UNOFFICIAL UNTIL APPROVED

MEETING MINUTES OF THE CITY OF COSTA MESA PLANNING COMMISSION

April 24, 2023

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Vice Chair Toler led the Pledge of Allegiance.

ROLL CALL

Present: Chair Adam Ereth, Vice Chair Russell Toller, Commissioner Angely Andrade Commissioner Jonny Rojas, Commissioner Tim Taber, Commissioner Vivar, Commissioner Jon Zich

Absent: None.

Staff Present: Assistant Director of Development Services Scott Drapkin, Assistant City Attorney Tarquin Preziosi, Associate Planner Chris Yeager, Assistant Planner Chris Aldana, Contract Planner Michelle Halligan, City Engineer Seung Yang and Recording Secretary Anna Partida

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS:

Wendy Simo, spoke on Gym 12 and the sound the gym is producing in the early morning hours.

COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Vivar thanked the public commenters. He thanked staff for the Costa Mesa Earth day event.

Commissioner Zich asked staff for a copy of 12 Gym’s CUP before next meeting.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES

Commissioner Vivar made motion to approve minutes as written. Seconded by Vice Chair Toler.

MOVED/SECOND: Vivar/ Toler
MOTION: Moves staff recommendations.
The motion carried by the following roll call vote:
Ayes: Ereth, Toler, Andrade Rojas Vivar, Zich
Nays: None
Absent:
Abstained: Taber
Motion carried: 5-0-1

PUBLIC HEARINGS

1. PLANNING APPLICATION 22-41 FOR A CANNABIS NON-STOREFRONT RETAIL (DELIVERY) FACILITY ("OCM VENTURES INC.") AT 3505 CADILLAC AVENUE, UNIT M-102

Project Description: Planning Application 22-41 is a request for a Conditional Use Permit to allow a cannabis non-storefront retail (delivery) within an existing 1,833-square-foot tenant space at 3505 Cadillac Avenue, Unit M102. No cannabis distribution or manufacturing are proposed.

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.

No ex-parte communications reported.

Patrick Achis, Assistant Planner, presented the staff report.

The Chair opened Public Hearing.

Annie Santillan, applicant, stated she read and agreed to the conditions of approval.

Commission, Applicant and Staff:

Discussion ensued on the applicants plan for marketing, the applicant's decision to do a delivery only business, floor plan, employee relocation, reasons for choosing costa mesa for their delivery location,

The Chair opened Public Comments.

PUBLIC COMMENT:

David Dywike, spoke in support of the item.

The Chair closed Public Comments.

The Chair closed the Public Hearing.

Chair Ereth made a motion to approve application PA-22-42 subject to conditions of approval. Seconded by Vivar.

Commissioner Vivar spoke in support of the motion.

Commissioner Ereth spoke on his motion.

MOVED/SECOND: Ereth/ Vivar
MOTION: Move staff's recommendation.
The motion carried by the following roll call vote:
Ayes: Ereth, Toler, Rojas, Taber, Vivar, Zich
Nays: None
Absent: Andrade
Recused: None
Motion carried: 6-0

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 (Class 1), Existing Facilities; and
2. Approve Planning Application 22-42, subject to conditions of approval.

RESOLUTION PC-2023-09 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 22-42 FOR A NON-STOREFRONT RETAIL BUSINESS ("A & D COURIERS") AT 2706 HARBOR BOULEVARD, SUITE 208

The Chair explained the appeal process.

2. PLANNING APPLICATION 22-27 FOR A RETAIL CANNABIS NON-STOREFRONT AND CANNABIS DISTRIBUTION FACILITY LOCATED AT 3505 CADILLAC AVE, UNIT O-209A (AK EXCLUSIVES)

Project Description: Planning Application 22-27 is a request for a CUP to operate both a non-storefront retail and distribution facility within a 1,170-square-foot tenant space in a multi-tenant industrial office building located at 3505 Cadillac

Avenue, Unit O-209A. ("Non-storefront" delivery refers to the delivery of pre-packaged goods from the storefront business to customers at private addresses.)

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

No ex-parte communications reported.

