

COLGAN, JULIE

Subject: Proposed CUP 124 E 17th St.

From: Shawn Morton <Shawn@stoningtonprops.com>
Sent: Monday, June 27, 2022 11:53 AM
To: PC Public Comments <PCPublicComments@costamesaca.gov>
Cc: Gene Scarcello <gene@stoningtonprops.com>
Subject: Proposed CUP 124 E 17th St.

Attn: Planning Commission

This email is regarding a Planning Commission public hearing to consider the conditional use permit CUP to allow a retail cannabis storefront business and non-storefront delivery use within an existing building at 124 E 17th Street. I am the property owner of the property directly next door to this property and was just made aware today of the planning commission meeting regarding this matter. My property includes 1700-1712 Newport Blvd.

I believe the proposed plan may restrict exit from my property in an already under parked area. I have a concern regarding the proposed parking stalls 7,8,9,10, and the trash enclosure. I believe these planned changes will severely limit access to the east parking lot on my property at 1700-1712 Newport Blvd. These planned changes warrant further discussion regarding the impact to my property.

Sincerely,

Eugene Scarcello

Stonington Properties

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PH-3

PARTIDA, ANNA

From: GREEN, BRENDA
Sent: Monday, June 27, 2022 10:14 AM
To: PC Public Comments
Subject: FW: Support For Polaris Cannabis Project

Categories: Blue Category

Brenda Green
City Clerk
City of Costa Mesa
714/754-5221

Effective, Wednesday, February 16, 2022, City Hall will return to walk-in appointments for the public. Costa Mesa will continue to follow the state mask guidelines. While City Hall will be open, we still encourage members of the public to take advantage of our appointment system.

Appointments can be made at www.costamesaca.gov/appointments.

E-mail correspondence with the City of Costa Mesa (and attachments, if any) may be subject to the California Public Records Act, and as such may, therefore, be subject to public disclosure unless otherwise exempt under the act.

From: CMASC Staff <cmasccenter@gmail.com>
Sent: Friday, June 24, 2022 3:15 PM
To: CITY CLERK <CITYCLERK@costamesaca.gov>
Subject: Support For Polaris Cannabis Project

To Whom It May Concern,

My name is Anthony Betts, owner of Costa Mesa Auto Service Center at 1747 Anaheim Ave.

I am aware that Polaris is planning to open a cannabis dispensary near the Harp Inn.

The representatives of Polaris visited my shop and asked for my support.

I see no reason not to support this venture, so I'm writing this letter of support as a fellow business entrepreneur.

Regards,

--

Anthony Betts
Costa Mesa Auto Service Center
1747 Anaheim Ave.
Costa Mesa CA 92627
www.costamesaautoservicecenter.com
(949) 645-7878

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RECEIVED

JUN 27 2022

City of Costa Mesa
Development Services
Department



OFFICIAL PUBLIC NOTICE

The Costa Mesa Planning Commission will conduct a public hearing as follows to consider:

HEARING DATE: June 27, 2022

**HEARING TIME &
LOCATION:**

6:00 PM or as soon as possible thereafter
City Hall Council Chambers
77 Fair Drive, Costa Mesa, CA; and
virtual locations

Application No. PA-21-14
Site Address: 1921 Harbor Blvd.
Contact: Planning Division
(714) 754-5245

Applicant/Agent:
Zone:
Email Comments to:

Socal Evergy Inc./Michael Moussalli
C2 (General Business District)
PCPublicComments@costamesaca.gov

"NO SALE"

6-17-2022
I would Not approve The
Sale of Cannabis. Think of
the Citizens of Costa Mesa.

Sincerely
Dorothy Bayless

Description: Planning Application 21-14 is a request for a Conditional Use Permit (CUP) to allow a retail cannabis storefront business and non-storefront delivery use within an existing 7,054-square-foot building at 1921 Harbor Blvd. ("Non-storefront" delivery refers to the delivery of pre-packaged goods from the storefront business to customers at private addresses.) The proposed use would be subject to Costa Mesa regulations, conditions of approval, and State regulations. For additional information, please visit the City's website at www.costamesaca.gov/hot-topics.

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.

