City of Costa Mesa

PLANNING COMMISSION

Agenda

Monday, July 11, 2022 **6:00 PM** **City Council Chambers**
77 Fair Drive

The Commission meetings are presented in a hybrid format, both in-person at City Hall and virtually via Zoom Webinar. Pursuant to the State of California Assembly Bill 361(Gov. Code §54953(b)(3)) Commission Members and staff may choose to participate in person or by video conference.

You may participate via the following options:

1. Attending in person: Attendees are encouraged to wear masks at their discretion. If you are feeling ill, or if you've been exposed to someone with COVID-19, you may still participate in the meeting via Zoom.

2. Members of the public can view the Commission meetings live on COSTA MESA TV (SPECTRUM CHANNEL 3 AND AT&T U-VERSE CHANNEL 99) or http://costamesa.granicus.com/player/camera/2?publish_id=10&redirect=true and online at youtube.com/costamesatv.

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• Select “Join Audio via Computer.”
• The virtual conference room will open. If you receive a message reading, “Please wait for the host to start this meeting,” simply remain in the room until the meeting begins.
• During the Public Comment Period, use the “raise hand” feature located in the participants’ window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

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During the Public Comment Period, press *9 to add yourself to the queue and wait for city staff to announce your name/phone number and press *6 to unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

4. Additionally, members of the public who wish to make a written comment on a specific agenda item, may submit a written comment via email to the PCPublicComments@costamesaca.gov. Comments received by 12:00 p.m. on the date of the meeting will be provided to the Commission, made available to the public, and will be part of the meeting record.

5. Please know that it is important for the City to allow public participation at this meeting. If you are unable to participate in the meeting via the processes set forth above, please contact the City Clerk at (714) 754-5225 or cityclerk@costamesaca.gov and staff will attempt to accommodate you. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City’s website.

Note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information.

All 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 e-mail to PCPublicComments@costamesaca.gov NO LATER THAN 12:00 Noon on the date of the meeting.

Note regarding agenda-related documents provided to a majority of the Commission after distribution of the agenda packet (GC §54957.5): Any related documents provided to a majority of the Commission after distribution of the Agenda Packets will be made available for public inspection. Such documents will be posted on the city's website and will be available at the City Clerk's office, 77 Fair Drive, Costa Mesa, CA 92626.

All cell phones and other electronic devices are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.

Free Wi-Fi is available in the Council Chambers during the meetings. The network username available is: CM_Council. The password is: cmcouncil1953.

As a LEED Gold Certified City, Costa Mesa is fully committed to environmental sustainability. A minimum number of hard copies of the agenda will be available in the Council Chambers. For your convenience, a binder of the entire agenda packet will be at the table in the foyer of the Council Chambers for viewing.

The City of Costa Mesa aims to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is currently provided, the Clerk's office will attempt to accommodate in a reasonable manner. Please contact the City Clerk's office 24 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible 714-754-5225 or at cityclerk@costamesaca.gov. El objetivo de la Ciudad de Costa Mesa es cumplir con la ley de Estadounidenses con Discapacidades (ADA) en todos los aspectos. Si como asistente o participante en esta reunión, usted necesita asistencia especial, más allá de lo que actualmente se proporciona, la oficina del Secretario de la Ciudad intentara de complacer en una forma razonable. Favor de comunicarse con la oficina del Secretario de la Ciudad con 24 horas de anticipación para informarnos de sus necesidades y determinar si alojamiento es realizable al 714-754-5225 o cityclerk@costamesaca.gov.

PLANNING COMMISSION REGULAR MEETING

MONDAY, JULY 11, 2022 - 6:00 P.M.

BYRON DE ARAKAL
Chair

JON ZICH
Vice Chair

DIANNE RUSSELL
Planning Commissioner

RUSSELL TOLER
Planning Commissioner

ADAM ERETH
Planning Commissioner

JOHNNY ROJAS
Planning Commissioner

JIMMY VIVAR
Planning Commissioner

TARQUIN PREZIOSI
Assistant City Attorney

JENNIFER LE
Director of Economic and Development Services

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENTS AND PRESENTATIONS

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA
Comments are limited to three (3) minutes, or as otherwise directed.

COMMISSIONER COMMENTS AND SUGGESTIONS

CONSENT CALENDAR: None.

PUBLIC HEARINGS:

1. PLANNING APPLICATION 22-13 FOR A CANNABIS DISTRIBUTION FACILITY ("HERA DISTRIBUTION LLC") AT 3505 CADILLAC AVENUE, UNIT F3 **22-798**

RECOMMENDATION:

Staff recommends that the Planning Commission adopt 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 22-13, subject to conditions of approval.

Attachments: 1. Draft Planning Commission Resolution
2. Applicant Letter
3. Vicinity Map
4. Zoning Map
5. Site Photos
6. Measure X Maps
7. Project Plans
8. Flow Diagram

2. PLANNING APPLICATION 21-25 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 2801 HARBOR BOULEVARD, SUITE C, D, AND E (OFF THE CHARTS) **22-795**

RECOMMENDATION:

Staff recommends that the Planning Commission adopt 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 21-25, subject to conditions of approval.

Attachments: 1. Draft Planning Commission Resolution
2. Applicant Letter
3. Vicinity Map
4. Zoning Map
5. Site Photos
6. Project Plans

3. PLANNING APPLICATION 21-24 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 2275 NEWPORT BOULEVARD **22-783**

RECOMMENDATION:

Staff recommends that the Planning Commission adopt 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 21-24, subject to conditions of approval.

Attachments: 1. Draft Planning Commission Resolution
2. Applicant Letter
3. Vicinity Map
4. Zoning Map
5. Site Photos
6. Project Plans
7. Photometric Plan

4. PLANNING APPLICATION 21-20 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 124 EAST 17TH STREET **22-796**

RECOMMENDATION:

Staff recommends that the Planning Commission adopt 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 21-20, subject to conditions of approval.

Attachments: 1. Draft Planning Commission Resolution
2. Applicant Letter
3. Vicinity Map
4. Zoning Map
5. Site Photos
6. Applicant Correspondence with Title Reports
7. Project Plans
8. Public Comment

OLD BUSINESS: None.

NEW BUSINESS: None.

DEPARTMENT REPORTS:

1. PUBLIC SERVICES REPORT

2. DEVELOPMENT SERVICES REPORT

CITY ATTORNEY REPORTS:

1. CITY ATTORNEY

ADJOURNMENT

Next Meeting: Planning Commission regular meeting, Monday July 25, 2022 - 6:00 p.m.

File #: 22-798 **Meeting Date:** 7/11/2022

TITLE:

PLANNING APPLICATION 22-13 FOR A CANNABIS DISTRIBUTION FACILITY ("HERA DISTRIBUTION LLC") AT 3505 CADILLAC AVENUE, UNIT F3

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT / PLANNING DIVISION

PRESENTED BY: GABRIEL VILLALOBOS, ASSISTANT PLANNER

CONTACT INFORMATION: GABRIEL VILLALOBOS, 714.754.5610; Gabriel.Villalobos@costamesaca.gov

RECOMMENDATION:

Staff recommends that the Planning Commission adopt 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 22-13, subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant/authorized agent is Michael Stewart, for the property owner, Victor Pena.

BACKGROUND:

The subject property is located on the west side of Cadillac Avenue, within a portion of the City's industrial area known as the "Green Zone" (described below). The subject property is specifically located within "Cambridge Park," a multi-tenant industrial business park center. The 14-acre property is zoned PDI (Planned Development Industrial) and is surrounded by properties zoned Industrial Park (MP) to the north and east, the 405 freeway to the south, and the Santa Ana River to the west. A variety of cannabis uses can be permitted in the "Green Zone," including manufacturing, distribution, and non-storefront retail (direct delivery to consumers).

The proposed project location, Unit F3, is a 5,772-square-foot tenant suite, located nearest to the Cambridge Park driveway entrance at the intersection of Toronto Way and Cadillac Avenue. The adjacent tenant suites, Units F1 and F5, include a cannabis manufacturing/distribution facility and a construction general contractor. The previous use of the subject tenant space was a printer repair facility and supplier ("OmniPrint International").

There are no active Code Enforcement cases on this property.

City of Costa Mesa Medical Marijuana Measure (Measure X) and Costa Mesa Retail Cannabis Tax and Regulation Measure (Measure Q)

In November 2016, Costa Mesa voters approved Measure X, allowing medical cannabis manufacturing, packaging, distribution, research and development laboratories, and testing laboratories in a specified area known as "The Green Zone." The Green Zone includes specific Industrial Park (MP) and Planned Development Industrial (PDI) zoned properties that are located north of South Coast Drive and west of Harbor Boulevard, excluding the South Coast Collection (SOCO) property located at 3303 Hyland Avenue. Measure X is codified in Titles 9 and 13 of the Costa Mesa Municipal Code (CMMC).

In 2018, non-medical adult use cannabis became legal in California under the State's Medicinal and Adult-Use Cannabis Regulation and Safety Act (Proposition 64). On April 3, 2018, the City Council adopted Ordinance No. 18-04 to allow non-medical use cannabis facilities in the same manner and within the same geographic area as were previously allowed pursuant to Measure X.

On November 3, 2020, Costa Mesa voters approved Measure Q, the Costa Mesa Retail Cannabis Tax and Regulation Measure. This measure allowed the City to adopt regulations permitting storefront retail (dispensaries) and non-storefront retail (delivery) within the City subject to numerous standards and requirements. On June 15, 2021, the City Council adopted Ordinances No. 21-08 and No. 21-09 to amend Titles 9 and 13 of the CMMC to establish regulations for retail cannabis storefront and non-storefront uses.

Cannabis Business Permit (CBP) Process

Prior to establishing a cannabis business in the City, an applicant is subject to an extensive submittal and application review process and must obtain all of the following City approvals before conducting business:

- Cannabis Business Permit Notice to Proceed;
- Conditional Use Permit (or Minor Conditional Use Permit in specific circumstances);
- Building Permits (and final inspections by multiple departments and the City's cannabis security consultant);
- Cannabis Business Permit; and
- City Business License.

The initial phase of a CBP review includes a background check of the proposed owner and an evaluation of the proposed business plan and security plan by the City's cannabis security consultant (HdL Companies). The applicant has successfully completed these evaluations and staff issued a "Notice to Proceed," which allows the applicant to submit a Conditional Use Permit (CUP) application.

If the CUP is approved, the applicant would begin the remaining steps of the CBP process. The applicant must obtain building permits, complete building improvements, demonstrate that all

conditions of approval have been satisfied, and that all other requirements of the CMMC have been satisfied. After passing the final City inspection, the CBP would be issued. CBP approval is valid for a two-year period and must be renewed prior to expiration. During the two-year CBP permit periods, the Community Improvement Division (CID), along with other City staff, will conduct site visits to verify the operation complies with all CUP and CBP requirements. Violations identified during these two-year site visits may be grounds for the revocation of the CBP or for non-renewal of a CBP.

After obtaining the CBP, the applicant may apply for and obtain a City Business License. In addition to the CUP, CBP, and City Business License, the applicant must obtain the appropriate licenses from the State Department of Cannabis Control (DCC) prior to operating.

Continued Item

The proposed project was previously scheduled for the Planning Commission hearing on June 27, 2022 and staff requested a continuance of the item in order to provide staff additional time to clarify with the applicant certain application aspects. At the originally scheduled hearing, the Planning Commission voted to continue the item to a date certain of July 11, 2022 and approved the motion by a 5-0 vote (Commissioners Rojas and Zich absent).

Additional information in regards to the June 27, 2022 Planning Commission hearing can be found at the following link.

Staff Report:

<https://costamesa.legistar.com/View.ashx?M=F&ID=11011926&GUID=B5A0EEFE-157E-43B6-A6F0-7175D97BB20B>

DESCRIPTION:

Planning Application 22-13 is a request for a CUP to operate a cannabis distribution facility within a 5,772-square-foot tenant space in a multi-tenant industrial building located at 3505 Cadillac Avenue, Unit F3. Four other tenant spaces are located in the subject industrial building, three of which are currently operating as cannabis non-retail uses and the other currently occupied as a construction general contractor. The proposed distribution use involves intake, storing, and distribution of both pre-packaged bulk flower and finished cannabis products. The use will also include two distribution vehicles that will be parked indoors, within the warehouse/distribution area of the proposed facility overnight.

The required State license type for the proposed business establishment is a Type 11 “distributor” license. Retail non-storefront (delivery) is not proposed with this CUP request.

The proposed 5,772-square-foot distribution facility will include an approximate 2,400-square-foot warehouse/distribution area to provide for product storage and shipping/receiving areas. In addition, there will also be an approximate 405-square-foot showroom located at the center of the facility that will display product available for distribution to other State licensed distributors and retailers. The

remaining areas include a reception area, offices, a break room, and restrooms.

The distribution facility is proposed to function as a wholesale only business that provides bulk cannabis flower for distribution to other licensed distributors and manufacturers. The bulk cannabis flower is obtained from a licensed cultivator and arrives pre-packaged, sealed and tested for further distribution purposes. In addition, the proposed wholesale distribution will also include a personal line of cannabis vape products that are prepackaged prior to entering the facility. Similar to many "pure" distribution/wholesale businesses, the applicant indicates that the primary business model for the proposed business is to serve as a product hub, and is economically viable based specifically on product price mark-up. In addition, the applicant indicates that the location of the distribution facility will enhance his current Statewide business operations to efficiently provide product to the local industry and with shorter delivery times.

ANALYSIS:

Conditional Use Permit

Pursuant to Costa Mesa Municipal Code (CMMC) Section 13-200.92(b), and subject to the approval of the Planning Commission, a Conditional Use Permit (CUP) is required for the establishment of a cannabis distribution facility in either the MP or PDI zones. The subject site is located within the PDI zone in an area designated as the "Green Zone" where cannabis distribution is specifically allowed. The CMMC requires further that a conditional use permit shall be required subject to the following conditions:

1. The requirements of Title 13, Chapter III (Planning Applications) are found in compliance;
2. The findings for granting a conditional use permit (CUP) in accordance with CMMC Section 13 -29(g) are met;
3. The cannabis business license (CBP) pursuant to Chapter VI of Title 9 of the CMMC is obtained; and
4. The use is conducted in compliance with all applicable State and local laws.

Exterior and Interior Improvements

The applicant is not proposing any exterior modifications and the interior changes are limited to non-structural changes in upgrades to finishes, such as new flooring and interior painting. The proposal will also include various product shelving and storage racks.

Distribution Use

The proposed facility is comprised of five different zones (as shown below in Exhibit 1), each of which serve to support a specific function of the distribution process. If approved, the proposed distribution facility would supply State licensed cannabis businesses with cannabis products that include bulk flower and finished cannabis products including packaged cannabis and vape cartridges. The term

"bulk flower" is in reference to the raw cannabis biomaterial obtained from the cultivator and transferred between licensees for the purpose of further processing and/or packaging the product for retail sales. For this project specifically, the pre-packaged bulk flower product is to be transported to the facility and stored for distribution to other licensed non-retail facilities for brand fulfillment purposes.

None of the bulk cannabis flower that enters the facility will be removed from the original pre-tested packaging for any purpose other than viewing/inspecting the quality of the product. Any finished products such as packaged cannabis and vape cartridges that are brought into the facility for storage have been tested offsite and must maintain a chain of custody for their Certificate of Analysis (COA) showing the results of the sample testing. Pursuant to State Law, any finished product or bulk product that has been tampered with must be retested, and therefore the applicant has indicated that their business model requires extremely limited product handling to avoid the added costs of secondary product testing.

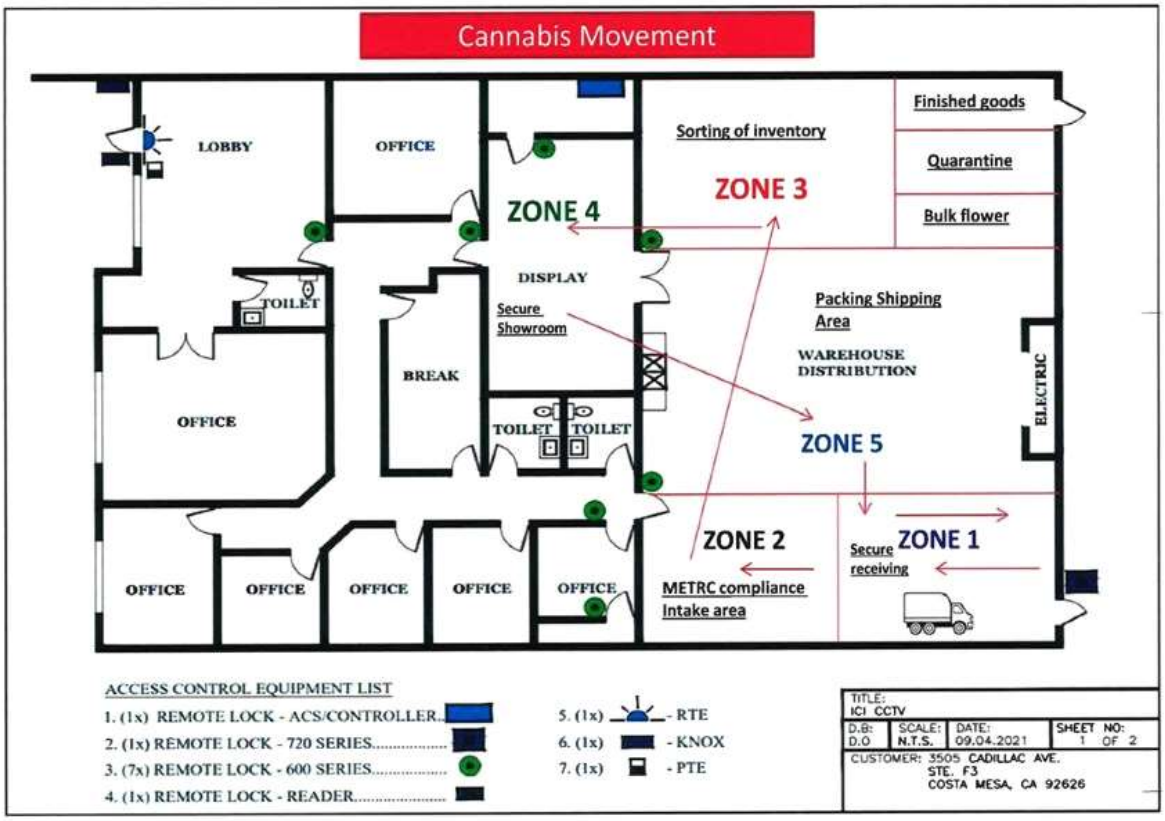


Exhibit 1

The majority of the distribution functions take place in the rear of the facility, with the front of the facility primarily used as administrative business operations. Exhibit 1 shows proposed product movement within the facility and general business operations. As previously mentioned, the applicant is not proposing any changes to the existing floor plan. The arrows show product movement between separately labeled areas ("zones") beginning with Zone 1 ("Secure receiving") and ending in Zone 5 ("Packing shipping area"). The process is described further below:

Zone 1

Zone 1 is located within the rear warehouse area and includes interior building access and exterior access via a roll-up door located from the rear of the building (not shown on Exhibit 1). Zone 1 provides a distribution area for secure product receiving. This is the facility's loading/unloading area and is also where the two distribution vehicles will be parked overnight or when not in use.

Zone 2

Zone 2 is located adjacent to the shipping/receiving area and is designated for managing inventory and labeling products. The distributor would use the track and trace software (METRC), and products would be labeled for tracking purposes and managing inventory. Specifically, the bulk flower product will be brought into Zone 2 and then be tagged to track the supply batch received and corresponding storage location.

Zone 3

Zone 3 will be the designated product storage area of the warehouse. The storage area will be secured with an eight-foot-tall, metal mesh fence used to enclose the storage area within the warehouse, and only accessed by authorized personnel. In addition to the enclosure, the products will be contained within rigid containers which will be bolted into the ground to store product. The product will be organized based upon the tag it received when initially brought into the facility.

Zone 4

Zone 4 of the proposed facility is a secured showroom that is located adjacent to the warehouse portion of the building. The secured showroom, which is only accessed via keycard by authorized personnel, is intended to display samples of products to State licensed distributors. The licensed vendors would have the ability to physically view and inspect products that they can then sell with their own branding. Product showings would be facilitated on an appointment-only basis, and there will be no retail sales, sampling or consumption of any product on site. As conditioned, all transactions will be processed through work orders and tracked and traced per State law.

Zone 5

Zone 5 is the final stage of the distribution process to be used for staging orders that are being prepared and packaged for distribution. Products are carted out of the storage area into the warehouse area and packaged for transportation. Once the distribution vehicle is in the loading area

and the roll up door has been closed and secured, the products are then loaded, and the shipping manifest is updated for product tracking. The entirety of the warehouse area is under camera and is accessed only by authorized personnel or licensed 3rd party distributors.

Parking

The existing surface parking lot includes 648 shared parking stalls to serve the Cambridge Park property. The existing parking requirement, as established through Table 13-89 of the CMMC, is the Industrial use parking ratio which requires three spaces per 1,000 square feet of gross floor area for the first 25,000 square feet of building. The gross floor area of Unit F3 is 5,772 square feet, and as such, the parking allocated to this unit is 17 parking spaces.

Because the proposed project does include a change of use from the current industrial parking standards, the project will not require any additional parking stalls and is considered in compliance with the CMMC parking requirements. In addition, the applicant has indicated that the facility will be open on an appointment only basis and no more than two employees will be onsite at any time. As operations expand, additional staff may be employed to support distribution operations; however, future employment and customer demand is not anticipated to exceed existing parking conditions.

Odor

Cannabis products would arrive and leave the facility in State compliant packaging that is tested and sealed, and therefore the applicant anticipates only minimal odor from the stored and packaged products. In addition, the applicant's business plan generally entails that cannabis products moving through the proposed distribution facility will remain packaged to prevent added cost for product re-testing, as required by the State. However, as indicated above, a minimal amount of cannabis product would be removed from packaging for client display purposes. Client displays are anticipated to be infrequent (less than once each week) and are only conducted within the "Display" room that is located within the center of the facility. To prevent odor from being released from the facility, the applicant has indicated that a minimum of seven charcoal filters will be placed within the rear warehouse area of the facility, and one charcoal filter will also be placed within the "Display" room. In addition, the facility HVAC system is self-contained within Unit F3 and does not circulate into the adjacent building suites. Lastly, and as conditioned in the attached Resolution, if cannabis odor is detected outside of the building or off-site specifically, the business owner/operator will be required to institute further operational measures necessary to eliminate off-site odors in a manner deemed appropriate by the Director of Economic and Development Services.

Business Plan

The applicant provided a detailed business plan that was evaluated by the City's cannabis security consultant, HdL Companies. The business plan described the owner's background, proof of capitalization, start-up budget, a three-year pro forma, target customers, and day-to-day operations. Generally, the approved business plan contains the distribution & operating procedures which detail the process in which the products are obtained from their sources as well as the methods in which they are tracked when passing through the facility to their ultimate destination which must be documented during each step for track and trace purposes and for reporting to the State.

Security Plan

The applicant provided a professionally prepared security plan for the proposed project. The City's cannabis security consultant (HdL Companies), reviewed the proposed security plan. HdL Companies determined that appropriate security measures were included to address the City's security requirements pursuant to Chapter VI of CMMC Title 9 as well as State law.

Since the security plan contains sensitive operational measures that require limited exposure to remain effective, the plan is not included as an attachment. However, the following is generally a list of measures that are provided in the plan and required by the CMMC:

- Live scan background check for every employee including drivers;
- City-issued identification badge for each employee;
- Professionally installed and monitored exterior and interior surveillance cameras;
- Professionally installed, maintained, and monitored alarm system including panic buttons and window and door alarms;
- Surveillance footage must be maintained for a minimum of 90 days;
- Secured storage of cash, cannabis and cannabis products;
- Security lighting;
- Sensors that detect entry and exit from all secured areas;
- Emergency power supply;
- Emergency equipment and training;
- Driver and vehicle safety protocol;
- Cash and product transportation; and
- Limited access areas and visitor check-in.

As proposed and conditioned, all facility entry and exit points and all locations where cash or cannabis products are handled or stored shall be under camera surveillance and are also all underroof.

GENERAL PLAN CONFORMANCE:

Conformance with the City of Costa Mesa General Plan

The Costa Mesa General Plan establishes the long range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa for the next two decades. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that serve both local needs and attract regional and international spending, and providing cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives, and policies contained in this Plan.

The following analysis evaluates the proposed project's consistency with applicable policies and objectives of the 2015-2035 General Plan.

1. **Policy LU-1.1:** *Provide for the development of a mix and balance of housing opportunities, commercial goods and services and employment opportunities in consideration of the need of the business and residential segments of the community.*

   Consistency: The proposed cannabis use would provide a new entrepreneurial business in Costa Mesa as allowed under Measure X, new goods and services, and provide new employment opportunities in the community.

1. **Policy LU-6.3:** *Continue to prioritize commercial and industrial park use of properties located north of I-405 and within the Airport Industrial District.*

   Consistency: The proposed use would continue and supplement permitted industrial and commercial uses located within an existing industrially-zoned property located north of I-405.

2. **Policy LU-6.15:** *Promote unique and specialized commercial and industrial districts within the City which allow for incubation of new or growing businesses and industries.*

   Consistency: The proposed use is part of a growing industry and would be based in a location specifically identified for such uses by the City's electorate through Measure X. Therefore, approval would encourage new businesses and entrepreneurial opportunities in an area of the City identified for such by local voters.

Conformance with the Zoning Code

The proposed cannabis distribution use is conditionally permitted in the PDI (Planned Development Industrial) Zone ("Green Zone") and is in compliance with the applicable Costa Mesa Zoning Code requirements, including, but not limited to, Articles 20 and 21.

REQUIRED FINDINGS:

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, in order to approve the project, the Planning Commission must find that, based on the evidence presented in the administrative record, the proposed use substantially meets the following specified findings:

- *The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.* The subject site is located within the City's "Green Zone," an industrial area of the community where specific types of cannabis uses are conditionally permitted, such as distribution manufacturing and non-storefront retail (delivery only). The proposed use is a cannabis distribution facility and other site tenants include several City approved and State licensed cannabis distribution, manufacturing facilities. Similar to other industrial uses, the proposed cannabis business would generate limited customer traffic to the site and, as proposed and conditioned, the cannabis use would be compatible with adjacent industrial and commercial uses. Compliance with conditions of approval, local regulations, and State requirements would allow this use to operate with minimal impact on surrounding properties and uses.

- *Granting the conditional use permit will not be materially detrimental to the health, safety and*

general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. The proposed cannabis distribution facility would follow safety measures detailed in a professionally-prepared security plan. The security plan was evaluated for compliance by the City's cannabis security consultant (HdL Companies). Measures designed to maintain safety at the facility include, but are not limited to, window and door alarms, panic buttons, motion-detectors, limited access areas, a video surveillance system that monitors all exterior entrances, exits, and all interior limited access spaces, and lighting. As proposed and conditioned, video recordings shall be maintained for a minimum of three months. As required by the CMMC and affirmed in the security plan, the business shall designate a security representative to be available to meet with the City Manager, Chief of Police, or their designees, regarding any security or operational concerns. All business employees shall pass a live scan background check and obtain identification badges from the City. The recommended conditions of approval and local and State laws are intended to ensure that the use would not be materially detrimental to the health, safety and general welfare of the public, and would not be otherwise injurious to property or improvements within the immediate neighborhood.

- *Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.* The use is consistent with the General Plan goals and policies as discussed earlier in this report. The proposed use would occupy an existing industrial/office tenant space and there are no proposed additions to the building; therefore, there is no change to intensity. As stated in the General Plan Land Use Element, the City's industrial designations "accommodate a variety of industrial and compatible office uses, as well as limited and supportive commercial uses." The use is consistent with General Plan policies related to providing a mixture of commercial goods, services, and employment opportunities; prioritizing commercial and industrial uses at properties north of I-405; and promoting the incubation of unique and specialized commercial and industrial businesses. In addition, the proposed use is a conditionally permitted use in the industrial zones.

ENVIRONMENTAL DETERMINATION:

The project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing use. This proposal includes a permitted use in an existing industrial building with no increase in floor area. The project is consistent with the applicable General Plan land use designation and General Plan policies as well as with the applicable zoning designation and regulations.

ALTERNATIVES:

The Planning Commission has the following alternatives:

1. *Approve the project*. The Planning Commission may approve the project as proposed, subject to the conditions outlined in the attached Resolution.

2. *Approve the project with modifications*. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are

substantial, the item should be continued to a future meeting to allow a redesign and/or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.

3. *Deny the project*. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings for denial into a Resolution. If the project is denied, the applicant could not submit substantially the same type of application for at least six months.

LEGAL REVIEW:

The draft resolution has been approved as to form by the City Attorney's Office.

PUBLIC NOTICE:

Pursuant to Title 13, Section 13-29(d), of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500 -foot radius of the project site. The required notice radius is measured from the external boundaries of the property. (See attached Notification Radius Map.)

2. **On-site posting.** A public notice was posted on each street frontage of the project site.

3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper.

As of the date this report was circulated, no written public comments have been received. Any public comments received prior to the Planning Commission meeting will be forwarded separately to the Planning Commission.

CONCLUSION:

The proposed project is a cannabis distribution facility to be located in the City's Green Zone. As proposed and conditioned, the distribution use would be consistent with other industrial uses in the Green Zone. The use is consistent with the Zoning Code and the City's General Plan. In addition, the required findings for the Conditional Use Permit can be met as described above. Therefore, staff recommends approval of Planning Application 22-13, subject to conditions of approval.

RESOLUTION NO. PC-2022-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 22-13 FOR A CANNABIS DISTRIBUTION FACILITY (HERA DISTRIBUTION LLC) AT 3505 CADILLAC AVENUE, UNIT F3

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, in 2016, Costa Mesa voters approved Measure X; which allows for the distribution, manufacturing, processing, research and development laboratories, testing laboratories and transportation of marijuana related uses located in the Industrial Park (MP) and Planned Development Industrial (PDI) zoned properties north of South Coast Drive, west of Harbor Boulevard, excluding the South Coast Collection (SOCO) property located at 3033 Hyland Avenue.

WHEREAS, Planning Application 22-13 was filed by Michael Stewart, authorized agent for the property owner, Victor Pena, requesting approval of the following:

A Conditional Use Permit to operate a cannabis distribution facility within a 5,772-square-foot tenant space at 3505 Cadillac Avenue, Unit F3.

WHEREAS, On January 11, 2022, Michael Stewart the authorized agent of Hera Distribution LLC, was issued a Notice to Proceed, which allows the applicant to proceed with submittal of a Conditional Use Permit application consistent with the procedures set forth in Section 13-200.92 of the CMMC;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 27, 2022 and July 11, 2022 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301 (Class 1), for Existing Facilities.

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa.

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit

B, the Planning Commission hereby **APPROVES** Planning Application 22-13 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application 22-13 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable State, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 11th day of July, 2022.

Byron de Arakal, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2022- __ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on July 11, 2022 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:

Finding: The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area

Facts in Support of Findings: The subject site is located within the City's "Green Zone," an industrial area of the community where specific types of cannabis uses are conditionally permitted, such as distribution manufacturing and non-storefront retail (delivery only). The proposed use is a cannabis distribution facility and other site tenants include City approved and State licensed cannabis distribution, manufacturing and retail (delivery only) facilities. Similar to other industrial uses, the proposed cannabis business would generate limited customer traffic to the site and, as proposed and conditioned, the cannabis use would be compatible with adjacent industrial and commercial uses. Compliance with conditions of approval, local regulations, and State requirements would allow this use to operate with minimal impact on surrounding properties and uses.

Finding: Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Finding: The proposed cannabis distribution facility would follow safety measures detailed in a professionally-prepared security plan. The security plan was evaluated for compliance by the City's cannabis security consultant (HdL Companies). Measures designed to maintain safety at the facility include, but are not limited to, window and door alarms, panic buttons, motion-detectors, limited access areas, a video surveillance system that monitors all exterior entrances, exits, and all interior limited access spaces, and lighting . As proposed and conditioned, video recordings shall be maintained for a minimum of three months. As required by the CMMC and affirmed in the security plan, the business shall designate a security representative to be available to meet with the City Manager, Chief of Police, or their designees, regarding any security or operational concerns. All business employees shall pass a live scan background check and obtain identification badges from the City. The recommended conditions of approval and local and State laws are intended to ensure that the use would not be materially detrimental to the health, safety and general welfare of the public, and would not be otherwise injurious to property or improvements within the immediate neighborhood.

Finding: Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

Facts in Support of Finding: The use is consistent with the General Plan goals and policies as discussed earlier in this report. The proposed use would be located within an existing industrial/office tenant space and there are no proposed additions to the building; therefore, there is no change to intensity. As stated in the General Plan Land Use Element, the City's industrial designations "accommodate a variety of industrial and compatible office uses, as well as limited and supportive commercial uses." The use is consistent with General Plan policies related to providing a mixture of commercial goods, services, and employment opportunities; prioritizing commercial and industrial uses at properties north of I-405; and promoting the incubation of unique and specialized commercial and industrial businesses. In addition, the proposed use is a conditionally permitted use in the industrial zones.

B. **Finding:** The project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing use. This proposal includes a permitted use in an existing industrial building with no increase in floor area. The project is consistent with the applicable General Plan land use designation and General Plan policies as well as with the applicable zoning designation and regulations.

C. The project is not subject to a traffic impact fee, pursuant to Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL

General

1. The use of this property as a cannabis distribution business shall comply with the approved plans and terms described in the resolution and these conditions of approval. The Planning Commission may modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
2. Approval of the planning/zoning application is valid for two years from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and has continued to maintain a valid building permit by making satisfactory progress as determined by the Building Official, 2) a certificate of occupancy has been issued, or 3) the use is established and a business license has been issued. A time extension can be requested no less than 30 days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180-days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
3. No person may engage in any cannabis business or in any cannabis activity within the City including manufacturing, processing, laboratory testing, transporting, delivery, distribution, or sale of cannabis or a cannabis product unless the person:
    a. Has a valid Cannabis Business Permit from the City;
    b. Has paid all Cannabis Business Permit and all application fees and deposits established by resolution of the City Council, including annual Community Improvement Division Inspection deposits;
    c. Has obtained all applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such cannabis business intends to operate;
    d. Has obtained a City business license pursuant to Chapter I of the Municipal Code;
    e. Has met all requirements of Community Improvement Division regarding the property;
    f. Has obtained any and all licenses required by State law and/or regulations; and
    g. Has satisfied all conditions of approval of this MCUP.
4. Any change in the operational characteristics of the use shall be subject to Planning Division review and may require an amendment to the conditional

use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change.

5. No storefront retail, non-storefront retail, or cultivation of cannabis is allowed anywhere on the premises.
6. Business identification signage shall be limited to that needed for identification only. Business identification signage shall not include any references to marijuana, whether in words or symbols. All signs shall comply with the CMMC. No sign shall be installed until the owner/operator or its designated contractor has obtained any permit required from the City.
7. A Cannabis Business Permit may be revoked upon a hearing by the Director of Development Services pursuant to Section 9-120 of the CMMC for failing to comply with the terms of the permit, the applicable provisions of the CMMC, State law or regulation and/or any condition of any other permit issued pursuant to this code. Revocation of the Cannabis Business Permit shall trigger the City's proceedings to revoke the CUP and its amendments. The CUP granted herein shall not be construed to allow any subsequent owner/operator to continue operating under PA-22-13 until a valid new Cannabis Business Permit is received from the City of Costa Mesa.
8. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable State and local laws, inclduding, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.
9. The applicant shall obtain State License Type 11 prior to operating. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable state and local laws, including, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.
10. The applicant, including any employee thereof, shall not sell, distribute, furnish, and/or otherwise provide any cannabis or cannabis product under its possession and/or control to any person, firm, corporation, group or any other entity, unless that person or entity possesses all currently valid permits and/or licenses required by both the state of California and applicable local governmental entity to lawfully receive such cannabis and to engage in a "cannabis activity" as defined by Costa Mesa Municipal Code sec. 9-485. Applicant is charged with a duty to, and shall first verify, that the recipient, whether located in the City or elsewhere, of any cannabis or cannabis product so sold, distributed, furnished, and/or otherwise provided by or on behalf of Applicant, possesses all required permits and/or licenses therefore.
11. If distribution is conducted by a third party company, the loading areas shall be free and clear of any cannabis products and the third party

distributor shall be escorted at all times. All cannabis products within the receiving/quarantine or storage area shall be secured in a locked container. Prior to a distributor's arrival, distributors are required to give notice to authorized facility personnel. Upon arrival, authorized facility personnel shall escort the distributor vehicle to the loading area.

12. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant's project, or any approvals granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.
13. If any section, division, sentence, clause, phrase or portion of this approval is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.
14. The operator shall maintain a valid Cannabis Business Permit and a valid Business License at all times. The original Cannabis Business Permit application number associated with this address is MX-21-0013. Upon issuance, the Cannabis Business Permit will be valid for a two-year period and must be renewed with the City prior to its expiration date, including the payment of permit renewal fees. No more than one Cannabis Business Permit may be issued to this tenant space.
15. Cannabis shall not be consumed on the premises at any time, in any form.
16. No outdoor storage of cannabis or cannabis products is permitted at any time.
17. All cannabis and cannabis products distributed pursuant to this CUP shall be transported by persons licensed to do so and shall only be sold, distributed, transported or otherwise furnished to facilities operating in full conformance with all applicable State and local laws and regulations. The discovery of a cannabis product originating from this facility at any unpermitted or otherwise unlawful cannabis facility or operation, including a dispensary, may be considered as evidence in any action to revoke, suspend or modify this CUP and/or the corresponding Cannabis Business Permit that is based on whole or in part on this condition of approval or any related provision of the Municipal Code.

18. The sale, dispensing, or consumption of alcoholic beverages on or about the premises is prohibited.
19. Persons under the age of twenty-one (21) years shall not be allowed on the premises of this business. It shall be unlawful and a violation of this CUP for the owner/operator to employ any person who is not at least twenty-one (21) years of age.
20. The owner/operator shall prohibit loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises.
21. No cannabis or cannabis products, or graphics depicting cannabis or cannabis products, shall be visible from the exterior of this property, or on any of the vehicles owned or used as part of the cannabis business.
22. Every manager, supervisor, employee or volunteer of the cannabis business must submit fingerprints and other information specified on the Cannabis Business Permit for a background check by the Costa Mesa Police Department to verify that person's criminal history. No employee or volunteer may commence paid or unpaid work for the business until the background checks have been approved. No cannabis business or owner thereof may employ any person who has convicted of a felony within the past 7 years, unless that felony has been dismissed, withdrawn, expunged or set aside pursuant to Penal Code sections 1203.4, 1000 or 1385, or who is currently on probation or parole for the sale, distribution, possession or manufacture of a controlled substance.
23. Should any employee, volunteer or other person who possess an identification badge be terminated or cease their employment with the business, the applicant shall return such identification badge to the Community Improvement Division within 24 hours, not including weekends and holidays.
24. Inspections of this cannabis business by the City will be conducted, at a minimum, on a quarterly basis. Code Enforcement officers, the Building Official and/or the Fire Marshal may enter and inspect the location of this business between the hours of 8 a.m. and 5 p.m. Monday through Friday upon 24 hours' telephonic notice to the owner or operator, to ensure compliance with this CUP.
25. The City Manager or her or his designees may enter this business at any time during the hours of operation without notice, and inspect the location of this business as well as any recordings and records required to be maintained pursuant to Title 9, Chapter VI or under applicable provisions of State law.
26. Suspension of a license issued by the State of California, or by any of its departments or divisions, shall immediately suspend the ability of a cannabis business to operate within the City, until the State of California, or its respective department or division, reinstates or reissues the State license. Should the State of California, or any of its departments or divisions, revoke or terminate the license of a cannabis business, such revocation or termination shall also revoke or terminate the ability of a cannabis business to operate within the City. This CUP will expire and be

of no further force and effect if any State issued license remains suspended for a period of 6 months. Documentation of three violations during routine inspections or investigations of complaints shall result in the Community Inprovement Division scheduling a hearing before the Director of Development Services to consider revocation of the Cannabis Business Permit.

27. The business must obtain any and all licenses required by State law and/or regulation prior to engaging in any cannabis activity at the property.
28. This business operator shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees and permits required under state and local law. This business operator shall cooperate with the City with respect to any reasonable request to audit the cannabis business' books and records for the purpose of verifying compliance with the CMMC and this CUP, including but not limited to a verification of the amount of taxes required to be paid during any period.
29. The following records and recordkeeping shall be maintained/conducted:
    a. The owner/operator of this cannabis business shall maintain accurate books and records, detailing all of the revenues and expenses of the business, and all of its assets and liabilities. On no less than an annual basis, or at any time upon reasonable request of the City, the owner/operator shall file a sworn statement detailing the number of sales by the cannabis business during the previous twelve month period (or shorter period based upon the timing of the request), provided on a per-month basis. The statement shall also include gross sales for each month, and all applicable taxes paid or due to be paid.
    b. The owner/operator shall maintain a current register of the names and the contact information (including the name, address, and telephone number) of anyone owning or holding an interest in the cannabis business, and separately of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the cannabis business. The register required by this condition shall be provided to the City Manager upon a reasonable request.
    c. The owner/operator shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products for all stages of the distribution processes. Subject to any restrictions under the Health Insurance Portability and Accountability Act (HIPPA), the owner/operator shall allow City officials to have access to the business's books, records, accounts, together with any other data or documents relevant to its permitted cannabis activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than twenty-four (24) hours after receipt of the City's request, unless otherwise stipulated by the City.
    d. The owner/operator shall have in place a point-of-sale tracking system to track and report on all aspects of the cannabis business including,

but not limited to, such matters as cannabis tracking, inventory data, and gross sales (by weight and by sale). The owner/operator shall ensure that such information is compatible with the City's record-keeping systems. The system must have the capability to produce historical transactional data for review by the City Manager.

30. A change is ownership affecting an interest of 51 or more percent, or an incremental change in ownership that will result in a change of 51 or more percent over a three year period, shall require submittal and approval of a new CBP. A change is ownership that affects an interest of less than 51 percent shall be require a minor modification to the CBP.
31. Pursuant to Title 9, Chapter VI It is unlawful for any person having responsibility for the operation of a cannabis business, to impede, obstruct, interfere with, or otherwise not to allow, the City to conduct an inspection, review or copy records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law. It is also unlawful for a person to conceal, destroy, deface, damage, or falsifies any records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law.
32. There shall be no extraction operations, refining, or winterization conducted in this facility.
33. There shall be no storage or use of volatiles, solvents, or hazardous materials at this facility.
34. Any change in equipment, operation, or hazard shall be submitted to the City for review and approval prior to the change taking place.
35. Cannabis liquid or solid waste must be made unusable and unrecognizable prior to leaving a secured storage area and shall be disposed of at facility approved to receive such waste.
36. A copy of the approved Safety Plan shall be maintained onsite at all times, and it shall be available at the request of any City Official.
37. Quarterly Fire & Life Safety Inspections will be conducted by the Community Risk Reduction Division to verify compliance with the approved operation. The applicant will pay for the inspection according to the Additional Required Inspections as adopted in the Fee Schedule.
38. Annual Fire & Life Safety Inspections will be conducted by the Fire Station Crew for emergency response pre-planning and site access familiarization. The applicant will pay for the inspection according to the adopted Fee Schedule.
39. Hours of construction shall comply with Section 13-279, Title 13, of the Costa Mesa Municipal Code.
40. Street address shall be visible from the public street and/or shall be displayed on the freestanding sign. If there is no freestanding sign, the street address may be displayed on the fascia adjacent to the main entrance or on another prominent location. When the property has alley access, address numerals shall be displayed in a prominent location visible from the alley. Numerals shall be a minimum twelve (12) inches in

height with not less than three-fourth-inch stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be four (4) inches in height with not less than one-fourth-inch stroke and shall contrast sharply with the background.

41. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
42. Trash enclosure(s) or other acceptable means of trash disposal shall be provided. Design of trash enclosure(s) shall conform to City standards.
43. Vehicle standing, loading and unloading shall be conducted so as not to interfere with normal use of streets, sidewalks, driveways and on-site parking.
44. No vehicle loading area shall encroach into a required building setback along a public right-of-way.
45. Development shall comply with the requirements of the following adopted codes: 2019 California Residential Code, 2019 California Building Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Green Building Standards Code and 2019 California Energy Code (or the applicable adopted, California Residential Code, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2019 California Building Code.
46. Equipment shall comply with the California Building and Fire Code requirements, including, but not limited to, the requirement that equipment be approved by a recognized testing laboratory for the specific use.
47. The use shall operate in accordance with the Business Plan approved as part of the Cannabis Business Permit. Any changes to the Business Plan must submitted to, and approved by, the Planning Division. A written explanation of the changes shall accompany the submittal. Changes to the Business Plan will trigger an amendment to the CBP and may trigger an amendment to this CUP.
48. The use shall operate in accordance with the Security Plan approved as part of the Cannabis Business Permit. Any changes to the Security Plan must submitted to, and approved by, the Planning Division. A written explanation of the changes shall accompany the submittal. Changes to the Security Plan will trigger an amendment to the CBP and may trigger an amendment to this CUP.

Prior to Issuance of Building Permits

1. Plans shall be prepared by a California licensed Architect or Engineer. Plans shall be wet stamped and signed by the licensed Architect or Engineer.
2. No sign shall be installed until the owner/operator or its designated contractor has obtained any permit required from the City. Business identification signage shall be limited to that needed for identification only. Business identification signage shall not include any references to cannabis, whether in words or symbols. All signs shall comply with the CMMC.
3. The conditions of approval and ordinance or code provisions of Planning Application 22-13 shall be blueprinted on the face of the site plan as part of the plan check submittal package when building permits are necessary.
4. Prior to the Building Division issuing a demolition permit. contact South Coast Air Quality Management District (AQMD) located at:
   21865 Copley Dr.
   Diamond Bar, CA 91765-4178
   Tel: 909- 396-2000
   or
   Visit their web site: http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381. The Building Div. will not issue a demolition permit until an Identification Number is provided by AQMD.
5. Odor control devices and techniques shall be incorporated to ensure that odors from cannabis are not detected outside the property, anywhere on adjacent property or public right-of-way, or within any other units located within the same building as the cannabis business. Building and mechanical permits must be obtained from the Building Division prior to work commencing on any part of the odor control system.
6. The plans shall comply with the requirements of the 2019 California Fire Code, including the 2019 Intervening Update and referenced standards as amended by the City of Costa Mesa.
7. The applicant shall submit a lighting plan to the Planning Division for review and approval. The lighting plan shall show locations of all security lighting. As determined by the Director of Economic and Development Services or their designee, a photometric study may be required to demonstrate compliance with the following: (a) lighting levels within the property including the parking lot shall be adequate for safety and security purposes (generally, at least 1.0 foot candle), (b) lighting design and layout shall minimize light spill at the residential property line and at other light-sensitive uses (generally, no more than 0.5 foot candle), and (c) glare shields may be required to prevent light spill.

Prior to Issuance of a Certificate of Use/Occupancy

1. The operator, contractors, and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final

occupancy and utility releases will not be granted until all such licenses have been obtained.

Prior to Issuance of Cannabis Business Permit

1. The applicant shall contact the Planning Division for a facility inspection and provide a matrix of conditions of approval explaining how each was met prior to issuance of a modification to the Cannabis Business Permit.
2. The applicant shall pay the public notice fees ($1 per notice post card) and the newspaper ad publishing cost.
3. The final Security Plan shall be consistent with the approved building plans.
4. Each entrance to the business shall be visibly posted with a clear and legible notice stating the following:
   a. That smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the cannabis business is prohibited.
   b. That no person under the age of twenty-one (21) years of age is permitted to enter upon the premises.
   c. That loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises is prohibited.
5. The owner/operator shall obtain and maintain at all times during the term of the permit comprehensive general liability insurance and comprehensive automotive liability insurance protecting the permittee in an amount of not less than one million dollars ($1,000,000.00) per occurrence, combined single limit, including bodily injury and property damage and not less than one million dollars ($1,000,000.00) aggregate for each personal injury liability, products-completed operations and each accident, issued by an insurance provider admitted and authorized to do business in California and shall be rated at least A-:viii in A.M. Best & Company's Insurance Guide. Such policies of insurance shall be endorsed to name the City of Costa Mesa as an additional insured. Proof of said insurance must be provided to the Planning Division before the business commences operations. Any changes to the insurance policy must be submitted to the Planning Division within 10 days of the date the change is effective.
6. The applicant shall submit an executed Retail Cannabis Business Permit Defense and Indemnity Agreement on a form to be provided by the City.

Operational Conditions

1. No product distribution shall occur between 12:00 AM and 5:00 AM.
2. The number of vehicles parked onsite in commonly-held parking areas shall not exceed the number of available onsite parking spaces. Distribution vehicles shall not be parked on City streets when not in use.
3. The operator shall maintain free of litter all areas of the premises under which applicant has control.

4. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The operator shall institute whatever security and operational measures are necessary to comply with this requirement.
5. If parking shortages or other parking-related problems develop, the business owner or operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Development Services Director.
6. All employees must wear an identification badge while on the premises of the business and/or performing deliveries, in a format proscribed by the City Manager. When on the premises, badges must clearly visible and worn on outermost clothing and above the waist in a visible location.
7. Vehicle loading and unloading shall only take place underroof or in designated parking spaces within direct unobstructed view of surveillance cameras, located in close proximity to the shipping and receiving exterior door, as shown on an exhibit approved by the Director of Development Services or designee. No loading and unloading of cannabis products into the vehicles shall take place outside of camera view. Video surveillance cameras shall be installed on the exterior of the building with direct views of the exterior roll-up door and loading areas. Any modifications or additional vehicle loading and unloading areas shall be submitted to the Director of Development Services or designee for approval.
8. Vehicle standing, loading and unloading shall be conducted so as not to interfere with normal use of streets, sidewalks, driveways and on-site parking.

Hera Distribution LLC

Project Description

Project Description:

Hera Distribution LLC will be conducting the procurement, selling, and transportation of already tested, licensed and compliant cannabis products I.E. (bulk flower, finished goods) from its own supply chain and also between its own strategic supply chain of licensed partners, which includes licensed cultivators, licensed distributors, and licensed manufacturers. This includes the process of moving compliant, already tested in METRC cannabis products, bulk and finished goods between cultivation, manufacturing, and or distribution premises, via the way of the compliant distribution regulations stipulated by the state and its department of cannabis control. Hera Distribution LLC would also securely transport and distribute finished cannabis goods under its own in house brands to local retail licensed facilities that it has existing relationships with and also continuing to expand to new retail outlets.

Secure day to day Operations:

Being Hera Distribution LLC is also an owner in a security firm and its partners involved in the license are also licensed security. The day to day operations are always being overseen by a security arm of our company and it is embedded in our business model to ensure more oversight and protection to the safety of our internal partners and staff as well as any other licensed partners that visit and or are invited into the facility after scheduling a time to meet with us. If we are in the office and not actively distributing we are working on maintaining compliance and effectively continuing our marketing strategies as well as continuing to grow our sales outlets and abilities to expand our brands farther.

Distribution classification:

To distinguish between the 2 different methods of distribution we want to take a look at the difference between bulk product and finished good product. Bulk flower product is classified as harvested flower offsite at a licensed cultivation facility. It can be an in house partner and or another part of the strategic supply chain that Hera Distribution has an existing relationship with to source the bulk flower at a more cost effective rate that then allows HERA to distribute high quality cost effective product to other bulk distributors and or other licensed brands. When sourcing bulk flower it is purchased and distributed into the Hera facility only after very specific rules are followed implemented by the state.

Compliance Onboarding of HERA or a licensed partner:

There is the initial on board process where HERA provides a packet to the licensed partner it wishes to procure bulk product from and or distribute its own bulk product to. The on board process consists of each licensed entity onboarding the others license info and approved sellers permit and

W9‘s for tax purposes. Once approved and uploaded into the track and trace METRC system then it is possible to schedule an appointment to go to the specific cultivator’s facility to view product to purchase on bulk and or allow the licensed cultivator and or licensed distributor to enter into the HERA facility to show bulk product for sale.

Chain of Custody:

All bulk product that comes into HERA is already tested outside of HERA by the cultivation companies local testing labs and has a recorded COA (“certificate of authenticity”) demonstrating the flower/bulk product is clean and free of pesticides and or heavy metals which is a requirement of the state also before it gets recorded into the METRC. At this point there is now a chain of custody established between said cultivation and HERA DISTRIBUTION. The product leaves the said facility along with a copy of a transport manifest reflecting the licensed company vehicle and driver info attached to the distribution license doing the transport.

For example if Hera used one of its compliant vans to go and be accepted into the cultivation facility the transport manifest would reflect the proper driver info and vehicle info compliantly transporting the bulk product to and from the cultivation to Hera distribution. If the cultivator was doing the transport then it would reflect their compliant transport van and driver info sending the product inbound into HERA distribution.

Compliance and intake into and out of the (Hera facility level)

Once the product enters into the Hera distribution facility it is recorded and the metrc transfer is accepted from company (A) to Hera distro. The product is then inspected, logged into HERA distributions inventory in METRC and then stored. As a bulk distributor Hera would then offer this bulk product to outside licensed distributors that would be already on boarded with Hera distro to then schedule an appointment for viewing to possibly then sell the bulk to another compliant distributor with sales outlets and or a licensed compliant brand that may be seeking to buy good quality bulk flower to take into their business model to then package into their own brands and distribute to their own retail outlets. There is a good margin for business and sales for bulk flower distribution. Hera distribution is involved in other supply chain partnerships with over 40+ licenses (emerald family farms) and a lot of its existing branded products and or bulk flower is already distributed in over 250 stores throughout the northern part of the state. The purpose for Hera distribution was to be a more effective geographically located drop point of distribution to be able to be more readily available for more sales outlets of and or for brands to be able to procure more quality well produced licensed compliant flower. This also allows for more readily available branded goods to be stored and available to refill existing retail outlet partners when they run out of our house of brands type finished goods.

To be very simple and clear when it comes to finished goods that would be attached to the Hera license for distribution. These are finished goods that have been cultivated, tested, manufactured, infused, packaged, stickered, etc. all outside of Hera Distribution either through one of our partner facilities and or one of our cost effective white label service providers. All finished goods jarred and or packaged and then boxed ready for retail distribution are already tested and packaged for sale outside of Hera and then manifested inbound into HERA distros Metrc tracking system. These

products would come into the facility and then be distributed and fulfilled into the retail model at a wholesale rate where the retail side will mark up the price 100% to the end consumer. We would continue to grow and expand our product lines of finished goods all tested compliant products whether it would be jarred flower, packaged vapes, jarred concentrate, packaged or jarred pre rolls etc. All finished, tested packaged and labeled done outside of our facility and distributed down into Hera distribution to then be fulfilled to our retail partner outlets. This is a constant growing sales outlet as we keep engaging new stores and pushing more branded products into the retail market place.

The safe secure storage of these compliant products and bulk flower would all be conducted within the regulations of the city of Costa Mesa and the Department of Cannabis Control stated requirements and compliance rules.

Regulatory monitoring compliance (state level and local city level):

The city of Costa Mesa and the DCC would continually monitor all cannabis distribution from this facility through the DCC's track and trace system (Metrc) and full-time access to all systems on property. There will be a high level security protocols and operational plans in place to ensure safe operations and layers of oversight focused on compliance. There also will be strict vetting processes followed by Hera Distribution's compliance department to ensure that all potential clients and vendors adhere to these same regulatory procedures. All of which are all on boarded through our strict approval process and carry and active license with the DCC in good standing.

Hours of Operation:

We are an appointment only facility and we are not open to the public. Our hours of operation are in the window time of Monday through Friday from 9am -6pm. The total number of employees we intend to have as a minimum which is also a state requirement is 2 within the first year of business. Initially when we open to be cost effective the actual owners of the license will be in there working managing the day to day operations based on the scheduled appointments, handling compliance and managing the security of the facility. As we steadily grow we will continue to hire additional staff to help transition into the seamless distribution of our soon to launch house of brands branded products as well as continue to grow our bulk distribution of wholesale quality flower priced competitively.

Cannabis Odor control:

The last and final piece of the puzzle is the concern of odor as a result of this product we know as cannabis. Our facility is never holding large bulk inventory as we store most of the large quantities of product offsite at our licensed cultivation and or licensed strategic partner cultivation or distribution. We maintain several charcoal filters (see attached floorplan and photo) to abate the minimal odor in the facility if and when new product comes into the facility and or there is current product warehoused and or stored in the secure facility for an extended period of time. The bulk finished goods are always packaged and sealed and do not emit odor. Also the storage area room is at the far west side of our facility which is almost 100 feet away from the neighboring suite to ensure no odor is detected. The large sized wall plug in charcoal filters are used to cover a certain

amount of cubic square feet to mitigate and abate the odor if any. We feel it is necessary to utilize more than what's required per the spec sheets of covered cubic feet of coverage to ensure there is no smell emitting from our facility and to be respectful of other tenants in Cambridge Park. Please refer to attachments of image (charcoal filter) as well as the diagram to show their specific locations throughout the facility.

Determining the size of the CAN filter:

Sizing Your Space

Typically for exhaust it's recommended a simple length x width x height /3 calculation. This will give you the amount of air (cubic feet per minute, CFM) that you will need to move to properly ventilate your space allowing for a three-minute air exchange (all the air in the space is exchanged for fresh air every three minutes). This is the number you will match your filter to.

Example:
Room size: 10'x12'x8' (960 cubic feet)
960 cubic feet / 3 minutes = 320CFM (Minimum recommended CFM to exchange the air every 3 minutes)

Recommended Can filter for this size space at 1000 cubic feet per minute is as follows:

Can-Lite 8" x 40" 1000 CFM

Recommended Max CFM:	1000 CFM
Prefilter:	Yes
Flange:	Built-in 8″
Outside Diameter:	30.5 cm / 12″
Height:	101.6 cm / 40″
Total Weight:	19.05 kg / 42 lbs.
Carbon Weight:	14.33 kg / 31.59 lbs.
Carbon Bed Depth:	2″
Max Operating Temp:	80ºC

For recirculating systems, you can use the same length x width x height but divide by 1.5. This will give you a high cycle rate while still ensuring the removal of a majority of contaminant with each pass through the filter. This would require one medium sized can filter.

We went ahead and planned for the largest available CAN FILTER an XL 14″ wide x 50″ tall which is 3x the requirement for the sized room mentioned for our bulk storage in the enclosed area

Can-Lite Filter 14" x 50" XL 3000 CFM

Recommended Max CFM:	3000 CFM
Prefilter:	Yes
Flange:	Built-in 14″
Outside Diameter:	45.7 cm / 18″
Height:	125 cm / 49.21″
Total Weight:	39.46 kg / 87 lbs.
Carbon Weight:	28.6 kg / 63.05 lbs.
Carbon Bed Depth:	2″
Max Operating Temp:	80°C

Our enclosed showcase room where bulk products will be held and or shown is approx. 960 cubic square feet. So to be extremely over cautious of smell abatement and fully filtering out all the odor we will have 1 XL sized can filter per this enclosed room which is 3x the required size.

As far as the main warehouse area goes where bulk products will be coming in and unloaded which is approx. 20,000 Cubic feet it will require approx. 6 can filters of the same size. So to be exceeding the needs we will have between 6-8 XL large can filters present in this area to ensure maximum coverage and filtering out of any and all Odor or smell and circulating the air every 3 minutes per the specific specs of these can filters.

HVAC UNIT:

Hera distribution has its own dedicated HVAC unit on the roof of its building for cooling of the office space portion of the facility, as well as the enclosed showcase room. It is not attached and or coinciding with any of the other suites HVAC units in the building consisting of several individual suites. Hera distribution located in building F suite 3 is individually owned and the HVAC unit feeds into only its lobby area and office space area.

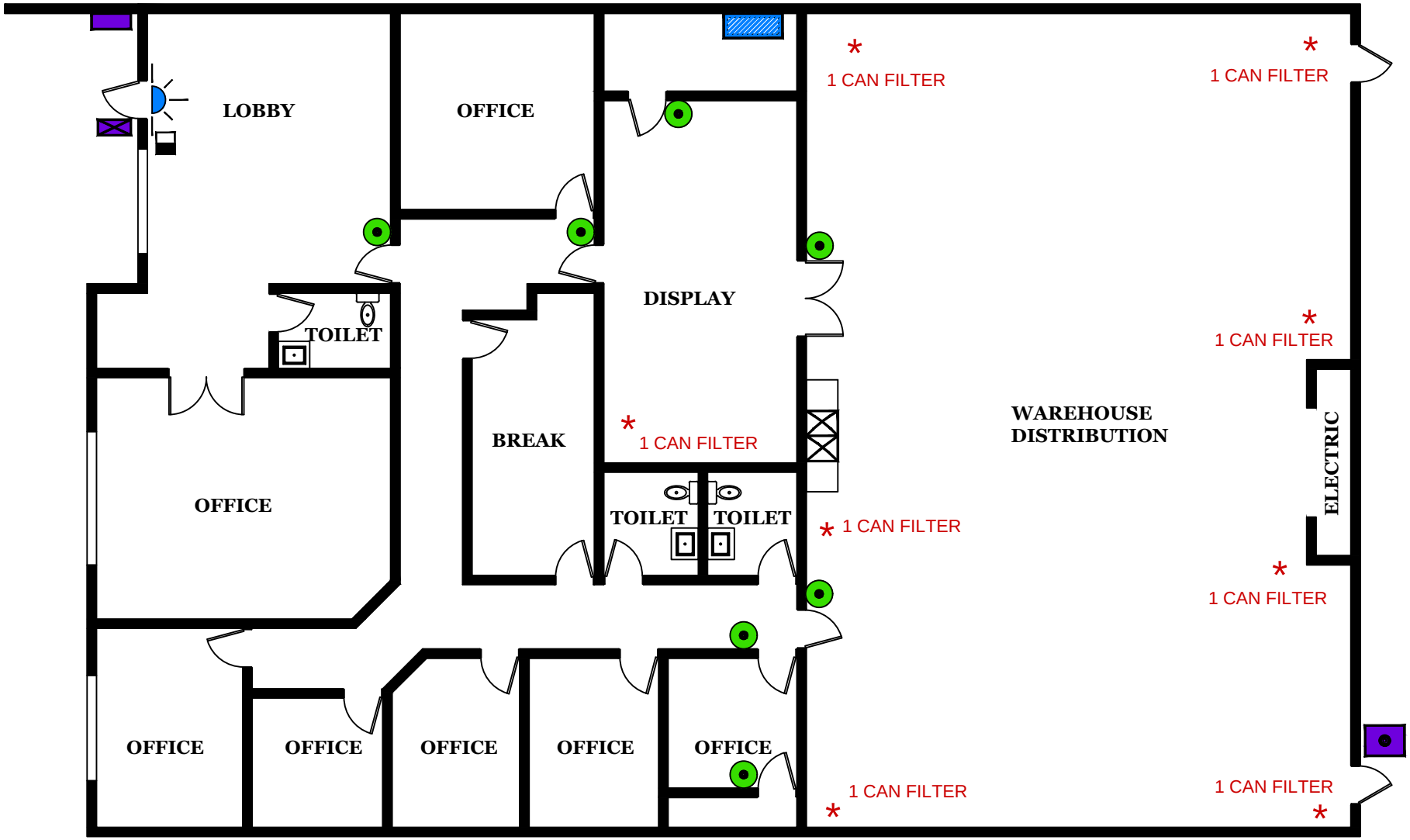
Final closing statement:

Through its business model, it is the intention of Hera Distribution LLC to become a long term asset to the Costa Mesa Business Community and its likeminded neighbors. We thank you for the consideration of our application.


100% Lite Weight RC412 Virgin Activated Carbon
CAN-LITE

* CAN FILTER LOCATION

"ACCESS CONTROL SYSTEM DESIGN"



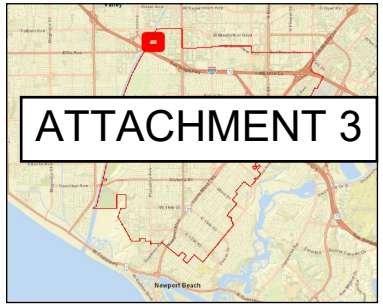
ACCESS CONTROL EQUIPMENT LIST

1. (1x) REMOTE LOCK - ACS/CONTROLLER..
2. (1x) REMOTE LOCK - 720 SERIES.....
3. (7x) REMOTE LOCK - 600 SERIES.....
4. (1x) REMOTE LOCK - READER.....
5. (1x) - RTE
6. (1x) - KNOX
7. (1x) - PTE

TITLE: ICI CCTV			
D.B: D.O	SCALE: N.T.S.	DATE: 09.04.2021	SHEET NO: 1 OF 2
CUSTOMER: 3505 CADILLAC AVE. STE. F3 COSTA MESA, CA 92626			

PA-22-13 (3505 Cadillac Ave, Unit F3) - Vicinity Map





Legend

- Costa Mesa

Notes

0.1 0 0.05 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

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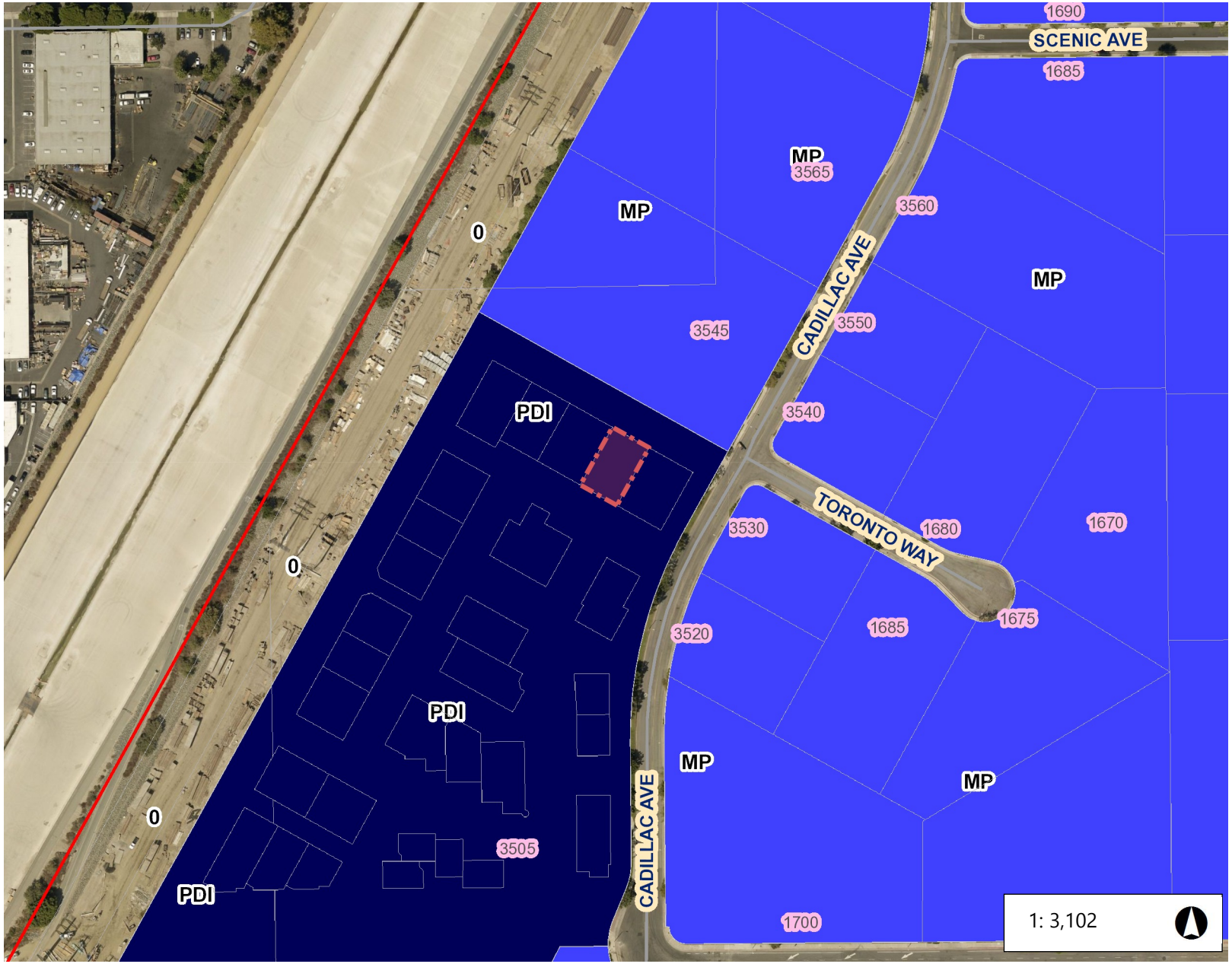
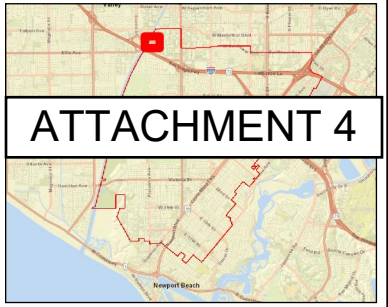
PA-22-13 (3505 Cadillac Ave, Unit F3) - Zoning Map





ATTACHMENT 4

Legend

- Costa Mesa
- Zoning
  - AP - Administrative Professional
  - IR-MLT - Institutional Recreational I
  - R1 - Single-Family Residential
  - R2-MD - Multiple-Family Residentia
  - R2-HD - Multiple-Family Residentia
  - R3 - Multiple Family Residential
  - MG - General Industrial
  - MP - Industrial Park
  - PDI - Planned Development Industr
  - C1 - Local Business
  - C2 - General Business
  - C1-S - Shopping Center
  - TC - Town Center
  - PDR-NCM - Planned Development Mesa
  - I&R - Institutional Recreactional
  - I&R-S - Institutional Recreational - S
  - P - Parking
  - CL - Commercial Limited
  - PDC - Planned Development Comm
  - PDR-LD - Planned Development R
  - PDR-MD - Planned Development R Density
  - PDR-HD - Planned Development R

Notes

0.1 0 0.05 0.1 Miles

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PA-22-13 Site Photos
3505 Cadillac Avenue,
Unit F3

ATTACHMENT 5





PA-22-13 Site Photos
3505 Cadillac Avenue,
Unit F3





PA-22-13 Site Photos
3505 Cadillac Avenue,
Unit F3





PA-22-13 Site Photos
3505 Cadillac Avenue,
Unit F3



ATTACHMENT 6

Measure X Projects (Pending, Approved & Operating)





Legend

- Costa Mesa
- Measure X Boundary
- Pending CUP
- Denied CUP
- Approved CUP
- Business Permit Issued
- Separate Map

Notes

0.3 0 0.14 0.3 Miles

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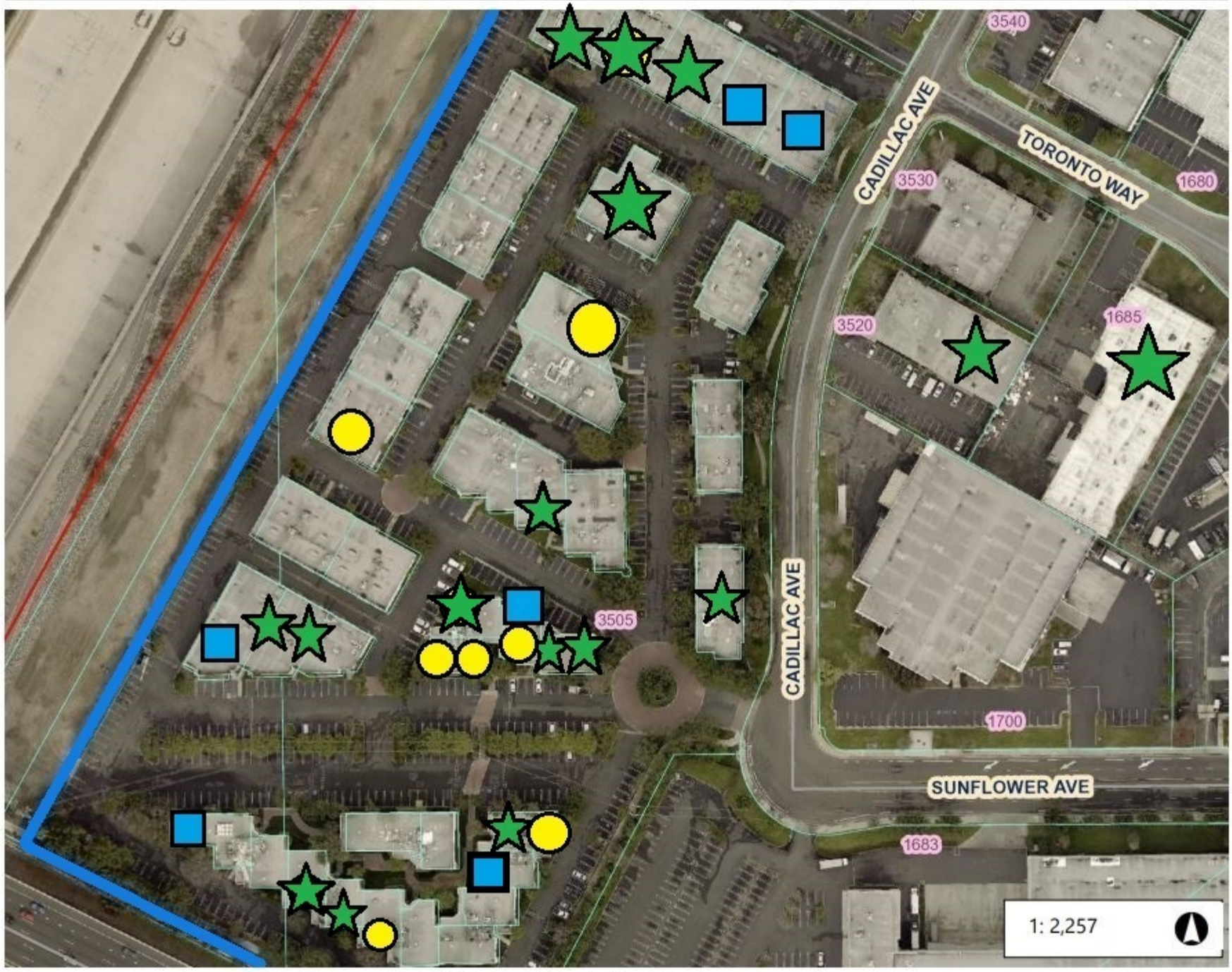
Costa Mesa

Measure X Projects (Pending, Approved & Operating)





Legend

- Costa Mesa
- Measure X Boundary
- Pending CUP
- Denied CUP
- Approved CUP
- Business Permit Issued
- Separate Map

Notes

0.1 0 0.04 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

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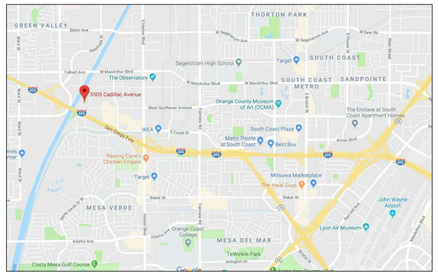
GENERAL NOTES

1. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE GOVERNING CODE AND ALL OTHER APPLICABLE CODES AS ADOPTED BY LOCAL CITY AND COUNTY ORDINANCES.
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF CONSTURCTION. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE OWNER'S REPRESENTATIVE BEFORE PROCEEDING WITH THE JOB. DO NOT SCALE THE DRAWINGS.
3. NO SHEAR OR BEARING WALLS ARE TO BE REMOVED WITHOUT PROPER CALCULATIONS.
4. CONTRACTOR TO PROVIDE ALL ELECTRICAL OR GAS HOOK UPS FOR WATER HEATERS, HVAC, AND APPLIANCES SUPPLIED BY OWNER OR AS SPECIFIED IN THE DRAWINGS.
5. ALL BUILT IN PLUMBING FIXTURES SHALL BE SUPPLIED AND INSTALLED BY PLUMBING CONTRACTOR. PLUMBING CONTRACTOR TO SUPPLY ALL NECESSARY INFORMATION FOR CUT OUTS TO BE PERFORMED BY CABINET CONTRACTOR.
6. ALL FINISHES, MATERIALS, HARDWARE, FIXTURES OR OTHER FINISH ITEMS SHALL BE SUBMITTED BY PRODUCT OR CUT SHEET TO THE OWNER'S REPRESENTATIVE FOR APPROVALS PRIOR TO ORDER.
7. N.I.C. (NOT IN CONTRACTOR) TO BE PROVIDED AND/OR INSTALLED AT TENANTS EXPENSE. EXTRA WORK SHALL BE APPROVED BY TENANT PRIOR TO CONSTRUCTION.
8. CONTRACTOR FOR THE PROJECT SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED BUILDING PERMITS.
9. ANY DECORATION USED SHALL BE NON COMBUSTIBLE OR SHALL BE FLAME PROOFED IN AN APPROVED MANNER.
10. FURNISH AND INSTALL EMERGENCY LIGHTING AS SPECIFIED AND INDICATED BUT IN NO CASE SHALL THE LIGHT VALUE BE LESS THAN ONE FOOT CANDLE AT FLOOR LEVEL IN ALL EXIT CORRIDORS AND STAIR SHAFTS.
11. 44" MINIMUM CLEAR AISLES ARE REQUIRED FOR EXIT PASSAGE.
12. ALL INSULATION SHALL BE NON COMBUSTIBLE.
13. ANY DECORATIONS (INCLUDING CURTAINS, DRAPES, SHADES, HANGINGS, ETC.) USED SHALL BE NON COMBUSTIBLE OR FLAME PROOFED IN AN
14. ALL INTERIOR WALL AND PARTITIONS SHALL BE DESIGNED AND CONSTRUCTED TO RESIST ALL LOADS TO WHICH THEY ARE SUBJECT BUT NOT LESS THAN A FORCE OF 5 POUNDS PER SQUARE FOOT PERPENDICULAR TO THE WALLS.
15. HOT WATER AND DRAIN PIPES UNDER LAVATORIES SHALL BE INSULATED OR OTHERWISE COVERED. THERE SHALL BE NO SHARP OR ABRASIVE SURFACES UNDER LAVATORIES.
16. FAUCET CONTROLS AND OPERATING MECHANISMS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NOT GREATER THAN 5 POUNDS.
17. THESE PLANS AND SPECIFICATIONS MUST COMPLY WITH LOCAL SECURITY ORDINANCES.
18. SWITCHES AND CONTROLS FOR LIGHTS, VENTILATION, FIRE ALARMS, ETC. MUST BE PLACED 36" TO 48" ABOVE THE FLOOR. OUTLETS MUST BE NOT LESS THAN 15" FROM THE FLOOR. UNLESS NOTED
19. THE STRUCTURAL, MECHANICAL, ELECTRICAL AND CABINET WORKING DRAWINGS ARE SUPPLEMENTARY TO THE ARCHITECTURAL DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CHECK WITH THE ARCHITECTURAL DRAWINGS BEFORE INSTALLATION AND/OR FABRICATION OF WORK. NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES BETWEEN THE ARCHITECTURAL DRAWINGS AND THE CONSULTING ENGINEERS AND CABINET WORK CONTRACTORS. ANY WORK INSTALLED IN CONFLICT WITH THE ARCHITECUTRAL DRAWINGS SHALL BE CORRECTED BY THE GENERAL CONTRACTOR AT HIS/HER OWN EXPENSE AND AT NO EXPENSE TO THE OWNER OR ARCHITECT.
20. DETAILS MARKED "TYPICAL" SHALL APPLY IN ALL CASES UNLESS SPECIFICALLY INDICATED OTHERWISE.
21. WHERE SHOP DRAWINGS ARE CALLED FOR OR REQUIRED, SUBMIT ONE SEPIA AND ONE BLUE LINE PRINT TO THE OWNER'S REPRESENTATIVE FOR REVIEW PRIOR TO FABRICATION AND/OR INSTALLATION.
22. INSTALL METAL CORNER BEADS AT ALL EXPOSED WALLBOARD EDGES. INSTALL CASING BEADS WHEREVER WALLBOARD, PLASTER, ETC. ABUTS A DISSIMILAR FINISH MATERIAL AND PROVIDE SEALANT AS REQUIRED.
23. CONTRACTOR SHALL PROVIDE AND INSTALL ALL STIFFENERS, BRACING, BACK UP PLATES AND SUPPORTING BRACKETS REQUIRED FOR THE INSTALLATION OF ALL CASEWORK, STAIR RAILINGS, TOILET ROOM ACCESSORIES AND PARTITIONS AND FOR ALL WALL MOUNTED SUSPENDED MECHANICAL, ELECTRICAL OR MISCELLANEOUS EQUIPMENT.
24. ALL EQUIPMENT SHALL BE FIELD CERTIFIED BY A QUALIFIED THIRD PARTY AGENCY FOR ITS INTENDED USE.
25. COMPREHENSIVE PHA SHALL CONSIDER FAILURE MODES AND POINTS OF FAILURE THROUGHOUT THE PROCESS. THE PHA SHALL INCLUDE A REVIEW OF EMERGENCY PROCEDURE INFORMATION PROVEDED BY THE MANUFATCURERE OF THE EQUIPMENT OR PROCESS, ASSEMBLY INSTRUCTION, OPERATION AND MAINTENANCE MANUALS, PER CFC 3804.3.1. THIS WILL BE A DEFERRED.