Gabriel Villalobos, Assistant Planner, presented the staff report.

The Chair opened Public Hearing.

Amin Kaun, applicant, stated that he had read and agreed to the conditions of approval.

Commission, Applicant and Staff:

Discussion ensued on the different aspects of retail delivery verses distribution facilities.

The Chair opened Public Comments.

PUBLIC COMMENT:

No public comments.

The Chair closed the Public Comments.

The Chair closed the Public Hearing.

Vice Chair Toler made a motion to approve application PA-22-27 subject to conditions of approval. Seconded by Commissioner Rojas.

Vice Chair Toler spoke in his motion.

Commissioner Rojas spoke in support of the motion.

Chair Ereth spoke in support of the motion.

MOVED/SECOND: Toler/Rojas
MOTION: Move staff's recommendation.
The motion carried by the following roll call vote:
Ayes: Ereth, Toler, Rojas, Taber, Vivar, Zich
Nays: None

Absent: Andrade
Recused: None
Motion carried: 6-0

ACTION: The Planning Commission adopted a Resolution to:
1. Find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities; and

RESOLUTION PC-2023-10 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 22-27 FOR A CANNABIS DISTRIBUTION AND NON-STOREFRONT RETAIL FACILITY (AK EXCLUSIVES) AT 3505 CADILLAC AVENUE, UNIT O-209A

The Chair explained the appeal process.

2. PLANNING APPLICATION 21-38 FOR A RETAIL CANNABIS 23-1167 STOREFRONT BUSINESS LOCATED AT 2424 NEWPORT BOULEVARD UNITS C AND F (GAIA WELLNESS)

Project Description: Planning Application 21-38 is a request for a CUP to allow a 1,552-square-foot retail cannabis storefront in an existing multi-tenant commercial building at 2424 Newport Boulevard (Units C and F). The affiliated State license is a Type 10 “storefront retailer” license. If approved, the business would be allowed to sell pre-packaged cannabis and pre-packaged cannabis products to customers onsite, subject to conditions of approval and other City and State requirements.

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

Chair Ereth reported ex-parte communications.

Michelle Halligan, contract planner, presented staff report.

Commission and Staff:

Discussion ensued on the project site layout, letters of support received, wayfinding signage, prior occupant vacancies in the proposed building, associated restrictions with commercial residential, and the practical differences between commercial limited and commercial residential zoning.

The Chair opened Public Hearing.

Sean Maddocks, applicant's representative, stated he read and agreed to the staff report.

Commission, Applicant and Staff:

Discussion ensued on signage, landscaping, noticing, pervious tenants' relocation, applicant's discussion with the landlord, and incorporation and licensing of the company.

The Chair opened Public Comments

Public Comments:

None.

The Chair closed public comments.

The Chair closed the Public Hearing.

Commissioner Rojas made a motion to approve application PA-22-27 subject to conditions of approval. Seconded by Vice Chair Toler.

Commissioner Vivar spoke in support of the motion.

Chair Ereth spoke in support of the motion.

MOVED/SECOND: Rojas/Toler
MOTION: Move staff's recommendation.
The motion carried by the following roll call vote:
Ayes: Ereth, Toler, Rojas, Vivar, Zich
Nays: None
Absent: Andrade
Abstain: Taber
Motion carried: 5-0-1-1

ACTION: The Planning Commission adopted a Resolution to:
1. Find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities; and
2. Approve Planning Application 21-38, subject to conditions of approval.

RESOLUTION PC-2023-11- A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 21-38 FOR A STOREFRONT RETAIL CANNABIS

BUSINESS (GAIA WELLNESS) IN THE C1 ZONE AT 2424 NEWPORT BOULEVARD, UNITS C AND F

The Chair explained the appeal process.

OLD BUSINESS: None.

NEW BUSINESS: None.

DEPARTMENTAL REPORT(S)

1. Public Services Report – Mr. Yang spoke on the West 19th Street Improvement Project. He informed the public on the City Councils upcoming Study Session with the Public Works staff giving a presentation.

2. Development Services Report – None.

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney – None.

ADJOURNMENT AT 8:35 P.M.

Submitted by:

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SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION