

UNOFFICIAL UNTIL APPROVED

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

**June 27, 2022  
Regular Meeting – 6:00 p.m.**

**CALL TO ORDER:**

Chair de Arakal called the meeting to order at 6:00 p.m.

**PLEDGE OF ALLEGIANCE:**

Commissioner Ereth led the Pledge of Allegiance.

**ROLL CALL:**

Present: Chair Byron de Arakal, Commissioner Adam Ereth, Commissioner Russell Toler, Commissioner Jimmy Vivar, Commissioner Dianne Russell

Absent: Vice Chair Jon Zich, Commissioner Jonny Rojas,

Officials Present: Director of Economic and Development Services Jennifer Le, Assistant Development Services Director Scott Drapkin, Senior Planner Nancy Huynh, Associate Planner Chris Yeager, Assistant City Attorney Tarquin Preziosi, City Engineer Seung Yang and Recording Secretary Julie Colgan

**ANNOUNCEMENTS AND PRESENTATIONS:** None.

**PUBLIC COMMENTS:**

No public comments.

The chair closed public comments.

**COMMISSIONER COMMENTS AND SUGGESTIONS:**

No commissioner comments.

The Chair closed public comments.

**PUBLIC HEARINGS:**

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

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**Project Description:** Planning Application 22-13 is a request for a CUP to operate a cannabis distribution facility within a 5,772-square-foot tenant space in a multi-tenant industrial building located at 3505 Cadillac Avenue (Unit F3). The proposed distribution use involves intake of products, packaging, labeling, storing, and distribution of both bulk flower and finished cannabis products.

No public comments were received for this item.

No ex-parte communications

Chair de Arakal moved staff recommendation.

**MOVED/SECOND:** de Arakal, Russell

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

The motion carried by the following roll call vote:

Ayes: de Arakal, Ereth, Russell, Toler, Vivar

Nays: None

Absent: Zich, Rojas

Recused: None

Motion carried: 5-0

**ACTION:** Continued the Public Hearing to the next Planning Commission meeting date of July 11, 2022.

**2. CALL TO REVIEW PLANNING DIVISION ZONING APPROVAL BC21-00147 FOR A 1,072-SQUARE-FOOT SECOND-STORY ADDITION AND REMODEL AT 283 EAST 19TH STREET**

**Project Description:** This project was previously heard by the Planning Commission on June 13, 2022 and was a call for review of a prior Planning Division administrative approval of residential additions to an existing house. At the June 13<sup>th</sup> hearing, the Planning Commission continued their review for the applicant to consider several of the Commission's design solutions discussed during the public hearing, and return at the next Planning Commission hearing for the applicant's response. The applicant's architect has developed a modified floor plan that incorporates the previously discussed proposed "storage" area into the existing "Master Bedroom 2." By merging these two rooms, the project design takes advantage of an ingress/egress window located in the previously proposed "storage" area and is thereby able to retain the existing clerestory windows in "Master Bedroom 2" to address potential privacy concerns while remaining compliant with the Building Code.

No public comments were received on this item.

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No ex-parte communications to report.

Commissioner Toler Recused for living within 500 feet of subject property.

Associate Planner, Chris Yeager, presented the staff report.

The Chair opened public hearing.

Applicant's Representative: Lorena Lopez

Applicant's representative stated the applicant approved the modifications and agreed to the changes.

**PUBLIC COMMENT:**

No public comments.

The Chair closed the public comment portion of the public hearing.

The Chair closed the public hearing.

Chair de Arakal made motion to move staff's recommendation.

**MOVED/SECOND:** de Arakal/Toler

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

The motion carried by the following roll call vote:

Ayes: de Arakal, Ereth, Russell, Vivar

Nays: None.

Absent: Zich, Rojas

Recused: Toler

Motion carried: 5-0

**ACTION:** Planning Commission adopted a Resolution to:

Uphold the Planning Division's administrative approval of the proposed second-story addition at 283 East 19th Street with recommended design modifications, as agreed to by the applicant and owners of the neighboring property located at 279 East 19th Street.

**RESOLUTION NO. PC-2022-11 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA UPHOLDING PLANNING DIVISION APPROVAL OF BUILDING PERMIT BC21-00147 FOR A 1,072-SQUARE-FOOT SECOND-STORY ADDITION AND REMODEL AT 283 E. 19TH STREET**

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The Chair explained the appeal process.

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

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

No ex-parte communications.

Chair de Arakal opened the public hearing

Peter Isheck, applicant, spoke to commission and asked for a continuance to the next Planning Commission meeting on July 11, 2022.