Additional Information: For more information, call (714) 754-5245, or email planninginfo@costamesaca.gov. Planning Division staff are available from 8:00 AM to 5:00 PM Monday through Thursday and alternating Fridays, except specified holidays. All interested parties may submit comments to the Planning Commission in regard to this application. Please refer to the Planning Commission meeting agenda for instructions regarding how to participate in the meeting. The Planning Commission meeting agenda and staff report will be posted online 72 hours prior to the meeting at: <https://costamesa.legistar.com/Calendar.aspx>. Members of the public may submit comments via email to PCPublicComments@costamesaca.gov. Comments received by **12:00 PM** on the date of the meeting will be provided to the Planning Commission, made available to the public, and will be part of the meeting record. Any written communications, photos, PowerPoints or other materials for distribution to the Planning Commission must be 10 pages or less and submitted to the City **NO LATER THAN 12:00 PM** on the day of the hearing via email or submitted to the Planning Department on a flash drive, or mailed to the Planning Department. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted. A direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats: .mp4, .mov, or .wmv. Only one file may be included per speaker for public comments. Please note that materials submitted by the public that are deemed appropriate for general audiences will not be redacted in any way and will be posted online as submitted, including any personal contact information. If you challenge this project in court, you may be limited to raising only those issues you, or someone else raised, during the public hearing or in written correspondence submitted to the City, during or prior to, the public hearing.

OFFICIAL PUBLIC NOTICE

PARTIDA, ANNA

PH-4

From: Curt Herberts II <herberts.pcr@gmail.com>
Sent: Monday, June 27, 2022 11:17 AM
To: PC Public Comments; DRAPKIN, SCOTT
Subject: 1921 Harbor Blvd., Costa Mesa - Planning Application 21-14 request for a Conditional Use Permit
Attachments: 0645_001.pdf
Categories: Blue Category

Hi Scott,

Please find attached my letter indicating my concern with the proposed project that is described in the Planning Application 21-14 as we discussed.

If you would be so kind to reply to this email indicating your receipt of the attached correspondence and its submission into the record for all Planning Commissioners to access and consider.

Thank You for your assistance and attention to this matter.

Regards,
Curt

Curt A. Herberts, II
234 E. 17th Street, Suite 118
Costa Mesa, CA 92627
Cell (949) 500-2462

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CURT HERBERTS, II
234 E. 17TH Street, Suite 118
Costa Mesa, CA 92627
Phone (949) 631-6004 - Mobile (949) 500-2462
herberts.pcr@gmail.com

June 26, 2022

Costa Mesa Planning Commission
77 Fair Drive
Costa Mesa, CA 92626
Via email: PCPublicComments@costamesaca.gov

Re: 1921 Harbor Blvd., Costa Mesa – Planning Application 21-14 request for a Conditional Use Permit (CUP) to allow a retail cannabis storefront.

Dear Commissioners,

I am writing you to express my deep concern regarding the proposed "Project" 1921 Harbor Blvd. as referenced above and the Planning Department's draft conditions that were just posted and made public for the first time this past Thursday evening. Given the very limited time frame to consider the impact of the Project, which essentially is two business days before the scheduled public hearing, there are a number of major issues that will impact the neighboring residential and commercial properties and their owners, residences, and tenants. The most obvious immediate concerns relate to the impact that the Project will have on parking and traffic as it relates to adjoining and other neighboring properties. My wife and I own two commercial retail properties both on Harbor Blvd., on the same side of Harbor as the Project. The first being 1927 Harbor, which is directly contiguous with the subject Project's north property line running the length of Fairfax Drive. Fairfax Drive is nothing more than a privately owned 150' long X 25' wide driveway that provides access to both 1921 Harbor to the south and 1927 Harbor Blvd. to the north and dead ends at the entrance to Ocean Breeze Trailer Park. Of the five tenants at 1927 Harbor Blvd., three are nationally recognized and highly respected franchises including Baskin-Robbins for the past 40+ years, Dominos Pizza since 2012 and Asurion, dba: UBreakItfix since 2020. The other two tenants include Mailboxes & Shipping since 1990 and Hi-Tek Automotive since 2000. The second property my wife and I own is located at 1907-1909 Harbor Blvd., which is located just one property south of the subject Project's southern property line. The two tenants there include Basil Mediterranean Grill and Australian Sport Nutrition. All of the above listed tenants have been successful and maintain excellent reputations. There is no doubt that maintaining access to individually owned commercial building's parking and unobstructed ingress and egress to each is not only essential to the continued success of their and neighboring retail businesses, but is mandatory in order for emergency vehicles to access as the circumstances require. There is no doubt that the current Project as proposed does not provide adequate onsite parking and or provide for the impending traffic flow obstructions that will most negatively impact the contiguous and neighboring properties as just a few of the concerns illustrate below:

- The Project site summary plans indicate that 29 parking stalls are required per the City of Costa Mesa standards, however only 15 onsite parking stalls are provided. The proposed overflow parking mitigation suggest that redirecting customers to an offsite parking structure located at 1901 19th Street, some 10+ minute walk one way including crossing Harbor Blvd. at 19th Street, which is 6 plus lanes wide at the crosswalk and signaled with a walk/don't walk signal. It is laughable to believe that overflow customers will park in a remote parking structure, when there are available parking spaces on an adjoining property that are closer to both Project's front and rear entry doors than many of the Project's actual onsite parking spaces. As a point of reference, the subject property was original built and occupied from the late 1940s through the early 1980s as a furniture store. The zoning at that time allowed for a much greater floor area ratio (FAR) and a greatly reduced parking stalls requirement for furniture stores and similar businesses that required high inventories. Since the furniture store vacated the subject property, the success of the majority of retail tenants since then have been challenged due to the property improvements poor condition, obsolescence and substandard parking.

- The Project site summary plans indicates the subject's actual FAR is .432 whereas the City of Costa Mesa standard allowable FAR is .20, which equates to a 216% larger building on the site than if the subject was to meet the current City of Costa Mesa requirements. The 3 on street parking spaces referenced in the Planning Dept. Agenda Report under Parking & Circulation are entirely unrestricted at present and available for any vehicle to park regardless of their destination or purpose. Therefore, the Project should not be given credit for having those 3 on street parking spaces just because they are closer to the Project than another property.
- The subject property's actual building size is 7,227 sq. ft. and the proposed onsite parking spaces indicated are 15, per the Project site summary plans. As a comparison, the property my wife and I own immediately adjacent and contiguous to the subject northern property line 1927 Harbor Blvd. has a building size of 4,935 sq. ft. with actual onsite parking spaces of 24, which were and are all built to code, without any allowances having to have been made in the form of a CUP. The incongruity of the allowance is stark in that the subject property improvement is 46% larger in size than 1927 Harbor Blvd., and has 37.5% fewer onsite parking spaces.
- One of the arguments that is offered is that if a patron of the Project illegally parks in an offsite commercial property that vehicle can be towed. However, the CA law prohibits that vehicle from being towed until at least 1 hour has transpired. Ultimately, neither the owner of the property, the tenant or a parking attendant cannot prevent an aggressive patron from illegally parking for up to an hour and in the meantime the tenant's business suffers since their patrons cannot park in the parking spaces that were meant for their convenience. In the case of all the tenant businesses at 1927 Harbor, their patrons are generally quickly served and their duration of turnaround in and out is just 10 minutes give or take. If the designated parking spaces are not available, they will simply go to a more convenient vendor.
- The draft CUP does not presently indicate that the City of Costa Mesa Fire Dept. is requiring that Fairfax Drive, which is the only access available to the rear parking lot of 1921 Harbor Blvd., or the rear auto repair business at 1927 Harbor Blvd., or the entire Ocean Breeze Trail Park entry gate. Presumably, a fire lane designation will be required which will prohibit delivery vans, semi-trucks and general vehicle parking from blocking the driveway access which is currently a daily occurrence.
- The draft CUP does not presently indicate for what duration of time that one or more security guards and or one or more parking attendants will be required. It is reasonable to spell out the conditions that no less than one security guard 24/7 or more if circumstances necessitate and no less than one parking lot attendant or more if circumstances necessitate during all operating hours shall be required in perpetuity of the operation of the Project. My personal experience as the owner of 234 E. 17th Street, Costa Mesa was that even though Green Left Chop Shop & Plaza Sorano in the rear and a separate property were required to have a parking attendant as a condition of their CUP for the first 3 months of Green Left Chop Shop's commencement, thereafter for the past 8+ years, their patrons have habitually illegally parked in the Citibank & Pacific Coast Realty Group parking lot even though each and every parking space is signed No Parking for non-patrons of Citibank and PCRG.
- After reviewing the proposed Project documents regarding the scope of the retail store on the subject site, and given the constraints of parking and the estimated daily trips which were referenced by the City of C.M. Planning Dept. analysis, the Project is estimated to generate 778 trips per day. That number of 778 trip per day plus those generated by Ocean Breeze Trail Park with 40 trailers on site will generate an estimated 5 trips per day per trailer plus the 5 ongoing business at 1927 Harbor with conservatively 100 trips per

business per day would conservatively generate well over 1,000 and likely upwards of 1,500 trips per day along Fairfax Drive. As previously described Fairfax Drive is a long narrow privately owned driveway that dead ends with no turnaround. Essentially, Fairfax Drive will be in a constant state of congestion and a future example of an avoidable Bottleneck if permitted as presently suggested. Since it is my understand that no traffic or parking management report has been conducted, it begs the question, Why Not?

- It is well known that when the hierarchy of real estate features are described it is said that Location, Location & Location are the three most notable features. However, over time the require features of commercial real estate dictate that a well-located property will not succeed unless it has ample and accessible Parking, Parking, Parking.

In addition to the concerns represented above, there are a number of other issues that reasonably need to be further addressed before the Project CUP is approved by the Planning Commission. I am not suggesting in any manner that a retail Cannabis operation should not be acceptable on the subject site. However, as the current Project has been proposed and even with the obvious attention and detail that the City of Costa Mesa Planning Dept staff has given to create the analysis for the CUP proposed conditions, there is extensive justification to at the least delay consideration of the vote to approve the Project as it currently stands. Therefore, at this time, I would respectfully ask that the Planning Commission at a minimum delay the vote to approve the Project's CUP until a traffic and parking management study can per completed by a reputable and neutral traffic engineer, not a hired gun, to be specified by the City of Costa Mesa Planning Dept. and at the cost of the Project applicants. Thereafter, the Planning Dept. would have the opportunity to implement at a minimum the recommendations of the traffic and parking management study into the draft conditions for the CUP to be considered for approval by the Planning Commissions.

And lastly, I am glad to collaborate with the Planning Dept. staff and or the Project's representative/s in good faith in the joint goal of creating a CUP that allows not only the Project's right to operate their business while simultaneously protecting the adjoining property owners' rights and tenant's business to continue to thrive and succeed.

Thank You for your consideration.

Sincerely,



Curt A. Herberts, II

PH-4

OOSTERHOF, NAOMI

From: Mike Clem <mike@originre.com>
Sent: Sunday, June 26, 2022 8:09 AM
To: PC Public Comments
Cc: CITY CLERK
Subject: Comments re: High Seas Retail Cannabis CUP

Planning Commissioners,

I am writing to you to voice my support for the High Seas Cannabis dispensary at 1921 Harbor Blvd.

Unfortunately, I am going to be out town on Monday so I will be unable to speak in person at the meeting, but I wanted to ensure that my support for this project was heard.

I am a resident / homeowner in Costa Mesa and have lived in and owned businesses in the city for the past 20 years.

I believe that bringing legal retail cannabis stores to our community will bring many benefits. The residents of our City have voted in favor of this, the city has established fair and well thought-out retail zones, and it is now time to move forward with implementation of the plan.

More specifically, I've known the owners of High Seas (Mike and Matteo) for some time. They are strong assets to the business community and this store that they are building will be one of the best cannabis retail establishments in Costa Mesa.

After having seen the plans for their project in person and in great detail, I am also confident that this store will improve the overall security of the neighborhood by reducing traffic impacts, specifically in the alley behind their building, as well as reduce the number of transients gathering in that area. Having supported many of the adjacent business over many years (Social, Basil, Baskin Robbins), it is my belief that their proposed layout / design will be a vast improvement over the current use.

Having a 24 hour security guard and parking attendant are also great community benefits, in my opinion.

Mike, Matteo and the High Seas team also held an event for the community, which I attended myself and thought was fantastic. They have Gina above and beyond in reaching out to local neighbors to introduce themselves, hear feedback and have certainly considered the feedback which they have received.

I hope you support this project as I plan to shop at High Seas once the store opens.

Very truly yours,

Michael A. Clem, Esq.

From: Thomas Williams <redtwilliams7@gmail.com>
Sent: Monday, June 27, 2022 7:43 AM
To: PC Public Comments
Cc: CITY CLERK
Subject: Support for High Seas Cannabis Store

Dear Planning Commission,

My name is Tommy Williams and I have been a Costa Mesa resident since 2022.

I wanted to email you to share my support for one store in particular, it's called High Seas and it will be opening up on the corner of 19th Street and Harbor Blvd at 1921 Harbor Blvd.

I personally know the owners and they have shared their vision for the store with me and it looks incredible, I will definitely be shopping there once it opens up. I hope that you vote to approve this store on Monday night.

Thank you
Tommy Williams

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