



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 12, 2004

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-03-48
345 FISCHER AVENUE**

DATE: DECEMBER 31, 2003

**FOR FURTHER INFORMATION CONTACT: MEL LEE, ASSOCIATE PLANNER
(714) 754-5611**

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit to establish a church within an existing 34,992 square foot industrial building and to allow off-site overflow parking at 300 Fischer Avenue (Mariner's Christian School).

APPLICANT

The applicant is Tony Petros, representing the property owner, Todd Schiffman.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

MEL LEE
Associate Planner

PERRY L. VALANTINE
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 345 Fischer Avenue Application: PA-03-48

Request: Conditional use permit to establish a church within an existing 34,992 square foot industrial building and to allow off-site overflow parking at 300 Fischer Avenue (Mariner's Christian School).

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: <u>MP</u>	North: <u>Surrounding properties are zoned industrial</u>
General Plan: <u>Industrial Park</u>	South: <u>and contain various industrial uses.</u>
Lot Dimensions: <u>Irregular</u>	East: _____
Lot Area: <u>1.97 Acres</u>	West: _____
Existing Dev.: <u>Industrial Building (Vacant)</u>	

DEVELOPMENT STANDARD COMPARISON (EXISTING BUILDING)

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
Lot Size:		
Lot Width	120 FT	220 FT
Lot Area	30,000 SF	85,813 SF
Floor Area Ratio:		
(Low Traffic FAR)	34,377 SF	34,992 SF*
Parking (On-Site):		
Standard	247	74
Handicapped	7	6
Parking (Off-Site):		
Standard	NA	208
Handicapped	NA	4
TOTAL:	254 Spaces**	292 Spaces

*The property is legal nonconforming
 **The parking requirement is based on the size of the sanctuary (8,873 square feet) because the seating is not fixed. See staff report discussion for additional information.

CEQA Status:	Exempt (Class 1)
Final Action:	Planning Commission

BACKGROUND

Rock Harbor Church currently meets at the Costa Mesa Senior Center. On January 28, 2000, Planning Commission approved Conditional Use Permit PA-99-50 to allow the church to conduct services from a temporary facility at 1718 Monrovia Avenue, however, that CUP was never implemented.

DISCUSSION

The industrial building on the property was utilized for a hose manufacturing business. The applicant is proposing to modify the existing building to accommodate the church. The interior building modifications are described below:

- A 6,990 square foot main sanctuary with a smaller 1,883 square foot multi-purpose "overflow" meeting room;
- Approximately 6,700 square feet of classrooms and ancillary meeting rooms; and
- Approximately 3,047 square feet of offices.

The remainder of the building area is corridors, restrooms, storage, entry and sitting areas. A 600 square foot outdoor play area on the west (right side) of the building is also proposed. No changes to the exterior of the building are proposed. The activities proposed by the church are summarized in the following table:

Activity	Days/Times		Available Parking	No. of Participants
	Weekdays	Weekends		
Church Office	8:00 a.m.-4:00 p.m.	NA	80	25
Church Services	NA	7:00 p.m. (Sat.) 9:00 a.m.-7:00 p.m. (Sun.)	292	500 (Sat.) 900 (Sun.)
Support Groups	7:00 p.m.-9:00 p.m. (Mon.)	NA	80	40
Young Married Group	7:00 p.m.-9:00 p.m. (Tue.)	NA	80	20
Men's Prayer Group	6:30 a.m.-7:30 a.m. (Wed.)	NA	80	20
Youth Bible Study	6:30 p.m.-8:30 p.m. (Thur.)	NA	80	30
Worship Band Practice	NA	9:00 a.m.-1:00 p.m. (Sat.)	80	10
Musicians Gathering	7:00 p.m.-10:00 p.m. (Fri. -once a month)	NA	80	40
The Call Experience	NA	5:00 p.m.-6:30 p.m. (Sat.-Quarterly)	292	300
Women's Event	NA	7:00 p.m.-9:03 p.m. (Sat.-Quarterly)	292	300
Youth Garage Sale	NA	8:00 a.m.-3:00 p.m. (Sat.-Annually)	292	100
Easter Service	NA	4:00 p.m.-10:00 p.m. (Sun.-Annually)	292	900
Christmas Eve Service	4:00 p.m.-10:00 p.m. Annually (If Christ. Eve is on a Weekday)	4:00 p.m.-10:00 p.m. Annually (If Christ. Eve is on a Weekend)	292	900

NA = Not Applicable or no requirement

File Name: 011204PA0348

Date: 12/30/03

Time: 12:45 p.m.

c: Deputy City Manager - Dev. Svcs. Director
Sr. Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Tony Petros
20 Executive Park, Suite 200
Irvine, CA 92614

Todd Schiffman
9229 Sunset Boulevard, Suite 602
Los Angeles, CA 90069

RESOLUTION NO. PC-04-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-03-48**

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

WHEREAS, an application was filed by Tony Petros, representing the property owner, Todd Schiffman, owner of real property located at 345 Fischer Avenue, requesting approval of a conditional use permit to establish a church within an existing 34,992 square foot industrial building and to allow off-site overflow parking at 300 Fischer Avenue (Mariner's Christian School); and,

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 12, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," and subject to the conditions of approval contained within Exhibit "B," the Planning Commission hereby **APPROVES** Planning Application PA-03-48 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 the activity as described in the staff report for PA-03-48 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 12th day of January, 2004.

Chair, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use, as conditioned, 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. Specifically, adverse impacts on neighboring properties are not anticipated because the services are conducted when surrounding uses do not operate (i.e., Saturdays and Sundays). There are no residential properties in the vicinity that would be impacted by the church services. The recommended conditions of approval will ensure that the operation will not be disruptive to adjacent uses or properties. 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 proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
- a. The proposed 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 proposed use 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.
- 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 is exempt from Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng. 1. The 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. The 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.
2. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
3. The use shall be conducted as described in the Planning Commission Agenda Report dated December 31, 2003, and the conditions of approval described herein. Any proposed operational change that increases or intensifies the approved use shall require approval of an amendment to this conditional use permit by the Planning Commission.
4. The conditions of approval and ordinance or code provisions of Planning Application PA-03-48 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
5. The use shall be conducted, at all times, in a manner to allow the quiet enjoyment of the surrounding neighborhood. The applicant shall institute whatever operational measures are necessary to comply with this requirement.
6. If parking shortages or other parking-related problems arise, the applicant shall institute whatever operational measures necessary to minimize or eliminate the problem, including, but not limited to, reducing the number of services.
7. Applicant shall defend, indemnify and hold harmless the City, its officials, and employees, against all damages, claims and legal actions for property damage or injuries to or death of any person(s), including attorney fees and costs, arising from, or caused by, person(s) crossing the street to and from Rock Harbor Church at 345 Fischer Avenue to the off-site parking at Mariner's Christian School at 300 Fischer Avenue for such damages as the City may be adjudged to be liable, excepting for active negligence of the City or for matters within the sole control of the City unconnected with the applicant's activities. City shall have the right to select its own defense attorney, if it elects

to do so.

8. An indemnity agreement executed by the applicant and approved by the Risk Manager's office shall be provided to the City prior to initiation of the off-site parking. Applicant shall provide the City with proof of general liability insurance with \$1 million limits and including endorsements concerning "additional named insured", "Advance notice", and "primary coverage" as approved by the Risk Manager's office, prior to initiation of the off-site parking.
9. The applicant shall provide a copy of the parking easement agreement between the applicant and Mariner's Christian School to the City. The applicant shall provide shuttle service between Rock Harbor Church and Mariner's Christian School in addition to pedestrian access. No off-site parking shall be permitted west of Red Hill Avenue to avoid pedestrian crossings at Red Hill Avenue.
10. Complaints regarding violation of any of the above operating conditions and restrictions shall be immediately remedied by the applicant.
11. The outdoor play area shall incorporate a barrier with a minimum height of 42 inches (i.e., steel reinforced bollards, reinforced block walls, etc.) to enclose the play area for adequate protection from vehicular traffic. Any other type of barrier which may provide adequate protection shall be subject to review and approval by the Planning Division.
- Eng. 12. During construction, maintain the public right-of-way in a "wet down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.
13. Remove sign from public right-of-way on Fischer Avenue.

PLANNING DIVISION - CITY OF COVINA MESA

DESCRIPTION/JUSTIFICATION

Application #: PA-03-48
Address: 345 Fischer Avenue

Environmental Determination: EXEMPT

1. Fully describe your request:

See attached Project Description

2. Justification

A. For a Conditional Use Permit or Minor Conditional Use Permit: 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 in the same area.

See attached Project Description

B. For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

No variance or administrative adjustment is being requested

3. This project is: (check where appropriate)

In a flood zone.

Subject to future street widening.

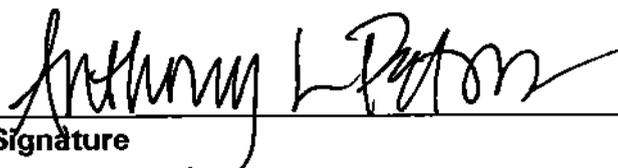
In the Redevelopment Area.

In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

Is not included in the publication indicated above.

Is included in the publication indicated above.



Signature



Date

Mr. Perry Valentine
Development Services Department
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

Dear Mr. Valentine:

Re: 345 Fischer Avenue, Costa Mesa CA 92626

For the past five years ROCKharbor has been searching for a permanent home. We believe our search has led us to a facility that best fits our needs as a community-based organization. This building is the current Flexible Metal Hose building at 345 Fischer Avenue, just off the corner of Fischer Avenue and Airway Avenue. Currently the building is 36,000 sq. ft. There is no cross access or reciprocal access from any adjacent property.

In exploring this property and its compatibility with ROCKharbor's needs, we have recognized some needed changes and are requesting a Conditional Use Permit (CUP) from the City of Costa Mesa. Upon the approval of a CUP, ROCKharbor will enter into an agreement to lease the 345 Fischer building from Todd Shiffman, the owner of the building. It is anticipated that there will be cosmetic improvements to the exterior of the building: signage and identity will change to reflect usage as well as code. Landscape changes may be made based on need with the intention of meeting today's standard set by the City of Costa Mesa as well as current code. No changes will be made to the exterior structure or to any of the three points of property egress. ROCKharbor believes this building is ideal for us, as well as the City of Costa Mesa, based on the project/church usage. ROCKharbor's Sunday congregation occupancy will not be experienced during normal business hours, which will increase our compatibility with the surrounding businesses. In addition, our proposed use of this facility will alleviate much of the litter and other nuisances of a concert hall. The fact that the area does not have any residential housing nearby is another positive in the area of community coexistence and compatibility. The project as a church can be parked to the City code on site; however, a reciprocal parking agreement will be entered into with 300 Fischer Avenue, the Mariners Christian School to further enhance the parking supply. This agreement, already approved by the school Board of Directors, will more than satisfy the requirements set by seating and the current occupancy code.

ROCKharbor anticipates that the bulk (approximately 80%) of all usage will be on Sundays from approximately 8:00 a.m. to 10:00 p.m. Our planned use of this building as a sanctuary will be well within the current code and will have about 7,000 sq. ft. total for approximately 999 seats. We propose that classroom space will be set aside for children (ages birth through 12 years). We will not use any of this space to assemble adults, so it will not affect the number needed for parking ratios set by the current code. We anticipate that smaller "volunteer team meetings" will happen Monday through Saturday evenings, normally ranging from 10 to 50 people. These team meetings will not start until the church office is closed and will not require any additional parking. We anticipate that church office hours will be Monday through Friday and include approximately 30 employees whose schedules will range from 9:00 a.m.-5:00 p.m. to 12:00-8 p.m.; again, no additional parking will be required. None of the above mentioned usages affect the proposed emergency access or negatively affect handicapped accessibility. Please see the attached sheets for a detailed usage and schedule proposal.

In conclusion, we are excited that our five-year search has led us to this end. We look forward to continuing as a contributing member of the Costa Mesa community.

Sincerely,



Tony Petros

Attachment

Planned Usage of Building for **ROCKharbor** Church P A - 0 3 - 4 8

DAY	TIME	PURPOSE	NUMBER OF PEOPLE
Weekly Events			
Weekdays	8am-4pm	Church Office	25
Saturday	7pm	Church services	500
Sunday	9am-7pm	Church services	900
Monday	7pm-9pm	Support Groups	40
Tuesday	7pm-9pm	Young married Group	20
Wednesday	6am-7:30am	Men's Prayer Group	20
Thursday	6:30pm-8:30pm	Youth Bible Study	30
Saturday	9am-1pm	Worship Band Practice	10
Monthly Events			
Last Friday of Mo.	7pm-10pm	Musicians Gathering	40
Quarterly Events			
One Saturday a Qtr.	5pm-6:30pm	The Call experience	300
One Saturday a Qtr.	7pm-9pm	Women's Event	300
Yearly Events			
January	8am-3pm	Youth Garage Sale	100
April (Easter)	4pm-10pm	Easter Service	900 per service/5 services
December 24th	4pm-10pm	Christmas Eve Services	900 per service/5 services

Mariners Christian School

December 2, 2003

Mr. Mel Lee
Senior Planner
CITY OF COSTA MESA
77 Fair Drive
Costa Mesa, CA 92626

RE: ROCK HARBOR CHURCH - CUP APPLICATION NO. PA-03-48

Dear Mr. Lee,

Please be advised that the Board of Directors of Mariners Christian School has approved a request from Rock Harbor Church to allow the use of the parking area at Mariners Christian School located at 300 Fischer Avenue, Costa Mesa, CA for 200 parking spaces as set forth in the enclosed site plan. Rock Harbor Church and Mariners Christian School are currently finalizing a formal, recordable easement agreement. We will forward a copy of the final easement agreement to you for your review in the near future.

If you have any additional questions, please do not hesitate to contact me directly at (949) 752-1491 ext. 22.

Yours truly,



Glen Allen
Facilities Chair
MARINERS CHRISTIAN SCHOOL

CC: Mary Letterman, Headmaster, Mariners Christian School
Tony Petros, LSA Associates, Inc.

15

300 Fischer Avenue - Costa Mesa, CA 92626

LOCATION MAP

300 AND 345 FISCHER AVENUE



Legend

- Hydrology Channel
- Street Names
- Parcel Lines
- City Boundary
- Water Ways
- Ortho Photography
- Parcels

300 FISCHER
MARINER'S CHRISTIAN SCHOOL

345 FISCHER
ROCK HARBOR CHURCH



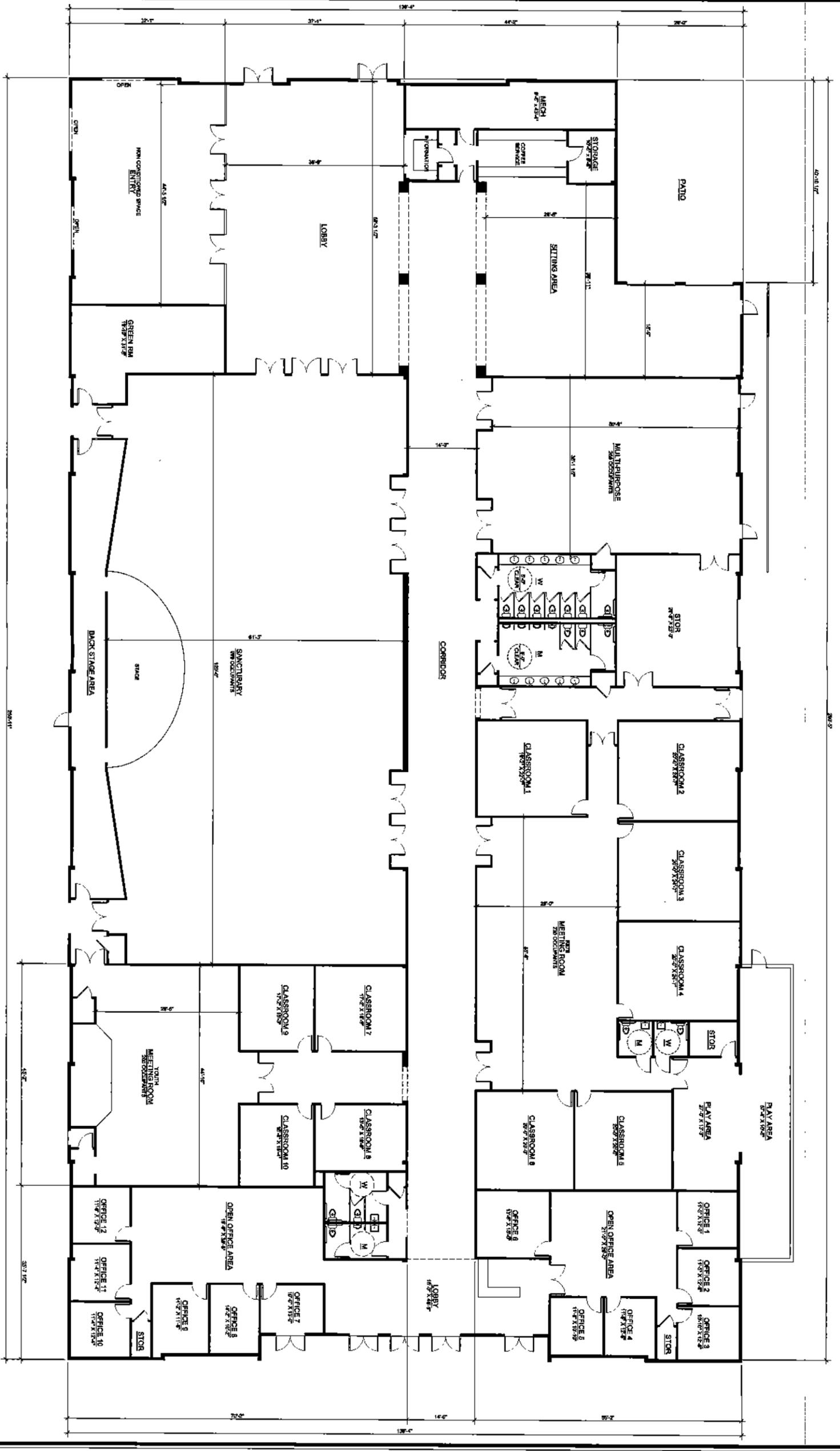
Contents of this map are copyright 2002, City of Costa Mesa, and may not be reproduced without prior writte

WARNING: This map does not meet national map accuracy standards and cannot be used for engineering pur

Printed: 12/12/2003 10:33:21 AM

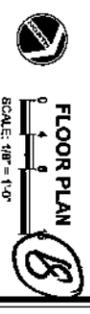
Powered By GeoSmart.net

16



FLOOR PLAN

PA-03-483

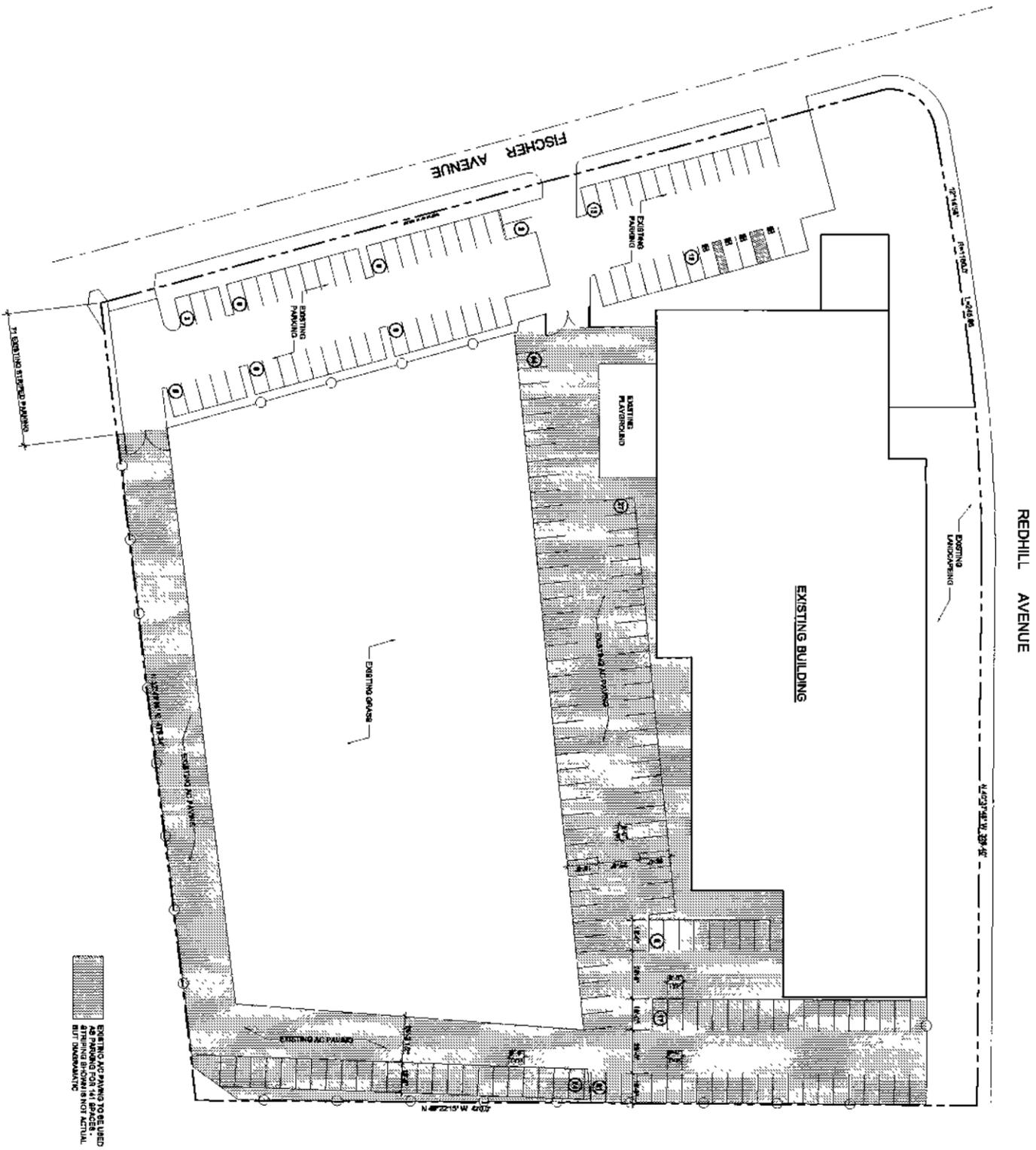


TENANT IMPROVEMENT FOR:
ROCK HARBOR CHURCH

345 FISCHER AVENUE
 COSTA MESA, CA

	MARY PHILLE ARCHITECTURE & INTERIOR DESIGN
	1033003 STATE OF CALIFORNIA LICENSED ARCHITECT

SITE PLAN REVIEW Issue Date: 10/30/03 Pld. No.: Scale: 1/8" = 1'-0" Drawn By: MHS Title: FLOOR PLAN	FLOOR PLAN A-2
---	--------------------------



EXISTING ASPHALT TO BE USED AS PAVING FOR 14 SPACES. BUT UNDERWRITE

MARINER'S
SITE PLAN
SCALE: 1" = 30'-0"

19

TENANT IMPROVEMENT FOR:
ROCK HARBOR CHURCH

345 FISCHER AVENUE
COSTA MESA, CA



MARS HILL
ARCHITECTURAL STUDIOS
12233
12233

Sheet No. A-112

Project No.	CUP
Subject	ROCK HARBOR CHURCH
Issue Date	12/23/03
Ref. No.	
Scale	AS NOTED
Drawn By	MHS
Title	MARINER'S SITE PLAN