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

June 24, 2024

CALL TO ORDER

The Vice 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 Toler, Commissioner Angely Andrade, Commissioner Karen Klepack, Commissioner David Martinez, Commissioner Jonny Rojas, Commissioner Jon Zich

Absent: None

Officials Present: Assistant Director of Development Services Scott Drapkin, Planning and Sustainable Development Manager Bill Rodrigues, Assistant City Attorney Tarquin Preziosi, Senior Planner Michelle Halligan, Assistant Planner Jeffery Rimando, City Engineer Seung Yang and Recording Secretary Anna Partida

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:

None.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Martinez thanked the fire department for their quick response to the Fairview Park Fire. He also informed the public of the upcoming Parks and Community Services Commission's upcoming meeting and spoke on their agenda items. He finished his comment by announcing the community meeting for bike lanes at Kaiser Elementary School.

Vice Chair Toler echoed Commissioner Martinez's comment on the Community meeting at Kaiser Elementary School. He stressed the importance of the meeting and encouraged everyone to get involved.

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CONSENT CALENDAR:

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

1. APPROVAL OF MEETING MINUTES: JUNE 10, 2024

ACTION: Planning Commission approved the minutes of the regular meeting of the June 10, 2024.

MOVED/SECOND: Toler/Martinez

MOTION: Approve recommended action for Consent Calendar Item No. 1.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Klepack, Martinez, Rojas, Zich

Nays: None

Absent: None

Abstained: Andrade

Motion carried: 6-0-1

PUBLIC HEARINGS:**1. PLANNING APPLICATION 22-23 FOR A CONDITIONAL USE PERMIT TO OPERATE A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 2905 RED HILL AVENUE (“TERRA FIRMA”)**

Project Description: Planning Application 22-23 is a request for a Conditional Use Permit to allow a 3,268-square-foot retail cannabis storefront use with delivery in an existing two-story commercial building located at 2905 Red Hill Avenue.

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.

Three ex-parte communications reported.

Commissioner Andrade attend Terra Firma’s Open House.

Commissioner Klepack met with the applicant and toured their distribution facility.

Commissioner Martinez met with the applicant.

Michelle Halligan, Senior Planner, presented the staff report.

The Commission asked questions of staff including discussion of security measures for the loading and unloading of the product, if cannabis activity is only

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allowed within the building and not permitted in the parking lot, hours of onsite security, why there would be a Traffic Impact Fee when the trip generation did not warrant a traffic study, the consideration of a balance of uses in the immediate vicinity, cannabis retail business tax, how the city conducts their cannabis business inspections, and the reason for separate public and private bike racks at the proposed storefront.

The Chair opened the Public Hearing.

Kimber Ward, applicant's representative, stated she had read and agreed to the conditions of approval.

The Commission asked questions of the applicant including discussion of mural design, the applicant's anticipated timeline for opening, incentivizing alternative transportation to and from storefront, the proposed business name, specifics regarding the applicant's competitive advantage over other similar existing uses, current tenants noticing of new use and if any incentives to relocate were given, and the applicant's vision for local partnerships and involvement within the community.

The Chair opened public comments.

Olivia Sawyer spoke in favor of the item.

Charles Bolden spoke in favor of the item.

Speaker three spoke in favor of the item.

The Chair closed public comments.

The Commission asked questions of the applicant including community response to the community outreach by the applicant and incentives the current tenants received.

The Commission asked additional questions of staff including a brief explanation of the approval process for a potential mural, how customer trip count is calculated, and the condition of approval regarding crime prevention through environmental design techniques.

The Chair closed the Public Hearing.

The Commission discussed the process and decision for the Art Commission to review the proposed mural, adding a condition for Arts Commission to review the mural, and making the Planning Commission the final approving body for the mural under consent calendar.

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Chair Ereth made a motion. Seconded by Commissioner Zich.

MOVED/SECOND: Ereth/Zich

MOTION: Approve staff's recommendation with the addition of a condition for Arts Commission to approve proposed mural with final approval made by Planning Commission.

The motion carried by the following roll call vote:

Ayes: Ereth, Toler, Andrade, Klepack, Martinez, Rojas, 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 22-23, subject to conditions of approval.

NEW CONDITION ADDED BY COMMISSION:

General Condition of Approval No. 32 Prior to the installation of any exterior mural at the subject property, the applicant shall provide draft mural plans to the City. Once directed by staff to proceed, the applicant would apply for a Mural Permit through the Totally Electronic Self Service Application (TESSA), to be considered by the Arts Commission. If the application is approved by the Arts Commission, prior to installation, the Planning Commission shall have the opportunity to consider if the mural is consistent with local and State cannabis provisions, and the project conditions of approval. The Planning Commission review shall be agendaized for a regular meeting of the Planning Commission but shall not require a noticed public hearing.

RESOLUTION PC-2024-16 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 22-23 FOR A STOREFRONT RETAIL CANNABIS BUSINESS WITH DELIVERY (TERRA FIRMA) IN THE C1 ZONE AT 2905 RED HILL AVENUE

The Chair explained the appeal process.

OLD BUSINESS:

None.

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NEW BUSINESS:

None.

DEPARTMENTAL REPORTS:

1. Public Works Report – Mr. Yang invited the community to the Santa Ana Avenue bike lane meeting at Kaiser Elementary School. He informed the public of the upcoming Parks and Community Services meeting where Public Works will be presenting park designs for Ketchum-Libolt Park and Shalimar Park.
2. Development Services Report – None.

CITY ATTORNEY’S OFFICE REPORT:

1. City Attorney – None.

ADJOURNMENT AT 7:02 PM

Submitted by:

SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION