

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

**June 11, 2018**

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

The Chair called the meeting to order (00:00:20).

Commissioner Harlan led the Pledge of Allegiance.

**ROLL CALL**

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

Staff: Barry Curtis, Director of Economic and Development Services  
Jennifer Le, Assistant Director of Development Services  
Tarquin Preziosi, Assistant City Attorney  
Bart Mejia, City Engineer  
Jon Neal, Assistant Fire Marshall  
Justin Arios, Assistant Planner  
Johnwilly Aglupos, Assistant Planner  
Julie Colgan, Recording Secretary

**ANNOUNCEMENTS AND PRESENTATIONS:**

None.

**PUBLIC COMMENTS:**

An unidentified speaker stated concerns with the City's small lot ordinance.

An unidentified speaker stated concerns with the City's small lot ordinance; spoke on the Zoning Administrator's decision on small cell telecommunication facilities; and stated these types of facilities should not be in proximity to residential properties.

**PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:**

Commissioner Navarro Woods responded to the public comment about small cell telecommunication facilities.

**CONSENT CALENDAR:**

**1. MINUTES FOR THE MEETING OF MAY 14, 2018**

**MOTION: Move approval of the consent calendar.**

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

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Navarro Woods

Noes: None

Absent: None

Abstained: None

## **PUBLIC HEARINGS (00:09:25)**

### **1. PLANNING APPLICATION 18-06 FOR A MEDICAL MARIJUANA MANUFACTURING FACILITY (LEAF CONCEPTS, LLC) AT 3505 CADILLAC AVENUE, BUILDING E**

**Project Description:** Planning Application 18-06 is a request for a Conditional Use Permit for a Medical Marijuana manufacturing facility (Leaf Concepts, LLC) within a 7,783-square-foot tenant space in an existing industrial building. The proposed facility will include preparation, extraction, manufacturing and processing (e.g. distillation, oven, mixing and commercial kitchen), packaging, storage, and ancillary offices. The facility will be staffed by at least 12 employees. The initial hours of operation are proposed to be from 7 AM to 4 PM with a possible second shift from 4 PM to 1 AM, daily, increasing to 24-hour-a-day operation if demand warrants. The facility will have security systems (card readers, security cameras, etc.) throughout the facility. No cultivation of marijuana, or medical marijuana dispensary, is permitted. This item was originally heard and continued at the April 9, 2018 Planning Commission meeting. The item was scheduled for the May 31, 2018 Planning Commission meeting and was rescheduled to the June 11, 2018 Planning Commission meeting.

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

No ex-parte communications to report.

Johnwilly Aglupos, Assistant Planner, presented the staff report.

Commissioners, staff, and Jennifer Le, Assistant Director of Development Services, discussed the Commission's options and staff's reasons for recommending that the Commission take action on only the original request for medical marijuana manufacturing and not the newly added request for adult use; whether the applicant has changed; and the process the applicant would have to take to add adult use to its application in the future.

## **PUBLIC COMMENTS**

Meilad Rafiei, applicant, stated he has read the conditions of approval and agreed to them. He presented a slideshow on the proposed use.

Perry Srey, CEO of Leaf Concepts, explained the safety precautions taken in the production area.

Commissioner Navarro Woods, Mr. Srey, Mr. Rafiei, and staff discussed how bi-products will be disposed of; delivery times for the materials; security guard schedule; whether the security plan was reviewed by HDL, the City's consultant; the vendor entrance; whether other sites

were considered; and whether an outreach to neighboring businesses (like to the adjacent church) had occurred.

Sue Braun, member of St. Barnabas Orthodox Church, spoke in opposition to this item.

Ruth Rutledge, member of St. Barnabas Orthodox Church, presented a slideshow about St. Barnabas Orthodox Church and spoke in opposition to this item.

Samuel Braun, member of St. Barnabas Orthodox Church, spoke in opposition to this item.

Joseph Braun, member of St. Barnabas Orthodox Church, spoke in opposition to this item.

Bob Pace, member of St. Barnabas Orthodox Church, spoke in opposition to this item.

Michael Guardmin, member of St. Barnabas Orthodox Church, spoke in opposition to this item.

Nan Maxwell, member of St. Barnabas Orthodox Church, spoke in opposition to this item.

Thomas Braun, Deacon of St. Barnabas Orthodox Church, stated safety concerns with the application's proposed multiple operation shifts and asked that only one daytime operation shift be approved.

An unidentified speaker asked the Commission to listen to the public comments and spoke in opposition to this item.

Craig Fry, member from the applicant's representative team, responded to the public comments about safety concerns.

Mr. Srey and Mr. Rafiei responded to public comments.

The Chair closed the public hearing.

Vice Chair de Arakal and staff discussed the five similar applications that have been approved in the surrounding area and their proximity to the St. Barnabas Orthodox Church.

Vice Chair de Arakal and Tarquin Preziosi, Assistant City Attorney, discussed whether there is a separation requirement for medical marijuana distribution applications to a youth center.

**MOTION: Move that the Planning Commission adopt a Resolution to approve Planning Application 18-06, subject to the findings and original conditions of approval applicable to medical marijuana distribution, and manufacturing; and, find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Class 1), Existing Facilities with the following modification:**

**Condition of Approval No. 1 to read: "The use of this property as a medical marijuana manufacturing business shall comply with the approved plans and terms described in this resolution and these conditions of approval. The business hours shall be from 7 AM to 4 PM with a second shift from 4 PM to 1 AM, Monday through Saturday, increasing to 24-hour-a-day operation if demand warrants. No operation shall occur on Sundays. No product distribution is permitted. No loading, unloading, or transportation of product shall occur between the hours of 11 PM and 6 AM. The Planning Commission may modify or**

revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)]”.

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

Commissioner Navarro Woods addressed public comments and spoke in support of the motion.

Chair Andranian and addressed public comments and spoke on the motion.

**RESOLUTION PC-18-44 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT PA-18-06 TO ALLOW A MEDICAL MARIJUANA MANUFACTURING FACILITY AT 3505 CADILLAC AVENUE, BUILDING E**

The motion carried by the following roll call vote:

Ayes: Andranian, de Arakal, Harlan, Navarro Woods

Noes: None

Absent: None

Abstained: None

The Chair explained the appeal process.

The Commission called for a break at 7:44 p.m.

The Commission reconvened at 7:48 p.m.

**2. PLANNING APPLICATION 17-35 AND TENTATIVE PARCEL MAP NO. 2017-185 FOR A TWO-UNIT SMALL LOT SUBDIVISION RESIDENTIAL DEVELOPMENT AT 2542 ELDEN AVENUE**

**Project Description:** Planning Application 17-35 is a request for the following:

1. Design Review for the construction of two, two-story, detached single-family residences on an 8,679-square-foot lot in the R2-MD zone. The existing residence at the front of the property is proposed to be remodeled including a second story addition and will be approximately 2,699 square feet with three bedrooms; the new residence proposed at the rear of the property will be approximately 1,876 square feet with three bedrooms. Both residences include attached two-car garages. The project satisfies all Small Lot Ordinance development standards and the Residential Design Guidelines.
2. Tentative Parcel Map No. 2017-185 for the subdivision of an 8,679-square-foot lot into two separate parcels, with one unit on each parcel, consistent with the Small Lot Ordinance.

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

No ex-parte communications to report:

Justin Arios, Assistant Planner, presented the staff report.

Chair Andranian and staff discussed the total lot size; whether this lot falls under the new rules that were proposed by the Commission; that the project is not asking for any deviations; and no new curb cuts are proposed.

## **PUBLIC COMMENTS**

David Bailey, architect (applicant), stated he has read the conditions of approval and agreed to them.

Commissioner Navarro Woods and Mr. Bailey discussed whether he would consider opaque material at the bottom half of second-story bedroom windows to address privacy concerns.

Omar Abolhosn, adjacent neighbor, asked what measures the applicant will take to reduce the privacy impact to his property.

Alfredo Martinez, neighbor, asked whether the second tree on the landscape plan will be new and stated concerns with privacy.

An unidentified speaker spoke in opposition to this item.

An unidentified speaker asked if there was going to be a sidewalk in front of the proposed project.

Mr. Bailey responded to public comments.

The Chair closed the public hearing.

