

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

October 23, 2023

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Rojas led the Pledge of Allegiance.

ROLL CALL

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

Absent: None

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

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:

Wendy Simao, spoke on the noise coming from 12 Gym.

COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Klepack, encouraged the public to get engaged with the Fairview Developmental Center plan meetings.

Commissioner Vivar, echoed Commissioners Zich comments on 12 Gym from a previous meeting. He commented on the public comment from Wendy Simao. He stated he attended a sneak peek of the North gate market and shared his enthusiasm for its intended opening in November.

Commissioner Zich thanked Commissioner Vivar for his support.

Commissioner Andrade echoed Commissioner Vivar's comments on Northgate sneak peek opening and echoed Commissioners Klepack's comments on Fairview. She informed the public it was "Hunger and Homelessness Awareness Week" and gave information on resources for the public to gain more information on the matter.

Vice Chair Toler spoke about a "Strong Towns" event he attended and encouraged the public to visit the strongtowns.org website to get more information.

Chair Ereth shared his support with Vice Chairs comments on Strong Towns. He stated he also attended Northgate Markets sneak peek. He mentioned native plant reforestation that happened at Fairview park. He encouraged the public to attend Neighboring initiative meetings that are presented by Trellis. He asked staff about the sound engineer report for 12 Gym.

CONSENT CALENDAR:

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

- 1. APPROVAL OF MEETING MINUTES: OCTOBER 9, 2023**
- 2. APPROVAL OF MEETING MINUTES: JUNE 13, 2022**

Commissioner Vivar stated he found a minor clerical error in the voting results section.

Commissioner Vivar made motion to approve Consent Calendar items with minor edit to the June 13, 2022 meeting minutes. Seconded by Vice Chair Toler.

MOVED/SECOND: Vivar/Rojas

MOTION: Approve recommended action for Consent Calendar Items.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Klepack, Rojas, Vivar, Zich

Nays: None

Absent: None

Abstained: None

Motion carried: 7-0

ACTION: Planning Commission approved the minutes of the regular meeting of the October 9, 2023 and June 13, 2022 with minor edit.

PUBLIC HEARINGS

- 1. PLANNING APPLICATION 23-10 FOR A RETAIL CANNABIS NON-STOREFRONT AND CANNABIS DISTRIBUTION FACILITY ("GIPSOL CANNABIS") LOCATED AT 3505 CADILLAC AVE, UNIT O-105**

Project Description: Planning Application 23-10 is a request for a conditional use permit (CUP) to operate a cannabis non-volatile manufacturing and distribution facility within a 2,590-square-foot tenant space in a multi-tenant industrial office building located at 3505 Cadillac Avenue, Unit O-105.

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 Commission asked questions of staff including discussion of: the meaning of limited customer access, information that is publicly available, volatile solvents, business operations, white label services, whether the City is liable for the good sold, and requirements for the business.

The Chair opened the Public Hearing.

Eric Gibson, applicant, stated he had read and agreed to the conditions of approval.

The Commission asked questions of the applicant including discussion of: how products are traced by the state, white labeling, business name for signage, and how applicant will conduct their business.

The Chair opened public comments.

No public comments.

The Chair closed public comments.

The Chair closed the Public Hearing.

Commissioner Vivar made a motion. Seconded by Commissioner Rojas.

The Commission discussed the motion including: no additional comments.

MOVED/SECOND: Vivar/Rojas

MOTION: Approve staff's recommendation.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Rojas, Taber, Vivar Zich

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 15301 (Class 1), Existing Facilities; and
2. Approve Planning Application 23-10, subject to conditions.

RESOLUTION PC-2023-26 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 23-10 FOR A RETAIL CANNABIS NON-STOREFRONT AND CANNABIS DISTRIBUTION FACILITY (“GIPSOL CANNABIS”) LOCATED AT 3505 CADILLAC AVE, UNIT O-105

The Chair explained the appeal process.

- 2. PLANNING APPLICATION 23-12 AND TENTATIVE PARCEL MAP 2023-167 FOR A CONVERSION OF AN EXISTING BUILDING AT 200 EAST BAKER STREET INTO A NON-RESIDENTIAL COMMON INTEREST DEVELOPMENT AND TO ALLOW A FOOD AND BEVERAGE USE IN THE MP (INDUSTRIAL PARK) ZONE**

Project Description: Planning Application 23-12 is a request for a Conditional Use Permit for the conversion of an existing office building into 11 non-residential condominium units on one lot with ancillary common spaces. The proposed conversion would result in 11 units ranging in size from 1,661 to 8,380 square feet. A deviation from the zoning code is being requested to maintain the existing non-conforming parking dimensions. A parcel map is proposed to facilitate the non-residential condominium project and is required to be recorded prior to the sale of the condominium units. The project also requests a Minor Conditional Use Permit to permit a 1,031-square-foot food and beverage establishment and 553-square-foot outdoor dining patio at the front of the building within one of the non-residential condominium units.

