



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JULY 9, 2012

ITEM NUMBER: **VI. 4**

SUBJECT: PLANNING APPLICATION AMENDMENT PA-97-31 A1 FOR AN EXPANSION OF AN EXISTING AUTO REPAIR FACILITY LOCATED WITHIN 200 FEET OF RESIDENTIAL PROPERTY
1934 NEWPORT BOULEVARD

DATE: JUNE 28, 2012

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MEL LEE, SENIOR PLANNER

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP 714) 754-5611
mel.lee@costamesaca.gov

PROJECT DESCRIPTION

The applicant is requesting to amend Conditional Use Permit PA-97-31 for the following:

- To allow a 1,396 square-foot, one-and two- story addition consisting of new office, customer waiting area, and new auto service bay, to an existing 2,833 square-foot auto repair shop.
- Minor conditional use permit to allow a reduction in required on-site parking spaces (17 spaces required; 15 spaces proposed).

APPLICANT

The applicant is Mike Bareh, who is also the property owner.

RECOMMENDATION

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

Planning Application Summary

Location: 1934 Newport Boulevard Application: PA-97-31 A1

Request: Amend Conditional Use Permit PA-97-31 to allow: (1) a 1,396 square-foot, one-and two- story addition consisting of new office, customer waiting area, and new auto service bay, to an existing 2,833 square-foot auto repair shop; (2) minor conditional use permit to allow a reduction in required on-site parking spaces (17 spaces required; 15 spaces proposed)..

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: <u>C2</u>	North: <u>C2, retail uses</u>
General Plan: <u>General Commercial</u>	South: <u>C2, retail uses</u>
Lot Dimensions: <u>77 FT x 140 FT</u>	East: <u>R2-MD, residences</u>
Lot Area: <u>10,780 SF</u>	West: <u>Across Newport and 55 Freeway, C2 and PDC, commercial uses</u>
Existing Development: <u>Auto repair use</u>	

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
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Lot Size:		
Lot Width	120 FT	77 FT (1)
Lot Area	12,000 SF	10,780 SF (1)
Floor Area Ratio:		
(Low Traffic FAR)	.40 (4,312 SF)	.39 (4,229 SF)
Building Height:		
Interior Landscaping:	2 Stories/ 30 FT maximum	2 Stories/21 FT, 6 IN
	375 SF minimum	230 SF (1)
Setbacks:		
Front	20 FT	20 FT
Interior Side	0-15 FT	0-48 FT
Rear	34 FT	0 FT (1)
Parking		
Standard	16	14
Handicap	1	1
Total	17 Spaces	15 Spaces (2)
<ol style="list-style-type: none"> 1. The property is legal nonconforming. 2. Minor conditional use permit for reduction in on-site parking requested (see staff report discussion). 		
CEQA Status	Exempt, Class 1 (Existing Facilities)	
Final Action	Planning Commission	

BACKGROUND

Project Site/Environs

The property is located on the east side of Newport Boulevard, south of Walnut Street and contains an existing automotive repair business (Advanced Auto Care). The property is zoned C2 (General Business District) and has a general plan land use designation of General Commercial. The property is also located within the Newport Boulevard Specific Plan.

Prior land use approvals

The auto repair use was approved by Planning Commission in 1997 under Planning Application PA-97-31, a copy of which is attached to this report (Attachment 3). Because an increase in the floor area and building height is proposed, approval of an amendment to this conditional use permit is required.

ANALYSIS

Amendment to Conditional Use Permit PA-97-31

As noted earlier, the amendment to PA-97-31 consists of the following:

- To allow a 1,396 square-foot, one-and two-story addition consisting of a new manager's office on the second floor, a new customer waiting area on the first floor, and a new auto service bay. There will be a total of four service bays.
- Minor conditional use permit to allow a reduction in required on-site parking spaces (17 spaces required; 15 spaces proposed).

Site Design

The proposed project consists of a proposed 1,396 square-foot, one-and two-story addition consisting of new office, customer waiting area, and new auto service bay, to an existing 2,833 square-foot auto repair facility. Vehicular access to the site is provided from the existing driveway approach on Newport Boulevard. The proposed addition is to the existing building on the north side of the property, with the parking area on the south side of the property. The building has a legal nonconforming zero lot line at the rear of the property, plus an existing six-foot high block wall along the remainder of the rear property line, to provide the separation from the existing residential properties to the rear.

The site is legal nonconforming with regard to on-site landscaping. The applicant will provide additional on-site landscaping along the street frontage and within the parking area to bring the site closer to current code requirements. The applicant is proposing to enlarge the existing landscape planter on the south side of the entry driveway and provide a new landscaping along the south side of the property. Staff has incorporated, as a condition of approval, that existing and proposed landscape planters along the

street frontage be landscaped with trees and vegetation and shall contain 24-inch box trees to the satisfaction of the Development Services Director (Condition No. 8).

Landscape materials and irrigation will also be required to conform to Chapter VII, Landscape Standards, of the City's Zoning Code and the Water Efficient Landscape Guidelines. Additionally, the applicant will be required to replace the public street tree in the existing tree well at the front of the property (Condition No. 16).

Parking

- *Parking Determination.* Code requires 17 on-site parking spaces for the proposed project, based on a ratio of four parking spaces for every 1,000 square feet of gross floor area; 15 on-site parking spaces are proposed.

According to the applicant, the reduction in required on-site parking can be justified because while the vehicles are on the property employees will be able to move the vehicles in and out of the repair bays as needed to keep the driveway and needed customer and employee parking areas clear as needed. Additionally, staff has incorporated the following conditions of approval:

- If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate the problem including, but not limited to, keeping customer and employee parking spaces clear of vehicles to be repaired (Condition No. 11) and that the existing site paving be repaired (Condition No. 15).

Due to the minor shortfall in parking, the following condition restricts the office area to the primary business (Advanced Auto Care) only.

- The office area shall not be subleased to another business that has no relationship to the auto repair use (Condition No. 12).

Staff Justifications for Approval

Staff supports the above requests based on the following:

- *The proposed expansion is consistent with the Newport Boulevard Specific Plan.* The specific plan allows for the expansion of auto repair uses. Furthermore, the specific plan requires limitations on commercial uses for hours of operation, deliveries, and the provision for an adequate buffer between commercial and residential properties, which are addressed in the original CUP and the recommended conditions of approval.
- *The existing gable roof structure at the front of the building will be replaced with a modern architectural style building, improving the overall appearance of the building.* Additionally, the property owner is proposing to upgrade the existing property by

remodeling the exterior of the remaining building with contemporary materials and earth tone colors.

- The applicable previous conditions of approval for PA-97-31 will remain in effect. The use would continue to the original conditions of approval for PA-97-31 (Attachment 3) to ensure that no adverse impacts to adjacent uses and properties is created (Condition No. 1), including, but not limited to, the following:
 - There shall be no body work, painting, major engine overhauling, or tire and/or wheel sales and installation conducted at this site.
 - Restripe the parking area per City parking standards.
 - Hours of operation for both conducting work and accepting any deliveries, shall be limited to 7:30 am to 6:00 pm Monday through Friday; 7:30 am to 5:00 pm Saturday; and 8:00 am to 4:00 pm on Sunday, with no work being performed between 8:00 am and 9:00 am on Sunday except the receiving of vehicles.
 - Road testing of cars shall not be performed on residential streets.
 - All materials and supplies shall be stored inside the building.
 - The air compressor shall be located inside the building and enclosed to minimize sound.
 - No public address system shall be permitted.

- According to City records, there have been no Code Enforcement complaints related to noise in conjunction with the existing use. The most recent Code Enforcement complaint was related to portable signs in December of 1999, which was corrected by the applicant.

- Monument signage shall be proportionate to the development. The property is 77 feet wide and 140 feet deep. Code allows an approximately 77 square foot monument sign along the Newport Boulevard frontage; an 18 square foot monument sign currently exists. Due to the narrow width of the property with respect to the depth, a 77 square foot sign as allowed under code would be considered out-of-scale with the building. Therefore, staff recommends that if the sign is modified in the future, there be minimal changes to the size of the existing sign.
 - The existing freestanding monument sign shall not be increased to be more 10 percent in height and size unless approved by the Development Services Director (Condition No. 13).

- Interface with abutting residential uses on Church Street shall be improved. The rear wall abutting residential is six feet in height. Due to the addition of another service bay and increased customer activity in the parking lot, staff believes an eight-foot high wall is appropriate to minimize noise.

- o The applicant shall work with abutting residential neighbors on Church Street to replace or modify the existing six-foot high masonry wall with an eight-foot high wall. The final wall material and design shall be approved by the Development Services Director. Building permits may be required (Condition No. 14).

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 will allow this use to operate with minimal impact on surrounding properties and uses.

According to the applicant, the project will generate approximately 30 construction jobs and one or two new permanent jobs.

ENVIRONMENTAL DETERMINATION

If approved, the project 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 CONFORMITY

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

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 and uses is minimized; or
2. Deny the use. If the project is denied, the property may still operate under the same limitations and conditions of approval for PA-97-31.

CONCLUSION

It is staff's opinion that the proposed use, with the recommended conditions of approval, will be consistent with the City's Zoning Code and General Plan. The proposed project, as conditioned, will minimize any adverse impacts to surrounding properties. Therefore, staff supports the applicant's request.



MEL LEE, AICP
Senior Planner



CLAIRE FLYNN, AICP
Asst. Development Services Director

Attachments: 1. Draft Planning Commission Resolutions

2. Applicant's Description of the Use
3. Staff report for PA-97-31
4. Location Map
5. Plans

cc: Director of Economic & Development/Deputy CEO
Assistant Development Services Director
Sr. Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
Staff (6)
File (2)

Manasseh "Mike" Bareh
PO Box 10038
Costa Mesa, CA 92627

RESOLUTION NO. PC-12-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT AMENDMENT PA-97-31 A1 FOR 1934 NEWPORT BOULEVARD.

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

WHEREAS, an application was filed by Manasseh "Mike" Bareh, owner of property located at 1934 Newport Boulevard, for the following:

Amend Conditional Use Permit PA-97-31 for the following:

- o To allow a 1,396 square-foot, one-and two- story addition consisting of new office, customer waiting area, and new auto service bay, to an existing 2,833 square-foot auto repair shop.
- o Minor conditional use permit to allow a reduction in required on-site parking spaces (17 spaces required; 15 spaces proposed).

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 9, 2012, with all persons having the 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 **APPROVES** PA-97-31 A1 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 PA-97-31 A1 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 9th day of July, 2012

Colin McCarthy, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Claire Flynn, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 9, 2012, by the following votes:

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

Secretary, Costa Mesa
Planning Commission

EXHIBIT A**FINDINGS**

- 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 and Redevelopment 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 because:
- a. The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.
 - b. Granting the conditional use permit or minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.
 - c. Granting the conditional use permit or minor conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

Specifically, the proposed use complies with the intent of the Zoning Code, the General Plan, and Specific Plan, as conditioned, to ensure compatibility with the surrounding neighborhood. The proposed expansion is consistent with the Newport Boulevard Specific Plan, the applicable previous conditions of approval for PA-97-31 will remain in effect, and there have been no Code Enforcement complaints related to noise in conjunction with the existing use.

- C. The minor conditional use permit to allow a reduction in required on-site parking spaces substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:
- a. The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.
 - b. Granting the minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.
 - c. Granting the minor conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

Specifically, the reduction in required on-site parking can be justified because while the vehicles are on the property employees will be able to move the vehicles in and out of the repair bays as needed to keep the driveway and needed customer and employee parking areas clear as needed.

- D. 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.
- E. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng. 1. All applicable conditions of approval for PA-97-31 shall remain in effect, and are incorporated in their entirety herein:
- a. There shall be no body work, painting, major engine overhauling, or tire and/or wheel sales and installation conducted at this site.
 - b. Restripe the parking area per City parking standards.
 - c. The new planter bed, required under condition no. J shall be completely installed within 120 days of final Planning Commission action.
 - d. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
 - e. Street addresses shall be displayed on the freestanding sign, or, if there is no freestanding sign, on the fascia or store front adjacent to the main entrance of the building, in a manner visible to the public street. Numerals Street address numerals shall be a minimum 6" in height with not less than 1/2" stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be 4" in height with not less than 1/4" stroke and shall contrast sharply with the background.
 - f. 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.
 - g. The conditions of approval for PA-97-31 A1 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 - h. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the final Building Division inspections. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 - i. Hours of operation for both conducting work and accepting any deliveries, shall be limited to 7:30 am to 6:00 pm Monday through Friday; 7:30 am to 5:00 pm Saturday; and 8:00 am to 4:00 pm on Sunday, with no work being performed between 8:00 am and 9:00 am on Sunday except the receiving of vehicles.
 - j. A planter bed, matching the dimensions of the planter bed adjacent to the southwest property line, shall be installed on the north side of the driveway. Both planters shall be irrigated and planted with materials under the direction of Planning staff.
 - k. Road testing of cars shall not be performed on residential streets.
 - l. All materials and supplies shall be stored inside the building.
 - m. The air compressor shall be located inside the building and enclosed to

minimize sound.

