



# PLANNING COMMISSION AGENDA REPORT

VI.4

MEETING DATE: MAY 10, 2010

ITEM NUMBER:

SUBJECT: ZONING APPLICATION ZA-10-05  
MINOR CONDITIONAL USE PERMIT FOR A RECYCLING CENTER  
WITHIN AN EXISTING BUILDING (CASH 4 CANS)  
1805 PLACENTIA AVENUE

DATE: APRIL 23, 2010

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER  
(714) 754-5611 (mlee@ci.costa-mesa.ca.us)

## DESCRIPTION

Zoning Application ZA-10-05 is for a minor conditional use permit to allow a recycling center (Cash 4 Cans) within an existing 7,500 square foot industrial building.

This item was continued from the April 12, 2010 Planning Commission meeting at the applicant's request.

## APPLICANT

Anna Lauri is the authorized agent for Bear Investment Properties LLC, the property owner.

## RECOMMENDATION

Deny by adoption of Planning Commission resolution.

MEL LEE, AICP  
Senior Planner

KHANH NGUYEN  
Acting Asst. Development Svs. Director

## **BACKGROUND**

### ***Project Site/Environs***

The property is located on the City's Westside and has a base zone of MG (General Industrial). The property contains a one-story, 7,500 square foot building, formerly used for motor vehicle storage and sales (OC Motors). The site is bounded by properties containing nonconforming one-story apartment units to the north and west, which are also zoned MG.

The site is also located within the Mesa West Bluffs Urban Plan Area. However, because the proposal is for a re-use of an existing building, the specific provisions of the Urban Plan cannot be applied to this project.

### ***Cash 4 Cans***

The applicant is proposing to establish Cash 4 Cans, a recycling and collection facility, within the building. Under the Code, recycling and collection facilities require approval of a minor conditional use permit in the MG zone. Minor conditional use permits are typically reviewed by the City's Zoning Administrator; however, after receiving correspondence from the public, including a petition with 29 signatures opposing the proposed use, the application has been forwarded to the Planning Commission for consideration.

According to the description provided by the applicant, a copy of which is also attached to this report (Attachment 2), the proposed Cash 4 Cans facility would be used for the collection and temporary storage of glass and plastic bottles, and cans. As a convenience for customers, small scrap metals, newspapers, and cardboard will also be accepted. No automotive parts would be permitted to be collected for recycling at this location.

The facility would be open to the public. Proposed hours of operation are 8:00 am to 5:00 pm, Monday through Saturday, and 9:00 am to 2:00 pm on Sundays. The facility will have a customer receiving area at the roll-up door closest to Placentia Avenue. This area will have four-foot by four-foot scales that weigh the materials to be recycled that customers can sell or redeem for cash. The materials will be stored on bales, pallets or storage containers inside of the building. Outside vendors retrieve the full containers every 7 to 10 days and leave empty containers in their place. No pick up or deliveries of containers is proposed on Saturday or Sunday.

The applicant believes the use will be compatible with properties in the surrounding area for the following reasons:

- None of the operation, including the collection, processing, and storage of recycled materials, will be conducted outside of the existing building.
- The building has no window or door openings on the sides facing the nonconforming residences on the abutting properties.
- There are no stores in proximity to the site that might encourage the use of the facility by transients.

- The existing site improvements, including building exteriors, parking areas, and landscaping, will be required to be upgraded per the applicable code requirements.
- The use is consistent with State law and City "Green" initiatives.

## **ANALYSIS**

### ***Justifications for Denial***

Following are staff justifications for the denial of the minor conditional use permit:

Potential noise impacts to adjacent residential properties. Although the residential uses abutting the property are legal nonconforming, potential adverse noise impacts (and resulting incompatibility with surrounding properties) will result from customers emptying recycled materials into the containers provided at the facility, as well as the pouring of recycled glass and metal into the commercial containers picked up at the property by trucks.

The use is inappropriate for a prominent corner property on the City's Westside. Placentia Avenue is identified in the City's General Plan Community Design Element as a Secondary Corridor for purposes of encouraging development and uses of the highest quality. It is staff's opinion that the proposed use is not consistent with the Community Design Element, specifically Goal CD-8B, which encourages uses with optimum compatibility with adjacent residential neighborhoods.

There are several existing neighborhood recycling centers in the City. There are several existing neighborhood recycling centers in the City, as well as a larger facility at Orange Coast College (see Attachment 4, photos). The recycling facility closest to the proposed site is located on 719 West 19<sup>th</sup> Street, next to Smart and Final.

### ***Other Issues***

As noted earlier, the City received several correspondence from the public in opposition to the request, raising the possibility of use of the facility by homeless and proximity to children walking to and from nearby Whittier School while the use is in operation (Attachment 3).

### ***Recommended Conditions of Approval (If Project is Approved)***

If the Commission were to recommend approval of the use, the following conditions of approval are recommended to minimize, to the extent feasible, potential adverse impacts to surrounding properties:

- None of the operation (collection, processing, and storage of recycled materials) shall be conducted outside of the existing building.
- Hours of operation shall be 8:00 am to 5:00 pm, Monday through Saturday, and 9:00 am to 2:00 pm on Sundays. No pick up or deliveries of containers shall occur on Saturday or Sunday.

- The westerly roll up door (closest to the apartment units on the abutting property to the west) shall remain closed except for pick up and deliveries of the containers.
- The posting of signs informing customers to use consideration when dropping off items to be recycled by keeping the noise levels to a minimum.
- Noise impacts from the pouring of recycled glass into the containers shall be minimized by prohibiting this activity prior to 10:00 am, seven days a week.
- The existing site improvements, including building exteriors, parking areas, and landscaping, shall be upgraded per the applicable code requirements.

### **GENERAL PLAN CONFORMITY**

The property is zoned MG (General Industrial) and has a General Plan Designation of Light Industrial. As indicated earlier, based on the nature of the proposed use and surrounding land uses, the use is not consistent with the City's General Plan.

### **ALTERNATIVES**

The Planning Commission has the following alternatives:

1. Deny the application. If the use is denied, the applicant could not submit substantially the same type of application for six months; or
2. Approve the application. This action will allow the use, subject to conditions of approval and code requirements.

### **ENVIRONMENTAL DETERMINATION**

The use is exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities. If the use is denied, it is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15270(a) for projects which are disapproved.

### **CONCLUSION**

It is staff's opinion the proposed use will not be compatible with existing uses in the surrounding area and is not consistent with the City's General Plan or Mesa West Bluffs Urban Plan. Therefore, staff recommends denial of the application.

- Attachments:
1. Draft Planning Commission Resolutions
  2. Applicant Letter
  3. Correspondence Received From Public
  4. Location Map and Photos
  5. Plans

cc: Development Services Director  
Deputy City Attorney  
City Engineer  
Fire Protection Analyst  
Staff (4)  
File (2)

Anna R. Lauri  
Shore Break Consultants  
5700 Tapadera Trace Lane, #416  
Austin, TX 78727

Patrick Lacey  
Senior Vice President  
Lee & Associates-Newport Beach, Inc.,  
3991 MacArthur Blvd., Suite 100  
Newport Beach, CA 92660

Bear Investment Properties LLC  
c/o Michael Lutgen  
PO Box 39129  
Downey, CA 90239-0129

John Hawley  
Railmakers Incorporated  
864 West 18<sup>th</sup> Street  
Costa Mesa, CA 92627

Kathleen Eric  
1825 Placentia Avenue  
Costa Mesa, CA 92627

File: 051010ZA1005Contd	Date: 042910	Time: 9:30 a.m.
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**ATTACHMENT 1  
DRAFT PLANNING COMMISSION  
RESOLUTIONS**

RESOLUTION NO. PC-10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA REGARDING ZONING APPLICATION ZA-10-05 FOR THE DENIAL OF A MINOR CONDITIONAL USE PERMIT TO ALLOW A RECYCLING CENTER WITHIN AN EXISTING INDUSTRIAL BUILDING.**

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

WHEREAS, an application was filed by Anna Lauri, authorized agent for Bear Investment Properties LLC, owner of real property located at 1805 Placentia Avenue, in a General Industrial (MG) zone;

WHEREAS, the request is for a minor conditional use permit to establish a recycling center within an existing industrial building; and

WHEREAS, a duly noticed public hearing held by the Planning Commission on April 12, 2010, and continued to May 10, 2010, with all persons having the opportunity to speak and be heard for and against the proposal.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," the Planning Commission hereby **DENIES** Zoning Application ZA-10-05 with respect to the property described above.

