



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: JULY 12, 2004

ITEM NUMBER:

SUBJECT: TENTATIVE PARCEL MAP PM-04-126  
240 AND 250 BRIGGS AVENUE, COSTA MESA

DATE: JULY 1, 2004

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

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## **DESCRIPTION**

The applicant proposes a one-lot airspace subdivision of an existing parcel for two industrial condominiums.

## **APPLICANT**

Robert Sundstrom is the authorized agent for the property owner, Patty Yuan.

## **RECOMMENDATION**

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

WENDY SHIH  
Associate Planner

PERRY L. VALANTINE  
Asst. Development Services Director

**BACKGROUND/DISCUSSION**

The subject site is developed with an approximately 17,000 sq. ft. industrial building and is occupied by two tenants. The property is zoned MP (industrial park) with a General Plan designation of "industrial park."

The applicant proposes a tentative parcel map for a one-lot airspace subdivision for two industrial condominiums. No physical changes to the property or existing building are proposed at this time. Since use and square footage of the building will remain the same, no parking impacts are anticipated. Approval of the map would allow each of the two tenant spaces to be sold separately.

Staff has included a condition that requires CC&Rs be recorded prior to the final map to ensure shared parking and access within the common lot, as well as common maintenance for the landscaping, driveway and parking spaces.

**ALTERNATIVE**

If the map were denied, the applicant would not be able to file a similar request for six months. The building could continue to be used and leased, but would be limited to a single ownership.

**ENVIRONMENTAL DETERMINATION**

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.

**CONCLUSION**

Staff does not anticipate any significant land use impacts, provided the conditions of approval and code requirements are complied with. Approval of the parcel map will allow the legal subdivision of the existing development into two industrial condominiums with common driveway access and shared parking spaces.

Attachments: Draft PC Resolution  
 Exhibit "A" – Draft Findings  
 Exhibit "B" – Draft Conditions of Approval  
 Location Map  
 Proposed Tentative Parcel Map  
 Applicant's Project Justification Form

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

Robert Sundstrom  
430 Exchange, Ste. 200  
Irvine, CA 92602

Patty Yuan  
240 Briggs Ave.  
Costa Mesa, CA 92626

File Name: 07122004PM04126

Date: 07012004

Time: AM

**RESOLUTION NO. 04-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING TENTATIVE PARCEL  
MAP PM-04-126**

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

WHEREAS, an application was filed by Robert Sundstrom, authorized agent for  
Patty Yuan, requesting approval of a one-lot subdivision of an existing industrial building  
located at 240 and 250 Briggs Avenue in an MP (Industrial Park) zone;

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

BE IT RESOLVED that, based on the evidence in the record and the findings  
contained in Exhibit "A", subject to the conditions in Exhibit "B," the Planning  
Commission hereby APPROVES Parcel Map PM-04-126 with respect to the property  
described above.

BE IT FURTHER RESOLVED that the Planning Commission does hereby find  
and determine the adoption of this Resolution is expressly predicated upon the activity  
as described in the staff report for Parcel Map PM-04-126 and upon the 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 12<sup>th</sup> day of July, 2004.**

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Chair, Costa Mesa Planning Commission



**EXHIBIT "A"****FINDINGS**

- A. 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.
- B. 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.
- C. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- D. The subdivision of the property for two industrial condominiums is consistent with the City's General Plan and Zoning Code.
- E. The proposed use of the subdivision is for industrial uses which is compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- F. The subject property is physically suitable to accommodate Tentative Parcel Map PM-04-126 in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- G. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- H. The subdivision will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the subdivision.
- I. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

**EXHIBIT "B"****CONDITIONS OF APPROVAL**

- Plng. 1. The CC&Rs and articles of incorporation and bylaws of the Property Owners Association shall be reviewed and approved by the Planning Division prior to recordation. The CC&Rs shall establish a Property Owners' Association and shall provide for common use and maintenance of all parking spaces, driveways and landscaping. A copy of the recorded CC&Rs shall be submitted to the Planning Division upon recordation.
2. Prior to recordation of the parcel map, all property line walls or fences shall be repaired or replaced as necessary under the direction of the Planning Division.
3. Prior to recordation of the parcel map, the curb along the west side property line, at the rear of the building, shall be repaired under the direction of the Planning Division, to retain drainage on site.
4. Remove or legalize the storage building behind 240 Briggs Avenue by **July 30, 2004**. This condition shall be completed under the direction of the Planning Division.

