



PLANNING COMMISSION AGENDA REPORT

VII.5

MEETING DATE: APRIL 28, 2008

ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-08-08
2115 NEWPORT BOULEVARD (THE CROSSING CHURCH)

DATE: APRIL 17, 2008

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

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit to allow temporary outdoor storage of new motor vehicles on the top level of a parking structure.

APPLICANT

Dale Winson is the authorized agent for The Crossing Church.

RECOMMENDATION

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


WENDY SHIH
Associate Planner


KIMBERLY BRANDT, AICP
Asst. Development Services Director

BACKGROUND

The subject property is located near the southwest corner of Newport Boulevard and Victoria Street. It contains two church support facilities totaling approximately 35,000 square feet with a 4-level parking structure (approved under PA-99-07/08) and temporary trailer and tent structures totaling approximately 9,000 square feet (approved under PA-01-44). An approximately 23,000 square-foot sanctuary was also approved under PA-99-07/08. However, it is not expected to be completed until 2010.

The applicant was unaware that a conditional use permit is required for outdoor storage of motor vehicles and has been storing new vehicle inventory for a dealership on the top level of the parking structure. In response to a notice from the Code Enforcement Division, the applicant submitted this application to legalize the use.

ANALYSIS

According to the applicant, the top level of the parking structure contains excess parking (137 spaces) not currently used by any church members or visitors. They would like to use the top floor for new vehicle storage until the sanctuary is built in 2010. The vehicles are only driven by employees of the dealership and are moved from the property approximately 2 to 8 times a day and are accessible between the hours of 9 a.m. to 9 p.m. daily.

It is staff's opinion that the proposed temporary outdoor storage of new vehicles on the top level of the parking structure will not negatively impact on-site use and other businesses in the area. Specifically, the site contains excess parking (433 spaces required with the 1,300-seat sanctuary that has not been constructed; 150 spaces required with current 450-seat tent/assembly area; 611 spaces provided) so the storage does not impact on-site parking. The vehicles are also not visible from off-site and generate minimal traffic to the site. There have been no Code Enforcement complaints of the use; the initial discovery of the non-permitted storage was made by Building staff during a site visit.

GENERAL PLAN CONSISTENCY

The General Plan permits a wide range of commercial uses within the General Commercial land use designation. The use is permitted in the C2 zone with a conditional use permit and is, therefore, consistent with the General Plan.

ALTERNATIVES

If the application is denied, no outdoor storage of new motor vehicles would be allowed and substantially the same request cannot be re-submitted for 6 months. Staff recommends direction to remove all stored vehicles from the property within 30 days if the request is denied.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities.

CONCLUSION

Since new vehicle storage is a temporary use of the property, the storage area is not visible from off-site, parking spaces provided on-site are adequate to accommodate the use, and no complaints have been received, staff does not anticipate that approval of the conditional use permit will generate negative impacts on existing uses in the vicinity.

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

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

Dale Winson
2115 Newport Boulevard
Costa Mesa, CA 92627

File: 042808PA0808	Date: 041708	Time: 9:30 a.m.
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RESOLUTION NO. PC-08-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-08-08**

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

WHEREAS, an application was filed by Dale Winson of The Crossing Church, with respect to the real property located at 2115 Newport Boulevard, requesting approval of a conditional use permit to allow outdoor storage of new motor vehicles on the top level of a parking structure, in a C2 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on April 28, 2008;

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-08-08 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 Planning Application PA-08-08 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B", as well as with compliance of all applicable federal, state, and local laws. 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 28th day of April, 2008.

Donn Hall, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Kimberly Brandt, 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 April 28, 2008, by the following votes:

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

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS (approval)

- A. The proposed use complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed 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 since it permits a wide range of commercial uses within the General Commercial land use designation. The use is permitted in the C2 zone with a conditional use permit and is, therefore, 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 site contains excess parking so the storage of new motor vehicles will not impact on-site parking. The vehicles are also not visible from off-site and generate minimal traffic to the site.
- 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 under Section 15301.
- 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, and the outdoor storage of new motor vehicles shall be removed prior to final occupancy of the sanctuary building. 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.
 3. The use shall be limited to the type of operation described in the staff report and applicant's description letter. Any change in the operational characteristics shall require approval of an amendment to the conditional use permit, subject to Planning Commission approval.
 4. If parking shortages or other parking-related problems arise, the applicant shall institute whatever operational measures are necessary to minimize or eliminate the problem.
 5. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding properties. The applicant and/or property owner shall institute whatever security and operational measures are necessary to comply with this requirement.
 6. The outdoor storage of motor vehicles shall be limited to brand new inventory.

RESOLUTION NO. PC-08-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING PLANNING APPLICATION
PA-08-08**

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

WHEREAS, an application was filed by Dale Winson of The Crossing Church, with respect to the real property located at 2115 Newport Boulevard, requesting approval of a conditional use permit to allow outdoor storage of new motor vehicles on the top level of a parking structure, in a C2 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on April 28, 2008;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** Planning Application PA-08-08 with respect to the property described above.

PASSED AND ADOPTED this 28th day of April, 2008.

Donn Hall, Chair
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS (denial)

- A. The proposed use does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed use is not compatible 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 planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented does not comply with Costa Mesa Municipal Code section 13-29(g)(2) in that the proposed use is not compatible with developments in the same general area. Granting the conditional use permit will be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity.
- 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 under Section 15301.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.



City of Costa Mesa
Planning Division
PO Box 1200
77 Fair Drive
Costa Mesa, CA 92628-1200

RECEIVED
CITY OF COSTA MESA
DEVELOPMENT SERVICES

MAR 12 2006

Dear Ms. Shih:

The following answers are in response to your questions regarding our planning application PA-8-08.

Question 1 – Confirm the maximum number of parking spaces to be used for vehicle storage.

- We are requesting that the city permit a maximum number of 137 parking spaces to be used for vehicle storage.
- The spaces are the entire top of the parking building.
- The 137 car spaces are excess spaces not currently required for the buildings on the site today.
- We are only requesting this use of 137 spaces until we have the new, larger building up in 2010, at which point we will no longer store vehicles there.

Question 2 – Detail how often employees and/or customers visit the stored vehicles and how the vehicles are moved on or off the site.

- The vehicles are only driven by employees of the car dealership.
- Cars are moved by driving them individually from 2 to 8 times a day.

Question 3 – Are the vehicles accessible 9 am to 9 am daily (Monday through Sunday)?

- The vehicles are accessed between 8am to 9pm daily (Monday through Sunday.)

Question 4 – Provide the number of seats in the current sanctuary (tent structure)

- There are 300 to 450 seats set up in the tent structure depending on the service.
- We have an excess of parking spaces and we even have more spaces per a shared use agreement with our neighbor.

If you need any additional information, we are happy to provide it to you. Please call me at (949) 510-8682 if you have any questions.

Sincerely,

Dale Winson
Executive Pastor, Operations

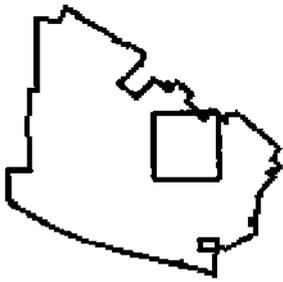
BEYOND...
OUR DREAMS...WALLS...LIVES...

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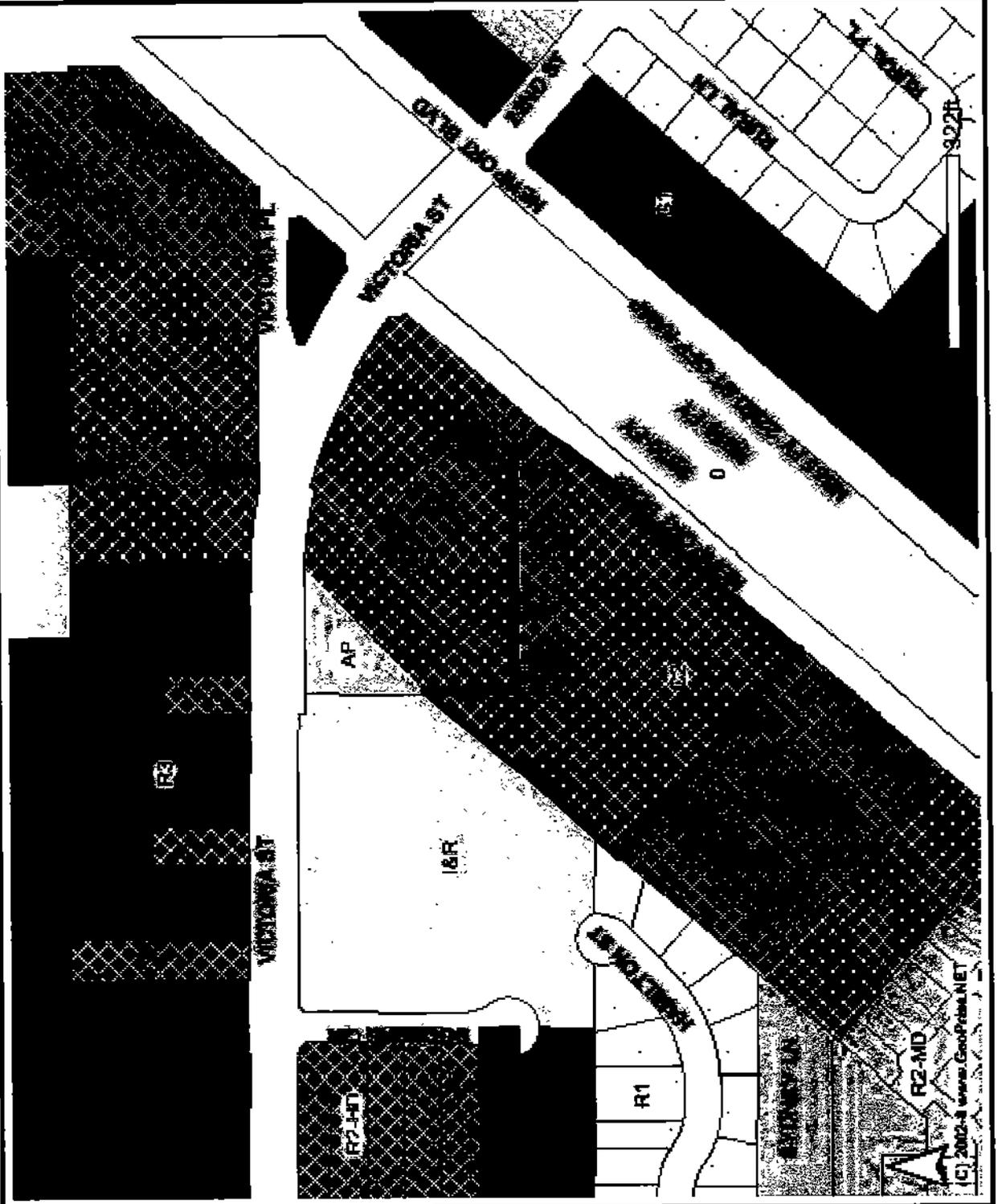
City of Costa Mesa

2115 NEWPORT BOULEVARD - [Created: 4/15/2008 9:39:59 AM] [Scale: 321.84] [Page: 8.5 x 11 / Landscape]

Overview Map



Map Display



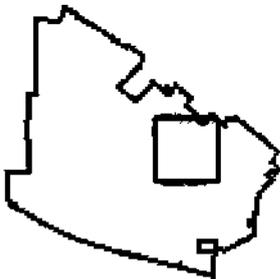
Legend

- Address Points
- Street Names
- Parcel Lines
- City Boundary
- Zoning
- AP
- C1 (count)
- C1-S
- C2
- CL
- M&R
- M&R-S
- MIG
- MP
- P
- PDC
- PDI
- PDR-HD
- PDR-LD
- PDR-MD
- PDR-MCM
- R1 (count)

City of Costa Mesa

2115 NEWPORT BOULEVARD - THE CROSSING - [Created: 2/14/2007 10:22:47 AM] [Scale: 295.1] [Page: 8.5 x 11 / Landscape]

Overview Map



Map Display



Legend

- Address Points city
- Street Names
- City Boundary
- Dwelling General
- Level 3 Ortho Photo

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