VICINITY MAP



SHEET INDEX

ARCHITECTURAL

A0.1	COVER SHEET AND SITE PLAN
A0.2	SITE DETAILS
A2.1	FLOOR PLAN
A4.1	DETAILS - ACCESSIBLE TOILET
A4.2	DETAILS - ACCESSIBLE INTERIOR
A5.1	DETAILS - TENANT IMPROVEMENT

PROJECT DATA

SCOPE OF WORK

INTERIOR TENANT IMPROVEMENT

DESCRIPTION OF OPERATIONS

WHOLESALE CANNABIS DISTRIBUTION

ATTACHMENT 7

PROJECT ADDRESS

3505 CADILLAC AVE. UNIT F3
COSTA MESA, CA

OCCUPANCY F-1

BUILDING CODE COMPLIANCE

2019	CALIFORNIA BUILDING CODE
2019	CALIFORNIA PLUMBING CODE
2019	CALIFORNIA MECHANICAL CODE
2019	CALIFORNIA ELECTRICAL CODE
2019	CALIFORNIA GREEN BUILDING CODE
2019	BUILDING ENERGY EFFICIENCY STANDARDS
2019	CALIFORNIA FIRE CODE

CONSTRUCTION

1 TYPE III-B
NON SPRINKLER
SINGLE STORY

TABLE 601

1 CONSTRUCTION TYPE III-B
NON SPRINKLER
SINGLE STORY
FIRE RATING REQUIREMENTS (HOURS)

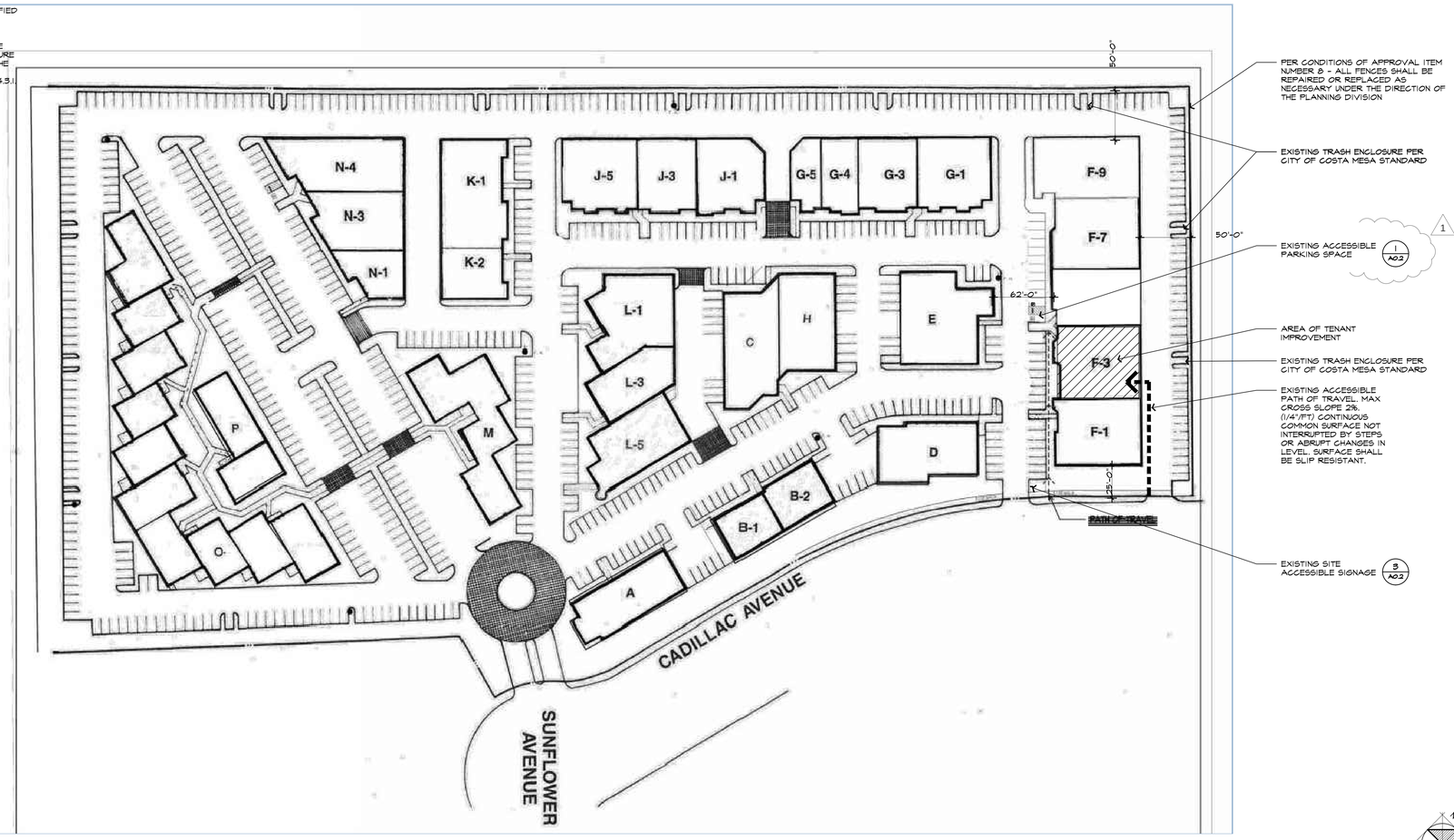
PRIMARY STRUCTURAL FRAME	0
BEARING WALLS	
EXTERIOR	0
INTERIOR	0
NON BEARING WALLS	
EXTERIOR	0
INTERIOR	0
FLOOR CONSTRUCTION	0
ROOF CONSTRUCTION	0

BUILDING AREA

TENANT IMPROVEMENT 5,772 S.F.

1 ACCESSIBLE UPGRADES FOR SCOPE OF WORK TO BE INCLUDED :

- INTERNAL LIT EXIT SIGNAGE
- TACTILE EXIT SIGNAGE
- CONCRETE LANDINGS AT EXISTING EXTERIOR EXIT DOORS
- ACCESSIBLE PARKING SPACE
- ACCESSIBLE PARKING RAMP
- ACCESSIBLE PARKING SIGNAGE
- ACCESSIBLE TOILET GRAB BARS



EXISTING SITE PLAN
N.T.S.

stützel DESIGN
2775 Pioneer Ranch Rd.
Templeton, CA. 93465
805.459.1609

netdevelopmentco
3130 Airway Avenue Costa Mesa, California 92626
Phone (714) 754-4454 Fax (714) 754-0198

TENANT IMPROVEMENT

3505 CADILLAC AVE. UNIT F3
COSTA MESA, CA

REVISIONS	DATE
DESIGN DEVELOPMENT	10 AUG 21
BLDG DEPT FIRST SUBMIT	30 AUG 21
CUP FIRST SUBMIT	12 JAN 22
1 CUP SECOND SUBMIT	11 APR 22

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREFORE IS EXPRESSLY LIMITED TO SUCH USE. FEDERAL LAW PROHIBITS THE REPRODUCTION, DISPLAY, SALE OR OTHER DISPOSITION OF THE DOCUMENT.

JOB NO. 2110S

COVER SHEET
SITE PLAN

A0.1

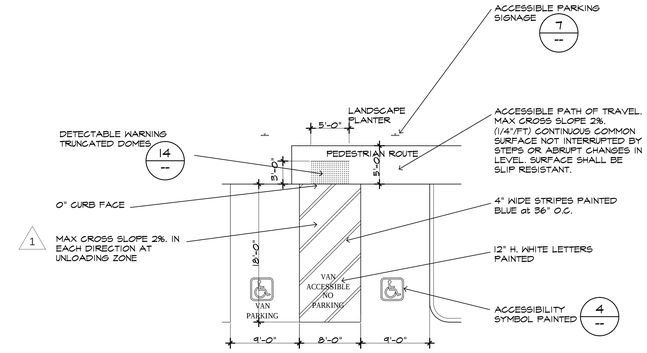
stützel DESIGN
2775 Pioneer Ranch Rd.
Templeton, CA. 93465
805.459.1609

developmentco
3130 Airway Avenue Costa Mesa, California 92626
Phone (714) 754-4454 Fax (714) 754-0198

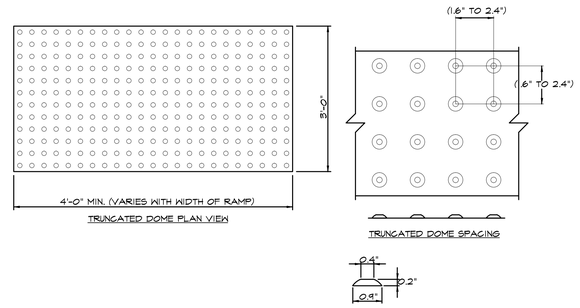
TENANT IMPROVEMENT

3505 CADILLAC AVE. UNIT F3
COSTA MESA, CA

EXISTING SHOWN FOR REFERENCE
FIELD VERIFY EXISTING CONDITIONS



TYPICAL ACCESSIBLE PARKING SPACE 1
N.T.S.

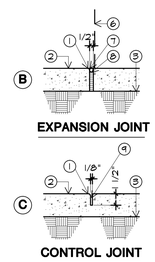


NOTES:

1. ALL DETECTABLE WARNING DEVICES USED IN NEW CONSTRUCTION SHALL BE OF A RIDGID PRECAST OR EMBEDDED PRODUCT APPROVED BY THE governing ENGINEER. RETRO FIT MATS WILL ONLY BE ALLOWED ON EXISTING RAMPS WITH PRIOR APPROVAL OF THEgoverning ENGINEER FOR MATERIAL TYPE AND INSTALLATION (IE. RESURFACING).
2. WIDTH OF DETECTABLE WARNING AREA SHALL BE A MINIMUM OF 4 FEET AND VARY WITH WIDTH OF RAMP.
3. LENGTH OF DETECTABLE WARNING AREA SHALL BE 3 FEET REGARDLESS OF SECTION WIDTH.
4. DETECTABLE WARNING AREA CAN BE SQUARE WHERE USED IN A CURB RADIUS.
5. DETECTABLE WARNING DOMES SHALL BE ALIGNED ON A SQUARE GRID IN THE PREDOMINANT DIRECTION OF OF TRAVEL TO PERMIT WHEELS TO ROLL BETWEEN DOMES.
6. DECTECTABLE WARNING AREA SHALL BE of approved color by the governing engineer.

NOTE
ONLY APPROVED DSA - AC PRODUCT SHALL BE INSTALLED.
SECS. 11B-705.3

DETECTABLE WARNINGS TRUNCATED DOMES 14
N.T.S.



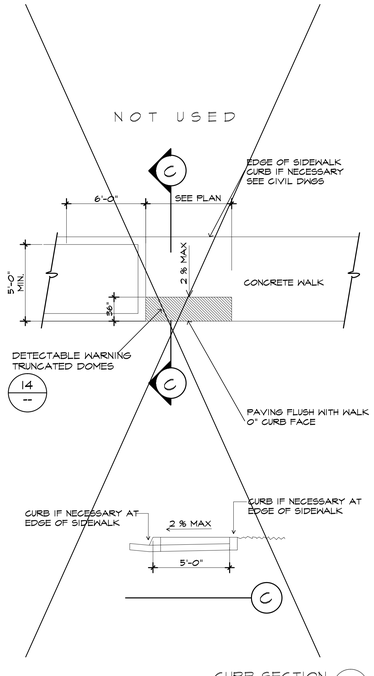
KEY NOTE LEGEND

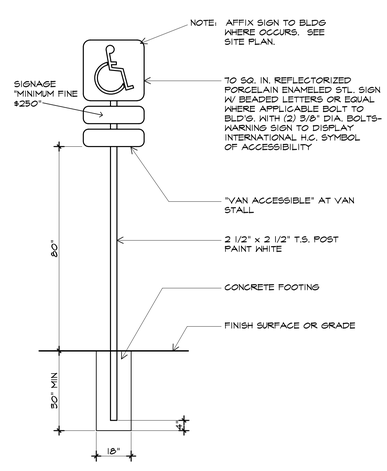
1. 1/4" RADIUS
2. PAVING FINISHED SURFACE (SEE PLAN)
3. COMPACTED SUBGRADE
4. A.C. PAVING
5. ASPHALTIC FIBERBOARD
6. VERTICAL WALL SURFACE (WHERE OCCURS)
7. 2 PT. POLYURETHANE SEALANT #2TT-U AS MANUF. BY HUNT PROCESS
8. CLOSED CELL POLYETHYLENE BACKER ROD
9. 1/8" WIDE BY 1 1/2" DEEP TOOLED SCORE JOINT OR SAW CUT JOINT
10. CONCRETE CURB

GENERAL NOTES

1. PAVING THICKNESS TO BE PER PLAN.
2. LOCATE EXPANSION JOINT AT 24'-0" O.C. MAX. AND AT EDGE OF CURBS AND WALLS.
3. LOCATE CONTROL JOINTS AT 8'-0" MAX. (U.N.O.)
4. COMPACT SUBGRADE TO 90% MIN.
5. BACKER ROD BY SELECT PRODUCTS OR EQUAL.
6. SEALANT TO MATCH ADJACENT PAVING COLOR.

CONCRETE WALKWAY DETAIL 10
N.T.S.





ACCESSIBLE PARKING SIGN 7
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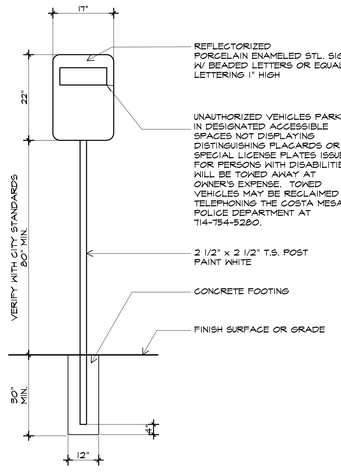
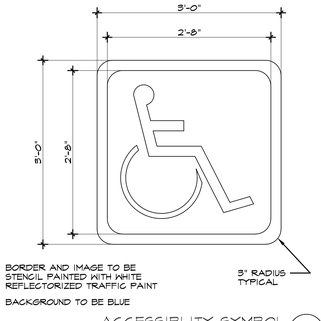


SITE ENTRANCE SIGNAGE 3
1/8"=1'-0"

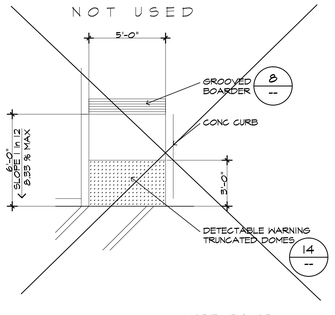


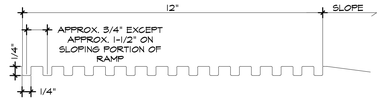
- BORDER AND IMAGE TO BE STENCIL PAINTED WITH WHITE REFLECTORIZED TRAFFIC PAINT
- BACKGROUND TO BE BLUE

ACCESSIBLITY SYMBOL 4
N.T.S.

DETAIL 19
--

DETAIL 15
--





GROOVE DETAIL 8
N.T.S.

DETAIL 20
--

CURB RAMP 16
N.T.S.

CURB SECTION 12
N.T.S.

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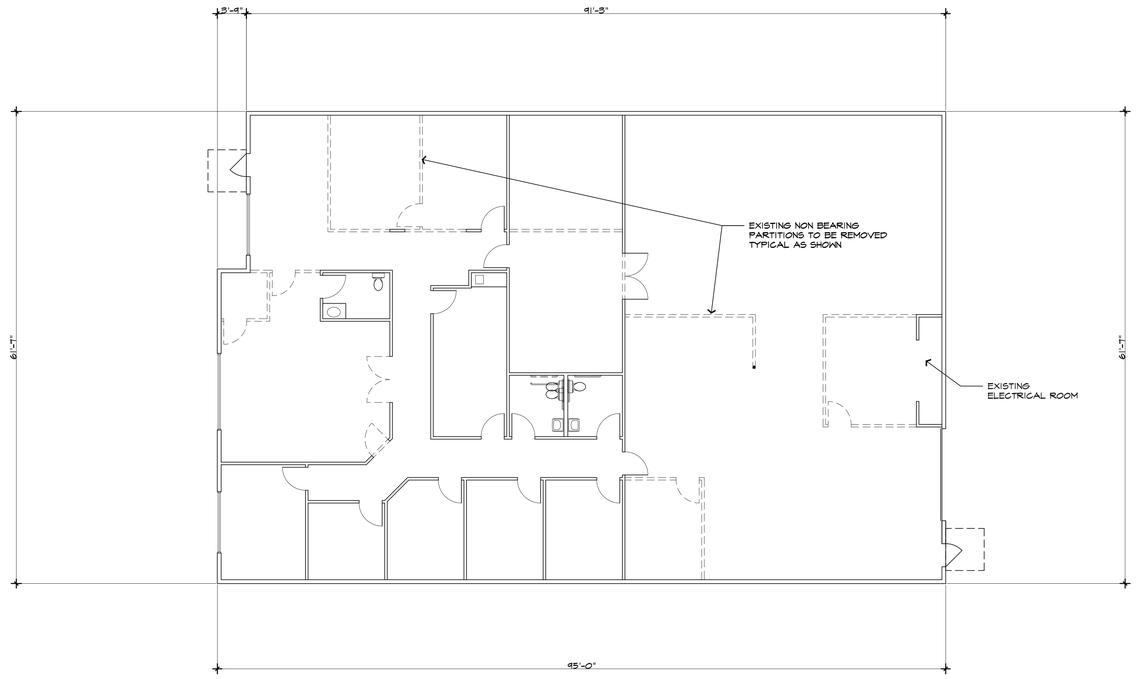
REVISIONS	DATE
DESIGN DEVELOPMENT	10 AUG 21
BLDG DEPT FIRST SUBMIT	30 AUG 21
CUP FIRST SUBMIT	12 JAN 22
1 CUP SECOND SUBMIT	11 APR 22

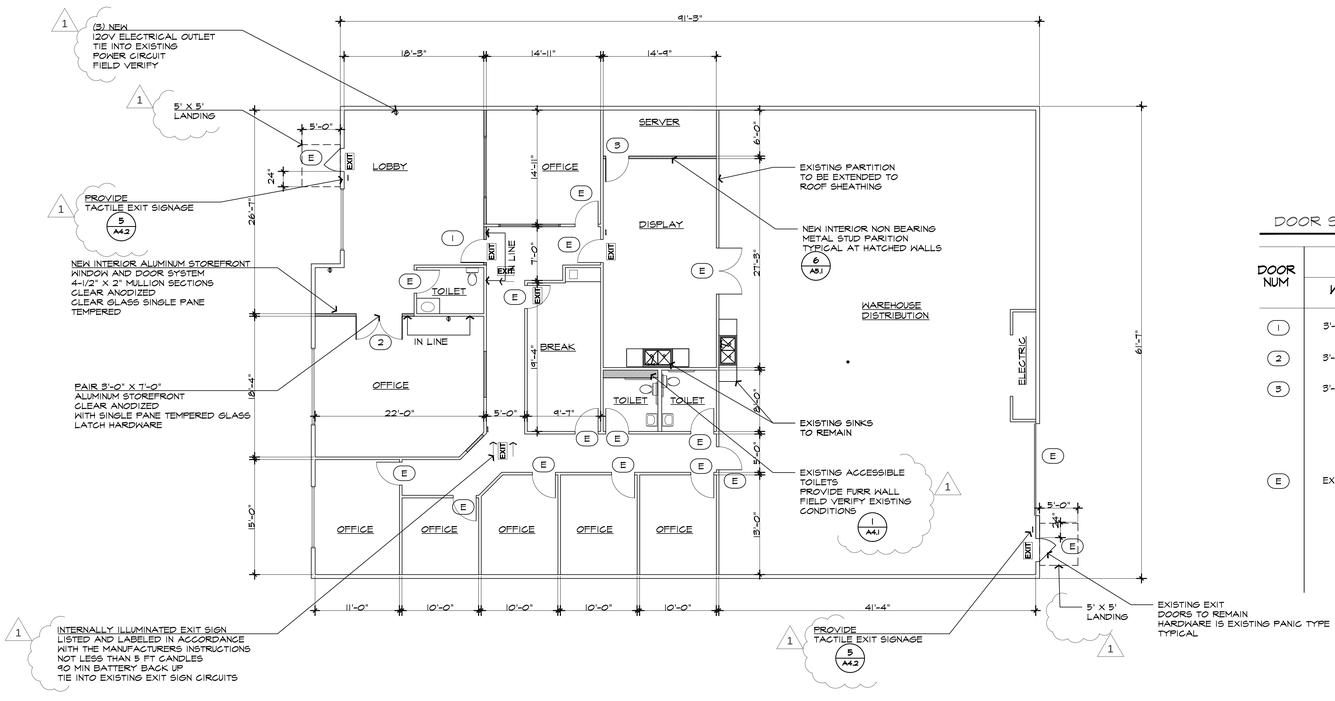
JOB NO. 2110

SITE DETAILS

A0.2



DEMOLITION PLAN
1/8" = 1'-0"



FLOOR PLAN
1/8" = 1'-0"

DOOR SCHEDULE

DOOR NUM	SIZE WIDTH x HEIGHT	DOOR TYPE
1	3'-0" x 7'-0"	SOLID CORE TO MATCH EXISTING
2	3'-0" x 7'-0" PAIR	ALUMINUM STOREFRONT
3	3'-0" x 7'-0"	SOLID CORE TO MATCH EXISTING
E	EXISTING TO REMAIN	

stützel DESIGN
2775 Pioneer Ranch Rd.
Templeton, CA. 93465
805.459.1609

net development co
3130 Airway Avenue Costa Mesa, California 92626
Phone (714) 754-4454 Fax (714) 754-0198

TENANT IMPROVEMENT

3505 CADILLAC AVE. UNIT F3
COSTA MESA, CA

REVISIONS	DATE
DESIGN DEVELOPMENT	10 AUG 21
BLDG DEPT FIRST SUBMIT	30 AUG 21
CUP FIRST SUBMIT	12 JAN 22
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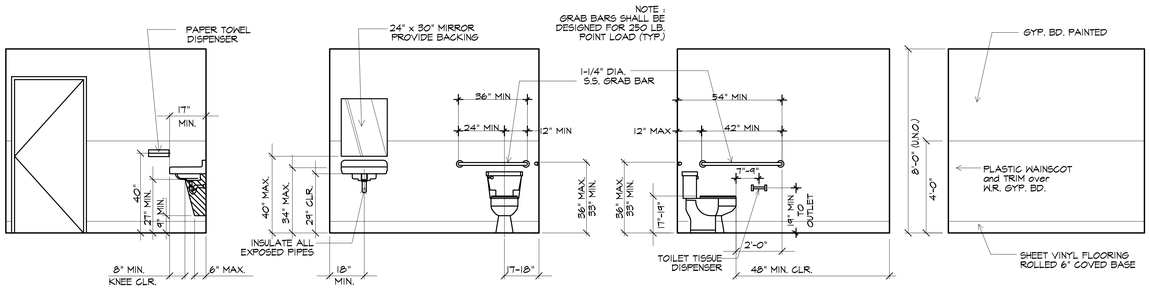
JOB NO. 2110S

FLOOR PLAN

A2.1



ACCESSIBLE TOILE ELEVATIONS 9
3/8"=1'-0"

TOILET ROOMS ARE EXISTING
SHOWN FOR REFERENCE ONLY
FIELD VERIFY EXISTING CONDITIONS

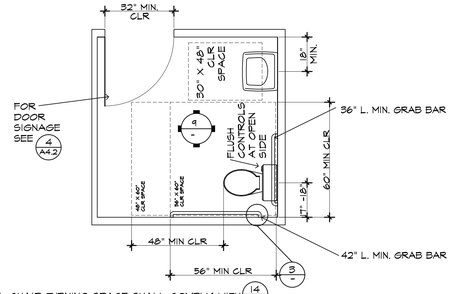
TOILET FLUSH CONTROLS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST. CONTROLS FOR THE FLUSH VALVES SHALL BE MOUNTED ON THE WIDE SIDE OF THE TOILET AREAS, NO MORE THAN 44" ABOVE THE FLOOR. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN FIVE POUNDS.

FAUCET CONTROLS AND OPERATING MECHANISMS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN FIVE POUNDS. LEVER-OPERATED, PUSH-TYPE AND ELECTRONICALLY CONTROLLED MECHANISMS ARE EXAMPLES OF ACCEPTABLE DESIGNS. SELF-CLOSING VALVES ARE ALLOWED IF THE FAUCET REMAINS OPEN FOR AT LEAST TEN SECONDS.

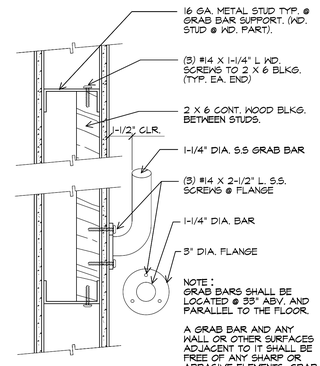
INSULATE OR COVER WATER AND DRAIN PIPES UNDER LAVATORIES. NO SHARP OR ABRASIVE SURFACES ARE ALLOWED UNDER LAVATORIES.

GRAB BARS, SHOWER SEATS, FASTENERS AND MOUNTING DEVICES SHALL BE DESIGNED FOR 250 POUNDS PER LINEAL FOOT LOAD.

WHERE TOWEL, SANITARY NAPKIN AND WASTE RECEPTACLES AND SIMILAR DISPENSING AND DISPOSAL FIXTURES ARE PROVIDED, AT LEAST ONE OF EACH TYPE IS TO BE LOCATED WITH ALL OPERABLE PARTS, INCLUDING COIN SLOTS, WITHIN 40 INCHES FROM THE FLOOR.



ACCESSIBLE TOILET PLAN 1
3/8"=1'-0"



GRAB BAR 3
N.T.S.

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Templeton, CA. 93465
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3130 Airway Avenue Costa Mesa, California 92626
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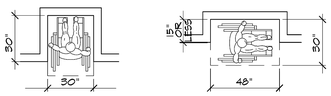
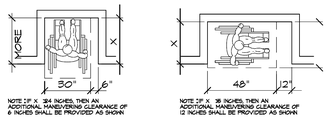
JOB NO. 2105

DETAILS
ACCESSIBLE TOILET

A4.1



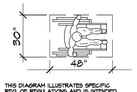
(A) CLEAR FLOOR SPACE IN ALCOVES



NOTE: IF X 24 INCHES, THEN AN ADDITIONAL MANEUVERING CLEARANCE OF 6 INCHES SHALL BE PROVIDED AS SHOWN

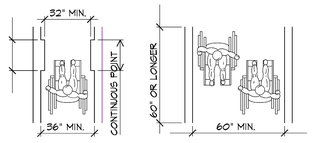
NOTE: IF X 36 INCHES, THEN AN ADDITIONAL MANEUVERING CLEARANCE OF 12 INCHES SHALL BE PROVIDED AS SHOWN

(B) ADDITIONAL MANEUVERING CLEARANCE FOR ALCOVES



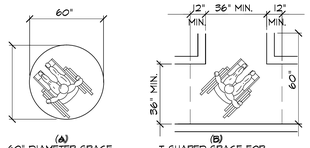
THIS DIAGRAM ILLUSTRATES SPECIFIC REQ. OF REGULATIONS AND IS INTENDED ONLY AS AN AID FOR BUILDING DESIGN.

MINIMUM CLEAR FLOOR SPACE FOR WHEELCHAIRS



MINIMUM CLEAR WIDTH FOR SINGLE WHEELCHAIR

FOR TWO WHEELCHAIRS



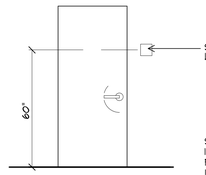
THIS DIAGRAM ILLUSTRATES SPECIFIC REQ. OF REGULATIONS AND IS INTENDED ONLY AS AN AID FOR BUILDING DESIGN.

WHEELCHAIR TURNING SPACE

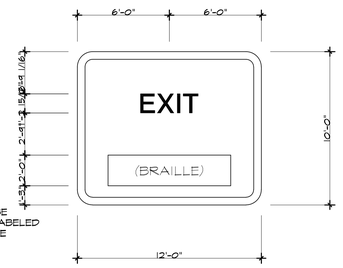
WHEEL CHAIR CLEARANCES 14
N.T.S.

SIGNS WITH RAISED CHARACTERS AND BRAILLE SHALL BE LOCATED 48" MINIMUM ABOVE THE FINISH FLOOR OR GROUND SURFACE, MEASURED FROM THE BASELINE OF THE LOWEST LINE OF BRAILLE AND 60" MAXIMUM ABOVE THE FINISH FLOOR OR GROUND SURFACE, MEASURED FROM THE BASELINE OF THE HIGHEST LINE OF RAISED CHARACTERS. CBC 11B-703.4

CHARACTERS SHALL BE SANS SERIF UPPERCASE ACCOMPANIED BY GRADE 2 BRAILLE

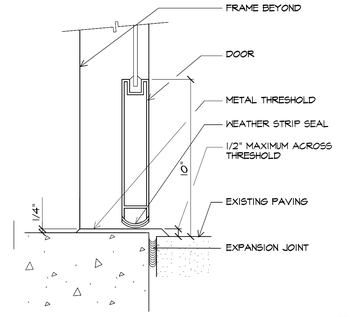


INTERIOR SIDE OF EXIT DOOR

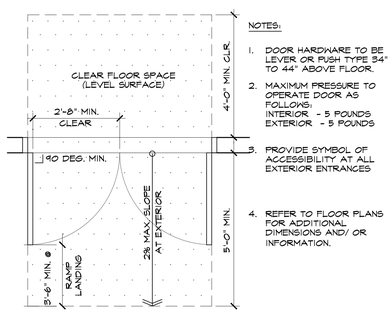


SIGNAGE SHALL BE INDICATED AND LABELED FOR APPROPRIATE LOCATION.
"EXIT"
"EXIT ROUTE"
"EXIT STAIR DOWN"
SEE FLOOR PLANS FOR LOCATIONS

TACTILE EXIT PATHWAY SIGNAGE 5
N.T.S.



THRESHOLD AT STOREFRONT 1
N.T.S.



NOTES:

1. DOOR HARDWARE TO BE LEVER OR PUSH TYPE 34" TO 44" ABOVE FLOOR.
2. MAXIMUM PRESSURE TO OPERATE DOOR AS FOLLOWS:
   INTERIOR - 5 POUNDS
   EXTERIOR - 5 POUNDS
3. PROVIDE SYMBOL OF ACCESSIBILITY AT ALL EXTERIOR ENTRANCES
4. REFER TO FLOOR PLANS FOR ADDITIONAL DIMENSIONS AND/ OR INFORMATION.

DOUBLE DOOR CLEARANCE 10
N.T.S.

ENTRANCES

ALL BUILDING ENTRANCES THAT ARE ACCESSIBLE TO AND USABLE BY PERSONS W/ DISABILITIES SHALL BE IDENTIFIED W/ AT LEAST ONE STANDARD SIGN AND W/ ADDITIONAL DIRECTIONAL SIGNS, AS REQUIRED TO BE VISIBLE TO PERSONS ALONG APPROACHING PEDESTRIAN WAYS.

SIGNS SHALL BE INSTALLED ON THE WALL ADJACENT TO THE LATCH OUTSIDE OF THE DOOR. WHERE THERE IS NO WALL SPACE ON THE LATCH SIDE, INCLUDING AT DOUBLE LEAF DOORS, SIGNS SHALL BE PLACED ON NEAREST ADJACENT WALL, PREFERABLY ON THE RIGHT. MOUNTING HEIGHT SHALL BE 60" ABV. THE FINISH FLOOR TO THE CENTER LINE OF THE SIGN. MOUNTING LOCATION SHALL BE DETERMINED SO THAT A PERSON MAY APPROACH W/IN 3" OF SIGNAGE W/OUT ENCOUNTERING PROTRUDING OBJECTS OR STANDING W/IN THE SWING OF A DOOR.

EXITS

EXIT DOORS SHALL BE OF THE PIVOTED OR SIDE-HINGED SWINGING TYPE. EXIT DOORS SHALL SWING IN THE DIRECTION OF EXIT TRAVEL WHEN SERVING ANY HAZARDOUS AREA OR WHEN SERVING AN OCCUPANT LOAD OF 50 OR MORE. MAXIMUM EFFORT TO OPERATE DOORS SHALL NOT EXCEED 5 LBS. FOR EXTERIOR DOORS & 5 LBS. FOR INTERIOR DOORS, SUCH PULL OR PUSH EFFORT BEING APPLIED AT RIGHT ANGLES TO DOORS. WHEN FIRE DOORS ARE REQUIRED THE MAXIMUM EFFORT TO OPERATE THE DOOR SHALL NOT EXCEED 15 LBS.

EXIT DOORS SHALL BE OPENABLE FROM THE INSIDE W/OUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT.

THE ACTIVATING MEMBER OF PANIC HARDWARE, WHEN INSTALLED, SHALL BE MOUNTED AT A HEIGHT OF NOT LESS THAN 34" OR MORE THAN 44" ABV. THE FLOOR.

EVERY DOORWAY W/IN AN ACCESSIBLE ROUTE OF TRAVEL, INCLUDING EXIT DOORWAYS, SHALL HAVE A MINIMUM CLEAR OPENING OF 32" W/ THE DOOR OPEN 90 DEGREES, MEASURED BETWEEN THE FACE OF THE DOOR AND THE OPPOSITE STOP. A SINGLE LEAF OF AN EXIT DOOR SHALL NOT EXCEED 4 FT. IN WIDTH. EXIT DOORS SHALL BE MARKED SO THAT THEY ARE READILY DISTINGUISHABLE FROM THE ADJACENT CONSTRUCTION.

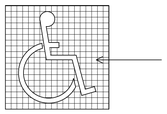
THE BOTTEM 10" OF ALL DOORS EXCEPT AUTOMATIC AND SLIDING SHALL HAVE A SMOOTH, UNINTERRUPTED SURFACE TO ALLOW THE DOOR TO BE OPENED BY A WHEELCHAIR FOOTREST W/OUT CREATING A TRAP OR HAZARDOUS CONDITION.

THERE SHALL BE A FLOOR OR LANDING ON EACH SIDE OF A DOOR, NOT MORE THAN 1/2" LOWER THAN THE THRESHOLD OF THE DOORWAY. CHANGES IN LEVEL BETWEEN 1/4" AND 1/2" SHALL BE BEVELED W/ A SLOPE NO GREATER THAN 1:2. CHANGES IN LEVEL GREATER THAN 1/2" SHALL BE ACCOMPLISHED BY MEANS OF A RAMP.

THERE SHALL BE A LEVEL AND CLEAR AREA ON EACH SIDE OF AN EXIT DOOR AND 44" WHERE THE DOOR SWINGS AWAY FROM THE LEVEL AND CLEAR AREA (48" IF DOOR HAS CLOSER), THE LEVEL AREA SHALL HAVE A LENGTH OF AT LEAST 60" IN THE DIRECTION OF DOOR SWING AS MEASURED AT RIGHT ANGLES TO THE PLANE OF THE DOOR IN ITS CLOSED POSITION.

THE WIDTH OF THE LEVEL AREA ON THE SIDE TO WHICH THE DOOR SWINGS SHALL EXTEND 24" PAST THE STRIKE EDGE OF THE DOOR FOR EXTERIOR DOORS AND 18" PAST THE STRIKE EDGE FOR INTERIOR DOORS.

DOOR NOTES 7
N.T.S.



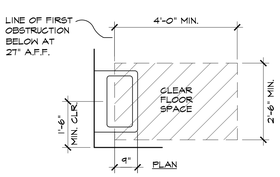
SYMBOL PROPORTIONS

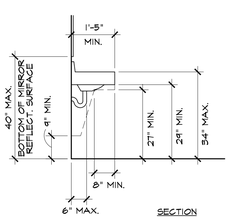
DISPLAY CONDITIONS

ENTRANCE SIGNAGE 3
1/8"=1'-0"

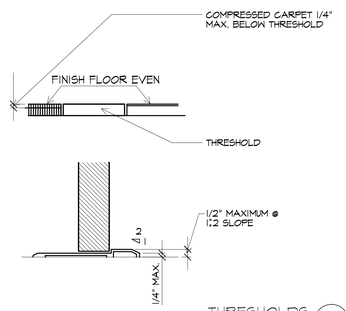
NOTES:

1. HOT WATER SUPPLY & DRAIN PIPES TO BE INSULATED AND/ OR PROTECTED FROM CONTACT
2. FAUCET CONTROLS SHALL BE LEVER TYPE WITH MAXIMUM OPERATING FORCE OF 5 POUNDS.
3. SELF-CLOSING VALVES SHALL REMAIN OPEN A MINIMUM OF 10 SECONDS.
4. REFER TO FLOOR PLANS FOR ADDITIONAL DIMENSIONS AND INFORMATION.





LAVATORY 20
N.T.S.



THRESHOLDS 15
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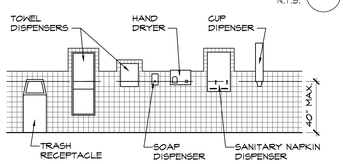
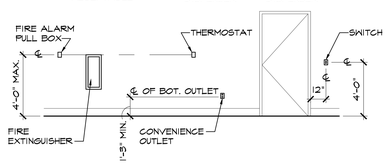
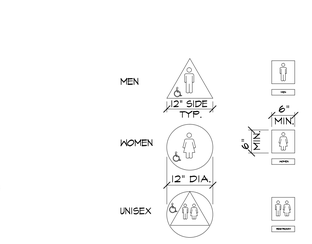


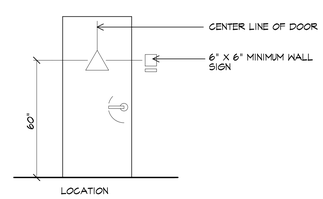


MOUNTING HEIGHTS 16
N.T.S.



DOOR SIGNS

WALL SIGNS



LOCATION

SIGNAGE NOTES

MEN'S SANITARY FACILITIES SHALL BE IDENTIFIED BY AN EQUILATERAL TRIANGLE 1/4 INCH THICK WITH EDGES 12 INCHES LONG AND A VERTEX POINTING UPWARD.

WOMEN'S SANITARY FACILITIES SHALL BE IDENTIFIED BY A CIRCLE 1/4 INCH THICK AND 12 INCHES IN DIAMETER.

UNISEX SANITARY FACILITIES SHALL BE IDENTIFIED BY A CIRCLE 1/4 INCH THICK AND 12 INCHES IN DIAMETER WITH A 1/4 INCH THICK TRIANGLE SUPERIMPOSED ON THE CIRCLE AND WITHIN THE 12 INCH DIAMETER.

THESE GEOMETRIC SYMBOLS SHALL BE CENTERED ON THE DOOR AT A HEIGHT OF 60 INCHES AND THEIR COLOR CONTRAST SHALL BE DISTINCTLY DIFFERENT FROM THE COLOR AND CONTRAST OF THE DOOR.

LETTERS AND NUMBERS ON SIGNS SHALL BE RAISED 1/32 INCH MINIMUM AND SHALL BE SANS-SERIF UPPERCASE CHARACTERS ACCOMPANIED BY GRADE 2 BRAILLE.

TOILET ENTRANCE SIGNAGE 4
N.T.S.

stützel DESIGN
2775 Pioneer Ranch Rd.
Templeton, CA. 93465
805.459.1609

development co
3130 Airway Avenue Costa Mesa, California 92626
Phone (714) 754-4454 Fax (714) 754-0198

TENANT IMPROVEMENT

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REVISIONS	DATE
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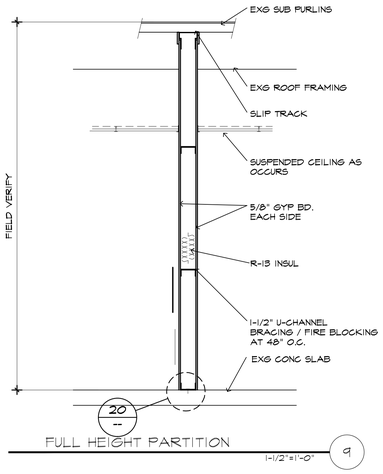
JOB NO. 2105

DETAILS ACCESSIBILITY INTERIOR

A4.2



FULL HEIGHT PARTITION 9

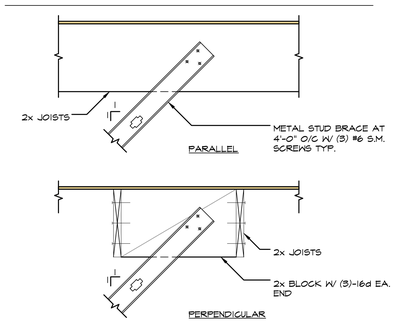
1-1/2"=1'-0"

Non-Composite Interior Wall Limiting Heights

Section	5 PSF Surface Load - Interior Only								
	Deflection - L/120			Deflection - L/240			Deflection - L/360		
	12" oc	16" oc	24" oc	12" oc	16" oc	24" oc	12" oc	16" oc	24" oc
1625125-30	11' 8"	10' 7"	8' 11"	9' 3"	8' 5"	7' 4"	8' 1"	7' 4"	6' 5"
2505125-30	16' 1"	14' 5"	11' 10"	12' 9"	11' 7"	10' 2"	11' 2"	10' 2"	8' 10"
3505125-30	19' 11"	17' 3"	14' 1"	16' 7"	15' 0"	13' 2"	14' 6"	13' 2"	11' 6"
3625125-30	20' 3"	17' 7"	14' 4"	17' 0"	15' 6"	13' 6"	14' 10"	13' 6"	11' 10"
4005125-30	21' 5"	18' 6"	15' 2"	18' 5"	16' 8"	14' 7"	16' 1"	14' 7"	12' 9"
5505125-30	25' 8"	22' 3"	18' 2"	23' 9"	21' 6"	18' 2"	20' 10"	18' 11"	16' 6"
6005125-30	26' 10"	23' 3"	18' 11"	25' 2"	22' 11"	18' 11"	22' 0"	20' 0"	17' 6"

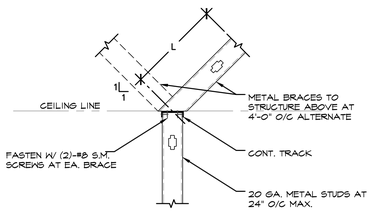
METAL STUD WALL LIMIT HEIGHTS 1

N.T.S



DIAGONAL ROOF BRACING 18

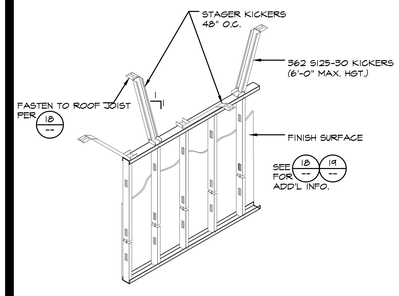
1"=1'-0"



162 S125-30 STUDS :	L= 4'-0" MAX.
362 S125-30 STUDS :	L= 6'-0" MAX.
362 S125-43 STUD:	L= 7'-0" MAX.
(2)-400 S125-43 STUDS: (BACK TO BACK)	L= 12'-0" MAX.

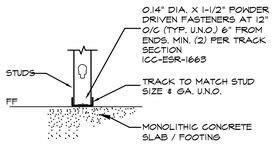
NON-BEARING WALL BRACING 19

1"=1'=0"



KICKER BRACING 23

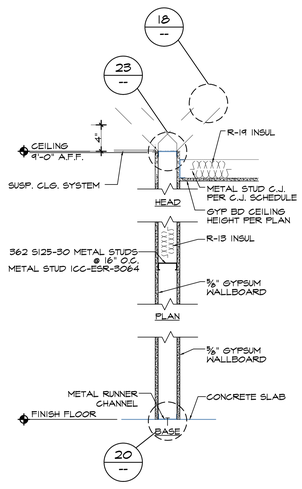
1"=1'=0"



SHOT PIN DETAIL

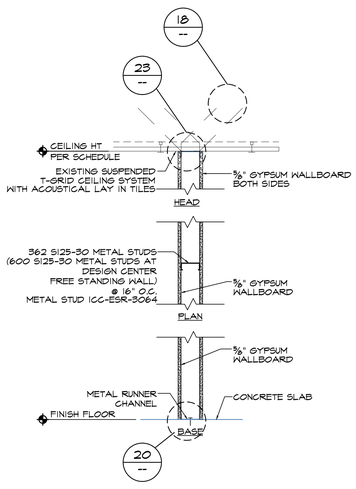
METAL STUD ANCHOR AT FLOOR 20

1"=1'-0"



PARTITION @ GYPSUM CLG 6

N.T.S.



PARTITION @ SUSP. CLG 2

N.T.S.

1

1

stützel DESIGN

2775 Pioneer Ranch Rd.
Templeton, CA. 93465
805.459.1609

developmentnet co

3130 Airway Avenue Costa Mesa, California 92626
Phone (714) 754-4454 Fax (714) 754-0198

TENANT IMPROVEMENT

3505 CADILLAC AVE. UNIT F3
COSTA MESA, CA

REVISIONS	DATE
DESIGN DEVELOPMENT	10 AUG 21
BLDG DEPT FIRST SUBMIT	30 AUG 21
CUP FIRST SUBMIT	12 JAN 22
1 CUP SECOND SUBMIT	11 APR 22

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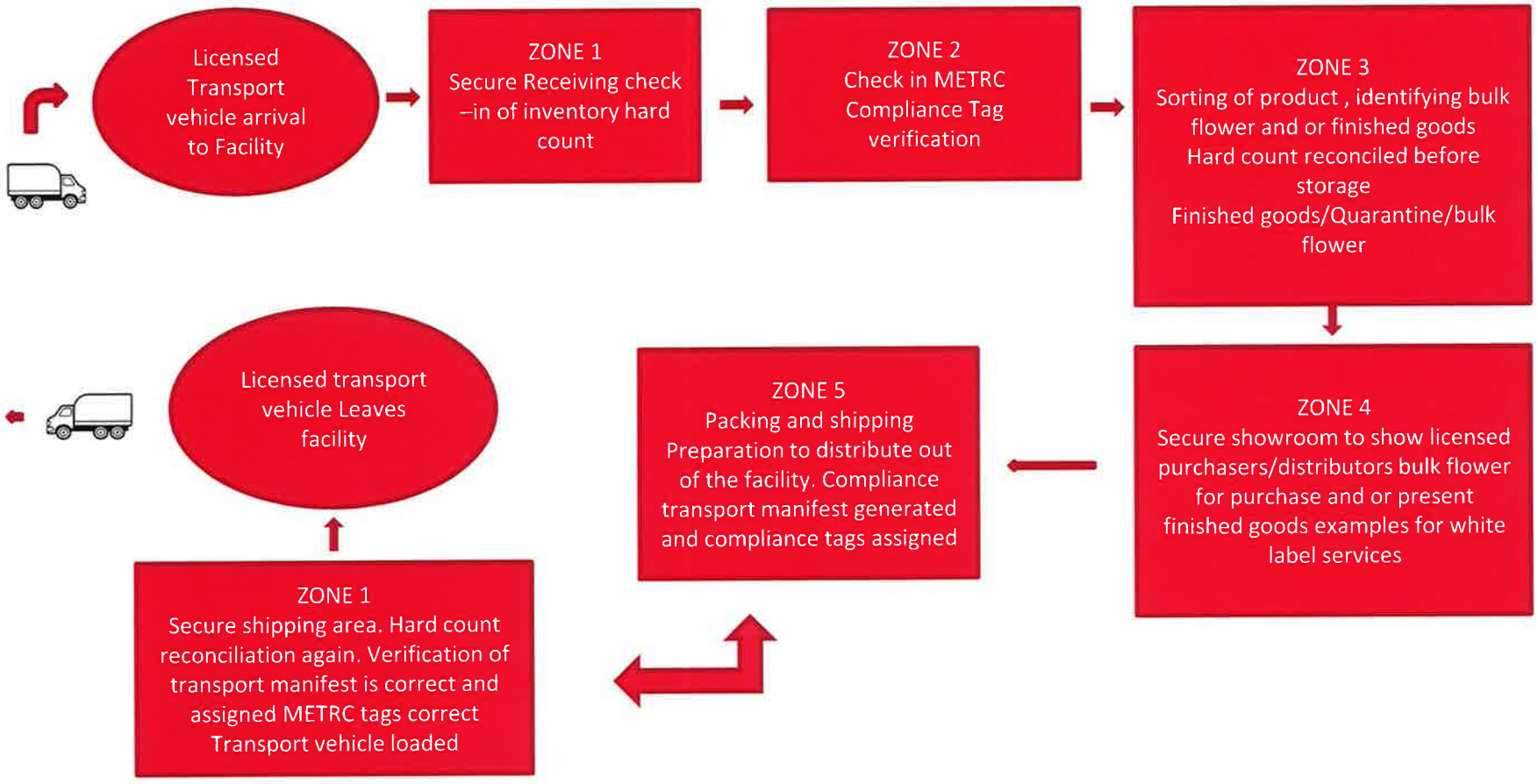
JOB NO. 21109

DETAILS
TENANT IMPROVEMENT

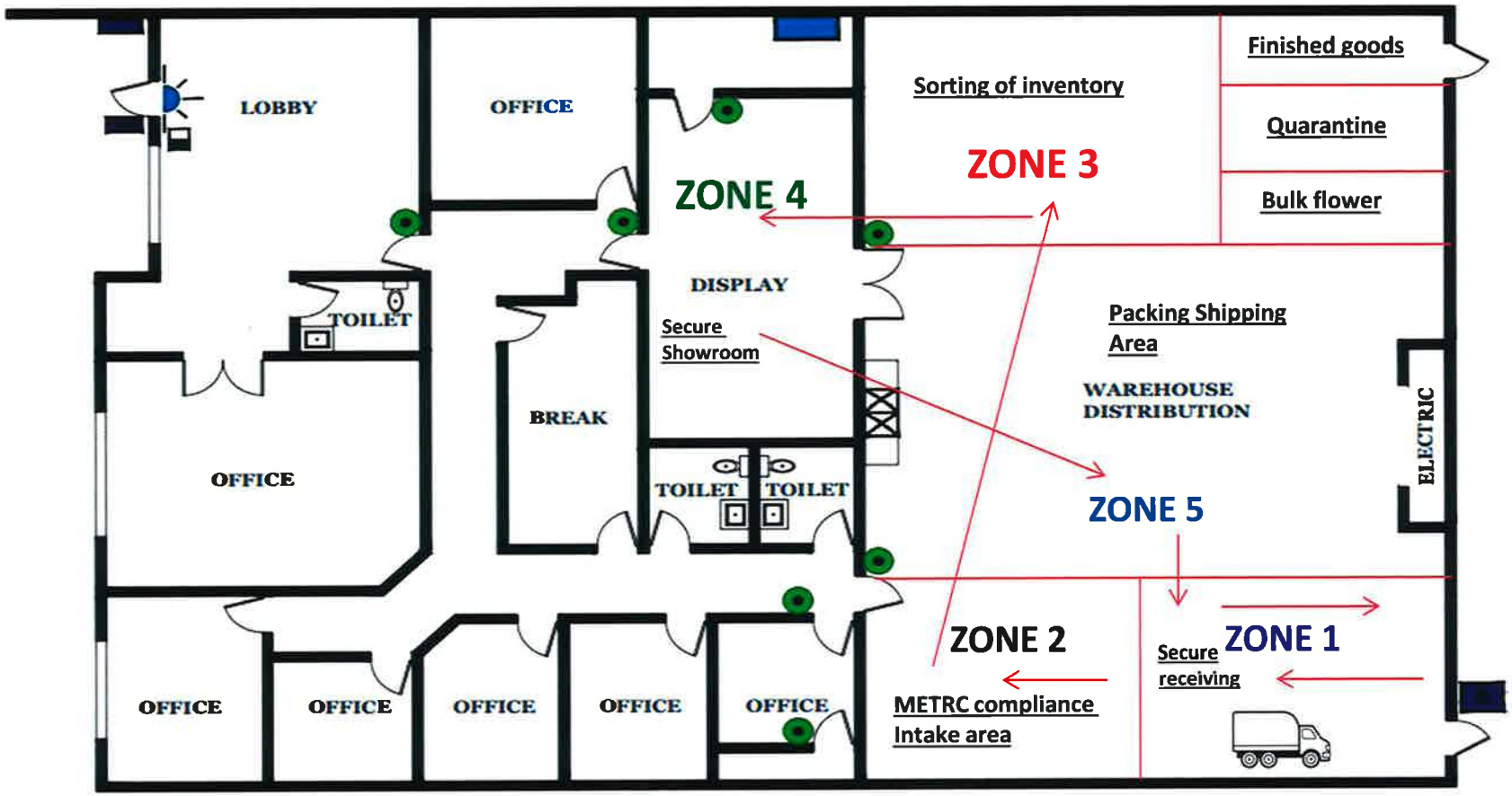
A5.1

ATTACHMENT 8

Hera Distribution LLC
Cannabis Movement



Cannabis Movement



ACCESS CONTROL EQUIPMENT LIST

1. (1x) REMOTE LOCK - ACS/CONTROLLER..
2. (1x) REMOTE LOCK - 720 SERIES.....
3. (7x) REMOTE LOCK - 600 SERIES.....
4. (1x) REMOTE LOCK - READER.....
5. (1x) - RTE
6. (1x) - KNOX
7. (1x) - PTE

TITLE: ICI CCTV			
D.B: D.O	SCALE: N.T.S.	DATE: 09.04.2021	SHEET NO: 1 OF 2
CUSTOMER: 3505 CADILLAC AVE. STE. F3 COSTA MESA, CA 92626			

City of Costa Mesa

Agenda Report

File #: 22-795 **Meeting Date:** 7/11/2022

TITLE:

PLANNING APPLICATION 21-25 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 2801 HARBOR BOULEVARD, SUITE C, D, AND E (OFF THE CHARTS)

DEPARTMENT: **ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION**

PRESENTED BY: NANCY HUYNH, SENIOR PLANNER

CONTACT INFORMATION: NANCY HUYNH, 714-754-5609; Nancy.Huynh@costamesaca.gov

RECOMMENDATION:

Staff recommends that the Planning Commission adopt 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 21-25, subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant/authorized agent is Sean Maddocks of Circle Muskrat LLC, on behalf of the property owner, Plush Properties LLC.

BACKGROUND:

The subject property (2801 Harbor Boulevard) is located at the corner of Adams Avenue and Harbor Boulevard. The site is zoned C1 (Local Business District) and is surrounded by other C1 commercially zoned properties. The site has a General Plan Land Use Designation of General Commercial. Existing development on the site consists of a one-story 4,500-square-foot commercial building with five tenant spaces and 18 parking spaces (including one bicycle rack) in the existing surface parking lot located at the front of the property. Two existing driveways provide access to the site including one along Adams Avenue (20-foot wide) and another along Harbor Boulevard (25-foot wide). The driveways are not shared with any other property.

The existing commercial building includes two existing tenants (that are to remain) and the remaining three suites are currently vacant. The existing tenants includes Poke Tiki (restaurant) and Time Zone (watch repair). Previous uses in the currently vacant tenant suites were Unique Dental (dental office), CPR (electronics repair shop), and Boba Time (smoothie and tea shop). The proposed retail cannabis storefront use with delivery, “Off the Charts”, would occupy 2,400 square feet of the existing building, which are the three vacant tenant spaces.

The property is located on one of the City’s primary commercial corridors and the surrounding uses predominantly include multi-tenant commercial centers. Existing businesses in these commercial centers consist of a variety of restaurants/bars, grocery store, pharmacy, massage and beauty parlors, and automotive dealerships. The nearest residential zoned properties (approximately 330 feet away) are located to the north of the property along Elm Avenue and are zoned R3 (Multiple-Family Residential District).

There are no open Code Enforcement cases on this property.

The applicant has partnered with an existing cannabis manufacturing and distribution facility located in Costa Mesa, Josh D. Farms - which was approved in 2018 pursuant to Measure X and has been operating since 2019. There are no active Code Enforcement cases at the Measure X facility.

Non-Conforming Development

The existing development is legal-nonconforming in terms of the street side setback, landscaping, and floor area ratio (FAR), and therefore is subject to the nonconforming provisions of the Costa Mesa Municipal Code (CMMC) Section 13-204. Pursuant to this Code Section, a conforming use may be located on a nonconforming property so long as the new site modifications do not result in greater site nonconformities, and such improvements bring the site into greater conformance with Code requirements. The CMMC and General Plan establish maximum floor area ratios (FARs) for each non-residential land use designation based on trip generation characteristics. Pursuant to the General Plan, the maximum FAR for the proposed use is 0.20 and the existing FAR is 0.26. As specifically allowed by the CMMC, the building size and placement on the site and associated nonconforming FAR, setbacks, and landscaping can remain, and is considered legal-nonconforming.

City of Costa Mesa Medical Marijuana Measure (Measure X) and Costa Mesa Retail Cannabis Tax and Regulation Measure (Measure Q)

In November 2016, Costa Mesa voters approved Measure X, allowing medical cannabis manufacturing, packaging, distribution, research and development laboratories, and testing laboratories in "Industrial Park" (MP) and "Planned Development Industrial" (PDI) zoned properties north of South Coast Drive and west of Harbor Boulevard ("The Green Zone," excluding the South Coast Collection property located at 3303 Hyland Avenue). Measure X is codified in Titles 9 and 13 of the Costa Mesa Municipal Code (CMMC).

In 2018, non-medical adult use cannabis became legal in California under the State's Medicinal and Adult-Use Cannabis Regulation and Safety Act (Proposition 64). On April 3, 2018, the City Council adopted Ordinance No. 18-04 to allow non-medical use cannabis facilities in the same manner and within the same geographic area as were previously allowed pursuant to Measure X.

On November 3, 2020, Costa Mesa voters approved Measure Q, the Costa Mesa Retail Cannabis Tax and Regulation Measure. This measure allowed the City to adopt regulations permitting storefront retail (dispensaries) and non-storefront retail (delivery) within the City subject to certain requirements. On June 15, 2021, the City Council adopted Ordinances No. 21-08 and No. 21-09 to amend Titles 9 and 13 of the CMMC to establish regulations for legal cannabis storefront and non-storefront uses. A "non-storefront" retailer sells packaged cannabis goods to customers through direct delivery.

Cannabis Business Permit (CBP) Application Process

The process to establish a retail cannabis business is subject to an extensive submittal and application review procedure. Retail cannabis applicants must obtain the following City approvals before obtaining State approval and conducting business in Costa Mesa:

- Pre-Application Determination;
- CBP Notice to Proceed;
- Conditional Use Permit (CUP);
- Building Permit(s);
- Final City Inspections;
- CBP Issuance; and
- City Business License.

The "Pre-Application Determination" includes staff review of a detailed applicant letter that describes the proposed business, an existing site plan, statement attesting that there is/has been no unpermitted cannabis activity at the site within one year, and a detailed map demonstrating the proposed storefront's distance from sensitive uses. Staff also visits the site at this time. Planning staff has completed the aforementioned pre-application review, visited the site, and issued a letter indicating that the application complies with the City's required separation distances from sensitive uses and may proceed to submittal of a CBP.

Following completion of the pre-application review, the applicant submitted a CBP application for the initial phase of the CBP review. Staff's initial CBP review includes:

- A background check of the business owner(s)/operator(s);
- An evaluation of the proposed business plan (including a capitalization analysis); and

- An evaluation of the proposed security plan by the City's cannabis security consultant, HdL Companies (HdL).

The applicant successfully passed these evaluations and staff issued a "CBP Notice to Proceed," which allows the applicant to submit a CUP application.

The CUP application and required supportive materials were submitted by the applicant and reviewed for conformance with City standards and regulations by the Planning Division, Building Division, Public Services Department (including Transportation and Engineering Divisions), Fire Department, and Police Department.

If the Planning Commission approves the CUP, the applicant may then begin the remaining steps of the CBP process, which include:

- Obtaining building permits;
- Completing tenant improvements; and
- Demonstrating through various City reviews/inspections that all conditions of approval have been satisfied, and that all other requirements of the CMMC have been met.

After passing the final City and HdL inspections, the CBP would be issued. CBP approval is valid for a two-year period and must be renewed (every two-years) prior to expiration. During the two-year CBP period, the Community Improvement Division (CID), along with other City staff, will conduct site inspections to verify that the business is operating in compliance with CUP and CBP requirements. Violations identified during site inspections may be grounds for revocation of issued permits or non-renewal of a CBP.

After obtaining the CBP, the applicant would apply for and obtain a City Business License through the Finance Department. Lastly, the applicant must obtain the appropriate license from the State Department of Cannabis Control (DCC) prior to operating.

Cannabis retail businesses are subject to a City established seven-percent gross receipts tax, which must be paid to the City of Costa Mesa's Finance Department. Records and revenues are audited annually by the Finance Department and HdL Companies.

DESCRIPTION:

Planning Application 21-25 is a request for a CUP to allow a retail cannabis use in an existing 2,400-square-foot tenant space within the existing commercial building located at 2801 Harbor Boulevard, Suites C, D, and E. The affiliated State license is Type 10 "storefront retailer" which also allows retail delivery. Upon approval of a CUP, CBP, City Business License, and State licenses, the business would sell pre-packaged cannabis and pre-packaged cannabis products directly to customers onsite, and via delivery to private addresses, subject to conditions of approval and other City and State requirements.

ANALYSIS:

Conditional Use Permit Required

Pursuant to Costa Mesa Municipal Code (CMMC) Sections 13-28(B) and 13-200.93(c)(1), subject to the approval of the Planning Commission, a CUP is required for the establishment of cannabis retail storefronts and non-storefronts (delivery) in a commercial zone. The subject site is located within a commercial zone (C1 - Local Business District) where commercial development is specifically allowed to include retail storefronts. The property is located on one of the City's primary commercial corridors and generally surrounded by other commercial uses. Pursuant to the CMMC, cannabis retail storefronts are subject to extensive regulation (as specifically described in this report). These regulations are adopted to prevent land use inconsistencies with adjacent properties. In addition, staff has drafted specific conditions of approval, included in the Resolution, to ensure site-specific land use compatibility relating to parking and site circulation.

Separation Requirements

CMMC Section 13-200.93(e) stipulates that no cannabis retail storefront use shall be located within 1,000 feet from a K-12 school, playground, licensed child daycare, or homeless shelter, or within 600 feet from a youth center as defined in CMMC Title 9, Chapter VI, Section 9-485, that is in operation at the time of submission of a completed cannabis business permit application. All separation distances are measured in a straight line from the "premises" where the cannabis retail use is to be located to the closest property line of the sensitive use(s). Premises is as defined in the State's Business and Professions Code Section 26001(aq) as *the designated structure or structures and land specified in the application that is*

owned, leased, or otherwise held under the control of the applicant or licensee where the commercial cannabis activity will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one licensee. Therefore, the premises only includes the retail cannabis activity areas (including sales, storage, back-of-house and/or other ancillary areas) and excludes the parking lot and other areas that are not part of the area licensed by the State for commercial cannabis activity. The subject site complies with the required separation from sensitive uses.

Exterior Tenant Improvements

The existing building façade and exterior components are considered in good condition as the property is currently undergoing a façade renovation with various other site improvements. These improvements were approved prior to the submittal of this retail cannabis application. The permitted improvements include modernizing the exterior with new materials, new paint, new tenant signs, re-paving the parking lot, installing bicycle racks, new landscaping, and improving accessibility to be compliant with the California Building Code. The property is still finalizing the site improvements with the Building Division.

Given that the property is currently under renovation, the applicant does not propose significant exterior changes. However, the applicant proposes to remove the existing entrance door at Suite D and keep the existing doors for Suite C (storefront's proposed main entrance) and Suite E (proposed employee only entrance). The north-facing exterior building wall would feature a new art mural (to be reviewed separately). The applicant also proposes to update the site with security lighting, surveillance cameras, and new business signage (signs would be reviewed and permitted separately per the City's sign code requirements).

Interior Tenant Improvements

The proposed interior floor plan combines the three existing separate tenant spaces into a single storefront business. The majority of the interior improvements would involve construction of new demising walls to create new rooms including a check-in lobby, retail sales area (including checkout stands and product displays), and "back-of-house" areas. Back-of-house areas include storage room, a security room, office, employee break room, restroom, and a dispatch room (to be used as both the vendor receiving room and delivery office). Below is a square footage breakdown summary of each space within the 2,400-square-foot tenant space.

Table 1 - Floor Plan Summary

Operational Area	Square Feet
Check-in/Lobby Area	128 SF
Retail Sales Area	1,470 SF
Security Room	75 SF
Storage Room	182 SF
Office	100 SF
Dispatch Room	120 SF
Employee Break Room	90 SF
Bathroom	80 SF
Hallways	155 SF
Total	2,400 SF

Customer and Employee Access

Customers would only be allowed in the check-in lobby and retail sales area. All other areas of the premises would be accessible only to employees with the proper security credentials. Customer access to the proposed establishment includes entering the licensed premise through the main entrance doors that leads directly in to the check-in lobby. A greeter employee would verify the customer's identity and age before allowing the customer to enter the retail sales area. After a customer's identity and age is verified and their transaction is completed, they must leave the premise. As further conditioned, a security guard would monitor the area at all times to ensure that

customers are following regulations.

Employees would enter through the access-controlled "employee-only entrance" that leads into the back-of-house areas. When loading and unloading delivery and vendor vehicles, employees would enter/exit through the access-controlled door. Vendors would only be allowed to enter the premise while accompanied by an employee. The distance from the access-controlled door to the vehicle loading area is approximately 25 feet. The access-controlled door, path of travel, and vehicle loading areas would be under camera surveillance.

Storefront/Delivery Operations

The proposed business is required to comply with retail storefront and operational conditions/requirements as follows:

- Display State license, CBP, and City business license in a conspicuous building location;
- Hours of operations are limited to 7:00 AM to 10:00 PM daily;
- Shipments of cannabis goods may only be accepted during regular business hours;
- Cannabis inventory shall be secured using a lockable storage system during non-business hours;
- At least one licensed security guard shall be on premises 24-hours a day;
- The premises and the vicinity must be monitored by security and/or other staff to ensure that patrons immediately leave and do not consume cannabis onsite or within close proximity. The CMMC prohibits the consumption of cannabis or cannabis products in public areas; cannabis consumption is limited to non-public areas, such as within a private residence. State law further prohibits cannabis consumption and open container possession within 1,000 feet of sensitive uses and while riding in or driving a vehicle;
- There must be continuous video monitoring and recording of the interior and exterior of the premises;
- Adequate security lighting shall be provided and shall be designed to prevent offsite light spill;
- Onsite sales of alcohol or tobacco products and on-site consumption of alcohol, cannabis, and tobacco products is prohibited;
- No one under the age of 21 is allowed to enter the premises. If the business holds a retail medical cannabis license (M-license) issued by the State, persons over the age of 18 may be allowed with the proper medical approvals i.e. physician's recommendation or medical card pursuant to CMMC Section 9-495(h)(6);
- Prior to employment, all prospective employees must successfully pass a background check conducted by the City, and the employee must obtain a City issued identification badge;
- Customers are only granted access to the retail area after their age and identity has been confirmed by an employee;
- Each transaction involving the exchange of cannabis goods between the business and consumer shall include the following information:
    - Date and time of transaction;
    - Name and employee number/identification of the employee who processed the sale;
    - List of all cannabis goods purchased including quantity; and
    - Total transaction amount paid.
- There must be video surveillance of the point-of-sale area and where cannabis goods are displayed and/or stored;

- Cannabis products shall not be visible from the exterior of the building;
- Free samples of cannabis goods are prohibited;
- When receiving new inventory from licensed distributors, employees will verify the distributor's identity and license prior to allowing them to enter the facility through an access-controlled door. After distributor's credentials have been confirmed, an employee will escort the distributor to the shipping and receiving area and remain with them throughout the process.
- Cannabis goods to be sold at this establishment (either storefront or delivery) must be obtained by a licensed cannabis distributor and have passed laboratory testing;
- Cannabis product packaging must be labeled with required test results and batch number;
- Packaging containing cannabis goods shall be tamper and child-resistant; if packaging contains multiple servings, the package must also be re-sealable;
- When processing orders for cannabis delivery, employees will collect the pre-packaged materials, load products into a secured container and transport the containers to delivery vehicles outside the building. Video surveillance cameras will be installed with direct views of the path of travel and loading and unloading area. All load and unloading of delivery vehicles will be monitored by the required security guard;
- Cannabis deliveries must be made in-person by an employee of the licensed retailer. An independent contractor, third-party courier service, or an individual employed through a staffing agency would not be considered employed by the licensed retailer;
- The applicant shall maintain proof of vehicle insurance for any and all vehicles being used to deliver cannabis goods;
- During delivery, the employee shall maintain a physical or electronic copy of the delivery request and shall make it available upon request by the licensing authority and law enforcement officers;
- A delivery employee shall not leave the State of California while possessing cannabis products and while performing their duties for the cannabis retailer;
- The business shall maintain a list of all deliveries, including the address delivered to, the amount and type of product delivered, and any other information required by the State;
- Any delivery method shall be made in compliance with State law, as amended, including use of a vehicle that has a dedicated global positioning system (GPS) device for identifying the location of the vehicle (cell phones and tablets are insufficient);
- Signs, decals or any other form of advertisement on the delivery vehicles are prohibited;
- Deliveries must be made to a physical address that is not on publicly owned land and cannot be a school, a day care, homeless shelter, or a youth center; and
- A cannabis delivery employee shall not carry cannabis goods valued in excess of $5,000 at any time, with no more than $3,000 of cannabis goods that are not already part of a customer order that was processed prior to leaving the premises.

Business Plan

The applicant has submitted a detailed business plan that was evaluated by the City's cannabis consultant (HdL). The business plan described the owners' experience, proof of capitalization, start-up budget, a three-year pro forma, target customers, key software, and daily operations. The business plan contains proprietary details and is therefore not included as an attachment to this staff report. The City's cannabis consultant determined that the applicant's business plan was appropriate for continued entitlement processing.

Security Plan

The applicant has submitted a professionally prepared security plan for the proposed retail cannabis establishment. The City's cannabis consultant reviewed the security plan and determined that appropriate security measures were included to address the City's security requirements pursuant to CMMC Title 9, Chapter VI, and State law.
Since the security plan contains sensitive operational details that require limited public exposure to remain effective, the plan is not included as an attachment. However, the following is a list of general security measures that are required for the proposed cannabis retail establishment:

- At least one security guard will be on-site 24-hours a day;
- All employees, including drivers, must pass a "Live Scan" background check;
- City-issued identification badges are required for employees;
- An inventory control system shall be maintained;
- Exterior and interior surveillance cameras shall be monitored and professionally installed;
- An alarm system shall be professionally installed, maintained, and monitored;
- Surveillance footage must be maintained for a minimum of 90 days;
- Cash, cannabis, and cannabis products shall be kept in secured storage areas;
- Sensors shall be installed that detect entry and exit from all secured areas;
- Security lighting (interior and exterior) shall be installed;
- Emergency power supply shall be installed;
- Employees shall be trained for use with any/all emergency equipment;
- Delivery drivers shall be trained on delivery safety protocols;
- Employees and vendors will be trained regarding cash and product transportation protocol;
- Visitor/customer specific security measures shall be required;
- All facility entry and exit points and locations where cash or cannabis products are handled or stored shall be under camera surveillance;
- The applicant shall submit a list of all vehicles to be used for retail delivery purposes to the Costa Mesa Police Department. The list shall identify the make, model, color, license plate number, and registered owner of each vehicle. The applicant shall submit an updated vehicle list each quarter with the required quarterly update to the employee roster pursuant to the CBP.
- Delivery vehicle drivers shall be at least age 21, have a current driver's license, successfully complete a live scan, and have a City-issued badge; and
- The business operator shall ensure that all delivery vehicles are properly maintained, all delivery drivers have a good driving record, and each driver conducts a visual inspection of the vehicle at the beginning of a shift.

Parking, Circulation, and Delivery Vehicle Operations

Retail cannabis uses are subject to the same parking ratio requirement as other retail establishments in the City (four spaces per 1,000 square feet of gross floor area). Based on this ratio, the 2,400-square-foot facility would be required to provide ten onsite parking spaces. However, the storefront is part of an existing multi-tenant building with two existing tenants so the total required parking based on the existing 4,500-square-foot commercial building is 18 spaces. The subject property includes an existing surface parking lot with 18 parking spaces (16 standard spaces, one accessible space, and

credit for one bicycle rack), therefore the existing parking complies with the parking requirements. (It should be noted that the proposed retail use would actually bring the property's parking into conformance with the Zoning Code requirements in that the previous existing parking was considered legal nonconforming with the dental office use since it required six spaces per 1,000 square feet of gross floor area, which is higher than the typical retail parking rate.)

Access to the site is provided by two existing driveways along Adams Avenue and Harbor Boulevard and both provide vehicle ingress and egress into the property. There are existing public sidewalks along Adams Avenue and Harbor Boulevard, which provides access to the site for pedestrians and bicyclists. All onsite parking spaces would be shared with the existing two businesses. All employees of the retail cannabis storefront would park offsite at a property in Santa Ana approximately one mile away and would be shuttled to and from the facility.

Since the parking lot is not developed with surplus parking spaces, t The storefront proposes to temporarily occupy required parking spaces for delivery loading/unloading. The applicant proposes to use the three parking spaces located closest to the access-controlled employee entrance at the north side of the property. To ensure a parking space would be available for delivery or vendor vehicles, the applicant proposes to utilize a security guard to facilitate the loading/unloading activity. The security guard would be in communication with the storefront's logistics team to be aware of any incoming delivery or vendor vehicles to ensure that a parking space is available. The storefront would also require that any incoming delivery driver or vendor provide their estimated time of arrival within 10 to 15 minutes of arriving to the facility, as well as contacting the security guard when they are within five minutes of the facility. In addition, the storefront would be conditioned to schedule the delivery and vendor vehicle loading/unloading times during offset hours from the existing two businesses and/or prior to the storefront opening for normal business but not before 7AM since Section 9-495(h)(4) of the CMMC restricts the hours of operations between 7AM and 10AM. If a situation occurs where the loading parking spaces are not available on-site, the delivery/vendor driver would be instructed to park at the associated nearby non-retail cannabis manufacturing/distribution facility.

Table 2 - Parking Summary

Required Parking	
Suite A (Poke Tiki) @ 4 spaces/1,000 SF	5 spaces
Suite B (Time Zone) @ 4 spaces/1,000 SF	3 spaces
Suites C, D, E (Off the Charts) @ 4 spaces/1,000 SF	10 spaces
TOTAL REQUIRED PARKING	18 spaces
Existing Parking	
Existing Parking Available	18 spaces

Given that all employees would park offsite, the property meets the Zoning Code parking requirements, and the applicant has a plan to ensure a parking space would be available for delivery driver and vendor loading/unloading, staff believes the provided parking is adequate to serve the proposed use with the existing uses and not negatively impact site circulation. Furthermore, there would be additional parking available when the other two existing businesses are not in operation (e.g. watch repair shop closes at 6PM Monday through Saturday and closed on Sundays; Poke Tiki opens from 11AM to 9AM seven days a week). As conditioned, during the first 90 days of business operations, two parking lot attendants would be required to monitor the parking lot to direct customer parking and flow of traffic to ensure that customers are only parking in the business' parking lot and cars would not queue on to Harbor Boulevard or Adams Avenue. After the initial 90 days, the

condition would be reviewed further and would continue to be an applicable condition if deemed necessary by the Economic and Development Services Director or their designee.

As with many new uses and based on many factors that are difficult to quantify, it is difficult to anticipate exact demand for a new use; however, if parking shortages or other parking-related problems occur, the business owner or operator will be required to monitor the parking lot and institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services (see "Operational Conditions" of Approval No. 7 in the attached Resolution). Examples of parking demand management techniques include, but are not limited to, reducing operating hours of the business, hiring an employee to monitor parking lot use and assist with customer parking lot circulation, encouraging customers to take advantage of delivery service instead of store visits, and incentivizing employee carpooling/cycling/walking.

Traffic

The CMMC Section 13-275(e) indicates that any increase in traffic generation by a change of use that is required to obtain a discretionary permit, shall be subject to review by the appropriate reviewing authority, which may impose fees to address increased trip generation. If required, the fee collected is used to fund the City's comprehensive transportation system improvement program. The purpose of the program is to ensure that the City's transportation system has the capacity to accommodate additional trips. The Transportation Services Division determined that the appropriate average daily trips (ADT) for a cannabis retail establishment is approximately 108 trips per 1,000 square feet based on the Institute of Transportation Engineers (ITE) 11th Edition Trip Generation Manual for a "pharmacy/drug store, with a drive-through." The City's traffic review focuses on net trip increase and therefore the ADT for the previous/existing use(s) is credited (subtracted) from the proposed use ADT to estimate potential changes in trip generation. Staff analyzed the ADT of the previous dental office, electronics repair shop, and tea/smoothie shop uses and compared that with the proposed retail cannabis use ADT. CMMC Section 13-275(a), specifies that "a traffic impact study shall be required for all development projects estimated by the Public Services Department to generate one hundred (100) or more vehicle trip ends during a peak hour." Staff determined that the proposed use does not meet the threshold for requiring a traffic study. However, the proposed use would be subject to a traffic impact fee. The estimated traffic impact fee is approximately $29,000. The fee calculation would be finalized during the building permit plan check process and must be paid prior to building permit issuance.

Odor Attenuation

Cannabis products would arrive in State compliant packaging that is sealed and odor-resistant, and remain unopened while on the premises. However, a minimal amount of cannabis product would be removed from packaging for display purposes and would be placed in display containers. The proposed HVAC system would utilize "Activated Carbon Filtration" systems to completely filter the air. As conditioned, the operator must replace the air filters at regular intervals, as directed in the manufacturer specifications. The facility also features an enclosed reception room that separates the retail sales floor and limited access areas from the public entrance. This room provides an additional odor barrier that will assist in minimizing potential cannabis odor. Further, as conditioned, if cannabis odor is detected outside of the building or off-site, the business owner/operator will be required to institute further operational measures necessary to eliminate off-site odors in a manner deemed

appropriate by the Director of Economic and Development Services. Lastly, cannabis products are not allowed to be disposed of in the exterior trash area.

GENERAL PLAN CONFORMANCE:

The Costa Mesa General Plan establishes the long range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa for the next two decades. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that both serve local needs and attract regional and international spending, and providing cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives, and policies contained in this Plan.

The following analysis evaluates the proposed project's consistency with applicable policies and objectives of the 2015-2035 General Plan.

1. **Policy LU-1.1:** *Provide for the development of a mix and balance of housing opportunities, commercial goods and services and employment opportunities in consideration of the need of the business and residential segments of the community.*

   Consistency: The proposed use would provide a new entrepreneurial business in Costa Mesa located within a commercial area as allowed under Measure Q, and provides new goods and services and new employment opportunities in the community.

2. **Objective LU-6B:** *Encourage and facilitate activities that expand the City's revenue base.*

   Consistency: Retail cannabis uses are expected to generate increased tax revenues in that cannabis sales are subject to a seven-percent local tax on gross receipts. Approval of the proposed cannabis retail storefront with delivery would allow business operations that would expand the City's revenue base. This revenue can then be used for community services and infrastructure improvements that serve the community.

3. **Policy LU-6.15:** *Promote unique and specialized commercial and industrial districts within the City which allow for incubation of new or growing businesses and industries.*

   Consistency: The proposed use is part of the specialized and growing cannabis industry that is limited in the surrounding region. Approval of this CUP would facilitate a new local business opportunity in a specialized and expanding industry that would be located within an appropriate commercial district.

REQUIRED FINDINGS:

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets specified findings as follows:

- *The proposed development or use is substantially compatible with developments in the same*

general area and would not be materially detrimental to other properties within the area.

The subject site is located within a commercial zone (C1, Local Business District) where commercial development is specifically allowed to include retail storefronts. In addition, the property is located on one of the City's primary commercial corridors which is predominantly intended for commercial uses. Pursuant to the CMMC, cannabis retail storefronts and non-storefronts (delivery) are permitted uses in the City's commercial zones and are subject to extensive regulation (as specifically described in this report). These regulations are adopted to prevent land use inconsistencies with adjacent properties. Additionally, the proposed cannabis retail storefront use is not located within 1,000 feet of a K-12 school, playground, licensed child daycare, or homeless shelter, or within 600 feet of a youth center. All retail sales would take place underroof, no outdoor storage or sales are proposed nor would be allowed and delivery operations would be conditioned to be compliant with applicable local and State laws. Staff does not anticipate that the proposed retail cannabis use would be materially detrimental to the adjacent uses that include several multi-tenant commercial centers with a variety of retail businesses (restaurants, bars, beauty parlors, grocery store, automotive dealerships, and other service amenities). In addition, staff does not anticipate that the use would be materially detrimental to the existing businesses onsite since there is sufficient parking available for all of the businesses and as conditioned, the circulation would not have a negative impact. Therefore, the retail cannabis use would be compatible with other properties within the area, and in compliance with local and State requirements.

- *Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.*

  The proposed cannabis retail storefront with delivery use would follow safety measures detailed in a professionally-prepared security plan. The security plan was evaluated for compliance by the City's cannabis consultant, HdL. Measures designed to maintain safety at the site include, but are not limited to, multiple security guards would be on site especially during the busiest hours, at least one security guard would be onsite at all times and security devices shall be installed before operation. Examples of security devices include window and door alarms, motion-detectors, limited access areas, and a monitored video surveillance system covering all exterior entrances, exits, and all interior limited access spaces. In addition, the business employees, including delivery drivers and part-time staff, must pass a live scan background check and obtain an identification badge from the City. The conditions of approval include, but are not limited to, the aforementioned security measures to ensure that the use would not be materially detrimental to the health, safety and general welfare of the public or be otherwise injurious to property or improvements within the immediate neighborhood.

- *Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.*

  The proposed retail use is located within an existing commercial building on a property that has a General Plan land use classification of "General Commercial." No additional square footage is proposed; therefore, approving the CUP would not increase site intensity. As stated in the General Plan Land Use Element, the City's commercial designations "accommodate the

full range of commercial activity present and desired in Costa Mesa." The use is consistent with General Plan policies related to providing a mixture of commercial goods, services, and employment opportunities; expanding the City's tax base; and promoting the incubation of unique and specialized businesses.

ENVIRONMENTAL DETERMINATION:

The project is categorically exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing use. This project site contains an existing commercial building that has been used for commercial activities and the application does not propose an increase in commercial floor area or otherwise expand the prior commercial use. The project is consistent with the applicable General Plan land use designation and policies as well as with the applicable zoning designation and regulations.

ALTERNATIVES:

The Planning Commission has the following alternatives:

1. *Approve the project*. The Planning Commission may approve the project as proposed, subject to the conditions outlined in the attached Resolution.
2. *Approve the project with modifications*. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the hearing should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.
3. *Deny the project*. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months.

LEGAL REVIEW:

The draft Resolution and this report have been approved as to form by the City Attorney's Office.

PUBLIC NOTICE:

Pursuant to Title 13, Section 13-29(d) of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property.

2. **On-site posting.** A public notice was posted on each street frontage of the project site.

3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper.

As of the date this report was circulated, no written public comments have been received. Any public

comments received prior to the July 11, 2022 Planning Commission meeting will be provided separately.

CONCLUSION:

The proposed project is a retail cannabis storefront business with delivery at an existing developed commercial property that is located on one of the City's commercial corridors and meets separation requirements established in CMMC 13-200.93(e). Staff and the City's cannabis consultant completed the Application Determination, Business Plan and Security Plan evaluations, owner background checks, and thoroughly reviewed the CUP materials. If approved, the operation would be required to comply with all conditions of approval and extensive City and State regulations.

If the Planning Commission approves the project, the applicant would next obtain building permits, complete tenant improvements, and pass City inspections prior to obtaining a CBP and City Business License. The CBP is valid for two years and must be continuously renewed, including inspections, prior to expiration. During each two-year CBP period, the Community Improvement Division, along with other City staff, will conduct site inspections to verify that the operation complies with CUP and CBP requirements. Violations identified during site inspections may be grounds for revocation of issued permits or non-renewal of a CBP.

As proposed and conditioned, the use would be consistent with other commercial uses in the C1 zone, the Zoning Code, and the City's General Plan. The required findings for the CUP can be made, as described above, and therefore, staff recommends approval of Planning Application 21-25 subject to conditions of approval.

RESOLUTION NO. PC-2022-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 21-25 FOR A STOREFRONT RETAIL CANNABIS BUSINESS WITH DELIVERY IN THE C1 ZONE AT 2801 HARBOR BOULEVARD

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, in November 2020, the Costa Mesa voters approved Measure Q; which allows for storefront and non-storefront retail cannabis uses in commercially zoned properties meeting specific location requirements, and non-storefront retail cannabis uses in Industrial Park (MP) and Planned Development Industrial (PDI) zoned properties;

WHEREAS, on June 15, 2021, the City Council adopted Ordinance Nos. 21-08 and No. 21-09 to amend Titles 9 and 13 of the Costa Mesa Municipal Code (CMMC) to establish regulations for cannabis storefront and non-storefront uses;

WHEREAS, Planning Application 21-25 was filed by Sean Maddocks, authorized agent for the property owner, Plush Properties LLC, requesting approval of the following:

A Conditional Use Permit to operate a storefront retail cannabis business with delivery in an existing 2,400-square-foot tenant space within an existing commercial building located at 2801 Harbor Boulevard. The business would sell pre-packaged cannabis and pre-packaged cannabis products directly to customers onsite and via delivery to private addresses, subject to conditions of approval and other City and State requirements;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 11, 2022 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of CEQA per Section 15301 (Class 1), for Existing Facilities, as described specifically in the staff report;

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa.

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit

B, the Planning Commission hereby **APPROVES** Planning Application 21-25 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application 21-25 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable State, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 11th day of July, 2022.

Byron de Arakal, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2022- was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on July 11th, 2022 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:

Finding: The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Findings: The subject site is located within a commercial zone (C1, Local Business District) where commercial development is specifically allowed to include retail storefronts. In addition, the property is located on one of the City's primary commercial corridors and surrounded by commercial uses. Pursuant to the CMMC, cannabis retail storefronts and non-storefronts (delivery) are permitted uses in the City's commercial zones and are subject to extensive regulation. These regulations are adopted to prevent land use inconsistencies with adjacent properties. Additionally, the proposed cannabis retail storefront use is not located within 1,000 feet of a K-12 school, playground, licensed child daycare, or homeless shelter, or within 600 feet of a youth center (as defined by the Costa Mesa Municipal Code). All retail sales would take place underroof and no outdoor storage or sales are proposed nor would be allowed. Staff does not anticipate that the proposed retail cannabis use would be materially detrimental to the adjacent uses that include several multi-tenant commercial centers with a variety of retail businesses (restaurants, bars, beauty parlors, grocery store, automotive dealerships, and other service amenities). In addition, staff does not anticipate that the use would be materially detrimental to the existing businesses onsite since there is sufficient parking available for all of the businesses and as conditioned, the circulation would not have a negative impact. Therefore, the retail cannabis use would be compatible with other properties within the area, and in compliance with local and State requirements.

Finding: Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Finding: The proposed cannabis retail storefront with delivery use would follow safety measures detailed in a professionally-prepared security plan. The security plan was evaluated for compliance by the City's cannabis consultant, HdL. Measures designed to maintain safety at the site include, but are not limited to, multiple security guards would be on site during business hours, at least one security guard would be onsite at all times and security devices shall be installed before operation. Examples of security devices include window and door alarms, motion-detectors, limited access areas, and a monitored video surveillance system covering all exterior entrances, exits, and all interior limited access spaces. In addition, the

business employees, including delivery drivers and part-time staff, must pass a live scan background check and obtain an identification badge from the City. The conditions of approval include, but are not limited to, the aforementioned security measures to ensure that the use would not be materially detrimental to the health, safety and general welfare of the public or be otherwise injurious to property or improvements within the immediate neighborhood.

Finding: Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

Facts in Support of Finding: The proposed retail use is located within an existing commercial building on a property that has a General Plan land use classification of "General Commercial." No additional square footage is proposed; therefore, approving the CUP would not increase site intensity. As stated in the General Plan Land Use Element, the City's commercial designations "accommodate the full range of commercial activity present and desired in Costa Mesa." The use is consistent with General Plan policies related to providing a mixture of commercial goods, services, and employment opportunities; expanding the City's tax base; and promoting the incubation of unique and specialized businesses.

B. The project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing use. This project site contains an existing commercial building that has been used for commercial activities and the application does not propose an increase in floor area or otherwise expand the prior commercial use. The project is consistent with the applicable General Plan land use designation and policies as well as with the applicable zoning designation and regulations.

C. The project is subject to a traffic impact fee, pursuant to Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL

General

Plng.

1. The use of this property as a cannabis storefront and delivery business shall comply with the approved plans and terms described in the resolution, these conditions of approval, and applicable sections of the Costa Mesa Municipal Code (CMMC). The Planning Commission may modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
2. Approval of the planning/zoning application is valid for two years from the effective date of this approval and will expire at the end of that period unless the applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and has continued to maintain a valid building permit by making satisfactory progress as determined by the Building Official, 2) a certificate of occupancy has been issued, or 3) the use is established and a business license has been issued. A time extension can be requested no less than 30 days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
3. No person may engage in any cannabis business or in any cannabis activity within the City including delivery or sale of cannabis or a cannabis product unless the person:
    a. Has a valid Cannabis Business Permit from the City;
    b. Has paid all Cannabis Business Permit and all application fees and deposits established by resolution of the City Council, including annual Community Improvement Division inspection deposits;
    c. Has obtained all applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such cannabis business intends to operate;
    d. Has obtained a City business license pursuant to Chapter I of the Municipal Code;
    e. Is in compliance with all requirements of the Community Improvement Division regarding the property;
    f. Has obtained any and all licenses required by State law and/or regulations; and
    g. Has satisfied all CUP conditions of approval.

4. Any change in the operational characteristics of the use shall be subject to Planning Division review and may require an amendment to the Conditional Use Permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change.
5. No cultivation of cannabis is allowed anywhere on the premises.
6. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable State and local laws, including, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.
7. Except for operations allowed by this Conditional Use Permit and under an active Cannabis Business Permit and State Type 10 license, no permit holder or any of its employees shall sell, distribute, furnish, and/or otherwise provide any cannabis or cannabis product to any person, firm, corporation, group or any other entity, unless that person or entity is a lawful, bona fide customer, or it possesses all currently valid permits and/or licenses required by both the State of California and applicable local governmental entity to lawfully receive such cannabis and to engage in a “cannabis activity” as defined by Costa Mesa Municipal Code sec. 9-485. The permit holder shall verify that the recipient, regardless of where it is located, of any cannabis or cannabis product sold, distributed, furnished, and/or otherwise provided by or on behalf of the permit holder, possesses all required permits and/or licenses therefor.
8. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant’s project, or any approvals granted by City related to the applicant’s project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City’s interests, and applicant shall indemnify City for all such costs incurred by City.
9. If any section, division, sentence, clause, phrase or portion of this approval is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.
10. The use shall operate in accordance with the approved Security Plan. Any changes to the Security Plan must be submitted to the Planning Division with

a written explanation of the changes. If the Director determines that changes are substantial, a modification to the Cannabis Business Permit and/or amendment to the CUP may be required.

11. A parking management plan, including techniques described in Operational Condition of Approval No. 7, must be approved by the Director of Economic and Development Services or designee prior to any grand opening or other high volume event on the subject property.

Bldg. 12. Development shall comply with the requirements of the following adopted codes: 2019 California Residential Code, 2019 California Building Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Green Building Standards Code and 2019 California Energy Code (or the applicable adopted, California Residential Code, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2019 California Building Code.

CBP 13. The operator shall maintain a valid Cannabis Business Permit and a valid Business License at all times. The Cannabis Business Permit application number associated with this address is MQ-21-13. Upon issuance, the Cannabis Business Permit will be valid for a two-year period and must be renewed with the City prior to its expiration date, including the payment of permit renewal fees. No more than one Cannabis Business Permit may be issued to this property.

14. The use shall operate in accordance with the approved Business Plan. Any changes to the Business Plan must be submitted to the Planning Division with a written explanation of the changes. If the Director determines that changes are substantial, a modification to the Cannabis Business Permit and/or amendment to the CUP may be required.

15. A Cannabis Business Permit may be revoked upon a hearing by the Director of Economic and Development Services or designee pursuant to Section 9-120 of the CMMC for failing to comply with the terms of the permit, the applicable provisions of the CMMC, State law or regulation and/or any condition of any other permit issued pursuant to this code. Revocation of the Cannabis Business Permit shall trigger the City's proceedings to revoke the Conditional Use Permit and its amendments. The Conditional Use Permit granted herein shall not be construed to allow any subsequent owner/operator to continue operating under PA-21-25 until a valid new Cannabis Business Permit is received from the City of Costa Mesa.

16. A change in ownership affecting an interest of 51 or more percent, or an incremental change in ownership that will result in a change of 51 or more percent over a three year period, shall require submittal and approval of a

new Cannabis Business Permit. A change in ownership that affects an interest of less than 51 percent shall require approval of a minor modification to the Cannabis Business Permit.

State 17. The business must obtain any and all licenses required by State law and/or regulation prior to engaging in any cannabis activity at the property.

18. The applicant shall obtain State License Type 10 prior to operating. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable State and local laws, including, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.

19. Suspension of a license issued by the State of California, or by any of its departments or divisions, shall immediately suspend the ability of a cannabis business to operate within the City, until the State of California, or its respective department or division, reinstates or reissues the State license. Should the State of California, or any of its departments or divisions, revoke or terminate the license of a cannabis business, such revocation or termination shall also revoke or terminate the ability of a cannabis business to operate within the City. This Conditional Use Permit will expire and be of no further force and effect if any State issued license remains suspended for a period exceeding six (6) months. Documentation of three violations during routine inspections or investigations of complaints shall result in the Community Inprovement Division scheduling a hearing before the Director of Development Services to consider revocation of the Cannabis Business Permit.

20. Third parties are prohibited from providing delivery services for non-storefront retail.

21. Persons under the age of twenty-one (21) years shall not be allowed on the premises of this business, except as otherwise specifically provided for by State law and CMMC Section 9-495(h)(6). It shall be unlawful and a violation of this CUP for the owner/operator to employ any person who is not at least twenty-one (21) years of age.

PD 22. Every manager, supervisor, employee or volunteer of the cannabis business must submit fingerprints and other information specified on the Cannabis Business Permit for a background check by the Costa Mesa Police Department to verify that person's criminal history. No employee or volunteer may commence paid or unpaid work for the business until the background checks have been approved. No cannabis business or owner thereof may employ any person who has been convicted of a felony within the past 7 years, unless that felony has been dismissed, withdrawn, expunged or set aside pursuant to Penal Code sections 1203.4, 1000 or 1385, or who is currently on probation or parole for the sale, distribution, possession or manufacture of a controlled substance.

CID 23. Should any employee, volunteer or other person who possesses an identification badge be terminated or cease their employment with the

business, the applicant shall return such identification badge to the City of Costa Mesa Community Improvement Division within 24 hours, not including weekends and holidays.

24. The property owner and applicant shall use "Crime Prevention Through Environmental Design" techniques to reduce opportunities for crime, loitering and encampments on the property as deemed appropriate by the Community Improvement Manager and Director of Economic and Development Services.

Finance

25. This business operator shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees and permits required under State and local law. This business operator shall cooperate with the City with respect to any reasonable request to audit the cannabis business' books and records for the purpose of verifying compliance with the CMMC and this CUP, including but not limited to a verification of the amount of taxes required to be paid during any period.

26. The following records and recordkeeping shall be maintained/conducted:

    a. The owner/operator of this cannabis business shall maintain accurate books and records, detailing all of the revenues and expenses of the business, and all of its assets and liabilities. On no less than an annual basis, or at any time upon reasonable request of the City, the owner/operator shall file a sworn statement detailing the number of sales by the cannabis business during the previous twelve month period (or shorter period based upon the timing of the request), provided on a per-month basis. The statement shall also include gross sales for each month, and all applicable taxes paid or due to be paid.

    b. The owner/operator shall maintain a current register of the names and the contact information (including the name, address, and telephone number) of anyone owning or holding an interest in the cannabis business, and separately of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the cannabis business. The register required by this condition shall be provided to the City Manager upon a reasonable request.

    c. The owner/operator shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products for all stages of the retail sale and delivery process. Subject to any restrictions under the Health Insurance Portability and Accountability Act (HIPPA), the owner/operator shall allow City officials to have access to the business's books, records, accounts, together with any other data or documents relevant to its permitted cannabis activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than twenty-four (24) hours after receipt of the City's request, unless otherwise stipulated by the City.

    d. The owner/operator shall have in place a point-of-sale tracking system to track and report on all aspects of the cannabis business including,

but not limited to, such matters as cannabis tracking, inventory data, and gross sales (by weight and by sale). The owner/operator shall ensure that such information is compatible with the City's record-keeping systems. The system must have the capability to produce historical transactional data for review by the City Manager or designees.

Insp. 27. The City Manager or designees may enter this business at any time during the hours of operation without notice, and inspect the location of this business as well as any recordings and records required to be maintained pursuant to Title 9, Chapter VI or under applicable provisions of State law.

28. Inspections of this cannabis business by the City will be conducted, at a minimum, on a quarterly basis. The applicant will pay for the inspections according to the adopted Fee Schedule.

29. Quarterly Fire & Life Safety Inspections will be conducted by the Community Risk Reduction Division to verify compliance with the approved operation. The applicant will pay for the inspection according to the Additional Required Inspections as adopted in the Fee Schedule.

30. Annual Fire & Life Safety Inspections will be conducted by the Fire Station Crew for emergency response pre-planning and site access familiarization. The applicant will pay for the inspection according to the adopted Fee Schedule.

31. Pursuant to Title 9, Chapter VI, it is unlawful for any person having responsibility for the operation of a cannabis business, to impede, obstruct, interfere with, or otherwise not to allow, the City to conduct an inspection, review or copy records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law. It is also unlawful for a person to conceal, destroy, deface, damage, or falsify any records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law.

Prior to Issuance of Building Permits

1. Plans shall be prepared, stamped and signed by a California licensed Architect or Engineer.
2. The conditions of approval and ordinance or code provisions of Planning Application 21-25 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. Prior to the Building Division issuing a demolition permit, the applicant shall contact the South Coast Air Quality Management District (AQMD) located at:
   21865 Copley Dr.
   Diamond Bar, CA 91765-4178
   Tel: 909- 396-2000

Or visit its website: http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381. The Building Division will not issue a demolition permit until an Identification Number is provided by AQMD.

4. Odor control devices and techniques shall be incorporated to ensure that odors from cannabis are not detected outside the property, anywhere on adjacent property or public right-of-way. Building and mechanical permits must be obtained from the Building Division prior to work commencing on any part of the odor control system.
5. Plan check submittal shall include air quality/odor control device specification sheets. Plan check submittal shall also include a landscape plan that complies with CMMC requirements, drought-tolerant plants and/or California native plants, a bike rack, parking lot striping in conformance with CMMC requirements, and trash enclosure.
6. No signage shall be installed until the owner/operator or its designated contractor has obtained permits required from the City. Business identification signage shall be limited to that needed for identification only. Business identification signage shall not include any references to cannabis, whether in words or symbols. All signs shall comply with the CMMC.
7. The plans and business operator shall comply with the requirements of the 2019 California Fire Code, including the 2019 Intervening Update and referenced standards as amended by the City of Costa Mesa.
8. The Traffic Impact Fee as calculated by the Transportation Services Division shall be paid in full.
9. Construction documents shall include a temporary fencing and temporary security lighting exhibit to ensure the site is secured during construction and to discourage crime, vandalism, and illegal encampments.
10. The applicant shall submit a lighting plan to the Planning Division for review and approval. The lighting plan shall show locations of all security lighting. As determined by the Director of Economic and Development Services or their designee, a photometric study may be required to demonstrate compliance with the following: (a) lighting levels within the property including the parking lot shall be adequate for safety and security purposes (generally, at least 1.0 foot candle), (b) lighting design and layout shall minimize light spill at the residential property line and at other light-sensitive uses (generally, no more than 0.5 foot candle), and (c) glare shields may be required to prevent light spill.

Prior to Issuance of a Certificate of Use/Occupancy

1. The operator, contractors, and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final occupancy and utility releases will not be granted until all such licenses have been obtained.

Prior to Issuance of Cannabis Business Permit

1. The applicant shall contact the Planning Division for a facility inspection and provide a matrix of conditions of approval explaining how each was met prior to issuance of a Cannabis Business Permit.
2. The applicant shall submit to the Planning Division a list of all vehicles to be used for retail delivery purposes. The list shall identify the make, model, color, license plate number and registered owner of each vehicle.
3. The applicant shall pay the public notice fee ($1 per notice post card) and the newspaper ad publishing cost.
4. The final Security Plan shall be consistent with the approved building plans.
5. Each entrance to the business shall be visibly posted with a clear and legible notice stating the following:
    a. That smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the cannabis business is prohibited;
    b. That no person under the age of twenty-one (21) years of age is permitted to enter upon the premises;
    c. That loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises is prohibited; and
    d. The premise is a licensed cannabis operation approved by the City of Costa Mesa. The City may also issue a window/door sticker, which shall be visibly posted.
6. The owner/operator shall obtain and maintain at all times during the term of the permit comprehensive general liability insurance and comprehensive automotive liability insurance protecting the permittee in an amount of not less than two million dollars ($2,000,000.00) per occurrence, combined single limit, including bodily injury and property damage and not less than two million dollars ($2,000,000.00) aggregate for each personal injury liability, products-completed operations and each accident, issued by an insurance provider admitted and authorized to do business in California and shall be rated at least A-:viii in A.M. Best & Company's Insurance Guide. Such policies of insurance shall be endorsed to name the City of Costa Mesa as an additional insured. Proof of said insurance must be provided to the Planning Division before the business commences operations. Any changes to the insurance policy must be submitted to the Planning Division within 10 days of the date the change is effective.
7. The applicant shall submit an executed Retail Cannabis Business Permit Defense and Indemnity Agreement on a form to be provided by the City.

Operational Conditions

1. No product deliveries to the facility shall occur after 10:00 PM and before 7:00 AM.
2. Onsite sales and offsite delivery to customers is limited to the hours between 7:00 AM and 10:00 PM.

3. The applicant shall submit an updated delivery vehicle list each quarter with the quarterly update to the employee roster which is required pursuant to the CBP. The number of delivery vehicles parked onsite shall not exceed the number of available onsite surplus parking spaces. Delivery vehicles shall not be parked on City streets.
4. At least one security guard shall be onsite at all times.
5. The operator shall maintain free of litter all areas of the property under which applicant has control.
6. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The operator shall institute appropriate security and operational measures as necessary to comply with this requirement.
7. If parking shortages or other parking-related problems develop, the business owner or operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services or designee. Temporary or permanent parking management strategies include, but are not limited to, reducing operating hours of the business, hiring an employee trained in traffic control to monitor parking lot use and assist with customer parking lot circulation, encouraging customers to take advantage of delivery service instead of store visits, and incentivizing employee carpooling/cycling/walking.
8. While working, employees shall not park on residential streets unless doing so temporarily to make a cannabis delivery.
9. All employees must wear an identification badge while on the premises of the business and/or performing deliveries, in a format prescribed by the City Manager or designee. When on the premises, badges must be clearly visible and worn on outermost clothing and above the waist in a visible location.
10. The operator shall ensure that all vehicles are properly maintained, all delivery drivers have a good driving record, and each driver conducts a visual inspection of the vehicle at the beginning of each shift.
11. The operator shall ensure that deliveries are grouped to minimize total vehicle trips.
12. During each delivery stop, the delivery vehicle shall be parked in a safe manner (i.e., not impeding traffic circulation), the engine shall be turned off and the vehicle shall be locked.
13. Vehicle loading and unloading shall only occur in the three parking spaces located at the north side of the property within direct unobstructed view of surveillance cameras, located in close proximity to the shipping and receiving exterior door, as shown on an exhibit approved by the Director of Economic and Development Services or designee. No loading and unloading of cannabis products into or from the vehicles shall take place outside of camera view. The security guard shall monitor all on-site loading and unloading of delivery vehicles. Video surveillance cameras shall be installed on the exterior of the building with direct views of employee doors.

Any modifications or additional vehicle loading and unloading areas shall be submitted to the Director of Economic and Development Services or designee for approval.

14. Vehicle standing, loading and unloading shall be conducted so as not to interfere with normal use of streets, sidewalks, driveways and on-site parking.
15. The sale, dispensing, or consumption of alcoholic beverages on or about the premises is prohibited.
16. No outdoor storage or display of cannabis or cannabis products is permitted at any time.
17. Cannabis shall not be consumed on the property at any time, in any form.
18. The owner/operator shall prohibit loitering on and within fifty (50) feet of the property.
19. No cannabis or cannabis products, or graphics depicting cannabis or cannabis products, shall be visible from the exterior of the property, or on any of the vehicles owned or used as part of the cannabis business.
20. The owner or operator shall maintain air quality/odor control devices by replacing filters on a regular basis, as specified in the manufacturer specifications.
21. If cannabis odor is detected outside the building, the business owner or operator shall institute corrective measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services.
22. Cannabis liquid or solid waste must be made unusable and unrecognizable prior to leaving a secured storage area and shall be disposed of at facility approved to receive such waste. No cannabis waste shall be disposed of in the trash facilities located on-site.
23. Each transaction involving the exchange of cannabis goods between the business and consumer shall include the following information: (1) Date and time of transaction; (2) Name and employee number/identification of the employee who processed the sale; (3) List of all cannabis goods purchased including quantity; and (4) Total transaction amount paid.
24. Delivery and vendor vehicle loading and unloading of cannabis products shall be scheduled during offset hours of operation from the existing businesses onsite or prior to the storefront opening for normal business to ensure that a parking space will be available for loading and unloading activity without impact the existing parking for customers of all businesses on the property. Delivery and vendor drivers shall communicate with the storefront employees and security guards to provide their estimate time of arrival at least 10 to 15 minutes prior to arriving to the facility as well five minutes prior to. Should the loading parking spaces not be available prior to the delivery and vendor vehicle arriving, the driver shall be instructed to park at the associated non-retail cannabis manufacturing/distribution facility until the loading parking spaces are available.
25. In the first 90 days of business operations, there shall be at least two parking attendants to monitor the parking lot. The parking attendants shall

be stationed near the driveway entrances to ensure that customers are not parking in the adjacent properties' parking spaces, and to direct vehicle on-site so they do not queue on to Harbor Boulevard or Adams Avenue. The attendants shall also ensure the parking lot is functioning efficiently without negatively impacting the existing businesses onsite and any surrounding properties. Economic and Development Services staff will periodically visit the business unannounced within the first 90 days on several occasions to verify the parking and circulation condition during normal hours of operation. After the initial 90 days, staff will determine if the parking attendants are still needed to maintain efficient parking and traffic flow.

August 11, 2021

Costa Mesa Development Services
77 Fair Drive
Costa Mesa, CA 92626
(714) 754-5270

RE: Circle Muskrat LLC Applicant Letter for Commercial Cannabis Storefront Business Pre-Application

To the City of Costa Mesa,

We are writing this Applicant Letter as part of our Commercial Cannabis Storefront Business Pre-Application for a retail storefront and delivery service in the City of Costa Mesa. Circle Muskrat LLC is working with Measure X Partner JDFCM1, LLC to establish a retail storefront and delivery service at 2801 N. Harbor Blvd Units #C, #D, and #E Costa Mesa, CA 92626 on parcel 139-304-12. The parcel's zoning is C1 Local Business and the proposed location is not within the Green Zone.

The Applicant owns and operates Off The Charts, one of the first licensed cannabis retailers in the City of Vista and has opened two additional locations in Palm Springs, one of which has a consumption lounge and requires heightened compliance measures. Off The Charts has six (6) more locations scheduled to open in 2021 and has recently extended their footprint to Northern California as a managing partner of a Social Equity Microbusiness in San Francisco. OTC has now established itself amongst the highest rated licensed cannabis retailers in the San Diego and Palm Springs areas.

Our proposed commercial cannabis business amasses 2,400 sqft. We plan to use the space for conducting the retail sale of cannabis along with the processing and preparation of deliveries of cannabis goods offsite. We are obtaining Type 10 Storefront Retail with Delivery licensure with both Adult Use (A) and Medical (M) designations from the Department of Cannabis Control (DCC), so we conduct retail sales to Adult Use customers who are over the age of 21 and Medical customers who are over the age of 18 and have a valid physician's recommendation and/or Cannabis Card. There are currently 17 parking spaces, one of which is handicapped parking, and there is ample parking for both our clientele and employees. Areas that are generally accessible to the public include a Lobby/Check-In Area (128 sqft) where we verify client identification and check them into our customer queue, a Security Room (75 sqft) for our medical patients to maintain HIPAA compliance, a Display Area (1,470 sqft) where cannabis goods are displayed and where transactions are processed, and an ADA-compliant client restroom (80 sqft). Limited access areas are only accessible by employees of the commercial cannabis business and visitors that are escorted by an employee of the commercial cannabis business; these areas include a Storage Room (182 sqft) where bulk cannabis goods are stored, our Dispatch Room (120 sqft) where incoming deliveries of cannabis goods are received and where orders to be delivered offsite are prepared, our Office (100 sqft) where records and security footage are stored, our Employee Area for training, meals and rest periods (90 sqft). There are also hallways for the back of house operations (155 sqft).

We only conduct the retail sale of cannabis goods that have been produced by licensed cultivators and manufacturers and sourced from licensed distributors that operate within the scope of compliance with local and state regulations. This includes cannabis flower, pre-rolls, manufactured cannabis products including various extracts, rosin, edibles, tinctures, topical products, sublingual tabs, capsules, beverages and non-cannabis merchandise such as branded clothing and accessories. All cannabis goods sold at our store are packaged and labeled in their final form and in compliance with State law. We have longstanding relationships with some of the leading brands including Raw Garden, Pacific Stone, Kiva and various others licensed operators. We have also built strong relationships with various distributors who carry these products so are able to secure favorable terms on products and maintain a consistent supply of cannabis goods for our clientele. We are implementing a robust inventory management, control and reporting system that allows us to accurately document the present location, amounts, and descriptions of all cannabis goods for all stages of the external supply chain and our internal retail process until purchase by a verified customer or patient.

We look forward to bringing the City of Costa Mesa premiere commercial cannabis that provides an unparalleled customer experience and various additional community benefits. Please reach out to Sean Maddocks via email at maddocks@greencp.com or via phone at (949) 291-0587 with any questions or concerns.

Sincerely,



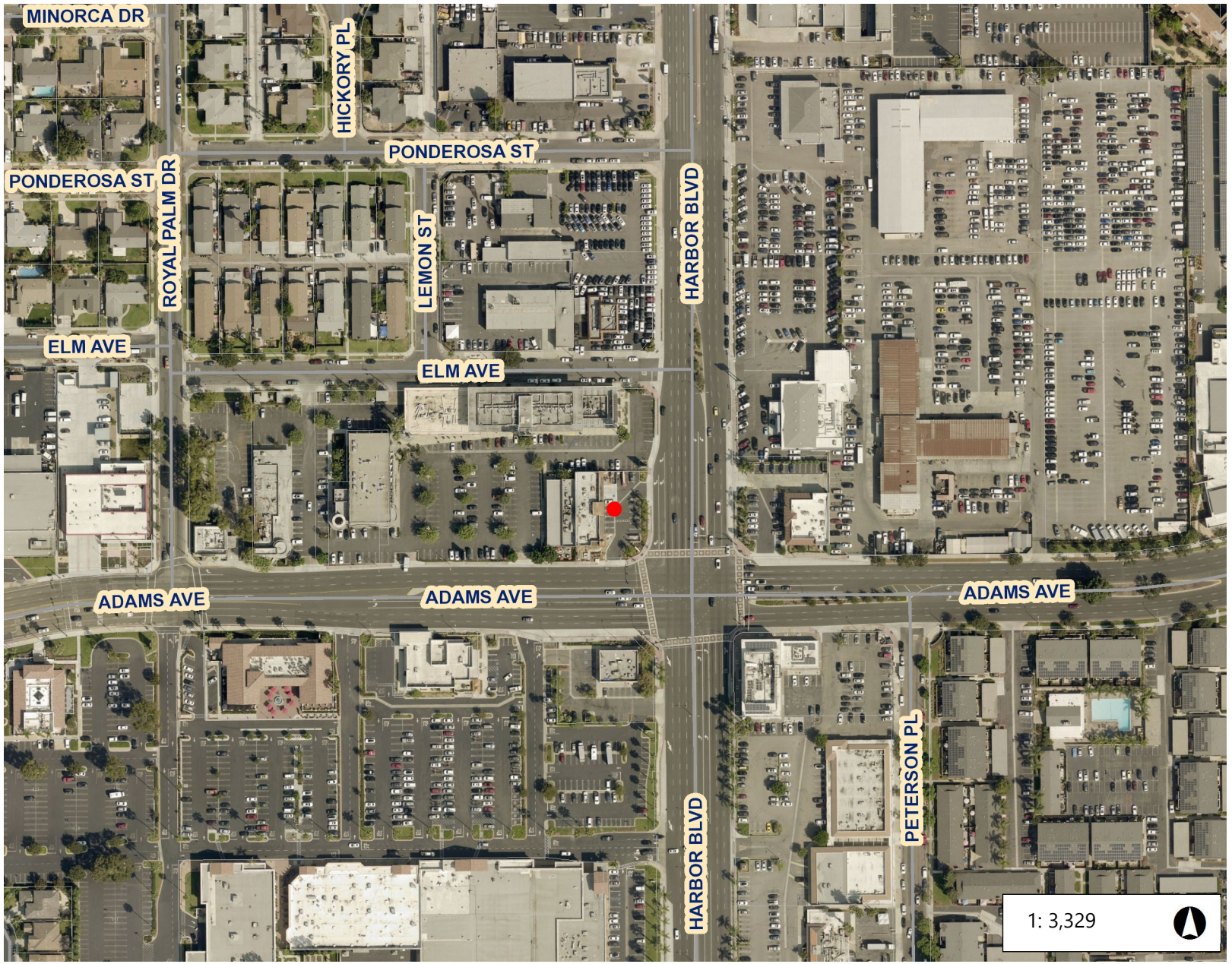
Circle Muskrat LLC

Costa Mesa

VICINITY MAP

ATTACHMENT 3





Legend

- Costa Mesa

Notes

2801 Harbor Blvd. (PA-21-25)

0.1 0 0.05 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

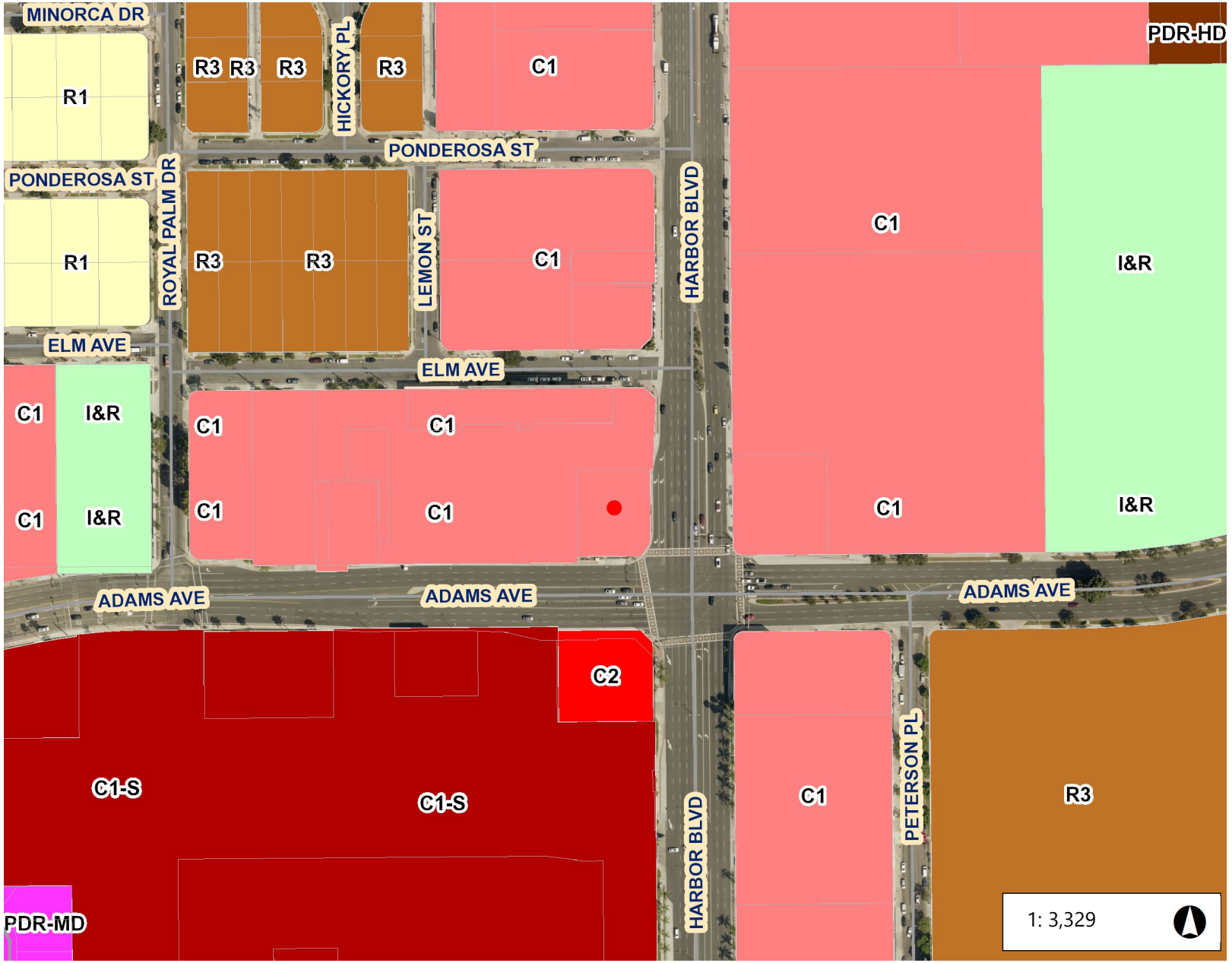
© City of Costa Mesa

The City of Costa Mesa makes no guarantee as to the accuracy of any of the information provided and assumes no liability for any errors, omissions, or inaccuracies.

Costa Mesa

ZONING MAP

ATTACHMENT 4



Legend

- Costa Mesa

Zoning

- AP - Administrative Professional
- IR-MLT - Institutional Recreational I
- R1 - Single-Family Residential
- R2-MD - Multiple-Family Residentia
- R2-HD - Multiple-Family Residentia
- R3 - Multiple Family Residential
- MG - General Industrial
- MP - Industrial Park
- PDI - Planned Development Industr
- C1 - Local Business
- C2 - General Business
- C1-S - Shopping Center
- TC - Town Center
- PDR-NCM - Planned Development Mesa
- I&R - Institutional Recreactional
- I&R-S - Institutional Recreational - S
- P - Parking
- CL - Commercial Limited
- PDC - Planned Development Comr
- PDR-LD - Planned Development R
- PDR-MD - Planned Development R Density
- PDR-HD - Planned Development R

Notes

2801 Harbor Blvd. (PA-21-25)

0.1 0 0.05 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City of Costa Mesa

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2801 HARBOR BOULEVARD (PA-21-25)

EXISTING SITE PHOTOS



Existing building frontage facing Harbor Boulevard along southern property line



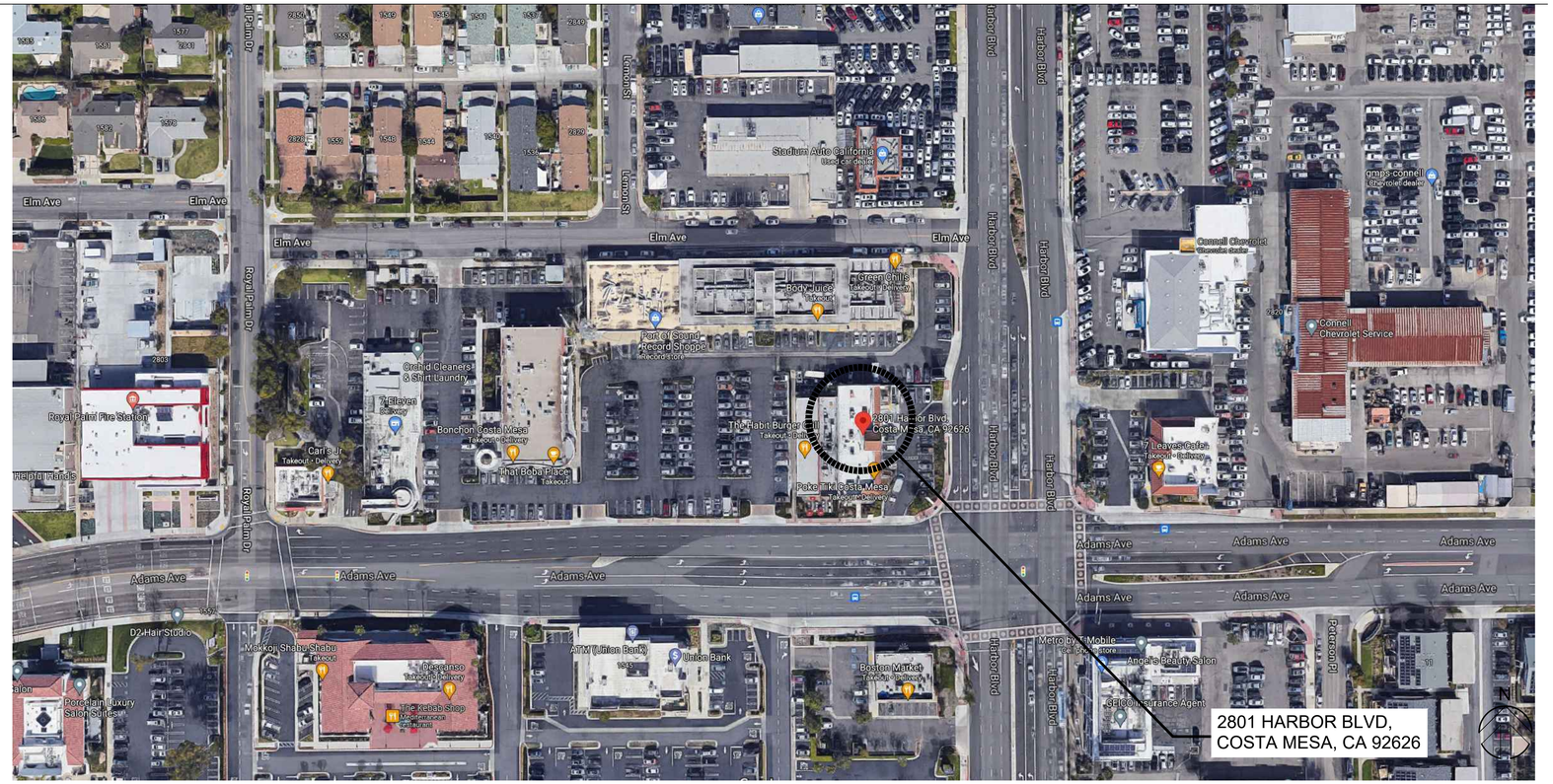
Existing parking lot located at the front of the property



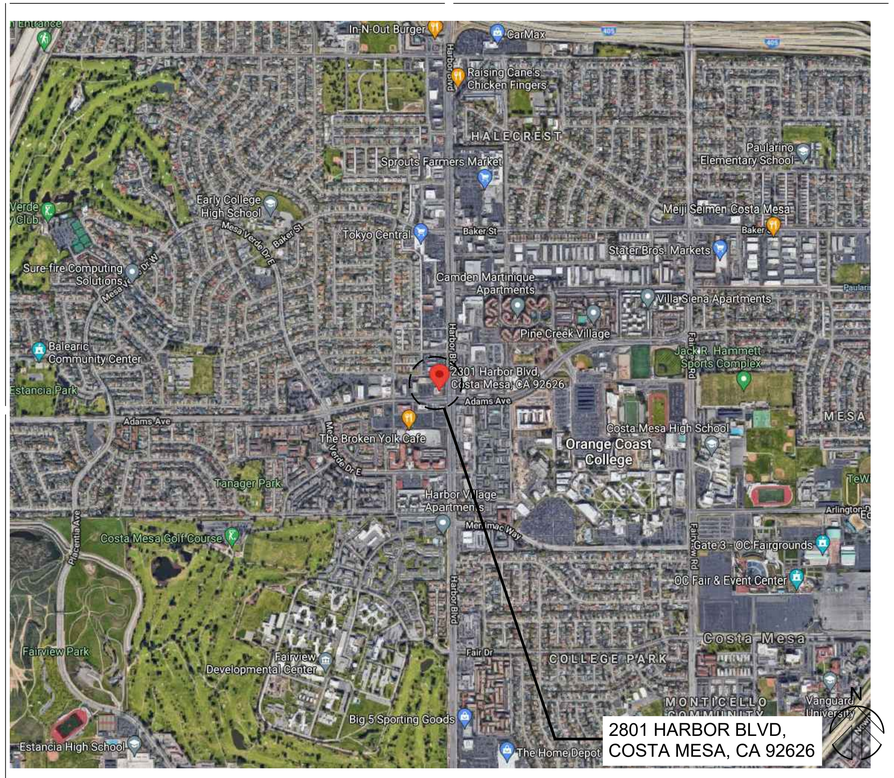
Proposed storefront tenant space (Suites C, D, and E)



Existing building frontage facing Harbor Boulevard along northern property line



Site Map | 13



Vicinity Map | 13



Render | 5

A9.00	Interior Details	ARCHITECTURAL	
A9.01	ADA Details	A0.00	Cover Sheet
A9.02	ADA Details	A1.00	Radius Map
		A1.01	Site Plan
		A2.00A	Existing Floor Plan
		A2.00b	Demolition Plan
		A2.01	Floor Plan
		A3.01	Elevations
		A4.01	ADA Interior Elevations
		A8.01	Assemblies
		A8.02	Assemblies

Drawing List | 4b

Project Scope:

Work shall include but not limited to the following:

- minor remodel of existing facility

Area of Work: 2,423 SF

Scope Of Work | 4a

OWNER: GREEN CONSULTING PARTNERS
23 CORPORATE PLAZA DR#150,
NEWPORT BEACH, CA 2660
TEL. (619) 955 9433
CONTACT: NORM YOUSIF

ARCHITECT: GIBBS ARCHITECTS
3575 LONG BEACH BLVD.
LONG BEACH, CA 90807
TEL: (562) 981-2000
CONTACT: KURT GIBBS

Project Team | 3

Site Address	2801 Harbor Boulevard, Costa Mesa, CA
Zip	92626
Assessor Parcel No. (APN)	139-304-12
Zoning	C2
Land Use	General Commercial
Lot Size	17,313 SF
Landscaped Area	3,703 SF

Project Information | 2

Occupancy	Retail
Zoning	C2-1VL
Existing Land Use	General Commercial
Construction Type	Type V
Number of Stories	One Story
Sprinklered	Yes

Occupancy / Zoning | 1A

2020 California Building Code

Applicable Building Code Information | 1

2801 Harbor Blvd,
Costa Mesa,
CA 92626

Minor Tenant Improvement

GIBBS ARCHITECTS

Kurt Gibbs AIA
3575 Long Beach Blvd.
Long Beach CA, 90807
T: 562.981.2000
E: kurt@gibbs1934.com

LICENSED ARCHITECT KURT GIBBS SIGNATURE 10/21 EXP. DATE LIC. NO. C-22275 STATE OF CALIFORNIA

Revisions:

No.	Issue	Date
1	Client Review	22 Dec 2020
2	Client Review	4 July 2021
3	Client Review	7 July 2021
4	PC Submittal	20 Aug 2021
5	Back Check Submittal	29 Oct 2021
6	Back Check Submittal	15 Feb 2022
7	CUP Comments	23 Feb 2022

Project Number: 31020078

Date:

File: 17 March 2022

Scale: Scale As Noted

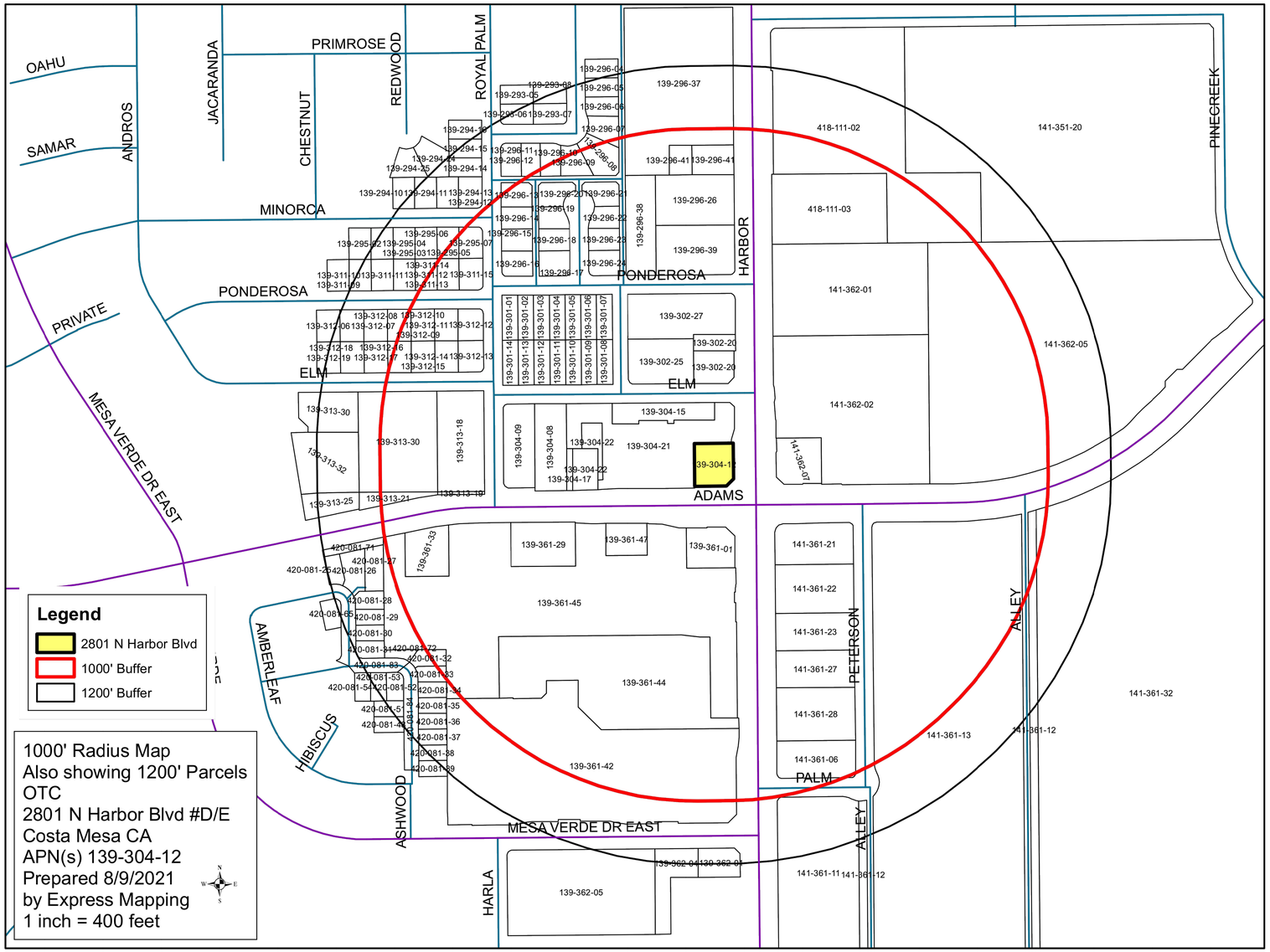
Sheet Title: Cover Sheet

Drawing Number: A0.00

NOTES:

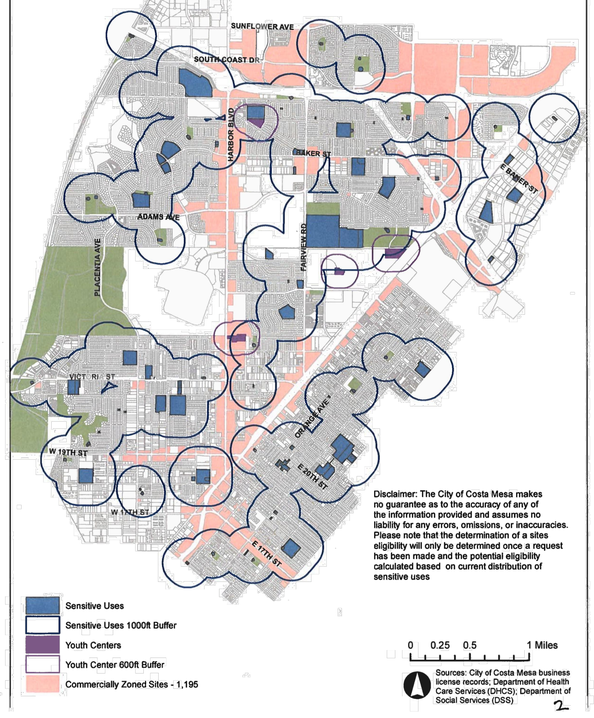
- **NO SENSITIVE USE WITHIN 1,200 FEET OF THE PROPOSED LOCATION.**

I CERTIFY THAT THE MAP IDENTIFIES ALL SENSITIVE USES AS DEPICTED IN THE CITY'S PROVIDED MAP OF SENSITIVE USE BASED ON THE CITY'S CURRENT RECORDS AND INFORMATION, AS WELL AS ALL SENSITIVE USES OBSERVED DURING THE PREPARER'S INSPECTION OF USES WITHIN 1,000 FEET OF THE PROPOSED CANNABIS BUSINESS.



ATTACHMENT 1

Draft Separation Distance Map



2

2801 Harbor Blvd,
Costa Mesa,
CA 92626

Minor Tenant Improvement

GIBBS ARCHITECTS

Kurt Gibbs AIA
3575 Long Beach Blvd.
Long Beach CA, 90807
T: 562.981.2000
E: kurt@gibbs1934.com

LICENSED ARCHITECT KURT GIBBS SIGNATURE 10/21 EXP. DATE LIC. NO. C-22675 STATE OF CALIFORNIA

Revisions:

No.	Issue	Date
1	Client Review	22 Dec 2020
2	Client Review	4 July 2021
3	Client Review	7 July 2021
4	PC Submittal	20 Aug 2021
5	Back Check Submittal	29 Oct 2021
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Project Number: 31020078

Date:

File: 17 March 2022

Scale: Scale As Noted

Sheet Title: **Radius Map**

Drawing Number: **A1.00**

LEGEND:

- WOOD CHIP MULCH
- ECHEVERIA CURLY LOCKS
- AGAVE BLUE FLAME
- ARECACEAE PALM TREES

EXISTING LANDSCAPE SUMMARY:
1 - 273 SF
2 - 125 SF
3 - 596 SF
4 - 2,162 SF
5 - 309 SF
6 - 234 SF
TOTAL LANDSCAPED AREA 3,703 SF

LOT SIZE
17,313 SF

LANDSCAPE PERCENTAGE
3,703 / 17,313 = 0.21
21%

SITE SUMMARY

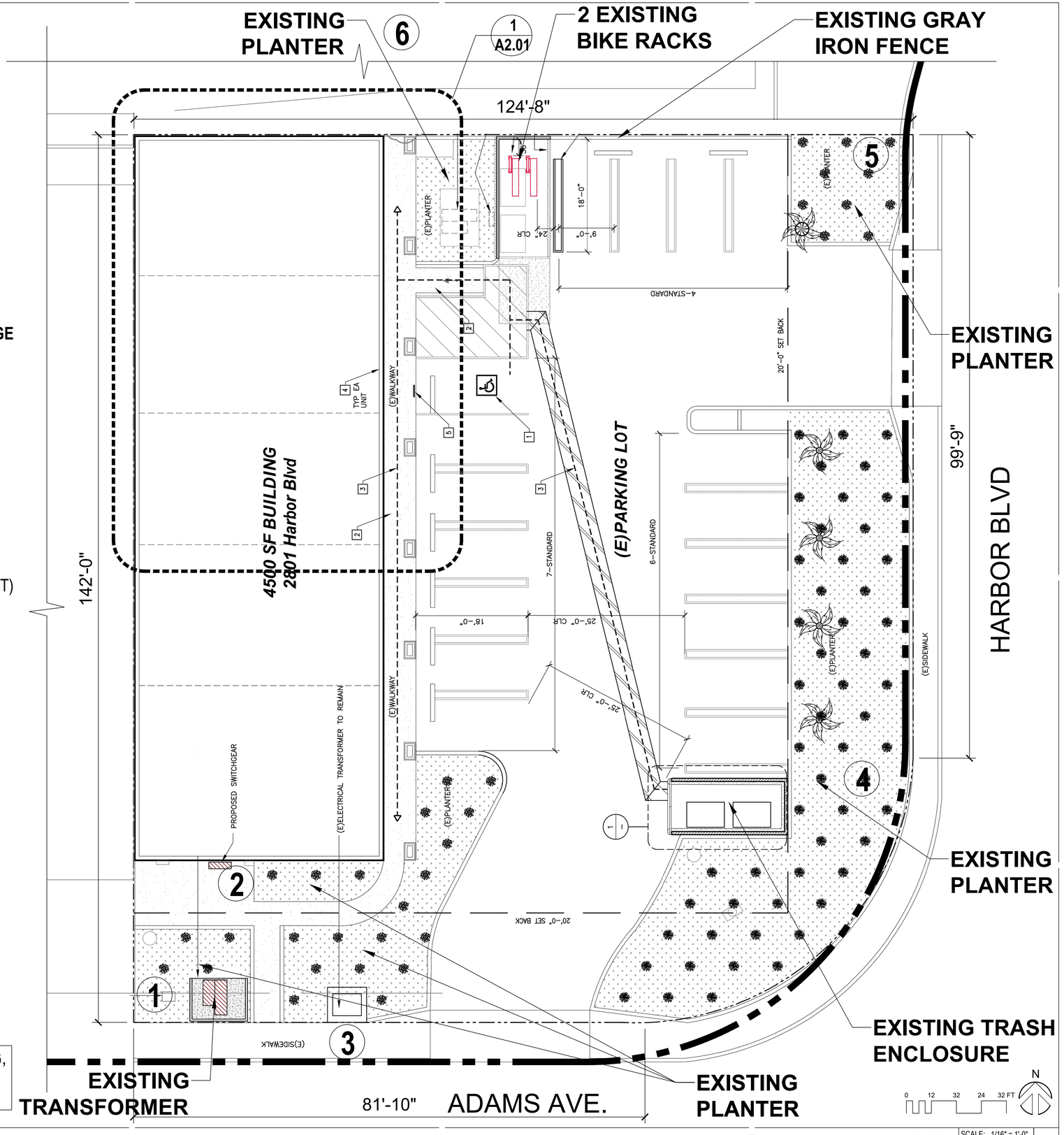
PARKING

EXISTING	16 STANDARD
	1 ACCESSIBLE
	2 BICYCLE RACK
	(1 BICYCLE RACK AS PARKING SPACE CREDIT)
TOTAL	**18 SPACES PROVIDED**

SQUARE FOOTAGE

SUITE C	800 SF
SUITE D	800 SF
SUITE E	800 SF
TOTAL LICENSED PREMISE	**2,400 SF**

THE ENVELOPE, OR SPACE CONDITIONING, LIGHTING, ELECTRICAL POWER DISTRIBUTION AND WATER HEATING SYSTEMS ARE NOT BEING ALTERED.



Site Plan | SCALE: 1/16" = 1'-0" | FILE: | 1

2801 Harbor Blvd,
Costa Mesa,
CA 92626

Minor Tenant Improvement

GIBBS ARCHITECTS

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E: kurt@gibbs1934.com

LICENSED ARCHITECT KURT GIBBS SIGNATURE 10/21 EXP. DATE LIC. NO. C-22605 STATE OF CALIFORNIA

Revisions:

No.	Issue	Date
1	Client Review	22 Dec 2020
2	Client Review	4 July 2021
3	Client Review	7 July 2021
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Project Number: 31020078

Date:

File: 17 March 2022

Scale: Scale As Noted

Sheet Title: **Site Plan**

Drawing Number: **A1.01**

17. HEATING, VENTILATING AND AIR-CONDITIONING
17.1. HVAC UNIT PER MECHANICAL CONTRACTOR
17.2. SUPPLY AIR REGISTER MECHANICAL CONTRACTOR
17.3. RETURN AIR REGISTER MECHANICAL CONTRACTOR
17.4. 8' KITCHEN HOOD EXHAUST
17.5. BATHROOM EXHAUST FAN PER MECHANICAL CONTRACTOR
17.6. 8" DIAMETER EXTERIOR EXHAUST FAN MECHANICAL CONTRACTOR
17.7. CUSTOM EXTERIOR EXHAUST S.S. VENT REGISTER
17.8. HVAC AIR DUCTS PER MECHANICAL CONTRACTOR.
17.9. EXISTING FAU

18. ELECTRICAL
18.1. EXISTING RELOCATED DOWNLIGHT
18.2. EXISTING RELOCATED RECESSED GENERAL LIGHT
18.3. EXHAUST FAN TO VENT
18.4. ODOR CONTROL UNIT - AIR MEDIC PRO 6
18.5. EXTERIOR LIGHT PER ELECTRICAL CONTRACTOR
18.6. INTERIOR LIGHT
18.7. ELECTRICAL DATA OUTLET(S) PER ELECTRICAL CONTRACTOR
18.8. LIGHT SWITCH PER ELECTRICAL CONTRACTOR
18.9. MOTOR CONTROL CENTER PER ELECTRICAL CONTRACTOR

19. ELECTRONIC SAFETY AND SECURITY
19.1. SMOKE ALARM / CARBON MONOXIDE ALARM
19.2. WALL MOUNTED MOTION SENSOR
19.3. EMERGENCY EXIT LIGHT
19.4. SECURITY ALARM KEYPAD

20. EARTHWORK
20.1. APPROVED COMPACT FILL PER GEO & SOILS REPORT

21. EXTERIOR IMPROVEMENTS
21.1. PARKING STALL STRIPING AS INDICATED
21.2. FLOW-THRU PLANTERS PER CIVIL DRAWINGS
21.3. SECURITY GATE PER SCHEDULE & DETAIL
21.4. SECURITY STEEL FENCE
21.5. EXTERIOR AREA DRAINS PER SPECIFICATIONS, SEE PLUMBING & CIVIL DRAWINGS FOR PIPING
21.6. S. D. CATCH BASIN PER CIVIL DRAWINGS
21.7. TRENCH DRAIN PER CIVIL DRAWINGS
21.8. SUMP PUMP AND VAULT PER CIVIL DRAWINGS

22. UTILITIES
22.1. (N) WATER METER PER CIVIL DRAWINGS
22.2. (N) GAS METER PER CIVIL DRAWINGS
22.3. BACKFLOW PREVENTOR PER CIVIL DRAWINGS
22.4. IRRIGATION BACKFLOW PREVENTOR PER LANDSCAPE DRAWINGS
22.5. DOMESTIC WATER BACKFLOW PREVENTOR PER CIVIL DRAWINGS

NOTE:
ITEM IDENTIFIED ARE TYPICAL TO ALL LIKE ITEMS UNLESS NOTED OTHERWISE.

1. GENERAL REQUIREMENTS
2. NOT USED
3. CONCRETE
3.1. CONC. SLAB ON GRADE
3.2. CONC. TOPPING SLAB
3.3. CONC. DECK (E)
3.4. CONC. WALL
3.5. CONC. COLUMNS
3.6. CONC. MAT FOUNDATION
3.7. CONC. FOOTING
3.8. CONC. STAIR
3.9. CONC. PAVING PER CIVIL DRAWINGS
3.10. CONC. SIDEWALK PER CIVIL DRAWINGS
3.11. CONC. PLANTERS PER DSP DRAWINGS
3.12. COMPACT FILL DRAWINGS

4. MASONRY
4.1. CMU WALL & SPECIFICATIONS
4.2. NON - BEARING CMU FENCE WALL @ P.L.

5. METALS
5.1. STEEL COLUMN EXISTING WITH 2 HOUR INTUMESCENT PAINT
5.2. STEEL BEAM EXISTING
5.3. HSS POST
5.4. HSS BEAM
5.5. HSS STRINGER
5.6. STEEL CHANNEL STRINGER
5.7. HSS RAIL POST
5.8. HSS PIPE
5.9. WALL MOUNTED PIPE RAIL
5.10. 18 G.A. S.S. BACK-SPLASH FULL HEIGHT
5.11. 18 G.A. S.S. FLASHING @ WALL BASE
5.12. 16 G.A. GSM FASCIA COVER - PTD. TYP.
5.13. STL WINDOW BOX WITH CLEAR SEAL

6. WOOD AND PLASTICS
6.1. WOOD POST
6.2. WOOD BEAM
6.3. WOOD WALL FRAME
6.4. WOOD SHEAR PANEL
6.5. WOOD JOIST FLOOR FRAMING
6.6. PLYWOOD FLOOR SHEATHING
6.7. WOOD JOIST ROOF FRAMING
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6.9. WOOD STRINGER
6.10. WOOD VENEER WALL PANEL
6.11. 2X BLOCKING
6.12. 2X FURRING WALL
6.13. WOOD WALL BASE
6.14. WOOD VENEER CABINETS / SHELVES
6.15. S.S. LAM COUNTER TOP

7. THERMAL MOISTURE PROTECTION
7.1. NOT USED
7.2. INSULATION & SPECIFICATIONS
7.3. W.P. MEMBRANE
7.4. (2) LAYERS #15 BUILDING PAPER, TYPICAL
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7.6. ACRYLIC COOL ROOF PER SPECIFICATIONS
7.7. S.S. DOWNSPOUT AND CONDUCTOR HEAD , PTD.
7.8. S.S. INTEGRAL GUTTER
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7.11. S.S. FLASHING W. GSM CLIP @ 24" O.C.
7.12. ROOF DRAIN PER SPECIFICATIONS & DETAIL
7.13. ROOF OVERFLOW DRAIN
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7.15. CLEAR WATER - REPELLENT COATING AT CMU WALL EXT. FACE

8. OPENINGS
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8.2. ALUMINUM STOREFRONT WINDOW, TYPICAL
8.3. H.M. WINDOW
8.4. H.M. DOOR & FRAME
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16.14. SHOWER HEAD
16.15. WATER HEATER
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16.17. PLUMBING VENT

LEGEND:

NEW WALL 6.3

EXISTING WALL TO REMAIN

EXISTING TO BE REMOVED

NOTES:
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- IF THERE IS NO SENSING DEVICE THAT WILL AUTOMATICALLY OPEN THE GATES FOR EXITING, A FIRE DEPARTMENT APPROVED KNOX ELECTRICAL OVERRIDE SWITCH SHALL BE PLACED ON EACH SIDE OF THE GATE IN AN APPROVED LOCATION.

- A FINAL FIELD INSPECTION BY THE FIRE CODE OFFICIAL OR AN AUTHORIZED REPRESENTATIVE IS REQUIRED BEFORE ELECTRONICALLY CONTROLLED GATES MAY BECOME OPERATIVE. PRIOR TO FINAL INSPECTION, ELECTRONIC GATES SHALL REMAIN IN A LOCKED-OPEN POSITION.

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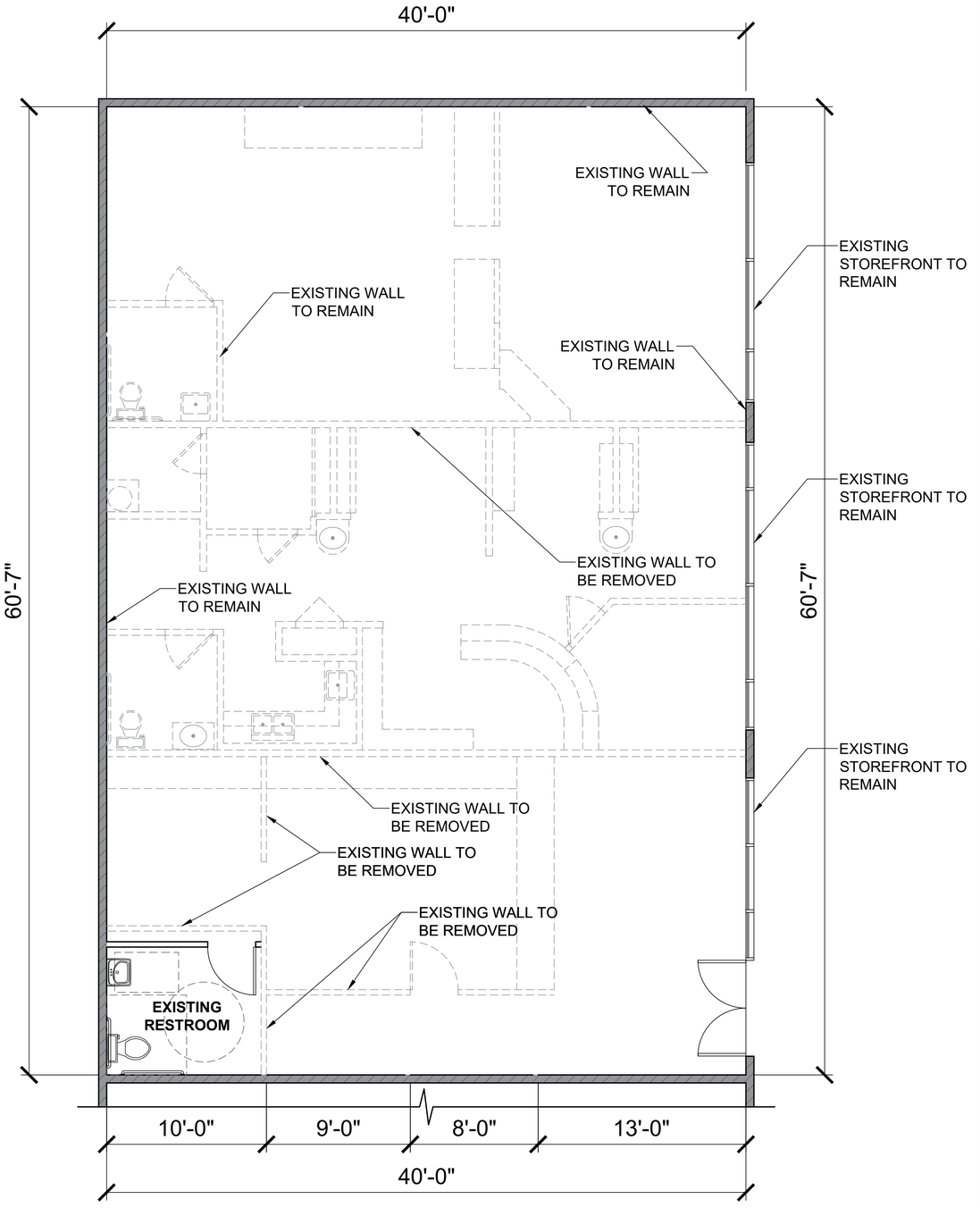
- THE NOMINAL HEIGHT OF KNOX LOCK BOX INSTALLATIONS SHALL BE 5 FEET ABOVE GRADE.



THE ENVELOPE, OR SPACE CONDITIONING, LIGHTING, ELECTRICAL POWER DISTRIBUTION AND WATER HEATING SYSTEMS ARE NOT BEING ALTERED.

N
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2801 Harbor Blvd,
Costa Mesa,
CA 92626

Minor Tenant Improvement

GIBBS ARCHITECTS
Kurt Gibbs AIA
3575 Long Beach Blvd.
Long Beach CA, 90807
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E: kurt@gibbs1934.com

LICENSED ARCHITECT KURT GIBBS EXP. DATE SIGNATURE 10/21 LIC. NO. C-22675 STATE OF CALIFORNIA

Revisions:

No.	Issue	Date
1	Client Review	22 Dec 2020
2	Client Review	4 July 2021
3	Client Review	7 July 2021
4	PC Submittal	20 Aug 2021
5	Back Check Submittal	29 Oct 2021
6	Back Check Submittal	15 Feb 2022
7	CUP Comments	23 Feb 2022

Project Number: 31020078

Date:

File: 17 March 2022

Scale: Scale As Noted

Sheet Title: **Demolition Plan**

Drawing Number: **A2.00B**

17. HEATING, VENTILATING AND AIR-CONDITIONING
17.1. HVAC UNIT PER MECHANICAL CONTRACTOR
17.2. SUPPLY AIR REGISTER MECHANICAL CONTRACTOR
17.3. RETURN AIR REGISTER MECHANICAL CONTRACTOR
17.4. 8" KITCHEN HOOD EXHAUST
17.5. BATHROOM EXHAUST FAN PER MECHANICAL CONTRACTOR
17.6. 8" DIAMETER EXTERIOR EXHAUST FAN MECHANICAL CONTRACTOR
17.7. CUSTOM EXTERIOR EXHAUST S.S. VENT REGISTER
17.8. HVAC AIR DUCTS PER MECHANICAL CONTRACTOR\
17.9. EXISTING FAU

18. ELECTRICAL
18.1. EXISTING RELOCATED DOWNLIGHT
18.2. EXISTING RELOCATED RECESSED GENERAL LIGHT
18.3. EXHAUST FAN TO VENT
18.4. ODOR CONTROL UNIT - AIR MEDIC PRO 6
18.5. EXTERIOR LIGHT PER ELECTRICAL CONTRACTOR
18.6. INTERIOR LIGHT
18.7. ELECTRICAL DATA OUTLET(S) PER ELECTRICAL CONTRACTOR
18.8. LIGHT SWITCH PER ELECTRICAL CONTRACTOR
18.9. MOTOR CONTROL CENTER PER ELECTRICAL CONTRACTOR

19. ELECTRONIC SAFETY AND SECURITY
19.1. SMOKE ALARM / CARBON MONOXIDE ALARM
19.2. WALL MOUNTED MOTION SENSOR
19.3. EMERGENCY EXIT LIGHT
19.4. SECURITY ALARM KEYPAD

20. EARTHWORK
20.1. APPROVED COMPACT FILL PER GEO & SOILS REPORT

21. EXTERIOR IMPROVEMENTS
21.1. PARKING STALL STRIPING AS INDICATED
21.2. FLOW-THRU PLANTERS PER CIVIL DRAWINGS
21.3. SECURITY GATE PER SCHEDULE & DETAIL
21.4. SECURITY STEEL FENCE
21.5. EXTERIOR AREA DRAINS PER SPECIFICATIONS, SEE PLUMBING & CIVIL DRAWINGS FOR PIPING
21.6. S. D. CATCH BASIN PER CIVIL DRAWINGS
21.7. TRENCH DRAIN PER CIVIL DRAWINGS
21.8. SUMP PUMP AND VAULT PER CIVIL DRAWINGS

22. UTILITIES
22.1. (N) WATER METER PER CIVIL DRAWINGS
22.2. (N) GAS METER PER CIVIL DRAWINGS
22.3. BACKFLOW PREVENTOR PER CIVIL DRAWINGS
22.4. IRRIGATION BACKFLOW PREVENTOR PER LANDSCAPE DRAWINGS
22.5. DOMESTIC WATER BACKFLOW PREVENTOR PER CIVIL DRAWINGS

NOTE:
ITEM IDENTIFIED ARE TYPICAL TO ALL LIKE ITEMS UNLESS NOTED OTHERWISE.

1. GENERAL REQUIREMENTS
2. NOT USED
3. CONCRETE
3.1. CONC. SLAB ON GRADE
3.2. CONC. TOPPING SLAB
3.3. CONC. DECK (E)
3.4. CONC. WALL
3.5. CONC. COLUMNS
3.6. CONC. MAT FOUNDATION
3.7. CONC. FOOTING
3.8. CONC. STAIR
3.9. CONC. PAVING PER CIVIL DRAWINGS
3.10. CONC. SIDEWALK PER CIVIL DRAWINGS
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LEGEND:

NEW WALL 6.3

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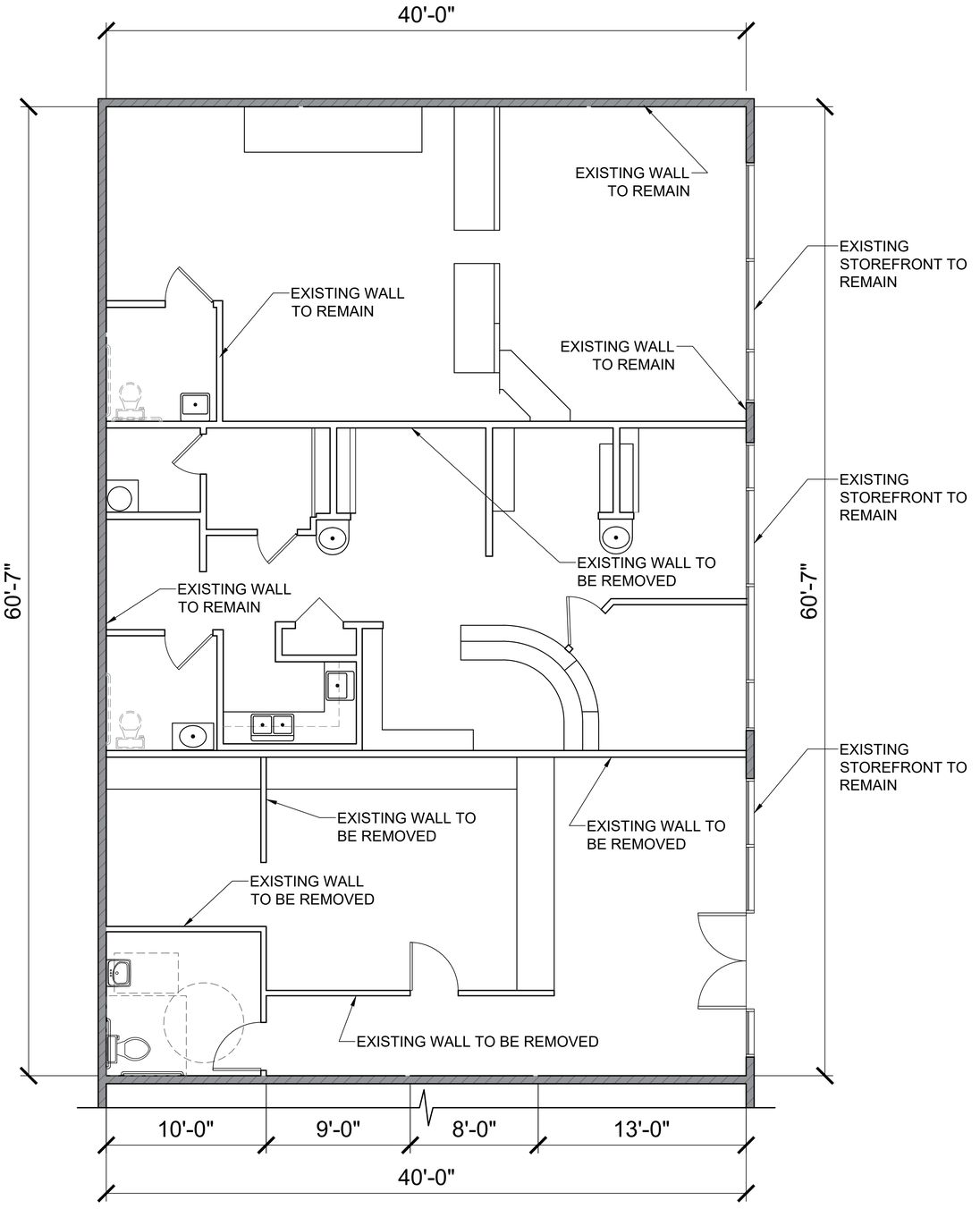

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N
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2801 Harbor Blvd,
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LICENSED ARCHITECT KURT GIBBS SIGNATURE 10/21 EXP. DATE LIC. NO. C-22273 STATE OF CALIFORNIA

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Project Number: 31020078

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Scale: Scale As Noted

Sheet Title: **Existing Floor Plan**

Drawing Number: **A2.00A**

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- 17.1. HVAC UNIT PER MECHANICAL CONTRACTOR
- 17.2. SUPPLY AIR REGISTER MECHANICAL CONTRACTOR
- 17.3. RETURN AIR REGISTER MECHANICAL CONTRACTOR
- 17.4. 8' KITCHEN HOOD EXHAUST
- 17.5. BATHROOM EXHAUST FAN PER MECHANICAL CONTRACTOR
- 17.6. 8" DIAMETER EXTERIOR EXHAUST FAN MECHANICAL CONTRACTOR
- 17.7. CUSTOM EXTERIOR EXHAUST S.S. VENT REGISTER
- 17.8. HVAC AIR DUCTS PER MECHANICAL CONTRACTOR\
- 17.9. EXISTING FAU

18. ELECTRICAL
- 18.1. EXISTING RELOCATED DOWNLIGHT
- 18.2. EXISTING RELOCATED RECESSED GENERAL LIGHT
- 18.3. EXHAUST FAN TO VENT
- 18.4. ODOR CONTROL UNIT - AIR MEDIC PRO 6
- 18.5. EXTERIOR LIGHT PER ELECTRICAL CONTRACTOR
- 18.6. INTERIOR LIGHT
- 18.7. ELECTRICAL DATA OUTLET(S) PER ELECTRICAL CONTRACTOR
- 18.8. LIGHT SWITCH PER ELECTRICAL CONTRACTOR
- 18.9. MOTOR CONTROL CENTER PER ELECTRICAL CONTRACTOR

19. ELECTRONIC SAFETY AND SECURITY
- 19.1. SMOKE ALARM / CARBON MONOXIDE ALARM
- 19.2. WALL MOUNTED MOTION SENSOR
- 19.3. EMERGENCY EXIT LIGHT
- 19.4. SECURITY ALARM KEYPAD

20. EARTHWORK
- 20.1. APPROVED COMPACT FILL PER GEO & SOILS REPORT

21. EXTERIOR IMPROVEMENTS
- 21.1. PARKING STALL STRIPING AS INDICATED
- 21.2. FLOW-THRU PLANTERS PER CIVIL DRAWINGS
- 21.3. SECURITY GATE PER SCHEDULE & DETAIL
- 21.4. SECURITY STEEL FENCE
- 21.5. EXTERIOR AREA DRAINS PER SPECIFICATIONS, SEE PLUMBING & CIVIL DRAWINGS FOR PIPING
- 21.6. S..D. CATCH BASIN PER CIVIL DRAWINGS
- 21.7. TRENCH DRAIN PER CIVIL DRAWINGS
- 21.8. SUMP PUMP AND VAULT PER CIVIL DRAWINGS

22. UTILITIES
- 22.1. (N) WATER METER PER CIVIL DRAWINGS
- 22.2. (N) GAS METER PER CIVIL DRAWINGS
- 22.3. BACKFLOW PREVENTOR PER CIVIL DRAWINGS
- 22.4. IRRIGATION BACKFLOW PREVENTOR PER LANDSCAPE DRAWINGS
- 22.5. DOMESTIC WATER BACKFLOW PREVENTOR PER CIVIL DRAWINGS

NOTE:
ITEM IDENTIFIED ARE TYPICAL TO ALL LIKE ITEMS UNLESS NOTED OTHERWISE.

1. GENERAL REQUIREMENTS
2. NOT USED
3. CONCRETE
- 3.1. CONC. SLAB ON GRADE
- 3.2. CONC. TOPPING SLAB
- 3.3. CONC. DECK (E)
- 3.4. CONC. WALL
- 3.5. CONC. COLUMNS
- 3.6. CONC. MAT FOUNDATION
- 3.7. CONC. FOOTING
- 3.8. CONC. STAIR
- 3.9. CONC. PAVING PER CIVIL DRAWINGS
- 3.10. CONC. SIDEWALK PER CIVIL DRAWINGS
- 3.11. CONC. PLANTERS PER DSP DRAWINGS
- 3.12. COMPACT FILL DRAWINGS

4. MASONRY
- 4.1. CMU WALL & SPECIFICATIONS
- 4.2. NON - BEARING CMU FENCE WALL @ P.L.

5. METALS
- 5.1. STEEL COLUMN EXISTING WITH 2 HOUR INTUMESCENT PAINT
- 5.2. STEEL BEAM EXISTING
- 5.3. HSS POST
- 5.4. HSS BEAM
- 5.5. HSS STRINGER
- 5.6. STEEL CHANNEL STRINGER
- 5.7. HSS RAIL POST
- 5.8. HSS PIPE
- 5.9. WALL MOUNTED PIPE RAIL
- 5.10. 18 G.A. S.S. BACK-SPLASH FULL HEIGHT
- 5.11. 18 G.A. S.S. FLASHING @ WALL BASE
- 5.12. 16 G.A. GSM FASCIA COVER - PTD. TYP.
- 5.13. STL WINDOW BOX WITH CLEAR SEAL

6. WOOD AND PLASTICS
- 6.1. WOOD POST
- 6.2. WOOD BEAM
- 6.3. WOOD WALL FRAME
- 6.4. WOOD SHEAR PANEL
- 6.5. WOOD JOIST FLOOR FRAMING
- 6.6. PLYWOOD FLOOR SHEATHING
- 6.7. WOOD JOIST ROOF FRAMING
- 6.8. PLYWOOD ROOF SHEATHING
- 6.9. WOOD STRINGER
- 6.10. WOOD VENEER WALL PANEL
- 6.11. 2X BLOCKING
- 6.12. 2X FURRING WALL
- 6.13. WOOD WALL BASE
- 6.14. WOOD VENEER CABINETS / SHELVES
- 6.15. S.S. LAM COUNTER TOP

7. THERMAL MOISTURE PROTECTION
- 7.1. NOT USED
- 7.2. INSULATION & SPECIFICATIONS
- 7.3. W.P. MEMBRANE
- 7.4. (2) LAYERS #15 BUILDING PAPER, TYPICAL
- 7.5. CLASS "A" ROOFING & SPECIFICATIONS
- 7.6. ACRYLIC COOL ROOF PER SPECIFICATIONS
- 7.7. S.S. DOWNSPOUT AND CONDUCTOR HEAD , PTD.
- 7.8. S.S. INTEGRAL GUTTER
- 7.9. S.S. OVERFLOW SCUPPER
- 7.10. S.S. COPING , PTD
- 7.11. S.S. FLASHING W. GSM CLIP @ 24" O.C.
- 7.12. ROOF DRAIN PER SPECIFICATIONS & DETAIL
- 7.13. ROOF OVERFLOW DRAIN
- 7.14. PROVIDE CAULKING PER SPECIFICATIONS
- 7.15. CLEAR WATER - REPELLENT COATING AT CMU WALL EXT. FACE

8. OPENINGS
- 8.1. ALUMINUM WINDOW - REPLACE EXISTING
- 8.2. ALUMINUM STOREFRONT WINDOW, TYPICAL
- 8.3. H.M. WINDOW
- 8.4. H.M. DOOR & FRAME
- 8.5. RATED STEEL DOOR & FRAME
- 8.6. RATED WOOD DOOR & FRAME
- 8.7. EXISTING EXIT DOOR
- 8.8. ALUMINUM STOREFRONT DOOR
- 8.9. INTERIOR WOOD DOOR
- 8.10. CRL S1EW3636A SATIN ANODIZED BULLET RESISTANT 34" HIGH - 36" WIDE EXTERIOR WINDOW WITH SPEAK-THRU AND SHELF WITH DEAL TRAY FOR WALLS 4-7/8" THK
- 8.11. DOOR HARDWARE SET
- 8.12. SKYLIGHT
- 8.13. WEATHER STRIPPING

9. FINISHES
- 9.1. 7/8" INTEGRAL COLOR EXTERIOR / INTERIOR CEMENT PLASTER W/ PAPER-BACKED MATERIAL LATH.
- 9.2. METAL STUD FRAMING
- 9.3. METAL STUD BLOCKING
- 9.4. 5/8" TYPE "X" GYPSUM BOARD, TYPICAL U.N.O.
- 9.5. INTERIOR PAINT - WASHABLE
- 9.6. 2'-0" x 8'-0" HONEYCOMB BLACK TILE SLATWALL PANEL W/ 6" GROOVES ON CENTER
- 9.7. 2'-0" x 8'-0" WAVE SLATWALL PANEL W/ 6" GROOVES ON CENTER
- 9.8. (2) LAYERS OF 5/16" CEM-CLAD CEMENT BOARD PANELS BY "ARCHITECTURAL PRODUCTS" OR EQUAL
- 9.9. FLOOR TILES PER FINISH SCHEDULE
- 9.10. HARDWOOD FLOOR
- 9.11. 4" VINYL WALL COVE BASE - WASHABLE
- 9.12. 5/8" DENS DECK ROOF BOARD AT PARAPET
- 9.13. EXTERIOR DECKING
- 9.14. 24" x 24" x 5/8 ACOUSTIC CEILING TILE - WASHABLE
- 9.15. SLIP RESISTANT CONCRETE SEALER

10. SPECIALTIES
- 10.13. MIRROR
- 10.14. TEMPERED GLASS RAIL SYSTEM
- 10.15. S.S. CUSTOM MAIL SLOT @ EXTERIOR WALL
- 10.16. CLOSET
- 10.17. CLOSET ROD & SHELF
- 10.18. TOILET PAPER ROLL HOLDER PER ACCESSORY
- 10.19. TEMPERED FRAMELESS SHOWER GLASS
- 10.20. TOWEL BAR PER ACCESSORY SCHEDULE
- 10.21. TOWEL HOOK PER ACCESSORY SCHEDULE

11. EQUIPMENT
- 11.1. 48" RETAIL DISPLAY CASE WITH SIDE LED LIGHTS AND SLIDING DOOR WITH KEY - BLACK
- 11.2. 54" TWO DOOR COMMERCIAL REFRIGERATOR
- 11.3. HYOSUNG - HALO II ATM
- 11.4. CCTV CAMERA
- 11.5. GARBAGE DISPOSAL
- 11.6. DISHWASHER
- 11.7. 48" AIR CURTAIN MERCHANDISER MULTIDECK OPEN CHILLER
- 11.8. 85" LED TV
- 11.9. OVERHEAD CABINET
- 11.10. STEAM PER EQUIPMENT SCHEDULE
- 11.11. WASHER
- 11.12. DRYER
- 11.13. ICE MAKER

12. FURNISHINGS
- 12.1. WINDOW TREATMENT BY SPECIALTY CONTRACTOR
- 12.2. WINDOW SHADES

13. SPECIAL CONSTRUCTION
- 13.1. SCREEN WALL PANEL
- 13.2. NOT USED
- 13.3. AUTOMATIC POOL COVER PER SPECIFICATIONS
- 13.4. BUILT-IN STEAM BATH PER SPECIFICATIONS

14. CONVEYING EQUIPMENT
- 14.1. ELEVATOR PER SPECIFICATIONS

15. FIRE SUPPRESSION
- 15.1. FIRE SPRINKLER SYSTEM PER PLANS
- 15.2. FIRE SPRINKLER MAIN PER PLANS
- 15.3. FIRE ALARM MAIN PER PLANS

16. PLUMBING
- 16.1. S.S. SINK
- 16.2. FAUCET @ KITCHEN SINK
- 16.3. LAVATORY SINK
- 16.4. FAUCET AT LAVATORY
- 16.5. SINK - UTILITY
- 16.6. SINK - JANITOR
- 16.7. TOILET - LOW FLOW
- 16.8. URINAL - WALL MOUNTED
- 16.9. BIDET - WALL MOUNTED
- 16.10. BATH TUB
- 16.11. FAUCET AT TUB
- 16.12. SHOWER RECEPTOR
- 16.13. SHOWER FAUCET
- 16.14. SHOWER HEAD
- 16.15. WATER HEATER
- 16.16. NOT USED
- 16.17. PLUMBING VENT

LEGEND:

NEW WALL 6.3

EXISTING WALL TO REMAIN

EXISTING TO BE REMOVED

NOTES:
- PENETRATIONS OF FIRE-RESISTIVE WALLS, FLOOR-CEILINGS AND ROOF-CEILINGS SHALL BE PROTECTED AS REQUIRED IN IBC SECTION 714.
- ENTRANCES AND WINDOWS MUST BE ILLUMINATED DURING EVENING HOURS.
- FLOORS, WALLS, AND CEILINGS MUST BE OF A NON-ABSORBENT CLEANABLE MATERIAL AND FINISH.
- CAMERAS AND SURVEILLANCE SYSTEMS MUST MEET CITY REQUIREMENTS.
- EXITS AND EXIT ACCESS DOORS SHALL BE MARKED BY AN APPROVED EXIT SIGN READILY VISIBLE FROM ANY DIRECTION OF EGRESS TRAVEL. THE PATH OF EGRESS TRAVEL TO EXITS AND WITHIN EXITS SHALL BE MARKED BY READILY VISIBLE EXIT SIGNS TO CLEARLY INDICATE THE DIRECTION OF EGRESS TRAVEL IN CASES WHERE THE EXIT OR THE PATH OF EGRESS TRAVEL IS NOT IMMEDIATELY VISIBLE TO THE OCCUPANTS. INTERVENING MEANS OF EGRESS DOORS WITHIN EXITS SHALL BE MARKED BY EXIT SIGNS. EXIT SIGN PLACEMENT SHALL BE SUCH THAT NO POINT IN AN EXIT ACCESS CORRIDOR OR EXIT PASSAGEWAY IS MORE THAN 100 FEET OR THE LISTED VIEWING DISTANCE FOR THE SIGN, WHICHEVER IS LESS, FROM THE NEAREST VISIBLE EXIT SIGN.

- SECURITY GATES, SECURED AUTOMATED VEHICLE GATES OR ENTRIES SHALL UTILIZE A COMBINATION OF A TOMAR STROBESWITCH™, OR APPROVED EQUAL, AND AN APPROVED KNOX KEY ELECTRIC SWITCH WHEN REQUIRED BY THE FIRE CODE OFFICIAL. SECURED NON-AUTOMATED VEHICLE GATES OR ENTRIES SHALL UTILIZE AN APPROVED PADLOCK OR CHAIN (MAXIMUM LINK OR LOCK SHACKLE SIZE OF ¼ INCH) WHEN REQUIRED BY THE FIRE CODE OFFICIAL.

- GATE ARMS SECURING PARKING LOTS AND PARKING STRUCTURES SHALL BE EQUIPPED WITH A FIRE DEPARTMENT APPROVED DUAL-KEYED KNOX KEY ELECTRIC SWITCH. WHEN ACTIVATED, THE ARM OR ARMS SHALL OPEN TO ALLOW FIRE AND LAW ENFORCEMENT ACCESS.

- APPROVED SECURITY GATES SHALL BE A MINIMUM OF 14 FEET IN UNOBSTRUCTED DRIVE WIDTH ON EACH SIDE WITH GATE IN OPEN POSITION.

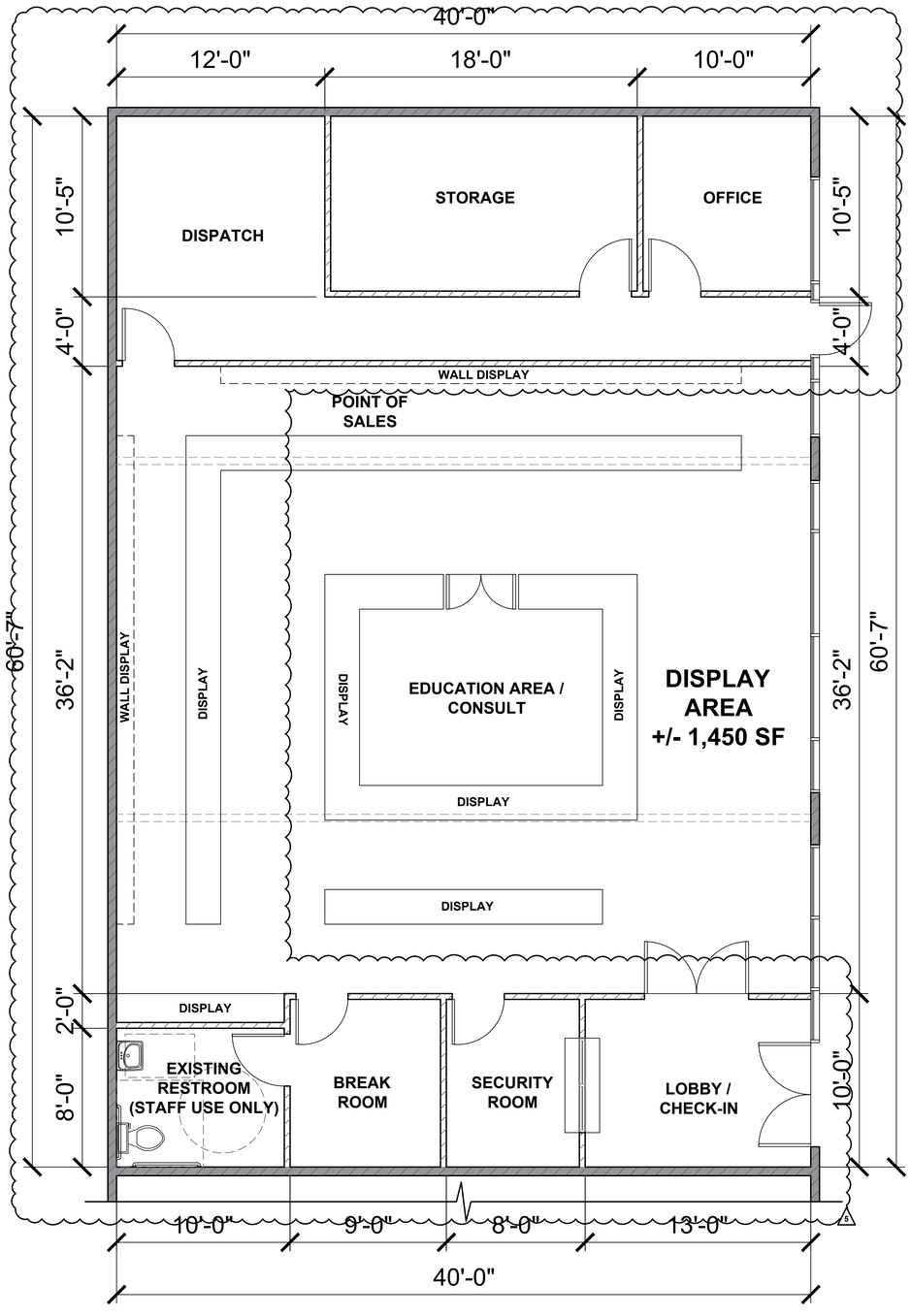
- IN THE EVENT OF A POWER FAILURE, THE GATES SHALL BE DEFAULTED OR AUTOMATICALLY TRANSFERRED TO A FAIL SAFE MODE ALLOWING THE GATE TO BE PUSHED OPEN WITHOUT THE USE OF SPECIAL KNOWLEDGE OR ANY EQUIPMENT. IF A TWO-GATE SYSTEM IS USED, THE OVERRIDE SWITCH MUST OPEN BOTH GATES.

- IF THERE IS NO SENSING DEVICE THAT WILL AUTOMATICALLY OPEN THE GATES FOR EXITING, A FIRE DEPARTMENT APPROVED KNOX ELECTRICAL OVERRIDE SWITCH SHALL BE PLACED ON EACH SIDE OF THE GATE IN AN APPROVED LOCATION.

- A FINAL FIELD INSPECTION BY THE FIRE CODE OFFICIAL OR AN AUTHORIZED REPRESENTATIVE IS REQUIRED BEFORE ELECTRONICALLY CONTROLLED GATES MAY BECOME OPERATIVE. PRIOR TO FINAL INSPECTION, ELECTRONIC GATES SHALL REMAIN IN A LOCKED-OPEN POSITION.

- ADD NEW SUBSECTION 506.3, HEIGHT, TO READ AS FOLLOWS:

- THE NOMINAL HEIGHT OF KNOX LOCK BOX INSTALLATIONS SHALL BE 5 FEET ABOVE GRADE.



THE ENVELOPE, OR SPACE CONDITIONING, LIGHTING, ELECTRICAL POWER DISTRIBUTION AND WATER HEATING SYSTEMS ARE NOT BEING ALTERED.

0 2 4 6 8 FT

N

2801 Harbor Blvd,
Costa Mesa,
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Minor Tenant Improvement

GIBBS ARCHITECTS

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LICENSED ARCHITECT KURT GIBBS SIGNATURE 10/21 EXP. DATE LIC. NO. C-22675 STATE OF CALIFORNIA

Revisions:

No.	Issue	Date
1	Client Review	22 Dec 2020
2	Client Review	4 July 2021
3	Client Review	7 July 2021
4	PC Submittal	20 Aug 2021
5	Back Check Submittal	29 Oct 2021
6	Back Check Submittal	15 Feb 2022
7	CUP Comments	23 Feb 2022

Project Number: 31020078

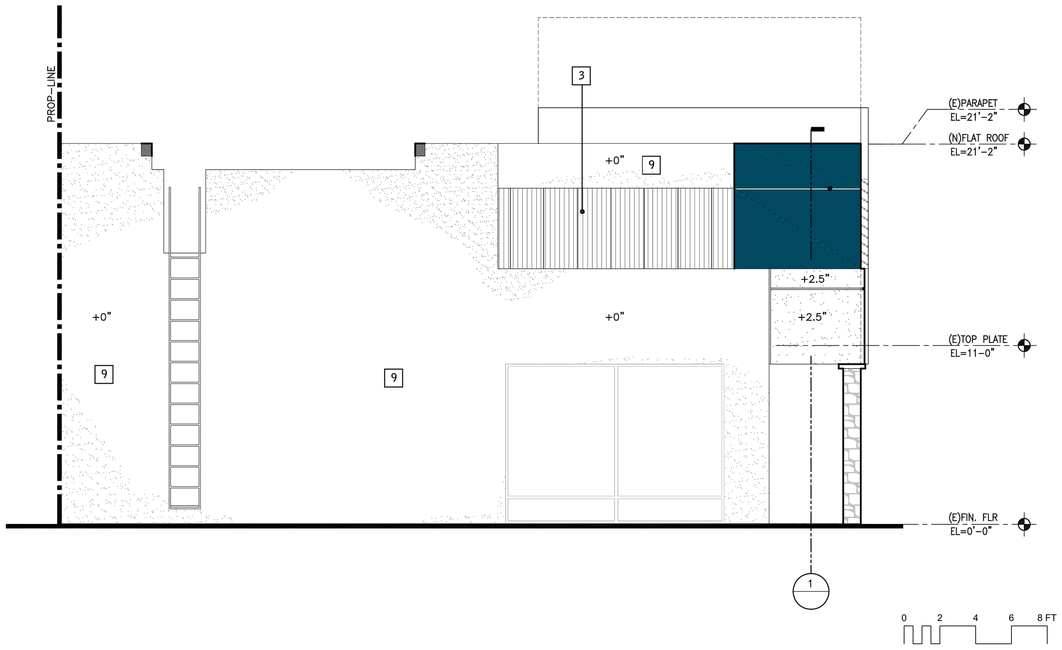
Date:

File: 17 March 2022

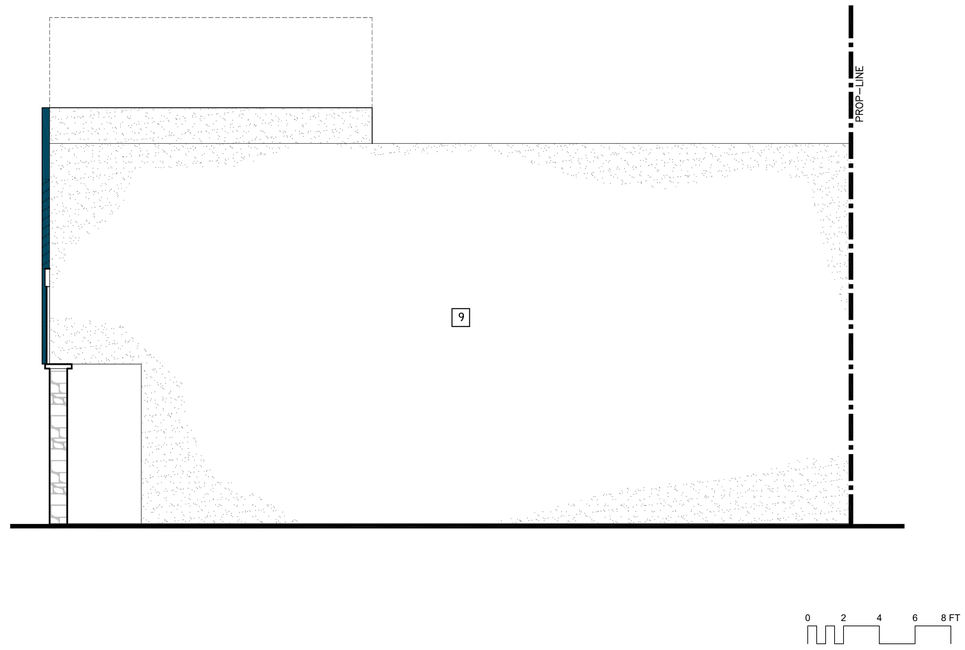
Scale: Scale As Noted

Sheet Title: **Floor Plan**

Drawing Number: **A2.01**



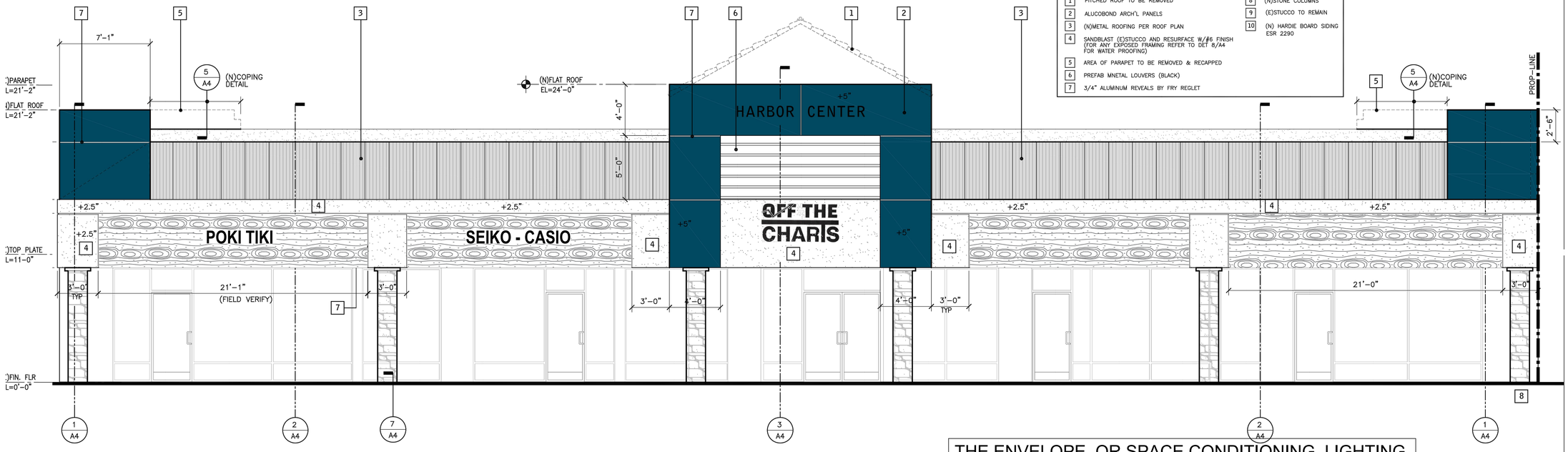
South Elevation | SCALE: 1/4" = 1'-0" | FILE: | 11



North Elevation | SCALE: 1/4" = 1'-0" | FILE: | 3

KEY NOTES:

1	PITCHED ROOF TO BE REMOVED	8	(N)STONE COLUMNS
2	ALUCOBOND ARCH'L PANELS	9	(E)STUCCO TO REMAIN
3	(N)METAL ROOFING PER ROOF PLAN	10	(N) HARDIE BOARD SIDING ESR 2290
4	SANDBLAST (E)STUCCO AND RESURFACE W/#6 FINISH (FOR ANY EXPOSED FRAMING REFER TO DET 8/A4 FOR WATER PROOFING)		
5	AREA OF PARAPET TO BE REMOVED & RECAPPED		
6	PREFAB MNETAL LOUVERS (BLACK)		
7	3/4" ALUMINUM REVEALS BY FRY REGLET		



THE ENVELOPE, OR SPACE CONDITIONING, LIGHTING, ELECTRICAL POWER DISTRIBUTION AND WATER HEATING SYSTEMS ARE NOT BEING ALTERED.

East Elevation | SCALE: 1/4" = 1'-0" | FILE: | 1

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LICENSED ARCHITECT KURT GIBBS SIGNATURE 10/21 EXP. DATE LIC. NO. C-22273 STATE OF CALIFORNIA

Revisions:

No.	Issue	Date
1	Client Review	22 Dec 2020
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3	Client Review	7 July 2021
4	PC Submittal	20 Aug 2021
5	Back Check Submittal	29 Oct 2021
6	Back Check Submittal	15 Feb 2022
7	CUP Comments	23 Feb 2022

Project Number: 31020078

Date:

File: 17 March 2022

Scale: Scale As Noted

Sheet Title: **Elevations**

Drawing Number: **A3.01**

CREE OSQ LED PARKING LOT SHIELDED FIXTURE



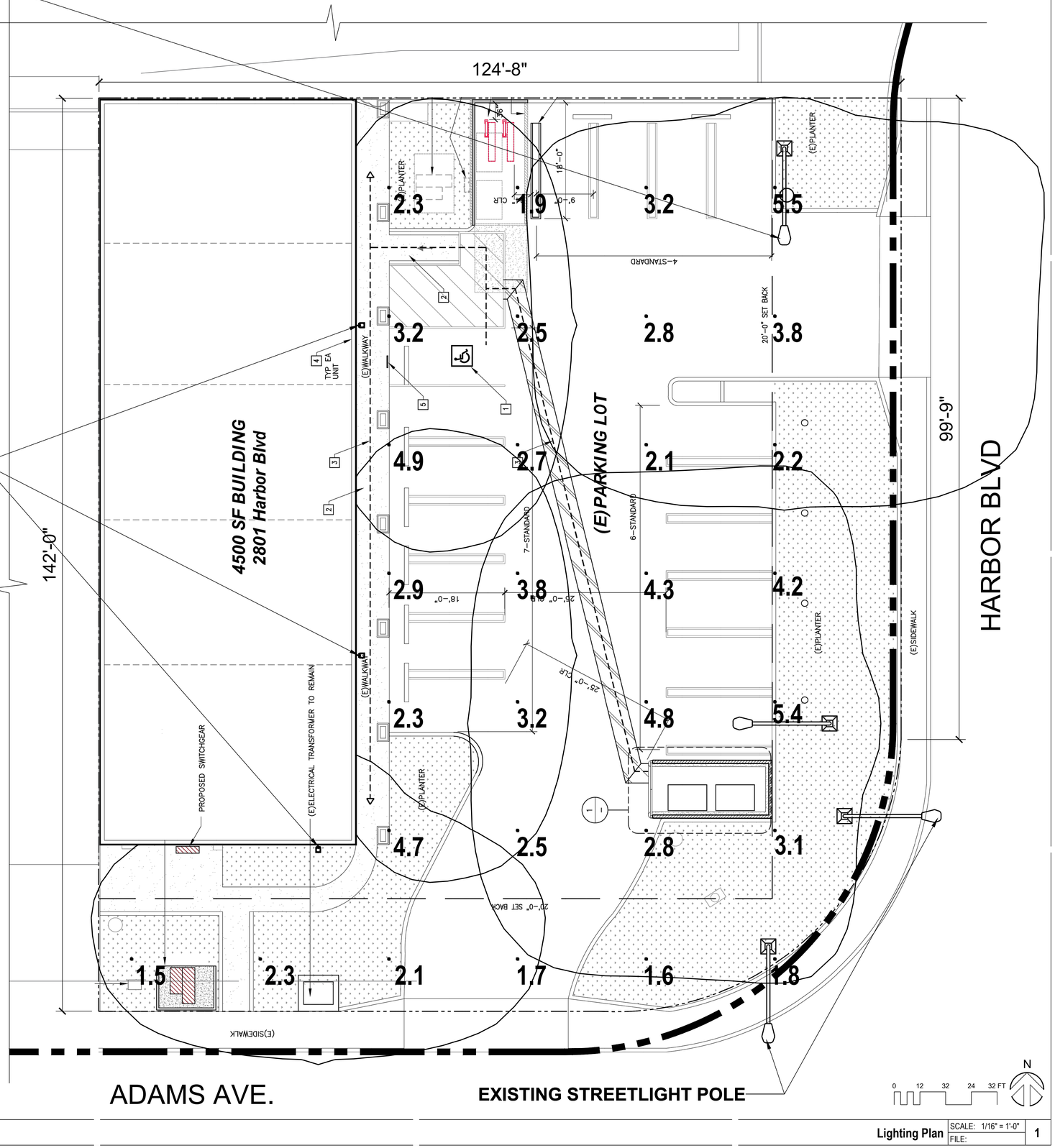
LYTEPRO16 WALLPACK



LIGHT SPILLAGE ONTO ADJACENT PROPERTIES SHALL BE LIMITED TO UP TO 0.5 FOOT CANDLE.

Luminaire Schedule				
Symbol	**Qty**	**Label**	**Arrangement**	**Description**
	2	SA4	Single	OSQM-B-11L-40K7-4M-UL-WH
	3	WP-1	Single	LPW-16-50-NW-G3-4-2021

Calculation Summary							
Label	**CalcType**	**Units**	**Avg**	**Max**	**Min**	**Avg/Min**	**Max/Min**
LOT	Illuminance	Fc	3.07	5.5	1.5	2.04	3.6



Lighting Plan SCALE: 1/16" = 1'-0" FILE: 1

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Revisions:

No.	Issue	Date
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5	Back Check Submittal	29 Oct 2021
6	Back Check Submittal	15 Feb 2022
7	CUP Comments	23 Feb 2022
8	Lighting Plan	27 June 2022

Project Number: 31020078

Date:

File: 29 June 2022

Scale: Scale As Noted

Sheet Title: **Photometric Plan**

Drawing Number: **A1.01B**

File #: 22-783 **Meeting Date:** 7/11/2022

TITLE:

PLANNING APPLICATION 21-24 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 2275 NEWPORT BOULEVARD

DEPARTMENT: **ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION**

PRESENTED BY: GABRIEL VILLALOBOS, ASSISTANT PLANNER

CONTACT INFORMATION: GABRIEL VILLALOBOS, 714-754-5610; Gabriel.Villalobos@costamesaca.gov

RECOMMENDATION:

Staff recommends that the Planning Commission adopt 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 21-24, subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant/authorized agent is Sean Maddocks of Retail CM1 LLC, on behalf of the property owners, Marky and Jill Stein.

BACKGROUND:

The subject property is located at 2275 Newport Boulevard at the southwestern corner of the intersection of Fairview Road and Newport Boulevard. The site is zoned C2 (General Business District) and is surrounded by other similarly zoned properties (C2) to the north and west, with Newport Boulevard and the 55 Freeway to the east and south. The site has a General Plan Land Use Designation of General Commercial and is also surrounded by similarly designated parcels to the north and west.

Existing development on the site consists of a one-story 1,738-square-foot commercial building with eighteen parking spaces on the existing surface parking lot located at the rear of the property. Access to the site is provided by two separate driveways along Fairview Road and Newport Boulevard. The existing building is currently vacant and was previously occupied by a retail flower shop (Conroy's Flowers). The proposed retail cannabis storefront use with delivery, "Nectar Markets", would occupy the entire existing building.

The property is located on one of the City's primary commercial corridors and the surrounding uses include a multi-tenant office building and a boat repair service shop. Existing businesses in this general area include a gas station and motor vehicle service station (76, Jiffy Lube), a garden supply store, carwash, thrift shop, medical plaza, and automotive/motorcycle repair shops. The subject property's parking lot is currently separated from the adjacent businesses both by a concrete block wall and chain-link fence. The portion of the chain-link fence adjacent to the parking lot is proposed to be replaced by a new six-foot tall concrete block wall.

Several multi-family residential properties are located within close proximity to the facility (approximately 80 feet "as the crow flies") that are accessed from Avocado Street. Although these residential properties are located relatively close, they are divided from the subject property by existing commercial properties.

There are no open Code Enforcement cases on this property.

Non-Conforming Development

The existing development is legal-nonconforming in terms of the landscaping provided onsite, and therefore is subject to the nonconforming provisions of the Costa Mesa Municipal Code (CMMC) Section 13-204. Pursuant to this Code Section, a conforming use may be located on a nonconforming property so long as the new site modifications do not result in greater site nonconformities, and such improvements bring the site into greater conformance with Code requirements. The CMMC and General Plan establish maximum floor area ratios (FARs) for each non-residential land use designation based on trip generation characteristics. Pursuant to the General Plan, the maximum FAR for the proposed use is 0.20 and the existing FAR is 0.09. As specifically allowed by the CMMC, the building size and placement on the site is in conformance with current development standards and no changes are proposed that would result in nonconformities. The applicant is proposing to bring the property into closer conformance by providing new landscaping onsite per the attached landscaping plan.

City of Costa Mesa Medical Marijuana Measure (Measure X) and Costa Mesa Retail Cannabis Tax and Regulation Measure (Measure Q)

In November 2016, Costa Mesa voters approved Measure X, allowing medical cannabis manufacturing, packaging, distribution, research and development laboratories, and testing laboratories in “Industrial Park” (MP) and “Planned Development Industrial” (PDI) zoned properties north of South Coast Drive and west of Harbor Boulevard (“The Green Zone,” excluding the South Coast Collection property located at 3303 Hyland Avenue). Measure X is codified in Titles 9 and 13 of the Costa Mesa Municipal Code (CMMC).

In 2018, non-medical adult use cannabis became legal in California under the State’s Medicinal and Adult-Use Cannabis Regulation and Safety Act (Proposition 64). On April 3, 2018, the City Council adopted Ordinance No. 18-04 to allow non-medical use cannabis facilities in the same manner and within the same geographic area as were previously allowed pursuant to Measure X.

On November 3, 2020, Costa Mesa voters approved Measure Q, the Costa Mesa Retail Cannabis Tax and Regulation Measure. This measure allowed the City to adopt regulations permitting storefront retail (dispensaries) and non-storefront retail (delivery) within the City subject to certain requirements. On June 15, 2021, the City Council adopted Ordinances No. 21-08 and No. 21-09 to amend Titles 9 and 13 of the CMMC to establish regulations for legal cannabis storefront and non-storefront uses. A “non-storefront” retailer sells packaged cannabis goods to customers through direct delivery only.

Cannabis Business Permit (CBP) Application Process

The process to establish a retail cannabis business is subject to an extensive submittal and application review procedure. Retail cannabis applicants must obtain the following City approvals before obtaining State approval and conducting business in Costa Mesa:

- Pre-Application Determination;
- CBP Notice to Proceed;
- Conditional Use Permit (CUP);
- Building Permit(s);
- Final City Inspections;
- CBP Issuance; and
- City Business License.

The “Pre-Application Determination” includes staff review of a detailed applicant letter that describes the proposed business, an existing site plan, statement attesting that there is/has been no unpermitted cannabis activity at the site within one year, and a detailed map demonstrating the proposed storefront’s distance from sensitive uses. Staff also visits the site at this time. Planning staff has completed the aforementioned pre-application review, visited the site, and issued a letter indicating that the application complies with the City’s required separation distances from sensitive uses and may

proceed to submittal of a CBP.

Following completion of the pre-application review, the applicant submitted a CBP application for the initial phase of the CBP review. Staff's initial CBP review includes:

- A background check of the business owner(s)/operator(s);
- An evaluation of the proposed business plan (including a capitalization analysis); and
- An evaluation of the proposed security plan by the City's cannabis security consultant, HdL Companies (HdL).

The applicant successfully passed these evaluations and staff issued a "CBP Notice to Proceed," which allows the applicant to submit a CUP application.

The CUP application and required supportive materials were submitted by the applicant and reviewed for conformance with City standards and regulations by the Planning Division, Building Division, Public Services Department (including Transportation and Engineering Divisions), Fire Department, and Police Department.

If the Planning Commission approves the CUP, the applicant may then begin the remaining steps of the CBP process, which include:

- Obtaining building permits;
- Completing tenant improvements; and
- Demonstrating through various City reviews/inspections that all conditions of approval have been satisfied, and that all other requirements of the CMMC have been met.

After passing the final City and HdL inspections, the CBP would be issued. CBP approval is valid for a two-year period and must be renewed (every two-years) prior to expiration. During the two-year CBP period, the Community Improvement Division (CID), along with other City staff, will conduct site inspections to verify that the business is operating in compliance with CUP and CBP requirements. Violations identified during site inspections may be grounds for revocation of issued permits or non-renewal of a CBP.

After obtaining the CBP, the applicant would apply for and obtain a City Business License through the Finance Department. Lastly, the applicant must obtain the appropriate license from the State Department of Cannabis Control (DCC) prior to operating.

Cannabis retail businesses are subject to a City established seven-percent gross receipts tax, which must be paid to the City of Costa Mesa's Finance Department. Records and revenues are audited annually by the Finance Department and HdL Companies.

DESCRIPTION:

Planning Application 21-24 is a request for a Conditional Use Permit (CUP) to allow a retail cannabis storefront use in an existing 1,738-square-foot commercial building located at 2275 Newport Boulevard. The affiliated State license is Type 10 "storefront retailer" which also allows retail delivery. Upon approval of a CUP, CBP, City Business License, and State licenses, the business would sell pre-packaged cannabis and pre-packaged cannabis products directly to customers visiting the storefront, and via delivery to private addresses, subject to conditions of approval and other City and State requirements.

ANALYSIS:

Conditional Use Permit Required

Pursuant to Costa Mesa Municipal Code (CMMC) Sections 13-28(B) and 13-200.93(c)(1), subject to the approval of the Planning Commission, a CUP is required for the establishment of cannabis retail storefronts and non-storefronts (delivery) in a commercial zone. The subject site is located within a commercial zone (C2 - General Business District) where commercial development is specifically allowed to include retail storefronts. The property is located on one of the City's primary commercial corridors and generally surrounded by commercial uses. Pursuant to the CMMC, cannabis

retail storefronts are conditionally permitted uses in the City's commercial zones and are subject to extensive regulation (as specifically described in this report). These regulations are adopted to prevent land use inconsistencies with adjacent properties. In addition, staff has drafted numerous specific conditions of approval, included in the Resolution, to ensure site-specific land use compatibility. For example, a condition is included that requires a parking lot attendant to monitor the customer use of the lot and, specifically during morning and evening hours, ensure that customers are respecting the adjacent uses in regard to noise or other potential disturbances.

Separation Requirements

CMMC Section 13-200.93(e) stipulates that no cannabis retail storefront use shall be located within 1,000 feet from a K-12 school, playground, licensed child daycare, or homeless shelter, or within 600 feet from a youth center as defined in CMMC Title 9, Chapter VI, Section 9-485, that is in operation at the time of submission of a completed cannabis business permit application. All separation distances are measured in a straight line "as the crow flies" from the "premises" where the cannabis retail use is to be located to the closest property line of the sensitive use(s). Premises is as defined in the State's Business and Professions Code Section 26001(aq) as *the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or licensee where the commercial cannabis activity will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one licensee.* Therefore, the premises only includes the retail cannabis activity areas (including sales, storage, back-of-house and/or other ancillary areas) and excludes the parking lot and other areas that are not part of the area licensed by the State for commercial cannabis activity. The subject site complies with the required separation from sensitive uses.

Exterior Tenant Improvements

The existing building has not been updated in several decades and therefore the applicant is proposing a facade renovation. Specifically, the applicant is proposing the demolition of the current brick veneer façade and the removal of all existing awnings and other façade features. No additional building height is being proposed. The exterior of the existing building will be renovated with new fiber cement panels and painted primarily in black, with gold accents. New metal awnings, decorative sconces, and other lighting features will also be included as part of the exterior remodel of the building. New windows are proposed to be installed and covered with an opaque privacy film to obscure any vision into the interior of the building. The applicant has also indicated that a future mural may be proposed at the rear of the building.

The applicant is proposing to update the site landscaping area with new trees, shrubs and ground cover. All existing landscaping will be removed, including two existing trees to be replaced by two new thirty-six inch box trees. In addition, various shrubs and ground cover treatments are also proposed. The applicant has provided a conceptual landscaping plan as part of their CUP plans that would bring the property into closer conformance with the City's landscaping standards. The City requires that final landscaping details (generally consistent with the conceptual plan) be reviewed further during the plan check permitting process.

Other proposed exterior improvements include:

- Installing a new, six-foot high block wall along a portion of the western and southern property lines abutting the existing boat repair service business;
- Demolition of an exterior transformer pad, to be replaced with new parking spaces;
- Increasing the onsite parking supply from 19 existing spaces to 21 spaces (including credit for one bicycle rack);
- Adding a bicycle rack to encourage multi-modal transportation;
- Restriping the parking lot to comply with the City's parking design standards; and
- Renovation of the existing trash enclosure to include a cover

The applicant also proposes to update the site with security lighting, surveillance cameras and new business signage (signs would be reviewed and permitted separately per the City's sign code requirements). Security lighting would be shielded, pointed downward and located in such a manner to prevent potential lighting impacts to the abutting properties. The applicant has provided a preliminary lighting plan as part of their CUP plans. As conditioned, the lighting plan would be further reviewed and required during the plan check process to demonstrate that lighting onsite would be adequate for security purposes but not cause inappropriate light spill onto the abutting properties.

Interior Tenant Improvements

The majority of the interior improvements would involve the demolition of some demising walls and an interior cooler previously used for storing flowers. The proposed floor plan includes the construction of new demising walls to create new rooms including a break room, cash counting area, office, and vault for storage. The vault room will also provide space for a product secured storage area. The remainder of the interior area of the existing building will be dedicated as the retail floor area, which will include display cases for product, a security check-in desk, nine point of sale (POS) systems, and an express checkout/pick-up desk for mobile orders. The retail area will be an open floor plan and as such there will be no partitions separating the check-in area from the retail area. Below is a square footage breakdown summary of each space within the existing 1,738-square-foot building.

Table 1: Square Footage

Showroom Area	1,242 SF
Restroom	60 SF
Break Room	136 SF
Office	86 SF
Cash Counting Area	45 SF
Vault	102 SF
Electrical Room	15 SF

Customer and Employee Access

A new double entrance door is proposed fronting Newport Blvd. After entering the doors, customers will check in at the security desk for age and identity verification. The security desk will be located near the front entrance. As previously indicated, a total of nine point of sale systems are proposed at the rear of the facility to minimize check-out lines and customer wait periods. In addition to the cashiers, there will also be roaming staff to assist customers browsing the cannabis products. An express checkout area will also be available for those customers who placed mobile orders. A security guard would monitor the area at all times to ensure that customers are following regulations.

Employees would also enter through the main entrance doors. Once inside the storefront, employees would need to enter through a controlled access door that would lead into the back-of-house areas.

Delivery Operations

A new access-controlled ingress/egress door is proposed on the southerly facing building elevation with direct access to the “breakroom.” This door will be used as a delivery vehicle loading/unloading area, and also used for delivery of storefront product inventory from licensed distributors. When loading and unloading delivery vehicles and vendor vehicles, drivers would first enter through the main entrance to check-in with security personnel and then bring product into and out of the storefront via this access-controlled door. Vendors would only be allowed to enter the premise while accompanied by an employee. The vehicle loading area includes two designated parking spaces that

are directly adjacent to the access-controlled door. This access door, path of travel and vehicle loading areas would be under camera surveillance, and all operations in this area, including loading/unloading of delivery vehicles, would be monitored by a security guard.

Storefront and Delivery Operational Requirements

The proposed business is required to comply with the following retail storefront and delivery operational requirements:

- Display State license, CBP, and City business license in a conspicuous building location;
- Hours of operations are limited to 7:00 AM to 10:00 PM daily;
- Shipments of cannabis goods may only be accepted during regular business hours;
- Cannabis inventory shall be secured using a lockable storage system during non-business hours;
- At least one licensed security guard shall be on premises 24-hours a day;
- The premises and the vicinity must be monitored by security and/or other staff to ensure that patrons immediately leave, do not consume cannabis onsite or within close proximity, and/or do not disturb the adjacent properties. Security guards will monitor the parking lot diligently during morning and evening business hours. The CMMC prohibits the consumption of cannabis or cannabis products in public areas; cannabis consumption is limited to non-public areas, such as within a private residence. State law further prohibits cannabis consumption and open container possession within 1,000 feet of sensitive uses and while riding in or driving a vehicle;
- There must be continuous video monitoring and recording of the interior and exterior of the premises;
- Adequate security lighting shall be provided and shall be designed to prevent offsite light spill;
- Onsite sales of alcohol or tobacco products and on-site consumption of alcohol, cannabis, and tobacco products is prohibited;
- No one under the age of 21 is allowed to enter the premises. If the business holds a retail medical cannabis license (M-license) issued by the State, persons over the age of 18 may also be allowed with the proper medical approvals i.e. physician's recommendation or medical card pursuant to CMMC Section 9-495(h)(6);
- Prior to employment, all prospective employees must successfully pass a background check conducted by the City, and the employee must obtain a City issued identification badge;
- Customers are only granted access to the retail area after their age and identity has been confirmed by an employee;
- Each transaction involving the exchange of cannabis goods between the business and consumer shall include the following information:
    - Date and time of transaction;
    - Name and employee number/identification of the employee who processed the sale;
    - List of all cannabis goods purchased including quantity; and
    - Total transaction amount paid.
- There must be video surveillance of the point-of-sale area and where cannabis goods are displayed and/or stored;
- Cannabis products shall not be visible from the exterior of the building;
- Free samples of cannabis goods are prohibited;

- When receiving new inventory from licensed distributors, employees will verify the distributor's identity and license prior to allowing them to enter the facility through an access-controlled door. After distributor's credentials have been confirmed, an employee will escort the distributor to the shipping and receiving area and remain with them throughout the process.
- Cannabis goods to be sold at this establishment (either storefront or delivery) must be obtained by a licensed cannabis distributor and have passed laboratory testing;
- Cannabis product packaging must be labeled with required test results and batch number;
- Packaging containing cannabis goods shall be tamper-evident and child-resistant; if packaging contains multiple servings, the package must also be re-sealable;
- When processing orders for cannabis delivery, employees will collect the pre-packaged materials, load products into a secured container and transport the containers to delivery vehicles outside the building. Video surveillance cameras will be installed with direct views of the path of travel and loading and unloading area;
- Cannabis deliveries must be made in-person by an employee of the licensed retailer. An independent contractor, third-party courier service, or an individual employed through a staffing agency would not be considered employed by the licensed retailer;
- The applicant shall maintain proof of vehicle insurance for any and all vehicles being used to deliver cannabis goods;
- During delivery, the employee shall maintain a physical or electronic copy of the delivery request and shall make it available upon request by the licensing authority and law enforcement officers;
- A delivery employee shall not leave the State of California while possessing cannabis products and while performing their duties for the cannabis retailer;
- The business shall maintain a list of all deliveries, including the address delivered to, the amount and type of product delivered, and any other information required by the State;
- Any delivery method shall be made in compliance with State law, as amended, including use of a vehicle that has a dedicated global positioning system (GPS) device for identifying the location of the vehicle (cell phones and tablets are insufficient);
- Signs, decals or any other form of advertisement on the delivery vehicles are prohibited;
- Deliveries must be made to a physical address that is not on publicly owned land and cannot be a school, a day care, homeless shelter, or a youth center; and
- A cannabis delivery employee shall not carry cannabis goods valued in excess of $5,000 at any time, with no more than $3,000 of cannabis goods that are not already part of a customer order that was processed prior to leaving the premises.

Business Plan

The applicant has submitted a detailed business plan that was evaluated by the City's cannabis consultant (HdL). The business plan described the owners' experience, proof of capitalization, start-up budget, a three-year pro forma, target customers, key software, and daily operations. The business plan contains proprietary details and is therefore not included as an attachment to this staff report. The City's cannabis consultant determined that the applicant's business plan was appropriate for continued entitlement processing.

Security Plan

The applicant has submitted a professionally prepared security plan for the proposed retail cannabis

establishment. The City's cannabis consultant reviewed the security plan and determined that appropriate security measures were included to address the City's security requirements pursuant to CMMC Title 9, Chapter VI, and State law.

Since the security plan contains sensitive operational details that require limited public exposure to remain effective, the plan is not included as an attachment. However, the following is a list of general security measures that are required for the proposed cannabis retail establishment:

- At least one security guard will be on-site 24-hours a day;
- All employees, including drivers, must pass a "Live Scan" background check;
- City-issued identification badges are required for employees;
- An inventory control system shall be maintained;
- Exterior and interior surveillance cameras shall be monitored and professionally installed;
- An alarm system shall be professionally installed, maintained, and monitored;
- Surveillance footage must be maintained for a minimum of 90 days;
- Cash, cannabis, and cannabis products shall be kept in secured storage areas;
- Sensors shall be installed that detect entry and exit from all secured areas;
- Security lighting (interior and exterior) shall be installed;
- Emergency power supply shall be installed;
- Employees shall be trained for use with any/all emergency equipment;
- Delivery drivers shall be trained on delivery safety protocols;
- Employees and vendors will be trained regarding cash and product transportation protocol;
- Visitor/customer specific security measures shall be required;
- All facility entry and exit points and locations where cash or cannabis products are handled or stored shall be under camera surveillance;
- The applicant shall submit a list of all vehicles to be used for retail delivery purposes to the Costa Mesa Police Department. The list shall identify the make, model, color, license plate number, and registered owner of each vehicle. The applicant shall submit an updated vehicle list each quarter with the required quarterly update to the employee roster pursuant to the CBP.
- Delivery vehicle drivers shall be at least age 21, have a current driver's license, successfully complete a live scan, and have a City-issued badge; and
- The business operator shall ensure that all delivery vehicles are properly maintained, all delivery drivers have a good driving record, and each driver conducts a visual inspection of the vehicle at the beginning of a shift.

Parking and Circulation

Retail cannabis uses are subject to the same parking ratio requirement as other retail establishments in the City (four spaces per 1,000 square feet of gross floor area). Based on this ratio, the 1,738-square-foot facility would be required to provide seven onsite parking spaces. The subject property includes an existing surface parking lot with eighteen parking spaces. Access to the site is provided by two separate ingress/egress driveways from Fairview Road and Newport Blvd. There is an existing public sidewalk at the front of the building, which provides access to the site for pedestrians and bicyclists.

The applicant proposes to reconfigure the parking lot to increase the provided parking to 22 parking spaces (twenty standard spaces, one accessible space, and credit for one bicycle rack) and therefore is proposing to provide 15 surplus parking spaces. However, two of the 22 parking spaces would be designated for delivery operations and product receiving. Since the proposed use would occupy the entire building, all onsite parking would serve the retail cannabis business.

As with many new uses and based on many factors that are difficult to quantify, it is difficult to anticipate exact demand for a new use; however, if parking shortages or other parking-related problems occur, the business owner or operator will be required to monitor the parking lot and institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services (see "Operational Conditions" of Approval No. 7 in the attached Resolution). Examples of parking demand management techniques include, but are not limited to, reducing operating hours of the business, hiring an employee to monitor parking lot use and assist with customer parking lot circulation, encouraging customers to take advantage of delivery service instead of store visits, offering an employee shuttle service, and incentivizing employee carpooling/cycling/walking.

Traffic

The CMMC Section 13-275(e) indicates that any increase in traffic generation by a change of use that is required to obtain a discretionary permit, shall be subject to review by the appropriate reviewing authority, which may impose fees to address increased trip generation. If required, the fee collected is used to fund the City's comprehensive transportation system improvement program. The purpose of the program is to ensure that the City's transportation system has the capacity to accommodate additional trips.

The Transportation Services Division determined that the appropriate average daily trips (ADT) for a cannabis retail establishment is approximately 108 trips per 1,000 square feet based on the Institute of Transportation Engineers (ITE) 11th Edition Trip Generation Manual for a "pharmacy/drug store, with a drive-thru." The City's traffic review focuses on net trip increase and therefore the ADT for the previous/existing use(s) is credited (subtracted) from the proposed use ADT to estimate potential changes in trip generation. Staff analyzed the ADT of the previous retail florist use and compared that with the proposed retail cannabis use ADT. CMMC Section 13-275(a), specifies that "a traffic impact study shall be required for all development projects estimated by the Public Services Department to generate one hundred (100) or more vehicle trip ends during a peak hour." Staff determined that the proposed use does not meet the threshold for requiring a traffic study. However, the proposed use would be subject to a traffic impact fee. The estimated traffic impact fee is approximately $22,000. The fee calculation would be finalized during the building permit plan check process and must be paid prior to building permit issuance.

Odor Attenuation

Cannabis products would arrive in State compliant packaging that is sealed and odor-resistant and would remain unopened until consumption. However, a minimal amount of cannabis product would be removed from packaging for display purposes and would be placed in transparent display containers. The proposed HVAC system would utilize Activated Carbon Filtration systems to completely filter the air. As conditioned, the operator must replace the air filters at regular intervals, as

directed in the manufacturer specifications. Further, as conditioned, if cannabis odor is detected outside of the building or off-site specifically, the business owner/operator will be required to institute further operational measures necessary to eliminate off-site odors in a manner deemed appropriate by the Director of Economic and Development Services. Lastly, cannabis products are not allowed to be disposed of in the exterior trash area, and the trash area is conditioned to be located and designed in a manner to avoid offsite impacts.

GENERAL PLAN CONFORMANCE:

The Costa Mesa General Plan establishes the long range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa for the next two decades. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that both serve local needs and attract regional and international spending, and providing cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives, and policies contained in this Plan.
The following analysis evaluates the proposed project's consistency with applicable policies and objectives of the 2015-2035 General Plan.

1. **Policy LU-1.1:** *Provide for the development of a mix and balance of housing opportunities, commercial goods and services and employment opportunities in consideration of the need of the business and residential segments of the community.*

   Consistency: The proposed use would provide a new entrepreneurial business in Costa Mesa located within a commercial area as allowed under Measure Q, and provides new goods and services and new employment opportunities in the community.

2. **Objective LU-6B:** *Encourage and facilitate activities that expand the City's revenue base.*

   Consistency: Retail cannabis uses are expected to generate increased tax revenues in that cannabis sales are subject to a seven-percent local tax on gross receipts. Approval of the proposed cannabis retail storefront with delivery would allow business operations that would expand the City's revenue base. This revenue can then be used for community services and infrastructure improvements that serve the community.

3. **Policy LU-6.15:** *Promote unique and specialized commercial and industrial districts within the City which allow for incubation of new or growing businesses and industries.*

   Consistency: The proposed use is part of the specialized and growing cannabis industry that is limited in the surrounding region. Approval of this CUP would facilitate a new local business opportunity in a specialized and expanding industry.

REQUIRED FINDINGS:

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, in order to

approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets specified findings as follows:

- *The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.*

  The subject site is located within a commercial zone (C2, General Business District) where commercial development is specifically allowed to include retail storefronts. In addition, the property is located on one of the City's primary commercial corridors which is predominantly intended for commercial uses. Pursuant to the CMMC, cannabis retail storefronts and non-storefronts (delivery) are permitted uses in the City's commercial zones and are subject to extensive regulation (as specifically described in this report). These regulations are adopted to prevent land use inconsistencies with adjacent properties. Additionally, the proposed cannabis retail storefront use is not located within 1,000 feet of a K-12 school, playground, licensed child daycare, or homeless shelter, or within 600 feet of a youth center (as defined by the CMMC). All retail sales would take place underroof and no outdoor storage or sales are proposed nor would be allowed. Staff does not anticipate that the proposed retail cannabis use would be materially detrimental to the adjacent uses that include a boat repair shop and multi-tenant office building.

- *Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.*

  The proposed cannabis retail storefront with delivery use would follow safety measures detailed in a professionally-prepared security plan. The security plan was evaluated for compliance by the City's cannabis consultant, HdL. Measures designed to maintain safety at the site include, but are not limited to, multiple security guards would be on site during business hours, at least one security guard would be onsite at all times and security devices shall be installed before operation. Examples of security devices include window and door alarms, motion-detectors, limited access areas, and a monitored video surveillance system covering all exterior entrances, exits, and all interior limited access spaces. In addition, the business employees, including delivery drivers and part-time staff, must pass a live scan background check and obtain an identification badge from the City. The conditions of approval include, but are not limited to, the aforementioned security measures to ensure that the use would not be materially detrimental to the health, safety and general welfare of the public or be otherwise injurious to property or improvements within the immediate neighborhood.

- *Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.*

  The proposed retail use is located within an existing commercial building on a property that has a General Plan land use classification of "General Commercial." No additional square footage is proposed; therefore, approving the CUP would not increase site intensity. As stated in the General Plan Land Use Element, the City's commercial designations "accommodate the full range of commercial activity present and desired in Costa Mesa." The use is consistent

with General Plan policies related to providing a mixture of commercial goods, services, and employment opportunities; expanding the City's tax base; and promoting the incubation of unique and specialized businesses.

ENVIRONMENTAL DETERMINATION:

The project is categorically exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing use. This project site contains an existing commercial building that has been used for commercial activities and the application does not propose an increase in commercial floor area. The project is consistent with the applicable General Plan land use designation and policies as well as with the applicable zoning designation and regulations.

ALTERNATIVES:

The Planning Commission has the following alternatives:

1. *Approve the project*. The Planning Commission may approve the project as proposed, subject to the conditions outlined in the attached Resolution.
2. *Approve the project with modifications*. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the hearing should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.
3. *Deny the project*. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months.

LEGAL REVIEW:

The draft Resolution and this report have been approved as to form by the City Attorney's Office.

PUBLIC NOTICE:

Pursuant to Title 13, Section 13-29(d) of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on each street frontage of the project site.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper.

As of the date this report was circulated, no written public comments have been received. Any public comments received prior to the July 11, 2022 Planning Commission meeting will be provided

separately.

CONCLUSION:

The proposed project is a retail cannabis storefront business with delivery at an existing developed commercial property that is located on one of the City's commercial corridors and meets separation requirements established in CMMC 13-200.93(e). Staff and the City's cannabis consultant completed the Application Determination, Business Plan and Security Plan evaluations, owner background checks, and thoroughly reviewed the CUP materials. If approved, the operation would be required to comply with all conditions of approval and extensive City and State regulations.

If the Planning Commission approves the project, the applicant would next obtain building permits, complete tenant improvements, and pass City inspections prior to obtaining a CBP and City Business License. The CBP is valid for two years and must be continuously renewed, including inspections, prior to expiration. During each two-year CBP period, the Community Improvement Division, along with other City staff, conduct site inspections to verify that the operation complies with CUP and CBP requirements. Violations identified during site inspections may be grounds for revocation of issued permits or non-renewal of a CBP.

As proposed and conditioned, the use would be consistent with other commercial uses in the C2 zone, the Zoning Code, and the City's General Plan. Further, the project has been conditioned to minimize impacts to the neighboring uses. The required findings for the CUP can be made, as described above, and therefore, staff recommends approval of Planning Application 21-24 subject to conditions of approval.

RESOLUTION NO. PC-2022-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 21-24 FOR A STOREFRONT RETAIL CANNABIS BUSINESS WITH DELIVERY (NECTAR MARKETS) IN THE C2 ZONE AT 2275 NEWPORT BOULEVARD

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, in November 2020, the Costa Mesa voters approved Measure Q; which allows for storefront and non-storefront retail cannabis uses in commercially zoned properties meeting specific location requirements, and non-storefront retail cannabis uses in Industrial Park (MP) and Planned Development Industrial (PDI) zoned properties;

WHEREAS, on June 15, 2021, the City Council adopted Ordinance Nos. 21-08 and No. 21-09 to amend Titles 9 and 13 of the Costa Mesa Municipal Code (CMMC) to establish regulations for cannabis storefront and non-storefront uses;

WHEREAS, Planning Application 21-24 was filed by Sean Maddocks, authorized agent for the property owners, Jill and Marky Stein, requesting approval of the following:

A Conditional Use Permit to operate a storefront retail cannabis business with delivery within an existing 1,738-square-foot commercial building located at 2275 Newport Boulevard. The business would sell pre-packaged cannabis and pre-packaged cannabis products directly to customers onsite and via delivery to private addresses, subject to conditions of approval and other City and State requirements;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 11, 2022 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of CEQA per Section 15301 (Class 1), for Existing Facilities, as described specifically in the staff report;

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa.

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit

B, the Planning Commission hereby **APPROVES** Planning Application 21-24 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application 21-24 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable State, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 11th day of July, 2022.

Byron de Arakal, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2022- was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on July 11, 2022 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:

Finding: The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Findings: The subject site is located within a commercial zone (C2, General Business District) where commercial development is specifically allowed to include retail storefronts. In addition, the property is located on one of the City's primary commercial corridors which is predominantly intended for commercial uses. Pursuant to the CMMC, cannabis retail storefronts and non-storefronts (delivery) are permitted uses in the City's commercial zones and are subject to extensive regulation. These regulations are adopted to prevent land use inconsistencies with adjacent properties. Additionally, the proposed cannabis retail storefront use is not located within 1,000 feet of a K-12 school, playground, licensed child daycare, or homeless shelter, or within 600 feet of a youth center (as defined by the Costa Mesa Municipal Code). All retail sales would take place underroof and no outdoor storage or sales are proposed nor would be allowed. Staff does not anticipate that the proposed retail cannabis use would be materially detrimental to the adjacent uses that include a boat repair shop and multi-tenant office building.

