



City of Costa Mesa

PLANNING COMMISSION

Agenda

Monday, September 12, 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.
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3. Zoom Webinar:

Please click the link below to join the webinar:

<https://zoom.us/j/96060379921?pwd=N2lrbzhJM2hWU3puZkk1T3VYTXhoQT09>

Or sign into Zoom.com and “Join a Meeting”

Enter Webinar ID: 960 6037 9921 / Password: 595958

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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.

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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.

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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.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance.

En conformidad con la Ley de Estadounidenses con Discapacidades (ADA), aparatos de asistencia están disponibles y podrán ser prestados notificando a la Secretaria Municipal. Si necesita asistencia especial para participar en esta junta, comuníquese con la oficina de la Secretaria Municipal al (714) 754-5225. Se pide dar notificación a la Ciudad por lo mínimo 48 horas de anticipación para garantizar accesibilidad razonable a la junta. [28 CFR 35.102.35.104 ADA Title II]. Servicios de traducción de idioma están disponibles para esta junta llamando al (714) 754-5225 por lo mínimo 48 horas de anticipación.

PLANNING COMMISSION REGULAR MEETING

MONDAY, SEPTEMBER 12, 2022 AT 6:00 PM

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: (Next Page)

1. [PLANNING APPLICATION 21-07 FOR A CONDITIONAL USE PERMIT 22-846 TO ALLOW OFF-SITE VALET PARKING AND OUTDOOR SEATING FOR AN EXISTING RESTAURANT \(TRENTA PIZZA & CUCINA\) LOCATED AT 1661 SUPERIOR AVENUE, SUITE C & D AND ZONING APPLICATION 19-50 \(ZA-17-16 A1\) FOR A MINOR CONDITIONAL USE PERMIT TO MODIFY PREVIOUSLY APPROVED CONDITIONS OF APPROVAL FOR RESTAURANT OPERATIONS](#)

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) Section 15301 (Class 1), Existing Facilities; and
2. Approve Planning Application 21-07 and Zoning Application 19-50 (ZA 17-16 A1), subject to conditions of approval.

Attachments: [1. Draft Planning Commission Resolution](#)

[2. Applicant Letter](#)

[3. Vicinity Map](#)

[4. Zoning Map](#)

[5. Site Photos](#)

[6. Temporary Outdoor Use Permit \(TUP\) Approval Letter \(11.30.20\)](#)

[7. Shared Parking Demand Table](#)

[8. Project Plans](#)

[9. Public Comment](#)

2. [PLANNING APPLICATION 21-23 FOR A RETAIL CANNABIS 22-847 STOREFRONT BUSINESS LOCATED AT 1687 ORANGE AVENUE \(KING'S CREW\)](#)

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 21-23, 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](#)

OLD BUSINESS: None.

NEW BUSINESS: None.

DEPARTMENT REPORTS:

1. PUBLIC WORKS REPORT

2. DEVELOPMENT SERVICES REPORT

CITY ATTORNEY REPORTS:

1. CITY ATTORNEY

ADJOURNMENT

Next Meeting: Planning Commission regular meeting, Monday September 26, 2022 at 6:00 p.m.



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-846

Meeting Date: 9/12/2022

TITLE:

PLANNING APPLICATION 21-07 FOR A CONDITIONAL USE PERMIT TO ALLOW OFF-SITE VALET PARKING AND OUTDOOR SEATING FOR AN EXISTING RESTAURANT (TRENTA PIZZA & CUCINA) LOCATED AT 1661 SUPERIOR AVENUE, SUITE C & D AND ZONING APPLICATION 19-50 (ZA-17-16 A1) FOR A MINOR CONDITIONAL USE PERMIT TO MODIFY PREVIOUSLY APPROVED CONDITIONS OF APPROVAL FOR RESTAURANT OPERATIONS

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT / PLANNING DIVISION

PRESENTED BY: JUSTIN ARIOS, ASSOCIATE PLANNER

CONTACT INFORMATION: JUSTIN ARIOS, 714.754.5667; Justin.Arios@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) Section 15301 (Class 1), Existing Facilities; and
2. Approve Planning Application 21-07 and Zoning Application 19-50 (ZA 17-16 A1), subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant is Marco Palazzo with Trenta Pizza & Cucina, for the property owner, 126 Properties LLC and 1645 Superior Ave LLC.

BACKGROUND:

Project Site / Environs

The subject property is located along Superior Avenue, between West 16th Street and West 17th Street. The property is zoned MG (General Industrial), and has a General Plan land use designation of Light Industrial; the subject property is also located within the 19 West Urban Plan. Physical on-site improvements include an 8,446-square-foot single-story, multi-tenant building, with a 25-space parking lot, and two points of ingress/egress located on Superior Avenue. The project site is surrounded by properties with the same zoning designation of MG (General Industrial); however, there are two residential live/work communities (zoned MG, General Industrial) located to the north and west of the project site, and developed pursuant to the 19 West Urban Plan: Superior Pointe (PA-13-22, 1667 and 1695 Superior Avenue) and Mesa West Bluffs Urban Plan: Westside Gateway (PA-

14-29, 671 West 17th Street).

Prior Land Use Approvals

On June 22, 2017, the Zoning Administrator approved Minor Conditional Use Permit (MCUP) ZA-17-16, allowing a proposed restaurant (Superior Pie and Liquor) with more than 300 square feet of public seating area to deviate from shared parking requirements applied to the subject multi-tenant center. The deviation from shared parking requirements was approved based on offset hours of operation of the restaurant with the other businesses on-site. The MCUP also approved a small outdoor patio for the restaurant, in accordance with Costa Mesa Municipal Code (CMMC) Section 13-47 and 13-48. The applicant (Trenta Pizza & Cucina) has since taken over the previously approved restaurant space and its entitlements.

The previously approved hours of operation for the restaurant use are:

- Monday through Friday, 8 AM to 12 PM and 4 PM to 11 PM (the business closed between 12 PM and 4 PM, Monday through Friday); and
- Saturday and Sunday, 8 AM to 11 PM

A link to the staff report for the approval can be found in the links below:

[<https://www.costamesaca.gov/home/showpublisheddocument/26538/636490563866670000>](https://www.costamesaca.gov/home/showpublisheddocument/26538/636490563866670000)

Temporary Use Permit (TUP) for Outdoor Dining Approval

On June 2, 2020, in response to the COVID-19 pandemic and the associated State regulations limiting indoor activities for restaurants and other uses, the City Council approved Urgency Ordinance No. 2020-15, which temporarily suspended the permit requirements and development standards for outdoor activities and parking applicable to dining patios, places of religious assembly, and valet parking. The ordinance authorized the issuance of "Temporary Use Permits" to allow for such uses, subject to certain requirements. On November 2, 2021, the City Council extended the Urgency Ordinance for an additional year, to expire on December 31, 2022. Links to the agenda reports and attachments are provided in the below links:

- June 2, 2020 Meeting
[<http://ftp.costamesaca.gov/costamesaca/council/agenda/2020/2020-06-02/NB-3.pdf>](http://ftp.costamesaca.gov/costamesaca/council/agenda/2020/2020-06-02/NB-3.pdf)
- November 2, 2021 Meeting
<https://costamesa.legistar.com/LegislationDetail.aspx?ID=5199894&GUID=C2D70299-4982->

On November 30, 2020, a Temporary Use Permit (TUP) for outdoor dining was approved for the current restaurant, in accordance with Ordinance No. 2020-15. Similar to the currently proposed project, the TUP approval allowed for an additional 842 square feet of patio seating area. The TUP approval is provided as an attachment to this report.

DESCRIPTION:

The proposed project involves the following requests:

1. Planning Application PA-21-07 is a request for a Conditional Use Permit to allow off-site valet parking at 1645 Superior Avenue for the use of the property at 1661 Superior Avenue, and a

request to permanently allow outdoor seating for the restaurant in the same size and configuration temporarily permitted pursuant to the previously approved TUP.

2. Zoning Application ZA-19-50 (ZA-17-16 A1) is a request to amend the restaurant's previously approved Minor Conditional Use Permit to modify its conditions of approval.

ANALYSIS:

Existing / Proposed Restaurant Use and Outdoor Seating

As described in the applicant letter, the existing restaurant (Trenta Pizza & Cucina) has operated since 2019. As originally approved, the restaurant included 1,575 square feet of gross floor area and a 250-square-foot outdoor patio area. On November 30, 2020, the restaurant obtained approval of a Temporary Use Permit (TUP) to expand the outdoor patio. The TUP approved the use of four onsite parking spaces to accommodate an additional 842 square feet of outdoor patio seating area. The TUP approved seating area includes artificial turf beneath the seating, portable planters and empty wine barrels separating the seating area from the drive aisle, and portable propane heaters. The purpose of the TUP was to allow indoor restaurant operations to be conducted outdoors while indoor restaurant operations were limited by COVID-related regulations.

The applicant is now proposing to permanently allow the outdoor seating that was approved by the TUP. The restaurant is also proposing to modify their previously approved hours of operation (including use of the outdoor seating) to Sunday through Thursday, 5 PM to 9 PM, and Friday and Saturday, 5 PM to 10 PM, and proposes weekend lunchtime hours (11:30 AM to 2:30 PM). However, the restaurant would use only the 250-square-foot outdoor patio previously approved under ZA-17-16, and would not utilize the 842-square-foot patio seating area in the parking lot during the weekend lunchtime hours. The applicant proposes to remove the outdoor seating area when not in use by the restaurant, making three of the existing parking spaces available for use by the other tenants on-site during non-restaurant hours of operation.

Required Parking

The restaurant is located in a multi-tenant industrial center. The applicant provided the current tenant list with hours of operation for the uses that exist on-site, provided in the below, Table 1 (next page).

Table 1

Address	Business Name	Suite Size	Hours of Operation	
1661 Superior, Suite A	Davis Ink	1,800 SF	Monday – Friday: Saturday & Sunday:	9 AM to 6 PM
1661 Superior, Suite C	Trenta Pizza & Cucina	575 SF	Sunday:	11:30 AM to 2:30 PM & 5 PM to 9 PM
1661 Superior, Suite D		1,575 SF	Monday – Thursday: Friday: Saturday:	5 PM to 9 PM 5 PM to 10 PM 11:30 AM to 2:30 PM & 5 PM to 10 PM
1663 Superior, Suite A	Crème Collective	1,500 SF	Monday – Friday; Saturday & Sunday:	9 AM to 5 PM CLOSED
1663 Superior, Suite B	The Unlikely Cyclist	2,996 SF	Sunday & Monday: Tuesday – Thursday: Friday: Saturday:	CLOSED 10 AM to 4 PM 10 AM to 5 PM 12 PM to 5 PM

The industrial center is developed with 8,446 square feet of total floor area. In accordance with Costa Mesa Municipal Code (CMMC) Section 13-89, Table 13-89, the parking requirement for an industrially-zoned property is three spaces per 1,000 square feet of gross floor area; therefore the project site complies with the 25 parking space parking requirement for the industrial zoning designation of the property. However, the required parking ratio for a food or beverage use with more than 300 square feet of public area is 10 spaces per 1,000 square feet of gross floor area, including any outdoor seating that is associated with the use.

In accordance with CMMC Table 13-89, when a single-development, multiple-tenant site includes mixed uses that share the same parking, the total requirement for parking is determined by the “City of Costa Mesa Procedure for Determining Shared Parking Requirements.” Based on the attached Shared Parking Demand Table for the project site and considering the current mix of uses at the subject property, the total required parking for the restaurant use (including the enlarged outdoor seating and the additional suite area) and the other onsite industrial businesses is 38 parking spaces; 22 parking spaces would be available onsite when the enlarged outdoor patio is operational and 25 spaces would be available when only the 250-square-foot smaller patio is being used. Pursuant to the CMMC, the applicant is requesting Planning Commission approval to compensate for the deficient parking by the use of off-site valet parking as further described below.

Proposed Valet and Off-Site Parking

In accordance with CMMC Section 13-93(m), all required off-street parking spaces shall be located on the same lot as the use for which it is required, except when authorized by a conditional use permit. In addition, CMMC Section 13-96 indicates that all parking spaces shall be made permanently available for automobile parking, with valet parking being able to be offered when authorized by a conditional use permit.

The applicant has obtained an agreement with the owner of the property located at 1645 Superior Avenue, currently occupied by Beach Cities Car Wash, for off-site and valet parking spaces to serve the restaurant on weekday and weekend evenings. The car wash is located approximately 200 feet to the south of the restaurant location. The existing hours of operation for the car wash are 10 AM - 5 PM, seven days a week and therefore would not conflict with the proposed restaurant valet parking

hours of operation that begin after the car wash closes.

During restaurant operations (with the exception of weekend lunchtime), the applicant proposes to use both the existing restaurant parking lot at 1661 Superior Avenue and the parking lot at 1645 Superior Avenue for restaurant parking. Including the car wash parking lot spaces (39 spaces) and the on-site restaurant parking lot spaces (22 spaces), the restaurant would maintain a total of 61 valet parking spaces for customers. Based on the aforementioned shared parking standards, the restaurant would operate with a surplus of 23 parking spaces.

In regard to the proposed weekend lunchtime hours (11:30 AM to 2:30 PM), on-site parking is sufficient to support the anticipated demand based on the shared parking demand calculation for the site during those times, and because the enlarged outdoor seating area will not be used. Based on the shared parking demand calculation, the weekend peak demand for the site is 21 spaces from 6 AM to 5 PM. Further, without the use of the outdoor dining area within the parking lot, 25 parking spaces are available onsite. Refer to Table 2, Parking Analysis Summary.

Table 2

Restaurant Hours	Parking Required	Parking Provided
<u>Monday – Thursday & Sunday</u> 5PM – 9PM	38 spaces ^{1,2}	Onsite – 22 spaces
<u>Friday & Saturday</u> 5PM – 10PM		Offsite Valet – 39 spaces <u>Total – 61 spaces</u>
<u>Saturday & Sunday</u> 11:30AM – 2:30 PM	21 spaces ^{1,3}	<u>Onsite – 25 spaces</u>
Note 1: Based on the shared parking demand analysis; Note 2: Including the 1,092-square-foot outdoor patio (250-square-foot patio approved pursuant to ZA-17-16 plus the 842-square-foot outdoor patio area using the parking lot); Note 3: Including the 250-square-foot outdoor patio approved pursuant to ZA-17-16.		

A professional valet service (Alpha Professional Corp.) has been contracted to operate the proposed valet parking for the restaurant. Three to four valet attendants would be available to park customer's vehicles during restaurant hours. The following generally summarizes the applicants' proposed valet operation plan:

- 1) The proposed valet drop-off and pick-up area would be located in the western portion of the restaurant parking lot.
- 2) Valet employees would direct customers to park on-site until the parking at the restaurant site has reached capacity.
- 3) Once the restaurant parking lot capacity has been reached, customers will enter the site from

the northern driveway (proposed as one-way circulation) and would drop-off their vehicle with the valet service.

- 4) The valet employees would then drive the cars to the off-site valet parking lot by exiting the restaurant parking lot's southern driveway, turning right onto Superior Avenue (toward the car wash site), and quickly turning right into the car wash property to park vehicles in designated spaces.
- 5) Vehicles will be locked and the valet employee would then return to the restaurant site using the existing sidewalk on Superior Avenue (the walking time from the car wash to the restaurant is approximately one to two minutes).
- 6) When returning vehicles to customers, the valet employees would exit the car wash parking area by turning left onto Superior Avenue and then left again into the restaurant site. Superior Avenue is improved with a two-way center left-turn lane that allows the valet service to safely wait for available left-hand turn movements.

The Transportation Division has reviewed the proposed site and valet operation plan and have indicated that the valet operations are anticipated to perform sufficiently, and without interruptions to the City's local circulation system.

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 continuing to provide 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 needs of the business and residential segments of the community.*

Consistency: The proposed project upholds the balance of land uses satisfying the needs of the community as it pertains to commercial goods and services, and employment opportunities by providing for outdoor dining restaurant options.

2. **Policy LU-6.7:** *Encourage new and retain existing businesses that provide local shopping and services.*

Consistency: The proposed project would encourage the retention of an existing established restaurant within the City, thus encouraging the long-term productivity and viability of the community's economic base. The proposed project would expand an existing successful local land use, which contributes to the City's tax base and ultimately preserves the City's long-term fiscal health.

3. Policy LU-6.19: *Provide flexibility and support for development of residential, office, small retail centers, and similar uses that would serve local residents and would also benefit from the high visibility along major corridors outside of significant commercial or industrial nodes.*

Consistency: Approval of the project would provide permanent restaurant outdoor seating that is currently being conducted under an approved TUP without neighborhood impacts and/or other land use issues. In addition, the proposed restaurant is consistent with the intent of Land Use Policy LU-1.1 because it provides an outdoor dining experience that signals economic vitality on one of the City's commercial corridors.

REQUIRED FINDINGS:

Pursuant to Title 13, Section 13-29(g)(2), Conditional Use Permit 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 demonstrates that the proposed project substantially meets specified findings. Staff recommends approval of the request, based on the following assessment of facts and findings, which are also reflected in the draft resolution.

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

The proposed project includes the permanent approval of an existing temporary outdoor seating area that is currently operating without impacts to neighboring properties. The applicant proposes to remove the outdoor seating area when not in use by the restaurant, making sufficient on-site parking spaces available for use by the other tenants on-site. The proposed outdoor patio is currently operating without affecting other properties in the area and therefore the permanent approval of the outdoor seating is not anticipated to result in impacts to surrounding properties. Lastly, as proposed, the site will be in conformance with Code required parking requirements for the restaurant and maintain a surplus of customer parking with the implementation of offsite valet parking. The offsite parking location at 1645 Superior is located in close proximity to the restaurant use, has appropriate access and circulation, and will be utilized while the onsite carwash business is closed. In addition, the valet parking plan has been reviewed by the City's Transportation Division and would be implemented by a professional valet service operator.

- *The proposed use and improvements 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 project would not generate adverse noise or traffic impacts that are unusual for this zoning designation in that conditions of approval require that the operation be conducted in a

manner that would allow for the quiet enjoyment of the surrounding neighborhood. Compliance with the applicable Building, Fire Safety and Health Codes will also ensure that the project is not materially detrimental to the health, safety and general welfare of the public or 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.

Granting the conditional use permit will not allow a use, density or intensity, which is not in accordance with the general plan designation and the applicable Urban Plan for the property. In accordance with CMMC Section 13-93(m) and Section 13-96, off-site parking and valet parking may be authorized with approval of a conditional use permit and as proposed with the off-site and valet parking, the use would maintain a parking surplus. In addition, the existing restaurant is a complementary use to the area, including the adjacent residential uses, and as conditioned, the restaurant does not generate noise or parking impacts unusual for an industrially-zoned property, and the current operations (which are essentially the same as proposed) do not adversely impact the surrounding uses. Lastly, the proposed project is consistent with applicable policies and objectives of the 2015-2035 General Plan as previously described in this report.

ENVIRONMENTAL DETERMINATION:

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 for Existing Facilities. This exemption allows for the alteration and permitting involving negligible or no expansion of an existing use. The proposed project involves approval of restaurant outdoor seating that is already operating under a temporary use permit. The project is also consistent with the applicable General Plan designation and all applicable general plan policies as well as with 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 for denial. If the project were denied, the applicant could not submit substantially the same type of application for at least six months.

LEGAL REVIEW:

The draft resolution has been reviewed and 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 sites. 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 the street frontage of the project sites.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper.

As of the date of this report's publishing, one written public comment has been received. Any public comments received prior to the September 12, 2022 Planning Commission meeting will be provided separately to the Planning Commission.

CONCLUSION:

Approval of the project will permanently allow outdoor seating for the existing restaurant (Trenta Pizza & Cucina) as well as allow the operation of off-site valet parking at 1645 Superior Avenue for the use of the property at 1661 Superior Avenue. The project is consistent with the General Plan, Zoning Code and 19 West Urban Plan, and with developments in the general neighborhood. In addition, approval of the project will improve parking and circulation conditions for the restaurant by providing professional valet services and increasing the parking supply for the restaurant during hours of operations. Lastly, the off-site valet parking area is available and not being used during proposed restaurant operations. Therefore, staff recommends approval of the proposed project, subject to the conditions of approval contained in the attached resolution.

RESOLUTION NO. PC-2022-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 21-07 FOR A CONDITIONAL USE PERMIT TO ALLOW OFF-SITE VALET PARKING AND TO PERMANENTLY ALLOW OUTDOOR SEATING FOR THE EXISTING RESTAURANT (TRENTA PIZZA & CUCINA) AND ZONING APPLICATION 19-50 (ZA-17-16 A1) FOR A MINOR CONDITIONAL USE PERMIT TO AMEND THE PREVIOUS APPROVAL FOR THE RESTAURANT (ZA-17-16) IN THE MG ZONE FOR PROPERTY AT 1661 SUPERIOR AVENUE, SUITE C & D

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

WHEREAS, Planning Application 21-07 and the first amendment to Zoning Application 17-16 was filed by Marco Palazzo (with Trenta Pizza), authorized agent for the property owner, 126 Properties LLC requesting approval of the following:

1. Planning Application 21-07 is a request for a Conditional Use Permit to allow off-site valet parking at 1645 Superior Avenue for the use of the property at 1661 Superior Avenue and a request to permanently allow outdoor seating for the restaurant, and
2. Zoning Application 19-50 (ZA-17-16 A1) is a request for a Minor Conditional Use Permit to amend the previously approved restaurant operating conditions.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 12, 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 21-07 and Zoning Application 19-50 (ZA-17-16 A1) 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 21-07 and Zoning Application 19-50 (ZA-17-16 A1) and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, 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 12th day of September, 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 September 12, 2022 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2022-____

EXHIBIT A

FINDINGS

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

Finding: The proposed 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 proposed project includes the permanent approval of an existing temporary outdoor seating area that is currently operating without impacts to neighboring properties. The applicant proposes to remove the outdoor seating area when not in use by the restaurant, making all 25 on-site parking spaces available for use by the other tenants on-site. The proposed outdoor patio is currently operating without affecting other properties in the area and therefore the permanent approval of the outdoor seating is not anticipated to result in impacts to surrounding properties. Lastly, as proposed, the site will be in conformance with Code required parking requirements for the restaurant and maintain a surplus of customer parking with the implementation of offsite valet parking. The offsite parking location at 1645 Superior is located in close proximity to the restaurant use, has appropriate access and circulation, and will be utilized while the onsite carwash business is closed. In addition, the valet parking plan has been reviewed by the City's Transportation Division and would be implemented by a professional valet service operator.

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 project would not generate adverse noise or traffic impacts that are unusual for this zoning designation in that conditions of approval require the operation to be conducted in a manner that would allow for the quiet enjoyment of the surrounding neighborhood. Compliance with the applicable Building, Fire Safety and Health Codes will also ensure that the project is not materially detrimental to the health, safety and general welfare of the public or 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: Granting the conditional use permit will not allow a use, density or intensity, which is not in accordance with the general plan designation and the applicable Urban Plan for the property. In accordance with CMMC Section 13-93(m) and Section 13-96, off-site parking and valet parking may

be authorized with approval of a conditional use permit and as proposed with the off-site and valet parking, the use would maintain a parking surplus. In addition, the existing restaurant is a complementary use to the area, including the adjacent residential uses, and as conditioned, the restaurant does not generate noise or parking impacts unusual for an industrially-zoned property, and the current operations (which are essentially the same as proposed) do not adversely impact the surrounding uses. Lastly, the proposed project is consistent with applicable policies and objectives of the 2015-2035 General Plan as described below.

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 needs of the business and residential segments of the community.*

Consistency: The proposed project upholds the balance of land uses satisfying the needs of the community as it pertains to commercial goods and services, and employment opportunities by providing for outdoor dining restaurant options.

2. **Policy LU-6.7:** *Encourage new and retain existing businesses that provide local shopping and services.*

Consistency: The proposed project would encourage the retention of an existing established restaurant within the City, thus encouraging the long-term productivity and viability of the community's economic base. The proposed project would expand an existing successful local land use, which contributes to the City's tax base and ultimately preserves the City's long-term fiscal health.

3. **Policy LU-6.19:** *Provide flexibility and support for development of residential, office, small retail centers, and similar uses that would serve local residents and would also benefit from the high visibility along major corridors outside of significant commercial or industrial nodes.*

Consistency: Approval of the project would provide permanent restaurant outdoor seating that is currently being conducted under an approved TUP without neighborhood impacts or other land use issues. In addition, the proposed restaurant is consistent with the intent of Land Use Policy LU-1.1 because it provides an outdoor dining experience that signals economic vitality on one of the City's commercial corridors.

- B. **Finding:** The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 for Existing Facilities. This exemption allows for the alteration and permitting involving negligible

or no expansion of an existing use. The proposed project involves approval of restaurant outdoor seating that is already operating under a temporary use permit and therefore complies with the CEQA Exemption. The project is also consistent with the applicable General Plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

- C. The project is exempt from Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. The use shall be limited to the type of operation described in this staff report: a restaurant use with offsite valet parking and an outdoor seating patio. Any change in the operational characteristics 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. The applicant is reminded that Code allows the Planning Commission to 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. The conditions of approval, code requirements, and special district requirements of PA-21-07 & ZA-17-16 A1 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 3. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers and/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 the City.
 4. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 5. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
 6. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures that are necessary to comply with this requirement.
 7. If parking problems arise, the restaurant shall institute appropriate operational measures necessary to minimize or eliminate the problem

including, but not limited to, reducing the operating hours of the business and/or obtaining an entitlement for additional off-site or valet parking.

8. All dining areas shall observe State and local health guidelines for restaurants.
9. Any service of alcoholic beverages in outdoor seating areas is subject to approval by the ABC.
10. The patio shall be posted with a contact phone number so any noise concerns can be reported to the business owner or her/his representative.
11. Any canopies or tents (with or without heaters) will require Fire and Building Department approval prior to installation.
12. The applicant shall maintain a parking agreement that secures offsite parking as described in the report. Should the agreement for off-site parking provided at 1645 Superior be terminated, the applicant must notify the Director of Economic and Development Services in writing at least 30 days prior to termination and modify operations appropriately (including but not limited to removal of outdoor seating), or secure other equivalent offsite parking to address parking requirements. Any changes to the off-site parking location or valet service may require an amendment to the Conditional Use Permit.
13. The restaurant shall operate the valet service and provide the available parking as described in the report. A minimum of three valet attendants shall be utilized.
14. The restaurant hours of operation, including the outdoor seating area, are Sunday through Thursday, 5 PM to 9 PM and Friday and Saturday, 5 PM to 10 PM. The restaurant may also be open weekend lunchtime hours (11:30 AM to 2:30 PM); however, during this time outdoor seating is limited to the 250-square-foot outdoor seating patio area noted on the approved plans and shall not include use of the expanded outdoor seating area located within the parking lot. .
15. When not in operation, the outdoor seating area shall be removed to provide for sufficient parking for the other onsite tenants, pursuant to the CMMC.
16. Valet attendants when entering or leaving the offsite parking location shall not “rev” engines and shall turn-off vehicles as soon as parked. Vehicle radios shall remain off at all times when on the offsite parking property. Valet attendants will also keep their voices low in respect to the adjacent residential properties.

CODE REQUIREMENTS

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to “City” pertains to the City of Costa Mesa.

- PIng. 1. Approval of the planning/zoning application is valid for two (2) 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 a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; 2) a certificate of occupancy has been issued; or 3) the use has been established and a business license has been issued. A time extension can be requested no less than thirty (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.
2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
3. Development shall comply with all requirements of Articles 5 and 9, Chapter V, Title 13 of the Costa Mesa Municipal Code relating to industrial development standards.
4. Parking stalls on both projects site locations (1661/1663 Superior Ave. & 1645 Superior Ave.) shall be double-striped in accordance with City standards.
5. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
- Bldg. 6. Comply with the requirements of the following adopted codes: 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 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.
7. Prior to issuing the Building permit the conditions of approval shall be on the approved Architectural plans.
8. A change of occupancy shall require compliance with the Disabled access requirements of chapter 11B of the 2019 California Building Code.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- AQMD 1. Prior to the Building Div. (AQMD) issuing a demolition permit contact South Coast Air Quality Management District 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 Division will not issue a demolition permit until an Identification number is provided by AQMD.
2. Applicants shall contact the Air Quality Management District (AQMD) at 1-(800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD
- County 3. Provide a plan to the County of Orange Health Department for review and approval.



Superiore Pizza LLC
dba Trenta Pizza - Cucina
1661 Superior Ave Ste. D
Costa Mesa, CA 92627
T. 949 270 6652
info@trentapizza.com

October 22, 2021 (Original Submittal Date)
January 26, 2022 (1st Resubmittal Date)
February 10, 2022 (2nd Resubmittal Date)
June 15, 2022 (3rd Resubmittal Date)

City of Costa Mesa
Planning Department
77 Fair Drive
Costa Mesa, CA 92626

R.E. Applicant Letter, Permanent Outdoor Dining, and Valet Parking
Attn. Justin Arios, Associate Planner

Dear Mr. Arios,

Project Description:

Trenta Pizza & Cucina has been operating since 2019 serving the community of Costa Mesa and the surrounding area. During the last two years (2020, 2021) Covid 19, the global pandemic has affected all of us across the nation and world.

ATTACHMENT 2

During these difficult times, customers of Trenta have voiced their concern for social distancing and since we all enjoy the Mediterranean climate in Southern California, they have expressed a desire to dine outdoors. With that said, Trenta applied for a Temporary Outdoor Dining permit.

Now that the customers of Trenta have enjoyed the outdoor dining experience, Trenta would now like to continue the outdoor dining experience on a permanent basis.

At the end of operating hours, we will remove all of the outdoor seating area and conveniently store it in the adjacent existing city-approved patio. This frees the parking lot for the neighboring businesses during their hours of operations. Trenta Pizza & Cucina STE D operating hours are listed below in this letter. Suite C will be solely used as extra storage for paper goods and/or to-go containers. There are no hours of operation for the storage.

A total of (4) spaces were initially lost due to Temporary Outdoor Dining access therefore no additional parking spaces will be lost from converting the Temporary Outdoor Dining to Permanent Outdoor Dining. In order to provide a more efficient and safer service to our community Trenta is proposing to hire a Valet Parking company. If the Valet parking permits will be approved a total of (39) spaces will be added to the total parking of the mall. Our proposed Patio is not shared between all tenants, but the other tenants will have access to the Valet Parking service if needed and with no charge.

The existing city approved area of the patio at Trenta is 250 sq. ft. and the proposed Permanent Outdoor Dining Area is 842 sq. ft.

Trenta is proposing to hire a Valet Parking Service to provide a safe drop off and pick up zone in the limited parking lot. The Valet Runners will park the cars off-site at an agreed upon location with business neighbor on 1645 Superior Ave (Beach Cities Car Wash).

The use for outdoor dining will not be materially detrimental to other tenants or properties in the same area because the hours of operations of the other tenants and the business neighbor Beach Cities Car Wash (where the Valet Parking will operate) will not be in conflict with the hours of operation of the restaurant.

Beach Cities Car Wash 1645 Superior Ave (proposed Valet off site parking)

MON-SUN 10am-5pm

No ADA space from the off-site valet parking site will be removed.

Refer to revised Architectural Plans dated 02-09-22 for Proposed Permanent Outdoor Dining size and location.

Tenant list and hours of operation at Midway Market:

Trenta pizza & cucina: 1661 Superior Ave ste D

SUN 11:30am to 2:30pm, and 5pm to 9pm

MON 5pm to 9pm

TUES-THURS 5pm to 9pm

FRI 5pm to 10pm

SAT 11:30am to 2:30pm, and 5pm to 10pm

The Unlikely cyclist: 1663 Superior Ave ste B

MON CLOSED

TUES-THURS 10am to 4pm

FRI 10am to 5pm

SAT 12pm to 5pm

SUN Closed

Crème Collective: 1663 Superior Ave ste A

MON-FRI 9am to 5pm

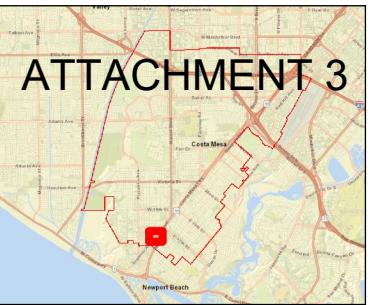
SAT-SUN CLOSED

Davis Ink: 1661 Superior Ave ste A

MON-FRI 9am to 6pm

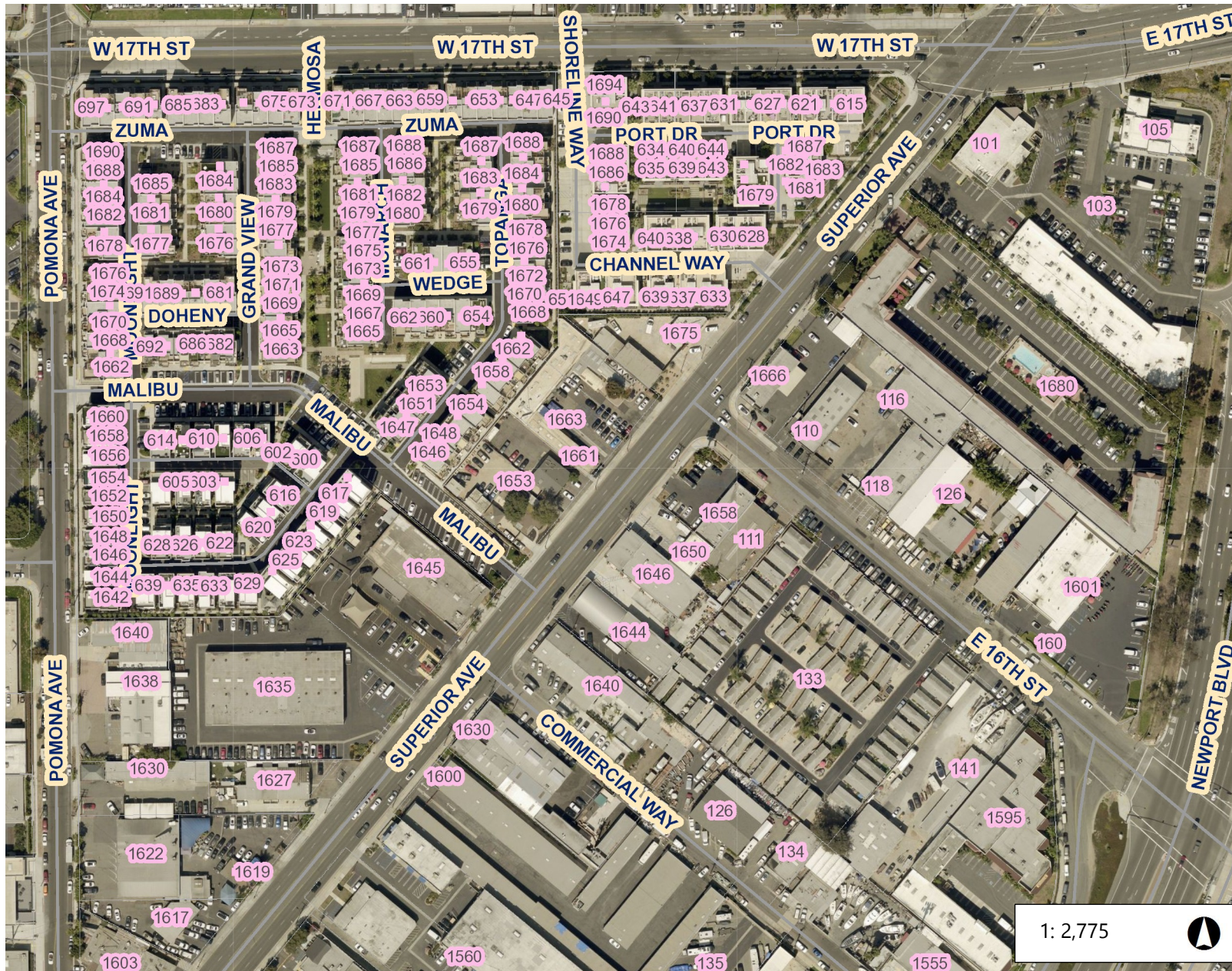
SAT-SUN CLOSED

Sincerely,
Marco Palazzo & Giorgio Buzzanga
Trenta Pizza & Cucina Managing Member & Owners.



Legend

 Costa Mesa

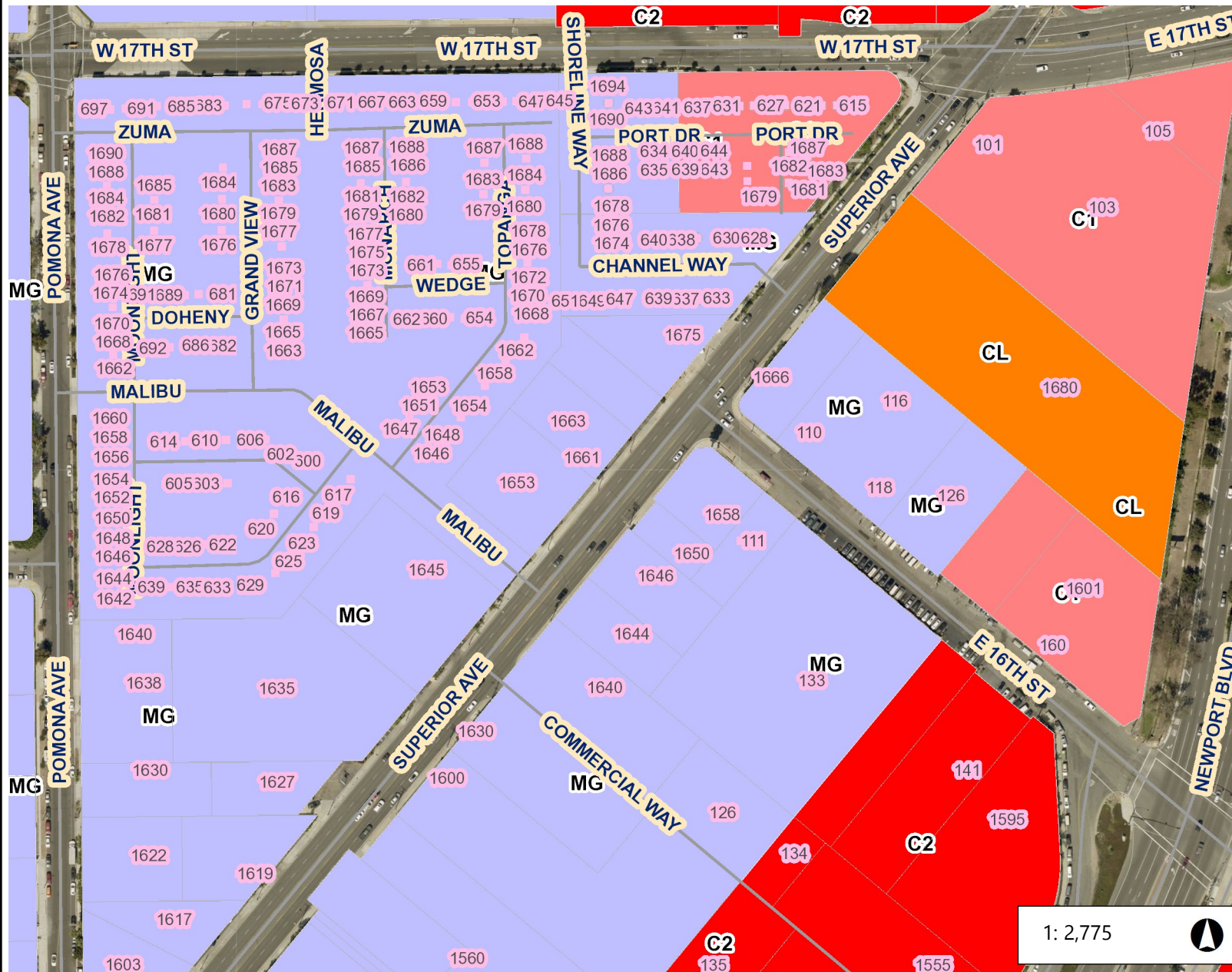


Notes

0.1 0 0.04 0.1 Miles

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© 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.



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

1: 2,775



0.1 0 0.04 0.1 Miles

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© City of Costa Mesa

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Notes

1661 SUPERIOR AVENUE (PA-21-07 & ZA-17-16 A1)

EXISTING SITE PHOTOS



1645 SUPERIOR AVENUE (PA-21-07 & ZA-17-16 A1)

EXISTING SITE PHOTOS





CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

November 30, 2020

Trenta Pizza Cucina
 1661 Superior Avenue, STE. D.
 Costa Mesa, CA 92626

**RE: TEMPORARY USE PERMIT – OUTDOOR DINING
 1661 SUPERIOR AVENUE, STE. D**

Dear Marco and Giorgio:

In compliance with City Council Urgency Ordinance No. 2020-15, the City of Costa Mesa (the City) has reviewed and approved your request for temporary outdoor seating related to the COVID-19 pandemic. The outdoor dining approval is subject to the approved plan and conditions below. Any alterations to the outdoor dining must be approved by the City. The approval is valid through December 2, 2021, or the end of the State of Emergency, whichever comes first – unless the temporary approval is extended by the City Council.

Approval parameters: General

- All dining areas shall observe State and local health guidelines for restaurants
- Temporary outdoor seating is restricted to serving existing, on-site restaurants
- Any service of alcoholic beverages in these temporary areas is subject to approval by the ABC
- Temporary outdoor dining on a property within 200 feet of a residential zone to be closed between 11 PM and 6 AM
- Patio shall be posted with a contact phone number so any noise concerns can be reported to the business owner or her/his representative
- Businesses which are permitted to have indoor entertainment shall maintain all such entertainment inside the premises, with no amplification or speakers to broadcast or pipe the entertainment to the outdoor areas.
- The combined occupancy of the existing and temporary indoor and/or outdoor spaces shall not exceed the approved occupant load listed on the certificate of occupancy under non-COVID pandemic conditions.

Parameters specific to private parking lots:

- As indicated on the approved plans, only parking areas and/or driveways abutting a restaurant or access to a restaurant shall be permitted to be converted to temporary outdoor dining – no satellite patio spaces or crossing of active drive aisles would be permitted unless otherwise approved by staff
- Clearly visible safety barriers (such as planters and other vertical barriers) are required so drive aisles/access for drivers is clearly visible – including in the evening hours
- Temporary outdoor dining must allow for adequate vehicular circulation
- Use of shared parking lots for temporary outdoor seating should be closely coordinated with landlords and/or other users
- Any canopies or tents will require typical Fire and Building Department approval prior to installation

As a reminder, **all temporary improvements will be required to be removed and any temporary activity discontinued by December 2, 2021** unless the City Council extends the expiration date of Urgency Ordinance No. 2020-15.

If you have any questions, feel free to contact me at 714.754.4883 or via email at Christopher.Yeager@costamesaca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'C Yeager', with a long horizontal flourish extending to the right.

CHRIS YEAGER
Assistant Planner

Enclosure: Approved Plans
 Signed Application



TEMPORARY USE PERMIT APPLICATION OUTDOOR DINING

Planning Division: 714.754.5245 | planninginfo@costamesaca.gov

Address: 1661 SUPERIOR AVE, STE. D, COSTA MESA CA 92627
Business Name: TRENTA PIZZA CUCINA
Applicant: MARGARITA B. J. ZANUCCI
Contact information: Phone: 949 699 4657 Email: info@Trenta.pizza.com
Property Owner name: JOHN MOREHART
Contact information: Phone: 949 289 6465 Email: johnmorehart@sbglobal.net

Area to be used: ☒ Parking lot ☐ Expansion into another building ☐ Public right-of-way

A detailed site plan, depicting the location of the outdoor dining patio/area, is required to be attached. In addition, include the following information on the site plan: dimensions of the outdoor patio, vertical barrier type and location, tent/canopy location including total square footage, distance of the tent/canopy from existing building(s) and surrounding property lines, any umbrellas or other shade structures, and any ground coverings such as astroturf. Attached site plans can be modified for your use.

Tent, canopies, or other shade structures:

☐ Yes, I will be using a tent Tent size: ☒ No, I will not be using a tent

Approval parameters: General (applies to all)

- All dining areas shall observe State and local health guidelines and requirements for restaurants; refer to covid19.ca.gov for the most up-to-date health guidelines from the State and ochealthinfo.com for local guidelines from the County of Orange. A temporary use permit **CANNOT** and **will NOT** be issued if in conflict with State or County of Orange health guidelines and mandates at the time of applying for the temporary use permit.
- Temporary outdoor seating is restricted to serving existing, on-site restaurants
- Any service of alcoholic beverages in these temporary areas is subject to approval by the ABC; a copy of ABC's approval will be required prior to approval of the temporary use permit
- Temporary outdoor dining on a property within 200 feet of a residential zone to be closed between 11 PM and 6 AM
- Patio shall be posted with a contact phone number so any noise concerns can be reported to the business owner or her/his representative
- A minimum 4-foot-wide pedestrian access is required to accommodate wheelchairs
- Businesses which are permitted to have indoor entertainment shall maintain all such entertainment inside the premises, with no amplification or speakers to broadcast or pipe the entertainment to the outdoor areas.
- No music or other sound amplification is permitted in the outside area nor is it permitted to be audible outside the businesses' premises
- Approval for temporary use shall be for a period of no longer than 180 days (from the date the urgency ordinance was adopted by City Council on June 2, 2020) unless the temporary approvals are extended, subject to a similar reconsideration and potential extension at that time. All temporary improvements – such as barriers, tents, canopies, etc. – will be required to be removed by December 2, 2020 unless Urgency Ordinance No. 2020-15 is extended by the City Council
- Case by case review is possible for expanding restaurant seating area inside of an existing vacant building adjacent to the restaurant (subject to State and County of Orange guidelines for indoor dining)
- The combined occupancy of the existing and temporary indoor and/or outdoor spaces shall not exceed the approved occupant load listed on the certificate of occupancy under non-COVID pandemic conditions.

Parameters specific to private parking lots:

- Only parking areas and/or driveways abutting a restaurant or access to a restaurant shall be permitted to be converted to temporary outdoor dining – no satellite patio spaces or crossing of active drive aisles would be permitted unless otherwise approved by staff

- Clearly visible safety barriers (such as planters and other vertical barriers) are required so drive aisles/access for drivers is clearly visible – including in the evening hours
- Temporary outdoor dining must allow for adequate vehicular circulation
- Use of shared parking lots for temporary outdoor seating should be closely coordinated with landlords and/or other users
- Any shade structures, canopies or tents will require typical Fire Department and Building Division approval prior to installation. A temporary use permit will **NOT** be issued until the tents or canopies have been issued a permit by the Fire Department AND Building Division (Note: each review is separate from each other). Contact the Fire Department (firedepartment@costamesaca.gov) and the Building Division (buildingpermit@costamesaca.gov) for tent permit submittal requirements
- Accessible parking spaces including the access aisle and accessible path of travel must be maintained; no outdoor area may encroach or obstruct the accessible parking spaces, access aisle, or path of travel

Parameters specific to public rights-of-way:

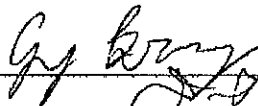
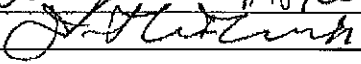
- Temporary outdoor seating shall be adjoining or in immediate vicinity to the restaurant
- A minimum 4-foot-wide pedestrian access is required to accommodate wheelchairs
- Pedestrian or vehicular ingress/egress to the subject and/or other businesses may not be obstructed
- An encroachment permit shall be obtained before the establishment of temporary outdoor dining spaces in public rights-of-way; contact the Public Services Department at either 714.754.5323 or permits-ps@costamesaca.gov
- Umbrellas only will be permitted; no canopies or tents will be allowed within public rights-of-way

Additional information regarding the operation may be submitted on a separate sheet/page.

By signing this application, the business and property owners acknowledge that they will comply with the above parameters as well as the limitations of the dining patio as shown on the approved site plan. Failure to comply or causing impacts on neighboring residents could be a basis for summarily revoking this temporary use permit.

Business Owner signature and date:

Property Owner signature and date:

 9/18/20
 09/18/2020

9.28.2020

ADA 1	←
ADA 2	←

LEGEND;



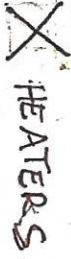
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TABLES



CHAIRS



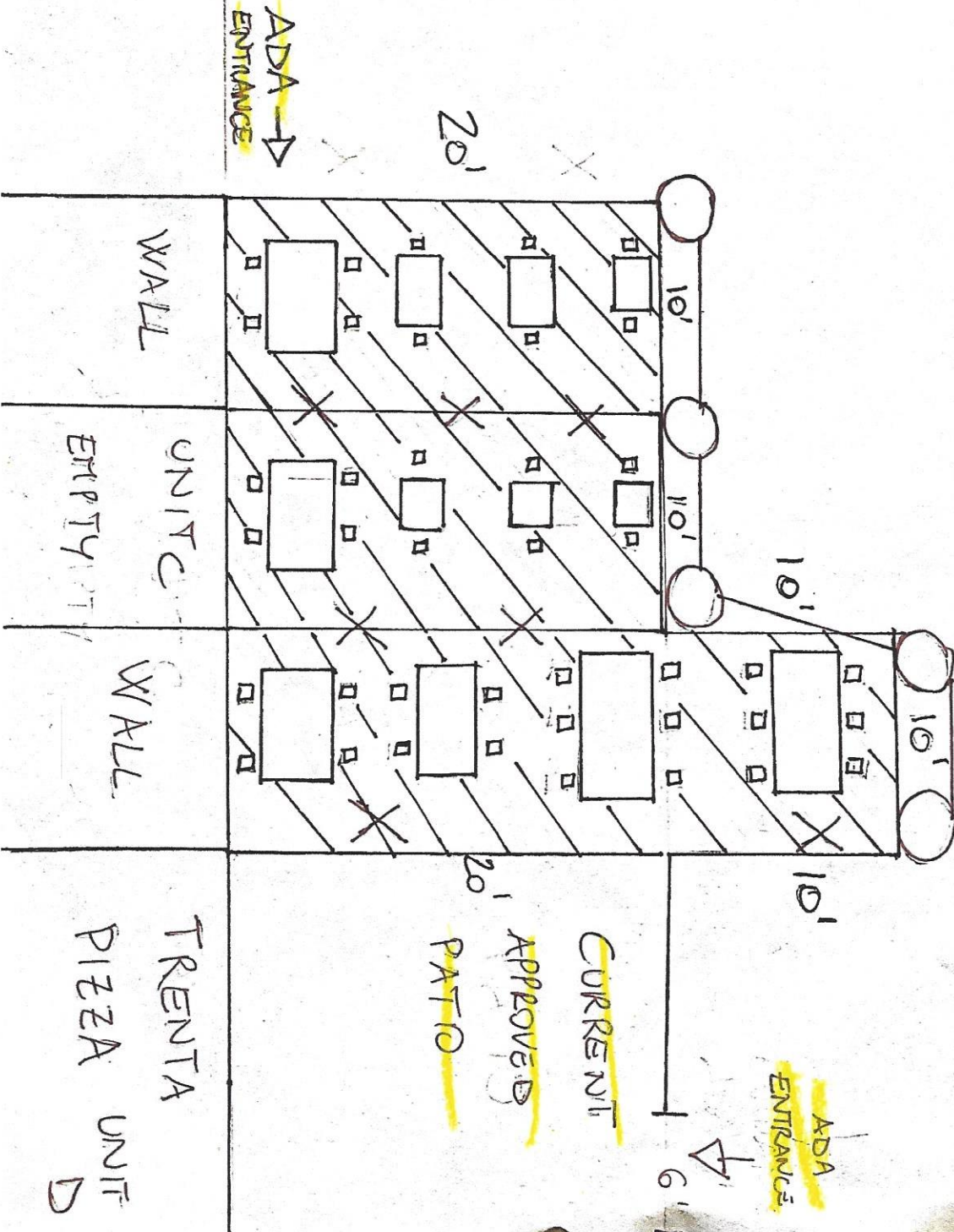
HEATERS



BARRELS



CORD





Jacob Applegate, Director

COVID-19 TEMPORARY CATERING AUTHORIZATION



Gov. Gavin Newsom, Governor

Licensee Name: SUPERIORE PIZZA, LLC
License Number: 41-591811
Business Name: TRENTA PIZZA E CUCINA

WHEREAS, the Department of Alcoholic Beverage Control has temporarily suspended certain limitations pertaining to Business and Professions Code Section 23399 and Rule 60.5 (Catering Authorizations); and,

WHEREAS, the above licensee has applied for a Covid-19 Temporary Catering Authorization to temporarily expand their existing licensed premises; and,

WHEREAS, applicant attests to having legal responsibility and control of the temporarily expanded area; and,

WHEREAS, applicant acknowledges the temporarily expanded area is intended to create additional dining space and must be used as such; and,

WHEREAS, the Covid-19 Temporary Catering Authorization must be used in accordance with state and local health and safety directives;

NOW THEREFORE, said Covid-19 Temporary Catering Authorization is issued subject to the following conditions:

1. This authorization is limited to service of those alcoholic beverages authorized by the applicant's license type.
2. This authorization is limited to service of alcoholic beverages during times in which bona fide meals are being served in the expanded area, whether by the licensee or another person under agreement with the licensee.
3. All operating conditions imposed on the applicant's permanently licensed premises shall remain in effect and be subject to enforcement, except as to any conditions that the Department has determined will not be enforced under other Notices of Regulatory Relief.
4. Although new operating conditions may or may not be placed on this authorization at the time of issuance, if the Department determines that operation of the temporarily authorized area is contrary to public health, safety, or welfare, new or additional operating conditions may be added to this authorization after issuance or it may be canceled.
5. Upon request by any Peace Officer, the licensee or responsible person shall immediately provide this Covid-19 Temporary Catering Authorization as evidence of their ability to utilize the expanded area.
6. In addition to the above, the following operating conditions are imposed on this authorization:

See Attached for conditions.

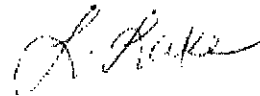
This Covid-19 Temporary Catering Authorization, along with a diagram of the expanded area (Form ABC-253) must be kept on-site and available for review during all times that alcoholic beverages are being sold, served, or consumed in the expanded area.

Violation of the operating conditions herein may result in revocation of this authorization and administrative action being taken against the license number under which the authorization has been issued.

Additionally, the Department of Alcoholic Beverage Control may summarily revoke this authorization should the Department, in its discretion, determine that the public welfare and morals are being impaired, or a law enforcement problem is being created.

Name of ABC Official Approving This Authorization: Linda Lake

Signature of ABC Official and Date of Approval:



9/18/20

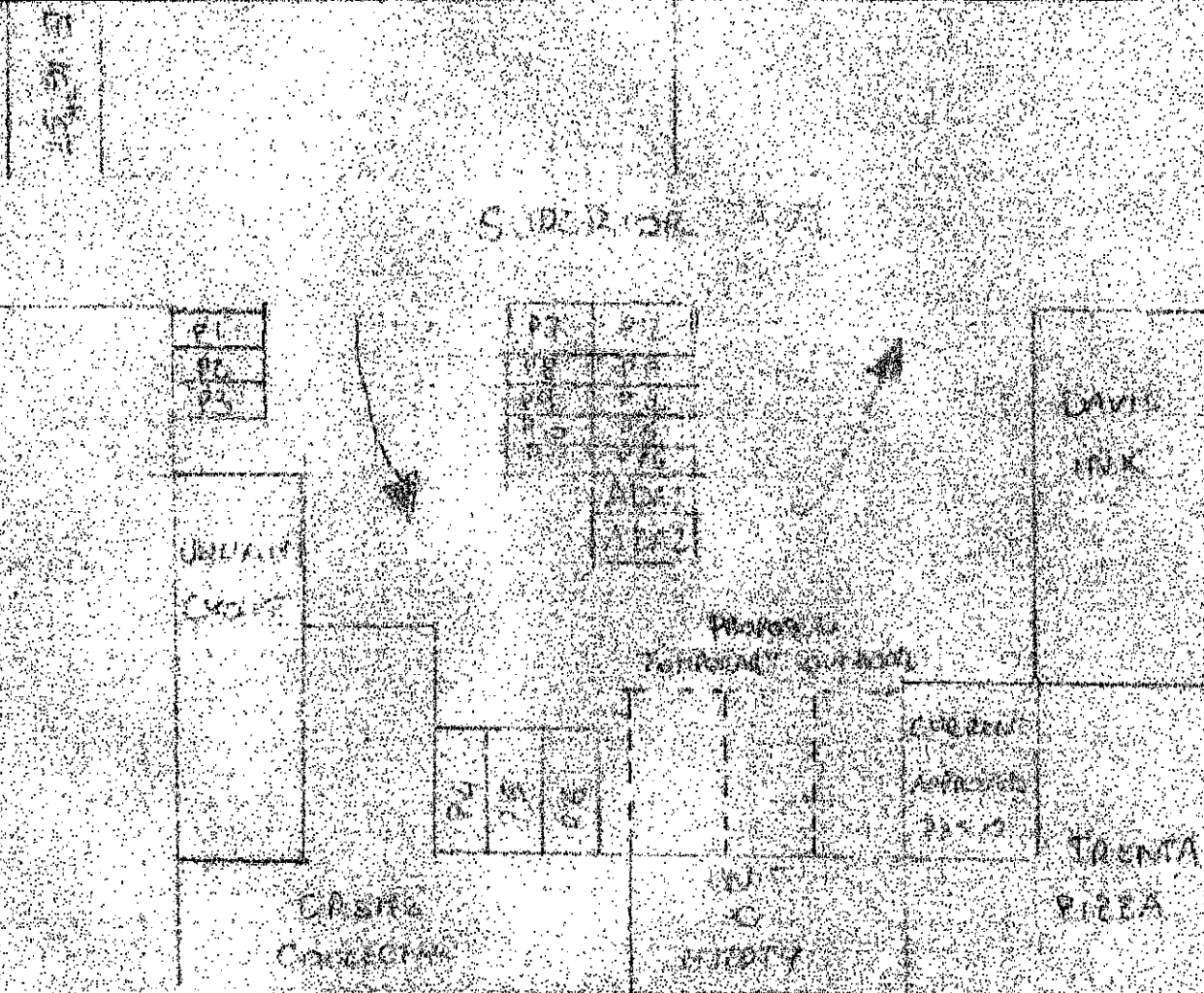
SUPPLEMENTAL DIAGRAM

Instructions to Applicant:

Draw a sketch of the area on which the licensed premises is or will be located. Show adjacent structures and nearest cross streets. If this is an event for a daily license, catering authorization, event authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.

1. APPLICANT NAME (Last, first, middle) TRENTA PIZZA & CUCINA	2. LICENSE TYPE LI
3. PREMISES ADDRESS (Street number and name, city, zip code) 1661 SUPERIOR AVE STE D COSTA MESA 92627	4. NEAREST CROSS STREET E 16TH ST

DIAGRAM



I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

APPLICANT SIGNATURE 	DATE SIGNED 09/12/2020
FOR ABC USE ONLY	
CERTIFIED CORRECT (Signature)	PRINTED NAME
INSPECTION DATE	

INENIM
PIZZA UNIT D
WALL
EMPTY

ATTACHMENT 7

1661 / 1663 SUPERIOR AVENUE
SHARED PARKING DEMAND
MIXED USE DEVELOPMENT

USE	Office		Banks (Sq. Ft.)	Medical Office (Sq. Ft.)	Retail (Sq. Ft.)	Restaurant		Theaters and Cinemas (seats)	Hotel/Motel		Conference/Convention		Residential				Guest (total units)	Total Parking Demand by Hour	
	<100,000 (Sq. Ft.)	>100,000 ¹ (Sq. Ft.)				1st 3K (Sq. Ft.)	>3K (Sq. Ft.)		Guest Rooms (units)	1st 3K (Sq. Ft.)	>3K (Sq. Ft.)	1st 3K (Sq. Ft.)	>3K (Sq. Ft.)	Bachelor (units)	1 bedroom (units)	2 bedroom (units)	3+ Bedroom (units)		
	0.00	4796.00	0.00	0.00	2029.00	2395.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
PEAK DEMA	0.00	14.39	0.00	0.00	8.12	23.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	46.45
WEEKDAY																			Weekdays
6:00 AM	0.00	0.43	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.43 6:00 AM
7:00 AM	0.00	2.88	0.00	0.00	0.65	0.48	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.01 7:00 AM
8:00 AM	0.00	9.06	0.00	0.00	1.38	1.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11.64 8:00 AM
9:00 AM	0.00	13.38	0.00	0.00	3.25	2.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	19.02 9:00 AM
10:00 AM	0.00	14.39	0.00	0.00	5.28	4.79	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24.45 10:00 AM
11:00 AM	0.00	14.39	0.00	0.00	6.74	7.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	28.31 11:00 AM
NOON	0.00	12.95	0.00	0.00	7.47	11.98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	32.39 NOON
1:00 PM	0.00	12.95	0.00	0.00	7.71	16.77	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	37.42 1:00 PM
2:00 PM	0.00	13.96	0.00	0.00	7.47	14.37	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	35.79 2:00 PM
3:00 PM	0.00	13.38	0.00	0.00	7.30	14.37	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	35.06 3:00 PM
4:00 PM	0.00	11.08	0.00	0.00	6.74	11.98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	29.79 4:00 PM
5:00 PM	0.00	6.76	0.00	0.00	6.09	16.77	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	29.61 5:00 PM
6:00 PM	0.00	3.31	0.00	0.00	6.33	21.56	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	31.19 6:00 PM
7:00 PM	0.00	1.01	0.00	0.00	6.90	23.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	31.86 7:00 PM
8:00 PM	0.00	1.01	0.00	0.00	6.74	23.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	31.69 8:00 PM
9:00 PM	0.00	0.43	0.00	0.00	4.71	23.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	29.09 9:00 PM
10:00 PM	0.00	0.43	0.00	0.00	2.43	21.56	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24.42 10:00 PM
11:00 PM	0.00	0.00	0.00	0.00	0.97	16.77	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	17.74 11:00 PM
MIDNIGHT	0.00	0.00	0.00	0.00	0.00	11.98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11.98 MIDNIGHT
MAXIMUM WEEKDAY DEMAND 37.42																			
WEEKEND																			Weekend
6:00 AM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00 6:00 AM
7:00 AM	0.00	0.43	0.00	0.00	0.24	0.48	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.15 7:00 AM
8:00 AM	0.00	1.44	0.00	0.00	0.81	0.72	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.97 8:00 AM
9:00 AM	0.00	1.87	0.00	0.00	2.43	1.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.74 9:00 AM
10:00 AM	0.00	1.87	0.00	0.00	3.65	1.92	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.44 10:00 AM
11:00 AM	0.00	2.45	0.00	0.00	5.92	2.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.77 11:00 AM
NOON	0.00	2.45	0.00	0.00	6.90	7.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	16.53 NOON
1:00 PM	0.00	1.87	0.00	0.00	7.71	10.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20.36 1:00 PM
2:00 PM	0.00	1.44	0.00	0.00	8.12	10.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20.33 2:00 PM
3:00 PM	0.00	1.01	0.00	0.00	8.12	10.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	19.90 3:00 PM
4:00 PM	0.00	1.01	0.00	0.00	7.30	10.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	19.09 4:00 PM
5:00 PM	0.00	0.43	0.00	0.00	6.09	14.37	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20.89 5:00 PM
6:00 PM	0.00	0.43	0.00	0.00	5.28	21.56	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	27.26 6:00 PM
7:00 PM	0.00	0.43	0.00	0.00	4.87	22.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	28.05 7:00 PM
8:00 PM	0.00	0.43	0.00	0.00	4.46	23.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	28.85 8:00 PM
9:00 PM	0.00	0.00	0.00	0.00	3.25	23.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	27.20 9:00 PM
10:00 PM	0.00	0.00	0.00	0.00	3.08	22.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25.84 10:00 PM
11:00 PM	0.00	0.00	0.00	0.00	1.06	20.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	21.41 11:00 PM
MIDNIGHT	0.00	0.00	0.00	0.00	0.00	16.77	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	16.77 MIDNIGHT
MAXIMUM WEEKEND DEMAND 28.85																			
REQUIRED PARKING		37.42	Suite C parked as Restaurant (used for storage) ¹ Industrial Uses placed under Office category for parking purposes (3 spaces per 1,000 sq. ft. parking requirement)																



JEFFREY V. RIGGS, ARCHITECT, INC.

25 PECOS RANCHO SANTA MARGARITA, CA 92688
949 233 1553 E: lefranco09@gmail.com



TRENTA PIZZA & CUCINA
1661 SUPERIOR AVENUE, UNIT D
COSTA MESA, CA 92627

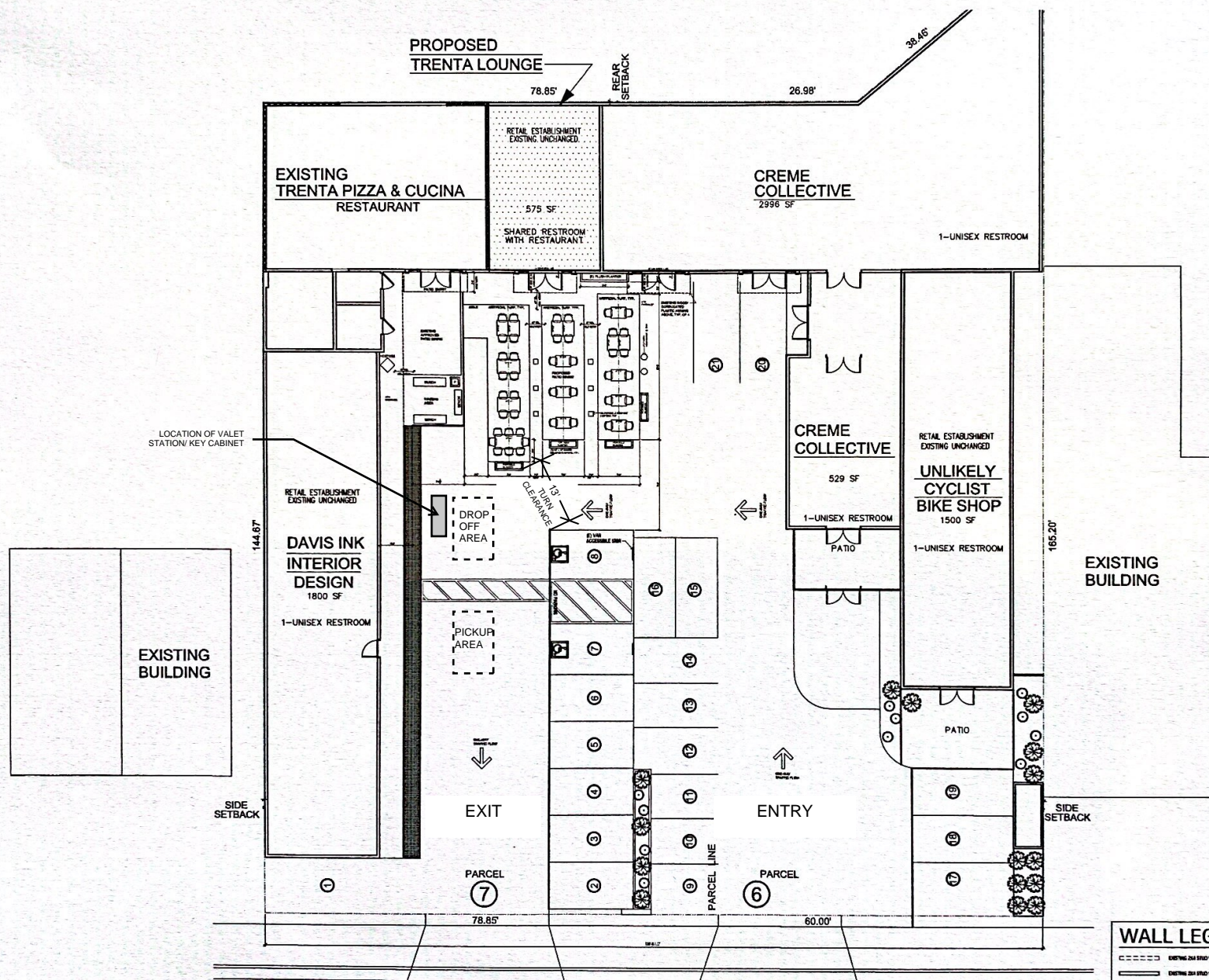
JEFFREY V. RIGGS, ARCHITECT, INC.

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DO NOT SCALE PLANS

[illegible]

11ST PLANNING DEPT. SUBMITTAL



WALL LEGEND

EXISTING 2x4 STUD WALL TO BE REMOVED

SCALE: 1/8" = 1'-0"

Alpha professional corp

7850 Slater ave spc 110
Huntington Beach, CA 92647
(714) 679 0028

Valet operation plan document

- Net increase in parking with valet implemented is 39 parking spaces
 - Loading area is located on the restaurant property west side of the parking lot. Valet is indicated with cones, signs and podium.
 - Unloading area is located on the restaurant property south of the parking lot and additional unloading area located at 1645 Superior ave Costa Mesa, CA, 92627.
 - Valet staffing is provided by Alpha Professional Corp.
 - Our team consists of three individuals for the weekdays and four for the weekend
-
- Luis A Espinoza
 - Neftali Torres Falafan
 - Luis Manuel Torres
 - Juan Perez
-
- Hours of operation
 - Monday – Sunday from 5:00pm – 10:00pm

COLGAN, JULIE

From: Ryan Hanisco <RyanHanisco@outlook.com>
Sent: September 8, 2022 3:10 PM
To: PC Public Comments
Subject: Comment on PA-21-07 & ZA-17-16 A1

I am a resident at 621 Cardiff Reef that is directly overlooking the proposed site for the off-site valet parking planning for this project.

During the day, the carwash has a blower that generates noise that is in excess of 60db in our homes with all windows closed and they play music all day. Luckily, they close at 4:30 and we can get back to peaceful enjoyment of our property afterwards. The main bedrooms of our properties overlook the parking lot and there can be noise problems into the evening as it is with the people who park there today patronizing Trenta.

I would like to know what they plan to do to control noise from the valet and that they would prohibit music or other noise nuisance issues.

I would ask that they have a plan for noise abatement and have a dialog with the HOA of our community. I also ask that they not allow parking in the back half of the lot that is near the homes. I would also recommend that owner of the property use some of the proceeds of this new revenue stream to enclose the wash tunnel to reduce the noise during the day. A property was recently sold abutting the carwash and the sale was renegotiated at a \$60K reduction because of the noise (628 Cardiff Reef).

Thanks,

Ryan Hanisco

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City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-847

Meeting Date: 9/12/2022

TITLE:

PLANNING APPLICATION 21-23 FOR A RETAIL CANNABIS STOREFRONT BUSINESS LOCATED AT 1687 ORANGE AVENUE (KING'S CREW)

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 21-23, subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT:

The applicant/authorized agent is Greg Gamet of Gold Flora Costa Mesa LLC, on behalf of the property owner, Orange Ave Investors LLC.

BACKGROUND:

The subject property is located at 1687 Orange Avenue. The property is located on the south side of East 17th Street near the intersection of East 17th Street and Orange Avenue. The property fronts Orange Avenue to the east and is bounded by Old Newport Boulevard to the south and East 16th Street to the west. The site is zoned C1 (Local Business District) and is surrounded by other commercially zoned properties (C1, C2 - General Business District, C1-S - Shopping Center District, and PDC - Planned Development Commercial). The site has a General Plan Land Use Designation of General Commercial.

Existing development on the subject property consists of a 2,778-square-foot single-story commercial building with five parking spaces onsite. Access to the site is provided by an existing 18-foot wide driveway on Orange Avenue. The existing site parking and driveway are not shared with any other properties and/or tenants.

The existing commercial building is currently occupied by La Cresta Cleaners (drycleaner) since 1970. The proposed retail cannabis storefront use, "King's Crew" would occupy the entire building.

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 surrounding commercial centers consist of a variety of restaurants/bars, grocery stores, pharmacies, massage and beauty parlors, general retail, medical and general offices, fitness gym, and automotive repair. The nearest residentially zoned properties (R2-HD; Multi-Family Residential High Density and R3; Multi-Family Residential District) are located to the south approximately 300 feet away from the subject property. The existing residences and the proposed storefront location are further separated by two existing multi-tenant shopping centers with large surface parking lots.

There are no open Code Enforcement cases on this property.

The applicant currently owns and operates a cannabis distribution facility, Gold Flora, in Costa Mesa - which was

approved in 2019 under Measure X. Gold Flora has operated the cannabis distribution facility in Costa Mesa since 2020. There are no active Code Enforcement cases at the Measure X facility.

Non-Conforming Development

Based on City permit records, the existing development was originally built prior to the 1970s. As such, the development of the site was constructed under previous development standards that have been since revised/updated through ordinance amendments and as a result, the site is legal-nonconforming in terms of site parking, FAR, driveway width, building setbacks, and landscaping. The CMMC defines “nonconforming development [property]” as “an existing and legally established development which no longer conforms to the development standards required by this Zoning Code.” The nonconforming provisions of the Costa Mesa Municipal Code (CMMC) are established in Section 13-204 and specifically indicate that 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. In addition, the CMMC requires that if a site is legal non-conforming in regard to parking, a use may not be replaced with a use that requires more parking, unless the additional parking is provided pursuant to the CMMC.

Improvements would be made to bring this structure into compliance with current building and safety codes; however, and as specifically allowed by the CMMC, the building size and placement on the site and associated nonconforming parking, FAR, driveway width, building setbacks and landscaping can remain pursuant to the City’s legal-nonconforming provisions. The applicant is proposing to bring the property into closer conformance by providing additional site landscaping. Lastly, the parking required for the former drycleaner is the same for the proposed cannabis retail establishment and therefore no additional parking is required.

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 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 and obtain State approval before 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 21-23 is a request for a CUP to allow a retail cannabis use in an existing 2,778-square-foot commercial building located at 1687 Orange Avenue. The affiliated State license is a Type 10 “storefront retailer” license which also allows for retail cannabis delivery. However, the applicant is not proposing retail delivery services. Should the storefront wish to offer delivery services in the future, an amendment to the CUP would be required.

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, subject to conditions of approval and other City and State requirements.

ANALYSIS:

Conditional Use Permit Required

Pursuant to 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 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 in close proximity to 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) which are adopted to prevent land use inconsistencies with adjacent properties. Pursuant to the CMMC, the approval of a CUP requires that the Planning Commission make specific findings related to neighborhood compatibility, health and safety, and land use compatibility. The analysis regarding CUP findings is provided further below in this report. Lastly, staff has drafted specific conditions of approval, included in the Resolution, to ensure site-specific land use compatibility.

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 (with the exception of "playgrounds") 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 is proposed to be updated with new horizontal siding, windows, and doors to modernize the building. The building would also be painted in a white color with black accent trims. The applicant also proposes to improve the existing landscaping along the frontage including adding a new 15-gallon tree. In addition, the south building façade would feature a "green wall" with live plants for additional landscaping. As discussed in this report under "Non-Conforming Development," the CMMC does not require non-conforming landscaping to be modified in compliance with existing code requirements; however, the applicant is proposing to bring the property into closer conformance and has provided a conceptual landscaping plan as part of their CUP plan submittal. The proposed landscaping plan would be reviewed further during the plan check permitting process.

Other proposed exterior improvements include:

- Restriping the parking lot to comply with the City's parking design standards;
- Constructing new driveway and public sidewalk per City standards; and
- Constructing a new trash enclosure.

The new public sidewalk is not a required offsite improvement per the Municipal Code; however, the applicant is proposing to improve the property beyond the City's requirements in an effort to improve multi-modal circulation and active transportation options along Orange Avenue/East 17th Street.

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 improvements involve construction of new demising walls to create new rooms for the storefront business. The new rooms include a retail sales area, a reception with check-in lobby, express checkout, and "back-of-house" areas. The express checkout window is connected to the check-in lobby and is for customers with phone or online orders. The "back-of-house" areas include storage areas, an office, acceptance room (vendor receiving room), an employee break room, and restroom. The proposed retail sales area is a separate room connected to the check-in lobby by a doorway. Below is a floor area summary of the 2,778-square-foot tenant space.

Table 1 - Floor Plan Summary

Operational Area	Square Feet
Reception and Express Checkout	280 SF
Retail Sales Area	1,345 SF
Storage Rooms	80 SF
Office	112 SF
Acceptance Room	116 SF
Employee Break Room	182 SF
Bathroom	115 SF
Hallway	135 SF
Total	2,778 SF

Customer and Employee Access

Customers would only be allowed in the check-in lobby, express checkout, and retail sales area. Customer access to the proposed establishment includes entering the licensed premise through the main entrance doors that lead 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.

All other areas of the premises would be accessible only to employees with the proper security credentials. Employees would also enter through the employee only access controlled entrance located at the rear of the building that leads directly into the back-of-house areas.

Vendor Access

During business hours, vendor vehicles (such as licensed distributor vehicles that are used for delivering product for retail storefront sales) would use the designated loading/unloading area located at the rear of the building directly adjacent to the access-controlled door. Vendors would only be allowed to enter the premise while accompanied by an employee with the proper security credentials. The applicant, Gold Flora, also owns and operates a distribution facility in Costa Mesa and would be the main distributor to support their proposed storefront. As conditioned, the access-controlled door, path of travel, and vehicle loading/unloading area would be under camera surveillance at all times.

Storefront 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 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; and
- Packaging containing cannabis goods shall be tamper and child-resistant; if packaging contains multiple servings, the package must also be re-sealable.

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;
- Employees and vendors will be trained regarding cash and product transportation protocol;
- Visitor/customer specific security measures shall be required; and
- All facility entry and exit points and locations where cash or cannabis products are handled or stored shall be under camera surveillance.

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 2,778-square-foot facility would be required to provide 11 onsite parking spaces. There are five parking spaces provided onsite and therefore, and as further described above in the "Nonconforming-Development" section of this report, the existing development is considered legal nonconforming. Access to the site is provided by an existing 18-foot wide driveway that is also legal nonconforming (20-foot wide driveway for non-residential properties is required per CMMC Section 13-93(a)(2)). There is an existing public sidewalk along Orange Avenue, which provides access to the site for pedestrians and bicyclists. In addition, the applicant will be adding a new public sidewalk in front of the property to continue the existing sidewalk network on Orange Avenue. After restriping the parking spaces to comply with the parking design standards, four parking spaces would be provided (two spaces located at the front of the property and two spaces located at the rear of the property). The applicant proposes to add a bicycle rack, which gives them credit for one standard space bringing the total to five spaces as previously provided onsite.

As mentioned above in the “*Nonconforming-Development*” Section of this report, the CMMC allows a new use to replace an existing use without compliance with parking requirements at a nonconforming site, as long as the parking demand from the proposed use does not exceed the parking demand of the previous use. Thus, the parking for the proposed cannabis retail establishment is in conformance with the CMMC in that the same parking demand for a drycleaner (previous use) is required for the proposed cannabis retail establishment and site modifications do not result in a greater parking nonconformity. In addition, the nonconforming driveway can remain as long as the new site modifications do not result in greater site nonconformities - which, as proposed, would not.

Although the parking is legal nonconforming and could remain under the CMMC’s nonconforming provisions, from a practical standpoint, the existing limited parking supply may not be sufficient to support the storefront business given staff’s observations of other licensed dispensaries. As such, the applicant is proposing to provide additional offsite parking at the adjacent shopping center (171 - 187 East 17th Street) which is developed with eight surplus parking spaces (refer to Image 1 below). The required parking for the adjacent shopping center (which includes Vons, CVS, various hair salons, and Baja Fish Tacos) is 320 spaces and the site is developed with 328 parking spaces. The applicant has entered into a lease agreement with the adjacent property owner to use the eight surplus spaces for additional parking that is located offsite. As shown in Image 1, the existing sidewalk on Orange Avenue would effectively provide access from the offsite parking spaces to the storefront entrance (green dash represents the travel path), and the spaces are located a similar distance from the proposed use as on-site parking. With the offsite parking, the total parking provided for the storefront would be 13 spaces including one bicycle rack. As conditioned, the storefront would be required to install wayfinding signs to ensure customers are aware of the available offsite parking spaces. Also, as conditioned, should the offsite parking be terminated, the applicant must notify the City in writing 30 days prior to termination and may be required to secure other offsite parking to address parking shortages.

Image 1 - Proposed Offsite Parking Location



Employees would park offsite at the company’s headquarters office located in Costa Mesa which has 14 surplus parking spaces, and would be shuttled to and from the site (the shuttle vehicle would park

at the headquarters). All available onsite and adjacent offsite parking spaces would be for customers only. The site would have a designated loading/unloading area and would not need to utilize any customer parking during vendor deliveries. In addition, the storefront is not proposing to offer delivery services at this location. The storefront would have a designated express checkout located at the front reception for online and phone orders, which would further help with the availability of parking. As conditioned, a parking attendant would be required to monitor the parking and circulation including directing customers to the available offsite parking and ensuring safe circulation for customers when leaving the facility given that the driveway width is legal nonconforming. Staff has also included a condition to encourage active transportation by requiring that the applicant install, within the building and prior to operating, an employee bicycle storage area to encourage biking to/from work.

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. 6 in the attached Resolution). Examples of parking demand management techniques include, but are not limited to, reducing operating hours of the business, hiring an additional employee to monitor parking lot use and assist with customer parking lot circulation, offering discounts for online and phone orders, 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 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 drycleaner 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, considering credit from the previous use, 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 \$35,000. 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 storefront proposes to use carbon filters throughout the facility as well as bipolar ionization technology. The proposed HVAC system would also incorporate a negative pressurization in all rooms. 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 tenant space and/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 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. The proposed retail cannabis business would replace an existing retail business in a commercial district.

4. Policy LU-3.1: *Protect existing stabilized residential neighborhoods, including mobile home parks (and manufactured housing parks), from the encroachment of incompatible or potentially disruptive land uses and/or activities.*

Consistency: The proposed cannabis retail storefront use would not present a potentially disruptive land use located adjacent to an existing stabilized residential neighborhood in that the proposed cannabis retail use is replacing an existing commercial use (dry cleaners), and is separated by other commercial uses from sensitive uses, including the closest residentially zoned properties by approximately 300 feet.

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 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. 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 operations would be conditioned to be compliant with applicable local and State laws as well as to minimize potential impacts. Staff does not anticipate that the proposed retail cannabis use would be materially detrimental to the adjacent uses that include a variety of commercial uses and multi-tenant commercial centers. The proposed offsite parking spaces would not negatively impact the adjacent commercial center's operations given that there is surplus parking available. 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 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, 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, 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 or prior 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 September 12, 2022 Planning Commission meeting will be provided separately.

CONCLUSION:

The proposed project is a retail cannabis storefront business at an existing developed commercial property that is located in close proximity to 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 Pre-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 21-23 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 21-23 FOR A STOREFRONT
RETAIL CANNABIS BUSINESS (KING'S CREW) IN THE C1
ZONE AT 1687 ORANGE AVENUE**

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 21-23 was filed by Greg Gamet with Gold Flora Costa Mesa LLC, authorized agent for the property owner, Orange Ave Investors LLC, requesting approval of the following:

A Conditional Use Permit to operate a storefront retail cannabis business within an existing 2,778-square-foot commercial building located at 1687 Orange Avenue. The business would sell pre-packaged cannabis and pre-packaged cannabis products directly to customers onsite, subject to conditions of approval and other City and State requirements;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 12, 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 21-23 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 21-23 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 12th day of September, 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 September 12, 2022 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2022-

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 which is predominantly intended for 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. 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 operations would be conditioned to be compliant with applicable local and State laws as well as to minimize potential impacts. Staff does not anticipate that the proposed retail cannabis use would be materially detrimental to the adjacent uses that include a variety of commercial uses and multi-tenant commercial centers. The proposed offsite parking spaces would not negatively impact the adjacent commercial center's operations given that there is surplus parking available. 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 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, 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, 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 or prior 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 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-21-17. 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-21-23 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 Improvement Division scheduling a hearing before the Director of Development Services to consider revocation of the Cannabis Business Permit.
 20. 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
21. 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
22. 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.

23. 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 24. 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.
25. 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 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.
26. 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.
 27. 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.
 28. 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.
 29. 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.
 30. 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 21-23 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, includes drought-tolerant plants and/or California native plants, 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 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 residential 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.
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.
12. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of plans submittal and then reconstruct P.C.C. driveway approach per City of Costa Mesa Standards as noted on the Site Plan. Location and dimensions are subject to the approval of the Transportation Services

Manager. Accessibility compliance required for all new driveway approaches.

13. The applicant shall submit an environmental site assessment (ESA) prepared by a qualified professional to the Planning Division and shall include any recommended actions from the ESA into the construction plans.

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 pay the public notice fee (\$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; 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.
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 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.

6. The applicant shall submit an executed Retail Cannabis Business Permit Defense and Indemnity Agreement on a form to be provided by the City.
7. The applicant shall post wayfinding signs within the parking lot directing customers to the surplus offsite parking spaces located in the adjacent property at 171-187 East 17th Street. These parking spaces shall be signed for cannabis storefront customers. The language of the wayfinding and parking identification 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 to customers is limited to the hours between 7:00 AM and 10:00 PM.
3. At least one security guard shall be onsite at all times.
4. The operator shall maintain free of litter all areas of the property under which applicant has control.
5. 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.
6. 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 additional employee trained in traffic control to monitor parking lot use and assist with customer parking lot circulation, and offering discounts for online and phone orders,.
7. All employees must wear an identification badge while on the premises of the business, 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.
8. Vendor product loading and unloading shall only take place within direct unobstructed view of surveillance cameras, located in close proximity to the vendor entry 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 vehicles. Video surveillance cameras shall be installed on the exterior of the building with direct views of the vendor entry door and the entire parking lot. Any modifications or additional vehicle loading and unloading

- areas shall be submitted to the Director of Economic and Development Services or designee for approval.
9. Vendor vehicle standing, loading and unloading shall be conducted so as not to interfere with normal use of streets, sidewalks, driveways and on-site parking.
 10. The sale, dispensing, or consumption of alcoholic beverages on or about the premises is prohibited.
 11. No outdoor storage or display of cannabis or cannabis products is permitted at any time.
 12. Cannabis shall not be consumed on the property at any time, in any form.
 13. The owner/operator shall prohibit loitering on and within fifty (50) feet of the property.
 14. No cannabis or cannabis products, or graphics depicting cannabis or cannabis products, shall be visible from the exterior of the property.
 15. The owner or operator shall maintain air quality/odor control devices by replacing filters on a regular basis, as specified in the manufacturer specifications.
 16. 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.
 17. 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.
 18. 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.
 19. Prior to operation, the applicant shall submit plans and obtain City approval for the installation of a bicycle storage area for a minimum of two employee bicycles and personal storage lockers for employees who bike to work within the interior of the building.
 20. A parking attendant shall be required to monitor the parking lot and control the flow of traffic including directing customers to the available offsite parking spaces in the adjacent property at 171-187 East 17th Street. The parking attendant shall be stationed near the driveway entrance.
 21. Should the offsite parking provided at 171-187 East 17th Street be terminated, the applicant must notify the Director of Economic and Development Services in writing 30 days prior to termination and secure other equivalent offsite parking to address parking shortages, subject to review and approval by the Economic and Development Services Director or designee.
 - 22.
 23. Employees shall park offsite at the office location addressed 3165 Red Hill Avenue as described in the staff report and be shuttled to/from work. Sufficient parking for employees shall be maintained at this location or other equivalent

location subject to review and approval by the Economic and Development Services Director or designee. Prior to issuance of a Cannabis Business Permit, the applicant shall provide a plan for the employee offsite parking to be approved by the Economic and Development Services Director or designee (the plan shall include the address, existing uses, number of spaces, shuttle process and other information that is deemed necessary by the Planning Division to confirm that the employee parking is available and will adequately operate).



Gold Flora Partners Costa Mesa, LLC – Gold Flora, LLC- Distribution, LLC
 3165 Redhill Ave
 Costa Mesa, Ca 92626

Dear City of Costa Mesa,

Gold Flora Partners Costa Mesa, LLC is owned by Gold Flora, LLC, a fully vertical California Cannabis Company. Gold Flora holds current licenses for Retail, Distribution, Manufacturing, and Cultivation. We currently own and operate a fully licensed distribution (GF Distribution, LLC) located at 3505 Cadillac Ave O-107 Costa Mesa, Ca.

Gold Flora Partners Costa Mesa, LLC is currently applying to open a retail store front dispensary which will be located at **1687 Orange Ave. Costa Mesa, Ca 92627**. This address is located within the City of Costa Mesa's green zone and is located outside of the required sensitive use area buffers established by the City of Costa Mesa.

The total square footage of the location is 2928 square feet with 13 parking stalls including 1 bike rack. Eight of the 13 parking stalls are located immediately offsite and directly adjacent to the property. We request approval of the offsite parking stalls as both properties are under the same ownership and the owner has executed a shared parking agreement under the lease.

The building will be used as a Cannabis Retail Store front. Within the floor plan there will be a retail sales floor, security offices, secured waste storage, secured inventory vault, offices, restroom, and breakroom.

We will sell the following local and state licensed and compliant cannabis products:

- Cannabis Flower
- Cannabis Concentrates
- Cannabis Edibles
- Cannabis Topicals
- Cannabis Pills
- Cannabis Pre-Rolls
- Cannabis Patches
- Cannabis Tinctures
- Cannabis Drinks

All products sold will be prepackaged and tamper sealed. No extraction or other types of cannabis business will take place on site.

No chemicals will be stored or utilized other than standard cleaning supplies.

Laurie Holcomb Thompson, CEO



Gold Flora Partners Costa Mesa, LLC is owned by Gold Flora, LLC, a fully vertical California Cannabis Company. Laurie Holcomb is the founder and CEO of Gold Flora and is one of the only women owned vertically integrated companies in the State of California. Gold Flora holds licenses in cultivation, manufacturing, distribution, and retail. We also currently own and operate a fully licensed distribution company in Costa Mesa, located at 3505 Cadillac Avenue 0-107 named GF Distribution, LLC.

Gold Flora Retail Dispensary Locations already open and operating

Airfield – San Jose, California

- 2021 Revenue - \$34.2M
- 2022 E Revenue - \$35.2M
- 1,300 Average Daily Customers

Higher Level – Hollister, California

- 2021 Revenue - \$11.7M
- 2022 E Revenue – 12.4M
- 570 Average Daily Customers

Higher Level – Seaside, California

- 2021 Revenue - \$10.6M
- 2022 E Revenue - \$11.1M
- 450 Average Daily Customers

King's Crew – Long Beach

- 2021 Revenue - \$7.3M
- 2022 E Revenue - \$9.5M
- 450 Average Daily Visitors

Retail Stores Opening 2022

King's Crew Costa Mesa, CA – Estimated annual revenue \$9M – waiting on CUP approval

King's Crew Corona, CA – Estimated annual revenue \$16M (waiting on being awarded a license)

Airfield Redwood City, CA – Estimated annual revenue \$17m (waiting on being awarded a license)

Higher Level Greenfield, CA – Estimated annual revenue \$11M – store opened October 2021

Combined Retail Gross Revenue Numbers

2021 - \$63,800,000 gross revenue

2022 Estimate with current stores: \$68,200,000 gross revenue

2023 Estimate with all stores operational: \$121,200,000 gross revenue

Gold Flora Cultivation Footprint – Black Lion Farms

Gold Flora operates indoor cultivation out of its 200,000 SF facility located in Desert Hot Springs.

2021 Indoor Canopy in operation:

- 22,000 SF canopy
- 9,000 lbs harvested per year
- \$15M annual revenue

2022 Indoor Canopy in operation:

- 62,000 SF canopy
- 26,000 lbs harvested per year
- \$45M annual revenue

Gold Flora Manufacturing and Extraction – Black Lion Labs

Gold Flora operates CO2 extraction and manufacturing out of its campus located in Desert Hot Springs. Gold Flora uses IES machines to extract oil which allows us to manufacture vape pens, edibles, chocolates, gummies, topicals and tinctures. Our facility is 10,000 SF and is state of the art.

Gold Flora State Distribution Footprint – RYL Distribution

Gold Flora distributes 15+ cannabis brands to retail dispensaries throughout California. Our main warehouse is 10,000 SF and is located at our campus in Desert Hot Springs. In addition, we have distribution facilities located in Costa Mesa, and San Jose, California.

Gold Flora Branded Products

Gold Flora is the primary brand which consists of a luxury line of premium vape pens: Gold Rush, Black Gold and White Gold. In addition, we offer a more affordable vape pen line called Naked AF. We also pride ourselves on cultivating high end flower with outstanding genetics and offer flower and pre-rolls to our customers. Gold Flora has also trademarked Gold Flora California Grown.

We have been in operation since January 2018 and have been able to grow into one of the larger, vertically integrated cannabis companies in California. We are a single state operator and we focus on growing our company in California by organically winning local licenses.

INVESTMENT HIGHLIGHTS WHO WE ARE

GOLD FLORA
CALIFORNIA GROWN™

CORPORATE SNAPSHOT

Industry Sector	Commercial Cannabis
Corporate Status	Private
	Single State Operator (SSO)
Established	2018
Markets Served	United States: California
CEO	Laurie Holcomb
Total Employees	300+
Total Licenses	12
	Cultivation: (1) 3A License, (4) 2A Cultivation Licenses
	Manufacturing: (1) Type 6A Non-Volatile License
	Distribution: (2) Type 11 Distribution Licenses
	Retail: (4) Type 10 Adult-Use and Medicinal Retail Storefront and Delivery Licenses
Cultivation Footprint (Sq. Ft)	22,000 (Current) – 62,000 (2022) – 300,000 (2023)
Statewide Distributed Brands	10+
In-House Brands	2+
Retail Storefronts	4 (Current) – 7 (2022)
2021 Net Revenue	\$76.5M
Previous Equity Capital Raised	\$59.2M (equity and debentures)
2022 Projected Net Revenue	\$148.5
2022 Projected Adjusted EBITDA	\$41.1



OUR DIFFERENCE

- Fully-integrated Cannabis Campus
- Disruptive 100% Indoor Cultivation Facility
- Unique Retail Positioning
- Strong Margins & Rapid Growth
- Female Owned & Operated

COMPANY OVERVIEW

ORGANIZATIONAL STRUCTURE

GOLD FLORA
CALIFORNIA GROWN®

GOLD FLORA

Black Lion Farms Cultivation



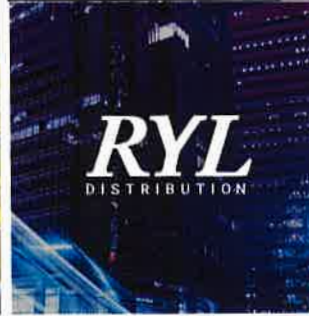
Operation: **Cultivation**
Location: Desert Hot Springs, CA
Total Canopy: 300,000+ sq. ft.
Current Canopy: 62,000 sq. ft. with 40,000 sq. ft. of additional canopy harvesting in Q2 2023.
License Types: (1) Type 3A, (4) Type 2A Cultivation

Black Lion Labs Manufacturing



Operation: **Manufacturing**
Location: Desert Hot Springs, CA
Square Feet: 10,000
License Types: (1) Type 6A Non-Volatile Manufacturing

RYL Distribution Distribution



Operation: **Distribution**
Location: Desert Hot Springs & Costa Mesa, CA
Square Feet: 13,500
License Types: (2) Type 11 Distribution

Gold Flora Partners Retail



Operation: **Retail Dispensaries**
Locations: Long Beach, Seaside, and Hollister, and San Jose, CA
Licenses: (4) Type 10 Adult-use and Medicinal Retail Storefront and Delivery Licenses

Gold Flora Brand



Operation: **Brand**
Headquarters: Costa Mesa, CA
Square Feet: 3,500
Current SKUs: 50
Trademarks: Gold Flora California Grown

COMPANY OVERVIEW

KEY MANAGEMENT

GOLD FLORA

CALIFORNIA GROWN®



Laurie Holcomb
Chief Executive Officer

- Leader of one of the few woman-owned vertically integrated cannabis companies in the nation
- Extensive background in startups, investment banking, and real estate development
- Superior knowledge of California's complex maze of environmental, water and land-rights regulations
- Created a rapid buildout of a masterful cannabis complex and expandable indoor cultivation facility at a lower cost than competitors



Phillip Hague
Chief Cultivation Officer

- 30+ years of experience in industrial large scale and controlled environment agriculture, in addition to 28 years of relevant commercial cannabis cultivation experience
- Former National Director of Cultivation at Acreage
- Managed successful cultivation facilities in 17 states and 5 countries, totaling to almost 4 million sq. ft. of canopy
- Lifelong cannabis plant breeder and collector of elite genetics with one of the most important, deeply varied, and significant cannabis genetics libraries in the industry



Greg Gamet
Chief Operations Officer

- Leading entrepreneur, operations manager, and licensing and compliance expert in the cannabis industry
- Co-founded and managed various medical and recreational cannabis companies
- Established the first adult-use dispensary in the U.S. (**Dank Colorado**, in Denver, CO), **Kush Bottles Colorado** (later merged and went public), **Denver Consulting Group**, **CannaScore**,
- Obtained over 80 licenses across 8 states



Chris Martin
Chief Financial Officer

- Founding CFO of Gold Flora since 2017
- Previously the founding CFO for **Kush Co. Holdings** (TKR: KSHB), the industry leader in compliant cannabis packaging supplies; facilitated a public equity listing, capital raises, public filings/audits, and systems implementations
- Licensed CPA with 10+ years in public financial reporting and cannabis tax accounting



Chris Candelario
President of Distribution

- Experienced senior sales executive with a demonstrated history of success in cannabis logistics and sales
- Former Senior VP of California Sales for River Distributing Company, a subsidiary Cresco Labs, a publicly traded cannabis company, where he was responsible for overseeing and driving all California sales activity



Michael Gallagher
Director of Manufacturing

- 8+ years of experience in various lab environments and 4+ years working in cannabis labs
- Track-record of developing proven formulations and consistently producing top quality cannabis products with high percentage yields
- Expert in CO2 extraction, winterization, and distillation
- Former R&D Senior Scientist at Wellgreens CA, a licensed cannabis manufacturing company located in San Diego

RETAIL

STRONG RETAIL FOOTPRINT, INCLUDES SOME OF CA'S TOP STORES

Growing portfolio of wholly-owned leading retail locations across California

LONG BEACH

KING'S CREW



2021E REVENUE: \$7.3M
2022E REVENUE: \$9.5M

SAN JOSE

AIRFIELD SUPPLY CO.



2021E REVENUE: \$34.2M
2022E REVENUE: \$35.2M

SEASIDE

HIGHER LEVEL



2021E REVENUE: \$10.6M
2022E REVENUE: \$11.1M

HOLLISTER

HIGHER LEVEL



2021E REVENUE: \$11.7M
2022E REVENUE: \$12.4M

COSTA MESA

KING'S CREW



2021E REVENUE: n/a
2022E REVENUE: \$5.3M* Opening in Q2 2022

REDWOOD CITY

AIRFIELD SUPPLY CO.



2021E REVENUE: n/a
2022E REVENUE: \$16.7M* Opening in Q1 2022

CORONA

KING'S CREW



2021E REVENUE: n/a
2022E REVENUE: \$4.9M* Opening in Q3 2022

GREENFIELD¹

HIGHER LEVEL



2021E REVENUE: \$1.7M* Opened in Q3 2021
2022E REVENUE: \$10.8M

Note: See "Forward-Looking Information" disclaimer on page 2.
Gold Flora owns an option to purchase Higher Level Greenfield.