- n. No public address system shall be permitted.
2. The use shall be limited to the type of operation as described in the staff report. Any change in the operational characteristics including, but not limited to, the hours of operation and additional services provided, shall require review by the Planning Division 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)].
3. All new and existing construction shall be architecturally compatible with regard to building materials, style, colors, etc.
4. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process such as a minor design review or a variance, or in the requirement to modify the construction to reflect the approved plans.
5. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted.
6. It is recommended that the project incorporate green building design and construction techniques where feasible. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.
7. The project is subject to compliance with all applicable Federal, State, and local laws. A copy of the applicable Costa Mesa Municipal Code requirements has been forwarded to the Applicant and, where applicable, the Authorized Agent, for reference.
8. Existing and proposed landscape planters along Newport Boulevard shall be landscaped with trees and vegetation. Landscape planters shall be planted with minimum 24-inch box trees which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits. Replacement/upgrades of existing landscaping shall be to the satisfaction of the Development Services Director.
9. Two (2) sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
10. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
11. If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate the problem including, but not limited to, keeping customer and employee parking spaces clear of vehicles to be repaired.

12. The office area shall not be subleased to another business that has no relationship to the auto repair use.
13. The existing freestanding monument sign shall not be increased to be more 10 percent in height and size unless approved by the Development Services Director.
14. The applicant shall work with abutting residential neighbors on Church Street to replace or modify the existing six-foot high masonry wall with an eight-foot high wall. The final wall material and design shall be approved by the Development Services Director. Building permits may be required.
15. The pavement of the property shall be rehabilitated to eliminate the alligator cracking, potholes, and other aspects of pavement damage. The rehabilitation will be in the form of asphaltic slurry seal or other overlay across the entire site, excluding areas with pavers, to the satisfaction of the Development Services Director. Patchwork repair in select areas is not considered an acceptable or comprehensive approach to pavement rehabilitation in this case.
16. Plant one 24-inch box street in existing four-foot by four-foot tree well (Pyrus Calleryana "Bradford").

Parks/
Parkways

RESOLUTION NO. PC-12__

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING CONDITIONAL USE PERMIT
AMENDMENT PA-97-31 A1

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

WHEREAS, an application was filed by Manasseh "Mike" Bareh, owner of property
located at 1934 Newport Boulevard, for the following:

Amend Conditional Use Permit PA-97-31 for the following:

- o To allow a 1,396 square-foot, one-and two- story addition consisting of new office, customer waiting area, and new auto service bay, to an existing 2,833 square-foot auto repair shop.
- o Minor conditional use permit to allow a reduction in required on-site parking spaces (17 spaces required; 15 spaces proposed).

WHEREAS, a duly noticed public hearing was held by the Planning Commission on
July 9, 2012, with all persons having the 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** PA-97-31 A1 with
respect to the property described above.

PASSED AND ADOPTED this 9th day of July, 2012.

Colin McCarthy, 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 or Redevelopment 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 amendment in that the proposed use is not compatible with developments in the same general area. Granting the request 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-97-31 A1. 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.

April 9, 2012

City of Costa Mesa
Planning and Building

I have been operating Advanced Automotive repair in our wonderful city of Costa Mesa since 1998. The building consists of 2800 Sqft. which include six stalls, small office, and small customer waiting room. Time has come for us to expand our customer waiting area and management office. On the first floor we would like to add a new, larger, more modern customer waiting area consisting of about 500 SqFt. and on the second floor would be a private office for management. Along with the addition, we will give our building a general face lift with modern architecture, similar to the many new buildings being build on Harbor Blvd. today.

Our business model is designed to give our clients an alternative to the dealership experience, which in most occasions requires the client to drop off the vehicle in the morning and pick up at the end of work day. Generally a vehicle comes into a stall and stays from 4 hours to 4 days sometime. On average we service 10 to 12 Cars per day (20 to 24 trips) or 2 cars per stall which falls under the Very Low Traffic designation. We do not have any below ground pits which could accommodate a high volume quick service type of business. 90% of vehicle that come in for service require racking or elevating the vehicle, that process takes 10 to 15 minuets, plus diagnostic time, plus conversation with clients for approval of repairs, usually over the phone and getting back to us with approval (that process alone can take an hour or two), then there is the actual repair time. We also shuttle our clients to their homes or place of business. Whether a client drops the car off or is waiting in our waiting room, their vehicle is generally inside the repair area not in the parking lot, minimizing the need for parking.

While by the numbers of the gross building area we would be required to provide 17 parking spaces, we can only provide 15. We must consider that the automotive business is quite unique in its need for parking. In every other business we drive there, we park our cars, and go about our business, using up parking spaces. In the auto repair business we take our cars to be worked on and not just be parked in a parking space. Whether we are waiting for the car to be worked on, or we drop the car off, we are not utilizing parking space as much as we are using building space. To ask of automotive use the same parking requirement as retail or office use is in a way double jeopardy. Automotive use is required to provide parking for a vehicle that is actually inside the building being worked on. I'm also aware of several of the surrounding cities that do take into account a certain percentage of space inside the building towards parking requirements.

We humbly ask that you approve this addition.

Thank you for your consideration,

Mike Bareh

PLANNING DIVISION STAFF REPORT

AGENDA NO. 6.a.

SITE LOCATION 1934 Newport Boulevard APPLICATION NO. PA-97-31

AP # 426-261-05 MANDATORY ACTION DATE _____
(Owner of Record)

APPLICANT Daniel Wardrop AUTHORIZED AGENT Subra Savitela

ADDRESS 2042 East Marquette Drive ADDRESS 3 Calle Bella

Gilbert AZ 85234 Rancho Santa Margarita CA 92688

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 Carol Proctor, Associate Planner *ccp*

DATE PREPARED July 22, 1997

LAST UPDATE _____

REQUEST:

A conditional use permit for a general automotive repair use in an existing commercial building.

STAFF RECOMMENDATION:

Adopt Negative Declaration and approve, subject to conditions.

FINAL COMMISSION ACTION: July 28, 1997

Adopted the Negative Declaration and approved the Conditional Use Permit by adoption of Planning Commission Resolution PC-97-40, based on information and analysis contained in the Planning Division staff report and findings contained in exhibit "A", subject to conditions in exhibit "B" with modifications and additions as shown in the exhibits.

