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**MEETING MINUTES OF THE CITY OF  
COSTA MESA PLANNING COMMISSION****March 25, 2024****PUBLIC HEARINGS:****1. PLANNING APPLICATION 22-08 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 2490 NEWPORT BOULEVARD (NEWPORT WELLNESS)**

**Project Description:** Planning Application 22-08 is a request for a Conditional Use Permit to allow an approximate 2,000-square-foot retail cannabis storefront use with delivery in an existing single-story commercial building located at 2490 Newport Boulevard.

**Environmental Determination:** The project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

The following two ex-parte Planning Commission communications were reported:

Commissioner Viviar spoke on the phone with Kate Klimow.

Chair Ereth spoke on the phone with Kate Klimow. and spoke with Attorney Alexander Haberbush who is representing some Eastside Costa Mesa residents.

Michelle Halligan, Senior Planner, presented the staff report.

The Commission asked questions of staff including discussion of number of units on the property, proposed trash enclosure, security lighting impacts on nearby vacant or occupied residential units, light shielding and light fixtures, type of fence proposed to be built, existing businesses, overnight security guards, proximity to other approved cannabis applications, neighborhood compatibility, and employee parking requirements.

**The Chair opened the Public Hearing.**

Sean Maddocks, applicant's representative, stated he had read and agreed to the conditions of approval.

The Commission asked questions of the applicant including discussion of community outreach, unhoused individuals in the surrounding area, reason for holding community outreach meeting in January, and current tenants onsite.

**The Chair opened Public Comments.**

Speaker one spoke in opposition of the item.

Robert White spoke in opposition to the item.

Speaker three spoke in opposition of the item.

Speaker four spoke in opposition of the item.

Alexander Haberbush spoke in opposition to the item.

**The Chair closed Public Comments.**

The Commission asked additional questions of applicant and staff regarding property owners' decision to lease to a cannabis business, whom the community can contact for more information, reduced hours of operation, disadvantages of reducing operation hours are reduced, if there are sensitive uses located nearby, and for staff to elaborate on the pending Cannabis Ordinance update.

**The Chair closed the Public Hearing.**

The Commission deliberation included the number of cannabis storefronts already approved, the proposed cannabis ordinance changes, community concerns, neighboring residential uses, adequate security lighting and if it impacts the neighboring residents, positive and negative impacts on the community, General Plan, compliance findings, and codes the Commission must abide by.

Commissioner Vivar made a motion to Deny Planning Application 22-08. Seconded by Commissioner Andrade.

The Commission discussed the motion including that the proposed development may not be compatible with residential units on the property and nearby, the potential negative impacts on the neighborhood, and that maintenance of the property should be done by the property owner.

Vice Chair Toler made a substitute motion to approve Planning Application 22-08. Seconded by Commissioner Rojas.

The Commission discussed the motion and added conditions to have the applicant come back to the Planning Commission if the 24-hour security condition is revised, and to require a parking attendant for three months and then after the three months, the staff will decide if the parking attendant will continue.

**MOVED/SECOND:** Toler/Rojas

**MOTION:** Approve staff's recommendation.

The motion carried by the following roll call vote:

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Ayes: Ereth, Toler, Rojas

Nays: Andrade, Vivar

Absent: Klepack, Zich

Abstain: None

Motion carried: 3-2-2

**ACTION:** The Planning Commission adopted a resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1) Existing Facilities; and
2. Approve Planning Application 22-08 subject to the conditions of approval as contained in the Resolution.

**RESOLUTION PC-2024-09 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 22-08 FOR A STOREFRONT RETAIL CANNABIS BUSINESS WITH DELIVERY (NEWPORT WELLNESS) IN THE C1 ZONE AT 2490 NEWPORT BOULEVARD**

The Chair explained the appeal process.