

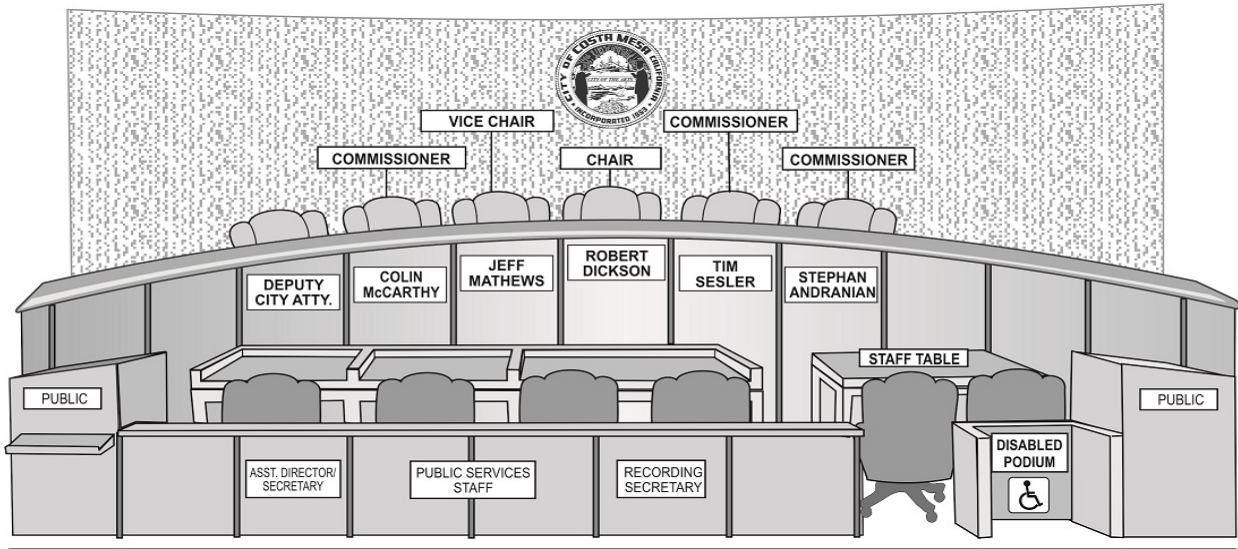
# Planning Commission Agenda

## SPECIAL MEETING

December 5, 2016

\*Pre-Meeting Agenda Review begins at 5:30 p.m. in Conference Room 1A

\*\*Planning Commission Meeting begins at 6:00 p.m. in the Council Chambers



**CALL TO ORDER.**

**PLEDGE OF ALLEGIANCE TO THE FLAG.**

**ROLL CALL:** Chair: Robert Dickson  
Vice Chair: Jeff Mathews  
Commissioners: Colin McCarthy, Tim Sesler, and Stephan Andranian

### **PUBLIC COMMENTS:**

To ensure fair and equal treatment of all who appear before the Planning Commission, and to expedite City business, speakers may be limited to three minutes during Public Comments to speak on any item within the Planning Commission's jurisdiction, which is not listed on the Agenda. This time may be extended for good cause by the Chair or by majority vote of the Planning Commission. In accordance with Costa Mesa Municipal Code, Sec. 2-64 (1): No person in the audience shall engage in disorderly, disruptive, disturbing, delaying or boisterous conduct.

**PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:**

**CONSENT CALENDAR:** None

**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

1. **PA-16-04:** **CONDITIONAL USE PERMIT FOR AN ALL-MALE SOBER LIVING FACILITY WITH A MAXIMUM OF 13 OCCUPANTS WITHIN 3 EXISTING UNITS AT 2041 TUSTIN AVENUE** Adopt a resolution approving Planning Application PA-16-04.