**PASSED AND ADOPTED this 10th day of May, 2010.**

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James Righeimer, 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. A compatible and harmonious relationship does not exist between the proposed use and existing buildings, site development, and uses on surrounding properties. Specifically, although the residential uses abutting the property are legal nonconforming, potential adverse noise impacts (and resulting incompatibility with surrounding properties) will result from customers emptying recycled materials into the containers provided at the facility as well as the pouring of recycled glass and metal into the commercial containers picked up at the property by trucks.
  - 2. The proposed use is not consistent with the General Plan, specifically Goal CD-8B, which encourages uses with optimum compatibility with adjacent residential neighborhoods.
  
- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the minor conditional use permit in that the proposed use is not compatible with developments in the same general area. Granting the conditional use permit will be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to properties or improvements within the immediate neighborhood. Specifically, although the residential uses abutting the property are legal nonconforming, potential adverse noise impacts (and resulting incompatibility with surrounding properties) will result from customers emptying recycled materials into the containers provided at the facility as well as the pouring of recycled glass and metal into the commercial containers picked up at the property by trucks.
  
- C. The Costa Mesa Planning Commission has denied Zoning Application ZA-10-05. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.
  
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**RESOLUTION NO. PC-10-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA REGARDING ZONING APPLICATION ZA-10-05 FOR THE APPROVAL OF A MINOR CONDITIONAL USE PERMIT TO ALLOW A RECYCLING CENTER WITHIN AN EXISTING INDUSTRIAL BUILDING.**

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

WHEREAS, an application was filed by Anna Lauri, authorized agent for Bear Investment Properties LLC, owner of real property located at 1805 Placentia Avenue, in a General Industrial (MG) zone;

WHEREAS, the request is for a minor conditional use permit to establish a recycling center within an existing industrial building; and

WHEREAS, a duly noticed public hearing held by the Planning Commission on April 12, 2010, and continued to May 10, 2010, with all persons having the opportunity to speak and be heard for and against the proposal.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," and subject to the conditions of approval contained within Exhibit "B," the Planning Commission hereby **APPROVES** Zoning Application ZA-10-05 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 Zoning Application ZA-10-05 and upon applicant's compliance with each and all of the conditions 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 10th day of May, 2010.**

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James Righeimer, Chair,  
Costa Mesa Planning Commission

**EXHIBIT "A"**

**FINDINGS (APPROVAL)**

- A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the project is substantially compatible with developments in the same general area. Granting the minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate neighborhood. Granting the minor conditional use permit will not allow a use, density or intensity that is not in accordance with the general plan designation for the property. The project is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity.
  
- B. The use complies with Costa Mesa Municipal Code Section 13-29 (e) because:
  - 1. The use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
  - 2. Safety and compatibility of the design of the buildings, parking areas, landscaping, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
  - 3. The use is consistent with the General Plan and Mesa West Bluffs Urban Plan.
  - 4. The zoning 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 under Section 15301 for Existing Facilities.
  
- D. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

## EXHIBIT "B"

**CONDITIONS OF APPROVAL (IF PROJECT IS APPROVED)**

- Plng.
1. The use shall be limited to the type of operation described in this staff report. i.e., a recycling and collection facility with temporary storage of glass and plastic bottles, and cans. As a convenience for customers, small scrap metals, newspapers and cardboard will also be accepted. No automotive parts will be permitted to be recycled at this location. Any change in the operational characteristics shall require approval of an amendment to the minor conditional use permit, subject to Zoning Administrator approval.
  2. Hours of operation shall be limited to 8:00 am to 5:00 pm, Monday through Saturday, and 9:00 am to 2:00 pm on Sunday. No pick up or deliveries of containers shall be permitted on Saturday or Sunday. The pouring of recycled glass into the containers shall be prohibited prior to 10:00 am, seven days a week.
  3. The westerly roll up door (closest to the apartment units on the abutting property to the west) shall remain closed except for pick up and delivery of the containers.
  4. The conditions of approval, code provisions, and special district requirements of Zoning Application ZA-10-05 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
  5. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the commencement of the use. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
  6. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The business operator shall institute whatever security and operational measures are necessary to comply with this requirement.
  7. The business operator shall make reasonable efforts to prevent loitering during hours the business is open, including the posting of "No Loitering" signs.
  8. Any change in building colors shall be subject to the approval of the Planning Division.
  9. Complaints regarding noise related to the violation of any of the above operating conditions and restrictions shall be immediately remedied by the operator.
  10. The parking area shall be posted with signs informing customers to use consideration when dropping off items by keeping the noise levels to a minimum.

**ATTACHMENT 2  
APPLICANT LETTER**



# SHORE BREAK

CONSULTANTS

PO Box 59, East Irvine, CA 92618  
949.813.9144  
www.shorebreakconsultants.com

Project Name: Cash 4 Cans Placentia (dba "Cash 4 Cans +"), Minor Use Permit  
Project Address: 1805 Placentia Avenue, Costa Mesa  
Re: Justification Letter

To Whom It May Concern:

The current Lessee at the above referenced addresses wishes to operate a recycling facility at this location. Pursuant to the Costa Mesa Zoning Ordinance, a minor use permit is required for this use in any area zoned as MG, General Commercial. This use is substantially compatible with the surrounding uses and area and will not be detrimental to the surrounding neighborhood if operated at this location.

The Principals of the Lessee currently operate two other locations in the Los Angeles and Riverside County areas. Operationally, the space would mostly be used for the storage of recyclable materials, such as bottles, cans, plastic bottles. As a convenience to the customers, the Operator provides recycling for some household items, such as small scrap metals, newspapers and card board. No automotive parts will be permitted to be recycled at this location.

Operationally, there would be a small customer receiving area at the roll-up door closest to Placentia Avenue. This area would have two 4'x4' scales that would weigh the pre-sorted recyclables that the customers wish to "sell" or "redeem" for cash. From those scales, the materials would be sent onto different conveyor belts to bailers or holding bins. The rest of the facility would house full bails on pallets, as well as, large storage containers for glass. The Operator would be using 20' flat bed trucks to return full-pallets back to distributors. Outside vendors would be retrieving the 20' holding containers every 7-10 days and replacing them with empty containers. It is anticipated that this operation would be open to the public from 8am to 5pm Monday through Saturday and 9am to 2pm on Sundays. The Operation would employ 5 people to start, eventually having 9 to 10 employees. It is necessary for some of these employees to be bilingual to more effectively serve the customers.

This use is in no way detrimental to the surrounding area and neighborhood. The surrounding land uses are industrial in nature. Additionally, the hours of operation would be limited to day-time hours only. Further, allowing this Use at this location creates local jobs for residents. Additionally, the approval of this use would allow for a local site for recycling to occur which is inline with Costa Mesa's citywide "green" initiative.

Should you have any questions or concerns regarding this Operator, please contact me directly via email at [anna@shorebreakconsultants.com](mailto:anna@shorebreakconsultants.com) or by phone at 949.813.9144.

Warmest Regards-



Anna R. Lauri  
Principal



PO Box 59, East Irvine, CA 92618  
949.813.9144  
www.shorebreakconsultants.com

March 4<sup>th</sup>, 2010

Project Name: Cash 4 Cans Placentia (dba "Cash 4 Cans +"), Minor Use Permit  
Project Address: 1805 Placentia Avenue, Costa Mesa  
Re: Applicant Letter

Dear Mr. Mel Lee and Zoning Administrator:

It is my understanding that there have been several neighbors who have spoke out in opposition to the City in regards to the Minor Use Permit to allow for the recycling center use in a MG (General Commercial) Zone at the above referenced address. I just wanted to take a moment to address comments and concerns that have been brought up by those neighbors.

In direct response to the petition which was filed and received by the City Clerk on March 3<sup>rd</sup>, I'd like to point out the following:

- This location is zoned as General Commercial, while there are residential zones in the proximity; the signatories are asking that a commercial use not be allowed at a commercially zoned property. While it is true that the site is directly bordered by two residential units, these units are legal, non-conforming uses in the MG Zone.
- A recycling center use is allowed and classified by the City's Zoning Ordinance as a Minor Use.
- The letter references other locations where there are other recycling facilities. It is my understanding that grocery stores in the state of California are under legal order to provide recycling kiosks on-site.
- Staff has recommended that there be a "No Loitering" condition placed on this use if it were to be allowed. I believe that this condition is an acceptable means of ensuring that no patron is hanging around, as well as maintaining a safe environment.

Cash 4 Cans is a seasoned operator in the recycling industry with a proven track-record at their other locations in Riverside and Los Angeles Counties. Cash for Cans is regulated by the State of California and has limited hours, 8am-5pm on Monday thru Saturday and 9am to 2pm on Sundays. These very limited hours ensure that the facility is running a clean operation, one which works with the community, rather than causing disturbances. The facility operates completely indoors, both the redemption areas and sorting, and bailing in all maintained in the building.

It has been suggested that this use would attract "drunks" and "bums" – while I can see this point, I believe that this use is far less detrimental to a neighborhood than a bar, liquor store, soup kitchen, night club, an auto repair which uses pneumatic powered tools, etc. The face of recycling has drastically changed from years ago. In this economy, hard working people see it as an opportunity to regain their bottle deposit monies are now recycling, as are those who desire to do right by the planet and aim to reduce their impact. To illustrate, I am including photos which I took on March 4<sup>th</sup>, at the Bellflower Recycling Center which is owned and operated by the same partners. These photos clearly illustrate that normal, hardworking people are taking advantage of recycling opportunities in their neighborhood.

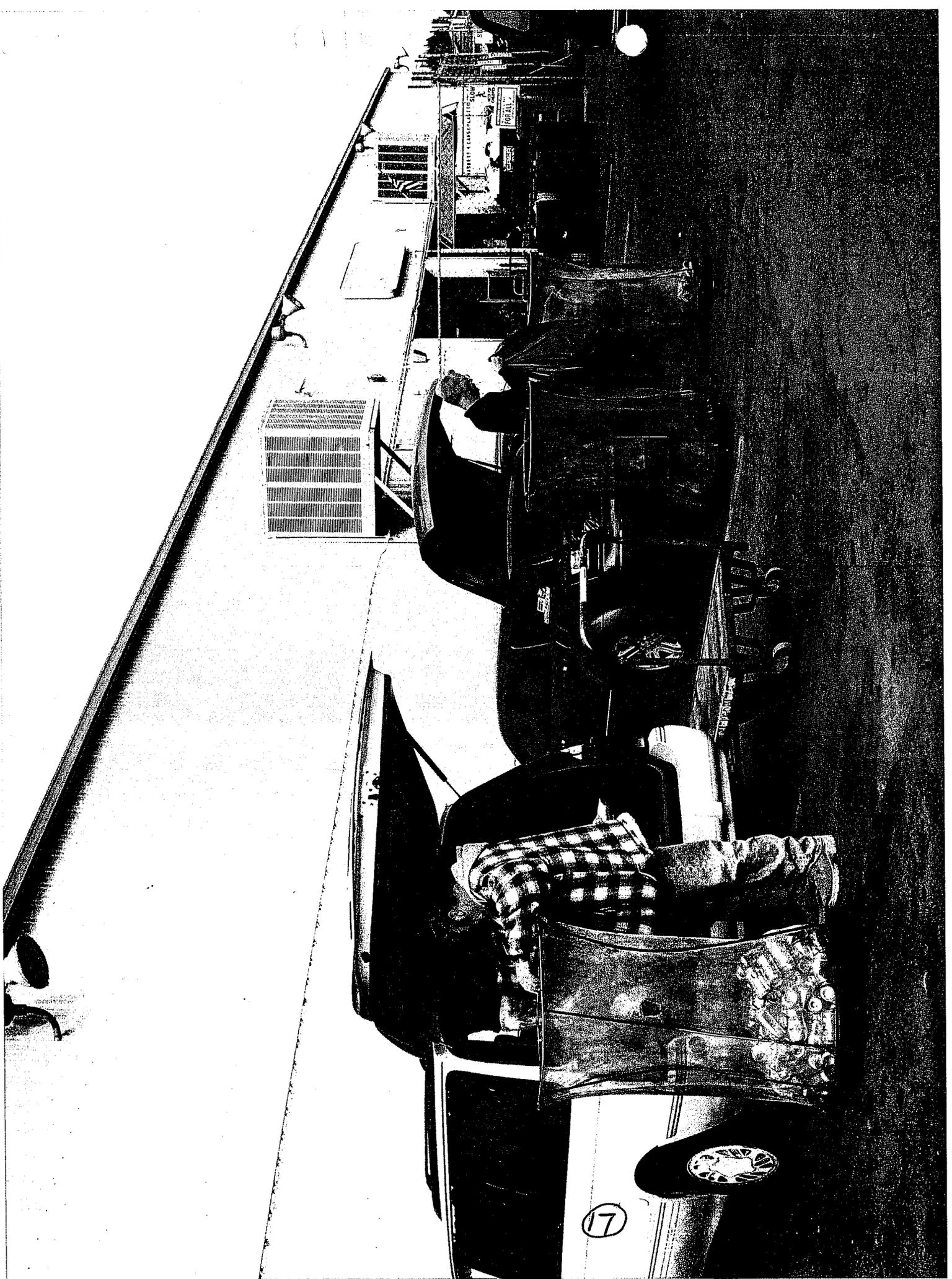
A recycling use at this location is in line with The City of Costa Mesa's vision for the City and their commendable step in the "green" direction. The fact that this is located on a main thorough fare, adjacent to residential zones makes it an ideal location to prosper. If something is easy and convenient, more people are willing to participate.

A recycling use at this location is not only good for the neighborhood and community; it has a positive impact on the planet. The approval of this use would provide local jobs to residents, while allowing Costa Mesa to further their "green" inactive.

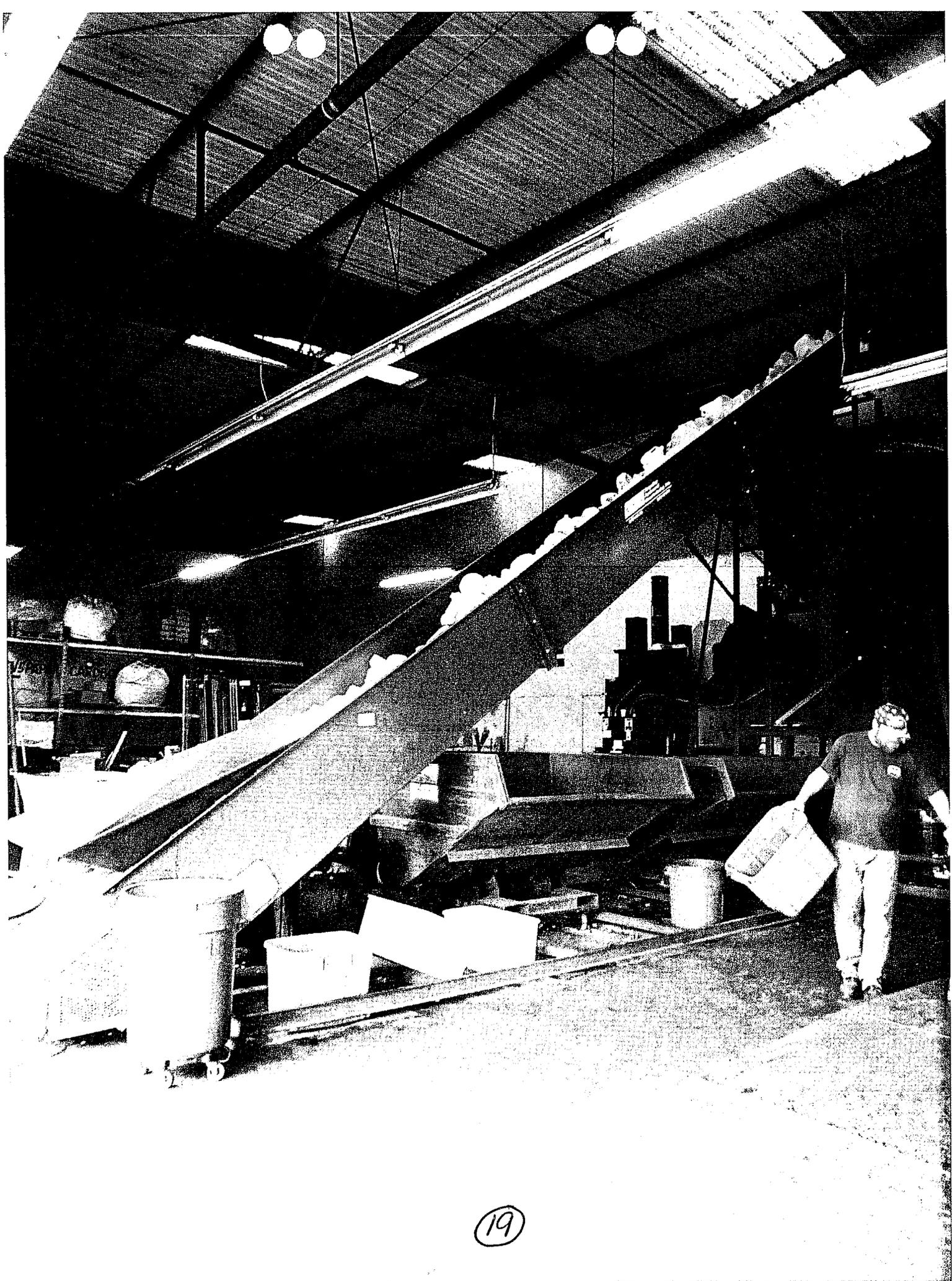
I ask that when considering the approval of this Minor Conditional Use Application, to allow for a recycling center, that you heavily weigh the positive impacts that it will undoubtedly have on the community of Costa Mesa.

Warmest Regards-

Anna R. Lauri  
Principal







er Recycling Center  
CHANGES IN RECYCLED MATERIAL PURCHASES  
STATE LAW

ATTENTION  
PLEASE  
RECYCLE

NO



# A\$H® FREE GIFTS

Save Your Cash Receipts

FREE GIFTS

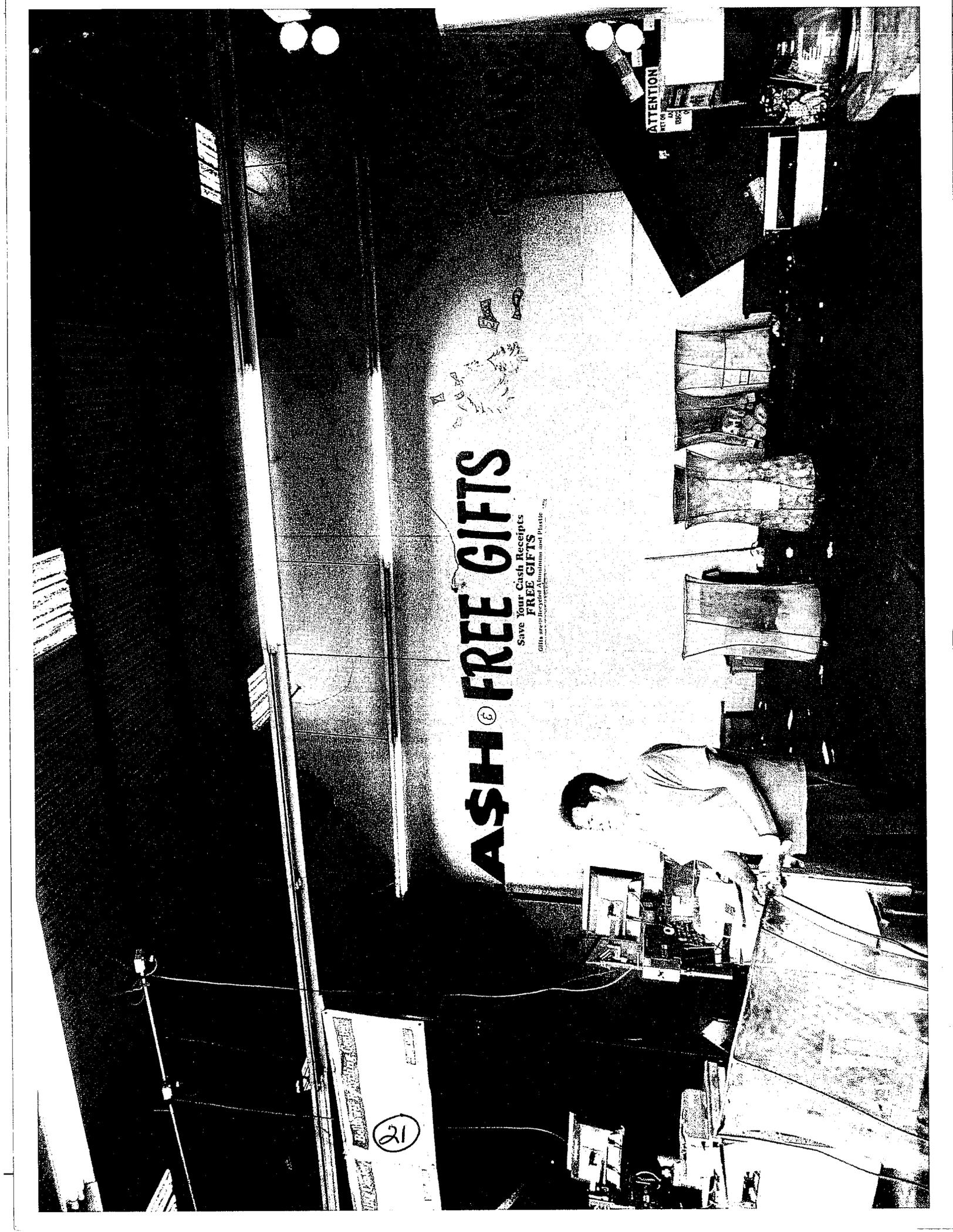
Gifts are recycled Aluminum and Plastic.

ATTENTION  
PUT IN  
YOUR  
CASH

21

ENTER

ENTER



Bellflower  
**RECYCLING**  
CENTER

Goldenbox  
Plywood & Lumber  
562-967-3389

22

**ATTACHMENT 3  
CORRESPONDENCE RECEIVED FROM  
PUBLIC**

LEE, MEL

---

**From:** CHALMERS, SYLVIA  
**Sent:** Friday, February 26, 2010 3:34 PM  
**To:** Colin McCarthy; Jim Fitzpatrick; Jim Righeimer; Sam Clark; Stephen Mensinger  
**Cc:** FLYNN, CLAIRE; BOUWENS-KILLEEN, WILLA; LEE, MEL  
**Subject:** FW: Your Help Is Needed

Please see below. Thank you.

Sylvia Chalmers  
Executive Secretary  
City of Costa Mesa  
(714) 754-5270 Fax (714) 754-4856

---

**From:** Railmakers, Inc. [mailto:railmakers2@la.twcbc.com]  
**Sent:** Friday, February 26, 2010 3:25 PM  
**To:** PLANNING COMMISSION  
**Subject:** Fw: Your Help Is Needed

----- Original Message -----

**From:** [Railmakers, Inc.](mailto:Railmakers, Inc.)  
**To:** [amansoor@ci.costamesa.ca.us](mailto:amansoor@ci.costamesa.ca.us)  
**Sent:** Friday, February 26, 2010 3:18 PM  
**Subject:** Your Help Is Needed

Dear Mr. Mayor, On March 4th the acting Zoning Administrator will consider MCUP ZA-10-05 Cash 4 Cars a walkup recycling center at 1805 Placentia Ave. In my opinion the corner of 18th and Placentia is not an appropriate location for the bums and drunks to hang out with bags of cans and bottles they dig out of trash cans. The intersection is served by school crossing guards for children walking to Whittier School. Drunk bums and little kids every day on the same corner is dangerous and should not be approved. As you well know the City and property owners have spent years of time and effort to improve the Westside, a walkup Cash 4 Cans with the bums it will attract will be a black eye on one of the main entry points to the area. Please speak to the Zone Administrator regarding Cash 4 cans. Your Help Is Needed, Thank You, John T. Hawley

**BOUWENS-KILLEEN, WILLA**

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**From:** Scott Lincoln [s.lincoln@jdlincoln.com]  
**Sent:** Monday, March 01, 2010 6:40 PM  
**To:** BOUWENS-KILLEEN, WILLA  
**Subject:** [BULK] permit application  
**Importance:** Low

Willa

Nice talking with you again. Different subject.

It is my understanding that a Cash 4 Cans Recycling facility have applied for a permit on the corner of 18<sup>th</sup> Street and Placentia Ave. Being in this area for a number of years, I would question the impact that a facility of this nature would have on this area. I watch this area be cleaned up over the years and knowing the impact that this type of recycling center has on the surrounding areas, I think it would be detrimental to the nearby neighborhood. Thanks for your time.

Sincerely,  
Scott Lincoln  
President



[s.lincoln@jdlincoln.com](mailto:s.lincoln@jdlincoln.com)  
949/650-8106 Office  
949/631-6190 Fax

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25

03/02/2010

**BOUWENS-KILLEEN, WILLA**

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**From:** peter rothschild [peterbrothschild@sbcglobal.net]

**Sent:** Monday, March 01, 2010 3:30 PM

**To:** BOUWENS-KILLEEN, WILLA

**Subject:** CUP (ZA-10-05)

I am a property Owen at 866 w. 18th. st. Costa mesa. I am against the above CUP because it will bring in the unemployed, homeless, drunks, and other undesirables to dig through the trash for bottles and cans etc. It will have a NEGATIVE effect on our property values as well increase crime in the area. I request that CUP (ZA-10-05) be DENIED.

Peter Rothschild

Received  
City of Costa Mesa  
Development Services Department

RECEIVED  
CITY CLERK

To: City of Costa Mesa  
Zoning Administrator  
Planning Commissioners  
ci.costa-mesa.ca.us  
(714) 754-5245

MAR - 3 2010

From: Christian and Kathleen Eric

1825 Placentia Avenue  
Costa Mesa, California 92627  
949-548-1542

March 3rd, 2010

2010 MAR - 3 PM 1:09  
CITY OF COSTA MESA  
BY \_\_\_\_\_

Dear Zoning Administrator/Planning Commissioners/City Council: This letter is in regard to MCUP Application number, **ZA-10-05**.

This walk-up recycling business, if permitted, will be detrimental to the surrounding area and neighborhood, therefore, we oppose this business in the strongest possible terms. Please **DENY** this minor conditional use application for a recycling and collection facility. First, it would not be a "minor" addition to our neighborhood. Recycling is a noisy, messy, smelly business. **Cash 4 Cans** would in no way enhance Placentia Avenue, nor the businesses and homes that it would directly impact. The proposed business will generate additional foot traffic and vehicle traffic, only feet from our homes and business, exacerbating an already busy vehicular and pedestrian intersection, and will negatively impact area businesses and affect our clientele. While much emphasis has been placed on the "green initiative", the impacts that we have seen from the recycling operations in our area are primarily negative, creating an attractive nuisance and a public annoyance with transients bringing in just enough recyclables to buy another bottle of alcohol and consume it in proximity to the recycling business. We have been verbally abused and accosted by patrons of a nearby recycling operation, and would certainly not want a similar situation on our block, in our residential area. (Please see photos)

The need for this proposed business is especially mystifying to us as there is already a recycling facility at 739 W. 19<sup>th</sup> St-- within a few blocks of this proposed facility-- at 1805 Placentia Ave. There is another recycling facility on 17<sup>th</sup> Street, at the far corner of the CVS pharmacy parking lot, and also one in the Stater Brothers parking lot at 22<sup>nd</sup> and Newport Blvd, and not far away, at OCC is a full-service Recycling center. These are just a few of the recycling businesses in our near our neighborhood. Does Costa Mesa really "need" yet another recycling facility on the Westside?

Another point that must be noted, Whittier Grade School is straight up the street from this proposed business, at the corner of 18<sup>th</sup> and Whittier Ave., and hundreds of young children will have to walk by this facility... 5 days a week. Has Costa Mesa planning staff observed the clientele who "hang out" at these centers, often spending the day cadging the odd bottle, until they have enough for a "full" bottle of Colt 45 or some other recyclable? Regrettably, we have, on nearly a daily basis. (Please see photos).

Those of us who have worked diligently to improve our neighborhood believe that the addition of yet another recycling center furthers a downward trend to the Westside of Costa Mesa.

The 1805 Placentia location is directly bordered by homes on THREE sides: the west, and north, and across Placentia to the east. The only adjoining industrial/commercial is to the south, across 18<sup>th</sup> st. It is difficult to imagine how this many people living in this close proximity could NOT be negatively affected by this business.

As **Cash 4 Cans** intends to be open 7 days a week, if this permit is granted, residents and surrounding businesses would get no respite from the continual noise, mess and clients of this recycling center. We can imagine few businesses that would exceed the negatives this proposal presents. This proposed recycling center is not something we would want to live next to, and it is unfathomable that anyone would want this negative impact to set up shop in or near their residential neighborhood.

Respectfully submitted, Christian and Kathleen Eric

*Chris Eric*

27

*Kathleen Eric*





# Petition

MAR - 3 2010

We the undersigned petition the City of Costa Mesa ZONING ADMINISTRATOR, PLANNING COMMISSION, or CITY COUNCIL to DENY THE REQUEST for a minor conditional use permit (ZA-10-05) to **Cash 4 Cans**, a recycling business which has applied for a MCUP to conduct a walk-up recycling business at **1805 Placentia Ave.** We, residents, neighbors and businesses, respectfully request that you deny the applicant's permit because it has been our observation that recycling centers in our area have constituted attractive nuisances, attracting unruly vagrants, transients, and public drunks. With the addition of misc. scrap metal collection, we anticipate that Meth users will also be on the list of potential "customers". Storage of beverage containers may also attract and harbor vermin and insects. Permitting this recycling facility within our neighborhood will have a negative effect on our families' quality of life, endanger our children, and will degrade our Business area. In addition, the proposed location at 1805 Placentia is located directly on a heavily traveled path to a grade school, to which most of the students arrive and depart on foot.

NAME	ADDRESS	SIGNATURE	DATE
Colleen Maxwell	Costa Mesa	Colleen Maxwell	3 / 2 / 10
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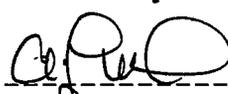




# Petition

MAR - 3 2010

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NAME	ADDRESS	SIGNATURE	DATE
Alison Field	Costa Mesa		03/02/10
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# Petition

MAR - 8 2010

We the undersigned petition the City of Costa Mesa ZONING ADMINISTRATOR, PLANNING COMMISSION, or CITY COUNCIL to DENY THE REQUEST for a minor conditional use permit (ZA-10-05) to Cash 4 Cans, a recycling business which has applied for a MCUP to conduct a walk-up recycling business at 1805 Placentia Ave. We, residents, neighbors and businesses, respectfully request that you deny the applicant's permit because it has been our observation that recycling centers in our area have constituted attractive nuisances, attracting unruly vagrants, transients, and public drunks. With the addition of misc. scrap metal collection, we anticipate that Meth users will also be on the list of potential "customers". Storage of beverage containers may also attract and harbor vermin and insects. Permitting this recycling facility within our neighborhood will have a negative effect on our families' quality of life, endanger our children, and will degrade our Business area. In addition, the proposed location at 1805 Placentia is located directly on a heavily traveled path to a grade school, to which most of the students arrive and depart on foot.

NAME	ADDRESS	SIGNATURE	DATE
<u>Thomas Mellm</u>	<u>893 Towne St. Costa Mesa</u>	<u>[Signature]</u>	<u>2/28/10</u>
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# Petition

MAR - 3 2010

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NAME	ADDRESS	SIGNATURE	DATE
	815 W. 187th	Ed Waters	
	<del>COSTA MESA, CA</del>		2 / 28 / 10
	92627		
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NAME	ADDRESS	SIGNATURE	DATE
<u>COSTA MESA</u>	<u>-----</u>	<u>[Signature]</u>	<u>2-28-10</u>
<u>GARY BRESSEM JR</u>	<u>-----</u>	<u>/</u>	<u>/10</u>
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# Petition

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NAME	ADDRESS	SIGNATURE	DATE
Maria Sanchez	Costa Mesa	Maria Sanchez	2 / 28 / 10
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# Petition

MAR - 3 2010

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NAME	ADDRESS	SIGNATURE	DATE
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# Petition Development Services Department

**Received**  
City of Costa Mesa

MAR - 3 2010

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# Petition

MAR - 3 2010

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NAME	ADDRESS	SIGNATURE	DATE
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# Petition

MAR - 8 2010

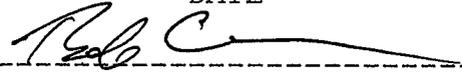
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NAME	ADDRESS	SIGNATURE	DATE
	805 Towne St. Costa Mesa Ca, 92627	J. Campbell	3/2 /10
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# Petition

MAR - 3 2010

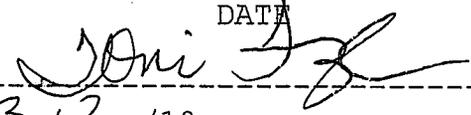
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NAME	ADDRESS	SIGNATURE	DATE
	Bob Crowe		3/2/10
	COSTA MESA		
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NAME	ADDRESS	SIGNATURE	DATE
Toni Freese	Costa Mesa, Ca		3 / 2 / 10
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# Petition

Received  
City of Costa Mesa  
Development Services Department

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MAR 9 2010

NAME	ADDRESS	SIGNATURE	DATE
		<i>Costa Mesa</i>	<i>Sandra Tuty</i>
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# Petition

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NAME	ADDRESS	SIGNATURE	DATE
THEA SHANNON	COSTA MESA		3 / 2 / 10
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NAME	ADDRESS	SIGNATURE	DATE
	<i>COSTA MESA</i>	<i>Jeanne Johnson</i>	<i>3-2-10</i>
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# Petition

**Received**  
City of Costa Mesa  
Development Services Department

MAR 3 2010

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NAME	ADDRESS	SIGNATURE	DATE
	814 TOWNE ST	Mike Amburgey	/ /10
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NAME	ADDRESS	SIGNATURE	DATE
	COSTA MESA CA	<i>Scott White</i>	3-3-10
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# Petition

MAR - 8 2010

We the undersigned petition the City of Costa Mesa ZONING ADMINISTRATOR, PLANNING COMMISSION, or CITY COUNCIL to DENY THE REQUEST for a minor conditional use permit (ZA-10-05) to **Cash 4 Cans**, a recycling business which has applied for a MCUP to conduct a walk-up recycling business at **1805 Placentia Ave.** We, residents, neighbors and businesses, respectfully request that you deny the applicant's permit because it has been our observation that recycling centers in our area have constituted attractive nuisances, attracting unruly vagrants, transients, and public drunks. With the addition of misc. scrap metal collection, we anticipate that Meth users will also be on the list of potential "customers". Storage of beverage containers may also attract and harbor vermin and insects. Permitting this recycling facility within our neighborhood will have a negative effect on our families' quality of life, endanger our children, and will degrade our Business area. In addition, the proposed location at 1805 Placentia is located directly on a heavily traveled path to a grade school, to which most of the students arrive and depart on foot.

NAME	ADDRESS	SIGNATURE	DATE
<i>Costa Mesa</i> <i>James W. Walker</i>		<i>James W. Walker</i>	<i>3 / 2 / 10</i>
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# Petition

**Received**  
City of Costa Mesa  
Development Services Department

MAR - 3 2010

We the undersigned petition the City of Costa Mesa ZONING ADMINISTRATOR, PLANNING COMMISSION, or CITY COUNCIL to DENY THE REQUEST for a minor conditional use permit (ZA-10-05) to **Cash 4 Cans**, a recycling business which has applied for a MCUP to conduct a walk-up recycling business at **1805 Placentia Ave.** We, residents, neighbors and businesses, respectfully request that you deny the applicant's permit because it has been our observation that recycling centers in our area have constituted attractive nuisances, attracting unruly vagrants, transients, and public drunks. With the addition of misc. scrap metal collection, we anticipate that Meth users will also be on the list of potential "customers". Storage of beverage containers may also attract and harbor vermin and insects. Permitting this recycling facility within our neighborhood will have a negative effect on our families' quality of life, endanger our children, and will degrade our Business area. In addition, the proposed location at 1805 Placentia is located directly on a heavily traveled path to a grade school, to which most of the students arrive and depart on foot.

NAME	ADDRESS	SIGNATURE	DATE
Wendy Conolly	Costa Mesa	Wendy Conolly	3/2/10
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# Petition

MAR - 3 2010

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NAME	ADDRESS	SIGNATURE	DATE
-----	-----	<i>Lawrence Fritz</i> LAWRENCE FRITZ	3-2-10
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# Petition

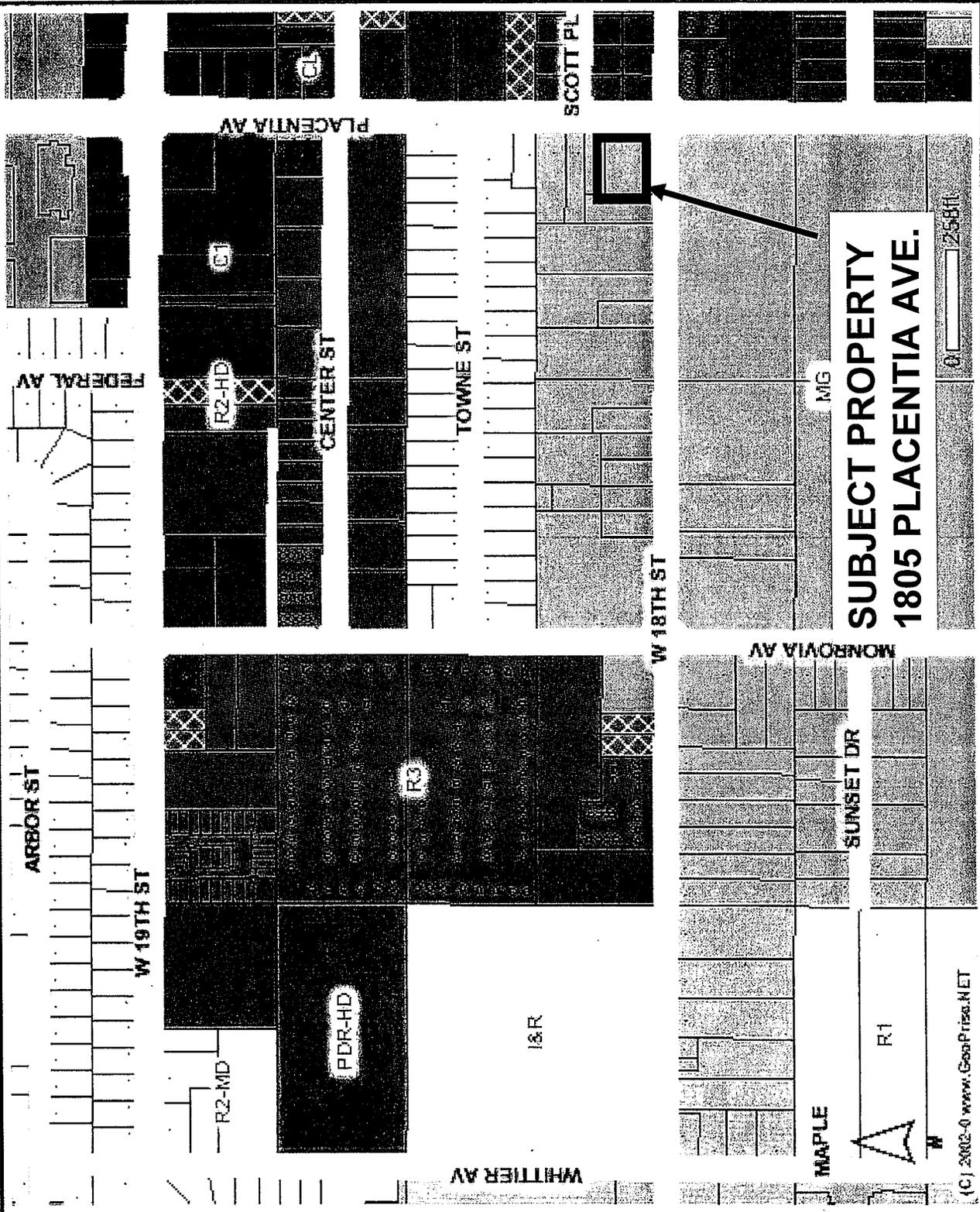
MAR - 3 2010

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NAME	ADDRESS	SIGNATURE	DATE
		<del>Larry Fritz</del>	
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	COSTA MESA		
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**ATTACHMENT 4  
LOCATION MAP AND PHOTOS**

Map Display

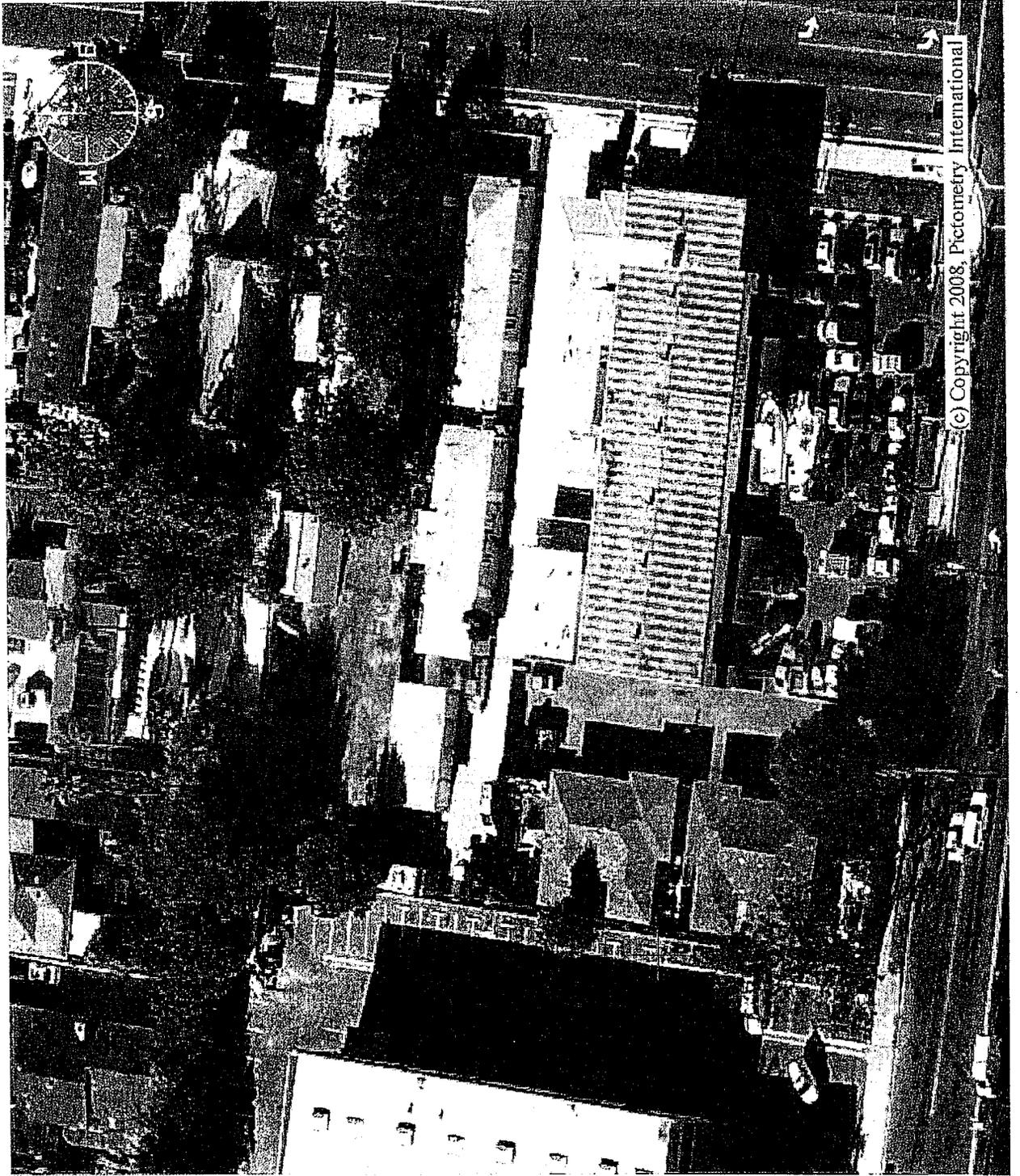


**SUBJECT PROPERTY**  
**1805 PLACENTIA AVE.**

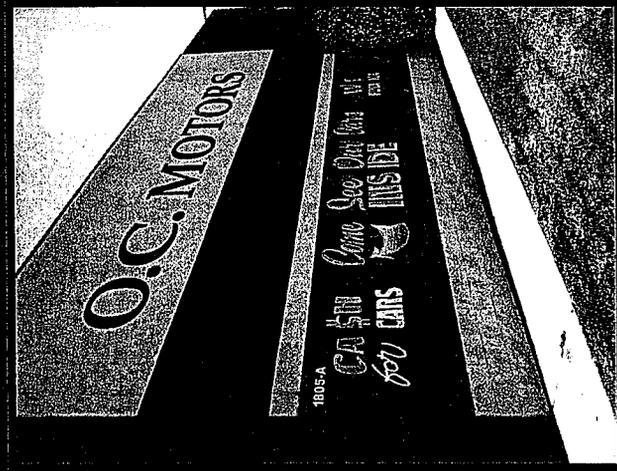
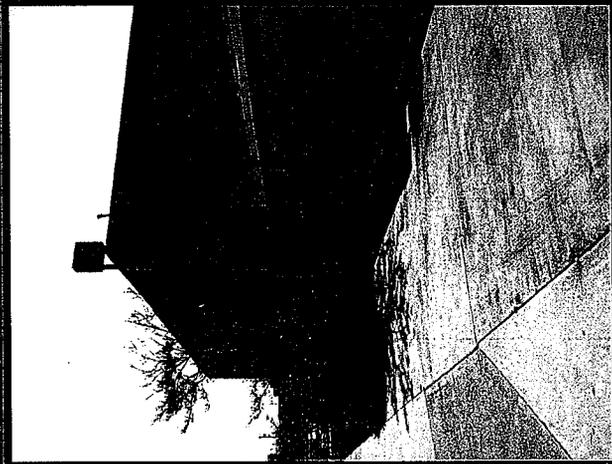


(C) 2002-0 www.GsaFrisa.NET

**AIR PHOTO OF SUBJECT PROPERTY**



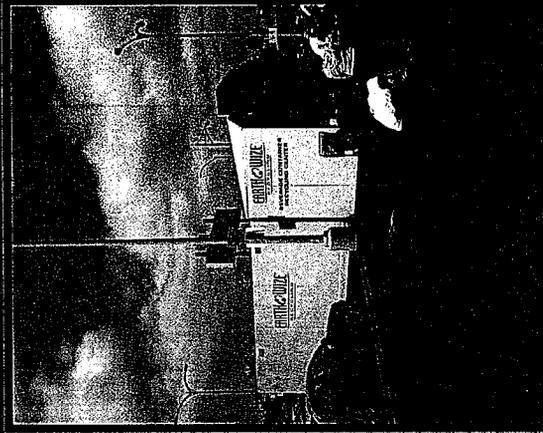
© Copyright 2008, Pictometry International



PHOTOS OF SUBJECT PROPERTY



OCC



STATER BROS. (NEWPORT & 22<sup>ND</sup>)



SMART & FINAL  
(W. 19<sup>TH</sup> St.)



VONS (E. 17<sup>TH</sup> ST.)

PHOTOS OF EXISTING  
RECYCLING CENTERS

**ATTACHMENT 5  
PLANS**



# The Konwiser Corporation

Property Management

1780 PLACENTIA AVE., # 19  
MAILING ADDRESS:  
P.O. BOX 10577  
COSTA MESA, CA 92627  
949-574-2707 • FAX 949-574-2701

**Received**

City of Costa Mesa  
Development Services Department

April 20, 2010

APR 22 2010

City of Costa Mesa Planning Commission  
City of Costa Mesa  
P.O. Box 1200  
Costa Mesa, 92628-1200

VI.4  
ZA-10-05

**SUBJECT: Zoning Application ZA-10-05; Cash For Cans Facility**

Dear Commissioners James Righeimer, Sam Clark, Jim Fitzpatrick, Colin McCarthy and Stephen Mensinger:

Over thirty years ago, I developed *The Daisy Family Apartments* located just south of the intersection of Placentia Avenue and 18<sup>th</sup> Street. (There is another Daisy community at the corner of 18<sup>th</sup> Street and Pomona that is also affected by the above Application.) Over the ensuing three decades, I have retained ownership and managed these properties. I think these developments have been a great asset to the West side of your City, and I have cooperated on many projects to improve this immediate and general neighborhood.

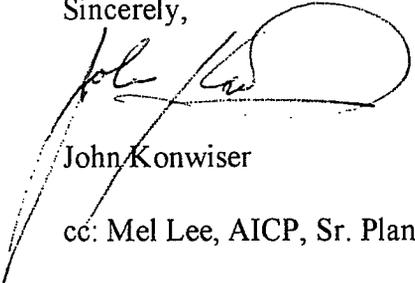
Now the above Zoning Application by Bear Investment Properties LLC is pending. **I wish you to immediately know we are strongly opposed to this improvement for the following reasons:**

1. While the proposed use is compatible with the MG Zone as pointed out in the Planning Commission Agenda Report, the use is inappropriate for a prominent corner property on the City's West side. Your staff's opinion "that the proposed use is not consistent with the community design element, specifically Goal CD-8B, which **encourages uses with optimal compatibility with adjacent residential neighborhoods**" is absolutely correct. I could not agree more.
2. All of the commercial use close to existing residential along the entire Placentia Avenue corridor is low density. That is, suppliers and/or customers may enter and leave the businesses, cars pull up from time to time during the business day, and generally speaking, commercial use is rather innocuous. A *Cash For Cans* operation is as opposite this pattern as life could be. Seven days a week there will be an endless stream of homeowners, pick-up trucks, homeless folks and others seeking funds for their next meal, bottle of wine, or as a legitimate source of income, depending on the amount of cans and glass they are able to transport to this facility. This is not conducive to neighborhood improvement, at this critical corner.

3. This type of facility needs to be located in a 100% commercial area, with wide enough streets and noise tolerances so it will not interfere with existing businesses. Such is not the case one block from the Whittier School, next door and across the street from residential, and open seven days a week with significant, continuous traffic at all hours.
  
4. As you know, there is already a *Cash For Cans* operation adjacent to Smart & Final that serves the general community, and a larger facility at Orange Coast College. If the facility is to be improved, it should be conditioned that the drive approach close to the corner of Placentia and 18<sup>th</sup> Street be closed and all traffic must use the remaining drive approach further back from this extremely busy corner. In addition, a decorative staggered solid wall at least six feet high must replace the existing wrought iron open fencing and be built around the entire property, set back at least three feet from the property line, to allow a landscaped buffer in front of the wall to deter graffiti. The wall, rather than the existing fence, will screen the messy, noisy operation from public view except at the single driveway opening, which fortunately is across the street from another driveway to a commercial property.

Regretfully, I will not be able to attend your May 10<sup>th</sup> meeting, but I want you to know that I am irrevocably opposed to the *Cash For Cans* operation on this vital property at the corner of two significant streets of our City.

Sincerely,



John Konwiser

cc: Mel Lee, AICP, Sr. Planner