



PLANNING COMMISSION

AGENDA REPORT

VI.5

MEETING DATE: JULY 12, 2010

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-10-04 FOR ABC/DOLLAR RENT-A-CAR
2624 NEWPORT BOULEVARD**

DATE: JULY 1, 2010

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

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit to legalize a motor vehicle rental and storage facility. The proposed use does not include on-site vehicle washing or repair.

APPLICANT

The applicant is David Hesam, representing Roy Ikeda, the property owner.

RECOMMENDATION

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

Handwritten signature of Mel Lee in black ink.

MEL LEE, AICP
Senior Planner

Handwritten signature of Khanh Nguyen in black ink.

KHANH NGUYEN
Asst. Development Services Director

BACKGROUND

Project Site/Environs

The property is located on the east side of Newport Boulevard, north of Del Mar Avenue. It is abutted by existing commercial businesses on either side to the north and south, and by residential properties to the rear. The property is zoned C1 and has a general plan designation of Commercial Residential. The property is also located within the Newport Boulevard Specific Plan.

The property contains an existing 1,228 square foot office building, a paved parking area striped for 31 parking spaces, and a 20-foot deep landscape planter on either side of the existing drive approach from Newport Boulevard. The rear portion of the site was recently paved and is separated from the abutting residential properties to the rear by an existing wood fence for the commercial property approximately seven feet in height, and a shorter masonry wall for the residential properties approximately six feet in height.

Previous Applications

- PA-85-114: The original conditional use permit allowed for a roofing contractor business (Petronella Roofing) with outdoor storage of roofing materials, including tar pots, at 2626 Newport Boulevard, was approved by the Commission on June 24, 1985.
- PA-06-28: This conditional use permit allowed Petronella Roofing to expand onto the subject property, which was approved by the Commission on November 27, 2006.

Petronella Roofing closed in May 2009 and vacated the site. ABC Rent-A-Car was given a violation notice by Code Enforcement on March 2, 2010 for operating at the site without an approved CUP or business license.

Project Description

The use, which already exists at the site, consists of the following:

- Leasing of vehicles, primarily moving trucks and recreational vehicles, which are also stored at the site.
- No repair of vehicles will occur on the site.
- No washing of vehicles will occur on the site.
- Hours of operation are 8:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 4:00 p.m. on Saturdays (closed Sundays).

ANALYSIS

Justification for Approval of PA-10-04

Staff supports approval of the conditional use permit for the following reasons:

- The use will not negatively impact surrounding properties, including adjacent multi-family residential uses. This business is closed on Sundays. The office where the transactions take place is setback 155 feet from the rear property line (abutting existing residences), and staff has incorporated conditions of approval which prohibit the repair and washing of vehicles on-site, as well as no outdoor public address system. The vehicles are washed at their other existing properties off-site. Storage of vehicles in a wrecked or dismantled condition is prohibited, as well as storage of privately-owned vehicles.
- Given the scale of the facility and lot size, the proposed use is consistent with the Newport Boulevard Specific Plan. Although motor vehicle sales and repair are prohibited in the Newport Boulevard Specific Plan, motor vehicle rental and leasing is not identified as a prohibited use. The Specific Plan encourages redevelopment of the plan area into new commercial uses that would stimulate economic activity along the boulevard while being compatible with adjacent residential. To minimize the visual impact of the vehicles from Newport Boulevard, a condition of approval requires that high profile vehicles, i.e., moving trucks and recreational vehicles, to be stored towards the rear of the property. With regard to appearance from Newport Boulevard as a major commercial corridor, this condition addresses concerns related to the similarity of a motor vehicle rental company to a car dealership by requiring high profile vehicles to be stored away from street view.
- The property's appearance from Newport Boulevard and adjacent residential uses will be improved. The applicant will be required to upgrade the site with new paving and landscaping. The applicant has paved the dirt portion of the lot, and is required to provide a new landscape planter with irrigation at the rear of the property planted with trees to act as a visual screen for the residential properties. The existing seven-foot high wood fence at the rear of the property, which is in poor condition, is required to be replaced. Because the business involves a change of use and no new development, it is not a Code requirement that the wood fence be placed with a block wall (Code Sections 13-70 and 13-75(b)).
- Parking complies with Code requirements. Code requires a minimum of six parking spaces for the use per Code Section 13-89. The property provides 31 striped parking spaces, which, in addition to the newly paved area at the rear of the property, is sufficient to accommodate parking for customers and employees, as well as storage of the rental vehicles.

It is staff's opinion that the proposed use, with the recommended conditions of approval, will be consistent with the other uses in the immediate vicinity. Compliance with the conditions of approval should allow this use to operate with minimal impact on surrounding properties.

ENVIRONMENTAL DETERMINATION

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

GENERAL PLAN AND SPECIFIC PLAN CONFORMITY

With the recommended conditions of approval, the use will be consistent with surrounding uses, particularly residential, as specified in Objective LU-1F.2 of the General Plan Land Use Element.

With regard to the Newport Boulevard Specific Plan, although the specific plan prohibits motor vehicle dealerships and repair services from establishing in the specific plan, the prohibition does not apply to motor vehicle rental facilities of this scale.

ALTERNATIVES

The Commission has the following alternatives:

1. Approve the use with the recommended conditions of approval to ensure any impacts to the adjacent properties is minimized; or
2. Deny the project. If the project is denied, the use cannot be established, and the applicant could not submit substantially the same project for six months. The applicant would be required to remove the business from the property because it has already been established.

CONCLUSION

It is staff's opinion that the proposed project, as conditioned, will be compatible with the uses in the surrounding area, as well as provide a substantial improvement to the subject property. Therefore, staff recommends approval of the use.

- Attachments:
1. Draft Planning Commission Resolutions (Approval and Denial)
 2. Applicant's Description of the Use
 3. Location Map
 4. Plans

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

David Hesam
2624 Newport Boulevard
Costa Mesa, CA 92627

Suzan Beck
2921 Carob Street
Newport Beach, CA 92660

Roy Ikeda
350 Monte Vista Avenue
Costa Mesa, CA 92627

ATTACHMENT 1

RESOLUTION NO. PC-10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-10-04**

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

WHEREAS, an application was filed by David Hesam, authorized agent for Roy Ikeda, requesting approval of a conditional use permit to legalize a motor vehicle rental and storage facility with no washing or repair of vehicles on-site, located at 2624 Newport Boulevard in an C1 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 12, 2010; and

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **APPROVES** PA-10-04 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-10-04 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 12th day of July, 2010.

James Righeimer, Chair
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS (APPROVAL)

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. A compatible and harmonious relationship exists between the proposed use and existing buildings, site development, and 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.
 3. The proposed use will comply with the performance standards as prescribed in the Zoning Code.
 4. The proposed use is consistent with the General Plan.
 5. The planning application is for a project-specific case and does not establish a precedent for future development.
 6. The cumulative effect of all the planning applications have been considered.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the conditional use permit in that the proposed development and use is substantially compatible with developments in the same general area. Granting the conditional use permit will not 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, the use complies with the intent of the Zoning Code, as conditioned, to ensure compatibility with the surrounding neighborhood.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines; and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15301 for Existing Facilities.
- 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 use shall be limited to the type of operation described in this staff report. i.e., a motor vehicle rental and storage facility with no washing or repair of vehicles on-site. Any change in the operational characteristics including, but not limited to, hours of operation, shall require approval of an amendment to the conditional use permit, subject to Planning Commission approval.
2. Hours of operation are 8:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 4:00 p.m. on Saturdays (closed Sundays).
3. Storage of wrecked, dismantled, and/or inoperative vehicles is prohibited.
4. No repair or washing of vehicles shall occur on the site.
5. Storage of privately-owned motor vehicles is prohibited.
6. The use of any external public address system is prohibited. This includes music, voice paging systems, telephone and other bells or buzzers, and all other amplified or broadcast sound systems.
7. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
8. Parking of employee vehicles shall be on-site only.
9. Storage/parking of high-profile vehicles is strictly prohibited in the front parking lot abutting Newport Boulevard. High profile vehicles, i.e., moving trucks and recreational vehicles, shall be stored towards the rear of the property.
10. The existing screen fence abutting residential property to the rear shall be replaced with a new fence with a minimum of 7 feet in height.
11. The applicant shall contact the Planning Division to arrange a Planning inspection. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
12. Upgrades to the existing site landscaping, fencing, and signage, as required by the Zoning Code and included in the Code Requirements for this project, shall be completed no later than 30 days from the date of project approval. The Development Services Director may extend this deadline for an additional 30 days as appropriate.
- Trans. 13. Gate shall remain open during business hours.

