Martinez asked the applicant how pedestrians or bicyclist have access to the site and how it might change. The applicant's team responded that the only pedestrian access is by the buss stop. Martinez asked if the employees have key card access to the building. The applicants stated that employees do have access with keycards. Martinez asked if the applicant still planned on building the proposed second bridge over the flood channel. The applicants team stated they would look at measurers to reduce traffic where pedestrians will walk and they will look to see if that bridge is still relevant to have during the permitting process, Martinez asked if the expanded office building would encompass the current security area. The applicant said the security check point would stay in its current location.

**The Chair opened public comments.**

No public comments.

**The Chair closed public comments.**

The Commission asked questions of the staff including a discussion of:

Commissioner Zich asked the staff the reasons the original vote for the Development Agreement did not pass in Planning Commission. Staff responded that two of the 1994 Planning Commissioners Mr. Karonda and Ms. Kalen voted No to the original motion. Mr. Karonda voted No because he felt that AAA should do more to contribute funds to the 405-freeway access at the time and Ms. Kalen expressed she was concerned that AAA would sell the proposal package to a third party.

**The Chair closed the Public Hearing.**

Commissioner Martinez made a motion to approve the item with the following modifications:

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1. The parking structure is not approved (pursuant to Land Use Element Policies 5.6, 5.7, and 6.13; Circulation Element Policies 4.9, 5.5, 7.33, 9.5, and 11.3; and Noise Element Policy 2.8)
2. The applicant, the City, and the County (including the OC Flood Control District) will work towards the construction of a Class I multi-purpose trail along the flood control channel (pursuant to Circulation Element Policies 5.7, 7.4, 7.5, 9.2, and 9.12)
3. Pedestrian access will be provided to the site (pursuant to Circulation Element Policies 5.13 and 11.7)
4. More bicycle parking will be added upon full buildout (pursuant to Circulation Element Policy 9.4)

Motion failed for lack of second.

Commissioner Zich made a motion to approve the item with staff's recommendation. Seconded by Commissioner Rojas.

Commissioner Zich stated that for as long as he has lived in the City of Costa Mesa AAA has been a stellar business entity for the city. He stated when he conducted his site visit, he was impressed with the quality of maintenance, the appearance of the facility and the employee amenities. He stated this is a land use decision and honoring the development agreement and work they have done so far should be a top priority in the city.

Commissioner Rojas agreed with Commissioner Zich's statements. He stated that this is a land use decision and that he has no reason not to support the motion.

Commissioner Martinez asked if the maker of the motion was willing to modify his motion to request the parking structure be built in a way that would allow it to potentially be built into housing in the future.

Commissioner Zich's response was no.

Commissioner Martinez continued his comment stating he is not in support of the motion due to the reasons in his original motion. He stated he did not agree to the additional parking and felt the site was not being used to its potential.

Vice Chair Toler stated he is in support of the motion. However, he does agree with some of the comments made by Commissioner Martinez. He stated what makes him support the motion is in the original agreement allowing the owner to apply for a subsequent development approval to make changes if the owner feels it is necessary or appropriate. He stated he hopes that the applicant and City

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Council in 2041 would consider the environment, surrounding neighborhoods and pedestrians.

**MOVED/SECOND:** Zich/Rojas

**MOTION:** To move staff's recommendation.

The motion carried by the following roll call vote:

Ayes: Toler, Klepack Rojas, Zich

Nays: Martinez

Absent: None

Recused: Ereth, Andrade

Motion carried: 4-1-2

**ACTION:** The Planning Commission adopted a resolution to:

1. Find, pursuant to CEQA Guidelines Section 15162, that the project is within the scope of the June 20, 1994-certified Final Environmental Impact Report (EIR) #1045 (State Clearinghouse No. 94021036) for the Auto Club Expansion project. The effects of the project were examined in the 1994 FEIR, and all feasible mitigation measures and alternatives developed in the 1994 FEIR are incorporated into this project and no new mitigation measures are required. Therefore, the 1994 FEIR for the Automobile Club Expansion project is determined to be adequate to serve as the environmental documentation for this project, that no further environmental review is required, and that all requirements of CEQA are satisfied; and
2. Adopt Resolution 2024-XX recommending City Council approval of the first amendment (DA-20-05) to the Automobile Club of Southern California Development Agreement (DA-94-01) by adopting an ordinance to allow for a 20-year time extension until October 31, 2044; to amend provisions pertaining to the rate and methodology for calculating traffic impact fees; and, to amend provisions related to the setback of a future parking structure.

**RESOLUTION PC-2024-17- A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF THE FIRST AMENDMENT (DA-20-05) TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF COSTA MESA AND INTERINSURANCE EXCHANGE OF THE AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA (DA-94-01) TO ALLOW FOR A 20 YEAR TIME EXTENSION THAT WOULD EXPIRE ON OCTOBER 31, 2044; AND TO UPDATE THE RATE AND METHODOLOGY FOR CALCULATING TRAFFIC IMPACT FEES; AND, TO AMEND PROVISIONS RELATED TO THE SETBACK OF A FUTURE PARKING STRUCTURE; LOCATED AT 3333 FAIRVIEW ROAD**

The Vice Chair explained the appeal process.