No public comments received.

Chair de Arakal moved that the Commission continue the item to the next Planning Commission meeting on July 11, 2022.

**MOVED/SECOND:** de Arakal/Russell

**MOTION:** Moved staff’s recommendation.

The motion carried by the following roll call vote:

Ayes: de Arakal, Ereth, Russell, Toler, Vivar

Nays: None

Absent: Zich, Rojas

Recused: None

Motion carried: 5-0

**Action:** The item was continued to the July 11, 2022 Planning Commission meeting.

**4. PLANNING APPLICATION 21-14 FOR A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 1921 HARBOR BOULEVARD**

**Project Description:** Planning Application 21-14 is a request for a CUP to allow a retail cannabis use within an existing 7,215-square-foot commercial building located at 1921 Harbor Boulevard. The affiliated State license is Type 10 “storefront retailer” which also allows retail delivery. Upon approval of a CUP, CBP,

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City Business License, and State licenses, the business would sell pre-packaged cannabis and pre-packaged cannabis products directly to customers onsite, and via delivery to private addresses, subject to conditions of approval and other City and State requirements.

Public comments were received for this item, provided to the commission and made a part of the record.

Three ex-parte communications to report: Commissioner Ereth talked to the applicant two times; Commissioner Russell had a conversation with the applicant; and Commissioner Vivar toured the facility and had conversations with the applicant

Senior Planner, Nancy Huynh, presented the staff report.

**Commission and staff discussion included:**

Commissioner Toler asked about previous business that previously occupied the site.

Commissioner Russell asked about the traffic flow in front of the proposed site.

Commissioner Vivar asked whether the notices were sent in both English and Spanish. He also asked about noise and light impacts on the mobile homes next to the proposed site. He asked about certified traffic flagger training.

Chair de Arakal asked about parking enforcement.

The Chair opened the public hearing.

Applicant's Representative: Michael Moussalli

Applicant representative stated the applicant approved the modifications and agreed to the changes.

**Commission, Staff and Applicant discussion included:**

Commissioner Ereth asked the applicant about the shuttle service they would be providing for their employees; what their incentive program will entail; about the proposed sites landscaping, and using drought resistant plants; and about the proposed fish tanks.

Commissioner Toler asked whether the alley behind the proposed site is public or private; about the pedestrian access through the proposed gate; and where the applicant planned to place the parking attendant.

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Commissioner Russell asked what information will be on the parking lot full sign.

Commissioner Vivar asked for more information on how the applicant did outreach with the mobile home park residents next to the proposed site; if the applicant considered other traffic reducing measures other than a fence around the property; and about delivery vehicles and their noise output.

Chair de Arakal opened the public comment portion of the hearing.

**PUBLIC COMMENT:**

Curt Herberts, business owner, commented on the traffic and parking effects on his business.

Eangelio Artoneish, resident, spoke in support of the item.

Lin Mack spoke in support of the item.

Benjamin Essenes, business owner, commented on the traffic and parking effects on his business.

Rob Ramiro, business owner and resident, spoke in support of the item.

Speaker Six, business owner, commented on the traffic and parking effects on her business.

Jose Merian, business owner, commented on the traffic and parking effects on his business.

The Chair closed the public comment portion of the public hearing.

The Chair closed the public hearing.

Chair de Arakal made motion to move staff's recommendation.

**MOVED/SECOND:** de Arakal/Toler

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

The motion carried by the following roll call vote:

Ayes: de Arakal, Ereth, Russell, Toler, Vivar

Nays: None.

Absent: Zich, Rojas

Recused: None.

Motion carried: 5-0

**ACTION:** Planning Commission adopted a Resolution to:

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1. Finds 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. Approves Planning Application 21-14, subject to conditions of approval.

**RESOLUTION NO. PC-2022-12 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 21-14 FOR A STOREFRONT RETAIL CANNABIS BUSINESS WITH DELIVERY (HIGH SEAS) IN THE C2 ZONE AT 1921 HARBOR BOULEVARD**

The Chair explained the appeal process.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**DEPARTMENTAL REPORT(S):**

1. Public Services Report – Mr. Yang informed the public about the Willison street improvement project.
2. Development Services Department – None.

**CITY ATTORNEY’S OFFICE REPORT(S)**

1. City Attorney - None.

**ADJOURNMENT AT 8:44 P.M.**

Submitted by:

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SCOTT DRAPKIN, SECRETARY  
COSTA MESA PLANNING COMMISSION