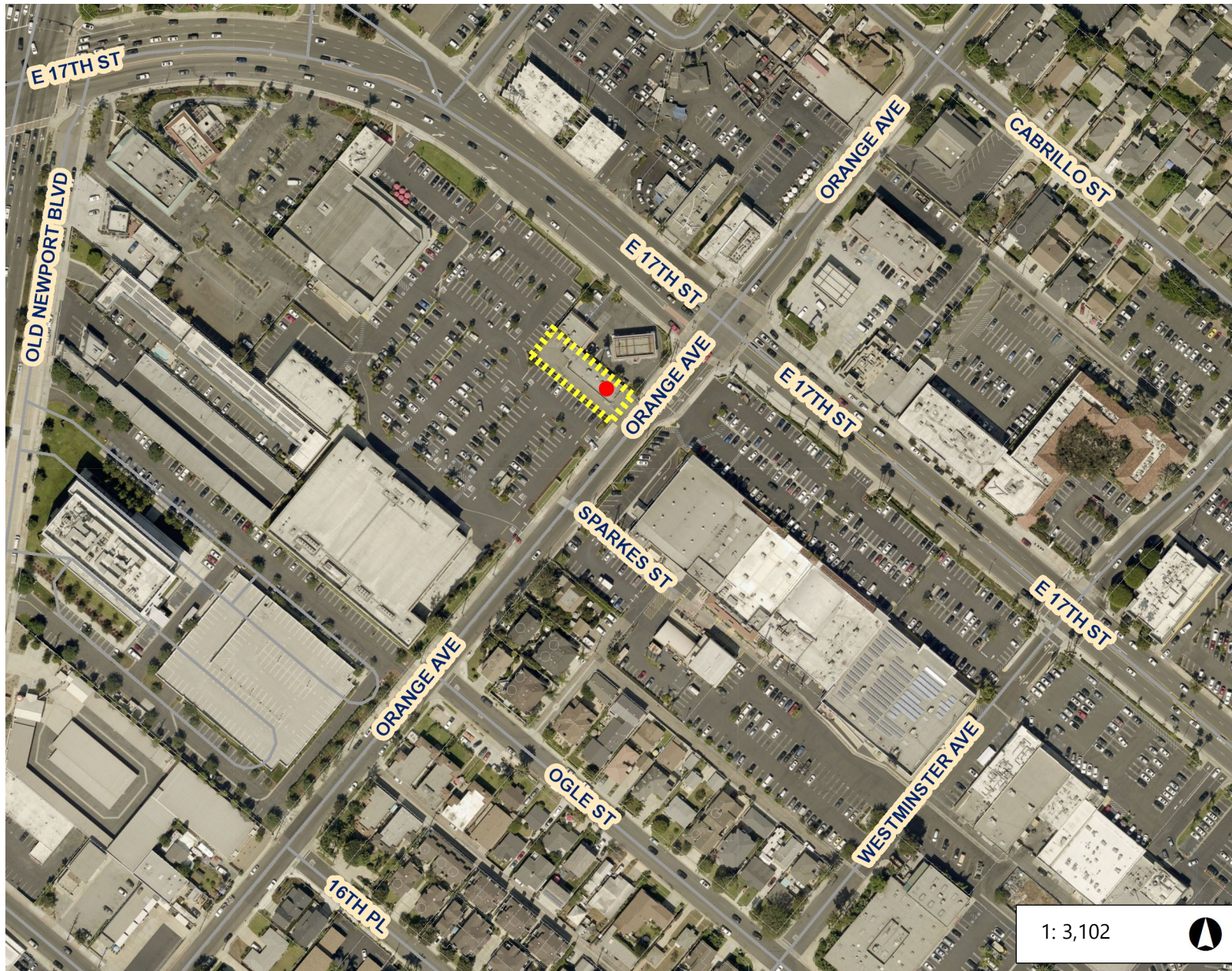
CURRENT RETAIL




2022 STORE OPENINGS



OPTION TO PURCHASE



Legend

 Costa Mesa

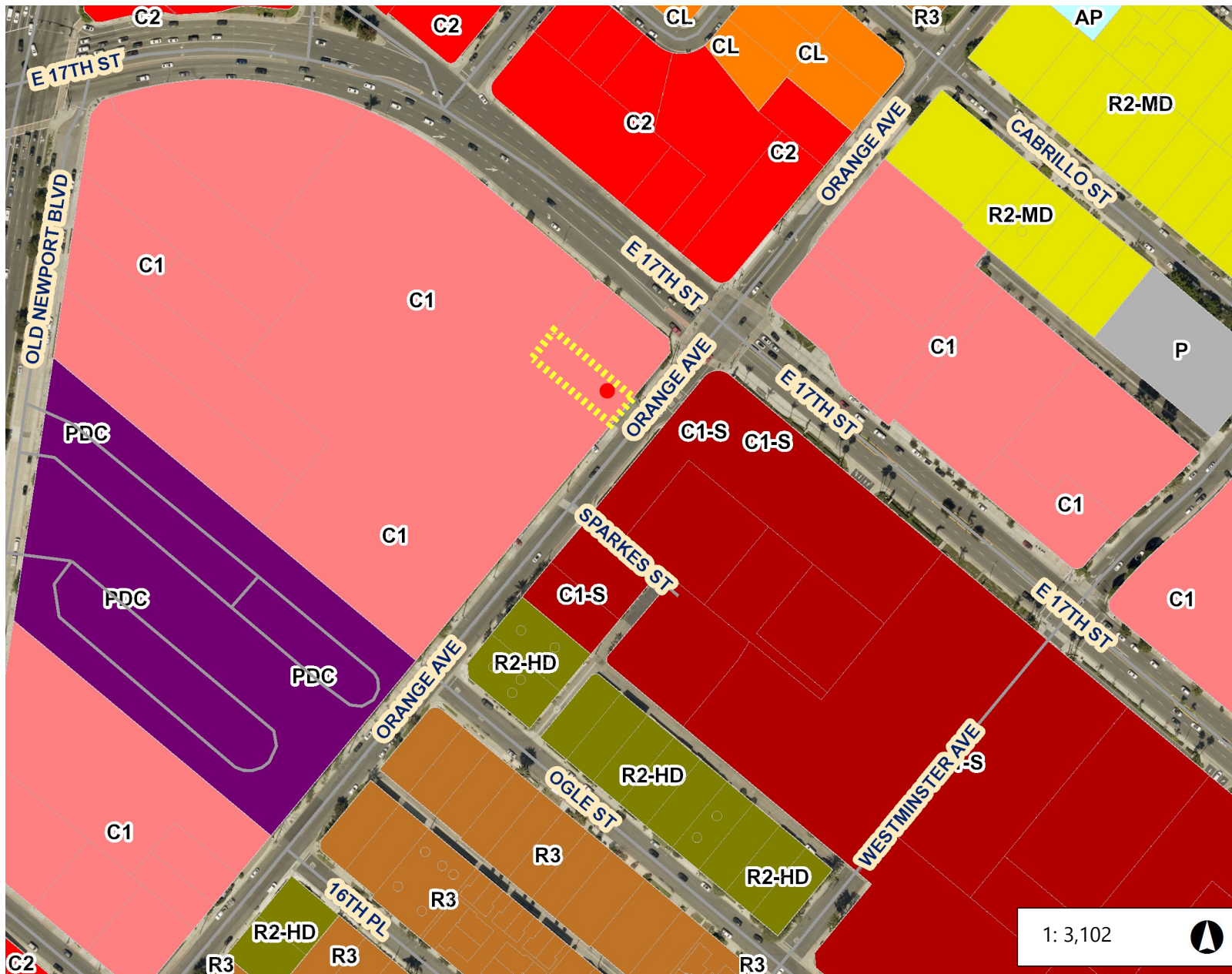
Notes

1687 Orange Avenue (PA-21-23)

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.



Legend

- Costa Mesa
- Zoning**
- AP - Administrative Professional
- IR-MLT - Institutional Recreational I
- R1 - Single-Family Residential
- R2-MD - Multiple-Family Residenc
- R2-HD - Multiple-Family Residia
- R3 - Multiple Family Residential
- MG - General Industrial
- MP - Industrial Park
- PDI - Planned Development Indust
- C1 - Local Business
- C2 - General Business
- C1-S - Shopping Center
- TC - Town Center
- PDR-NCM - Planned Development Mesa
- I&R - Institutional Recreational
- 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

1: 3,102



0.1 0 0.05 0.1 Miles

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Notes

1687 Orange Avenue (PA-21-23)

ATTACHMENT 5

1687 ORANGE AVENUE (PA-21-23)

EXISTING SITE PHOTOS



GOLD FLORA COSTA MESA

1687 ORANGE AVE.
COSTA MESA, CA 92627



SHEET INDEX

SHEET ISSUED ON DATE INDICATED, WITH MODIFICATIONS		ISSUE				
SHEET ISSUED ON DATE INDICATED, <u>NO</u> MODIFICATIONS		03 / 02 / 2022	04 / 18 / 2022	05 / 16 / 2022	06 / 30 / 2022	09 / 29 / 2022
A0.1	TITLE SHEET					
A1.1	PROPOSED SITE PLAN	●	●	●	●	
A2.1	PROPOSED FLOOR PLAN	●	●	●	●	
A4.1	PROPOSED EXTERIOR ELEVATIONS	●	●	●	●	
A4.2	PROPOSED EXTERIOR ELEVATIONS - RENDERING	●	●	●	●	
A5.1	RENDERING	●	●	●	●	
L01	PRELIMINARY LANDSCAPE PLAN	●	●	●	●	
SHEET COUNT: 7						

GENERAL PROJECT DATA

BUILDING DEPARTMENT: _____ COSTA MESA

ZONING: _____ COMMERCIAL (C1)

LAND USE DESIGNATION: _____ RETAIL

ASSESSOR'S PARCEL NO.: _____ 425-423-11

OCCUPANCY CLASSIFICATION: _____ PER CBC CHAPTER 3 - M

OCCUPANCY SEPARATION: _____ PER CBC TABLE 508.4 - NO SEPARATION REQUIRED

TYPE OF CONSTRUCTION: _____ PER CBC CHAPTER 6 (SECTION 602) - VB (EXISTING)

SPRINKLERED: _____ YES

NUMBER OF STORIES: _____ 1 STORY

PROJECT SCOPE:
2,928 S.F. CONDITIONAL USE PERMIT SUBMITTAL FOR A CANNABIS RETAIL DISPENSARY

ARCHITECT

WE ARCHITECTS GROUP

26449 RANCHO PKWY S.
LAKE FOREST, CA 92630

SIA SHIRAZI
PH: (714) 306-2333

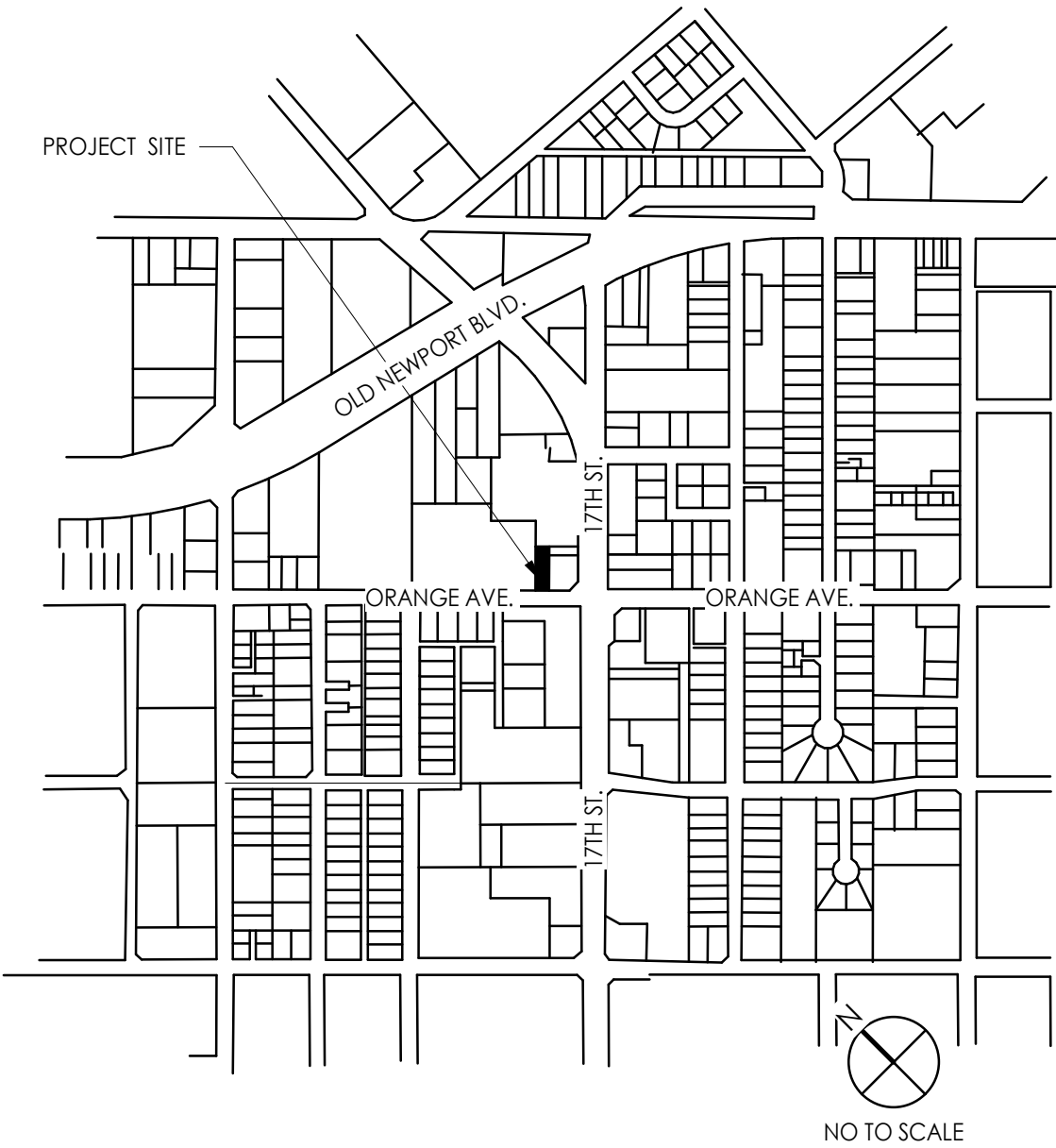
OWNER

GOLD FLORA

3165 RED HILL AVENUE
COSTA MESA, CA 92626

MR. GREG GAMET
PH: (720) 352-2380
E: greg@goldflora.com

VICINITY MAP



NO TO SCALE

TITLE SHEET

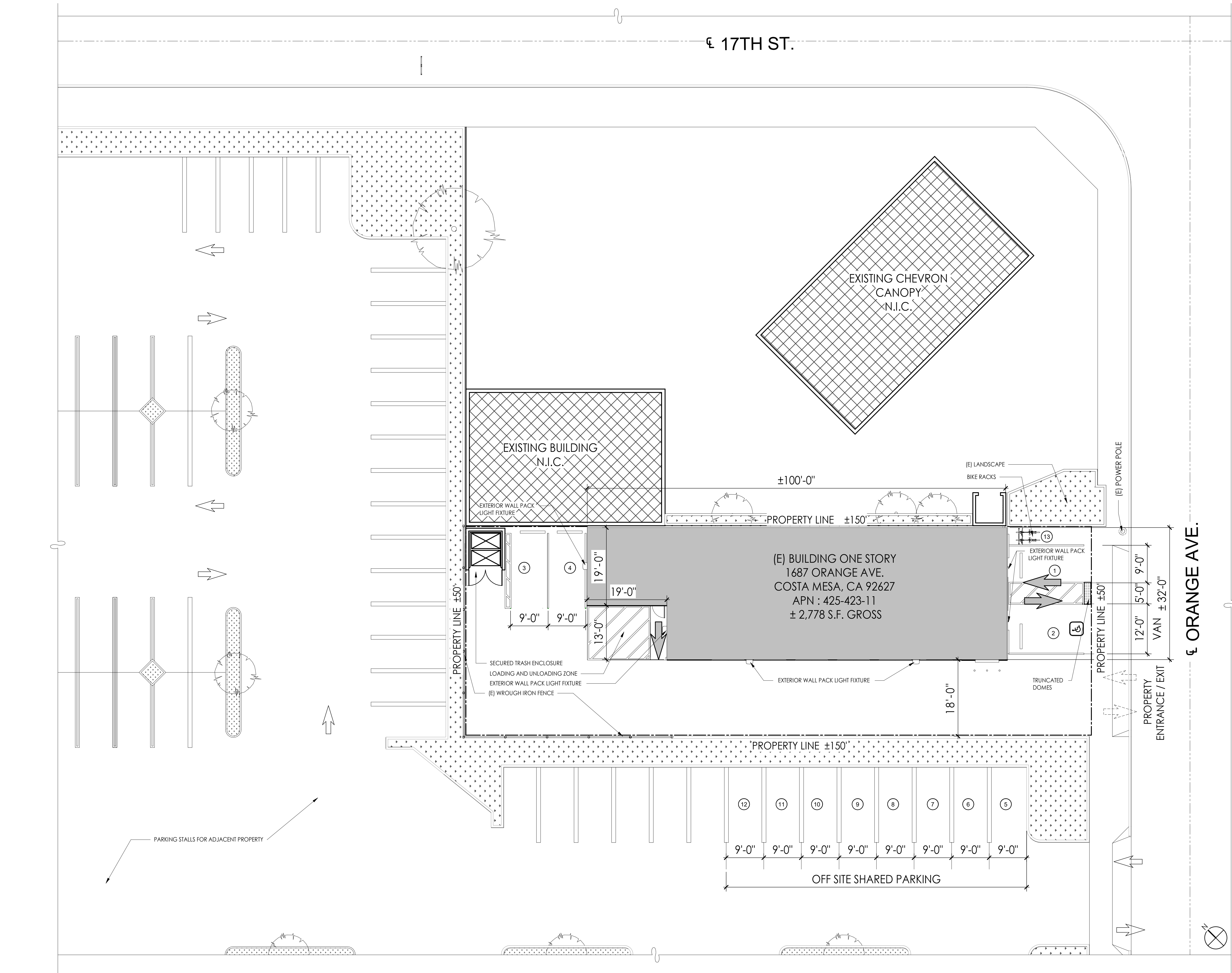
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www.WeArchitectsGroup.com

PROJECT NUMBER: 21-058
DATE: 09/08/2022

A0.1



LEGEND

PROPERTY LINE.

CENTER LINE OF STREET

BUILDING ENTRANCE / EXIT

PROPERTY ENTRANCE / EXIT

LANDSCAPE AND IRRIGATION AREA.

