

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

**March 5, 2018**

*These meeting minutes represent an "action minute" format with a concise summary of the meeting. A video of the meeting may be viewed on the City's website at [www.costamesaca.gov](http://www.costamesaca.gov) or purchased on DVD upon request.*

The Chair called the meeting to order (00:00:12).

Commissioner Harlan led the Pledge of Allegiance.

**ROLL CALL**

Present: Chair Stephan Andranian  
Vice Chair Byron de Arakal  
Commissioner Jeffrey Harlan  
Commissioner Isabell Kerins  
Commissioner Carla Navarro Woods

Staff: Barry Curtis, Director of Economic and Development Services  
Jennifer Le, Assistant Director of Development Services  
Yolanda Summerhill, Deputy City Attorney  
Tarquin Preziosi, Assistant City Attorney  
Bart Mejia, City Engineer  
Mino Ashabi, Principal Planner  
Mel Lee, Senior Planner  
Dan Inloes, Senior Planner  
Julie Colgan, Recording Secretary

**ANNOUNCEMENTS AND PRESENTATIONS:**

None.

**PUBLIC COMMENTS:**

An unidentified speaker spoke about the sober living home issue.

An unidentified speaker spoke on various issues.

The Chair closed the public comments.

**PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:**

Commissioner Navarro Woods responded to public comments.

Commissioner Kerins responded to public comments.

**CONSENT CALENDAR:**

None.

## **PUBLIC HEARINGS (00:10:10)**

### **1. PLANNING APPLICATION PA-17-20 FOR A TWO-UNIT SMALL LOT SUBDIVISION RESIDENTIAL DEVELOPMENT AT 360 AND 362 LA PERLE LANE**

**Project Description:** Planning Application PA-17-20 is a request for Design Review to construct a two-unit, two-story small lot subdivision on a 7,200-square-foot parcel in the R2-MD zone. One existing single-story detached single-family residence is proposed to be demolished and two new detached single-family residences would be constructed. The front unit is proposed to be approximately 2,253 square feet in size with three bedrooms and two and one-half bathrooms; the rear unit is a proposed to be approximately 2,505 square feet in size with four bedrooms and two and one-half bathrooms. Each residence will include an attached two-car garage. The project satisfies the Small Lot Subdivision development standards and Residential Design Guidelines. If approved, a parcel map will be processed separately.

**Environmental Determination:** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 (Class 3), New Construction.

No ex-parte communications to report.

Minoo Ashabi, Principal Planner, presented the staff report and stated that Engineering Conditions Nos. 33-36 were mistakenly omitted and need to be included.

Commissioners and staff discussed how many attached or detached units could be built at this site; whether the fireplace is allowed to extend two-feet into the required setback per code requirements; minimum density as it relates to parcels established prior to March 16, 1992; and whether it is in an overlay zone.

### **PUBLIC COMMENTS**

Ryan Oldham, applicant, stated he has read and agrees to all the conditions of approval including Engineering Conditions Nos. 33-36.

Commissioner Navarro Woods asked and Mr. Oldham confirmed that permeable materials could be used in the open space areas; the Peruvian pepper tree could be replaced with a less invasive species; and the landscaping could be increased on the 362 La Perle Lane unit.

An unidentified speaker spoke in opposition to this item.

An unidentified speaker stated concerns with the parking and the Small Lot Ordinance (SLO).

Mr. Oldham responded to public comments.

Vice Chair de Arakal asked if Mr. Oldham would consider adding window treatments on the garage doors. Mr. Oldham responded that it would not be a problem.

The Chair closed the public hearing.

Vice Chair de Arakal and Barry Curtis, Director of Economic and Development Services, discussed the City Council's decision that established a minimum lot size of 7,900 square feet for ADU's and the City Council's direction to revise the Small Lot Ordinance to make it consistent with the development standards for Common Interest Development.



