



PLANNING COMMISSION

AGENDA REPORT

VI. 6

MEETING DATE: JUNE 13, 2011

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-11-09
CONDITIONAL USE PERMIT FOR OFF-SITE AND VALET PARKING AT THE CAMP
2931 BRISTOL STREET (VISTA PAINT) FOR 2937 BRISTOL STREET/725 BAKER
STREET (THE CAMP)**

DATE: JUNE 2, 2011

**FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136
WSHIH@CI.COSTA-MESA.CA.US**

PROJECT DESCRIPTION.

Conditional use permit (CUP) to legalize off-site and valet parking at 2931 Bristol Street (Vista Paint) for The CAMP (2937 Bristol Street/725 Baker Street).

The proposal is as follows:

- Valet service from 5:30 p.m. to 2 a.m., Tuesday through Saturday.
- Two valet stations at The CAMP; one near the Baker Street entrance and the other near the Bristol Street entrance.
- All valet parking provided in the front and rear parking lots at 2931 Bristol Street.
- Valet attendants walk through the service area at the back of the property to return to the valet stations.

The Zoning Code requires CUP approval for both off-site and valet parking.

APPLICANT

The applicant is Jennifer Lovelace, representing property owners Shaheen Sadeghi for The CAMP property and Eddie R. Fischer (master lessor for Walter Jacobson) for Vista Paint property.

RECOMMENDATION

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

BACKGROUND

Project Site

The CAMP is a multi-tenant specialty retail center that is located near the southwest corner of Baker Street and Bristol Street. The CAMP consists of three parcels, which includes and shares a parking lot with Mesa restaurant/bar at 725 Baker Street and the multi-tenant commercial property to the east at 2981 Bristol Street. The center promotes a bike and pedestrian friendly environment with an ecoterrain theme.

Vista Paint is a paint store located adjacent to The CAMP to the south. The property contains a 7,000 square-foot building and a parking lot in front of the building (Bristol Street) and in the rear (Randolph Street).

The project site is surrounded by commercial uses to the north (across Baker Street), east (across Bristol Street), south, and both commercial and light industrial uses to the west on Randolph Street. It is also located within the South Bristol Entertainment & Cultural Arts (SoBECA) Urban Plan area. However, because the application is not for new development, it does not activate the provisions of the urban plan.

Previous Entitlements

On October 13, 2003, Planning Commission approved Minor Conditional Use Permit (MCUP) ZA-03-49 for shared driveway access and parking between 2981 Bristol Street and 2937 Bristol/725 Baker Street.

The City has also granted various Planning applications to deviate from shared parking requirements at this property due to the unique operating characteristics or offset hours of operation of select businesses.

PLANNING APPLICATION PA-11-09

According to the applicant, valet parking provides an option for the upscale clientele of the different restaurants at the CAMP, including Mesa, Taco Asylum, and Old Vine. Valet parking was implemented to cater to high-end patrons who repeatedly inquired for this service. While it increases parking options, valet parking was not instituted as a result of inadequate parking at the CAMP.

Although valet parking is available from Tuesday through Saturday, oftentimes there is no demand in the middle of the week for valet parking. Peak demand occurs on Friday and Saturday. There is a three dollar charge per vehicle for valet parking.

Staff supports approval of the CUP for the following reasons:

- *The off-site valet parking will not negatively impact on- and off-site uses.*

The CAMP has signed a lease to use Vista Paint parking lots for valet parking. The CAMP has also extended their liability insurance to cover the Vista Paint property. The site plan shows two valet stations at The CAMP and valet parking off-site in the Vista Paint parking lots. The Transportation Services staff has reviewed the proposed vehicle routes and has no objections to the use.

If the CUP is approved, the applicant would be required to comply with all the conditions of approval and applicable Code requirements to ensure minimal impact on surrounding uses. **Condition no. 2** prohibits any reduction of on-site parking spaces or designation of valet parking on The CAMP property.

- Approval of the CUP will not impact on- and off-site parking or vehicle circulation.

The valet service starts at 5:30 p.m. to 2 a.m., Tuesday through Saturday. The lease agreement allows The CAMP to use the Vista Paint parking lots during these times when Vista Paint is closed. Additionally, as conditioned, the valet service will not reduce any parking spaces at The CAMP. Therefore, parking impacts are not anticipated on- or off-site.

Condition no. 3 requires both valet stations to be located in areas that do not interfere with required parking or drive aisles.

Condition no. 5 requires that the valet parking operations shall not occur while the Vista Paint store (or current tenant) at 2931 Bristol Street is open for business. If the tenant modifies their business hours, the valet parking shall occur outside those hours unless prior approval is obtained by the Development Services Director based on a determination of sufficient parking.

- The additional parking area provides more parking spaces than required for The CAMP.

The off-site parking lots can accommodate 27 valet parking spaces, which is more parking spaces than required for The CAMP. The off-site valet parking provides additional parking and a convenient service in the evenings for the patrons of The CAMP, which contains several restaurants with growing popularity. Additionally, the off-site parking lot is also able to accommodate employee parking.

Because the valet parking provides additional parking capacity that is not required by Code, it is not necessary to impose any conditions related to sustaining the valet parking in the event the lease with Mr. Fischer/Fischer Family Trust is terminated in the future.

GENERAL PLAN CONFORMITY

In accordance with the General Plan, approval of a CUP for off-site valet parking would allow a use and intensity that is consistent with the property's General Commercial land use designation.

Although the application does not activate the SoBECA Urban Plan, it does not conflict with the plan as it would allow an existing commercial center to continue to operate with additional parking consistent with the General Plan and Zoning regulations.

ALTERNATIVES

The Planning Commission may consider the following alternatives:

1. Approve the application. This would allow the off-site valet parking, as described in the staff report, subject to conditions and Code requirements.
2. Deny the application. If Commission denies the application, off-site valet parking would be prohibited. A similar request may not be submitted for six months.

ENVIRONMENTAL DETERMINATION

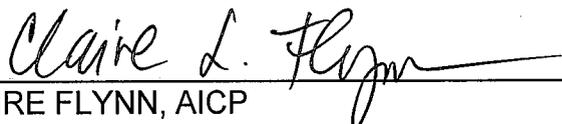
The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15301 for Existing Facilities. If the project is denied, it is exempt from the provisions of CEQA Section 15270(a) for Projects Which Are Disapproved.

CONCLUSION

Staff supports approval of the CUP for off-site valet parking, given that the use will be subject to conditions of approval to minimize impacts to on- and off-site uses. Based on the project description, approval of the CUP will provide a service to upscale patrons at The CAMP and additional off-site parking for employees.



 WENDY SHIH
 Associate Planner



 CLAIRE FLYNN, AICP
 Acting Assistant Development Services Director

- Attachments: 1. Draft Planning Commission Resolutions
 2. Applicant's Project Description and Justification
 3. Location Map
 4. Plans

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

Jennifer Lovelace
 709 Randolph Ave.
 Costa Mesa, CA 92626

Shaheen Sadeghi
709 Randolph Ave.
Costa Mesa, CA 92626

Eddie R. Fischer
2020 E. Orangethorpe Ave., Ste. 210
Fullerton, CA 92831

Walter Jacobson
8134 N. Iron Ridge Dr.
Tucson, AZ 85743-1432

File: 061311PA1109	Date: 052611	Time: 8:45 a.m.
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RESOLUTION NO. PC-11-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-11-09

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

WHEREAS, an application was filed by Jennifer Lovelace, authorized agent for property owners Shaheen Sadeghi for The CAMP at 2937 Bristol Street and 725 Baker Street, and Eddie R. Fischer (master lessor for Walter Jacobson) for 2931 Bristol Street, requesting approval of a conditional use permit for off-site parking and valet parking, in the C1 and C2 zones;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 13, 2011, with all persons provided an opportunity to speak for and against the proposed project.

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-11-09 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-11-09 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 13th day of June 2011.

COLIN MCCARTHY
Chair, Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS (for approval)

- A. The proposed project 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. In accordance with the General Plan, approval of a CUP for the off-site valet parking would allow a use and intensity that is consistent with the General Commercial land use designation.
 3. 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, as conditioned, is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the use will be subject to conditions of approval to minimize impacts to existing on- and off-site uses. Approval of the CUP will not impact on- or off-site parking; the off-site valet parking provides more parking than required for The CAMP property. Granting the conditional use permit will not allow a use, density or intensity, which is not in accordance with the General Plan designation for the property.
- 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 XII, Article 3, 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 the staff report and applicant's description (i.e. hours of operation, number and location of valet stations, walkway or vehicle routes), subject to conditions. Any change in the operational characteristics including, but not limited to, the hours of operation, number and location of valet station, or vehicle/walkway routes, shall be subject to Planning Division review and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
 2. Any reduction of on-site parking spaces or designation of valet parking on The CAMP property shall be prohibited.
 3. The two valet stations shall be located in areas that do not interfere with required parking or drive aisles at The CAMP.
 4. Valet parking shall occur in the parking lots of 2931 Bristol Street only. Parking of, and loading and unloading of, passengers for the valet service shall only occur on-site at 2937 Bristol Street or 725 Baker Street and not on the streets. The parking lot at 2931 Bristol Street may also serve as off-site parking for employees.
 5. The valet parking operations shall not occur while the Vista Paint store (or current tenant) at 2931 Bristol Street is open for business. If the tenant modifies their business hours, the valet parking shall occur outside those hours unless prior approval is obtained by the Development Services Director based on a determination of sufficient parking.
 6. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.

RESOLUTION NO. PC-11-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING PLANNING APPLICATION
PA-11-09**

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

WHEREAS, an application was filed by Jennifer Lovelace, authorized agent for property owners Shaheen Sadeghi for The CAMP at 2937 Bristol Street and 725 Baker Street, and Eddie R. Fischer (master lessor for Walter Jacobson) for 2931 Bristol Street, requesting approval of a conditional use permit for off-site valet parking, in the C1 and C2 zones;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 13, 2011, with all persons provided an opportunity to speak for and against the proposed project.

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-11-09 with respect to the property described above.

PASSED AND ADOPTED this 13th day of June 2011.

COLIN MCCARTHY
Chair, Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS (for denial)

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29 (e) because:
 - a. The proposed use is not compatible and harmonious with uses both on site and those on surrounding properties.
 - b. The project is not consistent with the General Plan.

- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) because 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. Granting the conditional use permit will allow a use, density, or intensity which is not in accordance with the General Plan designation for the property.

- C. The Costa Mesa Planning Commission has denied PA-11-09. 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.

ATTACHMENT 2

March 25, 2011

To Whom it may concern:

This letter is to briefly describe a proposed use for Off Site Valet Service in the evenings located at The Camp 2937 Bristol St. Costa Mesa, CA 92626.

LAB holding is the Landlord for the Camp and our tenants have requested that we implement an off-site Valet service in the evenings. The Valet service would be Tuesday through Saturday beginning at 5:30pm-2am.

There will be 2 Valet stations on site for pick up and drop off of vehicles. One will be located at the entrance to the Camp from Baker St in front of Mesa Restaurant and the other would be located at the entrance off of Bristol St. with the stand placed on the sidewalk in front of Native Foods.

All vehicles will be parked at a neighboring lot which we have leased. The address to this location is 2931 Bristol St. Costa Mesa, CA 92626 (Vista Paint). We already have a signed lease with this landlord and we have also extended our insurance to cover this lot. We have been granted the option to utilize the lot after 5pm which is when Vista Paint closes for the night.

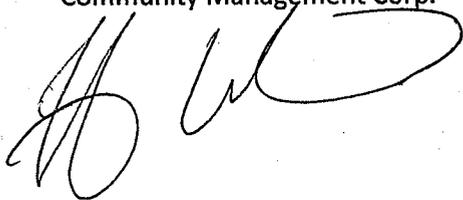
Once the vehicles are dropped off in the Vista Paint lot, the Valet attendants will walk through the service area at the back of the property to return to the Valet stations.

We hope you can grant us this approval so we can continue to offer this service to our tenants and their customers. Please contact me if there are any questions or additional information needed.

