



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: MARCH 14, 2005

III.H.
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-04-49
814 W. 19TH STREET

DATE: MARCH 4, 2005

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

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit to establish a contractor's business with outdoor storage.

APPLICANT

The applicant is Norman Dias, representing the property owner, Michael D. Faulkner.

RECOMMENDATION

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

Handwritten signature of Mel Lee in black ink.

MEL LEE, AICP
Senior Planner

Handwritten signature of R. Michael Robinson in black ink.

R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 814 W. 19th Street Application: PA-04-49

Request: The applicant is requesting approval of a conditional use permit to establish a contractor's business with outdoor storage.

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: <u>C1</u>	North: <u>MG, commercial uses</u>
General Plan: <u>General Commercial</u>	South: <u>(Across W. 19th St.) C1, commercial uses</u>
Lot Dimensions: <u>35 FT x 107 FT</u>	East: <u>C1, commercial uses</u>
Lot Area: <u>3,745 SF</u>	West: <u>C1, commercial uses</u>
Existing Dev.: <u>1,100 SF commercial building</u>	

DEVELOPMENT STANDARD COMPARISON (EXISTING BUILDING)

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
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Lot Size:		
Lot Area	12,000 SF	3,745 SF*
Parking:		
TOTAL:	6 Spaces	5 Spaces*
*The property is legal nonconforming.		
CEQA Status:	Exempt (Class 1)	
Final Action:	Planning Commission	

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BACKGROUND

In 1980, a conditional use permit was approved to allow Faulkner's Lawnmower Shop, which provides sales and repair of lawnmower equipment, to occupy the building.

ANALYSIS

The applicant is proposing to operate a contractor's business with outdoor storage at the site. According to the applicant, the front portion of the existing building would be used for office space for the applicant's construction contractor's business; the rear portion of the existing building would be used for storage of construction materials. Some materials will also be stored outside the building at the rear of the site (where the lawnmowers are currently stored). The area at the rear of the building is not striped for parking spaces; however, plans submitted by the applicant show 4 proposed parking spaces at the rear of the building (there is 1 existing parking space at the front of the building). The applicant states that they will have a maximum of two employees, so the area at the rear of the building should be large enough to accommodate employee parking and outdoor storage.

It is staff's opinion that the proposed use will be compatible with the surrounding area, which contain other commercial businesses. The property is approximately 270 feet from the nearest residentially-zoned property to the west of the site. Staff has incorporated conditions of approval to minimize adverse impacts on the adjacent properties, including a condition requiring that the use be conducted in a manner that will allow the quiet enjoyment of the surrounding neighborhood and that the outdoor storage shall be modified if it interferes with on-site parking for customers and employees. The applicant will also be required to comply with Code Section 13-44 (Commercial Development Standards) so that the outdoor storage does not interfere with required parking or vehicle circulation, and is required to be screened from view of the street and surrounding properties.

In 2003, Planning Commission approved a conditional use permit (CUP) for the Avalon Bar at 820 W. 19th Street (one property to the west of the subject property). The proposed outdoor storage will not interfere with the parking for the Avalon Bar because as part of the approval for Avalon's CUP a condition was included allowing the two properties to be separated by a chain link fence and gate to prevent patrons of the Garibaldi De Noche Bar (to the east of the subject property at 810 W. 19th Street) from accessing and using Avalon's parking area. Additionally, the approval of the Avalon CUP did not include off-site parking for the subject site. Since the opening of Avalon, the City has not received any complaints of parking problems.

ALTERNATIVES

If the application is denied, the use cannot be established on the property. The property could still be used by the lawnmower shop or another use not subject to a conditional use permit.

CONCLUSION

The proposed use, with the recommended conditions of approval, should not be disruptive to surrounding properties or uses. Therefore, staff recommends approval of the use.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Draft Conditions of Approval
 Applicant's Project Description and Justification
 Zoning/Location Map
 Plans

cc: Deputy City Manager - Dev. Svcs.
 Senior Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Michael D. Faulkner
944 Cedar Place
Costa Mesa, CA 92627

Norman Dias
203 Susannah Place
Costa Mesa, CA 92627

File: 031405PA0449	Date: 030305	Time: 1045a.m.
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RESOLUTION NO. PC-05-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-04-49**

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

WHEREAS, an application was filed by Norman Dias, authorized agent for Michael D. Faulkner, with respect to the real property located at 814 W. 19th Street, requesting approval of a conditional use permit to establish a contractor's business with outdoor storage; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on March 14, 2005;

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** Planning Application PA-04-49 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-04-49 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, then this resolution, and any recommendation for approval herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 14th day of March, 2005.

Chair, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed development and use is compatible and harmonious with uses on surrounding properties.
 2. 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.
 3. The project is consistent with the General Plan.
 4. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. 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 proposed use will be compatible with the surrounding area, which are commercial uses. The property is not adjacent to any residentially-zoned properties. The applicant will be required to comply with code so that the outdoor storage does not interfere with required parking or vehicle circulation, and will be screened from view of the street and surrounding 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.
- 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. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
 3. 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.
 4. The use shall be limited to the type of operation described in the staff report, i.e., a construction contractor's business with outdoor storage. Any change in the operational characteristics shall require approval of an amendment to the conditional use permit, subject to Planning Commission approval.
 5. If parking shortages or other parking-related problems arise, the applicant shall institute whatever operational measures are necessary to minimize or eliminate the problem, including, but not limited to, reducing and/or eliminating the outdoor storage.
 6. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to occupancy. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

PLANNING DIVISION - CITY OF COVINA MESA

DESCRIPTION/JUSTIFICATION

Application #: PA-04-49
Address: 814 W. 19th St.

Environmental Determination: Exempt

1. Fully describe your request:

I would like to buy the property currently owned and occupied by Faulkner's Lawnmower Shop and turn the space into office and storage for my small construction business. I want to clean up the property and building, and intend to put office in the front area of the building and storage in the back area of the building.

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.

The proposed use would be very compatible within this area. An office building fits with the existing real estate and doctor office buildings, yet the traffic created by my proposed office would be very minimal. Parking would be easily accommodated where there are only 2 office employees, creating less impact on the retail and restaurant uses on either side of the building.

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.

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

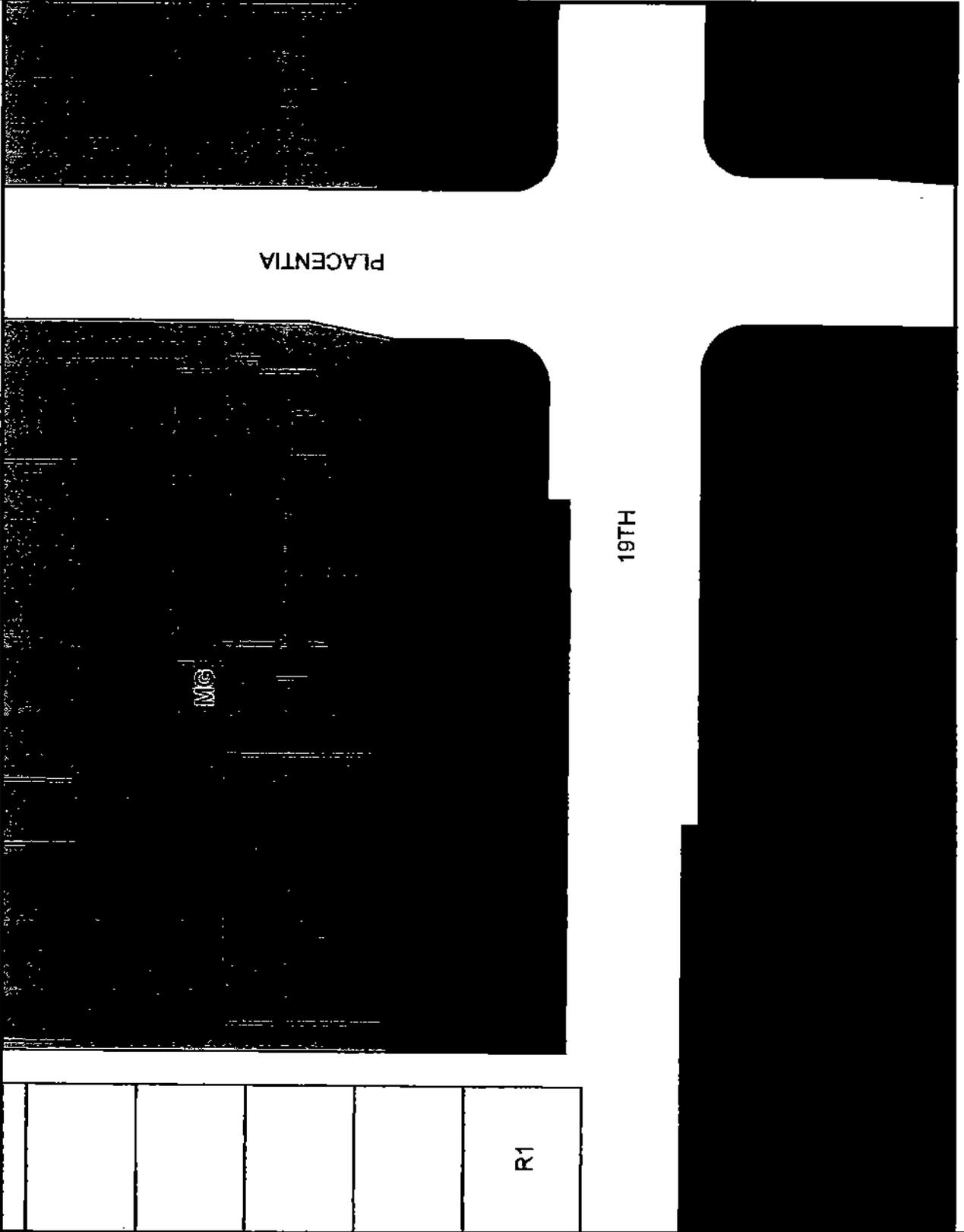
March 1996

Date

12/28/04

ZONING/LOCATION MAP

PA-04-49



R1

19TH

PLACENTIA

MG

Legend

Street Names

Parcel Lines

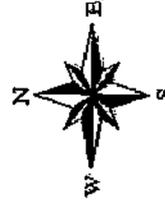
Zoning

- AP
- C1
- C1-S
- C2
- CL
- IBR
- IGR-S
- MG
- MP
- P
- PDC
- PDI
- PDR-HD
- PDR-LD
- PDR-MD
- PDR-NCM
- R1
- R2-HD
- R2-MD
- R3
- TC

Dwelling
General

General Plan
Specific Land

Parcels



814 W. 19TH STREET

Legend

- Street Names
- Parcel Lines
- Dwelling General
- General Plan Specific Land
- Ortho Photography Parcels

