



PLANNING COMMISSION

AGENDA REPORT

MEETING DATE: OCTOBER 14, 2013

ITEM NUMBER:

PH 1

**SUBJECT: PLANNING APPLICATION PA-13-25
CONDITIONAL USE PERMIT TO PROVIDE FREE VALET PARKING SERVICE FOR A
MEDICAL OFFICE USE (SOUTHLAND SPINE AND REHAB, INC.) LOCATED AT 1520
NUTMEG PLACE**

DATE: OCTOBER 3, 2013

**FOR FURTHER INFORMATION CONTACT: ANTONIO GARDEA, SENIOR PLANNER (714) 754-5692
antonio.gardea@costamesaca.gov**

PROJECT DESCRIPTION

Conditional use permit (CUP) to legalize the valet parking service provided at the medical office located at 1520 Nutmeg Place.

The Zoning Code requires approval of a Conditional Use Permit for valet parking.

APPLICANT

The applicant is Cody Bean (WRA Property Management, Inc.), representing the leaseholder, 1520 Nutmeg LP.

RECOMMENDATION

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

BACKGROUND

Project Site

The site consists of two parcels and is developed with a two-story, 27,000-square foot office building and surface parking. The existing building and a portion of the surface parking lot is located on a parcel that faces Nutmeg Place. The parking lot which is located north of the building is on a separate parcel with street frontage along Caraway Drive. The management company (applicant) has a long term lease agreement for use of the site with the property owners. As indicated by the leaseholder, the ground floor of the building (13,500 square feet) is occupied by medical office uses. The second floor is occupied by general office uses.

The site is surrounded by commercial uses to the north, east (facing Harbor Boulevard), and south (across Nutmeg Place). There are multi-family residential uses adjacent to west of the project site (facing Mace Avenue).

Previous Entitlements

Zoning Application ZE-81-06

The office building was originally approved under Conditional Use Permit ZE-81-06. This entitlement allowed the use 46 parking spaces on an adjacent parcel in addition to the 62 parking spaces available on-site.

On October 7, 2011, a lot line adjustment (LL-11-01) was approved as part of the redevelopment of the properties that face Harbor Boulevard. The intention was to provide adequate on-site parking for each individual use without the need for a reciprocal parking agreement. The lot line adjustment reconfigured the layout of several parcels separating 142 parking spaces for exclusive use of the subject building. A total of 135 parking spaces are required for the current uses. Thereafter, the two entitlements noted below were revoked and the reciprocal parking agreement was terminated.

Zoning Application ZE-83-45 & Planning Application PA-85-31

On March 22, 2012, the Planning Commission revoked the two parking variances for the subject site (Planning Commission Resolution No. PC-12-04). The revocation was initiated because the off-site parking spaces were no longer necessary. Both permits involved deviations from the required number of parking spaces provided for medical offices (ZE-83-45 & PA-85-31). These permits had granted a total of 2,933 square feet of office space to be used as medical offices.

ANALYSIS

Planning Application PA-13-25

The valet service is provided from 8:00 a.m. to 5:00 p.m. Monday through Friday at no cost to the medical office clients. The valet station is placed at the end of the drive aisle toward the northwest corner of the building. Stacked parking would be provided along two drive aisles in the northerly parking area. According to the applicant, the valet parking service is an alternative for customer convenience and only needed occasionally during peak hours of the medical office use.

As mentioned above, adequate parking is provided for the current tenant mix, with medical offices on the ground floor and administrative offices on the second floor. Staff conducted several site visits to confirm that adequate parking spaces are provided. At the site visits, the valet service was available but no stacked vehicles were observed. The valet parking service has been provided since April 2013. No incidents of overflow of the vehicles into the right-of-way or complaints from the neighboring residents or the office visitors have been reported to the City.

Staff Justifications for Approval

Staff supports the above requests based on the following:

The proposed use, as conditioned, is compatible with the uses in the surrounding area. Compliance with the conditions of approval will allow this use to operate without impacting the surrounding properties and uses. The office building abuts commercial uses to the east and north that were recently redeveloped to have adequate on-site parking provided for each individual use. Sufficient on-site parking is provided for the office building clients and the valet parking service is intended for customer convenience. Although the building is adjacent to residential uses on the west, the valet parking service does not adversely impact the adjacent residents. The hours of operation for the valet parking use are typical business hours. Furthermore, the existing apartment buildings are separated by both an alley and a block wall from the office building and parking lots. Because ingress and egress is limited to Nutmeg Place and Caraway Drive, the adjacent residential properties are not impacted by spill over parking. The proposed use, as conditioned, will not generate adverse noise, traffic, or parking impacts that are unusual for commercial zoned properties.

Parking is adequately provided in the existing parking lots. The total number of parking space provided for the building is 142 spaces. The number of required parking spaces for the current uses is 135 spaces. The on-site parking exceeds the minimum parking requirement by seven spaces, and in addition the applicant provides valet services for times of increased parking demand. The valet parking provides additional parking capacity, approximately 30 additional spaces, that are not required by Code.

The valet service is provided for customer convenience. The valet parking is a complimentary service for clients of the medical office use (Southland Spine and Rehab, Inc.) and used primarily only during peak parking demand periods. An adequate number of on-site parking spaces are provided for the mix of administrative office and medical office uses. The on-site valet parking is not intended to increase the parking supply and enable an intensification of use. Any intensification of use by converting additional office space to medical use requires submittal of a Minor Conditional Use permit application for re-evaluation of the parking demand.

The off-site valet parking will not negatively impact on- and off-site uses. The valet service enables stacked parking on the northerly parking lot during peak parking demand periods. The valet station is positioned at the end of the drive aisle near the northwest corner of the building and does not impede on-site circulation. The station allows monitoring of the north parking lot where cars would be parked in tandem rows and helps prevent vehicle overflow on to Nutmeg Place or Deodar Avenue. The Transportation Services staff has reviewed the vehicle circulation and has no objections to the use. The valet parking service ensures that clients (and employees) of the office building park their vehicles on site. Per condition of approval No. 6, customer and employee parking is required to occur on-site and not within surrounding streets. Therefore, parking impacts are not anticipated on- or off-site

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.

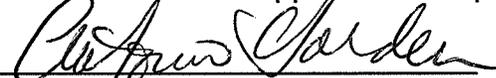
ALTERNATIVES

The Commission has the following alternatives:

1. Approve the use as recommended by staff; or
2. Deny the proposed use. The applicant could not submit substantially the same type of application for six months.

CONCLUSION

The project, as conditioned, will be compatible with surrounding properties. Therefore, staff recommends approval of the project.


ANTONIO GARDEA
Senior Planner


GARY ARMSTRONG, AICP
Development Services Director

- Attachments:
1. Draft Planning Commission Resolutions
 2. Applicant's Letter Request
 3. Location Map
 4. Site Plan

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

cc: WRA Property Management (Cody Bean)
13 Corporate Plaza, Suite 150
Newport Beach, CA 92660

Harbor Mesa LLC
C/O Bill Lang
Commerce Realty
149 Palos Verdes Boulevard, Suite E
Redondo Beach, CA 90277

RESOLUTION NO. PC-13-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-13-25 FOR A VALET PARKING SERVICE AT 1520 NUTMEG PLACE

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

WHEREAS, an application was filed by Cody Bean, authorized agent for the lease holder - WRA Property Management, for 1520 Nutmeg Place, requesting approval of a conditional use permit for on-site valet parking, in the C1 zone;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 14, 2013, 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-13-25 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-13-25 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 14th day of October 2013.

JIM FITZPATRICK
Chair, Costa Mesa Planning Commission

RESOLUTION NO. PC-13-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING PLANNING APPLICATION
PA-13-25 FOR A VALET PARKING SERVICE AT 1520
NUTMEG PLACE**

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

WHEREAS, an application was filed by Cody Bean, authorized agent for the lease holder - WRA Property Management, for 1520 Nutmeg Place, requesting approval of a conditional use permit for on-site valet parking, in the C1 zone;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 14, 2013, 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-13-25 with respect to the property described above.

