

RESOLUTION NO. PC-94-85

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING IN PART PLANNING ACTION PA-94-54.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Elaina Michelle Coyne, authorized agent for David Victor Donovan, with respect to real property located at 1957 Newport Boulevard, requesting a Conditional Use Permit for outdoor storage of containers to be used as a public storage facility, and a Variance from street side landscape setback requirements and wall height requirements in the C2 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 24, 1994.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** the Conditional Use Permit and **DENIES** the Variance from street side landscaping setback requirements and wall height requirement for Planning Action PA-94-54 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon operation of the business or activity in the manner described in the Staff report for Planning Action PA-94-54 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the Conditions of Approval, then this Resolution, and any approvals herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 24th day of October, 1994.


Chairman, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-347 in that the proposed mini storage facility is substantially compatible with developments in the same general area; granting the Conditional Use Permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity in that the use will not generate any noise, the property will be adequately screened, and asphalt paving will be provided even though the use is a temporary one. Granting the Conditional Use Permit will not allow a use, density or intensity which is not in accordance with the General Plan designation for the property.
- B. The information presented does not substantially comply with Costa Mesa Municipal Code Section 13-346 in that no special circumstances applicable to the property exist to justify granting the Variance from street side landscape and wall height requirements. Strict application of the Zoning Ordinance would not deprive the property owner of privileges enjoyed by owners of other property in the vicinity under identical zoning classification. Specifically, there are no physical lot limitations to prevent provision of required street side landscaping requirements. The landscaping, in Staff's opinion, will improve the appearance of the property and soften the visual impact of an 8-foot wall. In addition, providing Code required landscaping will eliminate the need for the Variance from fence height requirements. Although Staff would like to see an 8-foot high wall constructed to screen the storage containers on the property, the wall should be placed outside of the setback area. Providing a 6-foot high wall is inadequate because it does not screen the storage containers, and there is insufficient justification to allow an 8-foot wall at the location proposed by the applicant.
- C. 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.
- D. The project, as conditioned, is consistent with Article 22 1/2, Transportation System Management of Title 13, of the Costa Mesa Municipal Code in the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng.1. An 8-foot high masonry or wood stucco wall shall be constructed at the required setback line along Newport Boulevard and the Ford Road frontages of the property, and 8-foot high masonry block wall along the property's rear lot line adjacent to the alley.
2. Bricks designed for vehicular traffic or P.C.C. paving shall be provided for a depth of 20 feet behind the property line at the two driveways at the entrances to the site.
3. Approval of the Planning Commission action is valid for one year and will expire at the end of that period unless building permits are obtained or the applicant applies for and is granted an extension of time.
4. A 10' x 60' or 20' X 60' trailer shall be erected within 90 days of the placement of the storage containers.
5. Storage containers shall not be stacked nor placed in areas that would impede on-site circulation
6. All storage shall fit into the containers. There shall be no storage outside of the containers nor anywhere else on the property.
7. No container shall project above the 8-foot high fence.
8. The two parking spaces adjacent to the manager's quarters shall be covered spaces. Two additional open parking spaces shall be required and located under the direction of Planning Staff. Required covered parking spaces shall be paved with P.C.C. Open parking spaces shall be paved with P.C.C. or asphalt.
9. Material for gates shall be opaque and not constructed of chain link or solid wood and shall be installed under the direction of the Planning Division Staff.
10. The required landscaping, screen wall, public improvements and on-site improvements shall be completed prior to the placement of the containers.
11. The rear solid block wall shall not encroach into the ultimate right-of-way for the alley.

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.

- Plng. 1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final occupancy and utility releases will not be granted, and final inspections will not be granted until all such licenses have been obtained.