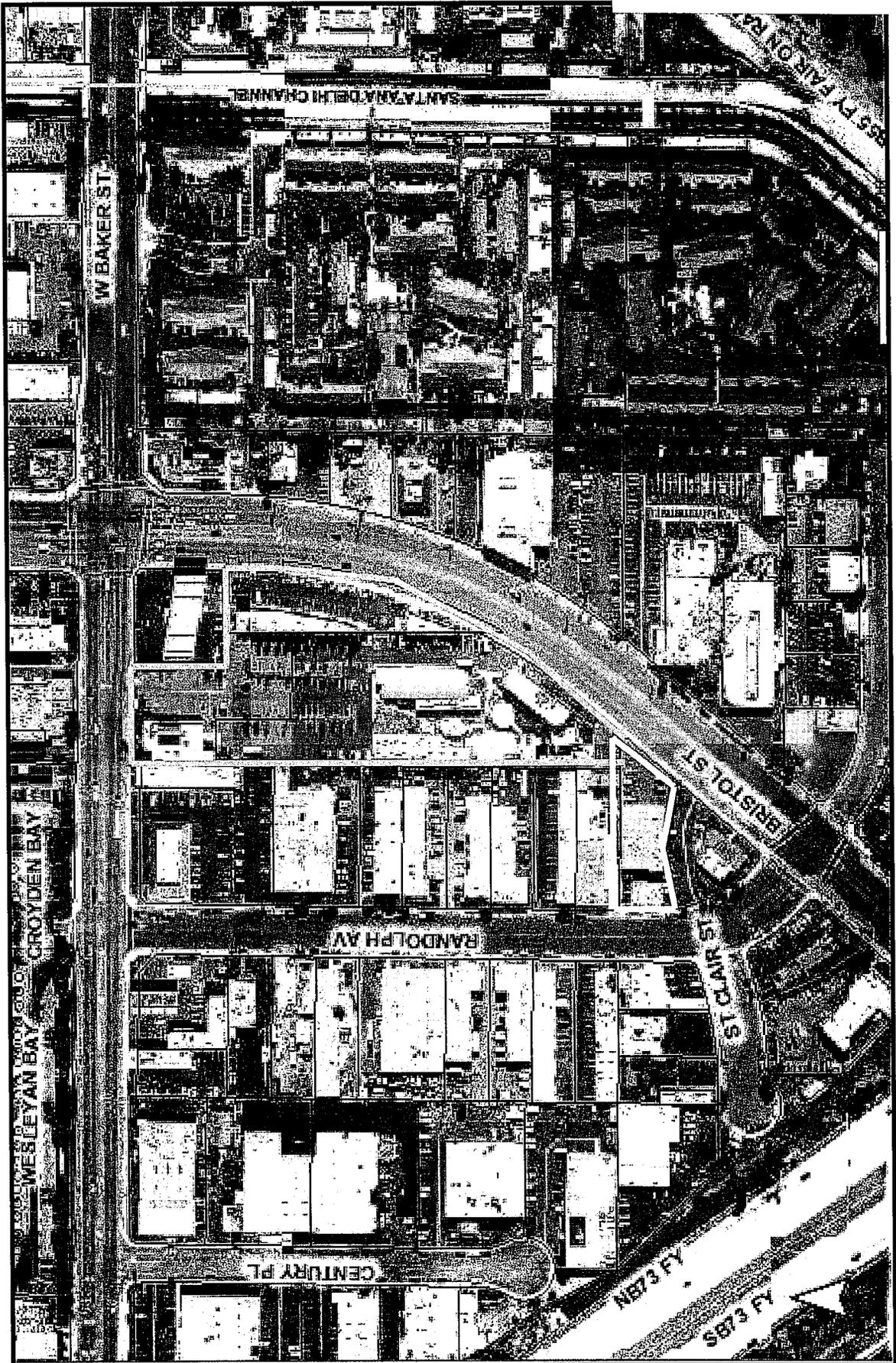
Regards,

Jennifer Lovelace

Community Management Corp.


UNITY


LOCATION/AERIAL MAP



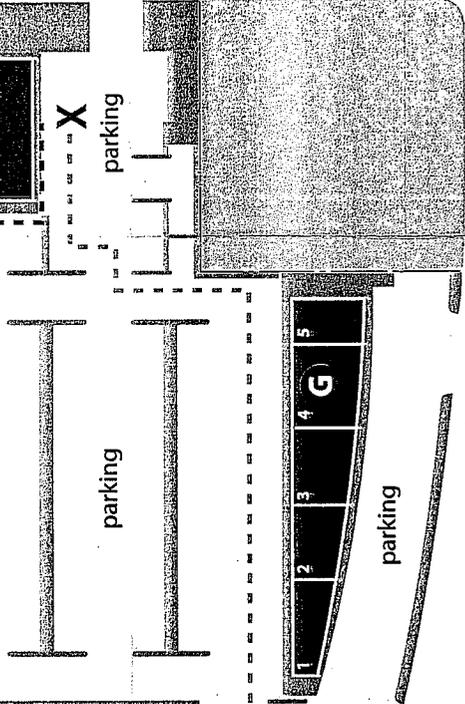
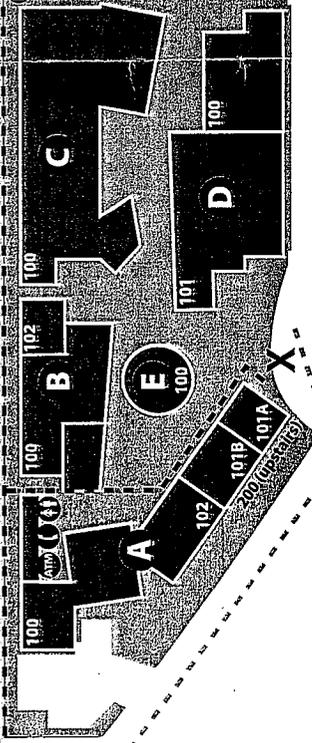
ATTACHMENT 4

Randolph St.

Randolph St.



X = Valet Stand
- - - - = Walkway route to return to valet stands
- = Vehicle route for parking vehicles

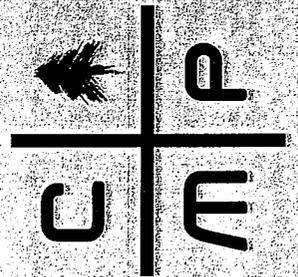


Baker St.

Bristol St.

Bristol St.
14

north



THE CAMP