



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: MARCH 14, 2005

*VIII.5.*  
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-05-02  
1375 LOGAN AVENUE

DATE: MARCH 3, 2005

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

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## **PROJECT DESCRIPTION**

The applicant is requesting approval of a conditional use permit to establish an automotive repair business within 200 feet of a residentially zoned property.

## **APPLICANT**

The applicant is David Dibs, representing the property owner, Steve Young.

## **RECOMMENDATION**

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

  
\_\_\_\_\_  
WENDY SHIH  
Associate Planner

  
\_\_\_\_\_  
R. MICHAEL ROBINSON, AICP  
Asst. Development Services Director

## **BACKGROUND**

The subject property is located between College Avenue and McClintock Way, on the south side of Logan Avenue. It is zoned MG (General Industrial) and has a General Plan designation of Light Industrial. It is surrounded by industrially zoned and developed properties to the north (across Logan Avenue), east and west. The property to the south is zoned R3 (multiple-family residential), which contains the Seapointe Villas apartment complex.

The lot contains a 25,300 square foot, multi-tenant industrial building. The majority of the businesses within the building are general industrial uses such as manufacturing and warehousing. There is an existing automotive repair shop (Corvette Shop) in Unit A, which was established in the mid 1980's. In February 2001, a minor conditional use permit (ZA-00-29) was approved to allow five storage containers along the rear of the property.

The applicant proposes to occupy a 1,760 square foot suite (Unit F) for an automotive repair business (general transmission work). A conditional use permit is required for this type of business within the MG zone when the property is located within 200 feet of a residentially zoned property.

## **ANALYSIS**

It is staff's opinion that the proposed use would not negatively impact the surrounding properties since it is surrounded by industrial uses on three sides. All automotive repair work will be conducted inside the building and will not be visible from the street or adjoining properties. The building is located more than 50 feet away from the apartment units to the rear (south) and is separated from the residences by a 35 ft. high wall, which provides a visual and sound barrier. If the applicant's request is approved, all operations will be required to be conducted within the building and all activities will be limited to 7 a.m. to 7 p.m. per Sec. 13-54 (b) of the Zoning Code. Therefore, noise impacts on the residential properties to the rear are not anticipated. According to Code Enforcement records, there has not been a problem with the existing auto repair business. Parking is not an issue because more than adequate parking exists even with the storage containers (76 spaces required; 81 spaces available). Since the building is already occupied by another automotive repair business and the floor area ratio (FAR) is legal, nonconforming as a moderate traffic generator, approval of the conditional use permit for a second automotive repair business would not make the property more nonconforming.

All the tenants within the existing building have reviewed the applicant's request and have signed a petition to support approval of the conditional use permit.

## **ALTERNATIVES**

If the conditional use permit were denied, an automotive repair business would not be allowed to occupy Unit F.

**CONCLUSION**

It is staff's opinion that the proposed use, with the recommended conditions of approval and Code requirements, will not adversely affect adjoining industrial and residential properties. Although the property is located within 200 feet of the residences to the rear, there is an existing wall separating this property from the residential development to the south that provides visual and sound barrier. Code also requires that all activities be conducted inside the building and within reasonable operating hours. Therefore, staff recommends approval of the request.

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

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

Steve Young  
19081 Yorba Linda Blvd.  
Yorba Linda, CA 92886

David Dibs  
1375 Logan Ave., Unit F  
Costa Mesa, CA 92626

File: 031405PA0502	Date: 030105	Time: 345p.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-05-02**

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

WHEREAS, an application was filed by David Dibs, authorized agent for Steve Young, with respect to the real property located at 1375 Logan Avenue, Unit F, requesting approval of conditional use permit to establish an automotive repair business within 200 feet of a residentially zoned property; 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-05-02 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-05-02 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.**

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Chair, Costa Mesa  
Planning Commission



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

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use, as conditioned, is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. There have been no complaints received regarding the existing automotive repair business in the same building. Although a residential property backs up to the subject site, there is an existing 35-foot high block wall between the two properties that provides a visual and sound barrier. All activities will also be required to be conducted inside the building. The recommended conditions of approval and Code requirements will ensure that the operation will not be disruptive to adjoining uses. Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
- a. The proposed use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
  - b. The proposed use is consistent with the General Plan. Since the building is already occupied by another automotive repair business and the floor area ratio (FAR) is legal, nonconforming as a moderate traffic generator, approval of the conditional use permit for a second automotive repair business would not make the property more nonconforming.
  - c. The planning application is for a project-specific case and does not establish a precedent for future development.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- D. The project is exempt from Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

- Plng.
1. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
  2. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
  3. The use shall be conducted, at all times, in a manner to allow the quiet enjoyment of the surrounding neighborhood. If noise complaints are received, the applicant and/or business owner shall institute whatever operational measures are necessary to comply with this requirement.

PLANNING DIVISION - CITY OF COSTA MESA  
DESCRIPTION/JUSTIFICATION

Application #: PA-05-02

Environmental Determination:

Address: 1375 Logan #F

1. Fully describe your request: BUSINESS LICENCE  
I AM REQUESTING A CONDITIONAL USE PERMIT TO OBTAIN  
A BUSINESS LICENSE TO OPERATE AN AUTO REPAIR SHOP AT  
1375 LOGAN AVE. UNIT F.

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.

IN THE SAME BUILDING THERE IS ANOTHER AUTO REPAIR SHOP WHICH I HAVE BEEN DOING BUSINESS WITH FOR SEVERAL YRS WITH NO COMPLAINTS FROM RESIDENTS. BETWEEN THE ALLEY BEHIND THE BUILDING THERE IS A 35-FOOT SOUND BARRIER WALL, WITH NO COMPLAINTS KNOWN BY THE OTHER SHOPS OR SHEET METAL SHOP SINCE THE WALL WAS CONSTRUCTED.

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.

ALL WORK TO BE DONE INSIDE BUILDING 8-5  
MONDAY THROUGH FRIDAY

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

Michael A. Miller 8

Date

1-18-05

Orange County Transmissions  
1375 LOGAN AVE., UNIT F  
COSTA MESA, CA 92626  
(714) 546-9900  
8 - 5 Monday Through Friday

I am petitioning the City of Costa Mesa for a zoning variance to operate A Automotive shop at 1375 Logan Avenue, Unit F and would appreciate your signature as a neighbor in support of this. The variance is needed due to current City code restrictions with regard to the Noise Level Due To The Adjacent Apts.

Unit A  
The Corvette Shop

*Kurt Jones* 12-8-04

Unit B / C / D  
Industrial Sheat Metal

*[Signature]* 12-8-04

Unit E  
PC Trade Printing

*Gina* 12-8-04

Unit F  
Orange County Transmissions

*[Signature]* 12-8-04

Unit G  
GAG

*[Signature]* 12/8/04

Unit H / I / J  
Machine & MFG. CO.

*[Signature]* D Mi Truck.

Unit K  
Mitchel B.

*[Signature]*

Unit L  
Kaiser Carleen Warehouse

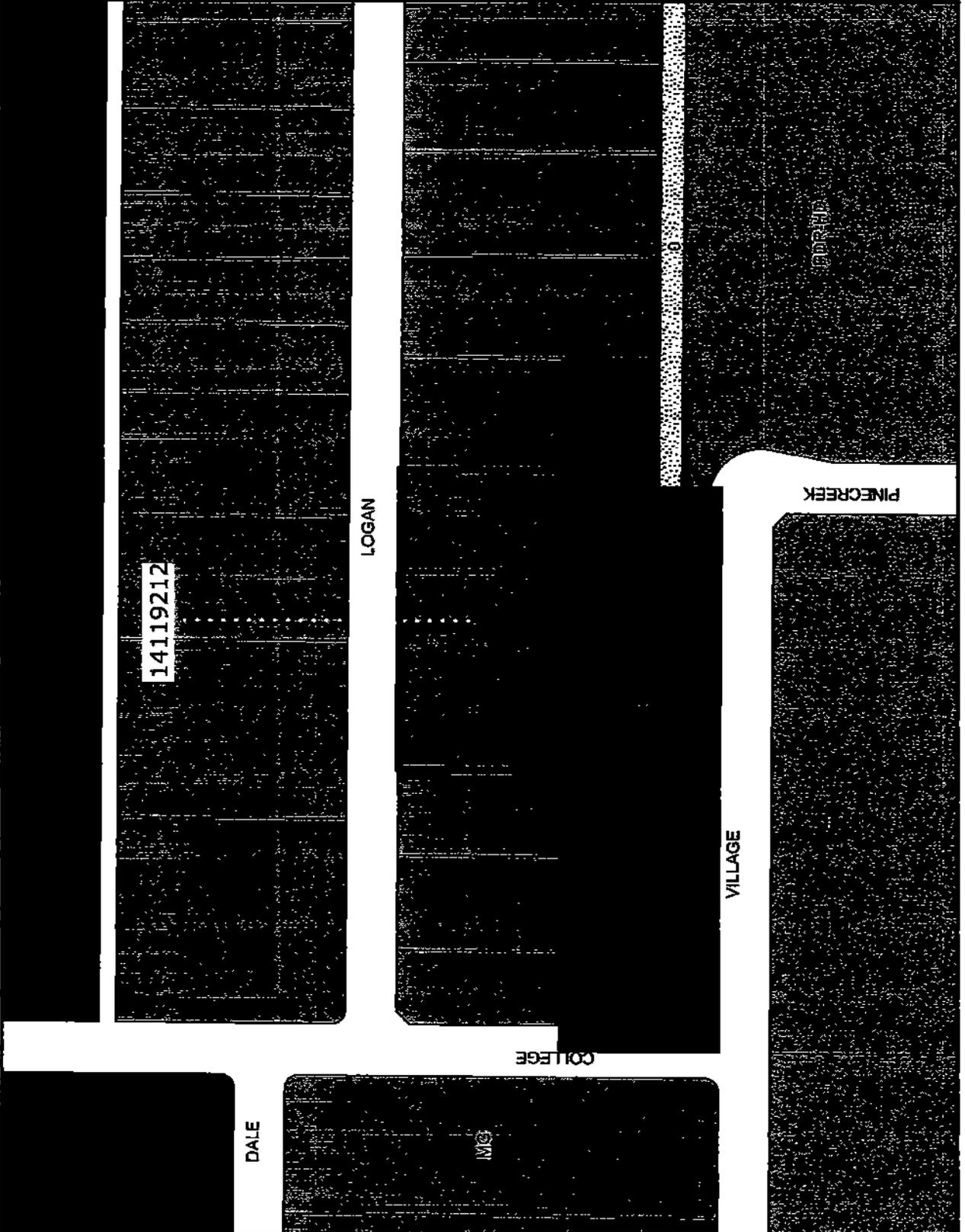
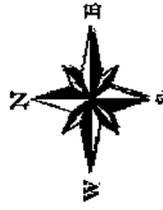
*David M. Carleen*

**1375 Logan Avenue**

# 1375 Logan Avenue

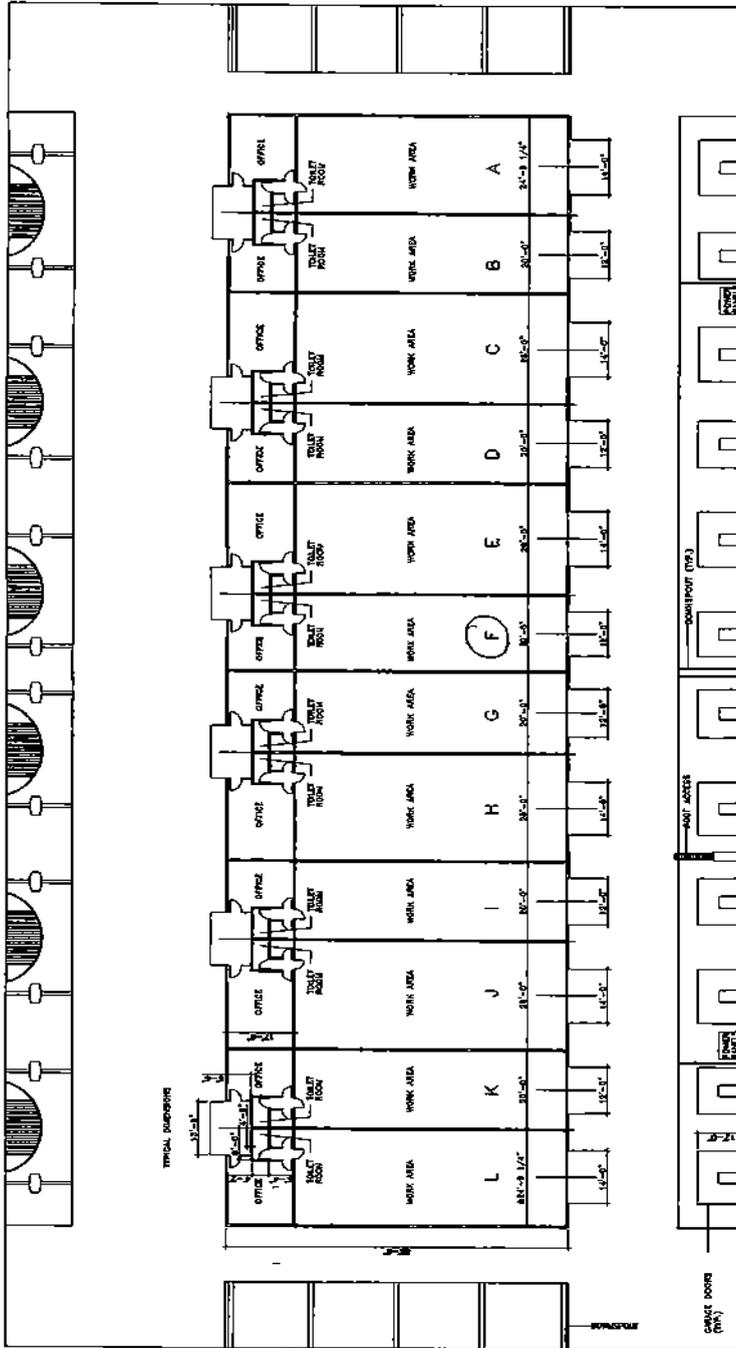
## Legend

- Selected By Buffer
  - Selected Features
  - Street Names
  - Parcel Lines
  - City Boundary
  - Zoning
- |    |    |      |    |    |    |      |    |    |   |     |     |        |        |        |         |    |       |       |    |    |         |
|----|----|------|----|----|----|------|----|----|---|-----|-----|--------|--------|--------|---------|----|-------|-------|----|----|---------|
| AP | C1 | C1-S | C2 | CL | IR | IR-S | MG | MP | P | PDC | PDI | PDR-HO | PDR-LD | PDR-MD | PDR-NCH | R1 | R2-HO | R2-MD | R3 | TC | Parcels |
|----|----|------|----|----|----|------|----|----|---|-----|-----|--------|--------|--------|---------|----|-------|-------|----|----|---------|





NORTH ELEVATION



EAST ELEVATION

WEST ELEVATION

SOUTH ELEVATION

PROJECT ADDRESS  
1375 LOGAN AVENUE  
COSTA MESA, CA 92626

OWNER  
CITY AND COUNTY OF COSTA MESA

ARCHITECT  
MORRIS HARRIS  
(714) 971-2021

DATE  
MINOR CUP  
PROJECT / ACTIVITY # 2A-00-29  
PAGE 2 OF 2  
DATE: 11/14/01

FLOOR PLAN / ELEVATIONS