APPLICANT NOTIFIED ns DATE July 30, 1997 (5-0)

CITY OF COSTA MESA, 77 FAIR DRIVE, COSTA MESA, CA 92628-1200

City of Costa Mesa Planning Division



APPL. PA-97-31

I. DESCRIPTION**A. Subject Property**

1. Location - 1934 Newport Boulevard
2. General Plan designation - General Commercial
3. Zone - C2
4. Present Development - vacant 1-story, 3,244 sq. ft. building
5. Lot Area - 10,500 sq. ft.
6. CEQA - Negative Declaration

B. Surrounding Property

1. North - C2, auto repair business
2. South - C2, equipment rental business
3. East - R2-MD, multi-family dwelling units
4. West - Newport Boulevard and 55 Freeway

C. Request

Conditional use permit for a general automotive repair use in an existing commercial building.

D. Background

PA-97-10, a conditional use permit for equipment rental, including trucks and construction vehicles, was approved by Planning Commission on February 24, 1997. At the time of application, the use was already occupying the building. A discrepancy arose between the tenant and the landlord over several conditions of approval (for a block wall along the rear property line, a screening fence toward the front of the site and front landscaping). Consequently, the business vacated the premises.

A tire sales and installation use occupied the premises prior to the equipment rental business; City records show the business license was terminated in September, 1996.

II. PROJECT DESCRIPTION

The applicant proposes general automotive repair, consisting of lube and oil changes; tune-ups; transmission service; brake, shock and strut work; fuel injection service and other automotive mechanical repair. No body work, painting or tire sales and installation is proposed.

APPL. PA-97-31

Hours of operation are proposed as follows: 7:30 a.m.-6:00 p.m., Monday through Friday; 7:30 a.m.-5:p.m., Saturday and 8:00 a.m.-4:00 p.m. on Sunday.

A conditional use permit is required for automotive repair in any commercial district. Furthermore, the property is located in the Newport Boulevard Specific Plan area. The specific plan prohibits automotive repair except for those commercial properties south of 20th Street when approved through a conditional use permit.

III. PLANNING STAFF ANALYSIS

Automotive repair is an intensive use which can be incompatible with more sensitive land uses. The site backs up to residentially-zoned and developed property. Staff's main concern with this use is potential noise impacts. Therefore, an initial study was prepared and a mitigation measure was included that limits hours of operation. This limitation of hours is also permitted by subsection 2.3 of Section 6.0 of the Development Standards of the Newport Boulevard Specific Plan. The plan states that for any commercial use requiring a conditional use permit, limitations on hours of operation and late night and early morning deliveries shall be additional criteria for approval. Therefore, because the hours of operation proposed by the applicant seemed reasonable in light of the adjoining residences (with the exception of Sunday, where staff modified the opening time from 8 a.m. as proposed by the applicant to 9 a.m.), staff incorporated the hours of operation into the mitigation measures/conditions.

The specific plan also encourages the inclusion of conditions for the provision of an adequate buffer from adjacent residential. The site is separated from the residential property to the east by the building itself and by 5'8" high double block walls (5 feet separate these walls and the area between has been used for trash bin storage and miscellaneous storage). The building is approximately 10'-15' high and there are no openings facing east; the bay doors open to the south. The residential property to the east is about 1'6" lower than the subject property; thus the building and walls are higher on the residential side. Furthermore, as required by Code, all work is to be conducted inside the building. There is to be no body work, painting, engine overhauling or tire sales and installation conducted. All of these aspects will help to ensure compatibility with the adjoining residential properties to the east, per the Newport Boulevard Specific Plan.

A mitigation measure pertaining to land use requires the installation of a planter bed, including automatic irrigation, in the front setback adjacent to the northwest property line. This requirement will allow the property to be brought into closer conformity with Code while providing a more attractive appearance of the site from Newport Boulevard. Adequate room exists on the site, even with the provision of the planter, to satisfy the parking requirement.

There are other automotive repair uses in this block, with one located to the north of this property and an equipment rental use to the south. Consequently, the proposed

APPL. PA-97-31

use will be consistent with other existing uses along northbound Newport Boulevard, between 19th and 20th Streets. Furthermore, as a moderate traffic generating use, as well as being a service-type use, this business will be compatible with the General Commercial General Plan designation of the site.

IV. PLANNING STAFF RECOMMENDATION

Adopt Negative Declaration and approve conditional use permit by adoption of Planning Commission resolution, based on findings contained in exhibit "A", subject to conditions contained in exhibit "B".

12(PA9731)

RESOLUTION NO. PC-97-40

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING CONDITIONAL USE
PERMIT PA-97-31THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

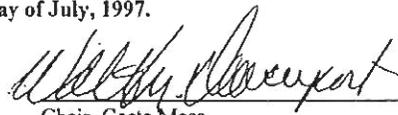
WHEREAS, an application was filed by Subra Savitala, authorized agent for Daniel Wardrop, with respect to the real property located at 1934 Newport Boulevard, requesting a conditional use permit for a general automotive repair use in an existing commercial building in the C2 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 28, 1997.

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 **ADOPTS** the Negative Declaration **APPROVES** conditional use permit PA-97-31 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 conditional use permit PA-97-31, and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, then this Resolution, and any approvals herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 28th day of July, 1997.


Chair, Costa Mesa
Planning Commission

APPL. PA-97-31

EXHIBIT "A"

PLANNING STAFF FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) in that the proposed automotive repair use is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. The operational characteristics will be limited in terms of hours of operation and type of work to be conducted, with no body work or tire sales and installation allowed. Buffering will be provided by the double block wall existing on and next to the property line which abuts the residential zone to the east. Furthermore, the residential property is lower than the commercial property; therefore, the existing block walls and buildings will provide an even greater buffer than if the two properties were on the same grade level. The subject site will also be upgraded with additional landscaping. Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and specific plan for the property.
- B. An initial study was prepared, pursuant to the California Environmental Quality Act. Although the proposed project could have a significant effect on the environment, according to the initial study and negative declaration, which reflect the independent judgment of the City of Costa Mesa, there will not be a significant effect on the environment because mitigation measures have been added to the project.
- C. The evidence presented in the record as a whole indicates that the project will not individually or cumulatively have an adverse effect on wildlife resources or habitat.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

