



PLANNING COMMISSION AGENDA REPORT

VI.5

MEETING DATE: JULY 14, 2008

ITEM NUMBER:

**SUBJECT: REVOCATION OF ZONE EXCEPTION PERMIT ZE-84-72
947 WEST 18TH STREET**

DATE: JULY 3, 2008

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

PROJECT DESCRIPTION

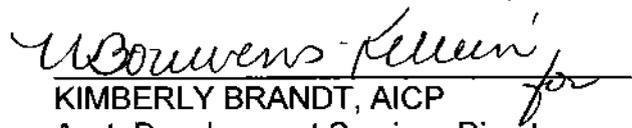
The Planning Division is initiating revocation a 1984 conditional use permit for auto detailing and outdoor washing of cars since the business has been discontinued for a minimum of ten years and onsite conditions have changed.

The property owner is Maurice Lavoie.

RECOMMENDATION

Revoke the conditional use permit by adoption of Planning Commission resolution.


WENDY SHIH
Associate Planner


KIMBERLY BRANDT, AICP
Asst. Development Services Director

BACKGROUND

The property is located in the Westside, within the Mesa West Bluffs Urban Plan area. In 1980, Planning Commission approved Zone Exception Permit ZE-80-19 for auto repair. In 1984, Commission approved ZE-84-72 for auto detailing and outdoor washing of cars. The lot is currently occupied by an auto repair business (Mercedes Repair by Maurice, Inc.) and a motor vehicle retail sales business (Divine Automarket Inc.).

On May 27, 2008, Commission approved PA-08-10 for legalization of a 1,870 square-foot auto storage/parking structure and a bathroom addition at the rear of the lot. In review of this recent application, staff found that the auto detailing business was discontinued over ten years ago, therefore, has initiated the revocation of the 1984 conditional use permit.

ANALYSIS

The auto detailing business occupied the rear portion of the site. Cars were washed outdoors under the freestanding overhang structure and then brought inside the building to be waxed and polished. Staff is uncertain when the business was closed because the City has no record of a business license since 1998.

Since auto repair now occupies the rear portion of the building and an auto sales business occupies the front, staff believes that the site conditions no longer support an auto detailing business with outdoor washing of cars as originally approved. Specifically, the former "outdoor washing" area is now occupied by a storage/parking structure.

GENERAL PLAN CONSISTENCY

Because the recommendation is for revocation of a planning application for a use that has been discontinued, the revocation is consistent with the General Plan.

ALTERNATIVES

Planning Commission may revoke ZE-84-72 by adoption of the resolution. Auto detailing and outdoor washing of cars would not be allowed to reestablish on the property without approval of a new conditional use permit. The existing auto repair and retail business may continue to operate onsite under previous approvals, subject to conditions.

If Commission wishes to retain ZE-84-72, no action is required. An auto detailing business may reestablish onsite consistent with the original conditions of approval, although it may be a more limited operation given current site improvements.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15321 for Enforcement Actions by Regulatory Agencies.

CONCLUSION

Staff believes the conditional use permit for auto detailing and outdoor washing of cars is no longer appropriate for the property because onsite conditions have changed since the original approval in 1984. Therefore, staff is recommending revocation of ZE-84-72.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Zoning/Location Map
 Zone Exception Permit ZE-84-72

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

Ronald Talmo
2415 North Hesperian
Santa Ana, CA 92706

Maurice Lavoie
947 W. 18th St.
Costa Mesa, CA 92627

File: 071408ZE8472	Date: 062608	Time: 8:30 a.m.
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RESOLUTION NO. PC-08-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA REVOKING ZONE EXCEPTION
PERMIT ZE-84-72**

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

WHEREAS, on April 23, 1984, the Planning Commission approved Zone
Exception Permit ZE-84-72, a conditional use permit for auto detailing and outdoor
washing of cars, located at 947 West 18th Street, in an MG zone, which has since been
discontinued; and

WHEREAS, a review for revocation was conducted at a duly noticed public
hearing held by the Planning Commission on July 14, 2008; and

WHEREAS, the purpose of the review is to revoke ZE-84-72 because a material
change has occurred in the property's conditions that will effect the business operation
as approved. Specifically, Planning Application PA-08-10 was approved for car storage
in the area the auto detailing took place.

BE IT RESOLVED that, based on the evidence in the record and the findings
contained in Exhibit "A", the Planning Commission hereby **REVOKES** Zone Exception
Permit ZE-84-72 with respect to the property described above.

PASSED AND ADOPTED this 14th day of July, 2008.

Donn Hall, Chair
Costa Mesa Planning Commission

EXHIBIT "A"

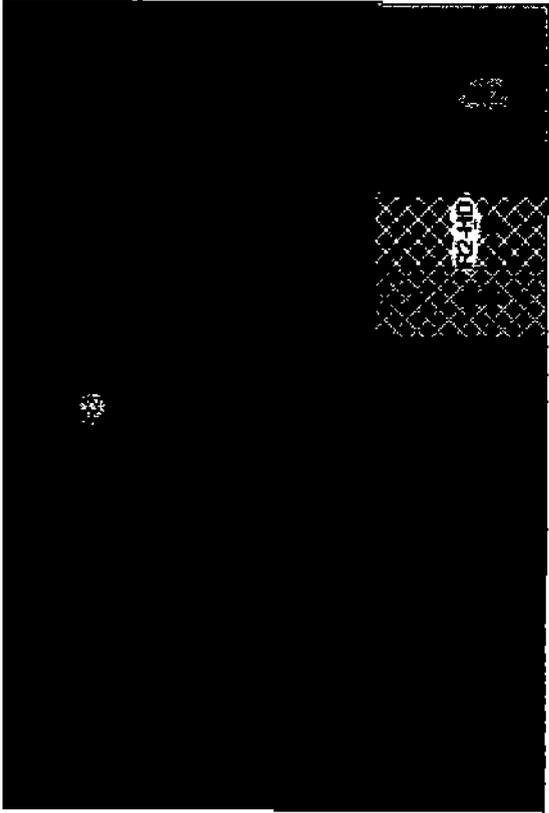
FINDINGS (REVOCATION)

- A. Revocation of the conditional use permit approved under ZE-84-72 is justified because the former "outdoor washing" area is now occupied by a storage/parking structure and the washing and detailing of cars has been discontinued for several years.

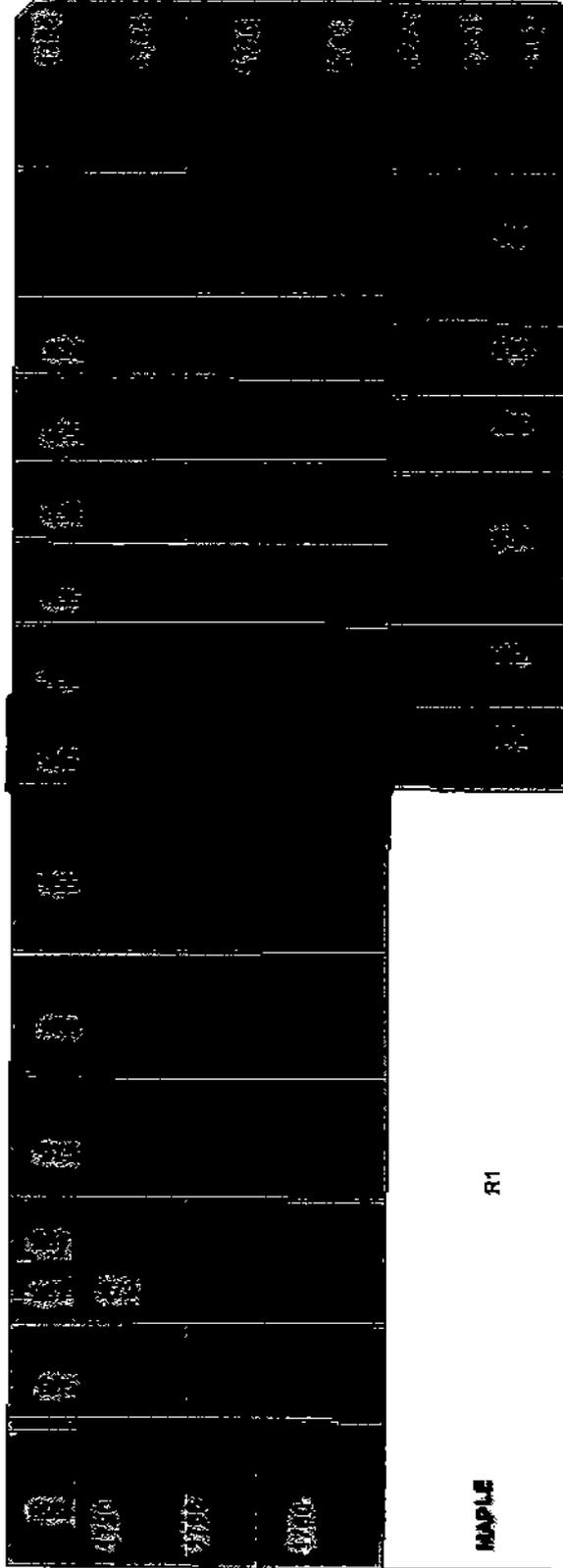
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15321 for Enforcement Actions by Regulatory Agencies.



WINDYBROOK



WINDYBROOK



WINDYBROOK



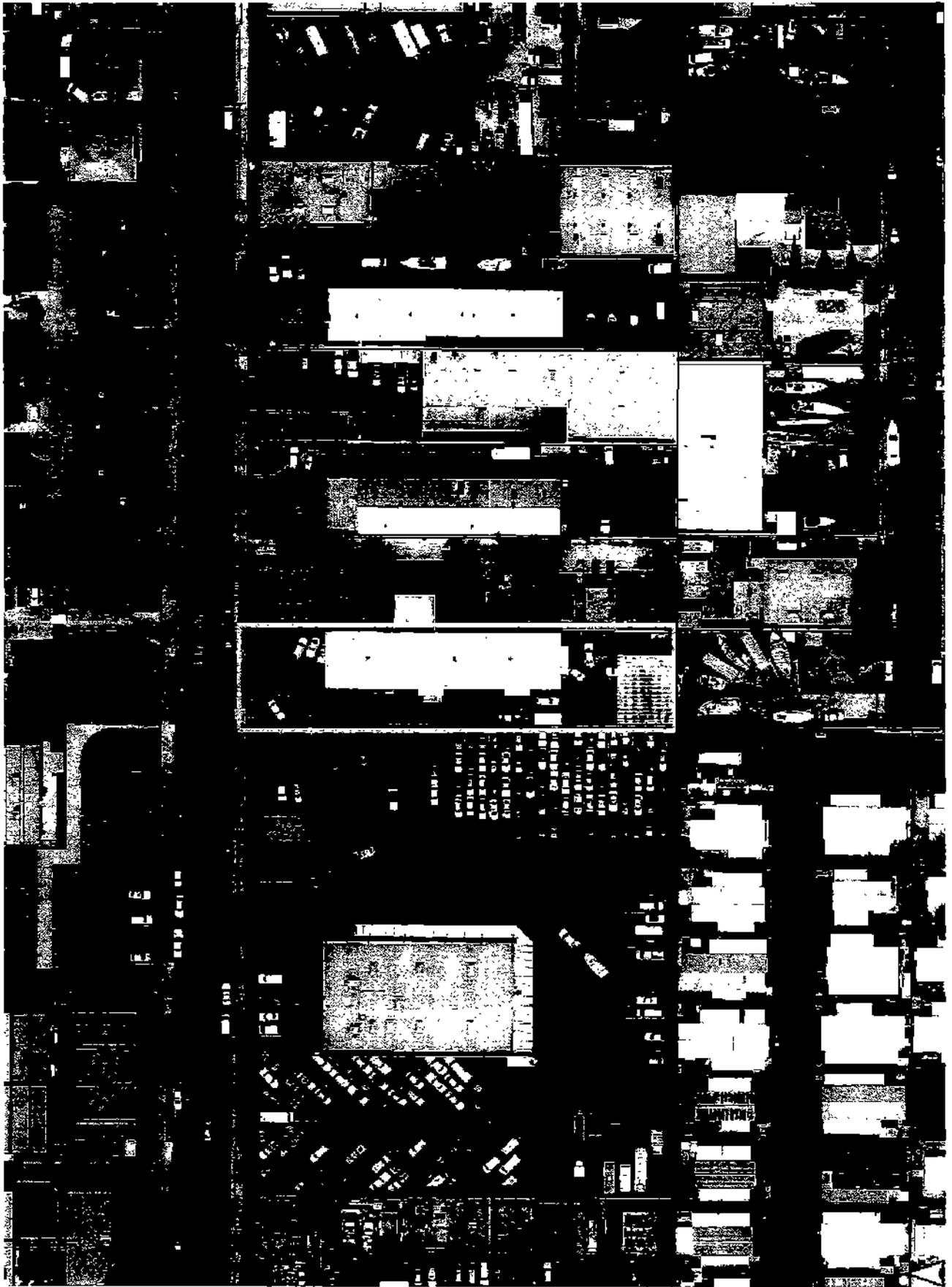
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**PLANNING DIVISION
STAFF REPORT**

AGENDA NO. _____

SITE LOCATION 947 West 18th Street APPLICATION NO. ZE-84-72

AP # 424-361-10 MANDATORY ACTION DATE March 28, 1985

APPLICANT Earl H. Hardage AUTHORIZED AGENT Christopher Anderson
(Owner of Record)

ADDRESS 201 Paularino Avenue ADDRESS 947 West 18th Street

Costa Mesa, CA 92626

Costa Mesa, CA 92627

Applicant is reminded that all ordinances and regulations governing the use of the land or building(s) to which this application pertains must be complied with whether specified herein or not.

PREPARED BY KL:hwm

REQUEST:

Conditional Use Permit for auto detailing, and a Conditional Use Permit for outdoor washing of cars.

FINAL COMMISSION ACTION: April 23, 1984

ZONE EXPLANATION PERMIT ZE-84-72: Negative Declaration was adopted and Conditional Use Permits were approved, based on the analysis and findings and subject to the conditions contained in the Planning Division Staff Report.

(5-0)

APPLICANT NOTIFIED BE DATE 4/26/84

CITY OF COSTA MESA, 77 FAIR DRIVE, COSTA MESA, CA 92626 (714) 754-5245



I. DESCRIPTION

A. Subject Property

1. Location - 947 West 18th Street
2. General Plan Designation - Light Industrial
3. Zone - MG
4. Present Development - 6,400 sq.ft. industrial building
5. Lot Dimensions - 66' x 300', 19,800 sq.ft.
6. CEQA - Exempt: Class 1, Existing Facilities

B. Surrounding Property

1. North - (Across 18th Street) R3-CP, apartments
2. South - MG and RL, mixed industrial and residential development, and mobile home park
3. East - MG, apartments
4. West - MG, undeveloped

II. REQUEST AND ANALYSIS

- A. A Conditional Use Permit for auto detailing with a Conditional Use Permit for outdoor washing of cars. As car detailing is not a permitted use in the MG zone, a Conditional Use Permit is required. Additionally, all activities must be conducted within a building unless approved by a Conditional Use Permit.
- B. The business occupies the rear portion of the site, including about 800 sq.ft. of the industrial building.
- C. Applicant proposes to wash, wax and polish approximately 5 to 10 cars daily. Each car is first washed under the free-standing overhang and then waxed and polished indoors.
- D. Few customers are ever on-site as the applicant provides a pick-up and delivery service. Additionally, as the business is oriented to expensive cars such as Mercedes, Ferraris and Jaguars, potential business volume is limited.

- E. The proposed car washing area is screened from properties to the east (containing apartments) and to the south (containing mobile homes) by a stucco wall and wood fencing. Chain-link fencing separates the property from the adjacent undeveloped site to the west.
- F. Provided parking of 20 spaces satisfies the industrial zone parking requirement of 19 spaces.
- G. Staff suggests that the proposed auto detailing business will not create adverse impacts on the site or surrounding properties as parking is adequate and traffic volumes will not be increased as the proposed business has a limited volume. Additionally, the outdoor car washing is adequately screened from adjacent properties, particularly from nearby residences. To further protect adjacent properties, a grease trap should be provided to control water runoff and discharge into public drainage or sewage facilities.
- H. It appears that the free-standing overhead structure was constructed without building permits. Staff suggests that this structure should be removed or legalized within 30 days of Planning Commission action.

III. PLANNING STAFF FINDINGS

- A. Provided parking is adequate.
- B. The proposed business has a limited volume because of the types of cars maintained and because of the pick-up and delivery service^o and, therefore, should not generate traffic levels above that expected for a permitted industrial use. ✓
- C. Adequate screening at the rear of the site will eliminate potential adverse impacts upon neighboring properties, particularly neighboring residences.
- D. The evidence presented substantially satisfies the conditions set forth in Costa Mesa Municipal Code Section 13-347 as the proposed car detailing business and outdoor carwashing are not detrimental to subject or surrounding properties since screening of the outdoor work is provided and as traffic levels are not increased, and as granting of the proposed use does not allow a use of intensity of uses not in accordance with the General Plan designation for the property.

IV. PLANNING STAFF RECOMMENDATION

Approve, subject to conditions.

V. CONDITIONS, IF APPROVED

Shall meet all of the various requirements of the City Departments, copy attached hereto.

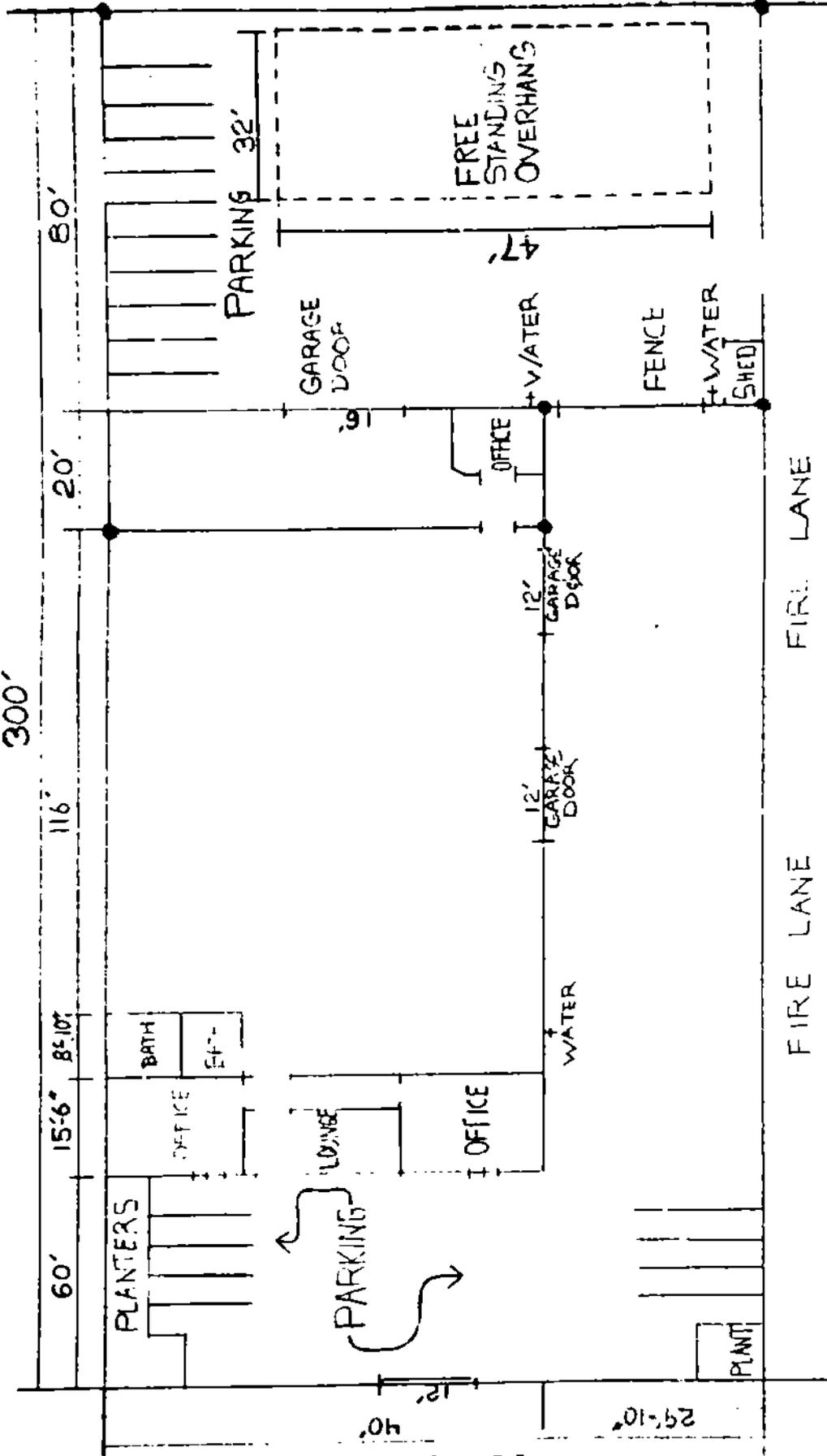
CONDITIONS OF APPROVAL

- Plng. 1. The free-standing overhang structure shall be removed or legalized with all required City permits, within 30 days of Planning Commission action.
2. With the exception of outdoor car washing, all work shall be conducted under roof.
3. Approval shall be for a period of one (1) year. Prior to expiration, applicant may request renewal, subject to reevaluation at that time. The Development Services Director may extend the Zone Exception Permit for a period not to exceed two (2) years if all conditions of approval have been satisfied, no complaints have been received, and the site inspection reveals compliance with applicable Ordinance requirements. Thereafter, the Development Services Director may extend the permit for successive two (2) year periods under the same terms.
4. A grease trap shall be installed to control water runoff and discharge into public sewers and storm drains.

MONROVIA

947 W. 18TH COSTA MESA

300'



LOT DEMENSIONS = 300' x 70'

OPEN FIELD

OPEN FIELD

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