**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.

- |       |     |  |
|-------|-----|--|
| Plng. | 1.  | Approval of the planning application is valid for two (2) years and will expire at the end of that period unless the map is recorded or the applicant applies for and is granted an extension of time prior to the expiration date.  |
| Bldg. | 2.  | 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.  |
| Eng.  | 2.  | Pay off-site plan check fee per Section 13-231 C.C.M.M.C.  |
|       | 3.  | Submit required cash deposit or surety bond to guarantee monumentation. Cash deposit or surety bond amount to be determined by the City engineer.  |
|       | 4.  | Two copies of the final map and property boundary closure calculations shall be submitted to the Engineering Division for checking.  |
|       | 5.  | Submit Title Report Update of subject property.  |
|       | 6.  | Submit seven copies and one duplicate mylar of recorded map or signed plan to Engineering Division.  |
|       | 7.  | The parcel map shall be developed in full compliance of C.C.M.M.C. Section 13-208 through 13-261 inclusive.  |
|       | 8.  | Prior to recordation of a final map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the county surveyor and shall submit to the City Engineer and the County Surveyor a digital-graphics file of said map in a manner described in Subarticle 11, section 7-9-330 of the Orange County Subdivision Code and Orange County Subdivision Code. |
|       | 9.  | Survey monuments shall be preserved and referenced or set pursuant to Section 8771 of the Professional Land Surveyors Act and Business and Professional Code.  |
|       | 10. | Dedicate all vehicular and pedestrian access rights to Briggs Ave. except at approved locations.   |
|       | 11. | Reserve a non-exclusive, private reciprocal easement for ingress-egress, cross lot drainage, and utilities for the benefit of all lots.  |

**SPECIAL DISTRICT REQUIREMENTS**

The requirements of the following special districts are hereby forwarded to the applicant:

- |       |    |   |
|-------|----|---|
| Sani. | 1. | Developer shall contact the Costa Mesa Sanitary District at (949) 631-1731 for current district requirements. |
|-------|----|---|

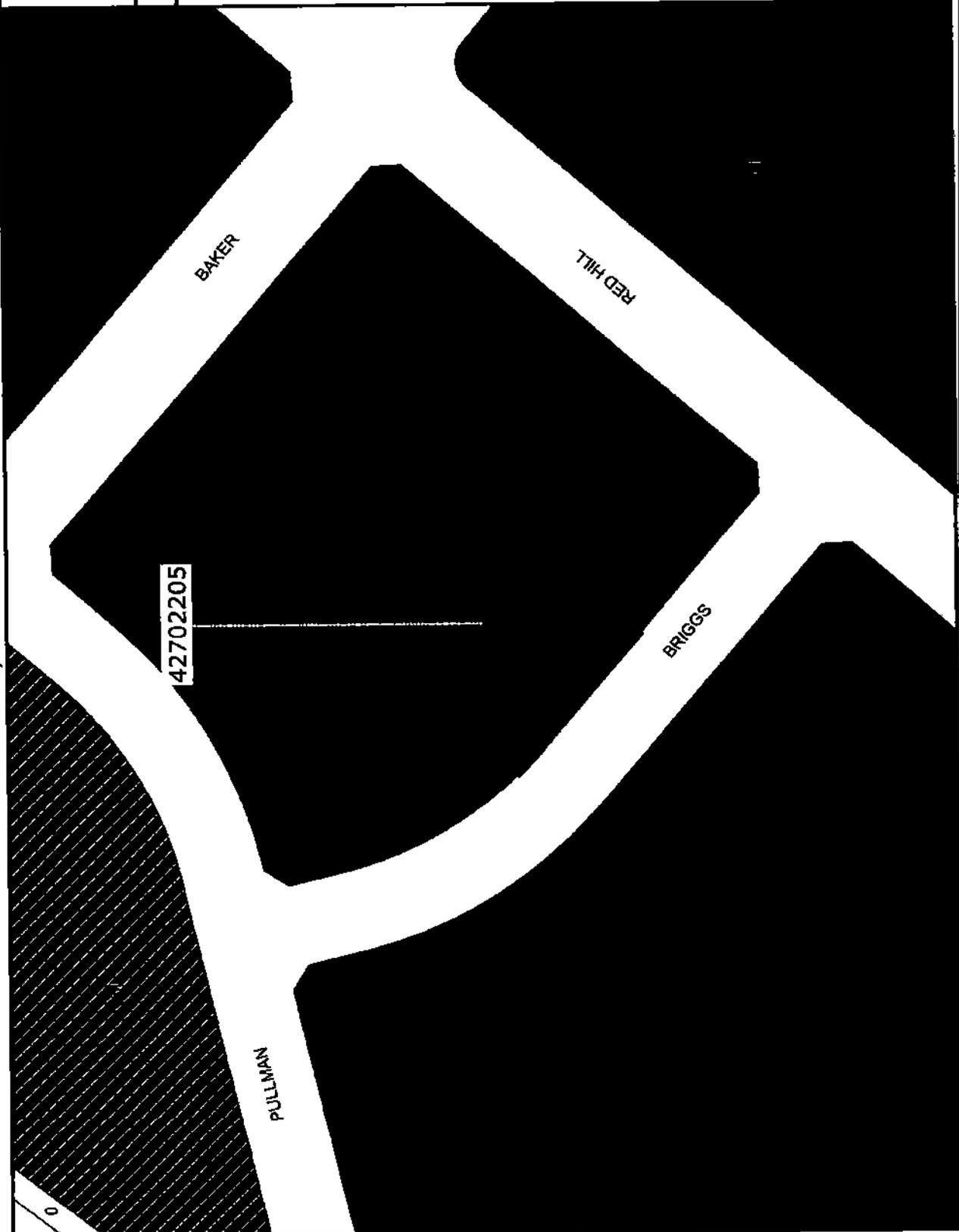
# ZONING/LOCATION MAP

240/250 BRIGGS AVENUE



## Legend

-  Selected Features
-  Street Names
-  Parcel Lines
-  City Boundary
-  Zoning
-  Other
-  Administrative & Professional
-  Local Business
-  Local Business & School
-  General Business
-  Commercial Limited
-  Institutional & Recreational
-  Institutional & Recreational - School
-  General Industrial
-  Industrial Park
-  OCPD
-  Off Street Parking
-  Planned Development Commercial



DESCRIPTION/JUSTIFICATION

Application #: FR 04-04

Environmental Determination:

Address: 240/250 Briggs Avenue

1. Fully describe your request:

Tentative Parcel Map No. . To subdivide existing lot 13 of Tract 5769 into one parcel for individual airspace condominium purposes.

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.

N/A

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.

N/A

3. This project is: (check where appropriate) N/A

In a flood zone.

In the Redevelopment Area.

Subject to future street widening.

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

# TENTATIVE PARCEL MAP NO. 2004-126

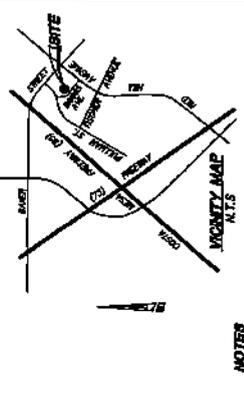
LOT 18 OF TRACT NO. 5786 IN THE CITY OF COSTA MESA, COUNTY OF ORANGE STATE OF CALIFORNIA, AS SHOWN ON THE MAP RECORDED IN BOOK 574, PAGES 9 AND 10 OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

FOR INDUSTRIAL AIRSPACE CONDOMINIUM PURPOSES

HUITZ-ZOLLARS

JAMES L. GARVIN L.S.  
1012 ACRES

MARCH 2004  
1 PARCEL



**NOTES**

1. TRACTS AND PROPOSED: UP INDUSTRIAL
2. LAND USED: EXISTING AND PROPOSED INDUSTRIAL - ENGINE 17,400 ± SQ. FT. ADDITIONAL BEING TO BE BUILT
3. UTILITIES:
  - EXISTING WATER SUPPLY SERVICE (PWS) 151-1574
  - EXISTING SANITARY SEWER (SWS) 151-1574
  - EXISTING GAS SERVICE (GAS) 151-1574
  - EXISTING ELECTRICAL SERVICE (ELECT) 151-1574
  - EXISTING TELEPHONE SERVICE (TEL) 151-1574
  - EXISTING CABLE SERVICE (CABLE) 151-1574
  - EXISTING TELEVISION SERVICE (TV) 151-1574
4. ADJACENT'S PARCEL NO. 427-002-05
5. THERE ARE NO IMPROVEMENTS PROPOSED WITH THIS PARCEL MAP.
6. UNDERGROUND UTILITIES (GAS, WATER, SEWER, ETC.) ARE SHOWN ON THE MAPS AND RECORDS OF THE CITY OF COSTA MESA AND THE COUNTY OF ORANGE. THE LOCATION OF THESE UTILITIES IS NOT GUARANTEED TO BE ACCURATE AS TO THE ACCURACY OF COMPLETION OF SAID INFORMATION.
7. CONVEYANCE TO BE RECORDED FOR INDUSTRIAL AIRSPACE CONDOMINIUM PURPOSES AND MAINTENANCE OF SAID SITE LAYOUTS AND RELATED IMPROVEMENTS.
8. PARKING PROVIDED: 43 SPACES
9. BENCH MARK: CDS BENCH MARK NO. C-1118
10. ELEVATION 44.877' AND 45' DATUM
11. NO WET AREAS ON SITE

**EXISTING IMPROVEMENTS**

1. AN EXISTING 48" DIAMETER PAVEMENT TELEPHONE AND TELEVISION COMPANY FOR PUBLIC UTILITIES AND INDUSTRIAL PURPOSES PER CITY OF COSTA MESA RECORDS.
2. AN EXISTING 48" DIAMETER PAVEMENT TELEPHONE AND TELEVISION COMPANY FOR PUBLIC UTILITIES AND INDUSTRIAL PURPOSES PER CITY OF COSTA MESA RECORDS.
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**STATEMENT OF OWNERSHIP**

I, LOY PARTNERSHIP DO HEREBY STATE THAT I AM THE OWNER OF THE PROPERTY DESCRIBED IN THE TENTATIVE PARCEL MAP AND THAT I HAVE CONSENTED TO THE SUBMISSION OF SAID MAP.

DATED: 2004 APR 22 2004

BY: Loy Partnership

PROVIDED THAT: Loy Partnership

TITLE: Industrial Airspace Condominium

**PREPARED BY:**

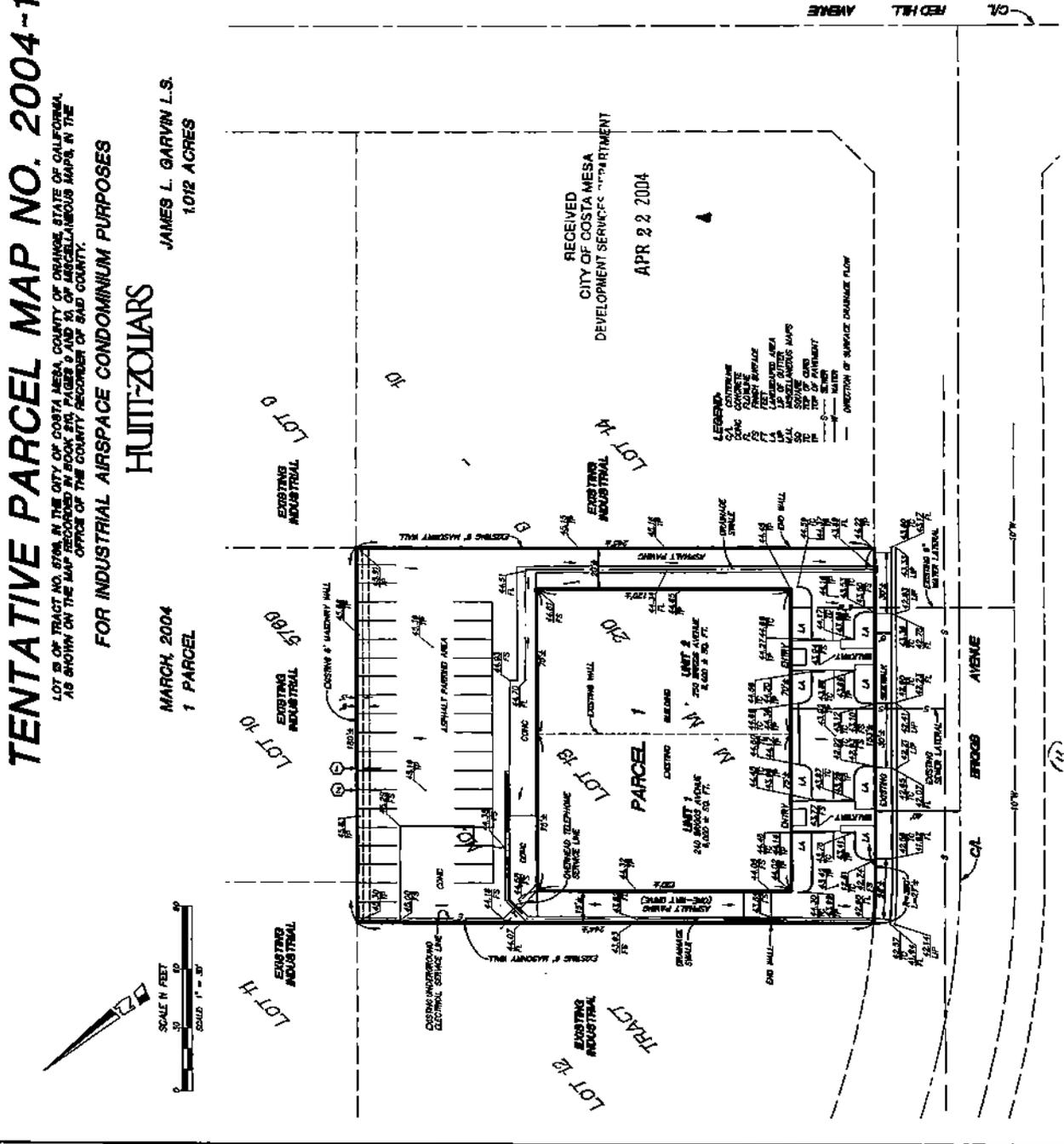
LOY PARTNERSHIP  
1012 ACRES  
COSTA MESA, CA  
(714) 260-0000

HUITZ-ZOLLARS  
1012 ACRES  
COSTA MESA, CA  
(714) 260-0000

*[Signature]*  
DATE: APRIL 22, 2004



TENTATIVE PARCEL MAP NO. 2004-126



MARCH 2004  
1 PARCEL

JAMES L. GARVIN L.S.  
1012 ACRES

HUITZ-ZOLLARS

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LOT 18 OF TRACT NO. 5786 IN THE CITY OF COSTA MESA, COUNTY OF ORANGE STATE OF CALIFORNIA, AS SHOWN ON THE MAP RECORDED IN BOOK 574, PAGES 9 AND 10 OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

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HUITZ-ZOLLARS

DATE: APRIL 22, 2004

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