Finding: Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Finding: The proposed cannabis retail storefront with delivery use would follow safety measures detailed in a professionally-prepared security plan. The security plan was evaluated for compliance by the City's cannabis consultant, HdL. Measures designed to maintain safety at the site include, but are not limited to, multiple security guards would be on site during business hours, at least one security guard would be onsite at all times and security devices shall be installed before operation. Examples of security devices include window and door alarms, motion-detectors, limited access areas, and a monitored video surveillance system covering all exterior entrances, exits, and all interior limited access spaces. In addition, the business employees, including delivery drivers and part-time staff, must pass a live scan background check and obtain an identification badge from the City. The conditions of approval include, but are not limited to, the aforementioned security measures to ensure that the use would not be materially detrimental to

the health, safety and general welfare of the public or be otherwise injurious to property or improvements within the immediate neighborhood.

Finding: Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

Facts in Support of Finding: The proposed retail use is located within an existing commercial building on a property that has a General Plan land use classification of "General Commercial." No additional square footage is proposed; therefore, approving the CUP would not increase site intensity. As stated in the General Plan Land Use Element, the City's commercial designations "accommodate the full range of commercial activity present and desired in Costa Mesa." The use is consistent with General Plan policies related to providing a mixture of commercial goods, services, and employment opportunities; expanding the City's tax base; and promoting the incubation of unique and specialized businesses.

B. The project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing use. This project site contains an existing commercial building that has been used for commercial activities and the application does not propose an increase in gross floor area, or otherwise expand the prior use of a retail establishment. The project is consistent with the applicable General Plan land use designation and policies as well as with the applicable zoning designation and regulations.

C. The project is subject to a traffic impact fee, pursuant to Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL

General

Plng.

1. The use of this property as a cannabis storefront and delivery business shall comply with the approved plans and terms described in the resolution, these conditions of approval, and applicable sections of the Costa Mesa Municipal Code (CMMC). The Planning Commission may modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
2. Approval of the planning/zoning application is valid for two years from the effective date of this approval and will expire at the end of that period unless the applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and has continued to maintain a valid building permit by making satisfactory progress as determined by the Building Official, 2) a certificate of occupancy has been issued, or 3) the use is established and a business license has been issued. A time extension can be requested no less than 30 days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
3. No person may engage in any cannabis business or in any cannabis activity within the City including delivery or sale of cannabis or a cannabis product unless the person:
   a. Has a valid Cannabis Business Permit from the City;
   b. Has paid all Cannabis Business Permit and all application fees and deposits established by resolution of the City Council, including annual Community Improvement Division inspection deposits;
   c. Has obtained all applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such cannabis business intends to operate;
   d. Has obtained a City business license pursuant to Chapter I of the Municipal Code;
   e. Is in compliance with all requirements of the Community Improvement Division regarding the property;
   f. Has obtained any and all licenses required by State law and/or regulations; and
   g. Has satisfied all CUP conditions of approval.

4. Any change in the operational characteristics of the use shall be subject to Planning Division review and may require an amendment to the Conditional Use Permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change.
5. No cultivation of cannabis is allowed anywhere on the premises.
6. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable State and local laws, including, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.
7. Except for operations allowed by this Conditional Use Permit and under an active Cannabis Business Permit and State Type 10 license, no permit holder or any of its employees shall sell, distribute, furnish, and/or otherwise provide any cannabis or cannabis product to any person, firm, corporation, group or any other entity, unless that person or entity is a lawful, bona fide customer, or it possesses all currently valid permits and/or licenses required by both the State of California and applicable local governmental entity to lawfully receive such cannabis and to engage in a “cannabis activity” as defined by Costa Mesa Municipal Code sec. 9-485. The permit holder shall verify that the recipient, regardless of where it is located, of any cannabis or cannabis product sold, distributed, furnished, and/or otherwise provided by or on behalf of the permit holder, possesses all required permits and/or licenses therefor.
8. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant’s project, or any approvals granted by City related to the applicant’s project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City’s interests, and applicant shall indemnify City for all such costs incurred by City.
9. If any section, division, sentence, clause, phrase or portion of this approval is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.
10. The use shall operate in accordance with the approved Security Plan. Any changes to the Security Plan must be submitted to the Planning Division with

a written explanation of the changes. If the Director determines that changes are substantial, a modification to the Cannabis Business Permit and/or amendment to the CUP may be required.

11. A parking management plan, including techniques described in Operational Condition of Approval No. 7, must be approved by the Director of Economic and Development Services or designee prior to any grand opening or other high volume event on the subject property.

Bldg. 12. Development shall comply with the requirements of the following adopted codes: 2019 California Residential Code, 2019 California Building Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Green Building Standards Code and 2019 California Energy Code (or the applicable adopted, California Residential Code, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2019 California Building Code.

CBP 13. The operator shall maintain a valid Cannabis Business Permit and a valid Business License at all times. The Cannabis Business Permit application number associated with this address is MQ-21-11. Upon issuance, the Cannabis Business Permit will be valid for a two-year period and must be renewed with the City prior to its expiration date, including the payment of permit renewal fees. No more than one Cannabis Business Permit may be issued to this property.

14. The use shall operate in accordance with the approved Business Plan. Any changes to the Business Plan must be submitted to the Planning Division with a written explanation of the changes. If the Director determines that changes are substantial, a modification to the Cannabis Business Permit and/or amendment to the CUP may be required.

15. A Cannabis Business Permit may be revoked upon a hearing by the Director of Economic and Development Services or designee pursuant to Section 9-120 of the CMMC for failing to comply with the terms of the permit, the applicable provisions of the CMMC, State law or regulation and/or any condition of any other permit issued pursuant to this code. Revocation of the Cannabis Business Permit shall trigger the City's proceedings to revoke the Conditional Use Permit and its amendments. The Conditional Use Permit granted herein shall not be construed to allow any subsequent owner/operator to continue operating under PA-21-24 until a valid new Cannabis Business Permit is received from the City of Costa Mesa.

16. A change in ownership affecting an interest of 51 or more percent, or an incremental change in ownership that will result in a change of 51 or more percent over a three year period, shall require submittal and approval of a

new Cannabis Business Permit. A change in ownership that affects an interest of less than 51 percent shall require approval of a minor modification to the Cannabis Business Permit.

State 17. The business must obtain any and all licenses required by State law and/or regulation prior to engaging in any cannabis activity at the property.

18. The applicant shall obtain State License Type 10 prior to operating. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable State and local laws, including, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.

19. Suspension of a license issued by the State of California, or by any of its departments or divisions, shall immediately suspend the ability of a cannabis business to operate within the City, until the State of California, or its respective department or division, reinstates or reissues the State license. Should the State of California, or any of its departments or divisions, revoke or terminate the license of a cannabis business, such revocation or termination shall also revoke or terminate the ability of a cannabis business to operate within the City. This Conditional Use Permit will expire and be of no further force and effect if any State issued license remains suspended for a period exceeding six (6) months. Documentation of three violations during routine inspections or investigations of complaints shall result in the Community Inprovement Division scheduling a hearing before the Director of Development Services to consider revocation of the Cannabis Business Permit.

20. Third parties are prohibited from providing delivery services for non-storefront retail.

21. Persons under the age of twenty-one (21) years shall not be allowed on the premises of this business, except as otherwise specifically provided for by state law and CMMC Section 9-495(h)(6). It shall be unlawful and a violation of this CUP for the owner/operator to employ any person who is not at least twenty-one (21) years of age.

PD 22. Every manager, supervisor, employee or volunteer of the cannabis business must submit fingerprints and other information specified on the Cannabis Business Permit for a background check by the Costa Mesa Police Department to verify that person's criminal history. No employee or volunteer may commence paid or unpaid work for the business until the background checks have been approved. No cannabis business or owner thereof may employ any person who has been convicted of a felony within the past 7 years, unless that felony has been dismissed, withdrawn, expunged or set aside pursuant to Penal Code sections 1203.4, 1000 or 1385, or who is currently on probation or parole for the sale, distribution, possession or manufacture of a controlled substance.

CID 23. Should any employee, volunteer or other person who possesses an identification badge be terminated or cease their employment with the

business, the applicant shall return such identification badge to the City of Costa Mesa Community Improvement Division within 24 hours, not including weekends and holidays.

24. The property owner and applicant shall use "Crime Prevention Through Environmental Design" techniques to reduce opportunities for crime, loitering and encampments on the property as deemed appropriate by the Community Improvement Manager and Director of Economic and Development Services.

Finance

25. This business operator shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees and permits required under State and local law. This business operator shall cooperate with the City with respect to any reasonable request to audit the cannabis business' books and records for the purpose of verifying compliance with the CMMC and this CUP, including but not limited to a verification of the amount of taxes required to be paid during any period.

26. The following records and recordkeeping shall be maintained/conducted:

    a. The owner/operator of this cannabis business shall maintain accurate books and records, detailing all of the revenues and expenses of the business, and all of its assets and liabilities. On no less than an annual basis, or at any time upon reasonable request of the City, the owner/operator shall file a sworn statement detailing the number of sales by the cannabis business during the previous twelve month period (or shorter period based upon the timing of the request), provided on a per-month basis. The statement shall also include gross sales for each month, and all applicable taxes paid or due to be paid.

    b. The owner/operator shall maintain a current register of the names and the contact information (including the name, address, and telephone number) of anyone owning or holding an interest in the cannabis business, and separately of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the cannabis business. The register required by this condition shall be provided to the City Manager upon a reasonable request.

    c. The owner/operator shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products for all stages of the retail sale and delivery process. Subject to any restrictions under the Health Insurance Portability and Accountability Act (HIPPA), the owner/operator shall allow City officials to have access to the business's books, records, accounts, together with any other data or documents relevant to its permitted cannabis activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than twenty-four (24) hours after receipt of the City's request, unless otherwise stipulated by the City.

    d. The owner/operator shall have in place a point-of-sale tracking system to track and report on all aspects of the cannabis business including,

but not limited to, such matters as cannabis tracking, inventory data, and gross sales (by weight and by sale). The owner/operator shall ensure that such information is compatible with the City's record-keeping systems. The system must have the capability to produce historical transactional data for review by the City Manager or designees.

Insp. 27. The City Manager or designees may enter this business at any time during the hours of operation without notice, and inspect the location of this business as well as any recordings and records required to be maintained pursuant to Title 9, Chapter VI or under applicable provisions of State law.

28. Inspections of this cannabis business by the City will be conducted, at a minimum, on a quarterly basis. The applicant will pay for the inspections according to the adopted Fee Schedule.

29. Quarterly Fire & Life Safety Inspections will be conducted by the Community Risk Reduction Division to verify compliance with the approved operation. The applicant will pay for the inspection according to the Additional Required Inspections as adopted in the Fee Schedule.

30. Annual Fire & Life Safety Inspections will be conducted by the Fire Station Crew for emergency response pre-planning and site access familiarization. The applicant will pay for the inspection according to the adopted Fee Schedule.

31. Pursuant to Title 9, Chapter VI, it is unlawful for any person having responsibility for the operation of a cannabis business, to impede, obstruct, interfere with, or otherwise not to allow, the City to conduct an inspection, review or copy records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law. It is also unlawful for a person to conceal, destroy, deface, damage, or falsify any records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law.

Prior to Issuance of Building Permits

1. Plans shall be prepared, stamped and signed by a California licensed Architect or Engineer.
2. The conditions of approval and ordinance or code provisions of Planning Application 21-22 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. Prior to the Building Division issuing a demolition permit, the applicant shall contact the South Coast Air Quality Management District (AQMD) located at:
   21865 Copley Dr.
   Diamond Bar, CA 91765-4178
   Tel: 909- 396-2000

Or visit its website: http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381. The Building Division will not issue a demolition permit until an Identification Number is provided by AQMD.

4. Odor control devices and techniques shall be incorporated to ensure that odors from cannabis are not detected outside the property, anywhere on adjacent property or public right-of-way. Building and mechanical permits must be obtained from the Building Division prior to work commencing on any part of the odor control system.
5. Plan check submittal shall include air quality/odor control device specification sheets. Plan check submittal shall also include a landscape plan that complies with CMMC requirements, drought-tolerant plants and/or California native plants, a bike rack, parking lot striping in conformance with CMMC requirements, and trash enclosure.
6. No signage shall be installed until the owner/operator or its designated contractor has obtained permits required from the City. Business identification signage shall be limited to that needed for identification only. Business identification signage shall not include any references to cannabis, whether in words or symbols. All signs shall comply with the CMMC.
7. The plans and business operator shall comply with the requirements of the 2019 California Fire Code, including the 2019 Intervening Update and referenced standards as amended by the City of Costa Mesa.
8. The Traffic Impact Fee as calculated by the Transportation Services Division shall be paid in full.
9. Construction documents shall include demolition of the patio structure and installation of new gates at the rear of the property.
10. Construction documents shall include a temporary fencing and temporary security lighting exhibit to ensure the site is secured during construction and to discourage crime, vandalism, and illegal encampments.
11. The applicant shall submit a lighting plan to the Planning Division for review and approval. The lighting plan shall show locations of all security lighting. As determined by the Director of Economic and Development Services or their designee, a photometric study may be required to demonstrate compliance with the following: (a) lighting levels on the property including the parking lot shall be adequate for safety and security purposes (generally, at least 1.0 foot candle), (b) lighting design and layout shall minimize light spill at the adjacent property line and at other light-sensitive uses (generally, no more than 0.5-footcandle at the property line), and (c) glare shields may be required to prevent light spill.
12. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.

13. The trash enclosure shall be designed in a way to prevent noise and odor impacts to the abutting properties.

Prior to Issuance of a Certificate of Use/Occupancy

1. The operator, contractors, and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final occupancy and utility releases will not be granted until all such licenses have been obtained.

Prior to Issuance of Cannabis Business Permit

1. The applicant shall contact the Planning Division for a facility inspection and provide a matrix of conditions of approval explaining how each was met prior to issuance of a Cannabis Business Permit.
2. The applicant shall submit to the Planning Division a list of all vehicles to be used for retail delivery purposes. The list shall identify the make, model, color, license plate number and registered owner of each vehicle.
3. The applicant shall pay the public notice fee ($1 per notice post card) and the newspaper ad publishing cost.
4. The final Security Plan shall be consistent with the approved building plans.
5. Each entrance to the business shall be visibly posted with a clear and legible notice stating the following:
    a. That smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the cannabis business is prohibited;
    b. That no person under the age of twenty-one (21) years of age is permitted to enter upon the premises;
    c. That loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises is prohibited; and
    d. The premise is a licensed cannabis operation approved by the City of Costa Mesa. The City may also issue a window/door sticker, which shall be visibly posted.
6. The owner/operator shall obtain and maintain at all times during the term of the permit comprehensive general liability insurance and comprehensive automotive liability insurance protecting the permittee in an amount of not less than two million dollars ($2,000,000.00) per occurrence, combined single limit, including bodily injury and property damage and not less than two million dollars ($2,000,000.00) aggregate for each personal injury liability, products-completed operations and each accident, issued by an insurance provider admitted and authorized to do business in California and shall be rated at least A-:viii in A.M. Best & Company's Insurance Guide. Such policies of insurance shall be endorsed to name the City of Costa Mesa as an additional insured. Proof of said insurance must be provided to the Planning Division before the business commences operations. Any changes to the insurance policy must be submitted to the Planning Division within 10 days of the date the change is effective.

7. The applicant shall submit an executed Retail Cannabis Business Permit Defense and Indemnity Agreement on a form to be provided by the City.
8. The applicant shall post signs within the parking lot directing customers, employees and vendors to use consideration when entering their vehicles and leaving the parking lot such as no loud voices, shouting, loud music, revving car engines, etc. The amount, location, size and contents of the parking lot signs shall be reviewed and approved by the Planning Division prior to installation.

Operational Conditions

1. No product deliveries to the facility shall occur after 10:00 PM and before 7:00 AM.
2. Onsite sales and offsite delivery to customers is limited to the hours between 7:00 AM and 10:00 PM.
3. The applicant shall submit an updated delivery vehicle list each quarter with the quarterly update to the employee roster which is required pursuant to the CBP. The number of delivery vehicles parked onsite shall not exceed the number of available onsite surplus parking spaces. Delivery vehicles shall not be parked on City streets.
4. At least one security guard shall be onsite at all times.
5. The operator shall maintain free of litter all areas of the property under which applicant has control.
6. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The operator shall institute appropriate security and operational measures as necessary to comply with this requirement.
7. If parking shortages or other parking-related problems develop, the business owner or operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services or designee. Temporary or permanent parking management strategies include, but are not limited to, reducing operating hours of the business, hiring an employee to monitor parking lot use and assist with customer parking lot circulation, encouraging customers to take advantage of delivery service instead of store visits, limiting the number of employees that park onsite, offering an employee shuttle service, and incentivizing employee carpooling/cycling/walking.
8. While working, employees shall not park on residential streets unless doing so temporarily to make a cannabis delivery.
9. All employees must wear an identification badge while on the premises of the business and/or performing deliveries, in a format prescribed by the City Manager or designee. When on the premises, badges must be clearly visible and worn on outermost clothing and above the waist in a visible location.

10. The operator shall ensure that all vehicles are properly maintained, all delivery drivers have a good driving record, and each driver conducts a visual inspection of the vehicle at the beginning of each shift.
11. The operator shall ensure that deliveries are grouped to minimize total vehicle trips.
12. During each delivery stop, the delivery vehicle shall be parked in a safe manner (i.e., not impeding traffic circulation), the engine shall be turned off and the vehicle shall be locked.
13. Vehicle loading and unloading shall only take place within direct unobstructed view of surveillance cameras, located in close proximity to the shipping and receiving exterior door, as shown on an exhibit approved by the Director of Economic and Development Services or designee. No loading and unloading of cannabis products into or from the vehicles shall take place outside of camera view. The security guard shall monitor all on-site loading and unloading of delivery vehicles. Video surveillance cameras shall be installed on the exterior of the building with direct views of employee doors. Any modifications or additional vehicle loading and unloading areas shall be submitted to the Director of Economic and Development Services or designee for approval.
14. Vehicle standing, loading and unloading shall be conducted so as not to interfere with normal use of streets, sidewalks, driveways and on-site parking.
15. The sale, dispensing, or consumption of alcoholic beverages on or about the premises is prohibited.
16. No outdoor storage or display of cannabis or cannabis products is permitted at any time.
17. Cannabis shall not be consumed on the property at any time, in any form.
18. The owner/operator shall prohibit loitering on and within fifty (50) feet of the property.
19. No cannabis or cannabis products, or graphics depicting cannabis or cannabis products, shall be visible from the exterior of the property, or on any of the vehicles owned or used as part of the cannabis business.
20. The owner or operator shall maintain air quality/odor control devices by replacing filters on a regular basis, as specified in the manufacturer specifications.
21. If cannabis odor is detected outside the building, the business owner or operator shall institute corrective measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services.
22. Cannabis liquid or solid waste must be made unusable and unrecognizable prior to leaving a secured storage area and shall be disposed of at facility approved to receive such waste.
23. Each transaction involving the exchange of cannabis goods between the business and consumer shall include the following information: (1) Date and time of transaction; (2) Name and employee number/identification of the

employee who processed the sale; (3) List of all cannabis goods purchased including quantity; and (4) Total transaction amount paid.

August 12th, 2021

Costa Mesa Development Services
77 Fair Drive
Costa Mesa, CA 92626
(714) 754-5270

RE: Retail CM1 LLC Applicant Letter for Commercial Cannabis Storefront Business Pre-Application

To the City of Costa Mesa,

We are writing this Applicant Letter as part of our Commercial Cannabis Storefront Business Pre-Application for a retail storefront and delivery service in the City of Costa Mesa. Retail CM1 LLC is working with Measure X Partner Shepard Investments, Inc. to establish a retail storefront and delivery service at 2275 Newport Blvd Costa Mesa, CA 92627 on parcel 419-111-15. The parcel's zoning is C2 General Commercial. This proposed location is not within the Green Zone.

The Applicant owns and manages Nectar Markets, a prominent vertically integrated operation in Oregon with cultivation facilities, manufacturing facilities and over 25 retail locations throughout the state. Nectar was founded in 2014 in Portland, Oregon by Jeremy Pratt and started out of a small 1,200 sqft medical dispensary. Now the leading cannabis retail brand in Oregon, Nectar has succeeded in providing great products and excellent customer service to a huge percentage of the State's market. Nectar has received many honors including recognition for being one of the top fifty (50) cannabis employers to work for in the nation, becoming the first cannabis company recognized by the BBB with an A+ rating, in addition to the various best dispensary and fastest-growing companies awards from multiple publications.

Our proposed commercial cannabis business in Costa Mesa amasses 1,816 sqft. We plan to use the space for conducting the retail sale of cannabis along with the processing and preparation of deliveries of cannabis goods offsite. We are obtaining Type 10 Storefront Retail with Delivery licensure with both Adult Use (A) and Medical (M) designations from the Department of Cannabis Control (DCC), so we conduct retail sales to Adult Use customers who are over the age of 21 and Medical customers who are over the age of 18 and have a valid physician's recommendation and/or Cannabis Card. There is ample parking available for both clients and employees, with 19 spaces available in an existing parking lot, one of which is a handicapped space. Areas that are accessible to our clients and visitors include a Check-In Area where we verify client identification and check them into our customer queue, a Showroom where cannabis goods are displayed and where transactions are processed and two restrooms, one of which adhere to all Americans with Disabilities Act requirements. Limited access areas are only accessible by employees of the commercial cannabis business and visitors that are escorted by an employee of the commercial cannabis business; These areas include a Vault/Storage Room where bulk cannabis goods are stored, our Shipping/Receiving Room where incoming deliveries of cannabis goods are received and where orders to be delivered offsite are prepared, our Offices where records and security footage are stored, our Employee Breakroom and a Server Room for all of our IT needs.

We only conduct the retail sale of cannabis goods that have been produced by licensed cultivators and manufacturers and sourced from licensed distributors that operation within the scope of compliance with local and state regulations. This includes cannabis flower, pre-rolls, manufactured cannabis products including various extracts, rosin, edibles, tinctures, topical products, sublingual tabs, capsules, beverages and non-cannabis merchandise such as branded clothing and accessories. All cannabis goods sold at our store are packaged and labeled in their final form and in compliance with State law. We have longstanding relationships with some of the leading brands including Raw Garden, Pacific Stone, Kiva and various others licensed operators. We have also built strong relationships with various distributors who carry these products so are able to secure favorable terms on products and maintain a consistent supply of cannabis goods for our clientele. We are implementing a robust inventory management, control and reporting system that allows us to accurately document the present location, amounts, and descriptions of all cannabis goods for all stages of the external supply chain and our internal retail process until purchase by a verified customer or patient.

We look forward to bringing the City of Costa Mesa premiere commercial cannabis that provides an incomparable customer experience and various additional community benefits. Please reach out to Jeremy Pratt via email at j.pratt@nectarpdx.com or via phone at (503) 805-7523 with any questions or concerns.

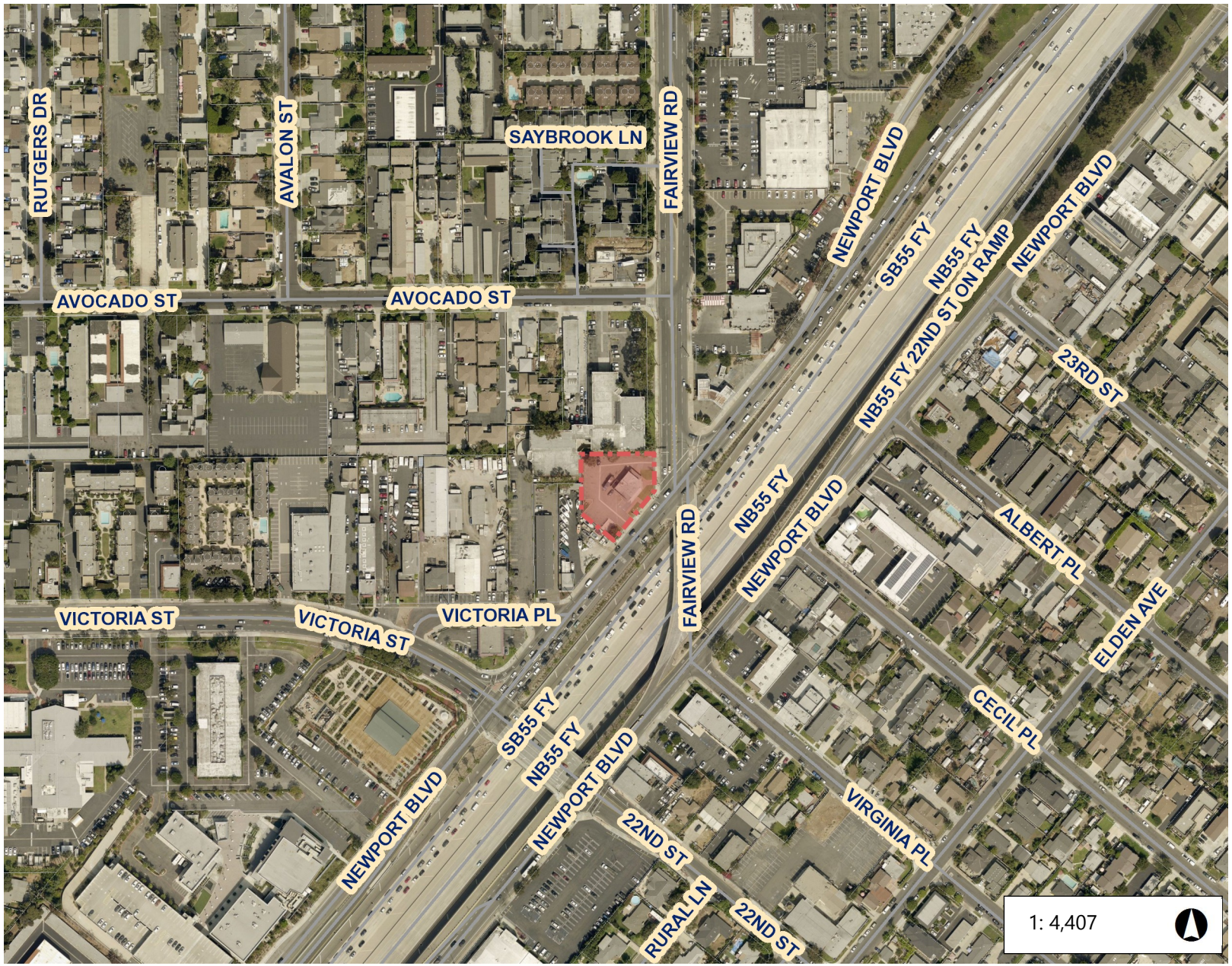
Sincerely,

Jeremy Pratt

Costa Mesa

PA-21-24 (2275 Newport Blvd) - Vicinity Map

ATTACHMENT 3



Legend

- Costa Mesa

Notes

0.1 0 0.07 0.1 Miles

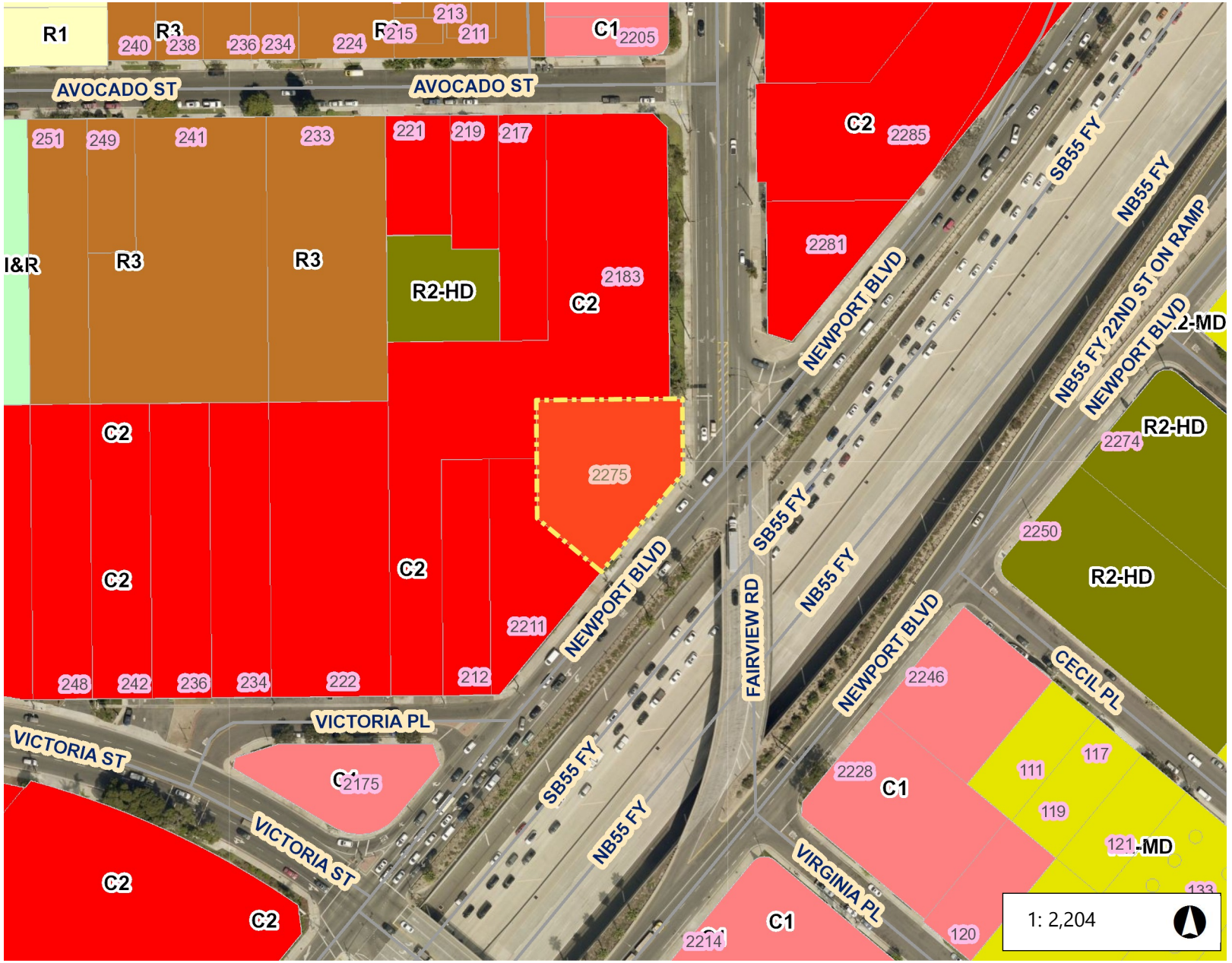
WGS_1984_Web_Mercator_Auxiliary_Sphere

© City of Costa Mesa

The City of Costa Mesa makes no guarantee as to the accuracy of any of the information provided and assumes no liability for any errors, omissions, or inaccuracies.

PA-21-24 (2275 Newport Blvd) - Zoning Map

ATTACHMENT 4



1: 2,204

Legend

- Costa Mesa
- Zoning
  - AP - Administrative Professional
  - IR-MLT - Institutional Recreational I
  - R1 - Single-Family Residential
  - R2-MD - Multiple-Family Residentia
  - R2-HD - Multiple-Family Residentia
  - R3 - Multiple Family Residential
  - MG - General Industrial
  - MP - Industrial Park
  - PDI - Planned Development Industr
  - C1 - Local Business
  - C2 - General Business
  - C1-S - Shopping Center
  - TC - Town Center
  - PDR-NCM - Planned Development Mesa
  - I&R - Institutional Recreactional
  - I&R-S - Institutional Recreational - S
  - P - Parking
  - CL - Commercial Limited
  - PDC - Planned Development Comr
  - PDR-LD - Planned Development R
  - PDR-MD - Planned Development R Density
  - PDR-HD - Planned Development R

Notes

0.1 0 0.03 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

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The City of Costa Mesa makes no guarantee as to the accuracy of any of the information provided and assumes no liability for any errors, omissions, or inaccuracies.

PA-21-24 Site Photos
2275 Newport Blvd.

ATTACHMENT 5





PA-21-24 Site Photos
2275 Newport Blvd.





PA-21-24 Site Photos
2275 Newport Blvd.





PA-21-24 Site Photos
2275 Newport Blvd.





PA-21-24 Site Photos
2275 Newport Blvd.



ABBREVIATIONS:

<	ANGLE	FAST	FASTENER	PIP	POURED IN PLACE
@	AT	FAU	FORCED AIR UNIT	PJ	PANEL JOINT
+	AND	FB	FLAT BAR	PL	PROPERTY LINE
AB	ANCHOR BOLT	FBO	FURNISHED BY OTHERS	P. LAM	PLASTIC LAMINATE
A/C	AIR CONDITIONING	FD	FLOOR DRAIN	PLAS	PLASTER
ACT	ACOUSTIC CEILING TILE	FDN	FOUNDATION	PLYWD	PLYWOOD
ACOUS	ACOUSTICAL	FE	FIRE EXTINGUISHER	PR	PAIR
AD	AREA DRAIN	FEC	FIRE EXTINGUISHER CABINET	PREFIN	PREFINISHED
ADD	ADDENDUM	FF	FINISH FLOOR	PT	PRESSURE TREATED
ADJ	ADJACENT	FHC	FIRE HOSE CABINET	PTD	PAPER TOWEL DISPENSER
ADJT	ADJUSTABLE	FIN	FINISH	PTDR	COMBINATION PAPER TOWEL DISPENSER AND RECEPTACLE
A.F.F.	ABOVE FINISH FLOOR	FL	FLOOR		
AGG	AGGREGATE	FLASH	FLASHING	PTN	PARTITION
ALS	AREA LIGHT STANDARD	FLUOR	FLUORESCENT	PTR	PAPER TOWEL RECEPTACLE
ALT	ALTERNATE	FO	FACE OF	PVC	POLYVINYL CHLORIDE
ALUM	ALUMINUM	FOC	FACE OF CONCRETE	PVMT	PAVEMENT
ANOD	ANODIZED	FOF	FACE OF FINISH	QT	QUARRY TILE
APPROX	APPROXIMATE	FOM	FACE OF MASONRY	R	RISER
ARCH	ARCHITECTURAL	FOS	FACE OF STUD	R.	RADIUS
AUTO	AUTOMATIC	FOTS	FACE OF TUBE SECTION	RA	RETURN AIR
A.F.C.	ABOVE FINISH CEILING	FRT	FIRE RETARDANT TREATED	RB	RUBBER BASE
BC	BOTTOM OF CURB	FT	FOOT OR FEET	RD	ROOF DRAIN
BD	BOARD	FTG	FOOTING	REF	REFERENCE
B.F.F.	BELOW FINISH FLOOR	FURR	FURRING	REFL	REFLECTED
BITUM	BITUMINOUS	GA	GAUGE	REFR	REFRIDGERATOR
BLDG	BUILDING	GALV	GALVANIZED	REINF	REINFORCED
BLK	BLOCK	GB	GRAB BAR	RESIL	RESILIENT
BLKG	BLOCKING	GC	GENERAL CONTRACTOR	REQ'D	REQUIRED
B.M.	BENCHMARK	GI	GALVANIZED IRON	REV	REVISE OR REVISION
B.O.	BOTTOM OF	GL	GLASS	RM	ROOM
BOT	BOTTOM	GL	GLU LAM	RO	ROUGH OPENING
BRG	BEARING	GND	GROUND	RWL	RAIN WATER LEADER
B.S.	BOTH SIDES	GP	GALVANIZED PIPE	RCP	REFLECTED CEILING PLAN
BSMT	BASEMENT	GRD	GRADE	S	SOUTH
BTWN	BETWEEN	GVP	GYPSUM VENEER PLASTER	SC	SOLID CORE
BUR	BUILT-UP ROOF	GWB	GYPSUM WALL BOARD	SCD	SEAT COVER DISPENSER
BPW	BED PAN WASHER	GYP	GYPSUM BOARD	SCHED	SCHEDULE
[OR C	CHANNEL	HB	HOSE BIBB	SD	SOAP DISPENSER
CAB	CABINET	HC	HOLLOW CORE	SECT	SECTION
CB	CATCH BASIN	HC	HANDICAPPED PARKING STALL	SGE	SEMI-GLOSS ENAMEL
CEM	CEMENT	HDWD	HARDWOOD	SH	SHELF
CFI	CONTRACTOR FURNISHED AND INSTALLED	HDWR	HARDWARE	SHTG	SHEATHING
		HM	HOLLOW METAL	SHWR	SHOWER
CG	CORNER GUARD	HORIZ	HORIZONTAL	SHT	SHEET
C.I.	CONTRACTOR INSTALLED	HR	HOUR	SIM	SIMILAR
CI	CAST IRON	H.	HEIGHT	SJ	SEISMIC JOINT
	CENTER LINE	HVAC	HEATING / VENTILATION / AIR CONDITIONING	SL	SLIDING
CLG	CEILING			SM	SHEET METAL
CLOS	CLOSET	HW	HOT WATER	SND	SANITARY NAPKIN DISPENSER
CLR	CLEAR	ID	INSIDE DIAMETER (DIM.)	SNT	SANITARY NAPKIN RECEPTACLE
CJ	CONTROL JOINT	INSUL.	INSULATION	SPEC.	SPECIFICATION
CMU	CONCRETE MASONRY UNIT	INT.	INTERIOR	SQ	SQUARE
COL	CLOUMN	INV	INVERT	SS	STAINLESS STEEL
COMP	COMPOSITION	IPS	IRON PIPE SIZE	S + V	STAIN + VARNISH
CONC	CONCRETE	JAN	JANITOR	STA	STATION
CO	CONCRETE OPENING	JT	JOINT	STD	STANDARD
CONN	CONNECTION	JST	JOIST	STK	STOCK
CONST	CONSTRUCTION	KIT	KITCHEN	STL	STEEL
CONT	CONTINUOUS	KD	KILD DRIED	STOR	STORAGE
CONTR	CONTRACTOR	L.	LENGTH	STRUCT	STRUCTURAL
CORR	CORRIDOR	LAB	LABRATORY	SUSP	SUSPENDED
CR	CONTRACTOR ROUGH-IN	LAM	LAMINATE	SYM	SYMMETRICAL
CRRR	CONTRACTOR REMOVED, RELOCATED & REINSTALLED	LAV	LAVATORY	SYST	SYSTEM
		LB	LAG BOLT	T	TREAD
CS	COUNTERSUNK	LDW	LESS DOOR WIDTH	TB	TOWEL BAR
CS.J	CONSTRUCTION JOINT	L.I.	LANDSCAPE ISLAND	T + B	TOP AND BOTTOM
CSMT	CASEMENT	LKR	LOCKER	TOC	TOP OF CURB
CT	CERAMIC TILE	LL	LIVE LOAD	TEL	TELEPHONE
CTR	CENTER	LS	LANDSCAPING	TEMP	TEMPERED
CW	COLD WATER	LT	LIGHT	T + G	TONGUE AND GROOVE
DBL	DOUBLE	LVR	LOUVER	THK	THICK
DEMO	DEMOLISH	MAT'L	MATERIAL	TJ	TOOL JOINT
DEPT	DEPARTMENT	MAX	MAXIMUM	TP	TOP OF PAVEMENT
DF	FRINKING FOUNTAIN	MB	MACHINE BOLT	TPD	TOILET PAPER DISPENSER
DIA	DIAMETER	MC	MINERAL CORE	TPD(S)	SURFACE MOUNTED TOILET PAPER DISPENSER
DIAG	DIAGONAL	MDO	MEDIUM DENSITY OVERLAY		
DIM	DIMENSION	MECH	MECHANICAL	TS	TUBE SECTION
DISP	DISPENSER	MED	MEDIUM	TV	TELEVISION
D.JT	DEFLECTION JOINT	MEMB	MEMBRANE	TOW	TOP OF WALL
DL	DEAD LOAD	MEZZ	MEZZANINE	TYP	TYPICAL
DMT	DEMOUNTABLE	MFR	MANUFACTURER	UNFIN	UNFINISHED
DN	DOWN	MH	MANHOLE	UR	URINAL
DO	DOOR OPENING	MI	MALEABLE IRON	U/CUT	UNDER CUT
DP	DAMPROOFING	MIN	MINIMUM	U.N.O.	UNLESS NOTED OTHERWISE
DR	DOOR	MIR	MIRROR	VB	VAPOR BARRIER
DS	DOWNSPOUT	MISC	MISCELLANEOUS	VERT	VERTICAL
DSP	DRY STAND PIPE	MO	MASONRY OPENING	VEST	VESTIBULE
DT	DRAIN TILE	MTD	MOUNTED	VFY	VERIFY
DTL	DETAIL	MTL	METAL	VG	VERTICAL GRAIN
DWG	DRAWING	MULL	MULLION	W	WEST
ø	DIAMETER OR ROUND	MEDCAB	MEDICAL CABINET	W.	WIDTH
E	EAST	N	NORTH	W/	WITH
EA	EACH	NA	NOT APPLICABLE	WC	WATER CLOSET
EF	EACH FACE	NAT	NATURAL	W.D.	WINDOW DIMENSION
E.AGG	EXPOSED AGGREGATE	NIC	NOT IN CONTRACT	WD	WOOD
EJ	EXPANSION JOINT	NO. OR #	NUMBER	WF	WIDE FLANGE
EL	ELEVATION	NOM	NOMINAL	WG	WIRELGLASS
ELEC	ELECTRICAL	NS	NELSON STUD	WH	WATER HEATER
ELEV	ELEVATOR	NTS	NOT TO SCALE	WDW	WINDOW
EOS	EDGE OF SLAB	NIS	NOTI N SHELL ISSUE	W/O	WITHOUT
ENCL	ENCLOSURE	OA	OVERALL	WP	WATERPROOF
ENGR	ENGINEER	OBS	OBSCURE	WRB	WEATHER RESISTANT BARRIER
EP	ELECTRICAL PANEL	OC	ON CENTER	WRGB	WATER RESISTANT GYPSUM BOARD
EQ	EQUAL	OD	OUTSIDE DIAMETER		
EQUIP	EQUIPMENT	O.F.	OWNER FURNISHED	WW	WATERSTOP
ES	EACH SIDE	O.F.C.I.	OWNER FURNISHED, CONTRACTOR INSTALLED	WSCT	WAINSCOT
EW	EACH WAY			WT	WEIGHT
EDF	ELECTRONIC DRINKING FOUNTAIN	OFF	OFFICE	WWF	WELDED WIRE FABRIC
		OH	OVERHEAD		
EXIST	EXISTING	OPNG	OPENING		
EXP	EXPANSION	OPP	OPPOSITE		
EXT	EXTERIOR	OS	OUTSIDE		
FA	FIRE ALARM	O.F.C.I.	OWNER FURNISHED, CONTRACTOR INSTALLED		
		O.F.I.	OWNER FURNISHED & INSTALLED		
		PAR	PARALLEL		
		PC	PRECAST		

LEGEND OF SYMBOLS:

DETAIL IDENTIFICATION (XX / AXXX) — SHEET WHERE DRAWN
DETAIL

DETAIL VIEW BUBBLE (XX / AXXX)

DETAIL IDENTIFICATION (XX / AXXX) — SHEET WHERE DRAWN
BUILDING SECTION

MATCH SHEET LOCATION (XXXX)
MATCH LINE REFERENCE

DETAIL IDENTIFICATION (XX / AXXX) — CUT LINE - DEFINES THE DETAILED ELEMENT — SHEET WHERE DRAWN
WALL SECTION

DETAIL IDENTIFICATION (XX / AXXX) — CUT LINE - DEFINES THE DETAILED ELEMENT — SHEET WHERE DRAWN
DETAIL SECTION

DETAIL IDENTIFICATION (XX / XX) — SHEET WHERE DRAWN
EXTERIOR ELEVATION

DETAIL IDENTIFICATION (XX / AXXX / XX / XX) — SHEET WHERE DRAWN
INTERIOR ELEVATION

ROOM NAME (XXX)
ROOM NAME AND NUMBER

XXX / XXX-A
DOOR NUMBERS

XX
WINDOW NUMBERS

X
EQUIPMENT TAG

XX
KEY NOTES

X
WALL TYPE

LEVEL 1 — 0' - 0" AFF
DATUM ELEVATION

XX
REVISION DELTA AND CLOUD

XX
FINISH TAG

00' - 00"
CEILING HEIGHT

0' - 0"
SPOT ELEVATION

00' - 00" | XX - XX
FINISH HEIGHT AND TYPE

START POINT

TO 0' - 0"
TOP MARK

EXTENT OF WORK
EXTENT OF WORK

DATUM INDICATOR

NORTH ARROW

NEW GRID / EXISTING GRID
GRIDLINE BUBBLE

NON - RATED
1-HOUR RATED
2-HOUR RATED
3-HOUR RATED
4-HOUR RATED
PARTITION FIRE RATINGS

EXIT SIGN

MATERIALS

ACOUSTICAL TILE
ALUMINUM
BATT INSULATION
CMU OR BRICK
CONCRETE
EARTH
FINISHED WOOD
GRAVEL
GYPSUM BOARD
PLYWOOD
RIGID INSULATION
SOUND INSULATION
STEEL
WOOD BLOCKING
WOOD MEMBER

GENERAL NOTES:

1. ALL WORK TO COMPLY WITH THE REQUIREMENTS OF THE AHJ AND THE CURRENT EDITIONS OF LISTED BUILDING CODES. ANY BUILDING OFFICIAL, SUBCONTRACTOR OR TRADESPERSON NOTING DISCREPANCIES SHALL NOTIFY THE DESIGNER IMMEDIATELY UPON DISCOVERY.
2. CONTRACTORS SHALL COORDINATE ALL REQUIRED INSPECTIONS BY THE CITY AND ANY OTHER GOVERNING AUTHORITIES AS REQUIRED.
3. CONTRACTORS SHALL VERIFY AND CONFIRM EXISTING CONDITIONS SHOWN OR IMPLIED ON DRAWINGS PRIOR TO THE START OF CONSTRUCTION OR ORDERING MATERIALS AND NOTIFY THE DESIGNER OF ANY DISCREPANCIES.
4. CONTRACTORS SHALL OBTAIN AND PAY FOR ALL TEMPORARY UTILITIES INCLUDING ELECTRICITY NECESSARY FOR CONSTRUCTION.
5. ALL CONSTRUCTION DEBRIS TO BE NEATLY STOCKPILED ON SITE UNTIL DISPOSAL. ALL DEBRIS IS TO BE DISPOSED OF IN LEGAL MANNER AT A LANDFILL OR RECYCLING CENTER. NO DEBRIS IS TO BE DISPOSED OF IN LOCAL WASTE COLLECTION FACILITIES.
6. CONTRACTOR SHALL INFORM THE DESIGNER OF ANY AND ALL CHANGES. CONTRACTOR SHALL NOT PROCEED WITH REQUESTED CHANGES OR DIRECTIVES WITHOUT PRIOR AUTHORIZATION FROM THE DESIGNER AND A WRITTEN CHANGE ORDER.
7. CONTRACTOR SHALL PROVIDE STORAGE FOR ALL BUILDING MATERIALS IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.
8. ALL SUBSTITUTIONS MUST BE APPROVED BY DESIGNER, ALONG WITH WRITTEN REQUESTS CONTRACTOR SHALL PROVIDE ALL INFORMATION REGARDING THE SUBSTITUTION IN QUESTION, INCLUDING COST.
9. SOLID WOOD BLOCKING, INSULATION, OR OTHER FIRE STOP MATERIALS IS TO BE PROVIDED, BETWEEN TOP STORY AND ROOF FACE.
10. CONTRACTOR SHALL PROVIDE SAMPLE OF FINISHES AND STAIN COLORS FOR APPROVAL BY DESIGNER. THIS INCLUDES INTERIOR AND EXTERIOR PAINT, AND SHEETROCK TEXTURES.
11. WRITTEN DIMENSIONS AND NOTES ON DRAWING SHALL TAKE PRIORITY OVER SCALE OF DRAWINGS. DO NOT MEASURE DRAWINGS TO DETERMINE ANY DIMENSIONS. DRAWINGS ARE IN SCALE FOR PURPOSES OF DESIGN AND INTENT ONLY. ALL DIMENSIONS SHOWN PLANS ARE FROM AND TO FACE OF FRAMING OR FROM AND TO CENTERLINE OF WALLS, UNLESS OTHERWISE NOTED.
12. ALL FEATURES OF THE WORK NOT FULLY SHOWN SHALL BE OF THE SAME TYPE AND CHARACTER OF THAT SHOWN FOR SIMILAR CONDITIONS. IN THE EVENT OF THAT ADDITIONAL WORK IS REQUIRED TO COMPLETE THE WORK AS INTENDED (OR REQUIRED BY GOVERNING CODES), YET NOT FULLY SHOWN OR OMITTED BY IN THE DRAWINGS, CONTRACTORS MUST STILL PROVIDE FOUNDATION, CARPENTRY, MECHANICAL, ELECTRICAL AND/OR PLUMBING AS REQUIRED FOR CERTIFICATE OF OCCUPANCY, INCONSISTENCIES, OR DISCREPANCIES.
13. VERIFY ALL DIMENSIONS AND MFR. SPECIFICATIONS OF OWNER FURNISHED EQUIPMENT PRIOR TO CONSTRUCTION.
14. DO NOT SCALE DRAWINGS.
15. THE GENERAL CONTRACTOR SHALL SCHEDULE A FIRESTOPPING MEETING WITH THE BUILDING INSPECTOR AND ALL SUBCONTRACTORS THAT WILL BE INSTALLING FIRESTOPPING MATERIAL. EACH SUBCONTRACTOR WILL PROVIDE A LIST OF FIRESTOP MATERIALS/ASSEMBLIES WHICH WILL BE USED, THE TYPE OF PENETRATIONS WHERE EACH MATERIAL/ASSEMBLY WILL BE USED, AND THE LISTING AND APPROVAL INFORMATION (I.E. UL, ICC OR OTHER APPROVED REPORT/LISTING NUMBERS.) THIS INFORMATION MUST BE SUBMITTED TO, AND APPROVED BY, THE BUILDING INSPECTOR PRIOR TO ANY INSTALLATION.

IMPORTANT DESIGN SCOPE NOTE:

WOODBLOCK ARCHITECTURE INC. AND THEIR CONSULTANTS HAVE COMPLETED THESE DESIGN DOCUMENTS TO THE LEVEL OF DETAIL REQUESTED BY OUR CLIENT. THE LEVEL OF DETAIL MAY RANGE FROM SCHEMATIC DESIGN DOCUMENT(S) MAINLY CONVEYING PROGRAMMATIC INFORMATION TO FULLY DETAILED DOCUMENTS AND SPECIFICATIONS. HOWEVER, THE CLIENT'S INTENT AND EXPECTATIONS ARE THAT THESE DOCUMENTS BE USED AS THE BASIS FOR DESIGN FOR A COMPLETE, ALL-INCLUSIVE PROJECT BASED UPON INDUSTRY STANDARDS & MANUFACTURER RECOMMENDATIONS FOR ALL DISCIPLINES & MATERIALS. IT SHOULD ALSO SATISFY ALL AUTHORITIES HAVING JURISDICTION REQUIREMENTS.

RETAIL CM1, LLC

ATTACHMENT 6

ADAPTIVE REUSE OF AN EXISTING RETAIL BUILDING FOR A CANNABIS DISPENSARY INCLUDING MODIFIED EXTERIOR FACADE, STOREFRONT, NEW CANOPIES, SALES FLOOR, BREAK ROOM, RESTROOMS AND STORAGE.



PROJECT TEAM

AUTHORIZED APPLICANT: SEAN MODDOCKS
P: (949) 291. 0587
E: MADDOCKS@GREENCP.COM

CLIENT: RETAIL CM1, LLC
P: (503)805-7523
CONTACT: JEREMY PRATT
E: J.PRATT@NECTARPDX.COM

ARCHITECT OF RECORD: WOODBLOCK ARCHITECTURE
827 SW 2ND AVE., PORTLAND, OR, 97204
P: 503.889.0604
CONTACT: JONATHAN DUNN
E: JONATHAN@WBLOCK.COM

LANDSCAPE ARCHITECT: CUMMINGS CURLEY AND ASSOCIATES, INC.
P: 562.424.8182
CONTACT: ROBERT CURLEY
E: ROBERT@CUMMINGSCURLEY.COM

PROJECT DATA

BUILDING CODES: 2019 CALIFORNIA STRUCTURAL SPECIALTY CODE (OSSC)
2019 CALIFORNIA MECHANICAL CODE (OMC)
2020 CALIFORNIA ELECTRICAL CODE (OEC)
2020 CALIFORNIA PLUMBING CODE (OPC)
2019 CALIFORNIA FIRE CODE (OFC)
2019 CALIFORNIA ZERO ENERGY READY COMMERCIAL CODE (OZERCC)

ZONING: C2 GENERAL BUSINESS

CONSTRUCTION TYPE: VB

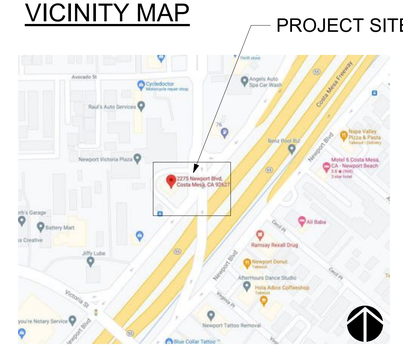
PROPERTY ADDRESSES: 2275 NEWPORT BOULEVARD
COSTA MESA, CA 92627

SEPARATE PERMITS: SIGNAGE

DRAWING INDEX

SHEET #	SHEET TITLE
G000	COVER SHEET
G001	APN & ZONING MAP
G004	EXISTING ARCHITECTURAL SITE PLAN
G005	ARCHITECTRUAL SITE PLAN
AD01	DEMOLITION FLOOR PLAN
A101	PROPOSED FLOOR PLAN
A200	EXISTING EXTERIOR ELEVATIONS
A201	PROPOSED ELEVATIONS
A700	RENDERINGS
L001	LANDSCAPE DEMOLITION PLAN
L002	PROPOSED LANDSCAPE PLAN

VICINITY MAP



WOODBLOCK ARCHITECTURE, INC.
827 SW SECOND AVENUE, SUITE 300
PORTLAND, OR | 97204 | P 503.889.0604

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2275 NEWPORT BLVD
COSTA MESA, CA 92627

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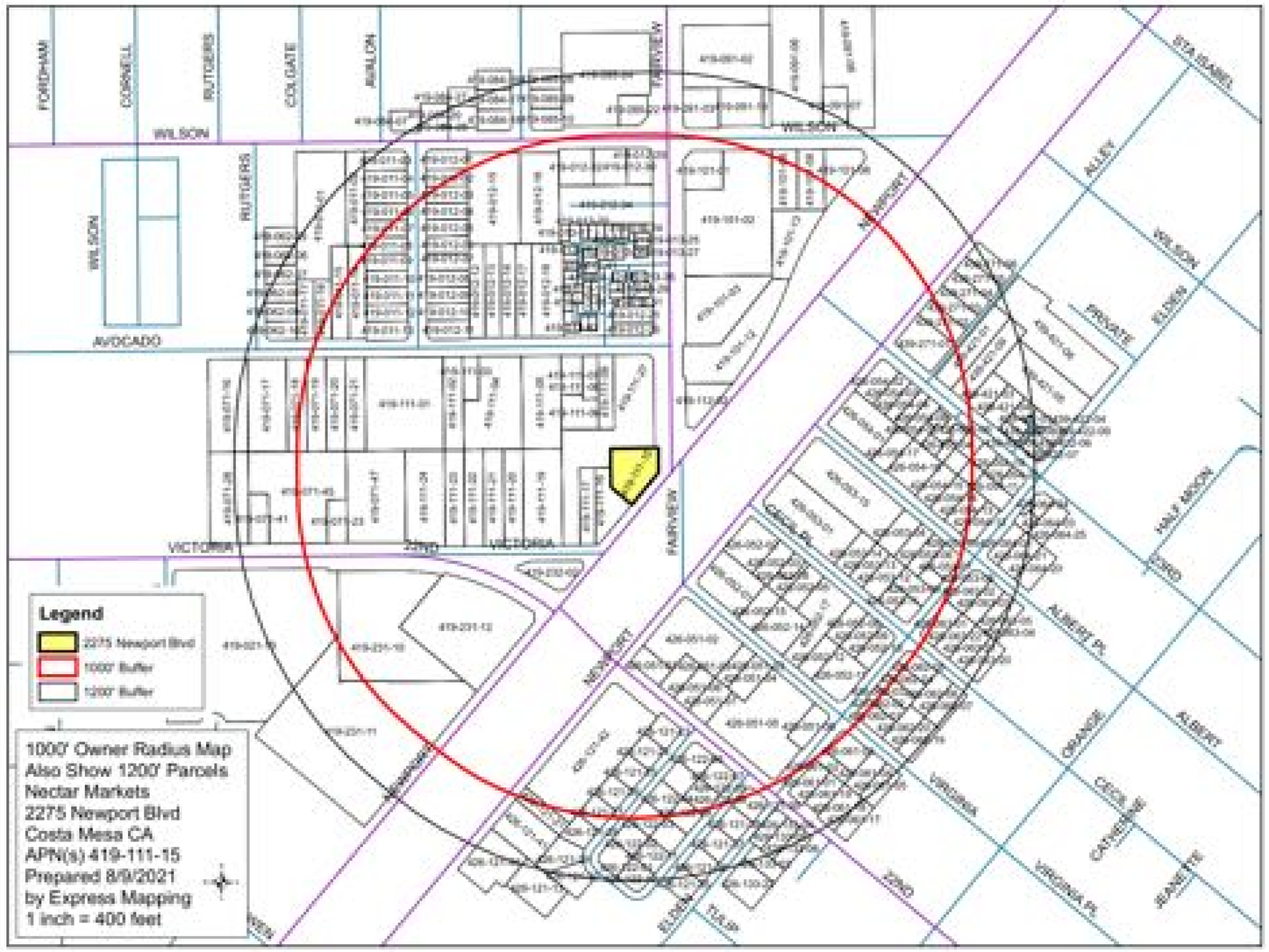
JONATHAN DUNN

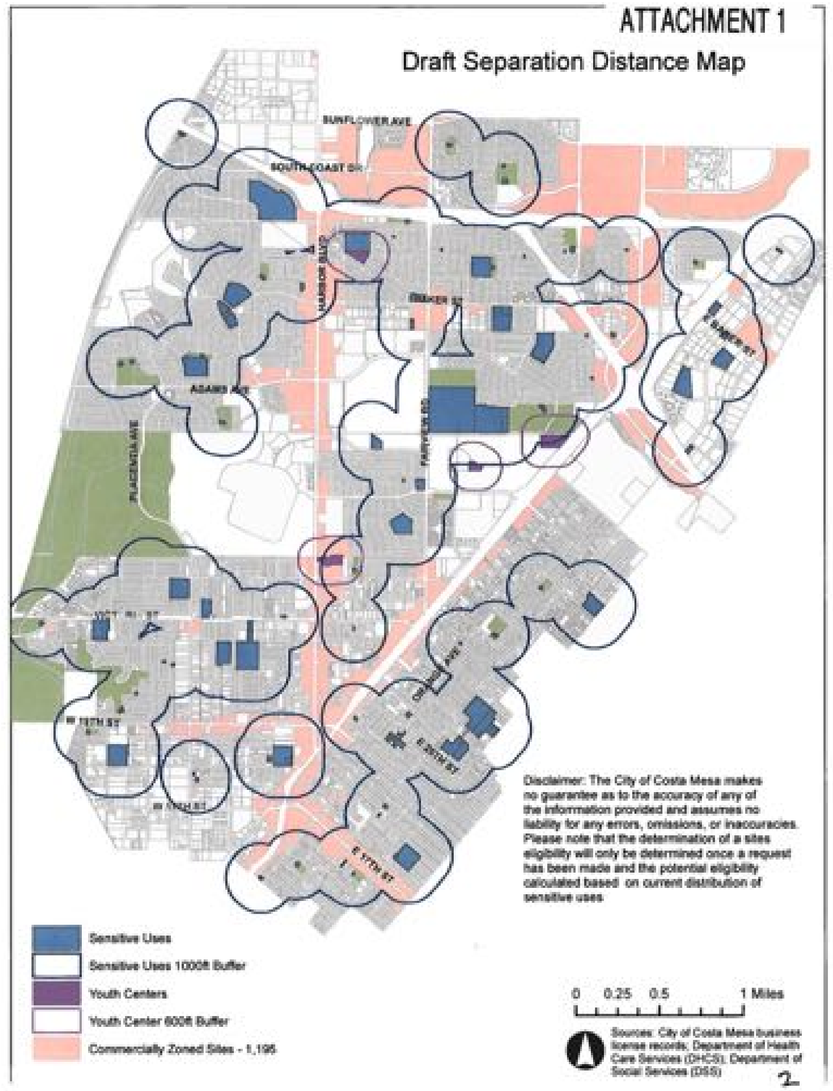
CUP APPLICATION
06.27.22
Project #21-091

△	DESCRIPTION	DATE
1	REV 1	03.11.22

COVER SHEET
G000

6/27/2022 3:12:47 PM P:\2021\21-091 Nectar Costa Mesa CUP\Revit\Model\Central\21-091 Nectar Costa Mesa_Model_R22_062422_detached.rvt





I CERTIFY THAT THE MAP IDENTIFIES ALL SENSITIVE USES AS DEPICTED IN THE CITY'S PROVIDED MAP OF SENSITIVE USES BASED ON THE CITY'S CURRENT RECORDS AND INFORMATION, AS WELL AS SENSITIVE USES OBSERVED DURING THE PREPARER'S INSPECTION OF USES WITHIN 1,000 FEET OF THE PROPOSED CANNABIS BUSINESS.

THERE ARE NO SENSITIVE USES WITHIN 1000' OF OUR PROPOSED LOCATION.

THE NEAREST SENSITIVE USE IS:
COASTAL CHILDREN'S LEARNING CENTER (1,515.4')

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CUP APPLICATION
06.27.22
Project #21-091

△ DESCRIPTION DATE

APN & ZONING MAP
G001

6/27/2022 3:12:48 PM P:\2021\21-091 Nectar Costa Mesa CUP\Revit\Model\Central\21-091 Nectar Costa Mesa_Model_R22_062422_detached.rvt

SITE PLAN LEGEND:

- PAINT STRIPING AT ACCESSIBLE PATH TO PUBLICWAY
- FIRE LANE; CURB TO BE PAINTED RED
- TREE TO BE REMOVED AND REPLACED
- # — NUMBER OF PARKING SPACES IN GROUP
- SD — STORM DRAIN
- SPR — SPRINKLER
- U-RACK BIKE PARKING
- WM — WATER METER
- IRR — IRRIGATION
- EM — ELECTRIC METER
- S — SEWER
- T — TRANSFORMER
- GAS — GAS METER

PARKING LOT CALCULATIONS:
EXISTING PARKING COUNT = 19 SPACES
INCL. 1 HC PARKING SPACE
REQUIRED PARKING COUNT = 8 SPACES
FLOOR AREA = 1860 SF
(1860/1000) x 4 = 7.44
1.86 x 4 = 7.44 = 8 SPACE REQ.
PROPOSED PARKING COUNT = 21 SPACES
INCL. 1 HC SPACES (1 EQUIPED WITH VAN ACCESS)

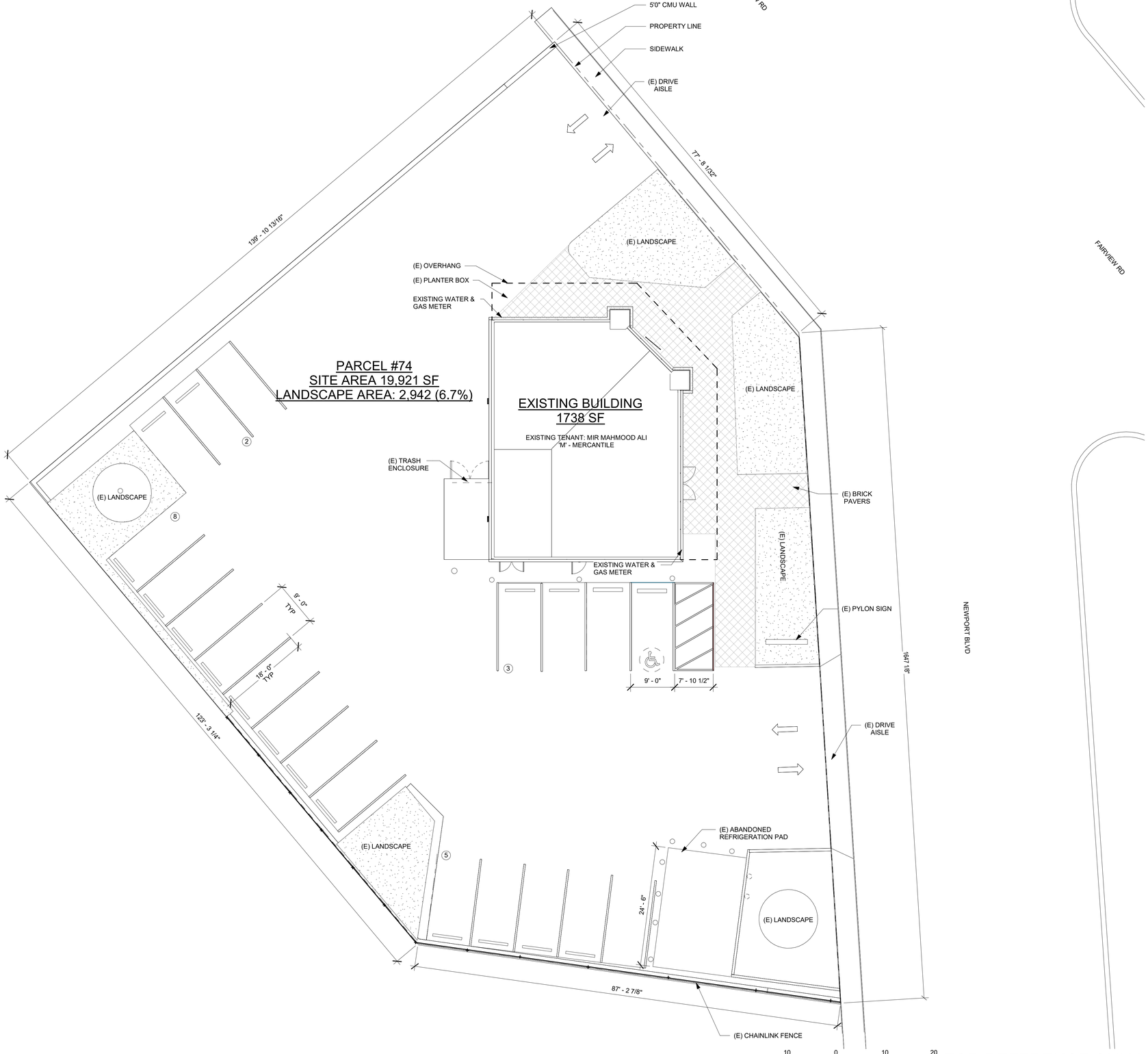
ALL PARKING AREAS OF 10 OR MORE TOTAL SPACES SHALL PROVIDE 1 ADA-ACCESSIBLE PARKING SPACE FOR EVERY 50 STANDARD SPACES CONSTRUCTED TO COSTA MESA BUILDING CODE STANDARDS

ALL PARKING LOT LIGHTING TO BE MODIFIED TO PROVIDE MIN 1 FOOTCANDLE AVERAGE ACCROSS THE PROJECT SITE TO MEET CITY OF COSTA MESA STANDARDS

FLOOR TO AREA RATIO:

SITE AREA: 19,921 SF
BUILDING AREA: 1738

FAR: 0.087



FOR REFERENCE ONLY

1 Existing Architectural Site Plan
SCALE | 1" = 10'-0"

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JONATHAN DUNN

CUP APPLICATION
06.27.22
Project #21-091

	DESCRIPTION	DATE

EXISTING ARCHITECTURAL SITE PLAN

G004

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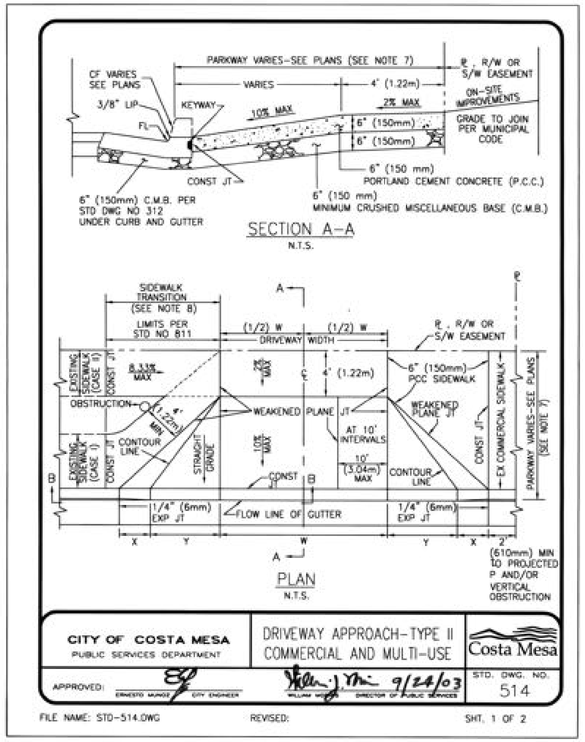

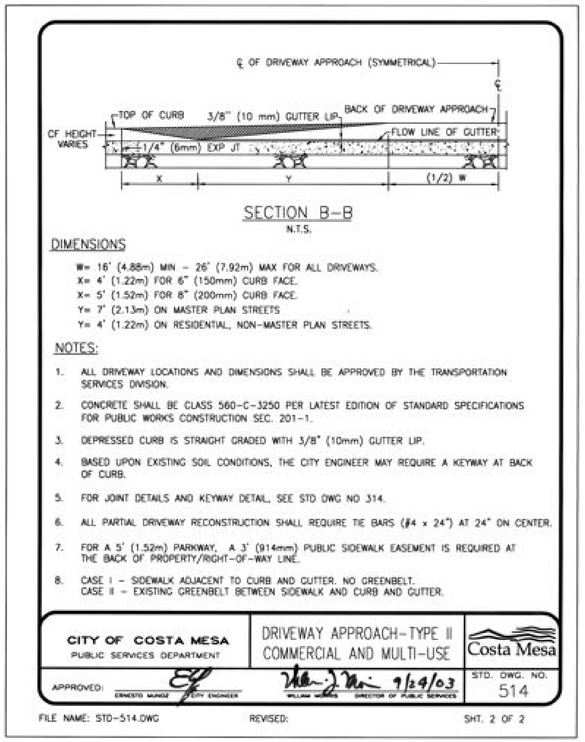

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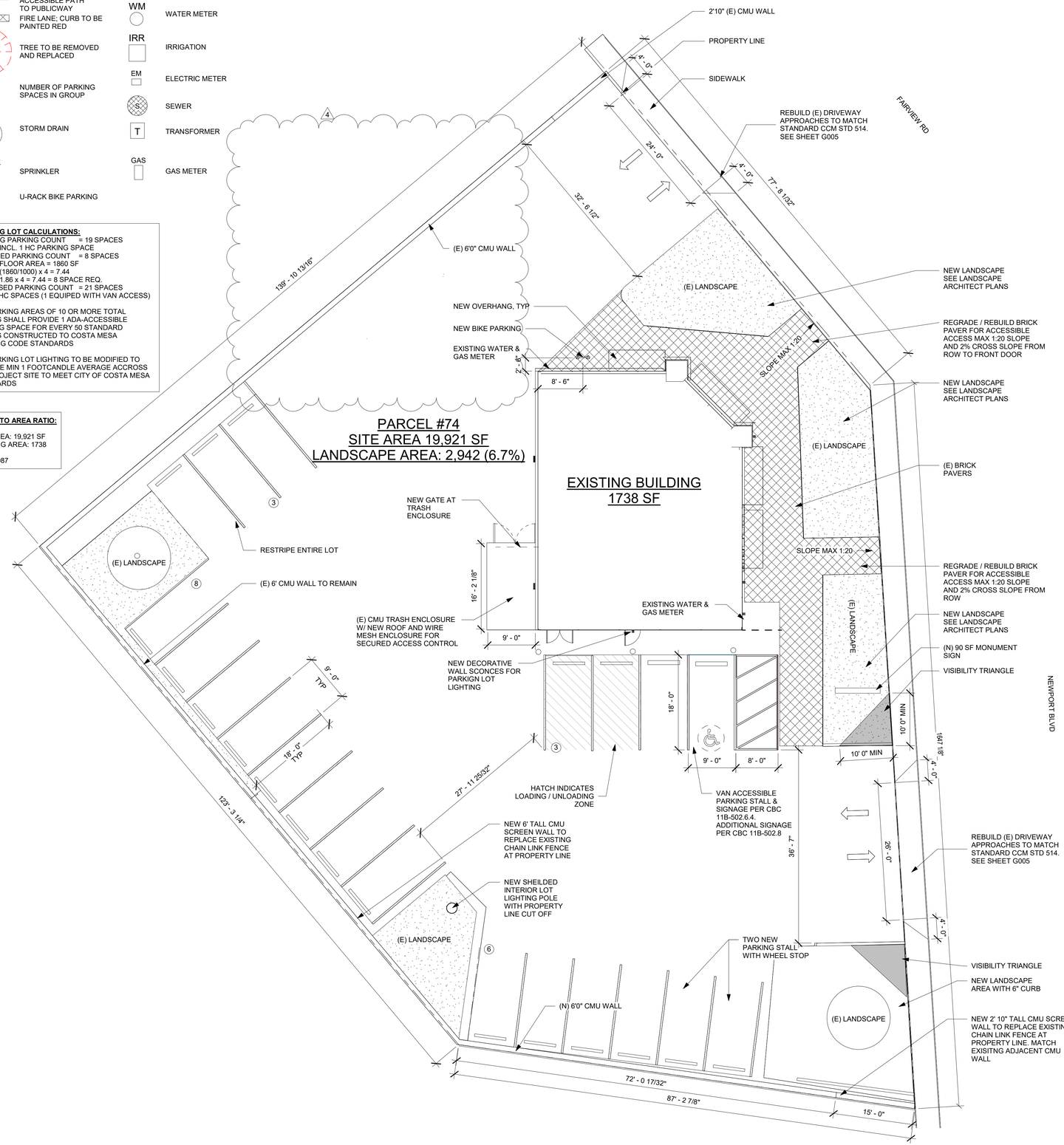
ALL PARKING AREAS OF 10 OR MORE TOTAL SPACES SHALL PROVIDE 1 ADA-ACCESSIBLE PARKING SPACE FOR EVERY 50 STANDARD SPACES CONSTRUCTED TO COSTA MESA BUILDING CODE STANDARDS

ALL PARKING LOT LIGHTING TO BE MODIFIED TO PROVIDE MIN 1 FOOTCANDLE AVERAGE ACCROSS THE PROJECT SITE TO MEET CITY OF COSTA MESA STANDARDS

FLOOR TO AREA RATIO:

SITE AREA: 19,921 SF
BUILDING AREA: 1738

FAR: 0.087



REFERENCE ONLY

1 **Proposed Architectural Site Plan**
SCALE | 1" = 10'-0"

WOODBLOCK ARCHITECTURE, INC.
827 SW SECOND AVENUE, SUITE 300
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JONATHAN DUNN

CUP APPLICATION
06.27.22
Project #21-091

	DESCRIPTION	DATE
1	REV 1	03.11.22
2	REV 2	03.30.22
4	REV 4	06.27.22

ARCHITECTRUAL SITE PLAN
G005

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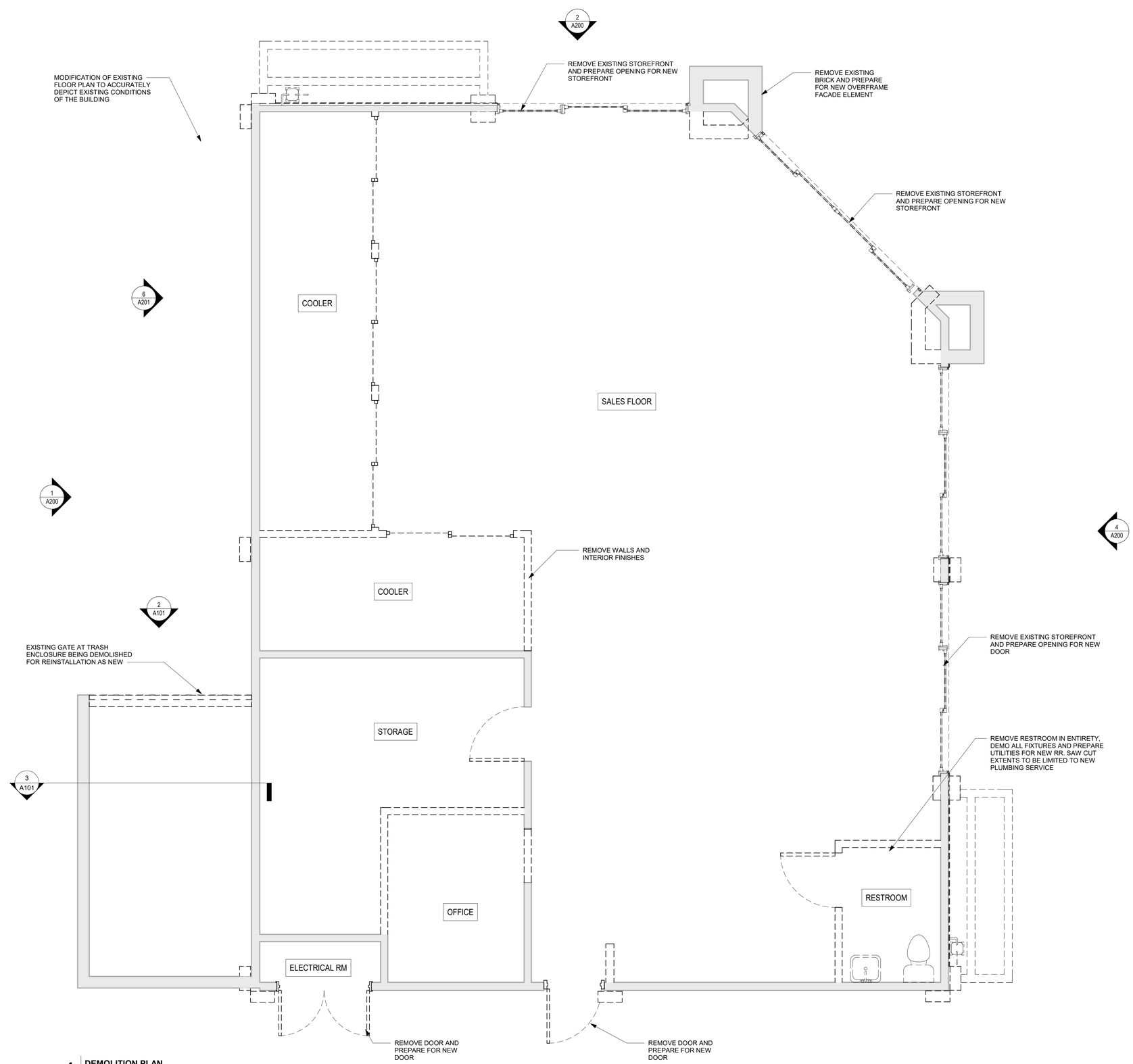
GENERAL DEMOLITION NOTES

1. PROTECT ALL EXISTING FINISHES AND ELEMENTS FROM DAMAGE AND DUST DURING CONSTRUCTION. ANY DAMAGE IS TO BE REPAIRED AND RESTORED TO EXISTING CONDITION TO THE SATISFACTION OF THE OWNER'S REPRESENTATIVE.
2. GC TO VERIGY EXISTING CONDITIONS AND DEMOLITION EXTENTS PRIOR TO REMOVAL OF ELEMENT. DIMENSIONS PROVIDED ARE FOR REFERENCE ONLY.
3. LOCATION OF WALL TO BE REMOVED FOR NEW DOORS FOR REFERENCE ONLY. SEE FLOOR PLAN
4. INTENT IS TO REMOVE EVERYTHING NECESSARY TO ALLOW NEW CONSTRUCTION TO BE ACCOMPLISHED. SEE DRAWINGS SHOWING PROPOSED NEW CONSTRUCTION.
5. COORDINATE LOBBY CLOSURE TIMING WITH BUILDING OWNERS. WORK SHALL NOT BLOCK EGRESS ROUTES DURING REGULAR WORKING HOURS.
6. THE DEMOLITION CONTRACTOR SHALL HAVE THE SOLE REPONSIBILITY OF VERIFYING CONDITIONS AT THE JOB TO PROVIDE FOR A SAFE AND ORDERLY PERFORMANCE OF THE WORK.
7. WORK UNDER THIS CONTRACT SHALL BE THE FULL RESPONSIBILITY OF THE DEMOLITION CONTRACTOR; NO ACT, DIRECTION OR REVIEW OF ANY SYSTEM OR METHOD BY THE ARCHITECT OR THE ARHITECT'S CONSULTANTS SHALL CHANGE OR EFFECT THE CONTRACTOR'S RESPONSIBILITY IN THIS MATTER.
8. STORE ITEMS TO BE RELOCATED ON SITE AND PROTECT FROM DAMAGE.
9. GC TO PROVIDE TEMPORARY PARTITIONS AT ALL PUBLIC WORK AREAS.
10. CAP ALL ABANDONDED PLUMBING, GAS & ELECTRICAL LINES, ETC. IN ACCORDANCE WITH LOCAL CODES.
11. CONTRACTOR(S) TO REMOVE AND NEATLY STACK EXISTING TO REMAIN ACOUSTICAL CEILING TILES AT AREAS REQUIRING ACCESS TO THE CEILING.
12. NEW HVAC DESIGN SHALL BE BIDDER DESIGNED AND BE SUBMITTED UNDER A SEPARATE PERMIT.
13. EXISTING SPRINKLERS TO REMAIN, TO BE MODIFIED UNDER SEPARATE PERMIT.
14. JOB SITE TO BE BROOM SWEPT AT THE END OF EACH DAY TO ENSURE A CLEAN WORKSPACE.