INDICATES AREA NOT IN CONTRACT (N.I.C.)

PARKING COUNT

SITE DATA

LOT AREA:

± 7,500 S.F. = ± 0.172 ACRE

BUILDING FOOTPRINT AREA:

EXISTING BUILDING: ± 2,778 S.F.

LANDSCAPE SUMMARY:

LANDSCAPE COVERAGE ±100 / 7,500 = 1.3 %

PROPOSED LANDSCAPE ±100 S.F.

NOTE:

NEW DRIVEWAY AND SIDEWALK TO BE CONSTRUCTED PER CITY STANDARD

PARKING SUMMARY

PARKING STALLS REQUIRED:

RETAIL:
MINIMUM OF FOUR SPACES FOR EACH 1,000 SQ. FT. OF GROSS FLOOR AREA
2,928 SF / 1,000 SF = 11.7 = 12 STALLS

PARKING STALLS REQUIRED:

STANDARD ACCESSIBLE 12 STALLS
1 STALL





PARKING STALLS PROVIDED:

STANDARD BYCICLE ACCESSIBLE 11 STALLS
1 STALL
1 STALL

TOTAL PROVIDED

13 STALLS

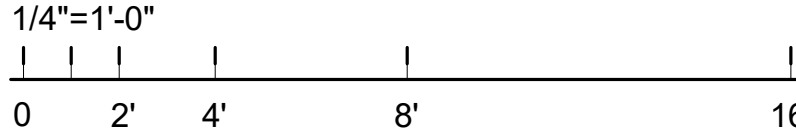
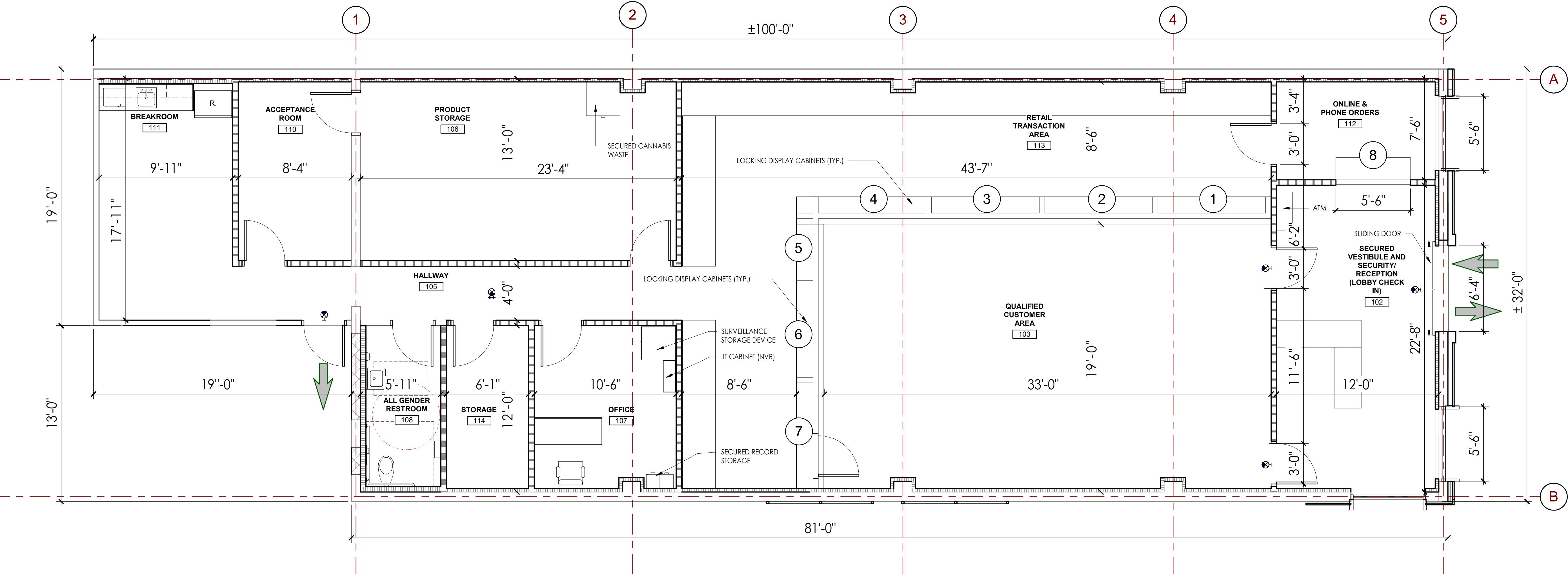
LEGEND

-  EXISTING EXIT
-  REGISTERS AND NUMBER
-  CEILING-MOUNTED EXIT SIGN WITH BATTERY BACKUP, SHADED QUADRANT INDICATES FACE OF LETTERING, SIGN TO INCLUDE DIRECTIONAL ARROW AS INDICATED.
-  WALL-MOUNTED EXIT SIGN WITH BATTERY BACKUP, SHADED QUADRANT INDICATES FACE OF LETTERING, SIGN TO INCLUDE DIRECTIONAL ARROW AS INDICATED.

NOTE: ADDITIONAL DIRECTIONAL EXIT SIGNS MAY BE REQUIRED PRIOR TO FINAL INSPECTION AND SUBJECT TO BUILDING INSPECTOR.

AREA BREAKDOWN

ROOM NAME	NO.	AREA (SF)
SECURED VESTIBULE AND SECURITY/ RECEPTION (LOBBY CHECK IN)	102	280 SF
QUALIFIED CUSTOMER AREA	103	700 SF
HALLWAY	105	135 SF
PRODUCT STORAGE	106	325 SF
OFFICE	107	112 SF
ALL GENDER RESTROOM	108	115 SF
ACCEPTANCE ROOM	110	116 SF
BREAKROOM	111	182 SF
ONLINE & PHONE ORDERS	112	88 SF
RETAIL TRANSACTION AREA	113	645 SF
STORAGE	114	80 SF
TOTAL		2,778 SF



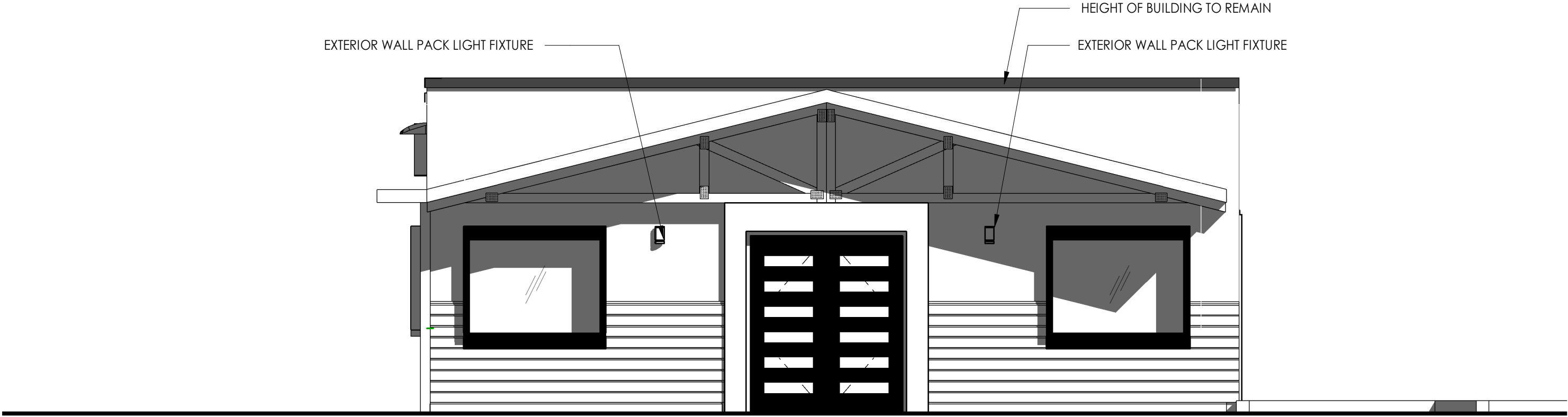
PROPOSED FLOOR PLAN

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1687 ORANGE AVE.
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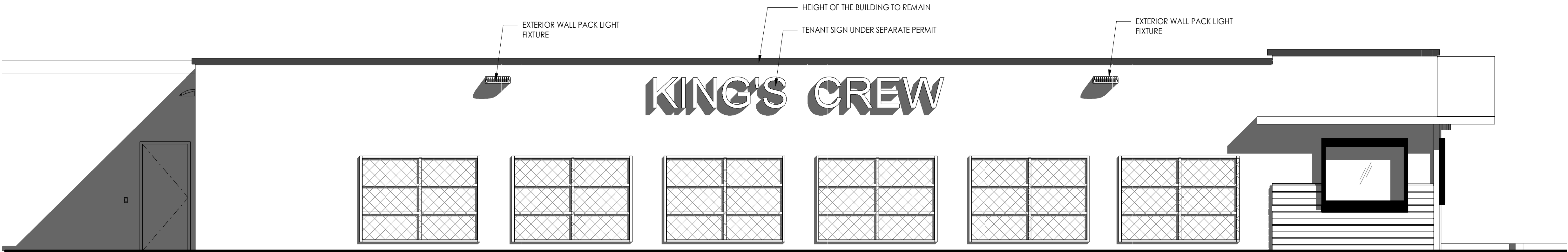
PROJECT NUMBER: 21-058
DATE: 09/08/2022

A2.1



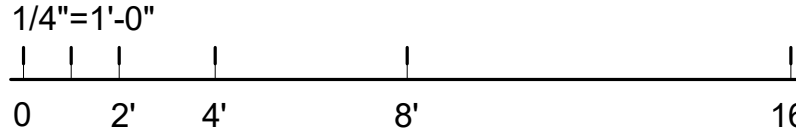
1 EAST EXTERIOR ELEVATION

1/4" = 1'-0"



2 SOUTH EXTERIOR ELEVATION

1/4" = 1'-0"



PROPOSED EXTERIOR ELEVATIONS

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PROJECT NUMBER: 21-058
DATE: 09/08/2022

A4.1



1 PROPOSED EAST ELEVATION - RENDERING
N.T.S.



2 PROPOSED SOUTH ELEVATION - RENDERING
N.T.S.

PROPOSED EXTERIOR ELEVATIONS - RENDERING

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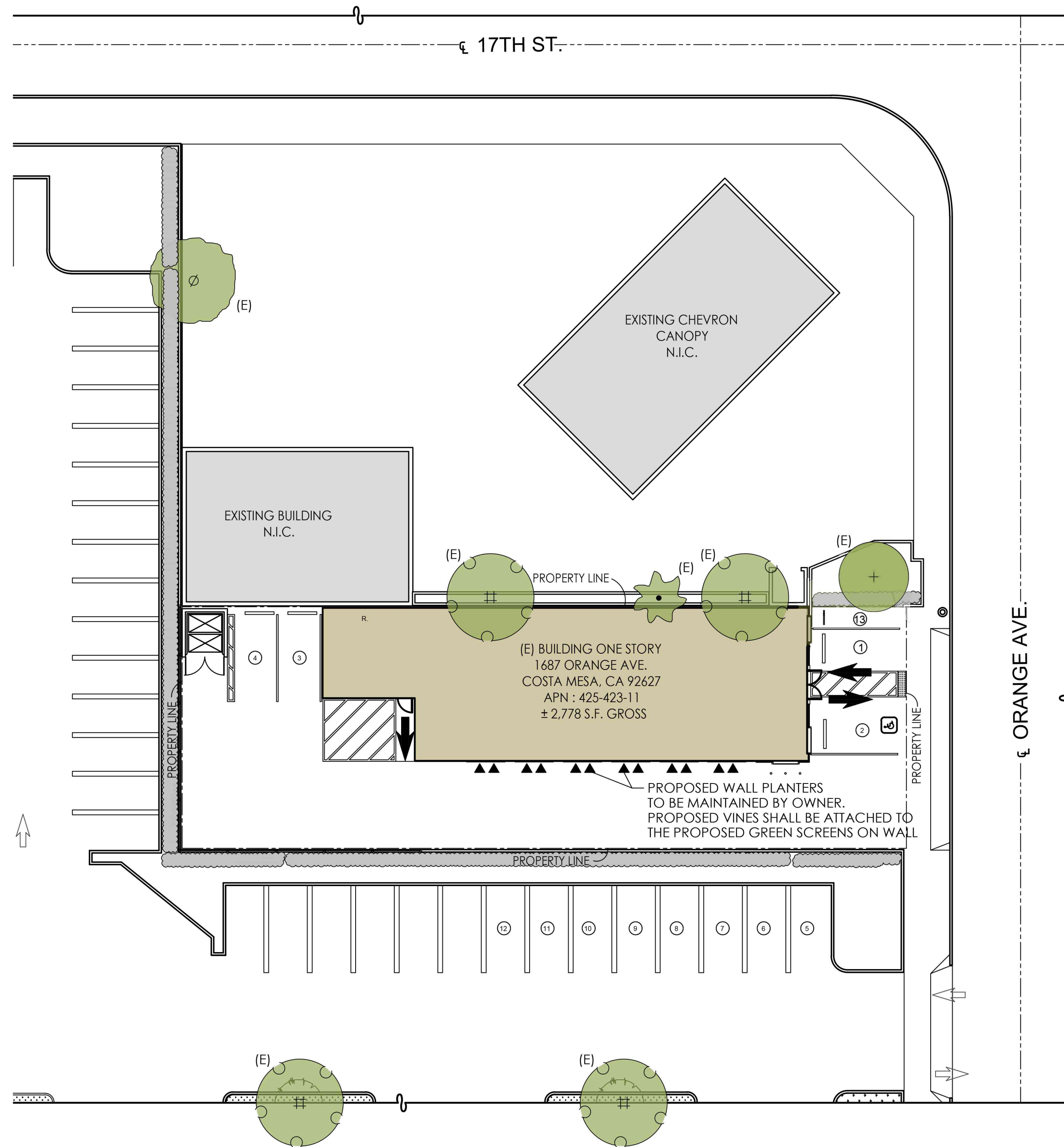
A4.2



1 EXISTING BUILDING
N.T.S.



2 PROPOSED BUILDING - RENDERING
N.T.S.



PLANTING LEGEND

SYMBOL BOTANICAL / COMMON NAME SIZE



TIPUANA TIPU /
TIPU TREE 15 GAL
STRAIGHT TRUNK

SYMBOL BOTANICAL / COMMON NAME SIZE

PROPOSED SHRUBS

AGAVE DESMETTIANA / DWARF AGAVE	1 GAL / 42" O.C.
DIETES VEGETA / FORTNIGHT LILY	1 GAL / 36" O.C.
ELAEAGNUS P. 'FRUITLANDII' / FRUITLAND SILVERBERRY	5 GAL / 36" O.C.
HEMEROCALLIS SPP. / DAYLILY	1 GAL / 30" O.C.
PHORMIUM T. 'SURFER' / SURFER NEW ZEALAND FLAX	5 GAL / 36" O.C.
CALLISTEMON 'LITTLE JOHN' / DWARF BOTTLE BRUSH	1 GAL / 30" O.C.
BULBINE FRUTESCENS / STALKED BULBINE	1 GAL / 36" O.C.

PROPOSED GROUNDCOVER & VINES

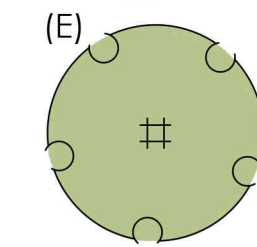
ROSMARINUS 'HUNTINGTON CARPET' / HUNTINGTON CARPET ROSEMARY	FLATS / 12" O.C.
TRACHELOSPERMUM JASMINOIDES / STAR JASMINE	FLATS / 12" O.C.

EXISTING TREES ON ADJACENT PROPERTY

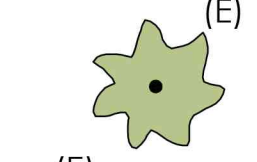
SYMBOL BOTANICAL / COMMON NAME



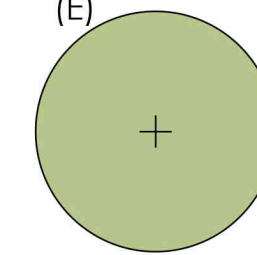
CUPANIOPSIS ANACARDIOIDES /
CARROTWOOD



TRISTANIA CONFERTA /
BRISBANE BOX



WASHINGTONIA ROBUSTA /
MEXICAN FAN PALM



PYRUS CALLERYANA /
EVERGREEN PEAR

1/16"=1'-0"
0 8' 16' 32' 64'

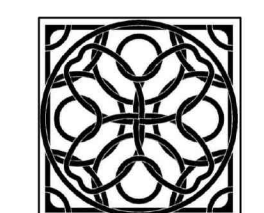
PRELIMINARY LANDSCAPE PLAN

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1687 ORANGE AVE.
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Tel: (949) 914-9166
WeArchitectsGroup.com

PROJECT NUMBER: 21-058
DATE: 09/08/2022

L.01



Colleen M. Nolan
Landscape Architect, #5439
cnolan@cox.net
13355 Silverado Court, Corona 92883
714.743.7915 cell