**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

**(Continued)**

**Applicant:** Keith Randle

**Site Address:** 2041 Tustin Avenue

**Zone:** R2-MD

**Project Planner:** Sheri Vander Dussen

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

**Description:** Conditional Use Permit, pursuant to Costa Mesa Municipal Code Section 13-323, to allow an all-male Sober Living Facility operated by Summit Coastal Living. The facility will serve thirteen occupants, including a resident house manager, within three existing units. This hearing was continued from the Commission meeting of November 14, 2016.

- 2. **PA-16-15: CONDITIONAL USE PERMIT FOR A SOBER LIVING FACILITY WITH A MAXIMUM OF 14 OCCUPANTS WITHIN 3 EXISTING UNITS AT 166 EAST 18<sup>TH</sup> STREET**

Adopt a resolution upholding the Director’s denial of reasonable accommodation and denying Conditional Use Permit PA-16-15.

**Applicant:** Casa Capri, LLC

**Site Address:** 166 East 18<sup>th</sup> Street

**Zone:** R2-HD

**Project Planner:** Sheri Vander Dussen

**Environmental Determination:** The project has been found to be categorically exempt under Section 15301 of the CEQA Guidelines. Notwithstanding the foregoing, if this action were found to be a project, it would be exempt from CEQA under Section 15321 for Enforcement Actions by Regulatory Agencies.

**Description:** Conditional Use Permit to allow a Sober Living Facility serving 14 occupants within three units. The application includes an appeal of the decision of the Economic and Development Services Director to deny a request for Reasonable Accommodation to allow this facility to be located within 650 feet of another property that contains a group home, sober living home or state licensed drug and alcohol treatment facility. This hearing was continued from the Planning Commission meeting of November 14, 2016.

**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

3. **PA-16-34 & PA-16-35: CONDITIONAL USE PERMIT FOR A SOBER LIVING FACILITY WITH A MAXIMUM OF 20 RESIDENTS WITHIN 4 UNITS AT 171 AND 175 ROCHESTER STREET**

**Applicant:** Northbound Treatment Services  
**Site Address:** 171 and 175 Rochester Street  
**Zone:** R2-HD  
**Project Planner:** Sheri Vander Dussen  
**Environmental Determination:** The project has been found to be categorically exempt under Section 15301 of the CEQA Guidelines. Notwithstanding the foregoing, if this action were found to be a project, it would be exempt from CEQA under Section 15321 for Enforcement Actions by Regulatory Agencies.

**Description:** Conditional Use Permits to allow a state licensed drug and alcohol addiction treatment facility on contiguous sites serving 20 residents in four units; and an appeal of the decision of the Economic and Development Services Director to deny a request for Reasonable Accommodation to allow this sober living facility to be located within 650 feet of another property that contains a group home, sober living home or state licensed drug and alcohol treatment facility.

4. **PA-16-39 & PA-16-40: CONDITIONAL USE PERMIT FOR A SOBER LIVING FACILITY WITH A MAXIMUM OF 24 RESIDENTS WITHIN 6 UNITS AT 235 AND 241 EAST 18<sup>TH</sup> STREET**

**Applicant:** Northbound Treatment Services  
**Site Address:** 235 and 241 East 18<sup>th</sup> Street  
**Zone:** R2-HD  
**Project Planner:** Sheri Vander Dussen  
**Environmental Determination:** The project has been found to be categorically exempt under Section 15301 of the CEQA Guidelines. Notwithstanding the foregoing, if this action were found to be a project, it would be exempt from CEQA under Section 15321 for Enforcement Actions by Regulatory Agencies.

**Description:** Conditional Use Permits to allow a state licensed alcohol and drug addiction treatment facility on contiguous properties serving 24 residents within six units; and an

Adopt a resolution upholding the Director's denial of reasonable accommodation and denying Conditional Use Permit PA-16-34; and

Adopt a resolution upholding the Director's denial of reasonable accommodation and denying Conditional Use Permit PA-16-35.

Adopt a resolution upholding the Director's denial of reasonable accommodation and denying Conditional Use Permit PA-16-39; and

Adopt a resolution upholding the Director's denial of reasonable accommodation and denying Conditional Use Permit PA-16-40.

**PUBLIC HEARINGS:**

**RECOMMENDATION(S):**

**(Continued)**

appeal of the decision of the Economic and Development Services Director to deny a request for Reasonable Accommodation to allow this sober living facility to be located within 650 feet of another property that contains a group home, sober living home or state licensed drug and alcohol treatment facility.

**DEPARTMENTAL REPORT(S):**

**RECOMMENDATION(S):**

1. **Public Services Report**
2. **Development Services Report**

Receive and file.  
Receive and file.

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

**RECOMMENDATION(S):**

1. **City Attorney**

Receive and file.

**ADJOURNMENT: NEXT PLANNING COMMISSION MEETING AT 6:00 P.M., OR SHORTLY THEREAFTER, ON MONDAY, DECEMBER 12, 2016.**

## **ADDITIONAL INFORMATION**

### **Planning Commission Meetings**

Costa Mesa Planning Commission meets the second and fourth Monday of each month at 6:00 p.m. in the Council Chambers at City Hall, 77 Fair Drive. All Planning Commission meetings are open to the public.

The Planning Commission and staff hold an Agenda Review Study Session at 5:30 p.m., prior to the regular meeting, in Conference Room 1A. This session is open to the public. Each member of the public will be given the opportunity to speak for one (1) minute on study session items.

In compliance with the Americans with Disabilities Act of 1990, Assistive Listening headphones located inside the Council Chambers are available at all Costa Mesa City Council meetings and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al (714) 754-5225 por lo menos con 48 horas de anticipación.

Submitting Written Communication to the Planning Commission:

- Any written communication, photos or other materials for distribution to the Planning Commission must be received by the **Planning staff (2<sup>nd</sup> floor) prior to 3:00 pm on the day of the hearing** (see date above).
- If the public wishes **to submit written comments** to the Planning Commission **at the hearing 10-copies will be needed for distribution** to the Commissioners, City Attorney and Staff.
- Please note that **no copies** of written communication **will be made after 3:00 PM.**
- Please note that records submitted by the public **will not be redacted** in any way and will be posted online as submitted, including any personal contact information.
- Any materials to be displayed on the overhead projector at the Planning Commission meeting must be submitted to Planning staff **no later than 15 minutes prior to the start of the meeting (no copies, for the Commission, will be made unless the materials are submitted prior to 3:00 PM).**
- If you challenge this action in court, you may be limited to raising only those issues you, or someone else raised, at or prior to the hearing.
- While staff may not be making additional copies for distribution after 3:00 pm on the day of the hearing, public may provide 10 copies for distribution until 5:00 pm on the day of the meeting.

### **Agenda Reports**

Reports may be obtained in the office of the Development Services Department, Planning Division, on the second floor of City Hall, 77 Fair Drive, Costa Mesa or on the City's web site at [www.costamesaca.gov](http://www.costamesaca.gov). Agenda Packets are available for public review in three-ring binders located at the Planning Division Counter at City Hall located on the second floor during normal business hours and at the Council Chambers entrance during the meeting. In addition, such writings and documents may be posted, whenever possible, as part of the agenda, on the City's website at [www.costamesaca.gov](http://www.costamesaca.gov).

### **Public Comments**

Those wishing to speak on an item are asked to come forward to the podiums on either side of the Chambers and state their name and address for the record. To ensure accuracy of the record, speakers are also asked to complete a Registration Card and to give this card to the Recording Secretary.

### **Appeal Procedure**

Unless otherwise indicated, the decision of the Planning Commission is final at 5:00 p.m., seven (7) days following the action, unless an aggrieved party files: (1) an application for rehearing by the Planning Commission, or (2) an appeal to the City Council, or (3) a member of City Council requests a review of the action. Applications for appeals or rehearings are available in the Planning Division and in the City Clerk's office.

### **Contact Us**

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[PlanningCommission@costamesaca.gov](mailto:PlanningCommission@costamesaca.gov)