



CITY COUNCIL AGENDA REPORT

MEETING DATE: JANUARY 16, 2007

ITEM NUMBER:

SUBJECT APPEAL OF PLANNING APPLICATION PA-05-30
(SIX MONTH TIME EXTENSION FOR PA-94-24 AND PA-04-12)
1100 BRISTOL STREET - BRISTOL STREET MINI-STORAGE

DATE: JANUARY 4, 2007

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: WENDY SHIH, ASSOCIATE PLANNER

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

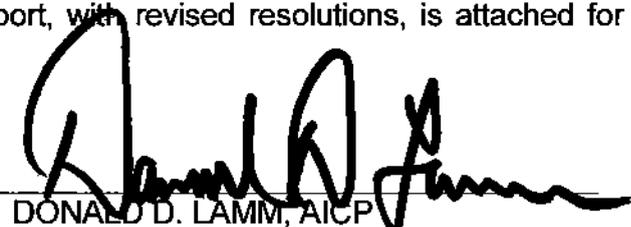
RECOMMENDATION:

Conduct a public hearing and adopt a resolution to uphold, reverse, or modify the Planning Commission's decision to deny PA-05-30.

BACKGROUND:

The applicant's appeal of the Planning Commission denial of a time extension for the Bristol Street Mini-Storage project was originally scheduled for September 20, 2005. At that time, action was postponed to allow time for discussions between the City, County of Orange, and the Orange County Flood Control District. Now that these discussions have been completed, the original appeal application is being brought back for final Council determination. The original Council staff report, with revised resolutions, is attached for reference.


WENDY SHIH
Associate Planner


DONALD D. LAMM, AICP
Deputy City Mgr. – Dev. Svs. Director

Attachments:

- Original City Council Agenda Report
- Letters to County/Landscape Plan Approval
- Location Map
- Plans
- Draft City Council Resolution
- Exhibit "A" – Draft Findings
- Exhibit "B" – Draft Conditions of Approval
- Appeal Application
- Minutes of Planning Commission meeting of August 22, 2005
- Planning Division Staff Report with Supplemental Information
- Planning Commission Resolution
- Exhibit "A" – Findings

DISTRIBUTION: City Manager
Asst. City Manager
City Attorney
Public Services Director
City Clerk (2)
Staff (4)
File (2)

Lee Jamieson
BSMS
P.O. Box 82515
Bakersfield, CA 93380

County of Orange
Resources & Development Management Dept.
Attn: Jack Stribling, Real Estate Services
300 N. Flower Street
Santa Ana, CA 92702

File: 011607PA0530	Date: 010307	Time: 9:00 a.m.
--------------------	--------------	-----------------



CITY COUNCIL AGENDA REPORT

MEETING DATE: SEPTEMBER 20, 2005

ITEM NO:

**SUBJECT: APPEAL OF PLANNING APPLICATION PA-05-30
(SIX-MONTH TIME EXTENSION FOR PA-94-24 AND PA-04-12)
1100 BRISTOL STREET**

DATE: SEPTEMBER 8, 2005

FROM: DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION

PRESENTATION BY: WENDY SHIH, ASSOCIATE PLANNER

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714)754-5136

RECOMMENDED ACTION

Conduct a public hearing and adopt resolution to either uphold, reverse, or modify Planning Commission's decision.

BACKGROUND

At their meeting of August 22, 2005, by a vote of 3 to 2 (Donn Hall and James Fisler voted no), Planning Commission denied Planning Application PA-05-30 to allow a time extension for a previously approved conditional use permit for outdoor storage of recreational vehicles and a mini-storage facility. Commission gave the applicant six months (until March 1, 2006) to vacate the property. On August 25, 2005, Lee Jamieson, owner of Bristol Street Mini Storage (BSMS), appealed the decision because "we ask that the appeal can be heard so that 800 plus people and businesses can again express their desire to have our business continue at the location after 10 years of serving the community".

ANALYSIS

In 1994, the County made the property available for lease for a 10-year period. On April 25, 1994, the Planning Commission approved a conditional use permit (CUP) for a temporary mini-storage facility on the property; however, the CUP would expire on April 25, 2004. On April 12, 2004, the Planning Commission approved the applicant's request to extend the CUP to September 1, 2004, to coincide with the expiration date of the County lease. On August 23, 2004, the Planning Commission granted a further time extension to expire on September 1, 2005, to allow the County of Orange sufficient time to complete a RFB (Request for Bids) process. Bristol Street Mini Storage (BSMS) currently operates pursuant to a month-to-month rental agreement.

Planning Commission denied the latest CUP extension because a number of new developments have been built in the area since the CUP's original approval in 1994.

Commission found that a storage yard comprised of cargo shipping containers is no longer compatible with the area. When Planning Commission approved the one-year time extension in August 2004, it was based on the understanding that the County would accept RFBs in mid-October and a lease could be awarded by the first quarter of this year. The most recent CUP expiration date of September 1, 2005, would have allowed the new lease holder time to secure any necessary permits from the City before the final lease would be signed when BSMS was to vacate the site. However, according to the County's latest RFB schedule, the property will not be offered for public bid until December 2005, and the County cannot guarantee that the site would be leased to a different tenant.

ALTERNATIVES CONSIDERED

If the Planning Commission's decision is upheld, the storage use must vacate by March 1, 2006.

If the Planning Commission's decision is overturned, the County could continue to lease the property to BSMS until March 1, 2006, and would be required to vacate by March 1, 2006, when the permit expires, unless the applicant is granted another time extension prior to the expiration date.

FISCAL REVIEW

Fiscal review is not required.

LEGAL REVIEW

Legal review is not required.

ENVIRONMENTAL REVIEW

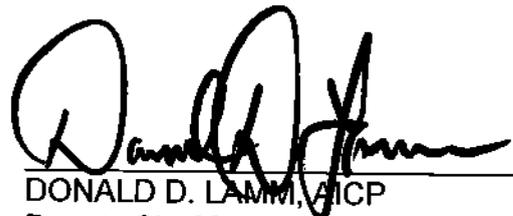
Pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, this project is exempt from CEQA.

CONCLUSION

Planning Commission found that the storage facility is no longer compatible with, and does not contribute to, the overall appearance of the area and denied the requested extension of time.



WENDY SHIH
Associate Planner



DONALD D. LAMMI, AICP
Deputy City Mgr. – Dev. Svs. Director

Attachments: Aerial/Location Map
Site Plan
Draft City Council Resolution
Exhibit "A" – Draft Findings
Exhibit "B" – Draft Conditions of Approval
Appeal Application
Minutes of Planning Commission meeting of August 22, 2005
Planning Division Staff Report with Supplemental Information
Planning Commission Resolution
Exhibit "A" – Findings

Distribution: City Manager
Assistant City Manager
Acting City Attorney
Public Services Director
City Clerk (2)
Staff (4)
File (2)

Lee Jamieson
P.O. Box 82515
Bakersfield, CA 93380

County of Orange
Resources and Development Management Dept.
Attn: Jack Stribling, Real Estate Services
300 N. Flower St.
Santa Ana, CA 92702

File: 092005PA0530Appeal	Date: 090805	Time: 1:30 p.m.
--------------------------	--------------	-----------------



CITY OF COSTA MESA

CALIFORNIA 92628-1200

P.O. BOX 1200

DEVELOPMENT SERVICES DEPARTMENT

May 18, 2001

Neal Warren, Chief
Acquisitions and Management Group
Public Facilities and Resources Division
County of Orange
PO Box 4048
Santa Ana, California 92702-4048

SUBJECT: 1100 BRISTOL STREET, COSTA MESA

Dear Mr. Warren:

This letter is a follow-up to our telephone conversation in March of this year, regarding County-owned property located at 1100 Bristol Street in Costa Mesa.

The approximately 6.2-acre site is currently occupied by an Instant Storage facility, which received a conditional use permit (CUP) from the City of Costa Mesa in April 1994. The CUP (case number PA-94-24) was approved for a 10-year period, and expires on April 24, 2004. The 10-year term was designed to coincide with the 10-year lease which the operator had received from the County.

Although the operator may apply for an extension of the CUP if he is successful in extending his lease with the County, the purpose of this letter is to advise you that the City of Costa Mesa Planning Division will not support such a request. Bristol Street has seen many improvements since 1994, and it is our opinion that the storage facility is no longer compatible with existing and planned developments in the area. Viewed from the adjacent freeway transition roads, the site presents an uninteresting view of the tops of storage containers with no interior landscaping or other relief from the metal roofs and dirt/gravel road surfaces. Given the nature and quality of newer developments constructed or approved on other parcels in the vicinity, the storage facility is not consistent with what is desired on one of Costa Mesa's major commercial arteries.

In addition to advising you of the City's position on extension of the use beyond its initial 10-year term, I would also like to express our disappointment in the level of attention given to the property's impact on the streetscape. Among other concerns

77 FAIR DRIVE

Building Division (714) 754-5273

Code Enforcement (714) 754-5623

Planning Division (714) 754-5245

FAX (714) 754-4958 • TDD (714) 754-5245

6

1100 Bristol Street
May 18, 2001
Page 2

is the fact that, seven (7) years after its initial installation, ground cover has still not filled in the front setback area; trees and shrubs are also sparse and/or neglected.

If you have any questions about our position, or if you wish to discuss future use or disposition of the property, feel free to call me at (714) 754-5609.

Sincerely,

A handwritten signature in black ink, appearing to read "Perry L. Valentine". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

PERRY L. VALANTINE
Assistant Development Services Director

c: Donald D. Lamm, Deputy City Manager - Development Services



CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

July 20, 2004

CERTIFIED MAIL – RRR

Mr. Herb Nakasone
Director of Public Works/Chief Engineer
County of Orange
Resources & Development Management Department
P.O. Box 4048
Santa Ana, CA 92702-4048

**SUBJECT: FLOOD CONTROL PARCELS F01-311.1 AND 311.2
1100 BRISTOL STREET, COSTA MESA**

Dear Mr. Nakasone:

First, let me congratulate you on your recent promotion to Director of Public Works/Chief Engineer for the County. Word travels slowly to some of us, and I only today became aware of Ken Smith's retirement and your appointment.

I wanted to bring to your attention a matter that is of considerable concern to the City of Costa Mesa. On April 25, 1994, the Costa Mesa Planning Commission approved a limited-term conditional use permit (CUP) for a mini-storage facility on the above-referenced, County-owned property. The CUP was approved for a 10-year period, to expire on April 25, 2004. On April 12, 2004, the Planning Commission extended the CUP to September 1, 2004, to coincide with the term of the County lease.

The purpose of my letter is to ensure that you are aware of the upcoming expiration of the CUP, and to express the City's concern in that we have not seen any evidence that the business is winding down its operations. Since the CUP expires on September 1, 2004, we will expect to see business operations shut down on or before that date, with removal of storage containers and other improvements – with the exception of the front landscaped setback and block wall – to be completed shortly thereafter.

Because of the nature of the use and improvements on the site, its significant visibility from Bristol Street as well as the connector from N/B SR55 to E/B SR73, and the continued improvement of the area due to street improvements and new construction on other properties in the area, the City is not interested in considering further extension of the CUP.

8

July 20, 2004
Mr. Herb Nakasone
Page Two

If you have any questions about the City's position or expectations, or if you would like further background on the subject, please feel free to call me at (714) 754-5609.

Sincerely,



PERRY L. VALANTINE
Assistant Development Services Director

cc: Don Lamm, Deputy City Manager – Dev. Svs. Dir.

Jack Stribling, Real Property Division
County of Orange
Resources & Development Management Department
P.O. Box 4048
Santa Ana, CA 92702-4048

Lee Jamieson
Jaco Oil Company
3101 State Road
Bakersfield, CA 93308



MATCH LINE

landscape plans

APPROVED
 CITY OF COSTA MESA
 PLANNING DIVISION
 SUBJECT TO BLDG. DEPT. REG.
 NOTE: ADDITIONS, DELETIONS,
 OR CORRECTIONS SHALL BE
 APPROVED BY THE PLANNING DIV.
 BY: Ulu DATE: 3/11/03

approval of landscape plans does not constitute any future approvals of the continuation of the use past the expiration date

ID

MINIMUM CONTAINER SIZE	MINIMUM PLANT SIZE (SEE NOTE B)	MAXIMUM SPACING	DETAIL	ESTIMATED QUANTITY (CONFIRM)
24" BOX	1 1/4" CALIPER (SEE NOTE B)	AS SHOWN	⊙ 1 L2	28 EACH
24" BOX	1 1/4" CALIPER (SEE NOTE B)	AS SHOWN	⊙ 1 L2	6 EACH
B & B	8" BROWN TRUNK	AS SHOWN	⊙ 2 L2	6 EACH

5 GALLON	14" TALL (SEE NOTE B)	24" O.C.	⊙ 3 L2	100 EACH
5 GALLON	30" TALL (SEE NOTE B)	24" O.C.	⊙ 3 L2	4 EACH
5 GALLON	24" TALL (SEE NOTE B)	5' O.C.	⊙ 3 L2	89 EACH
5 GALLON	18" TALL (SEE NOTE B)	18" O.C.	⊙ 3 L2	526 EACH
15 GALLON	30" TALL (SEE NOTE B)	AS SHOWN	⊙ 3 L2	108 EACH

10

INSTANT STORAGE

1100 Bristol
Costa Mesa

AERIAL PHOTOGRAPH

1100 Bristol Street



Legend

- Street Names
- Parcel Lines
- City Boundary
- Ortho Photography
- Parcels





CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

FOR ATTACHMENTS NOT INCLUDED IN THIS REPORT,

PLEASE CONTACT THE CITY CLERK'S OFFICE AT

(714) 754-5121