13. VERIFY ALL DIMENSIONS IN FIELD.

PLAN LEGEND - DEMOLITION

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- EXISTING DOOR TO REMAIN
- EXISTING DOOR TO BE DEMOLISHED
- DEMO SLAB AND TRENCH FOR NEW PLUMBING
- NOT IN GC SCOPE



1 DEMOLITION PLAN
SCALE | 3/8" = 1'-0"

3/8" = 1'-0" SCALE 1 0 1 2 3 4 5 6 7 FEET

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JONATHAN DUNN

CUP APPLICATION
06.27.22
Project #21-091

△	DESCRIPTION	DATE
1	REV 1	03.11.22

DEMOLITION FLOOR PLAN
AD01

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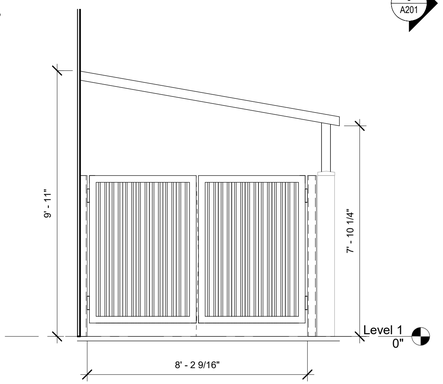
FLOOR PLAN GENERAL NOTES

1. ALL CONSTRUCTION IS INTENDED TO BE IN CONFORMANCE W/ FEDERAL & STATE LAWS, CURRENT LOCAL ORDINANCES & BUILDING CODES, & THE AMERICANS WITH DISABILITIES ACT OF 2010. REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH WORK.
2. AUTOMATIC FIRE SPRINKLER SYSTEM MUST BE REVIEWED AND APPROVED BY THE FIRE DEPT.
3. FIRE ALARM SYSTEM IS REQUIRED AND MUST BE REVIEWED AND APPROVED BY THE FIRE DEPT.
4. CONTRACTOR TO FIELD VERIFY ALL SITE CONDITIONS PRIOR TO COMMENCING CONSTRUCTION
5. CONTRACTOR TO VERIFY REQUIREMENTS OF ALL OWNER FURNISHED ITEMS WITH OWNER BEFORE PROCEEDING WITH WORK
6. CONTRACTOR TO FIELD VERIFY DIMENSIONS OF PLUMBING FIXTURES VS PARTITION TYPES (WALL THICKNESSES VARY WITH SHEARWALLS) BEFORE COMMENCING FRAMING
7. CONTRACTOR TO VERIFY ALL DIMENSIONS W/ MANUFACTURER ON SUPPLIED FIXTURES AND EQUIPMENT PRIOR TO CONSTRUCTION
8. REFER TO ENLARGED PLANS FOR ADDITIONAL INFO INCLUDING DIMENSIONS. ENLARGED PLANS TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. NOTIFY ARCHITECT OF ANY CONFLICT BEFORE PROCEEDING.
9. REFER TO STRUCTURAL DRAWINGS FOR SIZE AND SPACING OF STUDS. PROVIDED SPACING PER STRUCTURAL DRAWINGS AND NOTIFY ARCHITECT OF ANY DISCREPANCY PRIOR TO COMMENCING WORK.
10. DIMENSIONS ARE FACE OF STRUCTURE TO FACE OF STRUCTURE, UNLESS NOTED OTHERWISE (UNO). REFER TO BOTH ARCHITECTURAL AND STRUCTURAL DRAWINGS BEFORE COMMENCING WORK ON FOOTING OR FOUNDATION. DIMENSIONS FROM EXISTING UNTOUCHED WALLS ARE TAKEN FROM FACE OF FINISH.
11. CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL BLOCKING REQUIRED FOR ANY WALL HUNG EQUIPMENT, TOILET ACCESSORIES, SHELVING, SHOWER SEAT, EXTERIOR LIGHT FIXTURES, ETC.
12. NEW WINDOWS WITHIN 24" OF DOOR TO HAVE SAFETY GLAZING. ALL GLAZING IN HAZARDOUS LOCATIONS SHALL BE TEMPERED FOR IMPACT RESISTANCE. ALL GLASS WITHIN 18" FROM FLOOR, WITHIN 24" ARC FROM DOOR EDGE, AND IF BOTTOM EDGE OF GLAZING IS LESS THAN 60" ABOVE THE WALKING SURFACE, SUCH GLASS SHALL BE TEMPERED.
13. CONTRACTOR TO PROVIDE CAULKING AT THE FOLLOWING AREAS:
    A. AT CABINET ENDS, WHERE THEY MEET GYP BD WALLS.
    B. AT HOLLOW METAL DOOR FRAMES, BOTH SIDES.
    C. ALL WOOD DOOR FRAMES, BOTH SIDES
    D. ALL WALL TILE AND WALL COVERING IN TYPICAL ROOMS
14. SEE FIRE & LIFE SAFETY SHEETS FOR LOCATIONS OF FIRE EXTINGUISHER CABINETS.
15. DOOR FRAMES ARE TO BE INSTALLED 3" FROM ADJ WALL, UNO
16. GC TO PROVIDE FIREBLOCKING IN ACCORDANCE WITH OSSC 718.2 WHERE NECESSARY
17. WINDOW AND DOOR FRAMES ARE TO BE SHIMMED PLUMB AND LEVEL. GAPS IN ROUGH OPENINGS ARE TO BE FILLED WITH SPRAY FOAM
18. PROVIDE LEVEL 4 FINISH AT ALL NEW WALL AND PAINT THROUGHOUT, COORDINATE COLOR WITH OWNER
19. PROVIDE OCCUPANCY SENSORS IN ALL NEW SPACES IN ACCORDANCE WITH OSSC 505
20. ALL WALLS WITH PLUMBING/VENTING LINES WITHIN TO BE MINIMUM 2x6 CONSTRUCTION
21. MAINTAIN THE PREMISES CLEAN AN DFREE OF TRASH, DEBRIS AND PROTECT ADJACENT WORK FROM DAMAGE, SOILING, PAINT OVERSPRAY, ETC. FIXTURES, EQUIPMENT, GLAZING, FLOORS, ETC. SHALL BE LEFT CLEAN AND READY FOR OCCUPANCY UPON COMPLETION. OF PROJECT

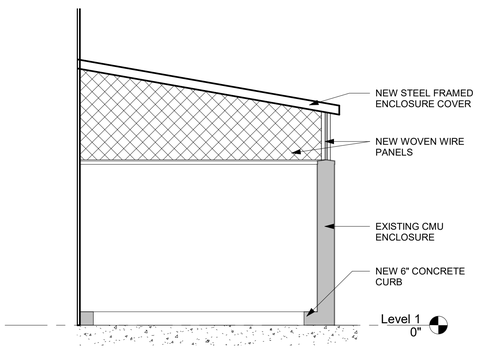
PLAN LEGEND

- FE — FIRE EXTINGUISHER
- NEW WALL
- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- NEW DOOR
- EXISTING DOOR TO REMAIN
- EXISTING DOOR TO BE DEMOLISHED
- NOT IN SCOPE

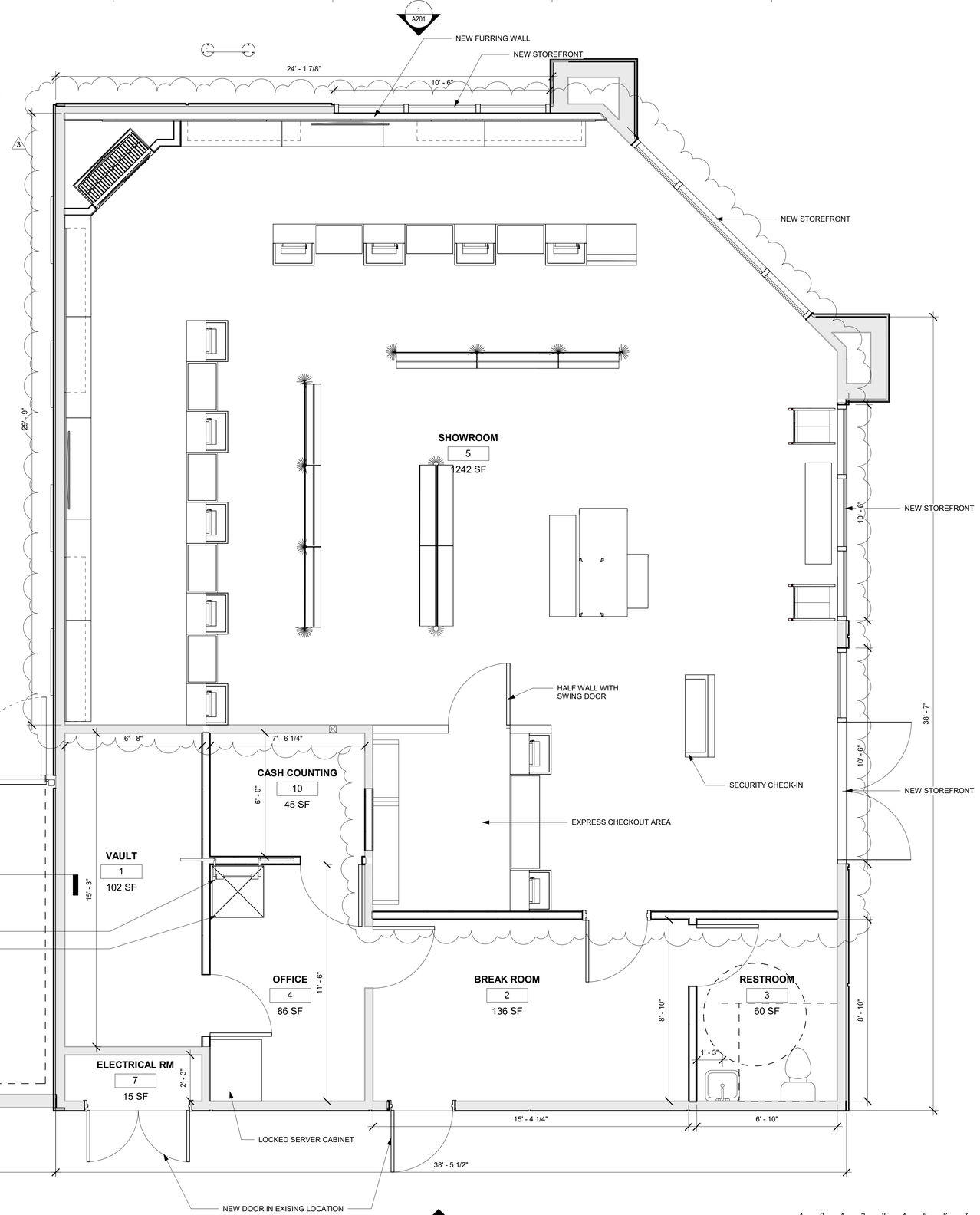
PROPOSED FLOOR PLAN HAS BEEN ALTERED FROM INITAIL CBP APPLICATION. DOOR HAS BEEN RELOCATED, SALES FLOOR FIXTURES MODIFIED, BREAK ROOM AND VAULT MODIFIED, CASH COUNTING ROOM ADDED ROOF HATCH RELOCATED



2 TRASH ENCLOSURE GATE
SCALE | 3/8" = 1'-0"



3 TRASH ENCLOSURE SECTION
SCALE | 3/8" = 1'-0"



1 A - FP01 - Level 1_a
SCALE | 3/8" = 1'-0"

3/8" = 1'-0" SCALE — 1 0 1 2 3 4 5 6 7 FEET

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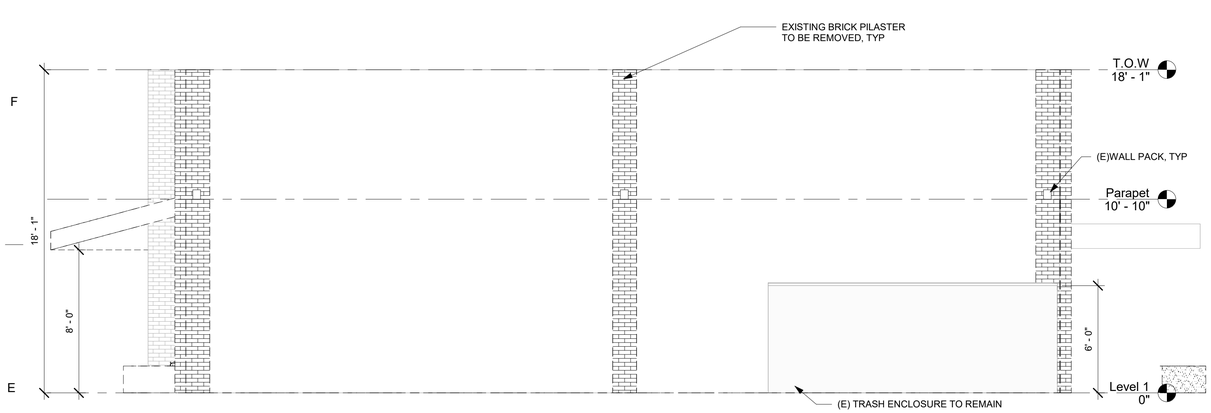
JONATHAN DUNN

CUP APPLICATION
06.27.22
Project #21-091

△	DESCRIPTION	DATE
1	REV 1	03.11.22
3	REV 3	04.11.22

PROPOSED FLOOR PLAN
A101

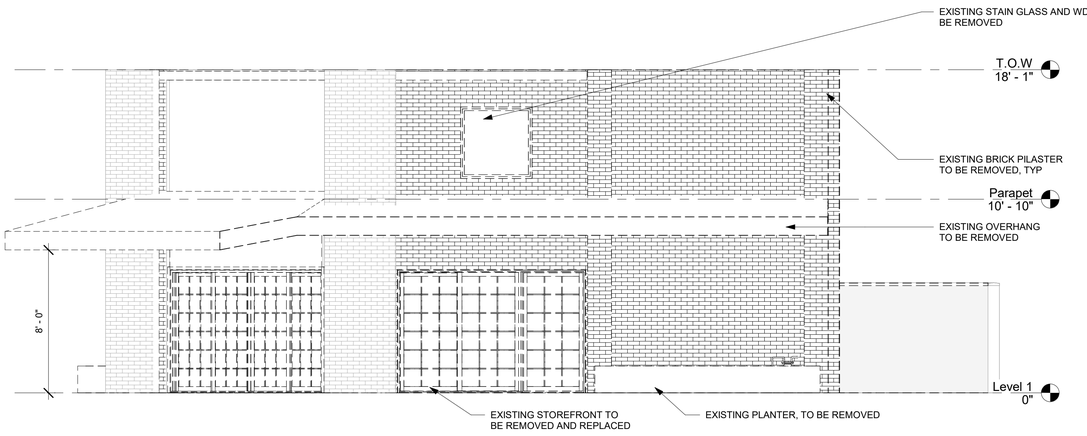
6/27/2022 3:12:42 PM P:\2021\21-091 Nectar Costa Mesa CUP\Revit\Model\Central\21-091 Nectar Costa Mesa_Model_R22_062422_detached.rvt



1 Existing Exterior Elevation

SCALE | 1/4" = 1'-0"

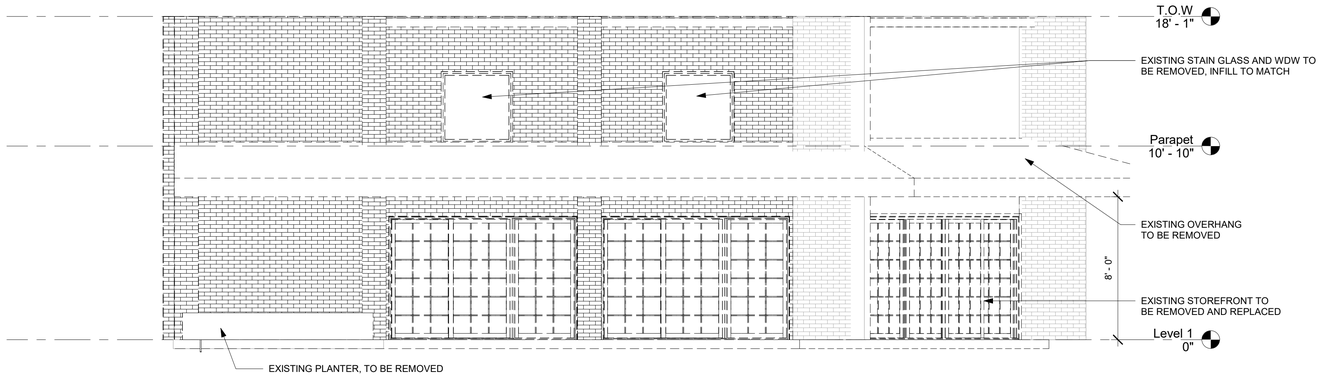




2 North

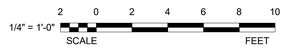
SCALE | 1/4" = 1'-0"

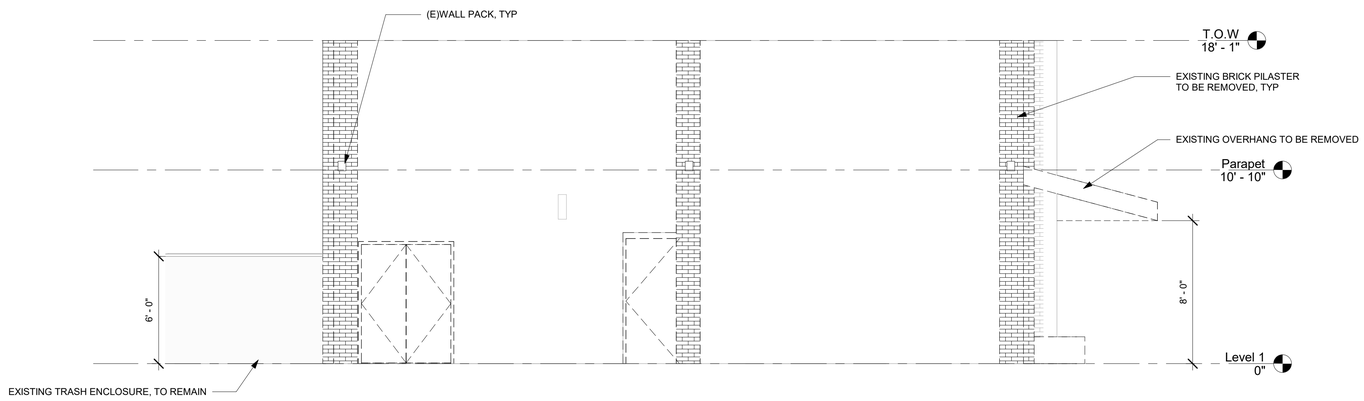




4 Elevation 1 - a

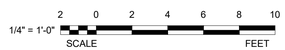
SCALE | 1/4" = 1'-0"





3 South

SCALE | 1/4" = 1'-0"



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CUP APPLICATION
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EXISTING EXTERIOR ELEVATIONS

A200

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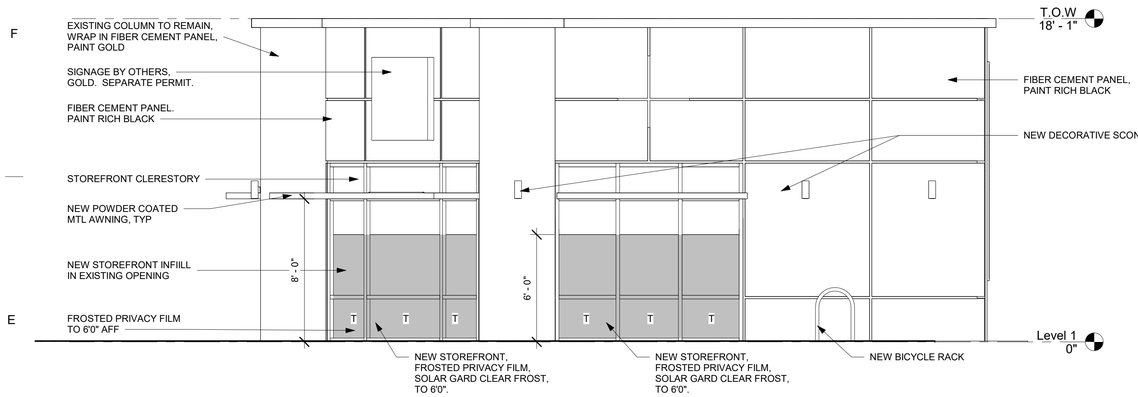
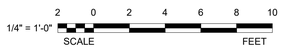
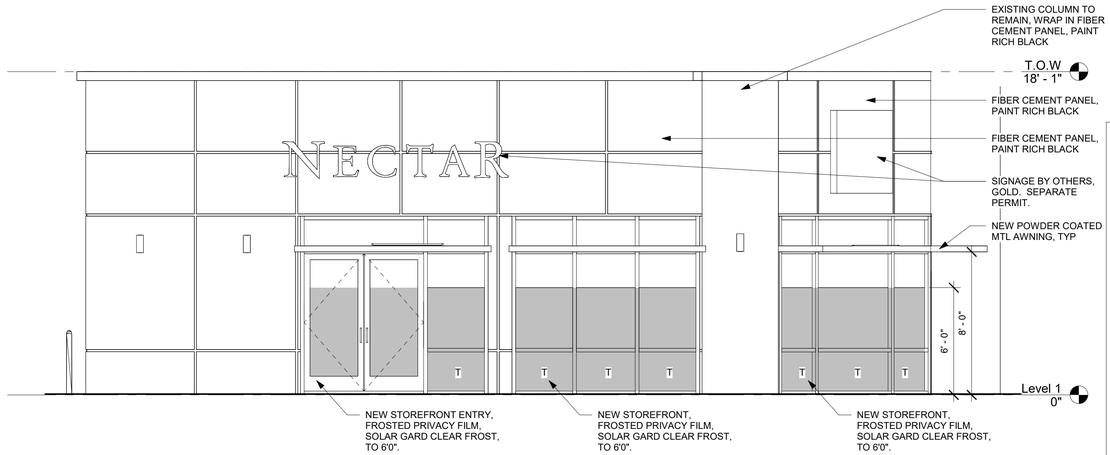


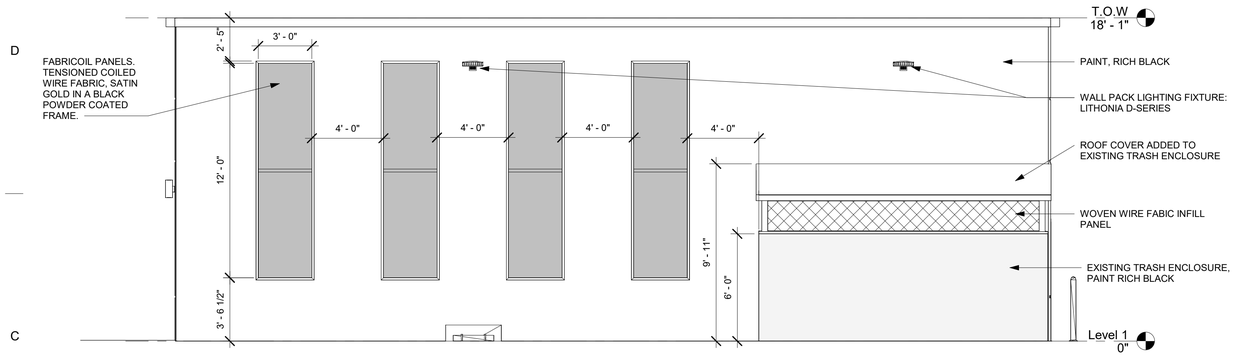
1 PROPOSED ELEVATION A
SCALE | 1/4" = 1'-0"



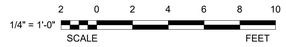


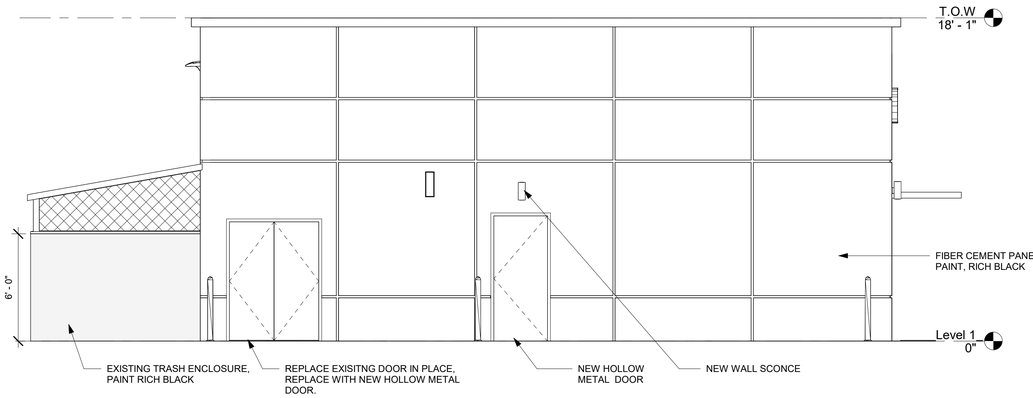
4 PROPOSED ELEVATION D
SCALE | 1/4" = 1'-0"





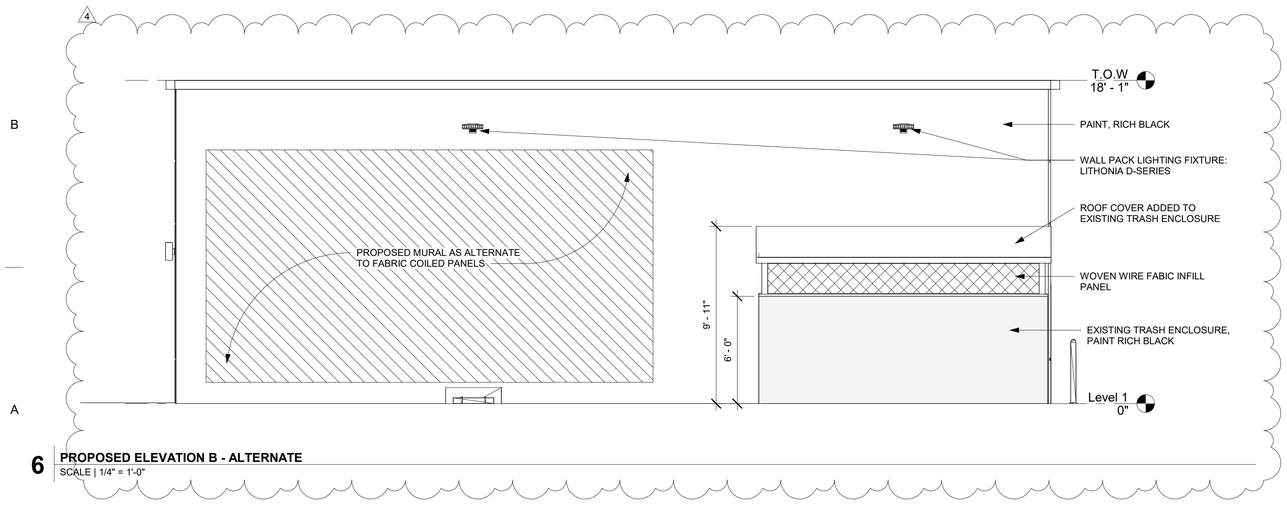
2 PROPOSED ELEVATION B
SCALE | 1/4" = 1'-0"



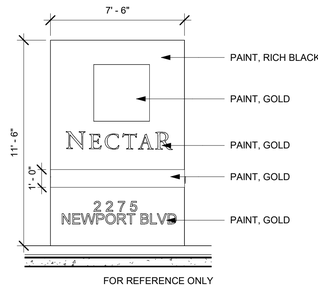


3 PROPOSED ELEVATION C
SCALE | 1/4" = 1'-0"





6 PROPOSED ELEVATION B - ALTERNATE
SCALE | 1/4" = 1'-0"



5 MONUMENT SIGN
SCALE | 1/4" = 1'-0"

SIGNAGE CALCULATION (1.5 SQ FT PER LINEAR SQ FT):

LINEAR FT: 40' 2"
ALLOWABLE SIGNAGE SQ FT: 40'2 x 1.5 = 60.24 SQ FT
ACTUAL SIGNAGE: 59'-0' SQ FT

LINEAR FT: 39' 6"
ALLOWABLE SIGNAGE SQ FT: 39'6 x 1.5 = 59.25 SQ FT
ACTUAL SIGNAGE: 59'-0' SQ FT

*ALL PROJECT SIGNAGE TO BE UNDER SEPARATE SIGNAGE PERMIT

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CUP APPLICATION
06.27.22
Project #21-091

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1	REV 1	03.11.22
4	REV 4	06.27.22

PROPOSED ELEVATIONS
A201

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F E D C B A



NOTE:

ALL SIGNAGE TO BE UNDER A SEPARATE PERMIT











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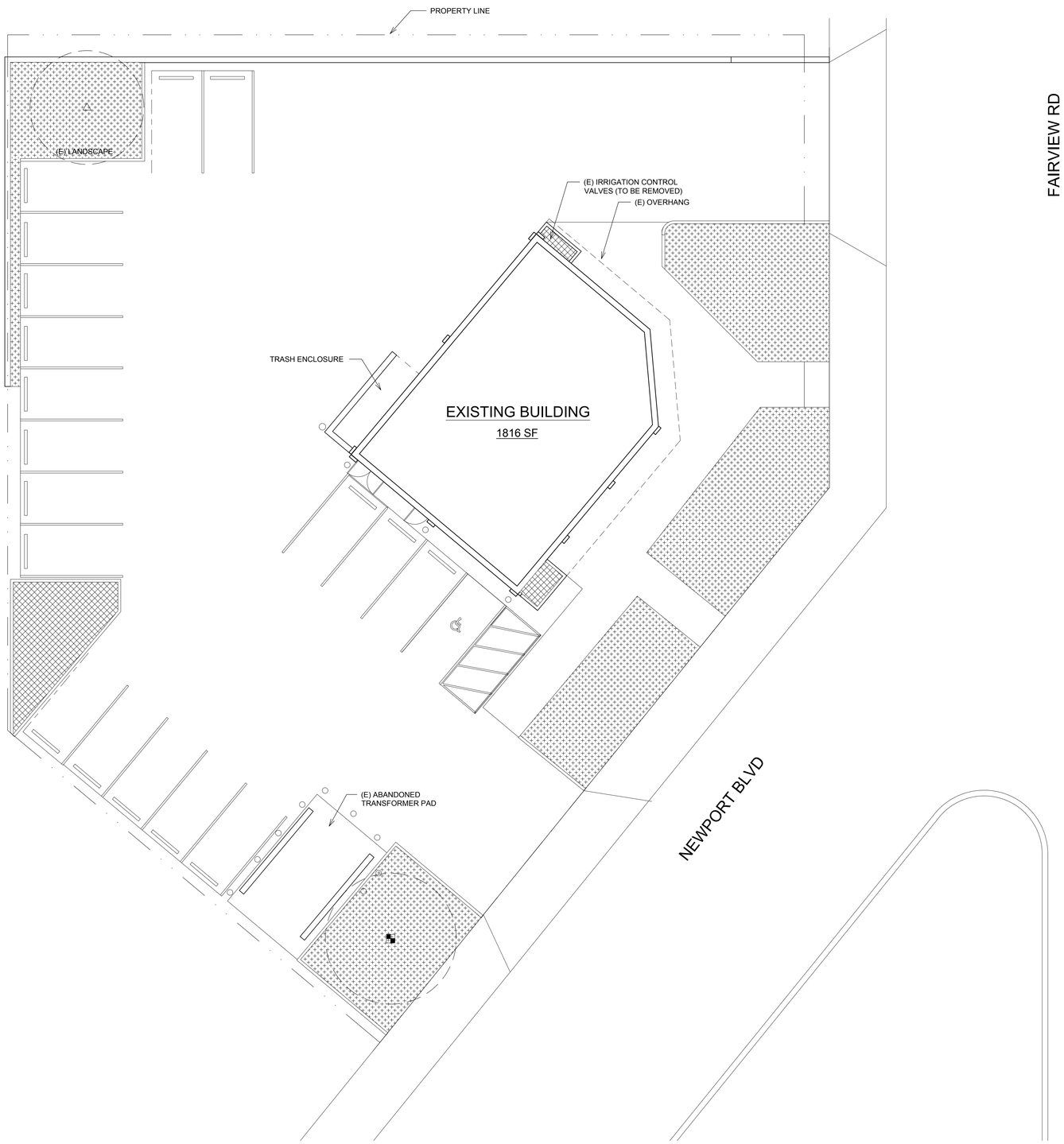
JONATHAN DUNN

CUP APPLICATION
06.27.22
Project #21-091

△	DESCRIPTION	DATE
1	REV 1	03.11.22

RENDERINGS
A700



1 Existing Architectural Site Plan
1" = 10'-0"

PLANT SCHEDULE

EXISTING TREES TO BE REMOVED	BOTANICAL / COMMON NAME	CONT	QTY
	Melaleuca quinquenervia / Cajeput Tree	Existing to be Removed	1
	Pyrus kawakamii / Evergreen Pear	Existing to be Removed	1

EXISTING LANDSCAPE SHCEDULE

SYMBOL	DESCRIPTION	QTY
	Turf / lawn to be removed	2,650 sf
	Existing shrubs and ground cover to be removed.	320 sf

0 10 20 30 feet
SCALE: 1" = 10'
NORTH

CCA INC
CUMMINGS CURLEY AND ASSOCIATES, INC
LANDSCAPE ARCHITECTS
3633 LONG BEACH BOULEVARD, SUITE 300
LONG BEACH, CALIFORNIA 90807
TEL. 562.424.8182
CA 3583 AZ 30100 NV 578 UT 377204 CLARB 319

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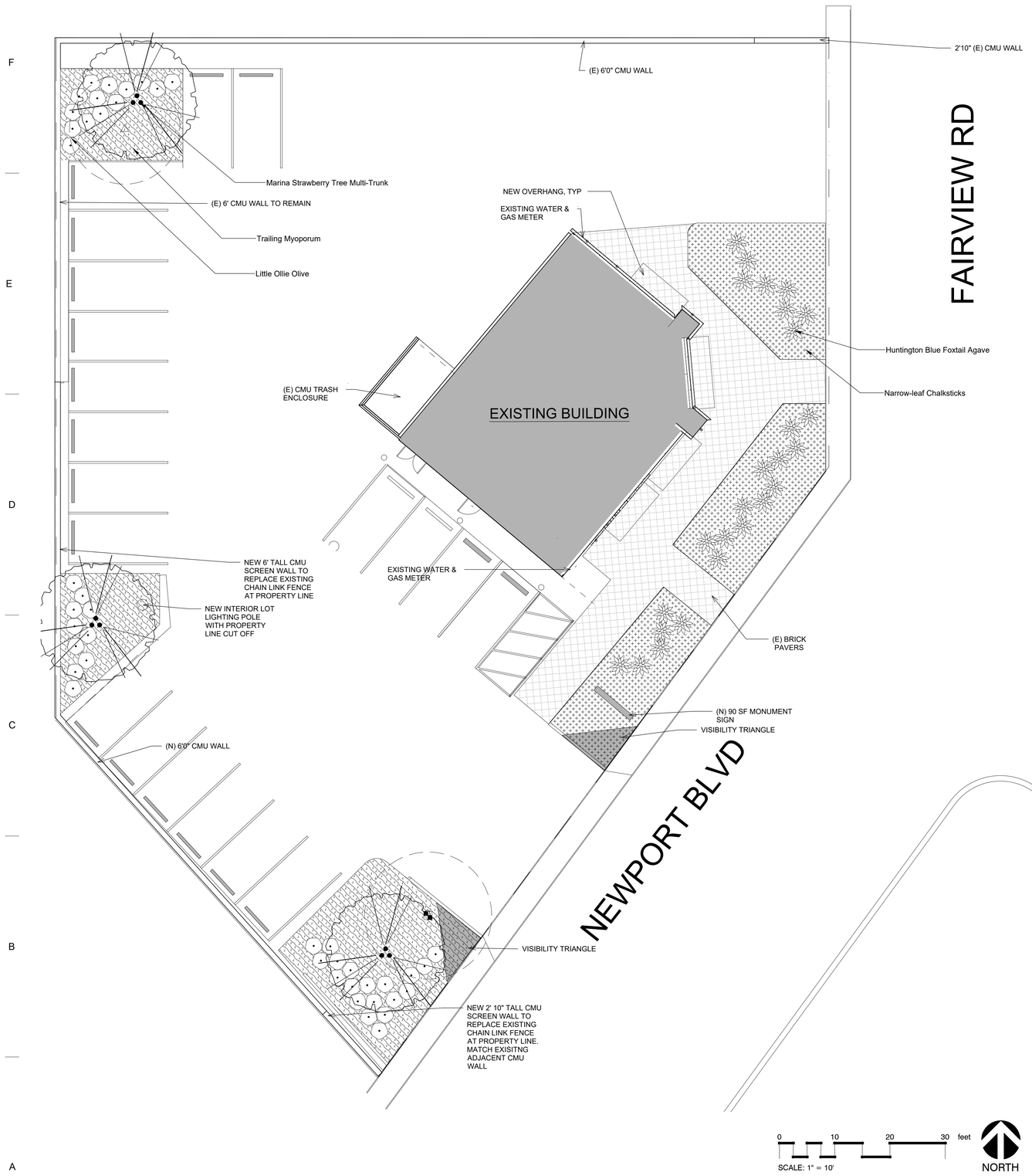
ROBERT L. CURLEY

CUP APPLICATION
07.07.2021
Project #21-10354

DESCRIPTION DATE

LANDSCAPE DEMOLITION PLAN
L001

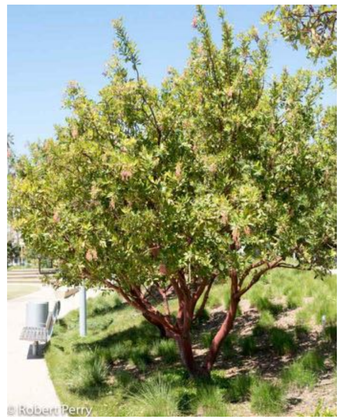
7/7/2021 1:26:17 PM \\WBLOCK.COM\CompanyData\Projects\2021\21-091 Nectar Costa Mesa CUP\Revit\Model\Central\21-091 Nectar Costa Mesa CUP_Central.rvt



1 Proposed Landscape Plan
1" = 10'-0"

PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	CONT
	3	Arbutus x `Marina` / Marina Strawberry Tree Multi-Trunk	36" Box Multi Trunk
EXISTING TREES TO BE REMOVED	**QTY**	**BOTANICAL / COMMON NAME**	**CONT**
	1	Melaleuca quinquenervia / Cajeput Tree	Existing to be Removed
	1	Pyrus kawakamii / Evergreen Pear	Existing to be Removed
SHRUBS	**QTY**	**BOTANICAL / COMMON NAME**	**CONT**
	26	Agave attenuata `Huntington Blue` / Huntington Blue Foxtail Agave	5 gal
	43	Olea europaea `Little Ollie` TM / Little Ollie Olive	5 gal
GROUND COVERS	**QTY**	**BOTANICAL / COMMON NAME**	**CONT**
	1,202 sf	Myoporum parvifolium 'Burgundy Carpet' / Trailing Myoporum	1 Gal
	996 sf	Senecio cylindricus / Narrow-leaf Chalksticks	Flat



Arbutus x 'Marina'


Agave attenuata 'Huntington Blue'


Pennisetum setaceum 'Rubrum'


Senecio cylindricus


Myoporum parvifolium 'Burgundy Carpet'

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LANDSCAPE ARCHITECTS
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ROBERT L. CURLEY

CUP APPLICATION
11.03.2021
Project #21-10354

△	DESCRIPTION	DATE
	PLANNING COMMENTS	03.05.22

PROPOSED LANDSCAPE PLAN
L002

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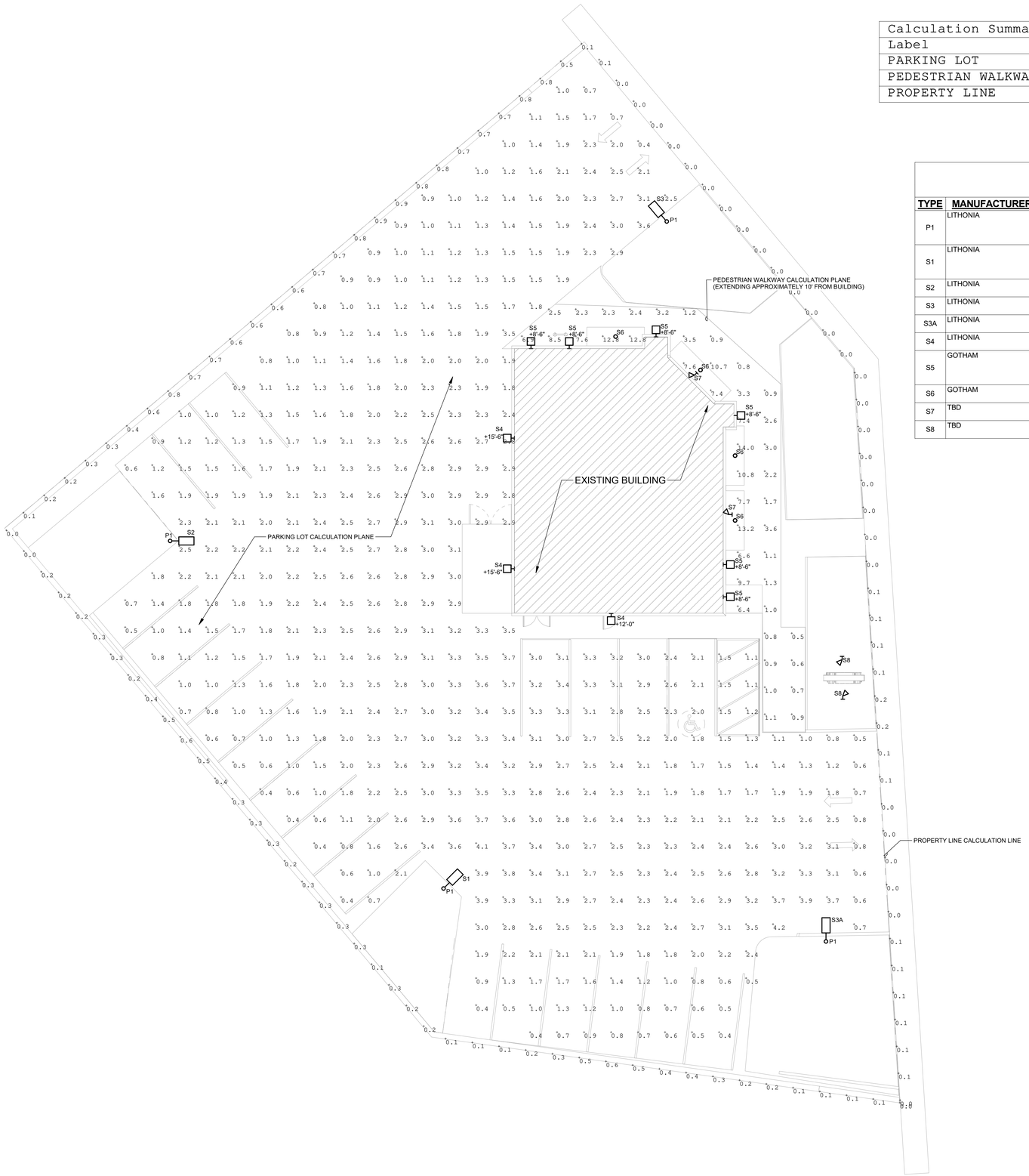

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
PARKING LOT	Illuminance	Fc	2.04	4.2	0.4	5.10	10.50
PEDESTRIAN WALKWAY	Illuminance	Fc	4.57	14.0	0.5	9.14	28.00
PROPERTY LINE	Illuminance	Fc	0.26	0.9	0.0	N.A.	N.A.

SITE LIGHTING FIXTURE SCHEDULE

TYPE	MANUFACTURER	MODEL	DESCRIPTION	VOLTAGE	LOAD-VA	LAMP TYPE
P1	LITHONIA	RSS-20-5B-DM19AS-VD-DBLXD	20' ROUND STEEL SITE LIGHTING POLE. SINGLE ARM MOUNT AS INDICATED ON DRAWINGS BY FIXTURES SHOWN. EXTRA DURABLE STANDARD BLACK POWDER COAT FINISH. 0.120" THICK STEEL SHAFT, 5" DIAMETER. PROVIDE WITH OPTIONS: ALUMINUM BASE COVER AND SECOND MODE VIBRATION DAMPER.	120 V	0 VA	N/A
S1	LITHONIA	DSX1-LED-P4-30K-T4M-MVOLT-RPA-XXX-HS-DBLXD	SITE LIGHTING POLE MOUNTED FIXTURE. DIE-CAST ALUMNUM HOUSING. BLACK POWDER COAT PAINT FINISH, TYPE IV DISTRIBUTION, INTEGRAL MOTION SENSOR WITH TIMED ON/OFF AND PHOTOCELL OVERRIDE CONTROLS, DARK SKY COMPLIANT, HOUSE-SIDE SHIELDED TO REDUCE LIGHT TRESPASS.	120 V	125 VA	LED, 10000LM, 3000K, 70CRI
S2	LITHONIA	DSX1-LED-P2-30K-TFTM-MVOLT-RPA-XXX-HS-DBLXD	SIMILAR TO TYPE S1, TYPE TFTM LIGHT DISTRIBUTION.	120 V	70 VA	LED, 6400LM, 3000K, 70CRI
S3	LITHONIA	DSX1-LED-P1-30K-RCCO-MVOLT-RPA-XXX-DBLXD	SIMILAR TO TYPE S1. TYPE RCCO LIGHT DISTRIBUTION.	120 V	54 VA	LED, 3945LM, 3000K, 70CRI
S3A	LITHONIA	DSX1-LED-P2-30K-RCCO-MVOLT-RPA-XXX-DBLXD	SIMILAR TO TYPE S3, HIGHER LUMEN PACKAGE.	120 V	70 VA	LED, 5039LM, 3000K, 70CRI
S4	LITHONIA	DSXW1-LED-10C-1000-30K-T3S-MVOLT-HS	WALL MOUNT AREA LIGHTING FIXTURE, TYPE T3S LIGHT DISTRIBUTION, BLACK FINISH, HOUSE SIDE SHIELDED, DARK SKY COMPLIANT.	120 V	39 VA	LED, 3099LM, 3000K, 70CRI
S5	GOTHAM	IC04UDWC-30/05-AR-LSS-ASYM-XXX-U05LM-U25D-XXX-MVOLT-GZ10-JBX-DBL	4" ROUND WALL MOUNT DIRECT/INDIRECT FIXTURE. ASYMMETRIC LIGHT DISTRIBUTION DIRECT, 25° BEAM DISTRIBUTION INDIRECT.	120 V	10 VA	LED, 500LM DIRECT, 500LM INDIRECT, 3000K, 80CRI
S6	GOTHAM	IC04SC-30/10-AR-LSS-65D-MVOLT-GZ10-JBX-DBL	4" ROUND SURFACE MOUNT FIXTURE, 65° LIGHT DISTRIBUTION.	120 V	10 VA	LED, 1000LM, 3000K, 80CRI
S7	TBD	TBD	LINEAR FAÇADE LIGHT, MOUNTED TO TOP OF CANOPY. FINAL FIXTURE SELECTION TBD. SPECIAL PURPOSE LIGHTING.	120 V	1 VA	LED
S8	TBD	TBD	GROUND MOUNT SIGN FLOOD LIGHT. FINAL FIXTURE SELECTION TBD. SPECIAL PURPOSE LIGHTING.	120 V	1 VA	LED

1 SITE LIGHTING PHOTOMETRIC PLAN
SCALE | 1" = 10'-0"

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WOODBLOCK ARCHITECTURE, INC.
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PORTLAND, OR | 97204 | P. 503.889.0604

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NOT FOR CONSTRUCTION

RETAIL CM1, LLC.
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CUP APPLICATION
11.03.21
Project #21-091

△	DESCRIPTION	DATE

SITE LIGHTING PHOTOMETRIC PLAN
E003

File #: 22-796 **Meeting Date:** 7/11/2022

TITLE:

PLANNING APPLICATION 21-20 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 124 EAST 17TH STREET

DEPARTMENT: **ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION**

PRESENTED BY: NANCY HUYNH, SENIOR PLANNER

CONTACT INFORMATION: NANCY HUYNH, 714-754-5609; Nancy.Huynh@costamesaca.gov

RECOMMENDATION:

Staff recommends that the Planning Commission adopt 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 21-20, subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant/authorized agent is Peter Ishak of "The Distillate Co.", on behalf of the property owner, 124 17th St LLC.

BACKGROUND:

At the Planning Commission meeting on June 27, 2022, Planning Application 21-20 was requested to be continued by the applicant due to a public comment received by the adjacent property owner at 1700, 1706, and 1710 Newport Boulevard concerning proposed parking lot circulation. Specifically, the adjacent property owner was concerned that the proposed reconfigured parking spaces and new trash enclosure would conflict with vehicle access on his property and indirect access to Newport Boulevard. The applicant requested to continue the matter so that they could work with staff and the neighbor to address the issue and redesign the parking lot. The Planning Commission voted 5-0 (Vice Chair Zich and Commissioner Rojas absent) to continue the public hearing to their regular meeting on July 11, 2022.

The details and analysis of the proposed project can be found in the June 27, 2022 Planning Commission staff report and attachments at the link below:

<https://costamesa.legistar.com/View.ashx?M=F&ID=11011927&GUID=46E82E4E-405C-4B49-8203-F3C0DD151A5E>
This staff report is limited to providing analysis of the redesigned parking lot, and a revised site plan has been included with this staff report (see Attachment 8).

DESCRIPTION:

Planning Application 21-20 is a request for a CUP to allow retail cannabis uses within an existing 2,340-square-foot commercial building located at 124 East 17th Street. The affiliated State license is a Type 10 "storefront retailer" which also allows retail delivery. Upon approval of a CUP, CBP, City Business License, and State licenses, the business would sell pre-packaged cannabis and pre-packaged cannabis products directly to customers onsite and via delivery to private addresses, subject to conditions of approval and other City and State requirements.

ANALYSIS:

As indicated above, this report focuses on the previous continuance matter specifically relating to parking lot circulation. For a comprehensive review of the proposed Conditional Use Permit request, please refer to the June 27, 2022 staff report for details such as conditional use permit requirements, separation requirements, proposed exterior and interior changes, customer and employee access, proposed business operations, required security measures, required parking, and a staff assessment of potential traffic and odor.

124 East 17th Street and Adjacent Neighboring Parking Lot Circulation

The subject property is developed with an existing driveway access from East 17th Street. The driveway is approximately 80 feet long and directly serves the site's rear parking lot. Additional parking is also provided beyond the subject property's boundaries and belongs to the abutting property at 1714 Newport Boulevard (an existing multi-tenant commercial zoned property). Pursuant to the applicant's submitted title report, the subject property provides an easement for ingress/egress purposes to the 1714 Newport Boulevard property. The property at 1714 Newport Boulevard has existing lot frontage on Newport Boulevard and, in addition to the previously mentioned access easement, has driveway access from Newport Boulevard. The subject property and the property at 1714 Newport Boulevard do not have any existing recorded agreements to share parking.

As indicated above, the property owner at 1700, 1706, and 1710 Newport Boulevard submitted a letter the day of the previous public hearing stating that he was concerned with the proposed change in parking lot circulation (see the attached June 27, 2022 neighbor letter). Subsequently, staff had a phone conversation with the adjacent property owner to better understand his circulation concern. The adjacent property (1700, 1706, and 1710 Newport Boulevard) has an existing marked one-way only driveway entrance along East 17th Street that is located adjacent to the subject property's existing driveway access. The two adjacent sites' parking lot driveways are situated parallel to each other and run perpendicular from East 17th Street. This neighbor's driveway leads into an existing small parking lot with angled parking spaces that are adjacent to the subject property's west property line. An existing low wall physically divides these parking spaces and the subject property at 124 East 17th Street. However, the low wall terminates approximately 20 feet from the subject property's northwesterly corner, and this existing opening provides indirect access through the subject property and the property located at 1714 Newport Boulevard to ultimately provide vehicle egress onto Newport Boulevard.

According to the applicant and his attorney, and after their review of the title report and adjacent chain of property titles, the property at 1700, 1706 and 1710 Newport Boulevard does not have legal ingress/egress rights over the subject property at 124 East 17th Street. Although the applicant and his attorney have determined that the property located at 1700, 1706 and 1710 Newport Boulevard does not have legal ingress/egress rights over the subject property, the applicant (though not required) has revised his original parking lot configuration to accommodate through access, similar to current circulation conditions. The redesigned parking lot would still provide the originally proposed 11 parking spaces (nine parking spaces required) on the June 25, 2022 CUP plans. The revised site plan includes:

- Relocating the new trash enclosure to the south side of the property;
- Shifting the parking spaces along the southern property line to accommodate the new trash

enclosure location; and
- Reducing the width of the loading/unloading space to nine feet.

As proposed, an approximate 12-foot wide vehicular access way would be provided for the adjacent property vehicle circulation to exit the rear of the site, turn left and access the existing driveway along Newport Boulevard (similar to existing parking lot circulation conditions). The proposed 12-foot wide access way would be wide enough to allow for one-way traffic and consistent with the Transportation Division's minimum ten-foot wide standard for one-way driveways. Lastly, the applicant has recently met with the adjacent property owner to review the parking lot circulation conditions. Based on this meeting, the adjacent property owner's concerns have now been addressed.

GENERAL PLAN CONFORMANCE:

The Costa Mesa General Plan establishes the long range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa for the next two decades. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that both serve local needs and attract regional and international spending, and providing cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives, and policies contained in this Plan.

The following analysis evaluates the proposed project's consistency with applicable policies and objectives of the 2015-2035 General Plan.

1. **Policy LU-1.1:** *Provide for the development of a mix and balance of housing opportunities, commercial goods and services and employment opportunities in consideration of the need of the business and residential segments of the community.*

   Consistency: The proposed use would provide a new entrepreneurial business in Costa Mesa located within a commercial area as allowed under Measure Q, and provides new goods and services and new employment opportunities in the community.

2. **Objective LU-6B:** *Encourage and facilitate activities that expand the City's revenue base.*

   Consistency: Retail cannabis uses are expected to generate increased tax revenues in that cannabis sales are subject to a seven-percent local tax on gross receipts. Approval of the proposed cannabis retail storefront with delivery would allow business operations that would expand the City's revenue base. This revenue can then be used for community services and infrastructure improvements that serve the community.

3. **Policy LU-6.15:** *Promote unique and specialized commercial and industrial districts within the City which allow for incubation of new or growing businesses and industries.*

   Consistency: The proposed use is part of the specialized and growing cannabis industry that is limited in the surrounding region. Approval of this CUP would facilitate a new local

business opportunity in a specialized and expanding industry.

REQUIRED FINDINGS:

Pursuant to Title 13, Section 13-29(g), Findings, of the Costa Mesa Municipal Code, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets specified findings as follows:

- *The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.*

  The subject site is located within a commercial zone (C2, General Business District) where commercial development is specifically allowed to include retail storefronts. In addition, the property is located on one of the City's commercial corridors and surrounded by commercial uses. Pursuant to the CMMC, cannabis retail storefronts and non-storefronts (delivery) are permitted uses in the City's commercial zones and are subject to extensive regulation (as specifically described in this report). These regulations are adopted to prevent land use inconsistencies with adjacent properties. Additionally, the proposed cannabis retail storefront use is not located within 1,000 feet of a K-12 school, playground, licensed child daycare, or homeless shelter, or within 600 feet of a youth center. All retail sales would take place underroof and no outdoor storage or sales are proposed, nor would be allowed. Staff does not anticipate that the proposed retail cannabis use would be materially detrimental to the adjacent uses that include a variety of retail/commercial businesses such as furniture/mattress stores, a bar (The Harp Inn), hair and beauty salons, gym (The 12 Costa Mesa), optometry (Pearle Vision), medical urgent care center (Xpress Urgent Care), and automotive repair shop (Grand Prix Performance). The nearest residentially-zoned properties are located over 400 feet to the north from the subject property along Cabrillo Street. The existing residences and the subject property are separated by other commercially-zoned properties including a one-acre multi-tenant center to the east that has a large surface parking lot. As proposed and conditioned, the retail cannabis use would be compatible with other properties within the area and in compliance with local and State requirements.

- *Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.*

  The proposed cannabis retail storefront with delivery use would follow safety measures detailed in a professionally-prepared security plan. The security plan was evaluated for compliance by the City's cannabis consultant, HdL. Measures designed to maintain safety at the site include, but are not limited to, multiple security guards would be on site during business hours, at least one security guard would be onsite at all times and security devices shall be installed before operation. Examples of security devices include window and door alarms, motion-detectors, limited access areas, and a monitored video surveillance system covering all exterior entrances, exits, and all interior limited access spaces. In addition, the business employees, including delivery drivers and part-time staff, must pass a live scan background check and obtain an identification badge from the City. The conditions of approval include, but are not limited to, the aforementioned security measures to ensure that the use would not be materially detrimental to the health, safety and general welfare of the public or be

otherwise injurious to property or improvements within the immediate neighborhood.

- *Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.*

  The proposed retail use is located within an existing commercial building on a property that has a General Plan land use classification of "General Commercial." No additional square footage is proposed; therefore, approving the CUP would not increase site intensity. As stated in the General Plan Land Use Element, the City's commercial designations "accommodate the full range of commercial activity present and desired in Costa Mesa." The use is consistent with General Plan policies related to providing a mixture of commercial goods, services, and employment opportunities; expanding the City's tax base; and promoting the incubation of unique and specialized businesses.

ENVIRONMENTAL DETERMINATION:

The project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301 for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing use. This project site contains an existing commercial building that has been used for commercial activities and the application does not propose an increase in commercial floor area or otherwise expand the prior commercial use. The project is consistent with the applicable General Plan designation and policies as well as with the applicable zoning designation and regulations.

ALTERNATIVES:

The Planning Commission has the following alternatives:

1. *Approve the project*. The Planning Commission may approve the project as proposed, subject to the conditions outlined in the attached Resolution.

2. *Approve the project with modifications*. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the hearing should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.

3. *Deny the project*. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months.

LEGAL REVIEW:

The draft Resolution and this report has been approved as to form by the City Attorney's Office.

PUBLIC NOTICE:

Pursuant to Title 13, Section 13-29(d) of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. Mailed notice. A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property.

2. On-site posting. A public notice was posted on each street frontage of the project site.

3. Newspaper publication. A public notice was published once in the Daily Pilot newspaper.

As of the date of this report and the previous report were circulated, one written public comment has been received and is the subject matter of this report. Any further public comments received prior to the July 11, 2022 Planning Commission meeting will be provided separately.

CONCLUSION:

The proposed project is a retail cannabis storefront business with delivery at an existing developed commercial property that is located on one of the City's commercial corridors and meets separation requirements established in CMMC 13-200.93(e). Staff and the City's cannabis consultant completed the Application Determination, Business Plan and Security Plan evaluations, owner background checks, and thoroughly reviewed the CUP materials. If approved, the operation would be required to comply with all conditions of approval and extensive City and State regulations.

If the Planning Commission approves the project, the applicant would next obtain building permits, complete tenant improvements, and pass City inspections prior to obtaining a CBP and City Business License. The CBP is valid for two years and must be continuously renewed, including inspections, prior to expiration. During each two-year CBP period, the Community Improvement Division, along with other City staff, conduct site inspections to verify that the operation complies with CUP and CBP requirements. Violations identified during site inspections may be grounds for revocation of issued permits or non-renewal of a CBP.

As proposed and conditioned, the use would be consistent with other commercial uses in the C2 zone, the Zoning Code, and the City's General Plan. In addition, the required findings for the CUP can be made, as described above. Lastly, the applicant has revised the previously proposed parking configuration to address the adjacent neighbor's circulation concerns. Therefore, staff recommends approval of Planning Application 21-20 subject to conditions of approval.

RESOLUTION NO. PC-2022-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 21-20 FOR A STOREFRONT RETAIL CANNABIS BUSINESS WITH DELIVERY IN THE C2 ZONE AT 124 EAST 17TH STREET

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, in November 2020, the Costa Mesa voters approved Measure Q; which allows for storefront and non-storefront retail cannabis uses in commercially zoned properties meeting specific location requirements, and non-storefront retail cannabis uses in Industrial Park (MP) and Planned Development Industrial (PDI) zoned properties;

WHEREAS, on June 15, 2021, the City Council adopted Ordinance Nos. 21-08 and No. 21-09 to amend Titles 9 and 13 of the Costa Mesa Municipal Code (CMMC) to establish regulations for cannabis storefront and non-storefront uses;

WHEREAS, Planning Application 21-20 was filed by Peter Ishak, authorized agent for the property owner, 124 17th St LLC, requesting approval of the following:

A Conditional Use Permit to operate a storefront retail cannabis business with delivery within an existing 2,340-square-foot commercial building located at 124 East 17th Street. The business would sell pre-packaged cannabis and pre-packaged cannabis products directly to customers onsite and via delivery to private addresses, subject to conditions of approval and other City and State requirements;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 27, 2022 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, the applicant requested to continue the public hearing for their application to address a public comment received from the adjacent property owner;

WHEREAS, the Planning Commission voted 5-0 (Vice Chair Zich and Commissioner Rojas absent) to continue the item to their next regular meeting on July 11, 2022;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 11, 2022 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of CEQA per Section 15301 (Class 1), for Existing Facilities, as described specifically in the staff report;

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa.

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application 21-20 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application 21-20 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable State, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 11th day of July, 2022.

Byron de Arakal, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2022- was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on July 11th, 2022 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:

Finding: The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Findings: The subject site is located within a commercial zone (C2, General Business District) where commercial development is specifically allowed to include retail storefronts. In addition, the property is located on one of the City's primary commercial corridors and surrounded by commercial uses. Pursuant to the CMMC, cannabis retail storefronts and non-storefronts (delivery) are permitted uses in the City's commercial zones and are subject to extensive regulation. These regulations are adopted to prevent land use inconsistencies with adjacent properties. Additionally, the proposed cannabis retail storefront use is not located within 1,000 feet of a K-12 school, playground, licensed child daycare, or homeless shelter, or within 600 feet of a youth center (as defined by the Costa Mesa Municipal Code). All retail sales would take place underroof and no outdoor storage or sales are proposed nor would be allowed. The proposed retail cannabis use would not be materially detrimental to the adjacent uses which include a variety of retail/commercial businesses such as furniture/mattress stores, a restaurant/bar (The Harp Inn), hair and beauty salons, gym (The 12 Costa Mesa), optometry (Pearle Vision), medical urgent care center (Xpress Urgent Care), and automotive repair shop (Grand Prix Performance). The nearest residential zoned properties are located over 400 feet away to the north from the subject property along Cabrillo Street. The existing residences and the proposed property are separated by other commercial zoned properties including the one-acre multi-tenant center to the east that has a large surface parking lot. As proposed and conditioned, the retail cannabis use would be compatible with other properties within the area and in compliance with local and State requirements.

Finding: Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Finding: The proposed cannabis retail storefront with delivery use would follow safety measures detailed in a professionally-prepared security plan. The security plan was evaluated for compliance by the City's cannabis consultant, HdL. Measures designed to maintain safety at the site include, but are not limited to, multiple security guards would be on site during business hours, at least one security guard would be onsite at all times and

security devices shall be installed before operation. Examples of security devices include window and door alarms, motion-detectors, limited access areas, and a monitored video surveillance system covering all exterior entrances, exits, and all interior limited access spaces. In addition, the business employees, including delivery drivers and part-time staff, must pass a live scan background check and obtain an identification badge from the City. The conditions of approval include, but are not limited to, the aforementioned security measures to ensure that the use would not be materially detrimental to the health, safety and general welfare of the public or be otherwise injurious to property or improvements within the immediate neighborhood.

Finding: Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

Facts in Support of Finding: The proposed retail use is located within an existing commercial building on a property that has a General Plan land use classification of "General Commercial." No additional square footage is proposed; therefore, approving the CUP would not increase site intensity. As stated in the General Plan Land Use Element, the City's commercial designations "accommodate the full range of commercial activity present and desired in Costa Mesa." The use is consistent with General Plan policies related to providing a mixture of commercial goods, services, and employment opportunities; expanding the City's tax base; and promoting the incubation of unique and specialized businesses.

B. The project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing use. This project site contains an existing commercial building that has been used for commercial activities and the application does not propose an increase in floor area or otherwise expand the prior commercial use. The project is consistent with the applicable General Plan land use designation and policies as well as with the applicable zoning designation and regulations.

C. The project is subject to a traffic impact fee, pursuant to Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL

General

Plng.

1. The use of this property as a cannabis storefront and delivery business shall comply with the approved plans and terms described in the resolution, these conditions of approval, and applicable sections of the Costa Mesa Municipal Code (CMMC). The Planning Commission may modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
2. Approval of the planning/zoning application is valid for two years from the effective date of this approval and will expire at the end of that period unless the applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and has continued to maintain a valid building permit by making satisfactory progress as determined by the Building Official, 2) a certificate of occupancy has been issued, or 3) the use is established and a business license has been issued. A time extension can be requested no less than 30 days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
3. No person may engage in any cannabis business or in any cannabis activity within the City including delivery or sale of cannabis or a cannabis product unless the person:
   a. Has a valid Cannabis Business Permit from the City;
   b. Has paid all Cannabis Business Permit and all application fees and deposits established by resolution of the City Council, including annual Community Improvement Division inspection deposits;
   c. Has obtained all applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such cannabis business intends to operate;
   d. Has obtained a City business license pursuant to Chapter I of the Municipal Code;
   e. Is in compliance with all requirements of the Community Improvement Division regarding the property;
   f. Has obtained any and all licenses required by State law and/or regulations; and
   g. Has satisfied all CUP conditions of approval.

4. Any change in the operational characteristics of the use shall be subject to Planning Division review and may require an amendment to the Conditional Use Permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change.
5. No cultivation of cannabis is allowed anywhere on the premises.
6. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable State and local laws, including, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.
7. Except for operations allowed by this Conditional Use Permit and under an active Cannabis Business Permit and State Type 10 license, no permit holder or any of its employees shall sell, distribute, furnish, and/or otherwise provide any cannabis or cannabis product to any person, firm, corporation, group or any other entity, unless that person or entity is a lawful, bona fide customer, or it possesses all currently valid permits and/or licenses required by both the State of California and applicable local governmental entity to lawfully receive such cannabis and to engage in a “cannabis activity” as defined by Costa Mesa Municipal Code sec. 9-485. The permit holder shall verify that the recipient, regardless of where it is located, of any cannabis or cannabis product sold, distributed, furnished, and/or otherwise provided by or on behalf of the permit holder, possesses all required permits and/or licenses therefor.
8. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant’s project, or any approvals granted by City related to the applicant’s project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City’s interests, and applicant shall indemnify City for all such costs incurred by City.
9. If any section, division, sentence, clause, phrase or portion of this approval is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.
10. The use shall operate in accordance with the approved Security Plan. Any changes to the Security Plan must be submitted to the Planning Division with

a written explanation of the changes. If the Director determines that changes are substantial, a modification to the Cannabis Business Permit and/or amendment to the CUP may be required.

11. A parking management plan, including techniques described in Operational Condition of Approval No. 7, must be approved by the Director of Economic and Development Services or designee prior to any grand opening or other high volume event on the subject property.

Bldg. 12. Development shall comply with the requirements of the following adopted codes: 2019 California Residential Code, 2019 California Building Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Green Building Standards Code and 2019 California Energy Code (or the applicable adopted, California Residential Code, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2019 California Building Code.

CBP 13. The operator shall maintain a valid Cannabis Business Permit and a valid Business License at all times. The Cannabis Business Permit application number associated with this address is MQ-21-19. Upon issuance, the Cannabis Business Permit will be valid for a two-year period and must be renewed with the City prior to its expiration date, including the payment of permit renewal fees. No more than one Cannabis Business Permit may be issued to this property.

14. The use shall operate in accordance with the approved Business Plan. Any changes to the Business Plan must be submitted to the Planning Division with a written explanation of the changes. If the Director determines that changes are substantial, a modification to the Cannabis Business Permit and/or amendment to the CUP may be required.

15. A Cannabis Business Permit may be revoked upon a hearing by the Director of Economic and Development Services or designee pursuant to Section 9-120 of the CMMC for failing to comply with the terms of the permit, the applicable provisions of the CMMC, State law or regulation and/or any condition of any other permit issued pursuant to this code. Revocation of the Cannabis Business Permit shall trigger the City's proceedings to revoke the Conditional Use Permit and its amendments. The Conditional Use Permit granted herein shall not be construed to allow any subsequent owner/operator to continue operating under PA-21-20 until a valid new Cannabis Business Permit is received from the City of Costa Mesa.

16. A change in ownership affecting an interest of 51 or more percent, or an incremental change in ownership that will result in a change of 51 or more percent over a three year period, shall require submittal and approval of a

new Cannabis Business Permit. A change in ownership that affects an interest of less than 51 percent shall require approval of a minor modification to the Cannabis Business Permit.

State 17. The business must obtain any and all licenses required by State law and/or regulation prior to engaging in any cannabis activity at the property.

18. The applicant shall obtain State License Type 10 prior to operating. The uses authorized by this Conditional Use Permit must be conducted in accordance with all applicable State and local laws, including, but not limited to compliance with the most current versions of the provisions of the California Code of Regulations that regulate the uses permitted hereby. Any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.

19. Suspension of a license issued by the State of California, or by any of its departments or divisions, shall immediately suspend the ability of a cannabis business to operate within the City, until the State of California, or its respective department or division, reinstates or reissues the State license. Should the State of California, or any of its departments or divisions, revoke or terminate the license of a cannabis business, such revocation or termination shall also revoke or terminate the ability of a cannabis business to operate within the City. This Conditional Use Permit will expire and be of no further force and effect if any State issued license remains suspended for a period exceeding six (6) months. Documentation of three violations during routine inspections or investigations of complaints shall result in the Community Inprovement Division scheduling a hearing before the Director of Development Services to consider revocation of the Cannabis Business Permit.

20. Third parties are prohibited from providing delivery services for non-storefront retail.

21. Persons under the age of twenty-one (21) years shall not be allowed on the premises of this business, except as otherwise specifically provided for by State law and CMMC Section 9-495(h)(6). It shall be unlawful and a violation of this CUP for the owner/operator to employ any person who is not at least twenty-one (21) years of age.

PD 22. Every manager, supervisor, employee or volunteer of the cannabis business must submit fingerprints and other information specified on the Cannabis Business Permit for a background check by the Costa Mesa Police Department to verify that person's criminal history. No employee or volunteer may commence paid or unpaid work for the business until the background checks have been approved. No cannabis business or owner thereof may employ any person who has been convicted of a felony within the past 7 years, unless that felony has been dismissed, withdrawn, expunged or set aside pursuant to Penal Code sections 1203.4, 1000 or 1385, or who is currently on probation or parole for the sale, distribution, possession or manufacture of a controlled substance.

CID 23. Should any employee, volunteer or other person who possesses an identification badge be terminated or cease their employment with the

business, the applicant shall return such identification badge to the City of Costa Mesa Community Improvement Division within 24 hours, not including weekends and holidays.

24. The property owner and applicant shall use "Crime Prevention Through Environmental Design" techniques to reduce opportunities for crime, loitering and encampments on the property as deemed appropriate by the Community Improvement Manager and Director of Economic and Development Services.

