

LEE, MEL

From: BOUWENS-KILLEEN, WILLA
Sent: Tuesday, February 23, 2016 2:26 PM
To: Bereanpk@gmail.com
Cc: emailmarklim@gmail.com; GOATES, DAVID; LEE, MEL
Subject: RE: Letter in Response to Willa Bouwens

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon, Pastor Kim,

Thank you for the clarification; it is most appreciated.

As I stated in my letter, your approval was for the use of 109 parking spaces; any increase over that would need to be approved by the City's Planning Division. It would appear from your information, however, that you continue to comply with that requirement. If anything changes, please let the Planning Division know so it can be accounted for.

Since the time you processed your minor conditional use permit, we have received direction that we cannot require approval by the association to use the parking. However, as part of our normal notification procedure, the association was notified, which resulted in their protest letter. That input was considered as part of the initial and ultimate decisions.

I believe when I spoke with you, Pastor Kim, I had informed you that the denial of the cultural center under ZA-15-38 has been appealed; I wanted to let you know that is scheduled for the City Council meeting of March 15, 2016.

Again, thank you for your response. Please let me know if you have any questions.

Sincerely,

Willa Bouwens-Killeen, AICP
Zoning Administrator
City Of Costa Mesa
77 Fair Dr. Costa Mesa, CA 92626
714.754.5153 fax 714.754.4856
Willa.Bouwens-Killeen@costamesaca.gov

From: mark Lim [mailto:emailmarklim@gmail.com]
Sent: Tuesday, February 23, 2016 11:37 AM
To: BOUWENS-KILLEEN, WILLA <WILLA.BOUWENS-KILLEEN@costamesaca.gov>
Cc: Peter Kim <Bereanpk@gmail.com>
Subject: Letter in Response to Willa Bouwens

Dear Willa Bouwens-Killen and Officer David Goates,

We have received a letter with concerns that we are in violation of our "Minor Conditional Use Permit." We have tried to reach out to you various times by phone and left a few messages but did not receive a callback.

Thank you for reaching out to us about your concerns over the use of parking in our association of 109 spaces. I hope the explanation below will satisfy any concerns you may have.

1. We have two services on Sundays that run at 9:00 am and 11:00 am. The entire congregation is not present at one time so the use of spaces is spread out during those two times. Our first service holds anywhere from 70 to 120 people and our second service at 11am hold between 220 to 300. The 300 max number are not all adults either so the children are coming with parents which reduces the need for parking even further. Since we are currently using less than 109 parking spaces in either of our 9 or 11 am services where main Sunday worships are taking place there is no violation of our cup even if 109 was the maximum.

2. When our conditional use permit was approved, the city required us to have a minimum of 109 spaces, which we satisfied. There was no clause or statement about the maximum, just as there is no stated maximum for the application for MCUP of Building J. Each building is given 3 parking spaces for 1000 square feet so any need for above that use would need the association approval as we were required to do.

3. We obtained approval from the association to use the available parking in the business park. We are truly off-hours with the surrounding businesses and the association has granted us approval to use the surrounding parking. Since the sharing of parking is really an issue for the association to deal with, they should have been contacted. To our understanding, the association has sent in a letter opposing the application of the Minor Conditional Use of Building J.

In summary, we hope to have shown that we are appropriately functioning under our conditional use permit and under the approval of our association. Please contact me if you have any further questions at (Bereanpk@gmail.com)

Sincerely,

Peter Kim

Senior Pastor

Berean Community Church

SJH Airway LLC
3184 K Airway Avenue
Costa Mesa, CA 92626

February 8, 2016

Costa Mesa Planning Commission
77 Fair Drive
Costa Mesa, CA 92626

Re: Proposed Conditional Use request for 3184 J, Airway Avenue, Costa Mesa

To Whom It May Concern:

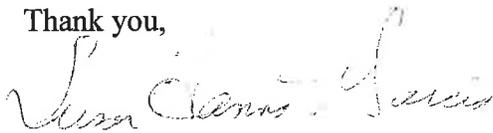
I am the owner of the property immediately adjacent to 3184 J and am very concerned about the impact another religious entity will have on not only my long term tenant, Howard Building Corporation, but also on the fair market value of my property if two religious entities are allowed within the same business campus complex.

You may not be aware that the Berean Community Church owns the property at 3184 A and also leases a portion of 3184 B, both directly across from my parcel. It is my firm belief that one religious group is all that should be allowed at the 3184 location. With two in residence, these groups would be competing for parking spaces leaving it that much more difficult for the remaining businesses to locate convenient parking.

Further, I do not believe that I received proper notification of this pending entitlement request.

Please seriously consider denying this request.

Thank you,



Susan Hanna Garcia
SJH Airway LLC

February 8, 2016

Costa Mesa Planning Commission
77 Fair Drive
Costa Mesa, CA 92626

Re: Conditional Use request for 3184 J Airway Avenue, Costa Mesa, CA

To Whom It May Concern:

I am an owner of 3184 L and a tenant of 3184 K. I am writing to inform you that I strongly object to having a second religious organization sharing the several buildings comprising the 3184 campus.

To have two churches competing for limited parking spaces makes no sense. While the Request for Use may indicate that they will have excess parking needs only on Sundays and other special holidays, the City of Costa Mesa has already granted such Conditional Use to our neighbor directly across from our building entrances, the Berean Community Church. To issue a second Conditional Use will no doubt prove to be a burden to my company and our employees. HBC typically has from a half dozen to a dozen employees spending some hours at our office on Saturdays and Sundays. While we can work in cooperation with one organization, it would certainly be much more difficult with a second religious entity adjacent to us.

Additionally, if this second request is granted, who is going to monitor their abiding by the mandates of the permit? I am not confident that the city will monitor this. No, once this Conditional Use is granted, there is no turning back.

Please do not approve this use.

Thank you,



Mike Howard
Howard Building Corporation
CHM, LLC

-155-



February 8, 2016

Costa Mesa Planning Commission

RE: CUP Application for 3184-J Airway Avenue, Costa Mesa

Dear Planning Commissioners:

I own and occupy 3199-E Airport Loop Drive and have for the past 3 years. During this time, I have been watching the influx of religious organizations within the Koll Irvine Development. The latest request for a minor CUP at 3184-J caught my attention as I work in my office on many weekends, including Sundays. Yesterday, while driving into my office a little before noon, I took the pictures I attached to this letter.

I was surprised how many parking spaces were occupied by the members and visitors of the Berean Community Church. The parking areas surrounding the 3184 block of buildings A-L were completely full. In addition, many cars were parked on the street (both sides) in front of 3184-A Airway (Berean Community Church). Further, the lots across the street were heavily parked with churchgoers (surrounding 3183-A-G). I did not count the cars but would estimate approximately 200 plus cars parked all around the property, with no spaces available anywhere in the 3184 block.

If the City of Costa Mesa approves another religious use in such close proximity to the Berean Community Church, each group will compete for the same non-existent parking spaces; the situation could become very contentious between quite disparate religious groups.

All of the religious uses tend to underestimate their actual parking use as well as the hours of operations, who will monitor the violations? What are the remedies and who prescribes and enforces them?

I witness the Mosque (3194-B Airport Loop Drive) across the street from my building just inundate the parking along the street and parking lots many times a week during business hours creating unsafe conditions with many pedestrians crossing Airport Loop Drive.

Please re-consider granting 3184-J Airway the CUP, as it will conflict greatly with 3184-A Airway. Thank you.

Respectively Submitted,

A handwritten signature in blue ink, appearing to read "Kim Josephson".

Kim Josephson
Real Tech

-156-



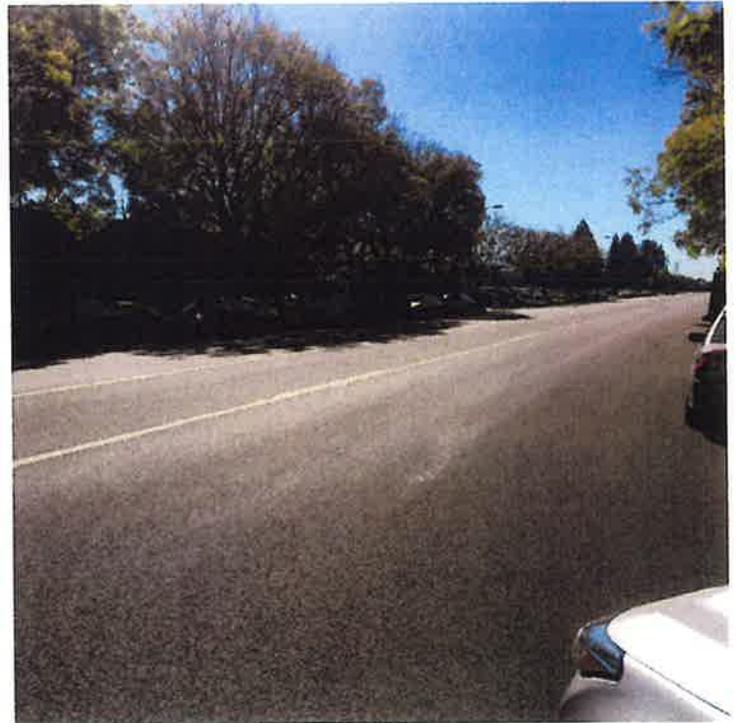
**Front of 3183-B
Across the street from 3184-A
(Berean Community Church)**



**Front of 3183-A, B, & C
Across the street for 3184**



**Inside parking area looking southeast
Outside of 3183-G (across the street)**



**Street view looking south on Airway
from in front of 3193-A Airway (across the street)**



Looking east in front of 3184-A (Berean Community Church) toward Airport (no parking spaces available)



Looking south between 3184-J and 3184-G



**Rear of 3184-F looking north
(Airport is on the right)**



**Rear of 3184-G looking south
(Airport of the left)**



**Parking in front/side of 3184-J
(no empty spaces)**



**Parking Lot looking south in front of 3184-L
(along Airway)**



**Behind 3183-G looking west
(across the street from 3184-A
Berean Community Church)**



**Parking Lot across the street from 3184-A
(Berean Community Church)**



**Street in front of 3184-A
(Berean Community Church)**



COLGAN, JULIE

From: mark Lim <emailmarklim@gmail.com>
Sent: Tuesday, December 08, 2015 8:37 AM
To: PLANNING COMMISSION
Subject: Fwd: Ref: Public Notice of CUP Application ZA-15-38

Ref: Public Notice of CUP Application ZA-15-38

3184 Airway Ave. Bldg J. Costa Mesa, CA 92626

Applicant : Salim Rahemtulla.

Dear Sir or Madam:

We are writing to indicate that we will have conflicting hours of operation with the proposed use by the religious education and cultural assembly in 3184 Airway Ave Bldg J. This building is in very close proximity and we foresee conflicting parking issues.

There will be parking issues during the proposed hours of operation. Our church has evening services on Wednesday – Friday evenings from 7:00pm – 9:30pm. Week night services consist of roughly 100 members. We also have weekly Sunday services from 9:00am to 1pm. Sunday services can hold roughly 400 attendees. Through the year, we also have Saturday events as well. We would overlap in the majority of their proposed hours of operation.

Furthermore, we do see that the OCC Company located in Building C has frequent evening events that take up a lot of parking.

Best Regards,

-162-

Mark Lim | Associate Pastor

Berean Community Church

3184 Airway Ave Bldg B

Costa Mesa, CA 92626

949-231-8323

Law Offices of Philip Y Kim, APC
A PROFESSIONAL LAW CORPORATION

December 8, 2015

Via Email Only: planningcommission@costamesaca.gov

City of Costa Mesa, Planning Division
City Hall
77 Fair Drive
Costa Mesa, CA

OBJECTION TO MINOR CONDITIONAL USE PERMIT

Re: 3184 Airway Ave., Suite J, Costa Mesa, CA ("Subject Premises")
Application No.: ZA-15-38
Applicant: Salim Rahemtulla

To whom it may concern:

I represent Berean Community Church ("Berean") regarding the above-referenced matter. Berean is located at 3184 Airway Ave, Suite A and B, Costa Mesa, CA, in the same business park as the applicant. The description of the notice states: "*A minor conditional use permit for a deviation from shared parking requirements due to off-set hours of operation for a religious education and cultural assembly use...*" Additionally, the notice states that the project is categorically exempt under Section 15301 of the State CEQA Guidelines, which in turn states: "The operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination." In commenting on this provision, the State of California opined, "The key consideration is whether the project involves negligible or no expansion of an existing use." Furthermore, the current use is not within the list of "existing facilities" enumerated under Section 15301.

As I understand it, the Subject Premises is going from a standard office use of the facility to a religious use. My client believes that the Applicant will significantly and adversely impact the current parking situation with respect to my client and also the other tenants of the business park. The use contemplated does not fit the definition under Section 15301. At a minimum, a parking study should be conducted to analyze the impacts to neighboring businesses such as Berean. If there are significant impacts, which my client believes there will be, then we request that the hearing officer impose certain mitigation measures to minimize any impacts to my client.

Thank you for your anticipated cooperation in matter. I can be reached at the number listed below.

Sincerely,



Philip Y. Kim



Via Certified and First Class Mail

November 30, 2015

REC'D DEC 02

Ms. Willa Bouwens-Killeen, AICP
Zoning Administrator
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628-1200

**RE: MINOR CONDITIONAL USE PERMIT-APPLICATION ZA-15-38
3184J AIRWAY AVENUE
KOLL IRVINE COMMUNITY ASSOCIATION
COSTA MESA, CALIFORNIA**

Dear Ms. Bouwens-Killeen:

The Koll Irvine Community Association Board of Directors has requested that I contact you regarding the application for Minor Conditional Use Permit #ZA-15-38 for 3184J Airway Avenue in the Koll Irvine Community Association in Costa Mesa.

Based upon prior experience, the Board of Directors is very concerned for existing businesses within the business park related to the anticipated impact upon parking with this type of use. The Board is respectfully requesting the Planning Commission to conduct a study of the possible impact on traffic and parking of the neighboring businesses in the Koll Irvine Community Association prior to approving any such use now or in the future.

We appreciate your immediate attention to this matter. Should you have any questions, please feel free to contact me at 714-433-7300 Ext 213 or by Email at dhasan@pacificwest.cc

Sincerely,

**Pacific West
Asset Management Corporation**

A handwritten signature in black ink, appearing to read "D. Hasan", written over a horizontal line.

David Hasan
Property Manager

Enclosures

-165-

Mailing Address ◀ P.O. Box 19068 ▶ Irvine, California 92623-9068

3191-D Airport Loop ▶ Costa Mesa, California 92626-3404 ▶ 714.433.7300 F. 714.433.7330