



# **AIRPORT LAND USE COMMISSION**

**FOR** ORANGE **COUNTY**  
3160 Airway Avenue Costa Mesa, CA 92626 (949) 252-5170 Fax (949) 252-6012

## **MINUTES OF REGULAR MEETING**

**September 17, 2020**

- PLACE:** John Wayne Airport Administration Building  
Airport Commission Hearing Room  
3160 Airway Avenue  
Costa Mesa, California 92626
- TIME:** Regular Meeting called to order at 4:00 p.m. by  
Commissioner Murphy
- COMMISSIONERS PRESENT:** Stephen Beverburg, Austin Lumbard via telephone, Mark  
Monin via telephone, Alan Murphy, Schelly Sustarsic via  
telephone  
Alternate Commissioners Present: Tim O'Rourke via  
telephone, Vern King, Patricia Campbell via telephone
- COMMISSIONERS ABSENT:** Gerald Bresnahan
- STAFF PRESENT:** Lea U. Choum, Executive Officer  
Jeff Stock, County Counsel via telephone  
Julie Fitch, Staff Planner  
Martha McCool, Staff Assistant
- PLEDGE:** Chairman Beverburg led all present in the Pledge of  
Allegiance.

### **INTRODUCTIONS:**

Commissioner Alan Murphy, read various instructions regarding the telephonic ALUC meeting and COVID-19 concerns. The public was given the opportunity to provide public comments, and no comments were submitted to staff.

## **APPROVAL OF MINUTES:**

A motion to approve the minutes from the July 16, 2020, meeting was made by Commissioner Monin and seconded by Commissioner Beverburg. Commissioners unanimously agreed with the motion.

## **NEW BUSINESS:**

### **1. City of Newport Beach: Request for Consistency Review of the Shvetz Residential Subdivision and related General Plan Amendment (GPA)**

Julie Fitch, Staff Planner, presented the staff report for the City of Newport Beach request for consistency review of the Shvetz Residential Subdivision and related General Plan Amendment (GPA). The City of Newport Beach is proposing a General Plan Amendment (GPA), which is required to subdivide an existing 36,000 residential lot from one parcel to two parcels located at 2400 Santiago.

Ms. Fitch provided an overview of the proposed project and concluded the staff report by recommending the Commission find the proposed Shvetz Residential Subdivision and related General Plan Amendment consistent with the *AELUP for John Wayne Airport*.

Ms. Fitch reported that the city and applicant representatives were present for the meeting and introduced David Lee, Planner for the City of Newport Beach and Shawna Schaffner with CAA Planning, Applicant Representative.

Commissioner Murphy called for discussion from the Commission and asked if they had questions for staff or the City.

Commissioner Beverburg asked about construction plans, the inclusion of a Notice of Airport in the Vicinity notice on the deed, and if the project would return to the Commission once the construction plans were finalized.

Lea Choum, Executive Officer, informed the Commission that, if found consistent, the project would not return to the Commission for further review.

Commissioner Beverburg asked if the developer would be willing to agree to a condition requiring that the Notice of Airport in Vicinity on the deed. Ms. Schaffner indicated that the property is located in a residential area and that there is a disclosure requirement for residential transactions.

Commissioner Murphy asked County Counsel Jeff Stock for direction on the Commission being able to place a condition on the findings. Mr. Stock verified that if the developer or City agree to the condition, the Commission could find the General Plan Amendment consistent with the *AELUP for JWA*. If the Commission feels that the item lacks a necessary

element to make a consistency finding, then the ALUC can also find this project inconsistent with *AELUP for JWA*.

Commissioner Murphy made a motion to approve staff recommendation with the condition that the City require the Notice of Airport in the Vicinity. Commissioner Monin seconded the motion. Commissioner Beverburg expressed more concerns about conditionally approving the General Plan Amendment. Ms. Schaffner agreed to include the Notice of Airport in the Vicinity in the deed language.

Commissioner Murphy withdrew the motion and made a new motion to accept the staff's recommendation with the condition that the applicant include the Notice of Airport in the Vicinity language in the deed. Commissioner Monin seconded the motion. A roll call vote was taken and the motion was approved by a unanimous vote, the Commission found the proposed Shvets Residential Subdivision and related General Plan Amendment consistent with the *AELUP for John Wayne Airport*.

2. **City of Newport Beach: Request for Consistency Review of Shell Service Station Car Wash Addition**

Julie Fitch, Staff Planner, presented the staff report for the City of Newport Beach, requesting for a consistency review of the Shell Service Station Car Wash addition at 1600 Jamboree.

Ms. Fitch provided a project overview and is recommending that the Commission find the proposed Shell Service Station Car Wash Addition and related General Plan Amendment consistent with the *AELUP for John Wayne Airport*.

Melinda Whelan, Assistant Planner with the City of Newport Beach, thanked ALUC staff and the Commission for their time.

Commissioner Murphy asked the Commission if they had questions for staff or the city representative. Commissioner Beverburg asked about water reuse. Steven Rosansky, Applicant Representative verified the environmental measures that were part of the project plan.

Commissioner Murphy called for a motion. Commissioner Beverburg made the motion to approve staff's recommendation. Commissioner Murphy seconded the motion. A roll call vote was taken, and the motion was approved by a unanimous vote to find the proposed Shell Service Station Car Wash Addition and the associated General Plan Amendment to be Consistent with the *AELUP for JWA*.

3. **Administrative Status Report**

Lea Choum, Executive Officer, spoke of the correspondence that includes JWA statistics for June 2020 and July 2020, and correspondence to the City of Santa Ana and City of Newport Beach regarding their overrule process'. Commissioner Beverburg mentioned legal concerns regarding prior overrule processes.

4. **Proceedings with Consistent Agencies:**

Nothing new to report.

5. **Proceedings with Inconsistent Agencies:**

Nothing new to report.

6. **Items of Interest to the Commissioners:**

Nothing new to report.

7. **Items of Interest to the Public:**

Nothing new to report.

**ADJOURNMENT:**

There being no further business before the Commission, the meeting was adjourned at approximately 4:30 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Lea U. Choum". The signature is written in a cursive style with a long horizontal flourish at the end.

Lea U. Choum  
Executive Officer