



Application for Planning/Zoning Approval

Application # ZA-05-29

**PART ONE - Print or Type** MESA VERDE LIBRARY  
 Address/Location of Property 2969 MESA VERDE DRIVE EAST  
 Property Owner CITY OF COSTA MESA\* Phone \_\_\_\_\_  
 Auctioneer/Contact Person DAN WORTHINGTON / Friends of the Library Fax \_\_\_\_\_  
 Address 2963 MINDALAZ DRIVE  
 City COSTA MESA State CA Zip Code 92626  
 Property Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Authorized Agent FRIENDS OF THE LIBRARY Phone \_\_\_\_\_ Fax \_\_\_\_\_  
 Address \* Steve Hayman - 77 Fair Drive, CM CA 92626  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Authorized Agent's Signature [Signature] Date 5/25/05  
 Request PLACE DONATED PORTABLE CLASSROOM BUILDING FROM NEWPORT-MESA SCHOOL DISTRICT TO THE REAR LOT PARKING AREA OF MESA VERDE LIBRARY. THIS PORTABLE BUILDING WOULD BECOME "THE FRIENDS OF THE LIBRARY" BOOK STORE. THIS BUILDING MEETS ALL PRESENT STATE CODES FOR EARTHQUAKE, FIRE, ELECTRICAL AND AIR CIRCULATION NEEDS.

**NOTICE TO APPLICANT:** If you challenge this action in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing for this item, or in written correspondence delivered to the staff or Planning Commission at, or prior to, the Public Hearing or final decision.

**WHEN COMPLETED, PLEASE RETURN ALL COPIES TO PLANNING DIVISION**

**PART TWO (Office use only)**  
 Date Application Received 5.25.05 By LUCK Receipt # POS-01071  
 Date Application Accepted as Complete \_\_\_\_\_ By \_\_\_\_\_

|  |               |   |                 |
|--|---------------|---|-----------------|
| <input type="checkbox"/> Development Review                      | \$ _____      | <input type="checkbox"/> Residential Common Interest      | \$ _____        |
| <input type="checkbox"/> Administrative Adjustment               | _____         | <input type="checkbox"/> Development Conversion           | _____           |
| <input type="checkbox"/> Variance                                | _____         | <input type="checkbox"/> General Plan Amendment           | _____           |
| <input checked="" type="checkbox"/> Minor Conditional Use Permit | <u>805.00</u> | <input type="checkbox"/> General Plan Amendment Screening | _____           |
| <input type="checkbox"/> Conditional Use Permit                  | _____         | <input type="checkbox"/> Rezone                           | _____           |
| <input type="checkbox"/> Master Plan                             | _____         | <input type="checkbox"/> Subdivision                      | _____           |
| <input type="checkbox"/> Design Review                           | _____         | <input type="checkbox"/> Lot Line Adjustment              | _____           |
| <input type="checkbox"/> Minor Design Review                     | _____         | <input type="checkbox"/> Negative Declaration             | _____           |
| <input type="checkbox"/> Planned Signing Program                 | _____         | <input type="checkbox"/> Other                            | _____           |
|  |               | <b>TOTAL FEE</b>  | <b>\$ _____</b> |

Assessors Parcel No. AP # 139-223-01 CEQA \_\_\_\_\_  
 Zone 1R General Plan Designation Public Use

**PLANNING TRANSACTION RECEIPT**

05-25-2005

PROJECT / ACTIVITY #: ZA-05-029      ZONING ACTION 3-14-05      MCUP

TRANSACTION AMOUNT:      805  
PAYMENT METHOD:      Check      CHECK NO:      7433  
NOTATION:

SITE ADDRESS: 2969      MESA VERDE DR E  
Suite/Unit #:

REQUEST: TO ALLOW PLACEMENT OF A PORTABLE CLASSROOM ON A PORTION OF  
THE LIBRARY PARKING  
LOT TO BE USED AS A BOOKSTORE FOR THE FRIENDS OF THE LIBRARY.

AGENT:      FRIENDS OF THE LIBRARY  
                 DAN WORTHINGTON  
                 COSTA MESA, CA  
                 2963 MINDANAO DR  
                 92626

OWNER:      CITY OF COSTA MESA  
                 COSTA MESA  
                 COSTA\_MESA, CA  
                 PO BOX 1200  
                 92628-1200

**PAID**  
MAY 25 2005  
CITY OF CA

**TRANSACTION RECEIPT DETAIL FOR TREASURY:**

710    8010      805.00    Minor CUP Fee

P05-00071



## CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92626-1200

DEVELOPMENT SERVICES DEPARTMENT

June 23, 2005

Steve Hayman  
77 Fair Drive  
Costa Mesa, CA 92626

RE: **MINOR CONDITIONAL USE PERMIT ZA-05-29**  
**2969 MESA VERDE DRIVE EAST, COSTA MESA**

Dear Mr. Hayman:

Review of the minor conditional use permit for the above-referenced project has been completed. The application has been approved, based on the following project description and findings, subject to the conditions and code requirements set forth below:

### PROJECT DESCRIPTION

The applicant proposes to place a 24 feet by 40 feet modular building in the parking lot of the Mesa Verde Library. The modular building is donated by the Newport-Mesa School District to be used as "The Friends of the Library" bookstore. Other than temporary real estate or construction offices, a minor conditional use permit is required for the use of a temporary/modular building on any property. The applicant proposes to use the modular building as a bookstore for up to five years until funding becomes available to construct a permanent structure.

The modular building is proposed to be located at the southeast corner of the property, 3 feet away from interior property lines. The building would eliminate four parking spaces and a 20-foot by 20-foot planter area. Reduction of the planter area would leave more than adequate amount of landscaping on-site on the perimeter of the property. The four parking spaces will be replaced on the south and east sides of the library building. The proposed building plus the existing library building will also meet floor area ratio (FAR) requirements (maximum .25 allowed; .22 proposed). The residential properties are buffered from the subject building by a 6-foot high block wall and up to 9 feet of landscaping. The residential structures are located at least 30 feet away from the shared property lines. Staff visited an identical modular building with the applicant and found the air conditioning unit to be inaudible until approximately 10 feet away. Based on the distance between buildings, the existing

block wall and landscape buffer between the lots, impacts on the residents will be minimal. The hours of operation will be no later than 8 p.m. on weekdays and 6 p.m. on weekends (same as library). A condition has been included requiring that the building be painted to match the library.

To ensure the building is a temporary use for the library, a condition has been included to require removal of the structure by June 23, 2010.

### **FINDINGS**

1. The information presented substantially complies with Section 13-29(g)(2) of the Costa Mesa Municipal Code in that:
  - a. The minor conditional use permit to allow a temporary modular building to be used as a bookstore, as conditioned, is substantially compatible with developments in the same general area.
  - b. Granting the minor conditional use permit, as conditioned, will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the building will be painted to match the library, it will not reduced required landscaping or existing number of parking spaces on-site, and it will be substantially screened from the residential properties by a 6 foot high block wall and 9 feet of landscaping. The air conditioning unit at the rear of the structure will not be audible from the residences. The proposed building plus the existing library building will also meet floor area ratio (FAR) requirements (maximum .25 allowed; .22 proposed).
  - c. Granting the minor conditional use permit, as conditioned, will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
2. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
  - a. The proposed development and use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
  - b. Safety and Compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
  - c. The project is consistent with the General Plan.
  - d. The planning application is for a project-specific case and does not establish a precedent for future development.
3. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental

procedures, and has been found to be exempt from CEQA.

4. The project is exempt from Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

#### **CONDITIONS OF APPROVAL**

- Ping.
1. Four parking spaces shall be added/stripped to replace the four spaces lost due to the modular building location. This condition shall be completed prior to final inspection of the building and under the direction of the Planning staff.
  2. The modular building shall be removed by June 23, 2010.
  3. The modular building shall be painted to match the existing library, prior to final inspections of the building.
  4. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
  5. The minor conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. Regardless, however, since this is a temporary building, this minor conditional use permit shall expire June 23, 2010. The minor conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.

#### **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. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
  2. Approval of the zoning action is valid for one (1) year and will expire at the end of that period unless building permits are obtained and construction commences, or the applicant applies for and is granted an extension of time.
  3. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and

- shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
4. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
  - Bldg. 5. Comply with the requirements of the California Code of Regulations, Title 24, also known as the California Building Standards Code, as amended by the City of Costa Mesa.

Upon receipt of this letter, your project has been approved, subject to the above-listed conditions. A copy of the conceptually-approved site plan is enclosed. The decision will become final at 5:00 p.m. on June 30, 2005, unless appealed by an affected party or a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Wendy Shih, at (714) 754-5136 between 1 p.m. and 5 p.m., Monday through Friday.

Sincerely,



R. MICHAEL ROBINSON  
Zoning Administrator

Enclosure: Conceptually-approved plans

cc: Carol Proctor, Management Analyst  
Gary Wong, Engineering Technician III  
Fire Protection Analyst  
Water District  
Building Division

Dan Worthington  
Friends of the Library  
2963 Mindanao Drive  
Costa Mesa, CA 92626

John Adams  
County Librarian  
1501 East St. Andrew Place  
Santa Ana, CA 92708