



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: NOVEMBER 14, 2016

ITEM NUMBER: PH-17

SUBJECT: PLANNING APPLICATION PA-16-03 FOR AN ALL-MALE SOBER LIVING FACILITY OPERATED BY SUMMIT COASTAL LIVING WITHIN 2 ATTACHED CONDOMINIUM UNITS SERVING 11 OCCUPANTS, INCLUDING ONE RESIDENT HOUSE MANAGER, AT 165 E. WILSON STREET

DATE: NOVEMBER 2, 2016

FROM: COMMUNITY IMPROVEMENT DIVISION, DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: SHERI VANDER DUSSEN, INTERIM ASSISTANT DEVELOPMENT SERVICES DIRECTOR, COMMUNITY IMPROVEMENT DIVISION

FOR FURTHER INFORMATION CONTACT: SHERI VANDER DUSSEN (714) 754-5617
sheri.vanderdussen@costamesaca.gov

DESCRIPTION

Planning Application PA-16-03 is a Conditional Use Permit (CUP) filed pursuant to City of Costa Mesa Municipal Code, Title 13 Section 13-323, for an all-male sober living facility housing 11 occupants (including one resident house manager) within two existing attached condominium units.

APPLICANT OR AUTHORIZED AGENT

The applicant and property owner is Keith Randle.

RECOMMENDATION

Staff recommends adoption of a resolution approving this application.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301, Existing Facilities.

BACKGROUND/ANALYSIS

The subject property is located on the south side of Wilson Street, east of Elden Avenue. The property is zoned R2-MD (Multiple Family Residential, Medium Density) and has a General Plan Land Use Designation of Medium Density Residential. The property immediately abuts and is across the street from other properties with the R2-MD zoning designation and is approximately 275 feet from Georgeanne Place, a cul de sac with properties with an R1 (Single Family Residential) zoning designation. Additional R1 properties are located along Wilson Street south of Orange Avenue beginning approximately 450 from the subject property. The property is approximately 500 feet from Lindbergh School, which is located in the I & R-S (Institutional & Recreation – School) Zone.

Conditional Use Permit Requirement for Sober Living Facilities in Multi-Family Residential Zones

On November 17, 2015, the City Council adopted Ordinance 15-11 revising Title 13 of the Costa Mesa Municipal Code to add Chapter XVI which established conditions for granting a CUP to group homes, residential care facilities, and drug and alcohol treatment facilities serving more than six residents in the City's multiple family residential zones. All group homes and residential care facilities currently operating in multi-family zones before the ordinance was adopted must come into compliance with Ordinance 15-11 by December 17, 2016.

Sections 65008(a) and (b) of the California Government Code prohibit discrimination in local governments' zoning and land use actions based on (among other categories) race, sex, lawful occupation, familial status, disability, source of income, or occupancy by low to middle income persons. Section 65008(d)(2) also prevents agencies from imposing different requirements on single-family or multifamily homes because of the familial status, disability, or income of the intended residents. Individuals in recovery from drug and alcohol addiction are defined as disabled under the Fair Housing Act. Therefore, the City is obligated to treat residents of sober living homes like it treats other residents of the City. Conditions of approval must reflect this obligation.

CUP Application Deemed Complete

The applicant submitted all of the CUP application requirements for group homes with seven or more occupants, and the application was deemed complete on January 26, 2016. CUP application requirements include, but are not limited to, the following items:

- Completed Live Scan forms for all owners/operators who have contact with residents, corporate officers with operational responsibilities, house managers and counselors;
- The Group Home's Relapse Policy;
- Written policies directing occupants to be considerate of neighbors, including refraining from engaging in loud, profane or obnoxious behavior that would unduly interfere with a neighbor's use and enjoyment of their dwelling unit;

- Written policy requiring occupants to actively participate in a legitimate recovery program;
- Written policy that prohibits the use of any alcohol or any non-prescription drugs at the sober living home or by any individual in recovery including the house manager if applicable on or off site. House Rules must also include a written policy regarding the possession, use and storage of prescription and over the counter medications, that includes monitoring and oversight by qualified staff; and
- Written policy that precludes any visitors who are under the influence of drugs or alcohol.

Sober Living Homes with Seven or More Occupants Must Obtain an Operator's Permit pursuant to Title 9, Section 374.

In addition to a CUP, an Operator's Permit application is required for group homes with seven or more occupants if the facility is not licensed by the State of California. Staff has reviewed the Operator's Permit application for compliance. The applicant submitted all of the required documentation, and the facility meets the operational requirements for issuance of an Operator's Permit. The requirements include, but are not limited to, the following:

- The group home is required to have a house manager who resides at the group home or any multiple persons acting as a house manager who are present at the group home on a twenty-four-hour basis and who are responsible for the day-to-day operation of the group home. The facility has identified a resident house manager and has provided contact information as part of the Operator's Permit application packet.
- Occupants must not require, and operators must not provide, "care and supervision" as those terms are defined by Health and Safety Code 1503.5 and Section 80001(c)(3) of title 22, California Code of Regulations. The applicant's description of the facility does not include the provision of "care and supervision" as defined by the State.
- The applicant has indicated that this sober living home shall not provide any of the following services as they are defined by Section 10501(a)(6) of Title 9, California Code of Regulations: detoxification, educational counseling, individual or group counseling sessions; and treatment or recovery planning. Summit Coastal Living will make outside referrals to qualified facilities upon request.
- Upon eviction from or involuntary termination of residency in a group home, the operator of the group home shall make available to the occupant transportation to the address listed on the occupant's driver license, state issued identification card, or the permanent address identified in the occupant's application or referral to the group home. The group home may not satisfy this obligation by providing remuneration to the occupant for the cost of transportation. The operator requires that all occupants provide a permanent address as part of the intake paperwork as well as a security deposit to be held by the operator or the signature of a guarantor that has agreed to cover the transportation costs to a detox facility or permanent residence in the event of a relapse.

If the Planning Commission approves the CUP for the subject property, the Development Services Director shall subsequently issue an Operator's Permit to Keith Randle (Property Owner/Operator). If the operator does not maintain compliance with the Operator's Permit requirements, the Operator's Permit may be revoked upon a hearing by the director. Failure to maintain an Operator's Permit may also subject the CUP to revocation.

Property Description

Pursuant to Chapter XVI of Title 13, "property" is defined as any single development lot that has been subdivided, bearing its own assessor's parcel number or with an approved subdivision or condominium map. The subject property is a 9,916 square foot lot with an attached duplex constructed in 2005. On April 10, 2006, the Planning Commission approved Parcel Map 2006-157 to convert the existing duplex into two condominium units under Planning Application PA-06-20. All conditions of approval apply and are not being modified or eliminated due to this application. Both condominium units are currently owned by Keith Randle. Although the condominiums may be sold individually, the entire lot is depicted as Parcel 1 on Parcel Map No. 2006-157. The property is considered a single site for purposes of compliance with Ordinance 15-11.

Facility Description

The existing sober living home began operation in October 2014, prior to the enactment of Ordinance 15-11. The property consists of two attached units within a two-story structure. Both units are operated as a single facility with one house manager and one set of House Rules.

A sober living home is a sub-type of group home. Article 2 of Section 13-6 (Definitions) defines a group home as follows:

"A facility that is being used as a supportive living environment for persons who are considered handicapped under state or federal law. A group home operated by a single operator or service provider (whether licensed or unlicensed) constitutes a single facility whether the facility occupies one or more dwelling units."

The applicant operates a facility serving eleven residents (including one live-in house manager) in both condominium units. Condominium A consists of 1,355 square feet and contains six beds within three bedrooms. Condominium B consists of 1,426 square feet and contains five beds within three bedrooms. The property contains six garage parking spaces, one carport space, and one additional guest parking space for a total of eight on-site parking spaces as approved under PA-06-20. The operator does not provide transportation for residents so there will be no vans visiting the property on a regular basis or stored at the site.

Since Summit Coastal Living began operation of the facility in October 2014, Code Enforcement staff has not opened any complaint investigations. There were Code Enforcement complaints received in May and June of 2014 when the property was

operated by a different operator and those complaints were addressed and closed prior to Summit Coastal Living commencing operation. Code Enforcement staff performed site assessments in March and April of 2016 and no issues were identified. The property is well maintained. Within the last year, one police call for service required a police report because an occupant reported his bicycle stolen from the garage.

General Plan Conformance

The provision of a variety of housing types, including housing for the disabled, is consistent with the Land Use and Housing Elements of the City's General Plan.

- **Goal LU-1F.1: Land Use and Goal HOU-1.2:** *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 City's regulations are intended to preserve the residential character of the City's neighborhoods. This facility has demonstrated its compatibility with the neighborhood over the past two years.

- **Goal HOU-1.8: Housing Element:** *Encourage the development of housing that fulfills specialized needs.*

Consistency: The proposed request provides for a supportive living environment for persons who are considered disabled under state and federal law.

FINDINGS FOR APPROVAL

Pursuant to Title 13, Chapter XVI and Section 13-29(g) of the Costa Mesa Municipal Code, the Planning Commission must make required findings, based on evidence presented in the administrative record. Staff recommends approval of the proposed sober living home, based on the following assessment of facts and findings. These findings are also reflected in the draft resolution.

- *Pursuant to the purpose and intent of the Multi-Family Residential Group Home Ordinance, the sober living facility would provide a comfortable living environment that will enhance the opportunity for disabled persons, including recovering addicts, to be successful in their programs.*

There are six bedrooms in the two condominium units. The facility houses ten residents and one resident house manager. Each unit features a kitchen and laundry facility, and has its own outdoor space. The proposed occupancy of the facility is not unreasonable. It is not unusual for bedrooms in single-family or multi-family neighborhoods to house two individuals. Housing residents in two living units provides a more intimate living environment for the residents than would a single unit housing eleven people with one kitchen and outdoor space.

The use of two units to accommodate ten residents and one house manager will provide a comfortable residential environment. The smaller household size

accommodated in each unit allows the residents to live in a more typical household. In addition, the use of both units in this duplex as a single sober living facility will likely reduce potential conflicts with neighbors as most or all parking needs can be accommodated on-site, and the facility will not share any common walls with neighbors who may be concerned about noise. The arrangement also provides separation from neighbors who may be concerned about smoking or other possible impacts associated with a sober living home.

- The sober living facility would further the purposes of the FEHA, the FHAA, and Lanterman Act by limiting the secondary impacts related to noise, traffic, and parking to the extent reasonable.

Residents of this facility are allowed to have cars and park them at the site. However, not all residents have a car. Some, for instance, may have lost their license due to driving while impaired. Currently, about half of the residents keep cars at the facility.

There are eight parking spaces provided on-site. The zoning code requires residents of sober living homes to park on-site, or on the street within 500 feet of the facility. There are no parking restrictions, such as permit parking or red curbs, which would interfere with the ability of residents of the facility to secure on-street parking if all on-site parking spaces are occupied. If every resident had a car, up to three vehicles might need to be parked on the street. However, there is space on the site to accommodate at least two additional vehicles if residents find it difficult to park on the street. While tandem parking would be employed, the residents and house manager could manage such parking arrangements. Tandem parking is common in single family homes, where residents park a vehicle in a garage and another in the driveway in front of the garage. The facility is in compliance with the city's standards and has not created parking issues in the neighborhood.

Smoking and noise impacts are often cited when sober living homes create problems in neighborhoods. Residents of the front unit have access to the patio in the front yard and are allowed to smoke there. This patio is surrounded by a tall hedge that separates the patio from the sidewalk and adjoining properties. Residents of the rear unit enjoy access to the fenced back yard. The fact that all residents are not required to smoke in the same location and have access to more than one outdoor area helps mitigate possible impacts related to noise and smoking.

- The sober living facility would be compatible with the residential character of the surrounding neighborhood.

The two units will be occupied by a reasonable number of adults. There will be no more than two people sharing a bedroom. The facility complies with the City's standards for parking and operation. The facility has operated for almost two years without generating any complaints from neighbors or excessive calls for emergency services. The proposed sober living home has been maintained

and operated in a manner that is compatible with the character of the neighborhood.

- The group home is at least 650 feet from any property that contains a group home, sober living home or state licensed drug and alcohol facility, as defined in the code and measured from the property line.

The subject group home has been in operation since October 2014. The owner submitted a CUP application to conform to the City's new standards in January 2016. At that time, there was a group home serving more than seven people at 2379 Orange Avenue, which is approximately 310 feet from the subject property. The owner of that facility had not submitted a CUP application. Therefore, the applicant's group home had precedence over the facility on Orange Avenue.

The Planning Commission may recall that this CUP was first set for hearing on April 11, 2016. However, the City deferred the hearing to May 9 and rewrote the staff report and resolution. (The applicant then objected to many of the conditions of approval and requested a continuance.) It is the City's practice to make a final determination as to compliance with separation criteria when the staff report is signed. There were no conflicts with separation criteria when the initial staff report was signed. However, on April 14, 2016, the state issued licenses to allow up to six residents to be served at each of two facilities at 2379 Orange Avenue. Facilities licensed by the state to serve six or fewer residents are not subject to review and approval by the City and must be treated as a residential use. Through no fault of the applicant, the original hearing set for April 11 was delayed by the City. The issuance of these licenses by the state on April 14 created a conflict with the City's requirement that group homes must be separated by at least 650 feet.

But for the delay of the initial hearing, there would have been no licensed facility closer than 650 feet to this site. The facility on Orange modified its operations to avoid the need for a CUP by establishing separate state-licensed facilities in each of the two units on the site.

On June 29, 2016, the applicant submitted a request for Reasonable Accommodation to allow this facility to operate within 650 feet of the facilities on Orange. The City's Director of Economic and Development Services/Deputy CEO is authorized by the Zoning Code to approve, conditionally approve or deny requests for Reasonable Accommodation. The Director did not take specific action on the request to waive the separation standard, as staff believes the CUP can still be approved, given the unique circumstances associated with this application. Section 13-200.62(e)(5) of the Costa Mesa Municipal Code allows the Director to grant alternative accommodations that may provide an equivalent level of benefit. On August 29, the Director conditionally approved the requested accommodation. The conditional approval extends the deadline for the subject property to come into compliance with Ordinance No. 15-11 to June 30, 2017. This extension allows the facility to operate until such time as a final decision on the CUP is rendered by the city. The extension was granted in light of the fact that the applicant owns the subject property, and because staff believes the conditional use permit can still be approved without Reasonable Accommodation. A copy of the letter conditionally approving Reasonable Accommodation is attached to this report.

Given the unique circumstances associated with this case, staff believes it is reasonable and appropriate to allow the applicant's proposal to move forward. Staff does not recommend that the Planning Commission deny this CUP based on compliance with the separation standard.

The subject property is within 650 feet of three state licensed drug and alcohol facilities with seven or more occupants and two sober living homes with seven or more occupants. These facilities have not obtained the permits required by Ordinance 15-11. If this CUP is approved, the subject property will create separation requirements for other sober living homes and state licensed drug and alcohol facilities seeking conditional use permits within 650 feet.

- *The approval of the CUP will not be detrimental to the health, safety and general welfare of the public.*

The operator and the house manager have complied with the LiveScan process required to obtain an Operator's Permit. The House Rules are consistent with the criteria specified in the Municipal Code. The operator is an active member of The Sober Living Network, a non-profit organization that sets the most comprehensive standards for sober living homes in the nation. This organization conducts annual inspections to insure member facilities are in compliance. The standards promulgated by this organization can be found at www.soberhousing.net. These standards reinforce the City's regulations.

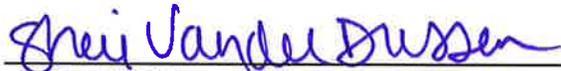
The facility has been in operation for almost two years and the City has received no complaints. The facility has not generated calls for emergency services. The outdoor areas are screened from view from surrounding properties and the nearby street and sidewalk. Adequate parking is available to accommodate residents. For these reasons, approval of this CUP will not be detrimental to the health, safety and general welfare of the public.

ALTERNATIVES

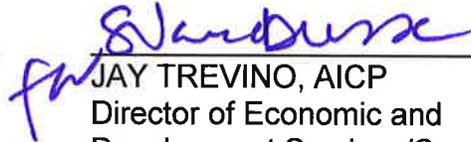
1. *Approve the request with additional conditions.* The Planning Commission may propose additional conditions that are necessary to alleviate concerns. However, these conditions may not discriminate against the residents of the sober living home by denying them privileges enjoyed by other residents in the neighborhood. Significant modifications may trigger the need to continue the hearing to allow a revised resolution to be prepared and considered at a subsequent meeting.
2. *Deny the request.* If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application and provide facts in support of denial. In this case, the hearing should be continued to allow staff to prepare a resolution to be presented at a subsequent meeting.

CONCLUSION

Approval of the CUP for the continued operation of a group home on this property with eleven occupants, including one resident house manager, will provide housing opportunities to individuals defined as disabled under federal and state law. The use is consistent with the General Plan and Zoning Code. The applicant has demonstrated an ability to operate this facility in a manner consistent with the neighborhood over the past two years. Staff recommends approval of this application.



SHERI VANDER DUSSEN, AICP
Interim Assistant Director
Development Services Department
Community Improvement Division



JAY TREVINO, AICP
Director of Economic and
Development Services/Consultant

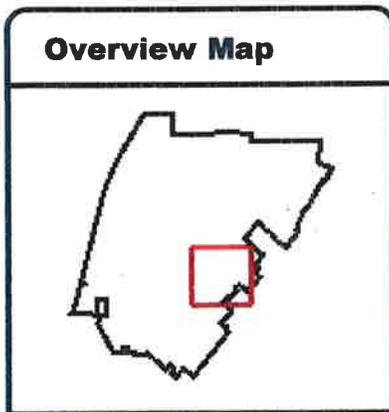
- Attachments:
1. Vicinity, Zoning, and 500-foot Radius Maps
 2. Parcel Map
 3. Property Legal Description
 4. Site Photos
 5. Applicant's Project Description
 6. Draft Planning Commission Resolution and Exhibits
 7. Public Comments
 8. Letter dated August 29, 2106 conditionally approving Reasonable Accommodation
 9. Project Plans

Distribution: Director of Economic & Development Services/Consultant
Interim Assistant Director, Planning
Interim Assistant Director, Community Improvement
Senior Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
File (2)

Owner: Keith Randle
2100 Highland Drive
Newport Beach, CA 92660

City of Costa Mesa

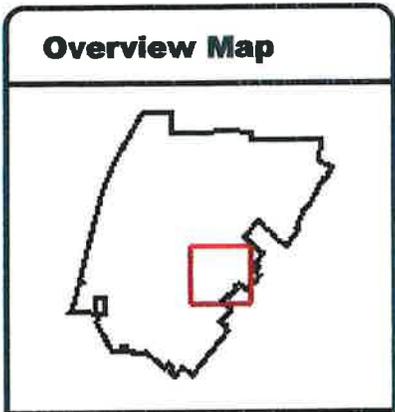
CITY OF COSTA MESA - [Created: 2/26/2016 9:49:19 AM] [Scale: 232.03] [Page: 8.5 x 11 / Portrait]



Legend

Address Small		Freeway		Newport BLVD Primary		Street Names
Address Points		Roads		SECONDARY		Street Centerlines
		Collector Freeway		Hydrology Channels		Parcel Lines
		Major (cont)				





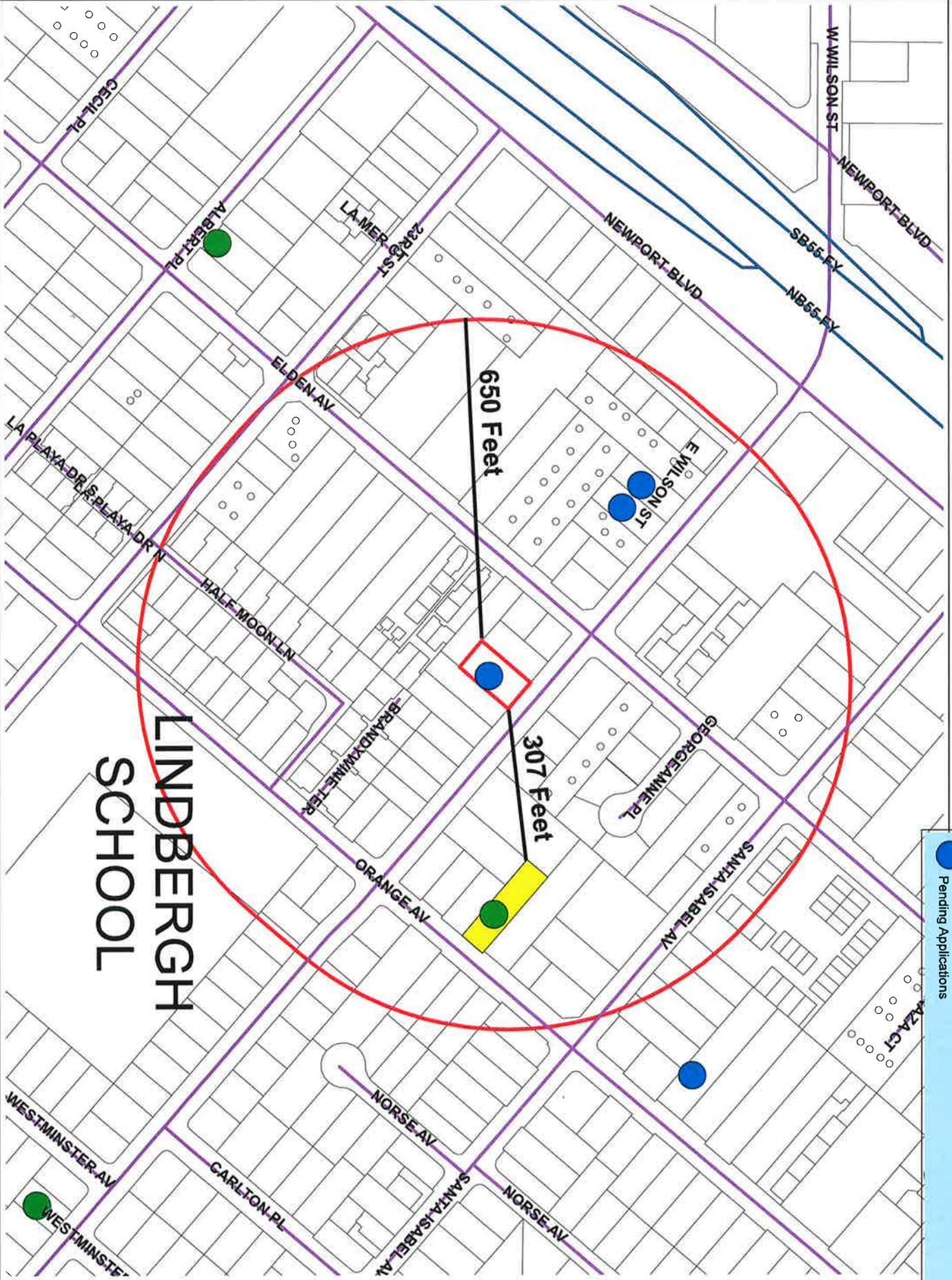
Legend

Address Small		Freeway		Freeway Major		Primary
Address Points		Roads		Newport BLVD (cont)		SECONDARY
		Collector (cont)				Hydrology Channels



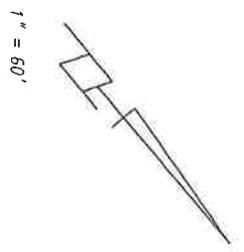
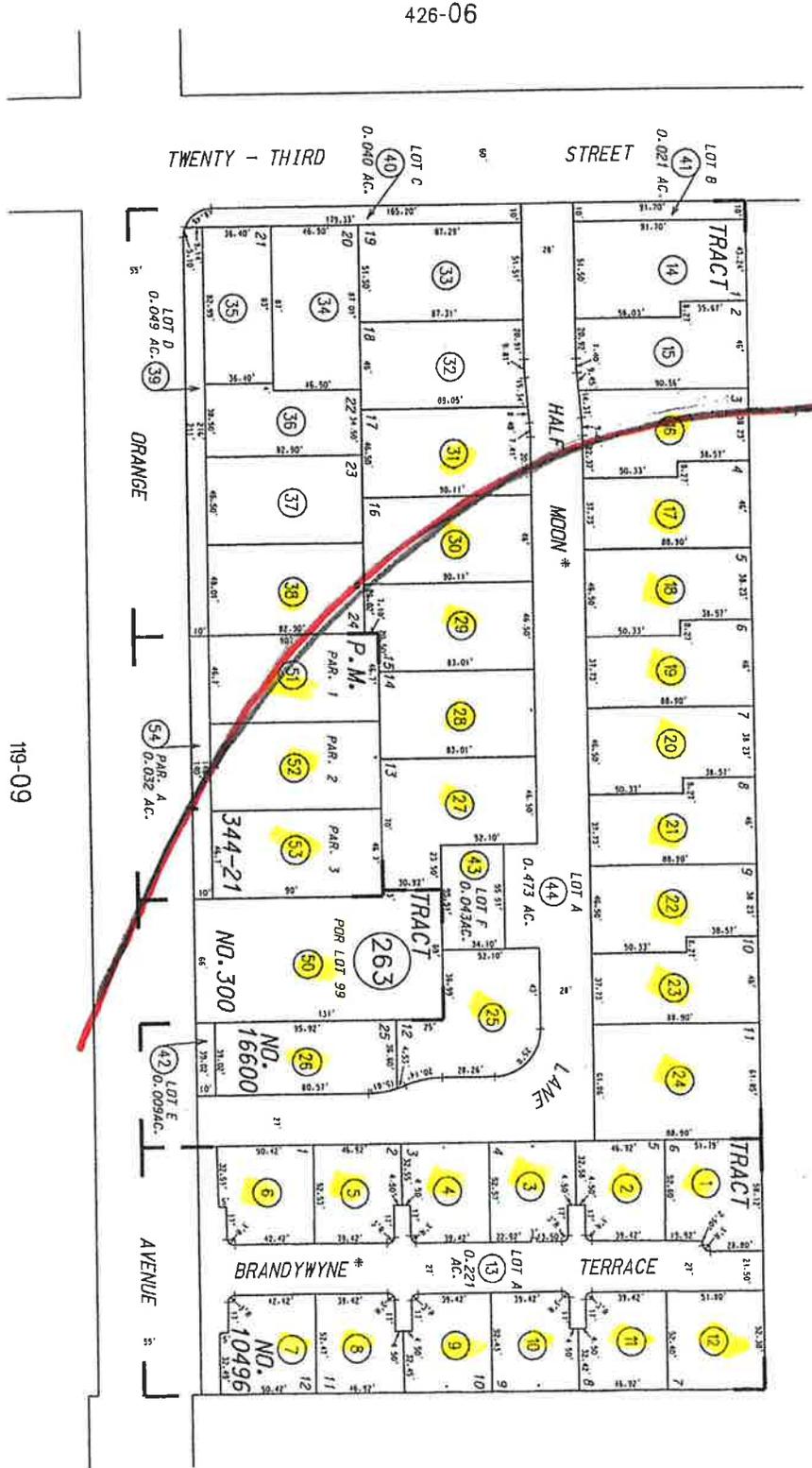


165 E. Wilson St



LINDBERGH SCHOOL

- State Licensed Drug and Alcohol Facilities with Six or Fewer Residents
- City Permitted Sober Living Homes
- Pending Applications



26

426-06

13

MARCH 1980

TRACT NO. 300
 TRACT NO. 10496
 TRACT NO. 16600
 PARCEL MAP

M.M. 14-11.12
 M.M. 450-12.13
 M.M. 865-28 to 33 INC.
 P.M. 344-21

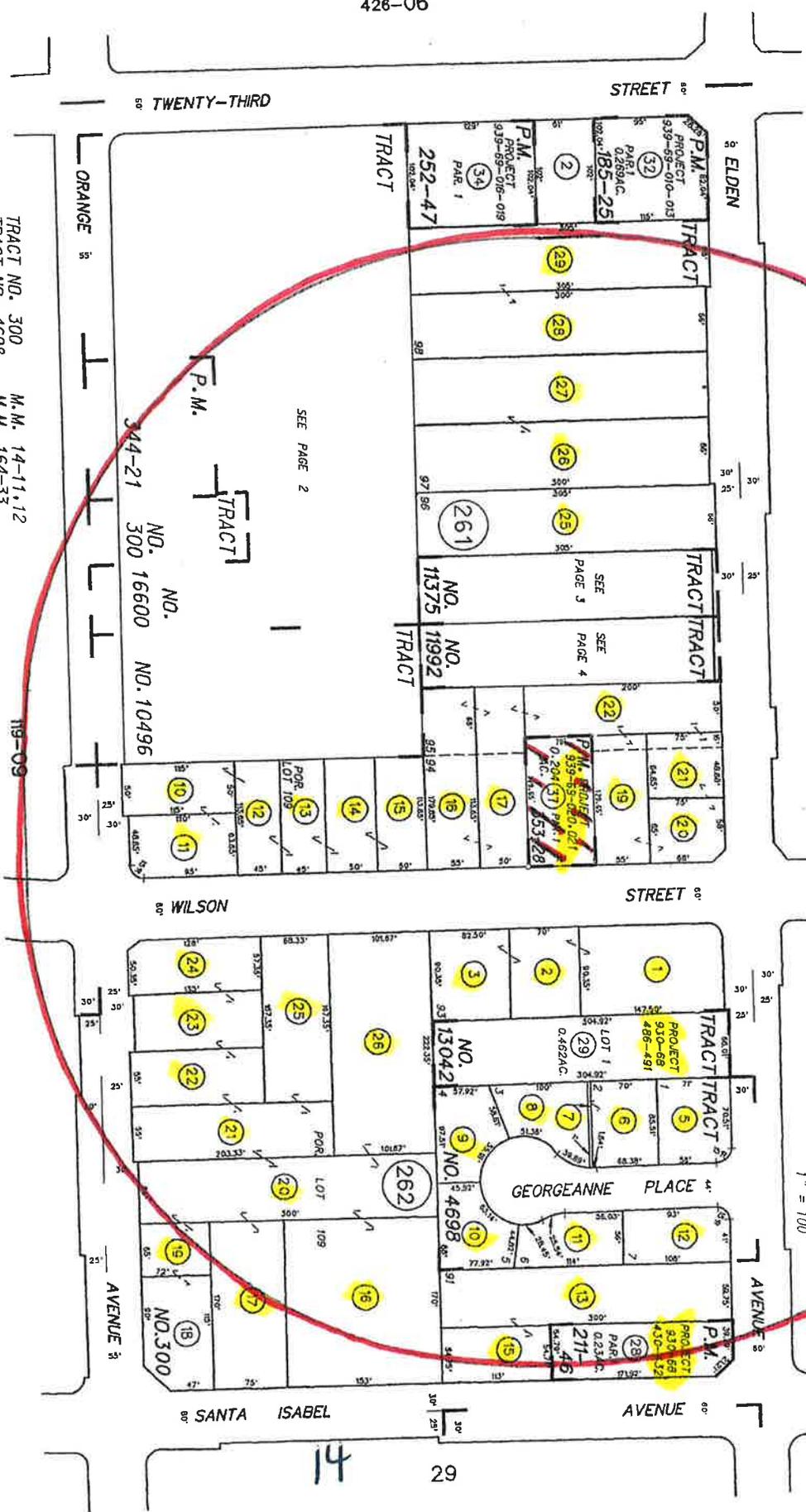
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ASSESSOR'S MAP
 BOOK 439 PAGE 263
 COUNTY OF ORANGE



* PRIVATE STREET

1" = 100'

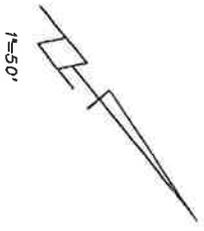
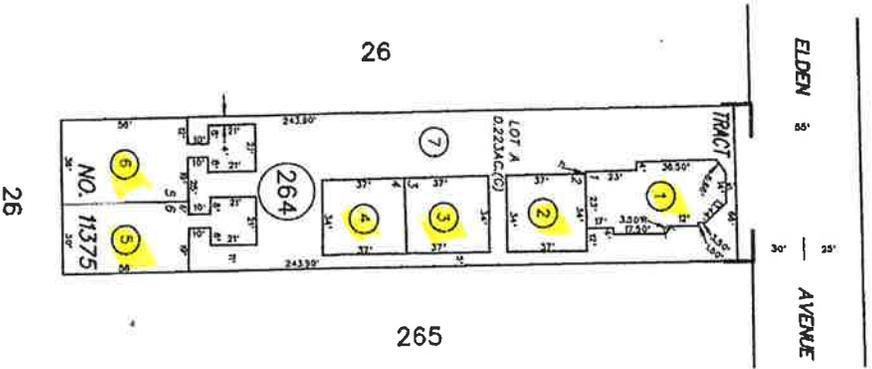


- TRACT NO. 300 M.M. 14-11, 12
- TRACT NO. 4698 M.M. 164-33
- TRACT NO. 10496 M.M. 450-12, 13
- TRACT NO. 11375 M.M. 490-30, 31
- TRACT NO. 11992 M.M. 521-36, 37
- TRACT NO. 13042 M.M. 586-33, 34
- TRACT NO. 16600 M.M. 855-28 to 33 INC.
- M.M. 185-25, 211-46, 252-47, 344-21, 353-28

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES ASSESSOR'S MAP BOOK 439 PAGE 26 COUNTY OF ORANGE

27

ELDEN 3 AVENUE



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MARCH 1980

TRACT NO. 11375

M.M. 490-30,31

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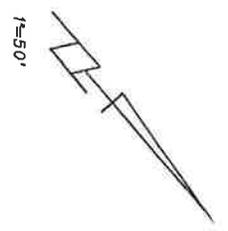
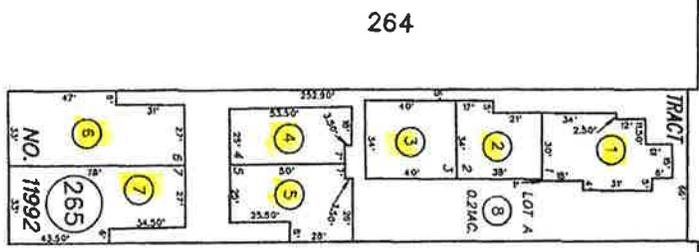
ASSESSOR'S MAP
BOOK 439 PAGE 284
COUNTY OF ORANGE



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ELDEN AVENUE



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MARCH 1984

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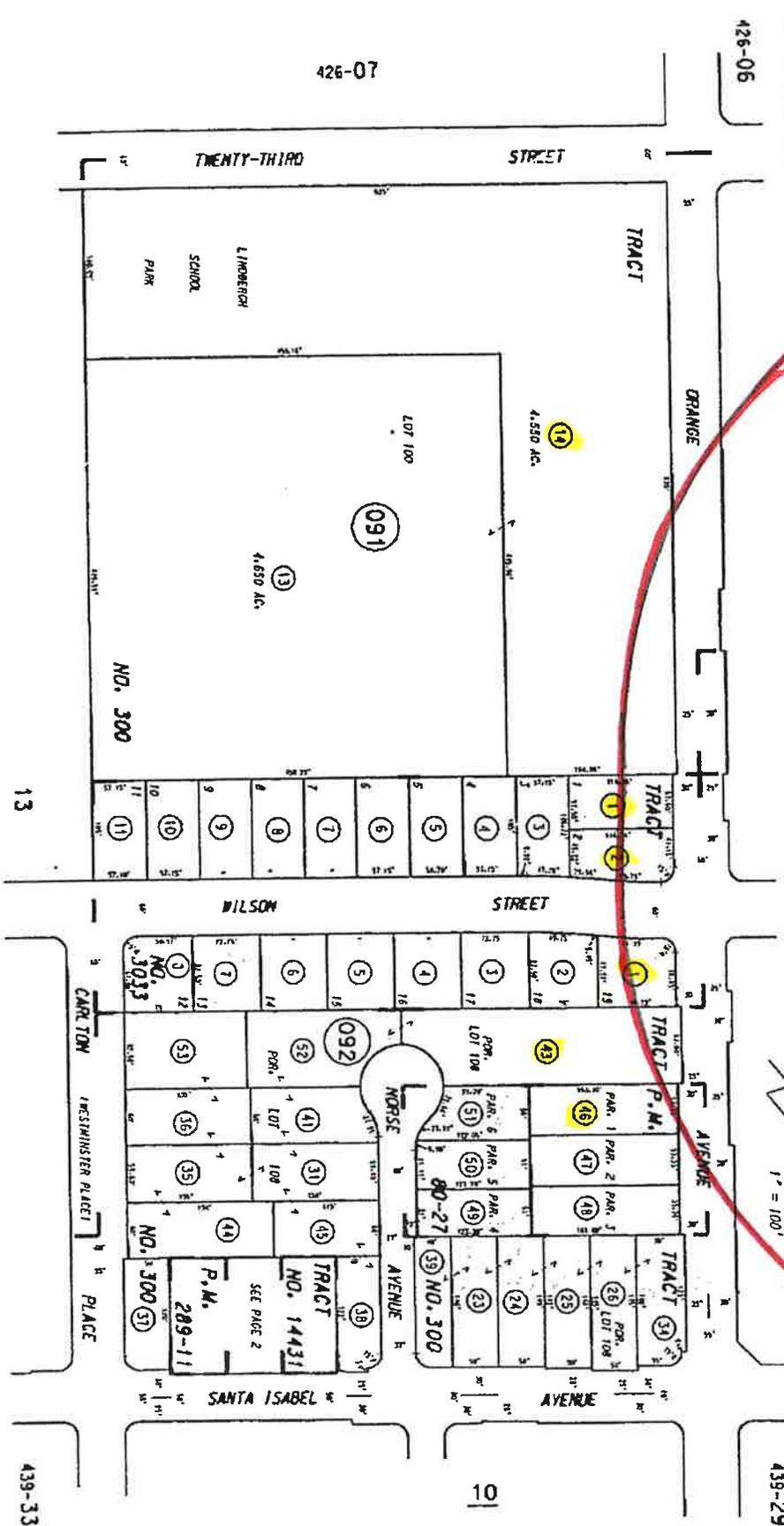
M.M. 521-36.37

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ASSESSOR'S MAP BOOK 439 PAGE 265 COUNTY OF ORANGE



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TRACT NO. 300
TRACT NO. 303
TRACT NO. 1431
PARCEL MAP

M.M. 14-11-12
M.M. 89-26
M.M. 683-49-50
P.M. 80-27, 289-11

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ASSESSOR'S MAP BOOK 119 PAGE 09 COUNTY OF ORANGE

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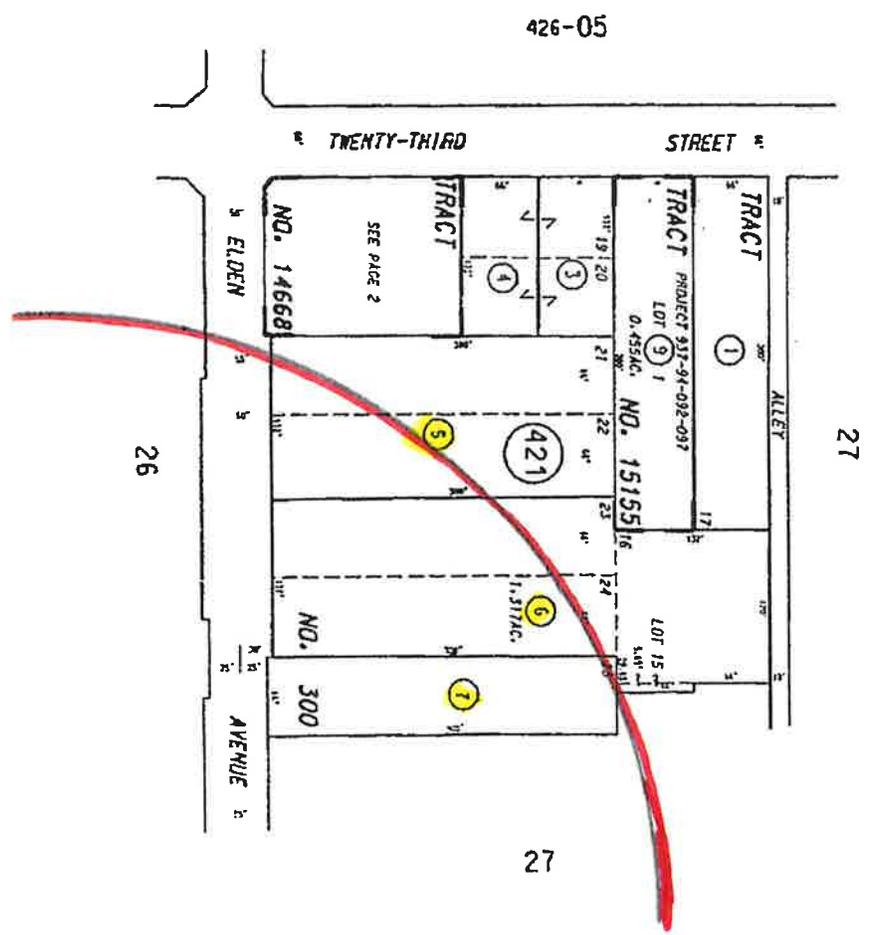
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MARCH 1994
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 M.M. 706-10 TO 12 INC.
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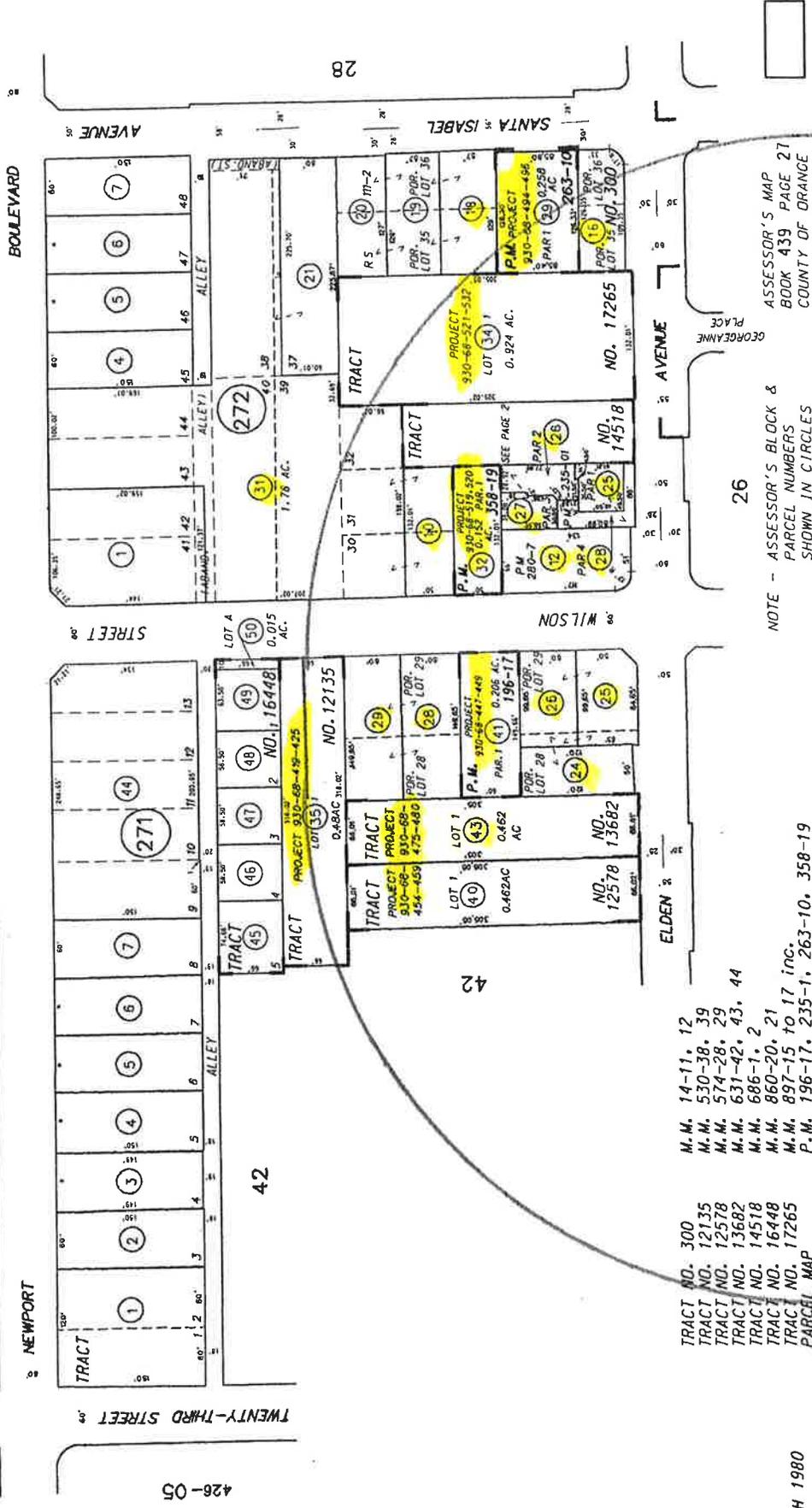
ASSESSOR'S MAP
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 COUNTY OF ORANGE



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419-09
419-10
NEWPORT
NEWPORT
FREEMWAY

1" = 100'



ASSESSOR'S MAP
BOOK 439 PAGE 27
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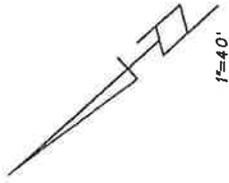
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- TRACT NO. 300
- TRACT NO. 12135
- TRACT NO. 12578
- TRACT NO. 13682
- TRACT NO. 14518
- TRACT NO. 16448
- TRACT NO. 17265
- P.M. 196-17, 235-1, 263-10, 358-19
- M.M. 14-11, 12
- M.M. 530-38, 39
- M.M. 574-28, 29
- M.M. 631-42, 43, 44
- M.M. 686-1, 2
- M.M. 860-20, 21
- M.M. 897-15 to 17 inc.

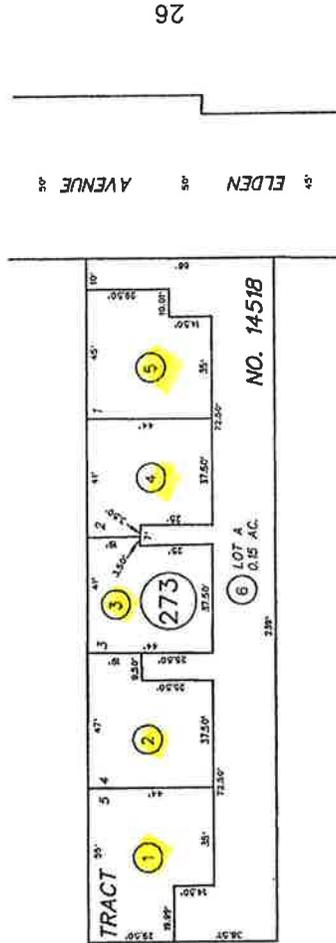
MARCH 1980

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MARCH 1992

TRACT NO. 14518

M.M. 686-12

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ASSESSOR'S MAP BOOK 439 PAGE 273 COUNTY OF ORANGE



SHEET 1 OF 2 SHEETS

1 PARCEL
AREA-0.238 ACRES

PARCEL MAP NO. 2006-157

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA,
FOR CONDOMINIUM PURPOSES

BEING A SUBDIVISION OF A PORTION OF LOT 94 AND A PORTION OF LOT 95
OF TRACT NO. 300 AS SHOWN ON A MAP FILED IN BOOK 14, PAGES 11 AND
12 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CA.

DATE OF SURVEY: JULY, 2006 RON MIRDEMA L.S. 4653

ACCEPTED AND FILED AT THE
REQUEST OF

DATE: 3-2-2007

TIME: FEB:

INSTRUMENT: 54523

BOOK 353 PAGE 28/29

TOM DALY
COUNTY CLERK-RECORDER

BY: _____
DEPUTY

OWNERSHIP CERTIFICATE:

WE THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD
TITLE INTEREST IN THE LAND COVERED BY THIS MAP, DO HEREBY
CONSENT TO THE PREPARATION AND RECORDATION OF SAID MAP, AS
SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE ALSO HEREBY DEMURR TO THE CITY OF COSTA MESA:

WE ALSO HEREBY RELEASE AND RELINQUISH TO THE CITY OF COSTA MESA ALL VEHICULAR
AND PEDESTRIAN ACCESS RIGHTS TO WILSON STREET, EXCEPT AT APPROVED ACCESS LOCATIONS
AS SHOWN ON THIS MAP.

[Signature]
KEITH HADEN RANGLE
[Signature]
ROBYN HIGGINS RANGLE
Records copies: Keith Haden Rangle and Robyn
Higgins Rangle, Trustees of the Rangle Family
Trust DATED December 27, 1990

NOTARY ACKNOWLEDGMENTS:

STATE OF CALIFORNIA
COUNTY OF ORANGE

ON 12/15/2006 BEFORE ME *[Signature]*
PERSONALLY APPEARED *[Signature]*
[Signature]

PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY
EVIDENCE) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN
INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR
AUTHORIZED CAPACITIES AND THAT BY THEIR SIGNATURES ON THE INSTRUMENT
THE PERSONS OR THE ENTITY UPON BEHALF OF WHICH THE PERSONS ACTED,
EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

[Signature]



BENEFICIARY:

COUNTRYWIDE HOME LOAN INC., AS BENEFICIARY UNDER DEED OF TRUST RECORDED
RECORDED NOVEMBER 17, 2005 AS INSTRUMENT NO. 2005002926176 OF OFFICIAL RECORDS
OF SAID COUNTY.

[Signature]
DAVID S. SIMONSON, J.D.

NOTARY ACKNOWLEDGMENTS:

STATE OF CALIFORNIA
COUNTY OF ORANGE

ON 12/15/2006 BEFORE ME *[Signature]*
PERSONALLY APPEARED *[Signature]*

PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY
EVIDENCE) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN
INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR
AUTHORIZED CAPACITIES AND THAT BY THEIR SIGNATURES ON THE INSTRUMENT
THE PERSONS OR THE ENTITY UPON BEHALF OF WHICH THE PERSONS ACTED,
EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

[Signature]



SIGNATURE OMISSIONS

PURSUANT TO THE PROVISIONS OF SECTION 6614(a)(3) OF THE SUBDIVISION MAP ACT
THE FOLLOWING SIGNATURES HAVE BEEN OMITTED:

- SANTA ANA HEIGHTS WATER COMPANY, HOLDER OF AN EASEMENT FOR WATER PIPE LINES,
DITCHES OR OTHER CONDUIT PURPOSES PER A DEED RECORDED 12/11/97 IN BOOK 9, PAGE 415 OF
OFFICIAL RECORDS (NOT PLOTTED, BLANKET IN NATURE).
- THE COUNTY OF ORANGE, HOLDER OF AN EASEMENT FOR ROAD PURPOSES PER A DEED RECORDED
9/12/11 IN BOOK 503, PAGE 472 OF OFFICIAL RECORDS (APPROX THE NORTHEASTERLY 18.33 FEET).

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED
UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE
SUBDIVISION MAP ACT AND LOCAL ORDINANCES AT THE REQUEST OF
KEITH HADEN RANGLE IN JULY, 2006. I HEREBY STATE THAT ALL MONUMENTS
ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT
THEY WILL BE SET IN SUCH POSITIONS ON WITHIN 90 DAYS OF RECORDATION AND THAT
SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE
RETRACED. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY
CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE
MAP, IF ANY.

[Signature]
RON MIRDEMA L.S. 4653
MY ADMINISTRATION EXPIRES: 9-30-07



CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND HAVE FOUND
IT TO BE SUBSTANTIALLY IN CONFORMANCE WITH THE TENTATIVE MAP,
IF REQUIRED, AS FILED WITH, AMENDED AND APPROVED BY THE CITY PLANNING
COMMISSION; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT
AND CITY SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH.

DATED THIS 2nd DAY OF February, 2007

ERNESTO MUNOZ CITY ENGINEER
OF THE CITY OF COSTA MESA

R.C.R. 47619
EXP. 12/31/07



CITY CLERK'S CERTIFICATE:

CITY OF COSTA MESA)
COUNTY OF ORANGE) S.S.
STATE OF CALIFORNIA)

PURSUANT TO THE PROVISIONS OF RESOLUTION 14-15 DATED OCTOBER 1, 1974, OF THE
CITY COUNCIL OF THE CITY OF COSTA MESA, STATE OF CALIFORNIA, I, JULIE POLCH,
CITY CLERK AND OF SAID COUNCIL, DO HEREBY ACCEPT
ON BEHALF OF THE CITY OF COSTA MESA:

1. THE RELEASE AND RELINQUISHMENT OF VEHICULAR AND PEDESTRIAN ACCESS
RIGHTS TOWELSON STREET AS SHOWN ON THIS MAP

I ALSO HEREBY CERTIFY THAT THE CITY HAS APPROVED THIS PARCEL MAP PURSUANT
TO THE PROVISIONS OF SECTION 66450(a) OF THE SUBDIVISION MAP ACT.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL
SEAL OF THE CITY OF COSTA MESA.

DATED THIS 4th DAY OF January, 2007

[Signature]
JULIE POLCH



CITY CLERK OF THE CITY COUNCIL OF THE
CITY OF COSTA MESA

COUNTY SURVEYOR'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND HAVE FOUND
THAT ALL MAPPROVISIONS OF THE SUBDIVISION MAP ACT HAVE
BEEN COMPLIED WITH AND I AM SATISFIED SAID MAP IS TECHNICALLY
CORRECT.

DATED THIS 22nd DAY OF FEB., 2007.

BY: *[Signature]* DEPUTY
RAYMOND L. MATHE, COUNTY SURVEYOR
L.S. 6182 EXPIRATION DATE: 3-31-08



COUNTY TREASURER-TAX COLLECTOR'S CERTIFICATE:

STATE OF CALIFORNIA) S.S.
COUNTY OF ORANGE)

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF MY OFFICE
THERE ARE NO LENS AGAINST THE LAND COVERED BY THIS MAP OR
ANY PART THEREOF FOR UNPAID STATE, COUNTY, MUNICIPAL OR
LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES,
EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES NOT
YET PAYABLE

AND DO ALSO CERTIFY TO THE RECORDER OF ORANGE COUNTY THAT THE
PROVISIONS OF THE SUBDIVISION MAP ACT HAVE BEEN COMPLIED WITH
REGARDING DEPOSITS TO SECURE THE PAYMENT OF TAXES OR SPECIAL
ASSESSMENTS COLLECTED AS TAXES ON THE LAND COVERED BY THIS
MAP.

DATED THIS 9th DAY OF February, 2007

CHRIS W. STREET BY: *[Signature]*
COUNTY TREASURER-TAX COLLECTOR DEPUTY TREASURER-TAX COLLECTOR

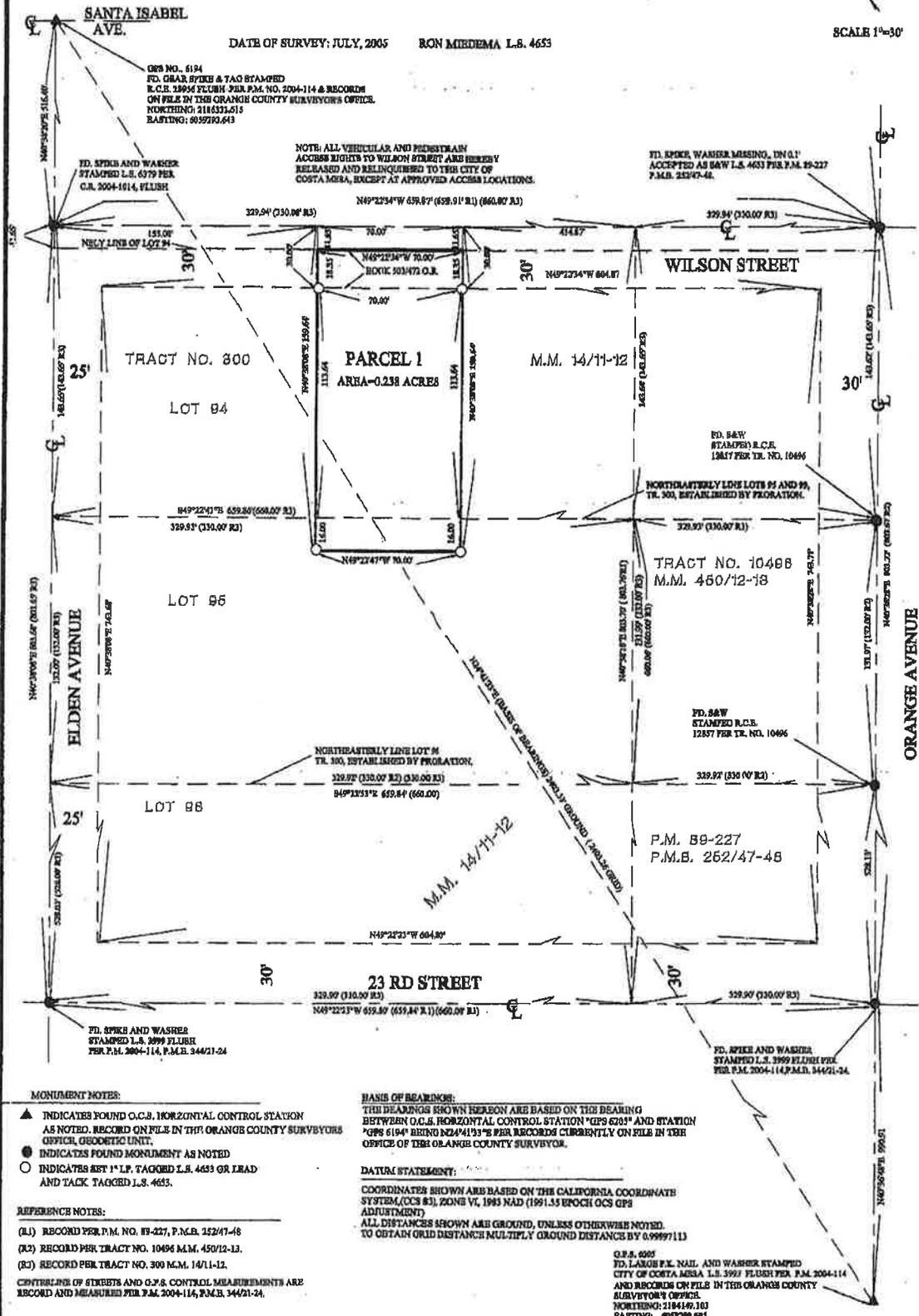
SHEET 2 OF 2 SHEETS
 1 PARCEL
 ARBA-0.238 ACRES

PARCEL MAP NO. 2006-157

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA.
 FOR CONDOMINIUM PURPOSES

DATE OF SURVEY: JULY, 2005 RON MIERDEMA L.S. 4653

SCALE 1"=30'



ATTACHMENT 3

165 E. WILSON STREET PROPERTY LEGAL DESCRIPTION

TR 300 LOT 94 SELY 70FT NWLY 200FT AND SELY 70FT NWLY 200 FT NELY ½-EX SWLY 50FT-LOT 95,
COUNTY OF ORANGE, CA



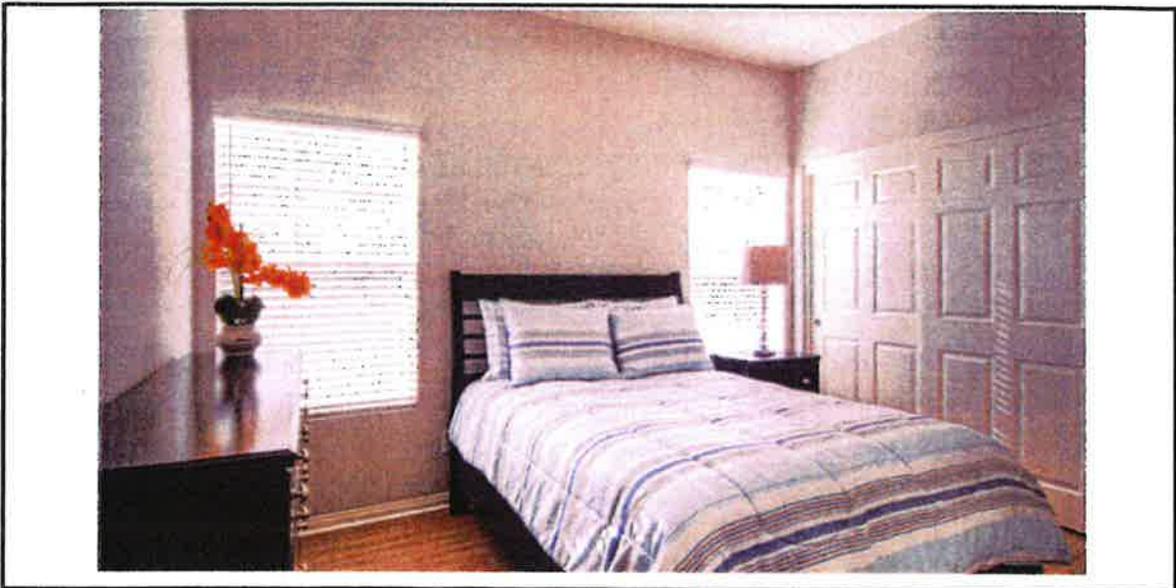
VIEW LOOKING FROM E. WILSON STREET



VIEW OF EXISTING DRIVEWAY/PARKING



LIVING/DINING AREA



(SINGLE) BEDROOM



(DOUBLE) BEDROOM



LIVING/DINING AREA



KITCHEN



VIEW OF LIVING/DINING AREA FROM KITCHEN



PROJECT DISCUSSION
Sober Living Home

Applicant: Summit Coastal Living (SCL)
P.O. Box 2028
Newport Beach, CA 92659

Contact: Attn.: Keith
P.O. Box 2028
Newport Beach, CA 92659

keith@summitcoastalliving.com
(949) 698-8880

Project: SCL "II"

Location: 165 E. Wilson Street, Costa Mesa, CA 92627

About SCL

SCL is a men's sober living environment for individuals whom have a desire to maintain sobriety and continue on the path of recovery from drugs and alcohol. Residents reside at SCL on a voluntary and conditional basis contingent upon compliance with certain rules and expectations. Summit Coastal Living Inc. does not offer any treatment services but will make outside referrals to qualified facilities upon request.

SCL is the product of two people who passionately believe in the recovery process. With a combined 30 years of sobriety, Keith and Jill are incredibly grateful that they are now in a position to provide other addict/alcoholics a positive and safe environment to continue their recovery. They are both very active in the local AA community and currently live and reside in the Newport Beach/Costa Mesa area.

SCL strives to help men in recovery move forward in their lives by providing a safe, sober and supportive environment. We believe that this positive and structured environment will help our residents navigate the challenges of everyday life and achieve their goals in recovery. We sincerely believe in the recovery process because we have seen it work for countless people. There is an amazing life waiting for those who recover, one free of drugs and alcohol. SCL is proud to play an important role in helping our residents achieve this life.

Project Description

SCL is requesting the review and approval of a Conditional Use Permit and Operator's Permit for the continued use and operation of a Sober Living Home located at 165 E. Wilson Street, Costa Mesa, CA 92627.

The proposal consists of housing for eleven (11) adult males, including a live in house manager within the two (2) existing units at 165 E. Wilson Street, Costa Mesa, CA 92627.

SCL will continue to operate this facility in full compliance with the regulations and licensing requirements set forth by the City of Costa Mesa Municipal Code and Ordinances.

The Property and Zoning Information

This subject property is located within the City of Costa Mesa Planning Jurisdiction and is zoned R2-MD, Multiple Family Residential (Medium Density).

The property is located in the general area commonly referred to as East Side Costa Mesa; South of the 55 Freeway and North East of Newport Beach. More descriptively the property is located at the intersection of E. Wilson Street and Orange Avenue and is adjacent to properties developed and designated with the same zoning/general plan area.

The property is accessible from the existing driveway on Wilson Street and is not subject to any street widening, additional parking or lot dedications. Currently the property is developed with two (2) structures/units and provides residency for a maximum of eleven (11) adult males within it's six (6) bedrooms.

Based on the number of occupants a Conditional Use Permit and Operator's Permit is required.

Neighborhood Impact

SCL is committed to maintaining it's positive relationship with the community and demands it's residence behave in a manner which reflects this, at all times.

To insure this expectation is met SCL continues to implement and enforce house rules and regulations. These rules regulate noise, curfew, behavior and use of substances, parking, littering and trespassing on neighboring properties, flow of traffic, smoking/vaping areas, operating home based businesses and general behavioral conduct. SCL onsite managers are required to continuously monitor and inspect the subject property and it's residence.

All clients (tenants), house mangers and employees and visitors are required to follow these rules at all times. Any violation is terms for immediate termination of residency, employment or access to the property.

Home Rules & Regulations, Written Intake Procedures, Relapse Policy and General Residency Agreement signed by tenants/posted in common area attached for reference.

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-16-03 FOR AN ALL-MALE SOBER LIVING FACILITY OPERATED BY SUMMIT COASTAL LIVING HOUSING 11 OCCUPANTS (INCLUDING 1 LIVE-IN HOUSE MANAGER) WITHIN 2 EXISTING UNITS ON PROPERTY LOCATED AT 165 E. WILSON STREET

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the following application was filed by Keith Randle, the property owner: *Planning Application PA-16-03*, a Conditional Use Permit for an all-male Sober Living Facility housing eleven occupants (including 1 live-in house manager) within two existing attached units;

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and has been found to be categorically exempt from CEQA under Section 15301 for Existing Facilities.

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

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 14, 2016 with all persons having the opportunity to speak for and against the proposal.

BE IT RESOLVED that, 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 PA-16-03.

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 PA-16-03 and upon the 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 documents 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 14th day of November, 2016.

Robert L. Dickson Jr., Chair
Costa Mesa Planning Commission

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

I, Jay Trevino, Acting Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on November 14, 2016 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Jay Trevino, Acting Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS FOR APPROVAL

- A. The application presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:

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: A sober living home is a supportive living environment for persons who are recovering from drug and/or alcohol addiction. While the subject property is within 650 feet of a state licensed drug and alcohol facility, the City has determined that deviation from the City's separation criteria is appropriate for the following reasons:

- The sober living home has been in operation since October of 2014.
- The application was originally scheduled for review by the Planning Commission on April 11, 2016. At that time, one similar facility at 2379 Orange Avenue, which is within 650 feet of the subject property, had been licensed by the state to serve more than six residents within two units but had not yet obtained a Conditional Use Permit and Operator's Permit from the City. Therefore, the subject application was in compliance with the City's separation criteria.
- Through no fault of the applicant, on April 8, the City decided to postpone the public hearing to May 9 in order to rewrite the staff report and develop new conditions of approval.
- On April 14, the state issued licenses for two separate facilities at 2379 Orange Avenue. Each facility is licensed to serve up to six residents. However, the City was not advised of the change in the license until May.
- It is the City's practice to determine consistency with separation criteria at the time the staff report is signed. Issuance of new state licenses after the report is signed is reported to the Planning Commission, but does not change the staff recommendation.
- Had the hearing been conducted on April 11 as originally planned, the application would have been in compliance with the City's criteria for separation of similar facilities. Therefore, the City has determined that it is appropriate to allow the subject facility to be located within 650 feet of a state licensed facility.

The sober living home has operated at this location for almost two years. During that time, the City has not received any complaints regarding the operation of the facility from surrounding residents. The facility has not generated excessive requests for emergency services. The property is well maintained. The applicant has demonstrated that this facility is operated in a manner that does not conflict with the residential character of the neighborhood. There will be no more than two occupants per bedroom. There is adequate space to accommodate vehicles belonging to the occupants on the driveway and on the street.

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 Findings: As part of the application process, the sober living operator was required to Live Scan all owners/operators who have contact with residents, corporate officers with operational responsibilities and house managers. Additionally, the sober living operator submitted a copy of the House Rules, Relapse Policy and all forms distributed to residents. These documents demonstrate that the facility will be operated in a manner consistent with the provisions of the Costa Mesa Municipal Code. There have not been any code enforcement complaints since Summit Coast Living began operating at the property almost two years ago. Further, the facility has not generated calls for emergency services in excess of those commonly generated by residences in the area.

The Costa Mesa Municipal Code and the conditions of approval require the owner to operate the facility in a manner that will allow the quiet enjoyment of the surrounding neighborhood. Existing mature landscaping and fences provide a buffer from adjacent properties and the adjoining street and sidewalk, helping to minimize impacts to the surrounding neighborhood. The owner will provide his name and phone number to neighbors so they may contact him if there are any concerns regarding operation of the facility. The sober living home is subject to a City inspection of the interior and/or exterior of the facility to verify that the approved use has not been altered and that the property complies with all applicable code(s) upon 24 hours written notice (or up to 48 hours under special circumstances).

The operator is an active member of The Sober Living Network, a non-profit organization that sets the most comprehensive standards for sober living homes in the nation. This organization conducts annual inspections to insure member facilities are in compliance. The standards promulgated by this organization can be found at www.soberhousing.net. These standards reinforce the City's regulations.

The facility will house up to ten residents and one house manager in two attached units. Combined, these units include six bedrooms and four bathrooms. There are also two kitchens, two indoor living areas, and two distinct outdoor living areas. The project complies with the City's parking standards, and there are additional parking spaces available in the driveway should they be needed by the residents. The proposed occupancy of the facility is reasonable. The owner has demonstrated an ability to operate the facility in a manner that is compatible with the 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 Findings: The use is consistent with Housing Element Goal HOU-1.8 of the General Plan, which encourages the development of housing that fulfills specialized needs by providing living opportunities for disabled individuals. The facility provides an accommodation for the disabled that is reasonable and actually resembles the opportunities afforded non-disabled individuals to use and enjoy a dwelling unit in a residential neighborhood. The facility offers a comfortable living environment that will enhance opportunities for the disabled, including recovering addicts, to be successful in their programs.

The subject property contains two existing units on a legal non-conforming site. The proposed use is consistent with the general plan designation.

- B. 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.
- 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

- PIng.
1. Once issued by the City, the owner shall maintain in good standing, an operator's permit as required by Article 23, Chapter 2 of Title 9.
 2. The total number of occupants in the sober living home shall be no more than ten, plus one resident house manager.
 3. The use shall be limited to the type of operation described in the staff report and applicant's project description submitted with the application on January 4, 2016, subject to conditions. Any change in the operational characteristics including, but not limited to, home rules and regulations, intake procedures or relapse policy, shall be subject to Community Improvement 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)].
 4. Applicant shall defend, with the attorney of City choosing, and shall indemnify and hold harmless the City, its officials and employees, against all legal actions filed challenging City's approval of the applicant's project and/or challenging any related City actions supporting the approval.
 5. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented by the house manager to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of the business or ownership of land.
 6. The project is subject to compliance with all applicable Federal, State, and local laws.
 7. All vehicles associated with the residence, including residents and staff, shall be limited to parking on the property and/or on the street within 500 feet of the property.
 8. It shall be the applicant's responsibility to maintain current information on file with the City regarding the name, address and telephone number of the property manager and/or owner.
 9. The property shall be maintained in accordance with landscape maintenance requirements contained in Costa Mesa Municipal Code Section 13-108.
 10. Each dwelling unit shall be limited to one mailbox and one meter for each utility.

11. The facility shall operate at all times in a manner that will allow the quiet enjoyment of the surrounding neighborhood consistent with Title 20 of the Costa Mesa Municipal Code. The applicant and/or manager shall institute whatever measures are necessary to comply with this requirement.
12. If any building alterations are proposed, the applicant shall comply with requirements of the California Building Code as to design and construction.
13. The applicant shall obtain a fire clearance from the Costa Mesa Fire Department pursuant to the requirements of the current version of the California Fire Code within 30 days of the date of approval of this Permit.
14. Applicant shall provide neighbors with the telephone number of the on-site manager and/or property owner, for the purposes of allowing neighbors to lodge complaints or describe concerns about the operation of the facility.
15. The sober living home shall not provide any of the following services as they are defined by Section 10501 (a)(6) of Title 9, California Code of Regulations: detoxification; education counseling; individual or group counseling sessions; and treatment recovery or planning.
- CID 16. The applicant is responsible to ensure that occupants, if any, who are subject to the requirements of Health & Safety Code section 11590 et seq. (Registration of Controlled Substance Offenders), Penal Code section 290 et seq. (Sex Offender Registration Act), and/or any condition of probation or parole, are in compliance with any applicable requirements and conditions of their registration, probation and/or parole while they are occupants or residents of the subject property.
17. Due to the proximity to Lindbergh School, the applicant shall not allow any person to reside at the subject property who is prohibited from doing so under applicable law, including, but not limited to Welfare & Institutions Code section 6608.5(f) and/or Penal Code section 3003(g)(1)(3).
18. Vehicles picking up or dropping off passengers at the facility shall not block traffic or create hazardous conditions and shall comply with all applicable provisions of the California Vehicle Code and Title X of the Costa Mesa Municipal Code.
19. The applicant shall comply with any and all water conservation measures adopted by the Mesa Water District that apply to multi-family residences and/or properties.
20. The applicant shall post a copy of the Good Neighbor Policy in at least one highly visible location inside the facility and in at least one highly visible location in all side and rear yards.

21. Operator shall ensure that no trash and debris generated by tenants is deposited onto the City's rights of way pursuant to Section 8-32 of the Costa Mesa Municipal Code.
22. The applicant shall comply with reservation procedures implemented by the City's Parks and Community Services Department to reserve park shelters or picnic areas for special events.
23. This CUP is subject to review if the applicant fails to comply with any of the conditions of approval listed in this resolution and/or the facility creates an excessive amount of calls for City services.
24. Pursuant to Section 9-374 of the Costa Mesa Municipal Code, upon eviction from or involuntary termination of residency in a group home, the operator of the group home shall make available to the occupant transportation to the address listed on the occupant's driver's license, state issued identification card, or the permanent address identified in the occupant's application or referral to the group home. The group home may not satisfy this obligation by providing remuneration to the occupant for the cost of transportation.

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. Use shall comply with all requirements of Chapter XVI of the Costa Mesa Municipal Code relating to development standards for sober living homes in multi-family residential zones. |
| Bldg. | 2. At the time of plan submittal or permit issuance, the applicant shall comply with the requirements of the California Code of Regulations, also known as the California Building Standards Code, as amended by the City of Costa Mesa, including, as applicable, the adopted California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards Code and California Energy Code. |

April 7, 2016

City Planning Commission
77 Fair Drive
Costa Mesa, CA 92626

Received
City of Costa Mesa
Development Services Department

APR 07 2016

Subj: Application PA-16-03/165 E. Wilson

Honorable Commissioners:

This is written in opposition of the subject application.

The city has got to stop the proliferation of all these types of facilities and end the burden to its citizens by continuing to add to the hundreds of sober living/rehab facilities to its rosters.

My home is maybe a 2-minute walk from 165 E. Wilson. I know from attending and/or viewing Planning Commission/City Council meetings how fellow citizens have suffered because they live in close proximity to such facilities: Loud conversations/foul language of the residents going outside to smoke at night, the smoke from their cigarettes, trash being thrown around, the traffic generated by such facilities – to say nothing of the devaluation of properties.

How many such facilities are located within, say, a one-mile radius of this property?

Does Summit Coastal Living have other such facilities in our city? If so, what is the city's experience with those facilities?

Are the individuals to be housed here due to court ordered rehab? If so, what crimes were committed, particularly felonies?

How can only one "manager" oversee 11 individuals in two separate units?

Would any of you purchase a house in close proximity to such facilities? Need I go on?

I applaud the city for the agreement reached with Solid Landings. That's a step in the right direction. However, are we now going to replace the facilities that Solid Landings will be closing/moving with other sober living accommodations?

I am in firm opposition of establishing this or any sober living/rehab facility at the subject address – or anywhere else in our city. We are quickly going from the “City of the Arts” to the “Capital of Rehab Facilities.” Yes, I understand that Santa Ana has more of these types of enterprises – however, they also have double our population.

I urge you to reject this application. Enough is enough.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gloria Hume".

Dolores Storme

182 Brandywine Terrace . Costa Mesa, California 92627.

Received
City of Costa Mesa
Development Services Department

April 8, 2016

APR 08 2016

City Planning Commission
77 Fair Drive
Costa Mesa, CA 92626

Subj: Application PA-16-03/165 E. Wilson

Honorable Commissioners:

This letter is written as an addendum to my previous letter dated April 7 regarding the same application.

As I now understand it, the city requires a separation of 650 feet between a sober living facilities and residential properties. The property in question is in no way 650 feet from any of the residences that surround it, nor is there 650 feet between the two units built on this property. Therefore, the application ca and should be denied on that basis alone.

Sincerely,



ANGEL, KATIE

To: BATTISTIL@aol.com
Subject: RE: 165 E. Wilson hearing.

From: BATTISTIL@aol.com [mailto:BATTISTIL@aol.com]
Sent: Wednesday, May 04, 2016 3:36 PM
To: BATTISTIL@aol.com; ANGEL, KATIE <KATIE.ANGEL@costamesaca.gov>
Subject: Re: 165 E. Wilson hearing.

Katie--corrections on the next to last sentence. should be 165 &185,
not 185 &185. Thanks, Richard

In a message dated 5/4/2016 2:51:41 P.M. Pacific Daylight Time, BATTISTIL@aol.com writes:

Thank you Katie.

185 E. Wilson unit B is a small attached add on probably less than 1000 sq.
ft. But yet the meetings I see have at least 9 people in attendance that is why
I thought the members from 165 E. Wilson were having their meeting at 185.
185 and 165 are not more than 650 feet apart.

Yes, I would like this email to be submitted to the planning commission
as part of the written comments prior to the hearing.

Thank you for you timely response. Richard Battisti

From: BATTISTIL@aol.com [mailto:BATTISTIL@aol.com]
Sent: Tuesday, May 03, 2016 9:24 AM
To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costa-mesa.ca.us>
Subject: 165 E. Wilson hearing.

My name is Richard Battisti. I reside at 190 Brandywyne Terrace,
Costa Mesa I hope you can answer a few questions for me with
regard to the hearing May 9 2016 for 165 E. Wilson.

1. What is the advantage of obtaining a "conditional use permit"?
2. Is there another sober living facility at 185 E. Wilson or do the
11 occupants of 165 E. Wilson hold their meetings at 185 E.
Wilson? These meeting are usually 3 to 4 times a week and while
the meetings are well managed there is way too much smoke from
E cigarettes and regular cigarettes. These meetings take place

no more than 18 feet from my back door.

Thank you, Richard Battisti

COLGAN, JULIE

From: Carol Rogers <csrogersllc@gmail.com>
Sent: Wednesday, May 04, 2016 6:58 PM
To: PLANNING COMMISSION
Cc: Andrew Stoneman; Terri Ross
Subject: May 9th meeting - Conditional Use Permits 2041 Tustin and 165 E. Wilson

Dear Costa Mesa City Planning Department,

I will be in attendance at your meeting on May 9th at 6PM in order to **protest** Keith Randle's (of Summit Coastal Living) request for Conditional Use Permits for his Sober Living Homes (SLH's) at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa.

I request on behalf of my family and many neighbors that both of these be denied.

**(Any neighbor who feels the same please respond by forwarding this or your own email to the CM city planning department and feel free to cc me. Voice your concerns loud and clear before May 9th, even better come to the meeting).*

I live on Holiday Road, right around the corner from Tustin Ave. Parking, traffic and congestion are very, very heavy in this area. 2041 Tustin is adjacent to both Woodland Elementary and Kaiser Middle school. Street parking during school drop off and p/u and during sports practice hours is very limited. Many families park on Tustin, right in front of 2041 and walk their young children to school. While a SLH has operated in the front of this tri-plex recently, residents are not happy about it as it created a dynamic change to the neighborhood due to the transient nature of the residents.

There is a SLH at 2175 Tustin Ave. very near the Boys and Girls Club, one at 425 East 20th Street and hundreds more all around us. You must be aware of the outrage of residents in the Newport Mesa area at the extreme proliferation of these legal, ADA protected, yet entirely unregulated homes. We can only react after a problem with a SLH home occurs!

Do we really need to house Sober Living Homes en masse in MFR units that are largely surrounded by SFR homes all full of children and families? The overcrowding and closeness of living quarters of recovering addicts is unhealthy for ALL residents. Having 13 men in a trip-plex cluster on Tustin and 11 men on Wilson is not what the city ordinance wants in my interpretation.

Costa Mesa city Ordinance 14-13 states that the city needs to strike a balance between residents interests and opportunity for handicapped. **Costa Mesa has hundreds of SLH's.** The city has done more than it's fair share of heavy lifting for the addicted/handicapped. It is time to yield some respect and fairness to residents.

Our home values suffer when a SLH is on or near our street, yet the owner/operators collect over market rental income. No wonder SLH's are popping up everywhere! The transient nature of SLH's means that you never know your neighbor, because they don't live there for more than 30 days.

Even more frustrating is the nuisance created by transients who don't share the same pride of ownership or care for their home and the neighborhood. Regardless of how the owner says the SLH will operate, without regulation, you have no idea what goes on day in and day out in these homes, period!

A SLH opened on 2218 Holiday Road in 2015. We experienced first hand what happens when a SLH is your neighbor. Sadly many of the occupants did not seem to be on the path to recovery. Excessive noise, trash, smoking and even drug use ensued in this home. Needless to say it changed our entire street. Thankfully for us it was closed March 1, 2016 by the city of Newport Beach. No one regulates SLH's and this one, like many others, was not helpful to anyone including the occupants.

During this period I wrote to our state legislators and I heard back from Matthew Harper, Assembly Member, 74th district. He and others in our state congress have introduced a bill, AB 2255 to introduce regulation and licensing procedures for SLH's. It has not been voted on yet, but hopefully it will pass.

Current SLH's do not help addicts recover in a science based effective manner. AA's 12 step program will **NOT** cure a heroine or meth addict, nor was it ever intended to. In the meantime our family neighborhoods are being assaulted with more and more SLH's, adding to our homeless population and increased crime. Our children don't feel as safe as they did just a few years ago.

Please consider the facts and all the legal reasons why you do not need to approve the Conditional Use Permits for Keith Randle and his MFR SLH's. Again your city Ordinance states that the city needs to strike a balance. Please yield to families for a safe, healthy and friendly neighborhood.

Thank you for your consideration.

Sincerely,
Carol Rogers

2240 Holiday Road
Newport Beach, CA 92660
(949) 375-0276

COLGAN, JULIE

From: Andrew Stoneman <astoneman13@yahoo.com>
Sent: Thursday, May 05, 2016 7:20 AM
To: PLANNING COMMISSION
Subject: Fwd: May 9th meeting - Conditional Use Permits 2041 Tustin and 165 E. Wilson

Sent from my iPhone

From: Andrew Stoneman
Subject: May 9th meeting - Conditional Use Permits 2041 Tustin and 165 E. Wilson

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Thank you for your consideration.

Sincerely,

Andrew Stoneman, 310 East 21st, Costa Mesa, CA 92627

COLGAN, JULIE

From: Paul Steiner <psteiner@ra.rockwell.com>
Sent: Thursday, May 05, 2016 7:53 PM
To: PLANNING COMMISSION
Cc: crogersllc@gmail.com
Subject: FW: May 9th CM Planners meeting - Conditional Use Permits for SLHomes 2041 Tustin for 13 MEN and 165 E. Wilson for 11 MEN

Dear Costa Mesa Planning Commission,

I cannot agree more with the points made by Carol Rogers below. This is truly getting out of hand.

I live at 2334 Westminster Avenue and also own a home at 277 East Wilson. There is already a SLH next to my Wilson house at 275 East Wilson. (I will spare you the story of how the operator of this SLH misled my old neighbor on the lease by pretending he was going to live there. When my ex-neighbor found out what was going on and wanted them to leave, the operator had his lawyer respond and scare my ex-neighbor with a lengthy lawsuit. These are the type of people operating these. While I know there is nothing you can do about how they act, let's not add to the problem!)

I can't believe you would approve another SLH house on Wilson. I am traveling for business today otherwise I would take a walk down my street and tell you EXACTLY how many houses this is down from an existing SLH.

I have talked with Mike Tucker, Costa Mesa Code enforcement official, on a few occasions. I understand there is a challenge as to what can be done by the city due to the fact "this group" is protected by state law. (I have actually read this section of the state law.) The real way to deal with "the root cause" is for cities to band together and get "recovering addicts" out of being protected. (The result is we currently have companies running boarding houses in R-1 neighborhoods, something I as a homeowner am not allowed to do!) I also understand this is no small task.

With this said, let's use the tools we do have to "manage the symptoms". Can the city point to the current density of these houses in the neighborhood to deny these permits?

Let's acknowledge what is happening here: We have these Sober Living Homes invading the Costa Mesa residential communities.

I ask that you do your best to represent the interest of your residents and work to keep the fabric of our communities and not turn Costa Mesa residential areas into commercial zones!

Regards,

Paul Steiner

Sales Manager, Western Region
Mobile: 714-262-6259, Office 714-938-9040
psteiner@ra.rockwell.com

Rockwell Automation/Allen-Bradley
2125 East Katella Avenue, Suite 250, Anaheim, CA 92806

From: Laura Steiner [mailto:steiner.la@gmail.com]
Sent: Thursday, May 05, 2016 1:46 PM
To: Paul Steiner <psteiner@ra.rockwell.com>

Subject: Fwd: May 9th CM Planners meeting - Conditional Use Permits for SLHomes 2041 Tustin for 13 MEN and 165 E. Wilson for 11 MEN

----- Forwarded message -----

Begin forwarded message:

From: Carol Rogers <csrogersllc@gmail.com>
Subject: **May 9th meeting - Conditional Use Permits 2041 Tustin and 165 E. Wilson**
Date: May 4, 2016 at 6:57:46 PM PDT
To: planningcommission@costamesaca.gov
Cc: Andrew Stoneman <astoneman13@yahoo.com>, Terri Ross <territross@aol.com>

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Thank you for your consideration.
Sincerely,
Carol Rogers

2240 Holiday Road
Newport Beach, CA 92660
(949) 375-0276

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Sincerely,
Laura Steiner

COLGAN, JULIE

From: Sherri Fenn <sherrifenn@icloud.com>
Sent: Thursday, May 05, 2016 1:28 PM
To: PLANNING COMMISSION
Cc: sandranian@yahoo.com
Subject: May 9th meeting- Conditional Use Permits 2041 Tustin and 165 E. Wilson

Dear Costa Mesa Planning Commission,

I am writing to you regarding the request by Keith Randle of Summit Coastal Living to open a Sober Living Home at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa.

I strongly PROTEST the addition of any more of these homes in our residential areas. When is enough enough!! By continuing to approve such homes you are altering the very neighborhoods that attract FAMILIES to Costa Mesa. Is this your desire? Is this the direction we are taking our city? Most of these Sober Living businesses are headquartered out of our city and employ one person in house to hopefully oversee things which is an impossible 24/7 job. They do not care about our neighborhood, it is all dollars and cents to them and they are making a fortune from these homes.

I run the streets of Eastside Costa Mesa each and every morning with my dog. I love this city that we call HOME and have invested my time by being the PTA president at Woodland Elementary as well as numerous other roles at Woodland, Kaiser, Ensign and Newport Harbor schools and I continue to coach in local sports supporting our youth. I started a Healthy Choices week at Woodland so we could teach children about not smoking, eating healthy and exercising. This is a gem of a school and is one of a kind, catering to kindergarten through 2nd graders only. The proposed Tustin home is right around the corner from the school. Many parents walk their kids past this block every single school day. You may not think that is a big deal but let me tell you what I have experienced on my runs as I go by many of these "regulated" homes. I see trash in the street, cigarette butts everywhere, excess parking, excess loitering in and around the home, vans coming and going all the time picking up tenants and taking them to meetings and other errands. One of the most offensive things is the cigarette smell. The smoke that permeates from the backyard's is awful. How would you like 13 people smoking next to your home at all hours of the day and night? You would not even be able to use your backyard as the smoke is that bad. How about the language that you now allow my kids to hear in my own backyard (or as kids walk to and from school) on an ongoing basis because 13 adults are congregated in the next door backyard each and every day? When a sober living home gets approved, you are 100% altering the neighbors where it resides.

The beauty of our neighborhoods is our people and if you continue to allow these homes to come in, you are bringing in people who do not care about our neighborhood, they have no vested interest in keeping things clean or

not saying or doing things that might be offensive to the people living next door. When we moved into our home on Esther Street, we had 5 neighbors who came over and welcomed us to the neighborhood, brought us drinks and helped us paint. I said we would never leave here because this is such a special place. PLEASE I am asking you to preserve what makes Costa Mesa great and if not, more and more families will move away to cities that are truly looking after the homeowners best interest not the businesses trying to make a buck on the coattails of our beautiful neighborhoods.

I cannot make the May 9th meeting as I coach at Newport Harbor and we have a parent meeting but I hope you will consider my thoughts as a very concerned citizen of our city. As we taught the kids at Healthy Choices week to ask themselves if the food they were going to eat was building their body up or tearing it down, I ask you is your decision on this issue building our city up or tearing it down???

Thank you for your time.

Sincerely,

Sherri Fenn

COLGAN, JULIE

From: F Muccia <muccia@sbcglobal.net>
Sent: Thursday, May 05, 2016 9:05 PM
To: PLANNING COMMISSION
Subject: May 9th meeting - Conditional Use Permits 2041 Tustin and 165 E. Wilson

Hello!

I have included an email from Debra Lucas which includes another email from Carol Rogers regarding the permits for yet another sober living home. As a neighbor on Paloma Drive (Costa Mesa side of the street), I have encountered a couple of instances within the last few months that I have never experienced in my 17 ½ years of living here.

Last Christmas season, a young well-dressed male was knocking on doors of homes of families that were either away on vacation or with a "For Sale" sign. This young man continued walking up and down Paloma Drive until I called Newport Beach Police Department (since he was on that side of the street). The NPB police confronted him and within minutes he was handcuffed and taken away. ***Three months ago***, while a "For Sale" home was having an open house, another well-dressed young man walked down the street, made a "connection" of some sort with a small car and then, walked down the street in a very suspicious manner holding something under his jacket. ***And, then last week***, I was out getting my mail from my mailbox and a brand new black Kia Soul was parked in front of my house. I saw the passenger take out a pipe of some sort and light it up with a lighter and blowing smoke out the passenger window. I believe it was drugs. When the occupants saw me getting my mail, they decided to just roll up their windows. I went into the house and called the Newport Beach Police, but was instructed to call Costa Mesa Police because of the location of the vehicle. I called Costa Mesa Police, gave the description of the car and explained what I had seen. When I hung up from that call, the car had left. **What I did not mention was a group of small children, 8 – 10 year olds, were playing on their lawns across the street.**

This is not what we planned for our neighborhood to turn into. We pay taxes and our children have gone through all of the local public schools. How is it possible that these homes can be purchased and turned into sober living homes? Is this neighborhood zoned accordingly? Why are they not regulated? I do not think putting up more sober living homes in the area is the answer. It seems to me it is the problem. Drugs, as I've heard from a recent meeting at Newport Harbor High School, are prevalent in the area. How is this helpful for people who are struggling to keep sober?

I am not against helping people who are struggling to stay sober. I think it is the answer to the problem but, I do not think homes in residential areas where children are playing in the street or near elementary schools is the optimum location. I also think that the owners of these sober living homes are a huge part of the problem, as well. They charge top dollar for these addicts to live in these homes. It does not appear that any type of medical or addictive assistance is being offered at these homes. What is their purpose? Can there be facilities where these people can be taken care of? Can't these people that own the sober living homes invest in these types of facilities and then, benefit from the rent there instead of an area where families with small children live? **Someone needs to explain to me the purpose of sober living homes being set up near elementary schools and where families and children play?**

By the way, I have seen the Black Kia Soul driving around the area and parked. It is the same car that was sitting in front of my home because I know the license plate.

Please stop allowing more of these sober living homes to be placed in our area; especially multiple sober living homes in one location. Common sense tells us that this would not be helpful to the recovering addicts or the families that are already living here.

PLEASE PUT LAWS INTO PLACE IN ORDER TO REGULATE THESE HOMES WHILE THEY ARE STILL ALLOWED TO EXIST. PLEASE DO NOT ALLOW ANOTHER PERMIT FOR ANOTHER SOBER LIVING HOUSE UNTIL THOSE LAWS ARE INACTED, POLICED AND ENFORCED. PLEASE LIMIT THE NUMBER OF SOBER LIVING HOMES AND STOP ANYMORE FROM BEING ESTABLISHED AND BEING PROFITED FROM. THESE RECOVERING ADDICTS NEED A SAFE PLACE TO LIVE AND AN ENVIRONMENT WHERE THEY CAN BE HELPED IN THE APPROPRIATE MANNER WITH THE APPROPRIATE PROFESSIONALS; NOT JUST DROP INTO A NEIGHBORHOOD WITHOUT BEING HELPED AND ULTIMATELY DISTURBING THE EXISTING NEIGHBORHOOD.

Concerned Parent, Citizen and Neighbor,

Fran Muccia

Copies of e-mails I received from other neighbors:

Wanted to share the email below from TBON that I got from my neighbor Ann Stevenson.

I appreciate the emphasis on the fact that , in standing against this SLH we are not against recovery efforts for addicts. I don't know a single family that has not been touched by addiction. What I'm against is the sole profit motive of the businesses running these homes- with no consideration of the best interests of the recovering addicts or the established neighbors in the area.

As described here:

<http://www.nelsonhardiman.com/health-net-launches-broad-fraud-investigation-against-california-drug-treatment-providers/>

Click on the link below for specific locations of SLH.

From: TBON Costa Mesa <tboncostamesa@hotmail.com>

Date: May 5, 2016 at 4:46:40 PM PDT

Subject: REMINDER Planning Commission Meeting May 9, 2016

Dear Costa Mesans,

The Costa Mesa Planning Commission meets Monday May 9, 2016 at 6:00 p.m. in the City Council Chambers at 77 Coastal Living located at 2041 Tustin Avenue and 165 East Wilson. Please attend this meeting and urge the Planning TBON attend and speak up. Please tell your neighbors and friends to attend and speak. You will have 3 minutes to make it clear that you are not against recovery, but are "against the over concentration of sober living businesses in C puts families under siege". If you live next to the properties, offer examples of the encounters you have had with the excessive smoking, vaping, swearing, trash, needles, break-ins, trespassing, parking issues etc. It is important that the stress enough how important it is that people show up for the hearing and speak.

It doesn't matter which neighborhood you live in or what political party you belong to, the sober living problem in C

Thank you for your involvement, see you there.

Sincerely,

TBON

www.tboncostamesa.com

Hello neighbors-

You may already be aware of this but just in case you're not I wanted to fwd this to you.

Our neighborhood has seen a disproportionate number of SLH show up in recent years. In addition to their potential negative impact on our neighborhood, the only certain result of their programs is that the owner-operators make a lot of money off of the recovering addicts - without any accountability as to the results of their "programs". At this point their proliferation has outstripped the cities' existing regulations. We need to step up & let our officials know that this can't continue. (Although I'm in NB, you know this area is totally interwoven)

There will be an meeting Monday night at the CM Planning Commission. Many of us are planning to attend. The email below contains a lot of information, including a perfectly worded letter by Carol Rogers. I was going to write a letter myself but why reinvent the wheel? I'll use hers & add the comment that she says all I wanted to say & I second her points. Feel free to do the same. We really need to speak up.

Deborah Lucas & Harold Pemstein

2430 Holiday Rd, NB

From: Carol Rogers <csrogersllc@gmail.com>

Date: May 5, 2016 at 11:18:36 AM PDT

Hello All,

As neighbors I wanted you to be aware that more Sober Living Homes may open soon in Multi Family Units at 2041 Tustin Ave. 13 men, and 165 E. Wilson, 11 men. The hearing for the permits to open them is this Monday, May 9th at 6PM in the Costa Mesa Council chambers. My feeling is that we have more than enough in the neighborhood now.

If you feel the same please send an email to the Costa Mesa City Planning department before 3PM on Monday, May 9th and voice your concerns. Feel free to share this with others in your neighborhood. I enclosed a copy of my email to the city below.

Thank you!

From: Carol Rogers <csrogersllc@gmail.com>

Subject: May 9th meeting - Conditional Use Permits 2041 Tustin and 165 E. Wilson

Date: May 4, 2016 at 6:57:46 PM PDT

To: planningcommission@costamesaca.gov

Cc: Andrew Stoneman <astoneman13@yahoo.com>, Terri Ross <territross@aol.com>

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56

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Please consider the facts and all the legal reasons why you do not need to approve the Conditional Use Permits for Keith Randle and his MFR SLH's. Again your city Ordinance states that the city needs to strike a balance. Please yield to families for a safe, healthy and friendly neighborhood.

Thank you for your consideration.

Sincerely,
Carol Rogers

2240 Holiday Road
Newport Beach, CA 92660
(949) 375-0276

COLGAN, JULIE

From: Colleen P <c.pilz@sbcglobal.net>
Sent: Thursday, May 05, 2016 9:35 PM
To: PLANNING COMMISSION
Subject: May 9th meeting- opposed to more SLH in Costa Mesa

Dear Gentlepersons:

As president of our HOA community located On 23rd Orange and Wilson, I am writing to express our opposition to another SLH nearby. Seems like we are surrounded.

Many families on our street have had cars broken into and items taken from their garages..

Too many 25-30 year old young men walking or riding bikes with backpacks cruising around the streets mid day.

I don't feel safe in Costa Mesa any more.

Please do not allow more permits to pass. Do your job and follow the will of the Tax payers!

Thank you,

Colleen Pilz

Sent from my iPad

COLGAN, JULIE

From: Deborah Lucas <deborahllucas@gmail.com>
Sent: Friday, May 06, 2016 12:47 PM
To: PLANNING COMMISSION
Subject: May 9th meeting - Conditional Use Permits 2041 Tustin and 165 E. Wilson

Dear CM Planning Commission,
I'm writing to you about the issue of the CUP request for 2041 Tustin Ave and 165 E Wilson. I was going to write a letter delineating all my reasons, but a neighbor, Carol Rogers, has done such a good job I'm including hers below rather than repeat all the same points.

My husband and I will be at the meeting Monday. We both strongly urge you to deny this CUP.

Thank-you for your time.
Deborah Lucas & Harold Pemstein
2430 Holiday Rd, NB 92660
deborahllucas@gmail.com

Dear Costa Mesa City Planning Department,

I will be in attendance at your meeting on May 9th at 6PM in order to protest Keith Randle's (of Summit Coastal Living) request for Conditional Use Permits for his Sober Living Homes (SLH's) at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa.

I request on behalf of my family and many neighbors that both of these be denied.

I live on Holiday Road, right around the corner from Tustin Ave. Parking, traffic and congestion are very, very heavy in this area during school drop off/pick-up and during sports practices/games. 2041 Tustin is adjacent to both Woodland Elementary and Kaiser Middle school. Many families park on Tustin, right in front of 2041 and walk their young children to school. While a SLH has operated in the front of this tri-plex recently, residents are not happy about it as it created a dynamic change to the neighborhood due to the transient nature of the residents.

I believe there is a SLH at 2175 Tustin Ave. very near the Boys and Girls Club, one at 425 East 20th Street and hundreds more all around us. You must be aware of the outrage of residents in the Newport Mesa area at the extreme proliferation of these legal, ADA protected, yet entirely unregulated homes. We can only react after a problem with a SLH home occurs!

59

Do we really need to house Sober Living Homes en masse in MFR units that are largely surrounded by SFR homes full of children and families? The overcrowding and closeness of living quarters of recovering addicts is unhealthy for ALL residents. Having 13 men in a triplex cluster on Tustin and 11 men on Wilson is not what the city ordinance wants in my interpretation.

Costa Mesa city Ordinance 14-13 states that the city needs to strike a balance between residents interests and opportunity for handicapped. **Costa Mesa has hundreds of SLH's.** The city has done more than it's fair share of heavy lifting for the addicted/handicapped. It is time to yield some respect and fairness to residents.

Our home values suffer when a SLH is on or near our street, yet the owner/operators collect over market rental income. No wonder SLH's are popping up everywhere! The transient nature of SLH's means that you never know your neighbor, because they don't live there for more than 30 days.

Even more frustrating is the nuisance created by transients who don't share the same pride of ownership or care for their home and the neighborhood. Regardless of how the owner says the SLH will operate, without regulation, you have no idea what goes on day in and day out in these homes, period!

A SLH opened on 2218 Holiday Road in 2015. We experienced first hand what happens when a SLH is your neighbor. Sadly many of the occupants did not seem to be on the path to recovery. Excessive noise, trash, smoking and even drug use ensued in this home. Needless to say it changed our entire street. Thankfully for us it was closed March 1, 2016 by the city of Newport Beach. No one regulates SLH's and this one, like many others, was not helpful to anyone including the occupants.

During this period I wrote to our state legislators and I heard back from Matthew Harper, AssemblyMember, 74th district. He and others in our state congress have introduced a bill, AB 2255 to introduce regulation and licensing procedures for SLH's. It has not been voted on yet, but hopefully it will pass.

Current SLH's do not help addicts recover in a science based effective manner. AA's 12 step program will **NOT** cure a heroine or meth addict, nor was it ever intended to. In the meantime our family neighborhoods are being assaulted with more and more SLH's, adding to our homeless population and increased crime. Our children don't feel as safe as they did just a few years ago.

Please consider the facts and all the legal reasons why you do not need to approve the Conditional Use Permits for Keith Randle and his MFR SLH's. Again your city Ordinance states that the city needs to strike a balance. Please yield to families for a safe, healthy and friendly neighborhood.

Thank you for your consideration.
Sincerely,
Carol Rogers

2240 Holiday Road
Newport Beach, CA 92660
[\(949\) 375-0276](tel:9493750276)

COLGAN, JULIE

From: Ann Stevenson <annstevenson94@yahoo.com>
Sent: Friday, May 06, 2016 1:09 PM
To: PLANNING COMMISSION
Cc: rdicksoncmpc@gmail.com; aventrue@ca.rr.com; sandranian@yahoo.com; colinkmccarthy@yahoo.com; twsesler@gmail.com; ARMSTRONG, GARY; FLYNN, CLAIRE
Subject: [BULK]
Importance: Low

Dear Costa Mesa Planning Commission

Please consider rejecting the permits for the 2 sober living homes (Tustin Ave. and Wilson). While I admire people's wish to become sober, I believe that our city has a high concentration of these homes in our neighborhoods. Moreover, there has been a large an increase in crime in Costa Mesa over the last year. One of the reasons cited has been the large influx of sober living homes. Also, the hotels on Newport Blvd. have attracted transient individuals with drug/alcohol issues and have been cited as a reason for the large increase in crime. These hotels are in close proximity to these 2 proposed sober living home locations. The sober living homes also add a transient living situation. In addition, I believe that the location on Tustin is extremely unsafe. This is a high traffic school zone. Children ride their bikes on this street to go to and from school, children walk by themselves or with their parents to go to and from school. Loitering, second hand smoke, and more traffic would decrease the safety of our families. Also, the property values of the neighborhood would be impacted as most people's greatest priority when looking for a residence is location, location, location. Families are concerned about safety of the neighborhood they live in and these drug and alcohol transitional living homes don't appear to be a safe addition to the neighborhood.

Thank you for your consideration.

Ann Stevenson

Sent from my iPhone

COLGAN, JULIE

From: Bob Birmingham <bob@birminghamrealtypartners.com>
Sent: Friday, May 06, 2016 2:20 PM
To: PLANNING COMMISSION
Cc: csrogersllc@gmail.com; Home Email
Subject: Sober Living Homes Application at 2041 Tustin Ave and 165 E. Wilson Street in Costa Mesa

Importance: High

Dear Costa Mesa City Planning Department,

I will be in attendance at your meeting on May 9th at 6PM in order to ***protest*** Keith Randle's (of Summit Coastal Living) request for Conditional Use Permits for his Sober Living Homes (SLH's) at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa.

I request on behalf of my family and many neighbors that both of these be denied.

Kind Regards,

Bob Birmingham
Birmingham Realty Partners
O: (949) 220-2909 | C: (714) 349-5975
bob@birminghamrealtypartners.com

BIRMINGHAM
REALTY PARTNERS

COLGAN, JULIE

From: Jeannie Denholm <jdenholm@scapesite.com>
Sent: Friday, May 06, 2016 5:34 PM
To: PLANNING COMMISSION
Subject: Attn Costa Mesa Planning committee

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Costa Mesa Planning Commission,

I am writing in strong PROTEST to the addition of more Sober Living Homes in our residential area. I too ask the question: When is enough enough? Our neighborhoods are being compromised for reasons driven primarily by profit. I am in favor of rehabilitation and chances are all of our lives have been impacted in some way by someone we know who has had addiction issues. This is not a question of providing help to these people but addressing the appropriate manner in which to do so.

I lived next door to a SLH. I know first hand what goes on. Cigarette smoke and foul language was a common daily occurrence. Unfortunately loud music with foul lyrics was also very common. (from the porch). I cringed but could do nothing to prevent my kids from hearing it as they played in our backyard. It affected our house in that our children's friends stopped coming over to our house to play because their parents didn't want them to be subject to that environment. This stuff is not made up. It is all true. I did not see any signs of effective management or leadership taking place in these homes. And I am in full agreement, one manager on duty is not effective management for the number of patients per SLH. Late night shift changes meant cars pulling into the driveway next door with very loud radios playing (common shift changes were between 12:30am-1am). The blinds were kept closed on the house at all times. It was a bummer to be subject to the excessive trash and cigarette butts. This made for a very unfriendly, unwelcoming home next door. And that is NOT the reason we pay the prices we do to live in our neighborhood. We are drawn to these neighborhoods for the friendly community, cleanliness, home ownership pride and positive neighborly interaction.

I cannot make the May 9th meeting as I will be at a parent meeting at the nearby High School but I hope my voice will be heard and considered when the discussion takes place about the pending SLH's on Tustin and Wilson.

Thank you for your time.

Sincerely,

Jeannie Denholm

COLGAN, JULIE

From: Bridget Crook <bacrook@ca.rr.com>
Sent: Friday, May 06, 2016 8:15 PM
To: PLANNING COMMISSION
Subject: 165 e wilson and 2041 tustin ave

>> Dear Costa Mesa Planning Commission,

>>

>> I am writing to you regarding the request by Keith Randle of Summit Coastal Living to open a Sober Living Home at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa.

I strongly disagree with any approval of this project!
Please do right by the tax paying citizens of this city!!

Sincerely,
Bridget and Rick Crook

COLGAN, JULIE

From: Scott Mackenzie <scott.e.mack77@gmail.com>
Sent: Monday, May 09, 2016 8:32 AM
To: PLANNING COMMISSION
Subject: Sober Living Homes

Hello,

I am writing in regards to the request made by Keith Randle of Summit Coastal Living to open a Sober Living Home at 165 E. Wilson Street, and 2041 Tustin Ave in Costa Mesa. I ask that you please not honor this request as the amount of SLH in our neighborhoods has gotten out of hand.

I moved to this area because of its central location to everything, and am now raising a family. I have a 2yr old, and another on the way. We have at least 3 SLH within an 800m radius of our home. These homes are not regulated, or monitored and when one of these so called "Sober" occupants gets kicked out they become homeless living in our communities creating havoc. Crime in our city has risen 35% in 2015. Our next door neighbors house was recently broken into, our cars have been vandalized. This community no longer feels safe, and there is no reason why these types of facilities should be allowed to operate in a community.

Thank you,

--

Scott MacKenzie

COLGAN, JULIE

From: Tiana Gutierrez <foxesandbunnies@gmail.com>
Sent: Monday, May 09, 2016 8:59 AM
To: PLANNING COMMISSION
Subject: Keith Randle Sober Living Home Request

To Whom it May Concern:

I am writing today in regards to the request by Keith Randle of Summit Coastal Living to open a Sober Living Home at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa. My husband and I, residents of Costa Mesa for the past five years, ask that the City of Costa Mesa NOT allow this request. The concentration of sober living homes already existing in the city is overwhelming. Many residents, myself included, feel unsafe and uncomfortable being in such close proximity to so many of these homes.

Thank you for your time.

Tiana K. Gutierrez
(949) 735-9144

Sent from my iPhone- please excuse any typos.

Tiana K. Gutierrez
(949) 735-9144

66

COLGAN, JULIE

From: Babette Webster <babette_7@hotmail.com>
Sent: Monday, May 09, 2016 9:16 AM
To: PLANNING COMMISSION
Subject: Sober Living Home Permit

Planning Commission,

I respectfully ask you to deny a permit to Keith Randle of Summit Coastal Living to open a Sober Living Home at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa .

After 36 years of owning my home on Orange Ave. near Santa Isabel, it is becoming more and more difficult to feel safe and have a peaceful existence with the encroachment of these homes. Directly next door to me is a SLH with several units, and one across the street in a single family home. I am continually finding cigarette butts, trash, empty liquor cans/bottles in my yard, tossed over my backyard fence, loud talking, yelling, laughter, hooting, etc. at all hours. Loud delivery trucks, honking, general disturbance of my peace. Occasionally foul language and threats of fighting occurs, which is very unnerving right out in front of my home. I've given up on my friends and family being able to park anywhere near my home, as the staff and family from these businesses have that all taken most of the time. I am often having a problem putting my trash cans out to be accessible for pick up. Seriously, the list goes on. Please find a way to limit these types of businesses to industrial areas or the like. They have no place in a peaceful family living area.

Thank you,
Babette Webster

COLGAN, JULIE

From: niladanielle lewis <sailnchef@hotmail.com>
Sent: Monday, May 09, 2016 9:23 AM
To: PLANNING COMMISSION
Subject: More SLH

Commissioner:

I am a life long resident of CM. I love this City and can't imagine living anywhere else. However, my life has been disrupted many, many times due to the influx of SLH's in the neighborhood.

The past 3 years my car has been vandalized, broken into and damaged trying to steal it, a drugged out woman tried to get into my house at 3am, I have found syringes, glass pipes, burnt tin foil, human feces & urination, discarded clothing, liquor bottles, cigarette butts and trash on and around my property. This was NEVER an issue before the 3!!!! SLH opened on my street.

They utilize the breezeway on my property to access the 3!!! SLH's behind me.

Please do not allow any more of these businesses open in our neighborhood! Specifically, 165 E Wilson & 2041 Tustin.

I often don't feel safe in my own home & certainly not walking my dog in the early morning or evening when there are groups of people coming and going from these homes.

Please consider this when you are faced with the proposition of opening any more SLH's in our neighborhood - they are destroying Costa Mesa.

Sincerely,

Nila Lewis

COLGAN, JULIE

From: Stefan Scheumann <sscheumann@irvinecompany.com>
Sent: Monday, May 09, 2016 9:44 AM
To: PLANNING COMMISSION
Subject: Keith Randle of Summit Coastal Living request to open sober living home at 165 E. Wilson and 2041 Tustin Ave.

Dear Planning Commission,

As a 13 year resident of Eastside Costa Mesa and current homeowner of 259 E. Wilson Street my family and I are vested in the community. I appreciate what the community has to offer and want to continue doing my part to build a strong, safe community where children (including my two young daughters) are safe to run and ride their bikes.

A great concern of mine is the concentration and proliferation of sober living homes in Costa Mesa. Families are the cornerstone behind a great community, not sober living homes and the transient tenancy they bring. I already see the negative impact of one such facility located at 275 E. Wilson Street, just a few house down from my home.

I strongly and respectfully ask you to deny the permit request of Mr. Keith Randle of Summit Coastal Living to open sober living homes at 165 E. Wilson and 2041 Tustin Ave.

Thank you very much and please help us maintain the sense of community that makes Costa Mesa a great place to live.

-Stefan Scheumann
259 E. Wilson Street, Costa Mesa, CA 92627

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COLGAN, JULIE

From: Alicia Wiley <amarie949@gmail.com>
Sent: Monday, May 09, 2016 9:44 AM
To: PLANNING COMMISSION
Subject: Sober Living - Opposition

As a resident of eastside Costa Mesa for over 13 years, I am writing to ask that you please **DO NOT** grant a permit to Keith Randle of Summit Coastal Living and his request for another sober living facility at 165 E. Wilson and 2041 Tustin Avenue in Costa Mesa.

I have personally witnessed the damage and decline of our neighborhood that these facilities have caused-- taking a once very safe, family friendly neighborhood to one where many of these men and women make our streets and neighborhood centers a place where we are afraid to live, due to their misbehavior, unstable mental states and damaged, criminal pasts.

Myself and my neighbors have also witnessed a huge increase in crime, many of times linked back to these members that are unable to get their lives on the right track and resort to lingering, drugs, drinking and causing problems throughout our neighborhood-- **DESPITE** the fact that they are supposed to be in "SOBER" Living.

Costa Mesa is a beautiful coastal community for friends, neighbors and families. We **MUST STOP** the addition of these units in a neighborhood that is already becoming overrun.

Leave our homes to the families that desire to live here to be a part of something greater and bring Costa Mesa back to the city it once was.

NO MORE SOBER LIVING!!!!!!

Resident,

Alicia Wiley

COLGAN, JULIE

From: Capt. Jason Machovsky <machovj@aol.com>
Sent: Monday, May 09, 2016 9:48 AM
To: PLANNING COMMISSION
Subject: Coastal living sober living homes

Costa Mesa council members,

I am writing today regarding the request for coastal living to add two more sober living facilities in Eastside Costa Mesa. As a long time resident and homeowner in Eastside Costa Mesa, I find the proliferation of sober living homes to be detrimental to not only the values of our real estate in Eastside Costa Mesa, but also the quality of life.

The amount of theft and ancillary criminal activity that has proliferated in the neighborhood since these homes began opening up is absolutely astounding and unacceptable. It is my request that you would deny any further request to open these facilities in our city as we are overly burdened with them at this time there is no feasible way to monitor and control these facilities from Civil Code level at this time. Until such ordinance can be passed and enforced I feel there should be a moratorium on sober living facilities in our community.

Thank you for your consideration and I would ask again that we stop allowing these for-profit businesses to exist in the middle of our family neighborhoods at the expense of individuals and families who are trying to live in safe neighborhoods.

Captain Jason Machovsky

USCG, MSC
M/V TIGRESS
Tel: 714.330.7268
Email: tgrsscapt@aol.com

Sent from my iPhone

COLGAN, JULIE

From: Karen <triacca2@aol.com>
Sent: Monday, May 09, 2016 10:04 AM
To: PLANNING COMMISSION
Subject: Summit Coastal - I oppose the request for permit to operate Sober Living Homes at 165 E. Wilson Street and 2041 Tustin Avenue

I oppose the request for permit to operate Sober Living Homes at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa.

There are too many Sober Living Homes concentrated in this area.

Resident
1816 Fullerton
Costa Mesa

Sent from my iPhone

ROSALES, MARTHA

From: Kristin Berkenfield <kberkenfield@yahoo.com>
Sent: Monday, May 09, 2016 3:07 PM
To: PLANNING COMMISSION
Cc: Dan
Subject: [BULK] NO CONDITIONAL USE PERMITS FOR SUMMIT COASTAL LIVING

Importance: Low

Dear Planning Commission,

I am writing to urge you to NOT allow the conditional use permits for 2041 Tustin Ave and 165 East Wilson. Our wonderful city has seen an extreme proliferation of these sober living facilities in our community and it's time that this proliferation ends! Our neighborhoods have been negatively impacted with neighbors needing to put up with excessive smoking, foul language, parking issues etc! I plan to attend the meeting tonight although I understand it is possible that yet again this topic has been postponed. I believe Costa Mesa has made some good strides in trying to reign in this problem, let's continue to move in that direction by denying this conditional use permit that does nothing but create problems for Costa Mesa and line the pockets of Mr. Randle!

Sincerely,

Kristin and Dan Berkenfield
391 Broadway

Sent from my iPad

ROSALES, MARTHA

From: Reed, Timothy <tim.r.reed@aviationweek.com>
Sent: Monday, May 09, 2016 3:20 PM
To: PLANNING COMMISSION
Subject: Keith Randle of Summit Coastal Living request to open a Sober Living Home at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa

Dear Costa Mesa Planning Commission,

I am writing to you regarding the request by Keith Randle of Summit Coastal Living to open a Sober Living Home at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa. I strongly PROTEST the addition of any more of these homes in our residential areas. We already have more than our fair share of SLH at 25% of those in Orange County. In fact we live two doors down from one now here on Wilson street and we don't need any more!

Respectfully,

Tim

Tim Reed

Strategic Accounts Director
279 East Wilson Street
Costa Mesa, CA 92627
Penton Aviation Week Network
timothy.reed@penton.com

O +1 949 650 5383
M +1 949 278 7718

AVIATION WEEK
NETWORK

ROSALES, MARTHA

From: dlynd56 <dlynd56@aol.com>
Sent: Monday, May 09, 2016 3:24 PM
To: PLANNING COMMISSION
Subject: Please stop more Sober Living Homes in Costa Mesa Ca

This email is in regards to the request by Keith Randle of Summit Coastal Living to open a Sober Living Home at 165 E Wilson St & 2041 Tustin Ave in Costa Mesa. Please do not allow this request the city already has numerous homes and it is ruining our city. These need to be stopped as Costa Mesa is already overloaded with them.

Sent via the Samsung GALAXY S® 5, an AT&T 4G LTE smartphone

ROSALES, MARTHA

From: Charles A Standen <castanden@yahoo.com>
Sent: Monday, May 09, 2016 3:28 PM
To: PLANNING COMMISSION
Subject: SLH

To whom it may concern,

Please please please do not allow this SLH nightmare to continue in our beloved Costa Mesa. I have been a resident here for the past 6 years, and I have seen some dramatic changes (Not for the Better) here in that short amount of time. We rent and are in the process of buying a home, but at this time we have decided to put that on hold because of the SLH issues that have come up. Honestly, I can not in good conscience put money towards a house in this area the way things are so we decided to wait for a year and see how all of this plays out. I have seen a massive increase in shady characters loitering around the neighborhood at all hours of the day. A huge spike in cars broken into, and homes targeted by those who are obviously not professional thieves but rather people looking for a quick buck to get their fix, an increase in trash in the street, cigarette butts on almost Every street corner by our house. We don't park our cars in the street anymore, and I keep every window and door locked and sealed even if I am working in the back yard. It is so bad, that sometimes when we leave to go on errands we look around and if there is a shady person standing near our house, we will wait to leave until they are gone for fear they are waiting for a house to be empty so they can rob it. It is really sad to me because I always loved this area, and have always hoped to start a family here and raise my children here. I say it is sad because I just don't see that happening here anymore the way things are. Too many problems that I am not willing to subject my family too.

The proposed SLH at 165 E Wilson st and 2041 Tustin ave can not be allowed to continue. Please, from one resident who wants to see his beloved costa mesa brought back, do not let these continue. I might feel differently if we were talking about our fellow costa mesa people, but as we all well know now these homes are being advertised nation wide and I can not see ANY benefit to our city. Please stop this madness before another robbery occurs, or car is stolen, or another person is stabbed in the middle of the day by the grocery store, or someones house is broken into, and the list can go on and on and on and on and on.....

Thanks you for taking the time to hear us, the Residents of Costa Mesa, the Taxpayers, the voters, the people who are tired of seeing our city go down the drain. Please stop this before all the good people leave because they just can't take it anymore. We don't need the revenue from these businesses. Period.

Charles Standen
2018 Orange Ave
Costa Mesa CA 92627
317-385-7235

COLGAN, JULIE

Subject: May 9th CM Planners meeting - Conditional Use Permits for SLHomes 2041 Tustin for 13 MEN and 165 E. Wilson for 11 MEN

From: Molly Rigdon [<mailto:mollyrigdon@sbcglobal.net>]

Sent: Monday, May 09, 2016 3:32 PM

To: planningcommision@costamesaca.gov; rdicksoncmpec@gmail.com; aventrue@ca.rr.com; sandranian@yahoo.com; colinkmccarthy@yahoo.com; twsesler@gmail.com; ARMSTRONG, GARY <GARY.ARMSTRONG@costamesaca.gov>; FLYNN, CLAIRE <CLAIRE.FLYNN@costamesaca.gov>

Cc: Dylan Rigdon <drigdon@lagunaequity.com>

Subject: May 9th CM Planners meeting - Conditional Use Permits for SLHomes 2041 Tustin for 13 MEN and 165 E. Wilson for 11 MEN

Dear Costa Mesa City Planning Department,

I will be in attendance at your meeting on May 9th at 6PM in order to ***protest*** Keith Randle's (of Summit Coastal Living) request for Conditional Use Permits for his Sober Living Homes (SLH's) at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa.

I request on behalf of my family and many neighbors that both of these be denied.

****(Any neighbor who feels the same please respond by forwarding this or your own email to the CM city planning department and feel free to cc me. Voice your concerns loud and clear before May 9th, even better come to the meeting).***

I live on Esther Street, off of cTustin Ave. Parking, traffic and congestion are very, very heavy in this area during school drop off/pick-up and during sports practices/games. 2041 Tustin is adjacent to both Woodland Elementary and Kaiser Middle school. Many families park on Tustin, right in front of 2041 and walk their young children to school. While a SLH has operated in the front of this tri-plex recently, residents are not happy about it as it created a dynamic change to the neighborhood due to the transient nature of the residents.

I believe there is a SLH at 2175 Tustin Ave. very near the Boys and Girls Club, one at 425 East 20th Street and hundreds more all around us. You must be aware of the outrage of residents in the Newport Mesa area at the extreme proliferation of these legal, ADA protected, yet entirely unregulated homes. We can only react after a problem with a SLH home occurs!

Do we really need to house Sober Living Homes en masse in MFR units that are largely surrounded by SFR homes full of children and families? The overcrowding and closeness of living quarters of recovering addicts is unhealthy for ALL residents. Having 13 men in a tri-plex cluster on Tustin and 11 men on Wilson is not what the city ordinance wants in my interpretation.

Costa Mesa city Ordinance 14-13 states that the city needs to strike a balance between residents interests and opportunity for handicapped. **Costa Mesa has hundreds of SLH's.** The city has done more than it's fair share of heavy lifting for the addicted/handicapped. It is time to yield some respect and fairness to residents.

Our home values suffer when a SLH is on or near our street, yet the owner/operators collect over market rental income. No wonder SLH's are popping up everywhere! The transient nature of SLH's means that you never know your neighbor, because they don't live there for more than 30 days.

Even more frustrating is the nuisance created by transients who don't share the same pride of ownership or care for their home and the neighborhood. Regardless of how the owner says the SLH will operate, without regulation, you have no idea what goes on day in and day out in these homes, period!

A SLH opened on 2218 Holiday Road in 2015. We experienced first hand what happens when a SLH is your neighbor. Sadly many of the occupants did not seem to be on the path to recovery. Excessive noise, trash, smoking and even drug use ensued in this home. Needless to say it changed our entire street. Thankfully for us it was closed March 1, 2016 by the city of Newport Beach. No one regulates SLH's and this one, like many others, was not helpful to anyone including the occupants.

Current SLH's do not help addicts recover in a science based effective manner. AA's 12 step program will **NOT** cure a heroine or meth addict, nor was it ever intended to. In the meantime our family neighborhoods are being assaulted with more and more SLH's, adding to our homeless population and increased crime. Our children don't feel as safe as they did just a few years ago.

Please consider the facts and all the legal reasons why you do not need to approve the Conditional Use Permits for Keith Randle and his MFR SLH's. Again your city Ordinance states that the city needs to strike a balance. Please yield to families for a safe, healthy and friendly neighborhood.

Thank you for your consideration.
Sincerely,

Molly Rigdon

ROSALES, MARTHA

From: Tom Leahy <tom@onehopewine.com>
Sent: Monday, May 09, 2016 3:34 PM
To: PLANNING COMMISSION
Subject: Sober Living

I am writing regarding the request by Keith Randle of Summit Coastal Living to open a Sober Living Home at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa. I am asking you to NOT to allow this request which will add two more Sober Living Homes to our Eastside Costa Mesa neighborhood.

Best,

Tom Leahy

ONEHOPE, President
www.ONEHOPEWINE.com
e: tom@onehopewine.com
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ANGEL, KATIE

From: COLGAN, JULIE
Sent: Tuesday, May 10, 2016 9:44 AM
To: ANGEL, KATIE; GAMBOA, FIDEL; TUCKER, MIKE
Subject: FW: [BULK]

Importance: Low

Julie Colgan

Administrative Secretary
Development Services
CITY OF COSTA MESA
714-754-5245
julie.colgan@costamesaca.gov

HAVE A BLESSED 2016!!!

From: larswan [mailto:larswan@aol.com]
Sent: Monday, May 09, 2016 5:23 PM
To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costamesa.ca.us>
Subject: [BULK]
Importance: Low

How many is enough?

I am writing regarding the request by Keith Randle of Summit Coastal Living to open a Sober Living Home at 165 E. Wilson Street and 2041 Tustin Avenue in Costa Mesa. I am asking you to NOT to allow this request which will add two more Sober Living Homes to our Eastside Costa Mesa neighborhood.

Larry Tuohino
2343 Westminster Ave
Costa Mesa 92627

ANGEL, KATIE

From: COLGAN, JULIE
Sent: Tuesday, May 10, 2016 9:44 AM
To: TUCKER, MIKE; ANGEL, KATIE; GAMBOA, FIDEL
Subject: FW: Opposition to Keith Randle of Summit Coastal Living

Julie Colgan

Administrative Secretary
Development Services
CITY OF COSTA MESA
714-754-5245
julie.colgan@costamesaca.gov

HAVE A BLESSED 2016!!!

From: Maura Sekas [mailto:maura.sekas@yahoo.com]
Sent: Monday, May 09, 2016 9:03 PM
To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costamesa.ca.us>
Subject: Opposition to Keith Randle of Summit Coastal Living

To The Planning Commission of Costa Mesa,

I am writing to ask that you please deny the request of Keith Randle to open sober living homes in our city at 165 E. Wilson Street and 2041 Tustin Avenue. My family and I have been residents and homeowners in Costa Mesa for 25 years. We are raising our young children here and in the last several years have been deeply concerned by a changing element in our city. After more than 20 years of living here with no problems, we had our car broken into in our driveway in the middle of the night and my 6 year old daughter was awakened at 3am by a drunk young man breaking into her bedroom door from our backyard. We have seen strung out people laying around all over town. I support people finding sobriety, but I do not believe that allowing more and more sober living homes to open in Costa Mesa is good for our city or its residents. Neither do I believe that sober living homes are necessary for people to find sobriety. I believe the huge increase in the sober living homes is fueled by greed and is detrimental to all involved, except the property owner that is making a huge profit in our neighborhoods, at our expense and the expense of those seeking sobriety.

Sincerely,
Julius and Maura Sekas

ANGEL, KATIE

From: COLGAN, JULIE
Sent: Tuesday, May 10, 2016 9:44 AM
To: TUCKER, MIKE; ANGEL, KATIE; GAMBOA, FIDEL
Subject: FW: sober living homes

Julie Colgan
Administrative Secretary
Development Services
CITY OF COSTA MESA
714-754-5245
julie.colgan@costamesaca.gov

HAVE A BLESSED 2016!!!

-----Original Message-----

From: Nancy Perkins [mailto:zimzala47@aol.com]
Sent: Monday, May 09, 2016 9:12 PM
To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costamesa.ca.us>
Subject: sober living homes

While I can see the presence of licensed sober living homes that can show they are actually giving help to chemically addicted individuals. I don't see the proliferation of Sober Living Homes that have proliferated in our city in family neighborhoods. It seems to me there has to be a cap. More than our share (based on the county) are located in Costa Mesa. It's admirable that the projects on Wilson and Tustin have at least asked for conditional use permits but do they also have state licenses? No CUP used be granted to a facility that is not state licensed at the very least and Joint Commission Accredited as the highest standard of qualification. Neither project can demonstrate the parking standard that simple residential projects have to meet when having as many as 11 or 12 cars at a site. These cars have to spill out on the street and impact neighborhoods. I am not sure how Lindbergh School functions these days but I am very sure that the other is too close to Woodland Primary School. We know that some of these residents are in recovery homes as a condition of prison release. We don't know what they were in prison for. How can we make sure our youngest children are protected. There are good SLH which adhere to regulations and have an actual program for recovery. But there are also SLHs that are running a scam on public healthcare funding and are in business for nothing more than lining their pockets. These are the ones that dump people on the streets with only a garbage bag of belongings, and almost immediately fill their spot with another paying customer thus double dipping. Lastly we see a 30% increase in crime in Costa Mesa I am sure this could be shown to be in direct proportion to the proliferation of sober living homes. What happened to our sweet safe little city that was such a wonderful place to live. I always felt so safe I never locked my door, left my car unlocked on the street without incident but now all my gates lock I make the rounds every night to ensure all my doors are locked. I have installed huge lighting and have installed surveillance cameras I never leave my car on the street locked or unlocked. I am scared and I don't like it one bit. Put a moratorium on the number of SLH. Don't approve any more and at the very least make sure of their credentials. I do have two additional questions. First if these facilities have to apply for CUPs do they post a sign for 30 days prior as residential projects are obligated to do? are Keith Randle SLH and Keith Randle real estate agent one and the same.

Nancy Perkins
244 Broadway

82

ANGEL, KATIE

From: Noel Krueger <nmk261@hotmail.com>
Sent: Sunday, May 15, 2016 7:20 PM
To: colinkmccarthy@yahoo.com; rdickson.cmpc@gmail.com; twsesler@gmail.com; aventrue@ca.rr.com; sandranian@yahoo.com; kbrandle@yahoo.com; ANGEL, KATIE; GAMBOA, FIDEL; ARMSTRONG, GARY
Subject: Good Neighbors

Hello,

I am writing in support of the Summit Coastal Living home in my neighborhood. I have lived in Costa Mesa for 15 years, and have walked all of the East side with my dogs. When I heard about the "Proliferation" of Sober Living homes in my neighborhood, that were going "bring down our home values, and make parking a nightmare" I wanted to know where they were.

I was shocked to find out that I have been walking past them for years, and was none the wiser of their existence.

I live on Esther street, and just recently found out that there was a sober living home on the next street, on the same block as my family with teenage kids. The things I feared: tattooed men aimlessly marauding the neighborhood looking to corrupt my teenagers have never appeared. We even went to sell Girl Scout cookies there a few years ago, and were met by a pleasant woman at the door. We still didn't know it was a Sober House.

On Tustin Street just north of 20th street there is a group of triplexes in varying degrees of upkeep. I was again surprised to find out that the nicest of the properties is also a sober home. As I said before I have walked all of the East Side with my dogs, and I can tell you there are some absolutely beautiful homes in this area, and there are some dumps. The Sober homes that I am closest to are nice, quiet, respectable homes. I think we as neighbor's should remember that these are people who have chosen to better their lives. I understand that they city feels the need to regulate in some way the businesses are run, but don't treat the resident's or owners as villains. We need to be good neighbors to get good neighbors.

Thanks,
Noel Krueger
261 Esther St.

ANGEL, KATIE

From: Catherine Helshoj <catherineh@lagunatools.com>
Sent: Monday, May 16, 2016 3:35 PM
To: rdickson.cmpc@gmail.com; colinkmccarthy@yahoo.com; twsesler@gmail.com; aventrue@ca.rr.com; sandranian@yahoo.com; keith randle; gary.armstrong@citycostamesaca.gov; ANGEL, KATIE; GAMBOA, FIDEL
Subject: Sober Living

We live in an imperfect world and there is no such place providing nirvana and we all have demons that life gives us to conquer. Unfortunately our son has demons that he is facing thanks to Keith Randle and Summit Coastal Living.

On February 9th, 2016 we were fortunate to find Summit Coastal Living and Keith Randle. Our son has benefited from being a resident at this facility and we are comforted that he is living in a safe, clean and caring environment. The rules Keith applies and follows every day are executed without any opportunity to cancel or the resident is removed promptly. Drug testing is completed through a lab, curfews are kept to and the facility is well kept, professionally managed and immaculate. Keith is involved with everyone of his residents and in constant touch with their families. He insists that they attend a 12-step meeting every day for 90 days and attend a treatment program such at Hoag's. This is not the norm!

When I first starting looking for a sober living house for my son I soon discovered that this is a new industry full of fast talking business people who were all about 'closing the deal'. I own a business so understand what it takes to run a successful company and non of the people I spoke to within the Orange County area were interested in the welfare, occupational liability or well being for our son. In fact our son lived at Rhino House in Costa Mesa until the residents started selling Zanex and other illegal drugs, fighting and numerous police encounters. The time spent at this facility was an eye opening experience for my family that left us sleepless and concerned for our sons safety. Finally our son begged us to get him out of there as he was frightened due to all the violence.

The purpose of this email is not to trash Rhino House but to explain the desperation a family faces when their family member is looking for a Sober Living Facility. We literally held our breath each day not knowing if we would hear from our son due to the violence

The attitude of 'not in my backyard' is small minded, bigoted and quite frankly un-American. We all have issues to work through, depression, alcoholism, mental illness, addiction, hoarding afflictions and more. Most of these are hidden behind closed doors and never come to the publics eye until they impact the people around them. I would not like to live beside such a place as Rhino House with needles outside on the street, dealers on the corner and addicts with no rules to abide by.

Summit Coastal living provides a safe and much needed facility for people to put their lives back together. I will personally vouch for this facility as I frequently visit my son unannounced and have not experienced anything but a positive, 100% sober living place for young men that are turning their lives into productive human beings.

Please give Summit Coastal Living the opportunity to continue to offer this safe and sober environment.

I encourage you to contact me if you would like to speak to me in person. My cell number is 949 241 3267.

.84

Regards,

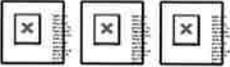


Catherine Helshoj Phone: (949) 474-1200
Vice President: (949) 474-0150
2072 Alton Parkway
Irvine, CA 92606
Catherineh@lagunatools.com

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May 17th 2016

To the City of Costa Mesa Planning Commission.

Re: CUP for Summit Coastal Living

I am writing this letter to you in SUPPORT of Keith Randle and Summit Coastal Living, a men's sober living in Costa Mesa.

My daughter and I have lived at 2045 Tustin Ave, Apartment C since 2011. Summit Coastal Living is my next door neighbor. We have never experienced any problems with any of the people who have lived at 2041 Tustin Ave in the past 5 years we have lived here. We share a somewhat common driveway without any issues. The residents are respectful, quiet and courteous.

Sincerely,

Fred Niavarani

2045 Tustin Ave C

Costa Mesa Ca 92627

*F.N.
Niavarani
5-18-2016*

ANGEL, KATIE

Subject: FW: Property on 165 E. Wilson & CUP
Attachments: 2045 Tustin ave support letter.pdf

----- Forwarded Message -----

From: Dana S. Lavin <amnlivr@mindspring.com>
To: rdickson.cmpc@gmail.com
Cc: kbrandle@yahoo.com
Sent: Wednesday, May 18, 2016 11:09 AM
Subject: Property on 165 E. Wilson & CUP

Dear Mr. Dickson,

My name is Dana Lavin and I would like to comment on the CUP request for Keith Randle and his property on 165 E. Wilson. I have lived around the corner from those homes for over 26 years (since before they were built). I walk by those condos just about every day walking my dog. If anyone were to look at the property they would see 2 beautiful homes, no cars in the driveway, large hedge in front of property and a well maintained common area. Most don't even know it is a sober living home.

As you know may know I have been against the proliferation of these homes for a long time & Tim Carr tried to sue me because I was very vocal about it. When Lisa Morlan was asked to be on the 1st committee to write these ordinances I knew that the Council was taking this very seriously and I agree wholeheartedly with the Ordinances to date.

Since we really have no way of truly enforcing these ordinances at this time I am very happy to know that there are some recovery home owners that at least WANT to & WILL follow the ordinances and file for the permits required. Mr. Randle has a very nice property and I have not heard of any complaints to the Wilson Property. That said, I would encourage your commission to grant Mr. Randle his CUP with a few amendments.

- 1) Ability to have his 2 homes on his property grandfathered in to his permit
- 2) Allow him to keep his homes as recovery homes for as long as he owns the property. The permit does not apply to the new owner.
- 3) Have Code Enforcement check in monthly

I am all for people wanting and accepting help with their addiction and I see other so-called recovery homes that are a mess with all kinds of problems. Let's keep our good recovery homes in place and grant the CUP's for those owners and fight the real fight against the other owners that really don't care about the people they house or the neighborhood they live in.

I would love to meet with you before the hearing next week to discuss this further.

Thank You for Your Time,

Dana S. Lavin
2337 Elden Ave Unit F, 92627
949.929.2300

"Until one has loved an animal, a part of one's soul remains unawakened."
- Anatole France

ANGEL, KATIE

From: Greg Thunell <stupified35@msn.com>
Sent: Monday, June 06, 2016 8:08 PM
To: rdickson.cmpc@gmail.com; colinkmccarthy@yahoo.com; twsesler@gmail.com; aventrue@ca.rr.com; sandranian@yahoo.com; ANGEL, KATIE; GAMBOA, FIDEL
Subject: Summit Coastal Living

Gentlemen of the Planning Commission. You have a choice to make. You are dealing with a recovery industry that has good actors and bad actors. You are dealing with a Costa Mesa city government that has some good ordinances and, in recent "Tea Party" years, City Council has passed several very unjust ordinances. As a matter of legal fact, City Council Majority from 2011 through 2016 has placed some city ordinances on the books which oppose Federal and State Law regarding discrimination. Short term compliance with such ill-advised ordinances may achieve someone's political agenda. However, standing with City Council majority against Federal and State laws will eventually have consequences in the courts for one and all who take the wrong side in the battle of justice. You must make an **informed** decision to negotiate these boundaries.

Be aware that it has been stated in City Council meetings that Planning Commissioners are NOT doing their job. Perhaps City Council majority is trying to shift the blame for some of their corrupt ordinances to the Planning Commission. Perhaps you thought City Council Majority were your friends. Think twice. City Council Majority will throw others under the bus to serve their purposes. To City Councilmen, everyone else is a pawn in their game of real-life Monopoly. At the May, 17, 2016 meeting, the Planning Commission work ethic was questioned. At that same meeting, most of the residents who came to address City Council were informed by MPT Righeimer that they are NOT the city. Rest assured, in his opinion, neither are you.

Back to business. You are dealing with a recovery industry that has good actors and bad actors. The good actors care about the residents. Good actors protect the rights of the residents. Good actors want the residents to stay sober. Good actors place the well-being of the residents over money. Good actors place the well-being of their neighbors above money. Good actors require a positive, sober, productive result for the individuals who live in their homes along with good relationships with their neighbors. Good actors will eject a resident who is not a good neighbor, or if the resident relapses into active addiction.

I was invited to tour Summit Coastal Living (www.summitcoastalliving.com). Absolutely the only way to determine for sure if a Sober Living Facility is a good actor is to take a tour of the premises. Failure to do so will leave you uninformed. Therefore, I accepted the invitation of owner, Keith Randle, to tour his Summit Coastal Living facility on Thursday, May 19, 2016. I can assure you that what I witnessed informs me that Summit Coastal Living complies with all Federal and State laws. Summit Coastal Living is a good actor in the recovery business.

According to the values listed in the "back to business" paragraph, Summit Coastal Living is a good actor in every instance. Summit Coastal Living is one of the "good guys" in the recovery industry by every measure by which the recovery industry governs itself. Recovery comes before cash with an ethical business. I therefore recommend that each and every member of the Planning Commission go see for yourselves. Take the tour, not only to prove to yourselves that I am right. **Take the tour because it is your duty.** Take the tour so that City Council cannot say, "The Planning Commissioners are not doing their job." Take the tour as representatives of the City of Costa Mesa.

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However, should the city try to mandate discriminatory practices that violate recovery home rights and the rights of the alcoholic, such actions are wrong and would put the city at risk.

When a business has been successfully operating properties as sober living facilities since 2013, without disruption to the neighborhood, and within the law, it makes no sense to persecute that business.

When neighbors have not been affected and are just now being informed that these properties are sober living homes, it is senseless to attack the property owner.

The Planning Commission hearing has already been postponed twice as the city makes changes.

Should the Planning Commission approve or advocate any unreasonable and unlawful conditions that are in violation of the Federal Fair Housing laws and the American Disabilities Act, such actions would put the City of Costa Mesa at risk.

Should the Planning Commission abandon their duty to investigate the ethics and integrity of Summit Coastal Living in person, any decision made by the Commission would then be uninformed.

One final note: You are dealing with a Costa Mesa City Council that has good actors and bad actors. Good actors will represent the residents of the City of Costa Mesa by adhering to ethics and integrity. Good actors follow the law of the land. Gentlemen of the Planning Commission: You have a choice to make.

Greg Thunell
Costa Mesa Resident since 1962

ANGEL, KATIE

To: COLGAN, JULIE
Subject: RE: SLHomes

From: Debbie Vranesh [<mailto:dvrnesh@amerinational.net>]
Sent: Monday, August 01, 2016 2:08 PM
To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costa-mesa.ca.us>
Subject: SLHomes

Dear Planning Commission

I am writing regarding the request by Keith Randle of Summit Costal Living to open a Sober Living home at 165 E. Wilson St and 2041 Tustin Ave in Costa Mesa.

Please DO NOT allow this request. We do not need more of these homes in Costa Mesa. The crime rate has risen so much in my neighborhood. I live on Monte Vista and Elden. There has been more break ins, stolen packages, stolen property, used needles, vagrants, trash, etc. in the past year. In fact, it's increased over the last few months.

Please listen to the homeowners that live in this RESIDENTIAL community.

Debbie Vranesh | Operations Manager
800.943.1988 ext. 1242 | dvrnesh@amerinational.net | www.amerinational.net



ANGEL, KATIE

Subject: FW: Summit Coastal Living

From: Bret Rosol [<mailto:brosol@tierrada.com>]

Sent: Monday, August 01, 2016 2:44 PM

To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costa-mesa.ca.us>

Subject: Summit Coastal Living

Hello – I heard a rumor that Keith Randle of Summit Coastal Living is going before the commission tonight for his sober living homes at 165 E Wilson Street and 2041 Tustin Ave. If this is true this is very disappointing because there has been significant opposition to these homes and very little notice. Unfortunately this item has been continued so many times that its' hard to keep track and I'm sure that is no coincidence on the applicants part.

If this is true, then I'm writing to ask the planning commission to deny the applicants request. My wife and I live at Elden and Wilson and are already aware of a half dozen homes in our immediate area. Over the past few years we have seen many more transients and drug paraphernalia on our street. Enough is enough. We do not want to see our neighborhood being given away to these homes.

Unfortunately I cannot attend the meeting tonight and I know several others who are in the same position. Please either continue this item again so that the surrounding neighbors can have a say, or deny it outright.

Regards,

Bret Rosol

Costa Mesa Resident – Elden Ave

ANGEL, KATIE

Subject: FW: Summit Coastal Living

From: marilyn russell [<mailto:mjr0630@yahoo.com>]

Sent: Monday, August 01, 2016 2:47 PM

To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costamesa.ca.us>

Subject: Summit Coastal Living

Dear Councilmembers:

As a longtime resident of Costa Mesa, I am writing to ask you to deny the permitting of any more sober living facilities within the city of Costa Mesa. Deny Keith Randall's request to add two more multi-unit facilities - one on East Wilson Street and the other on Tustin Avenue. **Enough is enough!**

Our city is changing dramatically and we are seeing the negative impacts on our streets everyday.

Thank you.

Marilyn Russell
2138-A Orange Avenue
Costa Mesa, CA

ANGEL, KATIE

From: COLGAN, JULIE
Sent: Monday, August 01, 2016 2:52 PM
To: sheri.vanderdussen@kimley-horn.com; VANDER DUSSEN, SHERI; ANGEL, KATIE
Cc: ARMSTRONG, GARY; TREVINO, JAY M.
Subject: FW: Summit Coastal Living

Follow Up Flag: Follow up
Flag Status: Flagged

Another Keith Randle correspondence

Julie Colgan | Administrative Secretary
City of Costa Mesa | Development Services Department
714-754-5612 | julie.colgan@costamesaca.gov

HAVE A BLESSED 2016!!!

From: Bret Rosol [mailto:brosol@tierrada.com]
Sent: Monday, August 01, 2016 2:44 PM
To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costa-mesa.ca.us>
Subject: Summit Coastal Living

Hello – I heard a rumor that Keith Randle of Summit Coastal Living is going before the commission tonight for his sober living homes at 165 E Wilson Street and 2041 Tustin Ave. If this is true this is very disappointing because there has been significant opposition to these homes and very little notice. Unfortunately this item has been continued so many times that its' hard to keep track and I'm sure that is no coincidence on the applicants part.

If this is true, then I'm writing to ask the planning commission to deny the applicants request. My wife and I live at Elden and Wilson and are already aware of a half dozen homes in our immediate area. Over the past few years we have seen many more transients and drug paraphernalia on our street. Enough is enough. We do not want to see our neighborhood being given away to these homes.

Unfortunately I cannot attend the meeting tonight and I know several others who are in the same position. Please either continue this item again so that the surrounding neighbors can have a say, or deny it outright.

Regards,

Bret Rosol
Costa Mesa Resident – Elden Ave

ANGEL, KATIE

Subject: FW: Opposed to Sober Living home opening

From: Darren Kummerfeldt [mailto:d_kummerfeldt@hotmail.com]

Sent: Monday, August 01, 2016 2:38 PM

To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costamesa.ca.us>

Subject: Opposed to Sober Living home opening

Hi -

I'm writing regarding the request by Keith Randle of Summit Coastal Living to open another sober living home at 165 E Wilson St. and 2041 Tustin Ave. in Costa Mesa. Although this email may be a bit late, the city is already overrun with sober living homes, which is directly connected to crime in our area. Recently our mail was stolen (captured on video), two houses down had a car was broken into, and three houses down had a home break in through a rear window.

If you just log onto Nextdoor, everyone has a crime story. It's out of hand and sober living is the culprit. It's time to start kicking out sober living homes, overdue in fact. Please make the sensible decision and start shutting them down at every turn.

Thank you.

Darren Kummerfeldt and Chelsea Bailey
Costa Mesa homeowners since 2013

**CITY OF COSTA MESA**

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

August 29, 2016

SENT VIA FEDEX EXPRESS & ELECTRONIC MAIL

Keith Randle
Summit Coastal Living
2100 Highland Drive
Newport Beach, CA 92660

EMAIL: kbrandle@yahoo.com

Re: Reasonable Accommodation Request for Property Located at 165 E. Wilson Street

Dear Mr. Randle,

This letter will serve to respond to the e-mail that you submitted on June 29, 2016 requesting reasonable accommodation for land use requirements applicable to the operation of a sober living facility at 165 E. Wilson Street. You are applying for reasonable accommodation from the provision in the City of Costa Mesa Municipal Code ("CMMC") section 13-323 (b) that stipulates that the group home, residential care facility or state licensed drug and alcohol facility must be at least six hundred and fifty feet from any property, as defined in Section 13-321, that contains a group home, sober living home or state licensed drug and alcohol treatment facility, as measured from the property line. As stated in the staff report dated [date] for this property, the Planning Division has supported your application and believes that it is approvable, notwithstanding the two recently issued Department of Healthcare Services licenses discussed below. It is the Department's position that your application is approvable in this situation without the need for a reasonable accommodation.

The subject group home has been in operation since October 2014. You submitted a CUP application to conform to the City's new standards for sober living homes in January 2016. At that time, there was a group home serving more than seven people at 2379 Orange Avenue, which is approximately 310 feet from the subject property. The owner of that facility had not yet submitted a CUP application. The owner subsequently submitted a CUP application for 2379 Orange Ave. Therefore, your group home had precedence over the facility on Orange Avenue.

It is the City's practice to make a final determination as to compliance with separation criteria when the staff report is signed. The hearing for the conditional use permit was set for April 11, 2016. At the time the staff report was signed, there were no conflicts with separation criteria. However, on April 14, 2016, the state issued licenses to allow up to six residents to be served at each of two facilities at 2379 Orange Avenue. Facilities licensed by the state to serve six or

fewer residents are not subject to review and approval by the City and must be treated as a residential use. The issuance of these licenses by the state created a conflict with the City's requirement that group homes must be separated by at least 650 feet.

Your conditional use permit was first set for hearing on April 11, 2016. However, the City deferred the hearing to May 9 and rewrote the staff report and resolution. Through no fault of yours, the original hearing set for April 11 was delayed by the City. But for this delay, there would have been no licensed facility (that would require a CUP) closer than 650 feet to the subject property. On or about April 14, the facility on Orange modified its operations to avoid the need for a CUP by establishing separate state-licensed facilities in each of the two units on the site. Given these unique circumstances, staff believes that your conditional use permit is still approvable.

In light of the circumstances associated with your project, and the fact that the Planning Commission is scheduled to hear your conditional use permit application on September 12, 2016, I am conditionally approving your application for reasonable accommodation. In making this conditional approval, I am waiving any irregularities in the form of your June 29, 2016 submittal and the information contained therein under CMMC Section 13-200.62 (a) and (b). Section 13-200.62(e)(5) of the CMMC allows me to grant alternative accommodations that may provide an equivalent level of benefit. Therefore, I am conditionally granting the following reasonable accommodation:

Reasonable accommodation is conditionally granted to extend the deadline to comply with Ordinance No. 15-11, which requires all sober living homes in multi-family zones serving more than six residents to obtain a conditional use permit by December 17, 2016. In the event the Planning Commission denies or otherwise fails to approve Conditional Use Permit PA-16-03 on September 12th, 2016 (or such other date to which the City continue this hearing) I hereby extend the deadline for the property at 165 E. Wilson St. to achieve compliance with Ordinance No. 15-11, to June 30, 2017.

The CMMC section 13-200.62 (f) sets forth the required findings to be used in the determination to approve, conditionally approve, or deny a request for reasonable accommodation shall be based on the following findings. *Compliance with all of the findings is required for approval.*

(1) The requested accommodation is requested by or on the behalf of one (1) or more individuals with a disability protected under the fair housing laws.

I accept for purposes of your request that you are making this request on behalf of individuals who are considered disabled under state and federal law.

(2) The requested accommodation is necessary to provide one (1) or more individuals with a disability an equal opportunity to use and enjoy a dwelling.

Through no fault of yours, the hearing on your conditional use permit application originally set for April 11, 2016, was delayed by the City. The state issued licenses to two facilities at 2379 Orange Avenue on April 14, 2016. As a result, the subject property at 165 E. Wilson St. is now within 650 feet of two state licensed facilities. Nevertheless, staff believes that the conditional use permit can still be approved, given the unique circumstances associated with this case. Conditional approval of this accommodation request will allow the Planning Commission to render a decision on the conditional use permit, should the hearing thereon be continued again.

(3) The requested accommodation will not impose an undue financial or administrative burden on the city, as "undue financial or administrative burden" is defined in fair housing laws and interpretive case law.

While no facts were presented regarding this factor, I do not find that this request would pose an undue financial or administrative burden on the city.

(4) The requested accommodation is consistent with whether or not the residents would constitute a single housekeeping unit.

Your conditional use permit application clarifies that the residents of the sober living facility do not operate as a single housekeeping unit.

(5) The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

I have reviewed no facts that would indicate that the requested accommodation would result in a health and/or safety threat.

(6) Whether the requested accommodation is necessary to make facilities of a similar nature or operation economically viable in light of the particularities of the relevant market and market participants.

You own the subject property, which represents a significant investment in your sober living facility. Ordinance No. 15-11 allows the City to grant additional time to comply with its provisions if the applicant has made a significant investment in the property. Conditionally approving this request for reasonable accommodation is consistent with that provision.

(7) Whether the existing supply of facilities of a similar nature and operation in the community is sufficient to provide individuals with a disability an equal opportunity to live in a residential setting.

The conditional approval of reasonable accommodation in this case will not have an impact on the market for sober living facilities but will allow disabled residents the opportunity to continue to live in a residential setting at this home for a reasonable period of time, given the circumstances involved and the owner's investment in the property.

(8) The requested accommodation will not result in a fundamental alteration in the nature of the city's zoning program.

Approval of this request will grant an extension of six months for the property to comply with the City's zoning regulations. This extension of time will not result in a fundamental change in the nature of the City's zoning program.

The City's land use requirements pertaining to sober living homes and residential care facilities are intended to preserve the residential character of neighborhoods, to provide housing opportunities to the disabled, and to the extent possible, free the disabled from institutional style living. The 650 foot separation requirement between group homes and residential care facilities to other group homes or state licensed drug and alcohol facilities provides disabled persons with opportunities to live in normal residential settings and to use and enjoy a dwelling in a manner similar to the way a dwelling is enjoyed by the non-disabled.

This determination can be appealed to the Planning Commission by filing an application for appeal with the City Clerk. Any appeal must be filed within seven (7) days of this date of denial, which is [date], 2016 by 5:00 p.m., pursuant to Sections 2-305(2) and 2-307 of the Costa Mesa Municipal Code. A fee of \$690.00 must accompany the application. In your request for an appeal,

please summarize the reasons for the appeal. If the application for appeal is not submitted by the deadline, your time to appeal will have expired.

If you have questions, please do not hesitate to contact Sheri Vander Dussen at (714) 754-5617.

Sincerely,



Gary Armstrong, AICP

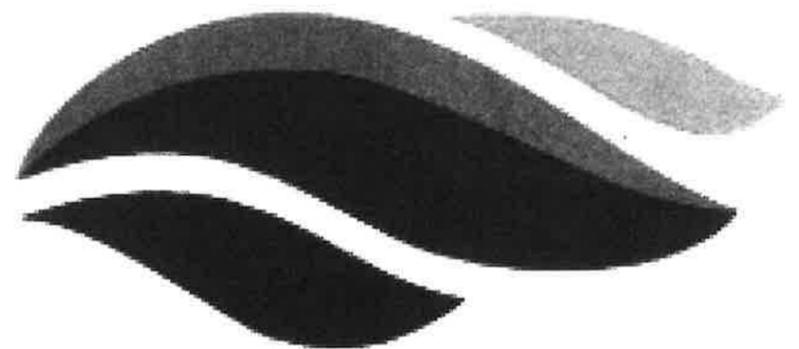
Economic and Development Services Director/Deputy CEO

cc: Tarquin Preziosi, Esq.

Sheri Vander Dussen, AICP, Interim Assistant Director, Community Improvement Division

Fidel Gamboa, Acting Neighborhood Improvement Manager

Katie Angel, Management Analyst



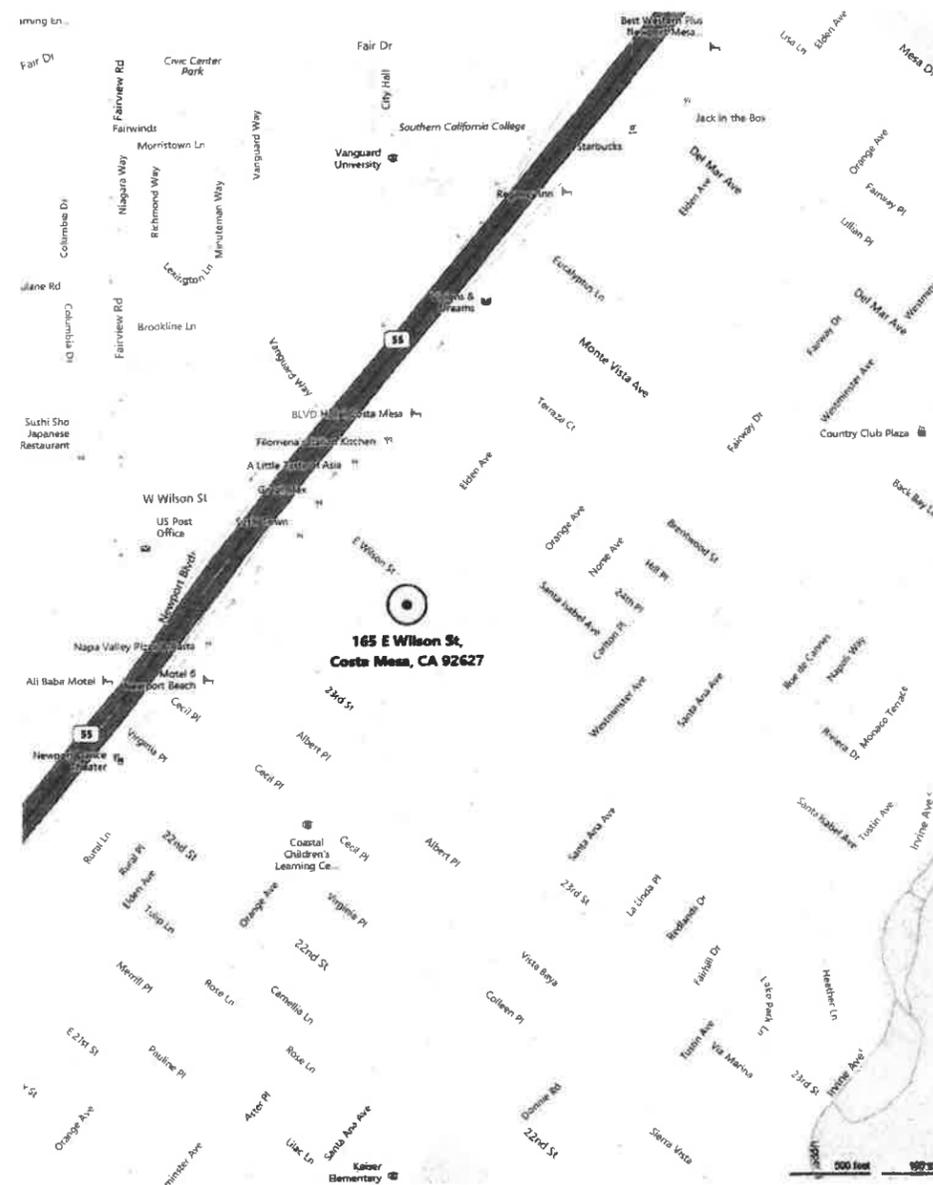
Summit Coastal Living

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- 1 (E) SITE PLAN
- 2 (E) FIRST FLOOR PLAN
- 3 (E) SECOND FLOOR PLAN
- 4 (E) EAST & SOUTH & WEST ELEVATIONS
- 5 (E) NORTH & SOUTH ELEVATIONS

VICINITY MAP



Summit Coastal Living

Applicant:

Summit Coastal Living
P. O. Box 2028
Newport Beach, CA 92659

Project Address:

SCL II
165 East Wilson Street
Costa Mesa, CA 92627

Scope of Work:

Sober Living Home
Operator's Permit
Conditional Use Permit

Jurisdiction:

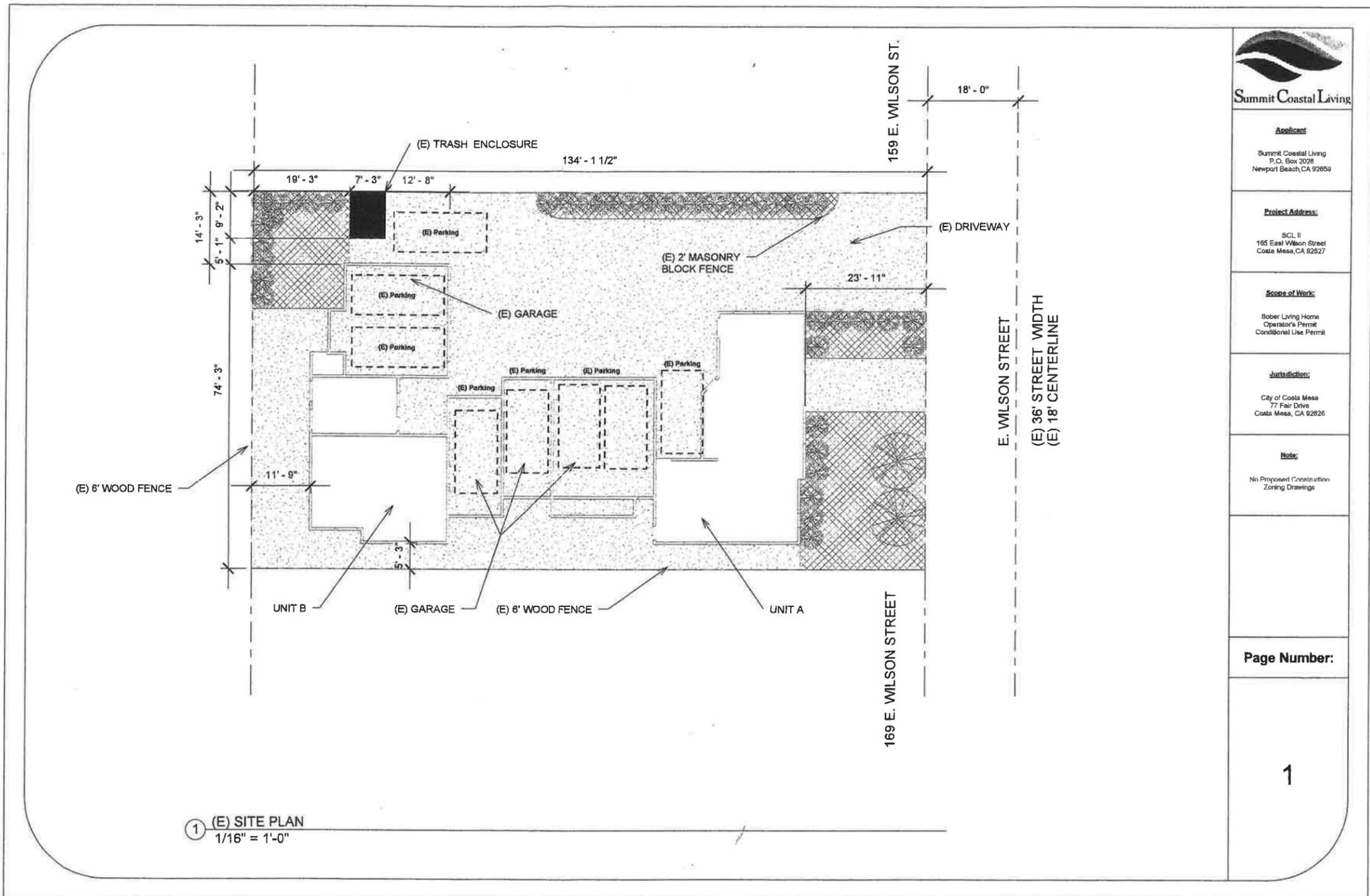
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Note:

No Proposed Construction
Zoning Drawings

Page Number:

0



Applicant:
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1 (E) SITE PLAN
1/16" = 1'-0"

100



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Zoning Drawings

Page Number:

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98' - 5 1/2"

3' - 7" 3' - 2"

20' - 8"

10' - 10"

10' - 0"

20' - 6"

9' - 6"

3' - 0 13/32"

17' - 2 3/32"



1 (E) FIRST FLOOR
1/8" = 1'-0"

101



Applicant

Summit Coastal Living
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Conditional Use Permit

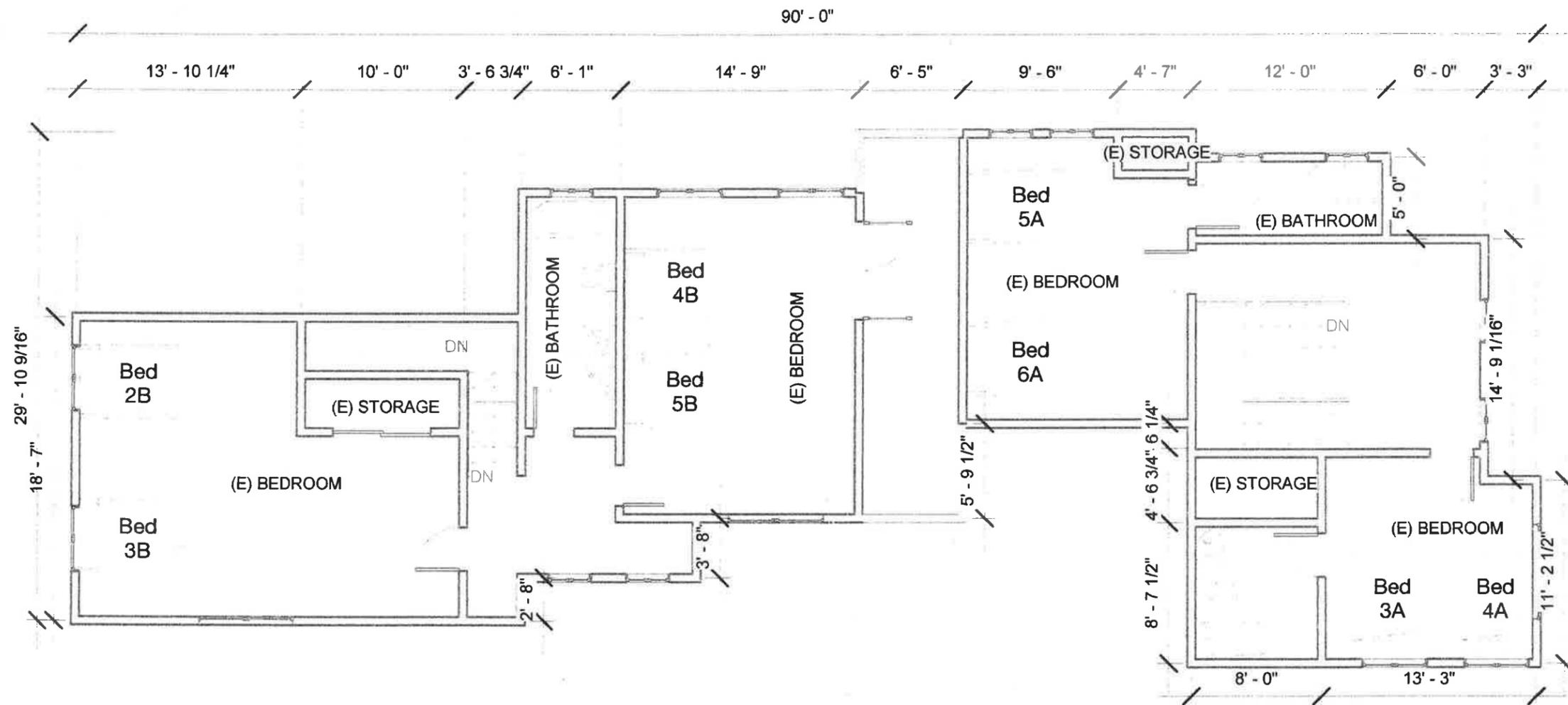
Jurisdiction:

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

Note:

No Proposed Construction
Zoning Drawings

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1 (E) SECOND FLOOR
1/8" = 1'-0"

102



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Costa Mesa, CA 92626

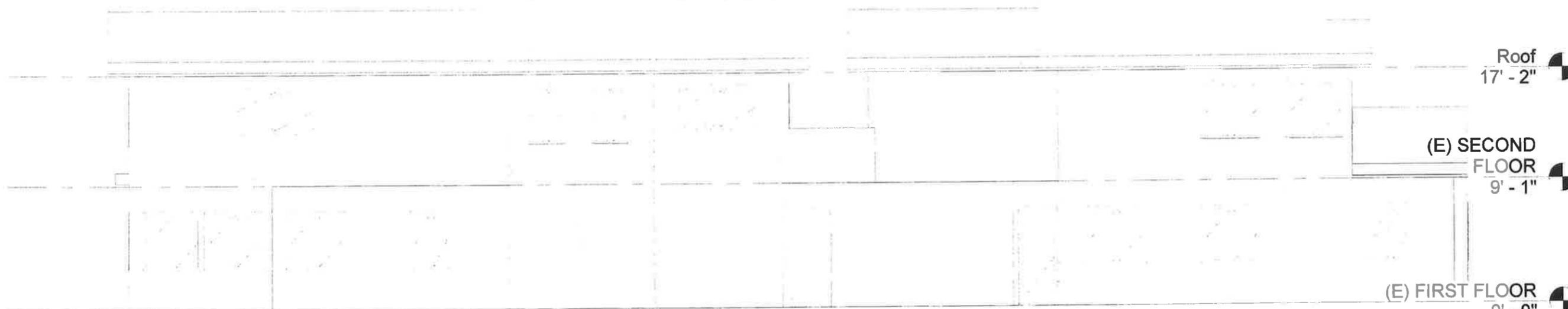
Note:

No Proposed Construction
Zoning Drawings

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20' 0 1/2"(E) MAX HEIGHT



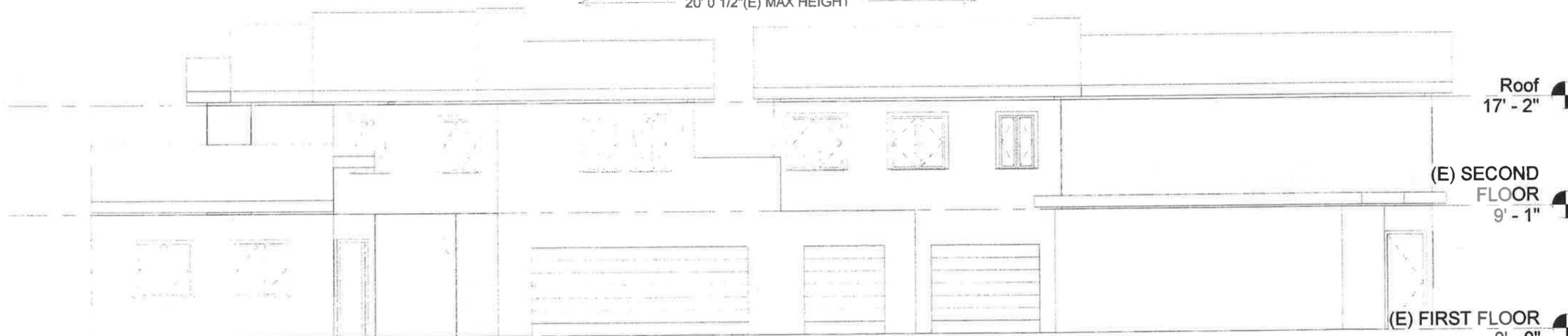
Roof
17' - 2"

(E) SECOND
FLOOR
9' - 1"

(E) FIRST FLOOR
0' - 0"

1 (E) EAST ELEVATION
1/8" = 1'-0"

20' 0 1/2"(E) MAX HEIGHT



Roof
17' - 2"

(E) SECOND
FLOOR
9' - 1"

(E) FIRST FLOOR
0' - 0"

2 (E) WEST ELEVATION
1/8" = 1'-0"

103



Summit Coastal Living

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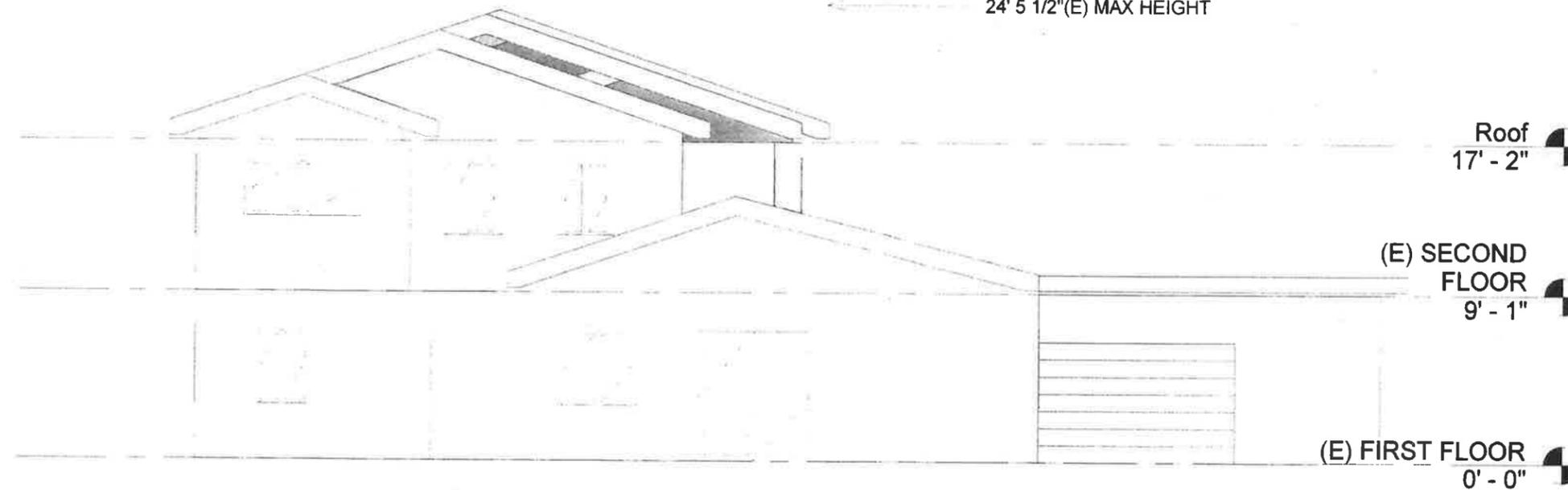
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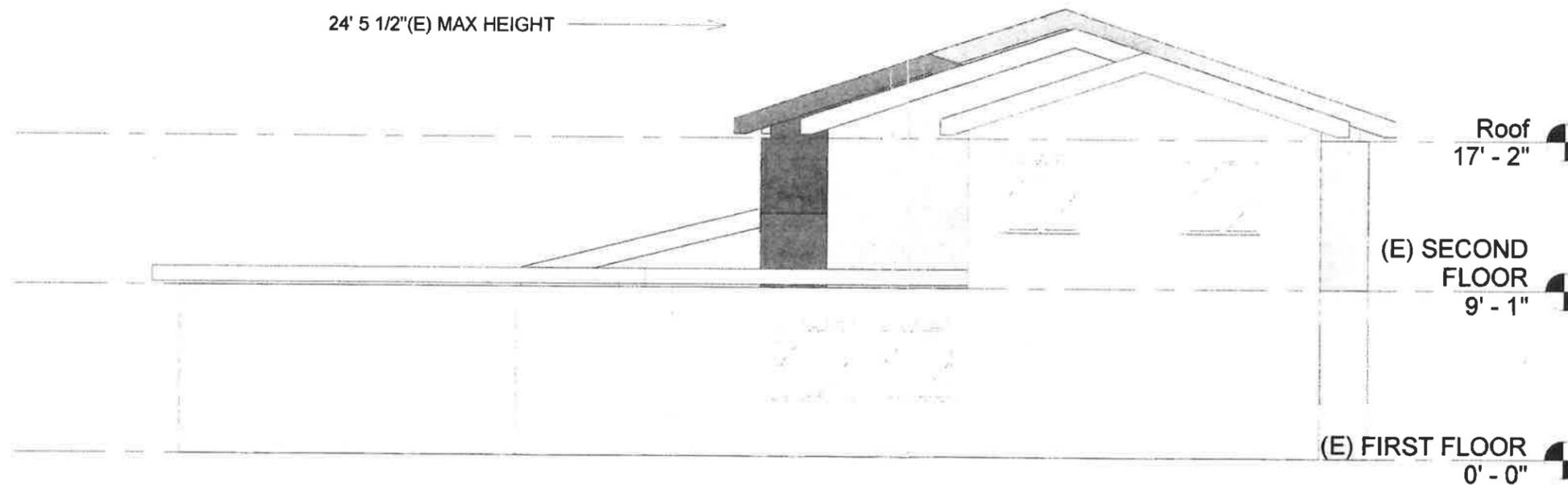
5

24' 5 1/2"(E) MAX HEIGHT



1 (E) NORTH ELEVATION
1/8" = 1'-0"

24' 5 1/2"(E) MAX HEIGHT



2 (E) SOUTH ELEVATION
1/8" = 1'-0"

104

PH-7

COLGAN, JULIE

From: Katherine Smith <kat.smith49@yahoo.com>
Sent: Wednesday, November 09, 2016 11:47 AM
To: PLANNING COMMISSION
Subject: Alarmed at the amount of SLH's on Eastside

To whom it may concern , I am writing to ask that you don't allow the requests for more Sober Living Homes. Please know that as a concerned citizen of Costa Mesa I feel strongly that there are way to many Sober Living homes in this area.

In particular, I am asking that 165 E Wilson and 2041 Tustin ave.in Costa Mesa not be turned into an SLH.

Again,I ask that you deny the request by Keith Randal to turn these properties into more SLH's.

Thank you, Katherine Smith
kat.smith49@yahoo.com

329 Broadway Costa Mesa 92627 Please keep me informed

Sent from my iPad

STEVEN G. POLIN, ESQ.
Attorney At Law
Admitted to DC & MD

3034 TENNYSON ST. N.W.
WASHINGTON, D.C. 20015

TEL (202) 331-5848
FAX (202) 331-5849
SPOLIN2@EARTHLINK.NET

November 13, 2016

SENT VIA ELECTRONIC MEANS

Received
City of Costa Mesa
Development Services Department

NOV 14 2016

Sheri Vander Dusen, AICP
Interim Assistant Director
Development Services Department
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

Re: Summit Coastal Living CUP application

Dear Ms. Vander Dusen:

I am writing in response to the staff report to the Planning Commission with its recommendations for the approval of Summit Coastal Living's ("Summit") CUP application. The staff is recommending approval of the CUP with contingent upon the approximately 30 conditions.

I have been informed by my client, Keith Randle, that he has expressed with reservations or outright opposition to several of the conditions. Please be advised that Summit opposes two of the conditions as to whether such conditions can be legally imposed. The two conditions and Summit's opposition is as follows:

Item number 4 concerns indemnification. It reads as follow:

Applicant shall defend, with the attorney of City choosing, and shall indemnify and hold harmless the City, its officials and employees, against all legal actions filed challenging City's approval of the applicant's project and/or challenging any related City actions supporting the approval.

This condition is illegal and alternative language agreeable to Summit cannot be proposed.. The Costa Mesa Municipal Code does not provide for the imposition of an indemnity requirement on any land use permit, and as such the City and the Planning Commission cannot legally impose such a condition. Nor does the State of California, either through its statutes regulating zoning, or in court decisions allow a city to impose such a condition. This condition is being imposed for the sole reason that Summit Coastal Living is a a sober house out of concern that the City will be sued by neighbors who would take an appeal to Superior Court in opposition to the granting of the

Sheri Vander Dusen, AICP
November 13, 2016

conditional use permit. The City always runs the risk of a lawsuit in any CUP application it approves or denies. Finally, this conditions is coercive and constitutes a contract of adhesion.

The same holds true for condition number 5, which states”

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 the business or ownership of land.

This condition should be reworded to state the following:

Authorized City officials must provide a minimum of 24 hours notice before coming to the house for any reason.

Summit should only have to present its CUP to a duly authorized representative upon request only if the City requires all holders of a CUP to present it any duly authorized City official upon request. Again, this is a term or condition that violates the Fair Housing Act unless applied to all CUP holders.

Under the Fair Housing Act, this type of condition is illegal. 42 U.S. C. § 3604(f) (2) makes it unlawful to discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of-- (A) that person; or (B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or (C) any person associated with that person.

42 U.S.C. § 3604(f)(3) states that for purposes of this subsection, discrimination includes-(B) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling. 24 C.F.R. § 100. 70(b) provides that it shall be unlawful, because of race, color, religion, sex, handicap, familial status, or national origin, to engage in any conduct relating to the provision of housing or of services and facilities in connection therewith that otherwise makes unavailable or denies dwellings to persons. 24 C.F.R. § 100.70(d)(4) states that prohibited activities relating to dwellings under 24 C.F. .R. § 100. 70(b) include, but are not limited to, refusing to provide municipal services or property or hazard insurance for dwellings or providing such services or insurance differently because of race, color, religion, sex, handicap, familial status, or national origin.

Sheri Vander Dusen, AICP
November 13, 2016

If you would like to discuss the issues prior to the Planning Commission hearing, please email me at spolin2@earthlink.net.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'S. Polin', written over the typed name.

Steven G. Polin

cc: Keith Randle