Finance

25. This business operator shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees and permits required under State and local law. This business operator shall cooperate with the City with respect to any reasonable request to audit the cannabis business' books and records for the purpose of verifying compliance with the CMMC and this CUP, including but not limited to a verification of the amount of taxes required to be paid during any period.

26. The following records and recordkeeping shall be maintained/conducted:

    a. The owner/operator of this cannabis business shall maintain accurate books and records, detailing all of the revenues and expenses of the business, and all of its assets and liabilities. On no less than an annual basis, or at any time upon reasonable request of the City, the owner/operator shall file a sworn statement detailing the number of sales by the cannabis business during the previous twelve month period (or shorter period based upon the timing of the request), provided on a per-month basis. The statement shall also include gross sales for each month, and all applicable taxes paid or due to be paid.

    b. The owner/operator shall maintain a current register of the names and the contact information (including the name, address, and telephone number) of anyone owning or holding an interest in the cannabis business, and separately of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the cannabis business. The register required by this condition shall be provided to the City Manager upon a reasonable request.

    c. The owner/operator shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products for all stages of the retail sale and delivery process. Subject to any restrictions under the Health Insurance Portability and Accountability Act (HIPPA), the owner/operator shall allow City officials to have access to the business's books, records, accounts, together with any other data or documents relevant to its permitted cannabis activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than twenty-four (24) hours after receipt of the City's request, unless otherwise stipulated by the City.

    d. The owner/operator shall have in place a point-of-sale tracking system to track and report on all aspects of the cannabis business including,

but not limited to, such matters as cannabis tracking, inventory data, and gross sales (by weight and by sale). The owner/operator shall ensure that such information is compatible with the City's record-keeping systems. The system must have the capability to produce historical transactional data for review by the City Manager or designees.

Insp. 27. The City Manager or designees may enter this business at any time during the hours of operation without notice, and inspect the location of this business as well as any recordings and records required to be maintained pursuant to Title 9, Chapter VI or under applicable provisions of State law.

28. Inspections of this cannabis business by the City will be conducted, at a minimum, on a quarterly basis. The applicant will pay for the inspections according to the adopted Fee Schedule.

29. Quarterly Fire & Life Safety Inspections will be conducted by the Community Risk Reduction Division to verify compliance with the approved operation. The applicant will pay for the inspection according to the Additional Required Inspections as adopted in the Fee Schedule.

30. Annual Fire & Life Safety Inspections will be conducted by the Fire Station Crew for emergency response pre-planning and site access familiarization. The applicant will pay for the inspection according to the adopted Fee Schedule.

31. Pursuant to Title 9, Chapter VI, it is unlawful for any person having responsibility for the operation of a cannabis business, to impede, obstruct, interfere with, or otherwise not to allow, the City to conduct an inspection, review or copy records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law. It is also unlawful for a person to conceal, destroy, deface, damage, or falsify any records, recordings or other documents required to be maintained by a cannabis business under this chapter or under State or local law.

Prior to Issuance of Building Permits

1. Plans shall be prepared, stamped and signed by a California licensed Architect or Engineer.
2. The conditions of approval and ordinance or code provisions of Planning Application 21-20 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. Prior to the Building Division issuing a demolition permit, the applicant shall contact the South Coast Air Quality Management District (AQMD) located at:
   21865 Copley Dr.
   Diamond Bar, CA 91765-4178
   Tel: 909- 396-2000

Or visit its website: http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381. The Building Division will not issue a demolition permit until an Identification Number is provided by AQMD.

4. Odor control devices and techniques shall be incorporated to ensure that odors from cannabis are not detected outside the property, anywhere on adjacent property or public right-of-way. Building and mechanical permits must be obtained from the Building Division prior to work commencing on any part of the odor control system.
5. Plan check submittal shall include air quality/odor control device specification sheets. Plan check submittal shall also include a landscape plan that complies with CMMC requirements, drought-tolerant plants and/or California native plants, a bike rack, parking lot striping in conformance with CMMC requirements, and trash enclosure.
6. No signage shall be installed until the owner/operator or its designated contractor has obtained permits required from the City. Business identification signage shall be limited to that needed for identification only. Business identification signage shall not include any references to cannabis, whether in words or symbols. All signs shall comply with the CMMC.
7. The plans and business operator shall comply with the requirements of the 2019 California Fire Code, including the 2019 Intervening Update and referenced standards as amended by the City of Costa Mesa.
8. The Traffic Impact Fee as calculated by the Transportation Services Division shall be paid in full.
9. Construction documents shall include a temporary fencing and temporary security lighting exhibit to ensure the site is secured during construction and to discourage crime, vandalism, and illegal encampments.
10. The applicant shall submit a lighting plan to the Planning Division for review and approval. The lighting plan shall show locations of all security lighting. As determined by the Director of Economic and Development Services or their designee, a photometric study may be required to demonstrate compliance with the following: (a) lighting levels within the property including the parking lot shall be adequate for safety and security purposes (generally, at least 1.0 foot candle), (b) lighting design and layout shall minimize light spill at the residential property line and at other light-sensitive uses (generally, no more than 0.5 foot candle), and (c) glare shields may be required to prevent light spill.
11. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.

Prior to Issuance of a Certificate of Use/Occupancy

1. The operator, contractors, and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final occupancy and utility releases will not be granted until all such licenses have been obtained.

Prior to Issuance of Cannabis Business Permit

1. The applicant shall contact the Planning Division for a facility inspection and provide a matrix of conditions of approval explaining how each was met prior to issuance of a Cannabis Business Permit.
2. The applicant shall submit to the Planning Division a list of all vehicles to be used for retail delivery purposes. The list shall identify the make, model, color, license plate number and registered owner of each vehicle.
3. The applicant shall pay the public notice fee ($1 per notice post card) and the newspaper ad publishing cost.
4. The final Security Plan shall be consistent with the approved building plans.
5. Each entrance to the business shall be visibly posted with a clear and legible notice stating the following:
   a. That smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the cannabis business is prohibited;
   b. That no person under the age of twenty-one (21) years of age is permitted to enter upon the premises;
   c. That loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises is prohibited; and
   d. The premise is a licensed cannabis operation approved by the City of Costa Mesa. The City may also issue a window/door sticker, which shall be visibly posted.
6. The owner/operator shall obtain and maintain at all times during the term of the permit comprehensive general liability insurance and comprehensive automotive liability insurance protecting the permittee in an amount of not less than two million dollars ($2,000,000.00) per occurrence, combined single limit, including bodily injury and property damage and not less than two million dollars ($2,000,000.00) aggregate for each personal injury liability, products-completed operations and each accident, issued by an insurance provider admitted and authorized to do business in California and shall be rated at least A-:viii in A.M. Best & Company's Insurance Guide. Such policies of insurance shall be endorsed to name the City of Costa Mesa as an additional insured. Proof of said insurance must be provided to the Planning Division before the business commences operations. Any changes to the insurance policy must be submitted to the Planning Division within 10 days of the date the change is effective.
7. The applicant shall submit an executed Retail Cannabis Business Permit Defense and Indemnity Agreement on a form to be provided by the City.

Operational Conditions

1. No product deliveries to the facility shall occur after 10:00 PM and before 7:00 AM.
2. Onsite sales and offsite delivery to customers is limited to the hours between 7:00 AM and 10:00 PM.
3. The applicant shall submit an updated delivery vehicle list each quarter with the quarterly update to the employee roster which is required pursuant to the CBP. The number of delivery vehicles parked onsite shall not exceed the number of available onsite surplus parking spaces. Delivery vehicles shall not be parked on City streets.
4. At least one security guard shall be onsite at all times.
5. The operator shall maintain free of litter all areas of the property under which applicant has control.
6. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The operator shall institute appropriate security and operational measures as necessary to comply with this requirement.
7. If parking shortages or other parking-related problems develop, the business owner or operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services or designee. Temporary or permanent parking management strategies include, but are not limited to, reducing operating hours of the business, hiring an employee trained in traffic control to monitor parking lot use and assist with customer parking lot circulation, encouraging customers to take advantage of delivery service instead of store visits, and incentivizing employee carpooling/cycling/walking.
8. While working, employees shall not park on residential streets unless doing so temporarily to make a cannabis delivery.
9. All employees must wear an identification badge while on the premises of the business and/or performing deliveries, in a format prescribed by the City Manager or designee. When on the premises, badges must be clearly visible and worn on outermost clothing and above the waist in a visible location.
10. The operator shall ensure that all vehicles are properly maintained, all delivery drivers have a good driving record, and each driver conducts a visual inspection of the vehicle at the beginning of each shift.
11. The operator shall ensure that deliveries are grouped to minimize total vehicle trips.
12. During each delivery stop, the delivery vehicle shall be parked in a safe manner (i.e., not impeding traffic circulation), the engine shall be turned off and the vehicle shall be locked.
13. Vehicle loading and unloading shall only take place within direct unobstructed view of surveillance cameras, located in close proximity to the shipping and receiving exterior door, as shown on an exhibit approved by the Director of Economic and Development Services or designee. No loading and unloading of cannabis products into or from the vehicles shall take place

outside of camera view. The security guard shall monitor all on-site loading and unloading of delivery vehicles. Video surveillance cameras shall be installed on the exterior of the building with direct views of employee doors. Any modifications or additional vehicle loading and unloading areas shall be submitted to the Director of Economic and Development Services or designee for approval.

14. Vehicle standing, loading and unloading shall be conducted so as not to interfere with normal use of streets, sidewalks, driveways and on-site parking.
15. The sale, dispensing, or consumption of alcoholic beverages on or about the premises is prohibited.
16. No outdoor storage or display of cannabis or cannabis products is permitted at any time.
17. Cannabis shall not be consumed on the property at any time, in any form.
18. The owner/operator shall prohibit loitering on and within fifty (50) feet of the property.
19. No cannabis or cannabis products, or graphics depicting cannabis or cannabis products, shall be visible from the exterior of the property, or on any of the vehicles owned or used as part of the cannabis business.
20. The owner or operator shall install and maintain air quality/odor control devices to prevent odor from escaping the building. The applicant shall maintain and replace odor control device filters on a regular basis, as specified in the manufacturer specifications.
21. If cannabis odor is detected outside the building, the business owner or operator shall institute corrective measures necessary to minimize or eliminate the problem in a manner deemed appropriate by the Director of Economic and Development Services.
22. Cannabis liquid or solid waste must be made unusable and unrecognizable prior to leaving a secured storage area and shall be disposed of at facility approved to receive such waste. No cannabis waste shall be disposed of in the trash facilities located on-site.
23. Each transaction involving the exchange of cannabis goods between the business and consumer shall include the following information: (1) Date and time of transaction; (2) Name and employee number/identification of the employee who processed the sale; (3) List of all cannabis goods purchased including quantity; and (4) Total transaction amount paid.

APPLICANT LETTER

To Whom it may concern,

17th St Retail LLC (COMPANY) intends to apply for a Storefront and Delivery retail location to be located at 124 E 17th St Costa Mesa, CA 92627.

The space located at 124 E 17th St Costa Mesa, CA 92627 has 1 building located on the property which is 2,340 Sq Ft in size. The full 2,340 Sq Ft of premises shall be used for a Cannabis Retail Storefront

The owners and operators of the Company are Peter Ishak, James Switzer and Lee McCue. The three owners also own and operate both a Type 6 Manufacturing and a Type 11 Distribution licenses in the Measure X section of Costa Mesa. Peter, James and Lee also have fully integrated Cannabis operations in Nevada and are considered one of the top providers of Cannabis in the state. Peter Ishak has been in the Cannabis industry since 2005. Peter has owned and operated multiple Medical Dispensaries in the Los Angeles. Peter was also instrumental in the Arizona Medical Cannabis market in becoming one of the first few retail operators to become operational in the state. Peter, James and Lee are looking forward to bringing their years of experience and success in the Cannabis industry to the newly beginning Cannabis Retail Operations in the City Of Costa Mesa.

The company intends to sell all legally permitted and tested Cannabis products for use by consumer. These products include but are not limited to: Cannabis flower, Cannabis Concentrates, Cannabis topicals, Cannabis Edibles. Products will be sold in store and will also be available for delivery to persons of legal age and residence.

The location at 124 E 17th St Costa Mesa, CA 92627 is NOT located in the Green Zone. There will no hazardous chemicals stored at the location.

If there is any additional information or further clarification needed, please let us know and we will provide immediately. Thank You for this opportunity to submit an application for a Storefront Retail use.

17th Retail LLC
Company Name

Peter Ishak
Authorized Representative Signature

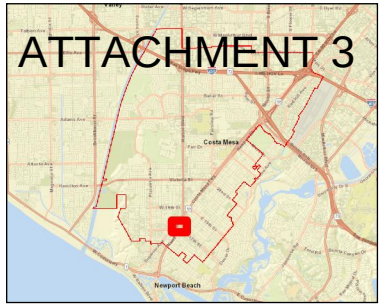
Peter Ishak
Authorized Representative Name

Manager 06/19/2022
Title Date

VICINITY MAP

ATTACHMENT 3





Legend

- Costa Mesa

Notes

PA-21-20 (124 E 17th St)

0.1 0 0.05 0.1 Miles

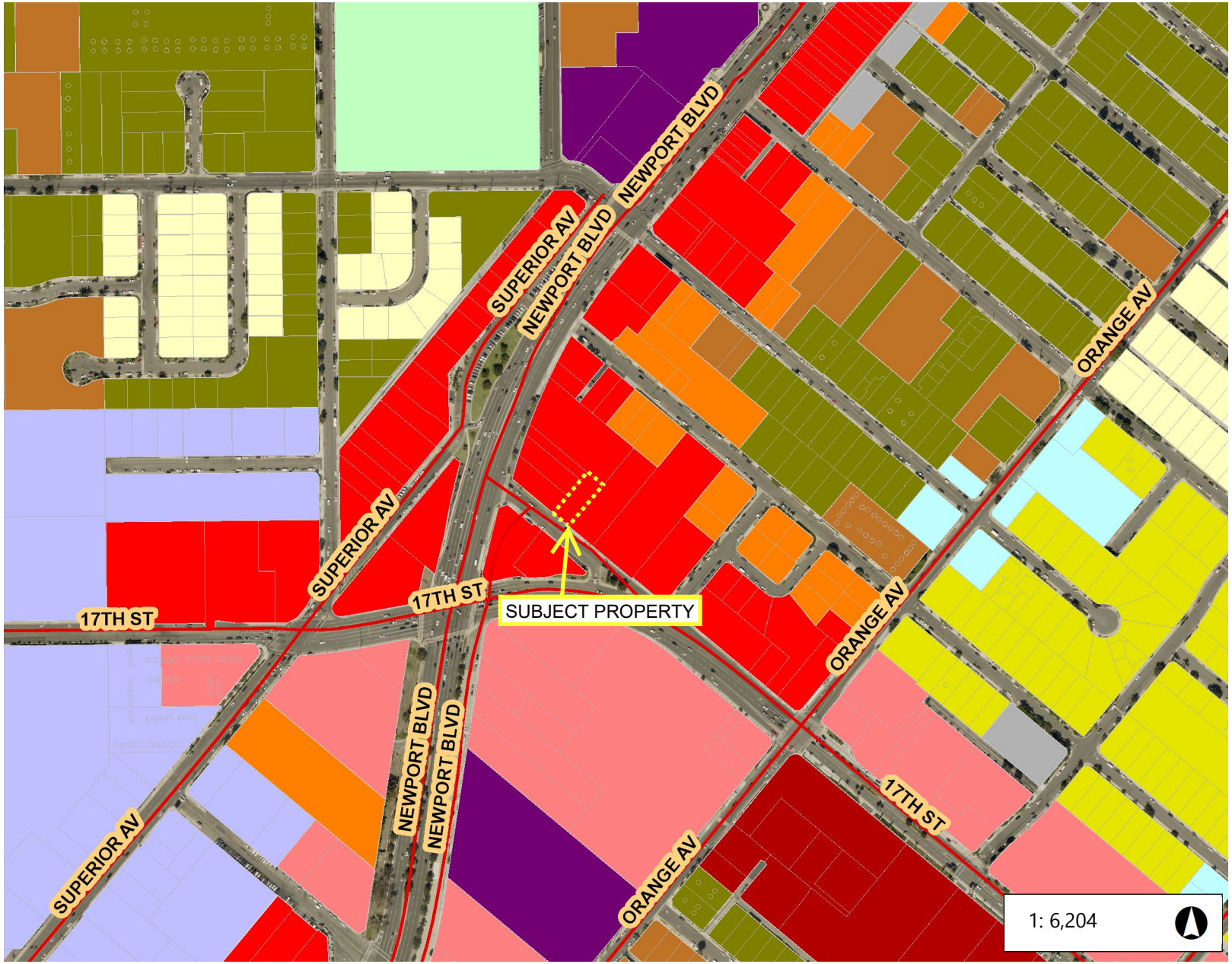
WGS_1984_Web_Mercator_Auxiliary_Sphere

© City of Costa Mesa

The City of Costa Mesa makes no guarantee as to the accuracy of any of the information provided and assumes no liability for any errors, omissions, or inaccuracies.

ZONING MAP

ATTACHMENT 4



Legend

- Costa Mesa Zoning
  - AP - Administrative Professional
  - IR-MLT - Institutional Recreational I
  - R1 - Single-Family Residential
  - R2-MD - Multiple-Family Residentia
  - R2-HD - Multiple-Family Residentia
  - R3 - Multiple Family Residential
  - MG - General Industrial
  - MP - Industrial Park
  - PDI - Planned Development Industr
  - C1 - Local Business
  - C2 - General Business
  - C1-S - Shopping Center
  - TC - Town Center
  - PDR-NCM - Planned Development Mesa
  - I&R - Institutional Recreactional
  - I&R-S - Institutional Recreational - S
  - P - Parking
  - CL - Commercial Limited
  - PDC - Planned Development Comm
  - PDR-LD - Planned Development R
  - PDR-MD - Planned Development R Density
  - PDR-HD - Planned Development R

Notes

PA-21-20 (124 E 17th St)

0.2 0 0.10 0.2 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City of Costa Mesa

The City of Costa Mesa makes no guarantee as to the accuracy of any of the information provided and assumes no liability for any errors, omissions, or inaccuracies.

124 E 17TH STREET (PA-21-20)

EXISTING SITE PHOTOS



Existing building front façade facing E 17th St. to be updated with new paint and signage



Existing west building elevation facing driveway to be updated with a new mural (reviewed and permitted under separate submittal)



Existing rear of the building to also be updated with new paint as well as security cameras/lighting



Existing condition of the rear surface parking lot to be reconfigured and restriped to comply with parking design standards

HUYNH, NANCY

From: Peter Ishak <peter@distillateco.com>
Sent: Tuesday, July 5, 2022 11:36 AM
To: DRAPKIN, SCOTT
Cc: HUYNH, NANCY
Subject: Re: 124-126 East 17th
Attachments: preliminary_report.pdf; PRELIM-LINKED (8) 2.PDF; 5317-450.pdf; QuickView - 2022-06-27T174710.110 2.pdf; 30070538 PLOTTED EASEMENTS.pdf

Scott and Nancy,

I hope you both had a wonderful 4th Of July!

I wanted to attach the title report I pulled from 1714 Newport Blvd (The Find and Grand Prix Tires).

You can see on Page 4, the legal description of Parcel 1 and the Easement described on Parcel 2. This is the same exact language that was recorded in the Grant Deed from July 7th, 1960.

This conclusively confirms the Easement is solely for 1714 Newport Blvd and no other neighbors (including Gene).

If you have any questions please give me a call.

Thank You,

Peter Ishak
323-744-1738

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

> On Jul 1, 2022, at 12:28 PM, Peter Ishak <peter@distillateco.com> wrote:
>
> Scott,
>
> Pleasure speaking with you today.
>
> Attached is the following:
>
> - My updated Title Report with working hyperlinks showing only one easement (not utility related) granted on July 7th 1960.
>
> - Grant Deed record from 1960 granting the easement. Again, from my attorneys definition the easement is only for “The Find Consignment Store” and “Grand Prix Tires”.

- Grant Deed from the most recent transaction from 1700-1712 Newport Blvd (Gene Scarcello). This shows no easement granted to my property.

- Plotted Easement that was granted in 1960 for “Grand Prix Tires” an “The Find Consignment Store”.

If there is anything else I can provide, please let me know.

I hope you have a wonderful 4th Of July Weekend!

Peter Ishak
323-744-1738

On Jun 27, 2022, at 2:40 PM, DRAPKIN, SCOTT <SCOTT.DRAPKIN@costamesaca.gov> wrote:

Thanks Peter. Please send the request for continuance until the 7/11 PC hearing now if possible. We can work on this for you in the meantime and I have already involved the City Attorney. Please check with your title officer and confirm exactly what the easements are for ASAP so that I can report on them for the next hearing.

Scott Drapkin
Assistant Director
Development Services Department
77 Fair Drive | Costa Mesa | CA 92626 | (714) 754-5278

“The City of Costa Mesa serves our residents, businesses and visitors while promoting a safe, inclusive, and vibrant community.”

City Hall is open to the public 8:00 a.m. to 5:00 p.m. Monday through Thursday and alternating Fridays, except specified holidays.

For expedited service, **appointments** are strongly encouraged.

From: Peter Ishak <peter@distillateco.com>
Sent: Monday, June 27, 2022 2:24 PM
To: DRAPKIN, SCOTT <SCOTT.DRAPKIN@costamesaca.gov>
Cc: HUYNH, NANCY <NANCY.HUYNH@costamesaca.gov>
Subject: Fwd: 124-126 East 17th

Scott,

Attached is the Preliminary Title Report.

Peter Ishak
323-744-1738

Begin forwarded message:

> **From:** Saminah Welker <swelker@marinersescrow.com>
> **Date:** June 27, 2022 at 12:36:36 PM PDT
> **To:** SHAKP@aol.com
> **Subject: 124-126 East 17th**
>
> Hi Peter,
> Please see attached prelim. Please contact the title officer regarding any questions pertaining to easements.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.



Saminah Welker
Commercial/Residential Escrow Officer
MARINERS ESCROW

O 949-640-6040 - D 949-721-6480 - F 949-721-2303

swelker@marinersescrow.com

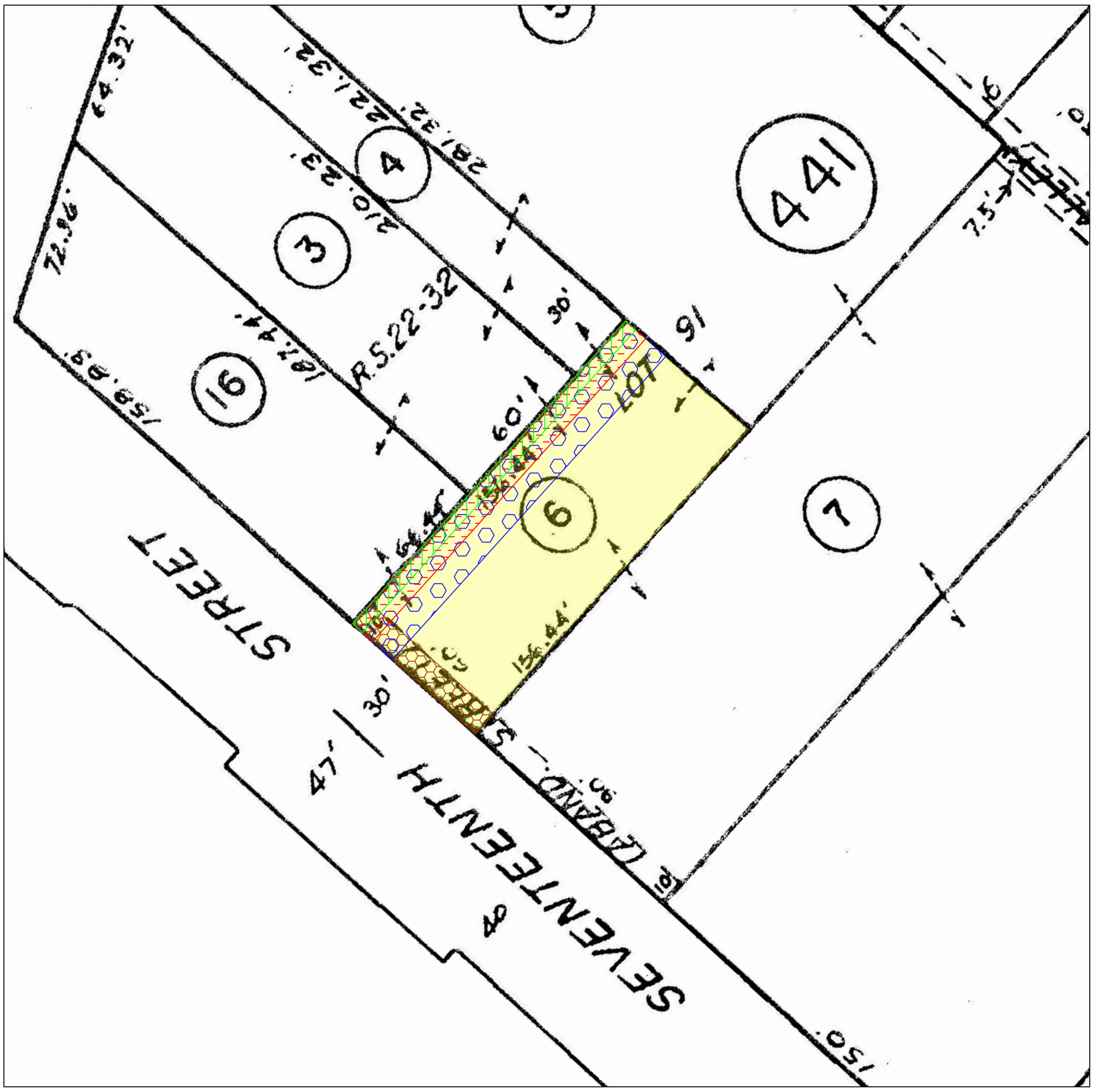
marinersescrow.com

270 Newport Center Drive, Suite 150, Newport Beach, CA 92660

Scale 1 inch = 45 Feet

0 45 90

N



LEGEND

Fee, Property in Question

Item No. 2 - Easement for public utilities
09/23/1949, Book 1905, Page 423, of Official Records
Affects as described therein

Item No. 3 - Easement for sewer line
Book 2351, Page 100, of Official Records
Affects as described therein

Item No. 4 - Easement for ingress and egress
07/07/1960, Book 5317, Page 450, of Official Records
Affects as described therein

Item No. 5 - Easement for street and highway
07/20/1960, Book 5337, Page 299, of Official Records
Affects as described therein

©2022

Fidelity National Title Company
4400 MacArthur Blvd., Suite 200
Newport Beach, CA 92660
Phone: (949) 622-5000

Title Order No. 30070538, Preliminary Report Dated as of July 13, 2021

Drawing Date: June 29, 2022

Reference :

Assessor's Parcel No. : 425-441-06

Property: 124-126 E. 17th Street, Costa Mesa, State Of California

Data :

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

Plat Showing That Portion of Lot 91 of Newport Heights, in the City of Costa Mesa, County of Orange, State of California, as shown on a Map on File in Book 4, Page 83 of Miscellaneous Maps, Records of Orange County, California.

Fidelity National Title Company
4400 MacArthur Blvd., Suite 200, Newport Beach, CA 92660
Phone: (949) 622-5000• Fax:

Issuing Policies of Fidelity National Title Insurance Company

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Title Officer: Thomas Szopinski (MA)
Escrow Officer: Major Accounts OAC

Order No.: 997-**30070538**-TS4

TO:

Mariners Escrow Corporation
270 Newport Center Drive, Suite 150
Newport Beach, CA 92660

ATTN: **Jennifer Fortin**
YOUR REFERENCE:

PROPERTY ADDRESS: 124-126 E. 17th Street, Costa Mesa, CA

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein, ***Fidelity National Title Company*** *hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a Florida Corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Countersigned by:

Authorized Signature

Fidelity National Title Company
4400 MacArthur Blvd., Suite 200, Newport Beach, CA 92660
Phone: (949) 622-5000• Fax:

PRELIMINARY REPORT

EFFECTIVE DATE: **July 13, 2021 at 7:30 a.m.**

ORDER NO.: 997-30070538-TS4

The form of policy or policies of title insurance contemplated by this report is:

ALTA Extended Owners Policy (6-17-06)

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

   A FEE

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

   DIANA M. BURG, as Trustee of the Beatrice A. Miller Trust, a Colorado trust under agreement dated June 10, 1992 as amended November 11, 1992.

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

   See Exhibit A attached hereto and made a part hereof.

EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF COSTA MESA IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 91 OF NEWPORT HEIGHTS, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP ON FILE IN BOOK 4, PAGE 83 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, MORE PARTICULARLY, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTHWESTERLY LINE OF SAID LOT 91, DISTANT SOUTHWESTERLY 150.00 FEET ALONG SAID NORTHWESTERLY LINE FROM THE MOST NORTHERLY CORNER OF SAID LOT 91;
THENCE SOUTH 50° 10’ 02” EAST 221.32 FEET PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 91 TO A LINE THAT IS PARALLEL WITH AND DISTANT NORTHWESTERLY 300.00 FEET, MEASURED AT RIGHT ANGLES FROM THE SOUTHEASTERLY LINE OF SAID LOT 91, SAID POINT BEING THE TRUE POINT OF BEGINNING;
THENCE SOUTH 39° 49’ 43” WEST 156.44 FEET ALONG SAID PARALLEL LINE TO THE SOUTHWESTERLY LINE OF SAID LOT 91;
THENCE SOUTH 50° 09’ 57” EAST 60.00 FEET ALONG SAID SOUTHWESTERLY LINE;
THENCE NORTH 39° 49’ 43” EAST 156.44 FEET PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 91 TO A LINE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 91 AND PASSING THROUGH THE TRUE POINT OF BEGINNING;
THENCE NORTH 50° 10’ 02” WEST 60.00 FEET TO THE TRUE POINT OF BEGINNING.

APN: 425-441-06

EXCEPTIONS

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

A. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2021-2022.

B. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.

1. Water rights, claims or title to water, whether or not disclosed by the public records.

2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Southern California Edison Company, a Corporation
Purpose:	public utilities
Recording Date:	September 23, 1949
Recording No:	in Book 1905, Page 423 of Official Records
Affects:	along the Northwesterly 5.00 feet of said land

3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Costa Mesa Sanitary District of Orange County
Purpose:	sewer line
Recording Date:	July 1, 1952
Recording No:	in Book 2351, Page 100 of Official Records
Affects:	a portion of said land more particularly described therein.

4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Ben Bromberg and Rose Bromberg, husband and wife as joint tenants, as to an undivided one-half interest; Alfred Cohen and Marilyn Cohen, husband and wife as joint tenants, as to an undivided one-quarter interest; and Sol B. Pearlman and Ethel Pearlman, husband and wife as joint tenants, as to an undivided one-quarter interest
Purpose:	ingress and egress
Recording Date:	July 7, 1960
Recording No:	in Book 5317, Page 450 of Official Records
Affects:	a portion of said land more particularly described therein.

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	City of Costa Mesa
Purpose:	street and highway
Recording Date:	July 20, 1960
Recording No:	in Book 5337, Page 299 of Official Records
Affects:	over the Southwesterly 10.00 feet of said land

EXCEPTIONS
(Continued)

6. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled:	Subordination, Nondisturbance and Attornment Agreement
Lessor:	Linda Eunduk Kwoun, an individual
Lessee:	Floyd's 99 Holdings LLC, a Colorado limited liability company
Recording Date:	October 13, 2016
Recording No:	as Instrument No. 2016000500468 of Official Records

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

7. A deed of trust to secure an indebtedness in the amount shown below,

Amount:	$300,000.00
Dated:	May 31, 2018
Trustor/Grantor	Beatrice A. Miller Trust
Trustee:	Commonwealth Land Title Company
Beneficiary:	Kim Collup
Recording Date:	June 18, 2018
Recording No:	2018000221901, Official Records

This Company will require that the original note, the original deed of trust and a properly executed request for full reconveyance together with appropriate documentation (i.e., copy of trust, partnership agreement or corporate resolution) be in this office prior to the close of this transaction if the above-mentioned item is to be paid through this transaction or deleted from a policy of title insurance.

Any demands submitted to us for payoff must be signed by all beneficiaries as shown on said deed of trust, and/or any assignments thereto. In the event said demand is submitted by an agent of the beneficiary(s), we will require the written approval of the demand by the beneficiary(s). Servicing agreements do not constitute approval for the purposes of this requirement.

If no amounts remain due under the obligation a zero balance demand will be required along with the reconveyance documents.

In addition, we require the written approval of said demand by the trustor(s) on said deed of trust or the current owners if applicable.

8. Any easements not disclosed by the public records as to matters affecting title to real property, whether or not said easements are visible and apparent.

9. Matters which may be disclosed by an inspection and/or by a correct ALTA/NSPS Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.

EXCEPTIONS
(Continued)

10. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the public records.

    The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

    The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

PLEASE REFER TO THE "INFORMATIONAL NOTES" AND "REQUIREMENTS" SECTIONS WHICH FOLLOW FOR INFORMATION NECESSARY TO COMPLETE THIS TRANSACTION.

END OF EXCEPTIONS

REQUIREMENTS SECTION

1. Any invalidity or defect in the title of the vestees in the event that the trust referred to herein is invalid or fails to grant sufficient powers to the trustee(s) or in the event there is a lack of compliance with the terms and provisions of the trust instrument.

   If title is to be insured in the trustee(s) of a trust, (or if their act is to be insured), this Company will require a Trust Certification pursuant to California Probate Code Section 18100.5.

   The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

2. The Company will require a complete copy of the trust agreement and any amendments thereto, certified by the trustee(s) to be a true and complete copy, with respect to the hereinafter named trust.

   Name of Trust: The Beatrice A. Miller Trust, a Colorado Trust Under Agreement DTD June 10, 1992 as Amended November 11, 1992

3. In order to complete this report, the Company requires a Statement of Information to be completed by the following party(s),

   Party(s): All Parties

   The Company reserves the right to add additional items or make further requirements after review of the requested Statement of Information.

   NOTE: The Statement of Information is necessary to complete the search and examination of title under this order. Any title search includes matters that are indexed by name only, and having a completed Statement of Information assists the Company in the elimination of certain matters which appear to involve the parties but in fact affect another party with the same or similar name. Be assured that the Statement of Information is essential and will be kept strictly confidential to this file.

4. Unrecorded matters which may be disclosed by an Owner's Affidavit or Declaration. A form of the Owner's Affidavit/Declaration is attached to this Preliminary Report/Commitment. This Affidavit/Declaration is to be completed by the record owner of the land and submitted for review prior to the closing of this transaction. Your prompt attention to this requirement will help avoid delays in the closing of this transaction. Thank you.

   The Company reserves the right to add additional items or make further requirements after review of the requested Affidavit/Declaration.

END OF REQUIREMENTS

INFORMATIONAL NOTES SECTION

1. Note: Property taxes, including any personal property taxes and any assessments collected with taxes, are paid. For proration purposes the amounts were:

Tax Identification No.:	424-441-06
Fiscal Year:	2020-2021
1st Installment:	$14,875.91
2nd Installment:	$14,875.91
Exemption:	$0.00
Code Area:	15-115

2. None of the items shown in this report will cause the Company to decline to attach CLTA Endorsement Form 100 to an Extended Coverage Loan Policy, when issued.

3. The Company is not aware of any matters which would cause it to decline to attach CLTA Endorsement Form 116 indicating that there is located on said Land Commercial properties, known as 124-126 E. 17th Street, located within the city of Costa Mesa, California, 92627, to an Extended Coverage Loan Policy.

4. Note: The policy of title insurance will include an arbitration provision. The Company or the insured may demand arbitration. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. Please ask your escrow or title officer for a sample copy of the policy to be issued if you wish to review the arbitration provisions and any other provisions pertaining to your Title Insurance coverage.

5. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

6. Pursuant to Government Code Section 27388.1, as amended and effective as of 1-1-2018, a Documentary Transfer Tax (DTT) Affidavit may be required to be completed and submitted with each document when DTT is being paid or when an exemption is being claimed from paying the tax. If a governmental agency is a party to the document, the form will not be required. DTT Affidavits may be available at a Tax Assessor-County Clerk-Recorder.

7. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

END OF INFORMATIONAL NOTES

Thomas Szopinski (MA)/gp

Wire Fraud Alert

This Notice is not intended to provide legal or professional advice. If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the phone number of relevant parties to the transaction as soon as an escrow account is opened**. DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
http://www.fbi.gov

Internet Crime Complaint Center:
http://www.ic3.gov

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Fidelity National Title Company
4400 MacArthur Blvd., Suite 200, Newport Beach, CA 92660
Phone: (949) 622-5000• Fax:

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

Not all discounts are offered by every FNF Company. The discount will only be applicable to the FNF Company as indicated by the named discount.

FNF Underwritten Title Company	**Underwritten by FNF Underwriters**
CTC – Chicago Title company	CTIC – Chicago Title Insurance Company
CLTC – Commonwealth Land Title Company	CLTIC - Commonwealth Land Title Insurance Company
FNTC – Fidelity National Title Company of California	FNTIC – Fidelity National Title Insurance Company
FNTCCA - Fidelity National Title Company of California	FNTIC - Fidelity National Title Insurance Company
TICOR – Ticor Title Company of California	CTIC – Chicago Title Insurance Company
LTC – Lawyer's Title Company	CLTIC – Commonwealth Land Title Insurance Company
SLTC – ServiceLink Title Company	CTIC – Chicago Title Insurance Company

Available Discounts

DISASTER LOANS (CTIC, CLTIC, FNTIC)
The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within twenty-four (24) months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be fifty percent (50%) of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC, FNTIC)
On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be fifty percent (50%) to seventy percent (70%) of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be forty (40%) to fifty percent (50%) of the appropriate title insurance rate, depending on the type of coverage selected.

FIDELITY NATIONAL FINANCIAL, INC.
PRIVACY NOTICE

Effective January 1, 2021

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information
FNF may collect the following categories of Personal Information:
- contact information (*e.g.*, name, address, phone number, email address);
- demographic information (*e.g.*, date of birth, gender, marital status);
- identity information (*e.g.* Social Security Number, driver's license, passport, or other government ID number);
- financial account information (*e.g.* loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:
- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information
FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:
- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics
Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information
FNF uses Personal Information for three main purposes:
- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed
We may disclose your Personal Information and Browsing Information in the following circumstances:
- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;

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- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information
We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information
If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (https://fnf.com/pages/californiaprivacy.aspx) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children
The FNF Websites are not intended or designed to attract persons under the age of eighteen (18).We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users
FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans
Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

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Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information; Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, visit FNF's Opt Out Page or contact us by phone at (888) 934-3354 or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

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ATTACHMENT ONE (Revised 05-06-16)

CALIFORNIA LAND TITLE ASSOCIATION
STANDARD COVERAGE POLICY – 1990

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
   (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
   (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
   (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
   (c) resulting in no loss or damage to the insured claimant;
   (d) attaching or created subsequent to Date of Policy; or
   (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
   Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
   a. building;
   b. zoning;
   c. land use;
   d. improvements on the Land;
   e. land division; and
   f. environmental protection.
   This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
   a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
   b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;

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c. that result in no loss to You; or
d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.

5. Failure to pay value for Your Title.
6. Lack of a right:
   a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
   b. in streets, alleys, or waterways that touch the Land.
   This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	Your Deductible Amount	Our Maximum Dollar Limit of Liability
Covered Risk 16:	1.00% of Policy Amount Shown in Schedule A or $2,500.00 (whichever is less)	$ 10,000.00
Covered Risk 18:	1.00% of Policy Amount Shown in Schedule A or $5,000.00 (whichever is less)	$ 25,000.00
Covered Risk 19:	1.00% of Policy Amount Shown in Schedule A or $5,000.00 (whichever is less)	$ 25,000.00
Covered Risk 21:	1.00% of Policy Amount Shown in Schedule A or $2,500.00 (whichever is less)	$ 5,000.00

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13 or 14); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

{Except as provided in Schedule B - Part II,{ t{or T}his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

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{PART I

{The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.}

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:}

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
   (a) a fraudulent conveyance or fraudulent transfer; or
   (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:
{The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown in the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and that are not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records. }
7. {Variable exceptions such as taxes, easements, CC&R's, etc. shown here.}

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ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY – ASSESSMENTS PRIORITY (04-02-15)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

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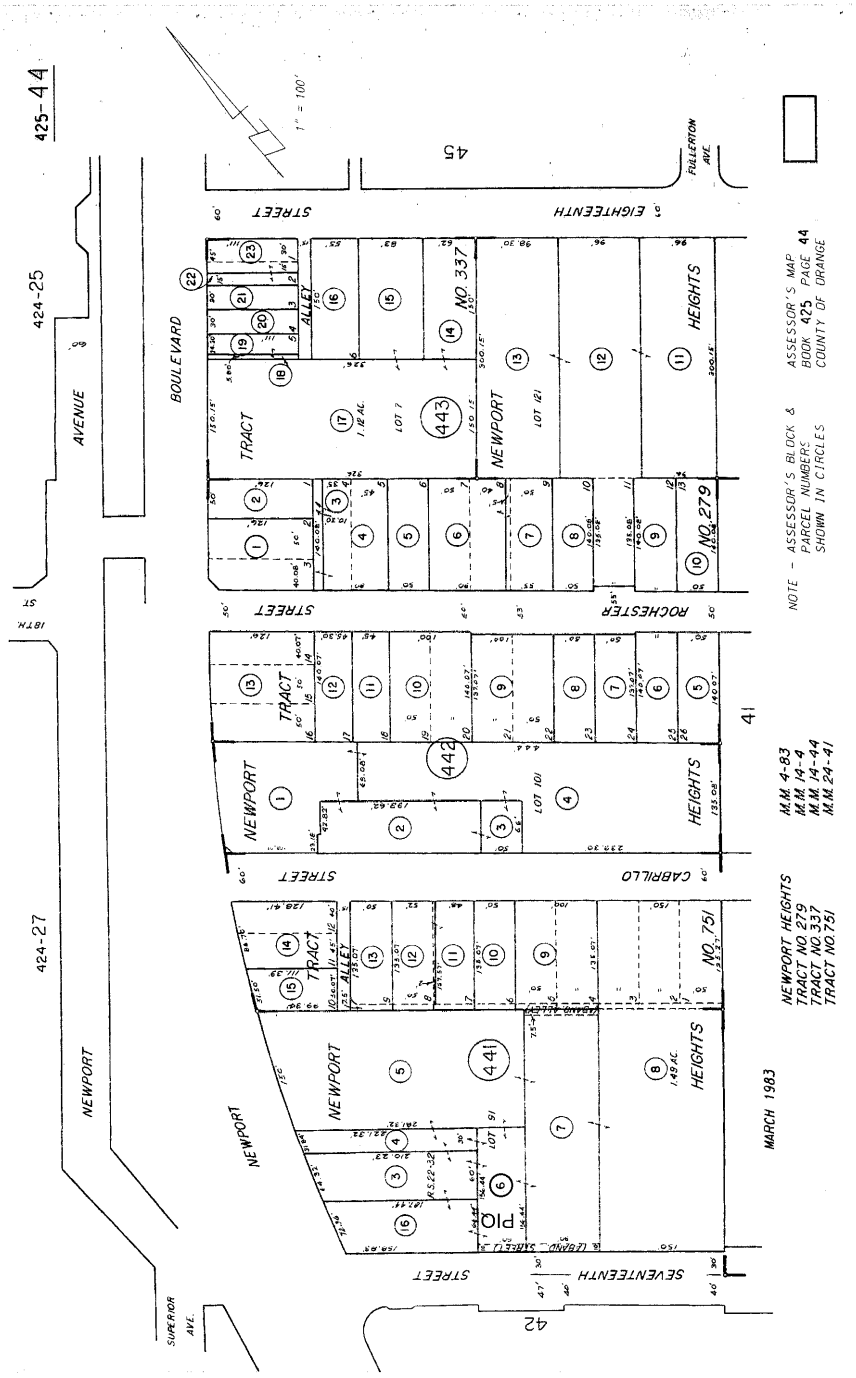


This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

OWNER'S DECLARATION

Escrow No.: 30070538-997-MAT-TS4
Property Address: 124-126 E. 17th Street
Costa Mesa, CA 92627

The undersigned hereby declares as follows:

1. (Fill in the applicable paragraph and strike the other)
   a. Declarant ("Owner") is the owner or lessee, as the case may be, of certain premises located at 124-126 E. 17th Street, Costa Mesa, CA 92627, further described as follows: See Preliminary Report/Commitment No. for full legal description (the "Land").
   b. Declarant is the _____ of _____ ("Owner"), which is the owner or lessee, as the case may be, of certain premises located at 124-126 E. 17th Street, Costa Mesa, CA 92627, further described as follows: See Preliminary Report/Commitment No. for full legal description (the "Land").
2. (Fill in the applicable paragraph and strike the other)
   a. During the period of six months immediately preceding the date of this declaration no work has been done, no surveys or architectural or engineering plans have been prepared, and no materials have been furnished in connection with the erection, equipment, repair, protection or removal of any building or other structure on the Land or in connection with the improvement of the Land in any manner whatsoever.
   b. During the period of six months immediately preceding the date of this declaration certain work has been done and materials furnished in connection with _____ upon the Land in the approximate total sum of $_____, but no work whatever remains to be done and no materials remain to be furnished to complete the construction in full compliance with the plans and specifications, nor are there any unpaid bills incurred for labor and materials used in making such improvements or repairs upon the Land, or for the services of architects, surveyors or engineers, except as follows: _____. Owner, by the undersigned Declarant, agrees to and does hereby indemnify and hold harmless Fidelity National Title Company against any and all claims arising therefrom.
3. Owner has not previously conveyed the Land; is not a debtor in bankruptcy (and if a partnership, the general partner thereof is not a debtor in bankruptcy); and has not received notice of any pending court action affecting the title to the Land.
4. Except as shown in the above-referenced Preliminary Report/Commitment, there are no unpaid or unsatisfied mortgages, deeds of trust, Uniform Commercial Code financing statements, regular assessments, special assessments, periodic assessments or any assessment from any source, claims of lien, special assessments, or taxes that constitute a lien against the Land or that affect the Land but have not been recorded in the public records. There are no violations of the covenants, conditions and restrictions as shown in the above-referenced Preliminary Report/Commitment.
5. The Land is currently in use as _____; _____ occupy/occupies the Land; and the following are all of the leases or other occupancy rights affecting the Land:

   _____
6. There are no other persons or entities that assert an ownership interest in the Land, nor are there unrecorded easements, claims of easement, or boundary disputes that affect the Land.
7. There are no outstanding options to purchase or rights of first refusal affecting the Land.
8. Between the most recent Effective Date of the above-referenced Preliminary Report/Commitment and the date of recording of the Insured Instrument(s), Owner has not taken or allowed, and will not take or allow, any action or inaction to encumber or otherwise affect title to the Land.

This declaration is made with the intention that Fidelity National Title Company (the "Company") and its policy issuing agents will rely upon it in issuing their title insurance policies and endorsements. Owner, by the undersigned Declarant, agrees to indemnify the Company against loss or damage (including attorneys fees, expenses, and costs) incurred by the Company as a result of any untrue statement made herein.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on _____ at _____.

Signature: _____

Sandy Staley
Title Officer

Stewart Title of California, Inc.
1900 S State College Blvd Ste 200
Anaheim, CA 92806
Phone: (949) 522-6046
Fax: (714) 242-1502
TU20@Stewart.com

PRELIMINARY REPORT

Order No.: 1753771
Your File No.: 1480406
Buyer/Borrower Name: TBD TBD
Seller Name: N C Properties

Property Address: 1714 Newport Blvd, Costa Mesa, CA 92627

In response to the above referenced application for a Policy of Title Insurance, Stewart Title of California, Inc. hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Stewart Title Guaranty Company Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referenced to as an Exception on Schedule B or not excluded from coverage pursuant to the printed Schedules, Conditions, and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on covered Risks of said policy or policies are set forth in Exhibit A attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limits of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters, which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report, (and any supplements or amendments thereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance a binder or commitment should be requested.

Dated as of June 22, 2022 at 7:30AM	

When replying, please contact: Sandy Staley, Title Officer

Stewart Title of California, Inc.
1900 S State College Blvd Ste 200
Anaheim, CA 92806
(949) 522-6046
TU20@Stewart.com

IF ANY DECLARATION, GOVERNING DOCUMENT (FOR EXAMPLE, COVENANT, CONDITION OR RESTRICTION) OR DEED IDENTIFIED AND/OR LINKED IN THIS TITLE PRODUCT CONTAINS ANY RESTRICTION BASED ON AGE, RACE COLOR, RELIGION, SEX, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, VETERAN OR MILITARY STATUS, GENETIC INFORMATION, NATIONAL ORIGIN, SOURCE OF INCOME AS DEFINED IN SUBDIVISION (p) OF SECTION 12955, OR ANCESTRY, THAT RESTRICTION VIOLATES STATE AND FEDERAL FAIR HOUSING LAWS AND IS VOID, AND MAY BE REMOVED PURSUANT TO SECTION 12956.2 OF THE GOVERNMENT CODE BY SUBMITTING A "RESTRICTIVE COVENANT MODIFICATION" FORM, TOGETHER WITH A COPY OF THE ATTACHED DOCUMENT WITH THE UNLAWFUL PROVISION REDACTED TO THE COUNTY RECORDER'S OFFICE. THE "RESTRICTIVE COVENANT MODIFICATION" FORM CAN BE OBTAINED FROM THE COUNTY RECORDER'S OFFICE AND MAY BE AVAILABLE ON ITS WEBSITE. THE FORM MAY ALSO BE AVAILABLE FROM THE PARTY THAT PROVIDED YOU WITH THIS DOCUMENT. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.

PRELIMINARY REPORT

The form of Policy of Title Insurance contemplated by this report is:

☒ Standard Coverage Owner's Policy

☐ Extended Coverage Owner's Policy

☐ CLTA/ALTA Homeowners Policy

☐ Standard Coverage Loan Policy

☒ Extended Coverage Loan Policy

☐ Short Form Residential Loan Policy

☐

SCHEDULE A

The estate or interest in the land hereinafter described or referred to covered by this report is:

A fee as to Parcel(s) 1. An easement more particularly described below as to Parcel(s) 2.

Title to said estate or interest at the date hereof is vested in:

N. C. Properties, a California General Partnership, subject to Item No. 17, 18 and 20, of Schedule B.

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Orange, City of Costa Mesa and described as follows:

Parcel 1:

Lot 91 of Newport Heights, in the City of Costa Mesa, County of Orange, State of California, as shown on a Map recorded in Book 4, Page 83 of Miscellaneous Maps, in the Office of the County Recorder of said County.

Excepting therefrom the Southeasterly 240.00 feet.

Also excepting therefrom that portion lying Southwesterly of the following described line:

Beginning at a point on the Northwesterly line of said Lot 91, distant Southwesterly along said Northwesterly line 150.00 feet from the most Northerly corner of said Lot 91;

Thence South 50° 10' 02" East 281.32 feet parallel with the Northeasterly line of said Lot 91, to a line that is parallel with and distant Northwesterly 240.00 feet, measured at right angles from the Southeasterly line of said Lot 91.

Parcel 2:

An easement for ingress and egress over that portion of Lot 91 of Newport Heights, in the City of Costa Mesa, County of Orange, State of California, as shown on a Map recorded in Book 4, Page 83 of Miscellaneous Maps, in the Office of the County Recorder of said County, included within a strip of land 20.00 feet in width, the Northwesterly line of said strip being described as follows:

Commencing at a point on the Northeasterly line of said Lot 91, distant Southwesterly along said Northwesterly line 150.00 feet from the most Northerly corner of said Lot 91;

Thence South 50° 10' 02" East 221.32 feet parallel with the Northeasterly line of said Lot 91, to a line that is parallel with and distant Northwesterly 300.00 feet measured at right angles from the Southeasterly line of said Lot 91, said point being the true point of beginning;

Thence South 39° 49' 43" West 156.44 feet along said parallel line to the Southwesterly line of said Lot 91.

APN: 425-441-05

(End of Legal Description)

MAP

THE MAP CONNECTED HEREWITH IS BEING PROVIDED AS A COURTESY AND FOR INFORMATIONAL PURPOSES ONLY; THIS MAP SHOULD NOT BE RELIED UPON. FURTHERMORE, THE PARCELS SET OUT ON THIS MAP MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES. STEWART ASSUMES NO LIABILITY, RESPONSIBILITY OR INDEMNIFICATION RELATED TO THE MAPS NOR ANY MATTERS CONCERNING THE CONTENTS OF OR ACCURACY OF THE MAP.

SCHEDULE B

At the date hereof, exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy or policies would be as follows:

Taxes:

A. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes, to be levied for the fiscal year 2022 - 2023.

B. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the revenue and taxation code of the State of California.

C. Taxes and/or assessments affecting the land, if any, for Community Facility Districts including Mello Roos Districts which may exist by virtue of assessment maps or notices filed by said districts. Said taxes and/or assessments are typically collected with the County taxes; however, some districts may remove these taxes and/or assessment from the County taxes and assess and collect them separately.

D. Prior to recording, the final amount due for taxes must be confirmed with tax collector.

Exceptions:

1. Taxes or assessments which are not shown as existing liens by the records of the taxing authority that levies taxes or assessments on real property or by the public records.

   Proceeding by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.

4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or other facts which a correct survey would disclose, and which are not shown by the public records.

5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

6. Any lien or right to a lien for services, labor or material unless such lien is shown by the public records at Date of Policy.

7. Water rights, claims or title to water in or under the property, whether or not shown by the public records.

8. Ownership of, or rights to, minerals or other substances, subsurface and surface, of whatsoever kind, including, but not limited to coal, ores, metals, lignite, oil, gas, geothermal resources, brine, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether the ownership or rights arise by lease, grant, exception, conveyance, reservation or otherwise, and whether or

not appearing in the Public Records or listed in Schedule B. Stewart Title Guaranty Company and its issuing agent make no representation as to the present ownership of any such interests. There may be leases, grants, exceptions, or reservations of interests that are not listed.

9. Any interests (including rights of the public) in and to any portion of the Land lying within roads, streets, alleys or highways.

10. Easement and rights incidental thereto for pole lines and conduits, as set forth in a document recorded in Book 1905 Page 423, of Official Records.

11. Easement and rights incidental thereto for sewer line purposes to The Costa Mesa Sanitary District of Orange County, as set forth in a document recorded in Book 2351 Page 100, of Official Records.

12. Easement and rights incidental thereto for street and highway purposes to City of Costa Mesa, as set forth in a document recorded in Book 5337 Page 299, of Official Records.

13. Easement and rights incidental thereto for pole lines, conduits, as set forth in a document recorded in Book 7221 Page 576, of Official Records.

14. Easement and rights incidental thereto for public utilities to Southern California Edison Company, as set forth in a document recorded in Book 10928 Page 762, of Official Records.

15. Matters contained in a document entitled "Resolution No. 84-97", recorded July 23, 1984, as Instrument No. 84-303138, of Official Records.

16. Deed of Trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby:

Amount	:	$200,000.00
Trustor	:	J.G. Enterprises, a California General Partnership
Trustee	:	Ticor Title Insurance Company of California, a California Corporation
Beneficiary	:	Carol Orens
Recorded	:	July 6, 1992, as Instrument No. 92-452769, of Official Records

To avoid delays in recording, you must submit the following documents for review and approval:
(a) the original note.
(b) the original deed of trust.
(c) the request for reconveyance.
(d) a final payoff demand executed by the record beneficiary(ies).
(i) if the beneficiary(ies) is a trust, you must provide a full copy of the trust and any amendments thereto, and all trustees must sign the payoff demand. In certain situations, you may be permitted to provide the STG Certification of Trust.
(ii) if a servicing agent prepares the demand on behalf of the beneficiary(ies), you must provide a full copy of the servicing agreement and the beneficiary(ies) must still sign and approve the payoff demand.
Please contact your title officer to discuss the above requirements.
The right is reserved to add requirements or additional items after completion of such review.

17. Any defect in, or invalidity of, title to the estate or interest set forth in Schedule A arising out of, or occasioned by, that certain conveyance from J. G. Enterprises, a General Partnership to Julius Orens, an undivided 51%, Norbert Orens, an undivided 23%, Susan L. Harris, an undivided 8 2/3%, Steven J. Orens, an undivided 8 2/3% and Douglas A. Orens, an undivided 8 2/3%, recorded July 6, 1992 as Instrument No. 92-452770, of Official Records. To remove this exception from Schedule B, Stewart Title Guaranty Company will require: (1) proof of the validity of this document prior to the issuance of any policy of title insurance; (2) an affidavit, notarized in the current escrow office or any Stewart Title office; and (3) a statement of information from J. G. Enterprises, a General Partnership. The affidavit and statement of information are subject to review and management approval.

18. Any defect in, or invalidity of, title to the estate or interest set forth in Schedule A arising out of, or occasioned by, that certain conveyance from Julius Orens to Norbert Orens, an undivided 10.2%, Susan L. Harris, an undivided 10.2%, Carol Orens, an undivided 10.2%, Steven J. Orens, an undivided 10.2% and Douglas A. Orens, an undivided 10.2%, recorded July 6, 1992 as Instrument No. 92-452771, of Official Records. To remove this exception from Schedule B, Stewart Title Guaranty Company will require: (1) proof of the validity of this document prior to the issuance of any policy of title insurance; (2) an affidavit, notarized in the current escrow office or any Stewart Title office; and (3) a statement of information from Julius Orens. The affidavit and statement of information are subject to review and management approval.

19. Deed of Trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby:

Amount	:	$608,000.00
Trustor	:	Norbert Orens, Carol Orens, Douglas A. Orens, Susan L. Harris and Steven J. Orens
Trustee	:	Ticor Title Insurance Company of California, a California Corporation
Beneficiary	:	Julius Orens
Recorded	:	July 6, 1992, as Instrument No. 92-452772, of Official Records

By mesne assignments of record, the beneficial interest under said deed of trust was assigned to:

Assignee	:	Norbert Orens and Carol E. Orens, Trustees under the Norbert and Carol E. Orens Living Trust, dated 10/14/93
Last assignment recorded	:	October 22, 1993, as Instrument No. 93-0723015, of Official Records

To avoid delays in recording, you must submit the following documents for review and approval:
(a) the original note.
(b) the original deed of trust.
(c) the request for reconveyance.
(d) a final payoff demand executed by the record beneficiary(ies).
(i) if the beneficiary(ies) is a trust, you must provide a full copy of the trust and any amendments thereto, and all trustees must sign the payoff demand. In certain situations, you may be permitted to provide the STG Certification of Trust.
(ii) if a servicing agent prepares the demand on behalf of the beneficiary(ies), you must provide a full copy of the servicing agreement and the beneficiary(ies) must still sign and approve the payoff demand.
Please contact your title officer to discuss the above requirements.
The right is reserved to add requirements or additional items after completion of such review.

20. Any defect in, or invalidity of, title to the estate or interest set forth in Schedule A arising out of, or occasioned by, that certain conveyance from Norbert Orens, Carol Ovens, Douglas A. Orens, Steven J. Ovens and Susan L. Harris to N. C. Properties, a California General Partnership, recorded July 6, 1992 as Instrument No. 92-452773, of Official Records. To remove this exception from Schedule B, Stewart Title Guaranty Company will require: (1) proof of the validity of this document prior to the issuance of any policy of title insurance; (2) an affidavit, notarized in the current escrow office or any Stewart Title office; and (3) a statement of information from Norbert Orens, Carol Ovens, Douglas A. Orens, Steven J. Ovens and Susan L. Harris. The affidavit and statement of information are subject to review and management approval.

21. Matters contained in a lease dated May 3, 1993, executed by NC Properties, as lessor and Aaron Brothers Art, as lessee, recorded October 29, 1993 as Instrument No. 93-0740190, of Official Records.

Current owner of leasehold and any other matters affecting the interest of the lessee are not set forth herein.

22. In order to insure, you must provide full copies of any unrecorded leases, together with all supplements, assignments and amendments. Additional requirements or items may be requested upon review of the required documents.

23. Rights of tenants in possession whether or not recorded in the public records.

24. Rights of parties in possession whether or not recorded in the public records.

25. Any facts, rights, interests or claims which would be disclosed by an inspection of the Land.

26. In order to insure a conveyance, acquisition or encumbrance by the general partnership named below, you must provide a copy of the partnership agreement of N. C. Properties, a California General Partnership and any amendments or modifications thereto.
Additional requirements or items may be requested upon review of the required documents set forth above.

(End of Exceptions)

NOTES AND REQUIREMENTS

A. Property taxes for the fiscal year 2021 - 2022 shown below are paid. For proration purposes the amounts are:

1st Installment	:	$6,835.55
2nd Installment	:	$6,835.55
Parcel No.	:	425-441-05
Code Area / Tracer No.	:	15-115

B. There are no items in this preliminary report that will cause Stewart Title Guaranty Company to decline to attach the CLTA Endorsement Form 116.01-06 (or similar ALTA 22-06 equivalent), indicating that there is located a Commercial Building known as 1714 Newport Blvd, Costa Mesa, California.

C. There are no transfers or conveyances shown in the public records within 24 months of the date of this Preliminary Report. If you have knowledge of any transfers or conveyances, please contact your title officer immediately for further requirements.

D. If an Owner's Policy of title insurance is requested, a CLTA Standard Coverage Owner's Policy will be issued unless instructed otherwise. If a different form of policy is desired, please contact your Title Officer.

E. All Transactions - Seller(s) and Buyer(s) or Borrowers are provided, as attachments, the document entitled "Acknowledgement of Receipt, Understanding and Approval of STG Privacy Notice for Stewart Title Companies and Stewart’s Affiliated Business Arrangement Disclosure Statement" and the individually named documents, for review and acknowledgment prior to closing.

F. All Transactions - Buyer(s)/Seller(s)/Borrower(s) are provided the Preliminary Report for review and acknowledgment prior to closing. Buyer(s) approval shall include the Preliminary Report items that are to remain as exceptions to the title policy.

G. All Transactions - Seller(s)/Owner(s) are provided Stewart Title Guaranty Company's Owner’s Affidavit and Indemnity for completion and submission prior to closing.

CALIFORNIA "GOOD FUNDS" LAW

California Insurance Code Section 12413.1 regulates the disbursement of escrow and sub-escrow funds by title companies. The law requires that funds be deposited in the title company escrow account and available for withdrawal prior to disbursement. Funds received by Stewart Title of California, Inc. via wire transfer may be disbursed upon receipt. Funds received via cashier's checks or teller checks drawn on a California Bank may be disbursed on the next business day after the day of deposit. If funds are received by any other means, recording and/or disbursement may be delayed, and you should contact your title or escrow officer. All escrow and sub-escrow funds received will be deposited with other escrow funds in one or more non-interest bearing escrow accounts in a financial institution selected by Stewart Title of California, Inc.. Stewart Title of California, Inc. may receive certain direct or indirect benefits from the financial institution by reason of the deposit of such funds or the maintenance of such accounts with the financial institution, and Stewart Title of California, Inc. shall have no obligation to account to the depositing party in any manner for the value of, or to pay to such party, any benefit received by Stewart Title of California, Inc.. Such benefits shall be deemed additional compensation to Stewart Title of California, Inc. for its services in connection with the escrow or sub-escrow.

If any check submitted is dishonored upon presentation for payment, you are authorized to notify all principals and/or their respective agents of such nonpayment.

Procedures to Accompany the Restrictive Covenant Modification Form

The law prohibits unlawfully restrictive covenants based upon:

"…age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry… Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status."

As the individual holding or acquiring an interest in the property, you may have any unlawfully restrictive covenants "removed", which means "redacted."

To have the unlawfully restrictive covenant removed, you may prepare and submit to the county recorder's office, a "Restrictive Covenant Modification" form (RCM) together with a copy of the attached document with the unlawfully restrictive covenant redacted. This request must be submitted to the county recorder's office and must include your return address so the county recorder can notify you of the action taken by the county counsel.

The process at the county recorder's office is as follows:

- The county recorder takes the RCM with the redacted document and the original document attached and submits it to the county counsel for review to determine if, from a legal standpoint, the language was an unlawfully restrictive covenant and thus the redacted version should be indexed and recorded.
- The county counsel shall inform the county recorder of his/her determination within a reasonable amount of time, not to exceed three months from the date of your request.
- If county counsel determined that the redacted language was unlawful then, once recorded, the redacted document is the only one that effects the property and this modified document has the same effective date as the original document.
- If county counsel determined that the redacted language was not unlawful then county counsel will return the RCM package to the county recorder and the county recorder will advise the requestor that same the request has been denied and the redacted document has not been recorded.
- The modification document shall be indexed in the same manner as the original document and shall contain a recording reference to the original document.

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

NAME

ADDRESS

CITY
STATE & ZIP

TITLE ORDER NO. **ESCROW NO.** **APN NO.**

RESTRICTIVE COVENANT MODIFICATION

(Unlawfully Restrictive Covenant Modification Pursuant to Government Code Section 12956.2)

I(We)_____
have or are acquiring an ownership interest of record in the property located at _____
_____ that is covered by the document described below.

The following reference document contains a restriction based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, national origin, source of income as defined in Section 12955 of the Government Code, or ancestry, that violates state and federal fair housing laws and is void. Pursuant to Section 12956.2 of the Government Code, this document is being recorded solely for the purpose of eliminating that restrictive covenant as shown on page(s)_____of the document recorded on _____ in book_____and page _____ or instrument number_____of the official records of the County of _____, State of California.

Attached hereto is a true, correct and complete copy of the document referenced above, with the unlawful restrictive covenant redacted.

This modification document shall be indexed in the same manner as the original document pursuant to subdivision (d) of Section 12956 of the Government.

The effective date of the terms and conditions of the modification document shall be the same as the effective date of the original document.

_____
(Signature of Submitting Party)

_____
(Printed Name)

_____
(Signature of Submitting Party)

_____
(Printed Name)

_____ County Counsel, or their designee, pursuant to Government Code Section 12956.2, hereby states that it has been determined that the original document referenced above _____ Does _____ Does Not contain an unlawful restriction and this modification may be recorded.

County Counsel
By:

_____
Date:

_____

Stewart Title of California, Inc.
1900 S State College Blvd Ste 200
Anaheim, CA 92806
Phone: (949) 522-6046
Fax: (714) 242-1502
TU20@Stewart.com

Date: June 29, 2022
Title Officer: Sandy Staley
Order No.: 1753771
Property Address: 1714 Newport Blvd, Costa Mesa, CA 92627

UNLAWFULLY RESTRICTIVE COVENANTS ACKNOWLEDGMENT AND INDEMNIFICATION

STEWART TITLE OF CALIFORNIA, INC.
IS LICENSED BY THE STATE OF CALIFORNIA UNDER THE DEPARTMENT OF INSURANCE LICENSE NO. 388

The undersigned hereby acknowledge receipt of (1) the statutory required language describing unlawfully restrictive covenants in the title product from Stewart Title of California, Inc. ("Stewart Title"); (2) a copy of the Restrictive Covenant Modification (RCM) form; and (3) the procedures describing how to have, when applicable, an unlawfully restrictive covenant of record updated.

The undersigned further acknowledge that he/she/they have received, read, understand and accept these documents in connection with the above described transaction and have received a copy of this acknowledgment as evidenced by the signature below.

The undersigned acknowledges and understands that Stewart Title will rely upon this acknowledgement as evidence that Stewart Title has fulfilled its duties and obligations under the law with respect to unlawfully restrictive covenants. The undersigned jointly and severally agree to hold harmless Stewart Title of California, Inc., its officers, employees, agents, parent, affiliated and subsidiary companies, including Stewart Title Guaranty Company, and successors and assigns from and against any and all damages or liability and agree to reimburse Stewart Title for all losses, costs, charges, attorneys' fees or other expenses which shall or may at any time be suffered, sustained or incurred by reason of, or in consequence of or related to these unlawfully restrictive covenants and the RCM form and submission.

_____
TBD TBD

N C Properties

By:_____

EXHIBIT "A"

LEGAL DESCRIPTION

Order No.: 1753771
Escrow No.: 1753771

The land referred to herein is situated in the State of California, County of Orange, City of Costa Mesa and described as follows:

Parcel 1:

Lot 91 of Newport Heights, in the City of Costa Mesa, County of Orange, State of California, as shown on a Map recorded in Book 4, Page 83 of Miscellaneous Maps, in the Office of the County Recorder of said County.

Excepting therefrom the Southeasterly 240.00 feet.

Also excepting therefrom that portion lying Southwesterly of the following described line:

Beginning at a point on the Northwesterly line of said Lot 91, distant Southwesterly along said Northwesterly line 150.00 feet from the most Northerly corner of said Lot 91;

Thence South 50° 10' 02" East 281.32 feet parallel with the Northeasterly line of said Lot 91, to a line that is parallel with and distant Northwesterly 240.00 feet, measured at right angles from the Southeasterly line of said Lot 91.

Parcel 2:

An easement for ingress and egress over that portion of Lot 91 of Newport Heights, in the City of Costa Mesa, County of Orange, State of California, as shown on a Map recorded in Book 4, Page 83 of Miscellaneous Maps, in the Office of the County Recorder of said County, included within a strip of land 20.00 feet in width, the Northwesterly line of said strip being described as follows:

Commencing at a point on the Northeasterly line of said Lot 91, distant Southwesterly along said Northwesterly line 150.00 feet from the most Northerly corner of said Lot 91;

Thence South 50° 10' 02" East 221.32 feet parallel with the Northeasterly line of said Lot 91, to a line that is parallel with and distant Northwesterly 300.00 feet measured at right angles from the Southeasterly line of said Lot 91, said point being the true point of beginning;

Thence South 39° 49' 43" West 156.44 feet along said parallel line to the Southwesterly line of said Lot 91.

APN: 425-441-05

(End of Legal Description)

AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE STATEMENT

Date: June 29, 2022

File No.: 1753771

Property: 1714 Newport Blvd, Costa Mesa, CA 92627

From: Stewart Title of California, Inc.

This is to give you notice that Stewart Title of California, Inc. ("Stewart Title") has a business relationship with Stewart Solutions, LLC, DBA – Stewart Specialty Insurance Services, LLC ("Stewart Insurance"). Stewart Information Services Corporation owns 100% of Stewart Insurance and Stewart Title of California, Inc.. Because of this relationship, this referral may provide Stewart Title a financial or other benefit.

Set forth below is the estimated charge or range of charges for the settlement services listed. You are NOT required to use the listed provider(s) as a condition for purchase, sale, or refinance of the subject Property. THERE ARE FREQUENTLY OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND THE BEST RATE FOR THESE SERVICES.

Stewart Insurance Settlement Service	***Charge or range of charges***
Hazard Insurance	$400.00 to $6,500.00
Home Warranty	$255.00 to $ 780.00
Natural Hazard Disclosure Report	$ 42.50 to $ 149.50

ACKNOWLEDGEMENT OF RECEIPT, UNDERSTANDING AND APPROVAL OF STEWART TITLE GUARANTY COMPANY PRIVACY NOTICE FOR STEWART TITLE COMPANIES AND AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE STATEMENT

The undersigned hereby acknowledge receipt of the Stewart Title Guaranty Company Privacy Notice for Stewart Title Companies and the Affiliated Business Arrangement Disclosure Statement that apply to this transaction. The undersigned further acknowledge that he/she/they have received, read, understand and accept these documents in connection with the above described transaction.

The undersigned have received a copy of this acknowledgement as evidenced by the signature below.

N C Properties

By:_____

_____
TBD TBD

CALIFORNIA LAND TITLE ASSOCIATION

STANDARD COVERAGE POLICY – 1990
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
   (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.

2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.

3. Defects, liens, encumbrances, adverse claims or other matters:
   a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
   b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
   c) resulting in no loss or damage to the insured claimant;
   d) attaching or created subsequent to Date of Policy; or
   e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.

4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.

5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.

6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

   Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.

4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records

5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

6. Any lien or right to a lien for services, labor or material unless such lien is shown by the Public Records at Date of Policy.

CLTA/ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
   a. building;
   b. zoning;
   c. land use;
   d. improvements on the Land;
   e. land division;
   f. environmental protection.

   This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.

2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.

4. Risks:
   a. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records;
   b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
   c. that result in no loss to You; or
   d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.

5. Failure to pay value for Your Title.

6. Lack of a right:
   a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
   b. in streets, alleys, or waterways that touch the Land.

   This Exclusion does not limit the coverage described in Covered Risk 11 or 21.

7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.

8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.

9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:
* For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A. The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	Your Deductible Amount	Our Maximum Dollar Limit of Liability
Covered Risk 16:	1% of Policy Amount or $2,500.00 (whichever is less)	$10,000.00
Covered Risk 18:	1% of Policy Amount or $5,000.00 (whichever is less)	$25,000.00
Covered Risk 19:	1% of Policy Amount or $5,000.00 (whichever is less)	$25,000.00
Covered Risk 21:	1% of Policy Amount or $2,500.00 (whichever is less)	$5,000.00

2006 ALTA LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.

2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.

3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.

4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.

5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.

6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.

7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

Except as provided in Schedule B - Part II, this policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

PART I

1. (a) taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
   (b) proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the Public Records.

4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.

5. (a) unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

6. Any lien or right to a lien for services, labor or material unless such lien is shown by the Public Records at Date of Policy.

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:

2006 ALTA OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.

2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.

3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.

4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
   (a) a fraudulent conveyance or fraudulent transfer; or
   (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.

5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
   Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.

4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and that are not shown by the Public Records.

5. (a) unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

6. Any lien or right to a lien for services, labor or material unless such lien is shown by the Public Records at Date of Policy..

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY – ASSESSMENTS PRIORITY (04-02-15)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys fees or expenses which arise by reason of:

1. a. Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions or location of any improvement now or hereafter erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection

   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
   b. Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.

3. Defects, liens, encumbrances, adverse claims or other matters:

   (a) created, suffered, assumed or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting In no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
   (e) resulting in loss or damage which would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.

4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing- business laws of the state where the Land is situated.

5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.

6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.

7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.

8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.

9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is

   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.

10 Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.

11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

AVAILABLE DISCOUNTS DISCLOSURE STATEMENT

This is to give you notice that Stewart Title of California, Inc. ("Stewart Title") is pleased to inform you that upon proper qualification, there are premium discounts available upon the purchase of title insurance covering improved property with a one to four family residential dwelling.

Such discounts apply to and include:

Property located within an area proclaimed a state or federal disaster area;

Property purchased from a foreclosing beneficiary or successful bidder at a foreclosure sale;

Property being refinanced.

Please talk with your escrow or title officer to determine your qualification for any of these discounts.

STGC TITLE PREMIUM DISCOUNT APPLICATION AND CONFIRMATION OF ELIGIBILITY

Order Number: 1753771

Property: 1714 Newport Blvd, Costa Mesa, CA 92627

APN: 425-441-05

In connection with the request of the Undersigned ("Applicant") for the preparation and issuance of title insurance, Applicant provides this completed STGC Title Premium Discount Application and Confirmation of Eligibility ("Request Form") for the benefit of, and reliance by, title insurer Stewart Title Guaranty Company, and its policy issuing agent Stewart Title of California, Inc. (collectively hereafter referred to as "Stewart Title") in connection with pricing the title premium in the above referenced transaction:

1. Applicant understands that Stewart Title has available for qualifying requestors a 10% discount on the title insurance premium charged under certain circumstances; however, all endorsement fees and other charges are not discounted.
2. Applicant understands that Stewart Title is only able to provide such discount if requested through providing this completed Request Form and is received by Stewart Title at least five (5) business days prior to recording of the transaction to which a discount is requested.
3. Applicant understands that Stewart Title prohibits combined discounts; accordingly, Stewart Title will provide this requested discount and disregard other applicable discounts, if any, when eligibility requirements for such discount are satisfied.
4. Applicant requests the following discount and affirms that Applicant meets the criteria and requirements set forth to qualify for such selected discount (SELECT ONLY ONE QUALIFYING DISCOUNT):

☐ Active military personnel and honorably discharged veteran discount* – To qualify for an active military personnel or honorably discharged veteran discount: (1) the property being purchased, mortgaged or refinanced is a fee simple interest in a primary, owner-occupied residence; and (2) at least one of the undersigned purchaser(s), seller(s) or borrower(s), as applicable, is a U.S. citizen, permanent resident or qualified alien and is engaged in full-time, active duty in the military on the date signed below or was a honorably discharged veteran.

☐ Senior citizen discount – To qualify for a senior citizen discount: (1) the property being purchased, mortgaged or refinanced is a fee simple interest in a primary, owner-occupied residence; and (2) at least one of the undersigned purchaser(s), seller(s) or borrower(s), as applicable, is a U.S. citizen, permanent resident or qualified alien and is 55 years of age or older on the date signed below.

*Active military personnel and honorably discharged veterans include those members from the following U.S. military services branches: Air Force, Army, Coast Guard, Marine Corps, Navy and Space Force, and any active Reserve members of these military services branches and any active members of the Air or Army National Guard.

☐ First-time homebuyer discount – To qualify for a first-time homebuyer discount: (1) the property being purchased is a fee simple interest in a primary, owner-occupied residence; and (2) at least one of the undersigned purchaser(s) is a U.S. citizen, permanent resident or qualified alien and has either never owned any property or, has not been an owner in a primary residence for the last three calendar years from the date signed below.

☐ First responder discount – To qualify for a first responder discount: (1) the property being purchased, mortgaged or refinanced is a fee simple interest in a primary, owner-occupied residence; and (2) at least one of the undersigned purchaser(s), seller(s) or borrower(s), as applicable, is a U.S. citizen, permanent resident or qualified alien and is currently employed as a police officer, firefighter, paramedic or emergency medical technician on the date signed below.

This Request Form is completed under penalty of perjury and is made for the purpose of inducing Stewart Title to provide the title premium discount, and the representations contained herein are material to such insurance coverage pricing. The undersigned hereby indemnifies and holds Stewart Title harmless from any loss or damage, liability, costs, expenses and attorneys' fees which it may sustain to the extent any representation contained herein is incorrect. The undersigned understands that Stewart Title may decide not to provide the requested title insurance despite the information and affirmations contained herein.

PLEASE READ AND COMPLETE THE STGC TITLE PREMIUM DISCOUNT REQUEST FORM ON THE PREVIOUS PAGE BEFORE SIGNING BELOW. IF YOU DO NOT UNDERSTAND OR HAVE ANY QUESTIONS ABOUT THIS AFFIDAVIT, YOU SHOULD CONTACT YOUR LOCAL STEWART TITLE PROFESSIONAL.

THE UNDERSIGNED DECLARES UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Date Signed	Date Signed

Stewart Title of California, Inc.
STATEMENT OF INFORMATION

CONFIDENTIAL

THE STREET ADDRESS of the property in this transaction is: (IF NONE LEAVE BLANK)

ADDRESS 1714 Newport Blvd CITY Costa Mesa, CA 92627

IMPROVEMENTS: ☐ SINGLE RESIDENCE ☐ MULTIPLE RESIDENCE ☐ COMMERCIAL

OCCUPIED BY: ☐ OWNER ☐ TENANTS

CONSTRUCTION OR IMPROVEMENTS WITHIN THE LAST 6 MONTHS? ☐ YES ☐ NO

IF YES, STATE NATURE WORK DONE _____

PARTY 1	**PARTY 2**
FIRST MIDDLE LAST	FIRST MIDDLE LAST
FORMER LAST NAME(S), IF ANY	FORMER LAST NAME(S), IF ANY
BIRTHPLACE / BIRTH DATE	BIRTHPLACE / BIRTH DATE
Social Security No. / DRIVER'S LICENSE NO.	Social Security No. / DRIVER'S LICENSE NO.
Home / Cell	Home / Cell
☐ AM SINGLE ☐ AM MARRIED ☐ HAVE A DOMESTIC PARTNER	☐ AM SINGLE ☐ AM MARRIED ☐ HAVE A DOMESTIC PARTNER
Date of Marriage or Partnership	Date of Marriage or Partnership
NAME OF CURRENT SPOUSE OR DOM. PARTNER (if other than Party 2):	NAME OF CURRENT SPOUSE OR DOM. PARTNER (if other than Party 1):
NAME OF FORMER SPOUSE/DOM. PARTNER: (IF NONE, WRITE "NONE"):	NAME OF FORMER SPOUSE/DOM. PARTNER: (IF NONE, WRITE "NONE"):
Dissolutions pending Yes No (circle one)	Dissolutions pending Yes No (circle one)
Required to make child support payments? Yes No (circle one)	Required to make child support payments? Yes No (circle one)
Required to make Family support payments? Yes No (circle one)	Required to make Family support payments? Yes No (circle one)
If paying former spouse directly, please provide address:	If paying former spouse directly, please provide address:

OCCUPATIONS FOR LAST 10 YEARS (attach additional 10 year information, if applicable)

Party 1: _____
Occupation Firm Name Street and City No. Years

Party 2: _____
Occupation Firm Name Street and City No. Years

RESIDENCES FOR LAST 10 YEARS (attach additional 10 year information, if applicable)

Party 1: _____
Street No. Street Name City No. Years

Party 2: _____
Street No. Street Name City No. Years

Email Address

If you would like us to contact you by email, please provide your email address _____

Home Phone: _____ Business Phone: _____ Cell Phone: _____

The undersigned declare, under penalty of perjury, that foregoing is true and correct.

Signature: _____ **Date:** _____ **Signature:** _____ **Date:** _____

OWNER'S AFFIDAVIT AND INDEMNITY

Order No.: 1753771
Address/Location: 1714 Newport Blvd, Costa Mesa, CA 92627
APN: 425-441-05

In connection with the request of the Undersigned ("Affiant") for the preparation and issuance of insurance, Affiant makes the following statements and representations for the benefit of, and reliance by, title insurer STEWART TITLE GUARANTY COMPANY, and its policy issuing agent STEWART TITLE OF CALIFORNIA, INC. (collectively hereafter referred to as "TITLE"):

1. Affiant owns and holds title to the land described in Schedule A of the Preliminary Report or Commitment issued in connection with the above referenced Order Number (the "Land").

2. The Affiant's ownership and/or possession of the Land has been peaceful and undisturbed, and title thereto has never been disputed, questioned or rejected, nor has the issuance of title insurance ever been refused, except as follows: **(If none, please state "none")**

   _____

3. Other than the Affiant, there are no parties entitled to possession of the Land other than the following: **(If none, please state "none")**

   _____

4. There are no leases, licenses, options, rights of first refusal, or contracts to sell, affecting the Land, or any parties currently in possession, of the Land, except the following: **(If none, please state "none")**

   _____

5. All assessments by a management company or owners' association, or for common area or building maintenance, if any, are paid current or are not yet due and payable except for the following. **(If none, please state "none")**

   _____

6. There are no pending contemplated repairs/improvements to the Land, except the following: **(If none, please state "none)**

   _____

7. There has been no construction, building materials, repairs, improvements, or remodeling performed, provided, furnished or delivered within the last 12 months, except as follows: **(If none, please state "none")**

   _____
   This work performed, as detailed above, was completed on _____ (date of completion).

8. Affiant is not aware of the existence of any of the following:
   a. Improvements, including fences, encroaching into any easements on the Land, or over any boundary lines of the Land.
   b. Adjoining property improvements encroaching onto the Land.
   c. Liens against the Land and/or judgments or tax liens against Affiant or any other property owner currently in title, except those described in the Preliminary Report or Commitment issued in connection with the above referenced Order Number.
   d. Outstanding claims or persons entitled to claims for mechanics' or materialman liens against the Land.
   e. Pending repairs/improvements to any adjacent street(s) or any assessments related to road maintenance
   f. Any pending litigation involving the Land, the Affiant or any other property owner currently in title.
   g. Recent improvements completed or being made to any common area(s) located within the subdivision in which the Land is located.
   h. Violations of building permits, zoning laws or recorded covenants, conditions and/or restrictions imposed on the Land.
   i. Any pending assessments for Community Facility Districts.
   j. Any new, pending or existing obligation or loan including any home improvements on the Land pursuant to the PACE or HERO program, or any other similar type program.

k. Any unrecorded or recorded easements, covenants, conditions, or restrictions affecting the Land, other than those listed in the Preliminary Report or Title Commitment.
l. Any use of the property for the production, sale, warehousing or transporting of fresh fruits, vegetables, livestock or poultry (e.g., supermarkets, restaurants, wineries, breweries and meat packing plants).

With regard to 8a.-8l, except as follows: **(If none, please state "none")**

_____

9. No proceedings in bankruptcy or receivership have been instituted or filed by, or against, the Affiant or any other property owner currently in title.

10. There are no unpaid taxes, assessments or utility type bills including but not limited to bills for water, sewer, hazardous waste, recycling, storm drain and/or rubbish and there are no liens related to such utilities from or on the Land, with the exception of the following: **(If none, please state "none")**

_____

11. There are no financial obligations secured by trust deeds, mortgages, financing statements, vendor's liens, security agreements or otherwise, against the Land, except as set forth in the Preliminary Report, proforma and/or Commitment, and as set forth below: **(If none, please state "none")**

Creditor	Approximate Balance
_____	_____
_____	_____

12. There has been no harvesting or production of any oil, gas, geothermal materials or other minerals from or on the Land and there are no oil, gas, geothermal and/or mineral leases, licenses, options, rights of first refusal, and/or contracts to sell, affecting the mineral rights associated with the Land, or other parties currently in possession, of the mineral rights on the Land, except the following: **(If none, please state "none")**

_____

13. Other than the Affiant, there are no other parties currently in possession of the Land, including but not limited to, any possessory interest associated with the harvesting of any oil, gas, geothermal materials or other minerals, except the following: **(If none, please state "none")**

_____

14. Affiant has not executed and will not execute any documents or instruments related to the title to, or interest in, the Land prior to the recordation of the documents in this transaction.

15. By signing below, Affiant agrees to cooperate with TITLE and, upon request from TITLE, to promptly provide and/or execute, any corrective or curative information or documentation requested.

This is a sworn affidavit and is made for the purpose of inducing TITLE to provide certain insurance coverage to a purchaser and/or lender, and the representations contained herein are material to such insurance coverage. The undersigned hereby indemnifies and holds Stewart Title Guaranty Company and its policy issuing agent identified above harmless from any loss or damage, liability, costs, expenses and attorneys' fees which it may sustain under its policies of title insurance or commitments to the extent any representation contained herein is incorrect. The undersigned understands that TITLE may decide not to provide the requested title insurance despite the information and affirmations contained herein.

PLEASE READ, COMPLETE AND RESPOND TO ALL STATEMENTS CONTAINED IN THIS OWNER'S AFFIDAVIT AND INDEMNITY BEFORE SIGNING IN THE PRESENCE OF A NOTARY PUBLIC. THE NOTARY PUBLIC WILL EXECUTE THE ACKNOWLEDGMENT ON THE FOLLOWING PAGE. HOWEVER, IF YOU DO NOT UNDERSTAND OR HAVE ANY QUESTIONS ABOUT THIS AFFIDAVIT, YOU SHOULD SEEK THE ASSISTANCE OF YOUR INDEPENDENT FINANCIAL AND/OR LEGAL ADVISOR BEFORE SIGNING.

N C Properties

By:_____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss.
County of _____)

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20____, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

_____
Notary Signature

Stewart Title Guaranty Company Privacy Notice
Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company and its title affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information.	Do we share	Can you limit this sharing?
For our everyday business purposes— to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
For our marketing purposes— to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes— information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and non-financial companies. *Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company*	Yes	No
For our affiliates' everyday business purposes— information about your creditworthiness.	No	We don't share
For our affiliates to market to you — For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.	Yes	Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to optout@stewart.com or fax to 1-800-335-9591.
For non-affiliates to market to you. Non-affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

SHARING PRACTICES

How often do the Stewart Title Companies notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do the Stewart Title Companies protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer, file, and building safeguards.
How do the Stewart Title Companies collect my personal information?	We collect your personal information, for example, when you request insurance-related services provide such information to us We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.
What sharing can I limit?	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact us: If you have any questions about this privacy notice, please contact us at: **Stewart Title Guaranty Company, 1360 Post Oak Blvd., Ste. 100, Privacy Officer, Houston, Texas 77056**

Privacy Notice for California Residents

Pursuant to the California Consumer Privacy Act of 2018 ("CCPA"), Stewart Information Services Corporation and its subsidiary companies (collectively, "Stewart") are providing this **Privacy Notice for California Residents** ("CCPA Notice"). This CCPA Notice supplements the information contained in Stewart's existing privacy notice and applies solely to all visitors, users and others who reside in the State of California or are considered California Residents ("consumers" or "you"). Terms used but not defined shall have the meaning ascribed to them in the CCPA.

Information Stewart Collects

Stewart collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device. Most of the information that Stewart collects in the course of its regular business is already protected pursuant to the Gramm-Leach-Bliley Act (GLBA). Additionally, much of this information comes from government records or other information already in the public domain. Personal information under the CCPA does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Certain personal information protected by other sector-specific federal or California laws, including but not limited to the Fair Credit Reporting Act (FCRA), GLBA and California Financial Information Privacy Act (FIPA).

Specifically, Stewart has collected the following categories of personal information from consumers within the last twelve (12) months:

Category	Examples	Collected?
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	YES
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	YES
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

Stewart obtains the categories of personal information listed above from the following categories of sources:

- Directly and indirectly from customers, their designees or their agents (For example, realtors, lenders, attorneys, etc.)
- Directly and indirectly from activity on Stewart's website or other applications.
- From third-parties that interact with Stewart in connection with the services we provide.

Use of Personal Information

Stewart may use or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason for which the information is provided.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with Stewart.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To prevent and/or process claims.
- To assist third party vendors/service providers who complete transactions or perform services on Stewart's behalf.
- As necessary or appropriate to protect the rights, property or safety of Stewart, our customers or others.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology assets, and business.
- To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- Auditing for compliance with federal and state laws, rules and regulations.
- Performing services including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing advertising or marketing services or other similar services.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Stewart will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties

Stewart does not sell your personal information to nonaffiliated third parties. Stewart may share your information with those you have designated as your agent in the course of your transaction (for example, a realtor or a lender). Stewart may disclose your personal information to a third party for a business purpose. Typically, when we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- Service providers and vendors (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- Affiliated Companies
- Litigation parties and attorneys, as required by law.
- Financial rating organizations, rating bureaus and trade associations.
- Federal and State Regulators, law enforcement and other government entities

In the preceding twelve (12) months, Stewart has disclosed the following categories of personal information for a business purpose:

Category A: Identifiers
Category B: California Customer Records personal information categories
Category C: Protected classification characteristics under California or federal law
Category D: Commercial Information
Category E: Biometric Information
Category F: Internet or other similar network activity
Category G: Geolocation data
Category H: Sensory data
Category I: Professional or employment-related information
Category J: Non-public education information
Category K: Inferences

Consumer Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that Stewart disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, Stewart will disclose to you:

- The categories of personal information Stewart collected about you.
- The categories of sources for the personal information Stewart collected about you.
- Stewart's business or commercial purpose for collecting that personal information.
- The categories of third parties with whom Stewart shares that personal information.
- The specific pieces of personal information Stewart collected about you (also called a data portability request).
- If Stewart disclosed your personal data for a business purpose, a listing identifying the personal information categories that each category of recipient obtained.

Deletion Request Rights

You have the right to request that Stewart delete any of your personal information we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, Stewart will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

Stewart may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us either:

- Calling us Toll Free at 1-866-571-9270
- Emailing us at Privacyrequest@stewart.com
- Visiting http://stewart.com/ccpa

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

To designate an authorized agent, please contact Stewart through one of the methods mentioned above.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Stewart cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with Stewart.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to an additional 45 days), we will inform you of the reason and extension period in writing.

A written response will be delivered by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

Stewart does not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Non-Discrimination

Stewart will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you a different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Changes to Our Privacy Notice

Stewart reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on Stewart's website and update the notice's effective date. **Your continued use of Stewart's website following the posting of changes constitutes your acceptance of such changes.**

Contact Information

If you have questions or comments about this notice, the ways in which Stewart collects and uses your information described here, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: Toll Free at 1-866-571-9270

Website: http://stewart.com/ccpa

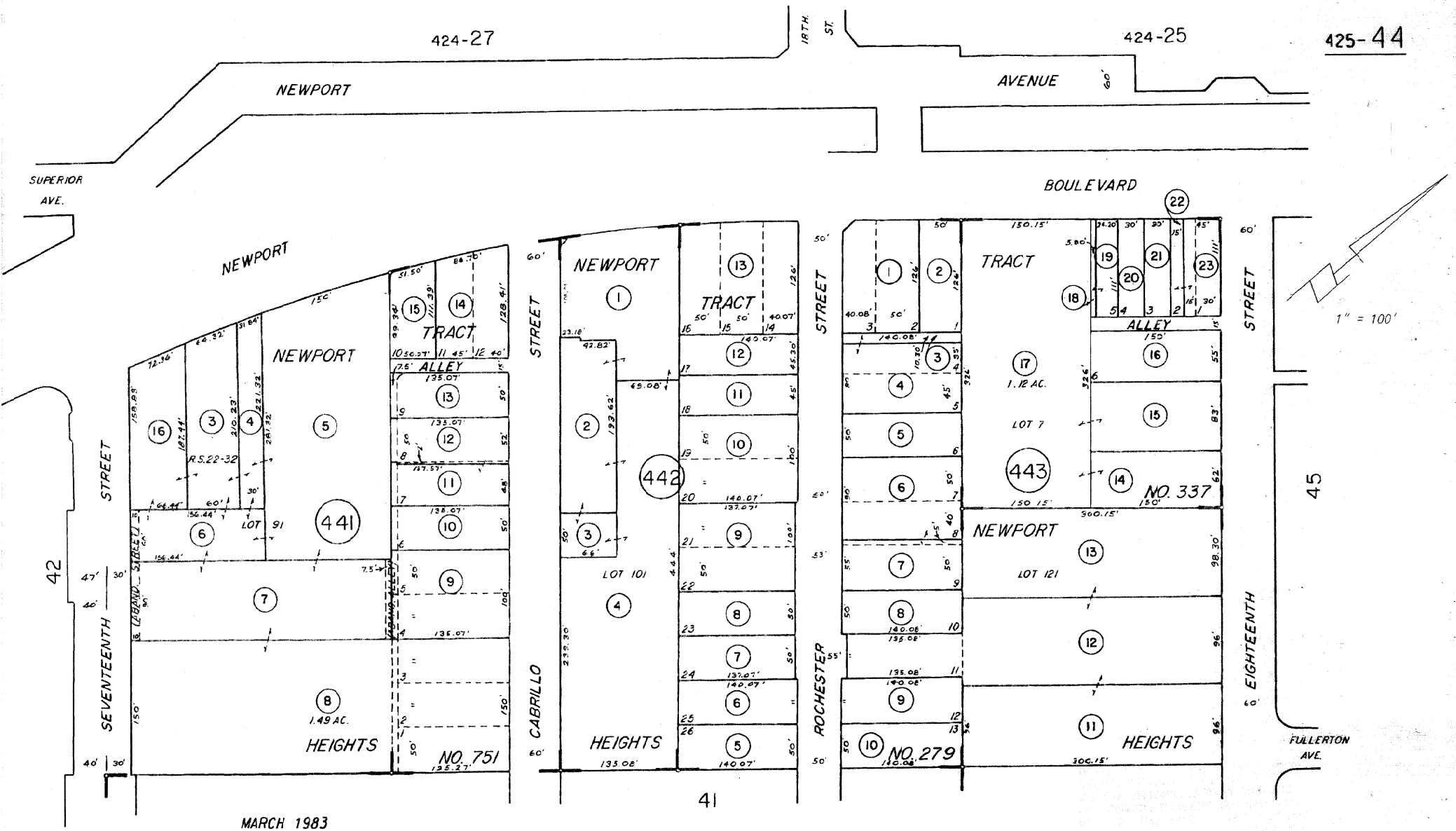
Email: Privacyrequest@stewart.com

Postal Address: Stewart Information Services Corporation

Attn: Mary Thomas, Deputy Chief Compliance Officer

1360 Post Oak Blvd., Ste. 100, MC #14-1

Houston, TX 77056



MARCH 1983

NEWPORT HEIGHTS
TRACT NO. 279
TRACT NO. 337
TRACT NO. 751

M.M. 4-83
M.M. 14-4
M.M. 14-44
M.M. 24-41

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAP
BOOK 425 PAGE 44
COUNTY OF ORANGE

BOOK 5317 PAGE 450

RECORDING REQUESTED BY

WHEN RECORDED, MAIL TO

Ben Bromberg
6101 Mary Ellen Ave.
Van Nuys, Calif.

118361

BOOK 5317 PAGE 450

RECORDED AT REQUEST OF TITLE INS. & TRUST CO. IN OFFICIAL RECORDS OF ORANGE COUNTY, CALIF.
8 AM JUL 7 1960
RUBY McFARLAND, County Recorder

$2.80

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Grant Deed

CAMERON, TARNUTZER & WATERS, a General Partnership

For a Valuable Consideration, the receipt of which is hereby acknowledged, do hereby BEN BROMBERG AND ROSE BROMBERG, husband and wife, as joint tenants, as to an undivided one-half interest; ALFRED COHEN AND MARILYN COHEN, husband and wife, as joint tenants, as to an undivided one-quarter interest, and SOL B. PEARLMAN AND ETHEL PEARLMAN, husband and wife, as joint tenants, as to an undivided one-quarter interest,

GRANT to

all that real property situated in the County of Orange, State of California, described as follows:

PARCEL 1:
Lot 91 of Newport Heights, City of Costa Mesa, as shown on a map recorded in book 4, page 83 of miscellaneous maps, records of said county.
EXCEPTING therefrom the southeasterly 240.00 feet.
ALSO EXCEPTING therefrom that portion lying southwesterly of the following described line: Beginning at a point on the Northwesterly line of said lot 91, distant southwesterly 150.00 feet along said Northwesterly line from the most Northerly corner of said lot 91, thence south 50° 10' 02" East 281.32 feet parallel with the northeasterly line of said lot 91, to a line that is parallel with and distant northwesterly 240.00 feet, measured at right angles from the southeasterly line of said lot 91.
PARCEL 2:
An easement for ingress and egress over that portion of Lot 91 of Newport Heights, as shown on a map recorded in book 4 page 83 of miscellaneous maps, records of said county, included within a strip of land 20.00 feet in width, the northwesterly line of said strip being described as follows: Commencing at a point on the northwesterly line of said lot 91, distant southwesterly along said northwesterly line 150.00 feet from the most northerly corner of said lot 91, thence south 50° 10' 02" east 221.32 feet parallel with the northeasterly line of said lot 91 to a line that is parallel with and distant northwesterly 300.00 feet measured at right angles from the southeasterly line of said lot 91, said point being the true point of beginning thence south 39° 49' 43" West 156.44 feet along said parallel line to the southwesterly line of said lot 91.

Dated June 8, 1960

CAMERON, TARNUTZER & WATERS, a General Partnership
BY: John R. Waters
BY:

STATE OF CALIFORNIA
COUNTY OF ORANGE } ss.

On June 9, 1960 before me, the undersigned, a Notary Public in and for said County and State, personally appeared

JOHN R. WATERS

known to me to be ONE of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

Notary Public in and for said County and State
My Commission Expires Oct. 6, 1962

On this day of , 19 , before me, the undersigned, a Notary Public for County,

subscribed to the within instrument and

Notary Public

BOOK 5317 PAGE 451

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO

The First National Bank of Orange
P. O. Box 269
Orange, California

118355

BOOK 5317 PAGE 451

$2.00

RECORDED AT REQUEST OF
TITLE INS. & TRUST CO.
IN OFFICIAL RECORDS OF
ORANGE COUNTY, CALIF.
8 AM JUL 7 1960
RUBY McFARLAND, County Recorder

SPACE ABOVE THIS LINE FOR RECORDER'S USE

RECONVEYANCE OF DEED OF TRUST

This Indenture, made this 6th day of July, 1960

Witnesseth: That, Whereas the indebtedness secured by that certain Deed of Trust made by WILFORD B. HAYES and EVELYN L. HAYES, husband and wife; and MELVIN R. CLEMENT and DOROTHY L. CLEMENT, husband and wife

to THE FIRST NATIONAL BANK OF ORANGE, a national banking association, of Orange, California, dated April 15, 1958, recorded April 29, 1958, in Book 4270, Page 527, of Official Records, as Instrument No. 51468, in the office of the County Recorder of Orange County, California, has been fully paid and satisfied.

Now Therefore, in consideration of such payment, and also the sum of One Dollar, the receipt whereof is hereby acknowledged, the said THE FIRST NATIONAL BANK OF ORANGE does hereby remise, release and reconvey, without warranty, unto the person or persons legally entitled thereto, all the estate in the premises described in said Deed of Trust now held by said THE FIRST NATIONAL BANK OF ORANGE, reference being hereby made to said Deed of Trust and the said record thereof for a particular description of said premises.

In Witness Whereof, said THE FIRST NATIONAL BANK OF ORANGE has caused these presents to be duly signed by its duly authorized officers, under its seal, the day and year first above mentioned.

THE FIRST NATIONAL BANK OF ORANGE

By Robert W. Smith, Vice President.

By E. S. Brubaker, Trust Officer.

STATE OF CALIFORNIA
COUNTY OF ORANGE } ss.

On July 6, 1960, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert W. Smith, known to me to be the Vice President and E. S. Brubaker known to me to be the Trust Officer of the national banking association that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the national banking association therein named, and acknowledged to me that such national banking association executed the same.

WITNESS my hand and official seal.

(Seal)

Notary Public in and for said County and State
BETTY ZELL QUEEN

My Commission Expires Jan. 6, 1964

RECORDING REQUESTED BY
FIRST AMERICAN TITLE INSURANCE COMPANY

Recorded in the County of Orange, California
Gary L. Granville, Clerk/Recorder

15.00

19980063990 04:30PM 02/04/98

004 14014237 14 23
G02 4 15 NonDis 6.00 9.00 0.00 0.00 NonDis
0.00 0.00 0.00

Recording Requested By and When Recorded Mail To:

Stradling, Yocca, Carlson & Rauth
660 Newport Center Drive, Suite 1600
Newport Beach, California 92660
Attn: Richard T. Needham, Esq.

9763417-AS

[Space above for recorder.]

MAIL TAX STATEMENTS TO:

17th & Newport LLC
1706 "B" Newport Boulevard
Costa Mesa, California 92627
Attn: Eugene S. Scarcello

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Eugene S. Scarcello, Trustee of the Eugene S. Scarcello Trust dated October 12, 1987, as to an undivided 95.9% interest, and Spencer R. Scarcello and Carol A. Scarcello, husband and wife, as community property, as to an undivided 4.1% interest, all as tenants in common, hereby grant to 17th & Newport LLC, a California limited liability company, all that certain real property (the "Property") located in the County of Orange, State of California, more particularly described in Exhibit 1, attached hereto and incorporated herein by this reference.

Subject to all matters of record or apparent.

IN WITNESS WHEREOF, Grantor has executed this Grant Deed this 28th day of January, 1998.

Eugene S. Scarcello, Trustee of the Eugene S. Scarcello Trust dated October 12, 1987

Spencer R. Scarcello

Carol A. Scarcello

559135.1\13049.0003

EXHIBIT 1
TO
GRANT DEED

LEGAL DESCRIPTION OF THE PROPERTY

All that certain land situated in the State of California, County of Orange, City of Costa Mesa, described as follows:

PARCEL A:

Parcel 1 as shown on Exhibit "B" attached to that certain Lot Line Adjustment No. 89-14 recorded October 6, 1989 as Instrument No. 89-539007 of Official Records of Orange County, California.

PARCEL B:

That portion of Lot 91 of Newport Heights, as per Map thereof recorded in Book 4, Page 33 of Miscellaneous Maps, records of Orange County, California, described as follows:

Beginning at a point in the northwesterly line of said Lot 91, distant thereon southwesterly 150 feet from the most northerly corner of said Lot, and running thence South 50° 10′ 02″ East, parallel with the northeasterly line of said Lot, 221.32 feet to a point in a line which is parallel with and distant northwesterly 300 feet from the southeasterly line of said Lot; thence South 39° 49′ 43″ West, along said parallel line, 30 feet; thence North 50° 10′ 02″ West, parallel with the northeasterly line of said Lot, 210.63 feet to the northwesterly line of said Lot 91; thence northeasterly along said northwesterly line, 31.84 feet to the Point of Beginning.

PARCEL C:

That portion of Lot 91 of Newport Heights, as per Map recorded in Book 4, Page 83 of Miscellaneous Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at the most northerly corner of said Lot 91; thence southwesterly 150.00 feet along the northwesterly line of said Lot; thence South 50° 10′ 02″ East 221.32 feet parallel with the northeasterly line of said Lot to a line parallel with and northwesterly 300.00 feet from the southeasterly line of said Lot; thence South 39° 49′ 43″ West 30.00 feet along said last mentioned parallel line to the true Point of Beginning; thence South 39° 49′ 43″ West 60 feet; thence North 50° 10′ 02″ West 187.44 feet to the northwesterly line of said Lot; thence northeasterly 64.32 feet to a line parallel with the northeasterly line of said Lot and passing through the Point of Beginning, thence South 50° 10′ 02″ East 210.63 feet to the Point of Beginning.

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

On January 28, 1998, before me, Paula J. Reno, Notary Public,
(Print Name of Notary Public)

personally appeared Eugene S. Scarcello,

☐ personally known to me
-or-
☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity(ies), and that by his~~/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

PAULA J. RENO
Commission # 1080773
Notary Public — California
Orange County
My Comm. Expires Jan 14, 2000

WITNESS my hand and official seal.

Paula J. Reno
Signature Of Notary

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

☐ Individual
☐ Corporate Officer

_____
Title(s)

☐ Partner(s) ☐ Limited ☐ General
☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other: _____

Signer is representing:
Name Of Person(s) Or Entity(ies)

_____

_____

DESCRIPTION OF ATTACHED DOCUMENT

_____
Title Or Type Of Document

_____
Number Of Pages

_____
Date Of Document

_____
Signer(s) Other Than Named Above

Space above this line for recorder's use.

ANYTIME NOTARY SERVICE (714) 538-7723

State of California
County of Orange ___ ss.

On JANUARY 28th, 1998 before me JAMES W. TAYLOR, NOTARY PUBLIC, personally appeared, SPENCER R. SCARCELLO CAROL A. ~~SCARCELLO~~ SCARCELLO,
personally known to me -or- [] proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____
JAMES W. TAYLOR
Notary Public in and for said State.
My Commission expires July 9, 2001

(Seal)

JAMES W. TAYLOR
COMMISSION #1141744
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
My Comm. Expires July 9, 2001

==========

OPTIONAL SECTION:

CAPACITY CLAIMED BY SIGNER: Law does not require the Notary to fill in the data below, but doing so may prove valuable to persons relying on the document.

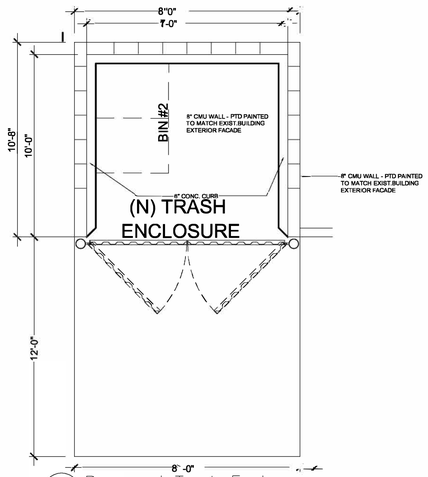
__ INDIVIDUAL
__ CORPORATE OFFICER(S) TITLE(S) _____
__ PARTNER(S) __ LIMITED __ GENERAL
__ ATTORNEY IN FACT
__ TRUSTEE(S)
__ OTHER: _____

SIGNER IS REPRESENTING; _____
_____

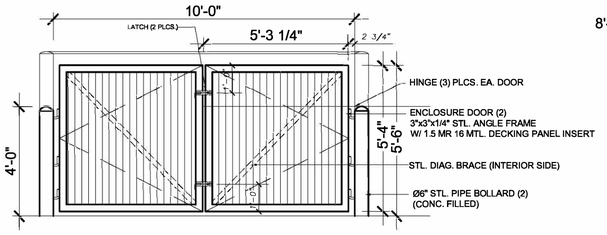
Rev. 6/97

ATTACHMENT 7

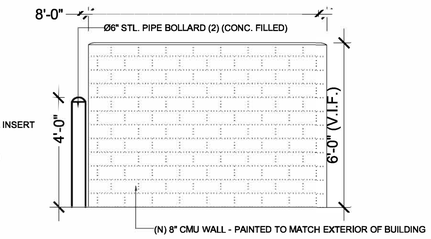
Applicable Codes: The following codes apply to this project: the 2019 CBC, CFC, CMC, CPC, CEC, as well as state and local accessibility codes. Also the 2019 California Energy Standards and the 2019 CGBSC (Green) shall apply. Any local jurisdiction codes specific to this site also apply. Current LARR reports apply.



02 TS1 Proposed Trash Enclosure 1/4" =1'-0"



03 TS1 Proposed Trash Enclosure elevation 3/8" =1'-0"



Scope of Work:

Tenant improvement within an existing building. The existing use is a floyds 99 barber Shop and retail store. The proposed use will be a retail dispensary. This application is for a CUP. Proposed new non structural partition walls, Minor demolition. New lights. new HVAC distribution, existing equipment to remain. New outlets. Existing restroom. Installation of new retail cabinets.

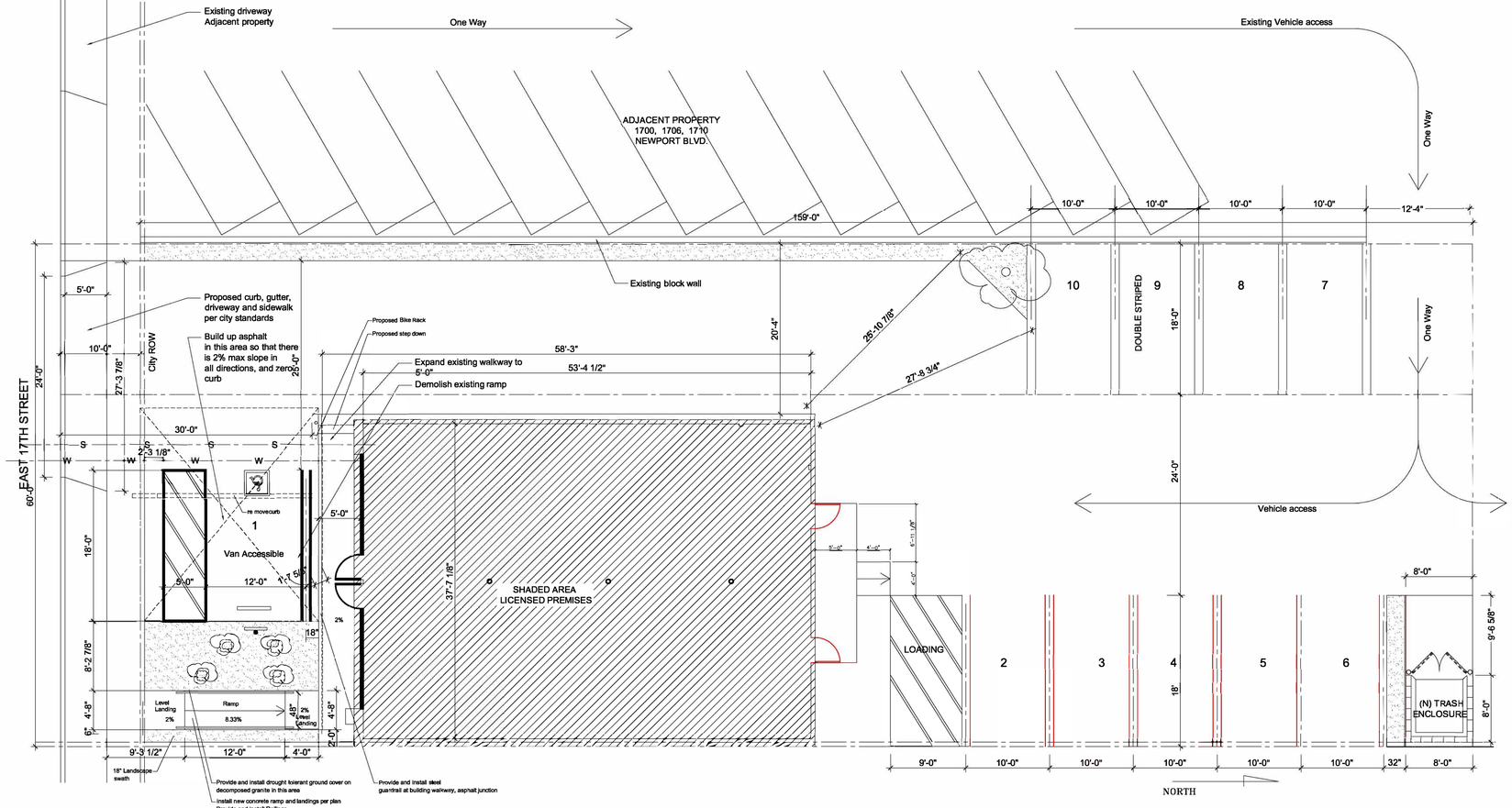
If Required:
Plans for all fixed fire protection equipment, such as standpipes, sprinkler systems, & fire alarm systems, must be submitted to & approved by the Fire Prevention Bureau before this equipment is installed.

Dig Alert - 800.227.2600

California State Law requireds that contractors call Dig Alert prior to any and all excavation. Dig Alert requires a two day notice to markout the site.

Note:
Signage to be designed, permitted and installed by others, with LL approval

Breakdown:	
Retail SF	1169
Storage SF	478
Office SF	163
Break Room SF	202
Restroom SF	144
Corridor SF	184
6	
Total	2,340



01 TS1 Site Plan/Key Plan 1/8" =1'-0"

Tenant / Applicant	
17th St Retail LLC	tel: 610 453 0486
124 East 17th Street	fax:
Costa Mesa, Ca. 92657	mobile:
	email: peter@distillateco.com
	contact name: Peter Ishak
Building Owner:	
124 17th st LLC	tel: 610 453 0486
124 East 17th Street	fax:
Costa Mesa, Ca. 92657	mobile:
	email: peter@distillateco.com
	contact name: Peter Ishak
General Contractor:	
TBD	tel: -
	fax: -
	mobile: -
	email: -
	contact name: -
Architect:	
Darren Machulsky Architect Inc.	tel: -
3508 Woodland Way	fax: 760.730.9659
Carlsbad, Ca. 92008	mobile: 609.462.4234
	email: darren@dmachulsky.com
	contact name: Darren Machulsky

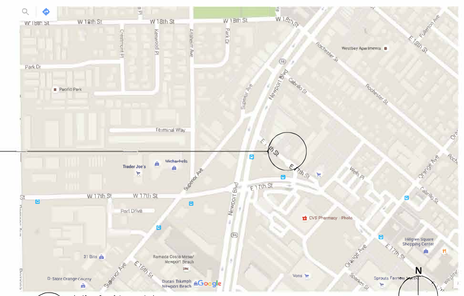
Project data:

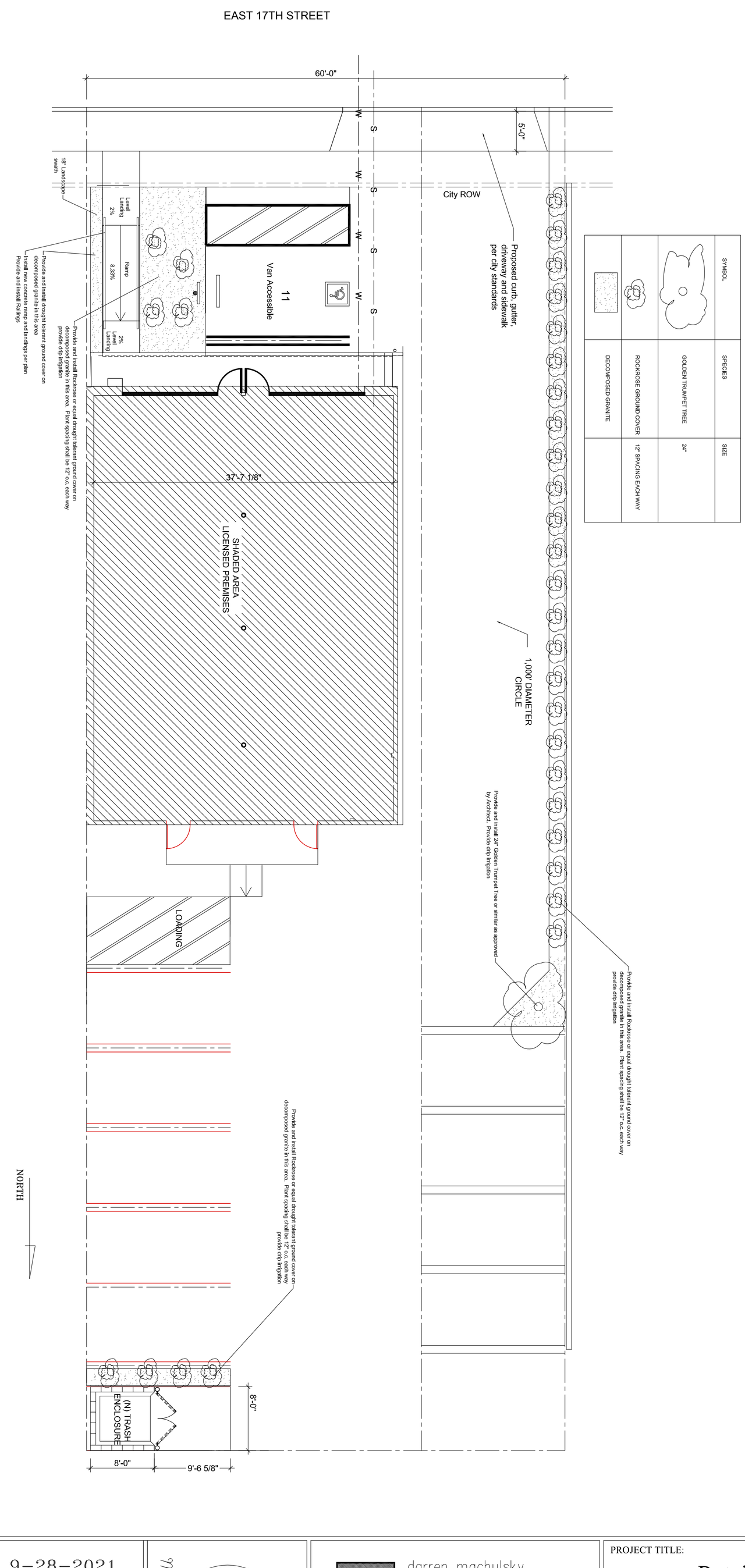
Building address:	124 East 17th Street Costa Mesa Ca 92627
Assessor parcel number:	425 441 06 -
Construction type:	Type V B
Sprinklered:	No
Occupant Load:	37 (2240/60 = 37) M Use
Number of stories:	1
Location:	First Floor
Occupancy Group:	Proposed - M - Retail Dispensary Existing B, M Salon, Retail store
Zoning:	C2
Area of improvement:	2,340 Existing Bldg. SF = 2,340
Usable Square Feet:	2,340
Site Area:	10,110
Parking	Required = 4/1000 or 9 spaces 11 spaces inclusive of 2 disabled spaces and 1 bicycle Rack

Notes to plan review engineer:

Structural:	No
Demolition:	Yes, previous salon FFE
New partitions:	Yes
Mechanical:	Yes, distribution
Electrical:	New outlets, new lights, existing panel and equip.
Plumbing:	Existing restrooms to remain

Site


W 18th St
W 19th St
Park Ct
Pomona Ave
Tennyson St
Newport Apartments
Parrot Park
Terminal Way
Trader Joe's
Mechanicals
Anaheim Ave
W 17th St
Red Circle
CVS Pharmacy - Photo
Monrovia Ave
Orange Ave
El Toro
Romona Circle Motel
Newport Shell
Dyson Drive
Hilltop Upper Elementary School
El Toro Rd
El Salvador
El Salvador
El Toro
El Salvador
El Toro
El Salvador
El Toro



SYMBOL	SPECIES	SIZE
	GOLDEN TRUMPET TREE	24"
	ROCKROSE GROUND COVER	12" SPACING EACH WAY
	DECOMPOSED GRANITE	

PERMIT 9-28-2021

REVISIONS:		
1 10-20	CUP	
2 3-28	CUP	
3 6-10	CUP	

DWG #: L1

DWG TITLE: Landscape

Machulsky LICENSED ARCHITECT STATE OF CALIFORNIA DARREN MACHULSKY No. C-30817 Exp. 7-31-23

darren machulsky architect

3508 Woodland Way
Carlsbad, California
92008

31 Elmont Road
Hamilton, New Jersey
08610

PHONE 609.462.4234 FAX 760.730.9659 DARREN@DMACHULSKY.COM

PROJECT TITLE:

Retail Tenant Improvement 124 East 17th Street Costa Mesa, Ca. 92627

California
New Jersey
Pennsylvania
Arizona
Texas
Delaware
Iowa
Ohio
Florida
New York
Massachusetts
Illinois
Colorado
Minnesota
Nevada
Indiana
Oklahoma
Hawaii
Montana
Georgia
New Mexico
Tennessee
Washington
Oregon
Maryland

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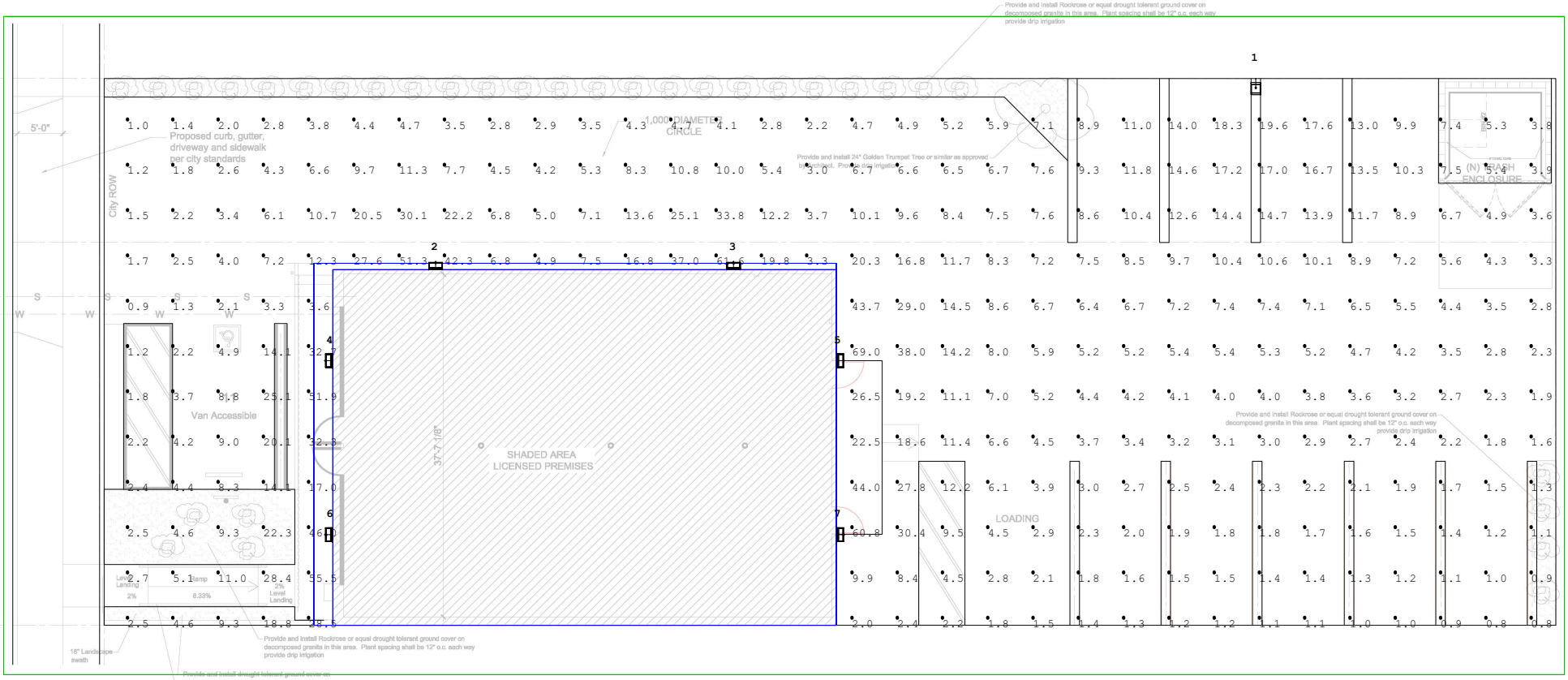


Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Lum. Watts	Total Lamp Lumens	LLF
	6	WMX-LG-50-120W-50K	SINGLE	120	16500	1.000
	1	LFX-XL-150-300-120V	SINGLE	300	44000	1.000

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
124 E 17 Street_Workplane	Illuminance	Fc	9.00	69.0	0.8	11.25	86.25

Luminaire Location Summary						
LumNo	Label	X	Y	Z	Orient	Tilt
1	LFX-XL-150-300-120V	151.575	72.65	18	270	45
2	WMX-LG-50-120W-50K	61	51.8	9	90	0
3	WMX-LG-50-120W-50K	93.9	51.8	9	90	0
4	WMX-LG-50-120W-50K	49.4	41.5	9	180	0
5	WMX-LG-50-120W-50K	105.5	41.5	9	0	0
6	WMX-LG-50-120W-50K	49.4	22.3	9	180	0
7	WMX-LG-50-120W-50K	105.5	22.3	9	0	0

ALL VALUES SHOWN ARE MAINTAINED HORIZONTAL FOOTCANDLES AT GRADE

PHOTOMETRIC DATA USED AS INPUT FOR THESE CALCULATIONS IS BASED ON ESTABLISHED IES PROCEDURES AND PUBLISHED LAMP, RATINGS, FIELD PERFORMANCE WILL DEPEND ON ACTUAL LAMP, BALLAST, ELECTRICAL, AND SITE CHARACTERISTICS.

Calculations have been performed according to IES standards and good practice. Some differences between measured values and calculated results may occur due to tolerances in calculation methods, testing procedures, component performance, measurement techniques and field conditions such as voltage and temperature variations. Input data used to generate the attached calculations such as room dimensions, reflectances, furniture and architectural elements significantly affect the lighting calculations. If the real environment conditions do not match the input data, differences will occur between measured values and calculated values.

WESTGATE
THE FUTURE IS HERE... AND IT'S QUITE BRIGHT

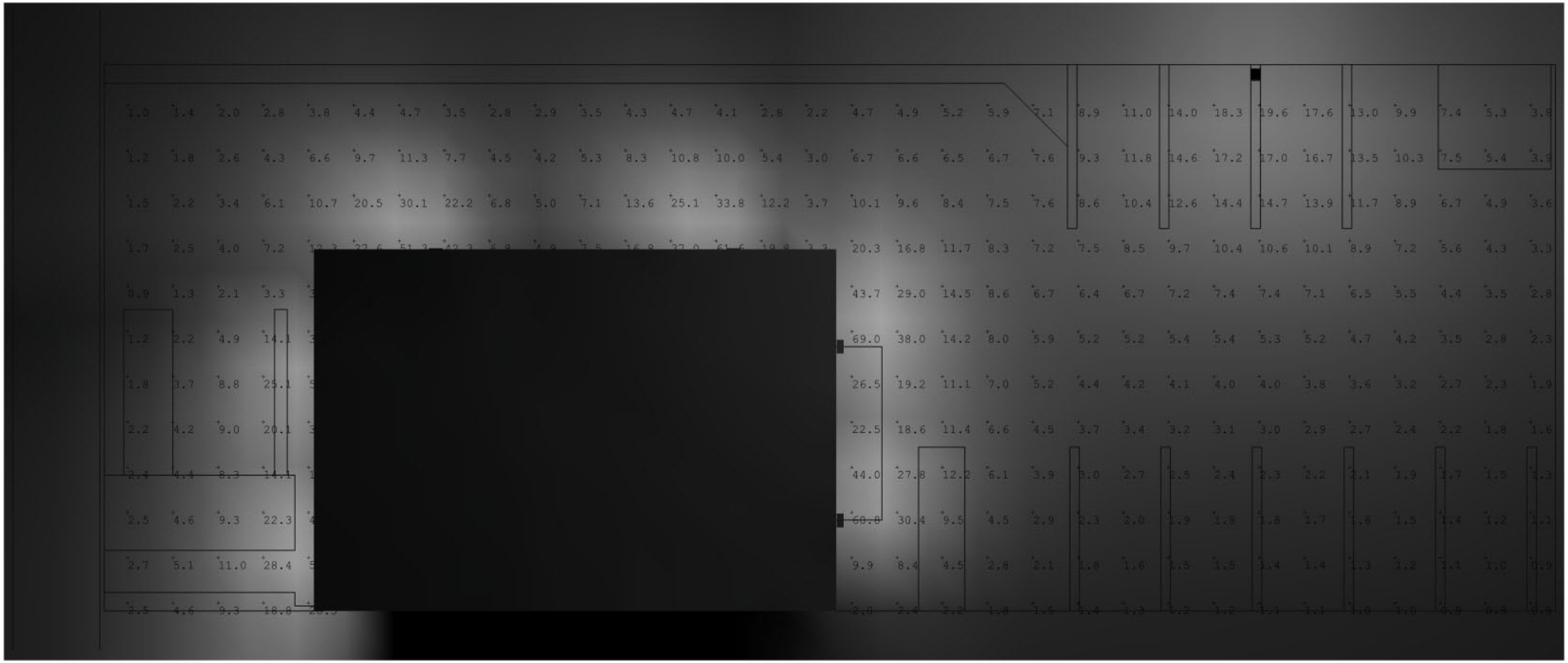
Westgate MFG Inc
2462 E.28th St.,
Vernon, CA 90058
www.westgatemfg.com

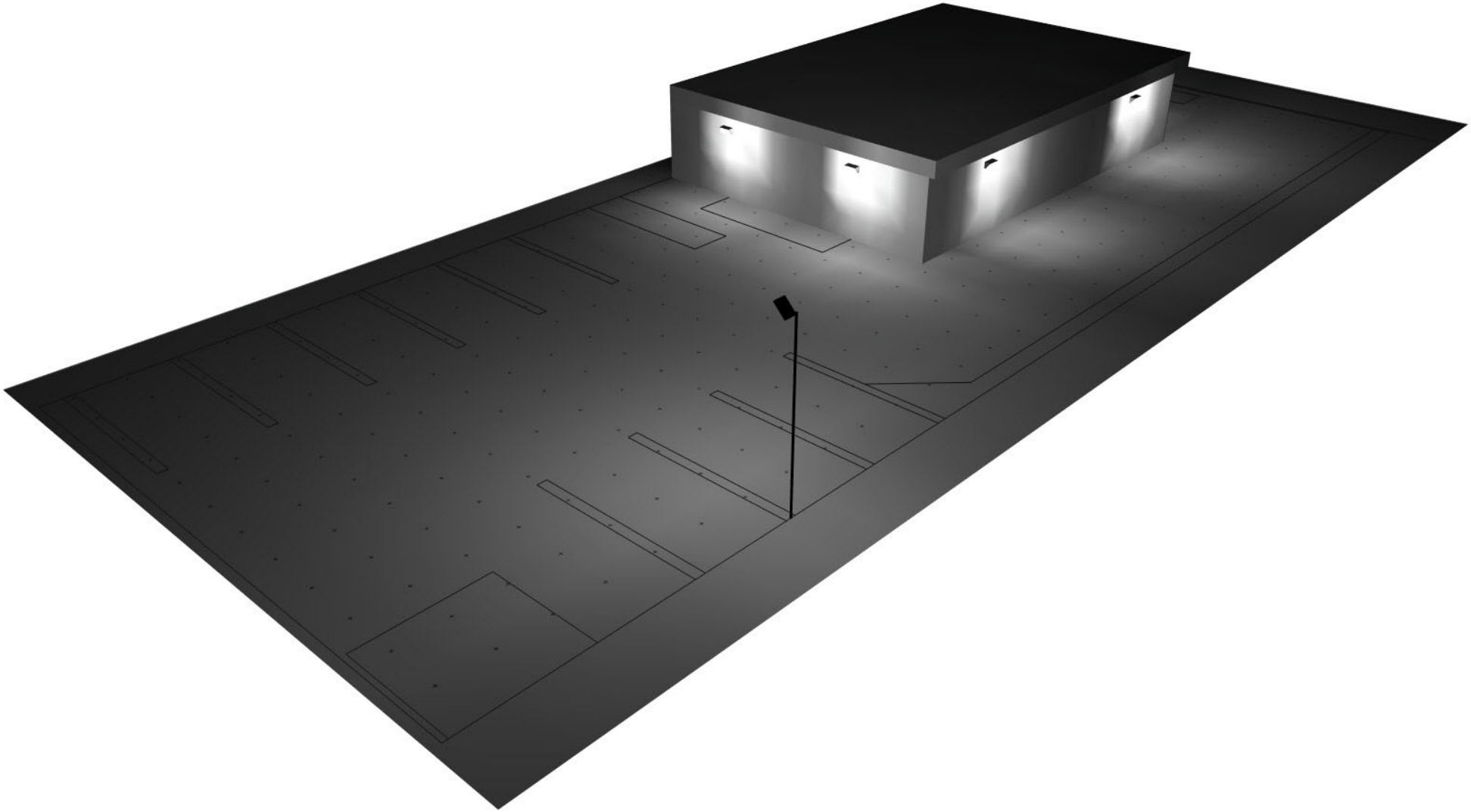
AGI32 VERSION 2.31
AGI(C)1998-2012 LIGHTING ANALYSTS, INC.
10440 BRADFORD ROAD - UNIT A
LITTLETON, CO 80127

PROJECT NAME
20287 | 124 E 17ST

SHEET
1 OF 10

DATE
Date:7/5/2022





LFX-XLSERIES

Outdoor Lighting

WESTGATE
THE FUTURE IS HERE...AND IT'S QUITE BRIGHT!

LFX-XL-150-300W-30K
LFX-XL-150-300W-40K
LFX-XL-150-300W-50K



MULTI-POWER

SELECTION:

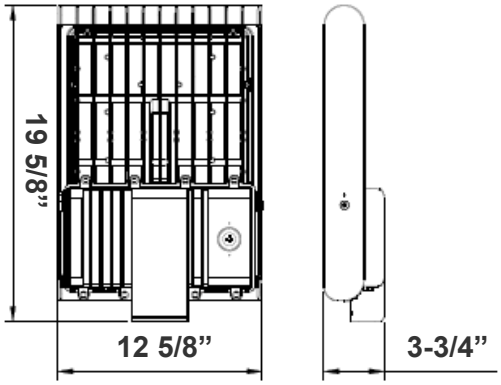
CUSTOM:

Ideal for general site lighting, alleys, loading docks, doorway, pathway, and parking areas.

Customer Name:

Project Name:

Note: | Type:



19 5/8"(H) x 12-5/8"(W) x 3-3/4"(D)

Features

- DLC Premium & LED High-Lumen Flood lights
- Solid State Lighting Technology for Long Life
- No Maintenance Needed and High-Efficiency
- 70,000 Hours Rated Life
- 7-Year Warranty
- Optic Lens Type: III
- Multi-Power - The Switch is On the Bottom of the Fixture

Technical Specifications

Electrical:

- Voltage: 120~277V AC/50~60 Hz
- Wattage: 150/ 200/ 240/ 300W
- Power Factor: >0.9
- Efficacy: 135 LPW

Mechanical:

- With Snap-on & Bolt Mounting Options for One- Person Installations. Select a Mounting Option (Sold Separately)
- LED: Philips Lumileds Luxeon 2835 High Flux LED
- Die-cast Aluminum Housing with Powder Coat Finish (Dark Bronze)
- IP Rating: IP65
- Effective Projected Areas (EPA's) are: Front = 0.38 ft ², Side = 0.30 ft ², Face = 1.05 ft ²
- Operating Temperature: -40°F to 104°F
- Suitable for Wet Locations

Lighting:

- Dimming: 0~10V dimmable
- Optic Lens Type: III
- Cord Type: 6' SJTW 18/3 AWG cable
- Total Lumens: 44000LM Max.
- Color Temperature: 3000K/ 4000K/ 5000K
- Color Rendering Index: ≥ 82
- Beam Angle: 120°X 90°

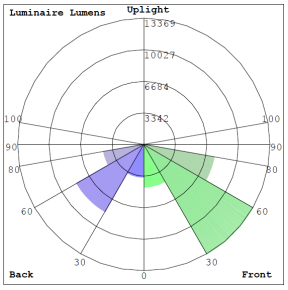
Applications:

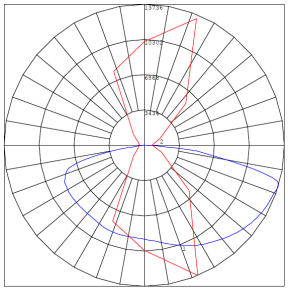
- Ideal for general site lighting, alleys, loading docks, doorway, pathway and parking areas.
- Replace existing HID flood lights/ wall packs

Other Models:

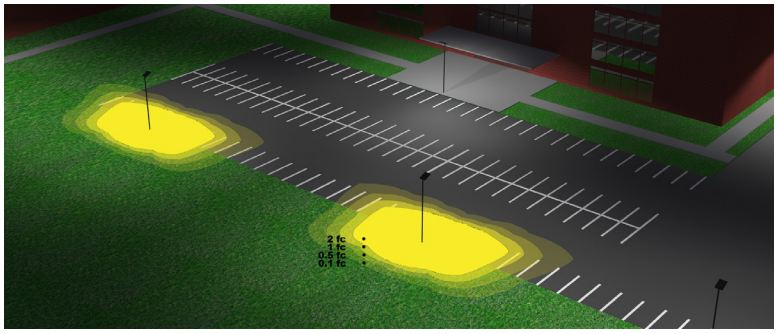
- 150W | 21400LM | LFX-LG-50-150W-30K
- 150W | 21400LM | LFX-LG-50-150W-40K
- 150W | 21400LM | LFX-LG-50-150W-50K

Photometrics: LFX-XL-150-300W





BUG Rating: B4-U0-G4



Area 65'x 120' Mounting Height: 20'

Other Views:



Side View



Front View



Back View

Performance Table: LFX-XL-150-300W

MODEL NO.	Wattage	Voltage	Lumens	Color Temp.	BUG Rating	LPW
LFX-XL-150-300W-30K	150W	120~277V	23500LM	3000K 4000K 5000K	B4-U0-G4	135
			24200LM			
			25100LM			
LFX-XL-150-300W-40K	200W		29600LM			
			30500LM			
			31850LM			
	240W		35000LM			
			36000LM			
			38000LM			
LFX-XL-150-300W-50K	300W		42150LM			
			43500LM			
			44000LM			

Example:

1. LFX-XL-150-300W-30K (For LFX 300W 3000K fixture 120V-277V)

2. LFX-XL-150-300W-30K (For LFX 300W 3000K fixture 120V-277V)
   WEC-8RC (For Remote Control)

3. LFX-XL-150-300W-30K (For LFX 300W 3000K fixture 120V-277V)
   WEC-8RC (For Remote Control)
   OPT-SEN-3MR-3 (For Programmable Microwave BI-Level Motion Sensor)

Sample Ordering

Model	Size	Min.Wattage	Max.Wattage	Color Temp.
LFX	XL	150	300W	

30K = 3000K
40K = 4000K
50K = 5000K

Accessories Options

Blank = No Option for Accessories
WEC-8RC =Remote Control for OPT-SEN-3MR-4
***REFER TO PAGE 3 FOR MOUNTING OPTIONS**

Factory Installed Options

Blank = No Factory Installed Options
OPT-LF3-PCK = Twist Lock Photocell
OPT-SEN-3MR-3 = Programmable Microwave BI-Level
OPT-TLSOC7P = 7-Pin Receptacle Kit to accept Smart Control Twist-Lock Photocell (Photocell not incl.) (Shorting Cap incl.)
OPT-CLR-95 = Color Paint

SENSOR AND REMOTE CONTROL OPTIONS



LF3-HL-PCK
Twist-Lock
Photocell + Receptacle Kit



OPT-SEN-3MR-3
Bi-Level Motion
Sensor



WEC-8RC
Remote control

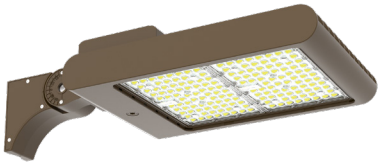


OPT-TLSOC7P
Smart Control
7-Pin Receptacle Kit
(Photocell not incl.)
(Shorting Cap incl.)

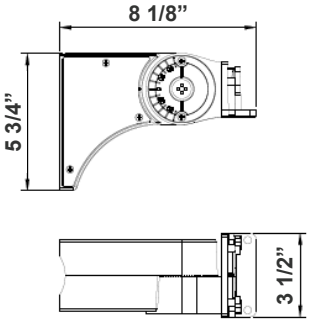


Smart Control
7-Pin Receptacle Kit
for
OPT-TLSOC7P

Mounting Options:

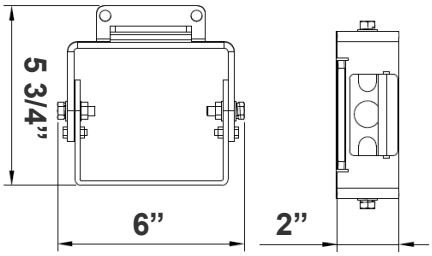


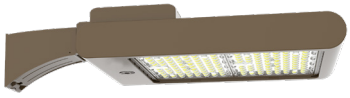
LFX-ASA
Adjustable Straight Arm
3 1/3" x 7 7/8"



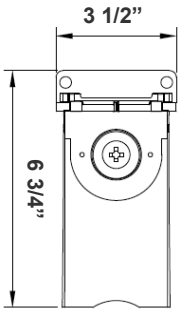


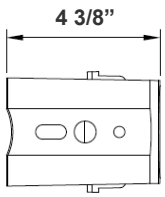
LFX-YK
Yoke
5 3/4" x 6" x 2"





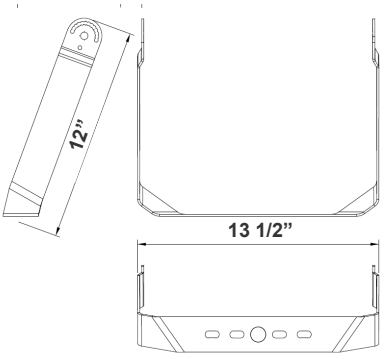
LFX-EXT
Straight Arm
3 1/3" x 6 3/4" x 4 3/8"





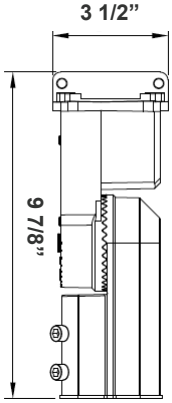


LFX-TR-B
U Bracket
13 1/2" x 12"



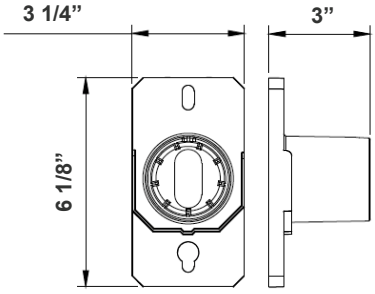


LFX-SF
Slip Fitter
3 1/3" x 7 7/8"





LFX-SF + LFX-PASF
Pole Adapter for Slip Fitter
6 1/8" x 3 1/4" x 3"



Color Options: LFX-XL-150-300W

Custom Color Available

Black Silver White **Dark Bronze** Green Red Yellow

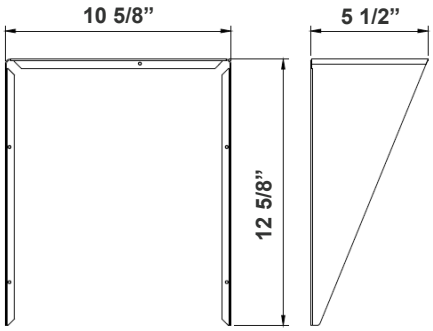
Default color

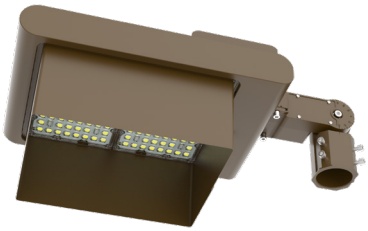


Shroud & Wire Guard: LFX-XL-150-300W

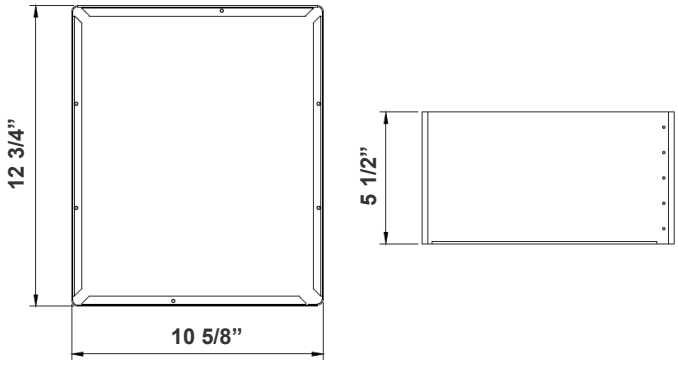


LF-SHROUD-B
Shroud
12 5/8" x 10 5/8" x 5 1/2"





LF-SHROUD-E
Full-Glare Shroud
12 3/4" x 10 5/8" x 5 1/2"





LFX-WG-B
Wire Guard

WMX SERIES

LED OUTDOOR LIGHTING

WESTGATE
THE FUTURE IS HERE...AND IT'S QUITE BRIGHT!

WMX-LG-50-120W-30K
WMX-LG-50-120W-40K
WMX-LG-50-120W-50K

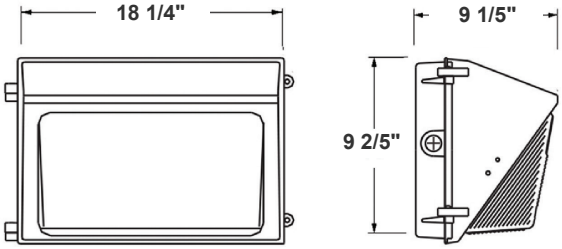
Customer Name:

Project Name:

Note: | Type:



MULTI-POWER
SELECTION:



18 1/4"(W) x 9 1/5"(H) x 9 1/5"(D)

Ideal for general site lighting, alleys, loading docks, doorway, pathway, and parking areas.

Features

- ADC12 Aluminum Heat Sink, Outdoor Powder Coating
- Connect One End or Both Ends (Dual Function)
- Multi-Power Switch is inside the Fixture
- 7-year warranty
- Prismatic Borosilicate Glass Lens

Technical Specifications

Electrical:

- Input Wattage: 50/80/100/120W
- Input Voltage: 120-277V AC 50/60Hz
- Input current: 1.4 A
- Power factor: >0.9
- Efficacy: 130 LPW

Mechanical:

- ADC12 Aluminum Heat Sink, Outdoor Powder Coating
- Lens: Prismatic Borosilicate Glass Lens
- Same Footprint as Traditional HID Wall Packs
- Four 1/2" Hubs: 1 top. 1 on Each Side, 1 Rear
- Mounting: Wall Mounting
- Operating Temperature: -40°F ~ 104°F
- Lifespan: 70000 Hrs.
- IP rating: IP65, Wet Locations

Lighting:

- Dimming: 0-10V Dimming
- Chip: Philips Lumileds LEDs
- Multi-Power Switch is inside the Fixture
- Total Lumens: 16500LM Max.
- Color Temperature: 3000K/4000K/5000K
- CRI: >70

Applications:

- Ideal for general site lighting, alleys, loading docks, doorway, pathway and parking areas.
- Replace existing HID wall packs
- Great for use with photocell

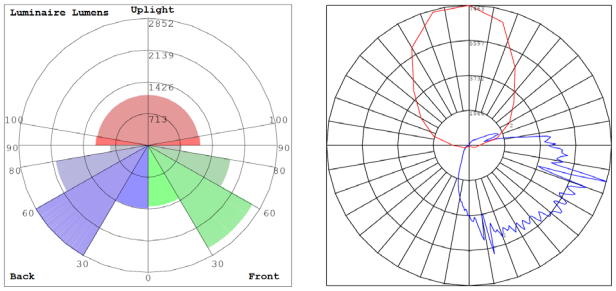
Other Models:

- 50W | 6800LM | WMX-MD-20-50W-30K
- 50W | 6800LM | WMX-MD-20-50W-40K
- 50W | 6800LM | WMX-MD-20-50W-50K
- 30W | 4200LM | WMX-SM-15-30W-30K
- 30W | 4200LM | WMX-SM-15-30W-40K
- 30W | 4200LM | WMX-SM-15-30W-50K
- 80W | 11200LM | WMX-MD-20-80W-30K
- 80W | 11200LM | WMX-MD-20-80W-40K
- 80W | 11200LM | WMX-MD-20-80W-50K

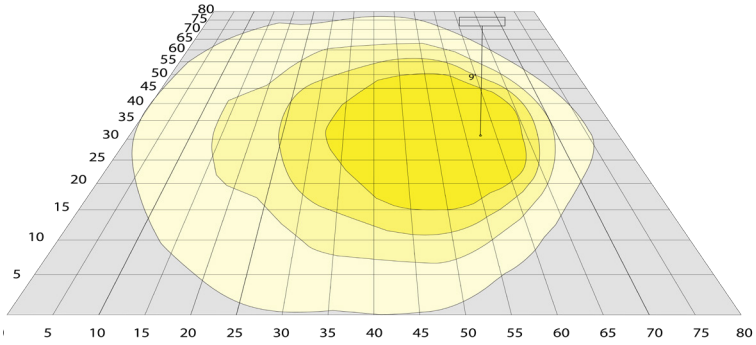
LISTED DLC DIMMING LUMILEDS IP65 WET LOCATION

Phone: (877) 805-2252 | Fax: (877) 805-2252
www.westgatemfg.com

Photometrics: WMX-LG-50-120W



BUG Rating: B3-U5-G4



Area 80'x 80' Mounting Height: 9'

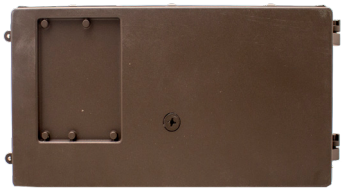
Other Views:



Side View



Front View



Back View

Performance Table: WMX-LG-50-120W

MODEL NO.	Wattage	Voltage	Lumens	Color Temp.	BUG Rating	LPW
WMX-LG-50-120W-30K	50W	120-277V	7000LM	3000K 4000K 5000K	B3-U5-G4	130
			7150LM			
			7300LM			
WMX-LG-50-120W-40K	80W		10500LM			
			10900LM			
			11300LM			
	100W		13100LM			
			13600LM			
WMX-LG-50-120W-50K			14100LM			
	120W		15300LM			
			15900LM			
			16500LM			

Sample Ordering

Model	Size	Min. Watt	Max. Watt	Color Temp.
WMX	LG	50	120W	

30K = 3000K
40K = 4000K
50K = 5000K

Accessories:

Blank = No Option For Accessories
WML-SH3= SHIELD FOR WMXPRO 120W

Factory-Installed Options:

Blank = No Option For Accessories
OPT-EM-OD1EXT = EXTERNAL EMERGENCY BACKUP BATTERY
OPT-SEN-3MRLV-5 = PROGRAMMABLE MICROWAVE (BI-LEVEL FOR 80W & UP)
OPT-PC-B = BUTTON
OPT-CLR-85 = COLOR PAINT
WEC-8RC= REMOTE CONTROL
OPT-TRS-T20 = TAMPER RESISTANT SCREW
OPT-WP-480V = CHANGE VOLTAGE

ACCESSORY:



WML-SH3

FACTORY-INSTALLED OPTIONS:



OPT-EM-OD3INT



OPT-PC-B



WEC-8RC



OPT-SEN-3MRLV-5

Example:

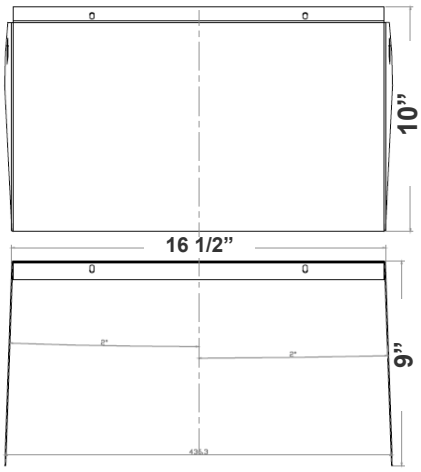
1. **WMX-LG-50-120W-50K** (FOR 120W MAX 50K FIXTURE 120-277V)

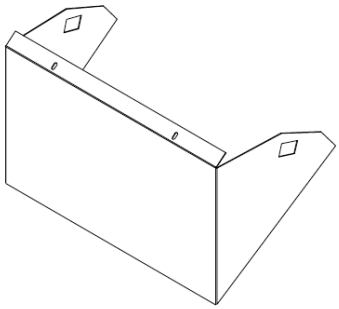
2. **WMX-LG-50-120W-50K** (FOR 120W MAX 50K FIXTURE 120-277V)
   OPT-EM-OD3INT (INTERNAL EMERGENCY BACKUP BATTERY)

Dimensions:



WML-SH3
SHIELD FOR WMXPRO 120W






THE ROW




THE ROW



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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