2. Parking stalls shall be double-striped in accordance with City standards.
3. All on-site utility services (Edison and Telephone) shall be installed underground or provisions made for future undergrounding, if it is impractical at this time.
4. Developer is hereby advised that all utilities such as gas meters, electrical meters, telephone pedestal-mounted terminal boxes, surface-mounted electrical transformers, fire hydrants, or any other potential obstructions, shall not be located within the approved parking and/or turn-radius area. If approved by the Planning Division, said facilities may be installed underground in a vault having an approved traffic lid. All such facilities located above-ground shall meet with the approval of the Planning Division and serving utility.
5. Two (2) sets of detailed landscape/irrigation plans per the requirements set forth in Costa Mesa Municipal Code Sections 13-263 through 13-266, shall be submitted for review and approval by the Planning Division prior to issuance of any building permits. The two approved sets shall be attached to the two final building plan sets. Drought resistant vegetation together with a water conserving irrigation system shall be utilized. Landscaping shall be installed in accordance with the approved plan prior to release of utilities.
6. All landscaped areas shall be separated from paved vehicular areas by 6" high continuous Portland cement concrete curbing.
7. Permits shall be obtained for all signs, including banners and other special event signing, according to the provisions of the Costa Mesa Sign Ordinance.
- Comm. 8. Street trees in the front setback shall meet with Svs. the approval of the Community Services Department. Street trees shall be Pyrus Calleryana Aristocrat, 15-gallon minimum size, spaced at 30' on center.
- Bldg. 9. Comply with the requirements of the Uniform Building Code as to design and construction.
- Eng. 10. At the time of development submit for approval an Off-site Plan to the Engineering Division and Grading Plan to the Building Department that shows Sewer, Water, Existing Parkway Improvements and the limits of work on the site, and hydrology calculations, both prepared by a Civil Engineer or Architect. Site Access approval must be obtained prior to Building or Engineering Permits being issued by City of Costa Mesa. Pay Offsite Plan Check fee. An approved Offsite Plan shall be required prior to Engineering/Utility Permits being issued by the City of Costa Mesa.
11. A Site Access permit and deposit of \$500.00 will be required by the City of Costa Mesa, Engineering Division, prior to the start of any on- or off-site work, which may

- be necessary during construction for street sweeping.
12. Maintain the public right-of-way in a "wet-down" condition to the degree necessary to prevent excessive dust and periodically remove any spillage from the public right-of-way by sweeping or sprinkling.
 13. Haul routes must be approved by City of Costa Mesa, Engineering Division, prior to approval of the Site Access Permit.
 14. Submit required cash deposit to guarantee construction of offsite street improvements at time of permit. Cash deposit to be determined by City Engineer.
 15. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. Commercial sidewalk per City of Costa Mesa Standards as shown on the Offsite Plan, including four (4) feet clear around obstructions in the sidewalk.
 16. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approach per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager.
 17. Per requirements of Real Property, City of Costa Mesa, Engineering Division, submit legal description for a new area of dedication, plat of new dedication area, both prepared by a Civil Engineer, and Title Report Update of Subject Property.
 18. Private on-site drainage facilities and parkway culverts or drains will not be maintained by the City of Costa Mesa; they shall be maintained by the owner or developer of the property. Private lateral connections to City storm drains will require a Hold Harmless Agreement prior to issuance of permit.
 - Tran.19. Fulfill mitigation of off-site traffic impacts at the time of issuance of Building Permit by submitting to the Planning Division the required Traffic Impact Fee pursuant to the prevailing schedule of charges adopted by the City Council. The Traffic Impact Fee is calculated based upon the average daily trip generation rate of .28/13.72 trip ends per storage unit/office space for the proposed mini storage/office use and includes a credit for any existing use. At the current rate of \$228 per trip end the Traffic Impact Fee is estimated as \$6,881.04.
 20. Construct commercial driveway approach(es) at location(s) specified on submitted site plan.
 21. Submit Development Plan to the Transportation Services Manager for review and approval of driveway approaches and internal circulation prior to issuance of building permits.
 - Fire 22. Provide fire extinguishers with a minimum rating of 2A to be located within 75 feet of travel distance from all areas. Extinguishers may be of a type rated 2A, 10BC as these extinguishers are suitable for all types of fires and are less expensive.

23. Provide address numerals which conform to Fire Department standards with respect to size 12" and location.
24. Provide pedestrian gate in fence beyond parking area but near lease area building.

PLANNING DIVISION STAFF REPORT

AGENDA NO. 7.c.