**MOTION:** Move that the Planning Commission find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303 (New Construction); and adopt a Resolution to approve Planning Application PA-17-20, subject to conditions of approval including the amended conditions provided by staff which are the following:

**Condition of Approval No. 33 to read:** "Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct the residential sidewalk per City of Costa Mesa Standards as shown on the Offsite Plan, including four (4) feet clear around obstructions in the sidewalk".

**Condition of Approval No. 34 to read:** "Fulfill Drainage Fee requirements per City of Costa Mesa Ordinance No. 06-19 prior to approval of Final Map/Approval of Plans".

**Condition of Approval No. 35 to read:** "Applicant is informed that La Perle Lane is under "NO OPEN CUT" moratorium until October 2018. Open cutting the street pavement during the moratorium period shall require special resurfacing requirements".

**Condition of Approval No. 36 to read:** "Dedicate a 3-foot public sidewalk easement behind existing right of way line on La Perle Lane".

**Moved by Chair Andranian, seconded by Vice Chair de Arakal.**

Chair Andranian spoke to supporting the motion.

Commissioner Kerins explained why she asked the question regarding overlays.

Commissioner Navarro Woods appreciated that Mr. Oldham is willing to look at her suggestions on the project.

Commissioner Harlan spoke to supporting the motion.

**RESOLUTION PC-18-21– A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-17-20 FOR A TWO-UNIT RESIDENTIAL DEVELOPMENT AT 360 AND 362 LA PERLE LANE IN THE R2-MD ZONE**

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Kerins, Navarro Woods

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.

**2. PLANNING APPLICATION PA-17-50 FOR A MEDICAL MARIJUANA MANUFACTURING AND DISTRIBUTION FACILITY (NATURE'S MARKET) AT 1675 TORONTO WAY**

**Project Description:** Planning Application PA-17-50 is a Conditional Use Permit for a Medical Marijuana manufacturing and distribution facility (Nature's Market) within a 24,379-square-foot existing industrial building. The proposed facility would include extraction, manufacturing, processing, packaging, staging, storage, and distribution of cannabis products. The facility will be staffed by at least five persons, with up to 18 persons maximum. Hours of operation are proposed to be 24 hours a day, seven days a week. The facility will have security systems (card readers, security cameras, etc.) throughout the facility. No cultivation of marijuana or medical marijuana dispensary is permitted.



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

No ex-parte communications to report.

Mel Lee, Senior Planner, presented the staff report.

Commissioners and staff discussed a discrepancy in the staff report regarding the height and area of the building; and whether the City has any standard hours of operation for this type of business.

## **PUBLIC COMMENTS**

Kamran Moghaddam, applicant, has read the conditions of approval and agreed to them except Condition of Approval No. 2, requesting 12 months instead of 6 months to obtain the medical marijuana business permit. Mehran Moghaddam, applicant, presented a slideshow on the proposed application.

Commissioners and applicants discussed the shipping and receiving area; how unloading of materials would occur; what the attraction was to the building; maximum employees; and disposal of green waste.

An unidentified speaker spoke in opposition to this item.

Applicants responded to the public comment.

Vice Chair de Arakal and applicants discussed why they requested 12 months to get their medical marijuana business permit.

The Chair closed the public hearing.

**MOTION: Move that the Planning Commission find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities); and adopt a Resolution to approve Planning Application PA-17-50, subject to conditions of approval with the following modification: Condition of Approval of No. 1 to read: “The use of this property as a medical marijuana manufacturing/processing business shall comply with the approved plans and terms described in this resolution and these conditions of approval. The business hours shall be for a 24-hour-a-day operation. No product distribution shall occur between 12:00 AM to 5:00 AM. 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)]”.**

**Condition of Approval No. 2 to read: “This CUP will expire and be of no further force and effect if the applicant does not obtain a valid medical marijuana business permit for this location within 12 months from issuance of this CUP”.**

**Moved by Commissioner Kerins, seconded by Commissioner Harlan.**

Vice Chair de Arakal spoke to supporting the motion.