**MOTION: Move that the Planning Commission find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 (New Construction); and approve Planning Application 17-35 and Tentative Parcel Map No. 2017-185, subject to conditions of approval with the following modification:**

**Condition of Approval No. 7 to read: "Roofing material for the front residence shall consist of standing seam metal roofing on 1<sup>st</sup> floor elements (including the garage), and composite shingle roofing on 2<sup>nd</sup> floor elements, to be consistent with the rear residence".**

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

Commissioner Harlan spoke in support of the applicant reusing the footprint of the existing house and the project's design keeping with the look of the surrounding neighborhood.

**RESOLUTION PC-18-45 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION 17-35 AND TENTATIVE PARCEL MAP NO. 2017-185 FOR A TWO-UNIT SMALL LOT RESIDENTIAL DEVELOPMENT FOR THE PROPERTY LOCATED AT 2542 ELDEN AVENUE IN THE R2-MD ZONE**

The motion carried by the following roll call vote:

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

Abstained: None

The Chair explained the appeal process.

### **3. PLANNING APPLICATION 17-43 AND TENTATIVE PARCEL MAP NO. 2018-134 FOR A TWO-UNIT SMALL LOT SUBDIVISION RESIDENTIAL DEVELOPMENT AT 128 EAST WILSON STREET**

**Project Description:** Planning Application 17-43 involves the following:

1. Design Review for the construction of two, two-story, detached single-family residences on a 6,600-square-foot lot in the R2-MD zone. The proposed residence at the front of the property is proposed to be approximately 1,933 square feet with three bedrooms; the proposed residence at the rear of the property is proposed to be approximately 2,036 square feet with three bedrooms. Both residences will provide attached two-car garages. The project satisfies all Small Lot Ordinance development standards and the Residential Design Guidelines.
2. Tentative Parcel Map No. 2018-134 for the subdivision of a 6,600-square-foot lot into two separate parcels, with one unit on each parcel, consistent with the Small Lot Ordinance.

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

No ex-parte communications to report.

Justin Arios, Assistant Planner, presented the staff report.

#### **PUBLIC COMMENTS**

Ryan Oldham, applicant, stated he has read the conditions of approval and agreed to them.

Commissioner Navarro Woods asked Mr. Oldham if he would consider permeable pavers for the front and back units. Mr. Oldham responded yes.

Beth Refakes, Costa Mesa resident, stated concerns with the lack of detailed landscape plans in the staff report; stated concerns with the project's appearance; spoke in support of having permeable pavers; and stated the project's lot size will not meet the new minimum requirement that she believes the City Council will approve.

An unidentified speaker stated concerns with the parking in the neighborhood and the size of the lot.

An unidentified speaker asked if there is a sidewalk in front of the project site and stated concerns with the parking; safety; and traffic in the area.

Mr. Oldham responded to public comments.

Vice Chair de Arakal and Mr. Oldham discussed the reasons behind the front unit being smaller than the rear unit even though the front unit is on the larger lot.

The Chair closed the public hearing.

**MOTION:** Move that the Planning Commission find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 (New Construction); and approve Planning Application 17-43 and Tentative Parcel Map No. 2018-134, subject to conditions of approval with the following modification:

**Condition of Approval No. 21 to read:** "All pavers, as shown on the site plan, shall be permeable".

**Moved by Chair Andranian, seconded by Commissioner Navarro Woods.**

Vice Chair de Arakal spoke in opposition to the motion.

Chair Andranian spoke on the motion.

**RESOLUTION PC-18-46 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION 17-43 AND TENTATIVE PARCEL MAP NO. 2018-134 FOR A TWO-UNIT SMALL LOT RESIDENTIAL DEVELOPMENT FOR THE PROPERTY LOCATED AT 128 EAST WILSON STREET IN THE R2-MD ZONE**

The motion carried by the following roll call vote:

Ayes: Andranian, Harlan, Navarro Woods

Noes: de Arakal

Absent: None

Abstained: None

The Chair explained the appeal process.

**DEPARTMENTAL REPORT(S)**


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

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

1. City Attorney – none.

**ADJOURNMENT (02:34:24)**

Submitted by:



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BARRY CURTIS, SECRETARY  
COSTA MESA PLANNING COMMISSION