SITE LOCATION 1957 Newport Boulevard

APPLICATION NO. PA-94-54

AP # 419-211-05

MANDATORY ACTION DATE Feb. 24, 1995

APPLICANT David Victor Donovan
(Owner of Record)

AUTHORIZED AGENT Elaina M. Coyne

ADDRESS 1300 Adams Ave., Bldg. 15G
Costa Mesa, CA 92626

ADDRESS 4885 Paseo de Vega
Irvine, CA 92715

Applicant is reminded that all ordinances and regulations governing the use of the land or building(s) to which this application pertains must be complied with whether specified herein or not.

PREPARED BY Gabriel Elliott
Associate Planner *GE*

DATE PREPARED September 22, 1994

LAST UPDATE October 20, 1994

REQUEST:

Conditional Use Permit for outdoor storage of containers to be used as a public storage facility, and a Variance from street side landscape setback requirements (15 feet required; 7 feet proposed), and wall height requirements (6 feet allowed; 8 feet proposed).

STAFF RECOMMENDATION:

Approve Conditional Use Permit, subject to conditions. Deny Variances from street side landscape setback requirements and fence height requirements.

FINAL COMMISSION ACTION: October 24, 1994

Approved Conditional Use Permit and denied Variances by adoption of Planning Commission Resolution PC-94-85, based on analysis and information contained in the Planning Division Staff report and findings contained in Exhibit "A", subject to conditions listed in Exhibit "B" with deletion of Condition #19 and the modifications and additions listed in the Exhibits.

(3-0, Ms. Dixon and Mr. Palme absent)

APPLICANT NOTIFIED ns DATE October 27, 1994

CITY OF COSTA MESA, 77 FAIR DRIVE, COSTA MESA, CA 92628-1200 (714) 754-5245



PLANNING ACTION SUMMARY - COMMERCIAL/INDUSTRIAL

Location: 1957 Newport Blvd. Application: PA-94-54

Request: Conditional Use Permit for outdoor storage of containers to be used as a public storage facility, and a Variance from street side landscape setback requirements.

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: C2
 General Plan: General Commercial
 Lot Dimensions: Irregular
 Lot Area: 30,600 sq. ft.
 Existing Development: Vacant

North: C2/acr. Ford/RV storg.
 South: C2/57-unit motel
 East: Newport Boulevard
 West: R2/Multi-family/Resid.

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Code Requirement</u>	<u>Proposed/Provided</u>
Lot Size		
Lot Width	<u>60 ft.</u>	<u>96 ft.</u>
Lot Area	<u>12,000 sq. ft.</u>	<u>30,600 sq. ft.</u>
Floor Area Ratio (.40 Traffic FAR)	<u>12,840 sq. ft.</u>	<u>10,840 sq. ft.*</u>
Building Height	<u>2 stories/30 ft.</u>	<u>1 story/10 ft</u>
Interior Landscaping	<u>175 sq. ft.</u>	<u>None</u>
Setbacks		
Front	<u>20 ft.</u>	<u>20 ft.</u>
Side (left/right)	<u>0 ft. / 15 ft.</u>	<u>4 ft. / 7 ft.</u>
Rear	<u>0 ft.</u>	<u>0 ft.</u>
Parking		
Standard Size	<u>3</u>	<u>2</u>
Compact	<u>1</u>	<u>0</u>
Handicapped	<u>1</u>	<u>0</u>
TOTAL	<u>4</u>	<u>2</u>
Driveway Width	<u>26 ft.</u>	<u>Existing</u>

NA = Not Applicable or No Requirement

CEQA Status: Exempt
 Final Action: Planning Commission

*including 60 containers and trailer.

I. DESCRIPTION

A. Subject Property, Surrounding Property, Request

See Planning Action Summary.

B. Background

On March 9, 1987, the Planning Commission approved a Conditional Use Permit for the outdoor sale and display of flowers on the subject site that had an existing commercial building. The property was also being used as a storage/debris collection area for items such as gazebos, latticed panels, benches, tables, wood planks, decorative dowels, and miscellaneous discarded items.

The property was owned by Caltrans and recently auctioned to the highest bidder. It is currently vacant.

II. PROJECT DESCRIPTION

Contrary to the submitted building elevation for the proposed project indicating a two-story structure, the applicant has indicated that a one-story building will be constructed in conjunction with this approval. The applicant has also indicated to Staff that the concept of the storage containers is a temporary one (5-year period). Eventually, the containers will be replaced with a commercial building.

III. PLANNING STAFF ANALYSIS

The request consists of the placement of forty-eight 8' x 20' metal storage containers, a 10' x 60' trailer at the back of the property (adjacent to the alley) to be used as on-site residence for a caretaker, and a 1,200 sq. ft. office/lease building fronting Newport Boulevard. An eight-foot high block wall or PVC fence will be constructed along the Ford Street frontage of the property to screen the containers. The 11-foot high building fronting Newport Boulevard will serve as a screen along that frontage.

The Variance from street side landscape setback requirements (15 feet required; 7 feet proposed) stems from the fact that Code requires 15 feet of landscaping along the entire 360 feet Ford Road frontage. The applicant is proposing 15 feet of landscaping to the point of the driveway opening (approximately 205 feet), and 7 feet of landscaping from that point to the alley (approximately 115 feet). A Variance is also being sought to construct an 8-foot high perimeter

wall/fence within the 15-foot setback. Code allows for 6-foot high walls within the setback. A Variance is not needed for the portion of the wall that will be behind the setback line.

The applicant is justifying the landscape setback Variance by the need to provide adequate access from the alley for trailers depositing storage containers to the property. Providing the full 15 feet of landscaping along the Ford Road frontage from Newport Boulevard to the alley would affect maneuverability of the moving vans entering the property from the alley. The fence height Variance will not be necessary if the 15 feet of landscaping is provided along the entire Ford Road frontage because fences not within a setback area can achieve a height equal to that allowed in the zone (30 feet).

In assessing the merits of this project, aesthetics are a significant consideration. Staff feels that the project will not be detrimental to properties or other improvements in the vicinity because of the proposed landscaping and screening wall.

In addition to the 8-foot high fence or wall, Staff will ask for a paved driveway from the alley to the easterly edge of the Ford Road driveway and a solid opaque wall along the alley. Staff does not feel that the proposed use will generate noise or traffic nor adversely impact the nearby Redevelopment Project area.

Adequate parking (five spaces for the front building and two for the trailer) is provided per Code.

In granting a Variance, findings must be made that, due to special circumstances applicable to the property, strict application of the Zoning Code will deprive the property owner of privileges enjoyed by owners of the property in the vicinity under identical zoning classification. In this particular case, Staff finds that the fence height Variance is not necessary if the fence is not located within a setback area.

As for the landscape Variance, Staff draws attention to the curving shape of the lot as it approaches the alley. The need to provide truck access to the site necessitates providing an alley driveway close to the Ford Road/alley intersection for easy maneuverability of long wheel base vehicles. Providing the full 15 feet of landscaping all the way to the alley on Ford Road will create some difficulty for those vehicles.

Whatever the difficulty encountered is not unsurmountable. Relocating some of the containers will provide enough room for the landscaping and enough aisle width for access. The 10 foot X 60 foot trailer could also be moved back a foot (3 feet from property line in compliance with Uniform Building Code requirements). Staff would also consider tapering the width of the plants from ±7 feet to 15 feet at the alley to allow truck access from the alley.

IV. PLANNING STAFF RECOMMENDATION

Approve Conditional Use Permit, deny Variance from street side landscaped setback requirement, and withdraw Variance from fence height requirement by adoption of Planning Commission resolution, subject to Findings contained in Exhibit "A", and Conditions attached as Exhibit "B".

V. PLANNING COMMISSION MEETING OF SEPTEMBER 26 1994

The item was continued to the meeting of October 10, 1994, at the request of the applicant.

VI. PLANNING COMMISSION MEETING OF OCTOBER 10, 1994

At the request of the applicant, the item was continued to the meeting of October 24, 1994.

VII. PLANNING COMMISSION MEETING OF OCTOBER 24, 1994

The applicant submitted a plan modifying the original proposal. The following represents the new modifications:

1. The proposed office/lease building fronting Newport Boulevard has been eliminated and an 8-foot high, wood stucco fence is proposed to screen the containers.
2. An 8-foot high concrete block wall is proposed along the back property line adjacent to the alley.
3. The alley driveway as well as the single Ford Road driveway have been eliminated and replaced with the two existing 40-foot wide driveways along Ford Road.
4. The number of containers have been increased from 48 to 60. The arrangement of the containers has also been changed.
5. The 600 sq. ft. trailer has been relocated from its originally proposed location (adjacent to the alley) to about midlot adjacent to the south side property line.

6. A uniform 7-foot side landscaped area is being proposed along Ford Road rather than the original proposal of the required 15 feet of landscaping from front property line to midlot, and 7 feet thereafter.

The applicant claims that providing the 15 feet of landscaping along Ford Road represents a hardship and an excessive "taking" of his property, hence the Variance request to provide 7 feet of landscaping along that street frontage. He also claims that his lot is narrow and deep; the lot is about 96 feet wide and about 320 feet deep.

Per Section 13-210 of the Municipal Code, the minimum lot area for a C2 zoned property is 12,000 sq. ft., and the minimum lot width is 60 feet. The subject lot is wider and deeper than a typical C2 lot.

The 20-foot setback along Newport Boulevard and the 15-foot setback along Ford Road represent 22% of the lot area. In a typical 60-foot wide and 200-foot deep C2 lot, the required front and street side setbacks represent 33% of the lot size. The proposed 7-foot landscaped side setback and proposed front setback represent 15% of the lot area.

Staff does not see the special circumstances relating to this property to justify the Variance from street side landscaped setback requirements.

Per Section 13-853 of the Municipal Code, a minimum of two parking spaces is required for a storage facility in addition to two covered parking spaces adjacent to the manager's quarters. The resubmitted plans show two open parking spaces adjacent to the manager's quarters and no other parking spaces. As a Condition of Approval, the two parking spaces adjacent to the manager's office will be required to be covered, and two additional open parking spaces will be required.

Staff will require paving from the entrance driveway up to the length of the first row of containers.

VIII. PLANNING STAFF RECOMMENDATION

Approve Conditional Use Permit, deny Variances from street side landscaped setback requirement, and fence height requirement by adoption of Planning Commission resolution, subject to Findings contained in Exhibit "A", and Conditions attached as Exhibit "B".

CITY OF COSTA MESA
77 Fair Drive
Costa Mesa, California 92626
(714) 754-5245

PROJECT DESCRIPTION/JUSTIFICATION

1. Project Location: 1957 Newport Blvd., Costa Mesa, California 92627
2. Describe Project and Request(s) This project consists of a containerized mini-storage business with approximately 50 units (10' x 20') for the storage of personal household goods in compliance with Sec. 13-853 and Sec. 13-854 of Code. The project shall include one (1) mobile home (10' x 60') to be used as a living site of the resident manager in compliance with Sec. 13-855 of Code and one building (20' x 60') as illustrated on blue print with parking in compliance with Title 24 ADA.
3. If application is for Conditional Use Permit(s) or Minor Conditional Use Permit(s), answer the following: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties within the same area.
The containerized mini-storage units for this project are substantially compatible with Sec. 13-851 definition of mini-warehouses and have exterior finish. These units are portable but not wheeled. They will not be materially detrimental to the neighborhood since the neighboring property has storage for recreational vehicles, boats, and other wheeled storage. This project is similar to one approved by the City of Costa Mesa for Instant RV & Mini-storage at 1100 Bristol Street, Costa Mesa, Ca.
If application is for Variance(s) or Administrative Adjustment(s), answer the following: Describe the property's special circumstances, including size, shape, topography, location or surroundings, that justify the Variance or Administrative Adjustment request in that strict application of the Zoning Ordinance deprives the property of privileges enjoyed by others in the vicinity under identical zoning classification.
Variance #1: To construct an eight (8) foot decorative block or PVC fence rather than six (6) foot wall specified in Sec. 13-853. This will require additional expense, but will enhance the aesthetic appearance of the property. Variance #2: Due to lot radius at bottom of Ford Rd., (at alley entrance), the property is narrowed to the point that access by moving vans is restricted. Because there is no property access from Newport Blvd., entrance and exit is planned on Ford Rd. This requires a 172 foot drive in place of 15 foot landscape set-back from the 40' foot rolling gate to the alley.