Commissioner Navarro Woods spoke on what she appreciated about the application.

**RESOLUTION PC-18-22– A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT PA-17-50 TO ALLOW A MEDICAL MARIJUANA MANUFACTURING AND DISTRIBUTION FACILITY AT 1675 TORONTO WAY**

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Kerins, Navarro Woods

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.

**3. TENTATIVE PARCEL MAP 2016-162 FOR THE SUBDIVISION OF A SINGLE PARCEL WITH TWO DETACHED SINGLE FAMILY DWELLING UNITS INTO TWO PARCELS WITH ONE DWELLING UNIT ON EACH PARCEL AT 227 22ND STREET**

**Project Description:** Tentative Parcel Map 2016-162 is a request for the subdivision of a 14,632-square-foot parcel containing two existing detached single-family dwelling units into two separate parcels with one unit on each parcel. The proposed subdivision is consistent with the Residential Development Standards and the Subdivision Map Act.

**Environmental Determination:** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions.

No ex-parte communications to report.

Dan Inloes, Senior Planner, presented the staff report.

Commissioners and staff discussed the maintenance of the gate on the shared parcel and the lot depth and the required lot width for newly created R1 lots; discussion centered around past practice allowing for lots with a depth less than 200 feet to be subdivided when the original development lot has a street frontage of at least 50 feet (but the newly created lots may not).

**PUBLIC COMMENTS**

Mark Cernicky, applicant, stated he has read the conditions of the approval and agreed to them.

Commissioner Navarro Woods, Mr. Cernicky, and his sister discussed how long they have owned the property and the reason they are requesting to subdivide the lot.

An unidentified speaker spoke in support of this item indicating that the project should be approved because these are long time owners.

Richard Holroyd, neighbor, spoke in support of this item and asked that the back unit remain a single story structure.

Mary Dean, next door neighbor, spoke in support of this item.

Mr. Cernicky provided closing comments.

The Chair closed the public hearing.



**MOTION: Move that the Planning Commission find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15315, Minor Land Divisions; and adopt a Resolution to approve Tentative Parcel Map 2016-162, subject to findings in conditions of approval.**

**Moved by Vice Chair de Arakal, seconded by Commissioner Harlan.**

Chair Andranian spoke on the motion.

Commissioner Navarro Woods spoke on the motion.

Commissioner Harlan and Jennifer Le, Assistant Director of Development Services, discussed what other lot splits with similar circumstances have occurred in the City.

Vice Chair de Arakal spoke in support of the motion.

**RESOLUTION PC-18-23 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION TENTATIVE PARCEL MAP 2016-162 TO SUBDIVIDE ONE PARCEL INTO TWO PARCELS IN THE R1 ZONE FOR PROPERTY AT 227 22ND STREET**

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Kerins

Noes: Navarro Woods

Absent: None

Abstained: None

The Chair explained the appeal process.

The Commission took a break at 7:42 p.m.

The Commission reconvened at 7:49 p.m.

**4. MASTER PLAN PA-17-28 FOR A MIXED USE PROJECT (THE PLANT) AT 765-767 BAKER STREET AND 2972 CENTURY PLACE**

**Project Description:**

1. Request for a Master Plan for a mixed-use development (The Plant). The project consists of renovating four existing commercial buildings (currently containing the Car Mart and the former Plant Stand) totaling 20,340 square feet for retail, restaurant, and food stall uses surrounding a central courtyard area. The proposed new buildings consist of a 540-square-foot greenhouse structure and a four-story mixed use building with 48 residential units, six live/work units, and 5,500 square feet of workshop/maker office space above a two-level parking structure containing 180 parking spaces. Thirty on-site surface parking spaces and an additional 32 parking spaces off of Century Place are also proposed, for a total of 242 onsite parking spaces.
2. Request to modify Conditional Use Permit PA-98-18 as it pertains to a Reciprocal Parking and Access Agreement with Mansion Nightclub (formerly Shark Club) allowing offsite employee and valet parking at 841 Baker Street. The Applicant is requesting to modify the CUP because the nightclub no longer uses the subject site for parking. No code deviations are being requested for this project.

