



CITY OF COSTA MESA

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November 2, 2016

SENT VIA FEDEX EXPRESS & ELECTRONIC MAIL

Kurt Schneider
582 Pierpont Drive
Costa Mesa, CA 92629

Robert Dowdy
91-B London Bridge Road, #104
Lake Havasu City, AZ 86403

**RE: SPECIAL USE PERMIT NO. SL-15-0038
582 PIERPONT DRIVE**

Dear Mr. Schneider:

Thank you for submitting your application for the City of Costa Mesa's Sober Living Home Special Use Permit and attending the Director's Hearing on October 24, 2016 at 12:30 p.m. Present at that hearing were myself, Tarquin Preziosi (Deputy City Attorney), Robert Dowdy (property owner), Elizabeth Dagget, and yourself. Mr. Dowdy stated that while he did have an attorney, he elected not to have him present at the hearing.

The Director's Hearing was required due to the existence of a state licensed facility within 650 feet of your facility and the absence of certain information from your application, as set forth in the letter from Katie Angel dated October 7, 2016. During the hearing, Mr. Dowdy stated that the subject property has operated as a sober living home since 2009. Mr. Dowdy also noted that the state licensed facility located at 598 Pierpont only recently obtained its license and has been vacant for several months. (Staff visited 598 Pierpont on October 28, 2016 and confirmed that the house was vacant. A representative of the operator, New Life Treatment Center, Inc. told staff that there are no clients in the house at this time because New Life is in the process of staffing the facility.)

Your application requires modifications to fully meet Code requirements; however, I carefully reviewed the timeline of events applicable to your submittal. Your application was mostly complete prior to the 9th Circuit Court temporarily suspending the processing of applications during the period between December 2015 and May 2016 pursuant to *Solid Landings Behavioral Health et al. v. City of Costa Mesa*, D.C. No. 8:14-cv-01838-

JVS-JCG. We understand that had the court injunction not been in place, you likely would have been able to meet those requirements and obtain an SUP prior to July 31, 2016, date that the facility at 598 Pierpont received its state license.

After reviewing your application file and in light of all of the aforementioned facts, I have approved your application subject to the following conditions:

1. *Clarify intake procedures.* Your file includes blank forms that residents are required to complete; however, please provide a written list of steps that are undertaken when you intake a client into the house. (CMMC 13-311(a)(1)(4))
2. *Provide a relapse policy that describes the policies, programs, procedures or standard practices undertaken in event of a client's relapse.* The relapse policy your provided does not provide sufficient detail regarding your policies, procedures or standard practices. (CMMC 13-311(a)(5))

This information must be provided within 15 calendar days from the date of this letter. The SUP will not be issued until all of the above conditions have been met. Failure to do so will render this decision null and void.

The decision will become final at 5:00 pm on November 9, 2016 unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

Should you have any questions, please do not hesitate to contact Katie Angel at either katie.angel@costamesaca.gov or 714.754.5618 between the hours of 8:00 a.m. and 5:00 p.m.

Sincerely,



WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachment: Ordinance Number 14-13

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