PASSED AND ADOPTED this 14th day of October 2013.

JIM FITZPATRICK
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 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 off-site uses. Approval of the CUP will not impact off-site parking; the valet parking provides more parking than required for peak parking demand periods. 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. The valet service enables stacked parking on the northerly parking lot during peak parking demand periods. The valet station is positioned at the end of the drive aisle near the northwest corner of the building and does not impede on-site circulation.
- 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 "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.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. The use shall be limited to the type of operation as described in the applicant's letter of description and 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)].
2. Hours of operation for the valet parking service shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday unless otherwise approved by the Development Services Director
 3. Valet services shall utilize the northerly section of the parking lot. Stacked parking shall be limited to overflow parking during peak periods of parking demand.
 4. The valet service shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
 5. An adequate number of personnel shall be provided to ensure that the parking areas are monitored and coordinate the maneuvering of stacked vehicles in the northerly parking lot.
 6. Customer and employee parking shall occur on-site and not within surrounding streets or adjacent parking lots. If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate the problem, including, but not limited to, providing free on-site valet service.
 7. 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.

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 from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by obtaining a business license and legally establishes the business. If the applicant is unable to establish the use within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the planning application.
 2. Once the use is legally established, the planning application herein approved shall be valid until revoked. The Development Services Director or his/her designee may refer the planning application to the Planning Commission for modification or revocation at any time if, in his opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.
 3. Parking stalls shall be double-striped in accordance with City standards.
 4. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.

WRA Property Management, Inc.

ATTACHMENT 2

Richard K. Wray
President

August 20, 2013

Minoo Ashabi
City of Costa Mesa - Planning Department
PO Box 1200
Costa Mesa, CA 92628-1200

Re: **1520 Nutmeg Place, Costa Mesa**
Valet Parking & Request for Minor CUP

Dear Ms. Ashabi:

We are the property manager for the building located at 1520 Nutmeg Place in Costa Mesa, California. Some time ago, our primary tenant in that building, Comprehensive Health and Rehab, Inc. dba Southland Spine and Rehabilitation, contracted with Parking Management Services of America (PMSA) to provide valet services for their overflow parking. However, PMSA told the tenant that no CUP was required, which we now know is not the case.

I am writing to you now to request a Minor CUP for the purposes of providing valet services for overflow parking at the property. This service is needed because of the need from time to time to park more cars than the parking lot has spaces, and the lack of sufficient street parking to offset the overflow parking requirements. Also, we have agreed not to allow any of our tenants or their visitors to park in any of the parking lots of the adjoining properties.

The lot and valet parking will be exclusively used by our building / tenant and would have no impact and would not be materially detrimental to any neighboring properties.

The valet services are to be provided Monday through Friday from 8am to 5pm, and the service is provided free of charge to the users. The tenant has agreed to pay for the cost of this service.

If you require any additional information please let me know.

Sincerely,



Richard K. Wray

WRA Property Management, Inc.
13 Corporate Plaza, Suite 150, Newport Beach, CA 92660

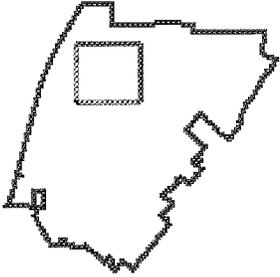
E-mail: rkwray@wra-pm.com

Office: (949) 644-7800

Facsimile: (949) 644-7816

Mobile: (949) 400-9624

Overview Map



Legend

Address Small	///	Freeway Roads	///	Freeway Major	///	Primary SECONDARY Hydrology Channels
Address Points	///	Collector (cont)	///	Newport BLVD (cont)	///	

Map Display



NUTMEG PLACE

HARBOR BOULEV