APPL. PA-97-31

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. There shall be no body work, painting, major engine overhauling, or tire and/or wheel sales and installation conducted at this site.
2. Restripe the entire parking area per the Costa Mesa Parking Standards within 120 days of commencement of the business.
3. The new planter bed, required under condition of approval number 10, shall be completely installed within 120 days of final Planning Commission action.
4. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
5. Street addresses shall be displayed on the freestanding sign or, if there is no freestanding sign, on the fascia or store front adjacent to the main entrance of the building, in a manner visible to the public street. Numerals shall be a minimum 12" in height with not less than ¼" stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be 4" in height with not less than ¼" stroke and shall contrast sharply with the background.
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.
7. The conditions of approval and ordinance or code provisions of conditional use permit PA-97-31 shall be blueprinted on the face of the site/parking lot striping plans (together with the landscape and irrigation plans) submitted for plan check.
8. The applicant shall contact the Planning Division to arrange for a "special requirements" inspection of the site prior to the commencement of the business. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
- *9. Hours of operation, for both conducting work and accepting any deliveries, shall be limited to 7:30 a.m. to 6 p.m., Monday through Friday; 7:30 a.m. to 5 p.m., Saturday; and 8 a.m. to 4 p.m. on Sunday, with no work being performed between 8 a.m. and 9 a.m. on Sunday except the receiving of vehicles.
- *10. A planter bed, matching the dimensions of the planter bed existing adjacent to the southwest property line, shall be installed on the north side of the driveway. Both planters shall be irrigated and planted with materials under the direction of Planning staff.
11. Road testing of cars shall not be performed on residential streets.

APPL. PA-97-31

12. All materials and supplies shall be stored inside the building.
 13. The air compressor shall be located inside the building and enclosed to minimize sound.
 14. No public address system shall be permitted.
- * These mitigation measures of the negative declaration have been included as conditions of approval. If either of these conditions are removed, the decision-making body must make a finding that the project will still not result in significant environmental impacts and that the negative declaration is still valid.

CODE REQUIREMENTS

The following list of federal, state; and local laws applicable to the project has been compiled by Staff for the applicant's reference. Any reference to "city" pertains to the city of Costa Mesa.

- Plng.
1. Approval of the planning application is valid for one (1) year and will expire at the end of that period unless a business license is obtained and business commences, or the applicant applies for and is granted an extension of time.
 2. All contractors and subcontractors must have valid business licenses to do business in the city of Costa Mesa. Final inspections, and utility releases will not be granted until all such licenses have been obtained.
 3. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
 4. All work shall be conducted under-roof. Outdoor work or display is prohibited.
 5. Parking stalls shall be double-striped in accordance with City standards.
 6. All compact parking spaces shall be clearly marked "compact" or "small car only".
 7. Any new mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
 8. Two (2) sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final parking restriping/site plan sets.
 9. The parking lot restriping requires a building permit, prior to restriping of the lot. Plans submitted into plan check shall provide full detail of the parking design, including all landscape areas, sidewalks, driveway(s) and the building footprint, from property line-to-property line.
 10. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
 11. All landscaped areas shall be separated from paved vehicular areas by 6" high continuous Portland Cement Concrete curbing.
 12. In compliance with the City's mitigation monitoring program, the applicant shall submit a compliance report to the Planning Division along with plans for plan check, or prior to commencement of the project's activity if no construction is involved, that lists each mitigation measure and states when and how the mitigation measures are to be met.
- Bldg
13. Comply with the requirements of the Uniform Building Code as to design and

APPL. PA-97-31

- construction and CCR Title 24 pertaining to "Disabled Access Regulations".
- Fire 14. A Fire Department permit for repair garage is required.

SPECIAL REQUIREMENTS

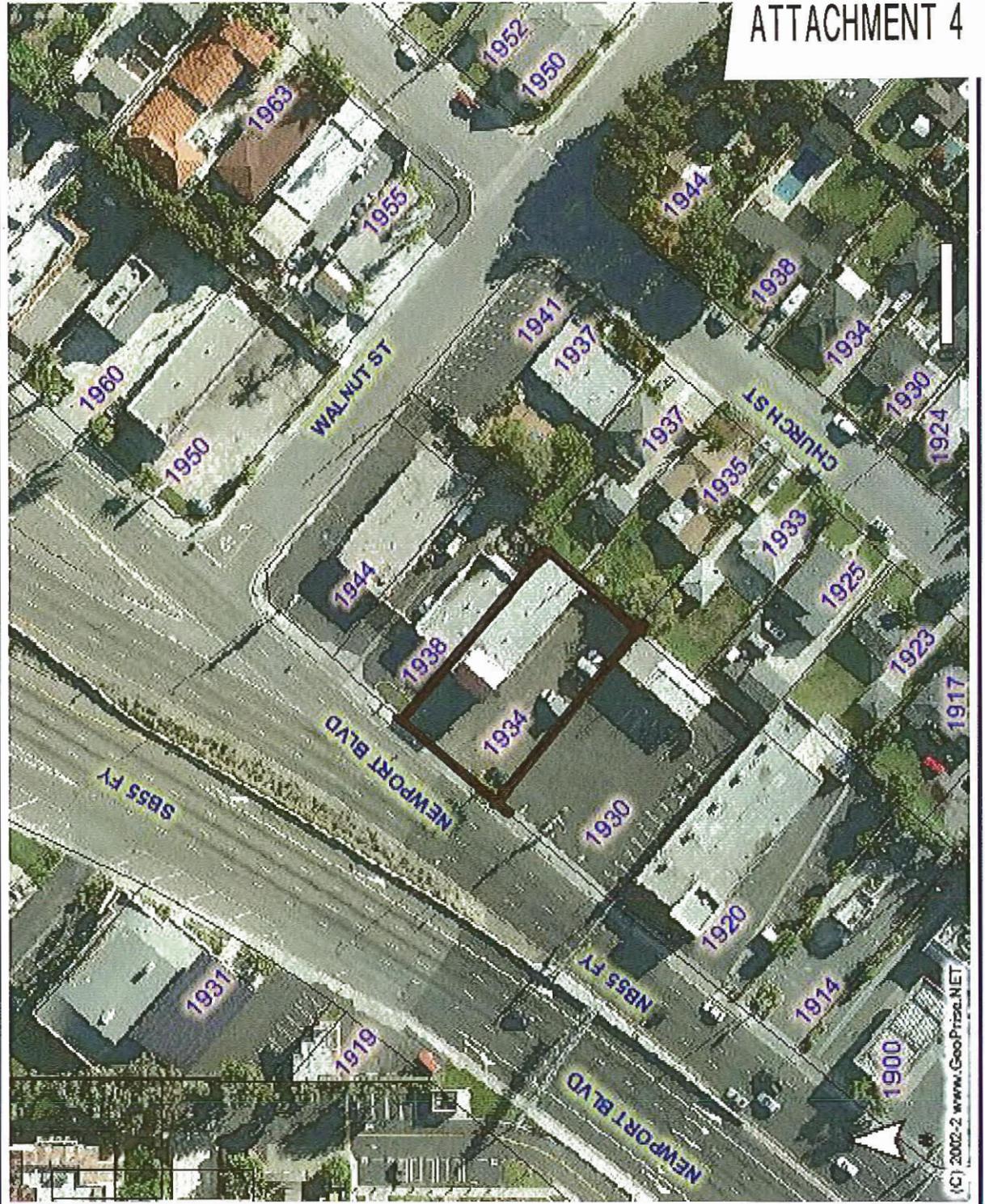
The requirements of the following special district(s) are hereby forwarded to the applicant:

- Sani. 1. Applicant shall pay all applicable Sanitary District fixture fee charges (714) 754-5307.
- Fish& Game 2. Applicant shall submit a check to the Planning Division for an environmental handling fee of \$38.00 made payable to the County Clerk-Recorder within seven (7) days of project approval. Approval of this project will not be vested or final until the filing fee (required under Section 711.4 of the Fish and Game Code) has been paid. [PRC 21089(b)].

Overview Map



Map Display



Legend

- Address Large
- Address Points
- Hydrology Channels
- Parcel Lines
- City Boundary
- Water Ways
- Ortho 2010 Level 1
- Ortho 2008 Level 1
- Street Names

(C) 2002-2 www.GeoPrize.NET

REMODEL & TWO STORY ADDITION EXISTING AUTO SHOP 1934 NEWPORT BLVD. COSTA MESA, CA 92627

SCOPE OF WORK:
 1. CONVERTING 409 SQ. FT. EXISTING OFFICE INTO AUTO SHOP.
 2. ADDING 515 SQ. FT. AT FIRST FLOOR ADMIN OFFICE.
 3. ADDING 821 SQ. FT. SECOND FLOOR ADMIN OFFICE.

SITE STATISTICS:
 TOTAL PLOT AREA : 10826

BUILDING AREA:
 EXISTING BUILDING AREA : 2833 SF.
 NEW AREA @ FIRST FLOOR : 515 SF.
 NEW AREA @ SECOND FLOOR : 821 SF.
 BUILDING TOTAL AREA : 4229 SF

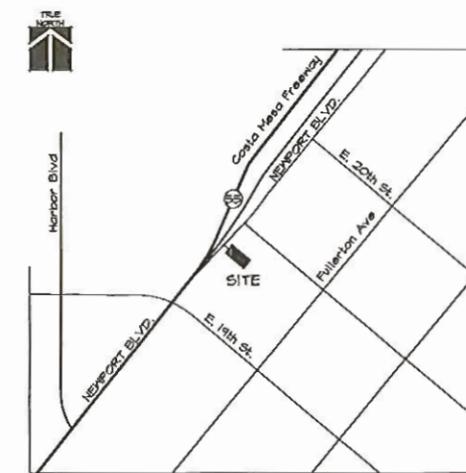
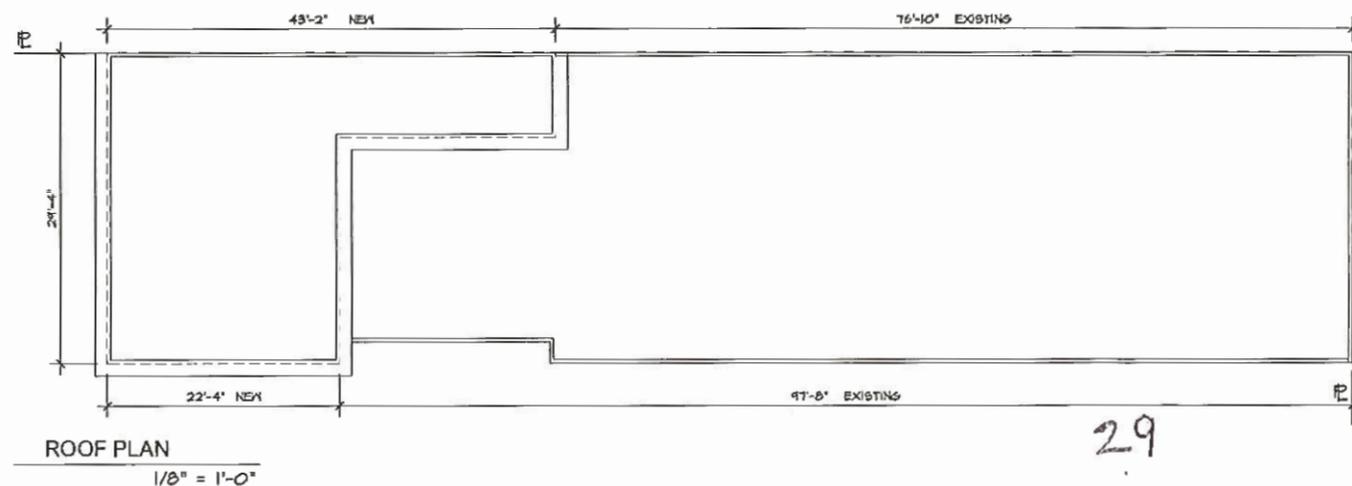
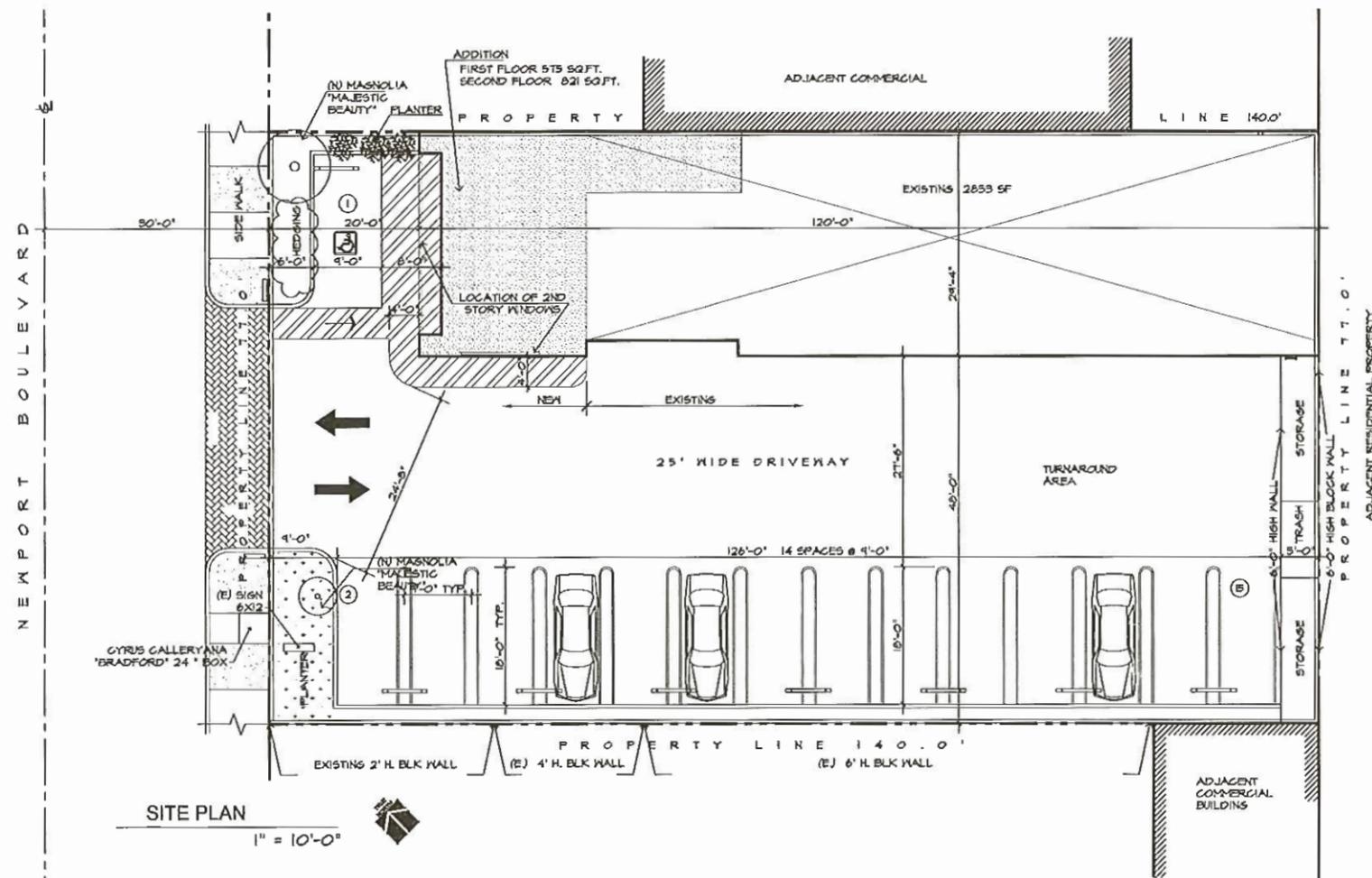
LOT COVERAGE
 = TOTAL BUILDING AREA / PLOT AREA
 = 4229 SF / 10826 = 0.39 (0.40 (39%)

NUMBER OF STORIES: TWO
TOTAL BLDG. HEIGHT: 21'-6"
EXITS REQD: ONE **EXITS PROVIDED:** ONE
PARKING REQD: ONE PARKING SPACE PER 230 SQ. FT.
 4229 / 230 = 18.4 ~ 17 SPACES.

PARKING PROVIDED: 13 SPACES

LANDSCAPE TOTAL AREA:
 LANDSCAPE AREA = 340 SF = 3.15 %

DRIVEWAY AND OPEN PARKING TOTAL AREA
 PARKING & DRIVEWAY AREA = 6,815 SF = 64%



OWNER:
 MIKE BAREH
 1934 NEWPORT BLVD.
 COSTA MESA, CA 92627

PROJECT:
 REMODEL & TWO STORY
 ADDITION FOR EXISTING
 AUTO SHOP



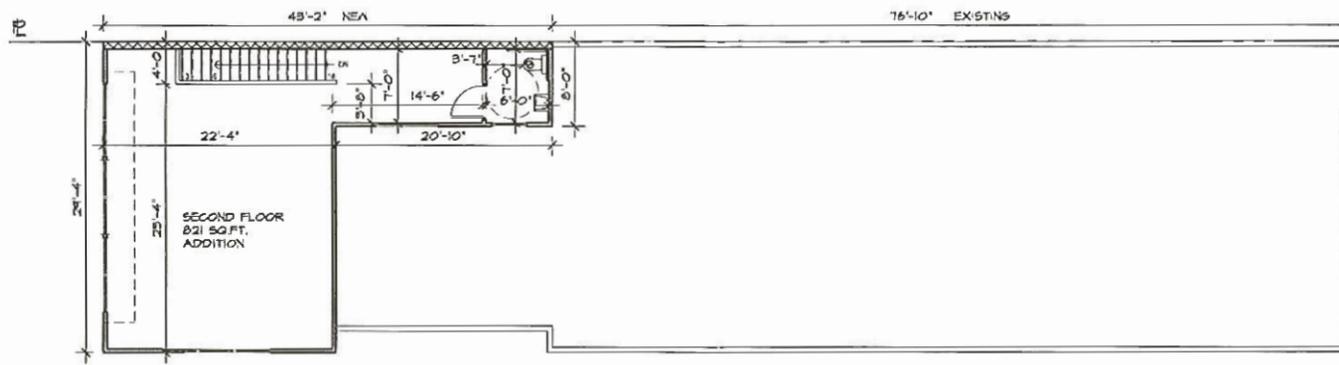
GEORGE BEHNAM
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 (714) 572-2384
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PROJECT NO: 061004
CAD DWG FILE:
DRAWN BY: M.M.
CHECKED BY: G.B.
DRAWING SCALE: NOTED
 06-01-12

SHEET TITLE:
 SITE
 AND
 ROOF PLAN

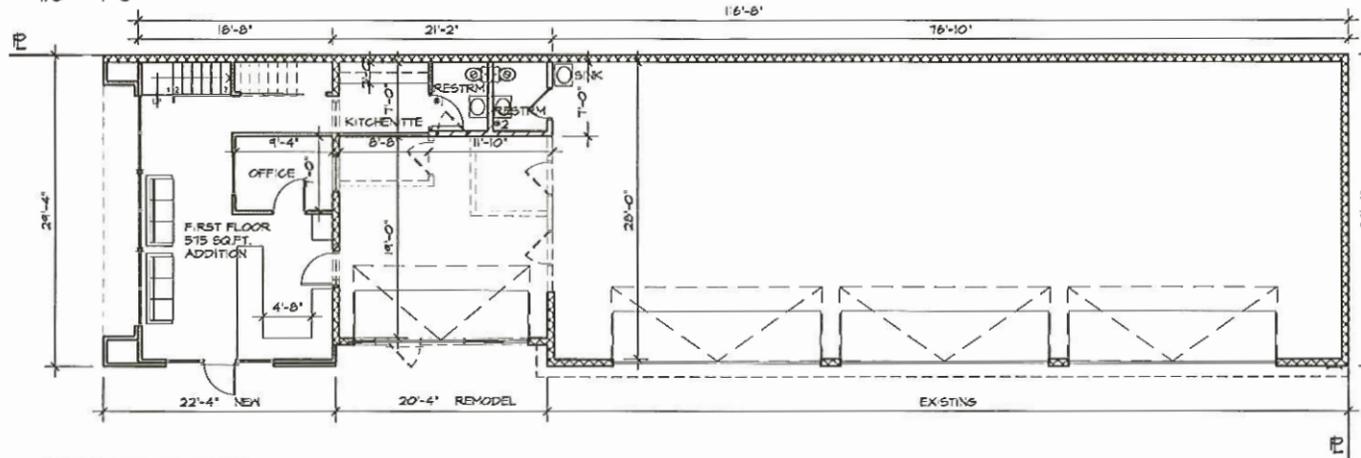
SHEET
 SP
 1 OF 2

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SECOND FLOOR PLAN

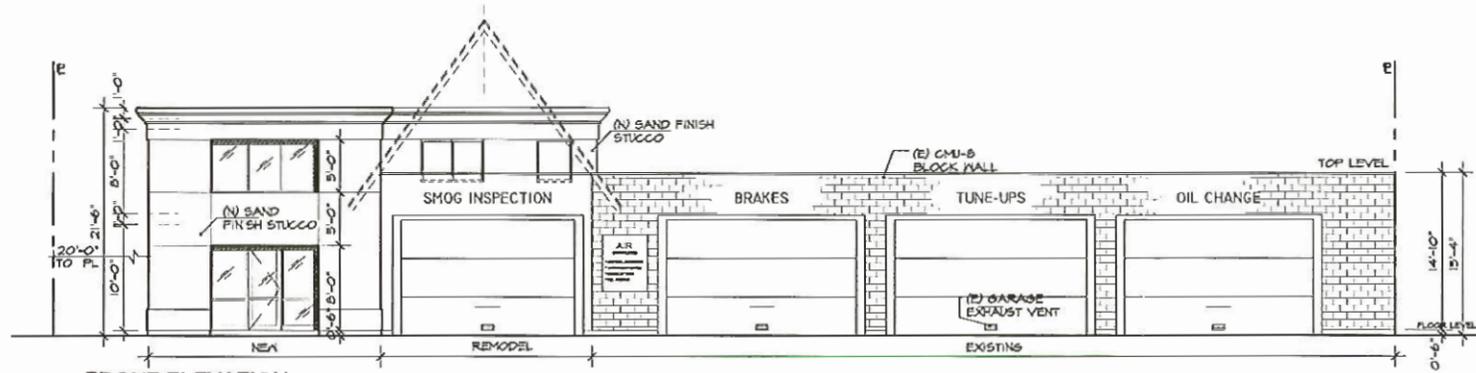
1/8" = 1'-0"



FIRST FLOOR PLAN

1/8" = 1'-0"

- WALL LEGEND**
- EXISTING CONCRETE WALLS TO REMAIN
 - NEW 2x4 @ 16" O.C. w/ 2x6 CONT. BLK @ 8" IN BETWEEN MAX
 - NEW 2x4 @ 16" O.C. w/ 2x6 CONT. BLK @ 8" IN BETWEEN MAX
 - EXISTING WALL TO BE DEMOLISHED



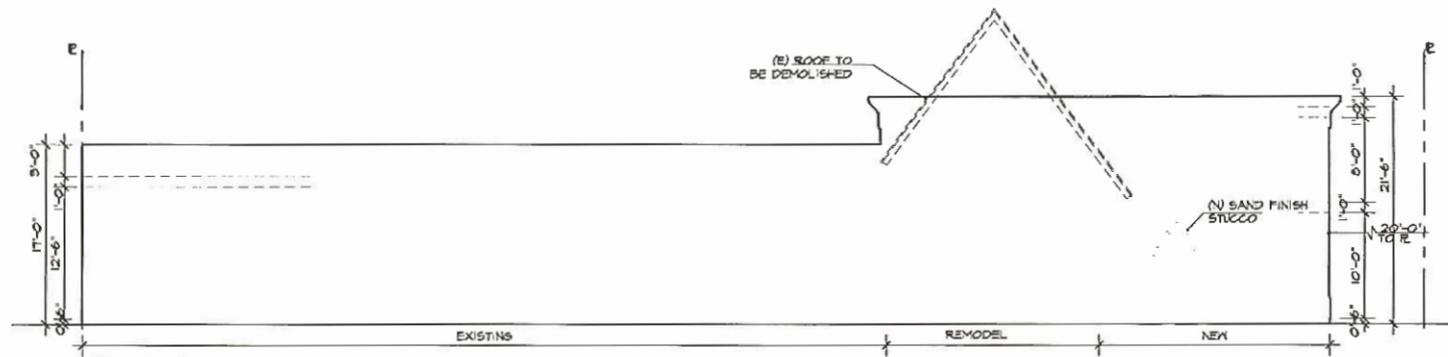
FRONT ELEVATION

1/8" = 1'-0"



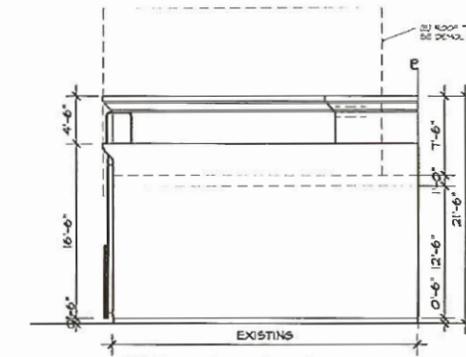
SIDE ELEVATION

1/8" = 1'-0"



NORTH ELEVATION

1/8" = 1'-0"



EAST ELEVATION

1/8" = 1'-0"

30

REVISIONS	
DATE	Δ

OWNER:
MIKE BAREH
1934 NEWPORT BLVD.
COSTA MESA, CA 92627

PROJECT:
REMODEL & TWO STORY ADDITION FOR EXISTING AUTO SHOP
1934 NEWPORT BLVD.
COSTA MESA, CA 92627



GEORGE BEHNAME ARCHITECT
1150 E. ORANGECORP # 109
1150 E. ORANGECORP # 109
COSTA MESA, CA 92627-2385
(714) 572-2385
E-mail: gbehname@georgebehname.com
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PROJECT NO: 061004
CAD DWG FILE:
DRAWN BY: F.G.
CHECKED BY: G.B.
DRAWING SCALE: NOTED
04-05-12

SHEET TITLE:
FIRST AND SECOND FLOOR PLANS AND ELEVATIONS

SHEET
A-1
2 OF 2