RESOLUTION NO. PC-10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING PLANNING APPLICATION
PA-10-04**

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

WHEREAS, an application was filed by David Hesam, authorized agent for Roy Ikeda, requesting approval of a conditional use permit to legalize a motor vehicle rental and storage facility with no washing or repair of vehicles on-site, located at 2624 Newport Boulevard in an C1 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 12, 2010; and

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 **DENIES** PA-10-04 with respect to the property described above.

PASSED AND ADOPTED this 12th day of July, 2010.

James Righeimer, Chair
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS (DENIAL)

- A. The proposed project 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.
 - 2. The proposed use is not consistent with the General Plan.
- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the 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.
- C. The Costa Mesa Planning Commission has denied Planning Application PA-10-04. 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.

ATTACHMENT 2



March 7, 2010

City of Costa Mesa, Planning Department
77 Fair Drive
Costa Mesa, CA

Re: Certification of Occupancy for ABC Car Group Inc., 2624 Newport Blvd. Costa Mesa

Dear Sir or Madam; I have been in transportation and car rental business for the past twenty years. During this time, I have operated multiple independent and franchise locations in Los Angeles and Orange County area. Currently, I am operating other locations under Dollar Rent A Car franchise in Orange County, CA. I have also purchased the entire territory of Dollar and Thrifty Rent A Car in Orange County to open multiple locations in this area in future.

ABC Car Group Inc. is going to start an Auto Rental Business at 2624 Newport Blvd. with a fleet of 20 cars and four employees. We are planning to expand the business in the future.

ABC Car Group Inc. is an auto rental business. We serve the community of Costa Mesa and all the surrounding area as well as John Wayne Airport. We do local and National marketing through our mother company affiliated and also our own website. We shuttle customers back and fort from their residence or airport to our location in order to rent the vehicle of their choice. There will be no mechanical work or car services in this location. There is no hazardous material used in our operation. The hours of operation of the company are Monday through Friday, from 8:00 AM to 6:00 PM and Saturday from 8:00 AM to 4:00 PM. We are closed on Sundays.

I will be more than happy to answer any further questions regarding this business.

Sincerely Yours;

A handwritten signature in black ink, appearing to read "D Hesam".

David Hesam

LA Best Rent A Car, Inc.
Licensee
2426 South Main Street
Santa Ana, CA 92707
714-850-9707
Fax 714-850-9307

1700 South Harbor Boulevard
Anaheim, CA 92802
714-778-5757
Fax 714-778-5755

Worldwide Reservations
800-800-4000
dollar.com

June 8, 2010



Mel Lee, AICP
City of Costa Mesa
77 Fair Drive
Costa Mesa, Ca. 92627

RE: CUP Application for 2624 Newport Blvd. Costa Mesa, ca. 92627
Planning Application PA-10-04

Dear Mr. Lee,

In response to your letter dated March 24, 2010 concerning my application for CUP, the following changes have been completed:

1. Revised site plan shows the dirt area at the rear of the property will be paved for auto storage.
2. As shown on the new site plan the rear property will be landscaped with 15 gallon trees at 24 inch OC.
3. We will not store the RV and truck at the front of the property as advised.
4. There will not be vehicle wash on the site. We have already contracted with Magellan Storage located at 3190 Pullman Street Costa Mesa, Ca. 92626 for additional RV storage, RV dump site and RV wash.

Please review the following and put me on the calendar for a hearing as soon as possible.

Sincerely yours,

David Hesam
CEO

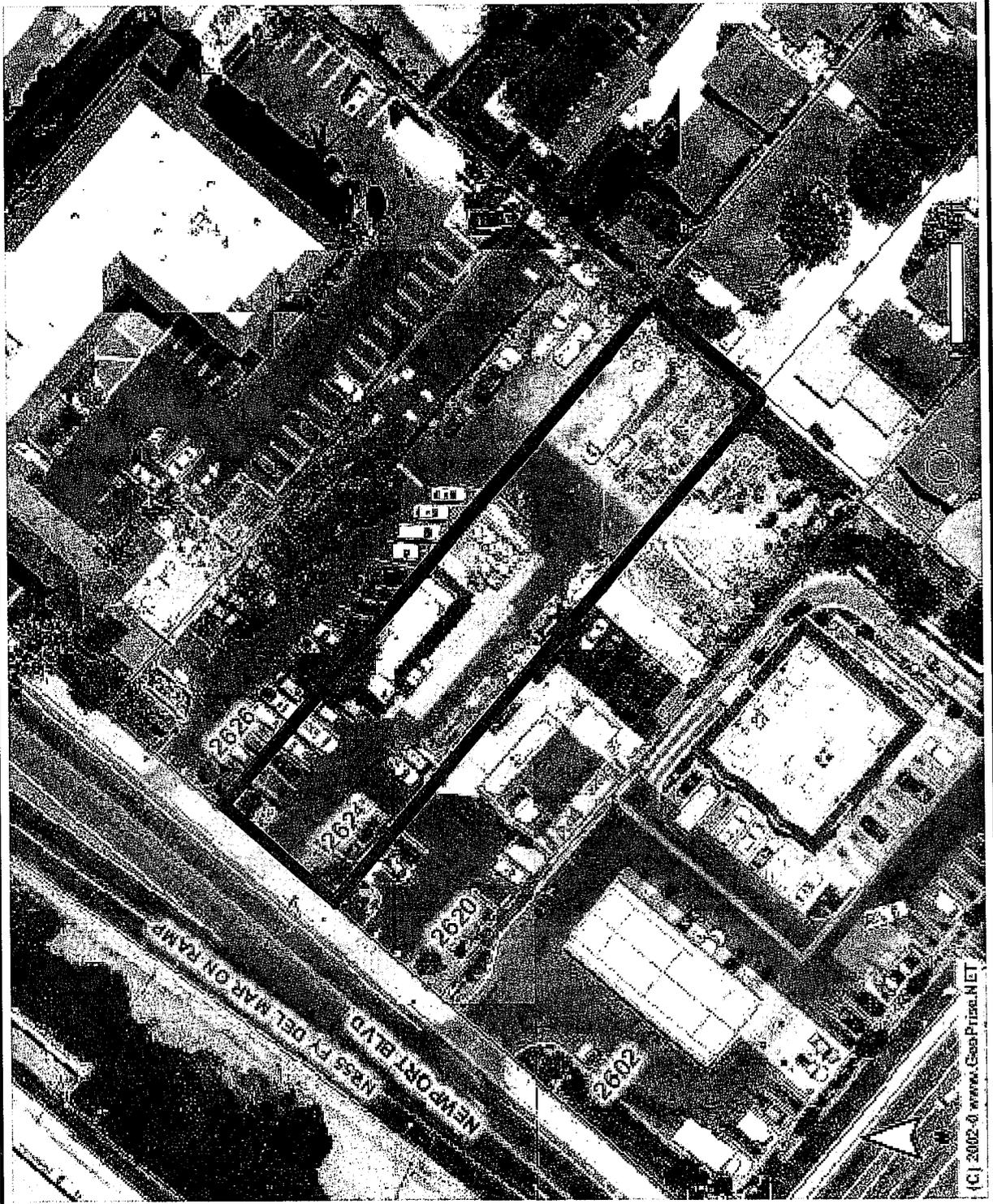
LA Best Rent A Car, Inc.
Licensee
2426 South Main Street
Santa Ana, CA 92707
714-850-9707
Fax 714-850-9307

1700 South Harbor Boulevard
Anaheim, CA 92802
714-778-5757
Fax 714-778-5755

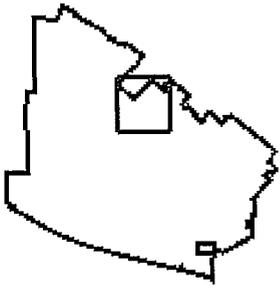
Worldwide Reservations
800-800-4000
dollar.com

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Map Display



Overview Map

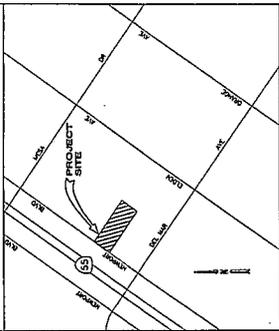


Legend

- | | | |
|-------------------|-----|------------------------|
| Address Large | --- | Newport BLVD Primary |
| Address Points | • | SECONDARY Street Names |
| Freeway | == | Street Centerlines |
| Roads | --- | Parcel Lines |
| Collector Freeway | == | |
| Major (cont) | == | |

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LOCATION MAP
THOMAS GUIDE PAGE 859-C7



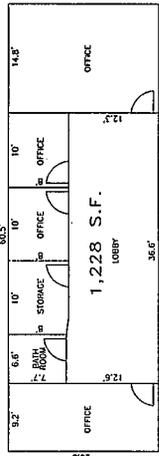
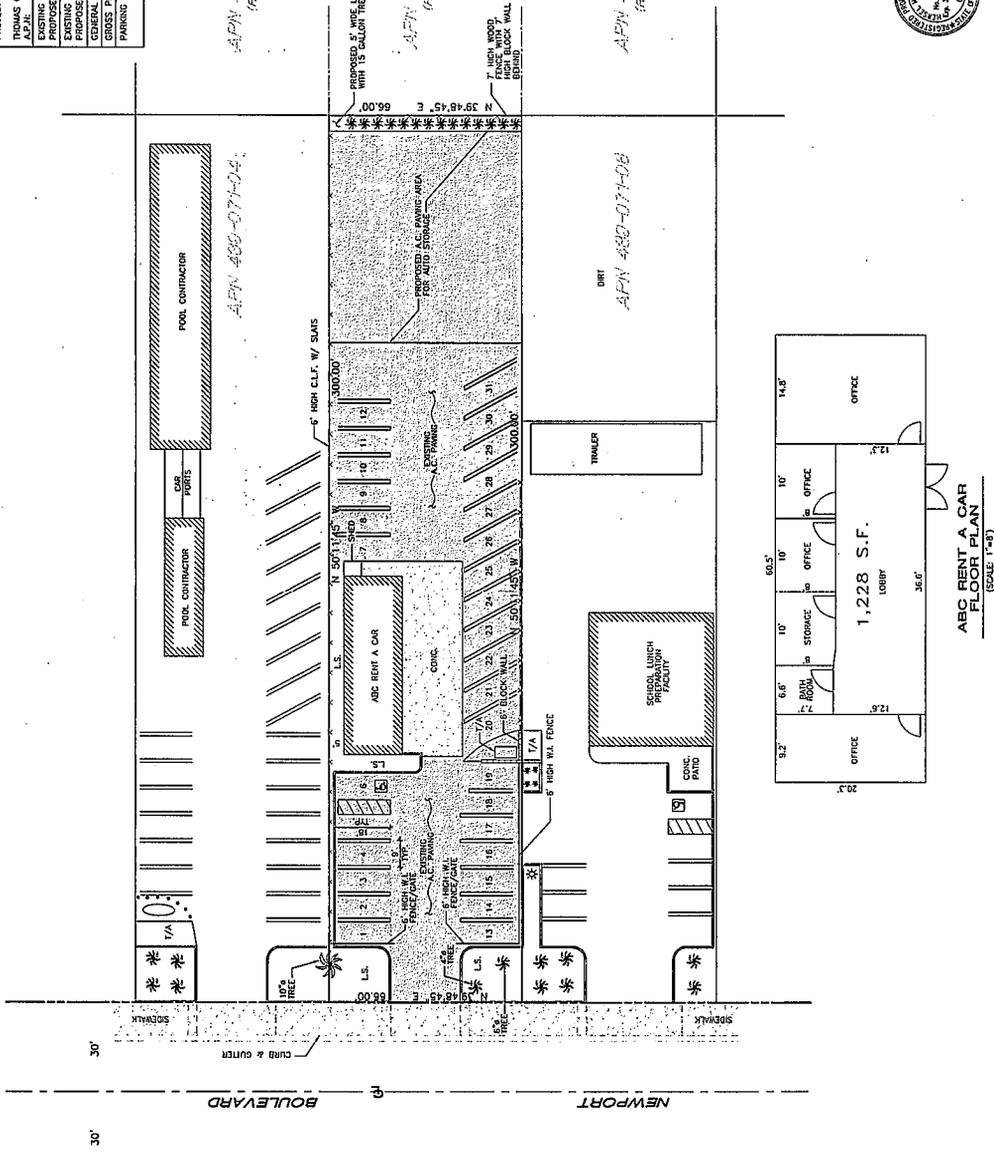
SITE PLAN
2624 NEWPORT BOULEVARD
IN THE CITY OF COSTA MESA, COUNTY OF ORANGE,
STATE OF CALIFORNIA

THE NORTHEASTERLY RECTANGULAR 66 FEET OF LOT 8 OF TRACT NO. 376, IN THE CITY OF COSTA MESA, AS PER MAP RECORDED IN BOOK 15, PAGE 29 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

PROJECT DATA

OWNER:	ROY KESAM 350 WHITE MESA AVENUE COSTA MESA, CA 92627 (949) 245-5182
AGENTS:	DAVID HESAM 3624 NEWPORT BOULEVARD COSTA MESA, CA 92627 (949) 200-3387
ENGINEER:	LAND DEVELOPMENT CONSULTANTS SARA WANG, P.E. 1714 557-700 FAX (714) 557-700 FAX
PROJECT ADDRESS:	2624 NEWPORT BOULEVARD COSTA MESA, CA 92627
PLANS GUIDE:	APN: 450-071-02 450-071-05
EXISTING ZONING:	C1 - (CUP)
PROPOSED ZONING:	ROOF CONTRACTING BUSINESS
EXISTING LAND USE:	RESIDENTIAL CAR BUSINESS
PROPOSED LAND USE:	ROOF CONTRACTING BUSINESS
APPROXIMATE GROSS AREA:	13,000 SQ. FT. ± 0.45 ACRES
GROSS PROJECT AREA:	31 SPACES, INCLUDING 1 HANGAR/SPARE SPACE AND ADDITIONAL AUTO STORAGE AREA
PARKING SPACE TABULATION:	

- LEGEND**
- AS-1: APPROXIMATE CONCRETE FOUNDATION
 - AS-2: APPROXIMATE CONCRETE FOUNDATION
 - AS-3: APPROXIMATE CONCRETE FOUNDATION
 - AS-4: APPROXIMATE CONCRETE FOUNDATION
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 - AS-99: APPROXIMATE CONCRETE FOUNDATION
 - AS-100: APPROXIMATE CONCRETE FOUNDATION



ABC RENT A CAR
FLOOR PLAN
(SCALE: 1"=4')



CITY OF COSTA MESA
SITE PLAN
2624 NEWPORT BOULEVARD

REVISIONS	BY	DATE	APPROVED

LAND DEVELOPMENT CONSULTANTS
CIVIL ENGINEERS
800 NORTH TUBBS AVENUE
COSTA MESA, CA 92627
(714) 832-8770

PREPARED FOR:
MR. DAVID HESAM
ABC RENT A CAR
2624 NEWPORT BOULEVARD
COSTA MESA, CA 92627
(949) 200-3387

SYMBOL	DESCRIPTION	REVISIONS



1 OF 1
JOB NO. 488