The project was originally considered by the Planning Commission at its December 11, 2017 hearing.

**Environmental Determination:** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (Class 32), Infill Development Projects.

Two ex-parte communications to report: Vice Chair de Arakal had a telephone conversation with Shaheen Sadeghi and Commissioner Kerins had a message from Shaheen Sadeghi and left a message for him and he then left a message for her. No conversation occurred.

Mel Lee, Senior Planner, presented the staff report.

## **PUBLIC COMMENTS**

Chris Bennett, LAB Holdings LLC, stated he has read the conditions of approval and agreed to them but would like to modify the language of Condition of Approval No. 11 to state that no visible roof top equipment is allowed. He explained the changes that were made to the project since it went before the Commission last time.

Commissioners and Mr. Bennett discussed the designated shared driving drop off stall; whether subterranean parking was considered; and the electrical vehicle parking spots.

An unidentified speaker asked that Shaheen Sadeghi pay for his own parking structure.

An unidentified speaker asked who paid for the signal on Bristol Street for the LAB and stated concerns with the parking.

Mr. Bennett clarified that out of the 242 parking spaces on-site, 100 of them are dedicated to residential use and the additional 142 are for non-residential use.

Vice Chair de Arakal and Jim Trammell, applicant, discussed how much a 2-story parking structure would cost.

The Chair closed the public hearing.

Vice Chair de Arakal spoke in support of the project.

**MOTION: Move that the Planning Commission find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332 (Infill Development); and adopt a Resolution to approve Planning Application PA-17-28 approving a Master Plan for a mixed use project (The Plant) and modifying Conditional Use Permit PA-98-18 as it pertains to a Reciprocal Parking and Access Agreement, subject to conditions of approval including the conditions modified by staff in two supplemental memos with the following modification:**  
**Code Requirement Condition of Approval No. 11 to read: "Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division".**

**Moved by Vice Chair de Arakal, seconded by Commissioner Kerins.**

Commissioner Kerins stated safety concerns at the intersection of Baker Street and Randolph Avenue and asked staff to look into installing a light at Randolph Avenue or Century Place.



Bart Mejia, City Engineer, responded that City staff is working on a request for proposals to install a light at that location.

Commissioner Harlan spoke in support of the motion and the detailed materials submitted for the project.

Commissioner Kerins spoke in support of the project.

Chair Andranian gave comments on the project.

**RESOLUTION PC-18-24 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING MASTER PLAN PA-17-28 FOR A MIXED-USE PROJECT (THE PLANT) AT 765-767 BAKER STREET AND 2972 CENTURY PLACE AND MODIFYING CONDITIONAL USE PERMIT PA-98-18 AS IT PERTAINS TO A RECIPROCAL PARKING AND ACCESS AGREEMENT ALLOWING OFFSITE EMPLOYEE AND VALET PARKING BETWEEN 841 BAKER STREET AND 2972 CENTURY PLACE**

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Kerins, Navarro Woods  
Noes: None  
Absent: None  
Abstained: None

The Chair explained the appeal process.

**DEPARTMENTAL REPORT(S)**

1. Public Services Report – none.
2. Development Services Report – none.

**CITY ATTORNEY'S OFFICE REPORT(S)**

1. City Attorney – none.

**ADJOURNMENT (02:25:07) TO A PLANNING COMMISSION MEETING AT 6:00 P.M., OR SHORTLY THEREAFTER, ON MONDAY, MARCH 12, 2018.**

Submitted by:

  
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BARRY CURTIS, SECRETARY  
COSTA MESA PLANNING COMMISSION