



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: SEPTEMBER 13, 2004

VIII.2
ITEM NUMBER:

SUBJECT: PLANNING APPLICATIONS PA-01-03 AND PA-01-04 (TIME EXTENSION)
2059 HARBOR BOULEVARD

DATE: SEPTEMBER 2, 2004

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

PROJECT DESCRIPTION

The applicant is requesting approval of a one-year time extension for the following applications:

PA-01-03

Conditional use permit to allow motor vehicle sales at the front (Harbor Boulevard end) of the lot with an administrative adjustment to deviate from landscape setbacks for auto display (20-foot front landscape setback required, 15-foot landscape setback proposed).

PA-01-04

Conditional use permit to legalize outdoor storage of motor vehicles at the rear (Charle Street end) of the lot.

APPLICANT

The applicant is Wesley N. Taylor, representing the property owner, Beacon Bay Enterprises, Inc., and the buyer of the property, Robins Properties.

RECOMMENDATION

Approve extension to September 14, 2005, by adoption of Planning Commission resolution, subject to conditions.

MEL LEE
Associate Planner

PERRY L. VALANTINE
Asst. Development Services Director

BACKGROUND

The subject site, which is currently vacant, was utilized as a car wash and gas station (Beacon Bay Auto Wash) from 1961 to 2001. A small take-out restaurant also existed on the property. Robins Properties (Theodore Robins Ford) is in escrow to purchase the property from Beacon Bay.

On July 23, 2001, the Planning Commission considered the following planning applications for the subject property:

PA-01-03 for the front (Harbor Boulevard) half of the lot:

The applicant requested approval of a conditional use permit to allow motor vehicle sales with an administrative adjustment to deviate from front landscape setbacks for auto display purposes (20-foot front landscape setback required, 15-foot landscape setback proposed). Planning Commission approved PA-01-03 on a 3 to 1 vote (Commission Chair Foley voting no).

PA-01-04 for the rear (Charle Street) half of the lot:

The applicant requested approval of a conditional use permit to legalize outdoor storage of motor vehicles with an administrative adjustment to deviate from rear landscape setbacks (15-foot rear landscape setback required, 10-foot landscape setback proposed). Planning Commission approved PA-01-04 with respect to the vehicle storage, but denied the applicant's request to deviate from the required 15-foot rear landscape setback requirement, on a 3 to 1 vote (Commission Chair Foley voting no).

As part of the project approval, vehicle access to the site from Charle Street was limited to a single driveway (there are currently two driveways on Charle Street).

Commission's approval of the applications was appealed by a Council member. City Council upheld the approval of the project on September 4, 2001.

The following is a timeline of the project and summary of actions related to the project up to the date of this report:

Date	Action/Summary
12/09/02	At the December 9, 2002 meeting, the Commission approved a one-year time extension of the CUPs per the request of the applicant with a condition of approval (condition number 17) to PA-01-04 requiring the applicant to comply with the conditions of approval within 90 days from the date of approval, or remove the vehicles until the conditions are satisfied. The applicant agreed to comply with the condition.
11/18/03	The applicant requested an additional one-year time extension. Staff recommended denial of the extension since vehicles were continuing to be stored on the rear portion of the site and no landscaping or other improvements had been made.
1/26/04	At the January 26, 2004 meeting, the Commission continued the time extension request to obtain information from the County of Orange as to the status of the site remediation.

2/23/04	At the February 23, 2004 meeting the Commission approved the extension of time to September 4, 2004 with conditions of approval requiring the installation of the 15-foot landscape setback along Charle St. and a 4-foot landscape setback along Harbor Blvd. and the submittal of bi-annual reports of the status of the site remediation to the Planning Division.
5/21/04	Remediation status report submitted by the applicant to staff per the conditions of approval.
6/22/04	Landscape and irrigation plan for the Harbor Blvd. and Charle St. frontages submitted and approved by Planning and Public Services.
7/26/04	Installation of irrigation confirmed by staff.
8/03/04	The applicant requested an additional one-year time extension.
8/06/04	The installation of landscaping on the Charle St. side begins.
8/23/04	Hearing for time extension scheduled for Commission.

ANALYSIS

Code allows the Commission to extend the approval of a planning application for successive one-year periods upon showing of good cause by the applicant.

Escrow on the property cannot close (and therefore Robins cannot make the improvements beyond the previously conditioned landscaping) until the site remediation has been completed and a closure letter issued by the County. There have been no changes in the City Codes that affect the project as originally approved. Copies of the hearing minutes, conditions of approval, and original staff report are attached to this report.

ALTERNATIVES

If the time extension were not approved, the original permits would expire and the proposed uses could not be established on the property. The applicant could file a new application after six months.

CONCLUSION

It is staff's opinion that the time extension requested by the applicant should be granted to allow the cleanup of the site to be completed and the improvements to move forward.

- Attachments:
- Extension Request
 - Draft Planning Commission Resolution
 - Exhibit "A" – Findings (PA-01-03)
 - Exhibit "B" – Conditions (PA-01-03)
 - Exhibit "A" – Findings (PA-01-04)
 - Exhibit "B" – Conditions (PA-01-04)
 - Planning Commission Minutes February 23, 2004
 - Planning Commission Resolution February 23, 2004
 - Planning Staff Reports

Location Map
Plans and Photos
May 21, 2004 Remediation Status Report

cc: Deputy City Manager - Dev. Svs. Director
Assistant City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Wesley N. Taylor
3 Civic Plaza, Suite 165
Newport Beach, CA 92660

Patrick Shea
Beacon Bay Enterprises, Inc.
3152 Redhill Avenue, Suite 230
Costa Mesa, CA 92626-3418

Jim Robins
Robins Properties
2060 Harbor Boulevard
Costa Mesa, CA 92627

File: 082304PA0103PA0104EXT	Date: 080604	Time: 1120a.m.
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RESOLUTION NO. PC-04-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING AN EXTENSION OF TIME FOR CONDITIONAL USE PERMIT PA-01-03 AND PA-01-04

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

WHEREAS, an application was filed by Wesley N. Taylor, authorized agent for Beacon Bay Enterprises, Inc., owner of real property located at 2059 Harbor Boulevard, requesting a one-year extension of time for previously-approved conditional use permits to allow motor vehicle sales on the front half of the lot with an administrative adjustment to deviate from front landscape setbacks for auto display (20-foot landscape setback required, 15-foot landscape setback proposed); and to allow outdoor storage of motor vehicles on the rear half of the lot; and,

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 13, 2004.

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 extension of time for Conditional Use Permit PA-01-03 and PA-01-04 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 Conditional Use Permit PA-01-03 and PA-01-04 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 13th day of September, 2004.

Chair, Costa Mesa
Planning Commission

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STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Kimberly Brandt, acting secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on September 13, 2004, by the following votes:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS

Acting Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS (PA-01-03)**

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use 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, the motor vehicle sales use proposed for the front portion of the site is consistent and compatible with the commercial uses on adjacent properties and motor vehicle sales uses elsewhere on Harbor Boulevard. 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 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 proposed project complies with applicable performance standards prescribed in the Zoning Code.
 - d. The project is consistent with the General Plan.
 - e. The planning application is for a project-specific case and does not establish a precedent for future development.
- C. The information presented substantially complies with Section 13-29(g)(1) and Section 13-144(b) of the Costa Mesa Municipal Code in that special circumstances applicable to the property exist to justify granting of the administrative adjustment. Specifically, the strict application of the code-required landscaped setback would place the applicant at a competitive disadvantage to similar auto sales uses along Harbor Boulevard, many of which were approved with reduced landscape setbacks. Due to the speed and volume of vehicle traffic along Harbor Boulevard, auto sales uses require the display of vehicles be as close to the street as possible for maximum visibility. This creates a circumstance where approval of the administrative adjustment is justified. Granting the administrative adjustment will not allow a use, density, or intensity, which is not in accordance with the General Plan designation for the property.
- D. 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.
- E. The project, as conditioned, is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL (PA-01-03)**

- 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. Street addresses shall be displayed on the freestanding sign, or, if there is no freestanding sign, on the building fascia adjacent to the main entrance of the building in a manner visible to the public street. Street address numerals shall be a minimum 12 inches in height with not less than 3/4-inch stroke and shall contrast sharply with the background.
3. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
4. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall be continuously maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
5. The conditions of approval and ordinance or code provisions of Planning Application PA-01-03 shall be blueprinted on the face of the site plan.
6. The applicant shall contact the Planning Division to arrange for a planning inspection of the site prior to the release of occupancy. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
7. Street setback landscape planters shall be mounded to a high point of at least 24 inches with approved turf and/or ground cover on the street side front half of the planter and shrubbery plantings and trees on the back half.

8. Decorative wrought iron fences or masonry walls a minimum of 6 feet in height shall be constructed along the interior property lines. Chain link fencing shall not be permitted. Wall or fence color and material shall be subject to Planning Division approval.
9. Show method of screening for all ground-mounted mechanical equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted mechanical equipment shall not be located in any landscaped setback visible from the street and shall be screened from view, under the direction of Planning Staff.
10. Rooftop mechanical equipment shall not be permitted.
11. 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.
12. The use shall be conducted, at all times, in a manner to allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever operational measures are necessary to comply with this requirement.
13. The use shall be limited to the sales, leasing, display and storage of motor vehicles. This conditional use permit does not authorize the service or repair of motor vehicles. Any use which has the effect of expanding or intensifying the use on the property shall be subject to review by the Planning Division and may require the approval of a new conditional use permit.
14. Employees and customers shall be required to park on-site.
15. There shall be no test driving of vehicles on residential streets.
16. The use of loudspeakers, public address and/or paging systems, and two-way radios shall be prohibited.
17. The applicant shall provide a minimum of 150 square feet of interior landscaping, subject to Planning Division approval.
18. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m. and 7 p.m. on Saturday, Sunday, and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
- Trans. 19. Access to the rear (Charle Street) half of the site shall be limited to a single driveway; the location and width of the driveway to be determined by the Planning Division in conjunction with the applicant. The gate on the driveway shall be opaque and access shall be limited from 8 a.m. to 4p.m. Vehicle transport trucks are prohibited from loading or unloading on Charle Street.
- Eng. 20. Maintain the site and public right-of-way in a "wet-down" condition during construction to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.

21. Until remediation is completed and improvements installed, the applicant shall provide a minimum 15-foot landscape setback along Charle Street and a 4-foot landscape setback along Harbor Boulevard, and shall provide a 6-foot high chain link fence with slats and planting material along the Charle Street frontage to form an opaque screen, to be replaced with a solid block wall when the site remediation is completed.

EXHIBIT "A"**FINDINGS- PA-01-04**

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use 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, no vehicular access from Charle Street would be permitted, the existing drive approaches would be required to be removed, and a solid 6-foot high decorative block wall and landscaping would be required across the entire property frontage. These requirements will ensure that storage of motor vehicles is compatible with the residential properties and future commercial development does not generate an increase in traffic on Charle Street that could adversely affect residential 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 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 proposed project complies with applicable performance standards prescribed in the Zoning Code.
 - d. The project is consistent with the General Plan.
 - e. 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, as conditioned, is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL (PA-01-04)**

- 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. Street addresses shall be displayed on the freestanding sign, or, if there is no freestanding sign, on the building fascia adjacent to the main entrance of the building in a manner visible to the public street. Street address numerals shall be a minimum 12 inches in height with not less than 3/4-inch stroke and shall contrast sharply with the background.
 3. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
 4. The applicant shall contact the Planning Division to arrange for a planning inspection of the site. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 5. The applicant shall provide a 15-foot landscaped setback along Charle Street.
 6. Street setback landscape planters shall be mounded to a high point of at least 24 inches with approved turf and/or ground cover on the street side front half of the planter and shrubbery plantings and trees on the back half.
 7. A permanent masonry wall a minimum of 6 feet in height shall be constructed behind the required landscape setback along Charle Street. Decorative wrought iron fences or masonry walls a minimum of 6 feet in height shall be constructed along the interior property lines. Chain link fencing shall not be permitted. Wall and fence colors and materials shall be subject to Planning Division approval.
 8. Show method of screening for all ground-mounted mechanical equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted mechanical equipment shall not be located in any landscaped setback visible from the street and shall be screened from view, under the direction of Planning Staff.
 9. 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.

10. The use shall be conducted, at all times, in a manner to allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever operational measures are necessary to comply with this requirement.
11. Approval of this project is limited to the following use: sales, leasing, and storage of motor vehicles. This conditional use permit does not authorize the service or repair of motor vehicles. Any use which has the effect of expanding or intensifying the use on the property shall be subject to review by the Planning Division and may require the approval of a new conditional use permit.
12. No storage of vehicles in a wrecked or dismantled condition shall be permitted.
13. No signage of any type, including, but not limited to, balloons, pennants, price signs, and banners, shall be placed along the Charle Street frontage or displayed on the stored vehicles.
- Trans. 14. Deleted.
15. Access to the rear (Charle Street) half of the site shall be limited to a single driveway; the location and width of the driveway to be determined by the Planning Division in conjunction with the applicant. The gate on the driveway shall be opaque and access shall be limited from 8 a.m. to 4p.m. Vehicle transport trucks are prohibited from loading or unloading on Charle Street.
- Eng. 16. Maintain the site and public right-of-way in a "wet-down" condition during construction to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.
17. Deleted.
18. Deleted.
19. The applicant shall provide bi-annual reports of the status of the site remediation to the Planning Division for review.
20. Until remediation is completed and improvements installed, the applicant shall provide a minimum 15-foot landscape setback along Charle Street and a 4-foot landscape setback along Harbor Boulevard, and shall provide a 6-foot high chain link fence with slats and planting material along the Charle Street frontage to form an opaque screen, to be replaced with a solid block wall when the site remediation is completed.

Senior Planner Kimberly Brandt reviewed the information in the staff report and gave a brief visual presentation clarifying some of the existing zoning regulations contained within the City's Municipal Code as they relate to small lot residential developments. She said staff recommends Planning Commission recommend to City Council, that first reading be given to the draft ordinance.

Commissioner Foley thanked Ms. Brandt for her efforts and clarifications with respect to this ordinance.

Terry Shaw, 420 Bernard Street, Costa Mesa, questioned where the useable open space was coming from if not the common area. Ms. Brandt explained that Mr. Shaw's query relates to the Planned Development Zoning Standards, and there is perimeter open space required within a Planned Development Zone. In addition to the perimeter open space there may be private recreational tot lots or park areas within the overall development that may be accounted for in this calculation.

Commissioner Foley confirmed with staff, on Mr. Shaw's behalf, that the standards were not being changed, but rather being made clearer to prevent confusion.

No one else wished to speak and the Chair closed the public hearing.

A motion was made by Commissioner Foley, seconded by Vice Chair Perkins and carried 5-0 to recommend to City Council, that first reading be given to the draft ordinance for minimum lot size and common lot requirements in small-lot developments.

Ms. Brandt stated that this item would go to the City Council meeting of March 15, 2004.

The Chair opened the public hearing for consideration of Tentative Parcel Map PM-03-243 for Tim DeCinces, authorized agent for Doug DeCinces, for four single-family residential lots and one common lot to accommodate a previously approved four-unit, small-lot common interest development, located at 2441 Elden Avenue in an R2-MD zone. Environmental determination: exempt.

Associate Planner Wendy Shih reviewed the information in the staff report and gave a visual presentation of the site characteristics. Ms. Shih said staff recommends approval by adoption of Planning Commission resolution, subject to conditions.

Tim DeCinces, 463 Flower Street, Costa Mesa, agreed to the conditions of approval.

No one else wished to speak and the Chair closed the public hearing.

A motion was made by Vice Chair Perkins, seconded by Commissioner Foley and carried 5-0 to approve by adoption of Planning Commission Resolution PC-04-19, based on analysis and information contained in the Planning Division staff report, and findings contained in exhibit "A", subject to conditions in exhibit "B."

The Chair explained the appeal process.

The Chair opened the public hearing for consideration of an extension of time for PA-01-03/PA-01-04 for Wesley Taylor, authorized agent for Beacon Bay Enterprises, Inc./Robins Properties and Nancy Mostaan, to allow motor vehicle sales with an administrative adjustment to deviate from front landscape setbacks for auto display purposes on the front half, and establish outdoor storage of vehicles on the rear half of a commercial property formerly containing a car wash at 2059 Harbor Boulevard in a C2 zone. Environmental determination: exempt.

MOTION:
Ord./Minimum Lot Size and Common Lot Requirements (Small-Lot Developments)
Recommended First Reading

TENTATIVE PARCEL MAP
PM-03-243

Doug DeCinces/Tim DeCinces

MOTION:
PM-03-243
Approved

EXTENSION OF TIME FOR
PA-01-03/PA-01-04

Beacon Bay/Taylor

Associate Planner Mel Lee reviewed the information in the staff report and gave a visual presentation of site characteristics. His review included a brief summary of his findings, and a description including photographs, of the progress of the cleanup at the site that the applicant initiated since the Planning Commission hearing on January 26, 2004.

There was discussion between Vice Chair Perkins and Mr. Valentine concerning extending the time period to a full two years.

There was discussion between the Chair and staff regarding whether some of the improvements could be installed before the soil remediation is completed. Mr. Lee stated that the County representative confirmed that the landscaping would not interfere with monitoring wells and no remediation equipment would have to be removed from the site in order to complete the landscaping plan. There was also discussion between the Chair and staff relating to the location of the wall.

Wesley Taylor, 2001 Sabrina Terrace, Corona del Mar, representing Beacon Bay Enterprises (owner of the property) and Robbins Properties (prospective buyer), stated that everyone agrees that the improvements can be done on the Charle Street side of the property without interfering with the remediation (equipment or operation) if the cost is disregarded. He said it's impractical from a business standpoint, but if the City insists then there isn't much choice, but the improvements will have to come out when they remove the wells. He said those wells cannot remain underground. The Chair acknowledged this was a point of contention and he would like to confirm whether the landscaping and wall could be put in without that occurring. Mr. Taylor said it can be constructed, but after the remedial work is finished, the wells all have to be removed and it isn't a matter of just disturbing 2 or 3 feet around the wells and the excavation equipment. He said he went through this in Whittier a few years ago and half the improvements were destroyed; perhaps the wall itself may have to come down. The map is not drawn to exact preciseness and they do not know if the well is exactly where the wall is or 2-3 feet one side or the other.

In response to a question from Commissioner Foley, regarding his conversation with the County representative about what happens when they need to remove the wells, Mr. Lee stated they confirmed that when the well is removed, the developer replaces the improvement around the location of the wells. In this instance, because plantings will be around the well, they believe the plants could easily be replaced. In response to Commissioner Foley, Mr. Lee said the entire area in front of the wall it would be planted. The wall would not have to be removed, only the planting itself.

In response to a question from Commissioner Foley about how large the well area is that would have to be excavated, City Engineer Ernesto Munoz stated that the wells are generally small in diameter and they excavate 2 or 3 feet down before capping them; an area of about 1 or 2 feet. Commissioner Foley stated landscaping could be limited to ground cover because it's easily replaced at minimal cost.

Vice Chair Perkins confirmed with Mr. Taylor that condition of approval #21 requires the installation of landscaping; and condition of approval #18 provides for storage of the vehicles for as long as the extension runs. Mr. Taylor pointed out all the unknowns about this project and felt it was not good business sense to put in permanent landscaping and the wall, because it would have to be redone again when the remediation was completed. Mr. Taylor suggested that ivy be planted on the back wall because it grows fast, is less expensive

and makes a good cover and prevents graffiti. In response to the Chair, Mr. Taylor said Mr. Robbins is willing to do that and he would install a water line with sprinklers for the planted area.

Commissioner Foley asked Mr. Lee when he spoke with the County representative, was there any reason they believed the 15-foot landscape setback on Harbor Boulevard would interfere with the remediation. Mr. Lee stated that none of the improvements along Harbor Boulevard would interfere with any part of the remediation and the representative confirmed that there is no remediation going on in that area. He confirmed that the full width of landscaping could be put in as shown on the approved plan.

Commissioner Bever confirmed with Mr. Taylor both of his clients are in the middle of an escrow that will not be completed for 2 years and that's why less costly beautification measures are preferred. Commissioner Foley confirmed with Mr. Lee that this application was first approved on September 4, 2001. She indicated it has already been over two years and several months, and it has been said that it may not be completed in another two years. Each time an extension is requested the Commission has been supportive in assisting to save costs and, to this point, the Commission has no assurance that completion will even happen in two years.

There was discussion between Commissioner Foley, Mr. Lee, and Mr. Valentine regarding existing sites in the City with ongoing remediation while business goes on as usual. Mr. Lee described one site where remediation was recently completed.

There was discussion between the Chair, Mr. Taylor, Mr. Lee and Mr. Valentine regarding the actual date to end the extension.

There was discussion between Vice Chair Perkins and Mr. Taylor regarding a condition of approval requiring six-month progress reports, to which Mr. Taylor was amenable.

Terry Shaw, 420 Bernard Street, Costa Mesa, said he agreed with Commissioner Foley as far as the mitigation is concerned. He felt another 2 years for this lot to remain in its present condition was not acceptable because it's on a major artery.

Tim Lewis, 2050 Charle Street, Costa Mesa, noted he documented a lot of sites in Costa Mesa that are very well landscaped and have functioning businesses with ongoing remediation taking place at the same time. He said he has a lot of experience with his own site as far as remediation is concerned and as indicated, abandoning a well is not a big deal. He said the monitoring well would probably be there for the life of the property because no site is ever permanently closed and requires monitoring to make sure the contamination does not return.

Commissioner Foley asked Mr. Munoz to explain his understanding with regard to the wells and the life of the property. Mr. Munoz stated that they are minimum requirements by the County as to when the piece of land is actually remediated, but the wells themselves are essentially left in place after they are capped. He said whether the wells are doing their job and continue to monitor the water quality, is up to the County. The County decides if it has been remediated to the extent required.

Patrick Shea, President of Beacon Bay Enterprises, 1600 Sunflower Avenue, Costa Mesa, stated that on the block wall on Charle Street, would be almost over the well designated "SP1." A 6-foot block wall would require at least a 4' footing and would require SPI to be moved. He maintained abandoning of those wells is going to require

removal of any improvements above them. If it's landscaping, it's much easier, but if it's a 6-foot block wall, it requires removal of the wall to pull the pipe out and fill with slurry.

Mr. Shea stated that the wall in back is screened from the residents on Charle Street; the chain link fences are covered; the wall is painted and has been repainted several times. If it is necessary to put in 15 feet of landscaping, the wall would have to be moved back 15 feet. In response to the Chair, Mr. Shea felt the ivy suggestion on the wall was acceptable.

Commissioner Foley said if the Commission is to require the wall on the Charle Street side, that it be worked out with staff as to the location and to confirm or deny that it is actually going to be on top of a problematic area. Mr. Lee pointed out that, depending on the precise location of the well, this could result in either more or less than 15 feet of landscaping. Mr. Valentine stated another option would be, if the wall was installed now, a statement saying that "any portion of the wall that may be within 10' of a well can be installed with temporary fencing until the well is removed" [a gap in the wall with some chain link fencing, with slats, etc.] and would be something that is more easily removed than a concrete footing and a block wall.

Commissioner Foley expressed great difficulty in understanding the time element for this remediation and the fact that the applicant does not wish to improve their property in the meantime, as required by the City. She asked why is it that other sites in the City are able to complete their landscaping and carry on business, or even several businesses while remediation is going on. She concluded it is not a problem because staff has confirmed twice with the County that it is not a problem.

Mr. Taylor announced that Mr. Robbins, 2060 Harbor Boulevard, Costa Mesa, has agreed to the 15-foot landscaped setback, and instead of the wall, a 6-foot chain link fence with screening, which can be moved or destroyed because it would not waste too much money. He said he would assume that when permits are taken for the construction of the other improvements up front, he would be required to replace the chain link fence with the proposed block wall.

Commissioner Foley asked if Mr. Robbins would be agreeable to the screening being planting material as opposed to just netting. In response to the Chair, both Commissioner Foley and Mr. Shea confirmed that slats and live plants would be used to form an opaque cover on the chain link fence, without netting.

The Chair expressed concerns regarding the two entrance/exits on Charle Street. Mr. Robbins explained the need to be able to continue to use both entrance/exits until completion of the project. He said when the final conditions come into place, there will be only one driveway and one gate. The Chair agreed.

No one else wished to speak and the Chair closed the public hearing.

A motion was made by Vice Chair Perkins, seconded by Chairman Garlich, and carried 4-1 (Foley voted no) to approve an extension of time to September 4, 2004, by adoption of Planning Commission Resolution PC-04-20, based on analysis and information contained in the Planning Division staff report, and findings contained in exhibit "A", subject to conditions in exhibit "B" with the following modifications:

Conditions of Approval—PA-01-03

21. Until remediation is completed and improvements installed, the applicant shall provide a minimum 15-foot landscape setback along

MOTION:
PA-01-03/PA-01-04
Approved

Charle Street and a 4-foot landscape setback along Harbor Boulevard, and shall provide a 6-foot high chain link fence with slats and planting material along the Charle Street frontage to form an opaque screen, to be replaced with a solid block wall when the site remediation is completed.

Conditions of Approval—PA-01-04

- 18. Delete.
- 19. The applicant shall provide bi-annual reports of the status of the site remediation to the Planning Division for review.
- 20. Until remediation is completed and improvements installed, the applicant shall provide a minimum 15-foot landscape setback along Charle Street and a 4-foot landscape setback along Harbor Boulevard, and shall provide a 6-foot high chain link fence with slats and planting material along the Charle Street frontage to form an opaque screen, to be replaced with a solid block wall when the site remediation is completed.

Mr. Valentine made a point of clarification that PA-01-03, #21 should be added into both sets of conditions (PA-01-03/PA-01-04) to read the same.

The Chair explained the appeal process.

EXTENSION OF TIME FOR
PA-02-26
Ellis/Simon

The Chair opened the public hearing for consideration of an extension of time for Planning Application PA-02-26 for F. Earl Mellott, authorized agent for Dr. Ken Millian, for a master plan to allow construction of a 6,000 sq. ft. addition to the existing Newport Harbor Animal Hospital with a minor conditional use permit to allow a reduction in required parking (46 spaces required; 39 proposed) and to allow compact parking spaces (a maximum of 10% allowed; 10% proposed), located at 125 Mesa Drive in a PDC zone. Environmental determination, exempt.

Associate Planner Wendy Shih reviewed the information in the staff report and gave a visual presentation of the site characteristics. She said staff recommends approval by adoption of Planning Commission resolution, subject to conditions.

Earl Mellott, authorized agent for the applicant, 12752 Garden Grove Boulevard, Garden Grove, agreed to the conditions of approval.

Luke McDaniel, 141 Mesa Drive, Costa Mesa, adjacent to the east-side of the subject property, said the applicants are great neighbors but there are currently some problems with the noise generated from the property; primarily, there seems to be a lot of emergencies; dogs are barking, and trash trucks are loud. He said he knows manager Pat Simpson and has complained to her, and also sent a letter to the City. He felt along with the expansion of the facility, a noise barrier, such as a concrete wall with some attractive landscaping, could be installed to buffer the noise.

In response to a question from the Chair, Sr. Deputy City Attorney stated that the only issue before the Commission at this time is whether to grant an extension. If the Commission wished to change any of the conditions, this item would have to be renoticed so people would be aware of the change in conditions. The Chair confirmed. He also commented that Mr. McDaniel's letter was discussed at the study session and that some of the noise in part, resulted from staff failing to close the door when the animals were inside the facility. Mr. McDaniel stated that there is currently a wooden fence and having lived there, attested it does not do the job.

Commissioner Foley asked Mr. Mellott what his plan is for the existing wooden fence. Mr. Mellott said that his client wants to be a good

RESOLUTION NO. PC-04-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING AN EXTENSION OF TIME FOR CONDITIONAL USE PERMIT PA-01-03 AND PA-01-04

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

WHEREAS, an application was filed by Wesley N. Taylor, authorized agent for Beacon Bay Enterprises, Inc., owner of real property located at 2059 Harbor Boulevard, requesting a one-year extension of time for previously-approved conditional use permits to allow motor vehicle sales on the front half of the lot with an administrative adjustment to deviate from front landscape setbacks for auto display (20-foot landscape setback required, 15-foot landscape setback proposed); and to allow outdoor storage of motor vehicles on the rear half of the lot; and,

WHEREAS, duly noticed public hearings were held by the Planning Commission on January 26, 2004 and February 23, 2004.

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 extension of time for Conditional Use Permit PA-01-03 and PA-01-04 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 Conditional Use Permit PA-01-03 and PA-01-04 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 23rd day of February, 2004.



Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Perry L. Valantine, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on February 23, 2004, by the following votes:

AYES: COMMISSIONERS Garlich, Perkins, Bever, DeMaio

NOES: COMMISSIONERS Foley

ABSENT: COMMISSIONERS None

ABSTAIN: COMMISSIONERS None


Secretary, Costa Mesa
Planning Commission

City of Costa Mesa

Inter Office Memorandum

To: Planning Commission
From: Mel Lee, Associate Planner *MEL*
Date: February 12, 2004
Subject: **PLANNING APPLICATION PA-01-03 AND PA-01-04
(2059 HARBOR BOULEVARD)
SUPPLEMENTAL INFORMATION
PLANNING COMMISSION MEETING OF FEBRUARY 23, 2004**

At the January 26, 2004 Planning Commission meeting, Commission continued the above item and requested the following additional information:

Issue:

What is the status of the soil remediation for the site and how long is it expected to take?

Response:

On September 15, 2003, a permit application was submitted to the City for the installation of the mechanical equipment for the soil remediation. An electrical permit for a temporary power pole and a plumbing permit for gas service were also requested as part of this permit. Staff completed the plan check on October 21, 2003, and permits were issued on October 22, 2003. The installation of the equipment was completed on January 3, 2004 and activated on January 7, 2004.

Staff contacted Arghavan Rashidi-Fard, Hazardous Waste Specialist for County of Orange Health Care Agency (HCA), who confirmed that the remediation of the site could last for as long as 2 years, due to the vapor extraction method (as opposed to the complete removal and replacement of contaminated soil) approved by HCA. A specific date of completion cannot be determined due to the extent of the contamination. A copy of the most recent site assessment report is attached to this memo for reference.

Issue:

Can the proposed improvements be constructed while the remediation of the site is taking place?

Response:

According to HCA, the proposed improvements could be constructed during the remediation process due to the fact no buildings are proposed within the areas affected by the contamination, and the landscaping and fencing will be installed on the surface and will not interfere with the remediation process. However, as the applicant indicated in his letter dated January 5, 2004 (handwritten page 5 of the attached January 26, 2004 staff report), Robins Properties (Theodore Robins Ford), which is in escrow to purchase the property from Beacon Bay Enterprises, does not wish to make the improvements until the remediation is complete and they acquire the property from Beacon Bay.

Issue:

Has the applicant addressed the issues related to site maintenance (i.e., fencing, signs, litter, and screening)?

Response:

As of the date of this memo, the applicant is in the process of performing the following tasks on the site:

1. Removing the weeds and trash;
2. Repairing the chain link fence;
3. Enclosing the remediation equipment with a solid opaque fence.

As of the date of this memo, the copy from the freestanding sign has not been removed, however, the applicant is aware of this requirement. The applicant has also contacted Patrick Shea, the property owner, who will be in attendance at the study session and hearing.

Attachments: Site Assessment Report Dated January 23, 2004
 Planning Commission Agenda Report dated January 26, 2004

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

21

Wesley N. Taylor
3 Civic Center Plaza, Suite 165
Newport Beach, 92660

Patrick Shea
Beacon Bay Enterprises, Inc.
3152 Redhill Avenue, Suite 230
Costa Mesa, CA 92626-3418

Tim Lewis
Red -E- Rentals
2075 Harbor Boulevard
Costa Mesa, CA 92627-5532

Arghavan Rashidi-Fard
Hazardous Waste Specialist
County of Orange Health Care Agency
2009 East Edinger Avenue
Santa Ana, CA 92705-4720

C. JAMES & ASSOCIATES, INC.

"Protecting America's Resources"

**441 CALLE CORAZON
OCEANSIDE, CALIFORNIA 92057**

(760) 722-0050

FAX (760) 722-0150

January 23, 2004

RECEIVED
CITY OF COSTA MESA
DEVELOPMENT SERVICES DEPARTMENT

Ms. Arghavan Rashidi-Fard
Orange County Health Care Agency
Environmental Health Division
2009 East Edinger Avenue
Santa Ana, CA 92705-4720

FEB 11 2004

SUBJECT: 4th Quarter 2003 - Groundwater Monitoring Well Sampling and Gradient Assessment at Beacon Bay Auto Wash, 2059 Harbor Boulevard, Costa Mesa, California 92627 (OCHCA #99UT20)

Ms. Rashidi-Fard:

This report presents the results of groundwater-monitoring well sampling and groundwater gradient assessment conducted during the fourth quarter of 2003 at the site of a former Beacon Bay Auto Wash. The site is located at 2059 Harbor Boulevard in Costa Mesa, California. A Site Vicinity Map is shown as **Plate P-1**. Locations of groundwater-monitoring wells and other site features are shown on the Generalized Site Plan, **Plate P-2**.

1.0 OBJECTIVES

The objectives of the current work were to record depth to groundwater, check for the presence of free product, remove free product via hand bailing and vacuum truck skimming and collect and analyze groundwater samples collected from wells not containing free product. This work is part of a quarterly groundwater monitoring program set up for this site.

2.0 BACKGROUND

An unauthorized release of petroleum hydrocarbons was encountered in February 1999, when four underground storage tanks (USTs) were removed from the subject property. Two 12,000-gallon, one 8,000-gallon, and one 6,000-gallon USTs were formerly located in the western portion of the site (**Plate P-2**). The tanks were used historically to store gasoline. Soil samples recovered from beneath the removed USTs, fuel dispensers, and product piping indicated the presence of petroleum-impacted soil. The maximum concentrations of TPHg (9,740 mg/kg) and MTBE (26,100 ug/kg) were detected in soil sample D4-2'. Due to the required dilution factor, the benzene concentration in this sample could not be quantified other than it was below 2,500 ug/kg.

In November 2000, CJA recovered 32 subsurface soil samples from six soil borings drilled in the vicinity of the former USTs. Soil samples were recovered at depths ranging from approximately 5 feet to 35 feet below ground surface (bgs). Groundwater was encountered at depths ranging from

January 23, 2004
2059 Harbor Boulevard
Costa Mesa, California
OCHCA Case #99UT20

approximately 20 to 35 feet bgs. The depth to groundwater at this location is estimated to be approximately 20 feet bgs. The maximum concentration of TPHg (390 mg/kg) was detected in the soil sample recovered from boring B-6 at 15 feet bgs. The maximum concentrations of MTBE (2,300 ug/kg) were detected in soil sample B-5-15' and B-6-15'.

In July 2001, CJA drilled 15 soil borings in the vicinity of the former UST's and dispenser islands. Soil samples were recovered at depths ranging from 5 feet to 30 feet below ground surface (bgs).

Grab groundwater samples were collected from each of the 15 soil borings. Based upon the results of this investigation an interim remedial action plan was prepared.

In March 2002, CJA drilled 4 soil borings (SP16 to SP19) to 20 feet below ground surface (bgs) using hollow stem auger equipment. In addition, three groundwater monitoring wells designated as MW-1, MW-2 and MW-3 were installed.

On September 3, 2002 groundwater monitoring wells MW-1,2 & 3 were surveyed by Don Thomas Land Surveying.

Between the period November 6-8, 2002 C. James & Associates, Inc. installed eleven groundwater/extraction monitoring wells (designated as MW4 through MW14) and one sparge well (designated as AS1) as detailed on Plate 2.

Vapor pilot and positive pressure testing was conducted at the subject location November 15-17, 2002.

On January 31, 2003 fourteen groundwater monitoring wells were surveyed by Southern California Survey per GPS requirements.

In July 2003 underground piping for the vapor extraction and air sparge lines were installed. Permits from the City of Costa Mesa were submitted in July of 2003 and final permits for electrical and natural gas installation were issued on October 24, 2003. The SVE system was initiated on January 7, 2004

3.0 SUMMARY OF ACTIVITIES

On October 29, 2003 personnel from C. James & Associates, Inc. measured depth to groundwater and checked for the presence of free product in groundwater-monitoring wells MW1 through MW14. Free product was observed in groundwater monitoring wells MW1, MW6 through MW10 and MW12. Due to the existence of free product, these seven aforementioned wells were not sampled.

January 23, 2004
2059 Harbor Boulevard
Costa Mesa, California
OCHCA Case #99UT20

Procedures for sampling groundwater-monitoring wells are provided in **Appendix A**. Groundwater samples collected were analyzed for TPH, BTEX, and oxygenates in general accordance with the EPA Methods 8015B(M) and 8260B. Laboratory reports and chain of custody records are provided in **Appendix B**.

3.1 Groundwater Elevation Data

The depth to groundwater ranged from 18.96 feet to 19.34 feet below top of casing. The groundwater flow direction is estimated to be towards the west and southwest (utilizing data from monitoring wells not containing free product). A summary of depth to groundwater is provided as **Table 1** and illustrated on **Plate 3**.

3.2 Chemical Analyses

TPH was detected in groundwater samples collected from groundwater-monitoring wells MW2, MW3, MW4, MW5, MW11, MW13 and MW14 at concentrations ranging from 0.10 to 10 milligrams per liter (mg/L), respectively. TPH concentrations, in groundwater, are summarized in **Table 2** and depicted on **Plate 4**.

Benzene was detected in groundwater samples collected from MW2 and MW11 at concentrations of 3.6 and 120 micrograms per liter (ug/L), respectively. Benzene concentrations, in groundwater, are summarized in **Table 2** and illustrated on **Plate 5**.

MTBE was detected in groundwater samples collected from MW3, MW4, MW5, MW11, MW13 and MW14 at concentrations of 7,900; 7,300; 7,300; 8,100; 4,800 and 9,100 micrograms per liter (ug/L), respectively. MTBE concentrations in groundwater are summarized in **Table 2** and illustrated on **Plate 6**.

3.2 Free Product Removal

Free product is being hand bailed weekly as of February 6, 2003. Free product is stored onsite in 55-gallon DOT drums. **Table 3** details the thickness of free product encountered and the amount of groundwater evacuated from each groundwater monitoring well. Approximately every 4-6 weeks stored free product is evacuated from the 55-gallon drums via a vacuum truck. In addition, groundwater monitoring wells containing free product are skimmed while the vacuum truck is onsite. Uniform Hazardous Manifests are presented in **Appendix C**. Approximately 1,660 gallons of free product have been removed from this location.

4.0 OCHCA CORRESPONDENCE

We are in receipt of OCHCA correspondence dated June 10, 2003. C. James & Associates, Inc. has met with the property owners north and south of the subject property. An access agreement is still pending and being reviewed by both parties. Once the access agreement has been finalized and signed, a Work Plan for additional investigation will be submitted for review and approval.

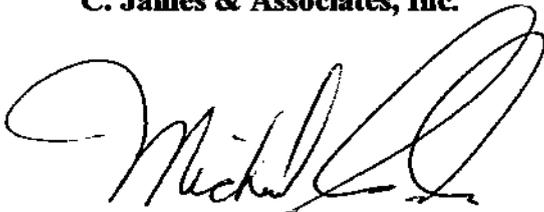
January 23, 2004
2059 Harbor Boulevard
Costa Mesa, California
OCHCA Case #99UT20

5.0 SCHEDULE

Groundwater monitoring wells containing free product will continue to be hand bailed weekly. The next quarterly monitoring event is scheduled to be conducted in February 2004. The SVE system was initiated on January 7, 2004. Collective air samples are being collected and analyzed weekly. Single port sampling is being conducted quarterly to ensure maximum efficiency of SVE operations.

Should you need additional information regarding this report please contact us at your earliest convenience.

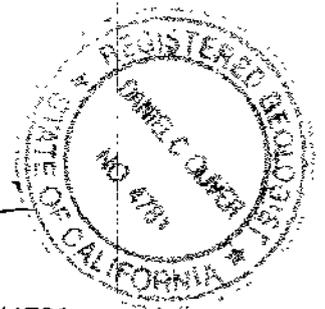
Sincerely,
C. James & Associates, Inc.



Michael Anselmo
Civil Engineer



Daniel Oliver
Registered Geologist #4781



cc: Mr. Patrick C. Shea, Beacon Bay Enterprises, Inc.
Ken Williams, Santa Ana Regional Water Quality Control Board
Costa Mesa Fire Department
Bob Robins, Robins Properties



Notes:

1. The base map was taken from USGS 7.5 minute Newport Beach, California Quadrangle, 1965, photorevised 1972.
2. All locations and are approximate.



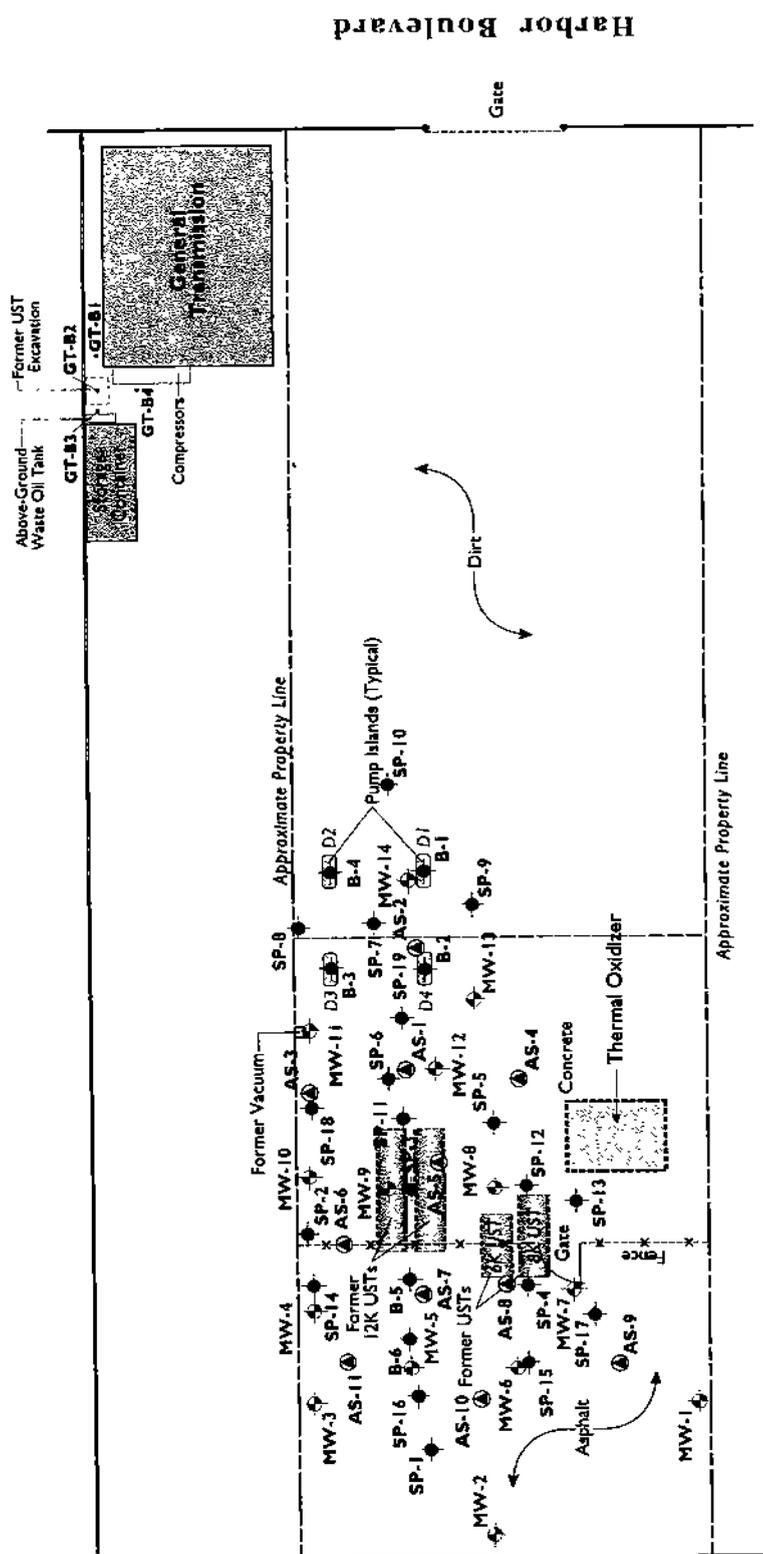
Approximate Graphic Scale:
One Inch Equals 2000 Feet



C. JAMES & ASSOCIATES, INC.
Environmental Consultants

Client:
FORMER BEACON BAY AUTO WASH NO. 10
2059 North Harbor Blvd, Costa Mesa, CA
OCHCA Case #99UT20

SITE VICINITY MAP



Harbor Boulevard

Charles Street

Approximate Property Line

EXPLANATION

- MW-14 Location and Designation of Groundwater Monitoring Wells By C. James & Associates, Inc.
- SP-19 Location and Designation of Borings By C. James & Associates, Inc.
- AS-11 Location and Designation of Air-Sparge Well By C. James & Associates, Inc.

Notes:
1. All locations are approximate.



North

C. JAMES & ASSOCIATES, INC.
Environmental Consultants

Client:
FORMER BEACON BAY AUTO WASH NO.10
2059 North Harbor Blvd, Costa Mesa, CA
OCHCA Case #99UT20

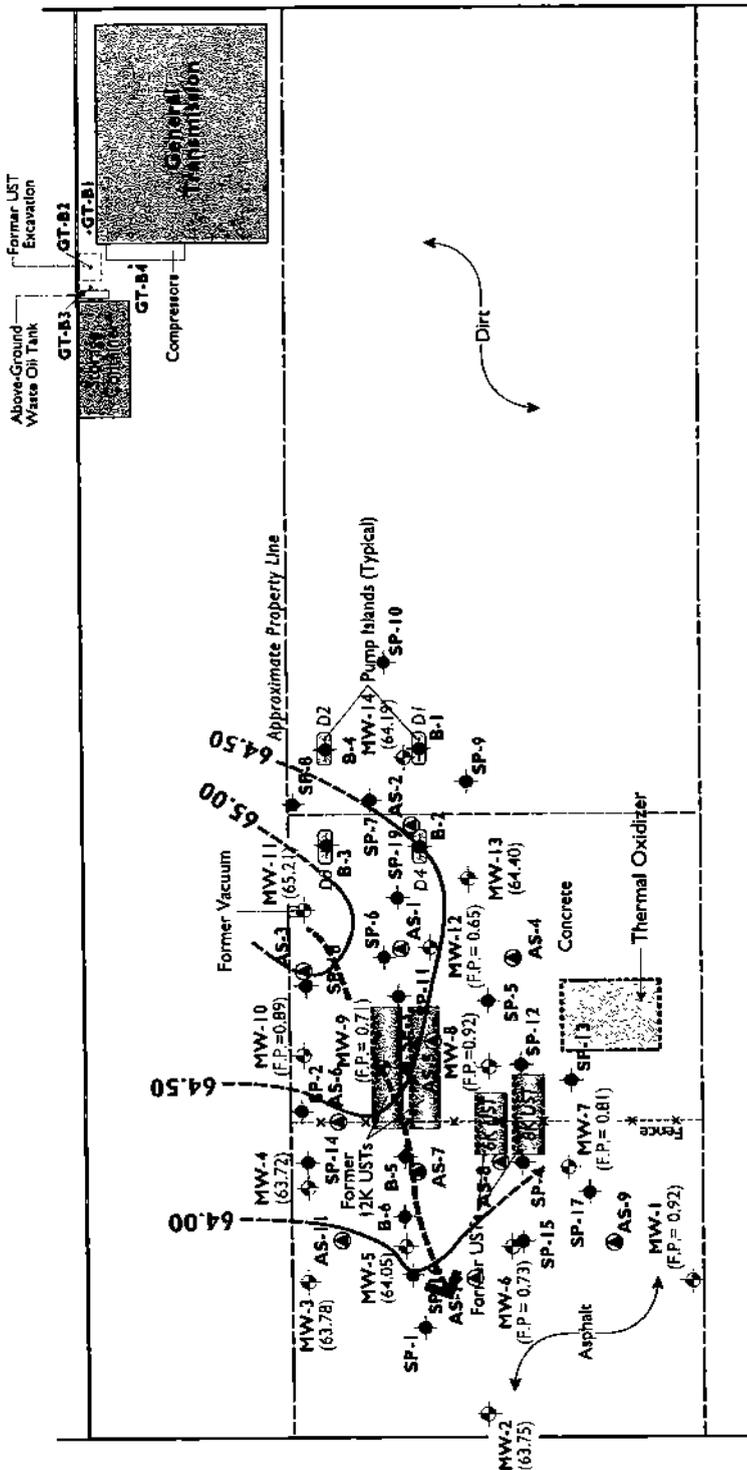
**SITE PLAN WITH
GROUNDWATER MONITORING WELLS
AND AIR-SPARGE WELL**

Plate 2

Drawn By: H.L. | Approved By: H.H. | Project Number: 00995 | Date: October, 2003

28

Harbor Boulevard



Charlie Street

29



C. JAMES & ASSOCIATES, INC.
Environmental Consultants

Client:
BEACON BAY AUTO WASH NO.10
2059 North Harbor Blvd, Costa Mesa, CA
OCHCA Case #99UT20

**SITE PLAN WITH
GROUNDWATER ELEVATIONS AND
GENERAL DIRECTION OF GROUNDWATER
FLOW OCTOBER 29, 2003**

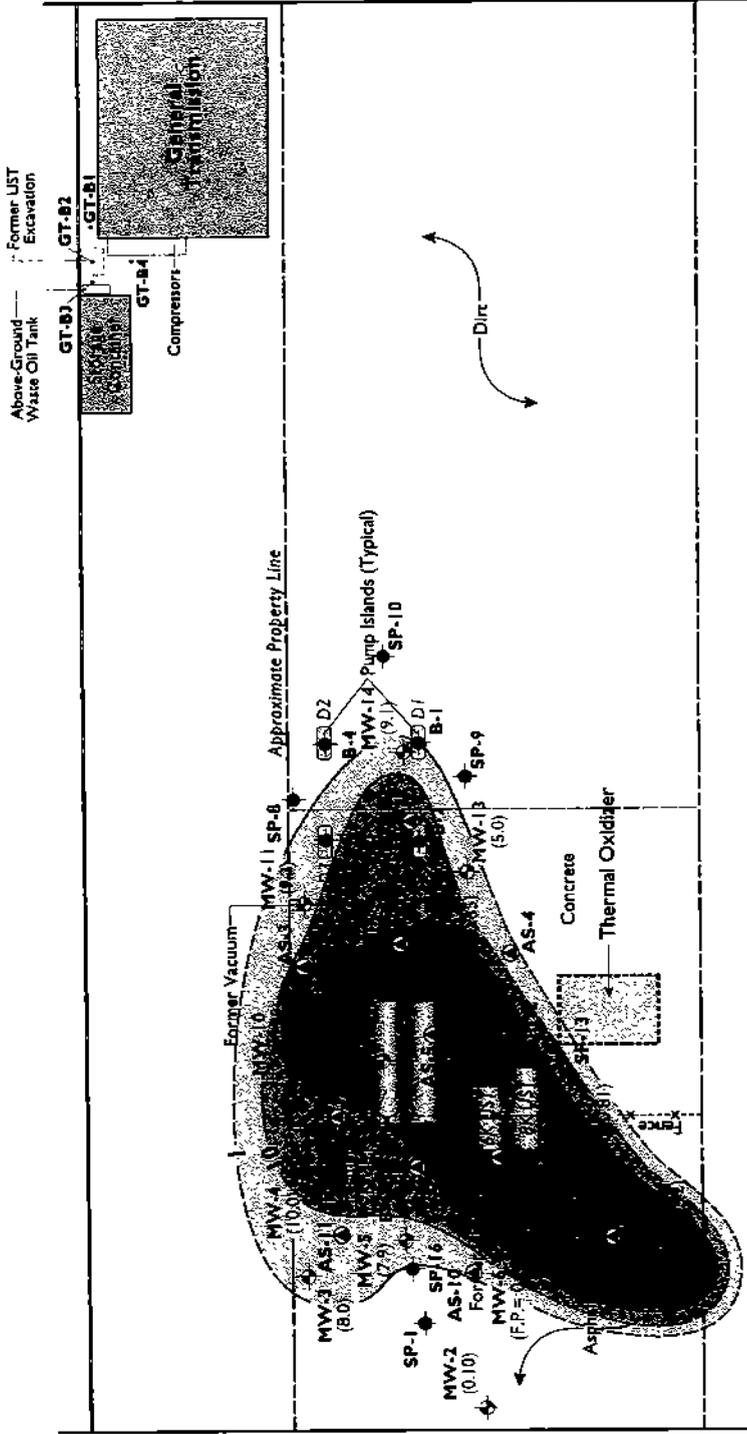
Drawn By: H.L. Approved By: H.H. Project Number: 00995 Date: October 2003
Plate 3

EXPLANATION

MW-14	Location and Designation of Groundwater Monitoring Wells By C. James & Associates, Inc.	65.00	Groundwater Elevation Contour in Feet Above Mean Sea Level. Dashed Where Inferred.
SP-19	Location and Designation of Borings By C. James & Associates, Inc.	(65.2.1)	Groundwater Elevation in Feet Above Mean Sea Level.
AS-11	Location and Designation of Air-Sparge Well By C. James & Associates, Inc.	[Arrow]	Estimated Direction of Groundwater Flow.

- Notes:**
1. All locations are approximate.
 2. F.P. = Free product thickness in feet.
 3. Wells MW-1, MW-6, MW-7, MW-8, MW-9, MW-10 and MW-12 contain free product and were not used in gradient calculation.

Harbor Boulevard



Charlie Street

30

EXPLANATION

- MW-14  Location and Designation of Groundwater Monitoring Wells By C. James & Associates, Inc.
- SP-19  Location and Designation of Borings By C. James & Associates, Inc.
- AS-11  Location and Designation of Air-Sparge Well By C. James & Associates, Inc.

-  Contour of Total Petroleum Hydrocarbon Concentration in Micrograms Per Liter (mg/l). Dashed Where Inferred.
-  (10.0) Total Petroleum Hydrocarbon Concentration in Groundwater in Milligrams Per Liter (mg/l).



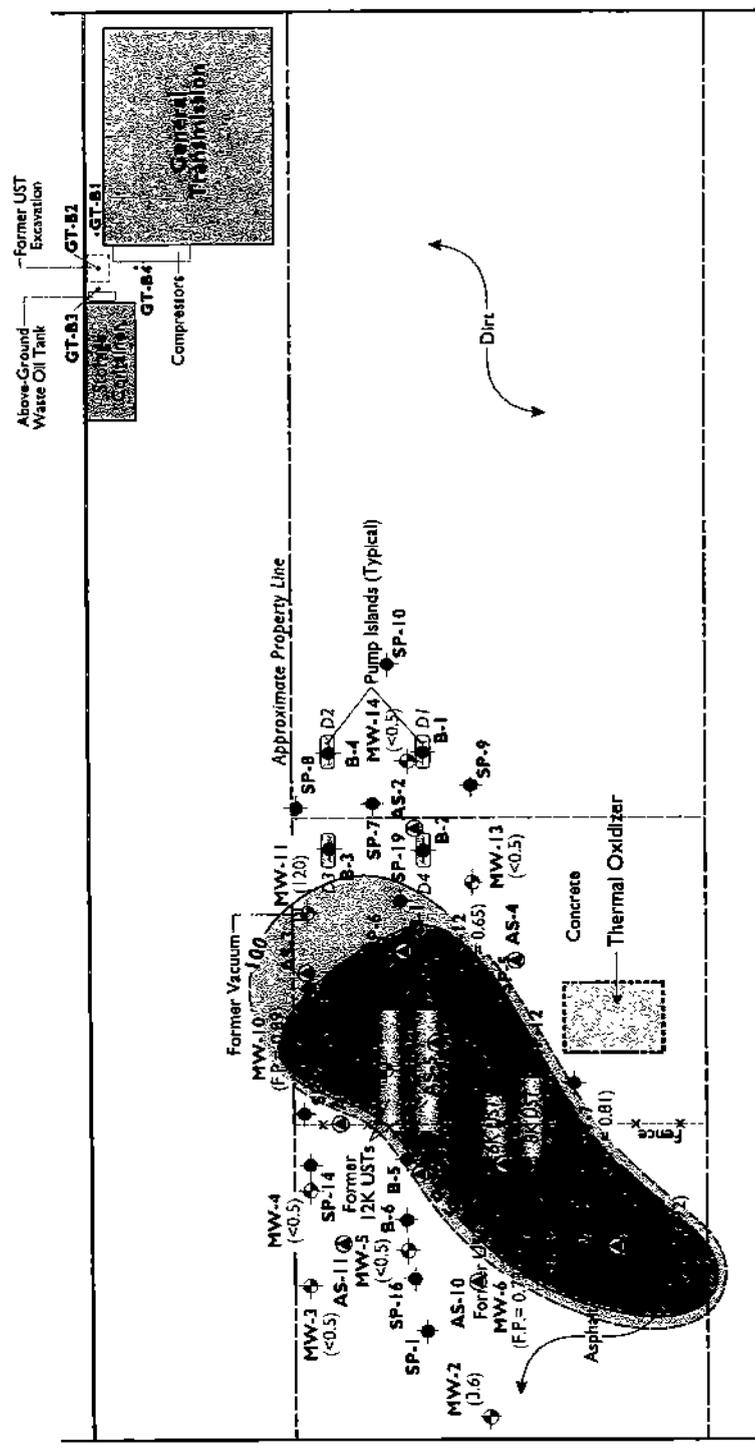
C. JAMES & ASSOCIATES, INC.
Environmental Consultants

Client:
BEACON BAY AUTO WASH NO.10
2059 North Harbor Blvd, Costa Mesa, CA
OCHCA Case #99UT20

**SITE PLAN WITH
TOTAL PETROLEUM HYDROCARBON
CONCENTRATIONS IN GROUNDWATER
ON OCTOBER 29, 2003**

Notes:
1. All locations are approximate.
2. F.P. = Free product thickness in feet.

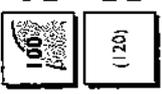
Harbor Boulevard



Charlie Street

EXPLANATION

- MW-14 Location and Designation of Groundwater Monitoring Wells By C. James & Associates, Inc.
- SP-19 Location and Designation of Borings By C. James & Associates, Inc.
- AS-11 Location and Designation of Air-Sparge Well By C. James & Associates, Inc.



Contour of Benzene Concentration in Micrograms Per Liter (µg/l). Dashed Where Inferred.

Benzene Concentration in Groundwater in Micrograms Per Liter (µg/l).

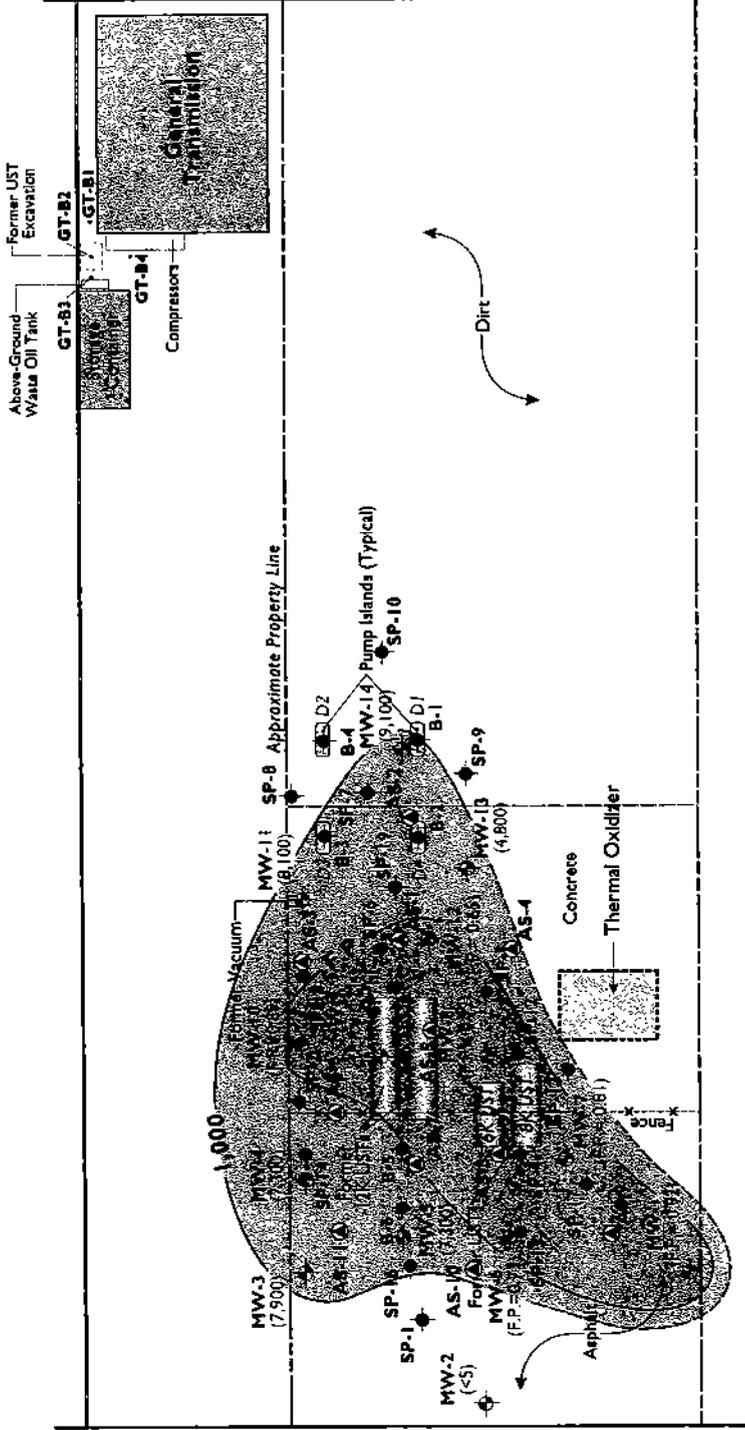


C. JAMES & ASSOCIATES, INC.
Environmental Consultants

Client:
BEACON BAY AUTO WASH NO.10
2059 North Harbor Blvd, Costa Mesa, CA
OCHCA Case #99UT20

**SITE PLAN WITH
BENZENE CONCENTRATIONS IN
GROUNDWATER ON
OCTOBER 29, 2003**

Harbor Boulevard



Charlie Street

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EXPLANATION

MW-14
 Location and Designation of Groundwater Monitoring Wells By C. James & Associates, Inc.

SP-19
 Location and Designation of Borings By C. James & Associates, Inc.

AS-11
 Location and Designation of Air-Sparge Well By C. James & Associates, Inc.

1,000
 Concentration of Methyl Tertiary Butyl Ether Concentration in Micrograms Per Liter (ug/l). Dashed Where Inferred.

(9,100)
 Methyl Tertiary Butyl Ether Concentration in Groundwater in Micrograms Per Liter (ug/l).

- Notes:**
1. All locations are approximate.
 2. F.P. = Free product thickness in feet.
 3. N.S. = Not sampled.



North

C. JAMES & ASSOCIATES, INC.
 Environmental Consultants

Client
BEACONRAY AUTO WASH NO.10
 2059 North Harbor Blvd, Costa Mesa, CA
 OCHCA Case #99UT20

**SITE PLAN WITH
 METHYL TERTIARY BUTYL ETHER
 CONCENTRATIONS IN GROUNDWATER
 ON OCTOBER 29, 2003**

Plate 6

WESLEY N. TAYLOR CO. "SINCE 1946"

• COMMERCIAL-INDUSTRIAL BROKERAGE •

3 Civic Plaza
Suite 165
Newport Beach, CA 92660
(949) 644-4910
FAX (949) 640-1539

August 3, 2004

City of Costa Mesa
Planning Commission
Costa Mesa City Hall
77 Fair Drive
Costa Mesa, California 92628

Gentlemen:

This office represents Robins Properties, the Buyer in Escrow to purchase the Beacon Bay property at 2059 Harbor Boulevard, Costa Mesa.

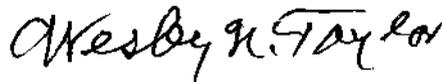
The soil contamination remedial process is in operation and proceeding as scheduled.

On behalf of Robins Properties, we respectfully request a one-year term extension on the existing Conditional Use Permit, PA-01-03 and 04. The existing Permit, we believe, expires September 14, 2004 and we request an extension of the same Permit until September 14, 2005.

Thank you for your cooperation in this matter.

Very truly yours,

WESLEY N. TAYLOR CO.



Wesley N. Taylor
President

WNT:mcf

APPROVED

ROBINS PROPERTIES

By: 
Theodore Robins, Jr.
General Partner



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 PLANNING DIVISION
AT (714) 754-5245.**