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.

One ex-parte communications reported:

Commissioner Zich met with property owners on site.

Christopher Yeager, Associate Planner, presented the staff report.

The Commission asked questions of staff including discussion of: parking deviation and its requirements, internal sprinkler systems, café operations, fees to the association for the building, and number of parking spaces.

The Chair opened the Public Hearing.

Cory Walker and Tim Cottage, applicants, stated they had read and agreed to the conditions of approval.

The Commission asked questions of the applicant including discussion of: parking deviation request, Condo Owner Association rules and voting, current tenants plans, tenant ownership, ADA compliance, number of units for sale, tree removal, reconfiguration of parking lot, reason for selling and not leasing units in the building, drought tolerant and replacement vegetation.

The Chair called for a break at 7:55p.m.

The Chair Reconvened at 8:05p.m.

The Chair opened public comments.

No public comments.

Ex-parte communications: during break commissioner Andrade had a conversation with applicant about keeping as many trees as possible.

The Chair closed public comments.

The Commission asked questions of the applicant including discussion of: reason for the removal of tress to bring the parking lot up to code, parking lot reconfiguration, number of units, traffic impacts, drive aisle width, design, and safety.

The Chair closed the Public Hearing.

Chair Ereth made a motion. Seconded by Commissioner Andrade.

The Commission discussed the motion including: keeping to code, trees, number of parking spaces, parking deviation, and ownership opportunity.

Commissioner Zich made substitute motion. Failed for lack of second.

MOVED/SECOND: Ereth/Andrade

MOTION: Approve staff's recommendation.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Rojas, Taber, Vivar Zich

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 15301 (Class 1), Existing Facilities, and 15315 (Class 15), Minor Land Divisions; and
2. Approve Planning Application 23-12 and Tentative Parcel Map 2023-167, subject to conditions and changing of report to say 12 units (instead of 11).

RESOLUTION PC-2023-27 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 23-12 AND TENTATIVE PARCEL MAP 2023-167 FOR A CONVERSION OF AN EXISTING BUILDING AT 200 EAST BAKER STREET INTO A NON-RESIDENTIAL COMMON INTEREST DEVELOPMENT AND TO ALLOW A FOOD AND BEVERAGE USE IN THE MP (INDUSTRIAL PARK) ZONE FOR PROPERTY AT 200 EAST BAKER STREET

The Chair explained the appeal process.

3. **PLANNING APPLICATION 23-11 AND TENTATIVE PARCEL MAP 23-03 FOR A COMMON INTEREST DEVELOPMENT CONSISTING OF TWO, TWO-STORY SINGLE-FAMILY DWELLING UNIT CONDOMINIUMS AT 161 CECIL PLACE**

Project Description: Planning Application 23-11 & Tentative Parcel Map 23-03 is a request to allow for individual ownership (common interest Development approval) of two previously approved single-family dwelling units at 161 Cecil Place.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303 (Class 3, B) New Construction/ Small Conversion & 15332 (Class 32) – In-Fill Development Projects.

No ex-parte communications reported.

The Chair called for break at 8:47p.m.

The Chair reconvened at 8:53p.m.

Christopher Aldana, Assistant Planner, presented the staff report.

The Commission asked questions of staff including discussion of: reasons for not dividing the lot, towing company contract, and clarification on areas the occupants will own.

The Chair opened the Public Hearing.

Josh Martinez and Jack Harran, applicants, stated they had read and agreed to the conditions of approval.

The Commission asked questions of the applicant including discussion of: number of bedrooms in each unit, sale price, reasons for not dividing the property, and homeowner association conflict resolution.

The Chair opened public comments.

No public comments.

The Chair closed public comments.

The Chair closed the Public Hearing.

Commissioner Vivar made a motion. Seconded by Commissioner Rojas.

The Commission discussed the motion including: unit size, homeownership, and design.

MOVED/SECOND: Vivar/Rojas

MOTION: Approve staff's recommendation.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Rojas, Taber, Vivar Zich

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 15) – Minor Land Divisions.
2. Approve Planning Application 23-11 and Tentative Parcel Map 23-03, subject to conditions.

RESOLUTION PC-2023-28 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 23-11 AND TENTATIVE PARCEL MAP 23-03 FOR

**A COMMON INTEREST DEVELOPMENT CONSISTING OF TWO, TWO-STORY
SINGLE FAMILY DWELLING UNIT CONDOMINIUMS AT 161 CECIL PLACE**

OLD BUSINESS:

None.

NEW BUSINESS:

None.

DEPARTMENTAL REPORTS

1. Public Works Report – None.
2. Development Services Report – Mr. Drapkin informed the Commission on upcoming projects and plans for an update on Planning Commission by laws to change meeting day.

CITY ATTORNEY'S OFFICE REPORT

1. City Attorney – None.

ADJOURNMENT AT 9:38 PM

Submitted by:



SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION