



CITY OF COSTA MESA

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

September 7, 2016

SENT VIA FEDEX EXPRESS & ELECTRONIC MAIL

Gregg Ohlhaver
3112 McKinley Way
Costa Mesa, CA 92627

Application: Special Use Permit No. SL-15-0014

Property Address: 2152 Raleigh Avenue

Dear Mr. Ohlhaver:

Thank you for submitting your application for the City of Costa Mesa's Sober Living Home Special Use Permit and attending the Director Hearing on September 1, 2016. Present at that hearing were myself, Tarquin Preziosi, Deputy City Attorney and Sheri Vander Dussen, Assistant Development Services Director/Community Improvement Manager. I have thoroughly reviewed your application and the facts presented at the Director Hearing. Your application is denied pursuant to City of Costa Mesa Municipal Code (CMMC) requirements for group homes with six or fewer beds in an R1 (single family) zone. CMMC section 13-311(b)(6) provides in relevant part:

A special use permit for a sober living home shall also be denied, and if already issued, any transfer shall be denied or revoked, upon a hearing by the director under any of the following additional circumstances:

- iii. **The sober living home, as measured by the closest property lines, is located within six hundred fifty (650) feet of any other sober living home or state licensed alcoholism or drug abuse recovery or treatment facility. If a state licensed alcoholism or drug abuse recovery or treatment facility moves within six hundred fifty (650) feet of an existing sober living home this shall not cause the revocation of the sober living home's permit or be grounds for denying a transfer of such permit.**

There are two existing state licensed alcoholism and drug abuse recovery treatment facilities with six or fewer residents within 650 feet from the facility. Those facilities are located at 687 and 679 Governor Street. During the hearing you mentioned that the City had previously sent you a checklist that you believe indicated that the 650-foot separation requirement was non-applicable. Staff reviewed the application file and found that on the Special Use Permit Application Processing Checklist dated May 5, 2105, "N/A" was listed as a comment next to the item referring 650 feet separation requirement from

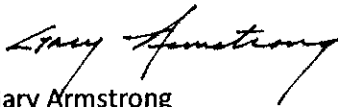
any other sober living home or state licensed alcoholism or drug abuse recovery or treatment facility. The purpose of the checklist was to identify incomplete information in the application and request that information from the applicants. The "N/A" indicated that no information was required from you regarding this requirement to complete your application.

I also wanted to provide additional information pertaining to your question as to whether another facility on Raleigh Avenue had been issued a Special Use Permit. Our records indicate that the operator of a sober living home located at 2186 Raleigh Avenue submitted a Special Use Permit application on April 8, 2015, but the request was withdrawn on November 25, 2015 because the facility was closed.

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 September 14, 2016 by 5:00 p.m., pursuant to Sections 2-305(2) and 2-307 of the Costa Mesa Municipal Code. Please see attached Chapter IX, Title II of the Costa Mesa Municipal Code regarding appeal and review procedure. 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.

Should you have any questions, please do not hesitate to call Katie Angel at 714.754.5618 between the hours of 8:00 a.m. and 5:00 p.m.

Sincerely,



Gary Armstrong
Director of Economic and Development Services/Deputy CEO

Attachment: Ordinance Number 14-13

cc: Sheri Vander Dussen, Interim Assistant Director/Community Improvement Division Manager
Fidel Gamboa, Acting Neighborhood Improvement Manager
Tarquin Preziosi, Esq., Deputy City Attorney
Katie Angel, Management Analyst